

## EXECUTIVE BOARD

MONDAY, 25TH NOVEMBER, 2019

**PRESENT:** Councillor J Blake in the Chair

Councillors A Carter, D Coupar, S Golton,  
J Lewis, L Mulherin, J Pryor and F Venner

**SUBSTITUTE MEMBER:** Councillor A Khan

**APOLOGIES:** Councillors R Charlwood and M Rafique

**97 Substitute Member**

Under the provisions of Executive and Decision Making Procedure Rule 3.2.6, Councillor A Khan was invited to attend the meeting on behalf of Councillor R Charlwood, who had submitted her apologies for absence from the meeting.

**98 Chair's Opening Remarks**

At the commencement of the meeting, the Chair highlighted that the Board meeting was being held during the pre-election 'purdah' period, and invited Board Members to bear in mind when making comment at today's meeting that the purpose of the purdah period was not to prevent the Council from carrying out its normal business, but to prevent such business from being used, or having the potential to be perceived as being used, to secure any electoral advantage.

**99 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 1 to the report entitled, 'Proposal to Acquire the Rose Court Site for Additional SEN Places from September 2021', referred to in Minute No. 107 be designated as being exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that Appendix 1 contains commercially sensitive information relating to the financial or business affairs of any particular person or organisation (including the authority holding that information) which if disclosed, could, or be likely to, prejudice the commercial interests of that person, organisation or the Council. As such, it is felt that the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

**100 Late Items**

There were no late items of business submitted to the meeting.

**101 Declaration of Disclosable Pecuniary Interests**

There were no Disclosable Pecuniary Interests declared at the meeting.

**102 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 16<sup>th</sup> October 2019 be approved as a correct record.

**INCLUSIVE GROWTH AND CULTURE**

**103 Update on Leeds City Council's Preparations for the UK's Exit from the European Union**

Further to Minute No. 89, 16<sup>th</sup> October 2019, the Chief Executive submitted a report which provided a further update on the preparations being made by Leeds City Council regarding the UK's exit from the European Union.

Responding to a previous request, the inclusion within the submitted report of a section regarding the agricultural sector was acknowledged, whilst a comment regarding the appropriateness, or otherwise of submitting a report on the UK's exit from the European Union for Member's consideration during the purdah period was noted.

**RESOLVED –**

- (a) That the continued work being undertaken to prepare the Council and the city for the UK's exit from the European Union, together with the ongoing concerns which exist regarding the lack of clarity about the nature of the exit from the EU, be noted;
- (b) That the contents of the strategic response plan, as attached at Appendix A to the submitted report, together with the updates provided in the submitted cover report, be noted, with it being recognised that assumptions and planning will continue to develop as new information becomes available.

**HEALTH, WELLBEING AND ADULTS**

**104 Enhancing Access to Community Public Access Defibrillators in Leeds**

The Director of Adults and Health submitted a report which outlined the benefits associated with Community Public Access Defibrillators (CPADs) and provided details of the current provision of them across the city. The report also sought a number of approvals including the proposed approach towards the allocation of CPADs, the raising of community awareness and the training of communities on Basic Life Support and the use of the CPADs.

The Chair welcomed Councillor Khan to the meeting. Councillor Khan had been invited to attend the Board on behalf of Councillor R Charlwood, who had submitted her apologies for absence from the meeting. Councillor Khan introduced the submitted report to the Board.

Responding to a Member's enquiry regarding the recommended distances between defibrillator locations, the Board was advised that the relevant guidance had been taken into account when considering the location of CPADs within Wards, and that the identification of Wards had been based upon ensuring that each Ward had a minimum of 4, with additional allocation to those Wards judged to have a higher need based upon the criteria used. It was also noted that the location of CPADs within Wards would be determined in collaboration with the Yorkshire Ambulance Service and Ward Members.

The Board also acknowledged the importance of the work which continued to take place across the city via a range of organisations and sectors to enhance the provision of defibrillators in their local area, which complemented the CPAD programme. A Member highlighted their hope that in addition to the CPAD initiative, liaison would take place with organisations who were putting defibrillators in place in the future so that the public accessibility of those units was maximised.

The importance of the awareness raising and training proposed as part of the CPAD programme was also emphasised.

#### **RESOLVED –**

- (a) That the contents of the submitted report, be noted;
- (b) That the proposed allocation of 54 Community Public Access Defibrillators to ensure that every Ward has a minimum of 4, with additional allocation to Wards with highest cardiac arrest and low bystander cardiopulmonary resuscitation rates and highest early deaths from circulatory disease, be agreed;
- (c) That the approach to allocate a short term project support worker, working with the Communities and Environment directorate to support: the allocation of the Community Public Access Defibrillators, community awareness raising and training through the Yorkshire Ambulance Service, be agreed;
- (d) That it be noted that the Communities and Environment directorate will lead the implementation of the programme, working closely with Ward Members and with advice and guidance from the Adults and Health directorate.

#### **CHILDREN AND FAMILIES**

##### **105 Thriving: The Child Poverty Strategy for Leeds**

The Director of Children and Families submitted a report presenting for the purposes of approval the Child Poverty Strategy for Leeds, entitled, 'Thriving'. In addition, the report provided an overview of the range of ongoing work being undertaken across the city aimed at mitigating the impact of poverty for children and young people.

By way of introduction to the report, Members received a detailed introduction to the range of initiatives being undertaken in this area, with a proposal that further reports would be submitted in due course providing an update on the progress being made.

Members commended the work of the 'A Different Take' Leeds Panel comprising young people, young adults and parents, specifically with respect to the production of their 'More Snakes than Ladders' report.

In response to an enquiry, it was proposed and agreed that update reports would be submitted to the Board on a quarterly basis providing quantifiable information on the progress being made by the work streams undertaken as part of the strategy, with it being noted that some of the data, by its very nature, would only be available on a periodic basis.

Responding to a comment regarding the timeframes associated with the implementation of some initiatives, emphasis was placed upon the importance of ensuring that such schemes were sustainable and fully met the needs of the community. Providing further response, it was acknowledged that although academic data was sought in some instances when establishing initiatives to ensure an evidence based approach, it was highlighted that the delivery of such initiatives was also informed by those living in poverty.

A Member's comment regarding the need for local Ward Councillors to be kept informed of the related activities taking place in their respective areas was acknowledged, with an undertaking that greater communication with Ward Members would take place in future.

Emphasis was also placed upon the need for the correct balance to be found between a quantitative and qualitative approach, with the ability to be able to provide overarching citywide data on the progress being made, whilst at the same time still maintaining the ability for initiatives to be delivered in a child focussed and localised way.

The importance of striking the correct balance was further highlighted, as it was seen as key to successfully delivering schemes, when tackling hunger for example, by providing food to those young people who needed it without any of the associated stigma, whilst at the same time also looking to provide them with an opportunity to have fun and improve their wider wellbeing.

**RESOLVED –**

- (a) That the Child Poverty Strategy for Leeds (2019-2022) entitled, 'Thriving', as appended to the covering report, be approved;
- (b) That the strategic framework which is in place to tackle child poverty, together with the work being undertaken by the Council and its partners in the key areas of activity, be noted;

- (c) That it be noted that the officer responsible for the implementation of the strategy is the Chief Officer, Partnerships and Health by December 2022.

**106 Children and Families - Strengthening Families, Protecting Children Programme**

The Director of Resources and Housing submitted a report regarding proposals which would enable the Council to take a lead role in national improvement programmes and at the same time ensure that there was sufficient leadership capacity to maintain the Council's own position whilst supporting other Authorities.

Members welcomed the submitted report and the recognition that Leeds had received in this area. The Board also welcomed the framework in the submitted report which looked to meet the challenge of ensuring that the Council continued to successfully support the children and young people of Leeds in addition to those in other designated Authorities.

**RESOLVED –**

- (a) That the proposals, as set out within the submitted report, be approved, specifically with the following being agreed:-
- (1) To formally accept the Department for Education's 'Strengthening Families, Protecting Children' funding offer;
  - (2) The establishment of a 'Strengthening Families, Protecting Children' team including a Programme Director post, which will operate at Director level;
  - (3) The flexible deployment of the current Director of Children and Families to the post of Programme Director;
  - (4) The appointment of a temporary Director of Children and Families, subject to the decisions of the Employment Committee;
  - (5) To review these arrangements in 12 months' time.
- (b) That as a result of the resolutions (above), it be noted that the Chief Officer HR will, during December 2019 make the necessary arrangements to implement resolutions (a)(2) – (a)(4), with it also being noted that the Chief Officer HR will undertake a review of these arrangements in December 2020.

**LEARNING, SKILLS AND EMPLOYMENT**

**107 Proposal to acquire the Rose Court site for additional Special Educational Needs (SEN) places from September 2021**

The Director of Children and Families and the Director of City Development submitted a joint report which set out details of a proposal brought forward to meet the local authority's duty to ensure a sufficiency of learning places including provision for children and young people with Special Educational Needs and Disabilities (SEND). Specifically, the report detailed the proposal to purchase Rose Court (the former Girls Grammar School site) to deliver a new special free school from September 2021.

A Member enquired whether this proposal for the Rose Court site together with other actions being taken regarding SEND provision would mean that the proposal for the Elmete Wood site (Minute No. 108 refers) would not be required. In response, the rising demand for Education Health and Care Plans and SEND provision was highlighted, and it was confirmed that the capacity which would be provided by both proposals was deemed to be necessary, and that it would enable the Authority to keep pace with demand and would look to provide parents and young people with an element of choice.

Following the 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 meeting, it was

**RESOLVED –**

- (a) That the proposal for the Council to enter into draft Heads of Terms for the purchase of Rose Court from The Grammar School at Leeds, as set out in exempt Appendix 1 to the submitted report, be approved;
- (b) That the necessary authority be delegated to the Director of City Development, to enable the Director, with the concurrence of the Executive Member for Resources and the Executive Member Learning, Skills and Employment to agree the final terms of the purchase;
- (c) That it be noted that a public consultation exercise on the proposal to open a new special free school on the Rose Court site through the free school presumption route, will be required, which will be delivered by the Sufficiency and Participation Team, with it also being noted that a report will be submitted to a future Executive Board detailing the outcome of that consultation process.

**108 Proposal to establish a new special free school on the Elmete Wood Site**

The Director of Children and Families submitted a report regarding a proposal brought forward to meet the Local Authority's duty to ensure a sufficiency of learning places including provision for children and young people with Special Educational Needs and Disabilities (SEND). Specifically, the report presented the outcome of a consultation exercise regarding a proposal to establish a new 200 place special free school on the Elmete Wood site following Leeds City Council successfully securing funding through Wave 2 of the Special Educational Needs / Alternative Provision free schools funding provision.

It was confirmed that correspondence had been received by Board Members from a member of the public in advance of the meeting with regard to this proposal, with it being undertaken that an appropriate response would be provided to that individual.

A Member enquired whether the proposal for the Rose Court site (Minute No. 107 refers) together with other actions being taken regarding SEND provision would mean that this proposal for the Elmete Wood site would not be required. In response, the rising demand for Education Health and Care Plans

and SEND provision was highlighted, and it was confirmed that the capacity which would be provided by both proposals was deemed to be necessary, and that it would enable the Authority to keep pace with demand and would look to provide parents and young people with an element of choice.

Responding to a Member's enquiry, it was confirmed that although the proposed scheme would be delivered and funded by the Department for Education, the Council would be responsible for providing funding to deliver the access solution designed to address highways planning conditions relating to the scheme.

#### **RESOLVED –**

- (a) That the outcome of the consultation exercise on the proposal to establish a new 200 place special free school on the Elmete Wood site, as detailed within the submitted report, be noted;
- (b) That it be noted that the Department for Education is delivering and funding the capital costs of the scheme under the provisions of Wave 2 – Special Educational Needs/Alternative Provision (SEN/AP) free schools funding;
- (c) That under the specific conditions of the funding bid, approval be given to the transfer of the Elmete Wood site under a 125 year peppercorn lease without premium to the successful sponsor identified through the free school presumption process;
- (d) That it be noted that within the related funding conditions Leeds City Council must meet any associated highways costs required under planning, in addition the Local Authority must meet any ground abnormal costs where remediation is required under planning, with it also being noted that once these costs are determined, 'authority to spend' will be sought through a design and cost report;
- (e) That it be noted that the successful sponsor will be determined by the Secretary of State following an assessment and interview process, with the announcement on the successful sponsor expected to be made in February 2020;
- (f) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Systems.

#### **RESOURCES**

##### **109 Capital Programme 2019/20 - 2022/23: Quarter 2 Update**

The Chief Officer (Financial Services) submitted a report providing an update on the Capital Programme position as at Quarter 2 of the financial year. In addition, the report also sought some specific approvals in relation to funding injections.

## **RESOLVED –**

- (a) That the latest position on the General Fund and Housing Revenue Account (HRA) Capital Programmes, as at quarter 2 of the financial year and as detailed within the submitted report, be noted;
- (b) That the net increase in the General Fund and HRA Capital Programme 2019-2023 of £115.2m since the Capital Programme setting in February 2019, be noted, with it also being noted that these injections and movements are listed in Appendix D to the submitted report and that £21.3m of schemes require injection approval as part of this report;
- (c) That it be noted that the borrowing required to fund the Capital Programme in 2019-20 has reduced by £52.6m since the Capital Programme setting in February 2019, with it also being noted that the Capital Programme remains affordable within the approved debt budget for 2019-20, and that further work is underway through regular Capital Programme reviews to ensure that future debt costs are maintained within the overall medium term financial strategy;
- (d) That the following £21.3m worth of injections into the Capital Programme, as set out below and as detailed within Appendix D to the submitted report, be approved:-
- £7.347m East Leeds Orbital Road additional grant from WYCA
  - £2.814m Devolved Formula Capital (DFC) additional grant from govt
  - £2.376m NE Leeds Junction Improvements, grant from WY+TF
  - £2.062m HRA net revenue contributions
  - £1.967m Learning Places Programme, S106 funding
  - £1.885m Leeds city Centre Network Ph1, grant from WYCA
  - £1.506m SEND Special Provision Fund Top Up Grant
  - £0.392m Outer Ring Road Pudsey to Horsforth grant from WYCA
  - £0.22m Community Hepatology Programme, Public Health Grant
  - £0.158m Flood Risk Hawthorn Terrace, Highways Agency Grant
  - £0.111m TV & Film Studio, stamp duty obligation
  - £0.463m Other smaller scheme, grants and contributions
- (e) That it be noted that the decision to inject funding, as detailed at resolution (d) above, will be implemented by the Chief Officer, Financial Services;
- (f) That the review of Capital Programme pressures from 2020/21 onwards together with the prioritisation of proposals for consultation and inclusion in the February 2020 Capital Programme update to Executive Board, as shown in Appendix F to the submitted report, be noted.

**110 Treasury Management Strategy Update 2019/20**

The Chief Officer, Financial Services submitted a report providing a review of, and update on the Council's 2019/20 Treasury Management Strategy.

**RESOLVED** – That the update on the Treasury Management borrowing and investment strategy for 2019/20, as detailed within the submitted report, be noted.

**111 Financial Health Monitoring 2019/20 - Month 6**

The Chief Officer, Financial Services submitted a report which set out the Council's projected financial health position for the 2019/20, as at Month 6 of the financial year.

Responding to a Member's enquiry regarding the compensation to be paid by Veolia to the Council for not meeting contracted recycling targets, it was noted that this projected sum had been incorporated into the Council's budget assumptions. Also, it was highlighted that discussions were ongoing with Veolia regarding the level of compensation to be received and with DEFRA (Department for Environment, Food and Rural Affairs) regarding how such compensation could be invested to assist with the future achievement of recycling and waste management targets, with it being undertaken that when an agreement had been reached with DEFRA, the matter would be reported to Members of Executive Board.

Regarding the Children and Families directorate, a Member highlighted the current position in terms of External Residential (ER) placements and enquired whether it would assist the position if the Council further invested in its own accommodation provision. In response, it was highlighted that investment had taken place in children's homes in Leeds through an extensive refurbishment programme which had meant the temporary closure of some homes whilst works took place. It was noted however that newly refurbished homes were beginning to come back on stream and it was hoped that this would further reduce the need for ER placements. As such, it was believed that extra capacity in this area was not currently needed, a position that would continue to be reviewed as appropriate.

Also, responding to an enquiry regarding the loss of fee income from Children's Centres, it was highlighted that there was a plan in place to address this, which included a rebranding and marketing exercise for the centres, a review of the infrastructure with the aim of making the buildings more appealing as venues and work which was being undertaken to ensure that the correct balance of staffing was achieved at each centre.

**RESOLVED –**

- (a) That the projected financial position of the Authority as at Month 6 (September 2019) of the financial year, be noted;
- (b) That with regard to the risk that the budgeted level of capital receipts may not be receivable in 2019/20, the progress made to date on such matters, together with the fact that work is ongoing to identify budget

savings proposals that will contribute towards the delivery of a balanced budget position in 2019/20, be noted.

**112 Disposal of land located on Seacroft Crescent, Killingbeck and Seacroft, for Extra Care Housing delivery and final terms of Development Agreement**

Further to Minute No. 131, 19<sup>th</sup> December 2018, the Director of Adults and Health, the Director of City Development and the Director of Resources and Housing submitted a joint report which sought approval to dispose of a Council owned site on Seacroft Crescent in Killingbeck and Seacroft Ward to facilitate the development of new Extra Care housing provision in support of the Better Lives Programme.

**RESOLVED –**

- (a) That it be noted that the Director of City Development, in consultation with the Executive Member for Resources, will progress with the disposal of the subject land;
- (b) That approval be granted to enter into the Development Agreement with the consortium;
- (c) That approval be granted for any subsequent amendments to the terms of the disposal being delegated to the Director of City Development for his consideration and approval under the scheme of officer delegation, in consultation with the Executive Member for Resources.

**CLIMATE CHANGE, TRANSPORT AND SUSTAINABLE DEVELOPMENT**

**113 City Connect 3 Leeds Package - Segregated Cycleways at Dewsbury Road (Phase 3), Elland Road and Clay Pit Lane**

The Director of City Development submitted a report which sought approval for the design and delivery of a package of 3 schemes to provide segregated cycleways linking to Leeds City Centre. Specifically, the proposed cycleways were to run along Clay Pit Lane, Dewsbury Road and Elland Road. The schemes form part of the Combined Authority's 'City Connect 3' package of improvement to cycle infrastructure in West Yorkshire.

In noting that the proposals within the submitted report were to be fully funded by the West Yorkshire Combined Authority's (WYCA) City Connect programme, a Member sought an update on the current position regarding the outstanding WYCA funding in respect of phase 1 of the scheme, and given that outstanding sum, a further enquiry was made as to whether guarantees could be provided that the proposals in respect of phase 3 would be fully funded by the Combined Authority. The Member also requested to see a copy of WYCA's letter to the Council in 2016 regarding the Combined Authority's commitment in respect of funding phase 1 of the project.

In response, the Board noted that this proposed scheme would be governed by a funding agreement which phase 1 was not, and would include appropriate contingency provision. It was also noted that this scheme had the

advantage of the experience gained from the delivery of earlier phases. With regard to the commitment that WYCA had provided regarding the funding of phase 1, it was noted that the Director of City Development was scheduled to meet with the Combined Authority tomorrow with a view to raising the issue of the outstanding sum. The Director undertook to update Board Members as appropriate.

#### **RESOLVED –**

- (a) That the success to date of the City Connect programme within Leeds, be noted;
- (b) That the proposed Phase 3 projects which will provide segregated cycleways on Dewsbury Road, Elland Road and Clay Pit Lane, as detailed within the submitted report, be approved; and that the submission of the projects to the West Yorkshire Combined Authority as part of a full business case for the purposes of final approval, be approved;
- (c) That the authority to incur expenditure of £6.14m to design and construct the cycleways, to be fully funded from the West Yorkshire Combined Authority's City Connect programme, be approved;
- (d) That the following be noted:-
  - (i) The construction of the scheme is programmed to commence in the Spring of 2020 for completion by Spring 2021; and
  - (ii) The Chief Officer (Highways and Transportation) will be responsible for the implementation of such matters.

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

#### **COMMUNITIES**

##### **114 The Leeds Pledge to Strengthen Civil Society**

The Director of Communities and Environment submitted a report which presented for the purposes of endorsement the 'Leeds Pledge to Strengthen Civil Society' which was the result of a cross sector co-production exercise, initiated and led by Leeds Third Sector Partnership.

By way of introduction to the submitted report, the Executive Member for Communities paid tribute to Pat Fairfax, Policy and Performance Manager – Third Sector, for the longstanding work she had undertaken with the Leeds Third Sector Partnership and the wider support which she had provided across the sector, as Pat was due to retire from the Council in the near future.

In addition, Chris Hollins, Chair of Third Sector Leeds and Deputy Chair of the Leeds Third Sector Partnership, was welcomed to the meeting, and he provided an overview of the collaborative work which had been undertaken across a range of partners throughout the development of the Pledge.

In response, Members welcomed the proposals detailed within the submitted report.

**RESOLVED –**

- (a) That the ‘Leeds Pledge to Strengthen Civil Society’ as detailed at Appendix 1, together with the submitted covering report, be endorsed;
- (b) That the Executive Member for Communities, as Chair of the Third Sector Partnership be requested to invite the NHS, University and Third Sector colleagues to take the Pledge into their sectors and institutions and to seek their support and commitment to partnership working on this agenda;
- (c) That it be noted that the Director of Communities and Environment and the Chief Officer, Communities are the senior officers responsible for the Council’s oversight of the Pledge and its promotion and roll out.

**115 Tackling Poverty and Inequality through Digital Inclusion**

The Director of Communities and Environment submitted a report which provided an update on the approach being taken on the promotion of digital inclusion in Leeds through the ‘100% Digital Leeds’ programme.

In presenting the submitted report, the Executive Member for Communities provided the Board with an overview of the range of work being undertaken as part of the promotion of the digital inclusion agenda.

**RESOLVED –**

- (a) That the ongoing work, together with the progress achieved to date, on the 100% Digital Leeds programme in mitigating the impact of poverty and inequality in the city through a focus on greater digital inclusion, be noted;
- (b) That the suggested areas for further work, as outlined in Section 5 of the submitted report, be agreed;
- (c) That the positive approach being adopted to co-produce the future programme with citizens and communities who have ‘lived experience’ of poverty and inequality, be acknowledged.

**DATE OF PUBLICATION:** WEDNESDAY, 27<sup>TH</sup> NOVEMBER 2019

**LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS:** 5.00PM, WEDNESDAY, 4<sup>TH</sup> DECEMBER 2019