

Councillors

**Legal & Democratic Services**

Governance Services

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Our Ref:

Your Ref:

24 June 2016

Dear Councillor

**COUNCIL – 29 JUNE 2016**

Please find attached for your attention a set of Executive Board minutes that were not available when the agenda was despatched.

Please attach these papers to your agenda for the meeting.

Many thanks.

Yours sincerely

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



## EXECUTIVE BOARD

WEDNESDAY, 22ND JUNE, 2016

**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

### 1 **The Chair's Opening Comments**

Tribute to Jo Cox MP and those who had lost their lives in Orlando, Florida

In opening the meeting, the Chair made reference to the terrible events of last week, which had seen 49 people killed in Orlando, Florida, and also the killing of Jo Cox MP.

As a mark of respect for both Jo Cox MP and those who lost their lives in Orlando, the meeting observed a minute's silence.

Councillor Charlwood

The Chair welcomed all in attendance to the meeting, especially Councillor Charlwood, given that it was her first meeting as an Executive Board Member.

EU Referendum

The Chair highlighted that given the proximity of this meeting to the EU Referendum and the fact that we remained within the purdah period, Members would need to exercise caution, should any issues arise during the meeting which related to the referendum question.

Municipal Journal Local Government Achievement Awards

The Chair paid tribute to, and congratulated all concerned for Leeds City Council's recent success at the Municipal Journal Local Government Achievement awards. Specifically, it was noted that the Council had been voted 'Local Authority of the Year', whilst awards were also received in the areas of 'Commercialism in the Property Estate' and 'Innovation and Impact in Children's Services'.

### 2 **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 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) Appendix E to the report entitled, 'Learning Places Programme: Capital Programme Update', referred to in Minute No. 9 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 the information contained within the submitted appendix relates to the financial or business affairs of any particular person (including the authority holding that information) which, if disclosed to the public could or would be likely to prejudice the commercial interests of that person or of the Council. On the basis that the information provided details pre-tender estimates, there is a risk that disclosing the information could prejudice the outcome of the tenders when submitted.

- (b) Appendix A to the report entitled, 'Community Hubs: Phase 2 Business Case', referred to in Minute No. 15 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 the information contained within the submitted appendix relates to the financial or business affairs of any particular person (including the authority holding the information) and contains property valuations for Council buildings which the report proposes are disposed of. It is therefore considered that the public interest in maintaining the content of the appendix as exempt from publication outweighs the public interest in disclosing the information, as publication could prejudice potential value of asset rationalisation.
- (c) Appendix 1 to the report entitled, 'The Grand Quarter', referred to in Minute No. 25 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 the information contained within the submitted appendix relates to the financial or business affairs of a particular organisation and of the Council. It is considered that the public interest in maintaining the content of the appendix as exempt from publication outweighs the public interest in disclosing the information due to the impact that disclosing the information would have on the Council and third parties
- (d) Appendices 1 and 2 to the report entitled, 'Design and Cost Report: Proposed Maintenance Works: Leeds Grand Theatre', referred to in Minute No. 26 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 the information contained within the submitted appendix relates to the financial and business affairs of the Council and a number of third party organisations. It is considered that the public interest in treating this information as exempt from publication outweighs the public interest in disclosing it by reason of the fact that it contains information and financial details which, if disclosed, would adversely affect the business of the Council and third parties.
- (e) Appendix 1 to the report entitled, 'Leeds City Region Enterprise Zone Update and Infrastructure Delivery', referred to in Minute No. 27 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 the information contained within the submitted appendix relates to the financial or business affairs of any particular person (including the authority holding that information). 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. This report relates to a procurement exercise and as such release of detailed information about the power requirement at this time would prejudice the council's position.

- (f) Appendix 1 to the report entitled, 'Design and Cost Report for the Acquisition of Properties for the Council's Investment Portfolio', referred to in Minute No. 28 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 the information contained within the submitted appendix relates to the financial or business affairs of a particular organisation and of the Council. It is considered that the public interest in maintaining the content of the appendix as exempt from publication outweighs the public interest in disclosing the information, due to the impact that disclosing the information would have on the Council and third parties.

### **3 Late Items**

No formal late items of business were added to the agenda, however Members were in receipt of a re-issued version of Appendix B to agenda item 16 (Welfare Reform and Council Tax Support), as although the appendix had featured within the agenda papers, the formatting of that document had led to some text within it being obscured. As such, a re-formatted version had been provided to Board Members for their consideration prior to the meeting (Minute No. 16 refers).

### **4 Declaration of Disclosable Pecuniary Interests**

There were no Disclosable Pecuniary Interests declared at the meeting, however, in relation to the agenda items entitled, 'Learning Places Programme' and 'Outcome of Consultation to Increase Primary School Places at Hawksworth Wood Primary School', Councillor Yeadon drew the Board's attention to her position as governor of Hawksworth Wood Primary School (Minute Nos. 9 and 14 refer). In relation to the agenda item entitled, 'Design and Cost Report: Proposed maintenance works: Leeds Grand Theatre', Councillor Yeadon also drew the Board's attention to her position as Chair of the Leeds Grand Theatre and Opera House Board of Management (Minute No. 26 refers).

In addition, a further comment with regard to interests was made at a later point in the meeting. (Minute No. 16 refers).

### **5 Minutes**

**RESOLVED** – That the minutes of the meeting held on 20<sup>th</sup> April 2016 be approved as a correct record.

## **CHILDREN AND FAMILIES**

### **6 Children's Transport Changes - Deputation to Council**

The Director of Children's Services submitted a report which was in response to the deputation presented to full Council on 23rd March 2016 representing families from East Keswick and Bardsey in respect of changes to the Children's Transport Policy. At that meeting, Council resolved that the response to the deputation be referred to Executive Board for consideration.

In considering this matter, and responding to enquiries raised, it was confirmed that the Local Government Ombudsman's (LGO's) finding was that although the school transport policy had been correctly applied, the Council had not clearly explained to parents that their nearest priority school for admissions purposes may not be their nearest qualifying school for transport purposes. When this became apparent, all parents who had unsuccessfully applied for assistance were advised in writing to appeal in line with the Council's transport policy. It was also confirmed that clearer information was now provided to parents on such matters, an issue which had already been addressed before the complaint to the LGO. In addition, it was noted that the Council is providing a refund of travel costs and free school transport for a period of time to the children of the two families concerned in line with the LGO's recommendations, and has agreed to apply the LGO's recommendations to other families in identical circumstances who had unsuccessfully appealed.

Emphasis was placed upon the importance of clarity of communication with parents, and also continuing to ensure that in such circumstances families were treated consistently and fairly and in line with the policy.

Responding to a Member's enquiry, it was requested that further detail on the specifics of this case and the finding and recommendations of the LGO be provided to the Member in question.

**RESOLVED** – That the contents of the submitted report be received and noted.

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

## **HEALTH, WELLBEING AND ADULTS**

### **7 Review of the Long Term Community Support Service - next steps and Progress Report**

Further to Minute No. 104, 19<sup>th</sup> November 2014, the Director of Adult Social Services submitted a report presenting the outcome of the review and related consultation undertaken with respect to the Long Term Community Support Service, and in light of such outcomes, the report outlined a proposal for Adult Social Care to cease provision of the long term service.

Responding to an enquiry regarding potential new providers and their links to the city, the Board was provided with details of the criteria that such providers would need to satisfy in such areas. In addition, it was requested that the providers liaise and engage with local Ward Members when delivering services. In noting the low level of locally based providers identified for this service, it was suggested that this could potentially be a matter which could be raised with the Local Government Association for consideration on a wider basis.

Members also considered the role of the Council, as a commissioning body, and the development of that role in processes such as this.

**RESOLVED –**

- (a) That approval be given to cease the directly provided Long Term Community Support Service (LTCSS), and that the plans for the transfer of customers to independent sector providers be noted;
- (b) That the timescales for ceasing the directly provided Long Term Community Support Service (LTCSS), commencing in July 2016, be agreed, with an aim to complete closure by September 2016;
- (c) That approval be given to the undertaking of continued formal consultation under Employment Legislation with Trade Unions and staff and support for staff throughout the process, including identifying any opportunities for employment within the Council;
- (d) That the use of £0.656m from the savings achieved to develop the in-house Skills for Independent Living Service (SkILs) be approved, and that the opportunities which this development creates for staff, be noted;
- (e) That the work which has been undertaken in carrying out the further review of the Long Term Community Support Service (LTCSS), be noted;
- (f) That in approving a decision on the future of the service the outcome of the full consultation report, as detailed within Appendix 1 to the submitted report, be noted;
- (g) That the development of alternative models of support, including those provided in the independent sector and the support available for existing customers to transfer to suitable alternative services within the independent sector, be noted;
- (h) That it be noted that the lead officer responsible for the implementation of such matters is the Director of Adult Social Services.

## **CHILDREN AND FAMILIES**

### **8 Annual Reports of the Fostering and Adoption Service & annual updates of the respective Statements of Purpose**

The Director of Children's Services submitted a report which presented the Annual Reports for both the Fostering and Adoption Services. In addition, the report also sought approval of the revised Statements of Purpose for Leeds City Council's Fostering and Adoption Services.

Having received an overview of the key points detailed within the report, responding to a specific enquiry, the Board received further information on the actions being taken to care for the increasing number of adolescents which were becoming looked after in Leeds, whilst the success and cost of the 'Staying Put' scheme in the city was noted. In addition, Members also received an update regarding the current position in respect of external residential placements and also considered the Residential Review which had been undertaken.

**RESOLVED** – That the submitted report be received and noted, and that support continues to be provided for the work of the fostering service and the promotion of best outcomes for children.

### **9 Learning Places Programme - Capital Programme Update**

Further to Minute No. 75, 21<sup>st</sup> October 2015, the Director of Children's Services, the Deputy Chief Executive and the Director of City Development submitted a joint report which presented an update on the three year strategy for providing sufficient school places in the city, an update on the progress of the projects currently forming the Learning Places Programme and which also sought approval for the 'authority to spend' for schemes within the 2016 Bulge Cohort Programme, which was a sub-programme of the Learning Places Programme.

Responding to a specific enquiry, officers undertook to provide the Member in question with details of the original estimated costs for those schemes, as detailed within Appendix B to the submitted report.

Following consideration of Appendix E 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 following be approved:
  - (i) Authority to spend on the schemes identified within the 2016 Bulge Cohort Programme which have an individual cost in excess of £500k, at a total value up to £3,410,000, as detailed within the Table at exempt Appendix E of the submitted report;
  - (ii) The delegation of the approval of design and cost reports for the bulge cohort schemes which exceed £500k to the Director of



Children's Services, and that these approvals shall be subject to the agreement of the Director of City Development and the Deputy Chief Executive in consultation with the appropriate Executive Members in line with the September 2014 Executive Board approval for the Learning Places Programme, and as detailed in the Table in exempt Appendix E;

- (iii) That the resolutions as detailed within this minute be exempted from the Call In process, for those reasons as set out within paragraph 4.5.3 of the submitted report (detailed below).
- (b) That the following be noted:
  - (i) The projected funding deficit which currently stands at £67.5m, based on Education Funding Agency rates, together with the fact that this is likely to increase due to a number of factors, as set out within paragraph 4.4.5 of the submitted report;
  - (ii) That the current reporting period has seen two further requests to access the programme capital risk fund (for Castleton Primary School and Roundhay Secondary School) totalling £1,278,944, leaving a balance of £4,356,056, which were approved in accordance with the Executive Board governance arrangements.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from Call In 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 resolution (a)(iii) above, the resolutions contained within this minute were exempted from the Call In process due to the constricted programme required to enable delivery of Bulge Cohort schemes by September 2016 and the limited opportunity to seek authority to spend between the date when pupil preferencing data is available (April 2016) and when orders need to be placed (mid to end of June 2016). The submitted report confirmed that the latest budget estimates had only just been received and costs are higher than anticipated on some of the projects, which has meant that they now fall within the remit of Executive Board rather than general departmental delegation limits, and some orders would need to be placed as soon as the authority to spend is granted at the Executive Board meeting in order to maintain programme. If the decision is not implemented before the end of the call-in period, there is a significant risk that some projects will not be completed in time for the start of term, with the subsequent risk of disruption to the education of a number of children starting school this year).

## **10 Outcome of statutory notices on proposals to expand primary provision in Hyde Park/Headingley, Swarcliffe/Whinmoor and Bramley planning areas**

The Director of Children's Services submitted a report regarding the proposals brought forward to meet the local authority's duty to ensure sufficiency of school places. Specifically, this report was divided into three parts, dealing with proposals to expand Bramley (Community) Primary, Brudenell

(Community) Primary and Fieldhead Carr (Community) Primary Schools and also to establish specialist provision at Bramley (Community) Primary School.

**RESOLVED –**

- (a) That the proposal to expand Brudenell (Community) Primary School by increasing its capacity from 280 pupils to 420 pupils, increasing the admission number from 40 to 60 with effect from September 2017, be approved;
- (b) That the proposal to expand Bramley (Community) Primary School by increasing its capacity from 280 pupils to 420 pupils, increasing the admission number from 40 to 60 with effect from September 2017, be approved, and also, approval be given to establishing Special Educational Needs (SEN) provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) from September 2017 for approximately 6 pupils;
- (c) That the proposal to expand Fieldhead Carr (Community) Primary School by increasing its capacity from 210 pupils to 420 pupils, increasing the admission number from 30 to 60 with effect from September 2018, be approved;
- (d) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning Systems.

- 11 Outcome of consultation to increase primary school places in Hunslet**  
The Director of Children's Services submitted a report on proposals brought forward to meet the local authority's duty to ensure sufficiency of school places. Specifically, the submitted report detailed the outcome of consultation on proposals to expand primary school provision at Hunslet Moor Primary School and which sought permission to publish a statutory notice in respect of such proposals.

**RESOLVED –**

- (a) That the publication of a Statutory Notice to expand Hunslet Moor Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2018, be approved;
- (b) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Systems.

- 12 Outcome of a consultation on a proposal to cease to provide complex social, emotional and mental health provision under the West Oaks SEN Specialist School and College (Oakwood Lane site) and providing for these needs under the Wellspring Academy Trust**  
Further to Minute No. 153, 9<sup>th</sup> March 2016, the Director of Children's Services submitted a report on the outcome of the consultation undertaken and subsequent Statutory Notice regarding the proposal to cease to provide

complex social, emotional and mental health (SEMH) provision under the West Oaks SEN Specialist School and College (Oakwood Lane site). Specifically, the report sought approval to provide for these needs under the Wellspring Academy Trust.

**RESOLVED –**

- (a) That the proposal to cease to provide behaviour, emotional and social difficulty (BESD) provision under the governance of The West Oaks SEN Specialist School and College (Oakwood Lane site) from 31 August 2016, be approved, with this being conditional upon the conversion of the existing BESD SILC into a 4 – 19 SEMH sponsored academy. The provision at the Oakwood Lane site would become part of the new academy from 1 September 2016. Should the academy conversion not be in place by then, then the provision would continue at Oakwood Lane under the governance of West Oaks SEN Specialist School and College.
- (b) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning Systems.

**13 Outcome of consultation to increase primary and secondary school places in Burmantofts & Richmond Hill**

The Director of Children's Services submitted a report presenting proposals brought forward to meet the local authority's duty to ensure efficiency of school places. Specifically, this report described the outcome of consultation regarding the proposals to expand primary and secondary school provision in Burmantofts and which sought permission to publish statutory notices in respect of such proposals.

Responding to a specific enquiry, officers undertook to provide the Member in question with a briefing on the proposal to expand primary places at Shakespeare Primary School.

**RESOLVED –**

- (a) That the publication of a Statutory Notice to expand primary places at Shakespeare Primary School from a capacity of 315 pupils to 630 pupils with an increase in the admission number from 45 to 90 with effect from September 2018, be approved, which will involve the relocation of Shakespeare Primary School onto the Dolly Lane site;
- (b) That the publication of a Statutory Notice to expand secondary places at The Co-operative Academy of Leeds from a capacity of 900 students to 1,200 students, with an increase in the admissions number from 180 to 240 with effect from September 2019, be approved;
- (c) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning Systems.

**14 Outcome of consultation to increase primary school places at Hawksworth Wood Primary School**

The Director of Children's Services submitted a report regarding proposals brought forward to meet the local authority's duty to ensure sufficiency of primary school places. Specifically, the report detailed the outcome of the consultation undertaken in respect of proposals to expand primary school provision at Hawksworth Wood Primary School and to publish a Statutory Notice in respect of such proposals.

**RESOLVED –**

- (a) That the publication of a Statutory Notice to expand primary provision at Hawksworth Wood Primary School from a capacity of 210 pupils to 420 pupils, with an increase in the admission number from 30 to 60 with effect from September 2017, be approved;
- (b) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning Systems.

**COMMUNITIES**

**15 Community Hubs - Phase 2 Business Case**

Further to Minute No. 25, 15<sup>th</sup> July 2015, the Assistant Chief Executive (Citizens and Communities) submitted a report presenting the progress which had been made to date on the Community Hub programme, specifically the delivery of the six Priority 1a schemes. In addition, the report also sought agreement to a number of proposals in order to progress Phase 2 of the scheme. Finally, the report also sought approval for the overall funding injections and authority to spend required to enable the delivery of the Community Hub Phase 2 programme.

Responding to a concern raised with regard to proposals in Horsforth, it was highlighted that consultation would continue with local Ward Members and all other relevant parties on this matter, and it was highlighted that the related proposals remained 'in principle' whilst such consultation took place.

With regard to proposals in Pudsey, emphasis was placed upon the importance of continuing to utilise Pudsey Town Hall as a venue for public meetings.

With regard to Rothwell, a concern was raised regarding the declaration of the area office as surplus to requirements.

Following consideration of Appendix A 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 contents of the submitted report, and specifically the progress made on delivering the Phase 1a Community Hubs, be noted;

- (b) That the delivery of the Phase 2 of Community Hubs schemes, be supported;
- (c) That the contributions of £600k from the Changing the Workplace and Corporate Property Management programmes already injected into the capital programme be noted, and that an additional injection of £4,017.4k be authorised in order to finalise the total funding needed of £4,617.4k for phase 2 of the Community Hubs programme;
- (d) That expenditure of £4,617.4k for the delivery of phase 2 of the Community Hubs programme be authorised, subject to the approval of the Assistant Chief Executive (Citizens and Communities) to the individual submission of business cases for delivering each part of the Phase 2 Community Hub programme;
- (e) That the disposal of the properties, as set out in the capital receipt section of exempt appendix A to the submitted report, be approved;
- (f) That the use of the revenue savings expected from the proposed asset rationalisation and delivery of the Community Hubs, as set out in paragraph 6.4.9 of the submitted report, be approved, in order to contribute towards the capital repayment cost required to deliver the Phase 2 Community Hub programme.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decisions referred to within this minute, whilst under the same provisions, Councillor Golton required it to be recorded that he voted against the decisions referred to within this minute)

## **16 Welfare Reform and Council Tax Support**

The Assistant Chief Executive (Citizens and Communities) submitted a report providing analysis on the impact of local Council Tax Support schemes since 2013 on those groups who no longer received 100% Council Tax support. In addition, the report also considered the expected impacts of the Government's continuing package of welfare reforms on local Council Tax Support schemes and set out options for how the Council could respond to such changes. Overall, the purpose of providing such information was to identify where changes were being recommended to the support scheme, and, if required, to obtain approval to undertake any related public consultation exercise.

Board Members were in receipt of a re-issued version of Appendix B to this report, as although the appendix had featured within the original agenda papers, the formatting of that document had led to some text within it being obscured. As such, a re-formatted version had been provided to Board Members for their consideration prior to the meeting.

Responding to an enquiry, it was noted that the relevant Scrutiny Board was intending to undertake a piece of work on the matters raised within the submitted report.

**RESOLVED –**

- (a) That the development of a revised Council Tax Support scheme, as set out in paragraphs 3.18 – 3.30 and Appendix C to the submitted report, be approved;
- (b) That a public consultation exercise on the revised scheme be approved, with the consultation to be concluded by November 2016;
- (c) That approval be given to retaining the Child Allowance for 3rd and subsequent children during the transition to any new scheme;
- (d) That approval be given to retain the Family Premium during the transition to any new scheme;
- (e) That the development of a hardship scheme for those in protected groups who may be worse off under a revised scheme, be approved;
- (f) That the intention to offer a financial incentive for jobseekers to complete Personal Work Support Packages by offering to write off court costs, be noted.

(During the consideration of this item, Councillor A Carter drew the Board's attention to the fact that his step-daughter was in receipt of related benefits)

**ENVIRONMENT AND SUSTAINABILITY**

**17 Meeting the Cost of Non-Urgent Tree Works**

The Director of Environment and Housing submitted a report regarding the issue of non-urgent tree works on Council owned or managed land in circumstances where a resident or organisation may consider agreeing to pay for such works.

Members welcomed the proposals detailed within the submitted report, however it was highlighted that this proposal should be part of a wider approach towards the management of trees across Leeds. In response it was noted that Leeds did have a tree planting programme, and that further details of this could be provided to Members, should they wish to receive them.

**RESOLVED –**

- (a) That approval be given to the following:-
  - (i) That the full cost of non-urgent works on Council trees can be met by an interested party, subject to the criteria as set out in paragraphs 3.8 and 3.9 of the submitted report, with specified works being in line with best arboricultural practice (BS 3998) by a Council approved contractor;

- (ii) That where it is deemed appropriate to remove a Council tree affected by development, then this work be undertaken by a Council approved contractor where the private landowner is prepared to meet the full cost;
- (b) That it be noted that the Chief Officer (Parks and Countryside) will be responsible for the implementation of such matters.

## **18 Cremator Replacement**

The Director of Environment and Housing submitted a report presenting potential options to sustain cremation provision in the city in order to meet current and anticipated demand.

### **RESOLVED –**

- (a) That it be noted that the existing cremators at Lawnswood are coming to the end of their operational life and need replacing;
- (b) That it be noted that it is not suitable to only replace cremators at Lawnswood without filtration, as this would be vulnerable to a change in legislation and contrary to statutory guidance;
- (c) That approval be given to undertake a feasibility study to ‘RIBA B’ at Lawnswood to install 3 cremators with mercury filtration equipment;
- (d) That a land search be conducted to the east of the city in order to identify suitable site locations, in accordance with the criteria as identified in paragraph 3.4.4 of the submitted report;
- (e) That it be noted that the Chief Officer Parks and Countryside is responsible for the implementation of such matters, and that it also be noted that a future report is anticipated to be submitted to Executive Board before the end of 2016.

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

## **ECONOMY AND CULTURE**

## **19 Review of Discretionary Business Rate Relief Scheme**

Further to Minute No. 201, 5<sup>th</sup> March 2014, the Director of City Development submitted a report which sought approval to extend the current scope of discretionary rate relief to ‘for profit’ organisations which met agreed criteria, as permitted under Section 69 of the Localism Act 2011.

### **RESOLVED –**

- (a) That the proposals to extend the guidelines for the award of discretionary relief for Business Rates from 2016/17 onwards, be approved;

- (b) That the implementation of the scheme be delegated to the Chief Officer Economy and Regeneration, in consultation with the Executive Members for 'Economy & Culture' and 'Resources & Strategy', together with the Deputy Chief Executive.

## **20 Growing the Leeds Visitor Economy**

Further to Minute No. 135, 17<sup>th</sup> December 2015, the Director of City Development submitted a report highlighting the success of the transition of 'VisitLeeds' to the Council from April 2015. In addition, the report also provided an overview of the current approach together with the mid to long term forward plan and how this was aligned to the core budget, looked to bring in external funding, whilst also exploiting cross boundary collaboration opportunities. Finally, the report sought approval to continue the implementation of this approach.

The work being undertaken by the Visitor Economy and Inward Investment team was welcomed, and in response to a specific enquiry, the Board received information on the actions being taken to promote Leeds as a conferencing venue, which included details of the 'Conferencing City Proposition'.

In promoting the city's tourism offer within the context of the overall objective of maximising the economic benefits of tourism, emphasis was placed upon the potential of focussing promotions on Leeds and local residents, in addition to those from further afield, an area which was supported via a number of initiatives across Council directorates and partner organisations.

### **RESOLVED –**

- (a) That the strategic approach and forward plan for the Leeds Visitor Economy function, as set out in the submitted report (including the cross-boundary, partnership based approach aimed at attracting visitors in national and international markets) be approved, and that the detailed delivery of this be delegated to the Chief Officer of Economy and Regeneration, in consultation with the relevant Executive Member;
- (b) That the approach to working with other destinations and 'Welcome to Yorkshire' on joint promotional campaigns be approved, and that the focus on attracting visitors from outside Leeds City Region, who spend more and support more jobs than local visitors, be endorsed;
- (c) That the approach to attracting additional funding by applying for and delivering external investment and commercial match funding, (including in-kind support), be approved, in order to ensure that Leeds is a lead destination and included where relevant, and when the function has the capacity to do so;
- (d) That approval be given for VisitLeeds to continue horizon scanning for strategic developments and opportunities, new approaches to funding, mutually beneficial collaborative partnerships (including working more closely and effectively with Leeds City Region destination management



organisations) and funding opportunities, and that such opportunities be responded to appropriately, in consultation with the Chief Officer of Economy and Regeneration;

- (e) That the resolutions detailed above be exempted from the Call In process, for those reasons as detailed within paragraph 4.5.2 of the submitted report (detailed below).

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from Call In 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 resolution (e) above, the resolutions contained within this minute were exempted from the Call In process due to the time sensitivity of external funding applications the function is currently bidding for, in particular the 'Discover England' fund where if the function is successful, it would be awarded funds to commence delivery early June 2016).

## **21 Storm Eva - Recovery Plan Update**

Further to Minute No. 157, 9<sup>th</sup> March 2016, the Assistant Chief Executive (Citizens and Communities) submitted a report which provided an update on the impact of Storm Eva in Leeds, specifically with regard to the recovery plan, flood alleviation proposals for the city, an update in respect of those who still remain affected by the floods, the ongoing discussions which continued with Government, proposals for regeneration and also the lessons which had been learned.

Responding to specific enquiries raised, the Board received an update on the progress being made on the development of the feasibility study for proposed flood alleviation measures, together with the collaborative work being undertaken with partners such as the Environment Agency. In addition, Members highlighted the need to ensure that those flood alleviation measures that the Authority could establish itself were progressed as appropriate, and were included in any wider flood alleviation proposals.

Also in response to a specific enquiry, the Board received an update on the allocation of grant scheme monies to those affected, and also received further information regarding proposals on the use of any remaining government flood response funds.

### **RESOLVED –**

- (a) That the updates detailed within the submitted report, including the details on the progress of the Strategic Recovery Plan, be noted;
- (b) That the implementation of the recommendations from the lessons learned review, as detailed within section 3.7 of the submitted report, be endorsed;
- (c) That the principle of using the remaining government flood response funds to assist in supporting businesses in flood affected areas through further recovery and resilience measures, supporting any outstanding

clean-up priorities, and the development of a wider regeneration strategy for the Kirkstall Road corridor and industrial areas in Hunslet, be supported, and that the Director of City Development be requested to develop detailed proposals for this, in consultation with the relevant Executive Member.

## **RESOURCES AND STRATEGY**

### **22 Financial Performance - Outturn Financial Year ended 31st March 2016**

The Deputy Chief Executive submitted a report presenting the Council's 2015/16 financial outturn position for both revenue and capital and which included the Housing Revenue Account together with spending on schools. In addition, the report also highlighted the position regarding other key financial health indicators including Council Tax and Business Rates collection statistics, sundry income, reserves and the prompt payment of creditors.

#### **RESOLVED –**

- (a) That the Council's outturn position for the financial year ending 31<sup>st</sup> March 2016, as detailed within the submitted report, be noted, and that the creation of earmarked reserves, as detailed within paragraphs 3.6 and 5.3 of the submitted report, be agreed, and that the release of such earmarked reserves be delegated to the Deputy Chief Executive;
- (b) That it be noted that the Chief Officer Financial Services will be responsible for the implementation of such matters following the conclusion of the 'Call In' period.

### **23 Treasury Management Outturn Report 2015/16**

The Deputy Chief Executive submitted a report which provided a final update on the Treasury Management Strategy and operations for the 2015/16 financial year.

Responding to an enquiry, the Board received further information regarding the management of the Council's debt budget.

**RESOLVED –** That the Treasury Management outturn position for 2015/16 be noted, together with the fact that treasury activity has remained within the treasury management strategy and policy framework.

### **24 Financial Health Monitoring 2016/17 - Month 2 (May 2016)**

The Deputy Chief Executive submitted a report which presented the projected financial health position for 2016/17, as at month 2 of the financial year.

Responding to Members' enquiries, the Board received further details of the collaborative work being undertaken across directorates in order to manage the continued budgetary challenges, with specific reference being made to the pressures on the Children's Services directorate budget.

**RESOLVED –** That the projected financial position of the authority, as detailed within the submitted report, be noted.

## **REGENERATION, TRANSPORT AND PLANNING**

### **25 The Grand Quarter**

Further to Minute No. 71, 21<sup>st</sup> October 2015, the Director of City Development submitted a report providing an update on the progress made in negotiations for the disposal and development of land at Belgrave Gardens and which also recommended that the Council exchanged an Option Agreement for the sale of such land.

Following consideration of Appendix 1 to the submitted report, together with the associated plan, 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 approval be given to the Council exchanging an Option Agreement with Wade Lane Developments Limited for the sale of land at Belgrave Gardens on the terms as detailed within exempt appendix 1 to the submitted report;
- (b) That approval be given for officers to negotiate the final terms for the disposal of Council owned land at Belgrave Gardens, and also for the disposal of the Council's freehold reversionary interest in Belgrave House, Commerce House and Warwick House, and that final terms for the disposals be approved by the Director of City Development under delegated powers; and
- (c) That subject to an encouraging response to the Expressions of Interest by the Heritage Lottery Fund (HLF), the necessary authority be delegated to the Director of City Development, in liaison with the Executive Member (Regeneration, Transport and Planning), to submit a Stage 1 bid to the HLF in support of a heritage-led regeneration programme for the Grand Quarter.

### **26 Design and Cost Report: Proposed Maintenance Works: Leeds Grand Theatre**

The Director of City Development submitted a report regarding proposed maintenance works in respect of the Leeds Grand Theatre and which sought approval for an injection of funding into the Capital Programme, together with 'Authority to Spend', in order to enable such maintenance works to be undertaken.

Following consideration of Appendices 1 and 2 to the submitted report, designated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

#### **RESOLVED –**

- (a) That an injection of funding into the Capital Programme, together with an 'Authority to Spend' on the proposed maintenance works to the

Leeds Grand Theatre, as detailed within exempt Appendix 1 to the submitted report, be approved;

- (b) That in the event that the injection of funding and 'Authority to Spend', as detailed within exempt Appendix 1 proves insufficient, the Deputy Chief Executive and the Director of City Development with the concurrence of the Executive Member for Economy and Culture be authorised to approve a further injection and 'Authority to Spend', as detailed in exempt Appendix 1, in order to facilitate the proposed maintenance works to the Theatre.

**27 Leeds City Region Enterprise Zone update and Infrastructure Delivery**

The Director of City Development submitted a report which provided an update on the progress achieved to date in respect of the Leeds City Region Enterprise Zone and highlighted the priority areas of work moving forward. The report also sought approval to commence a procurement process and utilise Council owned land to deliver a power solution which was intended to ensure that the required infrastructure was in place to facilitate the continued delivery within the Enterprise Zone and wider Aire Valley area.

Following consideration of Appendix 1 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 progress made to secure development and occupation of new floorspace within the Enterprise Zone, be noted;
- (b) That the recommendations made within the 2015 Enterprise Zone Growth Plan, be noted;
- (c) That a procurement exercise by the Director City Development to deliver improved infrastructure within the Enterprise Zone, in consultation with the Executive Member for Regeneration, Transport and Planning, and subject to funding being confirmed by the Local Enterprise Partnership (LEP), be approved;
- (d) That the necessary authority be delegated to the Director City Development in order to enter into negotiations and agree a contract to deliver the required infrastructure improvements;
- (e) That the necessary authority be delegated to the Director City Development in order to agree terms for the use of Council owned land adjacent to the A63 to accommodate a new electricity substation;
- (f) That the proposed funding mechanism to support delivery of the infrastructure improvements within the Enterprise Zone, be noted;

- (g) That the necessary authority be delegated to the Director City Development in order to inject funding from the LEP into the Council's Capital Programme, in order to support infrastructure delivery within the Enterprise Zone.

## **28 Design and Cost Report for Acquisition of Properties for the Council's Investment Portfolio**

The Deputy Chief Executive and the Director of City Development submitted a joint report regarding the terms for the acquisition of two newly constructed buildings in Leeds (3 Sovereign Square and Unit 1 Logic Leeds) which could be added to the Council's property investment portfolio.

Members welcomed the proposals to acquire the properties, as detailed within the submitted report.

It was confirmed to the Board that the name of the tenant to occupy Unit 1, Logic Leeds (Amazon) was now in the public domain. Following this, an enquiry was raised about potential concerns regarding the working practices of that company. In response, it was confirmed that regardless of whether the Council bought the property, Amazon had obtained the lease of Unit 1, Logic Leeds, and as such, should Members have concerns about the working practices of the company on their Leeds premises, then a dialogue could be had with them. In connection with this, Members also considered the possibility of establishing an ethical landlord policy for the Council.

Following consideration of Appendix 1 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 3 Sovereign Square as an investment on the terms as detailed within exempt Appendix 1 to the submitted report, be approved;
- (b) That the acquisition of Unit 1 Logic Leeds as an investment on the terms as detailed within exempt Appendix 1 to the submitted report, be approved;
- (c) That the injection into the Capital Programme, together with the associated 'Authority to Spend', for the sums as detailed within exempt Appendix 1, be approved;
- (d) That the Director of City Development, under the scheme of Delegation, be authorised to approve any changes to the recommended terms which may be necessary prior to completion, and that the Director of City Development also be authorised to complete the acquisitions;

- (e) That the Director of City Development be authorised to investigate the acquisition of additional investment opportunities which will further enhance the strength and performance of the Council's investment portfolio in supporting the Council's budget and stimulating economic regeneration and confidence as part of a strategic investment fund;
- (f) That the resolutions, as detailed within this minute be exempted from the Call In process, for the reasons as set out within paragraph 4.5.3 of the submitted report (detailed below);
- (g) That the recommendation, as detailed at paragraph 10.1 of exempt Appendix 1 be approved, and that the Director of City Development be authorised to facilitate this resolution.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from Call In 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 resolution (f) above, the resolutions contained within this minute were exempted from the Call In process as the Council is purchasing 3 Sovereign Square under the provision of an option agreement which requires the transaction to be exchanged within 20 days of notice being served by the vendor. By variation, the vendors have agreed to extend this to a long-stop date of the 27 June to exchange. Accordingly, if the Council does not exchange by that date it will lose its special position afforded by the option agreement. This situation would place the purchase under significant risk. Similarly, with respect to Unit 1 Logic Leeds, the price negotiated has been concluded on the basis that the sale is completed by 30 June 2016 to be before the end of the vendor's financial year. Should the sale not complete to that timescale, the Council would be at risk of the sale and the purchase price being re-opened for negotiation in open competition with other parties).

## **29 Holbeck, South Bank Supplementary Planning Document (SPD) - Adoption**

Further to Minute No. 160, 9<sup>th</sup> March 2016, the Director of City Development submitted a report presenting feedback from the public consultation exercise undertaken on the draft Holbeck, South Bank Supplementary Planning Document (SPD) and which requested approval of the proposed changes arising from this. Specifically, the report recommended the adoption of the re-drafted SPD, which would formally replace the existing Holbeck Urban Village Revised Planning Framework, previously adopted as Supplementary Planning Guidance in 2006.

Members acknowledged and welcomed the proposal to now refer to the area as Holbeck, rather than 'Holbeck Urban Village'.

### **RESOLVED –**

- (a) That the contents of the submitted report, together with the associated formal consultation statement, be noted;

- (b) That the renaming of the Holbeck Urban Village, South Bank Supplementary Planning Document to 'Holbeck, South Bank Supplementary Planning Document' be approved, and that officers commence dialogue with residents and partners in order to consider how best to market and promote this area of the city;
- (c) That the Holbeck, South Bank Supplementary Planning Document be adopted in the form as appended to the submitted report, pursuant to section 23 of the Planning and Compulsory Purchase Act 2004 (as amended);
- (d) That it be noted that the Chief Planning Officer will publish the Holbeck, South Bank Supplementary Planning Document (SPD) and associated documents in accordance with the Town and Country planning (Local Planning) (England) Regulations 2012 Compulsory Purchase Act 2004 (as amended).

### **30 Dewsbury Road: Integrated Road Safety Scheme**

The Director of City Development submitted a report which sought approval of the detailed design and implementation of the Dewsbury Road integrated road safety scheme and the associated Traffic Orders.

Responding to an enquiry, the Board noted that local Ward Members had been consulted, and that further consultation would continue, as the scheme progressed.

#### **RESOLVED –**

- (a) That the scheme, as detailed within the submitted report, be approved, and that the detailed design and implementation of said package of measures, as shown on drawing TM-10-2377-GA-01b, as appended to the submitted report, be authorised;
- (b) That authority to incur expenditure of £600,000, comprising of £495,000 works costs, £100,000 staff fees and £5,000 legal fees, be approved, and which are all to be funded from the Local Transport Plan Transport Policy Capital Programme;
- (c) That it be noted that all remaining decisions following detailed design relating to the proposed Traffic Regulation Orders, Speed Limit Order, Movement Order, Section 90c Notices and the designation of cycle tracks on the public highway will be reported to the Chief Officer (Highways and Transportation) using existing powers under the Officer Delegation Scheme (Part 3, Council Constitution) and sub-delegated by the Director of City Development.

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

**31 Design and Cost Report for the Repair of Linton Bridge and other Highway Infrastructure Assets damaged during Winter Storms of 2015**

The Director of City Development submitted a report providing details regarding the cost of repairs to Council owned infrastructure as a result of the flooding in December 2015 and the grant award funding from government to effect repairs. Specifically, the submitted report detailed proposals regarding the repair of Linton Bridge and which sought support to approach Central Government to make additional funds available for broader infrastructure works.

Members received an update on the currently projected timeframe for the completion of the bridge, whilst the complexities of the project were noted. In addition, further information was also provided on the actions being taken to progress other assets which had been damaged by the 2015 winter storms.

**RESOLVED –**

- (a) That the contents of the submitted report be noted;
- (b) That the proposal not to pursue the provision of a temporary bridge between Linton and Collingham be approved;
- (c) That the injection of £4.5m government grant for local road repairs into the Bridge Maintenance Capital Programme, together with associated 'Authority to Spend', be approved, for the sole purpose of expeditious repairs to Linton Bridge, with any remaining funding at the completion of the repairs to be distributed proportionally to the cost of repairs to other Leeds City Council infrastructure assets;
- (d) That the Permanent Works be procured and delivered in line with the dates as identified within section 3.11 of the submitted report;
- (e) That support be given to an approach being made to Central Government to make additional funds available for broader infrastructure works;
- (f) That it be noted that the Chief Officer Highways and Transportation is responsible for the implementation of such matters.

**32 The Future of Transport in Leeds**

Further to Minute No. 72, 21<sup>st</sup> October 2015, the Director of City Development submitted a report which provided details of the Secretary of State for Transport's decision to not grant the legal powers (under the Transport and Works Act) needed to construct and operate a trolleybus system in the form that was presented through the related Public Inquiry. In addition, the report highlighted that the funding allocated for New Generation Transport (NGT), £173.5m, would remain as allocated for schemes within Leeds, whilst it also presented the proposed next steps regarding the future of transport in Leeds.

Members made reference to the way in which such matters had recently featured in the local press.



Having noted the proposal to draw up an outline strategic case for the funding by the early autumn, Members discussed such timescales and looked forward to further discussion on this matter.

**RESOLVED –**

- (a) That the Government's decision regarding NGT, as detailed within the submitted report, be noted;
- (b) That it be agreed that the Council do not make an application for a Judicial Review of the Secretary of State decision, now that the Department for Transport (DfT) has been allocated £173.5m for transport in Leeds;
- (c) That it be noted that the Leader has asked for an associated scrutiny inquiry to take place, and that support be given to the proposal that the DfT and the West Yorkshire Combined Authority (WYCA) be invited to participate;
- (d) That approval be given to a letter being sent to the Secretary of State for Transport which outlines concerns about the process of developing public transport schemes in order to help lessons to be learnt nationally;
- (e) That officers be requested to undertake city wide engagement on developing a new long term transport vision and an associated transport plan, including for the allocation of the £173.5m;
- (f) That approval be given for officers to work in partnership with WYCA and the DfT to draw up an outline strategic case for the funding by the early autumn for submission to Secretary of State for Transport with the aim that by the end of the year we will have reached a clear, transparent and concise funding agreement for the £173.5m with Government.

**DATE OF PUBLICATION:** FRIDAY, 24<sup>TH</sup> JUNE 2016

**LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS:** 5.00 P.M., FRIDAY, 1<sup>ST</sup> JULY 2016

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 4<sup>th</sup> July 2016)