

REMOTE MEETING OF EXECUTIVE BOARD

TUESDAY, 19TH MAY, 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

164 Chair's Opening Remarks

The Chair welcomed everyone to the remote meeting of the Executive Board, which was being held as a result of the ongoing 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 which continued to be taken to safeguard and serve communities during these unprecedented times.

165 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 / A to the report entitled, 'East Leeds Secondary Place Provision – Proposed completion of Purchase of land at Torre/Trent Road from Arcadia', referred to in Minute No. 172 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 the information contained within it relates to the financial or business affairs of the Council and/or another organisation. It is considered that the release of such information would, or would be likely to prejudice the Council's commercial interests in relation to other similar transactions. It is considered that the public interest in maintaining the exemption from publication outweighs the public interest in disclosing this information at this point in time.

166 Late Items

Agenda Item 7 (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 11th May 2020. (Minute No. 170 refers).

Agenda Item 8 (Impact of Coronavirus (COVID-19) upon Leeds City Council's 2020/21 Financial Position)

With the agreement of the Chair, a late item of business was admitted to the agenda entitled, 'Impact of Coronavirus (COVID-19) upon Leeds City Council's 2020/21 Financial Position'.

Given the scale and significance of this issue, it was deemed appropriate that an update report be submitted to this remote meeting of the Board. However, due to the fast paced nature of developments regarding 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 11th May 2020. (Minute No. 171 refers).

167 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting.

168 Minutes

RESOLVED – That the minutes of the previous meeting held on 22nd April 2020 be approved as a correct record.

INCLUSIVE GROWTH AND CULTURE

169 Devolution Deal for West Yorkshire - Review, Scheme and Consultation

The Chief Executive submitted a report which provided an update on the latest stage of the process to implement the West Yorkshire Devolution Deal, as agreed between the region and Government in March 2020. The report included information on the outcome of the statutory governance review which had been undertaken and also sought approval to progress to the next phase involving public consultation on the draft Scheme, as appended to the submitted report.

In introducing the submitted report, the Leader highlighted that work on the devolution deal continued at pace, with it being reiterated that the intention was to progress in line with the timeframe as set out within the report. It was also highlighted that bearing in mind the current situation regarding the Coronavirus pandemic, discussions continued around allowing an element of

flexibility in the timeframe to ensure that all due diligence, consultation and scrutiny processes in respect of the proposals were fully undertaken as required.

In considering the submitted report, Members discussed and received further information on the following:-

- Given the current situation regarding the Coronavirus pandemic, emphasis was placed upon the importance of ensuring that members of the public and Elected Members of the Council were provided with appropriate opportunity to engage with and discuss the proposals as part of the consultation and communications exercises, which included the respective scrutiny functions at both the City Council and the Combined Authority. The importance of the democratic accountability and transparency of the process was reiterated, with the need for all Opposition Groups to receive briefings and communications on such matters, as appropriate, being highlighted;
- Proposals regarding the range of functions to be undertaken by the Mayoral Authority as part of the devolution deal were discussed, with it being highlighted that as a result of this process, no current functions would be transferred away from the City Council, unless by agreement of the Council. In response to specific enquiries, officers undertook to provide a Member in question with further information on how the function of housing and land acquisition would be delivered under the proposed model, with it being undertaken that a Member's specific comments around the setting of precepts would be fed into the relevant consultation processes;
- The potential economic benefits for the area arising from the adoption of the devolution deal for West Yorkshire were highlighted, with Members emphasising the importance of this, given the current financial position of Local Authorities in light of the Coronavirus pandemic.

RESOLVED –

- (a) That having considered the Governance Review, as appended to the submitted report at Appendix 1, the Review's conclusions be endorsed, including that an Order under S104 and S105 in relation to the changes to constitutional arrangements considered in the Review and the delegation of additional functions to the Combined Authority would be likely to improve the exercise of statutory functions in relation to the Combined Authority's area;
- (b) That the Board's consideration and comments regarding the draft Scheme for the establishment of the Mayoral Combined Authority, as detailed at Appendix 2 to the submitted report, be noted;
- (c) That agreement be given for a public consultation exercise to be undertaken on the proposals contained within the Scheme, with the Board's consideration and comment upon the draft consultation questions, as detailed in Appendix 3 to the submitted report being noted;

- (d) That the progression of engagement with the Combined Authority and other constituent Councils, as described within the submitted report, be agreed, with the Board's agreement also being given that the Managing Director of the Combined Authority shall, in consultation with the Leader and Chief Executive of this Council, be authorised to take any steps to finalise the preparation and publication of the Scheme and progress the public consultation exercise, as set out within the submitted report;
- (e) That the updated timetable, as set out in Appendix 4 to the submitted report be noted, together with the next steps including, subject to the approval by constituent Councils and the Combined Authority, the submission of a summary of the consultation responses to the Secretary of State in August / September 2020, and to subsequently consent to any draft Order in September 2020 so that a mayoral combined authority model and associated changes may be adopted and implemented by May 2021, as set out in the Deal;
- (f) That the proposals, as outlined in section 3.49 of the submitted report around political engagement throughout the devolution process, be agreed;
- (g) That approval be given for all decisions taken by the Executive Board from this report, and as resolved above, be exempted from the Call In process on the grounds of urgency, as set out in paragraph 4.5.3 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 (g) above, and for the reasons as detailed within sections 4.5.3 of the submitted report)

170 Update on Coronavirus (COVID19) pandemic – Response and Recovery Plan

Further to Minute No. 161, 22nd April 2020, the Chief Executive submitted a report providing an update on the coronavirus (COVID-19) related work across the city, being driven by the response and recovery plan, as previously reported to the Board. The report provided information on organisational issues arising from the pandemic as well as a citywide update, and noted that the response and recovery plan aimed to mitigate the effects of the outbreak on those in the city, especially the most vulnerable, and prepare for the early stages of recovery. The report also noted that the city's multi-agency command and control arrangements were set within the national approach and guidance from the Government, plus the context of resilience and health partnership arrangements at a West Yorkshire level, and the Combined Authority.

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 9.1 of the submitted report, and as detailed in Minute No. 166.

In introducing the submitted report and providing an update on the current position, the Leader, on behalf of the Board, extended her thanks to all of those involved in the development and implementation of the response and recovery plan to date, including the continued delivery of detailed communications with all relevant parties. The Chief Executive reiterated such comments, paying tribute to all those who continued to deliver services across the city in response to the pandemic.

Members discussed and received further information on a number of issues, including:-

- The national role being undertaken by the Chief Executive with regard to the programme of testing, tracing and containing the virus, with Members highlighting the need for appropriate procedures to be implemented in respect of this at a localised level;
- The significant impact of the pandemic across a number of sectors. In response to enquiries regarding the hospitality sector, the Board was provided with information on the support being provided to that sector, with it being highlighted that provision of such support would be a key area of activity for the Council moving forward;
- Responding to a Member's comments regarding the delivery of formal meetings whilst social distancing measures remained in place, it was noted that formal meetings held remotely continued to take place and be scheduled, and that preparations were being made to deliver meetings which could potentially be attended both remotely and physically, however such physical attendance at meetings would not be introduced until Members felt it appropriate to do so, and that further Member discussions on such matters were required;
- A Member highlighted the importance of the Council taking into consideration service users' feedback and the outcomes from engagement processes when reviewing the Council's response to the pandemic and the adapted delivery of services. Responding to such comments, the Board received updates on a number of service areas including those delivered in crematoria, the distribution of food in communities / the delivery of associated grants, and the delivery of actions addressing period poverty;
- With regard to support for the agricultural sector, specific reference was made to the Council supported 'Pick for Britain' programme. Responding to a Member's enquiry, officers undertook to provide the Member in question with further details on how the Council was engaging in this initiative;
- Also, the Board received updates from several Executive Members regarding related matters within their respective portfolios. These included:-
 - Council decision making processes during the current period;

- Communication processes established to ensure that local communities remained informed of the help and support available to them, with a number of specific examples being provided;
- The current position within Care Homes in Leeds and the actions being taken to address the challenges which continued to be faced in this area, with specific tribute being paid to the work of frontline care workers during this time;
- The monitoring of the health inequalities agenda;
- The ongoing work aimed at delivering greater active travel provision, and the level of public engagement to date with the 'Common Place' platform.

In conclusion, the Chair highlighted the need for the Government to focus its efforts upon a more localised approach moving forward, with the key role of Local Authorities in such an approach being emphasised.

Finally, on behalf of the Board, the Leader asked all Directors to relay thanks to their respective teams for their continued efforts throughout such challenging circumstances.

RESOLVED –

- (a) That the updated national context and local response to the Coronavirus (COVID-19) pandemic, as detailed within the submitted report, be noted;
- (b) That the updated Response and Recovery plan, which includes the updated aims and objectives, be agreed;
- (c) That the approach towards and messaging for running a safe city, as detailed within the submitted report, be agreed;
- (d) That the submitted report and the comments made in respect of it during the discussion be noted in context with the more detailed report on the financial implications of the Coronavirus pandemic for the Council, as presented within Minute No. 171;
- (e) That all Directors relay to their respective teams Members' thanks for their continued efforts throughout such challenging circumstances

RESOURCES

171 Coronavirus (COVID-19) - Impact upon the Council's 2020/21 Revenue Budget

The Chief Officer, Financial Services submitted a report providing an interim briefing on the forecast position for the Council when considering the scale of the financial challenge faced by the Authority in terms of 2020/21 and future years due to the COVID-19 pandemic.

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 4.5.2 of the submitted report, and as detailed in Minute No. 166.

In introducing the submitted report, the Executive Member for Resources highlighted the scale of the financial challenge being faced by the Council, which it was emphasised remained an evolving picture. With regard to the recommendation that the Board write to the Government to ask for financial assistance to enable the Council to fulfil its requirements, it was highlighted that it was proposed that in addition to this, Government would be asked to provide support through the proposals, as set out within section 3.5.2 of the report.

Responding to a Member's enquiry regarding the options available to the Council moving forward, the Board was advised that a further report was scheduled to be submitted to the Board in June presenting the financial position over the next 2 years, which would also provide detail of the options available to the Council if further funding was not forthcoming from Government. Also, responding to a Member's enquiry, the Board noted that the issuing of a 'Section 114' report would only be undertaken as a final resort.

In response to a Member's enquiry, it was undertaken that Executive Members would continue to be briefed on relevant matters between this Board meeting and the next scheduled meeting on 24th June.

Members highlighted the need for local Government to continue dialogue with the Treasury in order to explore all potential options available to financially assist Local Authorities during this time and moving forward.

A Member requested an update on the Council's commercial investment portfolio during this challenging period, arising from the national press coverage given to the issues that some Local Authorities were experiencing in this area. In response it was noted that currently there were no specific issues to report on such matters.

RESOLVED –

- (a) That the position, as outlined in the submitted report by the Chief Officer, Financial Services concerning Leeds City Council's financial position as a consequence of the COVID-19 pandemic, be noted;
- (b) That agreement be given for Executive Board to write to Government to ask for financial assistance to enable the Council to fulfil its requirements to deliver services to the residents of Leeds, and that in addition to this, Government support be sought on the proposals, as set out within section 3.5.2 of the report;
- (c) That it be noted that a further report is to be submitted to Executive Board in June 2020 detailing the impact over the financial years 2020/21 and 2021/22 of the COVID-19 pandemic, together with an updated forecast budget position for 2021/22.

LEARNING, SKILLS AND EMPLOYMENT

172 East Leeds Secondary Place Provision - Proposed Purchase of Land at Torre/Trent Road from Arcadia

Further to Minute No. 177, 20th March 2019, the Director of City Development and the Director of Children and Families submitted a joint report which looked to bring together three interconnected workstreams that had been progressed following the Board's previous approval in March 2019 to enter into negotiations with the Arcadia Group Ltd. for the potential acquisition of part of their site at Torre Road for the creation of the new East Leeds Secondary School. The report set out the current position regarding each of those workstreams and presented the rationale for the requirement of the Council to enter into the final Heads of Terms with Arcadia Group Ltd. for the purchase of the site to ensure the delivery of a new Secondary School for opening in September 2021.

Members provided support for the proposals as detailed within the submitted report and appendices.

Following the consideration of Appendix 1 / A 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 progress made to date regarding: the negotiations with Arcadia Group Ltd. for the purchase of part of their site for a new secondary school in East Leeds; the free school presumption under the terms set out in the Education and Inspections Act 2006 (section 6A) and the design development of the scheme to date, be noted;
- (b) That approval be given for the Council to enter into the final Heads of Terms for the acquisition of 2.77ha of the unused playing field land at Torre Road owned by Arcadia Group Ltd from REDCASTLE (FREEHOLDS) LIMITED who are part of the Arcadia Group Ltd., for the new East Leeds secondary school; and that approval also be given to authorise the Director of City Development to use his delegated powers to approve the exchange and completion of the contract for the land purchase by the 31st July 2020;
- (c) That 'authority to spend' the amount as detailed within the exempt appendix 1 / A to the submitted report on the purchase of the playing field land at Torre Road owned by Arcadia Group Ltd., be approved.

DATE OF PUBLICATION: THURSDAY, 21ST MAY 2020

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 5.00 P.M. ON FRIDAY, 29TH MAY 2020