EXECUTIVE BOARD

WEDNESDAY, 21ST JULY, 2021

PRESENT: Councillor J Lewis in the Chair

Councillors S Arif, D Coupar, M Harland, H Hayden, J Pryor, M Rafique and F Venner

APOLOGIES: Councillors A Carter and S Golton

SUBSTITUTE MEMBERS: Councillors B Anderson and J Bentley

27 Substitute Member

Under the provisions of Executive and Decision Making Procedure Rule 3.2.6, Councillors B Anderson and J Bentley were invited to attend the meeting on behalf of Councillors A Carter and S Golton respectively, who had both submitted their apologies for absence from the meeting.

28 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt from publication on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

(A) That appendix 3 to the report entitled, 'British Library at Temple Works', referred to in Minute No. 33 be designated as being exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 and considered in private on the grounds that the appendix contains information relating to the financial or business affairs of any particular person (including the authority holding that information). As such, 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;

(B) That appendix 1 to the report entitled, 'Leeds Pipes District Heating Network: Status Update and Securing Future Growth', referred to in Minute No. 34 be designated as being exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 and considered in private on the grounds that the appendix contains information relating to the financial or business affairs of any particular person (including the authority holding that information). Specifically, the appendix contains detailed pricing information underpinning the Council's heat sales which, if disclosed

could damage its commercial interests. Disclosure of this information would seriously harm the Council's negotiating position when discussing heat sales with potential customers. Therefore, it is considered that the public interest in maintaining the content of Appendix 1 as being exempt from publication outweighs the public interest in disclosing the information.

29 Late Items

Agenda Item 10 - Update on Coronavirus (Covid-19) Pandemic – Response and Recovery Plan

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

Given the scale and significance of this issue, it was deemed appropriate that a further update report be submitted to this remote meeting of the Board. However, due to the fast paced nature of developments on 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 the 13th July 2021. (Minute No. 36 refers).

30 Declaration of Interests

In relation to Agenda Item 9, 'Leeds Air Quality Strategy 2021 - 2030', Councillor Arif declared a Disclosable Pecuniary Interest in this item, due to the fact that she was a Director of EV Master, a company involved in electric vehicle charging points. As such, Councillor Arif left the meeting room for the duration of that item, and hence did not participate or vote upon it. (Minute No. 35 refers).

Also in relation to Agenda Item 9, 'Leeds Air Quality Strategy 2021 - 2030', Councillor Hayden declared an 'other' interest in that item due to the fact she was a Council appointed representative on the Outside Body 'Environmental Protection UK'. Councillor Hayden remained in the room for the consideration of this item, participated and voted upon it. (Minute No. 35 refers).

31 Minutes

RESOLVED – That the minutes of the previous meeting held on 23rd June 2021 be approved as a correct record.

ENVIRONMENT AND HOUSING

32 To consider the future of the maisonette block on the Highways housing site in the Killingbeck area of East Leeds and receive an update on progress with the redevelopment proposals for the site

Further to Minute No. 41, 24 July 2019, the Director of Communities, Housing and Environment submitted a report detailing proposals to include the maisonette block of 12 homes at 122-133 Highways, York Road, Leeds LS14 in a wider redevelopment of the Highways tower block site, which had been previously agreed by Executive Board. The report also sought approval to

suspend new lettings to the maisonettes and start re-housing existing residents with a view to achieving vacant possession as soon as possible. Additionally, the report provided a further update on the overall progress made in respect of the Highways site.

In considering the matter, Members welcomed the scheme. Responding to a specific enquiry, it was noted that currently there were 132 homes on the site and that the scheme would see this replaced with an estimated 230 – 250 new build units. Regarding a question about whether there were any known abnormals or risks associated with the site, it was noted that although there was no current indication of such issues, appropriate onsite surveys and assessment would be undertaken as part of the due process. Also, responding to an enquiry the Board noted that it was anticipated that rent levels for the properties would be consistent with social rent levels for new build Council homes.

In considering the current timeframes for the scheme, the Board received further details on the progress being made to re-house existing tenants as efficiently as possible.

Also, it was noted that the commitment made for tenants of the Highways tower blocks and maisonettes who wished to return to the new build programme when completed, would be honoured, subject to the size of the new properties being able to appropriately accommodate each family's needs.

RESOLVED –

(a) That the contents of the submitted report, be noted;

(b) That the properties of 122-133 Highways, York Road, LS14 6AR be declared as surplus to requirements;

(c) That agreement be given to take out of charge the properties of 122-133 Highways, York Road, LS14 6AR;

(d) That agreement be given for the buildings on the site of 122-133 Highways, York Road, LS14 6AR to be safely demolished, creating a clear site for future use;

(e) That the serving of an initial demolition notice, in line with Housing Act processes, in respect of tenants wishing to exercise their Right to Buy, be approved;

(f) That agreement be given for the site to be developed as part of the Housing Growth programme, enabling new Council housing to be built on that site in the future;

(g) That it be noted that separate reports will follow which will deal with the demolition proposals for existing homes and for any proposals for replacement housing under the Council Housing growth programme;

(h) That it be noted that the officers responsible for the submitted report and the implementation of such matters are the Head of Housing Management (Communities Housing & Environment) and the Head of Council Housing Growth (City Development).

INFRASTRUCTURE AND CLIMATE

33 British Library at Temple Works

The Director of City Development submitted a report setting out proposals for how the Council could help to facilitate a British Library location to be brought forward at the Grade I listed, and at risk, Temple Works.

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

RESOLVED –

(a) That the status of proposals for a British Library at Temple Works and the funding strategy, as set out in exempt appendix 3 to the submitted report, be noted;

(b) That approval be given to inject £5.0m into Capital Scheme Number 33490/000/000, funded from the £5m of devolution deal monies, in order to fund a grant for temporary stabilisation and more detailed design and surveys; and that the necessary authority be delegated to the Director of City Development and the Chief Officer, Financial Services in order to enable the Director and Chief Officer to provide 'authority to spend', subject to subsidy control compliance and entering into the legal agreements, as set out in exempt appendix 3 to the submitted report;

(c) That the principles of the longer term tripartite legal agreement with the British Library and CEG, be endorsed, should British Library's commitment to Temple Works become unconditional, as set out in exempt appendix 3 to the submitted report;

(d) That the principles of the Council entering into legal agreements with CEG for: a) the disposal of LCC land surrounding Temple Works; b) grant agreement(s); and c) CPO Indemnity Agreement, as set out in exempt appendix 3 to the submitted report, be endorsed;

(e) That a further report on Temple Works and the British Library with recommendations on the final detailed heads of terms for the legal agreements, as set out in exempt appendix 3 to the submitted report, be presented to the Board following further financial and legal due diligence.

34 Leeds PIPES District Heating Network: Status Update and Securing Future Growth

Further to Minute No. 24, 20 July 2020, the Director of Resources submitted a report providing an update on the progress that has been made on the development of the Leeds Pipes District Heating Network, and which sought the Board's consideration of the recommendations in the report regarding the next steps to be taken in relation to the Phase 3E extension of the network to the Southbank area of the city.

Responding to a Member's enquiry on the options available regarding the use of the profit beginning to be generated by the scheme, it was noted that such circumstances would enable the faster repayment of capital, however, other options would be considered, as appropriate, having first met any related obligations.

Also, with regard to the management of any risks associated with the scheme, it was noted that a risk register had been established specifically for this project, with it being noted that a measured approach was being taken towards the scheme as a whole, in order to mitigate risk.

Members also discussed the positive role being played by the Council through this scheme in terms of its contribution towards addressing the Climate Emergency, the development of associated infrastructure and the financial benefits in terms of providing lower cost heating and reducing fuel poverty.

Responding to a specific enquiry regarding the regulatory and competition aspects of the scheme, it was noted that guidance on such matters had been sought at the outset of the project, however, it was undertaken that further detail on this would be provided to the Member in question.

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

RESOLVED –

(a) That the contents of the submitted report, including the detail set out within exempt Appendix 1, be noted;

(b) That the recommendation within the submitted report to no longer proceed with the extension to the Tetley Brewery site and to hand back £2.438m grant to Heat Networks Investment Project (HNIP), be approved;

(c) That the 'authority to spend' for the construction of works on the Citu site at Low Fold to a value of £450k, which will ensure the opportunity to supply heat into the South Bank in future remains possible, be approved;

(d) That the authority to submit a funding application to the Heat Networks Investment Project (HNIP) for a potential phase 3W extension to the Wellington Street area of the city, be approved, with further details being brought to a future Executive Board meeting to seek authority to sign a grant agreement and to provide the funding required from the Council to the District Heating PipeCo. in the form of a loan in order to satisfy funders' requirements;

(e) That in line with existing delegations, it be noted that any strategic investment opportunities up to an individual scheme value of £500k will be authorised by the Director of Resources, where a viable business case exists;

(f) That approval be given to the principle of providing capital free connection agreements to customers if there is a viable business case.

35 Leeds Air Quality Strategy 2021 - 2030

Further to Minute No. 66, 21 October 2020, the Director of Resources submitted a report presenting for the Board's consideration the Leeds Air Quality Strategy Action Plan 2021 – 2030, which provided a framework for the continued compliance and improvement of the city's air quality.

Responding to a Member's enquiry, the Board received an update on the current position and the actions being taken to improve air quality levels in the area of Main Street, Pool in Wharfedale. It was undertaken that the Member in question would be provided with further information on this matter, including the latest data on air quality.

Members discussed the specific impact of domestic wood burners on air quality and with regard to the effect upon people's health, highlighting that increased awareness of such matters was needed. In response, regarding the circulation of further communications and information on how air quality in Leeds could be further improved, and also on mitigating the impact of specific issues, such as domestic wood burners, it was noted that the aim was to compile such information over the course of the next 3-4 months. It was also undertaken that any developments on the specific issue of wood burners at a national level would be provided to those Members in question, as appropriate.

The Board also received further information on the actions being taken to improve the infrastructure across Leeds for electric vehicle charging.

RESOLVED –

(a) That the 2021-2030 Air Quality Strategy Action Plan, as detailed at Appendix 1 to the submitted report, be approved;

(b) That agreement be given to the submission of an annual progress report which confirms projects delivered and refreshes the air quality targets accordingly;

(c) That the extension of the Electric Vehicle trials service from October 2021 to March 2022, be approved;

(d) That the development of a business case to bring electric vehicles on to the refuse fleet as part of the standard fleet replacement programme with the aim of bringing the first electric Refuse Collection Vehicle (RCV) onto fleet in 2022, be supported;

(e) That a collaborative approach for action to address the direct impact of air pollution on health, be supported;

(f) That it be noted that the Chief Officer, Sustainable Energy & Air Quality will be responsible for any actions arising and the subsequent implementation of such actions.

(Further to the declaration of interest as detailed at Minute No. 30, Councillor Arif took no part in the consideration of this matter and left the meeting room for the duration of this item)

LEADER'S PORTFOLIO

36 Update on Coronavirus (Covid-19) Pandemic - Response & Recovery Plan

The Chief Executive submitted a report presenting details of the actions being taken as part of the multi-agency partnership approach since the last Executive Board meeting on 23rd June 2021. The report included the findings of a review of the city's multi-agency response to the pandemic, involving stakeholders from across the partnership. The report also provided the latest Response and Recovery Plan, which continued to be the main reporting tool for ongoing work across the seven themes, setting out the broad range of activities including: a summary plan for the rest of 2021, details of the vital partnership arrangements, and information on the continued proactive work to try and control the number of cases across the city and increase testing, tracing, isolating and crucially vaccination uptake.

In presenting the report, the Leader provided an update on how the Council was adapting services following progression to Step 4 of the Government's roadmap on 19th July, with the importance of a continued cautious approach being highlighted. In addition, the Executive Member for Public Health and Active Lifestyles provided an update on the progress being made in relation to vaccination rates across the city. A summary of the 'lessons learned' review which had been undertaken regarding the multi-agency approach towards responding to and recovering from the pandemic was also provided.

Responding to a Member's enquiry, the Board received an update regarding the actions being taken and the processes which continued to be worked through as a result of progression to Step 4 of the Government's roadmap in areas such as the delivery of Council services, the public use of Council buildings and the operation and accessibility of Council committee meetings.

RESOLVED –

(a) That the findings and recommendations in the Learning Lessons Review, as set out in Annex A to the submitted report, be noted and agreed;

(b) That the latest version of the Response and Recovery Plan as at Annex B, including the plan for the remainder of the year, and the updated Local Outbreak Management Plan at Annex C, be noted;

(c) That the information within Annex D, the latest Covid-19 Dashboard, and Annex E, a summary of national developments since the last meeting of Executive Board, be noted.

37 Annual Corporate Performance Report 2020/21

The Director of Resources submitted a report which reviewed the Council's performance during 2020/21 in delivering against the ambitions, outcomes and priorities, as set out within the Best Council Plan, including details of progress against Key Performance Indicators.

RESOLVED – That the Annual Performance Report for 2020/21, as appended to the submitted report, be received; and that the progress which has been made during 2020/21 in delivering the ambitions and priorities set out within the Best Council Plan, be noted.

38 Annual Corporate Risk Management Report

The Director of Resources submitted a report providing an update on the most significant risks currently on the Council's corporate risk register and which presented a summary of assurances describing the key controls in place to manage those risks and any further actions planned.

Responding to a specific enquiry, the Board received further detail regarding the prevalence of cyber-attacks upon the Council and the actions which continued to be taken to mitigate the risks that such attacks posed.

Again, responding to a specific request, officers undertook to contact Councillor A Carter in order to schedule briefings with him on the Council's risk management processes.

RESOLVED – That the Annual Corporate Risk Management report, as appended to the submitted report, be noted, together with the assurances provided on the most significant corporate risks, in line with the Council's Risk Management Policy and Strategy and the Board's overarching responsibility for their management.

39 Risk Management Policy and Strategy Update

The Director of Resources submitted a report that presented the Council's Risk Management Policy and Strategy, which had been reviewed and updated in order to reflect relevant changes in the sector together with the latest best practice and guidance.

In presenting the report, the Leader emphasised the importance of maximising Elected Member involvement and awareness in the Council's risk management policy and processes.

RESOLVED –

a) That the updated Risk Management Policy and Strategy, as appended to the submitted report, be endorsed;

b) That the offer of risk management training be noted, with it being acknowledged that the report author should be contacted if any such training was required.

RESOURCES

40 Financial Health Monitoring 2021/22 - Month 2

The Chief Officer (Financial Services) submitted a report which presented an update on the financial health of the Authority in respect of both the General Fund revenue budget and also the Housing Revenue Account, as at month 2 of the current financial year. In addition, the report made a specific recommendation regarding the delivery of free school meals during the 2021 school summer holidays.

In presenting the report, the Executive Member for Resources specifically highlighted the in-year collection rates for Council Tax and Business Rates which were lower than pre-pandemic levels.

Members considered the proposal within the report regarding a release from the COVID Reserve in order to support the delivery of free school meals during the 2021 school summer holidays, with specific discussion around the timing of the proposal and the Government's role in such matters. Responding to a Member's specific enquiry, officers undertook to provide the Member in question with further details on what the balance of the Covid Reserve would be following that release.

The Board discussed the potential release of funding from the Covid Reserve to help address one-off backlogs in some Council services which had built up as a result of the pandemic. In response to a Member's enquiry about Elected Member consultation on such matters, it was noted that the intention was for the Board to receive further reports regarding the utilisation of this fund.

Finally, a Member commented upon the current format of the financial dashboards, as appended to the submitted report, highlighting that they would welcome the inclusion of further detail as part of future editions.

RESOLVED –

(a) That the projected financial position of the Authority, as at Month 2 of the financial year, as detailed within the submitted report, be noted, together with the projected impact of COVID-19 on that position;

(b) That it be noted, that for 2021/22 the Authority is forecasting an overspend of £0.2m;

(c) That it be noted that the position detailed within the submitted report does not reflect the potential effects of any further local or national lockdown arrangements on these financial projections, or any potential additional costs arising from the current 2021/22 pay negotiations;

(d) That the release of £0.52m from the COVID Reserve in order to support the delivery of free school meals during the 2021 school summer holidays, be agreed, and that it be noted that the officer responsible for the implementation of this resolution is the Chief Officer, Financial Services.

41 Capital Programme 2021/22 - 2025/26: Quarter 1 Update

The Chief Officer, Financial Services, submitted a report setting out the Council's updated Capital Programme for 2021-2026, split between the General Fund and Housing Revenue Account, with a forecast of resources available over that period. The report also provided a specific update of the 2021/22 programme and which sought necessary approvals around proposed injections into the programme.

Responding to a Member's enquiry regarding the level of Government grant funding received in response to the pandemic, it was noted that the city region as a whole had received approximately £618m. However it was emphasised that whilst some of that money was to support Council services which had been adversely affected by the pandemic, with regard to much of the funding, the Council had solely played an intermediary role by passporting funding to help support individuals and businesses, as appropriate. In order to provide further clarity on the range of grant funding which made up that sum, it was undertaken that officers would provide Board Members with a break down following the meeting.

In conclusion, the Executive Member for Resources highlighted that whilst the grant funding from the Government was welcomed, she emphasised the importance for the Council to receive longer term funding provision, in order to provide the Authority with greater financial certainty.

RESOLVED –

(a) That the following injections into the Capital Programme, as detailed at Appendix A (iii) to the submitted report, be approved:

(i) £15,654.0k of Department for Transport Grant for Additional Delivery within the Leeds Public Transport Investment Programme (LPTIP) / Connecting Leeds Programme;

(ii) £12,000.0k of WY+TF (West Yorkshire Plus Transport Fund) Grant for the Regent Street Flyover scheme;

(iii) £20,635.8k of other announced grant allocations including realignment of future year's estimates. These include Pot Hole and Local Transport Plan Grants for Highways & Transportation; Basic Need, School Condition Allocation (SCA), Devolved Formula Capital

(DFC) and High Needs Provision Capital Allocation (HNPCA) Grants for Schools; and Disabled Facilities Grant for Adaptations; and

(iv) £2,861.0k of various external grants and a prudential borrowing injection.

(b) That it be noted that the above resolutions to inject funding of £51,150.8k will be implemented by the Chief Officer Financial Services;

(c) That the latest position on the General Fund and Housing Revenue Account Capital Programme as at quarter 1 2021/22, as detailed within the submitted report, be noted;

(d) That the additional Capital Receipts Incentive Scheme (CRIS) allocations to Wards and Community Committees for the period October 2020 to March 2021 of £513.9k, be noted.

ADULTS AND CHILDREN'S SOCIAL CARE AND HEALTH PARTNERSHIPS

42 Annual Fostering Report

The Director of Children and Families submitted a report which presented an overview of the work undertaken by the Fostering Service during the period April 2020 to March 2021, as presented within the appended Annual Fostering Report. In addition, the report noted that the submission of an Annual Report was a requirement of the National Minimum Standards for Fostering.

In introducing the report, the Executive Member for Adults and Children's Social Care and Health Partnerships highlighted several key points which included an update on the number of children currently in foster care, the range of positive publicity that Leeds had received in relation to its foster care provision, the offer provided in Leeds for Special Guardianship Order (SGO) carer roles, the actions being taken to increase foster carers from the BAME community and the role of Elected Members in the promotion of foster caring in their Wards.

Also, Members received an update regarding the number of unaccompanied asylum seeking children which Leeds had taken into care over the relevant period.

RESOLVED –

(a) That the 2020 – 2021 Annual Fostering Report, as appended to the submitted report, be adopted, together with the service priorities for the forthcoming year; with it being noted that the actions arising from this resolution will be implemented during 2021-22;

(b) That the plan of the Fostering Service to continue to increase the range of carers and placements available, be noted and supported; with it also being noted that the actions arising from this resolution will be implemented during 2021-22;

(c) That it be noted that the responsible officer for such matters is the Deputy Head of Service, Corporate Parenting.

COMMUNITIES

43 Equality Improvement Priorities Progress Report 2020 – 2021 and Equality Improvement Priorities 2021 - 2025

The Director of Communities, Housing and Environment submitted a report which presented for the purposes of approval the Equality Improvement Priorities Annual Report for 2020– 2021; the Strategic Equality Improvement Priorities for 2021 – 2025 and the refreshed Equality and Diversity Policy 2021.

In considering the submitted report, the work of the Members' Equality Group was highlighted and thanks was extended to those officers who had been involved in supporting that group. In addition, the Board highlighted how the collaborative approach which had been taken in relation to equality improvement had enabled this agenda to be progressed significantly across the Council.

Also, responding to a specific enquiry, the Board received details on the city wide, people based approach being taken to support those experiencing poverty and deprivation who were located within more affluent Wards.

RESOLVED –

(a) That the Equality Improvement Priorities Annual Report 2020– 2021, as appended to the submitted report, be approved;

(b) That the new Strategic Equality Improvement Priorities for 2021 – 2025, as appended to the submitted report, be approved;

(c) That the refreshed Equality and Diversity Policy 2021, as appended to the submitted report, be approved;

(d) That it be noted that the Director of Communities, Housing and Environment is responsible for the implementation of the resolutions made by Executive Board in respect of this report.

DATE OF PUBLICATION: FRIDAY, 23RD JULY 2021

LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS: 5.00 P.M., FRIDAY, 30TH JULY 2021