

# Public Document Pack

Supplementary Information – Agenda Item 9 – Including the Reference Back

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# Agenda Item 9



Councillors

## **Legal & Democratic Services**

Governance Services

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Our Ref:

Your Ref:

27 June 2014

Dear Councillor

## **COUNCIL – 2<sup>nd</sup> JULY 2014**

Please find attached for your attention minutes that were not available when the agenda was despatched.

Please attach these papers to your agenda for the meeting.

Many thanks.

Yours sincerely

**Kevin Tomkinson**  
**Principal Governance Officer**



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## EXECUTIVE BOARD

WEDNESDAY, 25TH JUNE, 2014

**PRESENT:** Councillor K Wakefield in the Chair

Councillors J Blake, A Carter, M Dobson,  
S Golton, P Gruen, R Lewis, L Mulherin,  
A Ogilvie and L Yeadon

### 1 Chair's Opening Remarks

The Chair welcomed all in attendance to the meeting and congratulated Councillor A Carter on recently receiving the Commander of the Order of the British Empire (CBE) honour.

### 2 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 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) Appendices 5 and 6 to the report entitled, 'The First White Cloth Hall and the Lower Kirkgate Townscape Heritage Initiative', referred to in Minute No. 10 are designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that they contain information which relates to City Fusion Ltd as a business and its release may prejudice their commercial interests and withholding the information is considered to outweigh the public interest benefit of its release. Further risks, in addition to those outlined in section 4.6 of the submitted report, are identified in exempt Appendix 6 which relate to the financial or business affairs of the Council. Disclosure of those risks would be prejudicial to the interests of the Council. It is considered that the public interest in treating this information as exempt from publication outweighs the public interest in disclosing it.
- (b) Appendix 1 to the report entitled, '265 and 269 Roundhay Road, Harehills, Leeds, LS8', referred to in Minute No. 11 is designated as exempt 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 the appendix relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the

Draft minutes to be approved at the meeting  
to be held on Wednesday, 16th July, 2014

disposal of the property/land then it is not in the public interest to disclose this information at this point in time. Also, 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 in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

(c) Appendix A to the report entitled, 'Aire Valley Enterprise Zone Park and Ride Proposal Update and Funding Approval', referred to in Minute No. 12 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in relation to certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the purchase of the land/property referred to then it is not in the public interest to disclose this information at this point in time. Also, the release of such information would or would be likely to prejudice the Council's commercial interests in relation to and undermine its attempts to acquire by agreement similar properties in the locality in that owners of other similar properties would be aware about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be available from the Land Registry following completion of the purchase and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

(d) Appendix 1 to the report entitled, 'Progress on Delivering the Council Housing Growth Programme', referred to in Minute No. 20 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains commercially sensitive and sensitive financial information and it would not be in public interest therefore to disclose this information as it could be used to gain an advantage through any future procurement exercise.

### **3 Declaration of Disclosable Pecuniary Interests**

There were no Disclosable Pecuniary Interests declared at the meeting, however in relation to the agenda item entitled, 'Financial Performance: Outturn Financial Year Ended 31<sup>st</sup> March 2014', Councillor Yeadon drew the

Board's attention to her position as Chair of the Leeds Grand Theatre and Opera House Board of Management (Minute No. 24 refers).

**4 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 2<sup>nd</sup> April 2014 be approved as a correct record.

**HEALTH AND WELLBEING**

**5 Leeds - Best City for Health and Wellbeing 2013/2014**

The Director of Public Health, the Director of Adult Social Services and the Director of Children's Services submitted a joint report presenting an update on the work and achievements of the Health and Wellbeing Board, one year on from being established as a formal Board.

It was noted that the Health and Wellbeing Board had approved the first annual report at its meeting held on 18<sup>th</sup> June 2014.

The Board welcomed the first annual report and the achievements which had been made to date. Members noted the significant challenges which lay ahead in this field and the work which continued to be undertaken in order to address such challenges. Also, Members welcomed that £5,000,000 from the savings made through Adult Social Care contingency actions had been transferred to an earmarked reserve for 'pump priming' the Better Care Fund in 2014/2015.

**RESOLVED** – That the achievements of the Health and Wellbeing Board in its first year, as detailed within the attached draft report, 'Leeds Health and Wellbeing Board: Our First Year' be noted, and that it also be noted that the report was submitted for approval to the Health and Wellbeing Board on the 18th June 2014.

**TRANSPORT AND THE ECONOMY**

**6 Response to Deputation - Meanwood Road Safety Campaign**

The Director of City Development submitted a report responding to the deputation presented to full Council on 26<sup>th</sup> March 2014 by the "Meanwood Road Safety Campaign".

The Board welcomed the report and received contributions from the Leeds Cycle Network which were put forward by a Member.

**RESOLVED –**

- (a) That the contents of the submitted report, and the success of the measures already implemented on Tongue Lane to substantially improve its casualty record in the context of the overall road safety record for Leeds, be noted;

- (b) That the recent review of the site and discussions with schools undertaken following the deputation be noted;
- (c) That the constraints of the site in relation to safe provision of formal crossing facilities be noted;
- (d) That the development of further proposals in the current financial year to assist road safety and to aid pedestrian movements at the mini roundabout at the junction of Church Lane and Parkside Road, be endorsed;
- (e) That it be noted that the Chief Officer Highways & Transportation will be responsible for the implementation of such matters.

**7 Transfer of the former Fir Tree Primary School, Lingfield Drive, Leeds 17 to the Khalsa Education Trust**

The Director of Children's Services and the Director of City Development submitted a joint report outlining the background to the use of and potential disposal of the site previously used as Fir Tree Primary School, Alwoodley.

By way of an introduction to the submitted report, the Executive Member for Transport and the Economy provided some context to the matters raised within the submitted report and moving forward, highlighted the options which were open to the Council.

In discussing this matter, Members considered a range of issues, including:-

- The educational and wider needs of the local community and how this site may be utilised in order to maximise the benefit for that community;
- The length of time that the site had been vacant;
- The level of contact and discussions which had been held between all relevant parties;
- The terms on which any potential transfer may be made and the resource implications arising from this.

**RESOLVED** – That further information be sought on the matters raised during the consideration of this item, with a further report being submitted to the Board on such matters in due course, in order to enable the Board to determine the most appropriate course of action to take.

(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)

**8 Beckhill Neighbourhood Framework**

The Director of City Development submitted a report providing an overview of the work undertaken to prepare a Neighbourhood Framework for Beckhills and which set out the proposals included within the document. The report also



sought approval of the Neighbourhood Framework for the purposes of consultation and identified the possible delivery and funding approach to ensure that the neighbourhood improvements identified within the document could be achieved.

Responding to a Member's enquiry into the ways in which a Neighbourhood Framework could be established, it was noted that a default criteria had not been established, but that a tailored approach was taken to best fit the needs and strengths of specific communities. However, invitations were extended to any neighbourhoods that wished to submit an expression of interest in establishing a Neighbourhood Framework in the future.

**RESOLVED –**

- (a) That the contents of the submitted report be noted;
- (b) That approval be given for the Chief Asset Management and Regeneration Officer to undertake public consultation on the draft Beckhill Neighbourhood Framework in July 2014;
- (c) That a further report be presented to Executive Board by October 2014 which details any proposed changes to the Framework and which also seeks approval of the final document.

**9 West Park Centre Users Update**

Further to Minute No. 30, 17<sup>th</sup> July 2013, the Director of City Development submitted a report providing an update on the progress being made to accommodate all relevant users of the West Park Centre following the permanent closure of the centre

In presenting the report, the Executive Member for Transport and the Economy drew the Board's attention to the Local Government Ombudsman's report on the matter which had been included within the submitted agenda for Members' consideration.

**RESOLVED –** That the contents of the submitted report be noted.

**10 The First White Cloth Hall and the Lower Kirkgate Townscape Heritage Initiative**

The Director of City Development submitted a report on the Lower Kirkgate Townscape Heritage Initiative (THI) and which sought approval to enter into an agreement with the owner of First White Cloth Hall on the basis of the heads of terms, as detailed within exempt appendix 5 to the submitted report. In addition, the report also sought authority to spend the £1,505,000 which had been awarded by the Heritage Lottery Fund (HLF).

The Board welcomed the proposals detailed within the submitted report, especially when considering the regeneration and retail development which was taking place in that part of the city centre.

Following consideration of appendices 5 and 6 to the submitted report, designated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That authority be given for the Council to enter into an agreement with the owner of the First White Cloth Hall on the basis outlined within the heads of terms as detailed in exempt appendix 5 to the submitted report;
- (b) That authority be delegated to the Director of City Development in order to settle the final terms of that agreement;
- (c) That authority be given to spend £1,505,000 on the works as outlined within the submitted report;
- (d) That it be noted that the Programme Manager (Major Projects) will be responsible for the implementation of such matters;
- (e) That the feasibility timescales as outlined within appendix 3 to the submitted report be noted.

**11 265 and 269 Roundhay Road, Harehills, Leeds, LS8**

The Director of City Development submitted a report which sought approval to exchange the freehold ownerships of a Council property, 265 Roundhay Road, with a property owned by Leeds City Credit Union (LCCU), 269 Roundhay Road at a 'less than best' consideration on the terms outlined within exempt appendix 1.

Following consideration of appendix 1 to the submitted report, designated as 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 authority be given to discuss and explore alternative arrangements for exchange of the Council's ownership of 265 Roundhay Road with the LCCU ownership of 269 Roundhay Road, and that delegated authority be given to the Director of City Development in order to approve any negotiated terms;
- (b) That in the event of the exchange being on a 'less than best' basis, authority be delegated to the Director of City Development in order to approve the terms as outlined within the exempt appendix to the submitted report;

- (c) That it be noted that the Head of Property Services will be responsible for implementation with planned completion by end of September 2014;
- (d) That following acquisition of 269 Roundhay Road, this property be declared surplus to the Council's requirements and marketed for sale on the open market by way of inviting informal offers with terms to be approved by the Chief Asset Management and Regeneration Officer, or by way of public auction with the reserve price to be approved by the Head of Property Services.

**12 Aire Valley Enterprise Zone Park and Ride Proposal Update and funding approval**

Further to Minute No. 205, 5<sup>th</sup> March 2014, the Director of City Development submitted a report providing an update on the progress towards delivering a Park and Ride site in Aire Valley and also on the Aire Valley Enterprise Zone Building Foundations for Growth (BFG) grant funded schemes. In addition, the report also sought approval to fund the purchase of the park and ride site if necessary.

The Board supported the proposals detailed within the submitted report and welcomed the proposal for further park and ride provision in the city, following the recent opening of the Elland Road site. It was highlighted that in addition to servicing the Enterprise Zone, an Aire Valley park and ride facility would also benefit those travelling into the city centre.

Following consideration of appendix A to the submitted report, designated as 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 provisionally agreed heads of terms with Aire Valley Land Ltd for the Council's purchase of a 10 acre remediated site for a 1000 space Park & Ride facility, be approved.
- (b) That if necessary, approval be given to the Council funding the acquisition of the park and ride site, as set out in the exempt appendix A of the submitted report and that it be noted that such approval constitutes an 'authority to spend'.
- (c) That the injection of funds into the capital programme for the acquisition be approved.
- (d) That the Director of City Development in consultation with the Leader, the Executive Member for Transport and the Economy, the Deputy Chief Executive and the City Solicitor, be authorised to use his delegated powers to agree final terms and enter into all necessary documents for the acquisition of the site.

- (e) That the resolutions, as detailed within this minute be deemed exempt from call in.
- (f) That the following be noted:-
  - i. The stages required to implement the decision, as outlined in section 3.8 of the submitted report.
  - ii. The proposed timescales for implementation, as outlined in section 3.8 of the submitted report.
  - iii. That the Chief Officer Highways and Transportation will be responsible for the implementation of such matters.

(The matters referred to within this minute were designated as being exempt from Call In as it was determined that a delay in completing all the necessary legal documentation as soon as practically possible would have an adverse impact upon achieving the programme of works to enable delivery within the specified time frame).

### **CHILDREN AND FAMILIES**

#### **13 Annual Reports of the Fostering and Adoption Service and Annual Updates of the Respective Statements of Purpose**

The Director of Children's Services submitted a report presenting the annual reports of the fostering and adoption services, in line with the requirements of the National Minimum Standards 2011. In addition, the report also sought approval of the revised statements of purpose for Leeds City Council's Fostering and Adoption Services, which were appended to the submitted report.

In presenting the report, the Executive Member for Children's Services paid tribute to those organisations from all sectors which had helped to improve fostering and adoption services in Leeds. In addition, the Board was advised that the number of children and young people in care in Leeds had decreased to 1,299, whilst the Board also received an update on the number of carers which the local authority had recruited to date, together with details on the methods which had been used to achieve such positive results.

#### **RESOLVED –**

- (a) That the Statements of Purpose for both the Fostering and Adoption Services for Leeds City Council be approved.
- (b) That the annual fostering and adoption reports be noted and that the work of the adoption and fostering service continue to be supported in order to ensure that children receive the best possible support.
- (c) That it be noted that the responsible officer is the Head of Looked After Children.

## **14 Outcomes of Proposals to Increase Primary School and Special Education Places in Leeds**

The Director of Children's Services submitted a 4-part report presenting the outcomes arising from the consultation exercise undertaken in respect of several proposals to increase school provision. Parts A to D of the submitted report provided detailed information together with specific recommendations regarding each proposal.

Support for the proposals detailed within the submitted report was received. With regard to the proposals within Calverley and Farsley Ward it was requested that further work be undertaken into how the two local parks could be more effectively utilised as playing fields and outdoor space for those schools.

### **RESOLVED –**

#### **Part A Guiseley**

- (a) That the outcome of the consultation which took place in Guiseley between 17 March and 11 April 2014 be acknowledged;
- (b) That it be acknowledged that the governing bodies of St Oswald Church of England Junior School and Guiseley Infant School are to pursue the publication of statutory notices to convert both schools to 2 forms of entry primary schools, each with an admission number of 60 into reception class each year, with effect from September 2015;
- (c) That it be noted that further capital spend on the feasibility works for this project will be committed to develop an outline scheme.

#### **Part B Expansion proposals for Farsley Westroyd Infant School and Farsley Springbank Junior School**

- (a) That changes to Farsley Westroyd Infant School, increasing its capacity from 180 pupils to 210 pupils and raising the upper age limit from 7 to 11, therefore creating a primary school, with effect from September 2015, be approved;
- (b) That changes to Farsley Springbank Junior School, increasing its capacity from 240 to 420 and lowering the lower age limit from 7 to 4, therefore creating a primary school, with effect from September 2015, be approved.

#### **Part C Expansion proposal for Broadgate Primary School, Horsforth**

- (a) That the expansion of Broadgate Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2015, be approved.

#### **Part D Specialist provision at Moor Allerton Hall Primary School**

- (a) That the proposal to open a specialist provision at Moor Allerton Hall Primary School for pupils who are deaf and hearing impaired from September 2014, be approved;

- (b) That it be noted that the responsible officer for implementation is the Capacity Planning and Sufficiency Lead.

**15 Design and Cost Report for East Ardsley Primary School (Phase III traditional build extension) and Asquith Primary School - Basic Need Projects**

The Director of Children's Services submitted a report presenting information and seeking the necessary 'authority to spend' in respect of proposals to expand East Ardsley Primary School and Asquith Primary School.

Support for the proposals detailed within the submitted report was received.

**RESOLVED –**

- (a) That expenditure of £884,205 from capital scheme number 16585/ETA/PH3 be authorised, and that the acceptance of variation orders provided by the 10 Schools SPV for costs associated with the construction of the phase III accommodation at East Ardsley Primary School, be approved;
- (b) That expenditure of £2,895,100 from capital scheme number 16585/ASQ/000 be authorised and that the acceptance of variation orders provided by the 10 Primaries SPV for costs associated with the construction of the works at Asquith Primary School, be approved;
- (c) That the programme dates as identified in section 4.2 of the submitted report in relation to the implementation of these resolutions be noted;
- (d) That it be noted that the officer responsible for implementation of such matters is the Project Manager, PPPU;

**16 Design and Cost Report for the North East SILC and the South SILC (Specialist Inclusive Learning Centres) Basic Needs Projects**

Further to Minute No. 216, 5<sup>th</sup> March 2014, the Director of Children's Services submitted a report providing background information and detail in respect of the Basic Need schemes to expand the North East Specialist Inclusive Learning Centre (SILC) and the South SILC, whilst the report also sought the necessary authority to approve expenditure for the proposed expansions.

A verbal update was provided by the Council's Chief Procurement Officer who drew the Board's attention to omissions in the contractor's bid which resulted in an increase in the total funding required for the proposals for the North East SILC. Members were requested to approve a revised cost of £10,329,100. Members received details on the reasons for the discrepancy and considered the most appropriate way to proceed.

In conclusion and in order to minimise the risk of any such issues happening again, it was requested that the Council's existing procedures around the scrutiny of submitted tenders be reviewed, with a further report on the

review's findings and proposed next steps being submitted to the Board in due course for Members' consideration.

**RESOLVED –**

- (a) That expenditure of £10,329,100 from capital scheme number 16981/NES/000 to enable the construction work associated with the expansion to the North East SILC be authorised, and that expenditure of £4,071,100 from capital scheme number 16981/SLS/000 to enable the construction work associated with the expansion to the South SILC also be authorised.
- (b) That the programme dates identified in section 4.0 of the submitted report regarding the implementation of this decision be noted, together with the fact that the final delivery date for total completion of this scheme is September 2015.
- (c) That it be noted that the Project Manager, PPPU is responsible for the implementation of such matters.
- (d) That the Council's procedures around the scrutiny of submitted tenders be reviewed, with a further report on the review's findings and proposed next steps being submitted to the Board in due course for Members' consideration.

**17 Design and Cost Report for Little London Primary School Basic Need Project**

Further to Minute No. 227, 24<sup>th</sup> April 2013, the Director of Children's Services submitted a report presenting background information and detail regarding a Basic Need scheme to expand Little London Primary School. In addition, the report also sought authority to incur the related capital expenditure to undertake the works required to provide accommodation to support a 3 Form Entry primary school and associated external facilities.

Members welcomed the proposals detailed within the submitted report and the investment which was being utilised to facilitate such regeneration.

**RESOLVED –**

- (a) That expenditure of £6,434,600 from capital scheme number 16585/LIT/000 to enable the construction of the expansion to Little London Primary School be authorised.
- (b) That the link between this submitted report and the joint report of the Director of Environment and Housing and Director of City Development (entitled: Design & Cost Report for Little London Community Hub) found elsewhere on the agenda be noted, and that support be given to the proposal for the school expansion, community centre and Neighbourhood Housing Office to form part of the same procurement and construction contract.

- (c) That the programme dates as identified in section 4.0 of the submitted report regarding the implementation of this decision be noted, together with the fact that the final delivery date for total completion of this scheme is September 2015.
- (d) That it be noted that the Project Manager, PPPU is responsible for the implementation of such matters.

## **NEIGHBOURHOODS, PLANNING AND PERSONNEL**

### **18 Design and Cost Report for Little London Community Hub**

Further to Minute No. 46, 17<sup>th</sup> July 2013, the Director of City Development and the Director of Environment and Housing submitted a joint report which sought authority to incur capital expenditure for the construction and re-provision of the community centre and Neighbourhood Housing Office in Little London, which formed part of the Little London Community Hub redevelopment. In addition, the report set out the key components of the scheme which included expansion to the Little London Community Primary School, a new build community centre and Neighbourhood Housing Office, together with a new retail development. Additionally, the report also provided an update on the Little London Housing PFI project and how this complemented the regeneration proposed as part of the Little London Community Hub development.

As with Minute No. 17, (Design and Cost Report for Little London Primary School Basic Need Project) the Board welcomed the proposals detailed within the submitted report together with the investment which was being utilised to facilitate such regeneration, and highlighted the impact that this initiative would have on the local community.

### **RESOLVED –**

- (a) That the progress made to commence regeneration in Little London and also to revise proposals for the Little London Community Hub be noted and supported;
- (b) That the link between this submitted report and that of the Director of Children's Services (entitled: Design & Cost Report for Little London Primary School Basic Need Project) found elsewhere on the agenda for the expansion of Little London Community Primary School be noted, and that support be given to the proposal that the school expansion, Neighbourhood Housing Office and community centre form part of the same procurement and construction contract, as set out in paragraphs 3.26 and 3.27 of the submitted report;
- (c) That it be noted that the costs identified in the submitted report are based on RIBA Stage D - detailed design;
- (d) That the Director of City Development be authorised to inject and incur expenditure of £677,700 from the General Fund capital scheme 32140/000/000 in order to deliver a new community centre forming part



of the Little London Community Hub, with an anticipated contract award in July and start on-site date of July/August 2014, as set out in paragraph 3.29 of the submitted report;

- (e) That it be noted that scheme 32036/CJ3/000 to deliver a new Neighbourhood Housing Office forming part of the Little London Community Hub at £264,700 is funded within the overall Housing Leeds refurbishment programme, as approved by Executive Board in February 2014, and that it will be delivered by the Director of Environment and Housing, with an anticipated contract award in July and a start on-site date of July/August 2014, as set out in paragraph 3.29 of the submitted report.

**19 Natural Resources and Waste Local Plan: Publication and Submission of Policies: Minerals 13 and 14**

Further to Minute No. 154, 9<sup>th</sup> January 2013, the Director of City Development submitted a report which sought approval to publish the revised Policies Minerals 13 and 14 of the Natural Resources and Waste Local Plan together with supporting text for the purposes of a six week consultation period. Subject to there being no new significant issues raised, approval was also sought to make a recommendation to Full Council that it approves the submission of the revised policies to the Secretary of State for independent examination.

**RESOLVED –**

- (a) That the revised Policies Minerals 13 and 14 of the Natural Resources and Waste Local Plan and supporting text be published for the purposes of a six week consultation period, and that the Chief Planning Officer be authorised to consider any representations received.
- (b) That it be noted that the Head of Forward Planning and Implementation is responsible for these matters and that it also be noted that the consultation exercise will take place in July - August 2014.
- (c) That subject to there being no new significant issues raised, it be recommended that Full Council approve the submission of the revised policies to the Secretary of State for the purposes of independent examination.
- (d) That if significant new issues are raised through the consultation process, or by Scrutiny Board members, the Chief Planning Officer, in consultation with the Executive Member for Neighbourhoods, Planning & Personnel be authorised to review the proposals and to take such additional steps as are necessary before seeking approval from Council for submission.

(The Council's Executive and Decision Making Procedure Rules state that the power to Call In decisions does not extend to those made in accordance with Budget and Policy Framework Procedure Rules (B&PFPRs). As the

resolutions relating to this minute (above) were being made in accordance with the Council's B&PFPR's, such matters were not eligible for Call In)

**20 Progress on Delivering the Council Housing Growth Programme**

Further to Minute No. 45, 17<sup>th</sup> July 2013, the Director of Environment and Housing and the Director of City Development submitted a joint report providing an update on the Council Housing Growth Programme and the sites that had been identified for development. In addition, the report also provided details of the sites where a bid had been submitted to the Homes and Communities Agency (HCA) for grant funding, together with details of the rental strategy to be adopted. Finally, the report provided an update on the work undertaken to develop a standard of finish which would include design approaches aimed at reducing running costs by providing a more energy efficient product and also information on the proposed 'Lettings Policy' for the new build Council properties.

By way of an introduction to the submitted report, the Executive Member for Neighbourhoods, Planning and Personnel emphasised the scale and ambitious nature of the programme. In addition, the Board noted that Scrutiny Board (Housing and Regeneration) was scheduled to consider the Council's Lettings Policy as part of its work programme.

In considering the report, Members discussed the following:-

- The need to ensure that neighbourhoods were 'liveable' and sustainable;
- The importance of design quality and energy efficiency standards which were being developed as part of the programme;
- The need to demonstrate to the HCA that the Local Authority was able to successfully deliver such an ambitious programme;
- The accommodation needs which needed to be addressed in the outer areas of the city, as well as those in the inner areas;
- The vital importance of housing provision for the elderly across the city.

Following consideration of appendix 1 to the submitted report, designated as 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 on the development of the Council Housing Growth Programme be noted;

- (b) That the development of a new rental strategy for new build Council properties which are funded through the Homes and Communities Agency's Affordable Homes Programme, be agreed;
- (c) That the progress made against the development of a new approach to the standard of the final product, as it relates to the development of new council housing, be noted;
- (d) That a new approach for the allocations of new build Council homes be agreed, and that approval be given for the Director of Environment and Housing to approve local lettings policies;
- (e) That the further injection of £20,194,000 into the Council Housing Growth Programme from the HRA, with authority to spend of £30,120,000 per the table at paragraph 6.7 of the submitted report be approved, and that £10,194,000 of the new injection be utilised from reserves and additional available 'Right To Buy' (RTB) receipts and £10,000,000 from unsupported borrowing.
- (f) That responsibility for the delivery of the resolutions above be delegated to the Director of Environment and Housing.
- (g) That a further report be submitted to Executive Board in September 2014 outlining the work that is being developed to achieve 'quality' and 'quantity' as part of the overall Housing Growth Programme.

### **CLEANER, STRONGER AND SAFER COMMUNITIES**

#### **21 Allocation of Police Community Support Officer's (PCSO's) for Leeds to 2015/16 and new Joint Working Arrangements with West Yorkshire Police**

Further to Minute No 209, 5<sup>th</sup> March 2014, the Director of Environment and Housing submitted a report providing an update on the outcome of the discussions between West Yorkshire Police, Elected Members and Senior Council Officers on the allocation of Police Community Service Officers (PCSOs) for the period up to 31<sup>st</sup> March 2016. In addition, the report also provided a summary of the new ways of working being piloted between Leeds City Council and West Yorkshire Police in priority services areas including Domestic Noise Nuisance and Street Begging, and highlighted the direction of travel in relation to the Environmental agenda.

The Board received an overview of the report from Superintendent Sam Miller, who also updated the Board on the joint working initiatives which continued between the Council and West Yorkshire Police.

Members welcomed the submitted report, paid tribute to the work of the PCSO's and highlighted the vital importance of their visible presence within communities.

**RESOLVED –**

- (a) That it be noted that the allocation of PCSO's is to remain at 5 per Ward, as per the current arrangement across the City for Leeds City Council funded officers.
- (b) That with regard to additional PCSO's being funded by West Yorkshire Police, support be given to such officers being allocated on a demand based profile.
- (c) That the new areas of partnership work being led by the Chief Officer for Community Safety, where different approaches, and joint working arrangements are being piloted to support the delivery of Council and Police priorities, be noted.

**DIGITAL AND CREATIVE TECHNOLOGIES, CULTURE AND SKILLS**

**22 The Tour de France Legacy for Leeds: 'Cycling Starts Here'**

Further to Minute No. 232, 2<sup>nd</sup> April 2014, the Director of City Development, the Director of Public Health and the Director of Children's Services submitted a joint report outlining the basis for building a lasting cycling legacy from the Tour de France and highlighted the work that was already being progressed in this area.

It was highlighted that a sustainable and meaningful legacy would involve all areas of the Council together with other sectors, and it was acknowledged that further reports would be submitted to the Board in due course as work on the lasting legacy of the Tour de France continued.

Members noted the positive impact that the Tour was already having on cycling participation levels across the city and highlighted the need to ensure that such momentum was not lost.

**RESOLVED –**

- (a) That the five key objectives of the Cycle Yorkshire strategy, as detailed at section 3.1.1 of the submitted report be endorsed;
- (b) That the legacy commitments, as described at Table 1 of the submitted report be supported;
- (c) That the establishment and resourcing of a 'Cycling Starts Here' Programme Board to include city partners, with Leeds City Council taking the strategic lead, be agreed;
- (d) That the range of directorates and external partners who have a direct and indirect interest be noted;
- (e) That the development of a holistic Cycling Strategy for Leeds be supported;

- (f) That the Director of City Development develop plans to resource the transformation of cycling in Leeds through the future budget setting process.

## **ADULT SOCIALCARE**

### **23 Age Friendly Leeds**

The Director of Adult Social Services submitted a report highlighting the key issues arising from establishing Leeds as an Age Friendly City and which focussed upon the expectations of the World Health Organisation's 'Global Network' initiative. Specifically, the submitted report focussed upon tackling loneliness and social isolation amongst older people and on the work being undertaken in respect of 'Dementia Friendly Leeds'. Finally, the report identified areas for further development and highlighted the plans in place to help Leeds become the Best City in which to live, and especially to grow older.

#### **RESOLVED –**

- (a) That the current ongoing work, as outlined within the submitted report, be noted and endorsed;
- (b) That directorates and partners be called upon to assess themselves against the World Health Organisation's 'Global Network of Age Friendly Cities Framework';
- (c) That the opportunities outlined in the submitted report for further work in making Leeds an Age Friendly and Dementia Friendly city, which is working to tackle loneliness and social isolation in older people, be encouraged;
- (d) That the Executive's engagement with Dementia Friendly Leeds at a community level be endorsed;
- (e) That the proposal for Executive Members to become Dementia Friends and Champions be endorsed and that all local authority staff be encouraged to fulfil such roles also.

## **FINANCE AND INEQUALITY**

### **24 Financial Performance: Outturn Financial Year Ended 31st March 2014**

The Deputy Chief Executive submitted a report presenting the Council's financial outturn position for 2013/2014 for both revenue and capital elements, whilst also outlining details regarding Housing Revenue Account and spending on schools. In addition, the report also highlighted the latest position regarding other key financial health indicators including Council Tax and NNDR collection statistics, sundry income, reserves and the prompt payment of creditors.

With regard to proposals detailed within the report regarding the creation of earmarked reserves, specifically in respect off the Leeds Grand Theatre,

Members welcomed that a dedicated report was scheduled to be submitted to the 16<sup>th</sup> July 2014 Board meeting. It was also requested that both Councillors A Carter and Golton received respective briefings on the current position regarding Leeds Grand Theatre.

In conclusion, the Chair paid tribute to all officers concerned for their continued efforts which had led to the Council's final outturn position for the 2013/14 financial year.

**RESOLVED –**

- (a) That the outturn position as detailed within the submitted report be noted, and that the creation of earmarked reserves as detailed in paragraphs 3.8 and 5.5 be agreed, with the release of such earmarked reserves being delegated to the Deputy Chief Executive;
- (b) That a virement in 2014/15 from directorate superannuation budgets to general fund reserves, as detailed in paragraph 5.4 of the submitted report, be agreed;
- (c) That it be noted that the Chief Officer Financial Services will be responsible for the implementation of the resolutions detailed above, following the “call in” period.

**25 Best Council Plan Update 2014/2015**

Further to Minute No. 200, 5<sup>th</sup> March 2014, the Deputy Chief Executive submitted a report which sought approval to the proposed updates to the objectives and priorities contained within the Best Council Plan 2013/17.

On 1<sup>st</sup> July 2013, when approving the new strategic Best Council Plan, Council also provided Executive Board with the authority to make in-year amendments to the Plan when required.

The Chief Executive advised that the proposed refresh of the Plan's objectives and priorities would help to ensure that it continued to reflect the current context in which the Council operated and also that it continued to have a genuine impact on the organisation.

The importance of cross-departmental working as an effective means of driving the Plan's objectives forward was highlighted.

Members welcomed the proposals detailed within the submitted report, together with the succinct, clear and user friendly format of the Plan.

**RESOLVED –**

- (a) That the updated 'Best Council Plan 2013/17', which sets out the authority's six strategic objectives and priorities be approved;
- (b) That the next steps which are outlined in the submitted report to further revise the Council's priorities in order to feed into the next Best Council Plan in time for the start of the 2015/16 financial year, be noted;

Draft minutes to be approved at the meeting  
to be held on Wednesday, 16th July, 2014

- (c) That it be noted that the Deputy Chief Executive will be responsible for the implementation of the next steps.

(The Council's Executive and Decision Making Procedure Rules state that the power to Call In decisions does not extend to those made in accordance with Budget and Policy Framework Procedure Rules (B&PFPRs). As the resolutions relating to this minute (above) were being made in accordance with the Council's B&PFPR's, such matters were not eligible for Call In)

**DATE OF PUBLICATION:** FRIDAY, 27<sup>TH</sup> JUNE 2014

**LASTE DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** FRIDAY, 4<sup>TH</sup> JULY 2014 AT 5.00 P.M.

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 7<sup>th</sup> July 2014)

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Councillors

**Legal & Democratic Services**

Governance Services

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Our Ref:

Your Ref:

1 July 2014

Dear Councillor

**COUNCIL – 2<sup>nd</sup> JULY 2014**

Please find attached for your attention minutes that were not available when the agenda was despatched.

Please attach these papers to your agenda for the meeting.

Many thanks.

Yours sincerely

**Kevin Tomkinson**  
**Principal Governance Officer**

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## CITY PLANS PANEL

THURSDAY, 5TH JUNE, 2014

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

Councillors P Gruen, R Procter,  
D Blackburn, S Hamilton, G Latty,  
T Leadley, E Nash, N Walshaw, M Ingham,  
C Campbell, M Harland and C Macniven

### 192 Election of Chair

In the absence of the designated Chair, nominations to chair the meeting were sought, with Councillor J McKenna being nominated to the chair the meeting

Councillor McKenna in the Chair

### 193 Chair's opening remarks

Councillor McKenna welcomed everyone to the meeting and asked Members and Officers to introduce themselves

### 194 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

### 195 Apologies for Absence

Apologies for absence were received from Councillor J Lewis and Councillor Cummins, with Councillors Harland and Macniven substituting for their respective colleagues

### 196 Minutes

**RESOLVED** - That the minutes of the City Plans Panel meeting held on 8th May 2014 be approved

### 197 Applications 14/01511/FU and 14/01713/LI - Full and Listed Building applications for the variation of the approved plans for replacement weirs at Leeds Weir and Knostrop Weir

Draft minutes to be approved at the meeting  
to be held on Thursday, 26th June, 2014

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

With reference to minute 59 of the City Plans Panel meeting held on 17<sup>th</sup> January 2013 and minute 91 of the City Plans Panel meeting held on 24<sup>th</sup> October 2013, where applications for two replacement weirs and flood defences and cut were approved as part of the Leeds Flood Alleviation Scheme (FAS), Officers presented the report which related to revisions to the design and location of the movable weirs

The revisions and design changes were outlined, with Members being informed that these were necessary to improve efficiency and assist in the delivery of other elements of the Leeds FAS

Regarding the use of reclaimed stone for the cladding material for the in channel piers, these would now be finished in concrete as engineers had indicated there were concerns about the strength of the reclaimed stone to undergo the demolition and rebuilding process. It was also stated that the use of concrete would provide better construction and would result in reduced maintenance requirements to remove vegetation growth

The Council's Conservation Officer had raised concerns about the use of concrete, although English Heritage had not commented. If minded to approve the applications, suitable conditions to control the external appearance of the weirs would be included

Members discussed the applications, with the main issues relating to:

- the design of the control cabinets
- the case for not reusing the stone due to concerns about its strength and whether this could be justified
- the visual appearance of concrete cladding which would not be in keeping with its surroundings
- that concrete could be considered to be acceptable at Knostrop Weir but not at Leeds Weir in view of its prominent location
- the need for regular maintenance of the weirs to ensure that damaging vegetation was removed
- concerns about the dominance of the weirs
- the absence of a water turbine at Leeds Weir

The Chief Planning Officer highlighted the different elements of the scheme and suggested that for Leeds Weir, stone could be used on the side elements, with concrete being used in the middle, which would better reflect the location. Members considered this, with the suggestion being made that stone should also be used in the middle at Leeds Weir, so long as the engineering works were not compromised by this

The Panel considered how to proceed

**RESOLVED:**

Application 14/01511/FU

To defer and delegate approval of the application to the Chief Planning Officer, subject to the conditions set out in Appendix 1 of the submitted report and subject to the use of stone at Leeds Weir, subject to details being agreed with English Heritage and the Council's Conservation Officer and in the event this matter cannot be satisfactorily resolved, to bring a further report to Panel for final approval of the application

Application 14/01713/LI

To agree in principle and defer and delegate to allow the application to be referred to the Secretary of State for the Department of Communities and Local Government

**198 Preapp/14/00337 - Proposal for residential development at Sweet Street, Holbeck, Leeds**

Plans, graphics, photographs and precedent images were displayed at the meeting

The Panel considered a report of the Chief Planning Officer on pre-application proposals for a residential development at Sweet Street and received a presentation on proposals from the developer's architects and agents

The key elements of the proposals were outlined to Members, which included:

- that the site has planning permission for a mixed use scheme comprising residential with A1/A2/A3/A4/A5 and B1 uses
- that the scheme being drawn up was a less dense residential scheme which provided courtyards and meaningful public realm with good pedestrian permeability
- the massing of the buildings related to their immediate context and allowed for good levels of sunlight in to the courtyards
- that the ground floor apartments would each have their own front door and balcony, which would help activate the streets
- that 750 apartments were proposed, with the larger apartments facing into the courtyards and benefitting from their own private amenity space
- that vehicular access would be from Ingram Street
- that 696sqm of commercial accommodation would be provided, with this being set back from Sweet Street
- that a range of studios, 1, 2, and 3 bedroom apartments would be provided, in a private rented development, managed by a single investor
- a generous landscaping scheme would form an important element of the development
- that public seating areas would be provided at key locations
- that the use of colour will be considered in the materials for the scheme, with the aim of creating a sense of identity through this

Members discussed the proposals and commented on the following matters:

- the amount of natural light residents would receive for much of the year
- the maintenance of the landscaped areas, particularly the raised beds
- the need for problems of litter and vermin around the landscaped areas to be fully addressed
- the use of tree pits and whether sufficient space would be available for trees to grow adequately

- a suitably sized play area for children would be required
- issues of security for residents
- the high number of studios and one bed room flats in the scheme and the need to understand the market the development would be aimed at
- community identity and how this would be forged
- S106 contributions which would be required
- Issues of sustainability and whether photovoltaics and grey water could be included in the proposals
- the size of the units with concerns these were not as generous as hoped
- the location of public seating areas and the need to address potential issues of noise nuisance and anti-social behaviour for tenants of units in close proximity to these areas
- whether a public seating area was necessary
- concerns about the proliferation of studios and that these did not help create a permanent community
- appropriate tree species and that Councillor Nash should be consulted on this, in the event the pre-application proposals progressed to a formal application
- the need for the different sized units to be mixed across the scheme to prevent segregation
- the changes to the heights of blocks; that the shortfall would need to be made up elsewhere in the scheme; the siting of the 13 storey block and whether this was appropriate
- the need for any development on this site to be of a high quality and distinct character, rather than just standard residential apartment blocks
- the need for detailed sunlight surveys to be provided as well as a proposed colour palette
- that more family accommodation was needed, particularly in view of proposals for a large school to open in the area within a few years
- the buoyancy of the private rented market and that city centre apartments were welcomed as were some elements of the design principles, i.e. the proposals to activate the streets and provide front doors and private courtyards space. However it was felt the scheme lacked a sense of place; that buildings of greater architectural merit were required for this key location; that the mix of units was not suitable and that more family accommodation should be provided

In response to the specific issues raised in the report, Members provided the following comments:

- that the proposed use of the site for a predominantly residential scheme was appropriate
- that whilst in general Members agreed with the siting of the buildings, provision of landscaping; public realm and provision of active street frontages, to note Members detailed comments on

these matters. That the arrangement of the taller block should be explored further and a clear rationale for it should be provided. Consideration of orientating the tall building towards The Mint building should be considered

- to note that more work was required regarding the height of the buildings, together with requirements for rooftop plant and the distribution of building heights around the scheme
- to note Members' detailed comments about the proposed landscaping
- that issues of sustainability needed to be addressed
- regarding the mix of units; their size; proportions and quality of the proposed flats, to note Members' comments and the Chief Planning Officer's comments about the work in progress on trying to achieve a Leeds Standard for units and for this work to be shared with Panel Members
- to note the requests for further detailed sun path surveys, information on proposed materials and the size of units in relation to average furniture sizes

**RESOLVED** - To note the report, the presentation and the comments now made

## **199 Date and Time of Next Meeting**

Thursday 26<sup>th</sup> June 2014 at 1.30pm in the Civic Hall, Leeds

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## **Development Plan Panel**

**Monday, 12th May, 2014**

**PRESENT:** Councillor N Taggart in the Chair

Councillors B Anderson, C Campbell,  
P Gruen, M Harland, J Lewis, C Towler and  
N Walshaw

Councillor

### **27 Declaration of Disclosable Pecuniary and Other Interests**

There were no declarations of disclosable pecuniary interests.

### **28 Councillor Clive Fox**

Members of the Panel paid tribute to Councillor Clive Fox who had recently passed away.

### **29 Apologies for Absence**

Apologies for absence were received from Councillors M Coulson, K Mitchell, J Procter and T Leadley.

Councillors M Harland and C Towler were in attendance as substitutes.

### **30 Minutes of the previous meeting**

**RESOLVED-** That the minutes of the Development Plan Panel meeting held on 24 February 2014 be approved.

### **31 Schools Requirements arising from the Site Allocations Plan**

The report of the Director of City Development updated Members of the work currently being undertaken by officers from City Development and Children's Services to consider the requirements for school provision arising from the Site Allocation Plan.

Issues highlighted from the report included the following:

- Further work was being carried out regarding the prediction of school place requirements. Although it was proposed to construct 70,000 new houses, considerations had to take account of whether this target would be reached.
- A joint study was being carried out between Children's Services and Planning regarding population forecasts.
- Reference to work of the East Leeds Regeneration Board and how to carry out something similar citywide to get the right infrastructure.
- Section 106 contributions and the Community Infrastructure Levy (CIL).

- Concern regarding the significant number of applications without Section 106 contributions.
- Legislation and policy changes with regards to provision of new schools and school expansion.
- Main issues that drove demand for places:
  - Population/birth rates – there had been a significant increase over the last 4 years.
  - Impact of housing growth.
  - Pupil movement.
- Physical feasibility for expanding current schools.
- Identifying sites for new schools and availability of land.
- School performance – how far can schools be expanded before it becomes detrimental to the provision of education?
- Sustainability issues – highways, health provision, drainage, public transport provision.
- The need for a cross directorate approach.
- The need to build in flexibility for delayed construction.

In response to Members comments and questions, the following was discussed:

- Development of a robust formula to reflect demand in the housing characteristic areas – it was hoped to identify the number of expansions and new schools that would be required as part of the site allocation process.
- Concern that land was more valuable for housing development than school development and that this would make development of schools economically unviable.
- Funding for new schools and school expansion.
- Concern that Children’s Services should be more involved in the planning process.
- How to support Plans Panels and ensure objections are weighted correctly.
- Planning at a local level – workshops had been carried out with Area Committees.

- Concern that developments were being sold on the basis that local school places were available.
- Predicting school needs across each Housing Characteristic Area.
- School Admission arrangements.
- Impact of development around the boundary areas with other local authorities – work was carried out with neighbouring authorities in respect of this.

**RESOLVED** – That the report and discussion be noted.

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## Licensing Committee

Tuesday, 10th June, 2014

**PRESENT:** Councillor in the Chair

Councillors K Bruce, N Buckley, R Downes,  
J Dunn, M Harland, G Hussain, G Hyde,  
A Khan, B Selby, C Townsley and  
G Wilkinson

### **1 Chair's Opening Remarks**

In opening the meeting the Chair welcomed everyone to the first meeting of the Licensing Committee for the new Municipal year.

The Chair congratulated those Members who had been successful in retaining their seats in the recent Local Elections and thanked Councillors Charlwood and Hyde for the Chairing of the Licensing Committee over the past 12 months.

### **2 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of the inspection of documents.

### **3 Exempt Information - Possible Exclusion of the Press and Public**

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the confidential nature of the business to be considered.

### **4 Late Items**

The Committee accepted the inclusion of supplementary information in respect Private Hire Operator conditions (Minute No.11 refers) and also Convictions Criteria Hackney Carriage and Private Hire Operators and Drivers (Minutes No.12 refers) Officers reported that the information in question was not available at the time of agenda publication but it was considered to be in the best interests of all parties concerned that the matter be considered without delay

### **5 Declaration of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests

### **6 Apologies for Absence**

Apologies for absence were received from: Councillor Flynn, Councillor Gettings, Councillor Hanley and Councillor Ingham

### **7 Minutes of the Previous Meeting**

The Minutes of the previous meeting held on 8<sup>th</sup> April 2014 were accepted as a true and correct record.

### **8 Matters Arising From the Minutes**

Shisha Smoking and Smoke Free Legislation – Update Report (Minute 130 refers) – Councillor Hussain referring to Resolution (ii) “That a further update report be brought back to this Committee in 6 months’ time (October). An invitation to attend be extended to other multi agency partners” – Councillor Hussain asked which multi agency partners had been invited to attend.

In responding John Mulcahy, Head of Licensing and Registration said no officers from Environment and Neighbourhoods were in attendance at today's meeting but enquiries would be made and Councillor Hussain notified accordingly

### **9 Licensing Committee - Annual Governance Arrangements**

The City Solicitor submitted a report seeking to establish the governance arrangements for the Licensing Committee for the 2014/2015 Municipal Year, namely:

- To note the terms of reference of the Licensing Committee as agreed at the annual Council meeting on 9<sup>th</sup> June 2014.
- To appoint Licensing Sub-Committees for the 2014/2015 Municipal year.
- To approve terms of reference for the Licensing Sub-Committees.
  - To approve the delegation of functions to Officers as appropriate.

Appended to the report were copies of the following documents:

- Licensing Committee Terms of Reference (Appendix 1 refers)
- Membership of each Licensing Sub Committee (Appendix 2 refers)
- Licensing Sub Committee Terms of Reference (Appendix 3 refers)
- The delegation Licensing functions to the Assistant Chief Executive (Citizens and Communities) (Appendix 4 refers)

Mary O'Shea, Section Head, Legal Services, presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- Membership of each Licensing Sub Committee

Members commented on and made amendments to the proposed membership of the Sub Committees as set out in Appendix 2 of the submitted report.

### **RESOLVED –**

- (i) To note the terms of reference of the Licensing Committee as approved by full Council on 9<sup>th</sup> June 2014 as shown at Appendix 1
- (ii) That subject to a number of minor amendments to reflect comments made by Members the five Licensing Sub-Committees hearings required under the 2003 and 2005 Acts be established with the following memberships:

- A Councillors Bruce, Downes and Gettings
- B Councillors Dunn, Buckley and G Hussain
- C Councillors Townsley, Ingham and Hyde
- D Councillors Hanley, Flynn and Selby
- E Councillors Khan, Wilkinson and Harland

- (iii) That approval be given to the terms of reference for the Licensing Sub-Committees as set out in Appendix 3 of the report
- (iv) That approval be given to the delegation of Licensing functions to the Assistant Chief Executive (Citizens and Communities) as shown in Appendix 4 of the report.

#### **10 Licensing Procedure Rules, the Code of Practice for Determining Licensing Matters and Prescribed Licensing Training**

The City Solicitor submitted a report setting out the draft Procedure Rules relating to hearings and other meetings of the Licensing Committee and Sub-Committees and sought approval for the Rules to be adopted in order to govern committee procedure. The report also highlighted the Code of Practice for the Determination of Licensing Matters, previously approved by Standards Committee, but now within the remit of the Committee to determine.

Member's attention was also directed to the arrangements for the prescribed Member Training on licensing under the provisions of Article 8A of the constitution and the Code of Practice.

#### **RESOLVED –**

- (i) That the Licensing Procedure Rules as set out as Appendix 1 of the report be approved
- (ii) That approval be given to the contents of the Code of Practice of or the Determination of Licensing Matters as set out in Appendix 2 of the report and that the Committee agree to follow the Code
- (iii) To note the arrangements for the prescribed training programme.

- (iv) That the Code of Practice for the determination of Licensing Matters be circulated to all Members of Council for information

### **11 Review of Private Hire Operator (PHO) Conditions - draft policy and conditions proposals following consultation**

The Head of Licensing and Registration submitted a report which provided a review of the PHO conditions. The report put forward proposals intended to contribute and uplift the service standards and compliance across the operator licensing base and meet arising public safety challenges.

Appended to the report was a copy of the following documents:

- Existing Private Hire Operator conditions (Appendix 1 refers)
- General advice and guidance notes (Appendix 2 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- Customer focus, business improvements and best practice
- The need to be fair and proportionate
- Operator training (Expected standard of service and safety)
- Out of town drivers
- Electronic booking and despatch systems
- The recording of complaints

Commenting on “Out of Town Drivers”, Councillor Dunn suggested that any revised policy should be shared with other local authorities.

In responding Mr Broster said that any change to the Leeds Policy would be viewed with interest by other Local Authorities.

Councillor Khan asked if the conditions applicable to “Out of town drivers” were enforceable.

Referring to section 3.10 of the submitted report Mr Broster said the City Council were powerless to determine “on the spot” if such a driver or vehicle was properly



licensed at any time while conducting enforcement activity on the street. Mr Broster said the emphasis was on proportionate safety and not restrictive practices

Commenting on driver welfare, Councillor Khan suggested it was important for a mechanism to be in place to guard against unjustified complaints.

In offering comment Mr Broster said that driver welfare was recognised as part of the Private Hire Driver Training.

Referring to driver protection, Councillor Bruce referred to the need for drivers to be adequately protected.

In responding Mr Broster said that some vehicles had already been equipped with CCTV equipment another option was driver safety shield, the Taxi and Private Hire Section had a budget to fund 50% of the cost but the take up was low.

It was suggested that the trade be made aware that there was financial support on offer to assist in the provision of driver safety shields

Addressing the draft policy and conditions, Councillor Hyde said it was important that the views of the trade, operators and drivers were taken into account.

## **RESOLVED –**

- (i) To approve in principle the policy and conditions and to direct Officers to prepare a report for consideration by the Executive seeking approval of the policy
  
- (ii) To approve the time scales for implementation of the policy and conditions

## **12 Convictions criteria - Hackney Carriage (HCD) and Private Hire Drivers (PHD), Private Hire Operators (PHO) and Hackney Carriage Proprietors (HC) - draft policy and conditions proposals following consultation.**

The Head of Licensing and Registration submitted a report which identified the current relevant legislation and the public safety benefits in having a clear and defensible policy that would meet the statutory obligations for protecting the public and which provides clear public information and a decision making criteria and process for Members, Officers and the Courts

Appended to the report was a copy of the following documents:

- Current Convictions Criteria – Points Criteria Table (Appendix 1 refers)
  
- Proposed Indecency Table (Appendix 2 refers)
  
- Proposed Violence Table(Appendix 3 refers)

- Proposed Dishonesty Table (Appendix 4 refers)
- Proposed Drugs Table (Appendix 5 refers)
- Racially Motivated Offences (Appendix 6 refers)
- Current Policy Guidelines on Motoring Convictions and Disqualifications (Appendix 7 refers)
- Newspaper articles to illustrate the issues at national level (Appendix 8 refers)
- Driver convictions and penalty point Accumulation (Appendix 9 refers)
- Offences covered under motor convictions (Appendix 10 refers)
- Convictions consultation (Appendix 11 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- The distinctions between criminal convictions and driving convictions
- Additions to the convictions criteria

In offering comment Councillor Selby welcomed the report and proposals suggesting that under the new proposals alcohol should be treated in the same way as drugs

Councillor Townsley suggested using the trade newsletter to make drivers aware that the Council would be demanding higher standards.

Councillors Wilkinson and Hussain referred to the totting up process and the build-up of penalty points. It was noted that a number of drivers appeared to exceed 12 points which should result in disqualification from driving.

In responding Mr Broster referred to “Exceptional Hardship” paragraph 3.24 of the submitted report, suggesting that if the driver could demonstrate “Exceptional Hardship” how it might affect the driver and “others” (partner, business partner, family or dependent relative) the Courts may not decide to disqualify.

## **RESOLVED –**

- (i) To approve in principle the amendments to the policy and new policy proposals in respect of the “convictions criteria” and to direct Officers to prepare a report for consideration by the Executive

- (ii) To approve in principle the amendments to the policy and new policy proposals in respect of the “motoring convictions generally and disqualification from driving” and to direct Officers to prepare a report for consideration by the Executive

### **13 Hackney Carriage Proprietors (HCP) - Appropriate Suitability Assessment.**

The Head of Licensing and Registration submitted a report which informed Members of the legislation applicable to Hackney Carriage Proprietors, the existing policy of the Licensing Committee, legal advice and the recommendation of the Licensing Committee Working Group on the issue of an appropriate suitability assessment.

Appended to the report was a copy of the following documents:

- An extract from a report produced by the Director of Legal and Democratic Services “Knowledge Testing for the Private Hire and Hackney Carriage Trade – Supplementary Report (English literacy, language & numeracy skills) (Appendix 1 refers)
- Vehicle Transfer Policy: who does my Hackney Carriage Licence transfer to in the event of my death? (Appendix 2 refers)
- Response to consultation (Appendix 3 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- English comprehension requirement
- Non English speaking wives of HCP could be financially disadvantaged
- Equality requirements
- Existing policy had not raised any notable problems

In offering comment Councillor Hussain said that individuals should not be put at a disadvantage.

Referring to section 3.6 of the submitted report Councillor Wilkinson suggested that the existing policy had not raised any notable problems

It was the general opinion of Members that anyone taking over the business should be able to understand English or be able after a short transition period

Councillor Selby said there could be possible effects on a business as a consequence of a beneficiary owner not speaking English

**RESOLVED –**

- (i) That consideration of this item be deferred for further clarification around inheritance issues and possible effects on the business as a consequence of the owner not speaking English
  
- (ii) That a further report be brought back to the August meeting of this Committee

**14 3 year driver licences for Private Hire and Hackney Carriage drivers.**

The Head of Licensing and Registration submitted a report which informed Members of the consultation undertaken with the Private Hire and Hackney Carriage Trade in order that further consideration may be given to the Committees previous “in principal” approval in light of the consultation feedback

Appended to the report was a copy of the following documents:

- Draft three year Licence Policy (Appendix 1 refers)
- Consultation Feedback (Appendix 2 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- Public Safety considerations
  
- The starting point for obtaining a 3 year licence (the essence of the policy) including 5 years continuous ‘good service’ and what makes up ‘good service’.

- The necessity for continuous annual on line DBS checks and DVLA checks for drivers;
- The process steps
- When or how a licence might be suspended
- Financial implications

In seeking clarification Councillor Khan asked if payments could be made by instalment

In responding Mr Broster reported that the issue of paying by instalments had been investigated, section 3.4 of the submitted report referred, but currently there were no plans to introduce payments by instalments.

#### **RESOLVED –**

- (i) To approve in principal the 3 year Licence Policy for Driver Licences for Private Hire and Hackney Carriage Drivers
- (ii) That officers be requested to prepare a report for the Executive seeking approval of the Policy

#### **15 De-Regulation Bill 2013**

The Head of Licensing and Registration submitted a report which informed Members of the relevant issues which would enable them to determine what actions they may consider appropriate in order to voice their concerns about the De-Regulation Bill 2013

Appended to the report was a copy of the proposed De-Regulation legislation (Appendix 1 refers)

Des Broster, Section Head, Taxi and Private Hire Licensing presented the report and responded to Members questions and queries

Detailed discussion ensued on the contents of the report which included:

- The relaxation of the legislation on who could drive a licensed Private Hire vehicle for social domestic, pleasure purposes and the significant public safety issues arising from this

In offering comment Councillor Selby said that awareness needs to be raised about the significant public safety issues which could arise with the de-regulation of the legislation and suggested writing to all Leeds Members of Parliament, The Local Government Association, Neighbouring Authorities and the Secretary of State highlighting the City Council's concerns.

Members were supportive of Councillor Selby's suggestion

**RESOLVED** – That the Head of Licensing and Registration be requested to write to all Leeds Members of Parliament, the Local Government Association, Neighbouring Local Authorities and the Secretary of State highlighting the City Council's concerns about the significant road safety issues which could arise as a consequence of the de-regulation of the legislation

#### **16 Licensing Committee Work Programme 2014**

Members considered the contents of the Licensing Committee Work Programme for 2014/15

**RESOLVED** – That, subject to the inclusion of any additional items of business identified at this meeting, the contents of the Licensing Committee Work Programme be noted

#### **17 Date and Time of Next Meeting**

**RESOLVED** – To note that the next meeting will take place on Tuesday 8<sup>th</sup> July 2014, at 10.00am in the Civic Hall, Leeds.

**COUNCIL MEETING – 2 July 2014**

NOTICE OF:	Reference No:	Date Received:	Date Forwarded:
Reference Back	RB1	1/7/14	1/7/14

Submitted by:	Councillor Andrew Carter
Relevant Board/Regulatory Panel:	Executive Board
Executive Member/Chair:	Executive Members for Transport & Economy and Children's Services
Relevant Director	Directors of City Development and Children's Services

In respect of Minute 7, Page 6 (supplementary minute pack) of the meeting of the Executive Board on 25 June 2014, to ask that this decision is referred back for reconsideration by Executive Board.

Councillor Andrew Carter

\* Director to provide a copy of draft reply to Kevin Tomkinson, Governance Services by: n/a

Deadlines for submission

White Papers	- *10.00 am on the day before the issue of the Summons
Questions	- 10.00 am on Monday prior to meeting
Amendments (including references back)	- 1.30 pm on Tuesday prior to meeting

(All submissions should be made to Governance Services for receipt to be recorded and distribution made)

\*Usually the Monday of the week prior to a Wednesday meeting.

Distribution: Lord Mayor, Group Leaders, Whips, Deputy Leader, Executive Councillors, Chief Executive, Assistant Chief Executive (Corporate Strategy and Customer Access), City Solicitor, Director of Resources, Relevant Chair and Director.

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