

## REMOTE MEETING OF EXECUTIVE BOARD

WEDNESDAY, 22ND APRIL, 2020

**PRESENT:** Councillor J Blake in the Chair  
**(REMOTELY)** Councillors A Carter, R Charlwood,  
D Coupar, S Golton, J Lewis, L Mulherin,  
J Pryor, M Rafique and F Venner

### 155 Chair's Opening Remarks

The Chair welcomed everyone to the first remote meeting of the Executive Board, which was being held as a result of the current social distancing measures established in response to the Coronavirus pandemic.

On behalf of the Board, the Chair extended her thanks and appreciation to Council employees, together with all partner organisations and sectors across the city and the wider region for the extraordinary co-ordinated efforts being taken to continue to safeguard and serve communities during these unprecedented times.

Also, the Chair extended her condolences to all those across the city who had lost loved ones as a result of the pandemic.

### 156 Late Items

#### Agenda Item 8 (Update on Coronavirus (COVID-19) Pandemic)

With the agreement of the Chair, a late item of business was admitted to the agenda entitled, 'Update on Coronavirus (COVID-19) Pandemic'

Given the unprecedented scale and significance of this issue, it was deemed appropriate that a report be submitted to the first remote meeting of the Board. However, due to the fast paced nature of this issue, and in order to ensure that Board Members received the most up to date information as possible the report was not included within the agenda as originally published on 14<sup>th</sup> April 2020. (Minute No. 161 refers).

#### Agenda Item 9 (Decision Making Arrangements during Coronavirus (COVID-19) Pandemic)

Although not a formal late item of business, the Chair also agreed to accept updated information for incorporation into Appendix D to the report entitled, 'Decision Making Arrangements during Coronavirus Pandemic', which listed for the purposes of the Board's retrospective endorsement decisions which had been taken during the period between 16<sup>th</sup> March and 6<sup>th</sup> April 2020 (Minute No. 162 refers).

### 157 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting, however, during the consideration of Item 7 (Approval to Spend Request for the Learning Places Programme Rebuild and Expansion of Benton Park

School) Councillor Golton drew to the Board's attention the fact that he is a Governor at Royds School. (Minute No. 160 refers).

**158 Minutes of the Previous Executive Board Meeting and Notes of the Remote Executive Consultative Meetings**

**RESOLVED –**

- (a) That the minutes of the previous meeting held on 12th February 2020 be approved as a correct record;
- (b) That the notes of the remote, private consultative meetings of the Executive, as held on 18th and 25th March 2020 be noted.

**CLIMATE CHANGE, TRANSPORT AND SUSTAINABLE DEVELOPMENT**

**159 Regent Street Flyover Essential Maintenance Funding**

The Director of City Development submitted a report which sought approval to authorise the procurement of the design and build contract via the Scape Civil Engineering contract, to authorise expenditure of £31m for the Regent Street Flyover Maintenance Scheme, and which requested the Leader of Council to write to the Secretary of State to express concerns regarding the delay of the bid decision from the Department for Transport and to seek clarification on timescales.

In introducing the report, the Executive Member for Climate Change, Transport and Sustainable Development extended her thanks to those involved in the continued running of essential services in line with Government guidance in the field of highways maintenance and the delivery of schemes promoting public transport. With regard to the proposal in the submitted report, it was highlighted that public safety in respect of the flyover had been maintained via a rigorous monitoring process, however, although a funding decision was awaited from Government, the replacement of the flyover could not be delayed any further.

Responding to a Member's enquires, it was acknowledged that although there were challenges in having a number of key schemes being progressed concurrently in the city, actions would continue to be taken to minimise disruption and overlap as much as possible, and a key reason for submitting this report to this meeting was to progress the proposal, maximise the benefit from the current window of opportunity and to phase in the proposed scheme with other developments. Also, in acknowledging Member comments regarding contractors, emphasis was placed upon the importance of striking the correct balance between maintaining positive relationships with contractors during such challenging times, whilst also ensuring that developments kept within agreed timeframes wherever possible.

Members also discussed the ongoing dialogue taking place with Government around a decision from the Department for Transport on the submitted funding bid in relation to this scheme, and also with regard to the potential flexibility around the existing timeframe for committing Leeds Public Transport Investment Programme (LPTIP) funding, given current circumstances, which it

was highlighted would be welcomed. The Board considered the nature of the dialogue taking place and officers undertook to continue to liaise with the Department for Transport on such matters, which would complement any separate political discussions taking place.

#### **RESOLVED –**

- (a) That the decision by Full Council in February 2020 to inject Leeds City Council borrowing into the capital programme of £23.0m for the Regent Street Flyover Maintenance Scheme alongside the existing £8.0m within the Highways Bridges & Structures Programme giving a total funding package of £31m, be noted;
- (b) That the procurement of the design and build contract via the Scape Civil Engineering Framework, be authorised;
- (c) That the Leader of Council be requested to write to the Secretary of State to express concerns with the delay of the bid decision and to seek clarification regarding associated timescales;
- (d) That agreement be given that the Director of City Development proposes to inject external bid funds into the Capital Programme upon receipt of the relevant approvals in accordance with his existing delegated authority;
- (e) That the total expenditure of £31.0m for the design and implementation of the Regent Street Flyover Essential Maintenance Scheme which is funded from £26.4m Leeds City Council borrowing and £4.6m Local Transport Plan funding, be authorised;
- (f) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of these works.

#### **LEARNING, SKILLS AND EMPLOYMENT**

##### **160 Approval to spend request for the Learning Places programme rebuild & expansion of Benton Park School**

The Director of Children and Families submitted a report that provided an update on the first phase of the Benton Park School redevelopment tender process, and which sought approval to set the holistic project budget at £28.5m and to provide 'authority to spend' on this figure, subject to submission of future design and cost reports. The report also sought delegation of future approvals to the Director of Children and Families, in conjunction with the School Places Programme Board and in consultation with the Executive Member for Learning, Skills and Employment.

In introducing the report, the Executive Member for Learning, Skills and Employment extended his thanks to those involved in the continued running of essential services in the field of learning and education during this difficult time, including the online provision of learning materials and the continued opening of a number of schools for the children of key workers.

Members welcomed the proposals within the submitted report.

Responding to Member enquiries, the Board received information on the recent announcement regarding the further provision of Basic Needs funding that Leeds was to receive for new places. In acknowledging the need for investment in both Royds School and Wetherby High School, it was highlighted that consideration needed to be given to how that funding would be allocated, and that further information would be provided to Board Members in due course. Also, it was confirmed that the Council would continue to make representations to Government about additional resource that was required for refurbishment and expansion of capacity across the school estate. Discussion was also had on the level of resource which was needed in Leeds to meet the demands that the city faced.

Given the current circumstances, it was requested that monitoring continued on the school expansions programme, particularly in respect of those expansions scheduled to be operational in September 2020.

**RESOLVED –**

- (a) That approval be given to set the overall project budget for the redevelopment of Benton Park School at £28.5m, and that ‘approval to spend’ on this figure be agreed, subject to future design and cost reports being submitted and approvals being sought at the appropriate juncture, with it also being noted that the figure of £28.5m is inclusive of all aspects of the project, including: the construction contract figure, off-site highways works, client held contingency, furniture and equipment, decant costs, service connections etc.;
- (b) That the necessary authority be delegated to the Director of Children and Families to enable the Director to approve future design and cost reports associated with the redevelopment of Benton Park School, in conjunction with the School Places Programme Board and in consultation with the Executive Member for Learning, Skills and Employment;
- (c) That it be noted that the programme dates identified in section 3.2 of the submitted report, in relation to the implementation of this resolution, represents the critical path for project success and must be adhered to where possible;
- (d) That it be noted that the officer responsible for implementation of such matters is the Head of Service Learning Systems.

(During the consideration of this item, Councillor Golton drew the Board’s attention to the fact that he was a governor at Royds School)

## **INCLUSIVE GROWTH AND CULTURE**

### **161 Update on Coronavirus (COVID-19) Pandemic**

Further to Note No. 9 of the consultative meeting of the Executive held on 18th March 2020, the Chief Executive submitted a report providing an update on the Coronavirus (COVID-19) work within the city's health and social care system, undertaken across all Council services and with a broad range of partners to mitigate the effects of the pandemic on the city. The report noted that Leeds' response was set within the national context, Government guidance, the resilience and health resilience arrangements at a West Yorkshire level, and the city's multi-agency command and control arrangements.

With the agreement of the Chair, the submitted report had been circulated to Board Members as a late item of business prior to the meeting for the reasons as set out in section 15.1 of the submitted report, and as detailed in Minute No. 156.

Members welcomed the comprehensive report submitted and in introducing the report the Leader of Council conveyed her thanks on behalf of the Board to all Council employees and to all of partners across West Yorkshire for their continued efforts and the co-ordinated approach being taken to continue to safeguard and serve communities during these unprecedented times. The Leader also provided a detailed summary of actions being taken across all Council directorates in response to the challenges faced.

On behalf of the Board, the Chair also extended her condolences to all those across the city who had lost loved ones as a result of the pandemic, highlighting the recent death of former Leeds United footballer, Norman Hunter, who she emphasised had made an enormous contribution to the club and the city over many years, with it being noted that arrangements would be made at the appropriate time to mark his sad passing and to provide an opportunity to say thank you.

In addition, the Board also received a specific update from the Executive Member for Health, Wellbeing and Adults regarding the critical work being undertaken by health and care partners across the city and also from the Executive Member for Resources on the current position regarding the financial implications for the Council arising from the pandemic, with it being undertaken that Board Members would be kept informed of such matters.

The Board also received an update from the Chief Executive regarding the planning that continued to be undertaken with regard to the response and recovery phase and the challenges which would be faced as such planning developed.

The vital role being played by Local Government during this period was emphasised, with the recognition that had been received from national Government being highlighted. Further to this, it was hoped that the key role

which was undertaken by Local Government would continue to be acknowledged at a national level moving forward.

In considering the report, Members highlighted how the use of well-established partnerships, such as the Health and Wellbeing Board, relationships with the business and voluntary sectors, together with infrastructure such as Neighbourhood Networks was all proving crucial in helping to continue to serve communities, especially those most vulnerable, such as those individuals which were being 'shielded'.

Members also received updated information for Leeds regarding the number of Coronavirus cases and also the number of hospital deaths caused by Coronavirus. In addition, the Board also received information, via death registration data, on the number of deaths both inside and outside of a hospital setting which had been registered as being COVID-19 related. In response to the data received, Members emphasised the importance of a consistency of approach being taken with respect to the data being compiled, with further information on the progress being made on a regional and national basis being provided. An update regarding the testing of patients in a care setting was also provided.

Members also placed emphasis upon the importance for the city to continue to follow the Government guidance in order to continue to protect the NHS and safeguard people and emphasised their appreciation for the vital role being played by the public in following the guidance to stay at home, with the Board seeking the public's continued support on this.

In conclusion, the Leader asked all Directors to write to their respective teams to thank them for their continued efforts throughout such challenging circumstances.

**RESOLVED -**

- (a) That the updated national context and local response to the coronavirus (COVID-19) outbreak, as detailed within the submitted report, be noted;
- (b) That the updated Response and Recovery Plan and governance, as detailed within the submitted report and appendices, be agreed;
- (c) That the contents of this submitted report be used as context for the consideration of the more detailed report on decision making arrangements during the Coronavirus pandemic, as detailed at Minute No. 162;
- (d) That all Directors be requested to write to their respective teams to thank them for their continued efforts throughout such challenging circumstances.

## **RESOURCES**

### **162 Decision Making Arrangements During Coronavirus Pandemic**

The City Solicitor submitted a report setting out the arrangements which had been made regarding the publication and recording of officer decisions during the Coronavirus pandemic, in order for the Council to adapt to the urgency and scale of the decision making required in response to the pandemic. In addition, the report also sought the Board's retrospective endorsement of the officer decisions taken during the period 16<sup>th</sup> March – 6<sup>th</sup> April 2020, as detailed within Appendix D.

Regarding Appendix D and with the agreement of the Chair, updated information for inclusion within the appendix had been circulated to Board Members and published prior to the meeting to enable its consideration as part of this agenda item.

The Executive Member for Resources highlighted that actions were being taken with the aim of looking to enable Scrutiny Boards and potentially Community Committees to become operational on a remote basis, with an update being provided on the informal remote discussions which had been held with Community Committee Chairs and between some Community Committee Members. In addition, a suggestion was made for further consideration to be given to ways in which selected aspects of full Council meetings could become operational moving forward.

Also, it was highlighted that the collective agreement which had been made with Scrutiny Chairs for key decisions taken in relation to the emergency response to be treated under the 'Special Urgency' provisions was time limited and that a review date of 4<sup>th</sup> May 2020 or before had been set, with it being noted that if circumstances required, then a further agreement for a short period was likely to be sought by that date, with such matters continuing to be reviewed on a regular basis.

In response to a Member's comments, assurance was provided that such measures had been established to ensure that the agility required around decision making was in place, however, it was emphasised that robust governance and decision making arrangements would remain during this period.

### **RESOLVED**

- (a) That the arrangements, as set out within the submitted report for officer decision making during the course of the coronavirus pandemic, be noted;
- (b) That the decisions taken during the period between 16th March and 6th April 2020, as set out within Appendix D to the submitted report and as included within the additional information subsequently submitted, be retrospectively endorsed;

- (c) That it be agreed that the resolutions within this minute be exempted from the Call In process for the reasons outlined within section 4.5.4 of the submitted report.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process by the decision taker if it is considered that the matter is urgent and any delay would seriously prejudice the Council's, or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, as per resolution (c) above, and for the reasons as detailed within sections 4.5.4 of the submitted report)

### **163 Financial Health Monitoring 2019/20 - Provisional Outturn**

The Chief Officer (Financial Services) submitted a report which presented the Council's provisional financial outturn position for the 2019/20 financial year and which sought approval to use the Council's General Reserve to fund any overspend when compared to budgeted assumptions once the final position is known.

The Executive Member for Resources provided an update on the current position regarding the financial outturn for 2019/20, and with regard to 2020/21, it was emphasised that actions were being taken to record the financial impact of the pandemic, to manage the Council's resources during this period and in the longer term the Council would seek to recover and receive as much of the resource it required as possible.

Members highlighted that the report which will cover the beginning of the 2020/21 financial year would begin to illustrate the true extent of the financial implications of the pandemic on the Council.

A Member welcomed the intention to submit proposals to address the currently projected overspend against the Children Looked After budget for 2020/21 to the June Board meeting.

Responding to a Member's comments regarding the potential provision of information to the Executive on the relevant budgetary impact for partner organisations arising from the pandemic and the implications arising for the Council, the comments made were acknowledged and it was highlighted that this analysis would form part of the Council's 'response and recovery' processes.

#### **RESOLVED –**

- (a) That the projected provisional 2019/20 outturn for the Authority, as detailed within the submitted report, be noted;
- (b) That, in regard to the projected outturn position projected in the submitted report, approval be given for the use of the Council's general reserve to fund any overspend when compared to budgeted assumptions once the final position is known, with any amount required from the general reserve being confirmed in the final outturn Financial

Health report, which is timetabled to be received at June's Executive Board. It was noted that the officer responsible for the implementation of this resolution is the Chief Officer, Financial Services;

- (c) That it be noted that financial pressures arising as a consequence of Coronavirus (COVID-19) will be met from the Government's COVID-19 support grant allocation to the authority;
- (d) That, noting that the Children and Families directorate projects a variance of £3.8m against the Children Looked After (CLA) budget for 2020/21 based on projections of CLA numbers, the Director of Children and Families be requested to identify proposals to address the projected overspend and that these proposals be incorporated into the next Financial Health Monitoring report to be received at Executive Board.

**DATE OF PUBLICATION:** FRIDAY, 24<sup>TH</sup> APRIL 2020

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5.00 P.M., FRIDAY, 1<sup>ST</sup> MAY 2020