

REMOTE MEETING OF EXECUTIVE BOARD

MONDAY, 20TH JULY, 2020

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

APOLOGIES: Councillor R Charlwood

15 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 congratulated Leeds United Football Club for their recently confirmed promotion to the Premier League, as champions of the Championship, which she highlighted was a great achievement for both the club and also for the city, with Members emphasising the boost that the promotion would bring for Leeds as a whole.

16 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, 'District Heating Phase 3E: Extension to the Southbank', referred to in Minute No. 24 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 it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The appendix contains detailed pricing information underpinning the Council's heat sales business case which if disclosed, could damage the commercial interests of the Council. 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 the appendix 1 as exempt from publication outweighs the public interest in disclosing the information.

17 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 10th July 2020. (Minute No. 21 refers)

18 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting.

19 Minutes

RESOLVED – That the minutes of the previous meeting held on 24th June 2020 be approved as a correct record.

COMMUNITIES

20 The Managed Approach Independent Review

The Director of Communities and Environment submitted a report providing the findings and recommendations from the Independent Review (IR) of the Managed Approach to on-street sex working in Leeds, which had been undertaken by the University of Huddersfield following an associated procurement exercise. The Independent Review document was appended to the submitted report for Members' consideration.

The Chief Officer, Safer Leeds provided Members with an overview of the Managed Approach together with details of the procurement exercise from which the University of Huddersfield was identified as the organisation to undertake the IR.

Following this, Professor Jason Roach of the University of Huddersfield presented to the Board the key findings and recommendations arising from the IR for the Council and other partner agencies to consider, and also provided details of the methodology used to conduct the review, including the methods used to engage a range of stakeholders and to source relevant information and data.

Responding to Members' comments and questions, the Board received further information regarding:-

- The 'Listening Well' community events, with it being noted that the IR team had attended a number of those events and these had therefore contributed to the IR, however, it was noted that the overall outcomes from those sessions were still awaited;

- Members received further detail regarding the approach used to manage on-street sex working together with related issues in other areas/cities;
- The communications strategy in relation to the Managed Approach and also with regard to the wider promotion of Holbeck as an area and its communities;
- The size and spread of the cohort engaged as part of the Independent Review, the actions which had been taken to try and widen involvement from that cohort and the challenges which had been encountered;
- The role of the Safer Leeds Executive partnership in considering any changes to the Managed Approach, with it being noted that any actions would require involvement by a number of partners/agencies. Also, it was noted that Executive Board would be kept informed and consulted on any key changes proposed in responding to the recommendations of the IR;
- The extensive work being undertaken to address the issues associated with on-street sex working, to support those involved in it and also to liaise and work with members of the local community on such matters.

With regard to a specific enquiry regarding the communication process with the local community, the Board was advised that there was nothing to suggest that local residents had been advised that certain services, with specific reference to litter patrols and additional policing, would be withdrawn, should the Managed Approach be stopped.

In conclusion, the Chair thanked Professor Roach for his attendance at the meeting, and also for the comprehensive work that he and his team at the University of Huddersfield had undertaken when carrying out the Independent Review.

RESOLVED –

- (a) That the Managed Approach Independent Review, as appended to the submitted report, be received, and that its key findings and recommendations, be noted;
- (b) That it be noted that the Director of Communities and Environment, and where appropriate partner representatives, will be responsible for considering the recommendations and implementing any changes proposed, reporting such matters to the Safer Leeds Executive Partnership;
- (c) That Members of the Executive Board be kept informed and updated on any key changes proposed arising from the independent review.

(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)

INCLUSIVE GROWTH AND CULTURE

21 Update on Coronavirus (COVID-19) Pandemic - Response and Recovery Plan

Further to Minute No. 14, 24th June 2020, the Chief Executive submitted a report which provided an update on the continued Coronavirus (COVID-19) work being undertaken across the city including the emerging recovery approach, outbreak management, together with information regarding the management of current issues and risks. The report also highlighted how the city's multi-agency command and control arrangements continued to be used alongside the Response and Recovery plan which aimed to mitigate the effects of the outbreak for those in the city, especially the most vulnerable, and to help prepare for the longer term planning of stages of recovery, including local outbreak planning.

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. 17.

By way of introduction to the report, the Chair highlighted the comprehensive discussion which had taken place at the recent full Council meeting, emphasised the need for all to remain vigilant, noted the recent launch of the COVID-19 Outbreak Control Plan, highlighted key aspects of the next stage of the recovery process and emphasised the key importance of clear messaging which reminded communities to stay safe and abide by measures that remained in place. In addition, the Chair paid tribute to the work that the Chief Executive had undertaken in this area, specifically, the role which he had played at a national level, including championing the role of Local Government during the pandemic.

The Chief Executive then provided an update which covered a number of areas including:-

- the significance of the new plans established with local partners to reduce the transmission of COVID-19 and prevent and manage outbreaks;
- the progress made in respect of the sharing and receipt of relevant data, and the progress being made regarding the test and trace system;
- the importance of the national system having a very strong local and regional foundation in order for it to maximise its effectiveness;
- key factors for consideration in terms of the next phase of the recovery process;
- the need for the financial position of the Council and the sector as a whole to be stabilised in order to enable the Local Authority to continue to play its key role both in the recovery from the pandemic and in serving the community generally.

The Director for Public Health reiterated the importance of remaining vigilant and working with neighbouring authorities to continue to undertake

preventative work and to manage infection rates. An update regarding the latest statistics in terms of Leeds' 7 day infection rates was also provided to the Board.

In response, Members then discussed the detail within the submitted report, which included the following:-

- Members highlighted the speed at which outbreaks or suspected outbreaks had been managed in Leeds, and emphasised the need for such an approach to continue;
- The continued importance of ensuring that the cross-party approach towards lobbying the Government for the resource it required was emphasised;
- The key importance of maintaining a consistent and clear communications strategy aimed at the promotion of communities abiding by the regulations which remained in place;
- The recent introduction of the increased powers at a local level to help prevent the transmission of the virus, the delivery of that role by the Local Authority and partner organisations and how that fed into the national programme.

In conclusion, the Chair highlighted the crucial need of ensuring that the Local Authority and partners were sufficiently resourced in order to be able to deliver the services which they were required to, highlighting the risks raised by the current financial position faced throughout the sector.

RESOLVED –

- (a) That the updated context, progress made and issues, as the Council and partner organisations move through phases of dealing with the COVID-19 pandemic, as detailed within the submitted report, be noted;
- (b) That the launch of the Leeds COVID-19 Local Outbreak Control Plan, aimed at ensuring effective local arrangements for outbreak management and which is linked to the national testing and tracing approach, be noted;
- (c) That the emerging issues for consideration during the next phase of recovery, be noted;
- (d) That the need for vigilance across the city as we move into the next phase, with an emphasis upon 'stay safe' messaging, be recognised;
- (e) That in respect to the financial implications for the Council arising from the Coronavirus pandemic, the contents of the submitted report be used as context when the Board considers the more detailed financial health monitoring report, as detailed at Minute No. 22.

RESOURCES

22 Financial Health Monitoring 2020/21 – Month 2

The Chief Officer (Financial Services) submitted a report providing the projected financial health position of the Authority for 2020/21, as at month 2 of the financial year.

In presenting the report the Executive Member for Resources highlighted the need for the Local Authority's financial position to be stabilised in order to enable the Council to continue to effectively respond to the focus being placed upon the more localised control and management of COVID-19 outbreaks, to enable public services to be restored as appropriate, whilst also enabling the Council to play its role in helping the local economy and infrastructure to recover from the effects of the pandemic.

In addition, the Board received an update and was advised that the revised funding gap for 2020/21 now currently stood at £63.9m, with it being noted that the submitted report detailed the actions being taken by the Council to manage this position as much as it could.

The Chief Executive then provided the Board with an update regarding the discussions which continued with Government on such matters, which would enable the Council to be in a position to formally approach the Government to request further supportive measures after the summer, should a funding gap still remain.

Responding to the introductory comments made, Members reiterated the need for the cross-party approach towards such matters to continue, and in response to a Member's request, it was undertaken that Group Leaders would continue to be kept informed of the financial position, as appropriate.

In conclusion, it was noted that partner organisations across Leeds had shown their support for the Council and the need for it to be appropriately resourced to ensure it continued to play its key role in serving communities and the city, whilst the Board also noted that the figures within the report remained subject to fluctuation from month to month, given the nature of the current position.

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, with the projected impact of COVID-19 on that position also being noted;
- (b) That it be noted that a further package of financial support for Local Government has been announced, with it also being noted that funding allocations are yet to be confirmed;

- (c) That it be noted that although this additional funding is welcome, the remaining gap will still require significant savings and further support from Central Government.

23 Capital Programme 2020/21 - 2024/25: Quarter 1 Update

The Chief Officer (Financial Services) submitted a report providing an update on the Council's Capital Programme for 2020/21 as at Quarter 1 and which included an update of Capital resources and progress on spend. In addition, the report also outlined the review of the Capital Programme being undertaken as a result of the need to address the financial impact of Covid-19.

Responding to a Member's enquiry, the Board was provided with an update on the recent announcement regarding the further provision of £22.3m of funding for the for the next phase of the Leeds Flood Alleviation Scheme on the River Aire (including £1.3m for the Natural Flood Management element of the scheme), which, it was highlighted, was subject to final business case approval.

Members provided their support for the approach being taken to restrict further capital spending whilst the programme was reviewed, which was subject to the exceptions as outlined by the Executive Member for Resources and as detailed within the report.

Responding to an enquiry regarding the actions being taken to progress the delivery of capital receipts and the disposal of surplus assets, it was undertaken that the Member in question would be provided with a briefing on such matters.

RESOLVED –

- (a) That the following injections into the Capital Programme be approved:-
- £65,166.3k of 2021/22 Basic Need Grant allocation within the Learning Places Programme as set out in Appendix B of the submitted report;
 - £3,822.0k of Presumption Free School Grant for East Leeds Free School as set out in Appendix B of the submitted report;
 - £1,672.2k for Kirkstall Road Corridor as set out in Appendix B of the submitted report, funded by European Social Fund (ESIF) grant part of Leeds Flood Alleviation Stage 2;
 - £1,534.2k for Adaptations Programme as set out in Appendix B of the submitted report, funded by Disabled facilities grant;
 - £1,321.7k of other injections, primarily relating to grants for Flood Alleviation, WYCA (West Yorkshire Combined Authority) grants, various prudential borrowing schemes and some section 106, as set out in Appendix B of the submitted report;
- (b) That it be noted that the above resolutions to inject funding of £73,516.4k 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 2020/21, be noted;
- (d) That the review of the Capital Programme for 2020/21 and future years which is being undertaken due to the current financial position of the Council, be noted.

CLIMATE CHANGE, TRANSPORT AND SUSTAINABLE DEVELOPMENT

24 District Heating Phase 3E Extension to the Southbank

Further to Minute No. 201, 17th April 2019, the Director of Resources and Housing submitted a report which provided an update on the progress of the District Heating project and which sought approval to construct Phase 3E of the network, subject to securing funding from the Heat Networks Investment Project (HNIP) and also subject to other conditions, as detailed within the report being met.

Responding to a Member's enquiries, assurances were provided that a final decision to invest in the network would only be taken once a suitable commercial agreement with Vastint had been reached, with an undertaking to first liaise with the Executive Member and Opposition Executive Members to ensure that sufficient guarantees were in place before formally progressing.

Members were also advised that the report had been submitted to this meeting to enable the Board's agreement on the proposal to be sought, subject to the conditions detailed within the submitted report, so that the HNIP funding could be drawn down, which added to the commercial viability of the scheme.

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 and its appendices, be noted;
- (b) That subject to HNIP funding being secured together with commercial agreement with Vastint, approval be given for the additional injection of £6.215m in order to deliver Phase 3E of the District Heating Network;
- (c) That authority to spend for the construction of Phase 3E of the District Heating Network extension of £6.215m, funded through £2.438m HNIP grant and supported by £3.777m of prudential borrowing, be approved; and as this is subject to the approval of the HNIP grant from the Department for Business, Energy and Industrial Strategy (BEIS), the necessary authority be delegated to the Director of Resources and Housing to enable the Director to negotiate an alternative package;

- (d) That the necessary authority be delegated to the Director of Resources and Housing to enable the Director to take the final decision to invest in the network, once a suitable commercial agreement with Vastint has been reached;
- (e) That agreement be given to award contracts to Vital Energi Utilities Limited and Ove Arup and Partners Ltd., as set out in sections 4.4.10 - 4.4.13 of the submitted report;
- (f) That agreement be given to: passport the full grant award to the Leeds District Heating PipeCo Limited SPV once received, with no mark up or deductions, loan the SPV £3.692m at the minimum state aid compliant rate and require the SPV to meet the terms of the HNIP grant agreement;
- (g) That support be given to the connection of the Discovery Centre to the District Heating Network at a cost of £85k.

25 Transport Hub Improvements and Public Transport Access Schemes

The Director of City Development submitted a report which sought approval for the design and delivery of a package of seven schemes to provide new or upgrade existing facilities, to improve the waiting environment and travel information as well as improving walking and cycling links between public transport hubs and local communities. The report noted how the schemes were part of the Transport Hubs and Connecting Communities package within the Connecting Leeds public transport programme work stream, which was being developed by the West Yorkshire Combined Authority in collaboration with the Council.

Responding to a Member's enquiry, it was confirmed that with regard to the proposal affecting the Pudsey Ward, moving forward, Ward Councillors would be kept fully briefed on such matters.

Also in response to a Member's enquiry regarding the evaluation of the cost levels for those schemes affecting public transport post-COVID-19, it was noted that such matters continued to be subject to change, but that they were being monitored and that liaison with the Combined Authority and contractors would continue, as appropriate.

With regard to the proposed scheme for Rothwell Ward, Members discussed and received further detail on the consultation which had taken place with the local community and Ward Members on such matters, and the benefits that the proposal would bring to existing facilities.

RESOLVED –

- (a) That the package of seven schemes, as outlined in Section 3 of the submitted report and shown in appended Drawing Nos. TM/00/321/01 to 05, 06 to 06b and 07 to 07d, which would provide new or upgrade existing public transport facilities, to improve the waiting environment

and travel information as well as improving walking and cycling links between public transport hubs and local communities, be approved;

- (b) That authority to incur expenditure of £7.36 million, comprising of £5.81 million works costs, £1.21 million staff fees and £340,000 statutory undertakers diversionary costs, be approved, to design and construct the proposed seven projects, as outlined in Section 3 of the submitted report, all to be fully funded from Department for Transport grant administered by the West Yorkshire Combined Authority as part of the Connecting Leeds public transport programme;
- (c) That it be noted that the Chief Officer (Highways and Transportation) is to receive reports concerning all Traffic Regulation Orders as required, necessary for and related to the purposes of the schemes and to ensure progression of the same;
- (d) That it be noted that the construction of the scheme is programmed to commence in the Summer of 2020 for completion by Summer 2021;
- (e) That it be noted that the Chief Officer (Highways and Transportation) will be responsible for the implementation of such matters.

LEARNING, SKILLS AND EMPLOYMENT

26 Local Government and Social Care Ombudsman report on the provision of suitable education for a child absent from school due to anxiety

Further to Minute No. 71, 18th September 2019, the Director of Children and Families submitted a report providing an update and also providing assurance that the Council had taken effective action in response to the Ombudsman recommendations of the case detailed within the submitted report, and that both the Scrutiny Board (Children and Families) and the Ombudsman were satisfied with the actions which had been taken.

Responding to a Member's enquiry, it was undertaken that the Scrutiny Board (Children and Families) would be provided with progress reports in respect of the associated action plan, as appropriate.

RESOLVED –

- (a) That the Ombudsman's letter, as presented in appendix 2 to the submitted report, which states that the Ombudsman welcomes the actions taken by the Council following the report and to formally confirm that they are satisfied with the Council's response in accordance with section 31(2) of the Local Government Act 1974, be noted;
- (b) That it be noted that the Scrutiny Board (Children and Families) welcome the actions which have been taken in response to the Ombudsman's report;

- (c) That the importance of the ongoing governance review work, aimed at achieving greater consistency amongst Clusters, be acknowledged;
- (d) That it be noted that the responsible officer for such matters is the Head of Learning Inclusion.

27 The Annual Standards Report 2018-19

The Director of Children and Families submitted a report which presented the outcomes in respect of the annual educational attainment standards for the 2018/19 academic year and which provided details on the progress made in comparison with the outcomes from the equivalent 2017-18 annual report. In addition, the report outlined where Leeds was in relation to the ambition to support children, including those living in poverty and with disadvantage, as set out within the Council's 3As Strategy.

Members welcomed the recent Government guidance published which related to addressing the issue of 'off-rolling'.

Responding to a Member's enquiry, in addition to officers undertaking to provide further detail in writing to the Member in question, the Board received an update on the actions being taken to increase the comparatively low uptake rates in Leeds for those who were eligible for 2 year old provision.

With regard to a Member's enquiries on the Council's performance in relation to Early Years services, the issues being faced by Early Years providers in both the public and the private sector including the impact of the Coronavirus pandemic and the financial position across the sector, the Board received information on the actions being taken by the Council on such matters.

RESOLVED –

- (a) That the submitted report, which presents details of the outcomes of children and young people in Leeds in the 2018-19 academic year, be noted;
- (b) That it be noted that this report will be used to measure the progress of outcomes against previous years and to set future targets in line with the obsessions and priorities, as identified within the Council's 3As Strategy;
- (c) That it be noted that the Deputy Director for Children and Families (Learning) is the officer responsible for the delivery of the Annual Standards Report;
- (d) That it be noted that due to the current Covid-19 pandemic situation, data in this format will not be available for all Key Stages in the 2019-20 academic year.

DATE OF PUBLICATION:	WEDNESDAY, 22ND JULY 2020
LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS:	5.00 P.M. ON WEDNESDAY, 29TH JULY 2020