

EXECUTIVE BOARD

WEDNESDAY, 19TH APRIL, 2017

PRESENT: Councillor J Blake in the Chair

Councillors A Carter, S Golton,
R Charlwood, D Coupar, R Lewis, J Lewis,
L Mulherin, M Rafique and L Yeadon

177 Opening Remarks

The Chair acknowledged that a General Election, announced the previous day, would be held on the 8th June 2017. The Chief Executive confirmed proposals to hold the election count at Leeds Town Hall and the Civic Hall.

178 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 2 to the report entitled, 'Right to Buy Replacement Funding: Investment to Support the Delivery of New Supply Affordable Housing', referred to in Minute No. 187 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 of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through Expressions of Interest then 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;
- (b) Appendix 2 to the report entitled, 'Hotel Investment in Leeds', referred to in Minute No. 189 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/or organisation (including the authority holding that information), and of the Council. The information is not publicly available at the present

time and the release of the information would, or would be likely to, prejudice future transactions to secure hotel investment in Leeds;

- (c) Appendices 1 and 2 to the report entitled, 'The Development of Headingley Stadium', referred to in Minute No. 195 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 third parties and of the Council, and the release of such information would be likely to prejudice the interests of all parties concerned. Whilst there may be a public interest in disclosure, in all the circumstances of the matter, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time.

179 Late Items

Although no formal late items of business had been submitted for the Board to consider, prior to the meeting, Board Members had been in receipt of an updated version of Appendix 1 to agenda item 13 entitled, 'Hotel Investment in Leeds' (Minute No. 189 refers).

180 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting, however, in relation to the agenda item entitled, 'The Development of Headingley Stadium', Councillor Yeadon drew the Board's attention to her position as Trustee of Leeds Rugby Foundation. (Minute No. 195 refers).

181 Minutes

RESOLVED - That the minutes of the previous meeting held on 22nd March 2017 be approved as a correct record.

HEALTH, WELLBEING AND ADULTS

182 The Green - Moving from a Residential Home to a Recovery Service: Transition Plan

Further to Minute No. 136 of the meeting held 8th February 2017, the Director of Adults and Health submitted a report which presented a detailed transition plan for The Green care home and day centre for Board Members' information.

In response to Members queries, assurance was given that users of the Dementia Day Care facility currently based at The Green had received a guarantee that they would be offered a place at the nearest alternative Dementia Day Care facility to them as well as discussions on other choices available. Additionally it was confirmed that every resident and their next of kin had been sent lists of alternative homes rated as "Good" by the Care Quality Commission within 5 miles of The Green and within 5 miles of their family's home for their consideration. Discussions followed on the criteria used by the CQC to assess accommodation.

The Board noted the intention to provide bespoke support for the residents and their families; and that regular update reports would provide the Board with reassurance on the progress of the transition arrangements.

RESOLVED –

- (a) That the Transition Plan, as set out within the submitted report, be noted;
- (b) That the associated proposed timescales, as detailed at Appendix 3 to the submitted report, be noted;
- (c) That it be noted that the Director of Adults and Health will be the responsible officer for the implementation of the Transition Plan.

(As stated within the submitted report, given that the substantive decisions taken on such matters were the subject of a previous Call In, the matters referred to within this minute were not eligible for Call In under the provisions of Executive and Decision Making Procedure Rule 5.1.2)

CHILDREN AND FAMILIES

183 The Annual Standards Report 2015-16

The Director of Children and Families submitted a report presenting the progress which had been made during 2015/16 towards achieving the aims and priorities outlined in the education strategy for Leeds: 'The Best City for Learning 2016-2020'.

The Board commended the work undertaken by teachers, Headteachers and support staff to raise the overall standards of attainment for Leeds pupils and bring about an increase in the number of Leeds schools rated as "good" and "outstanding" by Ofsted. The areas identified in the report as requiring further improvement were discussed with the Board receiving assurance that recent investment in Social, Emotional and Mental Health support services would bring about progress for those pupils accessing those services.

In response to a query, the Executive Member for Children and Families provided assurance that strategies were in place to address the issues identified in the report as requiring improvement and further reports providing an update on progress would be presented to the Board in the future.

RESOLVED –

- (a) That the submitted report and appendices, which detail the outcomes of Leeds' children and young people in the 2015 / 2016 academic year, be noted;
- (b) That the Board's comments / recommendations made against the expectations for future developments in learning, and also on the ways that Leeds intends to diminish differences between key groups across the city, including those pupils with 'pupil premium' funding, Special

Educational Needs and Disability (SEND) or within a minority group, be noted;

- (c) That support be given to the provision of ongoing support, challenge and intervention in Leeds in order to ensure that progress continues to be made towards the 'Best City for Learning';
- (d) That it be noted that the Head of Learning Improvement is responsible for the implementation of the 'Best City for Learning' strategic plan.

184 Contextualising Future Challenges to Education in Leeds

The Director of Children and Families submitted a report which outlined the potential pressures that could impact upon education standards across Leeds in the future. This report followed the 'Annual Standards Report' for 2015-16 (Minute No. 182 refers) which presented the data regarding the performance in education and learning over the past year and the measures being implemented to progress such performance.

In responding to matters raised during discussions, the Executive Member for Children and Families provided assurance that individual strategies had been developed in support of each theme highlighted within the report. Future progress reports to the Board on the strategies could explore how other cities tackle the same issues; provide a comparison with Leeds' outcomes and clarify those issues which were within local authority control, those issues which had been regionalised and those which remained in control of Central Government.

RESOLVED –

- (a) That the submitted report, detailing the potential significant future challenges to education in Leeds, be noted;
- (b) That having considered the impact of such challenges in the different areas across Leeds, the comments made by the Board with regard to the approaches being made to mitigate the effect of them, be noted.

185 Approval to Spend for the Learning Places Expansion Project at Cockburn School

The Director of Children and Families submitted a report providing details of a proposal brought forward to meet the Local Authority's duty to ensure sufficiency of school places, and which supported the achievement of the Best Council priorities to improve educational achievement and close achievement gaps. Specifically, the submitted report sought the relevant 'Approval to Spend' in order to deliver an expansion project at Cockburn (Academy) School to accommodate an increase in the Published Admission Number (PAN) from 210 to 240 from September 2018, including a 'bulge' cohort of 60 additional pupils from September 2017.

RESOLVED –

- (a) That Capital expenditure of £1,559,624 to support the increase in PAN at Cockburn School, be authorised, with it being noted that this figure is

the maximum project budget and encompasses all works associated with this scheme;

- (b) That the programme dates, as identified within section 4.0 of the submitted report, regarding the implementation of this decision, be noted, with it also being noted that the final delivery date for this scheme is prior to the commencement of term September 2017;
- (c) That the necessary authorisation be provided to enter into a grant agreement with Cockburn Multi-Academy Trust for the sum of £1,559,624, with the terms of the agreement being approved by the Director of Children and Families, under his existing delegated authority;
- (d) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning Systems.

COMMUNITIES

186 Bangladeshi Centre

The Director of Communities and Environment submitted a report providing an outline of the events that had led to a dispute between the directors of the Bangladeshi Centre Charity. The report set out the steps that had been taken to date in order to seek to resolve the conflict, and looked to allow for a Council-facilitated approach towards the effective governance of the Charity.

The report proposed deadlines for progress to be made to secure the future of the centre or guide action to be taken for the Council to recover or take control of the centre. A request for Members to be briefed on the progress made against the milestones was noted.

RESOLVED –

- (a) That the work undertaken by officers since 30th May 2015 to seek to resolve the dispute between the two sets of directors responsible for the running of the centre be noted;
- (b) That the Director of Communities and Environment be requested to work with the directors of the Bangladeshi Centre and the Charity Commission in order to seek a joint solution to the effective governance of the Charity which satisfies the requirements of the Council by the deadlines as stated in paragraph 3.13 of the submitted report;
- (c) That in the absence of a joint solution which satisfies the requirements of the Council, or should the Charity become insolvent, the Director of Communities and Environment be requested to work with the Charity Commission in order to request the Charity Commission to create a scheme for the Centre with the Council as the sole trustee, or ultimately, to begin court proceedings to recover the asset and run the community centre in the interests of the Bangladeshi and wider community, and that such a decision be delegated by Executive Board

to the Director of Communities and Environment, in consultation with the Executive Member for Communities, and in taking account of the running costs and liabilities that would arise to the Council in taking such action.

187 Right to Buy Replacement Funding: Investment to support the delivery of new supply Affordable Housing

Further to Minute No. 45 of the Executive Board meeting held on 17th July 2013, the Director of Resources and Housing submitted a report providing an overview of the Right to Buy Replacement Programme, and which sought relevant approvals for funding contributions towards a number of affordable housing schemes being delivered by Registered Providers and the Third Sector.

Following consideration of Appendix 2 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 be noted;
- (b) That the Right to Buy Replacement funding applications, as detailed within the submitted report/appendices be approved; that the necessary authority to spend be granted; and that further to this, approval be given to enter into grant agreements for those schemes as listed within exempt Appendix 2, and as detailed at section 3.8 of the submitted report.

ENVIRONMENT AND SUSTAINABILITY

188 Leeds Quality Park Assessments (Adaptation to Climate Change)

The Director of Communities and Environment submitted a report which outlined details of the progress which had been made against the Leeds Quality Park Standard and which looked to consider the implications of the revised national Green Flag criteria on future assessments of parks and green spaces in Leeds; particularly in terms of adapting for climate change.

Discussion followed on the success of partnership working to create successful spaces - such as Middleton Park working with the local "Friends of" group and St Aiden's Nature reserve, a partnership between the Council and RSPB; and its important role as a floodland/wetland during the 2015 floods. The creativity and innovative approach of the Parks and Countryside team was commended.

RESOLVED –

- (a) That the adoption of the revised Green Flag Award® guidance manual together with the field based scoring methodology, as appended to the submitted report, be approved, for inclusion within future assessments against the Leeds Quality Parks standard;

- (b) That approval be given for the Parks and Countryside service to work with Community Committees, and 'friends' and volunteer groups in order to physically adapt sites with the aim of meeting the challenges of climate change mitigation and adaptation;
- (c) That it be noted that the Chief Officer (Parks and Countryside) is responsible for the implementation of such resolutions for assessments that take place from summer 2017.

ECONOMY AND CULTURE

189 Hotel Investment in Leeds

The Director of City Development submitted a report providing an update on the current position regarding hotel investment in Leeds, the predicted growth requirements and the forward plan of the Council's interventions which aimed to stimulate and manage such growth.

Prior to the meeting, Board Members had received an updated version of Appendix 1 to the submitted report (Hotel Investors' Fact Sheet).

Comments highlighted the recent investment in the sector which now provided a broad style of hotels and supported expansion in the tourism & leisure; retail and conference sectors and Leeds' bid for the Capital of Culture Bid 2023 as well as raising Leeds' destination profile. The availability of app-based companies offering more informal city-centre accommodation was also noted.

Additionally, discussion considered the role of Local Enterprise Partnership (LEP) and West Yorkshire Combined Authority in the development of the Portland Crescent hotel site.

Following consideration of Appendix 2 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 in taking into account current demand and associated future challenges, the current position regarding hotel investment in Leeds, as outlined within the background factsheet appended to the submitted report, be noted, with the contents of the submitted cover report together with that of the appendices also being noted;
- (b) That the estimated growth required, should Leeds win European Capital of Culture 2023, be noted;
- (c) That the growth in bed stock to date in 2017 be noted;
- (d) That the recent announcement and progress made with regard to hotel investments, together with the proactive forward plan for City Development directorate, be noted;

- (e) That agreement be given to the Council continuing to deliver a programme of interaction with national and international investors, in order to support the growth of the hotel market in Leeds.

EMPLOYMENT, SKILLS AND OPPORTUNITY

190 Promoting Apprenticeships - Update Report

Further to Minute No. 103 of the meeting held 16th November 2016, the Director of City Development submitted a report providing an update on the progress which had been made against a range of activities aimed at the promotion of apprenticeships. In addition, the report also set out an ambitious and innovative programme of activity which looked to maintain the Council's commitment to the apprenticeships agenda.

The success of Leeds Apprenticeship Recruitment Fair was noted and the work undertaken by the Leeds Apprenticeship Hub - part of the Council's Employment and Skills Service - was commended. The Board also noted comments in respect of the partnership working proposed with external providers to ensure value for money and a coherent offer of aligned apprenticeship schemes.

In response to concerns that apprenticeships were not promoted by schools, the Executive Member for Employment, Skills and Opportunity, confirmed that he would write to all Leeds' schools seeking to promote the apprenticeship offer. Additionally, he reported that a copy of the "What I Can Be" magazine had been sent to every 11 year old in Leeds which provided information on future learning pathways and a copy would be provided to all Members of Council.

RESOLVED – That the actions and achievements as described within the submitted report be noted, and that the Council's continued ambitious agenda to support residents and businesses in the city to access apprenticeships, be endorsed.

RESOURCES AND STRATEGY

191 Financial Health Monitoring 2016/17 - Provisional Outturn

The Chief Officer (Financial Services) submitted a report presenting the Council's provisional outturn position for the 2016/17 financial year. In addition, the report also sought approval to the creation of an earmarked reserve in order to support Armed Forces Day which was scheduled for June 2017.

The Executive Member for Resources and Strategy highlighted the outturn position of an approximate Budget underspend of £2m, thus reducing the use of general reserves; and the proposals to utilise the recent award of £9.6m Innovation Funding from the Department of Education to Children's Services over the next three years.

Discussion followed on the savings achieved by altering the Minimum Revenue Provision (MRP) – an annual charge for the repayment of borrowing and other capital financing liabilities – and Members noted the intention to provide further details on the management of MRP in a report proposed for the July Board meeting.

RESOLVED –

- (a) That the provisional outturn position of the Local Authority for the 2016/17 financial year, be noted;
- (b) That the creation of an earmarked reserve of £30k, in order to support Armed Forces Day in June 2017, be approved.

REGENERATION, TRANSPORT AND PLANNING

192 Housing White Paper - Department of Communities and Local Government (DCLG)

The Director of City Development submitted a report presenting for approval the Council's proposed response to the Government's Housing White Paper (HWP) (and associated background and technical documents) entitled, 'Fixing our Broken Housing Market', which were issued by the Department for Communities and Local Government (DCLG) on the 7th February 2017.

In presenting the report, the Executive Member for Regeneration, Transport and Planning, highlighted the contents of a letter proposed to accompany the response which provided an overview of how the Council would engage with the Government and identified the potential for good working relationships to achieve more for Leeds.

Additionally, the Board considered the inclusion of an 'environmental impact' statement on planning applications which would seek to ensure developers indicated measures intended to mitigate any detrimental environmental impact which may be caused by their schemes.

RESOLVED –

- (a) That approval be given to the recommendations in response to the HWP questions, Background papers and Technical information, as set out within appendices 1 and 2 of the submitted report;
- (b) That approval be given to the additional City Council comments in response to the HWP, as set out within Appendix 1 to the submitted report;
- (c) That the necessary authority be delegated to the Chief Planning Officer, in consultation with the Executive Member for Regeneration, Transport and Planning, to make any further supplementary or additional comments to the HWP, Background papers and Technical information, in addition to the submitted material considered by the Board;

- (d) That for those reasons as specified in paragraph 4.5.2 of the submitted report, the resolutions within this minute be exempted from the Call In process.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process if the decision taker considers that any delay would seriously prejudice the Council's, or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, due to, as stated within the submitted report considered by the Board, the short timescales to comment upon the HWP proposals (set by DCLG) and the timing of Scrutiny and Executive Board meetings. The HWP (Background papers and technical material) was issued on the 7th February 2017. Due to the wide ranging nature of the material and the need to complete internal consultation across Council services in preparing the draft response, it had not been possible to report to Executive Board until the April cycle. The deadline set by DCLG for final responses was the 2nd May 2017. Consequently, if the submitted report was to be Called In, it would be likely that this further consideration and any additional recommendations to Executive Board would not be concluded until after the deadline)

193 Hunslet Riverside Regeneration Delivery Plan

Further to Minute No. 52, 23rd September 2015, the Director of City Development submitted a report which provided an update on the Hunslet Riverside area of the South Bank and which sought approval of the Hunslet Riverside Regeneration Delivery Plan, together with a range of actions towards the Plan's implementation.

In presenting the report, the Executive Member for Regeneration, Transport and Planning reflected on the long standing role of the authority in shaping this area of the city and the Council's continuing ambition for the area.

RESOLVED –

- (a) That the progress already made in bringing forward development and investment schemes across Hunslet Riverside be noted, together with the opportunities which still remain;
- (b) That the Hunslet Riverside Regeneration Delivery Plan be approved;
- (c) That it be noted that the Director of City Development will undertake to agree terms with Citu for the sale of Council land, at market value, for a primary school and further residential development;
- (d) That the progression of work to assemble land at Armouries Drive in order to unlock development potential and to support the public realm connectivity, as set out within paragraph 3.5.9 of the submitted report, be supported.

194 Aire Valley Leeds Area Action Plan - Main Modifications consultation

Further to Minute No.52 of the meeting held 27th July 2016, the Director of City Development submitted a report which sought approval to commence a

six week consultation period in respect of the recommended modifications to the Aire Valley Leeds Area Action Plan.

RESOLVED –

- (a) That the Schedule of Main Modifications, as attached at Appendix 1, together with the Sustainability Appraisal of the Main Modifications, as attached at Appendix 2 to the submitted report, be approved for the purposes of being the subject of a 6 week period of public consultation;
- (b) That it be noted that the Head of Strategic Planning (City Development) will be responsible for the implementation of the resolution above.

(In accordance with the Council's Executive and Decision Making Procedure Rules, the matters referred to within this minute were not eligible for Call In as the power to Call In decisions does not extend to those decisions made in accordance with the Budget and Policy Framework Procedure Rules. As stated within the submitted report, the Plan was considered by Scrutiny Board (City Development) on 17 May 2016 in accordance with the Budget and Policy Framework Procedure Rules and approved for submission to the Secretary of State by Council on 19 September 2016. The subsequent scrutiny by the Independent Inspector has given rise to the need for the consideration of the submitted report, which is a formality of the statutory procedure and an intermediate decision made within the Budget and Policy Framework).

195 The Development of Headingley Stadium

The Director of City Development submitted a report which sought approval in principle to proposed arrangements in order to enable the Council to facilitate third party investment in the proposed development of the Headingley Stadium.

Discussion identified both Leeds Rhinos Rugby League Club and Yorkshire County Cricket Club, based at the Stadium, as significant contributors to the city; and considered the economic impact on the city if the redevelopment proposals were not progressed. Reference was made to the future of Test Cricket at Headingley Stadium and the stance adopted by the English Cricket Board. In terms of progressing the proposals, a suggestion to involve Opposition Group Leaders on Executive Board in the consultation on the agreement of the final terms of the arrangements and the relevant documentation was accepted.

Additionally, the Chief Executive reported receipt by Members of a representation from Councillor M Dobson with a request for Executive Board to set aside recommendation (d) of the report in order to make the matter available for Call-in. Councillor Golton expressed his support for this request. The remainder of the Board noted the impact any delay would have on implementation of the proposals.

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 the principle of the Council facilitating the redevelopment of Headingley Stadium by acting as tenant for the redevelopment of the North/South Stand and entering into lease arrangements with Yorkshire County Cricket Club and Leeds Cricket Football and Athletic Company, either individually or through a New joint company owned by the clubs, be approved;
- (b) That the draft Heads of Terms, as outlined in exempt Appendix 1 to the submitted report, be approved;
- (c) That based upon the draft Heads of Terms, as outlined in exempt Appendix 1 to the submitted report, approval be given for the agreement of the final terms of the arrangements and the relevant documentation to be delegated to the Director of City Development, in conjunction with the Chief Officer (Financial Services) and in consultation with the Leader of Council; the Executive Member for Transport, Regeneration and Planning and the Opposition Group Leaders on Executive Board;
- (d) That for those reasons as detailed within paragraph 4.5.2 of the submitted report, the resolutions within this minute be exempted from the Call In process;
- (e) That the underwriting arrangements, as referred to in paragraph 3.12 of the submitted report, be approved;
- (f) That it be noted that the Director of City Development and the Chief Officer (Financial Services) will be responsible for the implementation of the resolutions above.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process if the decision taker considers that any delay would seriously prejudice the Council's, or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, because, as stated within the submitted report considered by the Board, it had not been possible to submit this matter to the Board sooner so as to have been eligible for Call In, as it was not until January 2017 that it became clear that the originally proposed funding package was not capable of being delivered and the proposed alternative option had only emerged in the course of the last few weeks. Given that timing was now a critical issue and any delay would seriously prejudice the Council's interests, as it was understood that work needed to start in June 2017 in order to enable the stand to be completed in time for the 2019 Cricket World Cup. Should this matter not be dealt with at the 19 April 2017 Executive Board, it would not be possible to progress the various agreements necessary to enable the building

work to commence in the required timescales and the public benefits of the stadium redevelopment may be lost).

(Under the provisions of Council Procedure Rule 16.5, Councillor S Golton required it to be recorded that he abstained from voting on this matter)

DATE OF PUBLICATION: FRIDAY, 21ST APRIL 2017

**LAST DATE FOR CALL IN
OF NELIGIBLE DECISIONS:** 5.00 P.M., FRIDAY, 28TH APRIL 2017