

EXECUTIVE BOARD

WEDNESDAY, 14TH DECEMBER, 2022

PRESENT: Councillor J Lewis in the Chair

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

- 86 Exempt Information - Possible Exclusion of the Press and Public**
There was no information contained within the agenda which was designated as being exempt from publication.
- 87 Late Items**
There were no late items of business submitted to the Board for consideration.
- 88 Declaration of Interests**
There were no interests declared at the meeting.
- 89 Minutes**
RESOLVED – That the minutes of the previous meeting held on 23rd November 2022 be approved as a correct record.

LEADER'S PORTFOLIO

- 90 Local Government Association Corporate Peer Challenge: Findings and Initial Response**

The Chief Executive submitted a report which presented the outcomes from the Local Government Association (LGA) Corporate Peer Challenge which took place in November 2022, with the report inviting the Board to note the findings and recommendations of the Challenge report together with the proposed approach regarding action planning and the timing of the follow-up visit.

Members welcomed the corporate peer challenge process which had been undertaken and the balanced and comprehensive feedback report which had been received.

Emphasis was placed upon the importance of celebrating the successes that the review had identified, and the need to ensure that the Council responded to the recommendations made, with the approach towards action planning, as detailed within the report, being noted.

The Chief Executive highlighted the value of the corporate peer challenge process and the considerable experience of those who undertook it. He emphasised the range of successes which had been identified, together with the challenges that continued to be faced, and referenced the actions being

taken in response to them, both from within the Council and in collaboration with partners. The positive culture of the organisation was highlighted and tribute was paid to the dedication and 'can do' attitude of Council staff.

In conclusion, responding to a suggestion, it was agreed that the LGA Corporate Peer Challenge report be referred to Scrutiny for consideration.

RESOLVED –

- (a) That the findings and recommendations of the Local Government Association Corporate Peer Challenge report, as presented to the Board, be noted;
- (b) That the approach to action planning and the timing of the follow-up visit, as detailed in the submitted report, be noted;
- (c) That the LGA Corporate Peer Challenge report be referred to Scrutiny for consideration.

91 Proposed Budget for 2023/24 and Provisional Budgets for 2024/25 and 2025/26 and Revenue Savings Proposals for 2023/24 to 2025/26
(A) Proposed Budget for 2023/24 and Provisional Budgets for 2024/25 and 2025/26

The Chief Officer (Financial Services) submitted a report presenting the proposed budget for 2023/24, which subject to Executive Board's approval, was scheduled to be submitted to the respective Scrutiny Boards for their consideration and review, with the outcome of their deliberations being reported to Executive Board in February 2023, with the proposals also being made available to other stakeholders as part of a wider process of engagement and consultation. The report also invited the Board to note provisional budgets for 2024/25 and 2025/26.

RESOLVED –

- a) That the Proposed Budget for 2023/24, as presented in the submitted report, which is based on the approval and delivery of £69.8m of directorate savings for 2023/24, be noted; with it also being noted that £46.6m of which have been identified this year and have been brought to this Board through the accompanying reports: 'Revenue Savings Proposals for 2023/24 to 2025/26' at its October 2022 meeting and elsewhere on this agenda;
- b) That agreement be given to consultation being undertaken on the Proposed Budget for 2023/24, which includes the proposed 2.99% increases in core Council Tax and the 1.99% increase in the Adult Social Care precept. Further to this, agreement be given that these budget proposals are submitted to Scrutiny and are made available for wider consultation with stakeholders;
- c) That the provisional budget position for 2024/25 and 2025/26, as presented in the submitted report, be noted; and that it also be noted that further savings proposals to address the updated estimated budget

gaps of £48.0m and £26.7m for 2024/25 and 2025/26 respectively will be reported to future meetings of this Board;

- d) That should the application to form a 2023/24 Leeds City Region Business Rates Pool be successful, approval be given for Leeds City Council to become a member of the proposed Pool and to act as lead Authority for it; with it being noted that establishment of this new Pool will be dependent upon none of the other proposed member Authorities choosing to withdraw within the statutory period after designation.

(B) Revenue Savings Proposals for 2023/24 to 2025/26

Further to Minute No. 63, 19th October 2022, the Chief Officer (Financial Services) submitted a report presenting revenue savings proposals following ongoing review processes which continued to be undertaken across Council services. The proposals were presented as either 'Business as Usual' savings for the Board's information, with decisions to give effect to those being taken by the relevant Director or Chief Officer, or as 'Service Review' proposals, in which the report sought approval for consultation to commence, where required, with decisions to give effect to those proposals being taken by the relevant Director or Chief Officer following such consultation and taking account of the outcomes from it.

Members briefly discussed the Community Committee Wellbeing funding allocation for 2023/24, as detailed within the directorate 'Business as Usual' savings within the report, and also in relation to a proposal regarding the approach towards the provision of the Youth Activity Fund.

RESOLVED –

- (a) That the 'Business as Usual' savings presented within the submitted report, be noted, with it also being noted that decisions to give effect to them shall be taken by the relevant Director or Chief Officer, in accordance with the Officer Delegation Scheme (Executive functions);
- (b) That agreement be given for consultation to commence, where required, on the 'Service Review' savings proposals presented within the submitted report; with it being noted that decisions to give effect to them shall be taken by the relevant Director or Chief Officer, following any consultation period, in accordance with the Officer Delegation Scheme (Executive functions);
- (c) That it be noted that the savings proposals for 2023/24, as presented in the submitted report, combined with the savings proposals brought to the Executive Board at its October meeting, support a draft balanced budget for 2023/24; with the Council's financial position for the following two years, as set out in the accompanying report elsewhere on the submitted agenda entitled, 'Proposed Budget for 2023/24 and Provisional Budgets for 2024/25 and 2025/26', also be noted;
- (d) That it be noted that further savings will be required to close the Council's estimated budget gap in the years 2024/25 and 2025/26 and

that proposals regarding such matters will be brought to future meetings of this Board.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and S Golton required it to be recorded that they both respectively abstained from voting on the decisions referred to within this minute)

(The resolutions referred to within Minute No. 91(A) (a), (b) and (c), given that these were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions made in accordance with the Budget and Policy Framework Procedure Rules. However, the resolution referred to in Minute No. 91(A) (d) and 91(B) (a) – (d) were eligible for Call In, given that these were decisions not being taken as part of the Budget and Policy Framework Procedure Rules)

RESOURCES

92 Financial Health Monitoring 2022/23 - Month 7 (October)

The Chief Officer (Financial Services) submitted a report presenting an update on the financial health of the Authority in respect of both the General Fund revenue budget and the Housing Revenue Account, as at Month 7 (October) of the 2022/23 financial year.

In presenting the report, the Executive Member for Resources provided an overview of the key information within it, which included reference to the fact that an overspend of £15.4m was projected for the Authority's General Fund services, as at month 7 of 2022/23. Emphasis was placed upon the significant increase in financial pressures that continued to be experienced since the budget was set in February, with it also being noted that plans were in place to balance the budget by the end of the financial year.

Responding to an enquiry, the Board received further information on the range of work being undertaken to reduce the projected overspend in the current financial year, and to mitigate the financial challenges which continue to be faced moving forward. Regarding the potential use of strategic contingency reserves to balance the 2022/23 budget, Members received an update on the potential impact of this action upon the Council's contingency reserve levels.

In response to Members' enquiries, the Board received an update on the actions being taken in 2022/23 and those proposed moving forward to address the financial pressures arising from the 'Little Owls' nursery provision. In providing such information, it was emphasised that the Council would continue to ensure that its duty around sufficiency of places was fulfilled.

Responding to a comment about Members being kept updated on service proposals which specifically affected their Ward, it was noted that the initial budget proposals and also a number of directorate 'Service Review' savings

proposals were being presented to this meeting with a recommendation that consultation on such matters commence.

RESOLVED –

- (a) That it be noted that at Month 7 of the financial year (October), the Authority's General Fund services are forecasting an overspend of £15.4m and that the Housing Revenue Account is forecasting a balanced position, with it also being noted that the General Fund position reduces to £14.6m when account is taken of additional budget action plans received to date;
- (b) That it be noted, that where an overspend is projected, directorates, including the Housing Revenue Account, are required to present action plans to mitigate their reported pressures, in line with the Revenue Principles agreed by Executive Board in 2019; with it also being noted that proposals received to date are included in the submitted report, as at Appendix 4, and that further action plans will be received at the February 2023 meeting of Executive Board;
- (c) That it be noted that known increased inflation and known impacts of the rising cost of living, including the agreed 2022/23 pay award, have been incorporated into this reported financial position, with it also being noted that these pressures will continue to be assessed, with the latest position being incorporated into future reports to be received by Executive Board.

ADULT AND CHILDREN'S SOCIAL CARE AND HEALTH PARTNERSHIPS

93 Outcome of consultation to lower the age range of Wykebeck Primary School from 3-11 years to 2-11 years with effect from September 2023

The Director of Children and Families submitted a report on a proposal to lower the age range of Wykebeck Primary School from 3-11 years to 2-11 years and create Free Early Education Entitlement (FEEE) provision for 24 eligible 2-year olds in the area, with effect from 1 September 2023. In receiving the outcomes from the consultation undertaken, the Board was recommended to approve the publication of a Statutory Notice in respect of the proposal.

In response to a Member's enquiry, assurance was provided that given the level of demand for this specific provision in the local community, it was not anticipated that this proposal would have any negative impact upon other providers in the area.

RESOLVED –

- (a) That the outcome of the consultation undertaken, as detailed within the submitted report, be noted, and that the publication of a Statutory Notice on a proposal to lower the age range of Wykebeck Primary School from 3-11 years to 2-11 years, with effect from 1 September 2023, be approved;

- (b) That it be noted that the implementation of the proposal will be subject to the outcome of the proposed statutory notice;
- (c) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Systems.

ECONOMY, CULTURE AND EDUCATION

94 Outcome of statutory notice on a proposal to establish a resource provision at Iveson Primary School

Further to Minute No. 45, 21st September 2022, the Director of Children and Families submitted a report presenting the outcomes from a statutory notice published on a proposal to establish a resource provision at Iveson Primary School. The report invited the Board to review the outcomes from the statutory notice and to approve the proposal.

RESOLVED –

- (a) That, having reviewed and noted the outcome of the statutory notice, as detailed within the submitted report, the proposal to establish a resource provision at Iveson Primary School from September 2023, be approved;
- (b) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Inclusion.

95 Leeds Museums and Galleries Development Trust

The Director of City Development submitted a report on the proposed establishment of a charitable trust with the purpose of raising funds in support the work of Leeds Museums and Galleries (LMG), which was in response to a key recommendation from a recent fundraising review undertaken which had been commissioned by LMG in order to support the delivery of the service's 5-year strategy and a 10-year site investment plan.

In presenting the report, the Executive Member highlighted that the proposed Trust would be independent of the Council, that its main purpose would be for fundraising and that it would not manage or own any Council assets.

Members discussed the importance of establishing a robust and professional board, and also whether the establishment of the Trust could have any potential impact upon other local organisations in this sector.

Responding to a specific enquiry, assurance was provided that the Executive Board would be kept updated on the progress being made in respect of the Trust, as requested.

RESOLVED – That the formation of Leeds Museums and Galleries Development Trust, be approved, and that the responsibility for the implementation of this resolution be delegated via the Director of City Development to the Head of Service, Leeds Museums and Galleries, from December 2022.

96 Leeds Kirkgate Open Market Future Opportunities

The Director of City Development submitted a report which sought approval for a consultation exercise to be undertaken on a potential alternative, complementary use of part of the Leeds Kirkgate open market site by the introduction of a new container food and beverage offer. The report noted that whilst retaining the open market, the proposal would involve its reduction in the number of stalls and a re-orientation to a smaller footprint adjacent to the indoor market within the boundary of the current overall market site.

Members emphasised the importance of ensuring that communication between the Council and the market traders on the development of the proposals continued, that the market traders were supported during this process, and that the alternative offer, once established, was monitored to ensure that it remained complementary to the market.

In response to an enquiry, assurance was provided that no one would be displaced by the implementation of the proposals.

RESOLVED –

- (a) That the commencement of a consultation exercise on the introduction of a new container food and beverage offer on part of the Open Market at Leeds Kirkgate Market, be approved;
- (b) That the interest in the site regarding a food and beverage led container offer which would be complementary to the market and would react to latent demand in the city centre for this form of offering, be noted;
- (c) That following resolution (a) (above), agreement be given to the Board receiving an update on the outcome of the consultation exercise at the next Board meeting scheduled for 8th February 2023;
- (d) That it be noted that the Director of City Development is responsible for the implementation of such matters.

INFRASTRUCTURE AND CLIMATE

97 Further Main Modifications to the Remitted Leeds Site Allocation Plan

Further to Minute No. 103, 15th December 2021, the Director of City Development submitted a report which provided an update on the current position regarding the Leeds Site Allocation Plan (SAP) Remittal process, and which sought approval to undertake public consultation on the schedule of the Inspector's additional proposed Main Modifications to the Leeds SAP Remittal and supporting material for a period of 6 weeks in relation to site EG-37, land at Barrowby Lane, Manston also known as Brown Moor.

In introducing the report, the Executive Member provided the Board with an update on the Leeds Site Allocation Plan (SAP) Remittal process.

A Member highlighted the importance of maintaining public confidence in the SAP Remittal process by ensuring that the consultation proposed was robust and that the outcomes of such consultation were taken into consideration.

Responding to Members' discussions about the extent to which the Government's Integrated Rail Plan (IRP) and the timeframe of the associated work to be undertaken was impacting upon the Council's ability to strategically plan its development, the Board received an overview of the timeline and connection between the IRP and the current position in respect of the SAP Remittal process, with it being noted that the Council has made representations to Government on such matters.

RESOLVED –

- (a) That public consultation on the schedule of the Inspector's additional proposed Main Modifications to the Site Allocations Plan (at Appendix 2 to the submitted report) and supporting material (at Appendices 3 and 4) for a period of 6 weeks from the 16th December 2022 to the 27th January 2023, be approved;
- (b) That the necessary authority be delegated to the Chief Planning Officer, to enable the Chief Planning Officer, in consultation with the Executive Member for Infrastructure and Climate, to approve the detail of any updates or corrections to the consultation material and any technical documents and supporting evidence required.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions being made in accordance with the Budget and Policy Framework Procedure Rules)

98 West Yorkshire Mass Transit Vision 2040 Consultation

The Director of City Development submitted a report which presented details of Leeds City Council's formal response to the statutory consultation being undertaken by the West Yorkshire Combined Authority (WYCA) on the revised Mass Transit Vision 2040 for West Yorkshire, which was required to be submitted by 16 January 2023. The report noted that WYCA had a statutory requirement to consult key stakeholders, including the five West Yorkshire districts ahead of the Combined Authority working towards the Vision's adoption as part of the Local Transport Plan for the region.

In considering the submitted report and the proposed response to the statutory consultation, Members discussed the Government's process by which the Mass Transit Vision was to be delivered and the respective roles played in such matters by the Council, WYCA and the Government. In considering this, WYCA's role as promoter of the scheme was emphasised together with the evidence based approach being taken to formulate it, which included the Council providing its clear view on the vision, as part of the current consultative phase. The Board was also provided with further

information regarding the ongoing dialogue between the Council and WYCA to ensure that a partnership approach was taken and that the Combined Authority was supported and appropriately resourced throughout this process.

In addition, emphasis was placed upon the crucial need for the vision to be delivered at pace, as reflected in the Council's proposed response.

Members also discussed the budget which had been allocated to WYCA for the development work and initial delivery of the scheme from the City Region Sustainable Transport Settlement fund.

Emphasis was placed upon the significant benefits that a mass transit system would bring to the city and the region, in terms of progressing the approach towards net zero carbon energy consumption, connecting communities and the promotion of inclusive growth.

RESOLVED –

- (a) That the contents of the submitted report, be noted, and that the response to the Mass Transit Vision 2040 statutory consultation, as set out in the draft letter at Appendix A to the submitted report, be endorsed;
- (b) That it be noted that the Chief Officer (Highways and Transportation) will receive a report on the resource requirements needed to ensure that the City Council's vision and ambition is continually embedded in the development and delivery work undertaken particularly to fulfil the Council's statutory duties.

99 Development of Solar Farm Capacity

The Director of Resources submitted a report outlining the process behind selecting and developing a potential site for a solar farm along with the challenges and risks in doing so, with the report also seeking a range of approvals necessary to progress towards meeting a new, increased target for local renewable electricity generation. The report highlighted the Council's commitment to working towards ensuring that its energy consumption is 100% from zero carbon sources by 2030, in line its Climate Emergency declaration.

In presenting the report, the Executive Member highlighted how the proposals within the report would make a significant contribution towards the Council's commitment for its energy consumption to be 100% from zero carbon sources by 2030 and would also further support the range of actions being taken around improving the energy security of the city. The recommendation to increase the Council's commitment to achieve 30% of its electricity demand through locally based renewables generation by 2025/26, from the current commitment of 10%, was also highlighted.

The Board noted that the report was being considered under the provisions of Executive and Decision Making Procedure Rule 2.5 (General Exception) given that the matter had been designated as a Key Decision, but hadn't featured on the List of Forthcoming Key Decisions for the full 28 days as

required, due to an administrative error. However, it was noted that the relevant Scrutiny Board Chair had been provided with a copy of the agenda, the agenda had been published, and at least 5 clear days had elapsed since those actions were taken, in line with the General Exception requirements. In addition, it was confirmed that it was impracticable to defer the report to the next scheduled Board meeting to allow the 28 days' notice because an in-principle decision to develop the solar farms was required in order to be able to begin procurement processes without delay at the appropriate time given the time pressures arising from the current energy crisis.

In welcoming the proposals, a Member highlighted how there were examples outside of the city of land being used concurrently for both energy and food production, with a suggestion that this approach be explored moving forward.

The importance of ensuring that appropriate consultation and engagement with Elected Members and across communities was highlighted. In response, assurance was provided that no specific sites had yet been identified, and that comprehensive consultation would be undertaken as part of the process to identify appropriate sites.

RESOLVED –

- (a) That a new commitment to achieve 30% of the Council's electricity demand through locally based renewables generation by 2025/26, increased from the current commitment of 10%, be approved;
- (b) That the injection of up to £50m for the development of a mix of solar farm capacity and rooftop solar with potential for battery storage with individual sites, be approved;
- (c) That the necessary authority be delegated to the Director of Resources to provide the Director with the appropriate 'authority to spend' for individual sites with construction costs of under £500k, with sites valued at over £500k being approved by Executive Board, based upon site specific business cases and funding arrangements;
- (d) That the necessary authority be delegated to the Director of Resources, to provide the Director with authority to award a contract for the design, build, operation and maintenance of sites;
- (e) That authority be provided to establish a local authority company, should there be a requirement, on terms that are agreed by the Director of Resources and in consultation with the Executive Member for Resources, the City Solicitor, and the Section 151 Officer;
- (f) That the principle of selling surplus electricity generated at a solar farm to the National Grid or other public sector organisations within the city where there is a positive financial benefit, be agreed.

DATE OF PUBLICATION:

FRIDAY, 16TH DECEMBER 2022

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:**

5.00 P.M., FRIDAY, 23RD DECEMBER 2022