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## EXECUTIVE BOARD

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Meeting to be held in Civic Hall, Leeds on  
Wednesday, 18th October, 2006 at 1.00 pm

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### MEMBERSHIP

#### Councillors

M Harris (Chair)  
A Carter  
D Blackburn  
R Brett  
J L Carter  
R Harker  
P Harrand  
J Procter  
S Smith

K Wakefield  
\*J Blake

\*non voting advisory member

# A G E N D A

Item No K=Key Decision	Ward	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p>	
2			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
3			<p><b>EXCLUSION OF PUBLIC</b></p> <p>To agree that the public be excluded from the meeting during consideration of appendix 2 to item 10, the appendix to item 13, the detailed report in relation to item 16 and appendices 1,2 and 4 to item 24</p>	
4			<p><b>DECLARATION OF INTERESTS</b></p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 13 of the Members Code of Conduct</p>	
5			<p><b>MINUTES</b></p> <p>To confirm as a correct record the minutes of the meeting held on 20<sup>th</sup> September 2006</p> <p><b><u>NEIGHBOURHOODS AND HOUSING</u></b></p>	1 - 12

Item No K=Key Decision	Ward	Item Not Open		Page No
6			<p><b>DEPUTATION TO COUNCIL - LEEDS GYPSY AND TRAVELLER EXCHANGE REGARDING PROVISION OF ACCOMMODATION IN THE CITY</b></p> <p>To consider the report of the Director of Neighbourhoods and Housing in response to the above deputation to Council advising that the accommodation needs assessment is to be undertaken</p>	13 - 18
7			<p><b>THE FUTURE OF ARMS LENGTH MANAGEMENT ORGANISATIONS FOR HOUSING IN LEEDS</b></p> <p>To consider the report of the Director of Neighbourhoods and Housing on proposed governance arrangements for the three new ALMO Boards, their registration as companies and proposals for Area Panels</p> <p><b><u>CENTRAL AND CORPORATE</u></b></p>	19 - 26
8			<p><b>CORPORATE DEBT POLICY</b></p> <p>To consider the report of the Director of Corporate Services presenting a revised Corporate Debt Policy agreed by the Financial Inclusion Steering Group and intended as part of the Council's Beacon application "Promoting Financial Inclusion and Tackling Over Indebtedness"</p>	27 - 44
9			<p><b>TREASURY MANAGEMENT BORROWING LIMITS</b></p> <p>To consider the report of the Director of Corporate Services on a proposed increase to the Authorised and Operational borrowing limits to be recommended to Council as a variation to those set in February 2006</p>	45 - 48

Item No K=Key Decision	Ward	Item Not Open		Page No
10		10.4(3)	<p><b>PROGRESS REPORT ON THE PPP/PFI PROGRAMME</b></p> <p>To consider the report of the Deputy Chief Executive on progress of Leeds City Council PPP/PFI projects and Programmes, their governance and on the outturn of the Leeds Street Lighting PFI Project. Appendix 2 to the report relating to the Street Lighting Project is exempt under Access to information Procedure Rule 10.4 (3)</p>	49 - 60
11			<p><b>PARISH AND TOWN COUNCIL CHARTER</b></p> <p>To consider the report of the Chief Democratic Services Officer on a charter to underpin the relationship between the City Council and the local councils within its administrative area as agreed in consultation with the Parish and Town Council Forum</p> <p><b><u>CHILDREN'S SERVICES</u></b></p>	61 - 74
12			<p><b>ADMISSIONS ROUND FOR COMMUNITY AND CONTROLLED SCHOOLS FOR 2006</b></p> <p>To consider the report of the Chief Executive of Education Leeds providing statistical information on the September 2006 admission round for community and voluntary controlled schools</p>	75 - 84
13		10.4(3)	<p><b>ICT STRATEGIC PARTNER FOR BUILDING SCHOOLS FOR THE FUTURE - SELECTION OF PREFERRED BIDDER</b></p> <p>To consider the report of the Chief Executive of Education Leeds on the proposed appointment of a preferred bidder for the ICT Strategic Partner and arrangements for final negotiations and award of the contract Appendix 1 to the report is exempt under Access to Information Procedure Rule 10.4(3)</p>	85 - 94

Item No K=Key Decision	Ward	Item Not Open		Page No
14 K	Ardsley and Robin Hood		<p><b>THORPE PRIMARY SCHOOL</b></p> <p>To consider the report of the Chief Executive of Education Leeds on a proposed scheme to provide a new hall, additional classrooms and remodelling works at Thorpe Primary School</p>	95 - 100
15			<p><b>RECENT OFSTED INSPECTIONS</b></p> <p>To consider the report of the Chief Executive of Education Leeds summarising the outcomes of recent Ofsted inspections</p>	101 - 138
16		10.4(1, 2)	<p><b>SCHOOLS CAUSING CONCERN</b></p> <p>To consider the report of the Chief Executive of Education Leeds informing members of the actions being followed to ensure that the schools causing the most serious concerns are being monitored, supported and challenged through planned interventions. The second detailed report on this matter is exempt under Access to Information Procedure Rule 10.4 (1) and (2)</p> <p><b><u>LEISURE</u></b></p>	139 - 192
17 K			<p><b>LEEDS SPORTS TRUST</b></p> <p>To consider the report of the Director of Learning and Leisure on progress made since the initial Executive Board decision, in March 2006, to the in principle transfer of the Sport and Active Recreation Service to a Non Profit Distributing Body (Trust).The report proposes that progress be made to the next implementation stage of the Trust transfer, with a target date of 1<sup>st</sup> April 2008 for the Sports Trust to become fully operational.</p> <p><b><u>ADULT HEALTH AND SOCIAL CARE</u></b></p>	193 - 210

Item No K=Key Decision	Ward	Item Not Open		Page No
18 K			<p><b>COMMISSIONING PLAN FOR DAY SERVICES FOR DISABLED PEOPLE</b></p> <p>To consider the report of the Director of Adult Services setting out proposals for the modernisation of day services for disabled people with particular reference to the three existing Social Services Department Resource Centres, describing a more person centred service model based on meeting an individual's assessed needs flexibly, in their local communities and , wherever possible, within mainstream services rather than in settings catering only for disabled people.</p>	211 - 220
19 K			<p><b>OUTLINE PLAN FOR THE BREECE, SCARBOROUGH</b></p> <p>To consider the report of the Director of Adult Services on the proposed outline plan for The Breece to comply with the Short Breaks Policy</p> <p><b><u>DEVELOPMENT</u></b></p>	221 - 226
20	Alwoodley; Moortown;		<p><b>DEPUTATION TO COUNCIL - QUEENSHILL AND LINGFIELD ESTATE RESIDENTS CONCERNED ABOUT RINGROAD SAFETY.</b></p> <p>To consider the report of the Director of Development providing information relating to the deputation received by Council at the 13<sup>th</sup> September 2006 meeting in relation to concerns about road safety on the A6120 Outer Ring Road at Moortown.</p>	227 - 234
21	Morley South		<p><b>DEPUTATION TO COUNCIL - LOCAL RESIDENTS CONCERNED ABOUT THE BRITANNIA QUARRY, MORLEY</b></p> <p>To consider the report of the Director of Development in response to the deputation to Council on 13<sup>th</sup> September 2006 regarding dust in Rein Road, Morley associated with Britannia Quarry, operated by Woodkirk Stone</p>	235 - 238

Item No K=Key Decision	Ward	Item Not Open		Page No
22 K	Horsforth		<p><b>FORMER HORSFORTH LIBRARY</b></p> <p>To consider the report of the Director of Development on the proposed marketing of the Stanhope Youth Centre and, subject to the capital receipt that would be generated being sufficient, to use that receipt and other resources already identified in the Capital Programme to fund the refurbishment of the former Horsforth Library to provide accommodation for the relocated Youth Centre and for the North-West Area Management Team</p>	239 - 248
23			<p><b>LOCAL ENTERPRISE GROWTH INITIATIVE</b></p> <p>To consider the report of the Director of Development on the production of a round two Local Enterprise Growth Initiative bid for Leeds and outlining the key features of the proposed programme.</p>	249 - 258
24	Beeston and Holbeck	10.4(3)	<p><b>REGENERATION OF HOLBECK</b></p> <p>To consider the report of the Director of Neighbourhoods and Housing on the options for the regeneration of the Holbeck area and on a proposed scheme for the acquisition and clearance of 53 properties within Holbeck by utilising £2.95m of Regional Housing Board funding from the capital grant of £8m allocated for a long term housing market renewal programme to tackle poor quality, pre 1919 housing stock in Beeston Hill and Holbeck</p> <p>Appendices 1,2 and 4 to this report are exempt under Access to Information Procedure Rule 10.4(3)</p> <p><b><u>CITY SERVICES</u></b></p>	259 - 280

Item No K=Key Decision	Ward	Item Not Open		Page No
25 K			<p data-bbox="676 255 1406 327"><b>INTEGRATED WASTE STRATEGY FOR LEEDS 2005 -2035</b></p> <p data-bbox="676 367 1369 618">To consider the report of the Director of City Services presenting the proposed revised Integrated Waste Strategy for Leeds, the associated three year action plan and the proposed final draft of Expression of Interest for Private Finance Initiative funding to support the development of the waste solution infrastructure.</p>	281 - 474



## EXECUTIVE BOARD

WEDNESDAY, 20TH SEPTEMBER, 2006

**PRESENT:** Councillor M Harris in the Chair

Councillors A Carter, D Blackburn, R Brett,  
J L Carter, R Harker, P Harrand, J Procter,  
S Smith, K Wakefield and J Blake

### 51 Exclusion of Public

**RESOLVED** – That 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 the exempt information so designated as follows:

- (a) Appendices to the report referred to in minute 64 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the information as exempt, outweighs the public interest in disclosing the information, as disclosure may prejudice the outcome of the disposal.
- (b) Appendices 1, 2 and 4 to the report referred to in minute 69 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the fact that disclosure of appendices 1 and 2 could potentially prejudice the success of the scheme by speculative investors acquiring properties in advance of the Council's action and of appendix 4 because the costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure could prejudice the Council's ability to reach an agreement on the purchase price with owners.
- (c) Appendix 1 to the report referred to in minute 72 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as the Council have a duty in terms of commercially confidential information entered into with the Preferred Bidder which would be adversely affected by disclosure which could also jeopardise the successful conclusion of the procurement process.

### 52 Declaration of Interests

Councillors D Blackburn, J L Carter, Harker, Smith and Harrand declared personal interests in the item relating to Leeds Grand Theatre (minute 62) as members of its board of management.

Councillor Blake declared personal interests in the items relating to Leeds Grand Theatre (minute 62) as a member of the board of both the Grand Theatre and of Opera North, and Otley Prince Henry Grammar School (minute 58) as a governor and as a parent of a pupil at the school.

Councillor Brett declared a personal interest in the item relating to ALMOs in Leeds (minute 71) as a board member of South East Leeds ALMO.

Further declarations made during the course of the meeting are referred to in minute 63 (Councillor Harker), minute 66 (Councillor Harris) and minute 69 (Councillor J L Carter).

### **53 Minutes**

**RESOLVED** – That the minutes of the meeting of the Board held on 16<sup>th</sup> August 2006 be approved.

## **CENTRAL AND CORPORATE**

### **54 Council Change Programme a) Overarching Report**

The Chief Officer (Executive Support) submitted a report on the Council's continuous change programme covering the over-arching objectives of the programme and presenting supplementary reports covering Children's Services developments, Adult Services and an update on partnership working and the Local Area Agreement.

#### **RESOLVED –**

- (a) That the overarching framework for the Council's continuous change programme be endorsed.
- (b) That the objectives as detailed in the submitted report be approved.
- (c) That the scope of work being progressed, as described in the report be noted.
- (d) That recommendations from the supplementary reports be approved as follows:

#### **b) Children's Services Developments**

The Director of Children's Services submitted a report regarding the proposed Children's Trust arrangements for Leeds.

#### **RESOLVED-**

- (i) To note and approve
  - the proposed "children's trust arrangements" and associated governance structures, including the relationships between the elements and the Director of Children's Services Unit;
  - the overall role and approach to meeting accountabilities proposed for the Director of Children's Services Unit;
  - the approach to dealing with resourcing issues across the partnership; and
  - the intention to review the Children's Trust arrangements in 2007.

- (ii) To note that the Chief Executive will use his delegated powers to establish the Director of Children's Services Unit once the final detail has been worked up.
- (iii) That further reports about the implementation of the arrangements and about specific significant issues be brought to the Board to update on progress.

### **c) Role of the Director of Adult Social Services**

The Director of Adult Social Services submitted a report regarding Statutory Guidance on the role of the Director of Adult Social Services.

#### **RESOLVED-**

- (i) That the requirements of guidance regarding the role of the Director of Social Services be noted;
- (ii) That the adoption of seven outcomes for adults, as described in the report, to provide a strategic direction for the future of adult services and as a basis for ongoing consultation with service users and the wider community be approved.

### **d) Leeds Initiative**

The Chief Officer (Executive Support) and the Director of Neighbourhoods and Housing submitted a report on the Leeds Initiative; District Partnership and Local Area Agreement Update.

#### **RESOLVED-**

- (i) That the approach taken by the Leeds Initiative in fulfilling the Government's requirements as the city's accredited local strategic partnership be endorsed.
- (ii) That the progress made by the district partnerships and in developing the city's first local area agreement be endorsed.
- (iii) That the proposal for all District Partnerships to report into their respective area committees on a quarterly basis be agreed.

- (iv) That elected members receive more regular briefings from officers regarding the Leeds Initiative.
- (v) That a further report updating on the Leeds Initiative be brought to the Executive Board in six months time.
- (vi) That the proposals for reviewing the structures, governance, performance management and delivery arrangements over the next 12 months be approved.
- (vii) That further consideration be given to the consolidation of support of all service areas to maximise the Council's leadership role in the work of the Leeds Initiative and to support the delivery of the Vision for Leeds 2004-2020; the Leeds Regeneration Plan 2005-2008; the local area agreement and other plans and strategies.

**55 Update on Implementation of the Gambling Act 2005 and Determination of a Statement of Gambling Policy**

The Director of Legal and Democratic Services submitted a report on the preparatory work being carried out for the implementation of the Gambling Act 2005 including steps taken to prepare a Draft Statement of Gambling Policy for consideration of the Overview and Scrutiny Committee prior to further consideration by this Board and reference to Council in December 2006.

**RESOLVED –**

- (a) That the methodology and timeframe for the adoption of the gambling policy as detailed in the report be noted.
- (b)
  - (i) That the report "Consultation on the Draft Statement of Gambling Policy" be noted;
  - (ii) That the policy and the consultation results be referred to the Overview and Scrutiny Committee for consideration
  - (iii) That a report detailed the findings of the Overview and Scrutiny Committee be brought to the November meeting of the Board.

**56 Financial Health Monitoring - Revenue**

The Director of Corporate Services submitted a report on the financial health of the authority after four months of the new financial year, in respect of the revenue budget for general fund services and the Housing Revenue Account.

**RESOLVED –**

- (a) That the projected financial position of the Authority be noted.
- (b) That the proposed budget adjustments as described in the report be referred to full Council for approval.
- (c) That departments continue to develop and implement action plans.

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he abstained from voting on this matter).

Draft minutes to be approved at the meeting to be held on Wednesday, 18th October, 2006

## **CHILDREN'S SERVICES**

### **57 Review of Primary Provision in Alwoodley Primary Planning Area**

The Chief Executive of Education Leeds submitted a report on further work undertaken and seeking approval to undertake public consultation on revised proposals for the Alwoodley Primary Planning Area.

The report outlined the following options:

1. Downsizing current provision to remove places, but retaining all schools.
2. An amalgamation of Fir Tree and Archbishop Cranmer Primary Schools.
3. Closure of Fir Tree Primary School

The report concluded that the amalgamation of Fir Tree and Archbishop Cranmer Primary Schools as a voluntary controlled school, would be the most appropriate way to secure a viable school at the heart of its community.

#### **RESOLVED –**

- (a) That formal public consultation be undertaken on:
  - The closure of Fir Tree Primary school in August 2007;
  - The closure of Archbishop Cranmer CE Aided Primary School in August 2007;
  - The establishment of a 1.5 form entry voluntary controlled primary school on the Archbishop Cranmer site in September 2007.
- (b) That a report summarising consultation be brought to the December meeting of this Board.

### **58 Otley Prince Henry Grammar School - Provision of Specialist Science Accommodation**

The Chief Executive of Education Leeds submitted a report on a proposed scheme to provide additional specialist science accommodation at Otley Prince Henry's Grammar School.

#### **RESOLVED –**

- (a) That design proposals in respect of the scheme to provide additional specialist science accommodation at Otley Prince Henry's Grammar school be approved.
- (b) That injection of £55,000 of Capital Receipt into the approved Capital Programme be authorised.
- (c) That scheme expenditure in the total sum of £4,325,000 be authorised

### **59 Leeds Building Schools for the future and ICT Strategic Partner Procurements**

The Chief Executive of Education Leeds submitted a report seeking the support of Executive Board to scope changes in both the procurement of the ICT Strategic Partner and the Procurement of the Leeds Local Education Partnership.

#### **RESOLVED –**

Draft minutes to be approved at the meeting to be held on Wednesday, 18th October, 2006

- (a) That the movement of the procurement and maintenance of ICT hardware from the Leeds Local Education Partnership to the ICT Strategic Partner be agreed.
- (b) That appropriate instructions at this stage be issued to bidders in both procurements.
- (c) That the financial implications be noted.

#### **60 School and Children's Centre Designation**

The Director of Learning and Leisure submitted a report on the proposed re-designation of four primary schools in Leeds following the publication of statutory notices to formally change the age range for which education services are provided in the schools in order to facilitate the delivery of children's centre and extended services on these sites.

**RESOLVED** – That the redesignation of Hawksworth Wood, Middleton, Windmill and Little London Primary Schools to reflect the change in the age range from 3 to 11 years of age to 4 to 11 years of age with an on site children's centre for children aged 0 – 4 be approved.

### **LEISURE**

#### **61 Deputation to Council - South Leeds Sports Centre**

The Director of Learning and Leisure submitted a report providing contextual information relating to representations by the SPLASH group at Full Council on 19<sup>th</sup> July 2006, and presenting proposals for the future of South Leeds Stadium.

The report outlined the following options:

- Centre to reopen – following some critical works with an estimated cost of approximately £70k
- Centre remains closed – savings, both revenue and capital to be used to reinvest city wide and support local sports development work
- New Outdoor Sport development – keeping the leisure centre closed and working up a proposal to develop the outside sports facilities with the possibility of retaining the sports hall.

The report concluded that it would be possible to reopen the South Leeds Sports Centre in order to demonstrate its value within the local community although its operational viability would be comprised in its current form due to the opening of the new swimming and diving centre.

**RESOLVED** – That the South Leeds Sports Centre be reopened

#### **62 Future Governance of Leeds Grand Theatre and Opera House Ltd**

Further to minute 287 of the meeting held on 17<sup>th</sup> May 2006, the Director of Learning and Leisure submitted a report on proposed transitional arrangements for the Board of Leeds Grand Theatre and Opera House Ltd pending the outcome of discussions on the long term arrangements for the Board.

The report presented the following options for future board arrangements.

- (a) Status Quo.
- (b) Implement in full current Articles of Association with 9 members, 5 of which are Councillors and 4 independent. All appointed to a skills matrix with new schemes of delegation and responsibilities. Vice Chair to be independent, 3 Council staff acting as advisors on financial, legal and cultural matters.
- (c) Move to an independent trust where Councillors are in the minority. All Appointed to a skills matrix with new schemes of delegation and responsibilities. Chair to be independent. No Council advisors.
- (d) Move to an independent trust for The Grand Theatre and another one for City Varieties and Headingley Picture House.
- (e) Move to an independent trust for The Grand Theatre, another one for City Varieties and find an alternative operator for the Picture House.
- (f) Replace current charitable company with 3 charitable companies.
- (g) Maintain a single Management Board as in a-c and have 3 separate venue sub Boards without elected member representation.
- (h) Find a commercial operator to run The Grand Theatre.

The report recommended that a more independent operation would be ensured by immediate implementation of option (b).

The report gave details of a proposed skills matrix for the appointment of Board Members. The report also included the proposed Leeds Grand Theatre Board manual.

**RESOLVED –**

- (a) That the establishment of a transitional Board of five City Councillors and four independent members all appointed using a skills matrix and nomination form be approved.
- (b) That approval be given to the proposals that:
  - (i) The independent members will be attracted through external advertisement.
  - (ii) Three senior Council officers representing legal, financial and cultural policy will advise the transitional board.
  - (iii) The Chair to be an Executive Board member.

**63 Council Participation in IGEN**

The Director of Learning and Leisure submitted a report setting out proposed changes to the level of Council participation in IGEN.

**RESOLVED –**

- (a) That Council participation in Igen be reduced to being a Member of Igen with the right to appoint one Director to the Board.
- (b) That the Council should have the same voting rights as other Members and Directors, and that meetings should be permitted to be quorate without a Council presence.
- (c) That the Council should safeguard its original 'investment' in Igen and Igen's public purposes by a provision in Igen's constitution that any change to the

fundamental objects of Igen or to its status as a not-for-profit company, would require the agreement of the Council.

(Councillor Harker declared a personal interest in this matter as a Council representative on West Yorkshire Connexions which has a number of contracts with IGEN).

## **DEVELOPMENT**

### **64 Leeds City Council's Shareholding in Leeds Bradford International Airport**

The Director of Development submitted a report updating Members on the progress made in determining the future of Leeds City Council's shareholding in the Airport and proposing Leeds City Council's participation in an outright (100%) disposal of the Airport Company in partnership with other participating Shareholders.

Following consideration of Appendices 1 and 2 to the report, designated as exempt under Access to Information Procedure rule 10.4(3) it was

#### **RESOLVED –**

- (a) That approval be given to the proposal that Leeds City Council will, subject to the agreement of the other West Yorkshire Districts, participate in the disposal of 100% of shares in the Leeds Bradford International Airport Company and, subject to the agreement of the four other West Yorkshire districts, instruct officers to progress such disposal in a timely manner.
- (b) That in the event that not all of the five shareholders agree to participate in a 100% disposal, Leeds City Council participate in a share disposal of 60% or more in the Airport Company, on the basis that Leeds city Council would sell 100% of its interest in LBIA.
- (c) That officers of the five West Yorkshire districts draw upon the objectives detailed in the report to determine the criteria to be used in the future assessment of the submitted bids.
- (d) That approval, subject to proper consultation and compliance with legal requirements, be given to the proposal that bidders will be asked to implement pension arrangements that grant, for existing employees, fully equivalent pension benefits to the existing Local Government Pension Scheme and offer new employees, at the option of the new owner, membership of a final salary scheme, or a money purchase scheme.
- (e) That the proposal that bidders, as part of their submissions, be asked to explain their company culture with regard to staff retention, development and incentivisation be approved.
- (f) That any land owned by the five West Yorkshire districts which lies within the Airport's Operational Boundary be included with the disposal of the Airport Company, and that officers be given delegated authority to determine whether it is appropriate to also include other five districts' land which is in the vicinity of the Airport Operational Boundary in the disposal, subject, as always, to the requirement to achieve best consideration.
- (g) That a report seeking endorsement of the preferred bidder identified and the acceptance of the best and final offer made, to enable the transaction to be completed, be brought to a future meeting of the Board.



- (h) That the scale of the potential receipt that could accrue to the Council from a share disposal of Leeds Bradford International Airport be noted.
- (i) That approval be given to the Ernst and Young LLP scales of fees that will be incurred during the three phases of the disposal exercise and which will be charged to the purchaser upon completion of the transaction, and that the Director of Development be authorised to select that fee structure which best incentivises the consultants to optimise the disposal proceeds.
- (j) That officers be authorised to commission the vendor due diligence work required and also other technical consultancy advice as appropriate.
- (k) That Leeds City Council enter into an indemnity agreement with the other West Yorkshire districts, as set out, to govern the apportionment of any abortive fees incurred should the disposal transaction not complete and the Director of Corporate Services be instructed to make provision for any liabilities arising under this agreement and for any other abortive Leeds City Council costs.

**65 Regent Court, Call Lane Affordable Housing Subsidy Using Section 106 Commuted Sums**

The Director of Development submitted a report seeking authority to spend £705,000 of section 106 monies on an affordable housing subsidy at the proposed Regent Court housing scheme at Call Lane in the city centre

**RESOLVED –**

- (a) That the release and injection of £705,000 section 106 monies into the Capital Programme at scheme 13150 to fund the grant for affordable rented housing and legal costs be approved.
- (b) That authority to spend £705,000 of section 106 monies on scheme 13150 which is to be fully funded from section 106 monies be given

**66 A65 Quality Bus Initiative**

The Director of Development submitted a report on the current status of the A65 Quality Bus Initiative and on proposals to progress the detailed development of a scheme.

**RESOLVED –**

- (a) That the contents of the report and the Government's decision to grant "programme entry" status to the A65 Quality Bus Initiative scheme be noted.
- (b) That approval be given to commence the development of the scheme, including detailed design, statutory procedures and procurement planning.
- (c) That the scheme development costs of £834,000 to cover detailed design fees and the preparation and consultation costs necessary to secure the statutory approvals for the scheme be approved.
- (d) That a further report be brought to this Board once scheme development has progressed.

(Councillor Harris declared a personal and prejudicial interest in this item arising from his personal commercial activities, vacated the Chair in favour of Councillor A Carter and left the room for the duration of the discussion and voting thereon).

**67 Strategy for Town and District Centre Street Parking**

The Director of Development submitted a report outlining proposals for the future development of car parking strategies for town and district shopping centres in Leeds District

**RESOLVED –**

- (a) That the content of the report be noted
- (b) That endorsement be given to the development of a general approach to car parking in towns and district centres based on the principles described in paragraph 2.8 of the report
- (c) That approval be given for the initial work to establish the appropriate parking assessment criteria and framework and to identify an action list of town centres, together with cost estimates for the strategy development work.

**68 The Leeds City Region Development Programme**

The Chief Officer (Executive Support) submitted a report seeking endorsement to the arrangements for securing the submission of the Leeds City Region Development Programme to the Northern Way Secretariat and Central Government by 29 September 2006.

**RESOLVED –**

- (a) That endorsement be given to arrangements for securing the submission of the Leeds City Region Development Programme to the Northern Way Secretariat and Central Government by 29 September, and, in that connection, authorise the Chief Executive, in consultation with the Leader, to agree the terms of the final document, in concert with the other authorities which make up the Leeds City Region Partnership, and,
- (b) That the proposals for the formal launch of the City Region Development Programme as set out in the report be noted.

**69 Regeneration of Cross Green Phase 2**

The Director of Neighbourhoods and Housing submitted a report presenting options for regeneration of the Cross Green area and on the proposed acquisition and clearance of 52 properties within Cross Green by utilising £2.4m of Regional Housing Board funding during 2006/08.

The report detailed the following options:

- (a) Do minimum to meet legal conformity
- (b) Group repair and internal remodelling
- (c) Acquisition and redevelopment of the site.

Following consideration of Appendices 1, 2 and 4 to the report, designated as exempt under Access to Information Procedure Rule 10.4 (3), and circulated at the meeting, it was

**RESOLVED –**

- (a) That the injection into the Capital Programme of £2.4m of Regional Housing Board money be approved.
- (b) That Scheme Expenditure to the amount of £2.4m be authorised .

- (c) That officers be authorised to commence acquisition of properties by voluntary agreement with the owners. In the event that agreement cannot be reached with the owner of any property within the target area for its acquisition, officers be authorised to make and promote any necessary Compulsory Purchase Orders.

(Councillor J L Carter declared a personal interest in this item as a Director of Re'new which is active within this area).

## **NEIGHBOURHOODS AND HOUSING**

### **70 Government Guidance on Establishing the Housing Needs of the Gypsy and Traveller Community**

The Director of Neighbourhoods and Housing submitted a report on the implications of the Government's policy direction on the Gypsy and Traveller community and the supporting legislation and guidance and on the process the Council is required to undertake to meet the legal requirements.

#### **RESOLVED –**

- (a) That the contents of the report be noted.
- (b) That an accommodation needs assessment of the Gypsy and Traveller Community be undertaken
- (c) That a strategy for Gypsy and Travellers in Leeds be developed as an element of the wider housing strategy for the City.
- (d) That it be noted that for a shared assessment to be undertaken by the 5 West Yorkshire authorities, the estimated total cost for the sub region would be £70,000 - £100,000, for which Leeds would have to make a proportionate contribution.

### **71 The Future of Arms Length Management Organisations for Housing in Leeds**

The Director of Neighbourhoods and Housing submitted a report on the consultation with tenants on the alternatives of a single ALMO or three ALMOs and the result of the ballot of tenants on the alternatives of a single ALMO or three ALMOs.

#### **RESOLVED –**

- (a) That three ALMOs be created in Leeds.
- (b) That the Director of Neighbourhoods and Housing be requested to begin the implementation process and that a report detailing proposals on future governance be brought to the October 2006 meeting of this Board.

### **72 EASEL**

The Director of Neighbourhoods and Housing submitted a report delegated decision taken by the Director of Neighbourhoods and Housing with the support of the EASEL Regeneration Project Board.

Following consideration of Appendix 1 to the report designated exempt under Access to Information Rule 10.4(3), it was

#### **RESOLVED –**

- (a) That the decision of the Director of Neighbourhoods and Housing to extend the Exclusive Negotiation period with Bellway PLC be endorsed.
- (b) That a further report be brought to a future meeting of the Board at the end of the Extended Exclusive Negotiation Period.

DATE OF PUBLICATION: 22<sup>nd</sup> September 2006

LAST DATE FOR CALL IN: 29<sup>th</sup> September 2006

(Scrutiny Support will notify relevant Directors of any items Called In by 12.00 noon on 2<sup>nd</sup> October 2006)



Originator: Tom Wiltshire

Tel: 2476073

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**Report of the Director of Neighbourhoods and Housing**

**Executive Board**

**Date: 18<sup>th</sup> October 2006**

**Subject: Deputation to Council – Gypsy And Traveller Exchange (GATE)**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

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**EXECUTIVE SUMMARY**

1. Acknowledgement of the deputation to Council from GATE
2. Advise Executive Board of the action proposed to undertake the accommodation needs assessment.

**1.0 Purpose Of This Report**

- 1.1 To update Executive Board on the issue raised in the Deputation to Council.

**2.0 Background Information**

- 2.1 In February 2006 the Government published their guidance for all Local Authorities to undertake an assessment of the housing needs of the Gypsy and Traveller Community.

**3.0 Main Issues**

- 3.1 A Report outlining the legislative requirements was considered by Exec Board on 20<sup>th</sup> September.
- 3.2 The report recommended that Leeds should undertake the accommodation needs assessment and develop a strategy for Gypsy and Travellers in Leeds as a key

element of the overall Housing Strategy for the city. And that if practicable that this assessment should be undertaken on a sub-regional basis.

3.3 A comprehensive assessment of accommodation needs undertaken in line with the published good practice guidance, will allow Leeds to ensure that it has:

- A solid base of quantified data to provide a clear understanding of the needs of the community, that will allow any expressed need to be reflected in the Local Development Framework
- Clear communication with the community
- A Strategy developed in conjunction with the overall Housing Strategy for the City

3.4 The Council will involve the Travellers' community in the assessment, particularly through the organisations GATE and Justice for Travellers.

3.5 Work is also underway to establish the feasibility of undertaking the accommodation assessment on a cross authority basis within the sub region, as recommended within DCLG guidance and recent research. This would provide the sub region with a robust and consistent picture of accommodation need. It would also reduce the cost to each of the authorities.

#### **4.0 Recommendations**

4.1 To note contents of this report

## **Leeds GATE Gypsy and Traveller Exchange**

Ground Floor, Crown Point House, Cross Green Lane

Leeds LS9 0BD

info@leedsgate.co.uk

01132402444, Fax 01132485222

Charitable status registration number

1102149

Can we guess perhaps the images that come to mind knowing you were going to hear a deputation regarding Gypsies and Travellers? Are you bored already expecting to hear about the Race Relations Amendment Act or the Human Rights Act? Are you expecting apologists for bad behaviour? Well you aren't going to get any of that. What you are going to get is a solution.

We are here, not because of acts of parliament, but because of the reality that affects people's daily lives. On a regular basis Leeds residents and electors are denied access to places of work and leisure by the presence of unauthorised encampments. The Local Authority, local business and the police annually spend vast sums of money moving the problem from one doorstep to another, leaving totally unresolved issues of fly tipping, anti social behaviour, desperate poor health, poor education and causing increasing race hatred between communities.

Councillors are doubtless aware that 'Harmonious Communities' is a key theme at the moment. Gypsy people have been in and around Leeds since the 1500's, Irish Travellers built parts of this city and subsequent generations remain here today. There are many more Gypsy and Traveller people living in Leeds than just those who live on the roadsides. They aren't going anywhere; this town is their home. And yet we don't accept the 'Gypsy problem' as being 'our problem', and we certainly don't accept Gypsy and Irish Traveller people as being 'ours'. Despite being aware of living in a global world and accepting that we are all connected to one another, we push this problem around as if it will somehow disappear regardless of the consequences for constituents and neighbours. We go so far as to pay for a Gypsy/Travellers Service Department to manage the problem, like some sort of pest control, but don't enable it to get on with the work that would solve the problem? Is there any other group of Leeds residents, constituents and potential voters that we view in this way? Is there any other problem where we resolutely refuse to accept the solution, preferring instead to put up with endless vast expense?

We told you early on that we brought with us the solution. And you already know what it is; our own Local Authority scrutiny enquiry has repeatedly identified the need for further sites within Leeds. So if we know what the solution is, why do we not take action? A vocal number of local people don't want sites in their area. Why not? Because when they think of Gypsies or Irish Travellers they remember the last photograph in the Yorkshire Evening Post of their local councillor standing next to piles of rubbish demanding 'tougher powers' to move the problem? Or perhaps they think of the sprawling 41 pitch Cottingley Springs and imagine something of that size, along with no extra public services, landing in the field next door? Perhaps it's images of frightening strange men in transit vans, or the injustice of council tax being spent on providing luxury for people who apparently don't pay rent, tax, council tax, and water rates?

We're not going to start quoting acts of parliament but perhaps we can remind you of the obligations, threats and opportunities presented by the new planning system, particularly the new Local Development Framework.

The obligation contained within it in regard to Gypsies and Travellers is that the local authority must carry out detailed assessment of accommodation need among Gypsies and Travellers within its districts; indeed it must go further than just assessing need. It must provide details, ultimately as specific as postcodes, as to which actual pieces of ground can be used, either by the council or another party, to address that accommodation need. We've known for over a year that these obligations were upon us and nationally many are under way. Here in Leeds however we have not made a start, tying ourselves up in arguments about whether it should be done locally or sub-regionally. It's as though a site being built in Kirklees or Halifax where there are currently none would put an end to encampments here. Let us assure you it would not.

The threat, which this presents, is the possibility that if it is not done, or not done properly, a planning inspector can reject any and all other plans.

The opportunities? We can, if we work together, put a final end to the running sore of unauthorised encampments in unsuitable places which cost the local economy well rehearsed thousands of pounds every year without providing any sort of solution. This despite there being 100% grants available from national government, so the solution would potentially cost virtually nothing.



**Gypsies and Irish Travellers in Leeds suffer a life expectancy of 50 years of age, their children are among the worst educated and experience tells them there is nothing to gain in being polite to neighbours whose only wish is to see them gone. We can change this.**

**The obligations are yours. What we came here to do today is to say that we can help. Leeds Gypsy and Traveller Exchange is a nationally respected organisation with a reputation for positive pragmatism. We can help you to have the conversation with your local electorate that leads to happy, harmonious communities living alongside one another with security and respect. We can open the door to dialogue with a wide range of travelling people who want also to live in harmony with their neighbours. We can help you to address the issues of sanitation and rubbish which so upset your constituents. We can show you that Gypsy and Irish Traveller people are already a part of 'our' society, making a steady contribution to our local economy and culture.**

**It is time to open the door to Gypsy and Irish Traveller people to be part not just of society but also of our 'harmonious community'. We can help. But it is up to elected members to give the lead, without which we remain on the same old expensive treadmill and risk the regeneration plans which will benefit all Leeds residents.**

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**Report of the Director of Neighbourhoods and Housing Department**

**Executive Board**

**Date: 18<sup>th</sup> October 2006**

**Subject: The Future of Arms Length Management Organisations for Housing in Leeds**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

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## EXECUTIVE SUMMARY

The report sets out the proposed governance arrangements for the new Boards and proposals for Area Panels. The report also seeks permission to register three new ALMO companies.

### 1.0 Purpose of the Report

1.1 This report seeks the approval of members of the Executive Board to the:

- Proposals for the governance arrangements for the new ALMO Boards
- Proposals for the establishment of Area Panels beneath the new Boards
- Proposals to set up three new companies

### 2.0 Board Size

2.1 It is proposed to reduce the size of Boards from the current figure of 18 to 12, with equal representation from Elected Members, Independents and Tenants.

2.2 The constitutions of the current ALMOs provide for 5 Council members, 5 Independent Members and up to 8 Tenant Members. The original guidance for the setting up of ALMOs required there to be an equal share for each member. However,

tenants were concerned that their voice would not be heard and so the number of Tenant Board Members was increased.

- 2.3 However, as the ALMOs matured and their commitment to tenant involvement increased, these concerns proved to be unfounded. A Board of 18, though, has proved to be too large from a governance perspective.
- 2.4 Whilst there has been no criticism at inspections, the Audit Commission is developing a view that Boards should be smaller, whilst at the same time retaining an equal share across the Board members groupings. This is a view that was also expressed by some of the existing ALMO Boards during earlier consultation.
- 2.5 These factors, taken together with the proposals set out below to expand involvement through local panels, enables the new Boards to reduce in size.

### **3.0.0 Board Appointment Process**

#### **3.1.0 Council Board Members**

- 3.1.1 The current process is that nominations to ALMO Boards are made through the Area Management Committees. However, the re-alignment of ALMO boundaries to create the three new ALMOs means there is no longer a neat alignment with Area Committee boundaries.
- 3.1.2 It is proposed that Council Board Members will be appointed to the new Boards through the political groups in a way that ensures that there is reasonable representation on the Boards and that current expertise is recognised.

#### **3.2.0 Independent Board Members**

- 3.2.1 It is proposed to offer existing Independent Board Members the opportunity to apply and be interviewed for a position on the new Boards. This process will ensure that best expertise is retained and aid continuity of the businesses.
- 3.2.2 Any vacancies that arise from this process will be advertised. New applicants will go through an interview process to ensure that the best candidates are selected.
- 3.2.3 Throughout this process attention will be given to the expertise that candidates can bring to the Boards and to ensure that there is a balance of skills on each new Board.

#### **3.3.0 Tenant Board Members**

- 3.3.1 Tenant Board Members have contributed greatly to the success of the Leeds ALMOs. It is proposed that existing Tenant Board Members will be given the opportunity to apply for places on the new Boards.
- 3.3.2 Candidates will go through an interview process to ensure that the best candidates are selected. This process will also ensure that there is fair representation of the areas covered by the new ALMOs.

## **4.0 Chairing Boards**

- 4.1 The Audit Commission has indicated that they favour the appointment of non political chairs. However, it is not obligatory that this advice is followed. It is proposed, therefore, that whilst Boards should give consideration to the Audit Commissions view, they should be free to elect chairs from any of the three categories of Board Members.

## **5.0 Area Panels**

- 5.1 At the Executive Board meeting of July 2006 the principle of Area Panels was agreed and a further report was requested outlining the governance and operational arrangements for these Panels.
- 5.2 One of the successes to date with the ALMOs in Leeds has been the enlargement of tenant involvement. The number of registered groups has doubled to around 120. There are also investment conferences and a host of local arrangements for getting tenants views and involving them in decisions.
- 5.3 By reducing the number of ALMO Boards to one or three, tenants could feel remote from the decision making body. However, there is an opportunity to guarantee and indeed increase involvement in decision making by introducing local area panels, as operated by other ALMOs elsewhere. The ALMO Boards were unanimous in expressing their support for the establishment of such panels.
- 5.4 This proposal is designed to ensure that a wide range of tenants can be involved in the delivery of housing services in their area. The proposal reflects this by having more than one Area Panel to each ALMO in order to facilitate a focus on local issues. However, the proposal also reflects the fact that to have too many Area Panels would lead to fragmentation, difficulties in co-ordination and governance.
- 5.5 It is proposed to have Area Panels based geographically around Area Committee arrangements. There will be four in the new North West / West ALMO which would mirror inner and outer North West and Inner and outer West, with three in the other two ALMOs based around inner South, outer South and outer East in the South / South East ALMO and outer north East, inner North East and Inner East in the North East / East ALMO.
- 5.6 It is proposed to give each Panel a budget, approved by the main Board. This would allow control over expenditure on environmental schemes, community safety schemes and tenant involvement. In addition Panels would have an active role in monitoring performance within their area as well as preparing recommendations for the main ALMO Board on future direction of services and spend, in areas such as decency and repairs. It is proposed to make it a duty, in the ALMO constitutions, for the ALMO Board to give due consideration to such proposals from Area Panels and to report back on reasons for the Board taking a different view.
- 5.7 It is proposed that Area Panels would also have a key role in
- monitoring performance on lettings, reletting properties and repairs

- supporting and developing tenant participation
- monitoring tenant satisfaction
- participating in local partnerships for example in community safety

A detailed outline of terms of reference is at Appendix 1.

- 5.8 An Area Panel would consist of one Board member ( to ensure a governance connection with the main Board ), two elected members from the area and six tenants with option to co-opt representation as and when required. These arrangements would be written into the ALMOs constitutions.
- 5.9 Tenants unsuccessful in securing a place on the new Boards would be given first option of a place on an Area Panel providing this would give local communities appropriate representation on the panels. Vacancies will be sought from local tenants groups.
- 5.10 As a consequence of these proposals the number of tenants involved in the ALMOs will increase from the current 48 to 72. In addition, the number of elected members involved will increase from 30 to 32.

## **6.0 Department of Communities and Local Government**

- 6.1 Officers from the department of Neighbourhoods and Housing recently met with senior Civil Servants from the DCLG to discuss progress on the ALMO review. The DCLG were pleased with the turn out for the ballot and the fact that there was a clear majority for one of the options. The DCLG are now keen for the Department to press ahead with implementation.
- 6.2 The governance arrangements described at 3.0 and 4.0 were discussed at the meeting and the DCLG were supportive of the approach. As a result of the discussions the DCLG will not be requesting full Section 27 applications. They have requested that a letter detailing the new arrangements is sent and subject to their lawyers' approval, the Minister will be asked to approve revised authority for Leeds and its new ALMOs.

## **7.0 Setting up New Companies**

- 7.1 In order to begin the implementation phase as soon as possible, it is proposed to formally register three new companies.

## **8.0 Recommendations**

- 8.1 The Executive Board is asked to agree to the proposed governance arrangements for the new Boards.
- 8.2 The Executive Board is asked to agree to the proposals regarding Area Panels and request that the Director of Neighbourhoods and Housing consults with the ALMOs to finalise the details.

- 8.3 The Executive Board is asked to approve the formal registration of the new companies and to request officers to progress the Section 27 arrangements with the DCLG.

## Appendix 1

### Area Panel Terms of Reference

#### **Budget responsibility**

- Manage Area Panel budget, approving expenditure relating to:
  - Environmental schemes
  - Community safety schemes
  - Tenant Participation support
  - Tenant consultation
- Be consulted on specifications for contracts such as grounds maintenance and repairs
- Provide nominees for inclusion in tender evaluation exercises

#### **Business Plan and Delivery Plan**

- Identify and recommend priorities for inclusion in Company Business Plan and Delivery Plan
- Agree local priorities for inclusion in annual local action plan, including actions for continuous improvement on BVKPIs
- Monitor performance on activities
- Monitor expenditure on activities

#### **Tenant Inspection**

- Lead an annual Tenant Inspection of local service
- Lead regular tenant input into service monitoring e.g. estate walkabouts

#### **Performance**

- Monitor performance of local service by receiving regular reports on:
  - Lettings
  - Empty property turnaround
  - Repairs
  - Rent Collection
  - Complaints and feedback

#### **Tenant Participation**

- Support the development of Tenant and Resident Groups
- Manage the registration and audit process for registered tenant groups
- Consult with local T&R Groups and other representative groups on local service development
- Develop strategies to ensure inclusion of minority and hard to reach groups
- Negotiate local Compacts
- Operate small grants scheme from Area Panel budget

#### **Tenancy Management**

- Be involved in deciding how to enforce tenancy conditions in local area
- Receive regular reports on tenancy enforcement issues e.g. number of NISPs, ASBOs, details of targeted action
- Participate in relevant local partnerships e.g. community safety

**Cont'd**



**Repairs and Improvements**

- Agree tenant choice items on improvement programmes
- Participate in Board development of overall capital programme priorities and monitor implementation within local area
- Monitor responsive repairs performance and cost
- Monitor tenant satisfaction with repairs and capital improvements and make recommendations for improvements
- Participate in contract evaluation

**Lettings**

- Produce and administer Tenant Welcome information and induction/welcome for new tenants
- Analyse local lettings information, including reasons for refusal and take action or make recommendations arising from this
- Make recommendations for Local lettings Schemes

**Tenant Satisfaction**

- Monitor tenant satisfaction levels by use of surveys, analysis of complaints and feedback sessions with representative groups
- Recommend changes in service delivery identified through tenant satisfaction analysis

**Staffing issues**

- Be involved in induction of new staff based in local area
- Recommend changes in staffing levels or staffing designation in support of local service needs
- Nominate representatives for inclusion on recruitment panels where requested
- Agree work plans for local staff where relevant e.g. caretaking teams

**Service development**

- Be consulted on all policy issues under consideration by the Board
- Make recommendations to the Board for any changes to service policies

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Originator: P Hutchinson

Tel:0113 2475921

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### Report of the Director of Corporate Services

#### Executive Board

Date: 18<sup>th</sup> October 2006

Subject: Corporate Debt Policy

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#### Electoral Wards Affected:

All

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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### EXECUTIVE SUMMARY

1. The Council has had a Corporate Debt policy for approximately 4 years. The policy has been reviewed and a number of changes made. The changes will contribute to the Council's objective of Narrowing the Gap.
2. The revised policy has been to the Financial Inclusion Steering Group and also forms part of the Council's Beacon application " Promoting Financial Inclusion and Tackling Over indebtedness.
3. Members are asked to note and approve the changes to the policy and the contribution it makes to the Financial Inclusion objectives.

## **1.0 Purpose Of This Report**

1.1 The Council has had a Corporate Debt policy in place for approximately 4 years. The policy has now been reviewed taking account of information and guidance taken from a number of sources. The main purposes of the revised policy are :

1.2 Leeds City Council is required to collect monies from both its citizens and businesses for a variety of reasons.

In undertaking this collection function it is inevitable that the Council will be required to pursue the recovery of arrears from persons and or businesses who may experience difficulty in paying such accounts. An agreed policy of how the Council manages and collects debts exists is key therefore in ensuring consistency and best practice in such situations.

The Corporate Debt Policy identifies where responsibility for collection of different debts lie, and sets out the principals and standards in relation to contact , recovery process, repayments and benefit / money advice.

Integral to the policy is the provision of support mechanisms and practices to all customers. It details the approach to collecting debt in Leeds and also provides practical help, advice and support in the management of multiple debts.

The policy sets the framework for a consistent and sensitive approach to collecting debt whilst at the same time ensuring that the Council continues to maximise collection performance.

This policy covers all debts owed to the Council

Including:

- Council Tax
- Rents, both housing and others, e.g. garages and commercial
- Benefit overpayments
- Business Rates
- General debtors, e.g. unpaid fees and charges
- Legal costs

## **2.0 Background Information**

2.1 The Policy has been developed to help meet the Council's Corporate Plan priorities, particularly in respect of the narrowing the gap theme, and is also part of a response to Central Government's agenda to provide solutions that have prevention and intervention as key drivers for public service delivery to local people.

2.2 It draws on best practice and Audit Commission guidance contained in the national report "Local Authority Housing Rent Income". Other sources of information used include:

- Lord Chancellors' paper Can't Pay, Won't Pay, 2003
- Effective Enforcement white paper by Lord Chancellor's Department 2003
- Citizen's Advice Bureau's key tips for dealing with debt
- National Debt Line Advice to public
- A view of other Local Authority debt policies where available

2.3 The Corporate Debt Policy is supported by other key players and agencies including: The Council's Chief Executive's Departments Customer Services and Welfare Rights Unit, Leeds

Arms Length Management Organisations (ALMOs), responsible for managing council-owned homes, Leeds Citizens Advice Bureau (CAB), Leeds City Credit Union and Her Majesty's Courts Service (HMCS). A liaison group of these key players has been formed as a result of this policy with the remit of trying to improve how the Council and ALMOs interact with their customers around debt.

2.4 The policy is in 3 parts covering:

- The necessity and objectives of the policy
- Scope of the policy
- The policy in operation

2.5 The policy will be monitored quarterly by the Corporate Debt Liaison Group and subject to an annual review.

### **3.0 Main Issues**

3.1 The policy has been developed to ensure that customers who are experiencing difficulties in paying their bills to the Council receives help and advice from staff who are fully trained whether they are employees of the Council or our partners.

3.2 The policy looks to develop closer working with partner advice agencies to the benefit of the customer and the Council.

3.3 Where cases are identified then a review will take place to ensure that customers have maximised their entitlement to Benefits.

3.4 Approval of the policy is sought from members so that officers and partners can develop the day to day procedures to bring the policy into operation.

3.5 Once the procedure has been developed consideration will be given to publicising the scheme.

3.6 There are review and monitoring procedures built into the policy to enable it to evolve and change to meet demands.

3.7 A full copy of the policy is attached to the report.

3.8 The policy has been reported to the Financial Inclusion Steering Group and also forms part of the Council's Beacon application "Promoting Financial Inclusion and Tackling Over indebtedness".

### **4.0 Implications For Council Policy And Governance**

4.1 None

### **5.0 Legal And Resource Implications**

5.1 It is anticipated that this will form an integral part of the service we deliver to our customers and will therefore have no resource implications.

## **6.0 Conclusions**

- 6.1 The proposed policy is an improvement on the present policy and will contribute to one of the Council's objective of Narrowing the Gap. All parties involved in the project are keen to make the proposals work effectively to the benefit of both the Council and the customer.
- 6.2 Further work is needed to develop the working practices around these policies and arrangements are being made for a Working party of officers and partners to meet and commence the work.

## **7.0 Recommendations**

- 7.1 Members are asked to note and approve the changes to the policy and the part it plays in the Council's Financial Inclusion policies.



# LEEDS CITY COUNCIL

# CORPORATE DEBT

# POLICY

( Draft Version 5 )

***Summary of policy :***

*This policy details the principles to be adopted by the Council when undertaking the collection of debt in the City of Leeds from both citizens and businesses.*

## **INTRODUCTION**

The Policy has been developed to help meet the Council's Corporate Plan priorities, particularly in respect of the narrowing the gap theme, and is also part of a response to Central Government's agenda to provide solutions that have prevention and intervention as key drivers for public service delivery to local people.

It draws on best practice and Audit Commission guidance contained in the national report "Local Authority Housing Rent Income". Other sources of information used include:

- Lord Chancellors' paper Can't Pay, Won't Pay, 2003
- Effective Enforcement white paper by Lord Chancellor's Department 2003
- Citizen's Advice Bureau's key tips for dealing with debt
- National Debt Line Advice to public
- A view of other Local Authority debt policies where available

The Corporate Debt Policy is supported by other key players and agencies including: The Council's Chief Executive's Departments Customer Services and Welfare Rights Unit, Leeds Arms Length Management Organisations (ALMOs), responsible for managing council-owned homes, Leeds Citizens Advice Bureau (CAB), Leeds City Credit Union and Her Majesty's Courts Service (HMCS). A liaison group of these key players has been formed as a result of this policy with the remit of trying to improve how the Council and ALMOs interact with their customers around debt.

The policy is in 3 parts covering:

- The necessity and objectives of the policy
- Scope of the policy
- The policy in operation

The policy will be monitored quarterly by the Corporate Debt Liaison Group and subject to an annual review.



## **SECTION ONE:**

### **1.0 The necessity and objectives of the policy**

#### **1.1 Purpose – Why Have A Corporate Debt Policy ?**

Leeds City Council is required to collect monies from both its citizens and businesses for a variety of reasons.

In undertaking this collection function it is inevitable that the Council will be required to pursue the recovery of arrears from persons and or businesses who may experience difficulty in paying such accounts. An agreed policy of how the Council manages and collects debts exists is key therefore in ensuring consistency and best practice in such situations.

The Corporate Debt Policy identifies where responsibility for collection of different debts lie, and sets out the principals and standards in relation to contact , recovery process, repayments and benefit / money advice.

Integral to the policy is the provision of support mechanisms and practices to all customers. It details the approach to collecting debt in Leeds and also provides practical help, advice and support in the management of multiple debts.

The policy sets the framework for a consistent and sensitive approach to collecting debt whilst at the same time ensuring that the Council continues to maximise collection performance.

This policy covers all debts owed to the Council

Including:

- Council Tax
- Rents, both housing and others, e.g. garages and commercial
- Benefit overpayments
- Business Rates
- General debtors, e.g. unpaid fees and charges
- Legal costs

Appendix A summarises the types and priority of debt covered by this policy.

#### **1.2 How Is It To Be Used ?**

This policy will apply to all Council departments and Leeds Almos. Some of the citizens of Leeds may have multiple debts with the Council. The policy does not prejudice any legal action that the Council may wish to take.

It seeks to be “fair but firm” and the full range of collection and recovery methods will be used as appropriate if debts are not paid. The policy works within and takes account of relevant legislation e.g. on Data Protection, Human rights etc.

The Council and Leeds Almos will apply this policy and provide the same level of service at the initial enquiry stage. However, each will apply its' own procedures and processes in recovery of the debt.

### **1.3 Policy Objectives – What Are We Trying To Do ?**

We are trying to :

- Maximise income for the Council, including rent income due to the Housing Rent Account for council houses
- Ensure that all Council Tax and rent payers interests are protected by striving to collect debts
- Achieve an equitable share of income available to pay across all Council and rent debts
- Achieve efficiency savings by identifying solutions for customers on debt issues at the first point of contact
- Be fair but firm
- Be “preventative” for example offering payment options and other advice
- Help where possible to maximise customers income
- Advise customers of advice and support agencies
- Encourage self help
- Ensure consistency in dealing with customers
- Share knowledge, information and expertise across the Council, including Leeds Almos and other agencies whilst striving to comply with legislation such as the Data Protection Act etc.
- Apply best practice in relation to debt collection

### **1.4 Contact With Customers**

We will strive to improve contact with customers by :

- Encouraging the customer to make early contact in respect of debt related matters
- Using plain English techniques in written letters and documents
- Coordinating publicity and marketing campaigns
- Promoting advice and support services
- Provide communication assistance where appropriate e.g. translation/interpreting services

### **1.5 What Does It Cover ?**

The policy covers the following:

- How people can access advice and support
- How ability to pay will be assessed
- How information may be shared
- How the Council uses collection and other external agencies
- How we will conduct personal visits to debtors
- How we will deal with irrecoverable debts
- Corporate approach for dealing with customer credits
- The Council's Corporate Complaints Procedure

- What procedures are used
- Arrangements for policy review and impact monitoring

Details for each of these areas is covered in section two of this document

## **SECTION TWO**

### **2.0 Scope of the policy**

#### **2.1 Access, Advice and Support**

Where appropriate, documentation will advise customers where to get help and advice about benefits and debt problems. This will normally include information about the Council's Welfare Rights Service, Leeds Citizens Advice Bureau, members of the Leeds Money Advice Project (MAP)<sup>1</sup> and Leeds City Credit Union. Similarly, where appropriate, information about claiming Housing Benefit and Council Tax Benefit will be included with arrears letters. In this respect, the Council will make every effort to advise people of their right to apply for benefit assistance, including pro-active take up campaign as appropriate. The Council recognises the importance of bringing such matters to the attention of individuals at the earliest opportunity e.g. when a new housing tenant signs up for a property.

The Council will also advise individuals / businesses as to the range of other discounts, reliefs and reductions available at both the time an account is issued and in subsequent communications.

Staff in personal contact with customers ( e.g. in the Contact Centre, One Stop Centres, Estate Offices, visitors and other enquiry staff ) will signpost them as to where they can obtain advice on benefits and debt matters appropriate to their needs. Customers may be signposted to partner organisations and projects in the city. These include the rollout of Credit Union facilities within some Council One Stop Centres, Government funded Face-to-Face Debt Advice Project and the Council's Financial Inclusion Strategy.

We will ensure that all written communications uses language appropriate to the intended recipient and that plain English is the standard wherever possible. We will explain complex terminology when it is required to be used by law. All documents will be issued in a timely manner, in accordance with statutory deadlines where appropriate and will explain the legal options open to the Council to collect debts in a factual manner, taking into account the stage of recovery achieved.

We will assist people with language and communication difficulties, by offering translation, interpreting and other services wherever possible.

#### **2.2 Assessment of Ability to Pay**

The Council, in pursuing debt recovery, will act in accordance with statutory regulations and advice issued by professional bodies, external auditors etc.

In terms of efficiency and effectiveness, experience shows that as a general rule, collection is maximised by pursuing debts on an individual basis in a timely manner. In addition, the existence of different recovery legislation in relation to Council Tax, Housing Rents, Sundry Income etc, tends to support this approach.

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<sup>1</sup> Leeds MAP includes; Leeds CAB, Chapeltown CAB, Burley Lodge Advice Centre, St Vincents Advice Centre and Ebor Gardens Advice Centre

Where it is apparent that a customer is unable to pay an account, or a number of like accounts as requested, then the aim will be, to agree an arrangement to pay, which takes into consideration the specific circumstances of the customer.

Ability to pay will be based on the disposable income in proportion to the level of debt, the extent of debts owing to the Council and that Council Tax and rent arrears are equal priority debts. The initial intention of arrangements to pay will be to clear the debt(s) as soon as possible and as a rule of thumb, the minimum position as far as the Council is concerned, should be that **an individuals indebtedness to the Council does not worsen.**

In practice this may mean ensuring that the current or most recent account is cleared, while making the maximum contribution to clearing other debts.

Staff will always seek to make realistic arrangements to clear outstanding amounts by regular payments, in preference to taking legal action for recovery.

A financial statement may be required to support a request for an arrangement. This will be a list of the customers' household income and expenditure. Documents to support the information contained in the financial statement may be requested and required before an arrangement can be agreed.

A financial statement can be completed with the help of an independent agency such as the Citizens Advice Bureau or on-line.

Persons in multiple arrears will be offered the opportunity of independent debt advice.

## **2.3 INFORMATION**

### **Provision Of:**

In addition to detailing the amount payable and a description of the charge, the Council will include the following information on all accounts :-

- (a) The payment options available.
- (b) A contact number for queries in relation to the accuracy of the account.
- (c) A contact number for discussing payment arrangements where the customer has difficulty in paying the amount requested on the account.

Wherever possible the contact number in (b) and (c) will be the same.

Where it is necessary to issue recovery documentation (e.g. a reminder or summons) following non payment of an initial account, or because an instalment arrangement has not been adhered to, then the Council will include the information detailed above on such documents.

The Council will wherever possible provide information to meet specific communication needs in the following formats: -

- (a) - Braille
- (b) - Large Print
- (c) - Audio Tape / disc

#### (d) - Community Languages.

In meeting individual needs the Council will, where practical, ensure that individual preferences are documented so that ongoing and future correspondence can be delivered in the preferred format.

The Council will ensure that wherever possible arrangements are in place to use accredited language translators / interpreters to assist persons whose first language is not English and BSL interpreters for those who are deaf.

Correspondence with customers will refer to and deal with all / or similar accounts outstanding wherever possible.

#### **Sharing Of:**

The Council will ensure that all computer systems used to bill and recover monies, satisfy statutory requirements and offer the full range of recovery options to be pursued.

Staff involved in the collection and recovery of accounts will be given appropriate training in the use of the various computer systems as required.

Subject to any limitations imposed by the data protection act and human rights legislation, access to debtors' information contained on different systems will be made available, in order that an individuals full indebtedness can be established and properly dealt with.

In order to be successful and ensure consistency, it is necessary to establish good working practices across Council Departments, statutory and voluntary agencies, and all service providers when dealing with multiple debts.

Partner organisations should have in place policies and procedures, to ensure compliance with data protection principals, appropriate customer service standards and investigating customer complaints.

## **2.4 Use Of Other Agencies**

Leeds City Council, on successfully taking court action against a debtor, is empowered to enforce payment through a number of statutory remedies, including powers which impact on a person's possessions or liberty e.g. the right to seize goods, to evict a tenant, to request imprisonment etc and will apply the most appropriate remedy.

One of the remedies is Levy of Distress, which Leeds City Council exercises through the use of external Bailiff Agencies.

To ensure effective, consistent and appropriate application of Distress, Leeds City Council's appointment of bailiff services is through contractual agreement, including a detailed Code of Conduct which the bailiffs must follow.

The Council will ensure that these more 'severe' powers for example removal of goods, will only be used when all other reasonable methods have failed and where all appropriate internal and statutory processes have been properly followed.

## **2.5 VISITING CUSTOMERS**

The Council or contracted External Debt Recovery and Enforcement Agents may undertake visits to persons / businesses in arrears in order to resolve accounts outstanding.

All staff or third parties making such visits will act in accordance with an agreed code of conduct.

The Council will make every effort where possible to co-ordinate visits to debtors so that where appropriate, different debts owed by the same individual / business can be addressed at the same time, including liaison with HMCS.

## **2.6 IRRECOVERABLE DEBTS**

The Council recognises that not all debts are collectable and therefore it will be appropriate in certain circumstances to classify debts as irrecoverable, where pre determined criteria are met.

The Council will ensure that there are guidelines / policies in place which detail the action to be taken prior to an account being written-off.

In relation to the above, it is also recognised that accounts below a certain value will be uneconomic to collect.

## **2.7 CREDITS**

Leeds City Council and Leeds Almos will develop a corporate approach to refunding credits, in that where ever possible, checks will be made for other outstanding debts to the customer, prior to a refund being made.

Where other debts are identified, it may be necessary to obtain the customer's permission, prior to a credit transfer.

Other credit refunds, for example compulsory purchase compensation and home loss payments will be included in this policy approach.

## **2.8 COMPLAINTS**

The Council will endeavour to resolve problems in relation to debt collection at an early stage, in an informal manner.

If it is not possible to resolve problems in an informal manner then customers who are still dissatisfied will be advised of the formal Corporate Complaints Procedure.

## **2.9 What Procedures Will Be Used**

Leeds City Council and Leeds Almos will develop a consistent “first contact” procedure in respect of information given to customers making a debt enquiry. All customers will be informed of the options available to manage their debt(s) and of the relevant service providers who may be able to offer assistance.

Leeds City Council and Leeds Almos each have established comprehensive procedures documents for the pursuance of debt. Each organisation will continue to apply its respective procedures and processes to recover debt and will also seek to improve and share good practice through the application of this policy.

The structures, points of contact, interdependencies, communication and information sharing protocols will be developed and shared with service providers and customers.

## **2.10 Policy Review And Monitoring**

The Corporate Debt Policy and its effectiveness will be monitored. This will be carried out by the Corporate Debt Liaison Group, which will meet quarterly to discuss any problems and issues that have resulted from the policy.

The Corporate Debt Policy will be reviewed annually. This will enable it to be updated where necessary and take account of changes in legislation.

New approaches and ways of working will inevitably be introduced and the Corporate Debt Policy will need to be adapted to take these into account.



## **SECTION THREE**

### **3.0 The policy in operation**

#### **3.1 We will take practical steps to:**

- Raise awareness of debt with customers
- Identify how much / how it has occurred
- Raise awareness of the implications of non-payment

#### **For those who can pay:**

- We will provide information on how to pay by advising on methods, payment frequencies and at which locations people can pay
- The Council will encourage automated payment methods wherever possible, this being the most cost efficient option
- The Council will make arrangements for the payment of accounts outside of traditional office hours and through internet technology, 24 hours a day, 7 days a week
- Wherever practical the Council will request payments in advance so as to maximise cash flow and to minimise the necessity to issue accounts requiring collection, which in turn will minimise the opportunities for debt to arise
- The Council will make available the use of on-line billing and electronic forms

#### **For those who can't pay**

- We will advise what happens if debts are not paid
- We will inform who can give help / advice
- We will encourage people to get help from a range of sources
- We will make referrals to appropriate agencies

#### **Our approach will be**

- A supportive approach to debt recovery with a pro-active referral process where possible. We will deliver a service which meets the needs of each individual and sign post to other support agencies including Welfare Rights, Leeds MAP and Leeds Credit Union.
- Whilst the Council will ensure that arrears are pursued in a timely manner, it does recognise that certain individuals will require more sympathetic and sensitive treatment e.g. in the case of recent bereavement, major illness or where the customer requires special assistance in handling their financial affairs.

### **3.2 What Services Will Customers Receive ?**

In determining how customers can best be supported and encouraged to address debt issues, it is important that service provision at the first point of contact is delivered in a sensitive way.

Key to this is the Council's Customer Strategy and Standards which supports the Corporate Plan priorities. The main purposes of the Strategy are:

- to establish the overall aims of the Council in placing the customer at the heart of all we do; with focus on external customers
- to set out a specific direction for the development of customer access channels, regardless of department or service
- to provide a framework for customer service improvement, based upon clear and agreed principles

Once a customer has made contact it is imperative that he / she is referred on to the most appropriate source of debt management support.

On initial contact with Leeds City Council or Leeds Almos, customers will be informed of the options available to manage their debt(s) and of the relevant service provider. Where appropriate, customers will be informed of debt advice and support services available to them outside the Council and Leeds Almos.

Customers presenting with a single debt will be able to make a payment or where the debt cannot be cleared, a realistic agreement to pay via the first point of contact or relevant Council Department.

### **3.3 What Service Will Customers With Multiple Debts Receive ?**

Customers presenting with multiple debts need to believe that there is a solution to their debt problems and should be actively encouraged to share with staff, information on all monies owed, in order for the most appropriate referral to be made.

The Policy does not promote a "one size fits all" approach, but rather looks to work with the customer to take agreed steps to help address multiple debts.

To this end, the response to debt management will vary as different solutions will be needed to address the far ranging complexity of cases etc.

Alongside the debt owed to the Council and Leeds Almos, the Policy will enable customers to receive help, advice and support in reaching realistic payments to other creditors including HMCS (in respect of fines), utilities, credit companies and mobile phone suppliers.

The provision of individual responses will also take into account diversity and exclusion issues. Support will be offered including access to interpreters for customers whose first language is not English or for those who are deaf, ensuring staff attending appointments are able to address the individual customer's needs. Where requested the provision of supporting information for customers will be made available in an appropriate format, e.g. large print, Braille or audio.

Where practicable, we will also require our partners to ensure the same level of service is provided and encourage other agencies to mirror our approach to diversity and inclusion issues.

## **Appendix A**

### **Priority Debt**

There are many types of debt, but those considered as “priority” debts are those debts owed to creditors who can take the strongest legal action against an individual who does not pay.

It isn't the size of a debt that makes it priority but what creditors can do to recover their money.

Individuals are often but not always aware of the consequences of failure to pay and frequently pay to whoever shouts the loudest.

The procedures supporting this policy would ensure customer awareness of what priority debts are.

### **The Policy identified the following as equal priority debts:**

Rent arrears – as it can result in eviction

Mortgage arrears – as they can result in repossession

Council Tax – as it can result in bailiff action, attachment of earnings / benefits, bankruptcy or imprisonment

Other secured loans – as they can result in loss of home

### **Other priority debts**

Fuel debts – as they can result in disconnection

Income Tax and VAT – as they can result in bankruptcy or imprisonment

County Court Judgements - can result in bailiff action, Attachment of Earnings or bankruptcy

Fines or Compensation / Costs Orders – as they can result in imprisonment

Maintenance / child support – as it can result in repossession of goods or even imprisonment

Hire purchase – will be considered essential if, for example it is for the purchase of a car needed to get the owner to work.

Water Rates – as it can result in bailiff action / disconnection

Business Rates – as it can result in bailiff action, bankruptcy or imprisonment

Benefit overpayments – as it can result in deductions from on-going rent / benefits

Maintenance or child support – as it can result in bailiff action or imprisonment

### **The following are considered non priority debts**

Credit / store cards, unsecured personal loans, bank overdrafts, credit / interest free / hire purchase agreements, catalogue debts and money borrowed from family and friends.

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Originator: M Taylor

Tel: x74234

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## Report of the DIRECTOR OF CORPORATE SERVICES

### Executive Board

Date: 18<sup>TH</sup> OCTOBER 2006

### Subject: TREASURY MANAGEMENT BORROWING LIMITS

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

no

Not Eligible for Call In

(Details contained in the report)

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## EXECUTIVE SUMMARY

1. This report seeks to increase the Authorised and Operational borrowing limits which were set by Council in February 2006.
2. In accordance with the Local Government Act 2003, the Council is required to set borrowing limits for external debt having regard to CIPFA's prudential code.
3. The treasury operations so far this year indicate that the limits set in February 2006 may not be sufficient to enable flexibility in timing of debt rescheduling and the report recommends increasing the Authorised limit for 2006/07 to £1,590m and the Operational Boundary for 2006/07 to £1,490m.
4. Since the Council is able to borrow in advance for future years there needs to be sufficient flexibility to enable sums borrowed to be invested until they are required. Currently the limit set for investments for periods longer than 364 days is £100m. This report recommends increasing this limit to £150m.

## **1.0 Purpose Of This Report**

- 1.1 The treasury operations so far this year indicate that the borrowing limits set in February 2006 may not be sufficient to enable flexibility in timing of debt rescheduling. This report seeks approval to increase the Authorised borrowing limit and Operational boundary for 2006/07.

## **2.0 Background Information**

- 2.1 Under the Local Government Act 2003, the authorised limit represents the legislative limit on the Council's external debt. It should be set with sufficient headroom above the operational boundary to allow flexibility for planned borrowing to be undertaken, in order for prudent treasury management decisions to be taken and temporary cashflow fluctuations to be managed.
- 2.2 The operational boundary should reflect the maximum anticipated level of external debt consistent with budgets and cashflow forecasts. It should be seen as a management tool for ongoing monitoring of external debt, and may be breached temporarily due to unusual cashflow movements. However, a sustained or regular trend above the operational boundary should trigger a review of both it and the authorised limit.
- 2.3 The Treasury Policy and Strategy Statement for 2006/2007 was approved by full Council on 28th February 2006 and set the authorised limit and operational boundary for external debt. Both of these boundaries are made up of two elements, covering borrowing and other long term liabilities. The Director of Corporate Services has authority to make adjustments between the two elements provided that the overall limits remain unchanged. This report seeks approval to increase the Authorised borrowing limit and Operational boundary for 2006/07. The limits for 2007/08 and 2008/09 will be reviewed when the treasury strategy for 2007/08 is presented to the Executive Board in February 2007.

## **3.0 Main Issues**

- 3.1 The Authorised limit and Operational boundary were set in February 2006 and were set at a level to enable the Council to borrow in advance for 2007/08 and 2008/09, should rates prove to be advantageous. Table 1 below sets out the revised forecast total external borrowing requirement for 2006/07 to 2008/09.
- 3.2 The need for the increased limits has arisen through a change in the amount of borrowing needed to fund the capital programme and also to provide sufficient flexibility to borrow in advance on debt rescheduling opportunities.
- 3.3 Since the limits were set in February 2006 there has been an increase in the amount of borrowing needed to fund both the Housing Revenue Account and General Fund capital programmes. In particular the ALMOs were successful in securing additional borrowing support for the decency programme. Also, some capital resources assumed to fund the General Fund capital programme are now less likely to be achieved and therefore additional borrowing may be required. A capital programme update position and a Treasury Strategy update will be presented to Executive Board in November 2006.

**Table 1 – Total External Borrowing Requirement**

<b>ANALYSIS OF BORROWING 2006/07-2008/09</b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>
	<b>This report</b>		
	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>External Borrowing at 1 April</b>	1,054	1,270	1,400
New Borrowing for the Capital Programme - HRA	119	111	35
New Borrowing for the Capital Programme – Non HRA	121	47	28
Debt redemption costs charged to Revenue (Incl HRA)	( 21)	(25)	(26)
Reduced/(Increased) level of Revenue Balances	( 3 )	(3)	(3)
<b>External Borrowing at 31 March</b>	<b>1,270</b>	<b>1,400</b>	<b>1,434</b>

- 3.4 The Council is active in looking for opportunities to prematurely repay loans and replace them at more advantageous rates to reduce interest costs and generate one off savings. To enable this to be done effectively the authorised limit needs to include sufficient flexibility to allow re-financing of loans to take place before loans are repaid, should rates be advantageous and market conditions allow. Currently the limits include a small allowance for this which is proving to be insufficient.
- 3.5 The operational boundary should reflect the maximum level of external debt consistent with budgets and cashflow forecasts. As some borrowing has already been done in advance to fund the 2007/08 capital programme, this must now be reflected in the operational boundary together with any future advance borrowing that is likely.
- 3.6 The proposed borrowing limits for 2006/07 are set out below:

	<b>2006/07 February 2006 £m</b>	<b>2006/07 This Report £m</b>
<b>Authorised Limits</b>		
Borrowing	1,410	1,550
Other Long Term Liabilities	40	40
<b>Total</b>	<b>1,450</b>	<b>1,590</b>
<b>Operational Boundary</b>		
Borrowing	1,260	1,460
Other Long Term Liabilities	30	30
<b>Total</b>	<b>1,290</b>	<b>1,490</b>

- 3.7 The Council is asked to approve the limits set out above, and to delegate authority to the Director of Corporate Services to make adjustments between the borrowing and other long term liabilities boundaries provided that the overall boundary remains unchanged. Any such adjustments will be reported to the next available Council meeting following the change.
- 3.8 With effect from the 1<sup>st</sup> April 2004, to coincide with the introduction of the Prudential code, legislation and guidance on Local Government Investments was issued. This legislation allows Councils with external debt to hold investments for more than 364 days, a freedom not previously allowed. Further freedoms were also introduced which give Councils greater flexibility and hence access to higher returns, provided

that any investment strategy is consistent with the Prudential framework. The Prudential code requires that Councils set limits on investments for periods longer than 364 days. In February 2006, in view of the new strategy to consider borrowing in the current year for part of the 2007/08 requirement, this limit was set at £100m.

- 3.9 The capital programme borrowing requirements for 2007/08 and 2008/09 are now higher than assumed in setting the above limit. Should rates be advantageous, this limit needs to be sufficient to allow borrowing for future years, with this advanced funding being invested until it is required. It is proposed therefore to increase this limit to £150m.
- 3.10 Within these overall limits, the Council's treasury policy restricts the amount which can be invested at any one time with individual borrowers, in order to minimise the exposure to risk. The Council's treasury consultants provide regularly updated lists of credit ratings for potential borrowers, drawn from an international credit rating agency. The current agreed treasury policy is to lend up to £15m to institutions with an excellent credit rating (typically UK clearing banks or other large financial institutions), and up to £5m for up to 3 months to institutions with good credit ratings.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 The operation of the Treasury Management function is governed by provisions set out under part 1 of the Local Government Act 2003 whereby the Council is required to have regard to the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities.
- 4.2 The Prudential Code requires that full Council set certain limits on the level and type of borrowing before the start of the financial year together with a number of Prudential indicators. Any in year revision of these limits must similarly be set by Council.

#### **5.0 Legal And Resource Implications**

- 5.1 There are no direct resource implications of increasing borrowing limits. However, by increasing the borrowing limits as proposed, the Council will be in a better position to take advantage of treasury management opportunities which could generate revenue interest savings for the Council.

#### **6.0 Conclusions**

- 6.1 The treasury borrowing and investment limits currently in place are insufficient to enable the most cost effective management of the borrowing function. It is therefore proposed that borrowing limits are increased as set out in section 7.

#### **7.0 Recommendations**

That the Executive Board :

- 7.1 Recommend to Council the revised borrowing limits for 2006/07 as set out in Section 3.
- 7.2 Recommend to Council the revised investment limit for 2006/07 as set out in Section 3.





Agenda Item:

Originator: David Outram

Tel: 2143939

Appendix Two contains exempt information under Access to Information Rule 10.4(3) The public interest in maintaining the exemption outweighs the public interest in disclosing the information, by reason that the report contains commercially sensitive information about post-close negotiations with the Contractor

## Report of the Deputy Chief Executive

### Executive Board

Date: 18<sup>th</sup> October 2006

Subject: Progress Report on the PPP/PFI Programme in Leeds

#### Electoral wards affected:

All

#### Specific implications for:

Equality and Diversity

Community Cohesion

Narrowing the gap

Eligible for call in

Not eligible for call in

(details contained in the report)

## Executive Summary

At its meeting on the 9<sup>th</sup> March 2005 the Board approved the governance and management framework for Leeds City Council PPP/PFI projects and programmes. Members subsequently requested a six monthly update on Leeds City Council PPP/PFI projects and programmes.

This third update report provides:

- A progress report on Leeds City Council PPP/PFI projects and programmes
- An update report on PPP/PFI governance
- An update appendix on the outturn of the Leeds Street Lighting PFI Project at Commercial and Financial close, the subsequent mobilization phase and the operation of the project to date following Service Commencement.

## 1.0 **BACKGROUND**

1.1 Executive Board requested at its meeting on the 9<sup>th</sup> March 2005, six monthly updates on:

- the progress of PPP/PFI projects and programmes
- the implementation of the governance framework.

This is the third update report.

## 2.0 **Leeds City Council PPP/PFI projects and programmes**

2.1 March 2006 – October 2006 has continued to provide a challenging agenda for the delivery of Leeds City Council PPP/PFI schemes.

The scope of these initiatives are outlined in Appendix 1, including currently:

- Street Lighting PFI Project to replace and maintain the street lighting across the whole of the Leeds Metropolitan District. Within the first five years of the contract 80% of the existing street lighting will be replaced. This project reached financial close on the 31<sup>ST</sup> March 2006. This project supports the Corporate Plan priority of aiming to make sure that all neighborhoods are safe, clean, green and well maintained.
- Building Schools for the Future Programme (with a capital investment of £249m in Wave 1) is in procurement, with optimum bids received in August 2006. Wave 1 includes the re-building or re-modeling of 14 secondary schools. This programme supports the Corporate Plan priority of aiming to make sure that our children and young people are healthy, safe and successful.
- Independent Living PFI Project to replace existing hostel provision with small units which promote independent living. This project is now in procurement, with Invitation to Negotiate documents issued in September 2006 with bid submissions due in November 2006. This project supports the Corporate Plan priority of making sure that all communities are thriving and harmonious places where people are happy to live.

2.2 Evidence of the Councils' successes since April 2006 can be shown through:

- Education Leeds – The opening of the first four schools in September 2006 as part of the Combined Secondary Schools project with the final two schools due for completion next year, in accordance with the programme.
- Social Services – The successful outcome of an independent 4 Ps Gateway Review of the Independent Living Project June 2006. The Review Team found that the project is now seen as part of a wider modernisation and development programme, and since the previous review the project has progressed well and previous recommendations have been, or are being addressed. The review team made particular reference to the exemplary way in which the site selection has involved significant ward councilor and community consultation and to the good practice in relation to the project management framework and structure within the Public Private Partnership Unit (PPPU).
- Learning and Leisure – An independent 4ps Gateway Review noted the good progress being made in terms of developing the Outline Business Case for up to three new Leisure Centres across Leeds. The Review Team found that the project will form part of an innovative approach to procurement under the LEP delivered through the BSF procurement programme.
- City Services – The signing of the Street Lighting Contract in March 2006 with

Tay Valley Lighting as programmed, with service commencement as scheduled in July 2006. Details for the contract are attached at Appendix 2 which is confidential under Access to Information Rule 10.

- Neighbourhoods and Housing - The submission of the Outline Business case for Little London and close cooperation between the Regeneration Team in Neighbourhoods and Housing and the PPPU in the Chief Executives Department in responding to queries raised by the sponsor, the Department for Communities and Local Government (DCLG). A decision on the OBC is anticipated in November.
- The PPPU won two Private Finance Awards; Best Public Sector Project Team and Best Government/Government Agency Team for their "strong leadership, technical expertise and understanding of how private firms operate" Leeds was the only public private sector participant to win two awards.
- The City Council received the first installment of the PFI revenue support grant for the Leeds Combined Secondaries Schools and Street Lighting projects on 9<sup>th</sup> October 2006.

### 2.3 In relation to areas for development:

- An Expression of interest for over £290m of credits was submitted to the Department for Transport in September 2006 for Highways Maintenance proposing a capital investment period of 7 years to renew a proportion of the principal road network in Leeds. A full report on this project will be submitted to Exec Board in November, prior to any DfT decision. If successful this project would support the Corporate Plan priority of aiming to make sure that all neighborhoods are safe, clean, green and well maintained.
- An Expression of interest for over £100m of credits is programmed for development and submission by the Director of City Services for integrated waste management. If successful this project would support the Corporate Plan priority of aiming to make sure that all neighborhoods are safe, clean, green and well maintained.
- An Expression of Interest was submitted by the Director of Neighbourhoods and Housing for Beeston Hill and Holbeck, a decision is anticipated later this year.
- The Co-ordination Board approved a report on 24<sup>th</sup> August which recommended a Technical Consultancy Framework Contract be established with E.C Harris. This organisation will now provide technical support to the PPP/PFI programme and the PPPU is currently working with E.C Harris to ensure that these additional critical resources are utilised effectively to the particular benefit of education and housing programmes.
- Work on the Outline Business Case for the New Leaf project continues to secure the transformational outcomes sought by the Department of Culture, Media and Sport, (and Sport England) and the aspirations of local stakeholders utilizing all available resources.

## 3.0 **GOVERNANCE IMPLEMENTATION**

3.1 In response to an independent 4Ps Gateway Review of the Council's Building Schools for the Future Programme, a Governance and Management Framework for City Council PPP/PFI projects and programmes was approved by Executive Board in March 2005.

- 
- 3.2 In order to support this framework and to continue to deliver the programme of work outlined above the PPP Unit has undergone a great deal of change in the 18 months since the approval of the Governance arrangements in March 2005. The initial timetable for the implementation of the Governance framework from April 2005 required both additional and the realignment of existing resources.
- 3.3 The Council's Chief Officer - Human Resources, on 4<sup>th</sup> January 2006, formally agreed the proposals for the revised staffing and payment structure for the PPP Unit. Formal approval was also given for the recruitment to the posts required to deal with the increasing workload of the PPP Unit and additional posts required to implement the Corporate Governance arrangements.
- 3.4 A further recruitment exercise is currently underway to secure the remaining unfilled posts within the unit.

#### 4.0 **FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications from this report.

#### 5.0 **RECOMMENDATIONS**

- 5.1 Executive Board is recommended to note the:

- current status of PPP/PFI projects and programmes
- implementation of the governance framework
- current status of the Leeds Street Lighting PFI project.

#### 6.0 **Documents and websites used in the preparation of this report**

- Leeds City Council –Building Schools for the Future, 4ps Gateway review September 2004
- Leeds City Council – Independent Living Project, 4Ps Gateway review June 2006
- Leeds City Council – New Leaf, 4Ps Gateway review June 2006

## Appendix One PPP/PFI Programmes/Projects

Current City Council Projects	Current Situation	Current Stage	Capital Investment £m
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### CLOSED PROJECTS

<b>Cardinal Heenan High School PFI Project</b>	<ul style="list-style-type: none"> <li>• Contract signed in 1999 it was a 'pathfinder' project in the Education sector.</li> <li>• The new school was opened in August 2000 and the project was refinanced in 2003.</li> <li>• The project provides a new build school for 900 children and young people.</li> </ul>	Operational	£9m
<b>Leeds 7 Schools PFI Project</b>	<ul style="list-style-type: none"> <li>• Contract signed in October 2001.</li> <li>• Service commencement was achieved for the five primaries in September 2002 and for the two secondary schools in August 2003.</li> <li>• This project provides seven new build schools for 4,700 children and young people.</li> <li>• A joint review of the commissioning of the facilities has been completed and is being implemented in accordance with a programme agreed by all parties.</li> </ul>	Operational	£38m
<b>Leeds Primary Schools PFI Project</b>	<ul style="list-style-type: none"> <li>• Contract signed in April 2004.</li> <li>• Service commencement was achieved in March and September 2005.</li> <li>• This project provides ten new build schools for over 3,800 young children in Leeds.</li> </ul>	Operational	£36m

Current City Council Projects	Current Situation	Current Stage	Capital Investment £m
<b>CLOSED PROJECTS</b>			
<p><b>Swarcliffe Social Housing PFI Project</b></p> <p>All communities are thriving and harmonious places where people are happy to live.</p>	<ul style="list-style-type: none"> <li>• Contract signed in March 2005.</li> <li>• Operation and construction commenced June 2005.</li> <li>• The project will provide good quality housing in the Swarcliffe area of Leeds for the tenants of approximately 1,600 Council dwellings and estate regeneration including remodelling the road network, new play areas and over 400 new homes for sale and rent.</li> </ul>	Construction and Operation	£113m
<p><b>Leeds Combined Secondary Schools PFI Project</b></p> <p>Our children and young people are healthy, safe and successful</p>	<ul style="list-style-type: none"> <li>• Contract signed in April 2005.</li> <li>• The project is now in the construction phase with the first four schools due for completion by September 2006 and final two schools due for completion the following year.</li> <li>• This project will provide five secondary schools and one primary school, including a children's centre, for over 5,700 children and young people in Leeds.</li> </ul>	Construction	£97m
<p><b>Street Lighting PFI Project</b></p> <p>All neighbourhoods are safe, clean green and well maintained.</p>	<ul style="list-style-type: none"> <li>• Contract signed on 31<sup>st</sup> March 2006 with service commencement as programmed in July 2006.</li> <li>• This project is to replace and maintain the street lighting across the whole of the Leeds Metropolitan District. Within the first five years of the contract, 80% of the existing street lighting will be replaced</li> </ul> <p>A confidential appendix to this report under Access to Information Rule 10 provides Executive Board with a further update on Commercial and Financial close.</p>	Construction	£106m

Current City Council Projects	Current Situation	Current Stage	Capital Investment £m
<b>IN PROCUREMENT</b>			
<p><b>Independent Living PFI Project</b></p> <p>At each stage of life, people are able to live healthy, fulfilling lives</p>	<ul style="list-style-type: none"> <li>• The ODPM and the Department for Health approved the Outline Business Case in November 2005.</li> <li>• Procurement started in January 2006 with the ITN documents issued in August 2006 with submissions due for return at the end of November 2006.</li> <li>• This project aims to provide independent living accommodation for people with learning disabilities and mental health support needs. This will replace existing hostel provision with small units whilst at the same time providing specialist support.</li> </ul>	Procurement	£42m
<p><b>Building Schools for the Future PFI Programme</b></p> <p>Our children and young people are healthy, safe and successful</p>	<ul style="list-style-type: none"> <li>• Procurement of the Programme started in August 2005.</li> <li>• Wave 1 of the Leeds BSF Programme involves the creation of a Local Education Partnership Company (LEP) which will then take responsibility for the re-building or remodelling of 14 Secondary Schools, to be procured in three phases. Phase 1 of the Project includes six Secondary Schools, and phases 2 and 3 each comprise four schools. The Contract is programmed to be signed at the end of January 2007.</li> <li>• Optimum bids were returned in August 2006 and evaluation of these bids are currently underway.</li> <li>• The schools in Wave 1 are planned to be operational from September 2008.</li> <li>• The scope of the new projects in phases two and three of Wave One are currently being completed and will be subject to further Executive Board Approval.</li> </ul>	Procurement	£249m
<p><b>Joint Service Centres PFI Project</b></p> <p>At each stage of life people are able to live healthy, fulfilling lives</p>	<ul style="list-style-type: none"> <li>• The Office of the Deputy Prime Minister (ODPM) has approved the OBC.</li> <li>• The outline Tenants requirements for the three centres were submitted to Leeds LIFT, to commence Stage 1 of the LIFT procurement process in January 2006.</li> <li>• The centres will provide facilities primarily for face-to face services, including services provided by the local authority, primary care trusts, the police and other partners.</li> </ul>	OBC Approved	£15m

PPP/PFI Projects at the feasibility stage	Current Situation	Current Stage	Capital Investment £m
<p><b>Little London Social Housing PFI Project</b></p> <p>All communities are thriving and harmonious places where people are happy to live</p>	<ul style="list-style-type: none"> <li>The OBC was submitted in July 2006 and we are currently awaiting a decision from PRG.</li> <li>The project will provide good quality social housing for approximately 1,200 Council tenants and support the regeneration of the area.</li> </ul>	OBC Stage	£69m
<p><b>New Leaf Leisure Centres PFI Project</b></p> <p>At each stage of life, people are able to live healthy, fulfilling lives</p>	<ul style="list-style-type: none"> <li>The Department of Culture, Media and Sport approved the Council's Expression of interest.</li> <li>The OBC for this project will be submitted in December 2006 subject to a decision from the Minister for Sport on the level of credits available.</li> <li>The project is to replace a number of Leisure Centres in Leeds.</li> </ul>	Feasibility	£30m
<p><b>Beeston Hill and Holbeck</b></p> <p>All communities are thriving and harmonious places where people are happy to live</p>	<ul style="list-style-type: none"> <li>An Expression of Interest was submitted to the Department Communities Local Government (DCLG) by the Director of Neighbourhoods and Housing following its review and approval by Asset Management group. We are awaiting an announcement by DCLG.</li> </ul>	Feasibility	
<p><b>Integrated Waste Management</b></p> <p>All neighbourhoods are safe, clean green and well maintained.</p>	<ul style="list-style-type: none"> <li>Following the approval by Executive Board in December 2005 of the proposed strategy for waste, officers are developing an Expression of Interest for over £100m of PFI credits for submission.</li> <li>An Expression of Interest is to be submitted by the Director of City Services.</li> </ul>	Feasibility	



PPP/PFI Projects at the feasibility stage	Current Situation	Current Stage	Capital Investment £m
<p><b>Highways Maintenance</b></p> <p>All neighbourhoods are safe, clean green and well maintained.</p>	<ul style="list-style-type: none"> <li>An Expression of interest was submitted to the Department for Transport for Highways Maintenance proposing a capital investment period of 7 years to renew a proportion of the principal road network in Leeds. The application for over £290m of PFI credits was submitted September 2006.</li> </ul>	Feasibility	
<p><b>Independent living</b></p> <p>At each stage of life, people are able to live healthy, fulfilling lives</p>	<ul style="list-style-type: none"> <li>An application has been made by the Director of Children's Services to DfES for £5m for specialist childrens provision for disabled children, a response is expected in Dec 2006, these would both be delivered within the ILP project. This will secure additional transitional care units to support young people as part of this project.</li> </ul>		
		<b>Total</b>	<b>£804m</b>

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Originator: Nick de la Taste

Tel: 24 74560

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**Report of the Chief Democratic Services Officer**

**Executive Board**

**Date: 18<sup>th</sup> October 2006**

**Subject: Parish and Town Council Charter**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

1. The Parish and Town Council Forum, working in consultation with officers and Members of the Council has developed a charter to underpin the relationship between the City Council and the local councils within its administrative area.
2. The charter has been endorsed by all of the local councils concerned and is now submitted for endorsement by the Executive Board on behalf of the City Council.

## **1.0 Purpose of this Report**

- 1.1 This report recommends that the Executive Board approves a charter between Leeds City Council and the Parish and Town Councils within its administrative area.

## **2.0 Background Information**

- 2.1 A joint initiative of the then ODPM (Office of the Deputy Prime Minister), DEFRA (Department for Environment Food and Rural Affairs) and the Countryside Agency was to promote the development of charters between principal local authorities and local councils. The purpose of such charters is to support the development of effective relationships between them. More locally, this initiative has received the support of the Yorkshire Local Councils Association.
- 2.2 For some time, officers and Members of Leeds Council have been meeting with representatives from all Parish and Town Councils through the mechanism of a regular Forum, the purpose of which is to encourage effective joint working for the benefit of local people.
- 2.3 At an early stage, the Forum recognised that an important step in the promotion of joint working would be the development of a charter to underpin the relationship between Leeds City Council and the Parish and Town Councils.
- 2.4 The Forum has developed a charter in consultation with the Council's Directors and its development has been informed by best practice elsewhere in the country and by guidelines<sup>1</sup> published by the LGIU (Local Government Information Unit).
- 2.5 The charter has now been endorsed individually and collectively by Parish and Town Councils and it is now submitted for the approval, by Executive Board on behalf of Leeds City Council.

## **3.0 Main Issues**

- 3.1 A copy of the full charter is appended to this report and its main features are as follows.

### Section 1 – Shared Goals

- 3.2 The charter sets out the shared goals of supporting local democracy and working together for the wellbeing of local communities. It encourages local councils to attain of "quality status" to further strengthen confidence in working together.

### Section 2 – Practical Support

- 3.3 This section details the support services which the City Council will make available to local Councils. These fall under the headings of Democratic Services, Elections and Electoral Registration, Financial Management, Leeds revenue Services and Financial Development.

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<sup>1</sup> Charters for Town and Parish Councils and Principal Local Authorities: A Good Practice Guide April 2005

### Section 3 – Working Partnership

- 3.4 This section of the charter sets out arrangements for consultation and for the sharing of information. Particular clarification is made of the roles of Ward Members, Area Committees and Council departments.
- 3.5 A particular feature is the commitment to establishing more detailed arrangements with regard to specific departments and services. Working in close consultation with Council departments, this will form a major part of the Forum's future work programme.

### Section 4 – Maintaining High Ethical Standards

- 3.6 The charter confirms a shared commitment to maintaining high ethical standards and explains the contribution played by codes of conduct, the Standards Committee and the Monitoring Officer.

### Section 5 – Allocating Responsibilities

- 3.7 This section gives a commitment to avoiding "double taxation" and paves the way for discussions between Leeds City Council and any local council wishing to discharge functions on its behalf.

### Section 6 – Managing the Relationship

- 3.8 The charter details how local councils may avail themselves of the Council's procedure for dealing with complaints and compliments about individual departments or services. Additionally, it establishes how complaints arising from the application of the charter itself will be addressed.
- 3.9 Finally, this section of the charter sets out how it will be kept under review and periodically updated as appropriate.

## **4.0 Implications for Council Policy and Governance**

- 4.1 Adoption of the charter would have no implications for the Council's Budget and Policy Framework.
- 4.2 The charter will contribute to the good governance of the City by clarifying responsibilities and relationships between are no implications.

## **5.0 Legal and Resource Implications**

- 5.1 There are no legal or resource implications arising from this report.

## **6.0 Conclusions**

- 6.1 Adoption by the Council of the attached charter will be a demonstrable commitment to working closely with local councils in the interests of local communities.

## **7.0 Recommendation**

- 7.1 Executive Board is asked to give its endorsement to the attached charter.

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# **CHARTER**

**Between Leeds City Council and the Parish and  
Town Councils within the administrative area of  
Leeds City Council**

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## **SECTION ONE – SHARED GOALS**

### **Introduction**

- 1.1 Leeds City Council and the local councils within its area share the common belief that working closely together plays a vital contribution to the well being of the communities they serve
- 1.2 To this end, Leeds City Council and the local councils in the Leeds City Council area as set out in Appendix A, have agreed to publish a Charter which sets out how they aim to work together for the benefit of local people. This Charter is the result of discussions locally to establish a new way of working and to confirm existing good practice.
- 1.3 Leeds City Council and the local councils shown in Appendix A are committed to the principles of democratic local government. They are keen to see continued efforts made to improve our system of local democracy and to see greater public participation in and appreciation of this system.
- 1.4 Leeds City Council acknowledges that, where they exist in Leeds, local councils are the grass-roots level of local government. By working with them, and in particular through its own Area Committees, Leeds City Council aims to act in partnership with local communities, while balancing the needs of the wider community.
- 1.5 In their role as democratically accountable bodies, local councils offer a means of shaping the decisions that affect their communities. Parish and town councillors and officers possess local knowledge which can help decision makers in the City Council to make more informed decisions and parishes have made it clear that they would like more influence on services which affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, the local councils recognise the strategic role of the Leeds City Council and the equitable distribution of services which it has to achieve.

### **Sustainability**

- 1.6 Leeds City Council will work in partnership with local councils in its area to promote sustainable economic and environmental wellbeing for the social progress of local communities.

### **Quality Parish Councils**

- 1.7 The parties to this Charter recognise the Quality Parish and Town Council Scheme as providing a demonstrable statement that a local council:
  - is representative of, and actively engages with, all parts of its community, providing vision, identity and a sense of belonging;
  - is effectively and properly managed; and
  - has the ability and capacity to take on the enhanced role and responsibility that Quality status is likely to bring

- 1.8 In particular, local councils recognise the value of striving towards acquiring Quality status, and the City Council recognises that it can have increased confidence in dealing with a local council which has achieved it.

## **SECTION TWO – PRACTICAL SUPPORT**

### **General**

- 2.1 Leeds City Council will, where practical, offer local councils access to their own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price. In particular, assistance will be offered in helping to meet the training needs of local councils.

### **Specific arrangements**

- 2.2 The following arrangements are in place to support and assist local councils:

#### By Democratic Services

- Nominated parish and town council liaison officer
- First point of contact for parish clerks and councillors
- Organisation and co-ordination of city wide liaison with other Council departments on parish issues/queries
- Co-ordination of city wide Parish Forum Meetings
- Liaison with YLCA
- Liaison with other Council departments on parish issues/queries
- Provision of training and development opportunities for local councillors (subject to administrative charge).

#### By Elections and Electoral Registration

- Support and administration of local council elections
- Advice on electoral issues and legislation
- The administration of the establishment of new parish councils
- The administration of the review of parish electoral arrangements

#### By Financial Management

- Letters and forms sent out to parishes in October each year requesting details of precepts for the following year, to be returned by the end of January
- Letters sent to parishes in the latter half of January informing them of their tax base for the coming financial year (enables them to assess the impact on their council tax of their precept) (see below \*)
- Arranging for payment of precept to local councils

By Leeds Revenue Services

- Maintain council tax records, including which properties fall in which parish so that bills can be calculated correctly (so need to be kept informed about boundaries of new parishes or about changes in existing parishes) and so that correct information can be supplied to Financial Development Division for calculation of tax base (see below\*)
- Send out council tax bills and collect council tax

By Financial Development

- Calculation of tax base for each parish and submitting figures to Council for approval (January Council meeting if there is one) (see above\*)
- Calculation of amount of council tax including for parishes and submitting figures to Council for approval (February Council meeting)
- For **new** parishes, calculate amount of anticipated precept and consult about that (e.g. with local City Council ward members) before the figure is incorporated in an appropriate report for approval

## **SECTION THREE – WORKING IN PARTNERSHIP**

### **Provision of information**

- 3.1 Leeds City Council will publish details of all agendas and minutes of meetings and of all delegated decisions by officers, together with associated reports which will indicate any electoral wards of the City Council which are specifically affected.
- 3.2 Leeds City Council will aim to acknowledge e-mails within one working day and provide a full response as early as possible, but certainly within 10 working days.
- 3.3 Leeds City Council will respond to all letters and faxes as soon as practicable, having regard to any schedule of meetings of the relevant local council and, in any event, within 10 working days.

### **Consultation**

- 3.4 Consultation will be used to involve local councils in decisions of the City Council that affect local communities. Consultation between the partners of this Charter is a two-way process, which can only be effective where there is a sense of partnership and mutual trust. Consultation will not be used as a form of advance warning or of public relations.
- 3.5 In some cases, consultation is a statutory requirement and, carried out carefully, it ensures that good decisions are taken based on the best information.
- 3.6 In other cases consultation is used to seek local information and views to establish whether a new service or policy will achieve what is intended. It tests the technical or policy basis of a proposed development to ensure its relevance and suitability in a locality.

- 3.7 Sometimes it will be necessary for the City Council to take decisions based on considerations which extend beyond an individual community. In these cases the decisions may not reflect the local council view, even though suggestions and opinions will have been considered.
- 3.8 Leeds City Council will maintain and publish a forward programme of key decisions to be taken by the Council together with details of consultation arrangements applicable to each decision. In taking key decisions, the Council will, where applicable, have regard to Parish Plans and will include parish and town councils within the consultation arrangements for all key decisions with specific implications for them
- 3.9 To help achieve the objectives laid down in this Charter, liaison and consultation (both formal and informal) will be further developed at city wide Parish Forum Meetings which will be held on a quarterly basis and at which the local councils will be updated on Leeds City Council initiatives and have the opportunity of discussing Leeds City Council policies and procedures.
- 3.10 Officers and councillors of Leeds City Council will attend meetings as requested by local councils (or groups of such councils) at a mutually agreed time to discuss matters of common interest.
- 3.11 On request, local councils will send copies of their agendas and papers to Leeds City Council and to councillors for their area. Officers and councillors of Leeds City Council will be given an opportunity to speak, at their request, at local council meetings on matters of mutual interest.

### **Community strategies and local strategic partnerships**

- 3.12 Leeds City Council will involve local councils in the processes of preparing and implementing the community strategy to promote or improve the economic, social and environmental wellbeing of the whole area administered by the City Council, and the role which local councils should take. Leeds City Council will consult and involve local councils accordingly about the content and direction of strategies as they affect the local communities they represent.

### **Ward Members**

- 3.13 Members of the City Council represent the interests of the wards for which they are elected and deal with constituents' enquiries and representations. All City Councillors sit on the Area Committee which covers their individual ward, in addition to which they may sit on a wide range of Council and outside bodies
- 3.14 Local councils recognise the key community engagement role fulfilled by City Councillors and the benefit of working closely with City Councillors on matters of mutual interest.

### **Area Committees**

- 3.15 Each Area Committee of Leeds City Council will establish a mutually acceptable consultative and/or liaison arrangement with the local councils in its area. Area Committees will seek to maintain and promote partnership working and funding arrangements with their local councils as appropriate for the sustainable social, economic and environmental wellbeing of their local communities.
- 3.16 The Leeds City Council Area Committees each agree an annual 'Area Delivery Plan' that sets out the committees' priorities for action over the coming year. As appropriate, local councils will be consulted on the draft Area Delivery Plan, as it may affect their community, and their comments reported to the relevant Area Committee.

### **Council Departments**

- 3.17 Leeds City Council will maintain on its Internet site, details of key contacts within departments for local councils. Additionally, individual departments will provide details of their service standards to each local council, in either a manual or electronically accessible format.
- 3.18 The Parish and Town Council Forum, and individual Council departments which have particular significance in relation to local councils, will work together in establishing clear arrangements describing the operational relationships which exist between them.

## **SECTION FOUR – MAINTAINING HIGH ETHICAL STANDARDS**

### **Standards Committee**

- 4.1 Both Leeds City Council and the local councils have adopted codes of conduct, based on the national model code of conduct.
- 4.2 The Leeds City Council Standards Committee comprises City and local councillor representatives together with independent members.
- 4.3 The local councils will work with the Council's Monitoring Officer and the Standards Committee to promote and maintain high standards of conduct.

## **SECTION FIVE – ALLOCATING RESPONSIBILITIES**

### **Double taxation and concurrent functions**

- 5.1 "Concurrent functions" is the term used to describe services which both Leeds City Council and the parish and town councils within its area have the legal power to provide.

- 5.2 Where Leeds City Council and one or more local councils agree that a particular concurrent function will be provided by the parish or town councils in their own areas instead of by Leeds City Council, then Leeds City Council commits itself to ensuring that double taxation does not occur in financial arrangements it makes with the local councils”

### **Delegating responsibility for service provision**

- 5.3 If a local council (or group of local councils) wishes to discharge functions on behalf of the principal authority, Leeds City Council will consider this where it provides best value (taking account of cost, quality, local preferences and practicability). Where it is not good value or practicable, Leeds City Council will, in consultation with the local council, explore alternative solutions to encourage more local-level input into service delivery.
- 5.4 The first step towards devolution of a service currently provided by Leeds City Council to a local council is for the Clerk of that local council to notify the Chief Executive of the City Council. The Chief Executive will then ensure that the local council is able to have discussions with a service manager of appropriate seniority to consider the feasibility of devolution of a service.

## **SECTION SIX – MANAGING THE RELATIONSHIP**

### **Complaints**

- 6.1 If a local council is dissatisfied with the actions of Leeds City Council then, in the first instance, it should raise their concern with the relevant Council department and, if remaining dissatisfied, may submit a complaint to the department in accordance with the Council’s published procedure for dealing with complaints and compliments. The Council will provide a response within 15 working days.
- 6.2 If a local council is dissatisfied with actions of Leeds Council arising from this Charter, but which are not specific to a Council department, the local council may make a formal complaint to the Chief Democratic Services Officer who will investigate the complaint and arrange for an appropriate response to be submitted by the Council, within 15 working days.

### **Performance, monitoring and review**

- 6.3 This Charter is intended to be flexible and adaptable to the changing circumstances and arrangements for local government. This will be achieved by an annual review of the Charter by the Parish and Town Council Forum, to keep pace with developments.
- 6.4 The local councils each May at their annual council meeting will monitor the effectiveness of the Charter. The local council will decide whether or not, on balance, the Charter has been upheld by Leeds City Council and will, as they consider appropriate, submit views for consideration by the Parish and Town Council Forum as part of the annual review.



- 6.5 Leeds City Council will also conduct an annual monitoring exercise, reviewing from their perspective, their relationship with their local councils and the performance of local councils compared to the standards set out in the Charter.

**COUNCILS INCLUDED WITHIN THE CHARTER**

Leeds City Council

Aberford & District

Allerton Bywater

Arthington

Bardsey cum Rigton

Barwick in Elmet & Scholes

Boston Spa

Bramham cum Oglethorpe

Bramhope & Carlton

Clifford

Collingham with Linton

Drighlington

Gildersome

Great & Little Preston

Harewood

Horsforth (Town Council)

East Keswick

Kippax

Ledsham

Ledston

Micklefield

Morley (Town Council)

Otley (Town Council)

Pool in Wharfedale

Scarcroft

Shadwell

Swillington

Thorner

Thorp Arch

Walton

Wetherby (Town Council)



<b>AGENDA ITEM:</b>
<b>Originator:</b> Chris Wrench <b>Telephone:</b> 0113 3950696

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**REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS**  
**DATE: 18 OCTOBER 2006**

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**SUBJECT: REPORT ON THE SEPTEMBER 2006 ADMISSION ROUND FOR  
COMMUNITY AND CONTROLLED SCHOOLS**

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## EXECUTIVE SUMMARY

### 1 EXECUTIVE SUMMARY

#### 1. Introduction

Education Leeds is responsible for allocating children to primary, infant, junior and secondary schools and defending admission appeals for community and voluntary controlled schools. The company is also responsible for co-ordinating admissions between the 50 voluntary-aided schools, the four neighbouring LEAs and the David Young Community Academy.

The report gives statistical information on:

- the percentage of first preferences achieved, the headline figure is 90.1%;
- the percentage of parents who received one of their three preferences, the headline figure is 97.2%;
- the percentage of first preferences by black and ethnic minority categories;
- information on school appeals, the number of which have fallen this year.

#### 2. Issues

The following issues are identified within the report. The establishment of a new pattern of secondary school provision has led to a reduction of 720 places in year 7 over the last three years and until parents become used to the new pattern there may be a temporary reduction in the percentage of first preferences in future years.

There was a lack of places in the South of Leeds in 2006 and Cockburn High school agreed to accept an additional 30 students. The School Organisation Team are investigating numbers in the area to see if any corrective action needs to be taken for 2007.

The percentage of first preferences for black and ethnic minority children continues to remain below that of the White British category. This was examined in the Review of Admission Policies in 2005 where it was concluded that black and

ethnic minority families had the same level of first preferences as other categories of families who lived in inner city wards. Families in these wards tended to preference schools out of their local area and so did not receive any priority through the admission policy. Advice is given to all parents through the admission policy of the possible consequences of preferencing schools out of the area. The report highlighted the need to raise achievement in inner city schools so that local parents did not feel the need to preference schools out of the area.

### **3. Recommendations**

To note the statistical content of the report including:

- the percentage of first preferences achieved, where 9 out of 10 parents are offered the school of their first preference and 97 parents out of 100 received one of their preferences;
- that the percentage of first preferences in secondary school for black and ethnic minority families continues to be below that of the White British category. The issue is being addressed through the raising school achievement agenda, Building Schools for the Future agenda and through the advice given to parents;
- that a new pattern of school provision is emerging within Leeds through Building Schools for the Future and the David Young Academy, which may lead to a temporary reduction in the percentage of first preferences while parents react to the new pattern.

To note that the appointment of the Choice Adviser is likely to lead to more aspirational preferences from a larger number of parents, which may in turn further reduce the level of first preferences that are allocated.

To note that the pattern of places in the south of the City requires further monitoring and subject to School Organisation Team recommendations may require some corrective action.

To note that the government agenda for further promoting parental choice is not being matched by popular and successful schools seeking to expand to meet such demand. If this trend continues we can expect some further reductions in successful first preferences. This is however countered to some extent by local initiatives around raising achievement in our schools. As these initiatives gather further momentum we may see a wider spread of first preferences by parents and possibly an improvement in the percentages of successful first preferences.



**AGENDA ITEM:**

**Originator:**  
Chris Wrench  
**Telephone:** 0113  
3950696

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**REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS  
REPORT TO EXECUTIVE BOARD  
DATE: 18 OCTOBER 2006**

---

**SUBJECT: REPORT ON THE SEPTEMBER 2006 ADMISSION ROUND FOR  
COMMUNITY AND CONTROLLED SCHOOLS**

---

**Electoral Wards Affected:**

All

**Please indicate that the following have  
been addressed within the report:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

---

Eligible for Call-in

Not Eligible for Call-in

(Details contained in the Report)

---

**1.0 PURPOSE OF THE REPORT**

Education Leeds is responsible for allocating children to primary, infant, junior and secondary schools and defending admission appeal for community and voluntary controlled schools. The company is also responsible for co-ordinating admissions between the 50 voluntary-aided schools, the four neighbouring LEAs and the David Young Community Academy.

This report gives statistical information about the process and highlights issues that need to be addressed for the 2007 admission round

**2.0 BACKGROUND**

The Admission and Transport Team manage transfers into Reception and Year 7 for approximately 16,000 families each year and offer each parent the highest preferred school allowed within the admission policy.

This years figures are broadly in line with expectations with nine out of ten

parents receiving the school of their first preference. This is despite fewer school places being available and thereby affecting the traditional pattern of parental preference. Although we achieved over 90% first preference the large numbers in the round means that 1582 children were not offered their first preference school.

### 2.1 **Percentage of first preferences achieved**

	2006	2005	2004	2003
Secondary	86.9	89.3	91.5	87.4
Primary	93.3	96.4	94.7	95.0
Junior	97.4	99.3	98.3	99.3
Total	90.1	92.5	93.1	91.4

Full details are given in appendix 1.

The admission policy within Leeds allows parents to try for a school out of their local area because they have the safety net of their local school if they are unsuccessful. So another measure is the percentage of parents who received one of their three preferences.

### 2.2 **Percentage of parents who achieved one of their three preferences**

	2006	2005	2004	2003
Secondary	96.9	98.1	98.4	94.3
Primary	97.3	99.5	99.0	99.2
Junior	99.3	100.0	99.7	96.6
Total	97.2	98.8	98.7	96.6

This indicates that very high numbers of parents were given one of their three preferences.

### 2.3 **School appeals**

Whenever a parent is refused entry to a school they have a right to appeal against the decision. The appeal is heard by an independent panel which is organised by the Constitution and Corporate Governance Unit as the process needs to be fully independent.

The figures below are based on the period April to July but they do not include in-year appeals.

	GRANTED	NOT GRANTED	TOTAL	% GRANTED
SECONDARY	158	352	510	31.0
PRIMARY	9	110	119	7.6
TOTAL	167	462	629	26.6

Details for secondary school appeals are given in appendix 3. The total number of appeals heard in the same period last year was 816 so there were 187 less appeals this year.

### 3.0 **THE ISSUES**

Education Leeds is seeking to reduce the number of school places in line with the fall in the school population as well as making strategic decisions on the closure of schools.

In the secondary sector there has recently been the closure of Mathew Murray and Merlyn Rees High schools and the establishment of South Leeds High school, the closure of Agnes Stewart and Braim Wood High schools and the establishment of the David Young Community Academy. In addition St Michaels College closed in 2004. There have also been smaller adjustments to a number of secondary school's admission numbers. The net effect is that 720 places have been taken out of year 7 in the last three years, whereas pupil numbers have fallen by only 205. Another 105 places will be taken out of year 7 next year.

- These closures cause changes to preferences which are overlaid on top of the normal changes brought about by the shift in schools popularity each year.
- The fall in pupil numbers due to demographics does not affect all areas or all schools equally.
- The fall in the numbers of children transferring to secondary school is not falling as fast as places are being taken out of provision and this will also affect the first preference percentage.
- Popular schools continue to attract many more parents than they can admit, and again this affects first preferences.
- A number of traditionally less popular schools are receiving new buildings and if this increases their popularity some will not be large enough to accept demand from the nearest pupils.

Given the change in the secondary school estate there needs to be time for a new parental preference pattern to emerge recognising the new provision of schools within Leeds. We may see a reduction in the percentage of first preferences achieved until a new pattern emerges. This may be offset by local initiatives around raising achievement in schools which may even out the preferences around the City.

Education Leeds will be appointing a choice advisor to assist parents so that they are able to make a preference for a school knowing all the information available. This may lead them to be more aspirational in their preferences.

There was an issue where the Admission and Transport Team had to offer parents who lived in the south of the City places in the north because of a lack of school places at March 1<sup>st</sup>, the offer date. To assist with the numbers of students Cockburn High school agreed to admit an additional 30 students. Rodillian High school also agreed to accept extra students but these places were not used because 30 extra students were admitted into Woodkirk High School by the appeals panel. The issue of extra numbers in the south of the City is currently being investigated by the School Organisation Team to see if any corrective action needs to be taken for 2007.

#### 4.0

#### **FINANCIAL IMPLICATIONS**

There are no financial implications attached to this report.

## 5.0 **STATUTORY IMPLICATIONS**

Education Leeds follows all statutory requirements in operating the admission policy . We will however, review all policies and procedures in light of the new Act

## 6.0 **EQUALITY IMPLICATIONS**

### **Percentage of first preferences by black and ethnic minority categories.**

Details are given in appendix 2. These figures indicate that for secondary preferences the percentage of black and ethnic minority parents being offered their first preference school is below the White British category. This is the same result discussed by the Admission Forum and Executive Board in 2005. This was examined in the Review of Admission Policies in 2005 where it was concluded that black and ethnic minority families had the same level of first preferences as other categories of families who lived in inner city wards. Families in these wards tended to preference schools out of their local area and so did not receive any priority through the admission policy. It was also concluded that parents within these wards are less likely to preference their local secondary school. Whilst they sought a place in an outer area school they were unlikely to be successful because they were applying for a school out of their local area. Many black and ethnic minority families preferred Roundhay High school, which is close to the inner city area but is not classed as the 'nearest' school in terms of the admission policy. The attraction of Roundhay High School was seen to have a distorting effect on percentages. The majority of categories are very small (less than 100) and it is felt that such small numbers are not representative.

The recommendation accepted by Executive Board was to continue with the strategy of raising achievement in all schools and to make all our schools good and improving so that parents will not feel the need to seek a school place out of their local area. To address the issue of raising standards Education Leeds is working closely with all schools and colleagues in school improvement to ensure all our schools are good, improving and inclusive.

In the primary area the difference between the White British category and other categories is less pronounced. All the categories with more than 100 children achieved over 90% first preference. Two categories achieved higher first preferences than White British – Indian and Bangladeshi.

To address the issue of black and ethnic minority students achieving a lower degree of first preferences the Council, through the Building Schools for the Future programme has for 2006 rebuilt Carr Manor and Primrose high schools and increased capacity at Primrose by 40. There are new headteachers in both schools and these schools will prove popular in the 2007 admission round and begin to address the issue.

## 7.0 **LINKS TO KEY PRIORITIES AND CORPORATE PLAN**

The Admission and Transport Team relate to the Education Leeds Strategic Plan - 1.1 Build Partnerships for Transformation, the Children's and Young Person's Plan - Staying safe and enjoy and achieve and the LCC Corporate



Plan - Our children and young people are healthy, safe and successful

8.0

## **RECOMMENDATIONS**

To note the statistical content of the report including:

- the percentage of first preferences achieved, where 9 out of 10 parents are offered the school of their first preference and 97 parents out of 100 received one of their preferences;
- that the percentage of first preferences in secondary school for black and ethnic minority families continues to be below that of the White British category. The issue is being addressed through the raising school achievement agenda, Building Schools for the Future agenda and through the advice given to parents;
- that a new pattern of school provision is emerging within Leeds through Building Schools for the Future and the David Young Academy, which may lead to a temporary reduction in the percentage of first preferences while parents react to the new pattern.

To note that the appointment of the Choice Adviser is likely to lead to more aspirational preferences from a larger number of parents, which may in turn further reduce the level of first preferences that are allocated.

To note that the pattern of places in the south of the City requires further monitoring and subject to School Organisation Team recommendations may require some corrective action.

To note that the government agenda for further promoting parental choice is not being matched by popular and successful schools seeking to expand to meet such demand. If this trend continues we can expect some further reductions in successful first preferences. This is however countered to some extent by local initiatives around raising achievement and we may see a wider spread of first preferences by parents and possibly an improvement in the percentages of successful first preferences.

<b>APPENDIX 1</b>	<b>ADMISSION NUMBERS AND PERCENTAGES FOR SEPTEMBER 2006</b>									
	TOTAL	1 <sup>ST</sup>	%	2 <sup>ND</sup>	%	3 <sup>RD</sup>	%	PLACED	%	
SECONDARY	8200	7133	86.9	630	7.7	184	2.2	221	2.7	
PRIMARY	7572	7064	93.3	253	3.3	55	0.7	195	2.6	
JUNIOR	269	267	97.4	4	1	1	0.3	2	0.7	
TOTAL	16041	14459	90.1	887	5.5	240	1.5	418	2.6	

Placed is where no preference could be met or the form was not returned. In these cases Education Leeds placed the children into a school against any preference.

## APPENDIX 2

### FIRST PREFERENCE BY ETHNICITY

	Secondary		Primary	
	No	%	No	%
White British	5547	89.2	4305	94.4
Unknown	371	79.3	1138	91.5
Pakistani	216	80.9	307	91.9
Black African	105	70.5	89	90.8
Indian	113	82.5	106	94.6
Mixed Black Caribbean and White	91	82.0	81	93.1
Black Caribbean	76	71.0	47	87.0
Kashmiri Pakistani	84	82.3	99	93.4
Bangladeshi	71	81.6	87	94.6
Any Other Ethnic Group	56	81.2	52	85.2
Any Other White Background	61	88.4	51	87.9
Any Other Mixed Background	55	83.3	62	92.5
Other Asian	34	77.2	43	89.6
Any Other Black Background	32	74.4	27	81.8
Mixed Asian and White	38	90.5	61	92.4
White Irish	34	91.9	19	100.0
Refused to Answer	31	86.1	22	91.7
Chinese	28	82.4	25	86.2
Information Not Obtained	23	85.2	166	94.3
Mixed Black African and White	11	68.8	29	87.9
Gypsy Roma	13	92.9	8	100.0
Traveller of Irish Heritage	8	88.9	8	88.9
Kashmiri Other	4	80.0	8	100.0

### APPENDIX 3.

#### SECONDARY SCHOOLS APPEAL RESULTS

	GRANTED	NOT GRANTED	TOTAL
ALLERTON HIGH	5	7	12
BENTON PARK	0	3	3
BOSTON SPA	14	5	19
BRIGSHAW	6	6	12
BRUNTCLIFFE	6	4	10
COCKBURN	1	26	27
CRAWSHAW	5	28	33
FARNLEY PARK	11	0	11
GARFORTH	13	32	45
GRANGEFIELD	9	42	51
HORSFORTH	3	9	12
LAWNSWOOD	0	5	5
MORLEY	4	16	20
PRIESTHORPE	3	18	21
PRIMROSE	9	11	20
RODILLIAN	1	0	1
ROUNHAY	10	95	105
SOUTH LEEDS	3	6	9
TEMPLE MOOR	16	36	52
WETHERBY	2	2	4
WOODKIRK	37	1	38
TOTAL 2006	158 31%	352 69%	510 100%
2005 FIGURES	200 26%	561 74%	761 100%

<b>AGENDA ITEM:</b>
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<b>Originator:</b> Robert Douglas Robert Langley Telephone: 75485
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# Education Leeds

**REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS**

**DATE: 18<sup>th</sup> October 2006**

**SUBJECT: ICT Strategic Partner for Building Schools for the Future – selection of Preferred Bidder**

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

- 1 This report seeks Executive Board’s approval for the appointment of a Preferred Bidder for the ICT Strategic Partner and for delegated authority to the Deputy Chief Executive in consultation with the BSF /PFI Project Board to conduct final negotiations and contract award for the ICT Strategic Partner.

### BACKGROUND

- 2 As part of the Building Schools for the Future programme the City Council is procuring a Strategic Partner for ICT. This contract is being let alongside but separately from the main Local Education Partnership contract in order to gain further benefits across the city to enhance education and to enable transformation of teaching and learning in all schools
- 3 The appointment of an ICT Strategic Partner is a key part of achieving the wider successes of the Building Schools for the Future programme, especially the transformation of teaching and learning through the use of ICT. The Partner will also work with Leeds City Council and Education Leeds in ensuring that all schools in the city are able to make more effective use of ICT in addressing key transformational projects, such as personalisation.
- 4 The ICT Strategic Partner will be providing a range of services to the City Council and to schools in the BSF programme. These include professional development for staff, design and implementation of ICT solutions for the new schools and the provision of an ongoing fully managed service for the BSF schools. A range of citywide events and activities will promote the benefits of ICT use in education across all schools, and in particular the Partner will support the implementation and further development of the Learning Platform introduced as part of the enhancement of services available through the Leeds Learning Network.
- 5 Bidding has been conducted under full European tendering regulations over a period from November 2005 (issue of a tender notice to the Official Journal of the European Union) through to October 2006 (recommendation of Preferred Bidder). The evaluation has run to the revised timetable.

- 6 The ICT Strategic Partner contract will be for a period initially until 31<sup>st</sup> March 2013, with an extension available at the Council's discretion for a further period until 31<sup>st</sup> March 2018. The initial period will cover the design and implementation phases of all schools in the Building Schools for the Future programme and a five year operational period following completion of building works.
- 7 The full evaluation panel has been involved in the allocation of scores through a rigorous regime which reflects that of the Local Education Partnership procurement. This has involved a thorough evaluation of bids on the basis of legal, financial and technical responses and a clarification regime managed through the LCC Procurement Unit.

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## **RECOMMENDATIONS**

- 8 That Executive Board approve the selection of a Preferred Bidder for the ICT Strategic Partner contract
- 9 That Executive Board approve the delegation of authority to the Deputy Chief Executive in consultation with the BSF /PFI Project Board to conduct final contract negotiations and award.



**Agenda Item:**

**Originator:** Robert Douglas  
Robert Langley

**Telephone:** 75485

**Not for Publication: Appendix 1** Exempt under 10.4 category 4

## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 18<sup>th</sup> October 2006**

**SUBJECT: ICT Strategic Partner for Building Schools for the Future – selection of Preferred Bidder**

**Electoral wards Affected:**  
All

**Specific Implications For:**

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in  
(Details contained in the Report)

### 1.0 PURPOSE OF THE REPORT

1.1 This report seeks Executive Board's approval for the appointment of a Preferred Bidder for the ICT Strategic Partner and for delegated authority to the Deputy Chief Executive in consultation with the BSF/PFI Project Board to conduct final negotiations and contract award for the ICT Strategic Partner.

### 2.0 BACKGROUND INFORMATION

2.1 As part of the Building Schools for the Future programme the City Council is procuring a Strategic Partner for ICT. This contract is being let alongside but separately from the main Local Education Partnership contract in order to gain further benefits across the city to enhance education and to enable transformation of teaching and learning in all schools. More detail on this arrangement was approved by Executive Board in

November 2005.

- 2.2 An evaluation panel was formed comprising officers from Leeds City Council, Education Leeds and school leaders from both primary and secondary schools, with further advice and support from DLA Piper (legal and commercial), PricewaterhouseCoopers (financial) and PTS Consulting (technical ICT and assurance). Further support and guidance has been provided by Partnerships for Schools, who have been engaged throughout the procurement process. The procurement has also been supported through the Corporate Procurement Unit and has had the input of the Public Private Partnership Unit as required. Both DLA Piper and PricewaterhouseCoopers are part of the Council's framework contract and both are also supporting the wider BSF procurement process.
- 2.3 The appointment of an ICT Strategic Partner is a key part of achieving the wider successes of the Building Schools for the Future programme, especially the transformation of teaching and learning through the use of ICT. The Partner will also work with Leeds City Council and Education Leeds in ensuring that all schools in the city are able to make more effective use of ICT in addressing key transformational projects, such as personalisation.
- 2.4 The ICT Strategic Partner will be providing a range of services to the City Council and to schools in the BSF programme. These include professional development for staff, design and implementation of ICT solutions (including networks, hardware and software) for the new schools and the provision of an ongoing fully managed service for the BSF schools. A range of citywide events and activities will promote the benefits of ICT use in education across all schools, and in particular the Partner will support the implementation and further development of the Learning Platform introduced as part of the enhancement of services available through the Leeds Learning Network.
- 2.5 Bidding has been conducted under full European tendering regulations over a period from November 2005 (issue of a tender notice to the Official Journal of the European Union) through to October 2006 (recommendation of Preferred Bidder). The evaluation has run to the revised timetable. The timing of this recommendation is intended to allow the City Council to obtain maximum advantage from the appointment in terms of engagement with schools and the City Council and to ensure full engagement of all partners in the appointment of the Local Education Partnership.
- 2.6 Seven responses were received to the Pre-Qualification Questionnaire and Preliminary Invitation to Tender from the original notice and of these, four as detailed in Appendix 1 were invited to submit full tender responses to a second stage which reflected the revisions to the output specification occasioned by the change in scope to incorporate hardware specification and supply approved by Executive Board in August 2006.
- 2.7 The public interest in maintaining the exemption in relation to the main report on this subject outweighs the public interest in disclosing the information by reason of the fact that the report is part of contract negotiations and the release of the information contained in the report may compromise the Council's commercial position and could cause the Council to breach its and European rules on procurement.

### 3.0 **MAIN ISSUES**



- 3.1 The ICT Strategic Partner contract will be for a period initially until 31<sup>st</sup> March 2013, with an extension available at the Council's discretion for a further period until 31<sup>st</sup> March 2018. The initial period will cover the design and implementation phases of all schools in the Building Schools for the Future programme and a five year operational period following completion of building works. This will allow the full benefits of the transformational work of the schools and the Strategic Partner to be realised.
- 3.2 The ICT Strategic Partner will be held accountable against a wide range of performance measures which reflect the range of services they will provide to the City and the outcomes which are expected to be achieved through the contract. These measures range from service desk performance through to the achievement of children and young people in the schools included in the contract. The contract as a whole is designed to ensure that there is a positive impact on the attainment of children and young people across the city (and specifically in the BSF schools) and to provide for a genuinely transformational learning environment in the BSF schools which can be used as a trailblazer project for other learning establishments in the city. The project will deliver significant benefits for the understanding of how technology can be used to impact on the inclusion and attainment of all children and young people in Leeds.
- 3.3 There is likely to be a TUPE transfer of staff from the BSF schools to the Strategic Partner. The staff affected will be technical ICT support staff and the transfer will apply from the date the managed service begins in each school. This will be the 1<sup>st</sup> April prior to the new school buildings becoming available (April 2008, 2009 and 2010 for the three phases of the programme). A full implementation and consultation plan is in place to support this process and evaluation of the bids has included bidders' responses to the human resource and TUPE issues raised by the contract.
- 3.4 The full evaluation panel has been involved in the allocation of scores through a rigorous regime which reflects that of the Local Education Partnership procurement. This has involved a thorough evaluation of bids on the basis of legal, financial and technical responses and a clarification regime managed through the LCC Procurement Unit.
- 3.5 As independent ICT consultants, PTS Consulting observed that the evaluation process was inclusive, rigorous and auditable. Specifically, a wide range of bidder meetings and clarifications were used to provide bidders the opportunity to accurately present their technical and strategic capability. A range of bidder site reference visits and conversations were used to gain evidence and assurance of the bidders' capability to deliver a complex, time-sensitive technical project driven by a strong service management vision. A complete evaluation audit trail was maintained.
- 3.6 Bids were evaluated under five broad headings reflecting the main areas of the contract, including legal and financial considerations. Detailed analysis and scores were allocated against bidders' full responses to the bid requirements. The headings were as follows
- Strategic approach and interfaces
  - ICT technical design and operation
  - Continuing professional development
  - Legal and commercial
  - Financial

- 3.7 **“Strategic approach and interfaces”** describes the requirement for the Strategic Partner to work across the city and critically with Education Leeds, schools and the City Council to develop and promote the ICT strategy for education. It also covers the work required in developing the learning platform and encouraging its take-up across the city, and the provision of appropriate support to the emerging Children’s Services agenda. The key interface management role of the Strategic Partner – managing the relationship between the partners in the city (the LEP, SP, LCC ITS and EL) delivering on aspects of ICT in education – is also in this section.
- 3.8 **“ICT technical design and operation”** considers the development of final design proposals for the BSF schools, the implementation of these designs and the operation of a managed service (including a service desk) to deliver ongoing support to schools. The provision and management of a catalogue of hardware, software and services is incorporated into this section.
- 3.9 **“Continuing professional development”** covers the areas of the Strategic Partner’s role in ensuring that all staff in the BSF schools are suitably trained in the period leading up to the delivery of the new school premises and on an ongoing basis. This requirement goes beyond simple technical training but extends critically to pedagogy and the transformational role of ICT in and across the curriculum and the management of schools. The further development of ‘learning communities’ of all staff across the city is also incorporated into this section.

The results of the evaluation are shown in confidential Appendix 1

#### 4.0 **IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

- 4.1 There are no implications for Council policy and governance.
- 4.2 It is recommended that further negotiation and final contract award is delegated by Executive Board to the Deputy Chief Executive in consultation with the BSF/PFI Project Board. This group comprises the Deputy Chief Executive, Director of Legal and Democratic Services, Director of Corporate Services, Director of Development, Lead Chief Officer (Commissioning) of Children’s Services and the Chief Officer of the PPP Unit. This will ensure that the ongoing work to appoint the ICT Strategic Partner will be carried out fully alongside the appointment of the Local Education Partnership, which work the ICT Strategic Partner will complement.

#### 5.0 **LEGAL AND RESOURCE IMPLICATIONS**

- 5.1 The Council will be entering in a contract lasting until 31<sup>st</sup> March 2013 with an option to extend to 31<sup>st</sup> March 2018, with appropriate opportunity for review and termination during the lifetime of the contract.
- 5.2 Funding is available through the BSF programme of £1450 *per* pupil (a total of £24m) to cover initial professional development, project implementation, hardware and software. Schools will contribute the costs of the ongoing managed service through the replacement of existing contracts and the TUPE transfer of existing technical support staff. Education Leeds has made available funding to support the key citywide strategic services provided by the Strategic Partner.

7.0 **RECOMMENDATIONS**

- 7.1 That Executive Board approve the selection of the bidder recommended in Appendix 1 as Preferred Bidder for the ICT Strategic Partner contract
- 7.2 That Executive Board approve the delegation of authority to Deputy Chief Executive in consultation with the PPP/PFI Project Board to conduct final contract negotiations and award.

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**Report of:** The Chief Executive of Education Leeds

**To:** Executive Board

**Date:** 18 October 2006

**Subject:** Thorpe Primary School – provision of new accommodation

## Executive Summary

### 1. Purpose

This report seeks approval to proceed with the proposed scheme to provide additional accommodation at Thorpe Primary School. Approval will also be sought to incur the necessary capital expenditure.

### 2. Main Issues and Options

Significant new housing developments in and around Thorpe have led to Section 106 contributions being secured in the sum of £359,000 to provide additional school places at the local school, Thorpe Primary.

The school has an acknowledged series of problems with its existing school buildings that need to be addressed so that the school can provide for an increase in pupil numbers, and address significant condition issues. The main building is 100 years old and has an undersized hall which is currently used for PE, assembly and dining as well as being a main circulation route to access five classrooms. The staff room, head teacher and office space and a community/parents room are all below DfES minimum guidelines in terms of area.

In acknowledgement of existing building issues and the need to provide additional school places, the Education Leeds Capital Projects Board has allocated further LEA funding in the sum of £750,000 to supplement the Section 106 contributions. This will allow a major programme of works to be delivered to resolve all of the schools priority building issues.

Phase One of the programme of works includes a new build extension to the school to provide accommodation for the increase in pupil numbers at the school. The proposed project, which has been developed in consultation with the school, will provide a new hall and three new classrooms. The school will also benefit from a programme of remodeling and improvement to address other associated problems in the main block.

### 3. Recommendations

Members of the Executive Board are requested to:

- a) Approve the design proposals and give authority to proceed with Phase 1 of the scheme to resolve accommodation issues at Thorpe Primary;
- b) Authorise expenditure of £940,000 for the provision of additional teaching accommodation and internal remodeling work from capital scheme number 12050/PH1/000.

**Report of:** The Chief Executive of Education Leeds

**To:** Executive Board

**Date:** 18 October 2006

<b>Subject:</b>	<b>Design &amp; Cost Report</b>
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**Scheme Title**      **THORPE PRIMARY SCHOOL – PROVISION OF NEW HALL, ADDITIONAL CLASSROOMS, AND REMODELLING WORKS**

**Capital Scheme Number** *12050/PH1/000*

<b>Electoral Wards Affected:</b> Ardsley & Robin Hood
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<b>Specific Implications For:</b>  Equality & Diversity <input type="checkbox"/>  Community Cohesion <input type="checkbox"/>  Narrowing the Gap <input type="checkbox"/>
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Eligible for Call In     

Not Eligible for Call In  
(Details contained in the report)     

**1.00 Purpose of this Report**

1.01 The purpose of this report is to:

- a) Seek approval to the design proposals in respect of the scheme to provide a new hall and additional teaching accommodation, together with internal remodeling at Thorpe Primary School;
- c) Seek approval to incur expenditure of £940,000 in respect of the above scheme from capital scheme number 12050/PH1/000.

**2.00 Background Information**

2.01 Thorpe Primary School has an acknowledged series of problems with its current school buildings that need to be addressed so that the school can provide for an increase in pupil numbers as a result of local housing developments. The main building, which is 100 years old, has an undersized hall which has to be used for PE, assembly and dining as well as being a main circulation route to access five classrooms. An increase in pupil numbers will create major pressures on the infrastructure of the school in terms of its capacity, health and safety, and organization of the curriculum.



- 2.02 The school also is under provided for in terms of staff room, head teachers office and general office space, and a community/parents room. A further problem is the school library facility, which is currently housed in a 1950's extension to the main building. This extension is now very poor in terms of condition, security, and suitability. It is proposed to relocate the library into the main school building as part of the infrastructure improvements.
- 2.03 The school currently houses its Early Years provision within separate accommodation units which are located on hard standing areas within the school grounds. These units are now over 40 years old and are in a poor state of repair. Following the completion of the main scheme proposals detailed in this report it is proposed to address the problems associated with Early Years provision and also redevelop the school's playground areas through a second phase of works. Specific proposals in relation to improvements to this accommodation have not yet been fully developed, but will be the subject of a further report at the appropriate time.
- 2.04 Significant new housing developments in and around Thorpe have led to success in securing Section 106 contributions to provide additional school places at Thorpe Primary, this being the local school. Total Section 106 contributions are in the sum of £359,000. The amount of the Section 106 contribution has been the subject of extended discussions over the past three years, culminating in an inquiry which took place in December 2005. The inquiry determined the level of the Section 106 contributions required, which will be provided by two separate developers.
- 2.05 The recognition of existing building deficiencies has resulted in a total of £750,000 of formulaic LEA funding being allocated by the Education Leeds Capital Projects Board to supplement the Section 106 contributions. This will allow a major new extension to be delivered to resolve all of the school's current priority building issues, in addition to delivering Phase Two works to improve Early Years facilities.

### **3 Design Proposals / Scheme Description**

- 3.01 The proposed expansion of the school to accommodate up to 210 pupils, or one Form of Entry, has been the subject of a full feasibility study, which identified the need to provide additional classrooms and address problems related to the school's infrastructure. Phase One of the proposed project, which is the subject of this report, comprises a new 510m<sup>2</sup> extension, to provide a new adequately sized hall with storage facility, as well as three new classrooms which will be wrapped around the existing building. The school will also benefit through a programme of remodeling and improvement.
- 3.02 The new extension will be built in traditional brickwork construction with a steel frame, to match the existing Edwardian buildings, and will have a profiled steel roof. Although substantial mechanical and electrical works will be required both for the new extension and the internal remodeling works, the school will benefit from recent refurbishment works carried out to the existing boiler plant. The extension will be double glazed, with a passive ventilation system.
- 3.03 Internal remodeling of the existing school building will comprise the creation of a new library within the existing hall area, together with the opening up of storage areas into existing classrooms to create adequately sized teaching areas. The staffroom, head teachers office and general office will be expanded within existing spaces to relieve accommodation pressures on staff resources.
- 3.04 The total construction budget for phase one works is £817,950. The Strategic Design Alliance has been appointed to carry out all pre and post contract supervision at an estimated cost of £104,270. Associated Client Services fees are

estimated to be in the region of £3,565. Other costs are estimated in the sum of £17,215.

## 4 Consultations

4.04 This scheme has been the subject of extensive consultation with all stakeholders including the school and governors, ward members, and the City Council's Development Department. The school has been fully engaged with the design process, and a public presentation has taken place. The Strategic Design Alliance has been engaged to design the proposed scheme, which will be subject to a competitive tendering exercise. The full scheme has received approval of the Capital Projects Board and funding has been set aside from the Capital Programme.

## 5 Programme

5.04 The strategic programme for the proposed scheme is as follows:

Tenders out:	November 2006
Tenders in	December 2006
Start on Site	March 2007
Practical Completion	October 2007

## 6 Implications for Council Policy and Governance

These works will contribute to the following themes outlined in the Vision for Leeds 2004-2020.

### Cultural Life:

To enhance and increase cultural opportunities for everyone.  
To develop talent.

### Enterprise and the Economy

To contribute to the development of a future healthy skilled workforce.

### Environment City

Provide a better quality environment for our children.

### Harmonious Communities

Contribute to tackling social, economic and environmental discrimination and inequality. To make sure that children and young people have a healthy start to life.

### Health and Wellbeing

Contributing to the protection of people's health and support people to stay healthy.

### Learning:

Contribute to the development of equal educational achievement between different ethnic and social groups.

Improving numeracy, literacy and levels of achievement by young people throughout the city.

Make sure that strong and effective schools are at the heart of communities.

Promote lifelong learning to encourage economic success, achieve personal satisfaction and promote unity in communities.

### Thriving Places

Actively involve the community.

Improve public services in all neighbourhoods

Regenerate and restore confidence in every part of the city.

## 7 Legal and Resource Implications

### 7.04 Scheme Design Estimate;

Estimated costs for this scheme have been determined by qualified quantity surveyors based on an approved costing system, using the fourth quarter of 2006 as the base date for the cost estimate.

7.05 The estimated construction cost of the project is £817,950, which equates to £1,603 per m<sup>2</sup>. Design fees and associated planning and building regulation costs are estimated at £122,050. This report seeks approval to expend these amounts.

## 8 Capital Funding and Cash Flow

### 8.04

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2006 £000's	FORECAST				
			2006/07 £000's	2007/08 £000's	2008/09 £000's	2009/10 £000's	2010 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
<b>TOTALS</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2006 £000's	FORECAST				
			2006/07 £000's	2007/08 £000's	2008/09 £000's	2009/10 £000's	2010 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	818.0		81.8	715.7	20.5		
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	104.8		51.7	53.1			
OTHER COSTS (7)	17.2		17.2				
<b>TOTALS</b>	<b>940.0</b>	<b>0.0</b>	<b>150.7</b>	<b>768.8</b>	<b>20.5</b>	<b>0.0</b>	<b>0.0</b>

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2006 £000's	FORECAST				
			2006/07 £000's	2007/08 £000's	2008/09 £000's	2009/10 £000's	2010 on £000's
Section 106	359.0		150.7	208.3			
Modernisation Primary SCE R (12043)	570.0			560.5	9.5		
Modernisation Primary SCE R (12046)	11.0				11.0		
<b>Total Funding</b>	<b>940.0</b>	<b>0.0</b>	<b>150.7</b>	<b>768.8</b>	<b>20.5</b>	<b>0.0</b>	<b>0.0</b>
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Parent Scheme Number :** 12050/000/000  
**Title :** Thorpe Primary New Hall & Classrooms

The scheme will be funded as follows; Section 106 contributions £359,000, Modernisation Primary SCE R, capital scheme 12043 £570,000, Modernisation Primary SCE R, capital scheme 12046 £11,000.

### 8.05 Revenue Effects

It is not anticipated that there will be any revenue effects arising from this scheme.

### 8.06 Risk Assessments

Operational risks will be addressed by effective use of CDM regulations, close supervision with the contractors and continual liaison with the school.

## 9 Recommendations

9.04 The Executive Board is requested to:

- a) Approve the design proposals for Phase One of works in respect of the scheme to provide a new hall and additional teaching accommodation, together with internal remodeling at Thorpe Primary School;
- b) Authorise expenditure of £940,000 from capital scheme 12050/PH1/000.

AGENDA ITEM:

**Originator:**  
Chris Halsall and  
Brian Tuffin  
**Telephone:** 2144068



# Education Leeds

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**REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS**  
**DATE: 18 OCTOBER 2006**

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**SUBJECT: Report on recent Ofsted Inspections**

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## EXECUTIVE SUMMARY

### 1 Purpose of the Report

- 1.1 The purpose of this report is to summarise the outcomes of recent Ofsted inspections since the last report to the Chief Executive.

### 2.0 Background

- 2.1 A new framework for the inspection of schools was formally introduced in September 2005 by Ofsted. Schools will now be inspected every three years and at very short notice (3-5 days). This will test the reliability of the monitoring, support, challenge and intervention processes used by Education Leeds and schools' preparedness and accuracy of their self-evaluation. The grades assigned to the overall effectiveness of the school and to each aspect of the school are now:

Grade 1	Outstanding
Grade 2	Good
Grade 3	Satisfactory
Grade 4	Inadequate

### 3.0 Summary of School Ofsted Inspection reports

- 3.1 Twenty nine primary schools have been inspected since January 2006.
- 3.2 Schools judged to be inadequate may be given a notice to improve or be deemed to require special measures. Leeds has no primary schools in special measures and two primary schools with a notice to improve. One school inspected under the new framework pilot in May 2005 was deemed at that time to have serious weaknesses (Manston St James). An HMI visit to the school in January 2006 concluded that good progress had been made and that that school no longer required special measures.
- 3.3 Of the 29 schools inspected, six were considered to be outstanding (Greenmount, Kippax Greenfield, Mount St Mary's, St Bartholomew's, St Nicholas and Tranmere Park); ten were considered good (Brudenell, Cookridge, Gledhow, Kirkstall Valley, Queensway, Shadwell, Southroyd, Thorner, St Philip's and Victoria); seven were

considered to be satisfactory (Brodetsky, Iveson, Meadowfield, Methley, Roundhay St John's, Rufford Park and St James') and two were considered inadequate and given a notice to improve (Hollybush) or deemed to require special measures (Miles Hill). The reports of four schools (Garforth Green Lane, St Oswald's, St Joseph's Otley and St Joseph's Wetherby have not yet been published.

- 3.4 In these schools 60% were considered to be good or better for teaching and learning, 72% good or better for leadership and management, 88% good or better for personal well being and 'Every Child Matters' outcomes, and 64% good or better for achievement and standards.
- 3.5 In the first year of the new inspection framework, 18 high schools have been inspected in Leeds. Seven were judged to be good with outstanding features, including the two Key Stage 3 Pupil Referral Units, formerly with serious weaknesses. Eight schools were judged satisfactory. These included a school formerly in special measures, schools with weak performance data but strong capacity to improve, rapidly improving schools with a legacy of low value added in the past, and schools with above average attainment but weaker value added and low capacity to improve. Two schools were given a notice to improve, one of which was previously designated as having serious weaknesses.
- 3.6 At the start of the year Leeds had one high school in special measures, and three with serious weaknesses. At the end of the year there are no high schools in special measures, and two with a notice to improve.
- 3.7 It should be noted that there are a number of schools likely to be inspected next term which have faced considerable challenges in the last few years. While they have made substantial improvements they are still vulnerable to an inspection and there could be more Leeds high schools in an Ofsted category by the end of the autumn term.

## REPORT TO THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 18 OCTOBER 2006**

**SUBJECT: Report on recent Ofsted Inspections**

**Electoral wards Affected:**

**ALL WARDS**

**Specific Implications For:**

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in   
(details contained in the report)

### 1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to summarise the outcomes of recent Ofsted inspections since the last report to the Chief Executive.

### 2.0 BACKGROUND INFORMATION

2.1 A new framework for the inspection of schools was formally introduced in September 2005 by Ofsted. Schools will now be inspected every three years and at very short notice (3-5 days). This will test the reliability of the monitoring, support, challenge and intervention processes used by Education Leeds and schools' preparedness and accuracy of their self-evaluation. The grades assigned to the overall effectiveness of the school and to each aspect of the school are now:

- Grade 1 Outstanding
- Grade 2 Good
- Grade 3 Satisfactory
- Grade 4 Inadequate.

### 3.0 MAIN ISSUES

### 3.1 SUMMARY OF SCHOOL OFSTED INSPECTION REPORTS

### 3.2 PRIMARY SCHOOLS

### 3.3 Brodetsky Primary School (May 2006)

3.3.1 This school offers a satisfactory education, a view that the school shares. It gives satisfactory value for money. The school's self-evaluation is largely accurate though errs on the generous side. Standards are above average as might be expected, given that children enter school with above average attainments. Children make satisfactory progress in response to satisfactory teaching quality with the exception of more able children who rarely perform as well as they should because much of the work lacks challenge and does not require them to work things out for themselves. The curriculum is satisfactory rather than good as the school believes because it does not make sufficient links between subjects, and some opportunities are missed to devise programmes of work to stretch the more able. Standards and quality of provision in the Foundation Stage are good and children flourish, growing in confidence and independence, and learning to read and write at an early age. Throughout the school, behaviour is good and children have good attitudes to learning. Attendance is high, reflecting children's enjoyment of what the school has to offer. One summed up the views of most saying, 'Brodetsky: big, bright, brilliant, simply the best!' A sizeable proportion of parents, however, express reservations because the school does not respond as quickly and effectively as it should to their concerns. Children are given satisfactory levels of care, support and guidance rather than good as the school believes because the provision for children with learning difficulties and/or disabilities is not sufficiently robust. The interim leadership and management are satisfactory and with local authority support the above weaknesses are being tackled effectively. Governance, while satisfactory overall, has yet to resolve the balance between running the provision for Hebrew and Jewish studies and acting in a supporting role at all other times. The school has reasonable capacity to improve.

Grade: 3

#### 3.3.2 ***What the school should do to improve further***

- Implement a clear leadership and management structure with clearly defined roles for the school staff and ensure governors have training and guidance so they fully understand and implement their roles and responsibilities.
- Improve the provision for children with learning difficulties and/or disabilities.
- Develop further the curriculum opportunities for more able children.
- Improve communication with parents and establish systems to ensure their concerns are dealt with quickly and effectively.

### 3.4 Brudenell Primary School (May 2006)

3.4.1 Inspectors agree with the school's own evaluation that Brudenell Primary is a good school with outstanding features. Pupils' achievement is good. As a result of the effective teaching they receive, pupils of all ages make sustained progress and standards rise from a very low starting point in Nursery to broadly average by the end of Year 6. Provision in the Foundation Stage (Nursery and Reception) is good



and children make substantial gains, but they have a lot of ground to make up and many are still some way short of the levels expected by the end of Reception. Pupils from different backgrounds get on well together. The behaviour of most pupils is good. Attendance is low. This is due to religious observance, and a minority of pupils who do not attend often enough or make extended visits abroad. However, the school is doing all it can to promote pupils' good attendance. Teaching is good but some lessons move too slowly and pupils' ideas are not always followed up. The curriculum is interesting and pupils enjoy learning. Whilst information and communication technology (ICT) is used effectively in English and mathematics lessons, pupils do not get enough opportunities to use it in other subjects. The school takes outstandingly good care of its pupils. They are kept safe and secure and receive extensive support and guidance. Parents and pupils hold very positive views of the school which are fully justified. The school has extensive links with other organisations which add considerably to the school's own provision. The headteacher and senior staff provide the school with high quality leadership. They have successfully brought the school through a period of substantial change. More developments are planned and the school is well placed to make further improvement. Management is good, although it requires some reorganisation to ensure it meets the school's future needs. Governors support the school and monitor its work well. The school provides good value for money.

Grade: 2

#### 3.4.2 ***What the school should do to improve further***

- Reorganise management responsibilities to make full use of the skills and expertise of all staff, and to ensure that the school has the management structure it needs to fully implement its plans for future development.
- Ensure that time is used consistently well in lessons and that teachers make full use of the contributions pupils make to extend their learning.
- Provide pupils with more opportunities to use ICT in all subjects.

### 3.5 **Cookridge Primary School (June 2006)**

3.5.1 The school has survived a period of rapid change and emerged in a reinvigorated state that is reflected in the enthusiasm of staff and pupils for all that takes place. The headteacher and the new leadership team have weathered the storm admirably and, at the same time, put in place some innovative and creative aspects of learning, which have set pupils' imagination alight. The way that the school has been steered in the last four years has been outstanding. This is a good school that has maintained its effectiveness despite the challenges it has faced.

3.5.2 Standards are broadly average at the end of Year 6, which demonstrates the pupils' good achievement, particularly since the oldest pupils' learning has suffered interruptions in the last four years. The school has met its problems head on and tackled the slight downturn in achievement, which resulted from the temporary difficulties. For example, pupils' progress in writing has improved well since the school adopted some effective methods to help them concentrate on their vocabulary and sentence construction more closely. Equally, progress in mathematics is beginning to speed up because reasons for slower progress have been identified and dealt with.

3.5.3 Good teaching has been maintained, in the face of the changes in personnel, through an intense programme of self-review and constructive advice. Some

inconsistencies remain, but good achievement has been assured by the rapid progress made by pupils in Years 5 and 6. Through expert leadership and management, gaps in pupils' learning have been exposed and ways sought as to how they might be closed. Children's progress in the Foundation Stage is as good as it ever was, but there are plateaux in learning between Years 1 and 6. These result from some otherwise satisfactory lessons, which lack the drive and ambition found elsewhere in the school. Conversely, there is some excellent teaching. Mutual support and the sharing of successful practice have produced lessons that sparkle with enjoyment and push learning along at a fast rate. The good and sometimes first-rate curriculum plays a strong role in stimulating productive learning and good achievement. Enrichment through art and music is especially effective because it has such a powerful effect on pupils' personal and academic development. Pupils display a level of confidence, coupled with a spiritual joy in singing or talking about their three-dimensional art work, which justifies the enormous efforts that have gone into providing expert tuition in these subjects. Moreover, personal development is generally good because pupils are well cared for and supported through difficult periods. No wonder that they enjoy school greatly, feel safe, contribute willingly and have a healthy outlook on life.

- 3.5.4 The lack of drive in some lessons is matched by inconsistencies in the way that pupils are involved in targets to help improve their learning. In some classes, notably in Years 2, 5 and 6, pupils are consulted well about their learning, but in others the advice given, across the curriculum, lacks precision and pupils are not as actively involved in what to do next.

Grade: 2

3.5.5 ***What the school should do to improve further***

- Improve the consistency of teaching so that all lessons move pupils' learning along fast enough.
- Ensure that all pupils are involved well in thinking about what is good about their work and what needs to be improved.

**3.6 Garforth Green Lane Primary School (July 2006)**

- 3.6.1 Although the inspection has taken place, the report has not yet been published.

**3.7 Gledhow Primary School (June 2006)**

- 3.7.1 This is a good school with many outstanding features, a judgement which matches the school's own view. Overall, the leadership and management of the school are good. The outstanding headteacher leads an effective team who are committed to working for the benefit of all the pupils. A comment from the parental questionnaires typifies the parental views, 'A fully inclusive school, encompassing many cultures. The huge commitment of all staff shows in the standards of work produced by the children and the progress they make'. Good quality provision in the Foundation Stage ensures the children have a good start to their schooling. All pupils make good progress throughout the school and reach standards that are above average by the end of Year 6. In mathematics, standards at the end of Year 6 are exceptionally high. Even though all pupils make good progress, the school recognises that higher attaining pupils could do more. This is especially so in mathematics for the younger pupils, and in English for the older pupils. The good quality of teaching and learning and a good, relevant curriculum encourage the pupils to behave very well and be confident, responsible learners so that they

achieve well. The school takes outstanding care of the pupils, and academic guidance and support ensure the pupils feel safe and know exactly what they need to do to improve their work. Consequently, parents have a high regard for the school and the education it provides. Governance is good and the skills and expertise of the governors are used to challenge and support the school as it moves forward. The school has improved well since the last inspection and has good capacity to improve further. It provides good value for money.

Grade: 2

### 3.7.2 ***What the school should do to improve further***

- Provide more challenge in mathematics lessons for higher attaining pupils in Years 1 and 2.
- Provide more challenge in English lessons for higher attaining pupils in Years 3 to 6.

## 3.8 **Greenmount Primary School (January 2006)**

3.8.1 Greenmount Primary School is a multi-ethnic school of outstanding quality. It is extremely effective, has high expectations of its pupils and provides an education experience second to none. Children receive a flying start in the Foundation Stage which is systematically built on throughout the key stages. The teaching is good overall with much that is outstanding. Adults know the pupils' learning and personal needs well and provide stimulating and challenging high quality work. The cultural richness of the community permeates the school environment and enhances the curriculum. The many groups of pupils who have learning needs are extremely well supported. As a result, these pupils achieve exceptionally well and make excellent progress. Parents are overwhelmingly supportive of the school and recognise the high level of care and guidance given to their children. Pupils' personal development is exemplary and they have excellent attitudes to their work.

3.8.2 Much of the success of Greenmount is due to the outstanding dynamic leadership and efficient management of the headteacher. She has an able senior management team and teachers who thrive on challenge. There is a continuing desire to make improvements even though the school already achieves highly, and it provides very good value for money.

3.8.3 The Foundation Stage is very well organised and provides the children with an attractive and stimulating environment in which to learn. Work reflects the Early Learning Goals, although the adults make appropriate modifications to meet the communication needs of the children. Teaching is of a consistently good quality. The children settle well and quickly become confident and learn to make simple decisions.

*Grade: 1*

### 3.8.4 ***What the school should do to improve further***

- Continue to evaluate the effectiveness of new initiatives.
- Establish more fully procedures to involve pupils in setting their own targets.

## 3.9 **Hollybush Primary School (January 2006)**

3.9.1 In accordance with section 13 (3) of the Education Act 2005, HMCI is of the opinion

that this school requires significant improvement in standards and achievement in English, mathematics and science because it is performing significantly less well than in all the circumstances it could reasonably be expected to perform. The school is therefore given a notice to improve.

3.9.2 Hollybush has come successfully through a difficult process of amalgamation: everyone is positive and trying to raise standards. The school is on the right track. Despite the harmonious climate created, academic standards, by the end of Year 6, are very low and pupils' achievement is inadequate. Consequently, the school does not give value for money. Pupils' personal development is satisfactory. They enjoy learning, but attendance levels are not good enough to allow sound progress for all. Teaching and learning are satisfactory. A lack of consistency causes uneven progress in learning and there has not been time for teaching to eliminate the underachievement that existed on amalgamation. Children progress satisfactorily in the Foundation Stage, but have very low attainment in literacy and numeracy. This prevents them from succeeding well at the end of Year 2 where standards are well below average. There are several strengths in the care and support provided for pupils, but the guidance given to children about their learning is not yet good enough. The school is led and managed satisfactorily. The school believes it provides a satisfactory education, but it has overestimated what could be done in a relatively short time. Standards are low because teaching is inconsistent and children's learning is not quick enough. The school has shown that it can improve and the inspectors believe the senior staff and governors are capable of doing what is needed.

Grade: 4

3.9.3 ***What the school should do to improve further***

Raise standards in English, mathematics and science by:

- ensuring that all teaching accelerates pupils' learning;
- sharpening the checking on teaching to make sure that pupils' standards and achievements are the main focus; and
- using the information from assessments more systematically to improve children's progress and achievement.

3.10 **Iveson Primary School (February 2006)**

3.10.1 The school judges its effectiveness as satisfactory and inspectors agree. It provides satisfactory value for money. Pupils' personal development is good, as are the care, guidance and support they receive. Attendance has improved recently despite an epidemic of sickness, but the levels remain below average. Pupils' achievement is satisfactory overall. Progress was too slow in some year groups in the past due to weaknesses in teaching. As a result of effective action taken to improve the quality and consistency of teaching, there has been a marked improvement in pupils' learning. However, although standards are improving, they are not yet high enough. The curriculum is satisfactory with a good range of enrichment activities. The school has good partnerships with outside agencies and other schools. Provision in the Foundation Stage is satisfactory. The unit is relatively new and has not yet had time to become fully established to ensure a consistency of practice.

3.10.2 Leadership and management are satisfactory. Involvement in a local authority Intensifying Support Programme is proving beneficial in the drive to raise standards and achievement. A rigorous system of self-review has been introduced that identifies key strengths and priorities for development. Pupils' learning is analysed well and their progress tracked closely. The school is responding well to the increasing number of pupils joining with very little or no English at all and supports their learning needs as best it can, but there is no specialist bilingual help for these children. Governance is satisfactory. While the school works hard to maintain the building and grounds, there are limited funds to attend to pressing needs such as the playground surfaces. Improvement since the last inspection is satisfactory and much of this has happened over the last two years. The school has the capacity to improve further.

Grade: 3

3.10.3 ***What the school should do to improve further***

- Raise standards and achievement further in English and mathematics and ensure all pupils are sufficiently challenged.
- Work with parents and pupils who find good attendance difficult to improve their levels of attendance.
- Find ways of securing bilingual support for those pupils who speak very little English.
- Seek ways of improving the quality of the playground surfaces.

3.11 **Kippax Greenfield Primary School (May 2006)**

3.11.1 Pupils are the best advocates for their school. 'Learning is an ever open door' – this banner greeting everyone entering the school encapsulates the school's values. Inspectors and the school are in agreement that the school is outstanding. Enthusiasm for learning derives from the superb example set by all staff. A robust commitment to high standards translates into an imaginative approach to learning, bearing fruit in improving standards that are now above average. The energetic headteacher convinces everyone that they 'can do' and, as a result, pupils and staff reach for the stars. Because of the foresight of the senior management team, the governing body has supported the introduction of a partnership development officer. From a base within school, he is the spearhead for the establishment of a children's centre in Kippax, working with parents in giving all children in the area an even better start in life. From the moment children start in the Foundation Stage all staff work purposefully to build on their very diverse starting points. Overall, social and communication skills are weak when children start school but through stimulating teaching and care children make the good progress needed to cope with the Key Stage 1 curriculum. This is the bedrock of further good progress at Key Stage 2. As a result, pupils leave school with above average standards. They relate well to each other and communicate well through writing and speech.

3.11.2 The school enjoys the support of all the community and its work is held up as an example of innovation within the local authority. Thinking skills, philosophy, a cross curricular approach to English and mathematics and a commitment to personalised learning are the cornerstones of a successful curriculum, developing well-rounded individuals. Issues from the previous inspection have been successfully dealt with and astute financial management ensures the school gives excellent value for money. The success of the school is best summed up by a parent: 'Greenfields

Primary – you are a cut above the rest.’

Grade: 1

**3.11.3 *What the school should do to improve further***

The school is very well aware of what it needs to do and has secure plans in place for further improvement.

**3.12 Kirkstall Valley Primary School (June 2006)**

3.12.1 ‘A wonderful warm, learning environment for all’. ‘Children are encouraged to reach their full potential’. ‘My child has come on leaps and bounds’. These parental comments sum up parents’ positive view of the school. They also support the inspection findings and the school’s judgement that its overall effectiveness is good. Standards are broadly average and pupils achieve well. This is because the leadership and management are good. The headteacher’s leadership is strong and she is assisted well by staff and governors. The quality of teaching is good enabling pupils to make good progress throughout the school. The curriculum is effective with a strong emphasis on developing pupils’ basic skills. Provision in the Foundation Stage is good. Pupils’ personal development is outstanding. Pupils really enjoy coming to school and they respond very well to the outstanding care, guidance and support they receive. Their behaviour and attitudes to learning are excellent. The school has a clear understanding of its strengths and areas for development. It has rightly identified the need to improve the recording of children’s progress from entry to the school in the Nursery to the end of Reception so that attainment of individuals and groups can be efficiently tracked from entry to school to the end of Year 6. This will help the management to improve the monitoring of children’s progress over time and assist target setting in order to raise standards even further. Improvement since the last inspection is good. The commitment of the staff and the effective leadership and management indicate that the school has good capacity to continue to improve.

Grade: 2

**3.12.2 *What the school should do to improve further***

This good school knows what needs to be done. In particular it should focus on:

- incorporating information about individual and groups of children’s progress in the Foundation Stage into the established tracking system, in Years 1 to 6, in order to assist target setting.

**3.13 Meadowfield Primary School (February 2006)**

3.13.1 Meadowfield is a new school and is already showing strong signs of improvement. It offers a satisfactory quality of education and provides satisfactory value for money. These findings reflect the school’s view of its overall effectiveness. The leadership and management are satisfactory overall with strengths in the leadership of the headteacher and deputy headteacher. The recent amalgamation brought many challenges but the school has come through it very successfully, despite still having to pursue ‘snagging’ issues relating to the new building. There is a ‘buzz’ of improvement about the school. The quality of teaching and learning is satisfactory with examples of good and outstanding practice. Pupils are making rapid gains in their learning in most classes in response to the improvements in the quality of teaching. The school has only recently entered a settled period and therefore initiatives aimed at raising achievement have not yet had time to impact

fully on pupils' standards which still remain well below average. However, the school is on course to meet its challenging targets. The curriculum is satisfactory. Provision in the Foundation Stage is satisfactory, as is the care, guidance and support of children. Pupils' personal development is satisfactory. However, attendance levels are below average. The school works hard to tackle this issue but the once improving levels have fallen since its relocation to the new site. Systems for the monitoring and evaluation of performance are rigorous and result in the school knowing exactly where the strengths are within the school and the areas requiring development. This indicates the school has a good capacity to continue to improve.

Grade: 3

### 3.13.2 ***What the school should do to improve further***

Raise standards and achievement throughout the school by:

- improving the quality of teaching and learning to good or better and ensuring a consistency of practice throughout the school
- working with parents and carers to improve pupils' attendance
- developing pupils' confidence further and ensuring that they are actively involved in their learning
- pressing for speedy completion of 'snagging' issues relating to the new building and grounds to ensure full attention can now be given to raising achievement.

### 3.14 **Methley Primary School (May 2006)**

3.14.1 This is a satisfactory school with some good features and outstanding potential to improve, a judgement that matches the school's view of itself. It gives satisfactory value for money. The main success has been to amalgamate two very different schools in a short time into one forward-looking, dynamic, purposeful school. A real buzz of excitement about learning is reversing effectively some of the inherited underachievement. Achievement is satisfactory, a better picture than the school perceives, largely because of the unrelenting drive from the top to push up standards. Improvement since September 2005 has been both marked and rapid. Leadership, management and governance therefore are good, not satisfactory as the school indicated. Stringent assessment procedures have been used to highlight areas of weakness and to ensure that pupils are now taught what they need to learn. As a result, standards are beginning to rise, although those in English are still below average at the end of Year 6 and more able pupils do not read as well as they should by the end of Year 2. The quality of teaching is satisfactory. Although much of the teaching and learning is very good, there are pockets of weakness, which are being challenged. The curriculum is satisfactory with some good, innovative features but these have yet to have a full impact on pupils' achievement. Provision in the Foundation Stage is satisfactory but there are weaknesses in the assessment, planning and teaching of early literacy skills. There are good systems to ensure that pupils are well cared for. Pupils' personal development, behaviour and attitudes to learning are good. Attendance is above average. As Year 6 say, 'We're learning more and it's fun'.

Grade: 3

### 3.14.2 ***What the school should do to improve further***

- Improve the Foundation Stage provision, particularly the assessment, planning

and teaching of early literacy skills, and develop fully the potential of more able pupils.

- Raise standards in English by the end of Year 6 by providing more challenge for more able pupils.
- Ensure that more able pupils are taught to read with greater understanding by the end of Year 2.

### **3.15 Miles Hill Primary School (May 2006)**

3.15.1 In accordance with section 13 (3) of the Education Act 2005, HMCI is of the opinion that this school requires special measures because it is failing to give its pupils an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement.

3.15.2 Miles Hill has declined in effectiveness and has not successfully tackled the issues raised at its last inspection in 2001. Its overall effectiveness, although judged by the school to be satisfactory, is inadequate. The school has suffered considerable disruption in recent years, with several changes of headteacher and a lengthy period of uncertainty arising from the school's inclusion in the local authority's reviews of school places. These factors have lowered staff morale and effectiveness and, as a result, the achievement of pupils is unsatisfactory. Sound leadership in the Foundation Stage enables children to experience a positive introduction to school; quality and standards in Nursery and Reception are satisfactory. Standards at the end of Year 6 are exceptionally low and progress from Year 1 to Year 6 is inadequate. Children's personal development and well-being are satisfactory overall but their attendance is well below average. The school is calm and orderly and children's behaviour is satisfactory. Teaching is inadequate: expectations are not high enough, there is insufficient challenge and the children have too few opportunities to exercise independence in their learning. The curriculum is also inadequate: it lacks the breadth and richness to meet the needs of all children. The tracking of children's progress is not sufficiently rigorous to ensure that they make the progress of which they are capable; care, guidance and support are inadequate overall. The school's leadership and management, including governance, are inadequate. While the school knows some of its weaknesses, its evaluation of its performance is too positive. Recently, the temporary leadership has implemented a range of initiatives to improve teaching and the curriculum, but the measures taken have had too little impact on children's progress. The procedures for monitoring teaching take insufficient account of its impact on achievement and standards. In this context, the school provides unsatisfactory value for money and its capacity to improve is inadequate.

Grade: 4

#### **3.15.3 *What the school should do to improve further***

- Improve the monitoring of teaching so that it is rigorously focused on improving its quality and its impact on achievement and standards.
- Provide more support and challenge for all children to raise standards and achievement in English, mathematics and science.
- Improve attendance.



- Give children more opportunities to develop independence in their learning.
- Extend the breadth and richness of the curriculum so that it meets all children's needs.
- Improve procedures for tracking children's progress and make better use of the information gained to ensure that children make faster progress.

### **3.16 Mount St Mary's Catholic Primary School (June 2006)**

3.16.1 This is an outstanding school. Despite the considerable challenges posed by the dilapidated temporary building and barren, unkempt exterior environment around the school, pupils make outstanding progress and achieve results in the national tests that are in the top 5% of schools nationally in English, mathematics and science. The school has achieved this accolade for the past four years. The quality of teaching and learning is outstanding because of consistently high expectations that all pupils will do their best and the unrelenting commitment to raising standards by the acting headteacher and staff. Coaching, mentoring, support and systematic training have an exceptional impact on producing consistently outstanding teaching throughout the school. The use of assessment information is impressive and summed up well by a new pupil to Year 6 who said, 'Targets make it easier for us to learn because we know how to improve our work'. Personal development and well-being are outstanding: the behaviour of pupils is exemplary and older pupils have an excellent grasp of the impact of effective basic skills on later learning. The curriculum is outstanding and effectively enriched by a wide range of out-of-school activities led by, in some instances, professional sports coaches and includes a comprehensive programme of music tuition for pupils. Pupils' care, guidance and support are excellent. Many health and safety procedures have been attended to efficiently in recent months, for example, child protection training, risk assessments and first aid procedures. Steps to ensure the safety of the old, temporary building take up much of the acting headteacher's time. Leadership and management are outstanding because of the commitment to maintaining the outstanding achievement of all pupils. Provision and standards in the Foundation Stage are good. Steps to improve the indoor learning and transition between Reception and Year 1 are excellent, but the lack of a spacious outdoor area to extend the curriculum limits the opportunities for daily physical development. Parents are very happy with the school, especially how quickly children starting part way through the year settle down. The school has an excellent capacity to improve and improvement since the last inspection has been exceptional in all respects. Value for money is excellent.

Grade: 1

#### **3.16.2 *What the school should do to improve further***

- Improve the outdoor play area for the youngest children in Reception class because it is too small and does not have sufficient equipment.

### **3.17 Queensway Primary School (May 2006)**

3.17.1 The inspection team agree with all aspects of the school's view of its work: this is a good school with some outstanding features. It provides good value for money. Standards and achievement are good. The results of the 2005 national tests in Year 6 were above average in English, mathematics and science. Some higher attaining pupils did not reach the higher levels in writing in Year 6 and, as a result,

this has been a priority for improvement. Pupils make good progress throughout the school, although this is outstanding in Years 1 and 6 because of exceptional teaching. The quality of teaching is good overall. Expectations are generally high, especially in literacy and numeracy lessons, but less so in some of the other subjects which sometimes results in poorer quality presentation of written work. Assessment arrangements are thorough, but pupils are not given sufficient written guidance on how to improve their work in writing and in some subjects the work is not marked regularly enough. Quality and standards in the Foundation Stage are good: children make good progress as a result of good teaching by all the adults working in the Foundation Stage. The personal development and well-being of the pupils are outstanding: pupils behave well, enjoy school and take their responsibilities seriously. The curriculum is good and effectively enriched by a comprehensive range of lunchtime and after school clubs, some of which are run by the pupils. The care, guidance and support for pupils are good. Leadership and management are good, with some outstanding features in the strong teamwork, partnership with parents and outstanding improvements since the last inspection. The school development plan has too many priorities resulting in insufficient time to check progress as rigorously as needed. Governors are well informed and very supportive of the school. The school has an excellent capacity to improve.

Grade: 2

**3.17.2 *What the school should do to improve further***

- Provide pupils with more consistent feedback on their written work.
- Reduce the number of priorities on the school development plan to allow time for more rigorous checking of the quality of learning in subjects such as history and geography.
- Raise the expectations that pupils will write as well in every subject as they do in literacy lessons.

**3.18 Roundhay St John's Church of England Primary School (July 2006)**

3.18.1 This is a satisfactory school with some good features and it is providing satisfactory value for money. Inspectors do not agree with some of the school's judgements about aspects of its work. Some judgements of 'good' and 'outstanding' have been made without taking into account that pupils did not do well enough in mathematics and science by the end of Year 6. Overall effectiveness is judged to be satisfactory rather than good as the school reported. The quality of teaching and learning and the curriculum are satisfactory but the provision of extra-curricular activities is good. Pupils' personal development is good and this reflects the good quality of care, guidance and support. Attendance is well above average, showing how much pupils enjoy coming to school. The issues from the last inspection have been dealt with effectively. The new headteacher, ably supported by her deputy, is determined to raise standards and is correctly focusing on improving the quality of teaching. As a result, the school has the capacity to improve.

3.18.2 Quality and standards in the Foundation Stage are good and, as a result, children achieve well. Pupils' achievement in Years 1 to 6 is satisfactory. Overall standards are above average throughout the school but in Years 3 to 6, standards in mathematics and science tend to be lower than in English. Pupils who have English as an additional language are particularly well supported and make good progress.

3.18.3 Leadership, management and governance are satisfactory. The role of subject coordinators in monitoring the quality of teaching and learning is not sufficiently well developed to ensure that areas for improvement are quickly identified and acted upon. Governors are committed to the school and are currently exploring ways of increasing their role in monitoring all aspects of provision. The vast majority of parents are supportive and hold the school in high regard. Its good reputation locally means that all year groups are full to capacity.

Grade: 3

3.18.4 ***What the school should do to improve further***

In order to improve standards and pupils' achievement in mathematics and science, the headteacher, governors and staff should:

- improve the quality of teaching and learning in these subjects
- develop the role of subject coordinators and governors to ensure that they have a sharper focus on raising standards and improving the quality of teaching and learning.

**3.19 Rufford Park Primary School (February 2006)**

3.19.1 Although the school judges its effectiveness to be good, inspectors judge it to be satisfactory. The headteacher, with the full support of staff and governors, has managed a challenging amalgamation successfully, creating an ordered and harmonious school. Partnerships with outside agencies have been very effective in this process. Children in the Foundation Stage make a sound start to school. The school has been particularly successful in promoting children's personal development and well-being. A strong commitment to providing high quality care and support for all groups of children results in them feeling safe, secure and well looked after. Children's academic achievement is satisfactory. Children enter and leave school with attainment that is average and in doing so they make satisfactory progress. Teaching is satisfactory, although there are many good features, such as very good relationships in classes. The curriculum offers good support for children's personal and health education and is satisfactory overall. The school has implemented arrangements to track children's progress and this information has been increasingly well used to identify additional support. However, teachers' use of information to match tasks accurately to children's needs and identify personal targets for them is inconsistent throughout the school. The quality of leadership and management is good. The leadership group understands the need to raise standards and has put in place effective policies and procedures to address this issue. Evidence is emerging in the school's own assessments of the positive impact of these measures on pupils' progress and inspectors judge that the school's capacity to improve further is good. The school gives satisfactory value for money.

Grade: 3

3.19.2 ***What the school should do to improve further***

Improve the use of information about pupils' attainment and progress to:

- match work more consistently to pupils needs
- set challenging targets in English and mathematics for individual pupils.

### **3.20 Shadwell Primary School (June 2006)**

3.20.1 This is a good school with outstanding features in its personal development and well-being, care, guidance and support and leadership and management. It provides good value for money. The school's self-evaluation is accurate and effective, although they have judged the effectiveness of leadership and management too modestly. The quality of teaching and learning is good with some outstanding teaching. Pupils make good progress throughout the school from average attainment on entry to the Reception class to above average attainment when they leave in Year 6. Pupils leaving the school in 2005 reached standards that were significantly above the national average in mathematics and science. Achievement was good in those subjects. Standards were above the national average in English but overall achievement was just satisfactory because too few pupils reached the higher levels in writing. The personal development and well-being of pupils are outstanding: the promotion of a healthy lifestyle means that pupils know to eat healthily. The curriculum is good with particular strengths in the extra-curricular provision and improvements to information and communication technology (ICT). Care, guidance and support are outstanding because of the rigorous attention given to the safety of pupils by governors and outstanding assessment procedures that track the progress of individual pupils as they go through school. Leadership and management are outstanding. The headteacher is well supported by a dedicated team of staff and gives a high priority to maintaining and raising standards. Governors are very effective and make excellent use of their professional skills to support the school as well as having high expectations for all aspects of the school's work. Parents hold the headteacher in high regard for the ethos she has created. The school has an outstanding capacity to improve as a result of the high priority given to raising standards by the headteacher.

Grade: 2

#### **3.20.2 *What the school should do to improve further***

- Improve the level of challenge for more able pupils in writing throughout the school so that they achieve the levels of which they are capable.

### **3.21 Southroyd Primary and Nursery School (May 2006)**

3.21.1 This is a good school, with outstanding features in the care and personal development of pupils. The school's self evaluation is accurate in all key features. Staff, parents and pupils rightly speak positively about what the school provides and achieves. It provides good value for money.

3.21.2 In response to the good teaching, pupils make good progress to achieve average standards from below average starting points. Children get off to a good start in the Nursery. Most settle quickly and make good progress in the Foundation Stage, because of the good provision that helps them learn independently and purposefully, both indoors and outdoors. In Years 1 to 6, pupils are taught well, but there are still opportunities to use assessment information more to provide consistent challenge for all learners. Most pupils have good attitudes to learning. There is a striking self-confidence and maturity in the attitudes and opinions of pupils by the time they reach Year 6. Their spiritual, moral, social and cultural development is exemplary. Pupils behave well both in and around the school. The curriculum is good. The impressive range of responsibilities given to older pupils and the extensive range of extra-curricular activities are particularly strong

features. Pupils get exceptional levels of care, support and guidance. They benefit significantly from the range of partnerships the school has with outside agencies. Leadership, management and governance are good, although the monitoring of teaching and learning is not yet rigorous enough to ensure consistent, good learning.

3.21.3 There has been good improvement since the previous inspection. The school has good capacity for further improvement.

Grade: 2

3.21.4 ***What the school should do to improve further***

In order to raise pupils' good progress even further the school should:

- Monitor the quality of teaching more rigorously to identify how pupils can make faster progress.
- Use the school's assessment information more effectively to set more challenging targets and support learning.

**3.22 St Bartholomew's Church of England Voluntary Controlled Primary School (June 2006)**

3.22.1 The inspector agrees with the school's own evaluation that its provision and value for money are outstanding. Pupils make outstanding overall progress from low levels to reach above average standards by the end of Year 6. The school has made very good improvements, such as in raising writing standards, and is extremely well placed to continue to maintain its high quality provision.

3.22.2 Teachers ensure pupils' outstanding achievements by paying great attention to the needs of each individual. For example, high quality experiences and support in Foundation Stage classes help all children settle quickly and get learning off to a flying start. Throughout the school, extensive learning opportunities and extremely good teaching ensure pupils of all backgrounds and abilities make very rapid progress. Within a vibrant and exciting multicultural atmosphere, pupils develop the maturity and exemplary attitudes and behaviour to equip them for their future. A caring atmosphere and strong positive relationships give all pupils confidence to thrive.

3.22.3 Senior leaders' monitoring and analysis give an extremely clear and accurate view of strengths and weaknesses. Innovative approaches to responsibilities enable all staff to contribute to the monitoring, evaluating and improvement process. This has produced a noticeable atmosphere of teamwork and shared involvement with a focus on giving pupils exactly what they need to improve. As a result, relative weaknesses are quickly and effectively identified and remedied. Although the governing body supports well and rigorously ensures statutory requirements are met, involvement in monitoring the school's work is more limited.

Grade: 1

3.22.4 ***What the school should do to improve further***

The school has a very accurate view of its own strengths and weaknesses, with clear planning to address areas of relative weakness. Within this framework, it should ensure that:

- governors play a stronger role in monitoring the school's work and holding it accountable.

### **3.23 St James' Church of England Voluntary Controlled Primary School (June 2006)**

3.23.1 The effectiveness of the school is satisfactory with some good features in pupils' personal development and well-being. It provides satisfactory value for money. The inspection team disagree with the school's over-generous judgement of its effectiveness. The main reason for this is that pupils' standards and achievement, the quality of teaching and learning, curriculum and leadership and management are only satisfactory. There is currently underachievement in mathematics for higher attaining pupils throughout school. Personal development and well-being are good. Pupils enjoy school because they are encouraged to keep fit and take responsibility. The quality of teaching and learning is satisfactory. Teaching of mathematics is just satisfactory because there are weaknesses in planning, the use of resources and challenge for higher attaining pupils. Assessment procedures are satisfactory. The curriculum is satisfactory with good aspects in the enrichment through educational visits, additional provision for instrumental tuition and a good range of sporting fixtures. Mathematics is not given a high enough priority either in displays, time allocated to teach it or opportunities to apply mathematical skills in other subjects. Care, guidance and support are satisfactory overall. Pupils say their teachers help them feel safe. However, there are currently no trained first aiders in school. Pupils with learning difficulties and/or disabilities are well supported. Provision and standards in the Foundation Stage are good. Leadership and management are satisfactory. Delegation of responsibilities and communication with colleagues has some weaknesses. The actions to improve mathematics by the headteacher have had too little impact on improving standards because staff have not been provided with any training. Parents are very happy with what the school provides for their children. Improvement since the last inspection is satisfactory and the school has a satisfactory capacity to improve.

Grade: 3

#### **3.23.2 *What the school should do to improve further***

- Raise standards of the more able pupils throughout the school in mathematics.
- Provide informative wall displays, resources for pupils and more effective planning to improve the teaching of mathematics.
- Improve the delegation of responsibilities to staff to ensure a more rapid rate of improvement.
- Provide training in first aid and appoint a named first aider.

### **3.24 St Nicholas Catholic Primary School (June 2006)**

3.24.1 The school judges its effectiveness to be outstanding and inspectors agree. From their first days in school, expectations of children are high, and the quality and standards in the Foundation Stage are outstanding. Starting with attainment that is well below average, pupils make excellent progress throughout school to achieve standards that are in line with national expectations by the end of Year 6. The school is extremely successful at promoting pupils' personal development and well-being. They are helped to develop into mature and confident individuals, with a

good understanding of right and wrong. Pupils are taught to understand the value of learning and education as a powerful aid to their development as individuals. Teaching is well planned and organised, and makes very effective use of a wide range of teaching strategies to develop confident and effective learners. The curriculum offers pupils a wealth of experiences and is very successful at developing their basic skills and extending their knowledge and understanding of the world. Pupils benefit from very high levels of care and they receive excellent guidance from staff, which ensures that they can take advantage of the rich provision made by the school. The leadership team works very effectively to keep the school moving forward and ensures standards are maintained and improved. School leaders could sharpen the impact of strategies for improvement by making more effective use of data about attainment. Improvement since the last inspection and the school's capacity to improve further are outstanding. The school gives outstanding value for money.

Grade: 1

**3.24.2 *What the school should do to improve further***

- Make more effective use of performance data when planning and evaluating the impact of strategies adopted to promote improvement.

**3.25 St Oswald's Church of England Junior School (July 2006)**

3.25.1 Although the inspection has taken place, the report has not yet been published.

**3.26 St Joseph's Catholic Primary School, Otley (July 2006)**

3.26.1 Although the inspection has taken place, the report has not yet been published.

**3.27 St Joseph's Catholic Primary School, Wetherby (July 2006)**

3.27.1 Although the inspection has taken place, the report has not yet been published.

**3.28 St Philip's Catholic Primary and Nursery School (June 2006)**

3.28.1 The inspection confirms that the school's evaluation of itself is accurate. This is a good school and it provides good value for money.

3.28.2 The school's Catholic ethos is very much at its heart and every pupil is highly valued. The pupils' personal development is outstanding and they positively sparkle with enthusiasm, which has a significant impact on the good progress they make. Provision in the Foundation Stage is good. Although many pupils arrive in the Nursery with poor speaking and listening skills, the good planning and wide range of interesting early learning opportunities helps to ensure that the majority are on track to reach the expected levels of attainment by the time they leave Reception. By the time the pupils leave Year 6, their standards in English, mathematics and science are above average. Achievement is good. These positive outcomes are also linked to the constructive development work of the senior leadership team, well assisted by the teaching and support staff and by the effective governing body.

3.28.3 The quality of teaching and learning is good overall, although there are wide variations across the school. Those pupils identified with learning difficulties and/or disabilities make good progress. All pupils are well cared for, guided and supported, although there are some inconsistencies in the use of assessment data

and in the guidance pupils receive which helps them to improve their work. The school curriculum is good and often exciting: it is enriched well by a wide range of interesting visits and extra-curricular activities.

- 3.28.4 Leadership and management have a good awareness of the school's priorities for development and systems for tracking pupils' progress are being reviewed to ensure pupils are sufficiently challenged. The school has made good progress since the last inspection and has the capacity to improve even further.

Grade: 2

3.28.5 ***What the school should do to improve further***

- Raise the level of teaching to that of the best in order to ensure that there is a school wide consistency in pupils' learning.
- Improve the use of assessment, marking and tracking systems to ensure a clear understanding of what needs to be done to secure consistent levels of progress and appropriate challenge for all pupils.

**3.29 Thorner Church of England Primary School (February 2006)**

- 3.29.1 Thorner CE Primary School is an effective and popular school where pupils make good progress overall in their learning and reach standards which are above national averages. Despite the staffing difficulties encountered during the inspection, the quality of teaching was never less than satisfactory and much of it displayed some good features. The curriculum is broad and well balanced, and is enriched by a good range of cross-curricular and extra-curricular activities, with strong links to the local and wider community to which the pupils belong.

- 3.29.2 The pupils' personal development and their care, guidance and support given by the staff are outstanding. The school is skilled at recognising the personal and social needs of the pupils and the staff know them well. Attendance is high, and behaviour is impeccable. The pupils relish new challenges, are considerate of others and enjoy excellent relationships at all levels.

- 3.29.3 The school is well led and managed by the headteacher, ably supported by the staff team. She has an acute awareness of the school's strengths and weaknesses and has successfully carried through a number of initiatives to improve the education provision for the pupils, as well as seeking to make further gains in standards.

- 3.29.4 The children receive a good start in the Foundation Stage and settle well, quickly becoming confident and independent learners. The work reflects the Early Learning Goals and builds on experiences the children bring from home or local pre-school provision. The teaching is of a consistently satisfactory standard and often displays good features. There are good links with parents and carers and they are kept well informed of their child's progress.

- 3.29.5 Overall, the school provides good value for money.

Grade: 2

3.29.6 ***What the school should do to improve further***

- Raise the quality of teaching to a consistently high standard.



- Ensure that all pupils, especially the more able, are challenged to achieve their potential.
- Continue to refine the use of assessment data for planning the next steps in learning.

### **3.30 Tranmere Park Primary School (June 2006)**

3.30.1 Tranmere Park Primary School is an outstanding school where pupils achieve high standards, make rapid progress in their learning, enjoy an exciting and challenging curriculum and develop into 'well-rounded' pupils through the school's very clear and well provided inclusive education. There are no major weaknesses at all. Three key words encapsulate Tranmere Park: consistent, efficient and effective. These are the hallmarks that endear parents and make it such a popular and often over-subscribed school. Parents say. 'a wonderful school that I can't praise too highly'. 'as a teacher I couldn't ask for a better school for my child'. 'a wonderful staff team who deliver fabulous learning, sporting and fun activities'. The aim of providing an education which takes account of the many different needs of pupils is achieved exceptionally well and is at the root of the school's success. The parents of a child with learning difficulties comment: 'the help and support for \_ has been phenomenal. I don't think he could be in a better place'.

3.30.2 The inspection team agree with all those statements. So why is the school so successful? It is outstandingly led and managed. The headteacher has created a very strong staff team built on the principles of cohesion and innovation. Although there have been regular staff changes, they have been used as a way of extending the richness of what the school offers. Adults visibly enjoy their work, thrive on challenge and convey their enthusiasm to the pupils who respond well. The exceptional quality of the deputy headteacher means that the headteacher can confidently share the task of carrying innovation forward. In such a climate, the quality of care, guidance and support is outstanding and pupils love coming to school. Tranmere Park Primary School provides excellent value for money.

Grade: 1

### **3.30.3 *What the school should do to improve further***

n/a

### **3.31 Victoria Primary School**

3.31.1 This is a good school with some outstanding features, notably pupils' personal development and well-being which are exceptional. Pupils thrive here because of it, developing into capable and responsible young people. The school's self-evaluation is largely accurate in that it rates itself as good but it tends to be over-modest in some respects. Its judgement that the care given to pupils is outstanding is a true reflection of the personal support they receive but academic guidance is less strong. This aspect therefore is good overall. The school is well led and managed with good support from governors. The school has improved well since the last inspection and has good capacity to improve further. It gives good value for money.

3.31.2 The school does well to get the majority of pupils close to average standards at the end of Year 6 from their low starting points. They get off to a flying start in the Foundation Stage where provision and the quality of teaching are outstanding. In Years 1 - 6, pupils achieve well because they are well taught. An outstanding

curriculum develops their capacity to think, imagine and learn with enjoyment. Pupils' learning has accelerated because of this and because this year much improved assessment procedures have enabled teachers to target precisely those pupils who need extra help and to focus on particular aspects which pupils find difficult such as writing. The school has rightly identified that pupils should be involved in checking whether they have met small achievable targets so they learn from their mistakes. Furthermore, there is a need to tighten up individual education plans for pupils with learning difficulties and/or disabilities so they too give clear small steps for learning and precise targets.

Grade: 2

### 3.31.3 ***What the school should do to improve further***

- Involve pupils in checking their work against small, achievable targets so they understand what they have to do to improve its quality.
- Ensure that individual education plans give very clear small steps for learning and precise targets.

## 3.32 **SECONDARY SCHOOLS**

### 3.33 **Abbey Grange Church of England High School (April 2006)**

3.33.1 This is a good school and inspectors agree with the school's evaluation of its effectiveness. Standards are high in the main school and the sixth form and students make good progress overall. Teaching is consistently good. Nevertheless, there is room for further improvement to enable all students to learn more independently. The curriculum is good with some outstanding features, notably the wide ranging study support and extra-curricular programmes. These make a valuable contribution to the students' levels of maturity and their high aspirations. The school's work on healthy lifestyles is very effective and has a particularly strong impact on students' eating habits. The headteacher and senior leaders provide good leadership and management and governors are fully involved in the school's planning for improvement. Systems for analysing the school's overall performance are robust. However, the monitoring of students' progress is not frequent enough to inform decisions made by senior staff about school improvement. Performance management arrangements are well linked to the improvement of teaching and learning, and subject and year leaders are held to account for the performance of their subjects and year groups. The school works in partnership with other local schools to offer support and share good practice. It has recently gained specialist humanities status and plans are in hand to enhance the curriculum in the humanities and extend the school's work in the community. All the key issues from the last inspection have been successfully addressed and the capacity for further improvement is good. The school provides good value for money.

Grade: 2

### 3.33.2 ***Effectiveness and efficiency of the sixth form***

The effectiveness and efficiency of the sixth form are good. Standards are above average and progress is good. More than half of the pupils from Year 11 stay into the sixth form, where they engage in a broad curriculum of academic courses leading to Advanced Supplementary (AS) and full Advanced Level (A level) examinations. These are augmented by a wide range of Vocational Certificate of

Education (VCE) courses. Good collaborative arrangements with three local secondary schools enable students to study minority subjects. The quality of teaching and learning is good, with some outstanding features such as the level of intellectual challenge to students' thinking. The leadership and management of the sixth form are good. This is demonstrated in the close monitoring of the quality of courses. It is also reflected in the proportion of students who complete their sixth form education, in excess of 90% from Year 12 to 13. Students value the high quality care and guidance which they receive. The sixth form gives good value for money.

Grade: 2

**3.33.3 *What the school should do to improve further***

- Ensure that the progress of all students is more frequently monitored to inform decisions about whole school improvement.
- Ensure that all students have opportunities to develop and use independent learning skills.

**3.34 Boston Spa School (February 2006)**

3.34.1 Boston Spa School is satisfactory with some good features. Many students enjoy the benefits of being at a sports specialist college. They show an excellent awareness of the need to adopt a healthy lifestyle and many participate in a range of activities which help develop their confidence and team working skills.

3.34.2 The school judges itself to be satisfactory and inspectors agree with this judgement. Achievement and standards are satisfactory. Overall pass rates are above national averages. But this masks some underachievement; from above average attainment on entry to the school, students' progress by the end of Year 9 is inadequate. By the end of Year 11 most students catch up and make the progress expected of them although pupils of lower ability do not make sufficiently good progress. There are many strategies in place to address underachievement and some of these are now beginning to have an impact. Students' personal development and well-being are satisfactory; the school provides many good opportunities for cultural development, but the behaviour of some students is detrimental to the learning of others. Teaching and learning in the main school are satisfactory overall. Although much teaching is good, there is too much variation in the overall quality of lessons. Marking of students' work is inconsistent and students are not always clear about what they have to do to improve. Data is beginning to be used effectively to set targets and monitor students' progress, but this is not yet sufficiently well embedded in all areas of the school. The curriculum is satisfactory, as is the care, guidance and support provided for pupils.

3.34.3 Leadership and management are satisfactory. Actions to improve the school's performance have been taken, and some are effective, but they are not always monitored or evaluated well enough in order to assess their impact. Since the last inspection, all of the key issues identified have been addressed. The school provides satisfactory value for money and has the capacity to improve.

Grade: 3

**3.34.4 *Effectiveness and efficiency of the sixth form***

Inspectors agree with the school that the sixth form is good. It is well led and

managed. The curriculum offers an extensive range of academic courses and a growing number of vocational options which meets students' needs very well. Personal development in the sixth form is good. Students enter the sixth form with average attainment. They achieve very well because of the good teaching they receive and their very positive attitudes to learning. Attendance is good and the number of students who complete their courses is generally high, though this varies from subject to subject. Nearly all students progress to higher education at the end of Year 13.

Grade: 2

### 3.34.5 ***What the school should do to improve further***

- Monitor, evaluate and review more carefully all strategies used to raise achievement and standards and use the results to set more challenging targets.
- Ensure that best practice in teaching, learning and assessment is shared with all teachers.
- Continue to ensure that student review systems are implemented rigorously across all departments.
- Apply the behaviour policy more consistently across the school.

### 3.35 **Burley Park Centre (Pupil Referral Unit) (January 2006)**

3.35.1 This is a good unit; its previous designation as having serious weaknesses no longer applies. Overall, managers are accurate in their evaluation of the Centre's effectiveness and what else needs to be done; the Centre has the capacity to continue to improve at a good rate. Since the last inspection, the Centre has gone through difficult times. Initially, it failed to make adequate progress. Standards were at risk and managers could not ensure the health and welfare of staff and pupils. However, outstanding progress has been made now under the excellent leadership of the new headteacher. Achievement in all subjects is good as a result of effective teaching and a good curriculum. Adults are knowledgeable about their subjects and manage pupils' behaviour extremely well. However, even more could be done to teach each pupil in ways best suited to them individually. Provision for pupils' personal development is outstanding and as a result, pupils have greatly improved their attitudes to learning and behaviour. They have an excellent understanding of how to keep themselves fit, healthy and safe. While the attendance of most pupils has improved, a few pupils have persistently poor attendance and do not achieve as well as they should. Pupils receive outstanding care, support and guidance. Links with parents are good and those with other professionals excellent. The number of pupils returning to mainstream education has increased with no pupils returning to the Centre for a second time. This is a good measure of success. The cost of educating each pupil is very high because of the complexity of the pupils' needs. Nevertheless, taking account of the Centre's effectiveness, value for money is good.

Grade: 2

### 3.35.2 ***What the school should do to improve further***

- Raise achievement further by improving the quality of teaching particularly in catering for the different ways in which pupils learn.
- Continue to work with parents, carers and other professionals to improve attendance.

### **3.36 City of Leeds (Central Leeds Federation)**

3.36.1 Although the inspection has taken place, the report has not yet been published.

### **3.37 Crawshaw School (January 2006)**

3.37.1 In accordance with section 13 (3) of the Education Act 2005, HMCI is of the opinion that this school requires significant improvement, because it is performing significantly less well than in all the circumstances it could reasonably be expected to perform. The school is therefore given a notice to improve. Significant improvement is required in relation to: achievement and standards, teaching, learning, assessment and leadership and management.

3.37.2 In the aftermath of a serious fire in 2001 the school has recovered well. The headteacher, supported by his senior management team, has successfully led the school through years of turmoil caused by major building work. There is much to be proud of, including an impressive new school building providing a much improved environment for all students and newly acquired specialist college status in humanities.

3.37.3 The school judges itself as good. However, inspectors judge overall effectiveness as inadequate. Standards are broadly in line with national averages but from average prior attainment on entry, the progress that many students make, especially boys, is significantly below the national average. Actions taken to address key weaknesses have been slow to take effect. It is too early to assess the impact of specialist status on standards.

3.37.4 The overall quality of teaching and learning is inadequate. There are examples of good practice, but much of the teaching fails to engage all students and learning is sometimes subverted by poor behaviour. Assessment practices are inconsistent; too often students are given no indication of how well they are doing and what they need to do to improve. Some parents and students also identified these areas as a concern. Recently introduced review days to monitor progress, attended by students and their parents or carers, have been very well received.

3.37.5 Although inspectors recognised the many strengths of the school, leadership and management are judged to be inadequate because there has been insufficient focus on raising achievement and improving the quality of teaching and learning. Several of the issues from the previous inspection have been addressed but the pace of improvement has been slow in some areas, even when considering the past difficulties. Governors give good support to the school but they have been insufficiently challenging in key areas of raising achievement. The school provides satisfactory value for money and has the capacity to improve.

Grade: 4

#### **3.37.6 *Effectiveness and efficiency of the sixth form***

Inspectors agree with the school's view that quality of provision in the sixth form is good. Overall performance in advanced subsidiary (AS) and general certificate of education advanced level (GCE A-level) has risen steadily over the last three years. Consortium arrangements have secured provision which is unusually wide for a school sixth form, not only in the number of subjects on offer, but in the range of sporting and extracurricular opportunities. Arrangements for induction are particularly good, while common timetables and dedicated transport render courses at each centre easy to access. Systems to track and monitor students' performance

are effective. Sixth form provision is well led and managed, both in the consortium and in the school itself. Students' views are systematically collected and analysed, and are strongly and consistently positive.

Grade: 2

### 3.37.7 ***What the school should do to improve further***

- Raise the achievement of all students, in particular that of boys.
- Increase the proportion of good or better teaching by ensuring that it is focused on students' learning.
- Devise a wider range of strategies to promote students' personal development, including behaviour, and listen to their views.
- Ensure that the leadership and management of the school improve quality assurance arrangements to ensure a consistent and systematic approach to monitoring and evaluation of achievement and standards, teaching, learning and assessment.

### 3.38 **Guiseley School (May 2006)**

3.38.1 Inspectors agree with the school that it provides a good education for students. The school is well led and managed and the headteacher and senior leaders have a clear sense of purpose. They also have an accurate view of the school's strengths and weaknesses. Standards are well above average and students achieve well. However, achievement in science is not as good as that in English and mathematics. Achievement in the sixth form is good.

3.38.2 Students' personal development is good. They enjoy coming to school and behave well. They make an effective contribution to the school and the wider community, for example, through the active School Council and regular charity fundraising. Initiatives to improve teaching, learning and assessment have led to good teaching overall but the good practice is not yet consistent across all departments. Science and information and communication technology (ICT) are weaker subjects. Stronger departments include English, mathematics and design and technology.

3.38.3 The curriculum is good. It meets all learners' needs effectively and take-up of the wide range of extra-curricular activities is good. Care, guidance and support are good and make a valuable contribution to students' progress. The school has successfully tackled all key issues identified in the last inspection. Staff, parents', governors' and students' views contribute to the school's improvement planning. The school's evaluation of the effectiveness of improvements is not always sufficiently based on the students' performance. Target-setting systems for individual students are robust. However, senior leaders do not analyse the performance of students frequently enough to identify trends and take action where needed. New appointments and partnerships fostered by the school's specialist technology status have strengthened the school's capacity to improve. Governors know the school well and hold it to account effectively. The school provides good value for money.

Grade: 2

### 3.38.4 ***Effectiveness and efficiency of the sixth form***

The sixth form provides a good education for its students. About two-thirds of Year

11 students stay into the sixth form, and over 90% continue their studies into Year 13. Standards are above average and students make good progress and enjoy sixth form life. Teaching is good overall with some outstanding examples of independent learning and self and peer assessment. Assessment is robust and integral to the good pastoral and academic support and guidance which students appreciate. The school cooperates with other sixth forms and makes imaginative use of technology to offer a broad curriculum of both academic and vocational subjects. The diverse aspirations of students are met increasingly effectively. Students participate actively in the wide range of enrichment activities including mentoring programmes which offer opportunities to take responsibility for others. The leadership and management of the sixth form are good. Rigorous systems are in place to ensure that students are well prepared for the next phase of their personal and academic development.

Grade: 2

### 3.38.5 ***What the school should do to improve further***

- Raise the level of achievement in science and ICT
- Make management planning more effective by:
  - basing evaluation of effectiveness more on the outcomes for students; and
  - analysing trends in the performance of students more frequently and taking action on the findings.

### 3.39 **Hunslet Gate Centre (PRU) (May 2006)**

3.39.1 The Hunslet Gate Centre is a good unit that is moving forward at a considerable rate and has the capacity to continue to do so. Its previous designation as having serious weaknesses no longer applies. Students and parents speak very highly of the Centre and it is held in high esteem by headteachers and other professionals. Every student is valued and staff ensure all have equal opportunities to learn. Achievement is good overall, and is outstanding in mathematics, reading and speaking and listening. Equally, students make excellent progress in writing in English lessons, but this is not always the case when writing in other subjects. Teaching is good but teachers do not make sufficient use of targets in individual education plans (IEPs) when setting and marking work in subjects other than English and mathematics. This reduces students' rate of progress. The curriculum is satisfactory. It has many good features but careers education is an area for improvement. Furthermore, the building limits some activities, including outdoor breaks, sporting activities and the provision of hot meals. This affects students' chances to adopt healthy lifestyles. Good provision for personal development, alongside outstanding support, guidance and links with other professionals results in good behaviour and satisfactory attendance. In addition, it prepares students well for their return to mainstream schools and other appropriate provision. Leadership and management are good overall. That of the headteacher and acting teacher-in-charge is outstanding. Managers are mostly accurate in their evaluation of the unit's performance and their rigorous analysis of all aspects of the provision demonstrates an in-depth understanding of what the Centre does well and what needs to be improved. The cost of educating each student is high. However, taking account of the funding saved by keeping these complex and challenging students within the local authority, the Centre provides good value for money.

Grade: 2

### 3.39.2 ***What the school should do to improve further***

- Improve marking and the use of IEP targets related to the development of writing skills in other subjects to match the excellent practice found in mathematics and English.
- Provide better quality careers education and better facilities to encourage the adoption of healthy lifestyles.

### 3.40 **Intake High School Arts College (January 2006)**

3.40.1 In accordance with section 13 (4) of the Education Act 2005, HMCI is of the opinion that the school no longer requires special measures.

3.40.2 The school has been transformed by the outstanding leadership of the headteacher. Staff at all levels share a clear vision and have been empowered by simplified systems and structures that have underpinned and accelerated school improvement. As a result, barriers to learning have been removed; the school provides a satisfactory education for its pupils and is improving. Standards achieved by pupils remain below the national average but have risen since the last inspection. Pupils make at least satisfactory progress because of improvements in the quality of teaching and behaviour management, although not all have developed the skills which enable them to achieve as well as they can. Teaching is satisfactory with an increasing proportion that is good or better. Specialist Arts College status has made a valuable contribution to raising standards; good practice has been shared between subjects and strong links established within the wider community to raise achievement in the Arts. Pupils' behaviour and attitudes are satisfactory; most behave well and enjoy their lessons, although a minority requires skilful management to keep on track. Pupils are well cared for and supported, and this encourages them to develop healthy lifestyles, work hard and to develop their self-confidence as learners. The curriculum is satisfactory and has been re-designed to suit pupils' needs. There are further plans to broaden the curriculum for Year 7 pupils and in the sixth form. Partnerships with parents are improving as the school communicates higher expectations of its pupils, who generally feel safe and are loyal towards their school.

3.40.3 Senior and middle managers know the strengths and weaknesses of the school and this has enabled them to make good progress in all of the areas requiring improvement, although attendance and punctuality rates remain too low. They have laid secure foundations for the future. Staff confidence has been re-built, morale is high and there is a strong team spirit. External support from the local authority and the school improvement partner is both supportive and challenging. The school provides satisfactory value for money and is well placed to improve further.

Grade: 3

### 3.40.4 ***Effectiveness and efficiency of the sixth form***

The sixth form has continued to attract highly motivated students on to performing arts courses in recent years, although the curriculum is narrow and does not provide progression routes in a wide enough range of subjects. The school judges its overall effectiveness to be good and, based on available data, lesson observations, and discussion with students, inspectors agree with this assessment. Leadership of the sixth form is outstanding, and together with good teaching



secures outstanding achievement from a low baseline. Results at A level in 2005 show that students significantly exceeded targets based on their prior attainment. Retention rates are high and most students continue into further or higher education; students feel very well supported to make this transition, and regular tutorials ensure that they remain confident in their own developing skills. They feel that they have good opportunities to contribute to both the life of the school and the wider community, and very good opportunities to make their views heard and to find any help that they need.

Grade: 2

### 3.40.5 ***What the school should do to improve further***

Raise standards by continuing to:

- embed the culture of learning and develop pupils' independent learning skills so that they achieve as well as they can
- implement a curriculum more suited to the needs of all pupils
- build on and reinforce good behaviour to promote pupils' personal development and well-being
- improve attendance and punctuality to school.

## 3.41 **Morley High School (May 2006)**

3.41.1 This is a satisfactory and improving school with many good features. It provides good value for money. The headteacher came to the school in 2003, at a time when standards and staff morale were in decline. In a short time he has been the key driver in moving the school forward and bringing about some significant change. For example, behaviour and attendance have improved and standards at Key Stage 4 are rising. The school judged its overall effectiveness as good. However, these improvements have not yet raised the standards and progress made by students to a level which is better than satisfactory.

3.41.2 The majority of students enter the school with attainment levels that are broadly in line with national averages. The overall standard of attainment and progress made by students across all year groups is now satisfactory. However, achievement and standards at Key Stage 3 are not yet high enough. The quality of lessons across the school is varied, but good overall. Not all teachers are consistently matching work or providing sufficient challenge to students of all abilities. Equally, not all teachers deliver exciting lessons. The curriculum is outstanding and provides both innovative courses for students' personal development and learning pathways from 14 to 19. The school has specialist technology status which has impacted on curriculum development, raised standards at Key Stage 4 and improved links with partners in the local community.

3.41.3 The care, guidance, support and personal development of students are all good. Behaviour is good and attendance rates are broadly in line with national averages. The overall leadership and management of the school are good. The senior leadership team and governors provide strong leadership and direction. The school's self-evaluation shows that it generally knows its strengths and weaknesses well and the inspectors agree with all but the effectiveness judgement. The governors are supportive of the school and know it well.

3.41.4 Responses from the parents' questionnaire show that they are impressed by the changes which have taken place and believe that the school is heading in the right direction. These are views endorsed by the inspection team. The school has addressed the issues from the previous inspection well. While there remain areas for improvement, the capacity for the school to improve further is very good.

Grade: 3

3.41.5 ***Effectiveness and efficiency of the sixth form***

The many strengths and recent improvements in the sixth form have led the school to judge its effectiveness as good overall. However, these improvements have not yet had enough impact on the standards achieved and the progress made by students, which are satisfactory overall. Consequently, inspectors judge the sixth form to be satisfactory overall. Students of all abilities are welcomed into the sixth form providing they are prepared to work hard. Numbers have increased as a result of the excellent range of vocational and academic subjects on offer. Students now regard the sixth form as 'somewhere you go to succeed'. They are keen to work and value the support they receive from teachers: 'it's the teachers that make the subjects'. Leadership and management are consistently good as demonstrated by a clear, shared vision for getting the best deal for the students and the strong links with outside agencies.

Grade: 3

3.41.6 ***What the school should do to improve further***

- Provide consistent challenge to students of all abilities to raise their standards and achievement in each key stage.
- Ensure that the liveliness and excitement of teaching seen in the best lessons are evident across the school.

**3.42 Primrose High School (Central Leeds Federation) (March 2006)**

3.42.1 Primrose High is a rapidly improving school providing a satisfactory standard of education and value for money. The school has recently federated with a nearby secondary school. The process towards the opening of the new building is being expertly and strategically guided by the executive headteacher. The head of school and senior leadership team work unstintingly towards raising levels of achievement and standards throughout the school. This level of management is still developing at the middle tier level. The school is receiving valuable support from both Education Leeds and Leeds local authority.

3.42.2 The school's federated status contributes significantly towards the provision for the students. Principally, the reciprocal opportunities this has created to offer alternative placements and increased learning opportunities for some students. The federation also offers training opportunities with its numerous partners for staff and students, particularly those in the sixth form.

3.42.3 Students have welcomed the recent changes in the school, noting the impact of the positive behaviour for learning (PBFL) initiative which has reduced exclusions and improved behaviour.

3.42.4 Students' attainment on entry is very low. Although test and examination results are low, they represent satisfactory progress. Students recently arrived in the

United Kingdom with early English language acquisition receive exemplary support and make a good start to their life in school.

3.42.5 The quality of teaching and learning is at least satisfactory, with elements of good and outstanding practice. There is a lack of consistency across the school so that rates of progress are variable. The curriculum is satisfactory in meeting the needs of the students and there are proposed imminent changes to enhance and enrich this provision.

3.42.6 The majority of parents responding to the questionnaire are satisfied with the work of the school.

3.42.7 The school has persevered through recent upheaval and successfully addressed the points for action from the last inspection. Much is done to improve attendance which remains stubbornly low. The school has a good capacity to improve.

Grade: 3

3.42.8 ***Effectiveness and efficiency of the sixth form***

The school judges and inspectors agree that the effectiveness of the sixth form is good.

3.42.9 Standards are well below average in the sixth form, but students achieve well. The school builds courses for individuals, using good external links to supplement its narrow range of specialisms. Students are able to study at local colleges and, more recently, at the federation partnership school.

3.42.10 Through the school's federated status they foster strong links with local employers and organisations; for example St James' Hospital is able to offer a range of courses for sixth form students.

3.42.11 Students new to learning English are helped to exploit their high motivation effectively. Teaching and learning are good and students are well supported. They focus on their work, though they have too few opportunities for discussion, collaboration and independent learning. The curriculum is well matched to students' needs but the school has rightly identified the need to broaden the range of routes to appeal to a wider range of learners. The development of opportunities for enrichment is also a priority for the school. Sixth form students are able to offer support to younger students as translators or 'buddies.'

Grade: 2

3.42.12 ***What the school should do to improve further***

Further raise standards throughout the school by:

- ensuring that the successful features of teaching, identified in monitoring, are implemented by all staff in order that quality of teaching is consistently good or better
- continuing to address the minor weakness in curriculum so that all students have the best possible opportunities to achieve
- maintaining and developing the existing good practice designed to improve attendance so that more students benefit from uninterrupted learning.

### 3.43 Pudsey Grangefield School (May 2006)

- 3.43.1 This is a popular, satisfactory and improving school with a strong capacity to continue to develop. It is well led by an innovative and clear sighted headteacher, supported by a dedicated senior management team and an effective governing body. The school deploys its managers effectively. Planning is coherent, plans are well executed and their results are carefully monitored. This underlies the school's very obvious success in managing improvement. Most middle managers are effective. Most teaching is at least satisfactory and it was good in more than half of those lessons seen. However, teachers do not generally make enough use of assessment information to be able to tailor all lessons to the individual needs of all students. Staff morale is high, and both parents and students are well satisfied with the quality of teaching, the curriculum and the wide range of extra-curricular activities.
- 3.43.2 The school's recent rise in GCSE standards indicates that students now make satisfactory progress when their attainment in Year 6 is compared with that in Year 11. Progress between Year 7 and Year 9 was poor in recent years but strenuous efforts have been made to improve teaching and the curriculum. Though further improvement is still needed in National Curriculum test results in Year 9, in the majority of lessons seen students in this age range were making at least satisfactory progress. This was confirmed by the students' work and the teachers' marking records.
- 3.43.3 Behaviour is usually good but a few badly behaved students occasionally hinder the progress of lessons. The school is striving hard and with some success to reduce this disruption. Recent improvements to the policy for behaviour need to be applied more consistently throughout the school. Students are well cared for and guided and they develop well in their time at Grangefield.
- 3.43.4 The school manages its complex building well though the accommodation leaves much to be desired. Resources have been improved to a satisfactory level generally, and they are now good for information and communication technology (ICT). This is a major impact of Grangefield's specialist school status. Financial management is sound and the school gives satisfactory value for money.  
Grade: 3
- 3.43.5 ***Effectiveness and efficiency of the sixth form***  
The school judges the sixth form to be satisfactory and inspectors agree.
- 3.43.6 The performance of students has improved significantly over recent years. Results in 2005 indicate that students made better progress than might be expected from their results in Year 11. Information on the progress of current sixth form students indicates that they will make at least the progress expected nationally. Limited opportunities exist for students to work with the degree of independence necessary at this level.
- 3.43.7 Consortium arrangements with two other local schools ensure that there is a wide range of courses available to students. The sixth form is well led and managed.  
Grade: 3

### 3.43.8 **What the school should do to improve further**

- Raise standards of attainment further across all phases of the school.
- Improve the progress made by students, particularly during Key Stage 3.
- Improve the use of performance data on students' progress to tailor lessons better to meet individual needs.
- Embed behaviour policies so that they are understood, consistently applied and effective.

### 3.44 **St Mary's Catholic Comprehensive School, Menston (January 2006)**

3.44.1 St Mary's is a good school where a caring ethos provides a secure learning environment. The headteacher provides thoughtful and effective leadership within which sports college status has been clearly focused on improvement. Resources have been deployed carefully and match the school's improvement plan to raise achievement for all. Sixth form management is very good. The school provides good value for money. Parents are overwhelmingly supportive of the school and many have written at length to praise the efforts of individual teachers in supporting their children. Pupils are well cared for and are encouraged to contribute to the wider world. Staff and parents work together well and ensure above average attendance. The majority of teaching is good, and some is outstanding. Pupils enjoy their learning and achieve well. Standards in public examinations are very high and this also reflects good progress. Matters identified in the last inspection report have been addressed and improved, although limited progress in information and communication technology ICT provision remains an issue of concern. However, there has been well-considered and energetic attention to improvement in this area of the curriculum and the school is clear in its intention to ensure all pupils benefit from their entitlement to ICT.

3.44.2 The school is completing a rigorous self-review within each department. Strengths of that process reflect the school's ability to build on very good practice, and also to be open in identifying areas which need attention; these features contribute well to the school's undoubted capacity to improve. The school is well placed to move forward.

Grade: 2

### 3.44.3 **Effectiveness and efficiency of the sixth form**

The school judges effectiveness and efficiency of the sixth form to be good and inspectors agree. Teaching and learning are good and are sometimes outstanding. Students confirm that they enjoy their studies and that they are well supported both academically and personally.

3.44.4 The curriculum is satisfactory. In order to offer a selection of courses to meet the requirements and aspirations of its widening cohort of students, particularly for those students who do not benefit from studying traditional A levels, the school is involved in a growing collaboration with other local sixth forms. However, there are problems here, common to other schools, which mean that access to wider post 16 provision is not yet sufficiently utilised.

3.44.5 Leadership and management of the sixth form are very good. Students' progress is monitored and recorded well. Self evaluation is good with clearly identified strengths and weaknesses linked to actions needed to secure improvements. The

sixth form gives good value for money.

Grade: 2

#### 3.44.6 ***What the school should do to improve further***

- Ensure with some urgency that all pupils receive their entitlement to the full curriculum for ICT and citizenship.
- Monitor carefully the impact of the new curricular arrangements on the progress and achievement of all pupils.
- Building on the review of teaching and learning, look to raise the level of experience of pupils and students so that they grow as independent learners able to recognise and embrace creativity.
- Disseminate and permeate outstanding practice throughout the whole school.

#### 3.45 **Wetherby High School (June 2006)**

3.45.1 Wetherby High judges itself to be a school which provides a satisfactory quality of education for its pupils and inspectors agree. It is a popular school with some elements of good practice in management and teaching and learning but there are also areas that require significant improvement to ensure consistently good practice. The school does not consult widely with parents and pupils or act upon their views but recognises the need to do so more in the future. Personal development and well-being are satisfactory and behaviour observed during the inspection was good, despite concerns expressed by a significant minority of parents. Care, guidance and support for pupils are satisfactory. Although pupils receive good pastoral support, not all pupils are supported sufficiently well with learning. This is because not all teachers make enough use of assessment information to plan lessons to meet the individual needs of pupils. The curriculum generally meets statutory requirements and the needs of learners. Although standards of attainment are slightly higher than the national average in Key Stages 3 and 4, achievement of pupils could be better in all phases. Through their monitoring of teaching, learning and achievement, most leaders and managers know where strengths and weaknesses in subject departments occur. The newly developing leadership team have the capacity to ensure that improvements made since the last inspection can be sustained and built upon. The evidence seen in the inspection shows that most pupils make at least satisfactory progress in lessons and that pupils are on track to achieve challenging targets. Technology college status has brought about improvements to teaching and learning resources, the curriculum and partnership working. The school provides satisfactory value for money.

Grade: 3

#### 3.45.2 ***Effectiveness and efficiency of the sixth form***

The school and inspectors judge this to be a satisfactory and improving sixth form. Students receive good advice when choosing courses and considering university entrance. Academic progress is tracked well and students are aware of their targets. The curriculum generally meets the needs of students but enrichment activities are insufficient. The accommodation does not meet the needs of mature learners, inhibiting independent study and social development. Students have responsibilities for younger pupils but activities are not always sustained. Standards are below average at advanced supplementary (AS) level and almost

average at advanced general certificate of education GCE A2 level. Achievement is satisfactory and there is a picture of improvement, particularly at A2 level. The school is aware of underachievement at AS level and recognises that some students' needs would have been better met with more vocational courses, which the school is pursuing for next year. Students say teaching is good and data supports satisfactory teaching overall, with very good teaching in some subjects. None was seen during the inspection because of examinations. Leadership and management are satisfactory and the head of sixth form has a clear agenda for further improvements.

Grade: 3

**3.45.3 *What the school should do to improve further***

- raise levels of achievement across all phases of the school
- make more effective use of performance data to ensure that learners' individual needs are met
- continue to monitor the quality of management and teaching and learning so that consistently high quality can be achieved
- consult more widely with pupils and parents and consider their views as part of self-evaluation.

**3.46 Wortley High School (February 2006)**

3.46.1 Wortley High School is an improving school, which provides a satisfactory education for its pupils. Senior leaders understand the school's strengths and weaknesses. Decisive action to tackle low standards and underachievement has been taken. Pupils now make satisfactory progress, although weaknesses remain in the development of their basic skills.

3.46.2 The curriculum is well designed to meet pupils' needs. Achievement is now higher at Key Stage 4 in a wide range of subjects, although too few pupils achieve good passes in English and mathematics. The overall quality of teaching is satisfactory and is characterised by good features, although the pace of learning is uneven because pupils do not all have good work habits. Pupils' behaviour is satisfactory. However, the attitudes to learning and the behaviour of a small minority of pupils significantly hinder the learning of others. Pupils' personal development and well-being are satisfactory, whilst the care, guidance and support they receive are good.

3.46.3 Leadership and management are satisfactory. The two joint headteachers provide a strong steer for improvement. The impact of effective monitoring and evaluation means that senior and middle leaders have a clear and shared direction for future improvement. Targeted intervention strategies which are likely to raise standards are established, although the rigour with which these are evaluated is inconsistent. Governors understand the strengths and weaknesses of the school and hold it to account. Staff understand and share the commitment of leaders and managers; they work together as a team to make the changes necessary to bring about improvement. The school provides satisfactory value for money and has the capacity to improve further.

Grade: 3

#### 3.46.4 ***Effectiveness and efficiency of the sixth form***

Inspectors agree with the school that the sixth form, including its leadership and management, is satisfactory. Students enjoy a curriculum which is supported by a partnership with neighbouring schools to meet a broad range of needs. They appreciate good guidance and support to help them to mature as individuals. Students value supportive relationships with staff. The quality of teaching is satisfactory. Students are guided appropriately to help them develop their study skills and make satisfactory progress. An increasing number of students progress through to Year 13 and teachers work hard to ensure that students embark on courses that are suitable. The school recognises the need to provide more Level 1 courses, to meet the needs of some students who now leave at the end of Year 11. A high proportion of students pursue courses in higher education after leaving school. Standards improved in 2005 and most students met or exceeded their targets. The regular tracking of pupils' progress identifies underachievement and additional student support is provided to help them improve further. Students have opportunities to contribute to the life of the school community; for example, in mentoring younger pupils and team-building exercises to build self-confidence and the skills that will prepare them for life beyond school.

Grade: 3

#### 3.46.5 ***What the school should do to improve further***

Focus on raising standards and achievement by:

- ensuring that the tracking of pupils' progress towards achieving their targets is rigorous and consistent and leads to improved standards, particularly in English, mathematics and science
- improving the pupils' attitudes to learning and the behaviour of a small minority who significantly hinder the learning of others.

### **4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

4.1 The Education Leeds School Improvement Policy has been re-written and has taken account of the new Ofsted framework. A new system of categorising schools shows the contribution that schools can make in partnership, and establishes priorities for support and intervention. These new partnerships are being negotiated with schools and all schools will be working with a new category by October 2006.

### **5.0 LEGAL AND RESOURCE IMPLICATIONS**

5.1 The increased emphasis on achievement, including the progress made by pupils in higher attaining schools and the close scrutiny of the school's self-evaluation procedures, extends the risk from inspections to schools who formerly would have been judged as satisfactory or even good. The HMCI talks of 'raising the bar'. It will be important to maintain the support for schools to develop their self-evaluation and improve achievement. Nationally, about 10% of schools have been judged as inadequate.

### **6.0 CONCLUSIONS**

6.1 The inspections since September have presented new and rigorous challenges to schools. Leeds schools overall have responded well. However, the expectations of inspectors have increased and Education Leeds will need to support schools in



continuing to improve achievement and self-evaluation.

## **7.0 RECOMMENDATIONS**

7.1 The Board is asked to note the impact of the change in the inspection framework.

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**Agenda Item:**

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## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 18 OCTOBER 2006**

**SUBJECT: Report on schools causing concern**

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**Electoral wards Affected:**

**ALL WARDS**

**Specific Implications For:**

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in

(Details contained in the Report)

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### 1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to make members aware of the actions being followed to ensure that the schools causing the most serious concerns are being monitored, supported and challenged through planned interventions.

### 2.0 BACKGROUND

2.1 The terminology 'school causing concern' refers to those schools that have been identified by Ofsted as requiring special measures or those being given a notice to improve. In addition, schools are also identified by Education Leeds (School Improvement Policy April 2006) as needing immediate intervention and support due to them being a cause for serious concern which if not addressed would result in them being placed in an Ofsted category. Schools may also be a cause for concern due to temporary or short term circumstances that leave them vulnerable.

2.2 There are 14 primary schools judged as causing concern. There is one school in the Ofsted category 'special measures'. Two schools are in the Ofsted category 'notice to improve'. All of these schools are being provided with intensive support by Education Leeds and are making reasonable progress.

- 2.3 Eleven primary schools are in category 4 in accordance with the Education Leeds School Improvement Policy 2006. These schools will now take part in an Extended Partnership with Education Leeds, which includes the provision of intensive support, and the establishment of a task group and a governing body monitoring group, the Joint Review Group.
- 2.4 Two primary schools have undertaken full reviews with Education Leeds officers and have been found to be at least satisfactory and no longer causing concern.
- 2.5 This report evaluates the effectiveness of support from Education Leeds for schools causing concern. It reviews the impact of task groups, private consultants, school partnerships and school improvement partners.
- 2.6 Overall, support is effective where headteachers recognise the need and share this perception with governors, and where the school feels in control. Good relationships and trust in dealings with services are crucial and the reliable, persistent involvement of the adviser helps to maintain this climate. Support is most effective when it is part of a coherent strategy where services work well with each other and the school.
- 2.7 The new framework is more rigorous than before and places at risk a group of schools where attainment (or even overall achievement) is average or above but where the achievement of particular groups of young people is unsatisfactory. Advisers have worked with a broader range of schools this year, in particular working with leadership at all levels on evaluation.
- 2.8 A more detailed report is in the confidential part of this agenda under Access to Information Rules (10.4 1&2).

### **3.00 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

- 3.1 The new Education Leeds School Improvement Policy describes a revised system of categorising schools. This describes the contribution that schools can make in partnership, and help to establish priorities for support and intervention.
- 3.2 The public interest in maintaining the exemption in relation to the main report on this subject outweighs the public interest in disclosing the information by reason of the fact that the duty of Education Leeds in securing improvement and increased confidence in the schools concerned would be adversely affected by disclosure of the information

### **4.00 LEGAL AND RESOURCE IMPLICATIONS**

- 4.1 There is an increased emphasis in the new Ofsted inspection framework on achievement, including the progress made by pupils in higher attaining schools, together with a close scrutiny of the school's self evaluation procedures. This extends the risk from inspections to schools who formerly would have been judged as satisfactory or even good. The acting chief inspector talks of 'raising the bar'. It will be important to maintain the support for schools to develop their self evaluation and improve achievement. Nationally, about 10% of schools have been judged as inadequate.

## **5.00 CONCLUSIONS**

- 5.1 The inspections since September have presented new and rigorous challenges to schools. Leeds schools overall have responded well. However, the expectations of inspectors have increased and Education Leeds will need to support schools in continuing to improve achievement and self evaluation.

## **6.00 RECOMMENDATIONS**

- 6.1 The Executive Board is asked to note the contents of the report and to consider the actions taken in schools causing concern. The Board is also asked to note the impact of the change in the inspection framework.

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Agenda Item:  
Originator: Denise Preston  
Tel: 247 8395

**Report of the Director of Learning and Leisure**

**Executive Board**

**Date: 18th October 2006**

**Subject: Leeds Sports Trust – progress report**

**Electoral Wards Affected:**  
All

**Specific Implications for:**

Equality and Diversity	<input type="checkbox"/>
Community Cohesion	<input type="checkbox"/>
Narrowing the Gap	<input type="checkbox"/>

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**EXECUTIVE SUMMARY**

This report provides Executive Board with an update on progress made since the initial Executive Board decision, in March 2006, to the in principle transfer of the Sport and Active Recreation Service to a Non Profit Distributing Organisation (Trust).

The report also provides a summary of the implications to the Trust proposal from the publication, in June 2006, by the Audit Commission – “Public sport and recreation services – making them fit for the future”.

The report summarises progress within a number of key areas:

- Project management/governance;
- HR issues
  - Support Services
  - Consultation
- Property issues;
- Legal aspects;
- Financial issues.

Executive Board are requested:

- 1.1 To approve a charitable company limited by guarantee as the intended legal form of the Trust, with 19% Leeds City Council representation, as outlined under the Legal and resource implications section;
- 1.2 To recognise the reconsidered level of net annual savings from NNDR (rates)/ VAT

as being a maximum of £1,164,921 and an estimated minimum £725,921 per year, based on 2006/07;

- 1.3 To approve the increased, estimated set-up costs of £464,417 involved in creating the Trust, due to be committed over the 2006/07 and 2007/08 financial years.
- 1.4 To approve the next implementation stage of the Trust transfer through to March 2007, with a target date of 1<sup>st</sup> April 2008 for the Trust to become fully operational;
- 1.5 To note the key tasks to be addressed during the next implementation stage;
- 1.6 To approve the proposals for decision-making, with further progress reports provided to Executive Board at key moments throughout the process, in particular to formalise the legal establishment of the Trust and the formal approval to transfer staff and facilities to the Trust;
- 1.7 To note all other aspects of the report, the attached appendices and progress being made.

## **1.0 Purpose Of This Report**

- 1.1 This report provides Executive Board with an update on progress made since the initial Executive Board decision, in March 2006, to the in principle transfer of the Council's sport and recreation facilities and consequently the Sport and Active Recreation Service to a Non Profit Distributing Organisation (Trust).
- 1.2 The report seeks approval from Executive Board to progress to the next implementation stage of the Trust transfer, with a target date of 1<sup>st</sup> April 2008 for the Trust to become fully operational.

## **2.0 Background Information**

- 2.1 A previous report to Executive Board in March 2006 outlined the findings from an independent assessment of the Trust option by legal firm, Lawrence Graham, who have experience in establishing over 40 leisure Trusts across the United Kingdom. The appraisal undertaken by Lawrence Graham together with Peter Kay of Fusion highlighted the considerable annual savings that could be realised, as well as the opportunity to build on the successful current work of the Service.
- 2.2 After considering this report, Executive Board agreed in principle to the development of the Trust. The Board also agreed that all savings accruing from the establishment of the Trust be reinvested back into the Trust and the city's Leisure Centres to help maintain and improve service delivery.
- 2.3 **"Public sports and recreation services - Making them fit for the future", Audit Commission, June 2006.**

The Audit Commission produced a report earlier this year examining the current and future provision of public sport and recreation facilities. The report encouraged the need for local authorities to take a strategic approach in terms of sport and

recreation service provision, with partnership working encouraged with the private sector, education, health and neighbouring authorities.

- 2.4 In-house, private sector and Trust models of service provision were considered, with the conclusion that no particular model appeared to be more effective than another. The major change of the past 4 years has been a transfer of management from in-house to Trusts, with the private sector remaining static. The report noted that “the re-investment of significant levels of (VAT/NNDR) savings in sport and recreation provision was infrequent” and when invested these “tended to support maintenance budgets rather than assist... rationalisation and improvement of provision.”
- 2.5 A detailed options appraisal of leisure centre facility stock is recommended as key to the long-term facility provision plans for a local authority. This exercise has already been undertaken in Leeds with regard to the New Leaf PFI project and a similar, objective, detailed exercise is also currently underway for the remaining leisure centres, to provide a clear picture of planned future provision levels. As the Audit Commission notes that the strategic planning of local sport and recreation services is underdeveloped with little robust assessment of current private and public leisure provision, community needs and future demand it will be essential to include assessment of these issues in the options appraisal.
- 2.6 The report also highlights the need for improved performance management to demonstrate value for money, through the use of financial performance indicators and measurable social outcomes within delivery arrangements.
- 2.7 A potential weakness of the report is that little notice is given to the potential investment opportunities created by the Prudential code, especially when matched against the NNDR/VAT savings that a Trust solution provides. The report highlights the limited current numbers of authorities who have used prudential borrowing for new facilities, but does provide a case study on this. The report also notes that when externalising services “councils are missing opportunities to make efficiency savings in relation to central services.”
- 2.8 The report also found that “...all trusts within the study had invested in improved services”.

### **3.0 Main Issues**

- 3.1 A number of key work areas have been progressed since the March 2006 Executive Board report and a summary of the work undertaken in each of the following areas is outlined below:

- Project Management/ Governance
- Human Resources
- Property issues
- Legal issues
- Resource implications/ financial reassessment

### **3.2 Project Management/ Governance:**

A project board to oversee the development of the Sport Trust project was established in February 2006, currently chaired by the Director of Learning and Leisure. The project board includes officers from across both the Learning and Leisure Department and the council as a whole.

- 3.3 A project team was also formed in June 2006, chaired by the Head of Sport and Active Recreation. The project team also includes a range of both departmental and corporate officers.
- 3.4 Terms of reference have been agreed for both groups and their respective membership is included within the project initiation document (PID).
- 3.5 Dedicated staff positions have been created to drive the Trust development process forward. A Sports Trust officer post has been created within the Learning and Leisure Department on a 1 year secondment basis. A further full time post has been seconded for 18 months from Corporate HR. Finally, a Project Manager post within Development Department has been advertised to provide a full time project manager resource to the project on appointment. This officer is expected to be in post by the end of December 2006
- 3.6 Collectively, the various dedicated project officers, alongside the officers of the project board and project team, together with senior staff within the Sport and Active Recreation Service itself, there is now established an effective resource to ensure the successful implementation of the project. Importantly, the project is being progressed as a major corporate initiative
- 3.7 As noted above, a project initiation document has been developed for the project. The project plan is currently being finalised. The council's Project Assurance Unit will also consider the project.
- 3.8 Consideration has also been given in detail to the need for external project consultant support. In particular there was a concern that a Sports Trust had clearly never been established before in Leeds and it was felt that consultants with previous experience of establishing a Trust may be able to ensure that no significant issues were overlooked. However, after consideration of the initial project plan, it has been concluded that with the wide range of experience, knowledge and skills available across the local authority the need for consultant support at this stage is limited. Consultants will be called upon to act within a "critical friend" role in assessing the proposed project plan to ensure that it seems appropriate and that it provides an effective framework for progressing the Trust project. They will also be used to provide advice regarding specific areas of work where necessary.
- 3.9 It also needs to be recognised that there will be a need for a very clear separation of roles by the end of this next implementation stage (i.e. March 2007), to ensure there are clear lines of responsibility/accountability for both the emerging Trust and the council. Discussions are currently underway to determine the most appropriate project board arrangements upon establishment of the shadow Trust and taking into account any issues arising from the scheme of delegation proposed below.
- 3.10 A summary of the elements within the current Sport and Active Recreation Service that are planned to transfer to the Trust are detailed within Appendix 1.
- 3.11 **Scheme of delegation**
- 3.12 It is proposed that the following critical decisions will be taken in accordance with the usual delegation arrangements :
- Approval of completion of Stage 2 – Initiation phase (i.e. this report) and of the following subsequent project phases:

- Stage 3 – Moving to implementation 1 (October 2006 – March 2007) – leading up to the implementation of the shadow Trust board;
- Stage 4 – Moving to implementation 2 (April 2007 – March 2008) – the 1<sup>st</sup> year of the shadow Trust board being operational;
- Stage 5 – Implementation (April 2008) – full transfer and operation of the Trust;
- Stage 6 – Closure (April 2008 – June 2008)
- Approval of the principal terms of the agreements between the Council and the Trust, which sets out the Trust vision for the future provision of sport and active recreation services in Leeds. This will include the long-term objectives of the Council and the Trust and their shared objectives. This will explain how the Trust and the Council will work in partnership to deliver these objectives. As an appendix, the agreements will contain a Capital Investment Plan, which will set out proposals for the future of the sport and active recreation property portfolio under the Trust's stewardship. These will be further developed in partnership with the Council as the Trust moves forward ;
- Approval of the management fee arrangements and the delivery plans, which will set out the specific services to be implemented by the Trust during 2008/09;
- Approval of the City Council members of the Trust and the Trust Board;
- Approval of any agreements relevant to the transfer of staff;
- Approval to the grant of leases and licenses of all relevant properties;
- Approval to the financial arrangements, including insurance arrangements and pensions;
- Approval to enter into Service Level Agreements.

3.13 It is proposed that the remaining decisions required during the project will be dealt with by the Trust Project Board via delegated decisions by officers in accordance with the existing arrangements.

Where there are proposed or actual significant changes to project scope (including content, cost, quality and programme) a further report will be tabled to Executive Board.

### 3.14 **New Leaf Leisure Centre PFI project**

The Sport and Active Recreation Service/ Learning and Leisure Department is currently the client for the above PFI project, where it is proposed that the Trust will be responsible for the operational, day-to-day management of customer-facing service delivery. This is a new, innovative approach to leisure centre PFI projects, with HM Treasury recently endorsing such a proposal.

3.15 Clearly, as this is a new approach, there will be considerable interface issues to be resolved between the emerging Trust and the Council and, in turn, between the Council and the PFI contractor. These have yet to be discussed, but it is proposed that the Trust Project Board becomes the decision-making body for the issues relating to the Trust/ Council interface, via delegated decisions by officers, without the need to report back to Executive Board.

### 3.16 **Human Resources issues**

A central consideration will be the range of HR issues that need to be addressed within the Trust project. Key aspects include the TUPE transfer of staff and pursuing admitted body status with the West Yorkshire Pension Fund. The secondment of a project manager from Corporate HR, mentioned above, will be crucial in assisting in this area of the project. Further information regarding the progress made with the various HR issues will be reported back to Executive Board at a later date.

### 3.17 **A) Support Service implications**

The March 2006 Executive Board report noted the considerable current support service costs and the intention to initially buy these back from the Council via a service level agreement with each particular support service (corporate and departmental). A similar arrangement already exists between both Education Leeds and the housing ALMOs and the council.

- 3.18 Work has been undertaken within Learning and Leisure and Corporate Services to establish the current range of support functions undertaken, the amount/level of officer involvement in these functions and then the calculation of the current cost based on officer time, together with an allowance for office overheads.
- 3.19 The current, Support Services Review has been beneficial to this process, as support services are already being asked to undertake this work across the council.
- 3.20 With a baseline cost of support services now established, the next stage will be for service level agreements to be compiled, outlining the work that will be undertaken on behalf of the Trust.
- 3.21 It is anticipated that each of the service level agreements will be for an initial year, with options to extend into a second and third year, by which time the Trust will be in a stronger position to determine its future support requirements.
- 3.22 The Audit Commission highlighted the particular issue of support service costs within their recent study of public sports and recreation services. They indicated that a potential disadvantage of a Trust, is that overheads of council's central services, not transferred to the Trust, would be spread over fewer services, with the implications that there is an additional cost for the relevant council. The analysis work already undertaken has considered this issue, and the current Support Services Review will consider it further.

### 3.23 **B) Staff consultation**

Following the March Executive Board and the in principle approval to proceed, a letter and frequently asked questions information sheet was posted directly to all employees across the Sport and Active Recreation Service. This will be the single largest change to affect the Service and effective communication with staff has been recognised as being essential.

- 3.24 Further consultation opportunities with staff have been progressed through a variety of means, including:
- Internet pages established on the Leeds City Council website, providing an introduction to the Trust proposal and useful background material, together with a specific e-mail address to raise any questions/concerns (sporttrust@leeds.gov.uk). This is open to both staff and the general public.

- Trust visits to operating Trust. Staff visits have been undertaken to Kirklees, Salford and Barnsley to allow staff to discuss with colleagues within established Trusts issues that are relevant to them.
- Sport seminars are held on a quarterly basis to brief staff on progress being made and to allow for the opportunity for questions to be asked. These have also featured staff from established Trusts presenting their findings to staff.
- “Trackside” newsletter launched across the service to keep staff updated about the Trust, capital investment and other matters relating to the service.
- Development of further frequently asked questions sheets, to ensure consistent responses are provided to staff and customers.
- Monthly “sounding boards”, where senior managers can address issues raised within a small staff group.
- “Trust Champions” have been identified across the service to ensure that information and awareness about the Trust project can be effectively communicated across the diverse staff locations.
- Site visits to all leisure centres/ the sports development unit have been arranged for the Head of Sport and Active Recreation to brief staff personally and be available to respond to their questions.

### 3.25 **C) Public consultation**

3.26 Public consultation has been limited to date, although an area of the Council’s website has been developed to provide background information about the Trust project, including a copy of the March 2006 Executive Board report, a summary of the Lawrence Graham appraisal and a Frequently Asked Questions briefing note. An e-mail address specifically for Trust questions to be raised has also been established.

3.27 Further public consultation is planned should Executive Board accept this report. This will include:

- Specific customer Frequently Asked Questions handouts widely available to try to answer some of the key questions the public may have;
- Dedicated notice boards being established at all leisure centres, providing background information regarding Trusts and regular updates to users regarding progress being made;
- Comments forms available at all leisure centres for the public to express their opinions and raise any issues they may have. Replies will be published where possible on both the website and placed on the noticeboards in sites;
- Regular press releases to provide updates about the Trust’s development.

### 3.28 **D) Trade Union consultation**

3.29 Communication has been underway with GMB and Unison for some time, through briefings with the Head Of Service and, in the case of GMB, their proactive involvement within the Trust/PFI Communication Group. Efforts have also been made to engage with Unison in this group and, ideally both major unions will be involved shortly. The Unions have also been involved in staff seminars.

3.30 Leeds Sports Trust has been regularly discussed at departmental JCC meetings.

- 3.31 The first formal negotiation meeting with the Trade Unions is anticipated to take place following the October Executive Board meeting. Previously, a brief presentation at the Corporate JCC meeting on 14 July 2006 took place. The Unions had been asked to provide a comment with regard to the proposed transfer to a Sports Trust, based on the findings of the initial Lawrence Graham appraisal and the March 2006 Executive Board report. However, unfortunately no comment has since been received from the Unions to include within this report.
- 3.32 **Property Issues**
- 3.33 Initial consideration has been undertaken in respect of the proposed occupational arrangements of the buildings to be used by the Sports Trust.
- 3.34 At this stage consideration is being given to the type of lease arrangement that would be for granted both for the existing leisure recreation and sports centres and those replacement facilities that are being pursued through the New Leaf PFI Project and would be maintained by the PFI Contractor over 25 years.
- 3.35 In order for the Sports Trust to obtain the financial savings in respect of NNDR the Trust will need to be granted an interest in the properties so that they are the party who are responsible for the payment of NNDR and that this responsibility does not rest with the council.
- 3.36 In addition there are a number of the main heads of terms of any occupational arrangement that have to be agreed and assessed. The key ones are:
- (1) The term/length of the occupational arrangement.
  - (2) The rent payable under such an arrangement.
  - (3) The repairs/maintenance responsibility between the Sports Trust and the council for the buildings and sports equipment and the associated impact on the management fee for the Trust.
  - (4) Insurance arrangements for the buildings/premises.
  - (5) The right to charge the buildings in order to use them as security for loans.
  - (6) The right to transfer the arrangements to another party.
  - (7) The termination or surrender of the occupation either because the running of the facility is no longer viable or because the facility is being replaced elsewhere.
  - (8) Interface management arrangements between the council, Trust and PFI Contractor - fixtures, fittings and equipment.
- 3.37 In respect of the occupational arrangements initial consideration is being given to granting the Sports Trust a 25 year lease of the properties owned by the council. There will need to be further consideration to the occupational arrangements for the New Leaf PFI buildings.
- 3.38 A key factor to be considered in relation to determining the rent payable will be the likely effect on the council's VAT position, if the lease could be construed as a supply which was other than "non-business".
- 3.39 There may be consequential issues in relation to the valuation of the sports facilities, and the council's statutory obligation to dispose of land for the best consideration which can reasonably be obtained.



- 3.40 It is proposed that further work is undertaken in respect of the occupational arrangements and that once the terms are agreed these are approved by the Director of Development or referred back to the Executive Board as appropriate.
- 3.41 **Legal And Resource Implications**
- 3.42 **Legal Issues**
- 3.43 The Director of Legal and Democratic Services has taken advice from counsel in relation to the council's powers to enter into the proposed arrangements, and the need or otherwise for a competitive procurement exercise.
- 3.44 Counsel has expressed the clear view that in relation to establishing the legal vehicle for the Trust, acquiring charitable status for it, granting to it a lease of the leisure and recreation facilities , and making grants to it the council has sufficient powers under section 2 of the Local Government Act 2000 (the so-called 'well-being' powers).
- 3.45 S2(1) of the Local Government Act 2000 provides :
- Every local authority is to have power to do anything which they consider is likely to achieve any one of more of the following objectives –
- a. the promotion or improvement of the economic well-being of their area
  - b. the promotion or improvement of the social well-being of their area
  - c. the promotion or improvement of the environmental well-being of their area
- 3.46 Any one of the following categories may benefit from the use of the powers – the whole of the area; - part of the area; - all persons resident or present; - or any person resident or present. As government guidance points out: - "this should encompass all groups within a community (including ethnic minorities, women, faith communities, older people, young people and children, and disabled people as well as business, voluntary groups and other local organisations).
- 3.47 In determining whether, or how, to exercise this power, the council must have regard to its community strategy (Vision for Leeds).
- 3.48 It is notable that the Act does not require the council to be certain that well-being will be promoted or improved as a result of these arrangements, only that it considers it is likely. In addition, neither the Act nor the government guidance is prescriptive about how well-being, or its promotion or improvement are to be measured. The guidance states that these are matters for the local authority itself "taking account of their local circumstances". It follows therefore that the council has a broad discretion in deciding how to assess well-being in this context, and the contribution which these arrangements are likely to make to it.
- 3.49 In response to the question as to whether a procurement exercise is required, counsel has expressed the clear view that as the Sport and Active Recreation Service will be going outside of the council and will not be provided to or through the council, there will be no service contract or concession contract and therefore there is no procurement by the Council. It was counsel's view that the disposal of the whole of the premises and facilities is not, in itself, a procurement activity, and the fact that the lessee may be said to make use of what used to be the council's assets

(and may be again at the end of the lease) does not make it a concession contract – and there is no contract for services within the definition in the Public Contracts Regulations 2006. In those circumstances a full procurement exercise is not required.

- 3.50 The “Appraisal of Trust Option for Sports Services” by Lawrence Graham, solicitors, (at pgs.71-78) sets out the key characteristics and implications of various legal vehicles available for the sports trusts. That document, which was completed in October 2005, recommends that the most appropriate legal vehicle for the Trust would be a charitable company limited by guarantee.
- 3.51 One of the features of such a company is that it is not automatically exempt (as is an unincorporated charitable trust) from the rules relating to the capital finance effects of regulated company status. Following the repeal of relevant parts of the Local Authorities (Companies) Order 1995 and their awaited replacement by new regulations yet to be made by the Secretary of State there is some uncertainty as to the effects of regulated company status. Before the repeal, this status meant that certain capital finance transactions of a regulated company were treated as those of the Council itself. Until the agreements with the Trust are progressed further, it is unclear whether this status will be significant or not.
- 3.52 It is possible for a company limited by guarantee to avoid regulated status by retaining less than 20% of the total voting rights at general meetings of the company, and ensuring that less than 20% of the directors are persons associated with the council. Although holding such a minority interest might be thought disadvantageous to the council there were a number of other ways in which the council could seek to protect its position as a stakeholder. Those include:
- Provisions in the company’s rules requiring the Council’s agreement to certain fundamental changes
  - Additional voting rights on certain key decisions
  - A members’ agreement which would require the consent of the council to certain fundamental changes, such as a change in the company’s objects, or a change in voting rights, or changes to an agreed business plan
  - Provisions in the lease governing the level of services to be provided
- Although it is worth noting that if the company is to be successfully registered as a charity such protections would have to be consistent with the independence of the board to run the affairs of the company as charity trustees.
- 3.53 The Director of Legal Services has reviewed the analysis by Lawrence Graham, and supports their recommendation. The council have significant experience of the operation of a limited company structure, as opposed to unincorporated trusts. The majority of the council’s strategic and key partnerships (for example, Education Leeds and the Grand Theatre) have limited company status, and significant community and local partnerships (for example, the ALMOs) are companies limited by guarantee.
- 3.54 In summary, at the present time, it is considered prudent for the Trust to seek to avoid regulated company status and, at the same time, this should satisfy the need for the Trust to be regarded as independent from the Council for the purposes of registration of the Trust as a charity. Therefore, elected member representation on the company Board will need to be no more than 19.9%.

### 3.55 Resource implications

3.56 A number of resource aspects, in addition to the officer/consultant resource outlined in 3.2 above, have been further investigated since the March 2006 Executive Board report, as follows:

- Financial reassessment of the likely NNDR (rates) and VAT savings;
- Collation of the range of set-up costs that will be incurred in order to establish the Trust;
- Identification of the range of new costs that will need to be addressed by the Trust;
- Clarification of the various support service costs both at their current level and to identify if there will be any increases expected following the establishment of the Trust. (See 3.17 above)

#### 3.56.1 Financial reassessment

3.56.2 A sub-group of the main Project Team, including financial representatives from Learning and Leisure and from Corporate Services, including the taxation section, has conducted a thorough reassessment of the NNDR and VAT savings that can be expected to be generated by establishing the Trust, using 2006/07 budget information. These are summarised below, comparing with the 2005/06 used by Lawrence Graham.

3.56.3 The March 2006 Executive Board report outlined the expected new costs that the Trust would need to address, summarized as a cost of £559,000. Again, this has now been reconsidered, with the revised projection summarised below against the original figures:

	<b>Lawrence Graham appraisal</b>	<b>LCC reassessment</b>
NNDR savings	748,058	1,036,000
VAT savings	439,864	Best case: 600,000 Worst case: 161,000
<b>Total:</b>	<b>1,187,922</b>	<b>Best case: 1,636,000</b> <b>Worst case: 1,197,000</b>
Additional annual costs to the Trust/ Council	559,125	417,079
<b>Net annual saving -</b>	<b>628,797</b>	<b>Best case: 1,164,921</b> <b>Worst case: 725,921</b>

If the “best” case figure were fully converted to prudential borrowing, over a 15 year payback period, this would generate approximately £11m capital funding to reinvest into the service. Even the “worst” case figure would be able to generate approximately £7m in capital funding.

The VAT assessment in particular has proven to be a complicated and extensive exercise, with the difference between the “best” and “worse” case figure being achieved via the use of a “management fee” arrangement between the Council and the Trust. Such an arrangement is used by a number of Trusts already and has been supported by financial consultants who were specifically engaged to advice on this matter. Such a “management fee” arrangement would, however, be subject to final approval by HM Customs and Excise, a process which would have to be undertaken later in the Trust project.

It should also be noted that the VAT assessment is the combination of a range of different aspects and an assessment of their impact on one another. The VAT position will vary over time depending on the performance of the Trust and the type of activities undertaken. A more detailed explanation of the VAT assessment is included in Appendix 2.

It would therefore appear that the initial savings forecast within the Lawrence Graham report appear to be achievable following the reassessment exercise that has been undertaken.

One of the key stages in determining the level of savings is the development of the proposed business plan for the Sport Trust and its acceptance by the Trustees. Once the business plans are developed, in conjunction with a proposed investment plan, it will be possible to propose the eventual costs to the council, payable by the management fee. In addition it will be possible to confirm the costs to the council for managing the arrangements with the Trust. Approvals of these costs will be subject to the council’s budget approval processes.

**3.56.4 Set-up costs –**

3.56.5 A range of set-up costs were identified within the Lawrence Graham appraisal/ March Executive Board report. These have also been reconsidered and a revised list, including, where possible, dedicated internal officer costs, provided to give a more complete figure. These costs would be incurred over both the 2006/07 and 2007/08 financial years and also include a 10% contingency allowance:

	<b>Lawrence Graham appraisal/ Exec. Board – set-up costs</b>	<b>LCC reassessment – set-up costs</b>
<b>Total:</b>	<b>250,000</b>	<b>464,417</b>

3.56.6 The vast majority of these set-up costs relate to the Trust itself, with an estimated £281,971 being required prior to the Trust becoming fully operational. Lawrence Graham did not take any costs associated with the Trust itself into account within their appraisal. The identified costs include elements for officer support; professional advice (for property and legal aspects); branding; and Trustee recruitment and training.

3.56.7 In order to develop the project from the Trusts perspective, ensuring they have ownership of the initiative and are fully aware of the service being provided, etc. it is viewed as being important that a shadow Trust, together with key officer support, is established at an early stage. Importantly, this will also allow the key documentation

to be progressed and signed off, as the Trust will need to be involved in this process.

- 3.56.8 It is proposed such a body is ideally in place for the start of the 2007/08 financial year. Clearly there will be a number of costs associated with the shadow Trust for its' operation prior to the formal transfer in April 2008. These have been included within the above set-up cost estimate.

#### 4.0 Next steps

- 4.1 There are a number of key areas that need to be considered and taken forward as the Trust project develops. These include an agreed capital investment plan, informed by the options appraisal currently taking place; a detailed business plan for the Trust; and the property issues relating to the leases required for the facilities involved in the transfer.
- 4.2 Early consideration needs to be given to the **capital investment programme** that will be implemented following the transfer, so that the full costs, timescales and closure issues can be fully considered. There will obviously be an impact on current users as this work is implemented and communication with customers is vital so that this can be minimised and alternative provision considered where possible.
- 4.3 One of the key aims of the next stage of the project must be to **establish a shadow board of Trustees**, with the Trustees positions advertised and interviewed to ensure the correct blend of business and social enterprise skills that will be required to strategically take the Trust forward. This needs to happen to ensure ownership of the Trust sits firmly with the Trustees and they do not feel that they are responsible for the future of an organisation that they do not know in detail. Learning and Leisure have identified the cost of this resource, alongside the required officer support, as a budget pressure within the 2007/08 budget process. These costs are also included within the summary of set-up costs outlined above.
- 4.4 Equally, there is a need for key officers of the Trust to be appointed at an early stage, as these full time positions will be required to ensure the viewpoint of the Trust is represented in the various project developments taking place. This will also involve the procuring of legal advisors to assist the Trust. It is proposed that the Trust's Chief Executive post is in place for the start of the 2007/08 financial year. The Trust's Finance Director post would then be appointed to commence as of 1<sup>st</sup> October 2007. The Sports Trust Project Officer within the Learning and Leisure Department will also transfer as of the start of the 2007/08 financial year to work on the project from the Trust's perspective full time.
- 4.5 At this stage of the process, it is important that there is a clear separation of roles between those advising the Council on the Trust proposals and those who may at some time in the future be either a Trustee or a senior officer of the Trust. Therefore discussions are taking place with the Director of Legal and Democratic Services to ensure that appropriate and timely separation of roles and duties are established.
- 4.6 Formal Union negotiation will also commence during the next phase of the project, with monthly meetings being arranged to cover all relevant aspects of the Trust so that the Unions can be effectively engaged.

## **5.0 Conclusions**

- 5.1 Considerable progress has been towards the transfer of the Sport and Active Recreation Service to a Sports Trust. Project structures are now in place to drive this process forward over the coming months and ensure that an efficient transfer process takes place. This should lead to a Sports Trust being created that will be able to effectively improve the level of sport and active recreation provision offered to the citizens of the Leeds local authority area.
- 5.2 The financial reassessment appears to support and even enhance the conclusions made within the Lawrence Graham appraisal and the proposed tolerance levels should allow for the project to progress within an agreed parameter.
- 5.3 The intention is now to move forward within the various work streams established, especially in terms of moving towards an actual shadow Trust, so that the work undertaken can be shared and negotiated with this independent body. This is crucial to ensure that the majority of key items can be objectively agreed to and signed off.

## **6.0 Recommendations**

Executive Board are requested:

- 6.1 To approve a charitable company limited by guarantee as the intended legal form of the Trust, with 19.9% Leeds City Council representation, as outlined under the Legal and resource implications section;
- 6.2 To recognise the reconsidered level of net annual savings from NNDR (rates)/ VAT as being a maximum of £1,164,921 and an estimated minimum £725,921 per year, based on 2006/07;
- 6.3 To approve the increased, estimated set-up costs of £464,417 involved in creating the Trust, due to be committed over the 2006/07 and 2007/08 financial years;
- 6.4 To approve the next implementation stage of the Trust transfer through to March 2007, with a target date of 1<sup>st</sup> April 2008 for the Sports Trust to become fully operational;
- 6.5 To note the key tasks to be addressed during the next implementation stage;
- 6.6 To approve the proposals for decision-making, with further progress reports provided to Executive Board at key moments throughout the process, in particular to formalise the legal establishment of the Trust and the formal approval to transfer staff and facilities to the Trust;
- 6.7 To note all other aspects of this report, the attached appendices and progress being made.

## **Summary of Sport and Active Recreation Service elements to transfer**

- Aireborough Leisure Centre
- Armley Sport and Leisure Centre
- Bramley Baths
- Chippindale Swimming Pool, Otley
- East Leeds Leisure Centre
- Farsley Recreation Hall
- Fearnville Leisure Centre (incl. the full size all weather pitch)
- Garforth Squash & Leisure Centre
- Holt Park Leisure Centre
- John Charles Centre for Sport, incorporating:
  - South Leeds Stadium (including the 5-a-side pitches and the full size all weather pitch)
  - South Leeds Indoor Tennis Centre
  - South Leeds Indoor Athletics & Bowls Centre
- John Smeaton Leisure Centre
- Kippax Sports Centre
- Kirkstall Leisure Centre
- Middleton Leisure Centre
- Morley Leisure Centre
- Pudsey Leisure Centre
- Richmond Hill Recreation Hall
- Rothwell Sports Centre
- Scott Hall Sports Centre
- South Leeds Sports Centre
- Wetherby Leisure Centre
- Yeadon Tarn Sailing and Activity Centre
- Facilities – Resources section –
  - Senior management and support staff
- Sports Development Unit –
  - All staff within the current Sports Development Unit
- Head of Sport and Active Recreation

### **Please note:**

The Trust will not directly manage the various sports pitches or any Education based sports facilities.

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### Leeds Sports Trust – VAT calculation – background information

	Lawrence Graham appraisal	LCC reassessment
VAT savings	439,864	161,147(worst case)* 599,489(best case)*

\*These figures are still subject to amendment due to outstanding queries on:

- Leasing charges
- Level of internal costs to be re-allocated (on 442)
- Allocation of overhead costs to bars & catering
- Confirmation of current status of some income sources ( Bodyline, room & equipment lettings)
- Status of some sources of income /costs i.e. will they continue, will they be proper to the Trust?

#### VAT considerations

- The VAT saving is subject to a number of variable factors. The saving which is achieved by converting admission charges subject to VAT at 17.5% into charges which are exempt from VAT has to be offset by the cost of irrecoverable VAT incurred on expenditure relating to the exempt charges.
- Even though currently some of the income received by Learning & Leisure is already exempt, irrecoverable VAT on the related expenditure does not arise within the Council, due to the Council's status for VAT purposes. This status will not apply to the Trust and therefore irrecoverable VAT becomes a new cost.
- The difference between the worst and best case scenarios above is due to the calculation to determine the recovery rate which is applied to the VAT on the estimated expenditure by the Trust in a year. The calculation involves a number of variable elements and will therefore mean that the amount of recoverable VAT will fluctuate.
- The factor which will improve the Trust's ability to recover VAT on expenditure from the worst case scenario to the best case scenario is the nature of the funding between the Council and the Trust.
- If the funding comprises a management fee from the Trust to the Council on which VAT at 17.5% is charged, this improves the % recovery rate applied to the VAT on expenditure.
- The best case scenario assumes a management fee of £8m plus VAT of £1.4m which will be charged by the Trust to the Council. The Council should be able to recover the £1.4m VAT charged as part of the VAT on the Council's overhead expenditure.
- The basis for the management fee must be clearly described and the obligations between the parties defined within the contract for the funding between the Council and the Trust.

- Provided the nature of the service for which the management fee is paid comprises the Trust undertaking to continue the Council's ethos of providing affordable access to sports amenities, this should not impact adversely on procurement considerations.
- When new arrangements involving new supplies are entered into, it is prudent to obtain a ruling from HMRC that they are in agreement with the analysis of the VAT liability and the method of VAT recovery. This minimises the risk of HMRC assessing either the Council or the Trust for tax they may consider due.
- It is always possible that there could be a change in policy or legislation that will affect the VAT position of the Trust or the Council, but provided HMRC have agreed the treatment of transactions at the outset, they should not be able to take any retrospective action to assess for VAT.



Originator: Dennis Holmes  
 Tel: 74959

Report of the: Director of Adult Social Services

Executive Board

Date: 18<sup>th</sup> October 2006

Subject: **Commissioning Plan for Day Services for Disabled People**

**Electoral Wards Affected: All**

**Specific Implications For:**

Equality and Diversity	<input checked="" type="checkbox"/>
Community Cohesion	<input checked="" type="checkbox"/>
Narrowing the Gap	<input type="checkbox"/>

Eligible for Call In

Not Eligible for Call In  
 (Details contained in the report)

**Executive Summary**

In December 2005, Executive Board agreed the principles on which the Social Services Department's Commissioning Strategy for Adult Day Services would be based. It also agreed to the preparation of a commissioning plan for day services for each of the four main adult service user groups (older people, people with learning disability, disabled people and people experiencing mental illness) for approval by Executive Board.

This report presents the proposals for day services for disabled people with physical and sensory impairments. In 2005 in response to a number of drivers the Social Services Department commissioned a strategic review of its existing day services for disabled people. This detailed review was undertaken by the Leeds Disability Modernisation Team and provides a comprehensive set of recommendations. It is proposed that these recommendations will provide the basis for future plans for the service.

The vision for day services as set out in this report will enable disabled people in Leeds to be less isolated and marginalised. They will have greater access to the same non-segregated, mainstream community, social, leisure and educational opportunities enjoyed by non disabled residents in Leeds.

The report indicates the current position with regard to day services provided by the Social Services Department for disabled people and sets out the proposed new service model. It recommends that members adopt the new service model.

## **1.0 Purpose of the Report**

1.1 The purpose of this report is to set out proposals for the modernisation of day services for disabled people with particular reference to the three existing Social Services Department Resource Centres. It describes a more person centred service model based on meeting an individual's assessed needs flexibly, in their local communities and, wherever possible, within mainstream services rather than in settings catering only for disabled people. This approach supports the outcome of consultation on the future needs and wishes of disabled adults.

## **2.0 Background**

2.1. The recent White Paper 'Our Health, Our Care, Our Say' calls for a radical and sustained shift in the way health and social care services are delivered to do more to tackle inequalities and improve access to community services through a greater emphasis on individualised provision. This also recognises the continuing move away from former models of institutional care. Recent draft guidance on inspection in adult services emphasises the importance of this.

2.2. The Long-term (Neurological) Conditions National Service Framework (NSF) was launched in March 2005. The NSF aims to transform the way health and social care services support people to live with long-term neurological conditions. Key themes are independent living, care planned around the needs and choices of the individual, easier, timely access to services and joint working across all agencies and disciplines involved.

2.3. 'Improving the Life Chances of Disabled People' (a recent report from the Government's Office for Disability Issues) emphasises the importance of providing services for disabled people which are personalised according to individual needs and circumstances and which maximise choice and control.

2.4. Making Leeds Better (MLB) is a collaborative programme of all organisations in health and social care across Leeds to develop a collective single vision for their services and to deliver this on the ground. The central thrust of MLB is to move services away from hospital, where appropriate, and into the community. In order to achieve this, a number of 'care pathways' have been developed. A new day service for disabled people has great potential to support the rehabilitative and preventative parts of some care pathways by formalising and building on existing partnership work with NHS teams.

2.5. Within this national and local strategic context, this report is concerned with the day service provided for disabled people by the three Social Services Department Resource Centres, all of which provide a city-wide service:

- Clifford Brooke, on the Roundhay Road site, Leeds 7
- Mariners on Hunslet Hall Road Leeds 11
- Osmondthorpe on Osmondthorpe Lane, Leeds 9.

These Centres operate on a Monday to Friday basis, have a total of 115 places available daily, are currently providing a service to over 250 users and together cost approximately £1,459,000 per annum to run.

2.6. In 2003 the service users' committee of the Clifford Brooke Resource Centre lodged a complaint which centred on the concerns of some service users about the long-term future of the centre. In August 2005, the stage three complaint panel recommended that there be an independent review of day services for disabled people in Leeds.

2.7. The Leeds Disability Modernisation Team agreed to undertake this in-depth review. The purpose of the review was to assess the extent to which the existing provision met the day service requirements of disabled people in Leeds and, as appropriate, to put forward recommendations as to how the available resources could be configured in order to better meet those needs. It was seen as an opportunity to address what kind of support disabled people need during the day in order to do the things that they want to do.

2.8. The review was overseen by a Project Board which included representatives from all key stakeholder groups. Disabled people were involved in all aspects of the process including membership of the Project Board and participation in the formal consultation events. The final version of the review report, entitled 'Seize the Day' was issued in June 2006. 'Seize the Day' has been approved by the Leeds Disability Modernisation Team and has been accepted by the Social Services Department as the basis for the future planning of the service. The new service model proposed is fully consistent with the principles of the overarching commissioning strategy for adult day services and with the developments in the other service areas.

### **3.0 Main issues with the current service**

3.1. The Resource Centres provide a building based service with the majority of staff time devoted to providing support within the building in group settings. There is a concern that this focus on building based provision represents a barrier to social inclusion. It is difficult for staff to go out from the building to help individual service users pursue goals in their local communities or in mainstream services.

3.2. The Resource Centres offer open-ended membership to their service users which tends to result in long term attendance over a number of years. This reflects the fact that the current service is not proactive in supporting service users in moving on into other more mainstream services. The current position is that 86% of service users have been attending their Resource Centre for over three years and 34% for over ten years.

3.3. In addition, there is a concern that some people are unwilling to use the current services because they consider them too stigmatising and limited in terms of choice and range of opportunities and that the Centres do not meet the aspirations of a new generation of disabled people. Of current service users less than 20% are under the age of forty.

3.4. In a building based service, users are expected to travel to the service and this has implications for access – for example users who live in more outlying communities a long way from a centre.

### **4.0 Key components of the new service**

4.1. A new overall vision for day services for disabled people in Leeds needs to be established: a service which works in partnership with disabled people to empower them to remove barriers to life opportunities and improve their quality of life, independence, sense of well-being and health.

4.2. The main components of the proposed new service model are:

- A person centred, individualised service with a focus on promoting the independence of service users. The service will be purposeful and will aim at achieving agreed outcomes with the service user who will pursue a programme tailored to their needs.

- There will be greater emphasis on staff in the service working flexibly in different settings to provide direct support to service users accessing mainstream services. This will enable service users to pursue opportunities in their local communities in such areas as education, training, leisure activities and employment.
- There will be a smaller building based service component for service users with specific needs and greater clarity about the role of buildings within day services for disabled people: as a base for sessional programmes; specialist support; a safe, non-judgemental, supportive environment and intensive rehabilitation work.
- The new service will seek to address both health and social care needs by exploring opportunities for more formalised integration with relevant health providers to ensure access to preventative and rehabilitative health services. Health and well being promotion will also be an important feature of the service.
- Transport, as a resource, must be flexible and allocated fairly and on the basis of greatest need if it is going to support the development of the new service. There is an existing Travel Trainer Scheme which provides training for those who need extra help or support to make journeys safely on their own using public transport. Further development of this scheme will be considered as part of the transport strategy.
- There will be arrangements to enable disabled people to be involved in the development, leadership and delivery of the new day service. This represents an important opportunity to build skills and confidence and to use the experience and expertise of disabled people.
- Individuals will be offered the opportunity to receive a Direct Payment from the Local Authority as an alternative to direct service provision.
- This will be a service for disabled people with eligible needs and there will be clear information produced about who the service is for, what it offers and how to access it.

## **5.0 Consultation.**

5.1. The review process undertaken by the Leeds Disability Modernisation Team was an inclusive one. Disabled people were involved as members of the Project Board and were invited to both consultation and stakeholder events. This included both disabled people who attend the Resource Centres and others who do not. Similarly there was engagement with other key stakeholders.

5.2. The review report - 'Seize the Day' – was issued first as a draft for consultation and was circulated widely for comment. The final version of the report was amended to take account of comments received.

5.3. The current service users who attend the Resource Centres were provided with support to enable them to produce a substantial and detailed response, entitled 'Our Shelter from the Wolves'. This shows that some current service users have a strong attachment to the existing service and that they value what it offers – particularly with regard to companionship and mutual support. This response includes many useful points about the experience of disabled people which will need taken account of in the implementation process.

5.4. Because of plans to vacate the Roundhay Road site there has been a programme of consultation with all services and service users currently on that site. Service users attending the Clifford Brooke Centre have therefore also been involved in that process.

5.5. Overall the consultation process elicited a wide range of views and ideas about what the service should look like in the future, many of which have been incorporated into the design of the new service model. These are summarised in Addendum 3.

5.6. There will be a comparable level of engagement with disabled people when it comes to the development of detailed implementation plans.

## **6.0 Proposal for implementation**

6.1. A project management approach will be adopted to support implementation of the new service model. A detailed project plan will be developed covering all aspects of implementation.

6.2. It should be noted that the Social Services Department already provides the Kellet Outreach Support Service (KOSS). Working on a relatively small scale KOSS supports adults with physical and sensory impairments to access community facilities, transport and learning resources throughout the Leeds area. KOSS and the Travel Trainer Scheme (referred to previously) were developed at an earlier partial Resource Centre re-provision. The experience gained in setting up and operating these services will be very relevant to the planning for the new day service. There is a waiting list for this service.

6.3. There will be two strands to the implementation process: new users who will access the individual service as soon as it is available and existing service users. Existing service users will be offered appropriate support as some of them have been using the service for many years and may find it hard to adjust to a new approach. They will receive a review of their needs and those requiring ongoing support will receive this either within the new service model or within other appropriate provision, taking account of both their needs and preferences. This process will also need to be sensitive to service user views with regard to maintaining valued social networks.

## **7.0. Plan to vacate the Roundhay Road site**

7.1. As already indicated there is a specific issue with regard to the Clifford Brooke Centre because of the plan for all services to leave the Roundhay Road site. This decision was made by Executive Board on 21<sup>st</sup> September 2005.

7.2. Given the fact that the new service model will be less building-based this provides a natural opportunity to move in that direction. It is therefore proposed that there will not be a separate, building-based re-provision of Clifford Brooke Resource Centre when the Centre leaves the Roundhay Road site. This will free staff to work in the more flexible, person-centred way envisaged in the new service model.

7.3. Clifford Brooke only has a relatively small number of service users attending. The Centre has 36 users on its register, twelve of whom also have places at other Day Centres. Daily attendance varies between five and sixteen.

7.4. Service users at Clifford Brooke have had the opportunity to be involved in the consultation process relating to the future of the resource centres already described (see Section 5). In addition they have been part of the consultation process which has included all services and service users currently on the Roundhay Road site. As part of this all users at Clifford Brooke have received a letter about the plan to vacate the site. The letter invited

them to raise concerns with a named contact in the Roundhay Road Project Team. Following this there was a meeting with two service users. In addition the Clifford Brooke Users Committee has met twice with members of the Roundhay Road Project Team to talk about the future of the Centre.

7.5. A clear, agreed position about the future of Clifford Brooke has not emerged from this consultation with service users. Some feel strongly that there should be a full, building-based re-provision. Others are more concerned simply to have an assurance that they will continue to receive a service that suits them. It is clear that for some users who have attended a long time the loss of the existing provision will be difficult and the change process will require sensitive handling.

7.6. As part of the work to implement the new service model all users will have a review of their needs and will have an opportunity to talk about their views and preferences. In the light of the consultation it is anticipated that some users will have a strong wish to remain together as a group and to continue to receive a similar type of service. It is envisaged that it will be possible to provide this either at one of the other Resource Centres or within other appropriate provision.

7.7. Although users at Clifford Brooke have been involved in the different consultation processes to date, that has not included consultation on the specific proposal that there should be no separate, building-based re-provision of Clifford Brooke. It is proposed to undertake that once Members have approved both the new service model and the recommendations relating to Clifford Brooke. It is envisaged that this consultation can be focused on that one issue because the service users are now well aware of both the proposals for the new service model and the plan to vacate the Roundhay Road site. It is anticipated that this final piece of consultation can be completed within six weeks.

## **8.0 Resource Implications**

8.1. A business case will identify how current resources (both revenue and capital) can be re-invested in order to deliver the new service model on a cost neutral basis.

8.2. An options appraisal will be carried out as part of the business plan to ensure that the proposals for the new service design will offer “Best Value” for the people of Leeds.

## **9.0 Specific Implications for Ethnic Minorities & Disability Groups**

9.1. This plan places significant emphasis on person centred planning for individuals and on the development of services and support networks within a person’s local community. Those from ethnic minorities should be able to access services that reflect their cultural and religious backgrounds as well as their care needs.

9.2. A service with a wider range of community links, as opposed to the traditional building base will have greater flexibility to meet the needs of service users from different BME communities.

## **10.0 Conclusion**

10.1. We have to modernise our day services for disabled adults in order to achieve better outcomes for the users of the service. We need a new service model which promotes independence and which will better reflect the expectations of a new generation of services users. This service redesign will ensure opportunities for users to access locally based universal and specialist day services as a replacement for large outdated centres. This



increase in choice and control will support greater social inclusion and increasing participation in people's local communities.

10.2. In addition it is necessary to respond to a number of other drivers:

- to comply with statutory guidelines,
- to ensure that the service contributes to the corporate health, well being and social inclusion agenda,
- to achieve consistency in all adult day services through the application of the agreed commissioning strategy.

## **11.0 Recommendations**

11.1 Members are asked to agree the proposals for day services for disabled people as outlined in this report.

11.2 Members are asked to agree the implementation of the proposed new service model.

11.3 Members are asked to note the proposal that in the context of the new service model a separate, building-based reprovion of Clifford Brooke Resource Centre would not be appropriate when the centre leaves the Roundhay Road site given the available spare capacity at other centres.

11.4 Members are asked to agree that consultation should be undertaken with the service users at Clifford Brooke on the proposal that there should be no separate building-based reprovion of that centre and Members are asked to receive a report on the outcome of that consultation.

## **Addendum 1 Case Scenario: Mike**

Mike sustained a traumatic brain injury in an industrial accident in July 2004. His goal is, as far as possible, to return his life to where it was before his accident when he worked full time. Mike is clear about his personal needs and adamant about the types of support he wants from services: He wants support to access training, to access employment, to rebuild his confidence and he wants the opportunity to learn from and share experiences with other people with brain injuries to better manage his life with his newly acquired condition. He also wants support to start using public transport again. He aspires to the day when he can tell support staff and health professionals that he no longer needs them.

What the current service means to Mike: – makes the most of and gets great benefit from confidence-building courses, the head injury group, the transport support service and some other courses that are put on. However, staffing tied up in centre-based activity does not allow him to be supported in other locations as much as he'd like. High demand on the outreach service means that he can't receive that service for the time being. Furthermore, until he gains sufficient confidence and skills to start using public transport again, he is dependant on a transport service that brings him to the resource centre in the morning and doesn't take him home until late afternoon. Mike lives in Pudsey and resents having to spend many hours at the resource centre when he only wants to attend a specific hour-long session and then leave. He finds that the large number of people who attend the resource centre means that staff do not have the time to work with him as intensively on his support plan as he would like. This leads to him feeling that time spent at the resource centre outside his specific groups and programmes is not particularly constructive for him.

What the review proposals could mean to Mike: - the different options available within the new service are discussed with Mike and an appropriate combination of sessions and support is agreed. Review intervals are agreed to measure progress against goals. As there are fewer people using the resource centre at any given time and more of staff time is now dedicated to outreach support, Mike is able to receive better one-to-one support in his own surroundings, and support that is tailored to his individual needs. A new flexible transport service means that he can attend group sessions, although his increasing confidence in using public transport means that he will soon be making his own way to these. Furthermore, through staff increasingly facilitating sessions at different accessible venues around the city and not only at the resource centres, Mike can take advantage of programmes that are occasionally run in West Leeds.

## **Addendum 2 Case Scenario: Ruhina**

Ruhina is a disabled young person who has attended mainstream schools and is now in the sixth form. Although very close to her parents, Ruhina wants to move into her own flat and attend a local college course. Ruhina is clear about the support that she will need in order to make this transition. She wants support to move including practical advice on accessible properties, adaptations, benefits, budgeting and other independent living skills.

### What the current service means to Ruhina: -

Ruhina has no interest in attending a resource centre for disabled people. She wants support to come to her and to be available on the telephone as and when she requires it. She also believes that a service centred on a large building will struggle to meet her cultural needs. Ruhina gets support from the outreach service.

### What the review proposals could mean to Ruhina: -

The shift from a buildings-centred to a community-centred service means that more staff time can be dedicated to equipping Ruhina with the skills to obtain and maintain her own accommodation. The new staffing profile also means that a worker with an understanding of Ruhina's cultural needs can be allocated. The worker spends time with Ruhina to draw up a detailed plan for the steps she needs to take and this plan is regularly reviewed to measure progress. Once the process of actually getting an accessible flat has been worked through, arrangements have been made for Ruhina to get support with budgeting and independent living from a local Young Peoples Housing Support Service. The worker advises the Young Peoples Housing Service on how they become more accessible to Ruhina and to other young disabled people.





Originator: Jim Wilson

Tel: 78701

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**Report of the Director of Adult Services**

**Executive Board**

**Date: 18<sup>th</sup> October 2006**

**Subject: Outline plan for The Breece, Scarborough, to comply with the Short Breaks Policy**

**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

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**EXECUTIVE SUMMARY**

- **“The Breece” is a holiday home in Scarborough owned and run by Leeds City Council.**
- **It is not part of the Council’s core business and it does not fit with the council’s agreed policy on short breaks.**
- **The decreasing occupancy rate at The Breece, coupled with the increasing financial subsidy paid by Leeds Social Services, mean that it is no longer operationally or economically viable.**
- **It is proposed that alternative arrangements are made for people needing a short break and that The Breece is deemed surplus to requirements**
- **Approval is sought for the outline plan**

## 1.0 Purpose of this Report

- 1.1 To seek agreement for the outline plan for The Breece - as detailed in Section 3.5 of this report

## 2.0 Background Information

- 2.1 The Breece is a holiday home for people with care needs and as such it is registered as a residential care home. It has 33 rooms (17 singles, 16 doubles), and following an earlier refurbishment it was made compliant with the Disability Discrimination Act access requirements in 2004. However less than 50% of the rooms have level access and only two of the rooms offer access to wheelchair users. These two rooms are the only ones that provide full en suite facilities.
- 2.2. There are 30 staff employed at The Breece – all of whom live locally.
- 2.3 The property is owned by Leeds City Council and has been used as a holiday home for 27 years. The property is valued at a range of between £500K and £700K (range reflects the property values in the area)
- 2.4 A Best Value review in 2000 stated that The Breece was not core business and should be self financing. However despite various attempts it still requires a subsidy from the Social Services Department. For the financial year 2006 /07 the subsidy is estimated to be £348,000
- 2.5 Attendance at The Breece has decreased over the years and recent attempts to market it have had no impact on arresting this decline in usage. (see table below)

2002/03	2003/04	2004/05	2005/06	2006/07(est)
83%	64%	60%	54%	50%

- 2.6 A policy statement on “short-term breaks for adults with care needs and / or their carers” was agreed by the Executive Board on 6/7/05. The policy concluded that short term breaks would be given in response to assessed and eligible needs as identified in the user or carer’s care plan. Furthermore it was agreed that assessed and eligible needs should be responded to by giving a choice of service provision including Direct Payments.
- 2.7 The Breece is not compliant with the policy statement as service users are not assessed and for those who may be eligible for a short break, choice is restricted by the Department’s investment into a holiday home in Scarborough. In addition 19% of visitors ( for the period January 2006 to September 2006 ) are not Leeds residents.
- 2.8 The Breece has a low take up of visitors from the black and minority ethnic communities in Leeds. The cultural and religious needs of people from Black and Minority Ethnic communities are more likely to be met through the approach, advocated in this paper, which is focused on individual need.

### **3.0 Main Issues**

3.1 Options that have been considered for the future of The Breece include:

3.2 *Making it self-financing.*

3.2.1 Following the Best Value review, in 2000, the subsidy to The Breece was reduced with the intention of removing it completely. The consequence of this action was an immediate fall in occupancy resulting in higher unit costs. The subsidy was re-introduced and additional incentives have been introduced in the form of lower rates in the off season.

3.3 *Disposing of The Breece as a going concern and to make arrangements for the current visitors to continue having holidays there.*

3.3.1 A holiday / care home is not considered commercially viable. The majority of other holiday homes in the area (including those run by charities and benevolent societies) have closed down.

3.4 *Disposal of The Breece for future use as a care home with the option for Leeds Social Services to purchase respite beds*

3.4.1 There is no shortage of capacity or choice regarding residential care provision for older people in Scarborough. In fact the North Yorkshire County Council's policy is to reduce the residential care provision and re-invest into extra care housing for older people. These factors, combined with the homes location and its layout, mean that it has little appeal to either the local authority or the independent sector.

3.5 *To dispose of The Breece and develop alternative arrangements for service users – the "outline plan"*

3.5.1 Commitments made to current visitors would be fulfilled up to the end of the calendar year. This would allow for the Christmas holiday period to be covered with the intention that the unit would not re-open after its annual closure in January.

3.5.2 In keeping with the agreed policy on short breaks Leeds residents with eligible needs would be able to choose from a number of options:

- A direct payment
- A short break in an independent sector care home
- A respite placement in a local authority facility

3.5.3 Carers would be given support through the existing "Time For Carers" scheme which is administered by the Leeds Carers Centre and funded from the Carers Grant. This scheme, which gives carers the opportunity to apply for grants to be used for respite, would be extended and the existing nomination process could be revised to make it more democratic and accessible to local communities.

- 3.6 Consultation and Communication
  - 3.6.1 Consultation will take place with people from Leeds who use The Breece regularly and those who are booked in for future visits. Guests will be given the opportunity to be assessed for alternative provision as described in 3.5 (above)
  - 3.6.2 Consultation with the staff at The Breece and their Unions will be conducted under the employment legislation which requires a statutory 3 month consultation period.
  - 3.6.3 Consultation with Elected Members will be maintained throughout the period of transition.

3.7 Dealing with the disposal and future use of The Breece

- 3.7.1 The Breece building would be subject to disposal at full market value

**4. Implications for Council Policy and Governance**

- 4.1 The plan to dispose of The Breece, and to offer instead access to short breaks for eligible service users that provide greater choice, is in keeping with the Council's policy on short breaks

**5. Legal and Resource Implications**

- 5.2 Staff working at The Breece would be subject to employment legislation that requires a statutory period of notice and negotiations with regard to their severance. Leeds Social Services Human Resource section would liaise with North Yorkshire Social Services to identify alternative employment opportunities, within the care sector, in and around the Scarborough area.
- 5.3 Disposal of the building will be in accordance with Asset Management guidelines and in compliance with legal requirements. The Deeds of the property do not contain any impediment to disposal.
- 5.4 Financial deficit (subsidy)

2002/03	2003/04	2004/05	2005/06	2006/07 (est)
£194,995	£292,435	£271,899 <sup>1</sup>	£238,083 <sup>2</sup>	£348,000

Subsidy (incl. transport) per resident, per week<sup>3</sup>

Leeds resident	Non-Leeds resident	Average
£232	£130	£219

Notes <sup>1,2</sup> Transport costs (O/E £15,000) were not re-charged to The Breece  
<sup>3</sup> Based on figures supplied by the Corporate Efficiency Review Team for 05/06



5.5 The estimated capital costs for 2007/08 if The Breece was to continue operating as a registered holiday / care home are:

Replacement windows	£52,500
Floor coverings	£35,000
Remedial work on Fire escapes	£20,000
Roofing repairs	£10,000
Decorating	£10,000
Total	£127,500

5.6 One-off costs associated with the disposal of The Breece:

Staff severance costs	£76,222
Making the building safe and secure	1,000
Total	£77,222

5.7 Ongoing cost (until the ownership of the property is transferred)

Security (via mobile alarm/radio link)	£100 per week
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5.8 Recurring costs

The future options available to service user and carers (as described in sections 3.5.2 and 3.5.3) would be met from the Social Services Community Care budget and the Carer's grant. The estimated additional annual expenditure from these budgets is £50,000

## 6. Conclusions

6.1 The Breece is not part of the Council's core business and it does not fit with the Council's agreed policy on short breaks.

6.2 The Breece is no longer operationally or economically viable

6.3 A number of options, relating to the future of The Breece, have been considered

6.4 The recommended option has been developed as the "outline plan" which addresses the main issues..

## **7. Recommendations**

- 7.1 To approve the outline plan for the disposal of The Breece and the development of alternative arrangements as detailed in this report
- 7.2 To agree the immediate commencement of the statutory consultation process with a view to fully implementing the plan by January 2007



Originator: A W Hall

Tel: 0113 247 5296

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**Report of the Director of Development**

**Executive Board**

**Date: 18 October 2006**

**Subject: DEPUTATION TO COUNCIL, 13 SEPTEMBER 2006  
RING ROAD MOORTOWN ROAD SAFETY**

**Electoral Wards Affected:**

Moortown  
Alwoodley

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

This report informs Executive Board in relation to the deputation received by Council on the 13 September 2006 concerning road safety on the Ring Road at Moortown.

The section of the road concerned is the dual carriageway extending from the junction with Harrogate Road to the junction with King Lane. It is a former trunk road that was transferred into the Council's control in April 2003.

Over the period since January 2001 there have been 14 recorded road accidents on this section of the road including four involving injury to pedestrians, one of which resulted in a fatal injury. The section of road concerned carries approximately 26,000 vehicles per day with an 85<sup>th</sup> percentile speed of approximately 56 mph.

There are a number of informal pedestrian crossing points along this length of road which link the adjacent Queenshill and Lingfield housing estates.

It is considered that a change to the existing national speed limit of 70 mph is merited on this section of road. Proposals are being prepared for a package of traffic management measures designed to support a reduction of the speed limit and improved road safety.

Subject to consultation and agreement of the final proposals it is intended to proceed to the preparation of Speed Limit Order and implementation of a scheme during 2007.

## **1.0 Purpose Of This Report**

- 1.1 This report provides information relating to the deputation received by Council at the 13 September 2006 meeting in relation to concerns about road safety on the A6120 Outer Ring Road at Moortown.

## **2.0 Background Information**

- 2.1 A deputation from local residents was heard by the 13 September 2006 meeting of Council. The subject of this was road safety on the section of the A6120 Ring Road between the junctions with Harrogate Road and King Lane.
- 2.2 The section of the Ring Road concerned is illustrated on the attached plan. Currently a 40 mph speed limit extends in a westerly direction from the Harrogate Road junction for approximately 260 metres to a point between the junctions with Church Crescent and Lingfield Drive. West of this point the limit returns to the national speed limit of 70 mph for a dual carriageway.
- 2.3 An analysis of the road injury data for this section of road reveals a total of 14 injury accidents recorded over the period since January 2001. Of these accidents 9 were located within the existing 40 mph speed limit section on the approach to the Harrogate Road junction. The remaining 5 accidents were located within the 70 mph speed limit section. Two of these accidents involved pedestrians one a serious injury and the other, in November 2004, resulting in a fatal injury. Following the fatal accident the Coroner wrote to the Council in November 2005 recommending that improvements be made to the informal crossing point at the site of the accident.
- 2.4 The two way traffic flow on this section of the Ring Road is approximately 26,000 vehicles per day. The mean traffic speed is 47 mph in the eastbound direction and 49 mph in the westbound direction. The 85<sup>th</sup> percentile speed which is used to guide the setting of a speed limit is 53 mph in the eastbound direction and 56 mph in the westbound direction.
- 2.5 This section of the Ring Road was previously a trunk road maintained by the Government's Highways Agency. Following a De-trunking Order control of the route was transferred to the City Council in April 2003.

## **3.0 Main Issues**

- 3.1 The principal concern of the deputation has been the difficulty of crossing the Ring Road at Moortown, principally in the vicinity of an informal crossing point which links the Lingfield and Queenshill housing estates. This crossing point is important to the local community and is used for access to local schools.
- 3.2 Concern has been expressed that the existing crossing point is inadequately signed to drivers; that visibility of the crossing point is poor; and that the section of road concerned merits a reduction of the speed limit to match the limit already in force on the in the vicinity of the Harrogate Road junction.
- 3.3 Whilst this site has never been identified as a "Length of road for concern" in the annual review of road casualty sites, it is nevertheless recognised that the speed of traffic and proximity of the road to residential communities merits the introduction of measures to assist local residents.

- 3.4 There are four informal crossing points spread along the 900 metre length of the Ring Road between the Harrogate Road and King Lane junctions. A package of traffic management measures is therefore being prepared to improve road safety and reduce the impact of the road on the adjacent housing areas. This work includes the development of proposals to reduce the speed limit along the section of the Ring Road between the existing 40 mph speed limit at Harrogate Road and the King Lane junction.
- 3.5 A meeting has been held on site with representatives of the local community and the Ward Member, who have been briefed on the proposals. An officer has also previously met with the family of the young person fatally injured in the November 2004 accident. The police have been consulted and discussions are currently underway to agree the scheme details.
- 3.6 It is intended to progress a scheme for implementation during 2007 subject to the completion of the necessary speed limit order making process.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 This report does not raise any specific implications for Council policy and Governance.
- 4.2 Proposals for road safety improvements at this location will be progressed in line with the policies for road casualty reduction contained in the approved Local Transport Plan 2006-11.

#### **5.0 Legal And Resource Implications**

- 5.1 This report has no specific legal and resource implications. Detailed approval to implement proposals for improvement works at this site will be the subject of a separate report to the Directors of Development and City Services once the final details, consultations and costings have been completed.

#### **6.0 Conclusions**

- 6.1 This report has outlined the issues relating to the deputation to Council concerning road safety on the Ring Road at Moortown. Principally this has related to the speed and flow of traffic on this section of road which separates the Lingfield and Queenshill housing areas situated to the North and South of the Ring Road respectively.
- 6.2 It is noted that the road injury situation on the section of Ring Road concerned has been investigated and that proposals for a scheme to reduce the speed limit and introduce a package of traffic management measures are being progressed. Subject to consultation and further discussions with the Police it is planned to introduce a scheme in 2007.

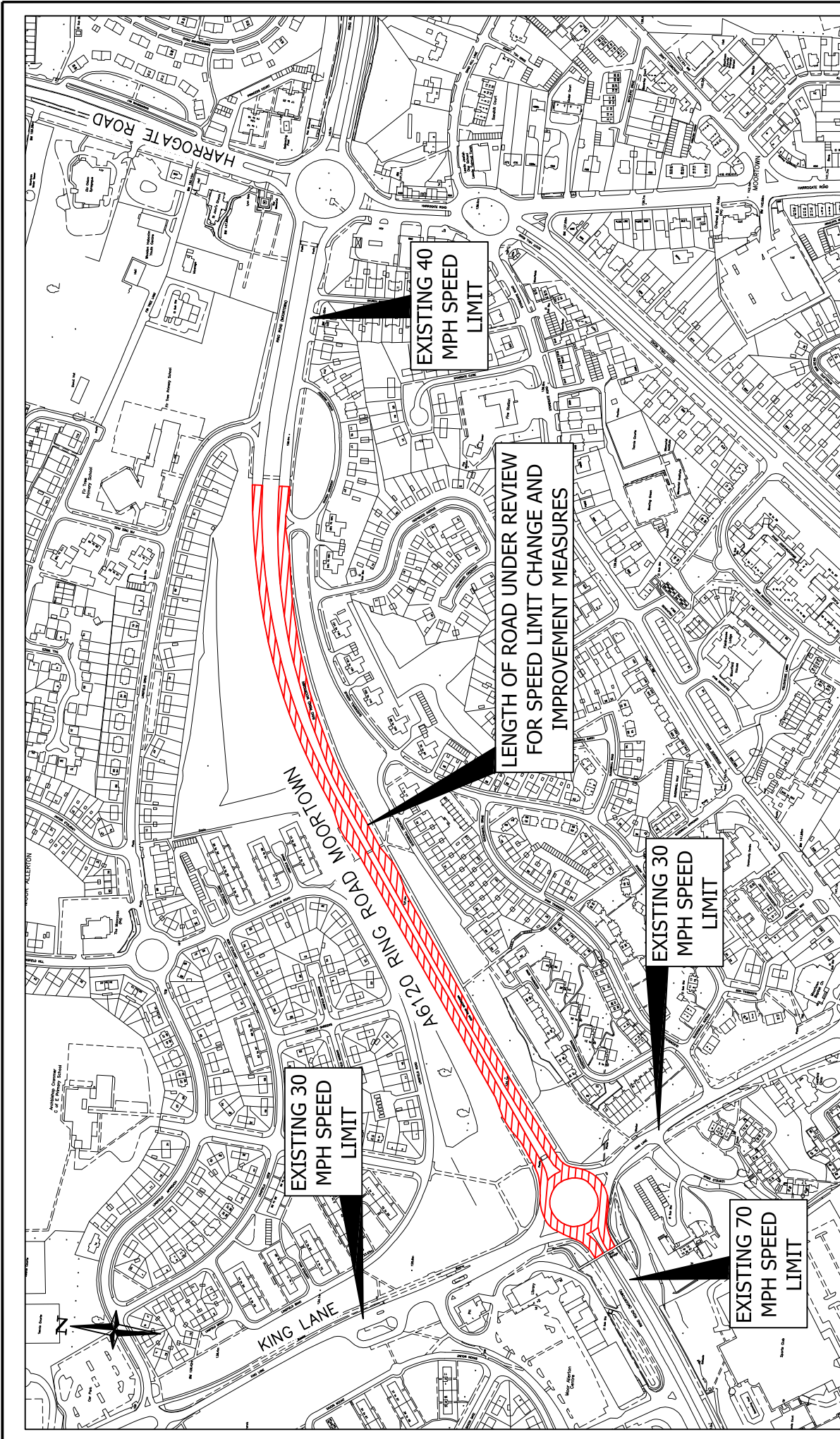
#### **7.0 Recommendations**

- 7.1 Members are requested to note the contents of this report and the actions being undertaken with respect to the concerns raised by the Deputation to Council.

#### **8.0 Background Information**

- 8.1 The following documents provide background information for this report:

i) Deputation to Leeds City Council concerning road safety on the Ring Road at Moortown.



DRAWING NUMBER: **PLAN 1**  
 DATE: **September 2006**

**Leeds**  
 CITY COUNCIL  
**DEVELOPMENT DEPARTMENT**  
**STRATEGY & POLICY DIVISION**

INITIALS	DATE	SCALE
AH	9/06	1:5000
AM	9/06	ORIGINAL SHEET SIZE A4

This map is based upon Ordnance Survey data as provided to the City of Leeds. It is the user's responsibility to ensure that the data is up to date and that the user has the necessary permissions to reproduce the data. The City of Leeds is not responsible for any errors or omissions in this map.

O.S. SHEET REF.: **VARIOUS**

**A6120 RING ROAD MOORTOWN**  
**HARROGATE RD TO KING LANE**

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13-09-06

Debra Hill

58 Queenshill Avenue

MOORTOWN LEOS

LS17 6BP

To whom it may concern  
Civic Hall

Firstly I would like to say thank you for sparing time to listen to my concerns. I am Debra Hill a 33yr old mum to six children whom I love and protect with all my heart. I am here today so I can make myself and others heard over safety issues in my local community "MOORTOWN RING Rd area between Queenshill Crescent + Lingfield Road" where myself and hundreds of others cross to use the six local schools, Open House community centre, Hair salon, Public House and bus routes. The danger of this road is we cross just yards away from a bend which is highly dangerous.

The speed limit is at present 70 mph. I've used this route for the last 15 years. I am a people person and feel strongly about looking after the local community and keeping others safe as well as my own family.

November 2004 was a tragic time for a well known local family to lose their teenage son on this particular road. Why such a high speed limit? Where houses only stand feet away, why not a crossing, reduce speed sign, traffic lights, signs that flash to tell drivers to slow down. How many more of our children have to be injured or even killed before something is done. 2 months ago I started walking my children to school again after a 18 month battle with cancer. To stand at a road side for some days up to 10 minutes with the poorest visibility I have ever seen and to add to the

Poor visibility there is an over grown tree which I have recently cut back so we can at least see the road. We stand there 4 sometimes 6 times a day and run for our lives 5 days a week I've fought for my life once why should I risk it everyday. Myself and others in my community want action not words. We want reduced speed limit to 40 mph and traffic lights <sup>or</sup> a lollipop lady to make sure we can cross as safe as possible on that stretch of road. One death is one too many in my eyes the 6 schools are 5 Junior and 1 high children as young as 7 have been known to cross this road alone as a parent myself this worries me. I feel its about time we say enough is enough and we want to be heard, listened to and taken seriously as a community. Prevention is what we want and to make the road where we cross a safer place. We will not be losing interest in this campaign till something is done and we see a result. We understand things dont happen over night but 15yrs down the line and we feel no nearer to safety now as we did then until today and I hope this is the start to safety been put into action.

Also I come with a petition with over 300 signatures and letters from local people who too feel the same as myself.

Regards

D. Hill



Originator: Max Rathmell

Tel: x 78156

**Report of the Director of Development**

**Executive Board**

**Date: 18<sup>th</sup> October 2006**

**Subject: Deputation to Council on 13<sup>th</sup> September 2006 regarding dust in Rein Road, Morley associated with Britannia Quarry, operated by Woodkirk Stone (the company)**

**Electoral Wards Affected:**  
Morley South

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**EXECUTIVE SUMMARY**

- a) Britannia Quarry is a significant employer in Morley and its products are used nationwide. New operators only took control of the site in March 2005 after the previous operators called in the Receiver. The quarry is not suitably located with respect to nearby housing and would not obtain planning approval nowadays.
- b) The basic problem is that the main access/egress for the quarry is onto a road which is residential in character. The quarry operator is not being allowed by the landowner to use a more suitable access onto Howley Park Road East.
- c) The record of inspections and enforcement demonstrates that legislation is enforced with success where a demonstrable breach can be shown.
- d) The minerals periodic review for this site in 2007 should see the modernisation of the planning conditions and some additional preventative measures with respect to dust. However it is unlikely that standards can be raised so high the problem will simply disappear, unless goods vehicles carrying aggregate and possibly cut stone also can be switched onto the industrial estate.

## 0.0 Purpose Of This Report

- 0.1 To set out details of the occurrence of dust in the external environment at Rein Road and the action the council has taken to mitigate this.

## 1.0 Background Information

- 1.1 At the council meeting of 13<sup>th</sup> September a deputation was heard concerning dust nuisance in Rein Road, implicating the stone quarry in the creation of this dust.
- 1.2 Britannia Quarry operates under a 1992 renewed planning permission in which dust and noise are controlled by the standard approach of “Best Practicable Means” prevalent at the time. The enforceability of this approach was thrown into confusion in the mid 1990s on the grounds it is imprecise.
- 1.3 Under the Environment Act 1995 quarry operators are required to submit new planning conditions, updated to comply with the latest Government advice. In respect of this quarry this submission is due by 17<sup>th</sup> February 2007 at the absolute latest. (15 years Minerals Review). Many local residents are aware of this

## 2.0 Main Issues

- 2.1 The central issue is whether dust is escaping from the quarry and from quarry vehicles to the extent that it causes a nuisance to local residents and whether there is anything the council can do about this, and if so, whether such action is being taken.
- 2.2 The deputation referred to the complaints of other residents of Rein Road which have been received in at least three departments; Minerals Group in Development, Environmental Health in Neighbourhoods and Housing and Highways Enforcement in City Services. There is a new housing development behind Rein Road, between it and the quarry, [allowed on appeal], from which dust complaints are not received. It would seem therefore that the effect of dust is felt mainly in relation to quarry traffic, which is mainly lorries carrying aggregate.
- 2.3 The concerns of residents are :
- \* that officers appear “confused” as to who should take action.
  - \* that lorries are not using the wheelwash at the quarry
  - \* that every so often stone falls off a lorry
  - \* that there is a lack of clarity as to who enforces the Road Traffic Act (the Police or the council).
  - \* that councillors and officers are not attending the liaison meetings with the quarry operators.
  - \* that quarry vehicles should access the quarry via Howley Park Industrial Estate and thus the traffic should not be using Rein Road.
  - \* that residents feel the footway should be cleaned more frequently

## 2.4 Response

- 2.5 There have been very few complaints to council officers about dust, considering this last summer has been one of the driest. When it became apparent the summer would be dry visits by the minerals enforcement officer were stepped up [ 5<sup>th</sup>/3, 10/7, 21/7, 7/8, 17/8 19/9 ]. The operators have been found largely in compliance with the approach of best practicable means. The internal road needs repair but that is all. A small amount of dust was found to be created but did not appear to be escaping from the quarry.
- 2.6 The crusher at the site requires an authorization for dust suppression and is inspected by the EHO. They have visited the site on several occasions. In one instance the dust suppression equipment had failed and some dust was escaping from the quarry. The operators immediately stopped the machine and took action to dampen everything down. Residents have been advised there is no case for action based on Statutory Nuisance.
- 2.7 The company was prosecuted by City Services on 15<sup>th</sup> June 2006 under S.151 of the Highways Act 1980 for depositing mud on the highway. The company was fined £1800 plus costs of £682.64.
- 2.8 A new wheelwash at the site was installed in March at the request of the Minerals Officer as it was felt that the existing wash did not meet the best practicable means test. The wash is for the removal of mud. All drivers are instructed to use the wash but inevitably a few ignore this. Mud on the road dries to dust. Signs have been erected instructing drivers to use the wheel wash on exit. In dry weather this will make a negligible difference to the situation. The company has spent £30,000 on a JCB Loadall 526S sweeper-water bowser due to be delivered imminently
- 2.9 The planning approval allows the quarry traffic to use Rein Road, as this has been used for a long time historically. There is indeed another potential route into the quarry from the Industrial Estate. The operator has a lease on the quarry but not on the 4 metres of private road between the quarry and Howley Park Road East.
- 2.10 There is no formally constituted or arranged liaison committee for the site. Irregular meetings have taken place attended by at least one ward councilor, the minerals officer, operators and up to three residents. The onus is on councilors and the operator to convene the meetings.
- 2.11 Lorries carrying aggregate are required by law to be sheeted. If something has fallen off on to the highway then this is an offence under S.22A of the Road Traffic Act. [Stones in fact usually fall onto the road after being trapped between the double rear tyres]. Such an occurrence was reported to the Police who enforce the RTA on 7<sup>th</sup> April 2006. Rein Road is subject to an Order preventing through travel by heavy goods vehicles. So quarry vehicles are the only ones in Rein Road normally.
- 2.12 Lastly, the footways in Rein Road are cleaned by mechanical sweeper on a 3 weekly rota. The success of this is partly influenced by the footway being unobstructed. Over the summer there have been additional sweeps following requests by Cllr. Judith Elliott, who said that the sweeps were needed due to dust from quarry traffic.

### **3.0 Implications For Council Policy And Governance**

3.1 None

### **4.0 Legal And Resource Implications**

4.1 The report has no specific resource implications.

### **5.0 Conclusions**

5.1 Complaints are investigated as and when they are made. The quarry company has been prosecuted this year, which is evidence that when there is a demonstrable breach of the law full enforcement action is taken. There may appear to be confusion because a different legal test has to be applied in different circumstances and this is done by different officers. The new operators have responded well to pressure this year by installing a new wheel wash and ordering equipment for dampening down material liable to liberate dust.

5.2 A submission of “modernized” planning conditions is due by February 2007. These conditions will have to take into account the current land use planning approach to dealing with dust arising and dust suppression.

5.3 The use of Howley Park Road East for all aggregates traffic would certainly alleviate conditions in Rein Road.

### **6.0 Recommendations**

6.1 To note the information in this report.



Originator: Brian Lawless

Tel: 24 74686

## Report of the Director of Development

### Executive Board

Date: 18 October 2006

**Subject: The proposed relocation of the Stanhope Drive Youth Centre and the North West Area Management Team offices to the former Horsforth Library**

**Electoral Wards Affected:**

Horsforth

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

### EXECUTIVE SUMMARY:

The report seeks support for the refurbishment of the former Horsforth Library building to facilitate the relocation of the Stanhope Youth Centre to the heart of the town and the relocation of the offices of the North West Area Management Team from its present premises as these will, shortly, no longer be available being required by the main tenant, the Primary Care Trust.

It is proposed that the cost of the refurbishment will be met from the proceeds of the disposal of the Stanhope Drive Centre, the Priority Major Maintenance budget and Prudential Borrowing with the scheme being dependent upon the disposal of that property being sufficient.

The proposal supports the strategic outcome theme of "Our children and young people are healthy, safe and successful" and links with the Efficiency/Value for Money key activity of rationalising the use of assets.

The proposal would maximise the benefit from investment that has already been made in the construction of the new library and the refurbishment of the Mechanics Institute which share the same site.

## **1.0 Purpose Of This Report**

- 1.1 The purpose of this report is to seek approval from Executive Board, to the marketing of the Stanhope Youth Centre and, subject to the capital receipt that would be generated being sufficient, to use that receipt and other resources already identified in the Capital Programme to fund the refurbishment of the former Horsforth Library to provide accommodation for the relocated Youth Centre and for the North-West Area Management Team.
- 1.2 There is an opportunity to create a vibrant Council and community presence in the heart of Horsforth maximising the benefit from the investment that has already been made in the construction of the new library and the refurbishment of the Mechanics Institute.

## **2.0 Background Information**

- 2.1 Horsforth Library was built in the 1970's and is adjacent to Horsforth Mechanics Institute. The library was considered to be poor in terms of suitability, particularly as it was split over two floors. It had a high level of backlog maintenance and a general lack of provision for the disabled. A new library was constructed in 2005 and opened to the public in January 2006.
- 2.2 The former library was declared surplus to requirements by the owning department, Learning & Leisure. Initially, it was proposed to dispose of the property and the capital receipt (estimated at £235,000) be used to fund the construction of the new library. However, a review of Council facilities in Horsforth now suggests that retention of the former library building, together with a rationalisation of the portfolio elsewhere in the town, may be the most appropriate way forward. The Asset Management Unit has been reviewing various options for refurbishing the former library building.
- 2.3 One proposal was to provide permanent office accommodation for the North-West Area Management Team and a base for the West Yorkshire Police Force for their local neighbourhood policing team. This proposal, however, did not proceed as the West Yorkshire Police Force was unable to secure funding for their element of the scheme.
- 2.4 North-West Area Management Team has recently been advised by its landlord, the Primary Care Trust, that it will have to vacate its leased accommodation at the end of December 2006. Accordingly, alternative accommodation is required from that date. There are some 12 staff in the team at present but it is anticipated that this could increase at some stage in the future.
- 2.5 An initial Feasibility Study, to RIBA Stage B, has already been undertaken by Architectural Design Services and this suggests that a refurbishment scheme providing for both the Youth Service and North-West Area Management can be achieved for a construction cost, including fees, of £525,000.



### 3.0 Main Issues

- 3.1 Discussions have taken place with the Youth Service and the following facilities could be created on the ground floor of the former library building:
- Youth advice area
  - A main activity hall
  - Kitchen/coffee bar area
  - Seating area
  - Toilets
  - Storage area
  - Office and meeting room facilities
- 3.2 The resulting youth facility would be of far superior quality to that of the existing centre and, being on Town Street, would be much more readily accessible to a larger percentage of the Horsforth community.
- 3.3 The existing Stanhope Drive Youth Club is a prefabricated concrete building which was constructed in 1948. It was refurbished, extended and re-roofed in 1997. The building is located in a residential area of Horsforth. There is a landscaped area to the South of the building which includes a World War I memorial stone. To the North of the building there is an area of open greenspace.
- 3.4 It is proposed that the existing Youth Centre will be declared surplus and put forward for disposal. The Youth Service function will then be relocated to the Old Library following its refurbishment.
- 3.5 Initial planning advice is that the redevelopment of the current Youth Centre site in its entirety would be contrary to planning policy in that there is a presumption against greenfield development, so long as there is an adequate supply of brownfield housing sites. The grassed area to the North of the building has been subject to temporary works by Leeds North West Homes (ALMO) by providing a site compound and car parking area, and should be reinstated to its former use. The fact that the land has been occupied by the ALMO would not be a justification for this part of the site to be redeveloped.
- 3.6 Planning has also advised that whilst not allocated as protected greenspace (Policy N1), the grassed area performs an important greenspace function with amenity benefit for local residents in the Stanhope Drive area which should be preserved and enhanced rather than being lost through redevelopment. The landscaped area on the South side of the building has local significance with the memorial stone and trees planted to commemorate the First World War and should be protected.
- 3.7 The balance of the overall site, as shown on the attached plan, is felt to be appropriate for residential development.
- 3.8 The proposed refurbishment scheme for the former library building is shown on the attached drawing which illustrates the youth centre and office accommodation that can be achieved.
- 3.9 Temporary accommodation can be found for the Area Management Team in Leeds city centre without the Council incurring additional rental costs. However, this accommodation is not well placed and will itself be surrendered at the earliest opportunity offered by the lease.

#### 4.0 Implications For Council Policy And Governance

4.1 The proposal links to the Council's strategic outcome theme of "Our children and young people are healthy, safe and successful".

4.2 It also links with the Efficiency/Value for Money key activity of rationalising the use of assets, realising savings on accommodation costs and maximising new flexible working practices.

#### 5.0 Resource Implications

5.1 Members will note from the table below that Neighbourhoods & Housing (Area Management/Youth Services) has resources of £250,000 available for this scheme. There is also avoidance of £40,000 of backlog maintenance at the existing Youth Centre if this proposal is progressed, leaving £235,000 to be provided from the disposals proceeds from Stanhope Drive to complete the funding picture.

5.2 This funding package assumes that the sale of the Stanhope Drive property will take place during the same financial year as refurbishment of the former Horsforth Library, and that there will be no short term borrowing implications.

1	Estimated Capital Costs and Funding (£000's)					
	Estimated Capital Costs	2006/07	2007/08	2008/09	2009 on	Total
	Construction	0	430	19		449
	Furniture & Equipment	0	0	0		0
	Internal Fees	50	24	2		76
	External Fees & Other Costs	0	0	0		0
	<b>Gross Expenditure</b>	<b>50</b>	<b>454</b>	<b>21</b>		<b>525</b>

2	Funding	2006/07	2007/08	2008/09	2009 on	Total
	*A Balance of Capital Receipt following sale of Youth Centre		235			235
	B Backlog Maintenance (PMM 99014)	40	0			40
	C Prudential Borrowing (Scheme 01387 Area Office Accommodation)	10	219	21		250
	<b>Total Funding</b>	<b>50</b>	<b>454</b>	<b>21</b>		<b>525</b>

\*'A' above requires a sale value for Stanhope Drive site of £ 470,000 , with the first call of £235.0k to be set aside to fund the existing new Horsforth Library scheme. It is therefore proposed that Stanhope Drive be marketed to establish its exact valuation before any firm commitment is made to progress this proposal.

#### 6.0 Ward Member Consultations

6.1 The initial suggestion to relocate the Youth Service facilities from Stanhope Drive Youth Club to the former Horsforth Library came from the Horsforth Ward Members. Youth Services met with all three Horsforth Ward Members in February 2006 and they are all still supportive of this proposal.

## **7.0 Links to Departmental Asset Management Plans**

- 7.1 The proposals for the refurbishment of the former Horsforth Library links to the Asset Management Plan in terms of making effective use of the Council's existing property portfolio.
- 7.2 The proposal to relocate Youth Services from the Stanhope Drive Youth Centre will ensure that the service operates from premises that are fully fit for purpose and more readily accessible to all Horsforth residents.
- 7.3 The refurbishment proposal will ensure that the building is properly accessible by customers, staff and visitors.

## **8.0 Risks**

- 8.1 There is a risk that the receipt that can be generated through the disposal of the Stanhope Drive Youth Centre may be insufficient to support the implementation of the scheme. This risk will be managed through appropriate marketing. It would be possible not to proceed with the scheme if such a shortfall arises and alternative funding cannot be identified. This would, however, leave Youth Services operating from a building which is rapidly approaching the end of its operational life and leave Asset Management with an unsatisfactory solution to its accommodation issues.
- 8.2 There is a risk that, either during the scheme design or when tenders are received, that the cost of the refurbishment will exceed the current estimate. This risk will be managed by close working between the Asst Management Unit and the Strategic Design Alliance to achieve the maximum economies consistent with providing accommodation that is fully fit for purpose.

## **9.0 Conclusions**

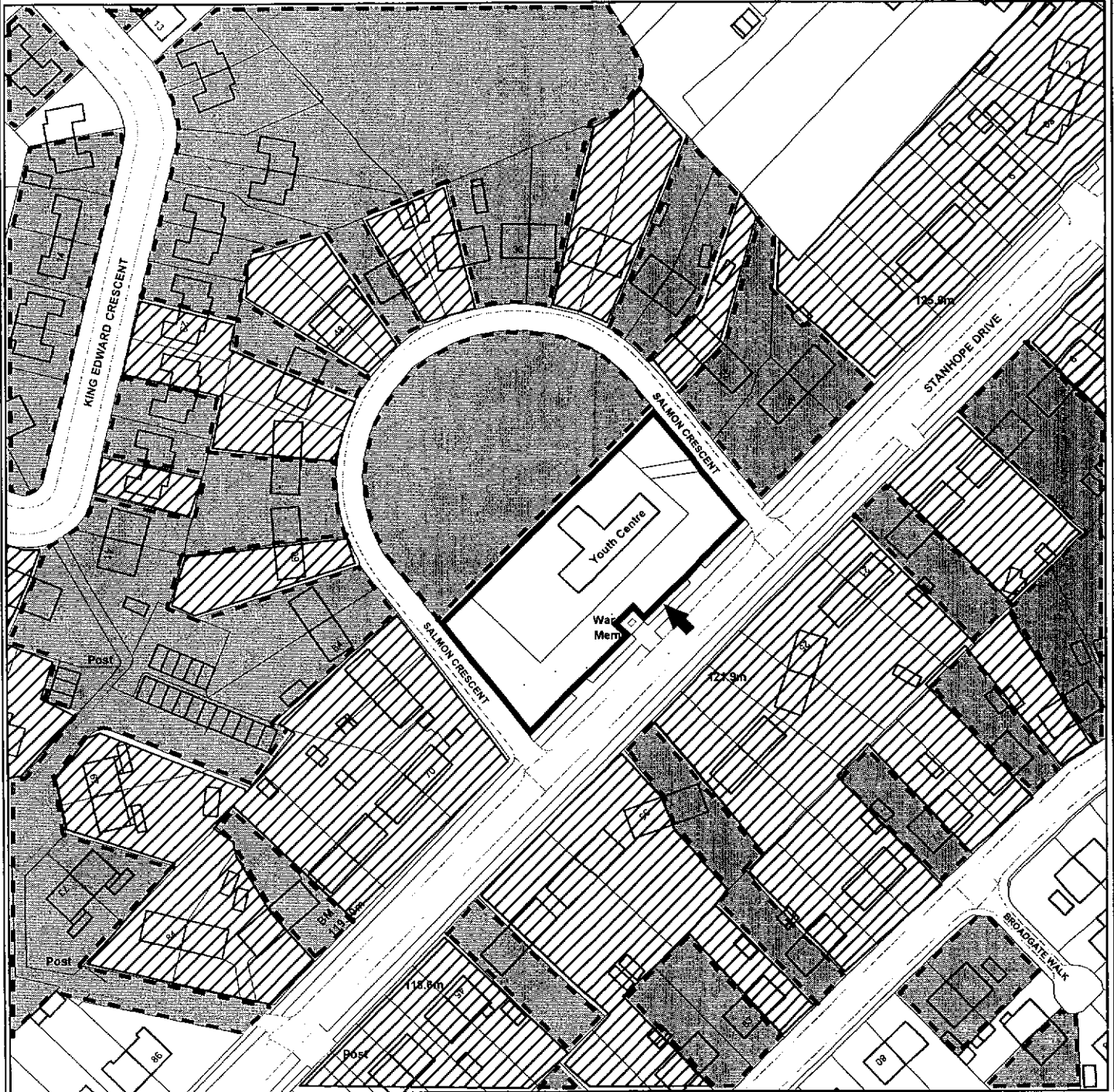
- 9.1 There is an opportunity to create a vibrant Council and community presence in the heart of Horsforth maximising the benefit from the investment that has already been made in the construction of the new library and the refurbishment of the Mechanics Institute.
- 9.2 The existing youth centre is based in an out-dated building which is no longer fully fit for purpose.
- 9.3 New office accommodation is required for the Area Management Team as current arrangements are coming to an end. This proposal would avoid the need to seek other premises for rental from the private sector through making use of a building that is still within the Council's portfolio.

## **10.0 Recommendations**

- 10.1 That Executive Board supports the proposal to market the site of the Stanhope Drive Youth Centre and that this is considered to be in line with the Ring Fence Policy approved by Executive Board on 23<sup>rd</sup> March 2005.
- 10.2 Subject to the potential receipt that may be generated being sufficient, Executive Board instructs officers to report back with a Design & Cost Report seeking authority to incur expenditure for the refurbishment works at the former library.

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**STANHOPE YOUTH CENTRE  
STANHOPE DRIVE  
HORSFORTH  
LEEDS LS18**



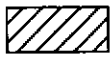
← SUBJECT SITE



LAND OWNED BY  
LEEDS CITY COUNCIL



LAND LEASED OUT BY  
LEEDS CITY COUNCIL



LAND SOLD BY  
LEEDS CITY COUNCIL



LAND OWNED BY  
APPLICANT



**Leeds**  
CITY COUNCIL

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Leeds City Council LA07821X 2006

PREP BY B. HAZELWOOD

DATE 30/08/2006

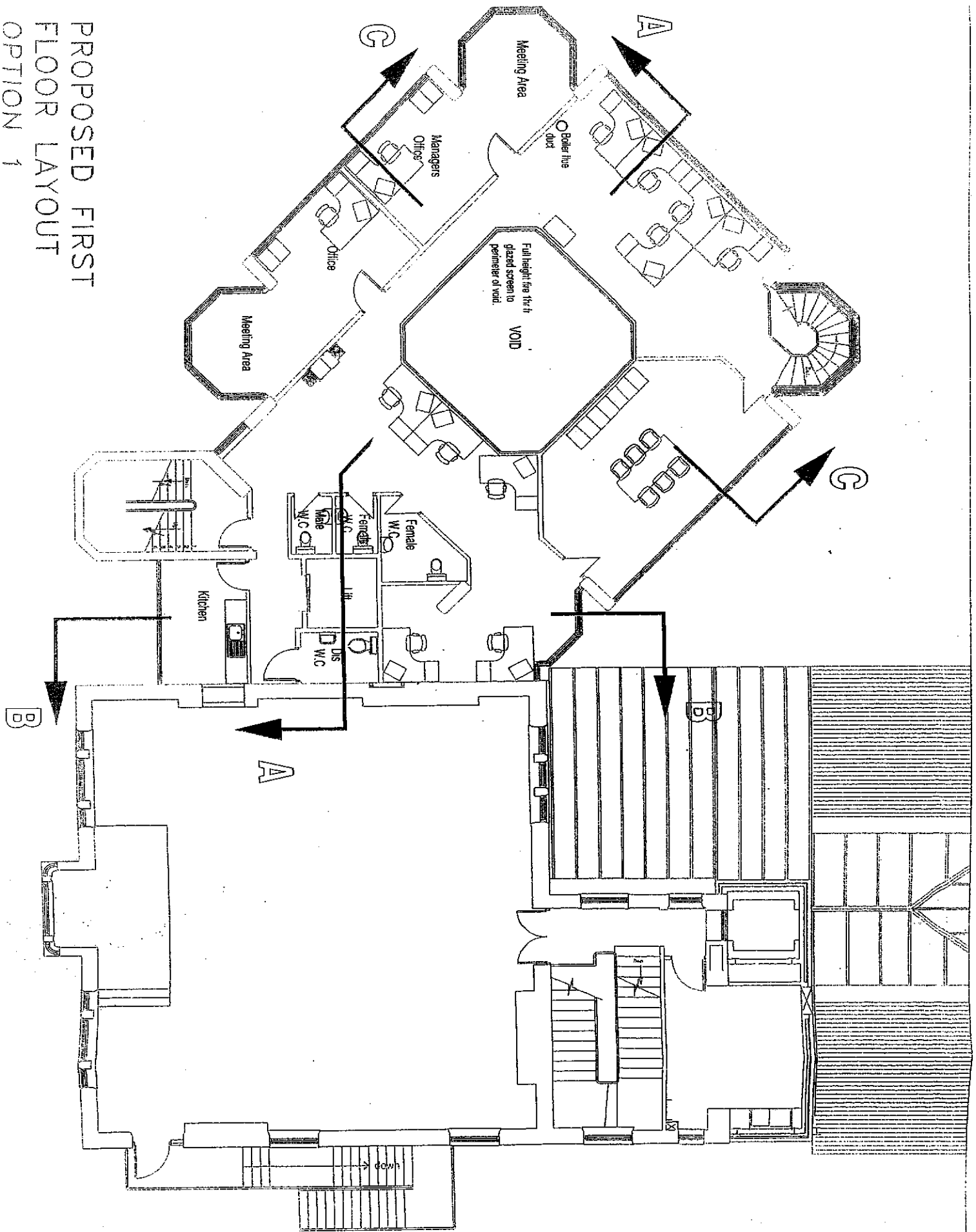
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**PLAN No 10068A**

PROPOSED FIRST FLOOR LAYOUT OPTION 1



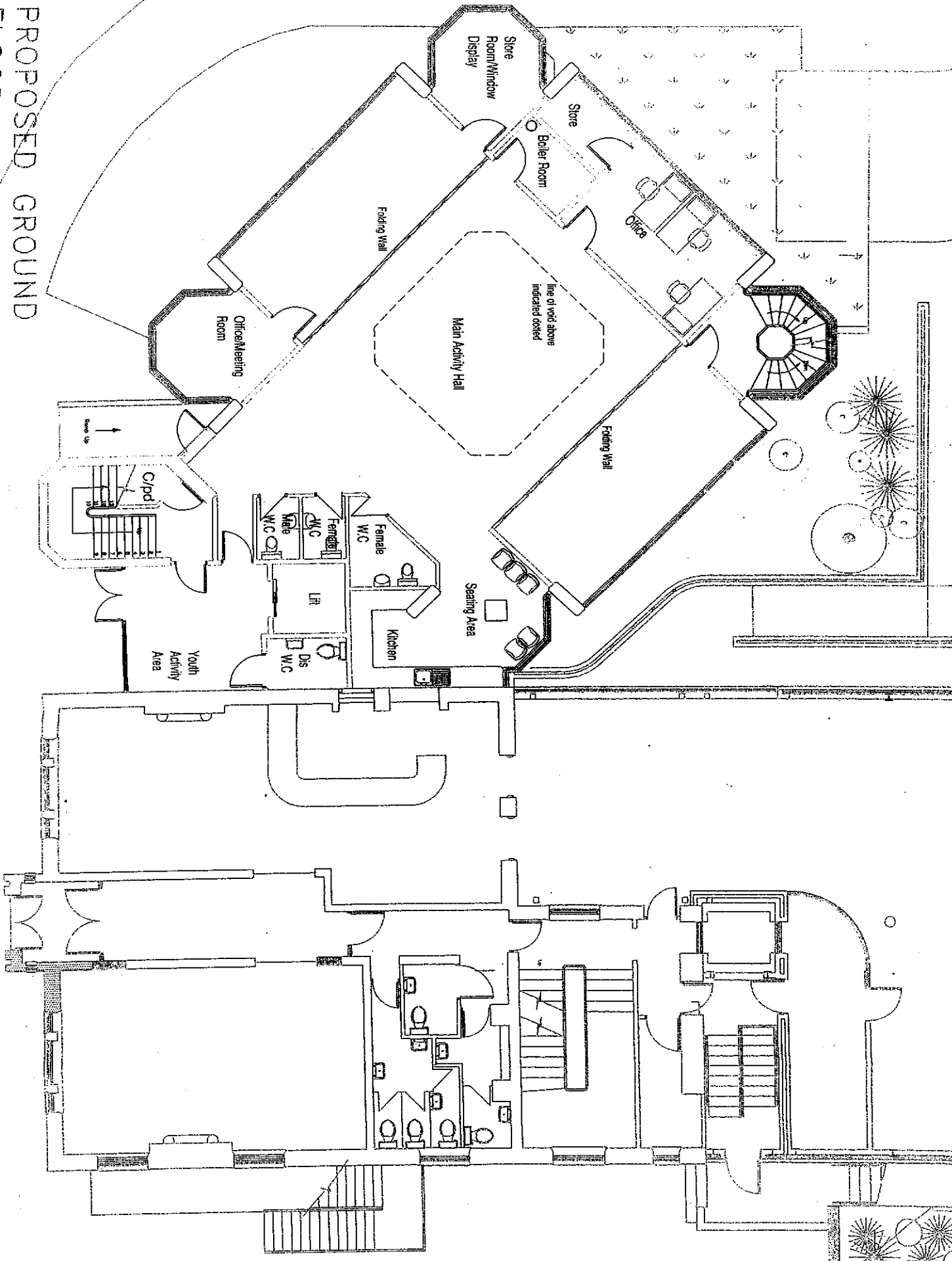
NOT SCALE

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PROJECT <b>HORSFORTH MECHANICS INSTITUTE</b>		Rev A 25/04/06 - Ironmongery spec removed and replaced with NBS ref.		
		<b>PROPOSED FIRST FLOOR PLAN SCHEME 2</b>		
DRAWN <b>SKEELS</b>	DATE 31/05/2006	SCALE 1:100	DRAWING NUMBER 450364[SKJ02]	CHECKED
				REVISION

PROPOSED GROUND  
FLOOR LAYOUT  
OPTION 1 & 2



DO NOT SCALE

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PROJECT HORSFORTH MECHANICS INST		TITLE PROPOSED GROUND FLOOR PLAN SCHEME 1	
DRAWN SKEELS	DATE 31/05/2006	SCALE 1:100	DRAWING NUMBER 450364[SK]01
		CHECKED	REVISION

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Originator: Phil Cole

Tel: 2474871

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**Report of the Development Department**

**Executive Board**

**Date:**

**Subject: Local Enterprise Growth Initiative (LEGI)**

---

**Electoral Wards Affected:**

Armley  
Beeston and Holbeck  
Bramley and Stanningley  
Burmantofts and Richmond Hill  
Chapel Allerton  
City and Hunslet  
Gipton and Harehills  
Headingley  
Hyde Park and Woodhouse  
Killingbeck and Seacroft  
Kirkstall  
Middleton Park

**Specific Implications For:**

Equality and Diversity   
Community Cohesion   
Narrowing the Gap

Eligible for Call In



Not Eligible for Call In

(Details contained in the report)



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**EXECUTIVE SUMMARY**

1. This report advises Executive Board about the production and submission of a Leeds bid for round two of the Local Enterprise Growth Initiative (LEGI).
2. LEGI is a competitive bidding process established by government to provide significant new resources to tackle 'worklessness' issues in deprived areas through encouraging enterprise. The Leeds bid 'Sharing the Success', is designed around the introduction of Catalyst Centres into deprived communities. These centres will stimulate entrepreneurial activity amongst school children and workless groups and encourage the growth of existing businesses. A wide programme of enterprise activity will be delivered through the Catalyst Centres to support local communities.
3. This paper provides an outline of the £15.6m LEGI bid submitted to Government Office (GOYH) on 14<sup>th</sup> September 2006 and seeks Executive Board endorsement of the bid.

## **1.0 Purpose Of This Report**

- 1.1 To inform Executive Board of the production of a round two LEGI bid for Leeds.
- 1.2 To provide Executive Board with an outline of the key features of the proposed programme.

## **2.0 Background Information**

- 2.1 In 2005 government announced the creation of the Local Enterprise Growth Initiative (LEGI). The initiative is worth £300m and will be allocated over three bidding rounds. The first round (announced March 2006) resulted in ten successful bids sharing a total of over £125.7m over a three year period. In this region Bradford was the only winner, receiving £21.4m - the single highest allocation of funding awarded.
- 2.2 LEGI is designed around a central concept of 'enterprise-led regeneration' which uses enterprise in all forms to tackle disadvantage and poor quality of life outcomes (such as worklessness and social exclusion) in deprived communities.
- 2.3 LEGI is looking for three 'headline' outcomes at a national level: to increase the total level of entrepreneurial activity; to reduce failure rates and improve sustainability of locally owned businesses and to encourage inward investment into deprived areas.
- 2.4 Leeds' first round bid was unsuccessful. Although some of the individual projects proposed were praised the feedback received indicated that a strong overarching theme was needed to better link project strands together. The Leeds LEGI partnership, consisting of officers from Development and Neighbourhoods and Housing departments, and representatives from a wide range of local organisations, have built on this feedback and have been working on round two proposals over the last six months.
- 2.5 The Leeds round two bid entitled 'Sharing the Success' was submitted to GOYH on 14<sup>th</sup> September 2006. The nine Yorkshire Humber bids received by GOYH will be assessed firstly by a 'reader panel' and then by a 'regional assessment panel' which will meet in mid-October. GOYH will submit all nine bids to the national assessment panel by the end of October along with an indication of the bids preferred by the regional assessors. The national assessment panel will assess bids submitted by Government Offices from across England and will interview shortlisted applicants on 13<sup>th</sup> and 14<sup>th</sup> November. Announcement of LEGI round two winners is expected on 12<sup>th</sup> December with successful programmes due to commence in January 2007.

### 3.0 Main Issues

- 3.1 The Leeds LEGI bid 'Sharing the Success' is focused around the 31 Super Output Areas (SOAs)<sup>1</sup> within the city which feature in the worst 3% of SOAs nationally. These areas encompass a population of around 46,000 and are located within the inner Leeds area (see map in appendix A). The overarching vision for our bid is to connect residents in our most deprived communities with the opportunities created by the economic growth which the city has enjoyed over the last decade or more. Our vision is to unlock the potential in our deprived communities, with every resident and business playing an active role, through enterprise, in ensuring continued growth in the city.
- 3.2 The bid is organised around three main themes:
- Theme 1: *Engaging People* - to help individuals become more entrepreneurial in deprived areas in order to ensure that enterprise, in all its forms, becomes a realistic, rather than an exceptional option for the future.
- Theme 2: *Engaging Business* - to assist businesses in our deprived neighbourhoods to prosper by tackling head-on the barriers to their growth and helping them make the most of opportunities.
- Theme 3: *Engaging Investors* - to ensure that our LEGI target neighbourhoods become a credible option for investment and to ensure present investment remains.
- Details of projects associated with the three main themes are found in appendix B.
- 3.3 The central feature of our programme is the Catalyst Centre (defined in appendix B). We are proposing to build up to five Catalyst Centres with LEGI support, with the ambition that the model, if successful, is rolled out to other areas of the city. Each Catalyst Centre will provide a physical presence for enterprise learning and development in our deprived communities. Centres will be designed and run by networks of entrepreneurs and will be owned by not-for-profit Community Interest Companies (CICs). We are currently working on detailed plans to develop our first Catalyst Centre in Beeston. Further centres for Harehills, Chapeltown, west Leeds and the EASEL area are at an early stage of development.

---

<sup>1</sup> There are 32,482 SOAs in England, 476 of which are in Leeds. Each SOA is of equal size, approximately 1,500 people on average. Division of wards into SOAs allows for a more accurate pinpointing of areas of severe deprivation.

#### **4.0 Implications For Council Policy And Governance**

4.1 LEGI will contribute to both the 'Narrowing the Gap' and 'Going up a League' agendas by helping to regenerate deprived communities whilst at the same time unlocking underutilised assets to aid the city's future development.

4.2 The governance arrangements for LEGI will link the programme to the emerging Local Area Agreement (LAA) for Leeds. LEGI has been developed as the national funding stream to support the fourth block of the LAA 'Enterprise and Economy'.

#### **5.0 Legal And Resource Implications**

5.1 Our LEGI bid is seeking an award of £15.6m over a three year period. Our bid outlines a £36m regeneration programme with each £1 of LEGI funding matched by £1.35 of public/private sector resources.

5.2 To date Leeds City Council, as the accountable body and lead partner for LEGI, has agreed in principle to the following:

- To provide accommodation, support costs and supervision for a dedicated project management team of four post holders and an integrated investor development and marketing team of three. Six of these posts will be made up of secondments from the Council's Business & Enterprise Unit paid for through existing Council resources.
- In conjunction with a private sector partner to consider providing capital resources from the EASEL regeneration programme to support the development of a Catalyst Centre and managed workspace facility in the EASEL area.
- To consider transferring two former school sites (Harehills Middle School and Hillside Primary) to community ownership as part of plans to create a business incubator and managed workspace development.
- To consider providing discretionary rate relief worth up to £50,000 per annum to the five proposed Catalyst Centres.
- To provide a range of support for the Enterprise Ambassador/ Enterprise Toolkit programme valued at £240k over the period 2007 to 2010.

#### **6.0 Conclusions**

6.1 LEGI represents the only major source of enterprise funding for our deprived areas.

6.2 A strong partnership has emerged as the bid has been developed. The programme is wide ranging and involves a diverse range of delivery models and organisations. Projects build on best practice and project development has encouraged innovation.

6.3 The full support of the Council will be critical to delivering a successful LEGI programme if our bid is successful.

**7.0 Recommendations**

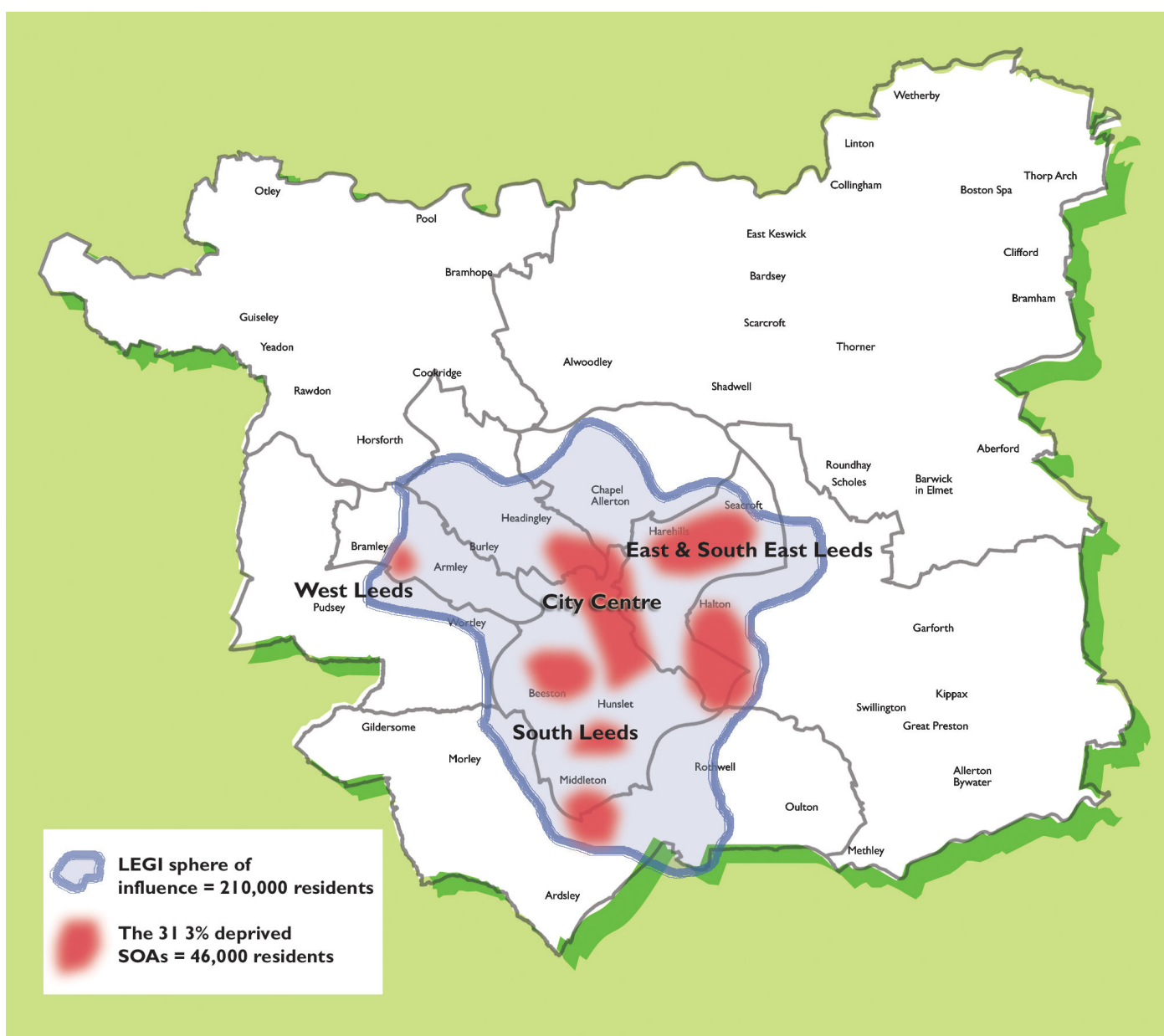
7.1 To endorse the 'Sharing the Success' bid.

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## Appendix A The Leeds LEGI area

The majority of LEGI interventions are focussed on the most deprived areas of the city (marked on this map in red). However, we have purposefully not drawn tight boundaries around areas covered by LEGI activity. We wish to avoid the difficulties experienced by other regeneration programmes whereby one side of a street may qualify for assistance but the other is ineligible.

Hence we have indicated a LEGI 'sphere of influence'. As the map demonstrates LEGI resources have the potential to impact on over 250,000 Leeds residents (more than a third of the city's population).



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## **Appendix B Proposed LEGI projects**

### **Our delivery models:**

#### **1. Development Trusts/Community Interest Companies**

Our ambition is to create a minimum of 3 development trusts/community interest companies covering the Beeston, Harehills & EASEL Areas during the first three years of the LEGI programme. The trusts will operate as independent not for profit distribution companies with a clear remit to act as catalysts for enterprise. They will be established as a partnership vehicle between LCC, other stakeholders and the local community. The initial focus of the trusts work will be to develop business accommodation in the heart of their communities. To date two possible locations have been identified to take forward with LEGI assistance – Hillside Primary School and Harehills Middle School. A third (yet to be identified) will be based in the EASEL Area.

#### **2. Catalyst Centres**

Catalyst Centres are locally based enterprise generators which combine the best from managed workspaces and business clubs to create a special enterprise environment. The concept is based on a proven model currently operational in London, Bristol and Soweto (South Africa). A Catalyst Centre consists of:

- Physical space of between 3,000 to 5,000 sq ft capable of housing 20 to 30 people in a hot desk environment
- A membership network consisting of pre-starts, new start businesses and existing businesses
- Access to mainstream services (the network provides the demand for services, the catalyst provides affordable access to service providers)
- A mobile phone tariff-like system of charging for space (charges range from £10 to £300 per month for access dependent on client needs). This allows the centre to cater for a larger number of clients than traditional managed workspaces and generate higher levels of income. In London the model is generating £100+ per sq ft on space (compared to £40 to £50 per sq ft on traditional floorspace)

In the first three years we intend to develop five Catalyst Centres based in Beeston, Chapeltown, EASEL, Harehills and West Leeds. The centres will be established as either trading operations of development trusts/community interest companies or freestanding not-for-profit distribution entities. They represent a sustainable model to generate enterprise in deprived communities, we plan for each catalyst to be self sustaining after three years.

### **Our innovative LEGI products:**

#### **1. Enterprise Ambassadors**

Eight Enterprise Ambassadors will be appointed to work in four clusters of schools covering our LEGI communities. The Ambassador's role will be to act as enterprise champion in their cluster of schools (high schools and primary feeders). They will drive enterprise across the curriculum by developing enterprise skills in schools. The

Ambassadors will be based in high schools but will be closely linked to the Catalyst Centres. Each Ambassador and lead high school will have a flexible budget to purchase enterprise products from Education Leeds and other enterprise providers.

## **2. Enterprise Support**

Our LEGI programme will partner with Business Link to add value to existing/planned enterprise support services. In particular we will provide resources to extend the 'Enterprise Rehearsal' programme (which allows the unemployed to test a business idea while remaining on benefit) and the 'Diversity in Enterprise' programme (which provides a higher intensity of support than mainstream services can afford to provide). We are also planning to work with a Millennium Commission project (Unltd) to provide support to 75 social entrepreneurs based in our deprived communities. An innovative approach to working with Housing Association tenants will also be piloted through our LEGI programme as a way of increasing awareness of enterprise as an option as well as providing pre-start up support to people living in social housing.

## **3. Access to Finance**

Our LEGI programme will partner with Business Link and the Leeds City Credit Union to provide business advice to those seeking to raise finance, ongoing support in credit management and access to a suite of Credit Union financial products which are designed to widen access to financial services. For example through the Credit Union we can provide a basic bank account, savings account and a specific LEGI business loan product aimed at those who can't access traditional bank finance. Our LEGI programme will also aim to drive up demand for existing business finance products both in the private and public sectors.

## **4. Sector Support**

Our LEGI programme will provide specific assistance to businesses based in sectors which have significant growth potential and are attractive to residents of deprived communities. Projects have been developed to provide assistance for construction businesses, creative industries and arts/crafts.

## **5. Business Brokers**

The LEGI programme will provide resources to employ five business brokers based in our Catalyst Centres. The brokers will encourage the private sector to provide in kind support and cash resources to assist the regeneration of our target communities. Projects supported will cross all three LEGI outcomes and involve all the LEGI projects.

## **6. Area Promotion/Investor Development**

Our LEGI programme will work with private sector property agents, developers and the Renaissance Leeds partnership to create a sense of place and product for our deprived communities. Resources will also be provided to work with existing companies based in these communities to encourage/sustain investment.



Originator: Sue Morse

Tel:0113 3951398

**Not for publication:** Report exempt from Access to Information Procedure Rules by reason of 10.4(3)-Appendices 1, 2 & 4 only

## Report of the Director of Neighbourhoods and Housing

### Executive Board

Date: 18 October 2006

Subject: REGENERATION OF HOLBECK

**Electoral wards affected:**  
Beeston and Holbeck

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for call in

Not eligible for call in  
(details contained in the report)

### Executive Summary

In line with the objectives of the Vision for Leeds 2004-2020 and the Leeds Housing Strategy an allocation of £8 million Housing Market Renewal fund (HMRF) has been secured from the Regional Housing Board to be spent during the financial years 2006/8. This funding is available for the purpose of tackling poor quality, pre 1919 housing stock in the priority regeneration areas of Beeston Hill and Holbeck.

Executive Board at its meeting of 17.5.06 approved a recommendation to utilise £2.8m of this allocation to commence the acquisition of properties within the densely terraced housing area of Holbeck.

This report advises Executive Board of the options considered for an area encompassing 53 properties in Holbeck (as shown at Appendix 1 and labelled 'target area ') and details the results of an option appraisal. Addresses of affected properties are identified at Appendix 2. The report sets out recommendations for acquisition and clearance of 53 properties at an estimated cost of £2.95m and seeks in principle approval to proceed with the acquisition of the properties within the target area by agreement with their owners. In the event that agreement cannot be reached with owners authorisation is requested from Executive Board to make and promote any necessary Compulsory Purchase Orders.

## **1 Purpose Of This Report**

A capital grant of £8m has been allocated by the Regional Housing Board (RHB) for a long term housing market renewal programme to tackle poor quality, pre 1919 housing stock in Beeston Hill and Holbeck. The purpose of this report is to consider the options for regeneration of the Holbeck area and to seek approval for the acquisition and clearance of 53 properties within Holbeck by utilising £2.95m of this funding during 2006/8.

## **2 Background Information**

- 2.1 The regeneration of Beeston Hill and Holbeck, and the South Leeds area generally are high priorities and strategically important for the Council. Beeston Hill and Holbeck experiences some of the most severe levels of deprivation in the country. According to the Government's Index of Deprivation released in 2004, of the 11 Super Output Areas/neighbourhoods that cover Beeston Hill and Holbeck, seven of these are in the worst 3% of Wards nationally, and a further three are in the worst 10%.
- 2.2 Beeston Hill and Holbeck are identified as target areas for large scale improvement within the Vision for Leeds 2004-10, the Corporate Plan 2005-8 and the Leeds Regeneration Plan 2005-2008.
- 2.3 The Leeds Regeneration Plan 2005-2008 has an overall aim to narrow the gap between the most disadvantaged people and communities and the rest of the City. The Plan recognises that there are opportunities and challenges in Beeston Hill and Holbeck and in South Leeds generally to regenerate these areas, not only in terms of investment in buildings and the environment, but also other key service delivery issues.
- 2.4 In terms of the Unitary Development Plan, there is specific listing of the importance of Beeston Hill and Holbeck, and at its meeting in February 2005, Executive Board approved a Land Use Framework for the area as Supplementary Planning Guidance. The multi-agency Beeston Hill and Holbeck Partnership Regeneration Board, which was established in 2004, wishes to use the Land Use Framework as a platform for developing a public-private sector partnership that will deliver a range of outcomes to address the serious deprivation issues in this part of the city.
- 2.5 An Expression of Interest (Eoi) proposal for Beeston Hill and Holbeck has been submitted relating to the DCLGs Housing PFI Fifth Bidding Round. If the proposal is accepted on the PFI Programme it will clearly have a major impact on the area and act as a catalyst for further investment, there are, however, a number of issues that will not be addressed using Housing PFI credits including the acquisition and improvement/clearance of privately owned 'back-to-back' properties.
- 2.6 The area of terraced housing in Holbeck forms a crucial part of the overall objective to achieve transformational change in the area through the development of an integrated regeneration strategy linked to the proposed PFI scheme. This will involve partnership/s with the private sector that will result in the construction of 200 new Council properties and the development of other Council owned land for residential purposes in addition to other private sector investment in sites such as Shaftsbury House which has detailed planning approval for the conversion of the building to 172 flats.

- 2.7 Subject to consultation, the Expression of Interest proposal is based on a working assumption that 126 Council owned 'Type 2' back-to-back terraced properties will be cleared in phases over a 10 year period with the use of PFI credits. Although these properties are clustered together, they are interspersed with approximately 146 privately owned properties that in many cases will need to be acquired to form a comprehensive and cohesive scheme.
- 2.8 Irrespective of what the eventual decision is on the PFI Expression of Interest there is an urgent need to progress this scheme as part of the first steps towards a broader regeneration strategy for Beeston Hill and Holbeck.
- 2.9 The Matthew Murray School site has been identified within the PFI Expression of Interest as a site with short term development potential which is strategically important to the regeneration of the whole area. Acquisition and clearance of the properties which are the subject of this report would provide an opportunity to enhance the access route from Holbeck Moor to the Mathew Murray school site and potentially increase its value for redevelopment.

### **3 Main Issues.**

- 3.1 The area which is the subject of this report comprises of 51 brick terraced back to back houses and 2 back to back houses which have been combined to provide shop premises. It is proposed that the properties, as identified in Appendix 2, are acquired and demolished to produce a cleared site.
- 3.2 The cleared site provides an opportunity to create a more attractive link between the Mathew Murray High School site and the shopping area and open space at Holbeck Moor.
- 3.3 Of the 32 properties in private ownership only 6 are owner occupied. The high proportion of private landlords within this target area suggests that the relatively low property prices are attracting investors who are able to see the potential return from private lettings. A concentration of privately rented property can often lead to an over representation of vulnerable, mobile and anti-social residents.
- 3.4 The Vision for Leeds 2004 to 2020 identified as one of its aims the intention to "Regenerate and restore confidence in every part of the city" and to "Make sure that local neighbourhoods provide choice in the types and costs of housing available so that people do not have to move out of an area to meet their housing needs and choices by:
- Reducing the amount of housing that is unpopular or unfit
  - Providing housing that is more suitably matched to needs and choice
  - Improving the image of all types of rented accommodation
  - Making it easier to move between different types of rented housing and promoting renting as an alternative to buying.

The vision of the Leeds Housing Partnership as detailed in The Leeds Housing Strategy 2002/3 – 2006/7 is

"To create and maintain decent homes in decent neighbourhoods"

The relevant core aims of the Leeds Housing Strategy are to

- Provide and maintain decent housing

- To support the creation and maintenance of decent neighbourhoods
- To sustain healthy, accessible housing markets

These reflect the

- national policy priorities of quality, choice and social inclusion
- Regional and sub regional priorities of providing housing and services to meet needs, demands and economic requirements
- Local priorities of closing the gap

The proposals contained within this report consider how best to address these aims with the resources available. The option appraisal has considered 3 options for the area with reference to their ability to meet the defined objectives:

- Option A: Do minimum to meet legal conformity
- Option B: Group Repair and internal remodeling
- Option C: Acquisition and redevelopment of the site.

### 3.5 Option A: Do minimum to meet legal conformity

Generally in terms of the older housing stock, the Leeds South Homes (LSH) business plan does not support major refurbishment. Whilst LSH will maintain and repair stock, they are unlikely to undertake any significant improvement where investment in housing stock is considered to be uneconomical. The estimated cost of bringing the 19 properties owned by LCC up to the Governments Decent Homes Standard is at least £11,000 per property. Turnover in the area is increasing in momentum and while properties are lettable, tenancies are not sustainable in the long term. Generally speaking new tenants tend to be those applicants who have no other option but to accept a property in this area and who aspire to leave as soon as possible. Investment in these properties would therefore, prove financially unviable and their sustainability questionable.

Despite the uncertainty surrounding the sustainability of investment in this area LSH have a legal obligation to ensure that all the housing stock that they managed meets the Governments Decent Homes Standard by 2010.

LSH have calculated that they will need to spend £209,650 by 2010 to bring the 19 council properties in the target area up to the Decent Homes Standard. However, this standard does not address the issue of poor design, layout, the lack of gardens/private space and poor built environment. Refurbishment of LSH properties alone would provide only a piecemeal solution. It would also mean that an opportunity to contribute to the regeneration of the wider Holbeck area is missed.

Evidence suggests, therefore, that the expenditure required to comply with the above **minimum** standard would

- **not** address all of the issues identified by residents as unsatisfactory
- **not** prove to be cost effective
- **not** prove to be sustainable
- **not** enable the levels of change required to regenerate the area to be achieved

### 3.6 **Option B: Group repair and internal modeling.**

Enveloping works to the exterior of the properties would create a visually superior and uniform street scene. This, coupled with major remodeling of the properties may create through terraces with better layout and room sizes which would meet (potentially exceed) the Decent Homes Standard. Consultant Architects (West & Machell) working in the Harehills area of Leeds have estimated that the remodeling of two back to backs to form 1 family house would cost £65,000 per conversion in construction costs alone. The cost of remodelling all 53 properties in the target area, including acquisition and conversion costs, is estimated at £6,495,750 (see Appendix 4).

Even if ultimately these properties were sold on the open market for an optimistic £100,000 each this could potentially result in a **net loss** to the Council of approximately £3.9m. It is also doubtful whether **long term** demand exists even after conversion. Whilst this option may address some of the issues with poor conditions and potentially the lack of gardens as raised by some residents (see Appendix 3); it cannot address issues of poor housing mix, over density or poor environment and amenity. It is highly questionable whether such extensive works and expenditure would be cost effective, justifiable, or sustainable when compared with other options.

In view of the high costs involved, the fact that limited funding is currently available from RHB, and that regeneration priorities in other areas of the city require funding this option has been ruled out as a viable option on the grounds of affordability.

### 3.7 **Option C. Acquisition, Clearance and redevelopment of the site for housing**

3.7.1 The properties which are the subject of the proposals contained within this report are in the main type 2 back to back terraced properties (i.e open directly onto the street without any private external space)

3.7.2 Acquisition of the 32 privately owned properties within the target area and clearance of all 53 properties would form the first phase of the longer term strategy to commence transformational change of the area and provide a catalyst to the regeneration of the wider area.

3.7.3 A formal Option Appraisal in accordance with the corporate procedure has been carried out to assess Options A and C (option B having been ruled out on grounds of affordability). Both financial and non financial aspects of Options A and C have been considered.

A discounted cash flow exercise has been carried out for options A and C and the net present values are as follows

<b>Option</b>	<b>Description</b>	<b>NPV £000</b>
A	Do minimum to meet legal conformity	<b>249</b>
C	Acquisition and redevelopment of the site for housing	<b>2598</b>

This exercise and the table above illustrate the cost of each option over the next 25 years at today's value. Although the financial element of the option appraisal would suggest that Option A is preferable the pursuance of the stated objectives of this project are critical to the achievement of the strategic aims of the Vision for Leeds and the Leeds Housing Strategy.

- 3.7.4 Option C (Acquisition, clearance and redevelopment) scores highly against each objective as outlined in paragraph 3.3. Clearance and redevelopment facilitates, as one option, the potential to create high quality housing, which is of a type and size matched to the needs and choices of residents, in an attractive environment which would as a consequence contribute to the improved image and regeneration of the area and community. Option A (Do minimum to meet legal conformity), is able only to meet some of the objectives to a limited extent and potentially for a limited timescale. Other objectives, i.e. matching housing to needs and choice and tackling poor environmental quality, are not met at all by Option A. This is due to the fact that the governments Decent Homes Standard is a minimum standard which focuses on fitness, disrepair and the provision of modern facilities within the dwelling. It does not consider the external environment or the internal layout, size or number of rooms.
- 3.7.5 Whilst the financial analysis in isolation would seem to support option A the assessment of non financial factors must be given careful consideration also. The contribution of Option C to key strategic objectives outweighs the differential in financial terms in this instance. Option C is, therefore, the one recommended to Executive Board.

#### **4 Implications For Council Policy And Governance**

- 4.1 The Leeds Housing Strategy has identified the regeneration and renewal of areas with frail housing market conditions, poor quality or obsolete housing and issues with multiple deprivation as a key priority. This has also been identified as a key priority both in the Regional Housing Strategy and the West Yorkshire Housing Strategy. This proposal forms part of a housing market renewal component of the comprehensive regeneration programme for Holbeck.

If the acquisition of privately owned properties is approved valuations will be carried out on each individual property by a chartered surveyor to determine its current market value.

The public interest in maintaining the exemption in relation to appendices 1,2 and 4 attached to this report outweighs the public interest in disclosing the information by reason of the fact that:-

- a)Appendix 1 and 2 - The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Councils action.
- b)Appendix 4 - The costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure could prejudice the councils ability to reach an agreement on the purchase price with owners.

Copies of the exempt appendices 1,2 and 4 will circulated to members of the Executive Board once members of the public have been excluded and will be collected in at the conclusion of the meeting.



## 4.2 Consultation

- 4.2.1 During July 2006 attempts were made by Council officers to contact and visit **all residents** whose homes are directly affected by the proposals. These visits established that of the 53 properties in the target area 9 are currently unoccupied. Of the remaining 44 face to face interviews were carried out with 36 householders.
- 4.2.2 Attempts were also made to make contact with the private landlords in the area, of which there are 26. 10 private landlords have responded and all of the 6 owner occupiers in the area have been contacted and face to face interviews conducted.
- 4.2.3 Details of the results of the questionnaires are set out in Appendix 3. In summary, 15 out of 36 residents who responded were either dissatisfied or very dissatisfied with the area and 18 out of 36 respondents were in favour of demolition. 9 of the 36 respondents stated that they would not favour demolition. In addition 5 of the 10 private landlords who responded stated that they would not favour demolition.
- 4.2.4 Following the conclusion of the residents' survey local ward members were briefed on the results and gave their full support to the proposals for acquisition and demolition contained within option C of this report.
- 4.2.5 If approval is secured to acquire and demolish these properties a number of methods will be utilised by Council officers in order to ensure that residents and stakeholders have the opportunity to be involved and informed:-
- Existing arrangements already in place to consult with and involve local residents will be utilised wherever possible. I.e. Area Forums and local community action groups.
  - Regular liaison between project officers and the officers of LSH and other RSLs will ensure that rehousing of residents is co-ordinated effectively.
  - Regular written updates for, residents and property owners in the form of a newsletter and briefing notes for Ward members, MP for Leeds Central, ALMO officers and Housing Associations.
  - A suite of information leaflets is available to advise residents of the procedure and the assistance, including compensation, which is available to them.
  - If required local surgeries will be held in the area to ensure that project officers are easily accessible to residents and stakeholders. In addition this will encourage the development of trust resulting from personal contact.

## 5 Legal And Resource Implications

- 5.1 The estimated scheme costs of £2.8m are detailed at Appendix 4. This estimate includes acquisition of the 32 privately owned properties; compensation and disturbance payments for owners and private tenants, and site clearance including temporary work to secure the site.

- 5.2 The preference is to acquire properties by agreement with the property owners. A compensation package equivalent to that which would be available in the event of a Compulsory Purchase Order being made will be offered to residents and owners. Details of the compensation payments available to which owners and tenants may be entitled are outlined at Appendix 5. Legally, termination of a commercial lease is permissible with 6 to 12 months notice and payment of 1 or 2 times the Rateable Value of the premises. However, historically in such circumstances compensation has been paid to leaseholders of Council owned retail premises in line with those payable in the event of a CPO.
- 5.3 Negotiations to acquire the privately owned properties will be undertaken by Council officers. The aim will be to conclude acquisition of all properties and rehousing of all residents prior to commencement of site clearance for the sake of financial prudence. However, management of the partially vacated site will be carefully monitored to ensure that safety and security is maintained for the remaining residents. A provisional timescale has been devised with the aim of acquiring and securing vacant possession of all properties by early in 2008, with demolition taking place March/April 2008.
- 5.4 Although the preference is to acquire properties by agreement with owners, ultimately, if agreement cannot be reached, authorisation is sought from Executive Board to make any necessary Compulsory Purchase Orders. Should Compulsory Purchase action become necessary, in this instance, Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning and Compulsory Purchase Act 2004) is the most appropriate legislation in the circumstances. These powers are intended to help authorities to assemble land where this is necessary to implement the proposals in their Community Strategies and where the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion of the economic, social and environmental well-being of an area. This report seeks authorisation from Executive Board to make and promote any necessary compulsory purchase order required as a last resort in the event that voluntary agreement cannot be reached with owners to sell.
- 5.4.1 Regard must be had to the Human Rights Act 1998 including Article 8 (respect for private family life and home). The recommendation to authorise officers to make and promote any necessary CPOs strikes a clear balance between the public interference with private rights, which will arise if a CPO is pursued. Compensation would be payable to the person affected, and the provision of the Acts in paragraph 5.4 above are considered to be compatible with the Human Rights Act

## 5.5 Risks

- 5.5.1 A contingency fund of £34,530 is available to cover potential overspend on this project; if this is not required it may be made available to future phases in the longer term strategy for the regeneration of Beeston Hill and Holbeck.
- 5.5.2 While the intention is to acquire the 32 privately owned properties in this area with the agreement of owners there is always the possibility that Compulsory Purchase action may be required in the event of an inability to reach agreement. Eight out of the sixteen owners who responded to the questionnaire were not in favour of demolition. If Compulsory Purchase action is required this will inevitably have implications for the timescale of the project. Compulsory Purchase action would also involve additional costs i.e. publicity costs, officer time including legal fees, and the costs incurred surrounding the staging an Inquiry if objections are made.

- 5.5.3 If this project is delayed due to a requirement for CPO or due to any other issue, there is the risk that funding could be lost. In addition the success of the Leeds Housing Partnership to secure further funding from the RHB may be jeopardized by failure to deliver on current projects. However, in order to ensure that these risks are minimized a compensation package equivalent to that which would be payable if a Compulsory Purchase Order was in place is offered to owners. Valuations are carried out by independent chartered surveyors in an attempt to demonstrate the Councils fairness and impartiality and thus gain the trust of owners.
- 5.5.4 In addition delay could also be caused by the incapacity of the ALMO or RSL to rehouse displaced residents. Displaced residents who apply for tenancies through the Leeds Homes register are awarded 'Priority Extra' in recognition of their additional housing need caused by the action of the Council. Council officers will liaise regularly with officers of the ALMOs and RSLs to progress rehousing requests as efficiently as possible in an attempt to minimize this risk.

## **6 Conclusions**

An allocation of £8 million has been secured from the Regional Housing Board for the purpose of tackling poor quality, pre 1919 housing stock in the priority regeneration areas of Beeston Hill and Holbeck. It was agreed at the Executive Board meeting of 17 May 2006 that £2.95m of this funding be used to tackle poor quality, obsolete housing in Holbeck. Three options have been considered for the target area encompassing 53 back to back properties. The option appraisal has identified Option C - acquisition, clearance and ultimately redevelopment of the site as the preferred option. This option is considered to be the most effective as it will complement and add value to other regeneration initiatives ongoing in the area. Of the three options acquisition, demolition and redevelopment will make the most effective contribution to local and regional strategic aims. Consultation with local stakeholders has identified a majority view which is not opposed to acquisition and demolition.

It is envisaged that the proposals within this report will form the first of a number of phases focused on the area outlined on the plan at Appendix 1 of this report which will contribute to the regeneration of Holbeck. This of course is subject to further consultation, the allocation of further funding and approvals. The menu of interventions proposed as part of this strategy will include not only acquisition and clearance but also enveloping schemes to improve the external fabric of properties and remodeling to improve the internal layout but yet retain the character of the area and provide diversity of property types and tenures.

## **7 Recommendations**

Executive Board is requested to note the contents of the report and:

1. Approve the injection into the Capital Programme of £2.95m of Regional Housing Board money
2. Authorise Scheme Expenditure to the amount of £2.95m
3. Authorise officers to commence acquisition of the properties detailed at Appendix 2 by voluntary agreement with the owners. In the event that agreement cannot be reached with the owner of any property within the target area for its acquisition, authorise officers to make and promote any necessary Compulsory Purchase Orders.

## **Appendices**

1. Plan 1 target area (Exempt from Access to Information Procedure Rules 10.4(3))
2. Address list (Exempt from Access to Information Procedure Rules 10.4(3))
3. Summary of residents survey results
4. Costs associated with option B and C (Exempt from Access to Information Procedure Rules 10.4(3))
5. Compensation Payments

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**HOLBECK**

**SUMMARY OF RESIDENTS SURVEY RESULTS .**

**Tenure.**

Total of 53 Properties in the target area. 26 Private Landlords, 6 Owner Occupiers, 19 properties managed by Leeds South Homes on behalf of LCC & 2 properties knocked through to make a Shop owned by LCC.

**Occupation.**

44 Occupied properties - 6 Owner Occupiers, 21 Private Landlord tenancies & 17 LSEh.  
7 Void properties - 2 LSEh, 5 Privately owned The remaining 2 properties are the shop.

**Respondents.**

36 respondents (including 6 owner occupiers, 16 private tenants, & 12 LSEh) out of a 44 possible respondents. **82% response rate from the residents**

**Private Landlords**

10 out of the 26 Landlords have responded. **38% response rate.**

**Length of Occupation.**

Less than 1 year	8 households
Between 1 – 5 years	16 household
Between 5 -10 years	6 households
More than 10 years	6 households.

**Satisfaction with Home.**

3 respondents very satisfied with home	(8%)
19 respondents satisfied with home	(53%)
10 respondents dissatisfied with home	(28%)
4 respondents very dissatisfied with home	(11%)

**Problems with homes.**

In order of Priority.

ITEMS	POINTS
Kitchen size	58
General Repairs	56
Lack of Garden	52
Dampness	38
Insulation	30
Room size / number of rooms	29
Clothes Drying	26
Staircase	26
Refuse/ Bin yards	19
Central Heating	16
Roof	10
Other	10

### **Satisfaction with the Area**

1 respondents very satisfied with area	(3%)
20 respondents satisfied with area	(56%)
13 respondents dissatisfied with the area	(36%)
2 respondents very dissatisfied with the area	(6%)

### **Problems with the area.**

In order of Priority.

ITEM	POINTS
Anti social behaviour	109
Lack of facilities for teenagers and children	43
Crime	39
Poor quality housing	36
Dumped rubbish	25
Poor parking	17
Burglaries	15
Empty properties	10
Communal areas	7
Narrow Roads	6
Layout of the area	6

### **Positive points about the area.**

In order of number of times chosen:

Local shops and facilities x 15  
Good bus routes x 25  
Being near town x 15  
Being close to relations x 13  
Sense of Community x 9

### **Options for improvements.**

In order of priority.

ITEM	POINTS
Repairs to properties	39
Play facilities for teenagers & children	28
Demolition of selective properties	19
Improve car parking	20
Improve Traffic calming	34

### **Thinking of moving (out of 36 who responded).**

Yes 19  
No 17

### **Wish to be involved in further consultation (out of 36 who responded).**

Yes 30  
No 6

## **Demolition Results**

### **In favour of demolition – owner occupiers**

Yes	2
No	3
Don't Know	1

### **In favour of demolition – LSEH Tenants**

Yes	9
No	2
Don't Know	1

### **In favour of demolition – Private Tenants**

Yes	7
No	4
Don't Know	7

### **In favour of demolition – Total Residents**

Yes	18
No	9
Don't Know	9

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Appendix 5

<b>Compensation payments payable</b>	<b>Owner Occupier</b>	<b>Owner not occupier</b>	<b>Tenant</b>
<b>Value of the land taken</b> (open market value in the absence of the scheme) less sum due in respect of any mortgage	✓	✓	
<b>Homeless payment</b> if resident for one year or more (Owner =10% of value of property Max £40,000-Min £4,000 Tenant = flat rate £4,000)	✓		✓
<b>Basic Loss payment</b> (7.5% of value of property)		✓	
<b>Fees</b> (reasonable surveyors and legal fees for dealing with the claim and transfer)	✓	✓	
<b>Disturbance</b> (costs and losses as a result of being disturbed from occupation, e.g. removals, redirection of post, disconnection of services)	✓		✓
<b>Costs of re-investment</b> if incurred within one year		✓	

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**Report of the Director of City Services**

**Executive Board**

**Date: 18<sup>th</sup> October 2006**

**Subject: Integrated Waste Strategy for Leeds 2005-2035**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

The purpose of this report is to gain approval to the Integrated Waste Strategy for Leeds 2005-2035, the draft of which was approved by Executive Board in December 2005 to go forward for public consultation. An extensive programme of consultation has now been completed, which has demonstrated strong support for proposals, and the Strategy has now been revised to address consultation responses where appropriate.

The Strategy retains its focus on waste prevention, recycling and public education. It sets out a range of key targets for waste minimisation, recycling, recovery and landfill reduction, which will reduce the environmental impact of waste management in Leeds. The Waste Strategy also includes proposals for the development of a range of integrated waste management infrastructure, reflecting the outcomes of a detailed and robust stakeholder options appraisal process. This infrastructure will be required to ensure that Leeds City Council meets national recycling and landfill diversion targets, and that the major financial threat posed to the Authority by the Landfill Allowance Trading Scheme (LATS) is minimised.

The report addresses concerns about environmental impacts and health effects of the infrastructure and outlines the issues and risks associated with securing sites for waste facilities. It also refers to the refuse collection service developments that will be required in order to meet statutory and Waste Strategy recycling targets and to minimise the Authority's exposure to LATS risk.

Issues associated with the various funding and contractual options available to the Council are summarised, and Executive Board are requested to note the final draft of an Expression of Interest for PFI credits to support the delivery of key facilities. Executive Board are also asked to note the range of indicative affordability scenarios for the overall waste solution, and the proposed strategy to maximise and secure external funding.

The report sets out the proposed governance arrangements for the programme of projects required to deliver the waste solution for Leeds, and provides an overview of the risk management controls being applied to this programme of projects.

## **1.0 Purpose Of This Report**

- 1.1 The purpose of this report is to gain approval of the revised Integrated Waste Strategy for Leeds 2005-2035 following the original approval of the Strategy by Executive Board in December 2005 to go forward for public consultation and the subsequent completion of an extensive consultation process. A copy of the revised Waste Strategy, which addresses the feedback from the consultation, is attached at Appendix 1 (further appendices are attached only to Members' copies of the report but are available from the clerk named on the front sheet if required).
- 1.2 Approval is also sought for the associated three-year action plan, which details how the policies within the Strategy will be implemented. This is an annually updated document, against which performance will be reported publicly. A copy of the action plan is attached at Appendix 2
- 1.3 In anticipation of approval of the Strategy the Executive Board is also asked to note the contents of the final draft of Expression of Interest (EoI) for Private Finance Initiative (PFI) funding to support the development of the waste solution infrastructure (subject to amendments based on discussions with the Department for Environment, Food and Rural Affairs, DEFRA). Submission of the EoI was previously agreed by the Executive Board on 14<sup>th</sup> December 2005. However this has been delayed on the advice of DEFRA, and the opportunity has therefore been taken to bring the full text back to the Board. The EoI is attached at Appendix 3.
- 1.4 Key issues, risks and costs associated with this project are also highlighted for information and discussion.

## **2.0 Background Information**

- 2.1 The currently adopted Integrated Waste Strategy has undergone a scheduled review. This was conducted in the light of increasing Government recycling targets and the introduction of the Landfill Allowance Trading Scheme (LATS). LATS has been introduced by the Government as a means of ensuring compliance with the European Union targets on the reduction of biodegradable waste sent to landfill. Leeds is issued with ever decreasing numbers of LATS permits. Permits can be bought from other local authorities at a price determined by market forces. A penalty of £150 per tonne is payable for each tonne of waste landfilled without a permit. Penalties become a reality if there are insufficient permits nationally to cover the total amount of waste landfilled. It is estimated that Leeds could face cumulative penalties of £217million by 2020 if no action is taken.

- 2.2 In light of these changes a detailed review of Leeds' position was carried out. This review identified that without direct action the Council would incur between an additional £11.1 million and £34.9 million per year (depending on the cost of LATS allowances) to handle its waste. This would equate to between a 5.2% and 16.4% increase on Council Tax (Band D Property).
- 2.3 Various options including do nothing, do minimum, minimising waste, increasing recycling and building dedicated facilities were explored. The outcome of this exercise was reported in the Executive Board report of 14<sup>th</sup> December 2005.
- 2.4 The Strategy's ultimate vision is for Leeds to become a 'zero waste' city, where through a range of measures we reduce, re-use, recycle and recover value from all waste, sending no waste landfill. This is a thirty-year strategy that will require significant development work to achieve.
- 2.5 During the review period it was clear that to manage Leeds' waste in the future, dedicated facilities would be required. To determine the nature of these facilities a detailed option appraisal was conducted and the outcome included in the draft Waste Strategy.
- 2.6 The preferred integrated waste management system consists of a materials recycling facility, in-vessel and windrow composting facilities, transfer loading station, the provision of facilities to which householders can take their waste, an energy from waste plant and minimal landfill of residues. Leeds' aim to drive waste management up the waste hierarchy will be delivered through the development of this range of facilities, and provides a more sustainable alternative to landfill for waste that cannot be reduced, reused or recycled. This was identified as the preferred combination following the evaluation of options against an agreed range of criteria. The criteria were:
- Achieves sustainability in relation to social, economic and environmental impacts;
  - Provides long-term and certain markets for outputs;
  - Provides flexibility;
  - Achieves landfill diversion (LATS) targets;
  - Achieves long term statutory and local recycling and composting targets;
  - Minimises impacts associated with land use and allows self-sufficiency;
  - Cost and affordability;
  - Risk;
  - Health and environmental impacts;
  - Market interest;
- 2.7 The draft Strategy was approved for consultation at Executive Board on 14<sup>th</sup> December 2005. Since then the Strategy has been subject to extensive consultation and has gained widespread support. Further information on the consultation is outlined in section 4
- 2.8 A recent National Audit Office report on waste concluded that, "An emphasis on increasing recycling alone is unlikely to enable the European Union Directive on landfill to be met. The Department (DEFRA) therefore

needs to focus its resources towards helping the 25 waste disposal authorities sending the largest amounts of municipal waste to landfill (*this includes Leeds*) to develop alternative waste treatment facilities, such as Energy from Waste plants, alongside encouraging more households to recycle and compost and initiatives to minimise waste production.”

### 3.0 Strategy Targets

- 3.1 The Strategy sets out the City’s ultimate aspiration for zero waste, where waste that cannot be prevented is seen as a resource to be exploited through re-use, recycling and recovering value. The Strategy has three key principles – sustainability, partnership and being realistic and responsive – and is structured around nine key themes, each with a range of policies, to support its implementation. The full document is attached at Appendix 1.
- 3.2 The Strategy contains three main targets for Leeds City Council.
- 3.2.1 Waste minimisation and re-use – reducing the historically high growth in waste provides a primary focus for the Strategy. The specific target is to **reduce annual growth in municipal waste in Leeds to 0.5% per household by 2010, and eliminate growth in waste per household by 2020**. This target has been amended since the publication of the draft Strategy, based on improvements in growth trends and in response to consultation responses.
- 3.2.2 Recycling and Composting – these remain key priorities for the Council. A range of service developments will be required in order to meet the Strategy target of **recycling and composting a minimum of 40% of household waste by 2020**. Developments include introducing garden waste collections, increasing the frequency of kerbside recycling collections and the range of materials collected, improving participation and reducing contamination. A range of infrastructure will be required to support these developments as referred to in paragraph 2.6.
- 3.2.3 Recovery – recycling and composting alone would still leave significant quantities of waste being disposed of to landfill. In order to reduce our reliance on this most damaging method of disposal, a treatment option is needed to divert that which cannot be dealt with higher up the waste hierarchy. This will significantly reduce the environmental impact of waste management in Leeds and enable us to meet our targets. Energy from Waste (EfW) is the preferred option within the draft Strategy, which, together with the other initiatives, will deliver the **recovery of value from 90% of household waste by 2020**.
- 3.2.4 One of the issues returning from the consultation on the Waste Strategy is that a contractual requirement to supply minimum tonnages to an EfW facility (a requirement which would be common to any waste processing technology, and is not exclusive to EfW) should not suppress future recycling levels in the event that waste generation were to reduce dramatically or recycling performance exceeded target levels. The Waste Strategy sets out a commitment that there will be no ceiling on recycling where this

continues to represent the best environmental option, and sets out the contingency measures in place to ensure flexibility within a contract for the treatment of residual waste.

- 3.2.5 The estimates of required capacity of an EfW facility would be continually refined throughout the contract specification process based on the latest waste arisings and recycling data, and best practice information on future trends. The tonnages specified in any contract would be expressed as a range or bandwidth, rather than a fixed level, in order to ensure sufficient tolerance in the event of unforeseen trends in levels of residual waste requiring treatment, and the contract would be subject to scheduled reviews at which amendments could be made if required. Furthermore, the Strategy includes a commitment to explore the use of carbon neutral biomass to supplement waste in the event of a requirement to fill spare capacity. It should also be noted that EfW and high recycling co-exist very successfully in the top performing recycling countries in Europe such as Switzerland, Denmark and Holland.
- 3.2.6 One of the Waste Strategy's key principles is to ensure that it is '*realistic and responsive*' to future changes. There are many uncertainties in projecting as far as thirty years ahead, in particular in relation to growth or reductions in waste, new technologies and the markets for materials. The Strategy needs to be flexible and responsive enough to adjust and change in the light of such developments, and the Executive Board will need to look at any such changes before proceeding with the procurement of an EfW facility. Equally, we must have realistic aspirations as to what can be achieved within available resources. This will be achieved by:
- a) ensuring that waste management solutions are affordable and deliver best value;
  - b) responding to changes to Government policy, guidance and targets, as well as the ongoing development of national and European legislation;
  - c) building sufficient flexibility into waste management options chosen to take account of changes to waste trends, technologies and market;
  - d) providing information on changes and assumptions made;
  - e) ensuring that we meet the needs of the community and promote an inclusive approach.

## 4.0 Environmental and Health Impacts

- 4.1 During the development of the proposed waste solution, the environmental and health effects of the various options have been thoroughly evaluated. The Council has considered a wide range of existing independent research in this area, and commissioned its own study into effects (see Appendix 4).
- 4.2 The emission of greenhouse gases and their effect on global warming is a key consideration in evaluating the environmental performance of waste management options. One of key benefits of the Energy from Waste process is the offsetting of energy generated from more conventional processes (e.g. power stations).

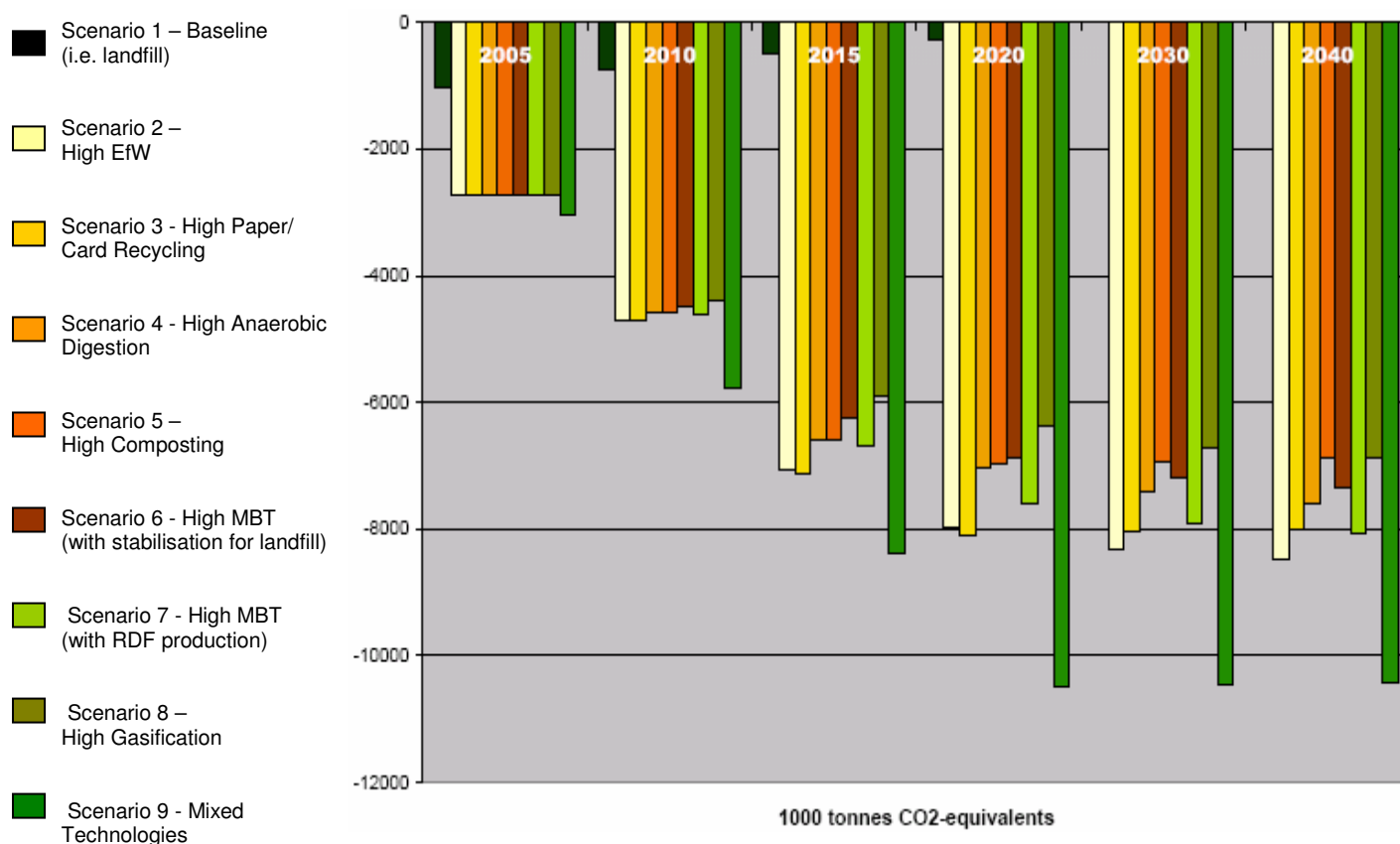
4.3 The latest research in this area can be found in a report commissioned by DEFRA entitled, “Impact of Energy from Waste and Recycling Policy on UK Greenhouse Gas Emissions” (January 2006) (ERM). The full report can be found at Appendix 5. This report provides a life cycle analysis of greenhouse gas emissions associated with a range of technology mixes for dealing with municipal waste in the UK. The residual waste treatment technologies evaluated include:

- Energy from Waste (EfW);
- Anaerobic Digestion (AD);
- Mechanical Biological Treatment (MBT) with stabilisation of the biodegradable element;
- Mechanical Biological Treatment (MBT) with production of Refuse Derived Fuel (RDF);
- Gasification.

4.4 The main findings of the report are summarised in Figure 4.4. All of the scenarios assessed assume certain levels of recycling and composting. Net levels of greenhouse gas emissions are measured in aggregated CO<sub>2</sub> equivalents. Greenhouse emission profiles are dominated by the offset benefits attributed to materials recycling and energy recovery, and net emissions are therefore negative for the majority of scenarios assessed. Each group of bars in Figure 4.4 illustrates the performance of Scenarios 1-9 from left to right for each year shown. Scenario 2 represents the proposal being put forward by the Council.

Figure 4.4

**Municipal Solid Waste Scenarios – Comparative Greenhouse Gas Emissions (Total Direct and Indirect)**



Source: ‘Impact of Energy from Waste and Recycling Policy on UK Greenhouse Gas Emissions’, Environmental Resources Management (ERM) (January 2006)

- 4.5 The main conclusion from this report is that Scenario 2 (i.e. combining Energy from Waste with recycling and composting to meet landfill diversion targets) outperforms all other individual residual waste treatment technologies in terms of greenhouse gas emissions. It is also the best performing option overall, with the exception of Scenario 9, which consists of a theoretical combination of Energy from Waste, Mechanical Biological Treatment with production of Refuse Derived Fuel for combustion, and Anaerobic Digestion, in addition to Windrow and In-Vessel Composting. The Council is unaware of there being any local authority precedent for a solution of this complexity, and the recent technical options appraisal suggests that such a solution would present unacceptably high costs and risks in terms of performance and deliverability.
- 4.6 As regards health effects associated with Energy from Waste, a major research study commissioned recently by DEFRA and entitled, "A Review of Health and Environmental Impacts of Waste Management" (May 2004) (Enviros/University of Birmingham) concluded the following, "*The review did not find a link between the current generation of municipal solid waste incinerators and health effects*". The report also concludes that, "*Emissions from incinerators in the UK have changed dramatically, with a 99.8% reduction in emissions since 1990*", since which time a range of increasingly stringent legislative emissions targets have been introduced for a comprehensive range of potential pollutants. The level of performance of these facilities in terms of minimising emissions will inevitably continue to improve. The full report can be seen at Appendix 6.
- 4.7 The evidence base referred to above, including the key reports included within the appendices, was collated and considered in consultation with a range of leading environmental research experts. Professor Paul Williams, B.Sc (London), M.Sc., Ph.D.(Leeds), C.Eng., F.Inst.E., Professor of Environmental Engineering and Head of the Energy and Resources Research Institute at the University of Leeds, has been consulted on the proposals being put forward by the Council. Professor Williams has said:
- 4.8 "*The Energy from Waste (EfW) solution being proposed by Leeds City Council represents a proven method of dealing effectively with residual municipal solid waste in order to meet landfill diversion targets. The technologies currently being put forward as alternatives to EfW generally amount to pre-treatments, and do not represent comprehensive solutions in themselves. In order to avoid a continued heavy reliance on landfill, these processes still generally need to be joined with some form of thermal treatment of waste, and assume markets for outputs of which there is little guarantee.*
- "There is no evidence of a link between modern municipal waste EfW facilities and health effects. As regards the environmental effects of waste management, by far the most important impact reported in scientific research is the effect on global warming of emissions of greenhouse gases from landfill of municipal solid waste (most importantly, methane). The strategy being proposed by the Council will therefore represent a step change in terms of reducing the environmental impact of waste management in Leeds."*

4.9 A strategic environmental assessment (SEA) has also been carried out. This is an assessment of the effects of the strategy on the environment and its purpose is to provide a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation of the strategy with a view to promoting sustainable development. The resulting Environmental Report was subject to consultation alongside the Waste Strategy. This details how the SEA process has influenced and informed the strategy development, and will demonstrate how consultation on the SEA has been incorporated into the process. The full Environmental Report and associated documents will be made available on the Council's website.

## 5.0 Consultation

- 5.1 It is estimated that the people of Leeds and other key stakeholders have been provided with over 800,000 opportunities to participate in the consultation on the Strategy conducted between December 2005 and June 2006, and the programme of consultation implemented was one of the most extensive ever carried out by the Authority.
- 5.2 Responses to the consultation demonstrated significant support for the proposals and targets set out within the Waste Strategy, and its commitment to driving waste management up the waste hierarchy.
- 5.3 The resident survey showed significant support for the preferred residual waste treatment option included in the draft Strategy, with 84% of respondents stating that an Energy from Waste facility was the right choice for dealing with the waste that we can't recycle. 4% of respondents were not in favour of this option.
- 5.4 The consultation feedback has now been reviewed in detail, and the Strategy revised in order to address the responses where appropriate. A summary of the consultation responses is attached at Appendix 7. Full details of responses will be published on the Internet.

## 6.0 Infrastructure Requirements

- 6.1 A range of new integrated infrastructure is required to enable Leeds to meet its recycling, composting and recovery targets. All options involve increased costs. However, not procuring the infrastructure detailed below would result in greater costs to the Authority.
- 6.2 The infrastructure required is as follows:

Facility	Waste Stream
Materials Recycling Facility (MRF)	Mixed, dry recyclables
Green Windrow Composting Facility	Garden waste (from HWSSs)
In-Vessel Composting Facility	Garden waste (from kerbside collections)
Energy from Waste Facility	Residual waste
Waste Transfer Facility	Recyclables and residual waste
Provision of facilities for household waste e.g. household waste sorting sites	Recyclables and residual waste



## 7.0 Delivery Methods

- 7.1 There are a number of alternative mechanisms that can be used to deliver the necessary infrastructure. These are outlined below and indicative costs are detailed in section 9 of this report. The likely result will be a combination of delivery mechanisms.
- 7.2 PFI (Private Finance Initiative)  
The Government provides financial support (PFI credits) to cover repayments on part of the capital cost of a solution. The solution could be totally integrated or not, but the PFI credits will only be awarded for the treatment infrastructure (i.e. EfW) provided under the PFI contract (see PFI section below). Standard PFI contracts have been developed by the Government in consultation with the private sector, and offer good and appropriate risk transfer for local authorities. This option requires a unitary charge payment by the Authority to a third party, with Government grant either supporting all or part of this payment.
- 7.3 PPP (Public Private Partnership)  
This arrangement would be identical to a PFI arrangement but without the benefit of PFI credits. It is still possible to use the standard contract documentation associated with PFI. This option is likely to require the Authority to fund a proportion of the capital investment required.
- 7.4 Conventional Contract  
This arrangement would involve the procurement of the individual elements of infrastructure and other services being procured separately through long-term contractual arrangements. This solution offers more complex contract management arrangements. It would allow the City to go to the market more quickly, and market soundings indicate that there is an appetite for this option.
- 7.5 JVC (Joint Venture Company)  
This arrangement would involve forming a partnership with another organisation where mutual benefits would accrue to all parties. It is likely that the JVC would include a landowner. The waste infrastructure could then be procured through the company using one of the options outlined above.
- 7.6 City Services are in regular discussions with other authorities in the region to identify any possible opportunities for joint working. A number of our neighbouring authorities have either already secured a solution or are in the process of procurement of facilities to meet their own needs. A full partnership approach is unlikely to be feasible and the time needed to reach a formal agreement would unduly delay our implementation. We continue to monitor the situation to identify any benefits that could be gained through the alignment of procurement timetables.
- 7.7 A bid to the Regional Support Fund to fund a Yorkshire and Humber site selection exercise has been prepared. This will identify if regional sites are a sustainable option and if any suitable sites exist in the appropriate areas. Opportunities, benefits and impacts of importing or exporting waste across local authority boundaries will also be considered.

## **8.0 PFI**

- 8.1 Officers attended a meeting with DEFRA on 1<sup>st</sup> June 2006 to discuss the submission of an EoI for PFI credits. DEFRA have indicated that £30 million of credits have currently been earmarked for Leeds. Subsequent discussions have indicated that this could rise. DEFRA also made it clear that funding would only be provided for the treatment element of the project (i.e. EfW). However, The Council intends to argue for the inclusion of the transfer loading facility on the basis of risk transfer.
- 8.2 The EfW and transfer loading station account for £129 million of the total capital funding required (£119m net present value). Based on the value of PFI credits required (£119m) and the value of credits earmarked (£30m), there is a requirement for an additional contribution (the affordability gap) to be paid by the Council. The full costs to be met by the Council for delivering the full waste solution are outlined in section 9.
- 8.3 In terms of the non-PFI elements of the project, further options appraisal work needs to be undertaken and a business case prepared. Options including prudential borrowing or long term contractual arrangements are being considered together with various contract structures and approaches.

## **9.0 Resource Implications**

- 9.1 Continuing to landfill that waste which is not recycled is not a viable option for the long term. The increases in landfill tax of £3 per annum to £35/tonne and possibly beyond, together with the cost of buying permits under the Landfill Allowance Trading Scheme (LATS) to achieve compliance with the EU Landfill Directive, will make this option prohibitively expensive. Landfill tax increases currently cost the Authority around an additional £1 million per annum, and under the LATS scheme the Authority could face cumulative penalties of up to £217million by 2020. The combination of high recycling coupled with processing of residual waste will address this financial pressure in a sustainable way.
- 9.2 Costs were assessed during the option appraisal process and the selected strategy and infrastructure options offered the best value for money.
- 9.3 In addition to the £119 million PFI funding identified in 7.2 the Council also needs to fund a materials recycling facility (MRF), in-vessel and windrow composting facilities and the provision of facilities to which householders can take their waste. The total capital cost of all infrastructure is approximately £150 million.
- 9.4 Indicative additional costs include the cost of capital repayments for PFI and non-PFI infrastructure, running costs and potential refuse service development costs. Current budget contributions are also included. These costs relate to the first year that all the proposed facilities are operational and are based on two different levels of PFI credits awarded. The indicative net figures represent the possible additional costs to the Council that would be incurred if this proposal was to be implemented.
- 9.5 The figures below also include the impact of LATS costs which under a 'Do Nothing' option would require the Authority to purchase LATS allowances or

pay DEFRA penalties (estimated at 120,000 permits in 2012/13); whereas with the EfW option, income from the sale of excess allowances (estimated at 78,000 permits in 2012/13) would be realised. The range of affordability gaps shown below includes LATS allowances at £30 per tonne (current market value) and £150 per tonne (maximum penalty), respectively, as there is significant uncertainty as to the future costs of LATS allowances.

- 9.6 Taking all factors into account and assuming a successful bid for **£119 million** of PFI credits, the annual affordability gap would be **between £3.9 million** (LATS at £30) **and a surplus of £5.5 million** (LATS at £150).
- 9.7 If, on the other hand, the Council were only awarded **£30 million** of PFI credits, the annual affordability gap would be **between £10.5 million** (LATS at £30) **and £1.1 million** (LATS at £150).
- 9.8 If no action were taken by the Council, the annual affordability gap would be between **£15.0 million** (LATS at £30) and **£29.4 million** (LATS at £150) and, in addition, the Authority would not achieve its statutory recycling target.
- 9.9 It should also be noted that the LATS costs associated with the 'Do Nothing' option will steadily increase beyond 2012/13 as LATS targets become tighter and tighter.
- 9.10 Whilst these indicative additional costs are based on securing PFI funding for the EfW and TLS, all funding options for financing the proposed facilities will continue to be explored.

## **10.0 Site Selection/Planning**

- 10.1 There are a number of risks associated with this project, as would be expected of any project of this size. These are being actively managed through a formal project board with the assistance of the corporate project assurance team.
- 10.2 The key risks are associated with the provision of sites for the infrastructure and obtaining planning permission. A comprehensive City-wide site selection exercise to identify sites which could be suitable for major waste facilities has been undertaken. Sites have been assessed against a range of criteria derived from planning guidance provided by national planning policy on sustainable waste management (PPS10), the emerging Yorkshire and Humber Regional Spatial Strategy and the Review of the Leeds UDP.
- 10.3 Ideally, the Council would wish to identify a single site solution for these facilities. However, the reality is that the project is more likely to be delivered through multiple sites, particularly in relation to composting operations. There are limited sites within our control, such as the transfer station at Kirkstall Road, which may be suitable for a MRF.
- 10.4 Further work is now being undertaken, in consultation with Development Department, to test appropriateness and availability. Cross-departmental discussion will be needed where there are competing priorities for sites. Ultimately sites will need to be included in the Waste Development Plan Document (DPD) and potentially in any relevant Area Action Plan.

- 10.5 There are very few of suitable sites within Leeds City Council's ownership, and it may therefore be necessary to acquire sites. These costs are not included in the costs outlined above.
- 10.6 Public consultation has shown that one of the key issues for the public is to ensure that an EfW plant does not act as a disincentive to recycling. It is therefore important that we are able to demonstrate a balance between our efforts to recycle and our need to recover energy from waste (see 3.2.4).

## **11.0 Collection Service Developments**

- 11.1 As previously outlined, collection service developments will be required to deliver improvements to our recycling and composting. The additional diversion of biodegradable waste from landfill achieved through improving recycling performance will mitigate the penalties that will potentially be faced prior to completion of an EfW.
- 11.2 Pilot collections of garden waste from routes in each of the five wedges will commence this month. Subject to successful evaluation these can be phased in across the City over a two-year period subject to appropriate budget provision.
- 11.3 In order to move forward it will be necessary to increase the capacity of the bins and/or the frequency of green "SORT" bin collections. A full options appraisal is being undertaken to assess the performance, costs, benefits and risks of potential alternatives. This will be the subject of a further report to the Executive Board.
- 11.4 The refuse collection service developments will cost around £5 million per annum on the basis that garden waste collections and increased green bins collections are implemented city-wide.
- 11.5 Allied to this is an ongoing efficiency review of the in-house service, which may require a market testing exercise in due course.
- 11.6 Increased education and awareness campaigns will be required to support any service developments and to ensure effective use of current services.

## **12.0 Implications For Council Policy And Governance**

- 12.1 The PFI elements of the scheme will be managed by the Public Private Partnerships Unit (PPPU), whilst the other elements of the project will be managed by City Services. It is proposed that all elements of the project report to a Waste Solution Programme Board chaired by the Deputy Chief Executive. Attached at Appendix 8 are the terms of reference for the governance of this programme of work associated with the Strategy.

## **13.0 Risk Assessment**

- 13.1 The options appraisal that determined the preferred infrastructure included an assessment of the risks of delivery.
- 13.2 A full risk assessment has been undertaken on all the associated risks for the preferred option. The risks have been identified, and probability and

consequence assessed against a predetermined scoring matrix. This is regularly reviewed and updated by the formal project board.

13.3 In addition, risks have been ascribed to the specific actions contained with the Strategy Action Plan.

13.4 The delivery of the Council's waste management solution is considered the highest risk on the corporate risk register.

## **14.0 Conclusions**

14.1 By approving the Strategy the Executive Board enables the Council to go forward with implementation of the Strategy action plan. This will allow us to work towards and achieve a major step change in terms of reducing the environmental impact of waste management in Leeds, meeting our targets and mitigating additional costs.

## **15.0 Recommendations**

15.1 The Executive Board is requested to:

15.1.1 Adopt the Integrated Waste Strategy for Leeds 2005-35;

15.1.2 Approve the action plan for implementation for which financial provision will need to be secured following appropriate budget submissions;

15.1.3 Approve the governance arrangements for the programme outlined in the attached terms of reference;

15.1.4 Note the content of the Expression of Interest (EoI) for PFI credits, agree the proposed strategy for securing external funding and delegate approval of the final EoI document to Asset Management Group;

15.1.5 Note that an outline business case for PFI funding will be brought to the Executive Board for approval following approval of the EoI by DEFRA;

15.1.6 Note the indicative financial implications of delivering the overall waste solution for Leeds;

15.1.7 Note the site selection work in progress relating to the location of facilities, including the approach to regional working outlined in the report.

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# **Integrated Waste Strategy 2005-2035**

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## **1. FOREWORD**

TO BE INCLUDED FOLLOWING EXECUTIVE BOARD APPROVAL

## 2. EXECUTIVE SUMMARY

### Introduction

The Integrated Waste Strategy for Leeds sets out Leeds City Council's strategic vision and key objectives for waste management over the next thirty years. This version of the Strategy constitutes a scheduled review of the Strategy adopted by the Council in 2003, and builds on the principles established in the original document.

### Our Vision and Mission

Our ultimate aspiration is for *zero waste*. *Zero waste* is not an absolute figure, but a target to strive for that encourages new levels of innovation and efficiency. It sees waste as a resource to be exploited through re-use, recycling and recovering value. The principles of zero waste are:

- Reducing consumption
- Reducing growth in waste per household
- Ensuring that products are made to be re-used, repaired, recycled or composted
- Maximising recycling
- Minimising residual waste

The goal is to minimise and ultimately eliminate waste. Zero waste cannot be achieved by local government alone, as it involves all sectors of the supply chain from design, production, manufacturing, packaging, etc, through to retail and final consumption. However, Leeds City Council can take a lead by raising awareness in the local community and encouraging community, business and householder participation.

**Our vision is of a *zero waste* city, whereby we reduce, re-use, recycle and recover value from all waste, waste becomes a resource and no waste is sent to landfill.**

Figure 1

We aim to achieve this by exploiting every practicable opportunity to drive waste management up the Waste Hierarchy (see Figure 1 opposite), with the reduction of growth in waste providing a primary focus.

We will exercise our influence over the management of waste from other sectors through lobbying for change and through partnerships to develop integrated and sustainable waste management solutions.



### Key Pressures and Targets

As clearly stated above, reducing the historically high growth in waste provides a primary focus for the Waste Strategy for Leeds, and a range of policies and initiatives to achieve this aim are set out in the Strategy. **Our aim is to reduce annual growth in municipal waste in Leeds to 0.5% per household by 2010, and to eliminate growth in waste per household by 2020.**

Recycling remains a key priority for the Council, and the Authority and the people of Leeds received national recognition for the household waste recycling rate of 19.6% achieved in 2004/5. This was increased to 21.3% in 2005/6. However, we need to

deliver further improvements if the statutory targets of 30% by 2010 and 33% by 2015 are to be met. **Our aim is to achieve a minimum recycling rate of 40% by 2020.**

In addition, European Parliament and UK Government legislation and targets now mean that local authorities will have to develop plans for the diversion of significant proportions of municipal waste from landfill. Landfill is a major contributor to harmful greenhouse gases, and failure to meet these targets may result in massive financial penalties.

Leeds City Council landfilled around 80% of the 355,000 tonnes of waste that it collected in 2004/5, and has therefore been evaluating major new alternatives for moving away from this form of disposal towards treatment methods that recover value from our waste. **Our aim is to achieve the recovery of value from 90% of our waste by 2020.**

### Strategy Principles and Objectives

The three following key principles run throughout the Strategy:

- *Sustainability* - to develop and promote sustainable waste management;
- *Partnership* - to work in partnership with communities, businesses and other stakeholders to deliver sustainable waste management;
- *Realistic and Responsive* - to ensure that the Strategy is realistic and responsive to future changes.

The key objectives of the Strategy can be summarised as follows:

- To move waste management up the waste hierarchy, with particular focus on reduction;
- To manage waste in ways that protect human health and the environment:
  - Without risk to water, air, soil, plants and animals;
  - Without causing a nuisance through noise or odours;
  - Without adversely affecting the countryside or places of special landscape, townscape, archaeological and historic interest;
  - Disposing of waste at the nearest appropriate installation, by means of the most appropriate methods and technologies.
- To develop integrated and sustainable waste management services, that are flexible and have optimal end-to-end efficiency;
- To exceed Landfill Allowance Trading Scheme (LATS) targets;
- To meet statutory and local 'stretched' recycling and composting targets;
- To provide a waste solution that is affordable and delivers best value;
- To stimulate long-term and certain markets for outputs in order to promote local and regional self-sufficiency.
- To increase community cohesion by recognising the links between crime and the environment and improving access to services based on local needs.

### Key Themes and Policies

<b>Key Theme 1 – Education and Awareness</b>	
Aim - To change the culture and behaviour of the people of Leeds to make a positive step change in waste prevention and recycling.	EA1 – To encourage active participation EA2 – Provide feedback on how well we are doing EA3 – Integrate education and awareness into all waste services EA4 – Seek views to inform future decision making EA5 – Link into other strategies, plans and policies

<b>Key Theme 2 – Waste Prevention</b>	
Aim – To reduce the amount of waste produced and maximise the reuse of municipal waste materials.	WP1 – Empower consumers WP2 – Explore incentives for waste prevention WP3 – Minimise and reuse Leeds City Council’s waste WP4 – Build capacity in the voluntary/community sector. WP5 – Reduce the annual growth in waste per household to 0.5% by 2010 and to 0% per household by 2020
<b>Key Theme 3 – Market Development and Procurement</b>	
Aim – To work in partnership to develop local markets and encourage the development of secondary material industries.	MDP1 – Strive to stimulate new and emerging businesses to reuse items or reprocess materials and support existing businesses that want to move into this field. MDP2 – Increase the Council’s use of recycled materials MDP3 – Promote products made from reused, recycled or recovered materials MDP4 – Seek markets for the materials produced through the Council’s waste management service
<b>Key Theme 4 – Recycling and Composting</b>	
Aim – To maximise recycling and composting of municipal waste where it is sustainable to do so, to complement our efforts to prevent waste.	RC1 – Provide appropriate, convenient and accessible collections of recyclables from every household in the City RC2 – Improve composting through household waste sites and explore kerbside collection services RC3 – Extend the range of materials collected RC4 – To recycle and compost a minimum of 40% of municipal waste by 2020
<b>Key Theme 5 – Medium and Long Term Recovery</b>	
Aim – To achieve the maximum diversion of waste from landfill and to recover the maximum value from waste.	R1 – Provide information on the recovery technology R2 – Deliver an Energy from Waste Recovery facility for municipal waste generated in Leeds R3 – Complete an Environmental Impact Assessment on the proposed Energy from waste facility R4 – To recover 90% of municipal waste by 2020
<b>Key Theme 6 - Enforcement</b>	
Aim – To support the objectives and policies of the Strategy through enforcement where appropriate	EF1 – Develop waste specific enforcement policies EF2 – Use enforcement as a last resort after all efforts to educate and support have been pursued
<b>Key Theme 7 – Limiting Landfill</b>	
Aim – To limit the amount of waste disposed to landfill	L1 – Minimise our need for municipal waste landfill, with a long term aspiration of zero waste to landfill L2 – Landfill no more than 10% of municipal waste by 2020
<b>Key Theme 8 - Planning</b>	
Aim – To assist with meeting the requirements of sustainable waste management through the existing UDP and emerging LDF process	P1 – Assist with and influencing the contents of the Local Development Framework, particularly the waste Development Plan Document P2 – Identify sites and obtain planning permission for municipal waste facilities P3 – Explore the development of a Sustainable Energy Park.
<b>Key Theme 9 – Commercial and Industrial Waste</b>	
Aim – To drive commercial and industrial waste up the waste hierarchy.	CI1 – Partner with stakeholders to explore ways to promote sustainable management of commercial and industrial waste CI2 – Lobby for the prevention of waste CI3 – Leeds City Council as exemplar CI4 – Partner with the EA to improve our data on commercial and industrial waste

## Consultation

The Integrated Waste Strategy for Leeds 2005-35 has been developed through one of the most extensive programmes of public and stakeholder consultation ever undertaken by Leeds City Council. The feedback received has demonstrated significant support for the proposals and targets set out within the Strategy, and the document has now been reviewed to address the responses from the consultation where appropriate. Details of the feedback from the consultation will be made available on the Council's website at [www.leeds.gov.uk](http://www.leeds.gov.uk).

### 3. INTRODUCTION

The Integrated Waste Strategy for Leeds outlines the context for and principles of the Council's strategic vision for waste management over the next 30 years, and informs the detailed action plan that accompanies this Strategy. The action plan contains the detail of how the Strategy will be delivered, and this will be updated on an annual basis.

The first Integrated Waste Management Strategy for Leeds was adopted in 2003 and was intended to guide the Council through to a review date in 2006. The Strategy has now been reviewed, particularly in relation to waste 'recovery' (or the recovery of value from waste). This document is the result of that review and will be the subject of extensive stakeholder consultation before being adopted.

The updated Strategy will inform the procurement of an integrated waste management contract for the Council. This contract will span 25-30 years and the Strategy must reflect this. However, the Strategy will be subject to regular review.

Leeds has significantly increased its levels of recycling for household waste, gaining national recognition for its performance against recycling targets, but further action is required to divert waste away from landfill. The amount of waste generated continues to grow annually, and the costs of dealing with it are rising. Councils and the business community are now obliged to act to effect positive change and promote how they prevent (i.e. via reduction and re-use), recycle, compost, recover value from and dispose of waste.

This Strategy focuses primarily on municipal waste (see definition below), as the management of this waste is within the control of Leeds City Council. However, municipal waste is only a part of the overall waste generated in the City, and the Strategy also recognises that the Council has a key role in encouraging businesses and communities to manage waste more sustainably. Some of the activities detailed in this Strategy therefore relate to areas within the direct control of the Council, while others are dependent on businesses and local communities accepting their responsibilities in this area, with the Council acting in its role as community leader.

The Strategy outlines the need for change and the current waste management position for the City and for the Council. It sets out the key principles for delivering integrated solutions for waste management over the next 25 to 30 years, and sets out the nine key themes for taking the principles forward, and the policies for delivering sustainable waste management. These policies will link directly into the action plan for the Strategy. The Strategy also includes proposals for monitoring and review.

A Glossary of commonly used words and terms is included at the back of this document.

#### Key Definitions

- *Waste*, in the context of this Strategy, refers to controlled waste (i.e. that which must be managed and disposed of in line with waste management regulations).
- *Municipal waste* is waste collected by the Council, and consists primarily of waste from households.
- *Non-municipal waste* is that collected from commerce and industry, construction and demolition, and also includes hazardous wastes.

These terms are defined in more detail in the Glossary at the end of this document.

#### **4. CONSULTATION**

The formal consultation on the Integrated Waste Strategy for Leeds was entitled, 'What should Leeds do with its waste?', and commenced on 19<sup>th</sup> December 2005, following the approval of the draft Waste Strategy for consultation by the Council's Executive Board.

The consultation period continued until 31<sup>st</sup> May 2006. It is estimated that the people of Leeds and other key stakeholders have been provided with over 800,000 opportunities to participate in this exercise, and the programme of consultation implemented was one of the most extensive ever conducted by the Authority.

A wide range of different methods of communication and consultation were employed to ensure that all areas and groups within the City were reached. The main activities undertaken are listed below:

- Distributed information and questionnaire on waste management options to all households in Leeds via the 'About Leeds' Council newspaper;
- Circulated a community leaflet, including key messages and a short questionnaire, to libraries, one stop centres, community groups, parish councils, tenant/resident associations;
- Produced information sheets and frequently asked questions to support communication of the key issues, also responding to the subsequent requests for information;
- Provided exhibition stands at various venues across the city;
- Participated in environmental debates within local communities;
- Consulted with residents via a door knocking campaign in selected areas of the City;
- Provided briefings on the Waste Strategy to call centre staff;
- Re-developed existing website information to support and deliver key messages;
- Hosted an on-line survey throughout the consultation period;
- Developed a media strategy with the Council's Press Office;
- Held a high profile media launch in Leeds City Centre;
- Secured local television, press and radio coverage of key issues;
- Conducted a Citizens' Panel survey using a demographically representative sample of residents;
- Delivered presentations and Q&A sessions at community forums throughout Leeds;
- Consulted with representatives of a wide range of minority groups;

- Consulted with children and young people using presentations and special questionnaires (including a poster design competition);
- Held a series of seminars for Elected Members to ensure involvement and engagement in the key issues and decisions facing the Authority;
- Commissioned a Scrutiny Board Inquiry by Elected Members into the development of the Waste Strategy and Waste Solution for Leeds;
- Arranged site visits for Elected Members to Energy from Waste, Mechanical Biological Treatment and landfill facilities;
- Consulted statutory consultees (including Environment Agency), Government Office for Yorkshire and Humber, Yorkshire and Humber Regional Assembly, regional local authorities and waste contractors;
- Consulted environmental pressure groups.

Table 1 below provides a summary of the estimated number of people reached through some of the main consultation activities:

Table 1

<b>Method</b>	<b>Approx people reached</b>
'About Leeds' Council newspaper	Over 300,000 households
Community leaflet	40,000
Leeds 'Metro' newspaper	50,000
BBC Look North (4 minute feature)	Viewing figures unconfirmed
ITV Calendar lunchtime feature	Viewing figures unconfirmed
Yorkshire Evening Post coverage	76,000–79,000
Front page of Leeds website	288,336
Citizens' Panel	1000
Door knocking	9000
Race Equality Action Forum	2000
Leeds VOICE environmental forum	6000
Community forums	1000
Residents and tenants associations	1000
Parish councils	1000
Libraries	1000
'One stop' centres	7500
University students	2000
White Rose shopping centre	2000
Otley market	1000
Kirkgate market	1000
Elected Members	99 (i.e. all)

The statutory consultees were specifically asked to comment on the on the findings of the Sustainability Appraisal and the Environmental Report at the same time as the Integrated Waste Strategy itself. These documents were also made available on the Council's website alongside the Strategy (see section 9).



Responses to the consultation demonstrated significant support for the proposals and targets set out in the Waste Strategy, and its commitment to driving waste up the waste hierarchy. A summary of the consultation responses is attached as an appendix to the Waste Strategy. Details of the responses will be made available on the Council's website at [www.leeds.gov.uk/leedswaste](http://www.leeds.gov.uk/leedswaste). The consultation feedback has now been reviewed in detail, and the Strategy revised in order to address the responses where appropriate.

## 5. THE NEED FOR CHANGE

The context for waste management is changing. It is a complex issue for the Council and other stakeholders to deal with. The key factors driving the need for change are:

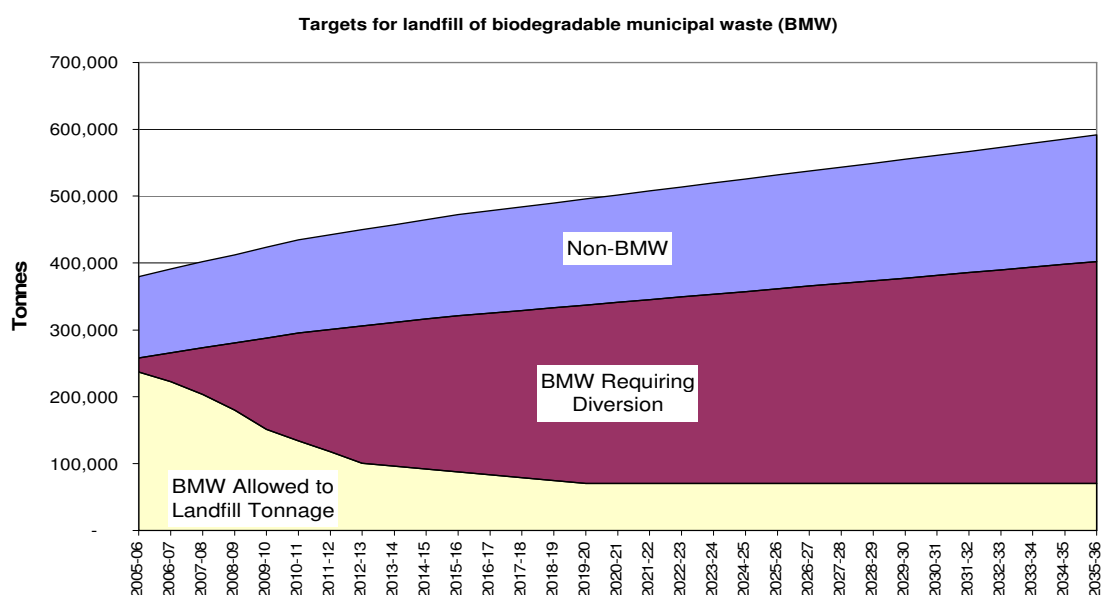
- The need to ensure sustainable development
- The increasing legislation being introduced to achieve sustainable waste management
- Meeting targets set by Government and the European Union
- Uncertainties over future growth in waste
- The significant financial implications for local authorities

• **The need to ensure sustainable development** - this Strategy forms part of a city-wide response to the concern that we need to achieve a better balance between economic prosperity, social equity and environmental protection - making sure that sustainable development takes place in the context of living today with tomorrow in mind. This links into the work of the Leeds Initiative and the Vision for Leeds II.

• **The increasing legislation being introduced to achieve sustainable waste management** - concern over growing environmental damage has led to international targets to reduce greenhouse gas emissions and other environmentally harmful effects. These targets, in turn, have resulted in European and national policy and legislation, much of which impacts on the production and management of waste.

• **Meeting the targets set by the Government and European Union** - the key policies and legislation set by national and European government have, in turn, been translated into stretching targets for local authorities. In Waste Strategy 2000, the Government has set out the targets that it expects local authorities to achieve in waste management (see Table 1). In addition, the EU has set limits on the amount of biodegradable municipal waste that can be sent to landfill. Meeting these targets alone will require a step-change in our performance and in the way in which we manage our waste. Figure 2 illustrates the significant shift required away from landfill to recovery and recycling for biodegradable municipal waste (BMW) in Leeds.

Figure 2



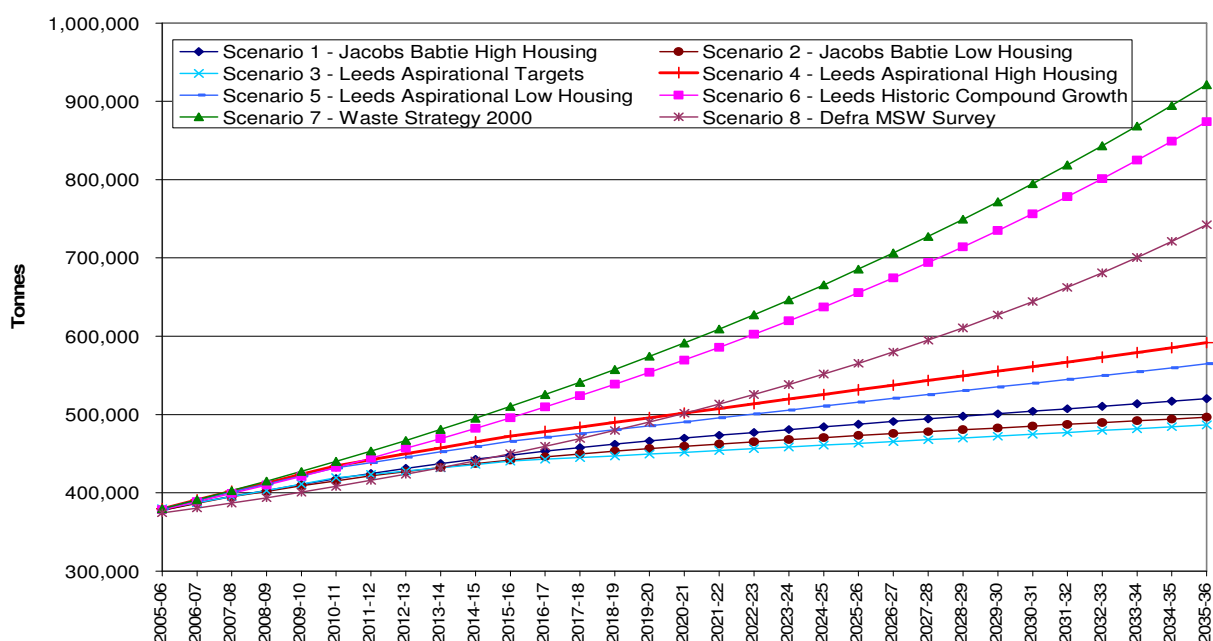
The main targets affecting local authorities are set out in Table 1.

Table 1

<b>UK Government</b> (these targets include recycling and composting of household waste)	
For recycling and composting of household waste	30% by 2010
	33% by 2015
For recovering value from municipal waste	40% by 2005/06
	45% by 2010
	67% by 2015
<b>European Parliament</b>	
For limiting landfill of bio-degradable municipal waste	By 2010 we are limited to disposing of 75% of the biodegradable waste figure from 1995, or 151,000 tonnes
	By 2013 we are limited to disposing of 50% of the biodegradable waste figure from 1995, or 101,000 tonnes
	By 2020 we are limited to disposing of 35% of the biodegradable waste figure from 1995, or 70,000 tonnes

• **Uncertainties over future growth in waste** - municipal waste growth in the UK has slowed in recent years and is now about 1.5% every year, it is now slower than GDP. The amount of waste is growing annually and costs of dealing with it are rising (see section below). We have seen annual increases in the waste handled by the Council almost consistently, which has been mirrored by growth in the City and nationally. In planning ahead, we have to make certain assumptions about what is likely to happen to growth in waste. Clearly the amount of waste produced will impact on the cost of waste management and the need for new facilities, as well as the amount of waste requiring treatment to meet the various targets. To this end, together with Jacobs Babtie, our technical advisors, we have modelled a number of scenarios for municipal waste growth in Leeds, as can be seen in Figure 3.

Figure 3 (awaiting updated diagram)



These scenarios incorporate a range of factors, including national and local historical trends, projected household growth and best data on predictions for waste growth per household. There is considerable uncertainty about the extent to which the amount of waste will grow, and this is reflected in the comparisons shown in Figure 3. Our current proposed scenario is for a significant reduction in municipal waste growth per household, which will see growth per household reduce to 0.5% by 2010 and to 0% by 2020. This is based on increasing pressure through legislation to reduce packaging waste and a growing awareness of the need to change behaviour and attitudes to waste. This preferred scenario also assumes a factor of high growth in households in Leeds. Estimated household growth figures have been provided by the Council’s Planning and Economic Policy Team up to 2016, and reflect both planned and projected ‘windfall’ developments in housing. The higher end of the range of projections for housing growth has been assumed within the model to take account of the fast economic growth currently experienced in Leeds. The elements of household growth and waste growth per household are shown in Figures 4 and 5.

Figure 4 (awaiting updated diagram)

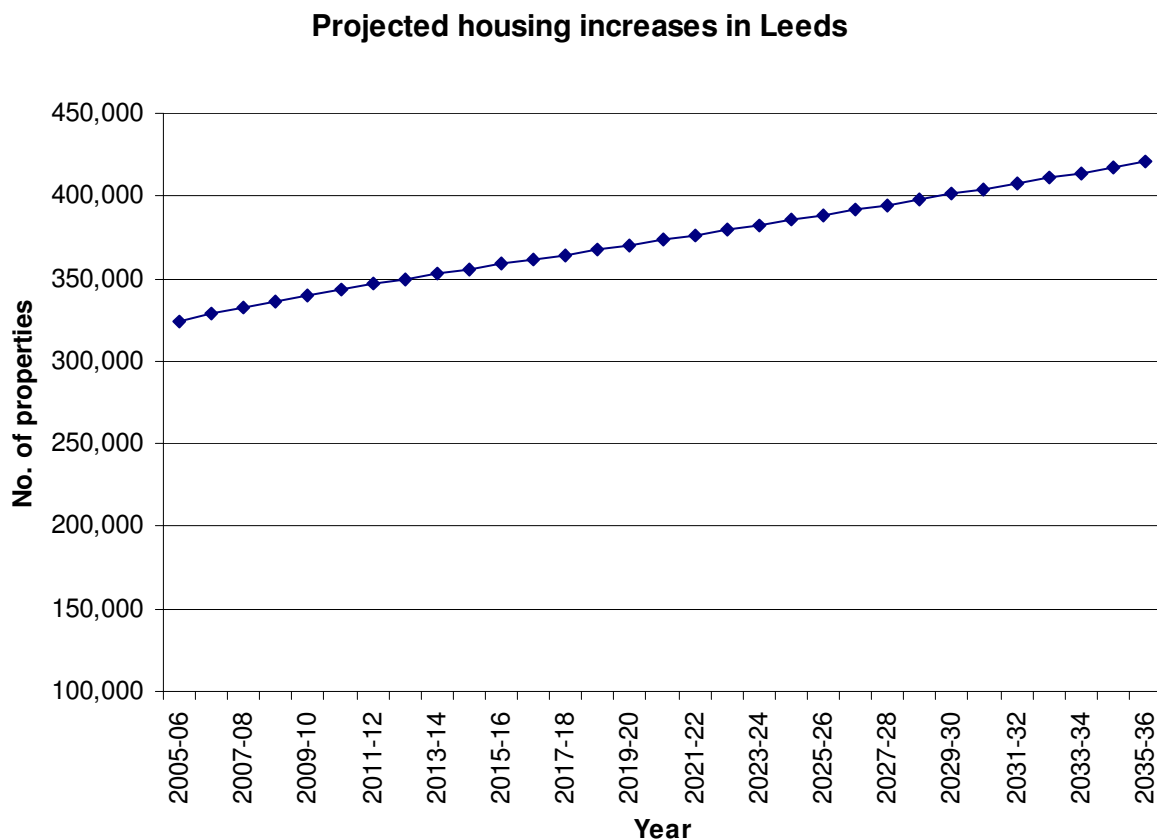


Figure 5 (awaiting updated diagram)

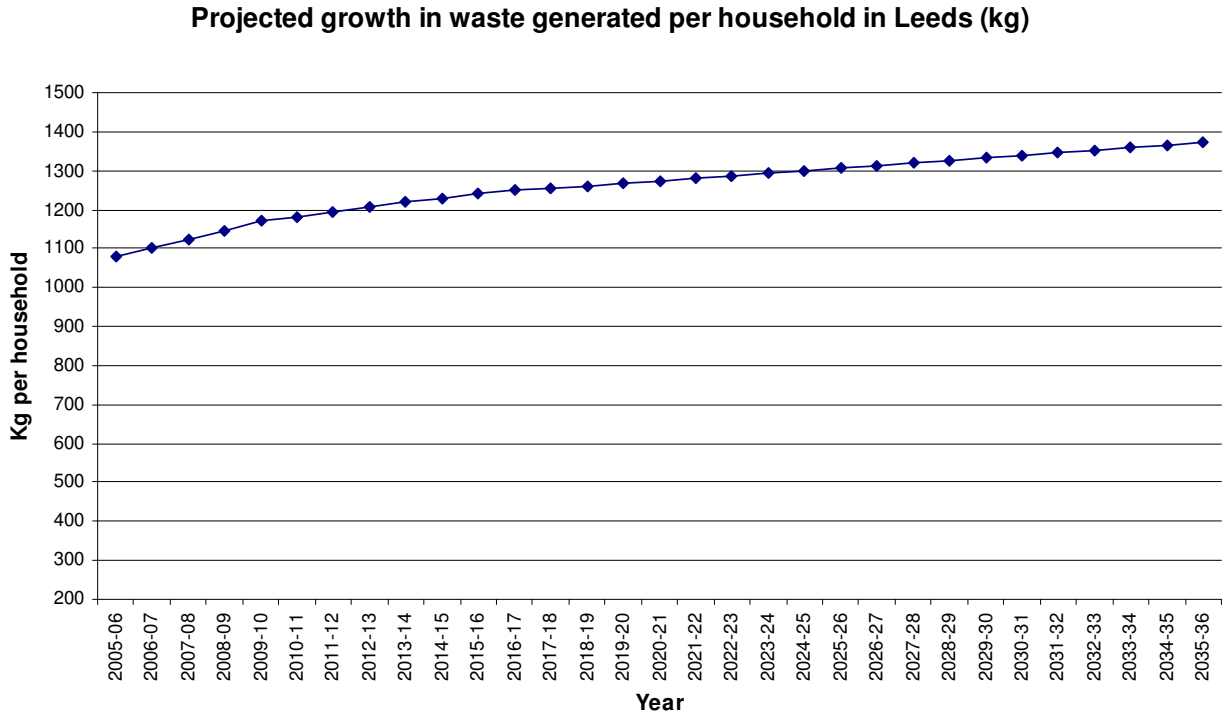
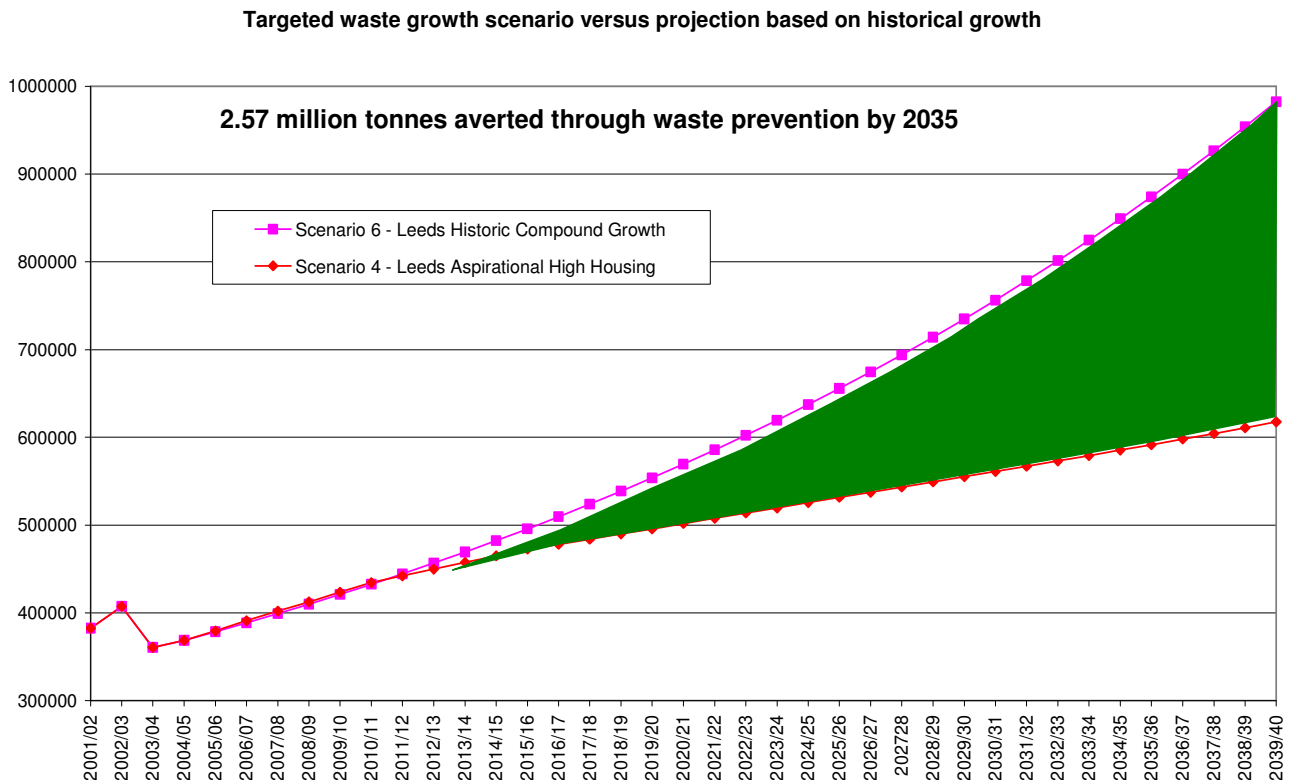


Figure 6 illustrates the long-term impact of the selected growth scenario. This targeted scenario constitutes a reduction in projected waste generation of over 2.5 million tonnes (amend this when figures available) by 2035 as compared to projections based on recent historical growth trends.

Figure 6 (awaiting updated diagram)



- **The significant financial implications for the Council** - whichever route we take, there will be major financial implications for waste management within local authorities. We spend approximately £29.4 million per year on refuse collection and waste management (2004/05) services, which equates to an estimated £92 per household per year. These costs will rise as the amount of waste grows and we change the way we deal with it. The UK Government is now increasing landfill tax by £3 per year. It currently stands at £18 per tonne (2006/07), and the Government has indicated that this will increase to at least £35 per tonne. This increase represents an increase of £825,000 per year based on current waste levels.

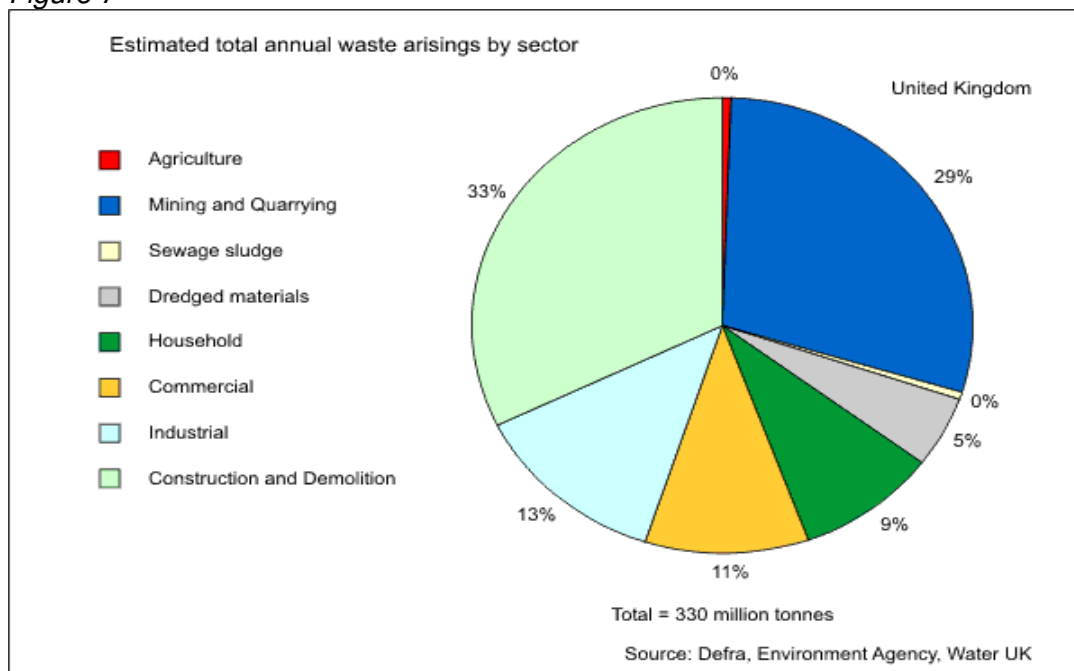
The UK Government has also introduced the Landfill Allowance Trading Scheme (LATS) designed to ensure that the UK meets European targets for the diversion of biodegradable waste away from landfill. The Waste and Emissions Trading Act (2003) provides the legal framework for the scheme and for the allocation of tradable landfill allowances to each Waste Disposal Authority (WDA) in England. These allowances will convey the right for a WDA to landfill a certain amount of biodegradable municipal waste in a specified scheme year. Each WDA will be able to trade allowances with other authorities, save them for future years (bank), or use some of its future allowances in advance (borrow). A fixed penalty of £150 per tonne will be incurred if a WDA breaches its landfill allowances target in the scheme year. Based on our estimates of waste growth and recycling levels, Leeds will have a shortfall of LATS permits in 2008/09. If further action is not taken this would result in cumulative costs to the Council of an estimated £217m in landfill penalties by 2020 alone.

## 6. CURRENT CONTEXT

### National Context

An estimated 330 million tonnes of waste are produced in the UK each year, a third of which is from households, commerce and industry. The remainder is made up of construction and demolition wastes, mining and agricultural wastes, sewage sludge and dredged spoils. Figure 7 illustrates this breakdown in more detail.

Figure 7



Most waste currently goes to landfill, but around 45% of industrial and commercial waste and 23% of household waste is recycled or composted. Under the EU Landfill Directive we must dramatically reduce the amount of biodegradable municipal waste sent to landfill over the next 15 years.

### Regional Context (Yorkshire and Humber)

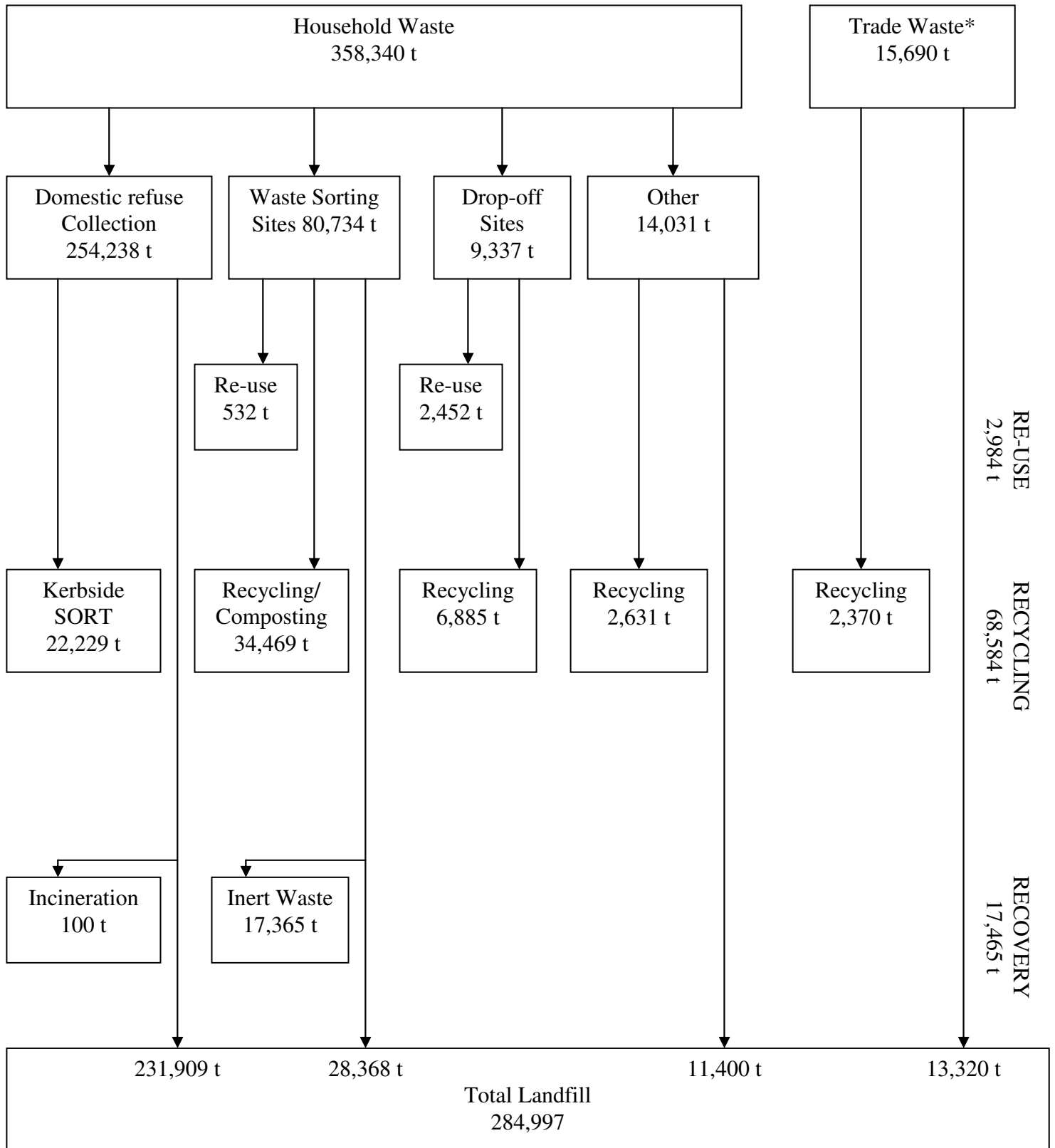
The Environment Agency's Strategic Waste Management Assessments provide consistent, comprehensive, local information about the amounts and types of wastes produced and how that waste is managed. However, they only reflect the regional or sub-regional position and do not show waste flows for Leeds. This lack of waste data is a nationally recognised problem, but national and local data is improving year on year.

Our region produces more commercial and industrial waste than any other (9.5 million tonnes). 45% of this is 'mineral wastes and residues' produced by power stations and steel works, much of which is recycled or re-used. This contributes significantly to the region's high commercial and industrial recycling rates. Municipal waste production is concentrated in West and South Yorkshire (nearly 70% of regional total). These are the only sub-regions that export significant amounts of MSW for disposal. Nearly 90% of the waste disposed of in the region is landfilled, more than 40% of that goes to monofill landfill sites owned and operated by the waste producers (primarily electricity generators and steel works). Around 9% of the waste receives some form of treatment.

# Leeds City Council's Waste Management Operations

Figure 8

Municipal Waste (374,030 tonnes) (awaiting updated version)



\* N.B. -Excludes stock adjustment of 499 t

-From April 2003, the Council ceased to collect all but a minimal amount of trade waste



## Composition of Municipal Waste in Leeds

In order to better understand the make up of our waste Leeds City Council commissioned a series of composition analysis studies of the wheeled bins for both general (or residual) waste and recyclables. Figures 9 and 10 below provide a summary of the findings.

Figure 9 (awaiting update with cumulative position)

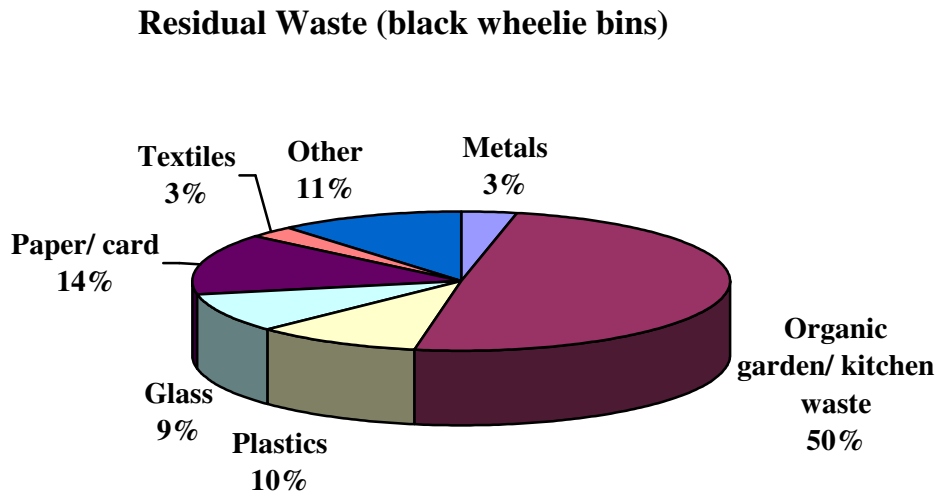
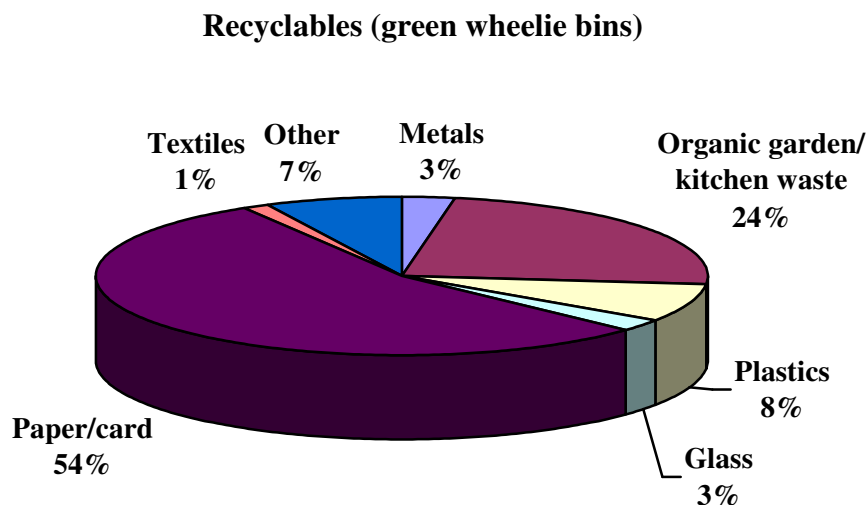


Figure 10



Exercises were carried out in June 2005 and February 2006 to take account of seasonal variations. We will continue to carry out further compositional analysis on a bi-annual basis to monitor the effectiveness of education and awareness campaigns and the success of future initiatives. However, it clearly indicates the scope for improvements in separation of materials by the public, and this is to be addressed through increasing education and awareness around recycling. The results also show the potential benefits that might be gained in terms of recycling and landfill diversion through introducing new kerbside recycling services such as garden waste collections.

## Leeds City Council Services

### *Reduction*

Waste minimisation is supported through the promotion of real nappies and home composters in addition to the general waste awareness work that is undertaken. A successful real nappy project is ongoing in partnership with Sure Start that has seen new parents offered free trials of real nappies, the introduction of local “Lollipop” representatives to promote and sell real nappies and the “nappuccino” (real nappy coffee mornings) to spread the word. Home composting is supported through publicising the availability of low cost home composters. Although we cannot directly show the link to these initiatives, waste growth has slowed in Leeds in recent years.

### *Re-use*

Many products collected through our household waste sorting sites are re-used (see Key Theme section on Waste Prevention for a list of items). This is often done in partnership with local community based organisations. These include Meanwood Urban Valley Farm, Leeds and Moortown Furniture Store, St Jude’s Furniture Store, Emmaus, Seagulls and South Leeds Alternative Trading Enterprise. Outlets are also found through charities such as Oxfam and Yorkshire Air Ambulance. Therefore, we are also supporting good causes, as well as diverting this waste from landfill. Well over 20,000 tonnes of potential waste In Leeds were re-used in 2004/5.

### *Recycling*

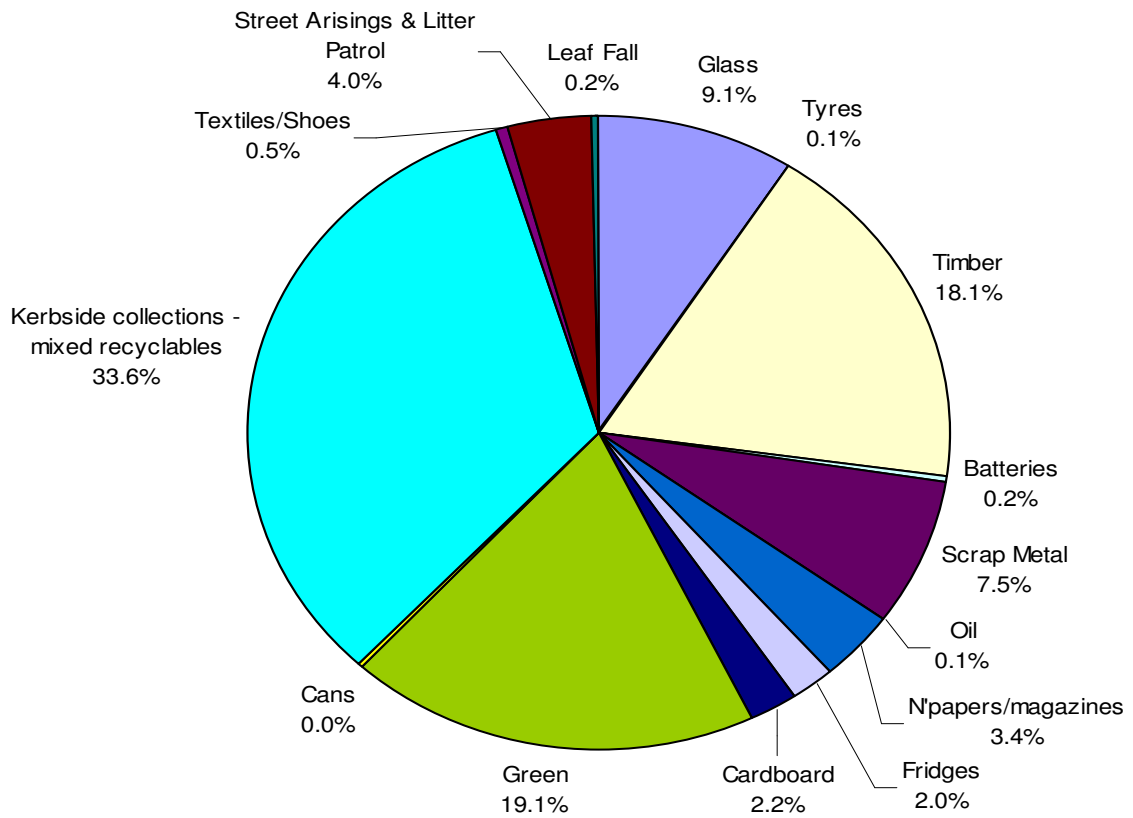
Leeds City Council currently offers kerbside co-mingled recycling to over 90% of households in the City. Those who are unable to accommodate a wheeled bin have the opportunity to participate in the scheme using green bags. Facilities are also available to flats using communal bins for co-mingled dry recyclables and glass. 8,500 households currently benefit from this scheme. Recycling facilities are also available at 11 household waste sites (8 of which have been redeveloped to provide an improved and wider range of recycling facilities and opportunities. In addition, there are over 350 bring sites across the City, providing community based recycling banks.

Street sweepings and Autumn leaf fall are composted. Twin compartment litter bins have been introduced to allow for the recycling of litter. Recycling and composting levels reached 21.33% in 2005/06 or 71,000 tonnes. This is a significant improvement over the last 5 years, which has been recognised through the award of “Recycling Target Success” at the National Recycling Awards in 2005. The judges said that, “this sets an example to other big cities”.

A breakdown of materials recycled from household waste (including street arisings) is shown in Figure 11.

Figure 11 (awaiting updated version)

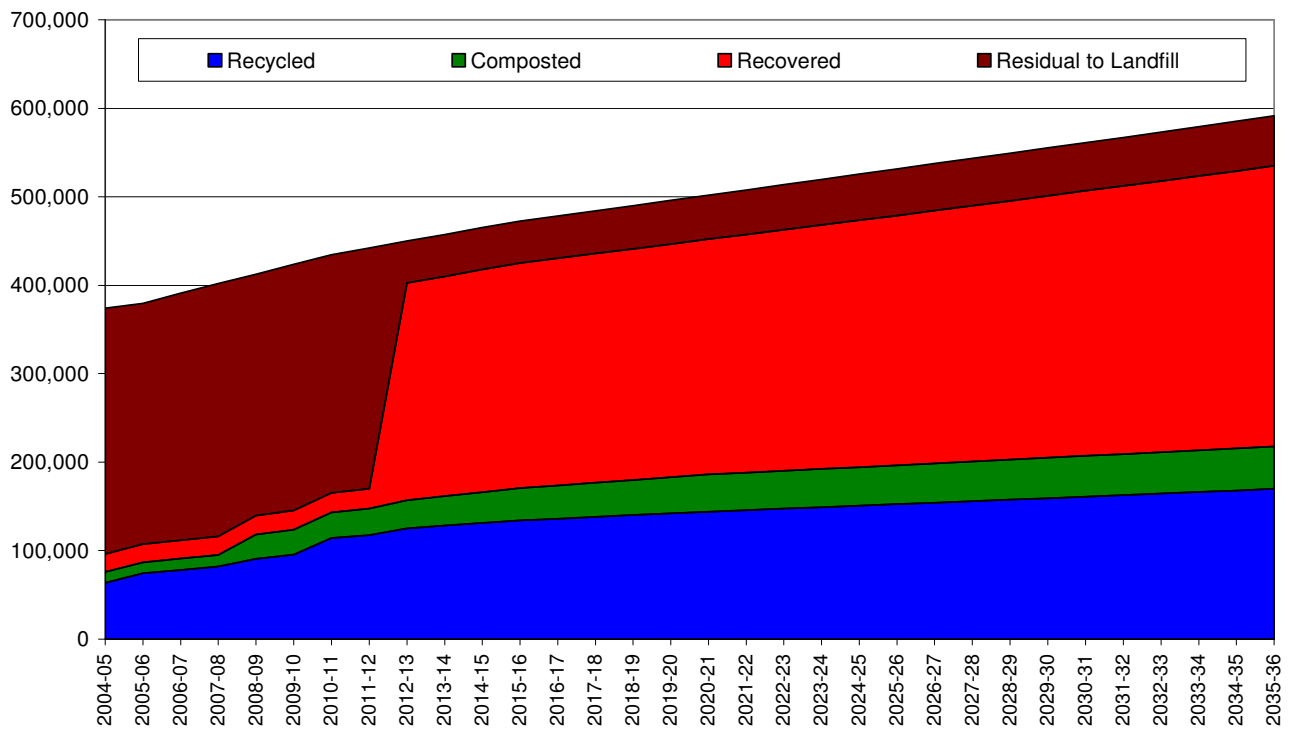
**Leeds Household Waste Recycling in 2004/5 (total = 66,214 tonnes)**



## 7. FUTURE YEARS

Figure 12 illustrates the projected amounts of waste that will be dealt with by the Council over the next 30 years and the likely amounts of waste that will need to be recycled or composted, have value recovered from them, or be disposed of to landfill in order to meet the targets for waste management set within this Strategy. It should be noted that Figure 12 simply shows the impact of the assumptions made within the technical analysis for recycling, composting and recovery, and that some of the material currently shown in the recovery category may be moved further up the Waste Hierarchy (see Section 9) through further enhancements to recycling and composting facilities and services.

Figure 12 (awaiting updated version)



## 8. OUR VISION

Our ultimate aspiration is for zero waste. Zero waste is not an absolute figure, but a target to strive for that encourages new levels of innovation and efficiency. It sees waste as a resource to be exploited through re-use, recycling and recovering value. The principles of zero waste are:

- Reduce consumption
- Reducing growth per household
- Ensure that products are made to be re-used, repaired, recycled or composted
- Maximise recycling
- Minimise residual waste

The goal is to minimise and ultimately eliminate waste. Zero waste cannot be achieved by local government alone, as it involves all sectors of the supply chain from design, production, manufacturing, packaging, etc, through to retail and final consumption. However, Leeds City Council can take a lead by raising awareness in the local community and encouraging community, business and householder participation.

### Our Vision and Mission

**Our vision is of a zero waste city, whereby we reduce, re-use, recycle and recover value from all waste, waste becomes a resource and no waste is sent to landfill.**

- We aim to achieve this by exploiting every practicable opportunity to drive waste management up the Waste Hierarchy (see Figure 13 below), with the reduction of growth in waste providing a primary focus.
- We will exercise our influence over the management of waste from other sectors through lobbying for change and through partnerships to develop integrated and sustainable waste management solutions.

Reducing the historically high growth in waste provides a primary focus for the Waste Strategy for Leeds, and a range of policies and initiatives to achieve this aim are set out in this Strategy. Our specific aim is to **reduce annual growth in municipal waste in Leeds to 0.5% per household by 2010 and to eliminate growth per household by 2020.**

Recycling remains a key priority for Leeds City Council, and the Authority and the people of Leeds received national recognition for the household waste recycling rate of 19.6% achieved in 2004/5. However, we will need to deliver further improvements if the statutory recycling targets of 30% by 2010 and 33% by 2015 are to be met. Our aim is to **achieve a minimum recycling and composting rate of 40% by 2020.** This target is not intended to place a ceiling on our long-term ambitions, but to challenge our performance and to inform future planning.

In addition to this, European Parliament and UK Government legislation and targets now mean that local authorities will have to develop plans for the diversion of significant proportions of municipal waste from landfill. Landfill is a major contributor to harmful greenhouse gases, and failure to meet these targets may result in massive financial penalties.

Leeds' recycling rate for municipal waste has been growing significantly over recent years and our rate of waste growth has slowed. However, the Government's latest guidance on municipal waste management strategies states that advice should be sought on realistic expectations of the proportions of waste that can be recycled. Detailed analysis has shown that even the most ambitious of recycling scenarios would not enable us to meet UK Government and European targets without identifying alternative means of diverting waste from landfill.

Leeds City Council landfilled almost 80% of the 355,000 tonnes of waste that it collected in 2005/06, and has therefore been evaluating major new alternatives for moving away from this form of disposal towards treatment methods that recover value from our waste. Our aim is to exceed our landfill diversion targets and to achieve the **recovery of value from 90% of our waste by 2020**. Details on the selection of the preferred recovery option for Leeds can be found in the Key Theme section on Medium and Long Term Recovery Options.

Our Strategy has three principles that provide the long-term strategic framework for waste management. They reflect the need to develop a sustainable, integrated waste management service that is both responsive and flexible, but within the constraints of cost, legislation and practicality (see Section 9).

The specific policies that take us towards our vision are outlined under the Key Themes in this document (see Section 12), and our actions will be detailed in the action plan that will accompany the final document.

## 9. KEY PRINCIPLES

There are three key principles that are applied across the Strategy. They are *sustainability*, *partnerships* and a *realistic and responsive* approach.

### A. Sustainability - to develop and promote sustainable waste management

A waste strategy is about more than simply disposing of waste. The Council has a responsibility not only to consider the broader impacts of its decisions, but also to influence the decisions of others. A sustainable waste strategy is one that considers the broader social, economic and environmental impacts of waste management to make sure that the solutions provide for a sustainable future. The Waste Strategy has an important role in improving the overall quality of life for the people of Leeds and in breaking the link between economic growth and the growth in waste. This will take a long-time to achieve. Therefore the Strategy must take a long-term view of waste management (i.e. 30 years). Similarly, our actions in Leeds will impact on our neighbours, the region and beyond. We need to be aware of and integrate with others at these levels to make sure that the implications of our actions are clear. This will be achieved by:

- a) Using the Waste Hierarchy as the framework for waste management;
- b) Conducting a thorough evaluation of environmental, social and economic factors by undertaking a sustainability appraisal;
- c) Adhering to the *proximity principle* that waste should be dealt with as closely as possible to where it is produced. Our aim is to achieve Local and Regional Self-Sufficiency where appropriate;
- d) Observing the Precautionary Principle - any integrated waste management system must make allowances for the Precautionary Principle, which states that, where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

#### **The Waste Hierarchy**

*The Council is committed to using the waste hierarchy as the framework for waste management. Using the waste hierarchy will allow us to make sure that our waste management operations are integrated, so that decisions about different waste streams are not taken in isolation. An integrated system considers all elements together, seeking an overall solution that minimises the quantity and hazard of wastes, looks for economies of scale and efficiencies, and maximises the value extracted from waste.*

Figure 13



## ***Strategic Environmental Assessment and Sustainability Appraisal***

We are committed to implementing a strategy for waste management that contributes positively to sustainability and environmental protection. Strategic Environmental Assessments (SEAs) are now required for a range of plans and programmes likely to have significant effects on the environment. The objective of the SEA is “to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations in the preparation and adoption of plans and programmes with a view to promoting sustainable development”. The SEA framework comprises the following key stages:

- a) preparing an Environmental Report on the likely significant effects of the draft plan or programme;
- b) carrying out consultation on the draft plan or programme and the accompanying Environmental Report;
- c) taking into account the Environmental Report and the results of consultation in decision making; and
- d) Providing information when the plan or programme is adopted and showing how the results of the environmental assessment have been taken into account.

The SEA and its consultation response have been taken into account in drafting the strategy and have influenced the changes made in this adopted version. The details of the impact it has had are contained in the SEA statement attached to this strategy at Appendix 1.

Guidance on municipal waste management strategies recommends that there should also be a thorough evaluation of social and economic factors. We have therefore decided to undertake a wider Sustainability Appraisal (SA) which will fulfil the requirements of SEA. The technical scope of the SEA is governed by the requirements of the SEA Directive and the 2004 regulations which require:

- a) A description of the baseline environment
- b) Links between the plan and other relevant policies, plans, programmes and environmental objectives
- c) Identification of existing environmental problems within the policy area
- d) Identification and discussion of the alternatives to be considered in the plan
- e) The plan’s likely significant impacts on the environment
- f) The mitigation measures envisaged
- g) The monitoring measures envisaged

Full details of the SEA and Environmental Report can be found at [www.leeds.gov.uk](http://www.leeds.gov.uk).



### ***Proximity Principle, Regional and Local Self Sufficiency***

Waste should generally be dealt with as near as possible to its place of production because transporting waste itself has an environmental impact. This reduces time, energy, the possibility of accidents and the expense of long distance transport, all of which may eventually outweigh the benefits of options such as recycling or composting. The proximity principle also alerts waste producers and the general public to factors concerning quantity and disposal, which in turn encourages waste reduction.

Where a waste stream is towards the lower end of the hierarchy this can be because the environmental impact or cost of transport to a distant reprocessing facility or market outweighs the benefit of recovering the waste.

The proximity principle is particularly applicable to hazardous wastes, as they are intrinsically hazardous and moving them over long distances may increase the risk of damage arising. However, it is also important that all wastes are dealt with at a facility at which they can be treated in an environmentally sound manner. Because of the relatively low level of arisings of some wastes, there are likely to be relatively few suitable facilities for their disposal within close proximity

This principle will be applied in line with our principle of being realistic and responsive, particularly when assessing the optimum size of facilities required for reuse, recycling and treatment.

- UK Government
- Yorkshire Forward
- Yorkshire and Humber Assembly
- Environment Agency
- Chamber of Commerce
- Business Link
- Leeds Environment City Partnership
- Waste Management Industry including contractors
- Relevant groups including Waste Regional Advisory Group (WRAG), Chartered Institution of Wastes Management (CIWM), Recycle North, Core Cities Group, Local Government Association (LGA), Association of Public Service Excellence (APSE), Local Authority Recycling Advisory Committee (LARAC), Environmental Services Association (ESA)
- Community and Voluntary Sector
- Other Local Authorities
- Departments within the Council, particularly City Services, Development and Neighbourhoods and Housing
- Citizens of Leeds

We will need to work with these different partners across all areas of action included in and Strategy and action plan. Clearly, different partners will expect different things from us and therefore we will require different approaches for each. The action plan sets out how we will develop partnerships across the range of stakeholders. In many areas we are still exploring the opportunities for partnership. We recognise that we can learn from others.

Some partners will be involved directly in the delivery of services, particularly waste management contractors and the community and voluntary sector. Others will be more indirectly involved through their provision of complementary services, for example the

Chamber of Commerce and Business Link. Others will help to promote sustainable waste management or to lobby for change. We also recognise that others may not offer the support we would like and we may have to lobby these organisation ourselves or with others to achieve this. By far the most important partners will be the citizens of Leeds whose participation is vital to our success.

Partners can help us by being involved in monitoring our progress, providing constructive challenge and contributing to the review of the Strategy's progress. We support partners' structured involvement in our monitoring and review processes.

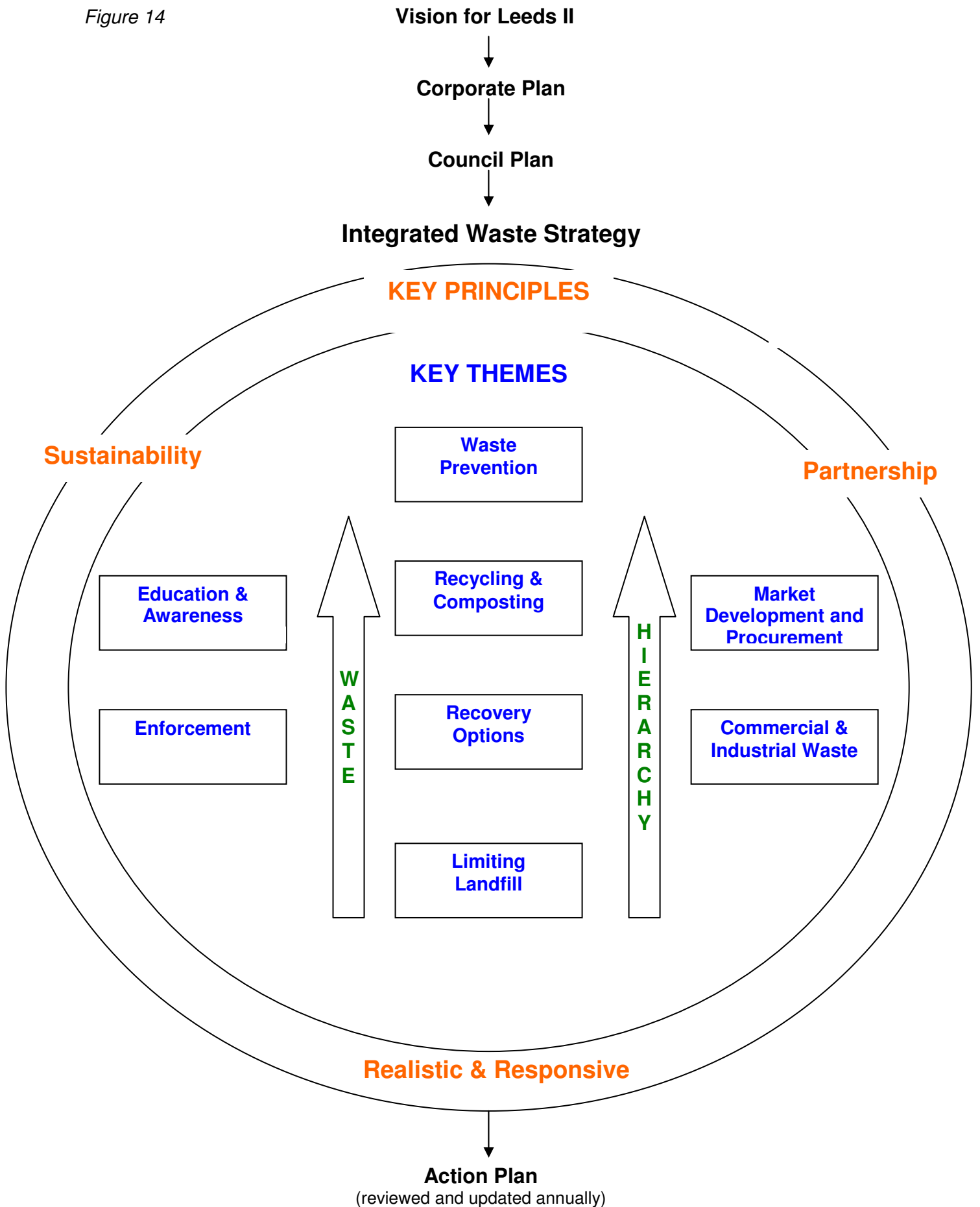
**C. Realistic and Responsive** - to ensure that the Strategy is realistic and responsive to future changes

There are many uncertainties in projecting as far as 30 years ahead; in particular the growth in waste and the markets for materials. The Strategy needs to be flexible and responsive enough to adjust and change in the light of such developments. At the same time we must have realistic aspirations in terms of what can be achieved within available resources. This will be achieved by:

- a) ensuring that waste management solutions are affordable and deliver best value;
- b) responding to changes to Government policy, guidance and targets as well as the ongoing development of national and European legislation;
- c) building sufficient flexibility into waste management options chosen to take account of changes to waste trends, technologies and market;
- d) providing information on changes and assumptions made;
- e) ensuring that we meet the needs of the community and promote an inclusive approach.

# INTEGRATED WASTE STRATEGY – KEY PRINCIPLES AND THEMES

Figure 14



## 10. OBJECTIVES

The objectives of the Integrated Waste Strategy are:

- To move waste management up the waste hierarchy, with particular focus on reduction;
- To manage waste in ways that protect human health and the environment:
  - Without risk to water, air, soil, plants and animals;
  - Without causing a nuisance through noise or odours;
  - Without adversely affecting the countryside or places of special landscape, townscape, archaeological and historic interest;
  - Disposing of waste at the nearest appropriate installation, by means of the most appropriate methods and technologies.
- To develop integrated and sustainable waste management services, that are flexible and have optimal end-to-end efficiency;
- To exceed Landfill Allowance Trading Scheme (LATS) targets;
- To meet statutory and local 'stretched' recycling and composting targets;
- To provide a waste solution that is affordable and delivers best value;
- To stimulate long-term and certain markets for outputs in order to promote local and regional self-sufficiency.
- To increase community cohesion by recognising the links between crime and the environment and improving access to services based on local needs.

## 11. DECISION MAKING FRAMEWORK

We aim to make decisions based on the following principles:

- individuals, communities and organisations should take responsibility for their waste;
- in taking decisions there should be consideration of alternative options in a systematic way;
- effective community engagement should be an important and integral part of the decision making process;
- the environmental impacts for possible options should be assessed looking at both the long and short term;
- decisions should seek to deliver the environmental outcomes that do most to meet the objectives above, taking account of what is feasible and what is an acceptable cost.

## 12. KEY THEMES

The key themes are the substance of the Strategy and relate directly to the Strategy's action plan through the policies contained within them.

During the review of this Strategy we have made changes to the key themes included. Partnerships were previously covered in both the vision and as a key theme. We feel that the principle of working in partnership is fundamental and pervades all the other themes. For this reason we have chosen to include it as part of our vision for how the strategy will be implemented.

Two new themes have been added in this document, Commercial/Industrial Waste and Enforcement. The issue of Commercial and Industrial Waste was included in the previous strategy within the other key themes. Experience of implementing the Strategy, however, has taught us that this area brings its own unique problems that warrant separate consideration. The Council has limited control or influence over waste from this sector and its role, defined through legislation, is different to the one relating to municipal waste. For this reason it has been decided to dedicate a theme within the Strategy to this area, in order to ensure a greater focus on tackling the specific issues relating to waste from these sectors.

Environmental enforcement has now become integral in our work to protect the environment, and to meeting our targets and aspirations in dealing with waste. Whilst education and awareness raising are always preferable, they have their limits, and enforcement is the next step. Its developing role in this area is therefore recognised within this document.

### KEY THEME 1 - EDUCATION AND AWARENESS

**AIM: To change the culture and behaviour of the people of Leeds to make a positive step change in waste prevention and recycling**

Success will be measured by:

- changes in attitude (measured by surveys) and increases in participation in recycling rates.
- reduction in the percentage of commercial/industrial waste landfilled

The success of our Strategy will be underpinned by the active participation of householders and businesses. This requires a significant change in their everyday behaviour if we are to prevent waste from being generated and divert more waste away from landfill. This will take time to happen. Part of our role, as a local authority, is to help to raise awareness of the issues and to educate those affected. We want people in their homes and at work to know about what is happening and to participate in our initiatives. We need to make sure that the public and businesses are informed about the options for waste management, and are able to take part in future debates about how we move forward. We intend to do this in a number of ways:

- Feedback on our progress and performance
- Campaigns and publicity supporting the waste strategy and other relevant plans and policies
- Supporting prevention, recycling and composting initiatives
- Education programmes for children and young people
- Consultation and opinion gathering

All of our proposals contained in the action plan are supported by what we do in this area, as the messages and actions that reinforce, repeat and assist with achieving those other themes will help us to achieve our targets, and, crucially, change all of our behaviours to more sustainable ones. The results of what we do to raise awareness and educate is not always immediately apparent, especially in the case of the work we do in schools. At the same time, without the active participation of householders in waste prevention and recycling we will not achieve our targets and, consequently, we will be faced with more limited options for dealing with waste in the future

Responses to our consultation have shown that awareness of recycling and its importance has grown. We want to build on this and also raise awareness of waste minimisation and reuse. This requires a shift in thinking from dealing with waste to maximising resources.

We will continually evaluate the effectiveness of the education and awareness work we undertake and adjust our approach accordingly. It is important that we continue to use a range delivery mechanisms and a range of media to reach the maximum number of people within the population. We will also support diversity within the community by providing material to meet a variety of needs.

Working to educate the next generation will continue to be an important part of our work in this area. In particular we have now identified the need to increase awareness amongst 16-24 year olds, who will be the next householders.

Leeds has particular needs, especially because of its high transient population, and it will be necessary to provide long-term campaigns and information on recycling and waste. These need to be supplemented with focused campaigns whenever we improve or change our services. Wherever possible we will link into national campaigns to ensure best value for money.

For more information on raising awareness and education, refer to the following:

- [www.leeds.gov.uk](http://www.leeds.gov.uk) for information about Leeds City Council and its activities
- [www.recyclenow.com](http://www.recyclenow.com) for details of the national campaign
- [www.wastewatch.org.uk](http://www.wastewatch.org.uk) for national campaigns run by environmental charities
- [www.encams.org](http://www.encams.org) - Environmental Campaigns (ENCAMS) is the charity which runs the Keep Britain Tidy campaign. ENCAMS works to improve local environments
- [www.defra.gov.uk/environment/waste/index](http://www.defra.gov.uk/environment/waste/index) for information about what the Government is doing on waste
- [www.envirowise.gov.uk](http://www.envirowise.gov.uk) is a Government programme offering free, independent advice on practical ways to minimise waste and convert turnover into profit

## EDUCATION AND AWARENESS

<b>EA1 - Active participation</b>	
We will use education and awareness to drive up the active participation of the people of Leeds in waste prevention, recycling and composting.	The active participation of householders is essential to the success of our waste prevention, recycling and composting initiatives, If people do not take part, we will fail to achieve our targets and this could result in penalties being imposed on the Council, financial or otherwise. A long term commitment to education and awareness is necessary to ensure continued participation.
<b>EA2 - Providing feedback</b>	
We will provide information on how well we are doing in terms of waste prevention, recycling and composting to the people of Leeds on a regular basis.	We will do this because it is important to tell people how well they are doing and to encourage further effort.
<b>EA3 - Linking to education and awareness</b>	
We will strive to ensure that education and awareness is integrated into all waste management services.	We will do this because it is important to promote a greater understanding of what happens to waste through the stages of the waste hierarchy.
<b>EA4 – Informing future decision-making</b>	
We will use the education and awareness programme to help inform our future decision-making. We also need to seek views in order to shape future service developments to best meet the needs of the people who will use them.	This is important because we need to make sure that our decisions on future waste management options are informed by a well-informed public debate as well as being balanced against other objectives and policies.
<b>EA5 - Link into other strategies, plans and policies</b>	
We will influence other strategies, plans and policies to include appropriate statements on waste issues in order to increase awareness and action.	A number of other strategies, plans and policies have an effect on waste management indirectly for example the Local Development Framework, Environment Policy and Climate Change strategy. By including waste issues in other documents where relevant we can have a wider impact on people's behaviour.

## KEY THEME 2 - WASTE PREVENTION

### **AIM: To reduce the amount of waste produced and maximise the re-use of municipal waste materials**

Success will be measured by a reduction in the amount of waste entering the municipal waste stream (through Best Value Performance Indicator BV84); reductions to the rate of growth in municipal waste (over the longer term); reduction in commercial/industrial waste, and improvements to the management of the Council's own waste.

Waste reduction and re-use are the first steps in the waste hierarchy and are the top priority for this strategy. We have grouped these actions together under the heading waste prevention. Waste prevention has the potential for far greater environmental, social and economic benefits than recycling. By preventing waste being generated in the first place, we can conserve resources, save energy, reduce pollution, provide cheaper goods and reduce demand for waste treatment and disposal facilities. Succeeding in this area is crucial to meeting our growth targets and our vision of becoming a zero waste city.

Waste reduction can be primarily achieved through encouraging both producer and consumer responsibility for waste. This means encouraging producer responsibility to make them more aware of the environmental impact of the goods they produce and to reduce waste by redesigning products and processes; and working with individuals as consumers to raise their awareness of their purchasing decisions.

Re-use of waste is an important part of the process, as, by stopping material entering the waste stream for processing, it will also impact on the growth of waste. Re-use covers a wide range of actions. As well as using a product again and again, or finding a new use for something, it can also be through borrowing, sharing, hiring, repairing and renting. Reusing is different from recycling because products are not broken down into their raw materials and reprocessed. Re-use is more sustainable because it reduces the use of raw materials, energy and transport. We currently re-use the following products:

- Furniture
- Mobile phones
- Spectacles
- Soil and Rubble
- Fridges
- Textiles
- Shoes
- Books
- Bicycles
- Paint

The increased regulation of hazardous wastes means that products classified as such should be a particular focus for our work in reducing and reusing waste.

There are a number of options that the Council can pursue to encourage waste prevention. Many of these options have long pay back periods, with associated investment costs. Some of these actions will have a direct impact on waste growth whilst others fulfil the role of raising awareness, changing behaviour and increasing



social responsibility whilst delivering some limited reductions in waste growth. However, it is important to bear in mind that these proposals, combined with our actions to raise awareness and educate, will act on the waste stream to reduce the volume of waste produced per household. Household numbers in Leeds are expected to rise throughout the duration of this strategy and so overall levels of waste are expected to rise. It is all the more important therefore that we work hard to stem the growth of waste produced by each household to reduce the overall environmental impact of waste management in Leeds. Any reduction will have impacts further down the waste hierarchy, as there will consequently be less waste to deal with and fewer or smaller facilities will be required.

Our targets for municipal waste prevention are:

- 0.5% growth per household by 2010.
- 0% growth per household by 2020.

The action plan focuses on the Council's efforts on waste prevention, recognising that much of the work will involve further discussion with those most likely to be affected, such as householders and business. The Council is already committed to supporting home composting and the Real Nappy campaign as priority areas. In each year we will be looking to expand our activities in these areas and to add additional priorities. These will be determined following discussion with partners and with any opportunities to link to what others may be doing. Issues we would like to pursue include promoting reusable shopping bags, encouraging take back schemes and deposits on reusable packaging.

The Voluntary and community sector (VCS) organisations, including social enterprises, make a significant contribution to the delivery of waste objectives, particularly in the areas of waste minimisation and reuse. Experience with VCS in other sectors suggests that the sector has the potential to achieve even more to support this strategy. These organisations bring innovation and increased competition to the waste industry and are credited with originally developing many of the approaches to waste management which are in mainstream use, and also helping to raise public awareness of many waste issues. They continue to develop local solutions for areas where conventional service delivery is difficult, and to broaden the range of separate waste streams which can be collected. Community organisations are especially active re-users of waste goods, with a number of organisations collecting furniture and appliances for refurbishment and reuse. Some VCS organisations support people on low incomes through discounted or free provision of items and include disadvantaged members of the community in their operations providing employment and training opportunities. For these reasons we intend to develop the partnerships currently in place and build capacity in this sector.

Also we can do more as an organisation. Leeds City Council is committed to EMAS and good environmental management. However, we will look to become a model of best practice in how we deal with our own waste. You can find out more about waste prevention (reduce and re-use) from:

- [www.leeds.gov.uk](http://www.leeds.gov.uk) for information about Leeds City Council and its activities
- [www.realnappy.com](http://www.realnappy.com) for information on real nappies and the Real Nappy association
- [www.compost.org.uk](http://www.compost.org.uk) Promoting sustainable management of biodegradable resources
- [www.gardenorganic.org.uk](http://www.gardenorganic.org.uk) for composting hints & tips
- [www.recyclenow.com](http://www.recyclenow.com) for information on home composting

[www.wastewatch.org.uk](http://www.wastewatch.org.uk) Information, publications and advice on waste reduction, reuse and recycling.

## WASTE PREVENTION

<b>WP1 - Empowering consumers in Leeds</b>	
We will enable the public to take action for themselves on waste prevention	We will support initiatives in each year that focus on the public as, consumers and help them make positive choices about ways to prevent waste.
<b>WP2 - Exploring incentives for waste prevention</b>	
We will evaluate options for providing incentives for waste prevention	We recognise that at times it may be more appropriate to offer incentives for waste prevention. This may be through added benefits and rewards to householders for positive behaviour but also could include ways of discouraging unsustainable behaviours. This will include looking at long term options for changing collection methods (such as alternate week collections) and charging for disposal.
<b>WP3 - Minimising and Re-using Leeds City Council's Waste</b>	
We will strive to identify ways that will enable the Council to make more efficient use of its materials and thus prevent waste. As well as promoting sustainable waste management this will contribute to the Gershon agenda.	The Council will continue to build on its EMAS accreditation to continuously improve its performance with regard to waste it produces.
<b>WP4 Building Capacity within the Voluntary and Community Sector</b>	
We will build on existing partnerships and aim to increase capacity within the sector to support the policies contained within the strategy, particularly in the area of waste prevention.	We will ensure that we provide or signpost the appropriate support for these organisations. In areas where this sector can add value we will ensure that are methods of procurement and other arrangements encourage and do not put barriers in the way of their involvement.
<b>WP5 Reduce the annual growth in waste per household</b>	
We will reduce the annual growth in waste per household to 0.5% per household by 2010 and 0% per household by 2020	These targets recognise the reduction in the rate of growth that has been seen in recent years.

## **KEY THEME 3 - MARKET DEVELOPMENT AND PROCUREMENT**

### **AIM: To work in partnership to develop local markets and encourage the development of secondary material industries**

*Success will be measured by the number of market opportunities/outlets for waste, and increased usage of recycled materials by the Council and its contractors.*

Collection of recyclables and the composting of organic wastes is not an end in itself but part of the chain of recycling and reprocessing of used materials into new products or materials for supply chains (waste is not 'recycled' or 'composted' until it is made into something else). This process is sometimes called 'closing the loop'. The reprocessing industry creates useful products out of what was once waste, saves resources and, in most cases, uses considerably less energy and produces less carbon dioxide and other greenhouse gases than if the products were made out of raw materials. It can offer businesses competitive advantage and generate local employment. However, the markets for such materials are underdeveloped in the region and the UK. Markets are also needed for the residues of recovery processes. Many of these materials have further uses which allow for yet more material to be diverted from landfill. These markets are also relatively undeveloped.

The Government is committed to a number of initiatives designed to address these issues, championed through the Waste Resource Action Programme (WRAP), which is promoting the development of new markets and business through research and by supporting projects. As a key part of the Council's Integrated Waste Strategy and Procurement Strategy, we are seeking to assist in market development through exploring options to: develop businesses at a local level and at a regional level; support contractors in developing markets for materials we collect; look at our own purchasing procedures to see if we can encourage greater usage of products made from recycled materials.

The review of the Waste Management section of the Unitary Development Plan has highlighted the need to allocate land for these new secondary industries, and revisions have been made to support the development of new businesses engaged in processes that assist in closing the loop and in ensuring that construction and demolition wastes are productively used.

Although markets are still relatively undeveloped a growing number of products made from re-used and recycled materials are being produced. The majority of these still serve a niche market but we can support these businesses and attempt to mainstream these products. Their availability should be publicised and their use encouraged.

To ensure innovation and new investment in these industries the concept of developing a planned cluster of local reprocessing and re-use businesses is being pursued across the UK. This type of development is often referred to as a Sustainable Growth Park. In order to realise our ambitions for waste prevention and the recovery of value from waste, we will need a range of state-of-the-art facilities for recycling, composting, energy recovery, education and business development. Our vision is of a Sustainable Energy and Resource Park (SERP) which brings all of the above elements together into a single location. We see this as an opportunity, not simply to ensure that we meet our waste

targets, but also to develop a feature of significant educational and environmental importance for both the City and the region.

*Where can I find out more?*

— [www.leeds.gov.uk](http://www.leeds.gov.uk) - for the Council's Procurement Strategy

— [www.wrap.org.uk](http://www.wrap.org.uk) - for information about this a not-for-profit company, which is working to promote sustainable waste management by creating stable and efficient markets for recycled materials and products

[www.recyclingaction-yorkshire.org.uk](http://www.recyclingaction-yorkshire.org.uk) - Recycling Action Yorkshire is a not-for-profit, regional programme funded by Yorkshire Forward and the European Regional Development Fund

## MARKET DEVELOPMENT AND PROCUREMENT

MDP1 - Encouraging local market development	
We will strive to stimulate new and emerging businesses across Leeds whose primary purpose is to re-use items or reprocess materials. We will also support existing businesses who want to move into this field.	It is important that local markets are developed for waste materials as this helps us meet our sustainability aims and can provide a significant source of business growth and competitive advantage. We will contribute to Local Development Frameworks to support this aim. We will also provide support and signposting to businesses and developing businesses.
MDP2 – Council use of recycled materials	
We will encourage greater use of recycled materials through the Council's purchasing and procurement processes.	The Council is a significant purchaser of goods and services in the City. It has the opportunity to make use of its own purchasing power to influence suppliers and move towards more sustainable sources for its procurement. We will do this through our Procurement Strategy.
MDP3 – Promote products made from recovered materials	
We will promote products designed for retail or trade use that are manufactured using re-used, recycled and recovered materials	By linking with our education and awareness theme and business and commercial themes we will promote the benefits of these materials and where appropriate promote specific products particularly when they are produced locally.
MDP4 – Seek markets for the materials produced through Leeds City Council's waste management service.	
We will actively partner with our waste contractors to find valuable uses for the materials or residues resulting from any processing or treatment of municipal waste.	Where possible we will structure contracts to encourage the use of these materials and work with contractors to develop, support or seek out these markets. We will also aim to provide consistent outputs that are more marketable.

## KEY THEME 4 - RECYCLING AND COMPOSTING

**AIM: To maximise recycling and composting of municipal waste where it is sustainable, to complement our efforts to prevent waste**

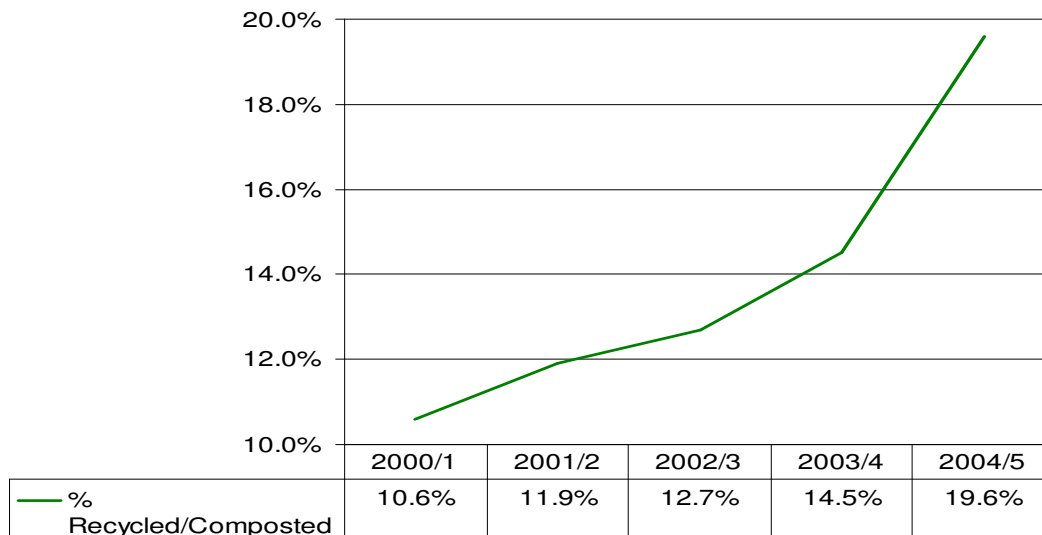
*Success will be measured by increased recycling and composting rates of municipal waste, and achieving our targets for recycling and composting.*

After waste prevention the Strategy focuses on improving recycling as a priority action. This is recognised corporately, having been included as a target in the Council Plan, and is one of the Council's main areas of waste management activity. Significant improvements have been made to our recycling and composting rates in recent years through a combination of improvements to Household Waste Sites, improvements to drop-off recycling sites and the roll-out of the SORT kerbside collection scheme to over 90% of households. These activities represent a significant investment by the Council and a large-scale increase in our operations.

In 2005/06 Leeds achieved a combined recycling and composting rate of 21.33%. This has risen significantly over recent years. We have consistently been the best performing of the Core Cities and this success was recognised at the National Recycling Awards in 2005 when we won the award for 'Recycling Target Success'. We now need to build on this success and continually strive to improve our performance. Our recent recycling performance is summarised in Figure 15.

Figure 15

### Leeds City Council – Recycling Performance *(awaiting update for 05/06)*



However, if we are to meet our statutory recycling targets of 30% by 2010 and 33% by 2015, further improvements will need to be delivered. We are proposing to set ourselves a challenging combined **recycling and composting rate of at least 40%**. This is not intended to place a ceiling on our performance, but is intended to challenge our performance and to inform future planning. If recycling exceeds our expectations we will review this target between the 5 yearly review periods and reflect any changes in the annual action plan. In order to achieve this target and to reduce the impact of the Landfill Allowance Trading Scheme (LATS), the Council will have to consider the

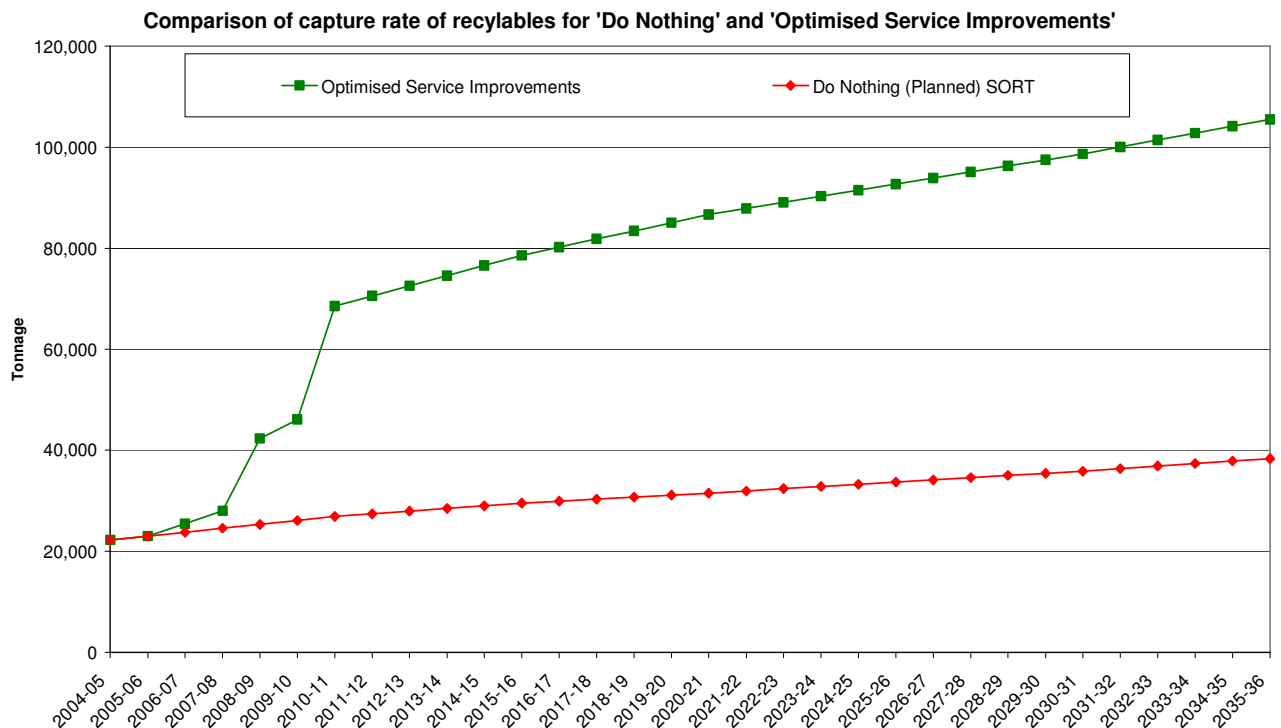
introduction of a range of improvements to existing recycling services. Although extensive consultation will be carried out with the public on any proposed changes, these service improvements could include the following:

1. Garden waste collection
2. Glass collection
3. Increased frequency of kerbside recycling collections
4. Increased range of plastics collected in SORT bins
5. Increased range of paper and card collected in SORT bins
6. Increased roll-out of SORT collections
7. Enhanced participation in recycling through increased education

A range of potential, optimised recycling collection and education initiatives to increase recycling levels in Leeds have been considered, together with realistic capture rates for each material type. A waste flow model was then developed to show the projected long-term profile of municipal waste management in Leeds. The introduction of the optimised initiatives set out above would yield a combined recycling and composting rate of 38.7%. We therefore believe that our target of 40% sets a challenging target for the City which will see recycling levels almost double.

Figure 16 shows the increase in recycled materials collected that could be expected as a result of the introduction of the initiatives detailed above, and based on enhanced capture rates for each material as a result of improved recycling facilities and public education.

Figure 16



The range of materials currently recycled includes:

- Garden waste
- Timber
- Metal
- Cans
- Plastics
- Paper
- Newspapers and magazines
- Cardboard
- Glass
- Soil and rubble
- Textiles
- Motor Oil
- Vegetable Oil
- Stamps
- Greetings cards
- Televisions and VDU's
- Fluorescent Tubes
- Tyres

When extending the range of materials collected or procuring new contractors for the recycling of existing materials we must consider the application of the proximity principle (see section 8). Transport, particularly, can have a significant environmental impact and the relative benefits of transporting waste over long distances must be considered in all contracts. We aim to deal with as much waste as possible in Leeds or the Yorkshire and Humber region where appropriate and will monitor the percentage of waste dealt with in this area.

Whilst over 90% of residents have access to kerbside recycling, there is significant scope for improvement through improving public participation. It is essential to promote these services through education, incentives and enforcement to raise participation and recognition levels. This will increase recycling and composting rates through existing services and therefore improve their efficiency.

The Council also intends to make kerbside recycling available more widely. The Household Recycling Act 2003 requires local authorities to collect at least two types of recyclable waste from all households by the end of 2010 (unless the cost of doing so is unreasonably high, or where comparable alternative arrangements are available), and we will be exploring all practicable opportunities to extend access to kerbside recycling services.

Composting is an important element of the waste hierarchy, as it helps to remove the biodegradable element, thereby reducing environmental problems, such as leachate production and the release of methane, a potent greenhouse gas, and helping us to meet our Landfill Allowance Trading Scheme (LATS) targets. The Council supports composting primarily through its Household Waste Sorting Sites, where the public is able to bring compostable material for disposal, and by supporting home composting (see Key Theme on Waste Prevention) through the sale of low-cost composters. We are now considering the introduction of kerbside collections of compostable or organic waste, as the recent composition analysis of domestic bins for general waste and

recyclables in Leeds demonstrated that kitchen and garden waste account for a significant proportion of overall waste.

The past two years have seen a sea-change in the way hazardous waste is managed, as a result of various regulatory initiatives and costs of disposal have risen. This has helped to encourage the diversion hazardous waste from landfill. We need to work towards increasing the range of hazardous wastes that are recycled. Currently these include waste oil, tyres, fluorescent tubes and cathode ray tubes.

*Where can I find out more?:*

- [www.leeds.gov.uk](http://www.leeds.gov.uk) for information about Leeds City Council and its activities
- [www.recycle-more.co.uk](http://www.recycle-more.co.uk) for general information on recycling
- [www.recyclenow.org.uk](http://www.recyclenow.org.uk) for national recycling campaign information



## RECYCLING AND COMPOSTING

RC1 – City-wide recycling	
We will provide appropriate, convenient and accessible methods of collecting recyclables from every household in the City.	We wish to make sure that every household has access to appropriate recycling facilities and that recycling is made convenient for people to use. This means providing a mix of recycling opportunities from kerbside collection, drop-off sites to segregated recycling at Waste Sorting Sites.
RC2 - Composting	
We will strive to improve garden waste reception facilities at household waste sites and explore the provision of kerbside collection services. .(See waste prevention for home composting policy).	There is now an emphasis being placed on the diversion of biodegradable waste away from landfill so will strengthen our efforts in this area. We have already improved the provision of bring facilities through the redevelopment of household waste sort sites and will continue to do so. Waste composition analysis shows significant quantities of garden waste still in the residual waste stream so we will research, consult upon and pilot kerbside collections if appropriate.
RC3 - Range of materials	
We will extend the range of materials collected where it is practicable to do so.	There is potential to collect more materials, as part of our kerbside collection, at drop-off sites or Waste Sorting Sites. We will be flexible in order to collect materials that have value when recycled or help extract greater volumes of waste for recycling. Priority will be given to materials which are economically viable to collect and recycle or divert substantial amounts of waste from landfill. Key materials currently being considered include glass and an extended range of plastics. Proximity and transport impact in particular, must be taken into account when selecting products to recycle and contractors to recycle them.
RC4 - To recycle and compost a minimum of 40% of municipal waste by 2020	
We will increase recycling and composting from its current level of 21.3% to 40% by 2020. These figures relate to the best value performance indicators BV 82a) and b), as defined by the Audit Commission.	These performance levels are dependant on the implementation of enhanced recycling and composting initiatives.

## KEY THEME 5 - MEDIUM AND LONG TERM RECOVERY OPTIONS

**AIM: To achieve maximum diversion of waste from landfill and to recover the maximum value from waste**

*Success will be measured by the amount of biodegradable waste diverted from landfill.*

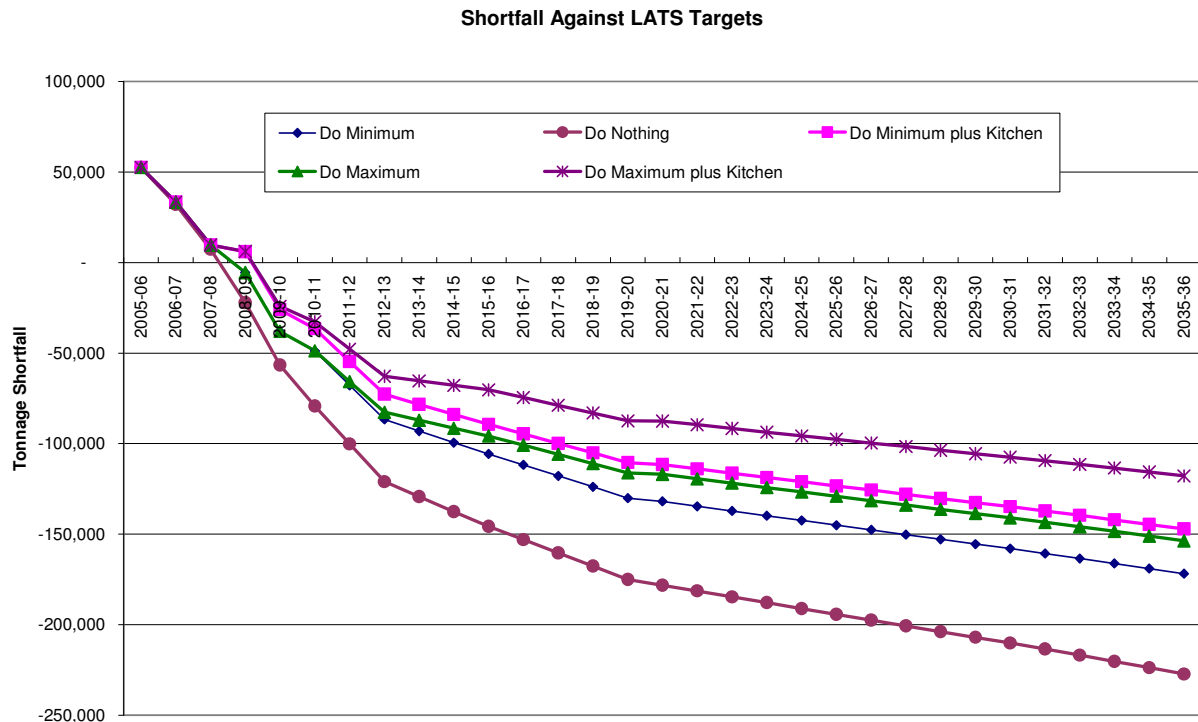
Whilst waste prevention, recycling and composting form the preferred methods by which we will reduce our reliance on landfill over the next few years, we must consider what other options are available to meet the Government and European more stretching recovery targets for 2010, 2013 and 2020. Landfill is a major contributor to harmful greenhouse gases, and failure to meet these targets may result in massive financial penalties. We predict that meeting these targets will amount to diverting some 1.5 million tonnes of biodegradable municipal waste from landfill by 2020.

We have considered whether it would be possible to achieve the recovery targets through waste prevention, recycling and composting, without the need to rely on further recovery technologies. In fact, the previous version of this document left the question of recovery open whilst efforts to increase recycling were assessed.

As discussed under the previous key theme, Leeds' recycling rate for municipal waste has been growing significantly over recent years and our rate of waste growth has slowed. However, the Government's latest guidance on municipal waste management strategies states that advice should be sought on realistic expectations of the proportions of waste that can be recycled. Despite these significant improvements in our recycling performance we are still a long way from meeting the recovery targets, and we have therefore analysed the levels of recycling that could potentially be achieved in the future.

Technical analysis showed that the introduction of the optimised initiatives set out in the Key Theme Section on Recycling and Composting would yield a BVPI recycling rate of almost 38.7%. However, our analysis also showed that Leeds City Council would need an overall recycling rate of over 70% in order to meet our landfill diversion or LATS targets through recycling alone. A range of further theoretical, 'do maximum' scenarios have been therefore analysed to examine the effect of introducing a kerbside collection of kitchen/food waste, and the impact of achieving higher capture rates for all recyclables, which are over and above the improvements already targeted in the waste flow model, and beyond what is deemed realistic given current public participation (see Figure 17). The most ambitious scenario still showed a significant shortfall against the Authority's landfill reduction or LATS targets. It should also be noted that these enhanced scenarios take no account of issues such as cost, deliverability and sustainability.

Figure 17



It was therefore acknowledged that, without a sea change in public attitudes, major changes in legislation and/or significant financial inputs, education and awareness and recycling alone will not enable the Council to achieve its LATS targets and avoid the massive subsequent financial penalties.

Therefore, a detailed options appraisal exercise has been completed on a broad representative range of the available technologies for the long-term management of residual waste. The options appraisal process was designed to provide a robust and transparent means of assessing the various technologies, with a group of key stakeholders carrying out the actual evaluation. Technologies were assessed against a comprehensive range of criteria. The non-financial or 'benefit' criteria against which each of the options was assessed are as follows:

- Achieves sustainability in relation to social, economic and environmental impacts;
- Provides long-term and certain markets for outputs;
- Provides flexibility;
- Achieves landfill diversion (LATS) targets;
- Achieves long term statutory and local recycling and composting targets;
- Minimises impacts associated with land use and allows self-sufficiency;
- Health and environmental impacts;
- Cost and affordability;
- Risk;
- Market interest;

A wide range of technologies for treating municipal waste was evaluated. These included:

- Autoclave
- Advanced Thermal Treatment
- Energy from Waste
- Mechanical Biological Treatment
- Anaerobic Digestion
- In-Vessel composting

The results of the options appraisal showed Energy from Waste as the best performing option, achieving the highest ranking in terms of cost and 'benefit' criteria, and the highest ranking of all of the technological solutions in terms of risk ('do nothing' and 'do minimum' naturally presented lower risks of deliverability). Energy from Waste involves burning waste under tightly controlled conditions to generate electricity and heat.

Mechanical Biological Treatment (MBT) is the only technology other than Energy from Waste of which there are operational examples for treating municipal waste on this scale within the UK. However, whilst Energy from Waste has a proven track record, the few MBT facilities in the UK have only commenced operations since 2005 and there are therefore significant risks associated with their performance. The greatest of these relates to securing markets for the outputs from MBT, which amount to a significant proportion of the tonnage entering the process. The 'refuse derived fuel' produced by the technologies evaluated would still need to be burnt in an Energy from Waste (EfW) facility, or alternatively sent to landfill, which could result in Leeds City Council failing to meet its landfill reduction targets. There are also significant limitations on the permissible uses for the outputs from the composting or digestion of the organic fraction of mixed waste from MBT. These factors are reflected in the options appraisal results.

During the development of the proposed waste solution for Leeds, the environmental and health effects of the various options have been thoroughly evaluated. The Council has both considered a wide range of existing independent research reports in this area, and commissioned its own study into these effects. They conclude that the range of integrated facilities proposed by Leeds represent a sound option in relation to environmental and health impacts.

Leeds City Council has therefore selected EfW as its preferred recovery solution, and we have set ourselves a target **to achieve the recovery of value from 90% of municipal waste by 2020**, thus reducing landfill from the current level of 79% (in 2005/6) to 10% by 2020.

This decision has been supported by the Environment Agency who responded to the consultation on our environmental report on the Strategy by saying "We support the 'preferred option' as the most sustainable. We would want to be involved in the future development of this strategy."

The significant increases in recycling that we are targeting also mean that the development of a Materials Recycling Facility (MRF) provision will need to form a part of the waste solution for Leeds. The Council's vision is to develop a Sustainable Energy and Resources Park, subject to the necessary approvals, partnerships and funding, which would bring together both the EfW facility and MRF, but also an education centre

and business incubation units to enable new solutions to be developed for the use of recycled products. We also intend to explore the possibilities for developing an Energy from Waste facility with the potential to provide combined heat and power, and to link into community heating schemes.

One of the issues returning from the consultation on the Waste Strategy is that a contractual requirement to supply minimum tonnages to an EfW facility (a requirement which would be common to any waste processing technology, and is not exclusive to EfW) should not suppress future recycling levels in the event that waste generation were to reduce dramatically or recycling performance exceeded target levels. Leeds City Council is committed to ensuring that no ceiling is placed on recycling where this continues to represent the best environmental option, and has considered a range of contingency measures to ensure flexibility within a contract for the treatment of residual waste.

The estimates of required capacity of an EfW facility will be continually refined throughout the contract specification process based on the latest waste arisings and recycling data, and best practice information on future trends. The tonnages specified in any contract would be expressed as a range or bandwidth, rather than a fixed level, in order to ensure sufficient tolerance in the event of unforeseen trends in the levels of residual waste requiring treatment, and the contract would be subject to scheduled reviews at which amendments could be made if required. Furthermore, we are committed to exploring the use of carbon neutral biomass to supplement waste in the event of a requirement to fill spare capacity. It should also be noted that EfW and high recycling co-exist very successfully in the top performing recycling countries in Europe such as Switzerland, Denmark and the Netherlands.

## **MEDIUM AND LONG TERM RECOVERY OPTIONS**

<b>R1 - Providing information</b>	
We will make sure that up-to-date information on the recovery aspect of the waste hierarchy is available to the public and other stakeholders.	We will make available the technical information that informed the decisions on recovery and further information on our preferred solution. Our work here links to the education and awareness theme.
<b>R2 - We will deliver a recovery solution for municipal waste generated in Leeds</b>	
We will implement this part of the waste strategy through a contract with a private sector partner.	Our aim is to deliver Energy from Waste facilities by 2013. We will strive to provide a combined heat and power facility with integrated education centre.
<b>R3 – Complete an Environmental Impact Assessment on the proposed Energy from waste facility</b>	
We will carry out a rigorous Environmental Impact Assessment on the proposed Energy from Waste plant.	This will be done in accordance with the Environment Impact Assessment Regulations 2000.
<b>R4 - To recover 90% of municipal waste by 2020</b>	
We will divert 90% of municipal waste from landfill by 2020 and exceed the LATS targets.	This policy is dependant on the successful implementation of other waste prevention, recycling and composting and recovery policies.

## **KEY THEME 6 - LIMITING LANDFILL**

### **AIM: To limit the amount of waste disposed to landfill**

*Success will be measured by reducing the amount of waste sent to landfill, and meeting the EU and Government landfill diversion targets.*

Disposal to landfill is the final stage of the waste hierarchy. Our reliance on it must reduce over time. However, it will remain a feature of waste management as there will still be a requirement for final disposal of some waste. All recovery processes produce a proportion of residual material. Whilst we will always aim to identify alternative uses for these materials, some will always need to be landfilled.

Recently introduced EU Landfill Directive targets mean that, by 2020, the UK will have to reduce the proportion of biodegradable municipal waste (BMW) that it landfills to 35% of the tonnage of BMW landfilled in 1995. Failure to meet this, and interim, targets will result in the UK incurring fines of around £0.5m a day. It is likely that these fines will be passed on by the Government to the local authorities responsible.

In order to facilitate meeting targets at national level, the Government has introduced the Landfill Allowance Trading Scheme (LATS), whereby each Council or Waste Disposal Authority (WDA) is allocated a rapidly decreasing number of allowances for each year of the scheme between 2005 and 2020, which corresponds to the tonnes of BMW that it is permitted to landfill. Under the scheme any authority landfilling more tonnes of BMW than they have allowances for will face penalties of £150 per tonne.

Landfill allowances can be traded between WDAs, with authorities diverting significant quantities of waste from landfill being allowed to sell excess allowances to those that continue to use landfill as their main disposal option. It is estimated that Leeds City Council will have to divert almost 1.5 million tonnes of BMW between 2005 and 2020, and that, if the current position is maintained, the Authority will face LATS penalties of an estimated £217m by 2020. Whilst the Authority is developing interim action plans to mitigate these financial consequences, this is only likely to reduce the financial threat on a short term basis.

The Authority will have to consider its landfill allowance trading strategy in advance of the delivery of a long-term recovery solution for Leeds. These initiatives are currently being assessed in terms of cost and the performance benefits that might be expected from their implementation.

Landfill tax serves as an economic driver against the landfill of waste. The current rate of landfill tax is £18 per tonne and this is set to rise £3 per tonne until it reaches £35 per tonne. Prices for landfill in Yorkshire remain competitive compared to alternatives but this balance will begin to shift as the landfill tax escalator drives costs up.

The Council's current contracts for landfill are framed so as not to unduly restrict opportunities to increase prevention, recycling and composting. They also have terms and extension arrangements which support the introduction of recovery solutions within realistic timescales.

The need for landfill extends beyond the Council's requirements and there will be increasing competition from other users in the future for the available supply of landfill

capacity. The planning system has an important role in assessing the city's requirements as a whole and, if appropriate, helping to meet those needs.

## LIMITING LANDFILL

L1 - Minimising our need for municipal waste landfill	
We will work to minimise the council's landfill requirements over the period of the strategy.	Landfill is the lowest option on the waste hierarchy and so we are aiming to rely on this as little as possible. Our ultimate goal is zero waste to landfill and recovering value from all waste.
L2 – Landfill no more than 10% of municipal waste by 2020	
We will landfill no more than 10% of municipal waste from landfill by 2020 and exceed the LATS targets.	This policy is dependent on the successful implementation of other waste prevention, recycling and composting and recovery policies.

## KEY THEME 7 – ENFORCEMENT

### **AIM: To support the objectives and policies of the Strategy through enforcement where appropriate**

*Success will be measured by increases in recycling participation, the recycling rate and the number of prosecutions or notices issued.*

Whilst we aim to promote participation in recycling and composting through education and awareness raising, we recognise that not everyone will respond to this. Enforcement will not be carried out in isolation, it is part of a package of measures designed to encourage participation and provide information and support where needed. Each case will be considered on its merits and any special circumstances taken into account where relevant. Although enforcement will be the last resort, it will continue until compliance is achieved.

All enforcement will be carried out in line with the Council's Environmental Enforcement Policy. This includes a commitment to the Enforcement Concordat. It is an umbrella policy and specific offences will require specific policies. There are a number of areas on which specific policies will be required relating to waste. These are:

- bin contents (participation and contamination);
- side waste (will the Council collect bags left at the side of wheeled bins);
- returning bins to your property after collection.

As a Waste Collection Authority, Leeds City Council may specify the manner in which residents present waste for collection. This includes the following;

- the number and size of bins or other receptacles provided;
- that separate wheeled bins or other receptacles are used for waste which is to be recycled and waste which is not;
- where they are to be placed for collection.

Decisions are still to be taken on what requirements will be made or enforced. There are key differences to note between actions which affect the success of the scheme as a whole (e.g. contamination) and those which reflect on our performance (e.g. failure to participate). These may warrant a different approach, or at least a phased implementation. The Clean Neighbourhoods and Environment Act 2005 contains provisions relating to waste, particularly additional tools to aid enforcement. These include the potential to issue fixed penalty notices. Evaluation of these provisions is being carried prior to a decision being made on our use of them. If fixed penalty notices were adopted, any income would be small and their use would not be as an income generator.

*Where can I find out more?:*

[www.leeds.gov.uk](http://www.leeds.gov.uk) for details of the Environmental Enforcement Policy and its application

[www.defra.gov.uk](http://www.defra.gov.uk) for the Clean Neighbourhoods and Environment Act 2005



## ENFORCEMENT

EF1 – Developing waste specific enforcement policies	
We will develop specific waste enforcement policies that are practicable and improve our re-use, recycling or composting performance.	Our enforcement policies will apply to all but we anticipate that enforcement actions will only affect a small proportion of people who do not comply. Where we do use enforcement action we will continue to do so until compliance is achieved. Any policies developed will be in line with the Environmental Enforcement Policy.
EF2 – Link to education and awareness	
We will only take enforcement action as a last resort once we have made reasonable efforts to educate and support.	Enforcement is the last resort in a package of measures. We will make sure that all reasonable steps have been made to inform residents and to support them where appropriate. We will also publicise our approach to enforcement so that people are aware of the consequences of not complying.

## KEY THEME 8 - PLANNING

**AIM: To assist with meeting the requirements of sustainable waste management through the existing Unitary Development Plan and emerging Local Development Plan.**

*Success will be measured by the implementation of planning/land use policies in delivering sustainable waste management, both to secure sites for waste facilities and as an integral part of construction and design.*

Government waste management policy requires local authorities to provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities. This places a requirement on councils to make local provision wherever practicable for the management of municipal waste. Given the levels of waste to be diverted from landfill in Leeds, it is therefore a very real possibility that the Authority will have to investigate the identification of further sites in Leeds for facilities for treating municipal waste. We also consider this requirement extends to include commercial and industrial waste.

The context for planning is set by the Leeds Unitary Development Plan (UDP), adopted in 2001, and this was recently subject to a selective review. The Review proposed the introduction of criteria based Waste and Minerals Policies, rather than identifying specific sites to be used for waste management purposes. Planning applications for waste facilities would therefore need to be assessed against these criteria based policies, where such applications are submitted.

The UDP was first drafted in 1992 and was subject to an extensive inquiry process. Nonetheless many of the policies relating to waste included in the UDP pre-dated much of the advice given by government and needed updating. The First Review sought to update the UDP in key areas, including its waste policies in accordance with regional, national and European demands.

Given other Local Development Scheme priorities for regeneration, and the work associated with the Unitary Development Plan (UDP) Review inspector's report, the Waste Development Plan Document (DPD) within the Local Development Framework (LDF) is scheduled to commence in late 2007. This clearly has major implications in terms of timescales for delivering a solution to address the impending landfill penalties.

In addition to this, Planning Policy Statement 10 (PPS 10) on 'Planning for Sustainable Waste Management' came into effect in July 2005. PPS10 supersedes any plans that Waste Planning Authorities have in place unless they comply with this policy, and will need to be considered alongside the UDP Review policies. It sets out the Government's current policy on the development of Local Development Frameworks (LDFs), and is intended to "streamline the local planning process and promote a proactive, positive approach to managing development". The key aims of an LDF are: increasing flexibility; strengthening community and stakeholder consultation; taking key decisions early in the process; sustainability appraisal; efficient programme management; improving the soundness of local development documents.

However, whilst it is acknowledged that the LDF provides a robust process to ensure delivery of the necessary planning policy framework and land use requirements, the

statutory timescale for the commencement, development and adoption of these documents is an estimated three years.

In addition to this, the waste private sector are stating plainly that they will need confidence that planning permission will be granted for sites for waste facilities in order for them to invest the estimated £1-3m needed to bid for a potential contract. There have been examples of contracts falling through, or major delays in implementation, due to the failure of local authorities to resolve land use issues. This reality is clearly reflected in the fact that the Government will not consider allowing waste PFI applications to proceed if the process of identifying and securing sites is not significantly progressed at Outline Business Case (OBC) stage. This is due to the risk posed by failure to attract private sector interest as a result of lack of certainty for them in this area.

In the light of the difficulties associated with ensuring the necessary immediate progress in delivering sites for municipal waste management facilities through the existing LDF and UDP policy frameworks, it is necessary to explore alternative options.

Given current pressures to deliver a waste solution, an alternative approach that might be adopted would be to submit planning applications outside of, but consistent with, existing policy frameworks, using Government guidance to assess the suitability and deliverability of sites and carry out the appropriate public consultation. This would potentially provide a means of delivering sites within a shorter timescale than estimated for the development of a Waste Development Plan document,

The Council is looking to identify a range of potential sites for waste facilities. Any site selection exercise would form a key part of the information required to support a planning application. Most waste management planning applications attract significant public interest and are the subject of close scrutiny, with the choice of site usually the focus of this attention. It is therefore important that any planning application is founded on a robust site selection exercise that seeks to identify the most suitable site, having regard to a wide range of considerations such as environmental suitability and land availability. Such an exercise would also be driven by national planning policy, the policies of the local development plan, and consultation with the Planning Authority, which would help to guide the Council to the right site or sites.

The Yorkshire and Humber Regional Spatial Strategy (RSS), currently in draft form will not be published until late 2007. Local planning for waste management will have to be consistent with the requirements of the RSS when the final document is published.

In the past there has been a reliance on rural sites for landfill. The emphasis is now moving away from landfill and this will result in a switch towards a need for urban sites to provide for waste management facilities. This will cause particular difficulties in Leeds where land values are high and waste management offers low value use of the land.

There are clear links between economic development and waste management, and there is a range of regional economic development initiatives in which Leeds is involved that may also have a bearing on the waste solution. 'The Northern Way' initiative aims to bridge the economic gap between the North of England and the rest of the UK, and the links between local decision making on waste management and this partnership need to be taken into account.

Consideration also needs to be given to the wider issue of dealing with waste from other sectors (i.e. commercial, industrial, construction, demolition, etc.). Municipal waste in Leeds accounts for only a fraction of the total waste generated (excluding agricultural and mineral waste), and plans for facilities to deal with this waste should not be considered in complete isolation from the future requirements of other sectors. For this reason, a dedicated Key Theme on Commercial and Industrial Waste has been introduced into this revised Strategy. However, it should be noted that it is only local authorities that are currently facing LATS penalties, and, once again, the financial implications of delay on the part of the Council need to be borne in mind.

We have identified Planning as a Key Theme in the Strategy because of its importance not only in terms of future land allocation but also in terms of securing better waste management into all development. It is important to ensure the provision adequate storage for segregated waste streams in residential developments, particularly flats and the provision of public recycling facilities in other major developments. The planning framework can also be used to influence the construction industry itself through requirements to reuse and recycle construction and demolition waste and through specifying the use of sustainable materials.

*Where can I find out more?*

- [www.leeds.gov.uk](http://www.leeds.gov.uk) for information about Leeds City Council's Unitary Development Plan and Local Development Framework
- [www.yhassembly.gov.uk](http://www.yhassembly.gov.uk) for the details of the Regional Spatial Strategy

## PLANNING

P1 - Using the planning system	
We will seek to implement the waste strategy's principles, objectives and themes through the land use planning system where it is appropriate to do so.	The planning system is key to delivering sustainable waste management and the strategy must be a key influence on this. It is particularly important that these principles are reflected in Development Plan Documents and Local Development Plans which are now being drafted as part of the LDF. We will contribute to these plans whenever appropriate.
P2 – Identifying Sites (Municipal Waste)	
We will identify suitable sites for sustainable waste management operations and progress planning applications for reference projects (including an energy for waste facility) ahead of awarding waste management contracts.	We will use the criteria in the UDP and LDF as the mechanisms for determining sites now and in the future when Local Development Frameworks are being developed. Planning applications will also be made in the context of PPS10 and other government guidance. Public consultation and involvement will be a key element of this process.
P3 – Sustainable Energy Park	
We will explore the development of a Sustainable Energy Park.	As well as a Materials Recycling Facility (MRF) and Energy from Waste facility, this concept would also include an education centre and business incubation units. The Energy from Waste facility could also have the potential to provide combined heat and power, and to link into district heating schemes.

## KEY THEME 9 - COMMERCIAL AND INDUSTRIAL WASTE

### **AIM – To drive commercial and industrial waste up the waste hierarchy.**

*Success will be measured by a reduction in the amount of Commercial and Industrial waste produced and the amount landfilled.*

The Council has no direct control over commercial and industrial waste and the way in which it is managed. However this waste still impacts upon our local environment. We therefore feel that the Council has a leadership role in this area. Assessing trends in this area and obtaining information about the way waste is managed has been notoriously difficult. This has also served to hamper our efforts.

Producer responsibility is an extension of the 'polluter pays' principle, and is aimed at ensuring that businesses who place products on the market take responsibility for those products once they have reached the end of their life.

A 'producer responsibility' policy underlies the approach taken in implementing the EC Directive on Packaging and Packaging Waste in the UK and is the approach taken in both the EC Directive on Waste Electrical and Electronic Equipment (WEEE) and End of Life Vehicles (ELV) Directives. All these producer responsibility directives, as well as the forthcoming directive on Batteries and Accumulators were identified in the European Union's Fifth Environment Action Programme as 'priority waste streams' because of growing concern about their impact on the environment. In these Directives, responsibility is clearly placed on producers to bear the costs of collection, sorting or treatment and recycling or recovery.

Businesses are also affected by the landfill tax which provides an increasing economic driver to divert waste away from landfill. The level of landfill tax in 2006/07 is £21 per tonne and this is set to rise by £3 per tonne until it reaches £35 per tonne.

There is still significant progress to make in this area particularly amongst small and medium sized businesses. We believe we should use our influence to provide information and drive change in this area.

The Government's recent consultation document on its review of the national waste strategy has indicated that local authorities could be asked to take on a strategic role in facilitating a more integrated approach to waste and resources at a local level. We do not intend to wait for the outcome of the consultation and have included specific policies and actions within this document to push commercial waste up the waste hierarchy. Possible activities would include:

- encouraging economic regeneration through work with local businesses and Regional Development Agencies to take advantage of the opportunities for reprocessing of waste into resources;
- manage their own business to reduce waste and increase recycling and recovery;
- facilitating engagement with business on advice on how to increase resource efficiency and realise the economic opportunities of recycling and energy recovery

- facilitating the procurement of recycling collection services for businesses (including local authority contracts providing for larger facilities that can service businesses);
- engaging their communities in local debate about the options for change and what individuals and community organisations can do;
- encouraging the provision of recycling collection facilities in homes, shopping centres, workplaces and schools, using planning and other powers where appropriate.

Whilst this dedicated Key Theme on Commercial and Industrial Waste has been introduced into the revised Strategy in order to provide a greater focus on the unique issues that influencing waste management from these sectors presents, there are policies within the other Key Themes which are relevant and applicable to these sectors, and this section should be considered in conjunction with the other Key Themes and policies within this document.

## COMMERCIAL AND INDUSTRIAL WASTE

CI1 – Partner with stakeholders to promote the sustainable management of commercial and industrial waste	
We will identify ways we can influence businesses to adopt sustainable waste management practices. We will also seek to identify funding for this work.	We will explore ways to encourage commercial and industrial waste producers to produce less waste materials, to reduce waste as part of their purchasing and procurement methods, to re-use, recycle or compost their waste.
CI2 – Lobbying for the prevention of waste	
We will lobby Government, commerce and other appropriate stakeholders to promote waste prevention to businesses as producers.	We will look at ways we can influence Government and commerce to encourage them to take steps to reduce packaging, produce products that last longer or are recyclable once they reach the end of their life.
CI3 – Leeds City Council as exemplar	
We will strive to make the Council an exemplar in the way it manages waste, i.e. through EMAS and other initiatives.	The Council will continue to build on its EMAS accreditation to continuously improve its performance with regard to the waste it produces.
CI4 – Partner with the Environment Agency to improve our data on commercial and industrial waste	
We will work to improve the information we have available to inform our efforts to promote sustainable management of commercial and industrial waste.	Historically data in relation to this sector has been scarce. We will look to gather improved statistics ourselves and through our partners.

### **13. ACTION PLANNING**

The action plan will set out the specific actions we are undertaking to move forward across the range of issues identified in the Strategy and in response to consultation. This will be the Council's annual plan for implementing the proposals.

The action plan consists of actions, responsibilities and outcomes grouped together under the key themes alongside a schedule of the key milestones for the Strategy. Where it has been possible to do so, future actions are outlined.

The action plan is a working document that will be produced following the adoption of this strategy document.

### **14. FUNDING**

The Council spends approximately £32.2 million every year on refuse collection and waste management services (an estimated £100 per household every year). These costs will rise as the amount of waste grows.

Of this £32.2m, approximately £5.5m is spent on Landfill Tax alone. The UK Government has signalled further increases to in Landfill Tax which will rise from £21 per tonne in 2006/7 to £24 per tonne in 2007/08, with a subsequent increase of £3 per tonne every year until a figure of £35 tonne is reached. This will add approximately £800,000 per year to costs at current landfilled tonnage levels.

In addition, the newly introduced Landfill Allowance Trading Scheme (LATS) has imposed limits on the amount of biodegradable waste that can be sent to landfill. Authorities that do not meet these limits, have to either purchase permits from other Authorities or pay a fine of £150 per tonne. Unless the Council considers either new technologies for the disposal of waste and/or improvements to collection systems, there will be huge financial implications. If action is not taken, it is estimated that the cost of penalties to the Council would be £217m by 2020.

Work has commenced on examining the costs of current available technologies to treat residual waste as opposed to sending over 260,000 tonnes to landfill. The technologies are being assessed against key criteria including strategic environmental factors, the ability to deliver LATS targets and the overall financial affordability of such technologies. All possible funding avenues will be explored to achieve the best financial solution for the Council. These include Private Finance Initiative (PFI) credits, prudential borrowing, project finance and internal Council resources. It is likely due to the scale of costs involved that a combination of these will be required.

Investments in recycling have already been made. Over £5m has been invested in developing 8 Household Waste Sorting Sites into state-of-the-art recycling centres. Over 90% of households in Leeds now have access to the SORT recycling scheme and residents in High Rise flats throughout the City can also participate in recycling. Bin chipping is taking place at a cost of over £300k to provide us with more information on participation and contamination levels.



Changes to collection systems are being evaluated in an effort to reach statutory recycling targets as well as to achieve challenging LATS targets and to reduce the burden of LATS purchases upon the Council tax payer.

This year we expect to recycle approximately 76,000 tonnes of waste, at a net cost of £1.9m. The equivalent landfill cost of this waste is in the region of £2.8m, therefore every tonne that the Council recycles, is not only beneficial to the environment, but also saves money.

In order to divert more tonnes away from landfill to recycling, it is planned to develop an increased education and awareness programme which will follow the principles of the Waste Hierarchy.

## **15. MONITORING AND REVIEW**

### **Monitoring**

We must make sure that we monitor all of our actions, not only to make sure our targets are met, but also to inform future actions. Good quality information will help us understand how we are doing and provide a firm basis for future decision-making.

The action plan sets out the key actions undertaken over the next three years by the council to move forward across the range of issues identified in this strategy and in response to consultation. It is a working document and subject to change. We will review and update it every year.

Our performance against the sustainability appraisal criteria will also require regular monitoring. It is our intention to amalgamate this with the review processes for the action plan detailed below.

As well as regular management reports, we will report on progress annually to the Environment and Community Safety Corporate Priority Board. We will also seek annual updates from the city's partnership body, the Leeds Initiative, via the Leeds Environment City Partnership. This will help us deliver continuous service improvement and help respond to changes in this dynamic environment.

We will give feedback to stakeholders on a regular basis, primarily through the Council's website and 'About Leeds' newspaper.

### **Review**

We need to review our progress to inform the decisions we will have to take about what happens to waste in the future. Such a review will then inform the contracts we let to deal with waste. We are proposing to review this Strategy every 5 years or where the annual review of the action plan indicates that the aims of the overarching strategy are no longer achievable. The review will be based on:

- the effectiveness of waste prevention, recycling, composting and recovery initiatives;
- regional, government and European guidance and legislation;
- the results of public opinion gathering.

There is a need to bring all waste management contracts in line with the overall strategy. We propose to end all such contracts on 31<sup>st</sup> March 2008. This will bring together all contractual arrangements and add certainty to current negotiations. It will mean that our negotiations on future arrangements for all waste management contracts can be co-ordinated for implementation after that date. The timetable allows for the development of any new facilities (if required) to meet the more demanding recovery target in 2013.

## 16. GLOSSARY

We have tried, wherever possible, to avoid using confusing jargon and acronyms. However, to deal succinctly with complex issues, the use of some jargon and technical terms has been unavoidable. This glossary has been compiled as a 'jargon-breaker', and to make the ideas and issues in the strategy more accessible.

**Anaerobic Digestion** - a process where the breakdown of biodegradable material is encouraged in the absence of oxygen. Material is placed into an enclosed vessel and in controlled conditions the waste breaks down into solids/liquors known as digestate and biogases (methane and carbon dioxide).

**Best Practicable Environmental Option (BPEO)** - is the outcome of a systematic and consultative decision-making procedure that emphasises the protection and conservation of the environment across land, air and water. The BPEO procedure establishes, for a given set of objectives, the option(s) that provides the most benefits or the least damage to the environment as a whole, at acceptable cost, in the long term as well as the short term.

**Best Value** - places a duty on local authorities to deliver services (including waste collection and waste disposal) to clear standards - covering both costs and quality - by the most effective, economic and efficient means available.

**Best Value Performance Indicator (BVPI)** - are measures by which government assesses local authority performance in key areas. There are a number of these for waste management.

**Biodegradable** - capable of being broken down by plants (including fungi) and animals (including worms and micro-organisms). In municipal waste, the property is generally attributed to the following: paper and card, food and garden waste, a proportion of textiles, fines and miscellaneous combustible waste, including disposable nappies.

**Biological Treatment** - any biological process that changes the properties of waste (e.g. anaerobic digestion or composting).

**Civic Amenity Waste** - a sub-classification of household waste, normally delivered by the public direct to sites provided by the local authority. Consists generally of bulky items such as beds, cookers and garden waste as well as recyclables. In Leeds, civic amenity sites are referred to as Household Waste Recycling Centres and Waste Sorting Sites.

**Clinical Waste** - waste arising from medical, nursing, dental, veterinary, pharmaceutical or similar practices, which may present risk of infection.

**Commercial Waste** - waste arising from premises that are used wholly or mainly for trade, business, sport, recreation or entertainment, excluding Municipal and Industrial waste.

**Composting** - an aerobic, biological process in which organic waste, such as garden and kitchen waste, are converted in the presence of air into a stable granular material that

can be applied to land to improve soil structure and enrich the nutrient content of the soil.

**Construction and Demolition Waste** - arises from the construction, repair, maintenance and demolition of buildings and structures. It mostly includes brick, concrete, hardcore, subsoil and topsoil, but it can also contain quantities of timber, metal, plastics and, occasionally, special (hazardous) waste materials.

**Controlled Waste** - comprises household, industrial, commercial and clinical wastes that require a waste management licence for treatment, transfer or disposal. The main exempted categories comprise mine, quarry and farm wastes, although these are expected to become controlled waste during the lifetime of this strategy, with farm waste becoming controlled waste within the next few years. Other legislation and procedures control radioactive and explosive wastes.

**Council Plan** - (AKA Closing the Gap), outlines the Council's priorities and sets out what we are trying to achieve; our performance in priority areas; achievements so far; and plans for the next three years to ensure we deliver our priorities.

**Drop-off Recycling** - recycling schemes where the public bring material for recycling to centralised collection points (e.g. bottle and can banks) at Household Waste Recycling Centres, supermarket car parks and similar locations,

**Energy Recovery from Waste** - includes a number of established and emerging technologies, though most energy recovery is through incineration technologies. Many wastes are combustible, with relatively high calorific values. This energy can be recovered through, for instance, using the heat to warm homes and businesses or for electricity generation.

**Environment Agency** - established in 1996, it combined the functions of former local waste regulation authorities, the National Rivers Authority and Her Majesty's Inspectorate of Pollution. Intended to promote a more integrated approach to waste management and consistency in waste regulation. The agency also conducts national surveys of waste arisings and waste facilities.

**Eco Management and Audit System (EMAS)** - aims to make sure an organisation's activities do not harm the environment and make sure any negative impacts are kept to a minimum. In May 2002, Leeds City Council gained corporate accreditation to the Eco-Management and Audit Scheme (EMAS) and is the largest public sector body in Europe to have achieved the standard. The system requires compliance with environmental regulations and statutory targets and aims for continual environmental improvement.

**Gross Domestic Product (GDP)** - is an integral part of the U K national accounts and provides a measure of the total economic activity in a region. GDP is often referred to as one of the main summary indicators of economic activity and references to growth in the economy are quoting the growth in GDP during the latest quarter.

**Hazardous Waste** - see special waste.

**Home Composting** - compost can be made at home using traditional compost heap, a purpose designed container, or a wormery.

Household Waste - this includes:

- all waste collected from households as part of the domestic refuse collection
- all materials collected from households as part of recycling schemes
- all materials collected from local drop-off and bring bank sites
- all waste taken to Household Waste Recycling Centres (HWRC) - whether for recycling or disposal
- all waste collected through the bulk collection service
- all household hazardous waste street and litter sweepings
- hazardous and clinical waste collected from households
- and all other waste collected from households by the Authority

Household Waste Sites - where Civic Amenity waste is collected in Leeds.

Incineration - this is the controlled burning of waste, either to reduce its volume, or its toxicity. Energy recovery from incineration can be made by utilising the calorific value of paper, plastic etc to produce heat or power. Current flue-gas emission standards are very high. Ash residues still tend to be disposed of to landfill

Industrial - waste from any factory and from any premises occupied by an industry (excluding mines and quarries).

Inert Waste - waste which, when deposited into a waste disposal site, does not undergo any significant physical, chemical or biological transformation and that complies with the criteria set out in Annex III of the EC Directive on the Landfill of Waste.

Kerbside Collection - any regular collection of recyclables from premises, including collections from commercial or industrial premises as well as from households. Excludes collection services delivered on demand.

Landfill - is the disposal of waste in disused quarries or aggregate workings, where it is buried. These sites are subject to strict controls to prevent the contamination of water supplies with leachate and to control the emission of greenhouse gases, such as methane, from the rubbish as it decomposes. This has been the main method of disposal for rubbish in the UK. The EU has set strict targets to reduce the amount of biodegradable landfill, which contributes to greenhouse gas emissions.

Land Use Planning - the Town and Country Planning system regulates the development and use of land in the public interest, and has an important role to play in achieving sustainable waste management.

Leeds Initiative - The Leeds Initiative is the city's local strategic partnership, led by Leeds City Council. Leeds first embraced the concept and practicalities of partnership in the 1990s and throughout the decade developed it in depth to cover virtually every area of city life. The Initiative has since grown to become a very effective body that provides a strategic approach to the city's long- term development. It unifies the diverse partnership groups and delivers not just a forum for debate and networking, but a real commitment and sense of purpose and direction

Local Development Framework - will replace the Unitary Development Plan system and consists of:

- a statement of core policies setting out the local authority's vision and strategy to be applied in promoting and controlling development throughout its area;
- more detailed action plans for smaller local areas of change, such as urban extensions, town centres and neighbourhoods undergoing renewal; and
- a map showing the areas of change for which action plans are to be prepared and existing designations, such as conservation areas.

Local Public Service Agreement (LPSA) - is a voluntary agreement negotiated between an individual local authority and the government. The overall aim of LPSAs is to improve delivery of local services through a greater focus on outcomes.

Mechanical - Biological - Thermal Treatment - involves the mechanical, thermal, chemical or biological processing of certain types of waste for the purposes of rendering them harmless, reducing volumes before landfilling, or recycling certain wastes.

Municipal Waste - this includes household waste and any other wastes collected by a waste collection authority, or its agents, such as municipal parks and gardens waste, beach cleansing waste, commercial or industrial waste, and waste resulting from the clearance of fly-tipped materials. In Leeds, this is further broken down into Household Waste and Trade Waste.

Producer Responsibility - this is about producers and others involved in the distribution and sale of goods taking greater responsibility for those goods at the end of the products life.

Proximity Principle - suggests that waste should generally be disposed of as near to its place of production as possible.

Recovery - the waste hierarchy proposes that value should be recovered from waste, through recycling, composting or energy recovery from waste

Recycling - involves the reprocessing of wastes, either into the same product or a different one. Many non-hazardous industrial wastes such paper, glass, cardboard, plastics and scrap metals can be recycled. Special wastes such as solvents can also be recycled by specialist companies or by in-house equipment.

Reduction - achieving as much waste reduction as possible is a priority. Reduction can be accomplished within a manufacturing process involving the review of production processes to optimise the utilisation of raw (and secondary) materials and recirculation processes. It can be cost-effective in terms of lower disposal costs, reduced demand for raw materials and energy costs. It can be carried out by householders through actions such as home composting, re-using products and buying goods with less packaging.

Regional self-sufficiency - dealing with wastes within the region where it arises.

Re-use - can be practised by the commercial sector with the use of products designed to be used a number of times, such as reusable packaging. Householders can purchase products that use refillable containers, or re-use plastic bags. The processes contribute to sustainable development and can save raw materials, energy and transport costs.

Special Waste - this is defined by the Control of Pollution (Special Wastes) Regulations 1980 as any controlled waste that contains any of the substances listed in Schedule 1 to the Regulations, or is dangerous to life, or has combustion flashpoint of 210 C or less, or is a medical product defined under the Medicines Act 1968.

SORT - the name of the Council's green wheeled bin kerbside collection scheme for recyclable materials  
- paper, cans and plastic.

Sustainable Development - development that is sustainable is that which can meet the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Growth Park TM - is a concept that seeks to provide the means to develop increased demand for recyclables and develop employment opportunities by channelling initiative and drive towards the recovery of recyclable materials and the processing of them into usable raw materials or products.

Unitary Development Plan - is a plan for the whole of the Leeds District that provides a framework for all new development over the next decade. It forms the statutory development plan for Leeds. It is used as a basis for making decisions on land use and planning applications. The current plan was drawn up in the 1990s and approved in August 2001. We consulted the public about updating the plan in January 2003. We have taken into account the comments received. We are now proposing selective changes to key policies. This will lead to an alteration rather than the replacement of the approved plan - known as Leeds Unitary Development Plan Review - First Deposit.

Vision for Leeds II - is a strategy for improving the social, environmental and economic wellbeing of the city and its many communities. It builds on the current Vision for Leeds - A Strategy for Sustainable Development, which was launched in July 1999. It also aims to answer the following important questions.

- What sort of city should Leeds be in the longer term?
- What are the main priorities for action?  
How will communities, groups and agencies work together to deliver what is needed?

Waste - this is the wide ranging term encompassing most unwanted materials and is legally defined by the Environmental Protection Act 1990. Waste includes any scrap material, effluent or unwanted surplus substance or article that requires to be disposed of because it is broken, worn out, contaminated or otherwise spoiled. Explosives and radioactive wastes are excluded.

Waste arisings - the amount of waste generated in a given locality over a given period of time.

Waste Collection Authority - a local authority charged with the collection of waste from each household in its area on a regular basis. Can also collect, if requested, commercial and industrial wastes from the private sector. Leeds City Council is both a Waste Collection Authority and a Waste Disposal Authority.

Waste Disposal Authority - a local authority charged with providing disposal sites to which it directs waste collection authorities for the disposal of their controlled waste, and with providing civic amenity facilities. Leeds City Council is both a Waste Collection Authority and a Waste Disposal Authority.

Waste Hierarchy - this is a framework which suggest that the most effective environmental solution may be to reduce the amount of waste generated; where that is not practicable, to re-use products, either for the same or different purpose; failing that, value should be recovered from waste through recycling, composting or energy recovery from waste; only if none of these offer an appropriate solution should waste be disposed of.

Waste Management Industry - the businesses and not-for-profit organisations involved in the collection, management and disposal of waste.

Waste Management Licensing - licences are required by anyone who proposes to deposit, recover or dispose of waste. The licensing system is separate from, but complementary to, the land use planning system. The purpose of a licence and the conditions attached to it is to ensure that the waste operation that it authorises is carried out in a way that protects the environment and human health.

Waste Prevention - combined efforts to reduce and re-use waste to prevent it entering the waste stream and having to be recycled, treated or disposed of.

WRAP (Waste & Resources Action Programme) - is a not-for-profit company supported by funding from DEFRA, the DTI and the devolved administrations of Scotland, Wales and Northern Ireland. It is working to promote sustainable waste management by creating stable and efficient markets for recycled materials and products.



## 17. CONTACT INFORMATION

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The Integrated Waste Strategy for Leeds Document will be available on Leeds City Council's website at [www.leeds.gov.uk](http://www.leeds.gov.uk)

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**INTEGRATED WASTE STRATEGY FOR LEEDS 2005-35**

ACTION PLAN 2006/7–2008/9

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
EA1 RC2 RC4 WP1 WP4 L1 L2	To use education and awareness to drive up the active participation in waste prevention recycling and composting	Implement 'Recycle us' back to basics campaign aimed at increasing participation in the green bin scheme.	Implement campaign as per timetable	Implement campaign according to timetable	Implement campaign according to timetable	Revenue	Resident surveys	M	Communications Manager
		Develop glass recycling campaign.	Implement campaign			Design resources	Increased participation (including that of target groups)	M	
		Support and guidance on the new WEEE regulations.	Develop fact sheet, use website and provide guidance at HWSSs			Staff for doorknocking	Increased recycling (BVPI 82 a/b)	L	
		Improve communications at all HWS using 'Recycle Us' campaign.	Provision of info at all HWSSs			Media support	Reduced waste growth.	L	
		Develop and implement education programme aimed at hard to reach groups in the City.	Target areas of high contamination	Target other hard to reach groups			Increased levels of glass recycling.	M	
		Develop and implement education programme aimed at students.	Develop and implement campaign				M		

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
		Educate children through a campaign provided in schools.	Implement SORT IT campaign	Develop/ implement new campaign  Co-ordinate VCS input	Implement campaign			H	
EA2 R1 R4 L1 L2	To provide information to the public on our performance	Implement 'What Leeds will do with its waste?', a campaign to explain the Council's Waste Strategy to the public	Implement as per timetable.			Revenue  Media Support	Resident surveys  Recycling participation data	L	Communications Manager
EA3 RC2 RC4 Page 2 Page 364	To ensure that education and awareness is integrated into all waste management services.	Support the introduction of garden waste collection pilot with 'no garden waste' stickers on black bins.  Promote enhanced timber recycling at HWS.  Consider education and awareness as part of the service improvement and efficiency review of Environmental Services.	Provide stickers in 5 pilot areas.  Provide information and signage	Support further roll out of garden waste collections	Support further roll out of garden waste collections	Revenue  Design resources  Staff to distribute	Waste composition analysis results  Increased timber recycling.	M  L  L	Communications Manager
EA4 L1 L2	To use the education and awareness programme to help inform future decision making.	Consult on potential future service developments.	To conduct survey and focus groups.	Dependent on future developments	Dependent on future developments	Market research support	Response levels	M	Communications Manager

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
EA5 L1 L2 P1	To include appropriate statements on waste in other strategies plans and policies.	<p>Actively participate in the LDF corporate officer group and contribute on waste issues where appropriate.</p> <p>Develop a waste strategy group that links into the corporate climate change board.</p> <p>Contribute to the Council's Environment policy and other relevant documents through the Environment and Community Safety Corporate Priority Board.</p>	<p>Respond according to LDF timetable.</p> <p>Review Waste Strategy group</p> <p>Contribute to the Annual Environmtl Statement</p>	<p>Respond according to LDF timetable.</p> <p>Support Climate Change Working Group</p> <p>Contribute to the Annual Environmtl Statement</p>	<p>Respond according to LDF timetable.</p> <p>Support Climate Change Working Group</p> <p>Contribute to the Annual Environmtl Statement</p>		<p>Successful alignment of relevant policies</p>	<p>M</p> <p>M</p> <p>M</p>	Recycling and Waste Manager
WP1 EA1 WP4 CI1 CI2	To empower consumers and business to prevent waste	<p>Provide information to consumers and business on reducing waste or reusing goods</p> <p>Work with manufacturers, retailers and takeaways to reduce packaging</p> <p>Work with retailers to promote reusable bags</p>	<p>Appoint Waste Prevention Manager</p>	<p>Develop information</p> <p>Establish relationships with key orgs</p> <p>Develop 'Leeds bag'</p>	<p>Sign up retailers</p>	<p>Revenue for PR/research</p> <p>Promotional products</p> <p>Sponsorship</p>	<p>Reduced waste growth</p> <p>Reduction in waste produced per household/head (BV84)</p>	<p>M</p> <p>VH</p> <p>M</p>	<p>Communications Manager</p> <p>Waste Prevention Manager</p>
WP2 EA1	To target key waste streams for minimisation	<p>Develop sustained campaign to exploit ways in which real nappies can be promoted and made more convenient.</p>	<p>Develop/ implement campaign</p>	<p>Implement campaign</p> <p>Build health service links</p>	<p>Implement campaign</p>	<p>PR</p> <p>Support for related businesses</p> <p>Partnerships with supplier</p>	<p>Reduction in waste produced per household/head (BV84)</p> <p>Waste composition analysis results</p>	<p>H</p>	<p>Waste Prevention Manager</p> <p>Communications Manager</p> <p>Contracts Manager</p>

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
		Implementation of Council/provider partnership to support home composting (subject to successful WRAP bid)	Develop/ implement campaign as per WRAP timetable	Implement campaign			Take up of home composters	M	
WP1 L1 L2	To develop schemes to increase the re-use of resources	Explore ways in which more items can be recovered at Household waste sorting sites for reuse  Organise reuse events (e.g. skip days)	Increase use through VCS	Develop proposal for off-site sale of items  Develop programme	Pilot scheme	Operational capacity  PR	Increased reuse and reduction in waste produced per household (BV84)	H  M	Waste Prevention Manager  Strategy and Development Manager
WP2 WP4 S1 S2	To explore the incentivisation of waste prevention	Pilot financial waste prevention incentive scheme  Explore cash back schemes for reuse (e.g. cans and bottles)	Complete trial Dec 2006  Evaluate results and plan roll-out	Complete options appraisal		Cash incentives Sponsorship Collection sites	Increased reuse and recycling (BV82a/b)  Reduction in waste produced per household/ head (BV84)	H  H	Operations and development Manager
WP1 EA1 L1 L2	To develop innovative promotional initiatives for waste prevention	Design promotional materials (e.g. room furnished from reclaimed items)  Organise promotional events (e.g. reuse fashion show)		Design materials  Develop programme		Staff time Storage space Materials  Partnership with City Centre Management and University/ College	Increased awareness of reduction and reuse	L	Waste Prevention Manager  Communications Manager
WP3 CI3 L1	To reduce the level of waste produced by	Use of internal pay by weight contract		Increase no. of sites and		Partnership with Corporate Procurement	Reduction in waste produced by LCC	M	Waste Resources Officer

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
	Leeds City Council	Use of procurement to reduce LCC Waste (e.g. printer cartridges)  Identification of waste prevention actions through EMAS and ISO 14000	Retain accreditation and continuous imprvmts	materials collected  Retain accreditation and continuous imprvmts	Retain accreditation and continuous imprvmts	Unit		Waste Prevention Manager  Procurement Manager  EMAS Officer	
RC1 L1 L2 R4  Page 367	To increase the provision of kerbside recycling	Extend the provision of kerbside collections of recyclables to households  Explore increasing frequency of kerbside collections of dry recyclables	95% of households  Complete options appraisal	Make available to city centre flats where possible  Implement preferred option	Make available to high rise flats where possible.	Collection round capacity  Capacity to include flats and hard to reach properties  Revenue funding	% of households with access to kerbside recycling (BV 91)  Increased recycling (BV 82a/b)	H  VH	Streetscene Services Manager  Recycling and Waste manager
RC1 L1 L2 R4	To increase the range of materials collected at the kerbside	Explore the provision of garden waste kerbside collections  Introduce additional materials for collection via existing green bins (e.g. glass, tetrapaks, etc.)	Pilot commenced  Evaluate MRF procurement options	Evaluate pilot and develop implementation subject to evaluation.  Dependent on outcome of options appraisal		Revenue funding  Access to appropriate MRF	Increased composting (BV 82b)  Increased recycling (BV 82a)	VH  VH	Streetscene Services Manager  Waste Solution Project Manager  Contracts Manager
RC1 L1 L2 R4	To improve the provision of non-kerbside recycling	Redevelop 3 remaining household waste sites (of 11)		Complete East Leeds	Develop project to reach two further	Capital investment  ADS	Increased recycling from household waste sites	VH	Recycling and Waste Manager

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
	facilities	Review household waste site locations  Develop 'bring' site strategy	Complete	Complete	communities	contractor  Partnership with Development Department	Report on future needs  Increased recycling (BV 82a/b)	M  L	Contracts manager  Strategy and Development Manager
RC3 RC4 L1 L2 MDP4 MDP1 Page 368	To secure long-term outlets for recyclable materials	Secure long-term sorting capacity for kerbside co-mingled recycling.  Secure long-term composting capacity for all garden waste collected.  Secure outlets for all other recyclable materials	Complete options appraisal  Complete interim tendering exercise	Commence procurement based on option appraisal results.  Complete options appraisal  Commence procurement based on option appraisal results.	Award contract  Commence procurement		Required capacity secured	VH  VH  H	Recycling and Waste Manager  Waste Solution Project Manager  Contracts Manager
MDP1 RC3	To stimulate and support new and	Explore potential for provision of business development units		Complete evaluation		Capital, revenue and	Completion of units	H	Waste Solution Project Manager



Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
L1 L2	emerging businesses	Develop sign posting to business support		Identify support orgs and resources.	Publish guide.	management costs for land/buildings  Partnerships with support organisations.  PR costs	Increased local businesses working in reuse, recycling and reprocessing	M	Waste Prevention Manager
MDP1 MDP4 RC3	Increase local markets for reuse, recycling and reprocessing	Work with Economic Development, RAY, WRAP and any other appropriate bodies	Identify and establish contact networks	Develop shared work programme			Increased number of local businesses	H	Waste Prevention Manager
MDP1 MDP4 RC3	To increase local reprocessing capacity	Identify and attract major reprocessors	Identify national distribution of reprocessors	Complete gap analysis of provision	Prepare prospectus	Support from Economic Development	Increase in local reprocessing provision	H	Recycling and Waste Manager
MDP1 MDP4 RC3	To identify key waste streams and match materials with existing businesses	Identify suitable manufacturers and work with them to use raw materials collected by LCC  Complete composition analysis of kerbside collections and household waste sites	Complete comp analyses	Agree programme and priorities  Complete comp analyses	Identify and approach key companies	Partnership with RAY  Consultants/ agency staff for composition analysis	Increased reuse and recycling and increased range of materials dealt with	H  M	Recycling and Waste Manager  Strategy and Development Manager
MDP2 MDP3 MDP1 WP1	To increase the use of recycled products	Develop portal to signpost organisations to sources of recycled products  Identify opportunities for promotion and placement of recycled products		Identify products	Publish information and links on website  Identify opportunities for		Increased sales of products	M	Waste Prevention Manager

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
					product placement on (media, etc)				
MDP1 MDP4 WP4	To support social enterprise and the voluntary and community sectors	Reserve areas of reuse, recycling and reprocessing for these sectors where appropriate  Develop charter for working with these sectors  Develop community sector contracts and procurement procedures.	Develop VCS contracts	Establish areas to be reserved  Complete charter  Establish procurement procedures	Ongoing review  Contracts awarded	Partnership with CRN and other support networks  Partnership with Corporate Procurement Unit	Increased schemes operated by social enterprise, and community and voluntary sectors	L  L  L	Recycling and Waste Manager  Contracts Manager  Procurement Manager
MDP2 Page 370 I3	To increase the use of recycled materials within the Council	Establish effective procurement systems to ensure use of recycled products where appropriate  Increase awareness of benefits of buying recycled  Identify suitable products for use within the Council  Use of EMAS and ISO 14000 to target reuse and use of recycled products	Maintain EMAS/ ISO 14001	Procurement systems developed  Develop information campaign  Analyse resources used  Maintain EMAS/ ISO 14001	Ongoing  Target alternative provision to key areas  Maintain EMAS/ ISO 14001		Increased LCC use of recycled materials	M  L  L  L	Contracts Manager  Procurement Manager  Waste Resources Officer  EMAS Officer
MDP4 RC3 L1	To explore markets for recycling or	Work with contractor to find markets for residues	Include in contract spec		Award contract		Reduced waste to landfill (BV82d)	H	Recycling and Waste Manager

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
L2	processing of waste management residues								
P1 EA5	To ensure that appropriate waste management provision is made within the local planning framework	Identify and secure sites for municipal waste management facilities  Identify potential sites for recycling and reprocessing businesses	Identify sites for municipal facilities	Secure sites for municipal facilities  Start preparation of Waste DPD	Complete EIA  Submit draft DPD for inspection	Technical advisors/EIA consultants  Capital for land purchase	Waste DPD on schedule  Land secured  Availability of recycling facilities	VH	Recycling and Waste Manager  Strategy and Development manager  Waste Solution Project Manager
P1 EA5 Page 371	To ensure that Planning policy supports sustainable waste management	Ensure that development control criteria require adequate recycling provision, particularly in flats and major developments  Ensure the promotion within Planning policy of sustainable waste management, particularly recycling in construction and the use of sustainable products	Ensure inclusion in planning criteria and automatic consultation	Develop site waste action plan monitoring		Partnerships with RAY and Economic Development	Recycling by developers  Use of sustainable products	H	Recycling and Waste Manager  Streetscene Operations Manager  Minerals and Waste Planning Officer
R2 R4 L1 L2	To undertake a successful procurement process for the delivery of the recovery solution	Secure PFI funding to support delivery of an Energy from Waste facility and transfer station  Tender treatment contract and associated services to secure private sector partner.	Submit EoI	Submit OBC  Commence procurement	Award contract	Consultancy  PPPU support	PFI credits approved  Financial close of contract	H  VH	Waste Solution Project Manager
R2 R4 P3	To explore maximum integration of	Explore development of a Sustainable Energy and Resource Park	Conduct site selection	Evaluate short list of site options		Consultancy Partnership with	Availability of facilities	VH	Recycling and Waste Manager

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
	waste facilities		exercise	Identify potential partners		Development Department			
R3 R4 L1 L2	To complete a detailed environmental assessment of proposals for an Energy from Waste facility	Complete Environmental Impact Assessment (EIA)	Commission EIA	Complete preliminary site evaluation	EIA completed	Consultancy	Completion of EIA as per timetable	VH	Waste Solution Project Manager
R1 EA2  Page 372	To provide regular, timely and appropriate information to the public on the delivery of the recovery solution	Deliver a publicity campaign on the results of consultation, implementation and site selection  Provide current information to the public on performance of recovery facilities (e.g. on internet)	Develop and implement comms plan	Implement comms plan  Include requirement to publish information in contract	Implement comms plan	PR  Revenue funding	Public feedback	VH  M	Waste Solution Project Manager  Communications Manager  Contracts Manager
EF1 EF2 WP1 RC1 L1 L2	To develop a range of enforcement policies and measures to support waste minimisation and recycling	Evaluate best practice in other authorities, using fixed penalties notices as the final sanction until this has been completed.  Identify policies to support implementation of kerbside collection service developments (e.g. side waste, contamination, compulsory kerbside recycling, day of presentation of bins)	Conduct benchmarking exercise  Identify options  Gain approvals	Develop and agree policies  Implementation subject to approval			Increased participation in kerbside recycling.  Increased recycling (BV 82a/b)  Reduced contamination versus no of notices, warnings and prosecutions		Head of Enforcement

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
EF1 EF2 RC1 L1 L2	To develop the enforcement of existing environmental policies to support Waste Strategy objectives	<p>Ensure compliance with duty of care and waste carriers regulations</p> <p>Enforcement of flytipping legislation</p> <p>Promote the tidy business standard (TBS) and 'food on the go' standard</p> <p>Co-ordination of planned enforcement with education and awareness campaigns.</p>	<p>Develop DVD to encourage adoption of TBS</p> <p>Exploit 'name and shame' policy</p> <p>Establish dedicated post</p> <p>Develop business links</p> <p>Integrate into education comms plan</p>				<p>No. of companies awarded TBS</p> <p>No. of fly tips (BV 199)</p> <p>Increased recycling (BV 82a/b)</p> <p>Increased participation</p>		Head of Enforcement
CI1	Work with stakeholders to promote the sustainable management of commercial and industrial waste	<p>Develop resources to support commercial waste prevention and recycling.</p> <p>Work with the private sector to facilitate the provision of recycling facilities and collections.</p>	<p>Secure resources</p> <p>Evaluate Defra WS 2006 review</p> <p>Identify potential partners.</p>	<p>Develop project plan.</p> <p>Promote benefits and available support</p>		<p>Revenue funding</p> <p>Support of partners</p> <p>Capital funding</p>	<p>Increased recycling of C&amp;I waste</p> <p>Reduced levels of waste per business/per £ of value added.</p>	<p>H</p> <p>H</p> <p>M</p>	<p>Recycling and Waste Manager</p> <p>Waste Prevention Manager</p>

Policy Links	Improvement Objective	Specific Action	Target			Resources Required	Success will be measured by	Risk Analysis	Responsible Officer
			2006/7	2007/8	2008/9				
		Incorporate recycling facilities for SME's at the redeveloped East Leeds transfer station.	Commence work on site.	Complete work on site.					
CI2 WP4	Lobby for the prevention of waste.	<p>Lobby waste producers to reduce packaging on consumer goods, and produce products that last longer and that are recyclable once they reach the end of their life.</p> <p>Lobby Government to introduce regulations or incentives that encourage waste producers to reduce packaging on consumer goods, and produce products that last longer and that are recyclable once they reach the end of their life.</p> <p>Respond to Government's Waste Strategy review consultation.</p>	<p>Identify key actions desired. Identify best means of canvassing support.</p> <p>Identify lobbying partners and develop register of interests</p> <p>Submit response</p>	<p>Canvass appropriate producers.</p> <p>Canvas Govt</p>		Desired actions achieved.	H  H  L	Recycling and Waste Manager	
CI4	Improve our data on commercial and industrial waste.	To work with the Environment Agency to improve the data we hold on C&I waste and make better use of its analysis.	Collate available data.	Apply data analysis to support work in this area.		Staffing EA support	Availability of relevant data	L	Strategy and Development Manager



EXPRESSION OF INTEREST TO  
DEFRA FOR PFI CREDITS  
SEPTEMBER 2006

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**Version Control**

Version 0.1	Distribute to EOI coordination team for comment
Version 0.2	Distribute to wider LCC for comment
Version 0.3	Distribute to Exec Board/Asset Management Group for comment/approval
Version 1.0	Distribute to DEFRA as final

# Section One - Executive Summary

## Introduction

- 1.1 Leeds City Council is seeking PFI Credits to provide a residual waste treatment solution as part of its commitment to long-term and sustainable waste management.
- 1.2 Leeds has reputation as a vibrant and successful city and the Council has the highest available '4 star' CPA rating. Leeds is the second largest local authority, with a population of 720,000 people living in 320,000 properties. In 2005/06, we collected 366,000 tonnes of waste, primarily through our in-house collection service and household waste sorting sites.

## Current Arrangements and Waste Strategy

- 1.3 To encourage recycling, the Council offers kerbside collections of recyclables to over 90% of households. In recycling performance, Leeds has consistently been the best performing Core City in the UK in recent years, with a recycling rate of 21.3% in 2005/06, and a national recycling award in 2005. Despite this, Leeds City Council still landfilled 78.6% of household waste in 2005/06, and achieving European and Government landfill diversion targets is one of the most significant challenges currently facing the Authority.
- 1.4 The commitment of Council Members to continued improvement in waste management is demonstrated through the approval for public consultation of the Integrated Waste Strategy for Leeds by our cross-party Executive Board in December 2005. The Strategy, which completed its consultation period in May 2006 with overwhelming public support, includes the following key targets:
  - to reduce annual growth in municipal waste per household in Leeds to 0.5% by 2010, and eliminate growth in waste per household by 2020;
  - to achieve a recycling rate of 40% by 2020;
  - to achieve the recovery of value from 90% of our waste by 2020.

## Project Scope

- 1.5 We have carried out extensive technical analysis of options for meeting our targets which has resulted in a programme of required changes to collection arrangements and investment in infrastructure for recycling, composting and processing residual waste. The anticipated increases in recycling and composting will necessitate a range of modern facilities to deal with recycling and composting materials for which the Council intends to embark on a separate procurement exercise. As a complementary exercise, the Council has carefully selected its residual treatment solution through an option appraisal process which balanced qualitative benefits, costs and risks. The result is a clear choice of Energy from Waste as the technology solution.
- 1.6 The scope of the PFI project is therefore the procurement of a PFI contractor to design, build finance and operate an Energy from Waste facility and a waste transfer facility to ensure transport efficiency. The waste transfer facility is seen as a branch of the EfW reception service (i.e. another gate for the EfW), and therefore naturally falls within the PFI scope. As well as operating the facilities, the contractor will provide transport services from the transfer facility to the EfW and from EfW to landfill sites separately contracted for by the Council.
- 1.7 The Council considers that PFI provides the best procurement route as it provides clear risk transfer to the private sector which is best placed to manage the performance of the EfW plant. The preferred technology option has been subject to a detailed financial appraisal using a PFI Shadow Bid which is based on a 28 year contract and assumes financial close in March 2009. The Council is applying for the full PFI Credits for the EfW and waste transfer facility - the NPV of these full capital costs is £119 million. This funding will ensure that the project is affordable and that the Waste Strategy targets can be achieved.

### Ensuring Delivery

- 1.8 We have proactively sought to mitigate the risks that threaten the successful delivery of this procurement project. We have conducted extensive site selection work, in accordance with national and local planning policy, to identify our preferred sites, and are implementing a strategy for securing planning permissions for these sites. We have carried out a formal sounding of key waste management companies to gauge interest in the proposals for Leeds, the results of which have helped to shape our procurement strategy. Both this and emerging DEFRA policy have resulted in a decision to exclude all waste management services except residual waste treatment from the scope of the PFI project.
- 1.9 We have carried out extensive consultation with residents, elected Members and other key stakeholders both prior to and since the Executive Board approval of the Waste Strategy for consultation. This has indicated strong and widespread support for the Strategy's proposals including the procurement of an EfW plant.
- 1.10 To deliver this project, the Council has a dedicated Public Private Partnerships Unit and a robust project governance structure. The PPPU has delivered signed PFI schemes with a capital investment value approaching £0.5 billion in the last 5 years and, with other schemes currently in procurement, are on target for delivering over £1 billion worth of investment in the City. In recognition of this, the Council won two categories at the 2006 national PFI Awards.

### Conclusion

- 1.11 We are confident that our clear strategic vision, the rigour of our evaluation and consultation processes and our experience of procurement delivery all combine to provide a highly deliverable PFI scheme and a sustainable waste management solution for Leeds
- 1.12 To demonstrate how this project meets the criteria for funding and for ease of reference, the Council has completed checklists summarising the content of this EOI against the criteria for approving PFI Credits set by both HM Treasury Project Review Group (Appendix 1A) and DEFRA (Appendix 1B).

# Section Two - Current Arrangements and Waste Strategy

## An Introduction to Leeds

- 2.1 Over the last ten years Leeds has become one of the most vibrant and successful cities in the UK. Leeds City Council is the second largest local authority, with a population of over 720,000 people living in over 320,000 domestic properties. Current projections show that the number of domestic properties in Leeds is expected to increase by between 30,000 and 35,000 in the next ten years.
- 2.2 Following our 2004 Comprehensive Performance Assessment (CPA) inspection, Leeds City Council was rated as an 'Excellent' council, the highest of the five categories. This was consolidated upon in 2005 when the Authority was again awarded the highest CPA rating of '4 stars', and was found to be 'improving well'.
- 2.3 One of the key priority areas set out in the Vision for Leeds 2004-2020, the Council's overarching community strategy, is entitled, 'Environment City - A Reputation for Environmental Excellence', and sets out the following commitment:
- Leeds will have a reputation for environmental excellence through the quality of our built environment, the use of our green space, the effective use of natural resources, clean air quality and waste management. It will be a place that joins economic, social and environmental objectives so that the action we take today does not limit the choices of future generations or others elsewhere in the world.*
- 2.4 Leeds City Council's Corporate Plan 2005-8 and its annual Council Plan set out the Authority's key objectives for delivering the Vision for Leeds. One of the key outcomes identified within this plan is that, "all neighbourhoods are safe, clean, green and well maintained", and the plan sets out specific objectives for reducing waste, increasing recycling and minimising landfill.

## A Profile of Municipal Waste Management in Leeds

- 2.5 Leeds is a unitary authority and has a statutory responsibility for the collection and disposal of waste, operating its own in-house collection services. The Authority has a number of landfill contracts with the private sector, which are due to expire at the end of 2008, with the possibility of extensions for a further two years.
- 2.6 In 2005/06, Leeds City Council managed approximately 366,000 tonnes of municipal waste, of which household waste accounted for 333,000 tonnes. The Authority operates a weekly collection of residual waste, and a four weekly collection of co-mingled, dry recyclables (i.e. paper, card, cans, plastics) to which over 90% of households has access. In some 'pilot' areas of the City, these recycling collections are made on a fortnightly basis.
- 2.7 The Council also operates eleven household waste sorting sites, eight of which have now undergone major redevelopment, transforming them into model recycling centres. It has consistently been the top performing Core City in the UK in recent years, with a combined recycling and composting rate of 21.3% in 2005/06. Leeds also won the 'Recycling Target Success' award at the National Recycling Awards in 2005.
- 2.8 The Authority landfilled over 78.6% (261,000 tonnes) of household waste in 2005/06, and the diversion of municipal waste from landfill is one of the key issues addressed in the revised Integrated Waste Strategy for Leeds 2005-2035, included in Appendix 2A

## National and Regional Waste Strategy

- 2.9 The most significant challenge currently facing local authorities in relation to waste management is the achievement of the landfill diversion (LATS) targets resulting from the introduction of the EU Landfill Directive. In addition to this, Waste Strategy 2000 set out statutory recycling and recovery targets for household and municipal waste. Current targets are summarised in *Table 1* below.

Table 1

Target Year	WS 2000 Recycling Targets*	WS 2000 Recovery Targets**	EU Landfill Directive Targets***
2005	25%	40%	-
2010	30%	45%	75% (of 1995 level)
2013	-	-	50% (of 1995 level)
2015	33%	67%	-
2020	-	-	35% (of 1995 level)

\* Applies to household waste

\*\* Applies to municipal waste

\*\*\* Applies to biodegradable municipal waste

2.10 It is estimated that Leeds City Council will have to divert almost 1.5 million tonnes of biodegradable municipal waste between 2005 and 2020 in order to meet landfill diversion targets, and that, if action is not taken to address this situation, the Authority could face LATS penalties of over £217m by 2020 in the event of no permits being available.

2.11 In addition, the Government is now increasing landfill tax by £3 per year. It currently stands at £21 per tonne, and the Government has indicated that this will rise to at least £35 per tonne in the medium term. This represents an increase of around £800,000 per year to Leeds City Council based on current waste levels.

2.12 It is also acknowledged that the national Waste Strategy Review consultation was launched in February 2006. Policies adopted as a result of this consultation will need to be reflected in the Regional Waste Strategy and the Integrated Waste Strategy for Leeds. The strategy for Leeds is consistent with the current consultation document.

#### Integrated Waste Strategy for Leeds

2.13 The Integrated Waste Management Strategy for Leeds was adopted in 2003, and sets out the Council's long-term strategic vision and key objectives for waste management. The Strategy has now been subject to a scheduled review, particularly in relation to recycling targets and the recovery of value from waste. This updated document was approved for consultation by the Council's cross-party Executive Board in December 2005. This document is included in full at Appendix 2A.

2.14 The Integrated Waste Strategy for Leeds has also undergone a detailed sustainability appraisal and Strategic Environmental Assessment (SEA), with the Environmental Report having now been published for consultation alongside the Strategy itself.

2.15 The current period of public consultation closed at the end of May 2006. Results of the consultation show strong support for the Strategy. No changes have been required that affect the main policies contained within the strategy and it will be put before the Executive Board in September 2006 for adoption.

#### *Strategy Objectives*

2.16 **Our vision is of a zero waste city, where we reduce, re-use, recycle and recover value from all waste, and where waste becomes a resource.** Zero waste is not considered an absolute figure, but a target to strive for that encourages new levels of innovation and efficiency. A summary of the key targets to be met within the Integrated Waste Strategy for Leeds are set out in *Table 2*.

Table 2

Target Year	Waste Minimisation Targets (growth per household per annum)	Leeds City Council/WS2000 Recycling Targets	Leeds City Council/WS2000 Recovery Targets	Leeds City Council LATS Allowances (BMW)
2010	0.5%	30%	45%	151,189

2013	-	-	-	100,703
2015	-	33%	67%	92,063
2016	-	-	-	87,774
2020	0%	40%*	90%	70,465

\* See footnote

#### *Waste Minimisation and Re-use*

2.17 Reducing the historically high growth in waste provides a primary focus for the Waste Strategy for Leeds. In conjunction with its technical advisors, Jacobs Babbie, the Council has undertaken a detailed analysis of the projected profile of municipal waste in Leeds. The scenario selected for the purposes of modelling, and the specific targets set out within the Integrated Waste Strategy for Leeds is **to reduce annual growth in municipal waste in Leeds to 0.5% per household by 2010, and eliminate growth in waste per household by 2020.**

#### *Recycling and Composting*

2.18 Recycling and composting remain key priorities for Leeds City Council. A range of optimised recycling collection and education initiatives to increase recycling levels in Leeds has also been agreed for the purposes of modelling and for consultation within the Waste Strategy. All targets, waste levels, capacity estimates and cost projections are based on the assumptions that these service changes are made. These include:

- Garden waste collection
- Glass collection
- Increased frequency of collections for recyclables
- Textiles collections
- Increased range of plastics collected in kerbside recycling bins
- Increased range of paper and card collected in kerbside recycling bins
- Increased roll-out of kerbside recycling collections
- Increased roll-out of recycling litter bins
- Enhanced participation in recycling through increased education

2.19 According to the waste flow model, the introduction of the optimised recycling initiatives set out above would yield a BVPI recycling and composting rate of 38.7%, and the specific target set within the Waste Strategy is **to achieve a recycling rate of 40%\* by 2020.** Whilst collection services are not within the scope of this proposed PFI project, their future role will form a critical part of the wider solution. The fundamental changes required to kerbside collections in order to meet long-term recycling targets has necessitated a thorough review of collection in order to ensure that it represents Best Value and that a potential PFI contract complements these services as part of an overall waste solution for Leeds.

#### Waste Solution for Leeds

2.20 It is recognised that recycling and composting alone are unlikely to deliver the Waste Strategy in relation to landfill diversion. Leeds City Council initiated the formal Waste Solution project in January 2005 as the mechanism for determining and delivering its Waste Strategy in relation to the achievement of LATS targets. This project, or programme of projects, incorporates delivering new recycling, composting and residual waste treatment facilities, determining a package of enhanced recycling services for Leeds, and determining the future of waste collection and disposal, including the role of the in-house collection service. The term 'Waste Solution' will be used from this point on to refer to this overall programme of projects, of which the scope of a potential PFI contract would form a key part.

*\* It is recognised that the 40% recycling target may need to be reviewed in the light of the national Waste Strategy Review consultation and the evaluation of the viability of longer-term recycling initiatives such as organic kitchen/food waste kerbside collections*

# Section Three - The Need for Residual Waste Facilities

## Assessing the potential of recycling and composting

- 3.1 The increases in recycling and composting associated with achieving the targets set out within our Waste Strategy necessitate the local provision of a range of modern recycling and composting facilities. A materials recycling facility is required to separate the co-mingled, dry recyclables collected at the kerbside, and a combination of windrow and in-vessel composting facilities is needed to deal with projected increases in organic waste.
- 3.2 Waste flow modelling indicated that the optimised recycling initiatives detailed above would enable Leeds City Council to achieve a recycling rate of 38.7%, but also that the Council would need an overall recycling rate of approximately 70% in order to meet LATS targets through recycling and composting alone.
- 3.3 A range of further scenarios was therefore analysed to examine the ability to achieve such high recycling rates. This included introducing a kerbside collection of organic kitchen/food waste, and the impact of reaching the highest capture rates achieved in the UK and internationally for each recyclable material. These rates are over and above the improvements already targeted in the waste flow model, and beyond what is deemed realistic given current public participation. The most ambitious scenario still showed a significant shortfall against the Authority's LATS targets in 2020. It should also be noted that these enhanced scenarios take no account of issues such as sustainability, cost and deliverability.

## Defining the Business Need

- 3.4 The conclusion from the analysis on recycling is that in order to meet both the Leeds and wider national commitments on landfill diversion, there is a need for a residual waste treatment facility to complement our recycling strategy.
- 3.5 Whilst achieving landfill diversion is one key benefit of investment in a residual technology facility, it is important to define the balance of benefits sought against which the residual waste treatment options should be assessed. These are listed below:
  - Achieves sustainability in relation to social, economic and environmental impacts
  - Provides long-term and certain markets for outputs
  - Provides flexibility (i.e. to adapt to changes in waste volumes, composition, etc.)
  - Achieves landfill diversion (LATS) targets
  - Achieves long term statutory and local recycling and composting targets
  - Minimises impacts associated with land use and allows self-sufficiency

# Section Four - Options Appraisal

## Introduction and Options

- 4.1 The Council has evaluated a broad representative range of the available technology options for the long-term management of residual municipal waste in order to establish their relative performance. The technology mixes assessed are set out below:
- Do Nothing
  - Do Minimum (optimised recycling, but no residual waste treatment)
  - Autoclave + Advanced Thermal Treatment
  - Autoclave + Landfill
  - Energy from Waste (EfW)
  - Mechanical Biological Treatment (MBT) + Advanced Thermal Treatment + In-Vessel Composting
  - Mechanical Biological Treatment (MBT) + Landfill + In-Vessel Composting
  - Mechanical Treatment + Anaerobic Digestion + Landfill
- 4.2 All of the options set out above, except 'do nothing', assume the introduction of the range of service improvements and enhancements to existing kerbside recycling services detailed in Section Two. Each of the technical options modelled, again with the exception of the 'do nothing' scenario, assumes the development of a materials recycling facility (MRF) and in-vessel and windrow composting facilities to process the anticipated increases in recyclable materials being collected. In accordance with Defra and 4Ps guidance, 'meet targets' and 'exceed targets' scenarios have been modelled for each technology option.

## Selection Process

- 4.3 An options appraisal methodology has been applied to provide a robust and transparent means of evaluating the various technical options against an agreed range of weighted criteria. The technology options were assessed against a range of non-financial or 'benefit' criteria (as defined in Section Three) at a stakeholder workshop in November 2005, involving Elected Members, senior Council officers, regional government officers, external advisors and representatives from community and environmental groups. See Appendix 4A for the outcome from the stakeholder workshop.
- 4.4 A detailed financial appraisal of the technology options has also been completed by PricewaterhouseCoopers on the Council's behalf. The approach to the financial options appraisal has been to model the costs of the technology options to provide Net Present Values (NPVs) over a theoretical 28 year contract period, which allow the costs to be compared on an equal basis.
- 4.5 In addition, Jacobs Babbie undertook a professional assessment, in discussion with the Council's Project Team, of the risks of deliverability for the various technology options. The results of each of the elements of the options appraisal are brought together and summarised in *Table 3* below. The Executive Summary from the technical options appraisal report is included within Appendix 4B, and Appendix 4C details the financial options appraisal output.



Appraisal Results

Table 3

Option	Description	'Benefit' Score (highest = best)	Risk Rating (lowest = best)	NPV (£s) (over 28 years)
DN	Do Nothing	10	47	£530m
DM	Do Minimum	19	38	£518m
Option 1	Autoclave + Advanced Thermal Treatment	64	129	£618m
Option 2	Autoclave + Landfill	33	103	£631m
Option 3	Energy from Waste (EfW)	72	52	£474m
Option 4	MBT + Advanced Thermal Treatment + In-Vessel Composting	57	107	£614m
Option 5	MBT + Landfill + In-Vessel Composting	39	88	£585m
Option 6	Mechanical Treatment + Anaerobic Digestion + Landfill	45	101	£617m

4.6 The results from the options appraisal have been that Option 3 (Energy from Waste) is the best performing option, achieving the highest ranking in terms of cost and 'benefit' criteria, and the highest ranking of all of the technological solutions in terms of risk ('do nothing' and 'do minimum' naturally present lower risks of deliverability).

Conclusion

4.7 Energy from Waste is being pursued as the preferred technology option and was specified as such in the revised Waste Strategy approved for consultation by the Council's Executive Board in December 2005. Appendix 4D contains the minutes and report from Executive Board. The Authority will also be exploring the potential for combined heat and power. The specific target set out within the Integrated Waste Strategy for Leeds is **to achieve the recovery of value from 90% of our waste by 2020.**

# Section Five - Preferred Option and Procurement Scope

## Procurement Scope Considerations

- 5.1 Leeds City Council's Waste Solution requires the development of a range of state-of-the-art facilities for recycling, composting and energy recovery. There is also a need to develop a waste transfer facility (or transfer loading station) to receive waste from parts of the City which are geographically distant from the likely site for an EfW plant. It has been necessary to determine whether these facilities should be procured as a package or separately.
- 5.2 The Council has undertaken a preliminary assessment of the contractual scope and structure which will optimise value for money. This has taken into account the desire for integration of services, the required performance targets, the expected level of risk transfer and the market sounding response in relation to scope and structure. In particular, the Council considers that the inclusion of collection, landfill operations, a Materials Recycling Facility (MRF), in-vessel composting (IVC) and green windrow composting (GWC) in the contract would not be desirable due to the added complexity and commercial concerns about managing performance in diverse areas.

## The PFI Project Scope

- 5.3 The scope of the PFI project therefore focuses exclusively on the residual waste treatment necessary to enable the Authority to meet its targets for recovery and landfill diversion. These facilities are set out in *Table 4* below.

*Table 4*

Facility	Waste Stream	Estimated Capital Cost
Energy from Waste Facility	Residual waste (direct delivery and from waste transfer facility)	£127m
Waste Transfer Facility	Residual waste (for transfer to EfW facility)	£2.3m

- 5.4 The Council considers that a long term waste partner is best placed to design, build, finance, maintain and operate an EfW and transfer station through a long term PFI contract. It is considered that the private sector is best placed to manage the integration of capital and running costs and to ensure the availability and efficiency of waste treatment.
- 5.5 Leeds is a large geographical area which makes transfer loading operations an integral element of waste management. A failure to include this within the PFI scope would introduce unacceptable levels of risk both in terms of our ability to deliver waste to the EfW and our ability to ensure continuity of refuse collection services. This assessment is based on several experiences that resulted in extreme pressure on the service and high costs. The Council strongly feels that it is necessary to protect itself in the most robust way possible in this area. It also provides greater efficiency of waste transport given that the contractor will be responsible for transport to landfill from the EfW. In essence it is our intention to create a clear and consistent gate at which responsibility for the waste is transferred to the contractor.

- 5.6 Since the services of the waste contractor would be the same whether receiving waste directly at the EfW or at a transfer station and then transporting it to the EfW, there is no reason to think that the project would be less bankable if it included the transfer station. In fact, it would provide the contractor with a greater degree of control of waste to feed into the EfW from the point that it was delivered by waste collection vehicles, rather than relying on another party to manage this link in the chain.
- 5.7 The extent of the contractor's control of waste flows would include the following: receiving waste from collection vehicles, transporting waste between transfer stations and EfW, waste treatment, and transporting residual waste to landfill sites designated by the Council. The Council will also require the Contractor to be an integral partner in education and other Council waste initiatives and make provision for public viewing and displays that reflect the wider Council waste strategy.
- 5.8 It will help in providing a clear scope of responsibilities for the contractor that all the treatment and transfer facilities will be newly built and there will be no need to transfer existing operations to the contractor.

#### The Wider Waste Management Programme

- 5.9 Although not within the scope of the PFI project, the overall Waste Solution for Leeds plans to also incorporate upgrading the three (out of eleven) household waste sorting sites that have yet to be developed into model recycling centres.
- 5.10 MRF and IVC facilities will be procured through separate PPP contracts, funded through unsupported borrowing or private sector investment, and the existing Council budget which includes savings in landfill costs arising from the procurement of a residual treatment facility. This will allow a phased approach to the provision of the necessary infrastructure. These contracts will be drafted to incentivise recycling and composting and to reduce risk through their interface with the PFI contract.
- 5.11 Reuse and recycling of other waste streams will be dealt with through appropriate contract arrangements or through partnerships with the community and voluntary sector. The Council already has links with this sector and work is underway to strengthen these relationships and expand the scope of the services they provide. A key partner in this work is the Community Recycling Network.
- 5.12 GWC is likely to continue to be operated through local third party operators and the bidders will be encouraged to source services as subcontracts from the community sector where possible.
- 5.13 The Council would retain responsibility for collection and residual landfill. The collection service would continue to include management of household waste sorting sites and bring banks as well as collection vehicles and household bins. These services would either be directly managed or separately contracted for on a shorter term basis.

#### Regional Partnerships

- 5.14 As the second largest local authority in the UK and with a projected demand for EfW capacity of around 320,000 tonnes pa, and a geographical area which stretches to a large rural hinterland, Leeds on its own provides a suitable size for an EfW plant. Private sector feedback suggests that the waste requirements for Leeds would constitute a contract of optimum size in terms of risk, and that a joint contract with another authority could diminish the interest from potential bidders.
- 5.15 Leeds City Council is engaged in regular dialogue with the other local authorities within the region, and is a key participant in the South and West Yorkshire Waste Forum. The Authority has also worked with the 4ps in trying to identify opportunities for developing regional waste management solutions. The practical obstacles to joint working are that the majority of Leeds' neighbouring authorities have either already secured their own residual waste treatment solutions, or have yet to establish their preferred treatment option. The geographical area of Leeds and some of its neighbours means that the provision of regional solutions would create logistical difficulties and potentially cause greater environmental impacts.
- 5.16 However, a bid to the Regional Support Fund to fund a Yorkshire and Humber Region site selection exercise has been prepared. This will identify if regional sites are a sustainable option, and if any suitable sites exist in the appropriate areas. Opportunities, benefits and impacts of importing or exporting waste across local authority boundaries will also be considered.

Further opportunities

- 5.17 The estimated throughput of the facilities in the above table relates to municipal waste only. The Council feels strongly, however, that it has a role in ensuring more sustainable management of commercial and industrial waste. This is also in line with the government's own waste strategy review. Further data gathering and market research/consultation will be undertaken to establish estimates for the needs of this sector and the likely market share that can be expected for facilities procured by the Council. We will then look to provide the appropriate capacity for this waste within our waste solution facilities, subject to value for money considerations and ensuring that any cross subsidisation is transparent and acceptable,
- 5.18 As referred to in Section Two above the Council is committed to exploring the benefits of potential regional synergies and economies of scale. Additional capacity required to realise any emerging benefits will also be provided.
- 5.19 We are keen to explore the opportunity of developing a feature of significant educational and environmental importance for both the City and the region, not simply to ensure that we meet our waste targets, but also as the co-location or clustering of all the waste solution facilities would allow a synergy of waste management that is unprecedented on this scale. The delivery of this concept, whilst desirable, is not considered to be either within the scope of or essential to the delivery of the PFI project. However, our ultimate aspiration is for a Sustainable Energy and Resource Park which would bring all of the above elements together with business development units and education facilities.

# Section Six - Procurement Route and Value for Money

## Procurement Options

- 6.1 The options appraisal in Section Four demonstrated that the option of Do Nothing has a higher whole life cost to the Council than procuring and running an EfW plant. In other words, Do Nothing is not an option.
- 6.2 Section Four provided further evidence that the Council will be worse off not investing in a residual treatment technology since the Do Minimum Option, constituting a MRF and composting infrastructure but no residual treatment, had a higher whole life cost than adding the EfW. This is largely due to the additional landfill costs, including LATS, which make up a large component of the Do Nothing and Do Minimum costs, but are saved and, in the case of LATS, turned into income by investing in an EfW plant.
- 6.3 The Council is therefore committed to procuring an EfW plant to achieve value for money and it has considered its procurement options for delivering the EfW. It has considered the following three procurement routes:
- A conventional design & build contract supported by prudential borrowing
  - A design, build, finance and operate PPP contract but with no PFI funding
  - A PFI contract with PFI funding
- 6.4 A conventional D&B contract may have a timing advantage because of reduced approval processes and negotiation time. It also offers a lower financing cost than private finance. However, it leaves many of the risks of construction, operating and landfill disposal with the Council, who are not in the best position to manage an EfW plant. Such risks as impact of delay in construction, higher operating costs due to poor design, and performance failure leading to higher landfill, are considered to outweigh any timing or financing advantages of this option.
- 6.5 A DBFO contract is likely to be as complex to negotiate as a PFI contract and offers no saving in negotiating time. A DBFO without PFI would only be a better prospect if suppliers were considering a speculative development and did not want to be constrained by PFI terms. However, the results of the market sounding exercise showed that this is not the case. The market sounding also showed that suppliers welcome the familiarity provided by PFI terms & conditions. It can be concluded that a DBFO procurement offers no advantage over a PFI contract.
- 6.6 The remaining option of a PFI contract offers a clear advantage in affordability and no significant disadvantages in other aspects. In December 2005 the Council Executive Board therefore made a decision to pursue an EfW through PFI as part of the Waste Strategy.

## Value for Money of PFI procurement

- 6.7 In order to confirm that PFI is suitable as a procurement route in terms of viability, desirability and achievability, the Council has carried out a detailed qualitative assessment of whether a PFI contract provides an appropriate procurement route in line with HMT guidance –included as Appendix 7A. The Council believes that the characteristics of this project indicate that the PFI procurement route is appropriate. In particular, the Council's current intention is that collection, landfill contracts, MRF, IVC and GWC will be outside the PFI contract in order to closely define the PFI services and performance requirements.
- 6.8 The Net Present Value (NPV) of the Shadow Bid Model over 28 years is £228m. At OBC stage the HM Treasury model will be used to demonstrate that the costs of the PFI option are likely to be lower than the costs of undertaking a project delivering the same outputs using conventional procurement uplifted by an appropriate value of risk.

# Section Seven - Funding and Affordability

## Introduction

7.1 This section builds on the options appraisal work described earlier. In order to assess the level of funding required and the resulting revenue impact on the Council's budgets, the Council has undertaken further financial analysis of the preferred option.

## Affordability Appraisal Process

7.2 The following methodology has been used to assess funding and affordability:

- Determine which costs and income are attributable to a PFI Contract and which will be contracted for separately
- Develop a Shadow Bid model for the PFI costs, calculating a resulting Unitary Payment profile
- Develop an Affordability model to include both the PFI shadow bid Unitary Payment and other Council costs and budgets available
- Calculate the level of PFI Credits required from the Net Present Value (NPV) of the core PFI infrastructure capital costs

## PFI Service Charge

7.3 The PFI Shadow Bid is based on a 3 year build and 25 year operating period to ensure a sufficient operational period after capital investment. See Appendix 6A for the PFI Shadow Bid and analysis of operating expenditure and the unitary charge profile. The key assumptions are as follows:

- Assumed contract date of March 2009, service commencement date of April 2012
- Nominal capital costs for the EfW of £127m and for the transfer station £2.3m
- Private Sector bid development costs of £4m
- Facility operating and lifecycle costs of £9.4m per annum in 2008 prices
- Income from sale of electricity of £4.3m per annum in 2008 prices
- Third party income from spare capacity of £1.7m in 2012, gradually falling off during the contract as Leeds waste volumes increase
- Addition of Insurance costs of £500k per annum and SPV management costs of £250k per annum
- Costs have been indexed by 2.5% from a 2005 base except for capital which have been indexed by 3.5% to take account of construction inflation
- 90% debt funding at 6.15% all in rate, and 10% equity funding at 15.0%

7.4 The resulting PFI Unitary Charge is £15.750m per annum in April 2009 prices and with the effect of inflation at 2.5% per annum, £16.961m at service commencement from 1 April 2012 and full indexed thereafter until contract completion at the end of March 2037. Appendix 6A shows how this Unitary Charge is a net position which benefits considerably from third party income offsetting the operating costs of the plant.

## PFI Credits

7.5 The Council is applying for PFI Credits for the capital expenditure of facilities included in the PFI contract. The NPV of the full facility construction costs at contract start date April 2009 using the 6.0% 2006/07 prescribed financing rate is £119m. This is the value of the PFI Credits being applied for.

Affordability

- 7.6 The estimated net cash-flow position for the City Council is set out in Appendix 6B and the position for the first year of operations in 2012/13 is summarised below.

	£000
<b>Expenditure:</b>	
Unitary Payment to the Contractor	16,961
Client Contract Management costs	100
	17,061
<b>Funding:</b>	
PFI Revenue Support Grant (£118.911m PFI Credits)	( 8,925 )
Net Reduction in Landfill Tax	( 7,979 )
	( 16,904 )
Balance to be met by the City Council	157

Over the course of the Contract the "Affordability Gap" to the City Council will increase due to the effect of inflation being applied to the Unitary Charge, assumed to increase at 2.5% per annum. Over the life of the Contract this equates to an annual contribution by the City Council of £1.8m per annum.

- 7.7 If the project was to be supported with £119m of PFI Credits, this would provide approximately £9m per annum revenue funding. This, combined with lower landfill tax payments, would allow the Council to proceed with the procurement with a manageable affordability gap. However, the Council is ultimately committed to the financial consequences of the EfW procurement if they prove to be more onerous.
- 7.8 It is recognised that the affordability is based on a number of assumptions which are variable both prior to and post contract award and the actual outturn cannot be known for certain at this stage. However, the Council has worked with both technical and financial advisors to ensure a robust baseline. The Council will undertake further analysis and sensitivity modelling at OBC stage, to confirm this baseline and ensure affordability is robust in the light of sensitivity analysis.

# Section Eight - Deliverability: Approach to Key Risks

## Introduction

- 8.1 Leeds City Council is well aware of the risks that threaten the successful delivery of the project, and has proactively sought to mitigate these risks. An overview of the measures taken and strategies developed to address the most significant risks is set out below. A comprehensive risk register setting out the detailed risks associated with the procurement project will be developed to accompany the Outline Business Case (OBC).

## Securing Sites and Planning Permission

- 8.2 Securing sites and obtaining the necessary planning permissions and consents is clearly the most significant risk for a procurement exercise of this nature. The Leeds Unitary Development Plan (UDP) was reviewed in 2005, and includes criteria based waste policies. These criteria form an important basis for the selection of sites for waste facilities.
- 8.3 Pending the scheduled development of the Waste Development Plan Document (DPD), which will form part of the Local Development Framework (LDF) for Leeds, the Council has commissioned a robust and comprehensive city-wide site selection exercise to identify sites which could be suitable for major waste facilities. This was carried out by Leeds City Council planning officers and Jacobs Babbie. Sites have been assessed against a range of criteria derived from planning guidance provided by National Planning Policy on Sustainable Waste Management (PPS10), the emerging Yorkshire and Humber Regional Spatial Strategy and the Review of the Leeds UDP.
- 8.4 Following the completion of a site selection study, the Council will identify a short list of sites for which obtaining land and securing planning permission for a major waste facility is considered deliverable. The Authority is currently developing a detailed implementation strategy to secure the preferred site(s). The process for securing planning permission will be progressed in parallel with the procurement process (see appendix 11B for timetable). In order to avoid delays to implementation the Council intends to complete appropriate elements of the environmental impact assessment (EIA) in consultation with bidders, and to make this available to them during the competitive dialogue prior to the submission of final proposals. Bidders would then be expected to provide data to complete the EIA for their own submission. At the start of the preferred bidder period the successful bidder would then submit the application with their accompanying EIA. We also intend to require the preferred bidder to sign a project development agreement at contract signature. This will enable the contractor to commence site preparation work prior to the issuing of planning approval for the scheme and provide a framework to resolve any planning issues which emerge following contract signature.
- 8.5 The Council recognises the risks in terms of impact on the timescales for project delivery in the event of a planning inquiry being instigated. In order to mitigate this risk, the Council intends to apply the maximum level of rigour to the processes for site selection and securing planning permission outlined above.

## Interface with Other Services

- 8.6 The Council has evaluated a wide range of potential options in relation to the extent of integration of waste collection, treatment and disposal in a future contract to be let by the Authority, including the full integration of services. It has now been decided that the scope of a potential PFI contract should exclude collection, processing and disposal, and should focus on core waste treatment facilities.
- 8.7 As regards collection and processing, the Authority is considering the interface between these services and those provided within the scope of the PFI. The PFI contract will include incentives relating to key Waste Strategy targets such as minimisation, re-use, recycling and composting, but will ensure that the specification provided to the contractor defines clear responsibilities and does not involve the transfer of risks that they would be unable to manage effectively.



- 8.8 As regards disposal, it is envisaged that the PFI contractor would be responsible for delivery to landfill and the volumes of waste delivered, and this would be incentivised within the contract. However, Leeds City Council would manage the risk of ensuring the provision of sufficient landfill capacity.
- 8.9 These decisions are based on professional insights into the waste sector, the results of the market sounding outlined below and feedback from the relevant Government departments in relation to waste PFI policy. It is considered that the interface between services and the responsibilities to be defined within the different constituent elements of the overall Waste Solution can be specified adequately, and the need for full integration is not therefore considered essential. However, Leeds City Council will be assessing how an incoming PFI contractor will work effectively with other providers who have a formal involvement in the delivery of the Integrated Waste Strategy for Leeds (including community and voluntary sectors).

#### Market Interest

- 8.10 Leeds City Council is fully aware that market capacity is constrained and that it will need to tailor its procurement requirements to maximise competition. A soft market testing exercise was therefore conducted during February and March 2006 by PricewaterhouseCoopers on behalf of the Council. Key waste management companies (including fully integrated and residual technology suppliers) were targeted, provided with a letter explaining the current waste strategy of the Council and requesting their views on the proposed scope of the waste solution, its structure and key risks.
- 8.11 The Council received more responses favouring EfW than all other residual technologies put together. Due to EfW being the selected solution, only suppliers supporting EfW have been considered in detail and letters from these suppliers have included in the confidential Appendix 8A.
- 8.12 In total, the Council received eight letters from suppliers who utilise EfW as their residual technology, seven of whom would act as the primary contractor and one being a design and build subcontractor. These all expressed a keen interest in being involved with the Waste Solution for Leeds, regarding Energy from Waste as the right solution, primarily due to the likelihood of funding being received, as the technology is well understood, safe, proven and reliable, and can complement recycling and recovery programmes. Only two suppliers suggested alternative residual technology solutions.
- 8.13 As the Council wanted to understand the market appetite for integrating services, suppliers were asked if they would be interested in delivering wider services including recycling and collection. Six said they would be able to deliver both recycling and composting facilities as well as the EfW facility. Four were in favour of collection being excluded from the contract, on the basis that there is better value for money in separating the services. These suppliers consider that collection arrangements are more flexible as shorter term contracts, and the tie between collection and end processing performance may make the procurement less commercially deliverable. These responses demonstrate that exclusion of recycling and collection would expand the market to a greater number of potential suppliers.
- 8.14 To conclude, the soft market testing exercise has indicated that there is a sufficient sized group who are committed to bid for the Council's procurement of EfW. The Council intends to find other ways to engage with the market during the development of the OBC, such as through interviews.

## Section Nine - Stakeholder Support

- 9.1 On 14<sup>th</sup> December 2005, the Council's cross-party Executive Board gave approval for formal consultation on the revised Integrated Waste Strategy for Leeds 2005-2035, and to the submission of an Expression of Interest to Defra for PFI credits. The Waste Strategy clearly sets out the proposed range of facilities required to deliver the proposed Waste Solution for Leeds, including Energy from Waste as the preferred technology for residual waste. Elected Members have been significantly involved in the options appraisal process. An extensive programme of Elected Member consultation has been delivered in the months leading up to the approval of the consultation draft of the Waste Strategy by Executive Board.
- 9.2 Leeds City Council also commissioned a full Scrutiny Inquiry into the Waste Solution Project by its Environment and Community Safety Scrutiny Board in order to secure further Elected Member involvement. This has run in parallel with the development of the revised Waste Strategy. The Scrutiny Inquiry reviewed and validated the options appraisal process leading to the selection of Energy from Waste as the preferred technology.
- 9.3 In addition to this, there has been extensive public consultation on the Waste Strategy for Leeds (e.g. via the Citizens' Panel, Council newspaper, local media, community forums, local environmental groups, on-line questionnaires, etc.). This has clearly indicated that there is strong and widespread support from the people of Leeds for the long-term proposals being put forward for waste prevention, recycling, recovery and landfill diversion. See Appendix 9A.
- 9.4 Following the conclusion of the consultation at the end of May 2006, the Strategy has now been revised and will be adopted by the Council, subject to Executive Board approval. However, the Authority will continue to deliver a structured programme of communication and consultation with the public as the Strategy is implemented, and this will form the primary focus for the ongoing work of Leeds City Council's waste and recycling education team. In addition, officers have started work on the development of a public relations strategy to promote the benefits of and address concerns relating to Energy from Waste.

# Section Ten - Proposed Output Specification and Key Contract Terms

## Output Specification

- 10.1 The Council has taken the view that it needs to plan for one technology now in order to avoid delay in the procurement process later, which is why it has orientated its project planning towards EfW.
- 10.2 The responsibilities of the PFI contractor will be clearly defined in an Output Specification. This will be based on the model documentation set out in the 4ps procurement pack and the Council is committed to working with the 4ps in ensuring that any updates to the model documentation are taken into account. The Council will work with its advisors to prepare a comprehensive set of procurement documentation in parallel with the development of the OBC so that it is ready for issue as part of the PQQ pack following OBC approval.
- 10.3 In parallel with the OBC development, the Council will develop a suite of integrated documents which link the Output Specification with the performance management framework and the payment mechanism. In order to do this, the Council will engage closely with the market since the procurement documentation needs to be commercially deliverable. The Council recognises the need to set performance standards and incentives which both encourage the contractor to deliver in line with Council objectives and can be controlled by the contractor.
- 10.4 A fundamental element of risk transfer to the contractor will be meeting landfill diversion targets. Volumes over and above those required to meet LATS targets will be managed by the contractor, as this will limit the Council's exposure to LATS, landfill tax and landfill gate fees.

## Contract Terms

- 10.5 The Council is mindful of the waste specific contract for SOPC3 and will adopt its provisions in full in its procurement documentation. The contract length will be 25 years from the opening of the EfW plant, which will provide a conventional time period for the repayment of capital financing. The Council will require the facilities to be transferred back into its ownership at the end of this period.

## Balance Sheet Treatment

- 10.6 The Council is also very mindful of the need to transfer sufficient risk to meet the FRS5 assessment of commercial risk on the facilities. The Council will work with PricewaterhouseCoopers who has significant experience in evaluating waste schemes under FRS5. It will structure the payment mechanism so as to have an integrated factor for indexation and believes that there are opportunities for third party capacity which means that the contractor will take a large element of third party income risk.

# Section Eleven - Project Management and Delivery

## Project Management and Experience

- 11.1 Leeds City Council has established a dedicated Public Private Partnerships Unit (PPPU) to manage the delivery of PFI Schemes. The primary role of the Unit is to take the lead on behalf of the Council with regard to PFI and similar public / private partnership opportunities, and to provide guidance and support to individual Departments on projects they wish to promote. PPP Unit was recently awarded Best Public Sector Project Team and Best Government Agency Team to add to its existing Beacon status
- 11.2 The project governance structure will follow Leeds City Council's established structure for PFI procurements and an organogram chart showing how this will operate is contained at Appendix 11A. The Council will utilise its retained external advisors for finance legal and technical support for the OBC and procurement stages
- 11.3 Since 1999, the Council has attracted £800m in new capital through PFI and is currently delivering eleven projects, six of which are post procurement. Leeds is therefore one of the most successful Local Authorities in the Country in managing and delivering PFI Projects. The Council believes the substantial experience it has gained will serve to ensure the successful delivery of this Waste Solution PFI project.

## Partnership

- 11.4 The PPP Unit has worked effectively with a significant number of major contractors and bidders, to successfully deliver the Council's PFI Programme covering the entire spectrum of schemes from Education to Street Lighting and Housing. To ensure successful delivery of the Council's PFI Programme, effective working relationships have been developed with Government agencies to include Partnerships for Schools, Partnerships UK and the Government Departments comprising DfES, DfT, DoH and the ODPM. The Council and the PPP Unit also work closely with the 4P's and share our work and results with other public sector agencies and authorities.

## Project Timetable

- 11.5 The main project stages have been considered by the Council and are shown in Appendix 11B.



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**Treatment of the Residual MSW of Leeds City Council –  
Overview of Potential Health and Environmental Impacts of  
Energy from Waste Incineration**

*Final Report (Part 2) to Leeds City Council*

**Treatment of the Residual MSW of Leeds City Council  
– Overview of Health/Environmental Impacts of  
Energy from Waste Incineration**

*Final Report (Part 2) to Leeds City Council*

December 2, 2005

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## 1. Introduction

The term incineration simply means combustion with excess air – i.e. as a chemical process it is no different to coal or gas combustion. Combustion destroys organic carbon based materials, converting them to carbon dioxide and water, releasing the inherent chemical energy as heat. Thermal treatment can also be designed to operate under sub-stoichiometric conditions – usually termed pyrolysis (no air) and/or gasification (reduced air/steam). Such processes generate gaseous, liquid, and char products which are normally fully combusted in a separate operation (e.g. as a transport fuel or boiler fuel) or in a separate unit within the same facility. From an environmental perspective, gasification/pyrolysis conditions can reduce the initial pollution loading in the gas phase but will not negate the need for gas phase treatment and abatement.

Emissions to the environment may cause damage to environmental media and/or physical ill health to human beings. The latter may be brought about directly (i.e., direct exposure of human beings to pollutants) or indirectly as a result of environmental damage (e.g., ozone depletion).

Health and environmental impacts have been influential factors in deploying incineration, including energy from waste incineration (EfW-I), mainly owing to emissions incidents from the past and the negative opinion of the public, including pressure groups, about incineration. It is frequently claimed that that negative opinion stems to an extent from the inherent nature of incineration which, contrary to non-combustion, less-intrusive processes such as composting and anaerobic digestion, treats waste “en masse” in large facilities that emit off-gases through a stack visible from a long distance. Also, often the public concentrates on primary impacts, i.e., those resulting from the operation of a waste management facility, ignoring potential secondary impacts such as those from the disposal or use of the outputs of a facility (e.g., introduction of heavy metals in the food chain through compost use). For example, the secondary impacts from the landfilling of the end residue from EfW-I are expected to be lower than those from the end residue of MBT.

A health and/or environmental impact prediction for an MSW treatment/management option should take into account secondary as well as primary impacts, since one of the ultimate goals of a waste management system should be to minimise the overall environmental and health impacts of that system as opposed to just those of one of its elements; e.g., those from an EfW-I or an MBT facility. Secondary impacts have often been found to significantly influence the total impact of waste management systems.

Whilst this study is confined to treatment of municipal waste it should be recognised that incineration is also widely used for treating hazardous wastes, clinical waste, animal waste, human bodies (crematoria) and sewage sludge. Furthermore, the study is primarily interested in plants operating to modern standards. Much of the popular general information available (e.g. from TV, radio, newspapers, pressure

groups etc.) will fail to differentiate between the differing types of incineration or the period when they were operational. When discussing concerns on pollution or health issues, the type of waste processed, the age of the data and circumstances related to the operation must be stated to permit rational evaluation

EfW-I is widely used throughout Europe and the developed world for residual municipal waste due to its proven track record and the certainty offered in relation to reducing dependency on landfill. While such widespread acceptance may infer that health and safety impacts of such plant are within acceptable limits, adoption elsewhere and the practical advantages it may offer larger urban cities such as Leeds in meeting diversion targets for biodegradable municipal solid waste are not sufficient to confirm suitability. Health and environmental impacts are case specific, and a reliable indication of the impacts from the building and operation of an EfW-I plant to treat the residual municipal solid waste (RMSW) of Leeds City Council (Leeds CC) can only be provided if a specific study is carried out. Such a study will take in account the plant location, its design and other local conditions that are known to influence pollution dispersion and hence the environmental and health effects. This will usually be undertaken at the planning stage as part of the required Environmental Impact Assessment (EIA).

This report provides a general overview of key issues and the current status regarding environmental and health impacts from energy from EfW-I either at a plant level *per se* or by also considering secondary impacts, depending on the data available. This general overview aims at providing Leeds CC with information that will help them decide whether EfW-I may in general be a feasible option from an environmental and human health impacts point of view.

## **2. Methodology**

A desk study was carried out reviewing relevant literature which was selected on the basis of its value for this project. Instead of an extensive literature search, this project focused on state-of-the-art, representative works.

Recent representative data/information that is particularly related to the UK situation were targeted. The work produced by Enviros et al (2004) was selected as a source of data on emissions and health effects from incineration by virtue of the extensive and representative studies that it reviewed and its systematic and informed methodology. Enviros et al (2004) reviewed 23 epidemiological studies and 4 review papers from around the world with respect to health and environmental impacts from waste incineration, with the particular aim to evaluate the impacts of MSW incineration.

In addition, the work of Koller and Soyez (2001) was used to comment on environmental and health impacts of incineration in comparison to those of mechanical and biological treatment (MBT). MBT and incineration are the most commonly used methods for RMSW treatment. The study of Koller and Soyez (2001) was conducted in the context of a national German research and development

programme for the evaluation of potential, relative environmental impacts of MBT and incineration of RMSW. The evaluation was based on a life cycle analysis using state-of-the-art data for both MBT and incineration from literature and field/R&D measurements that were performed during that project.

### **3. Emissions from EfW-I**

EfW-I gives rise to emissions in solid, liquid, and gaseous (including particulate matter) forms.

Air emissions are by far the most well studied and the quality of data for air emissions is substantially better than that for EfW-I emissions to land and water (Enviros et al., 2004).

Air pollutants associated with combustion processes fall into three main groups. All three types will be present to a greater or lesser degree when burning most solid fuels (e.g. coal, wood, waste).

Pollutants such as heavy metals (e.g. lead, cadmium, and mercury) and acid gas forming elements such as sulphur and chlorine which are present in the fuel/waste are not destroyed by the process, and must be controlled and removed from the stack gas by appropriate gas cleaning systems to prevent entry into the air. Fine ash particulate matter can also be considered alongside these pollutants as being part of the original waste/fuel.

Although full combustion destroys organic matter, destruction is rarely perfect. Pollutants associated with incomplete combustion of the carbon based materials range from carbon monoxide, particulates (smoke/soot) through to toxic organic micro-pollutants such as polycyclic aromatic hydrocarbons (PAH's) and dioxins, Primary control over such pollutants is based on ensuring the combustion conditions are correct – particularly in the gas phase above the grate, Secondary controls include minimising opportunities for re-formation or *de-novo* synthesis of pollutants in downstream boiler/abatement systems and finally by applying appropriate gas cleaning technology.

There are pollutants inherent in combustion processes or high temperature environments. Carbon dioxide is now commonly recognised to be a global “pollutant” but clearly is the natural end-product of any combustion system utilising a carbon based fuel. Another example are the oxides of nitrogen – while some of the NO<sub>x</sub> will be from nitrogen sources in the fuel, oxidation of the nitrogen in the combustion air makes a major contribution in high temperature environments. Primary control is by design and operating conditions in the combustion zone. Secondary (gas cleaning) is needed to reduce levels of NO<sub>x</sub> to modern standards. No commercially available solutions exist for removing carbon dioxide from flue gases, off-gases from biological treatment of waste or combustion of biogas or fuels in general.

Air emissions have been regulated by two European Directives transposed into the UK legislation. The first EU Directive setting limits to air emissions from MSW

incinerators was the Council Directive 89/369/EEC (Anonymous 2004). In 2000 the waste incineration directive (WID) was put in force (Anonymous, 2000a). The environmental controls resulting from the enforcement of the directive 89/369/EEC in the UK through the Environmental Protection Act 1990 have led to a substantial decrease in emissions of key incineration pollutants (Table 1).

The emission limits under WID have applied since the end of 2002 to all new incineration plants and will apply to all plants existing at the time WID was put in force (i.e., 2000) by the end of 2005. In general, owing to WID's stricter emission limits (Table 2), incineration plants now have a reduced impact on health and environmental safety. In the UK, based on best estimates for operational data, existing incinerators already comply with WID emission limits except for NO<sub>x</sub> (Enviros et al, 2004). Thus, WID would be expected to have a beneficial impact on the further reduction of NO<sub>x</sub> emissions in the UK.

**Table 1.** Air emissions from UK MSW incinerators (adapted from Enviros et al., 2004)

Pollutant	Estimated emissions to air (g /tonne MSW incinerated)			
	1980	Data pedigree <sup>a</sup>	2000	Data pedigree
NO <sub>x</sub>	1,878	Moderate (5)	1,600	Good (9)
Total particulate matter	313	Poor (4)	38	Good (9)
SO <sub>2</sub>	1,421	Moderate (5)	42	Good (9)
HCl	3,791	Moderate (5)	58	Good (9)
HF	No data	N/A	1	Good (9)
Volatile organics	25	Poor (4)	8	Moderate (8)
Cd	2.6	Poor (3)	0.005	Good (9)
Ni	2.8	Poor (3)	0.05	Moderate (8)
As	0.4	Poor (3)	0.005	Moderate (8)
Hg	1.8	Poor (3)	0.05	Good (9)
Dioxins and Furans	No data	N/A	4x10 <sup>-7</sup> (g TEQ/t MSW)	Good (9)
Dioxin-like polychlorinated Biphenyls	No data	N/A	0.0001 (g TEQ/t MSW)	Moderate (7)

<sup>a</sup> Poor: 0 – 4; Moderate: 5 – 8; Good: 9 – 12; and Very good: 13 – 16.

For dioxins/furans no UK data exists that would allow definitive calculation of the mass of toxicity equivalent (gTEQ/t MSW) for UK incinerators operating in the 80's (the calculation requires individual isomer analysis which was not undertaken). However, data from Warren Spring Laboratory (Woodfield 1987) reported total levels of the T4CDD (dioxin) and T4CDF (furan) compounds for operational plants in the UK. The range was very large, between 0.8 and 204 ng/m<sup>3</sup> for T4CDD and 7.6 to 282 ng/m<sup>3</sup> for T4CDF's. Whilst the sum of these values will overestimate the TEQ value for dioxin /furans, they do indicate some plants were discharging levels up to 1000 times higher than the current limits permit, the best plants in the 80's were probably some 10 times higher than the current limits.

**Table 2.** Air emission limits from MSW incinerators under the directives 89/369/EEC and 2000/76/EC

Pollutant	Limit values according to Directive 89/369/EEC	Limit value according Directive 2000/76/EC (newest directive) <sup>c</sup>
Total dust (particulate matter)	<sup>a</sup> 30 – 200 mg/m <sup>3</sup>	10 mg/m <sup>3</sup>
Gaseous and vaporous organic substances, expressed as total organic carbon (TOC)	N/A	10 mg/m <sup>3</sup>
HCl	<sup>a</sup> 50 – 250 mg/m <sup>3</sup>	10 mg/m <sup>3</sup>
HF	2 - 4 mg/m <sup>3</sup>	1 mg/m <sup>3</sup>
SO <sub>2</sub>	300 mg/m <sup>3</sup>	50 mg/m <sup>3</sup>
NO and NO <sub>2</sub>	N/A	200 mg/m <sup>3</sup>
Total of Pb, Cr, Cu, and Mn	5 mg/m <sup>3</sup>	N/A
Total of Ni and As	1 mg/m <sup>3</sup>	N/A
Total of Cd and Hg	0.2	N/A
Total of Cd and Tl and their compounds	N/A	<sup>d</sup> 0.05 mg/m <sup>3</sup>
Total Hg and its compounds	N/A	<sup>d</sup> 0.05 mg/m <sup>3</sup>
Total of Hg, Sb, As, Pb, Cr, Co, Cu, Mn, Ni, V and their compounds	N/A	<sup>d</sup> 0.5 mg/m <sup>3</sup>
Dioxins and furans	N/A (1 ng/m <sup>3</sup> ) <sup>b</sup>	<sup>e</sup> 0.1 ng/m <sup>3</sup>

<sup>a</sup> Lower values for higher plant throughputs; <sup>b</sup> the 1 ng/m<sup>3</sup> was UK guidance by HMIP; <sup>c</sup> Daily average values; <sup>d</sup> Average values over a period of a minimum 30 minutes and maximum of 8 hours; <sup>e</sup> Averaged values over a period of a minimum of 6 hours and a maximum of 8 hours

Solid residues from incineration plants are the result of the inherent ash content of the waste. Most reports as bottom ash, smaller amounts report in the boiler sections and in combination with gas cleaning chemicals (e.g. lime, activated carbon) and in the pollution control systems. Solid residues from EfW-I comprise air pollution control (APC) residues, which are also known as fly ash, and boiler or grate ash (bottom ash). APC residues are designated as hazardous waste (previously special) and thus are landfilled (after treatment under the new landfill regulations) in designated hazardous waste landfills. Bottom ash is a relatively benign, stable, non hazardous waste and, if not re-used following recovery of ferrous and non ferrous metals (e.g., as aggregate, bulk fill, or in other building materials) can be landfilled in non hazardous waste landfills (Enviros et al, 2004). Indicative, best estimate values for APC and bottom ash have been given as 0.18 tonnes APC and 0.03 tonnes bottom ash per tonne MSW incinerated. Detailed pollutant loads in APC and bottom ash can be found in Enviros et al (2004).

Liquid residues may be produced as a result of the flue-gas cleaning system, but nowadays incinerator installations are using anhydrous systems for flue-gas cleaning which do not produce any liquid effluents. Instead, liquid effluents may mostly be produced from quenching water used in ash pits. Quenching water is generally

disposed of into the sewer.

## **4. Health Impacts**

### **4.1 General comments**

#### **4.1.1 Introductory comments**

Health impacts related to emissions to air from incineration plants are focused upon in this report since data limitations do not allow the investigation of health effects that potentially arise from exposure to pollutants released by incineration to groundwater, surface water, sewer, and to land from solid or liquid incineration residues. As a general comment, it seems that liquid effluent and solid residues from incinerators do not represent a high risk to human health or the environment since they are managed through controlled waste management activities (e.g., landfill and the sewerage system). In addition WID has set quality standards for liquid effluents from the cleaning of incinerator flue gases.. Indeed, EA (2003) concluded that there would be limited scope for human exposure to pollutants from liquid or solid residues from incinerators if normal controls are observed.

Epidemiological studies on health impacts due to exposure to air in the vicinity of incinerators often suffer from methodological drawbacks that influence the quality of their findings and make comparisons between studies difficult. Three of the most important factors responsible for limiting the quality of epidemiological studies are the retrospective character of those studies, the use of distance from an incinerator as an indicator for exposure, and the sample size of the cases examined. The latter often inhibits statistical validity in identifying links between exposure and health impacts.

Often, epidemiological studies are triggered by complaints from or suspicion about populations that may suffer ill health and are located close to an incinerator. Inevitably, such studies may be unintentionally biased. Further, all retrospective studies are based on routinely collected health data like cancer cases and birth and death rates. Such data may indicate connections between the presence of pollutants and health effects, but they cannot establish cause-and-effect relationships (Enviros et al, 2004).

Using distance as a surrogate for exposure measurement may ignore other influential factors such as landscape, climatic conditions, stack height and other confounding factors (e.g., socio-economic factors) that may affect exposure. (Distances up to 7.5 km from an incinerator are commonly used in epidemiological studies).

Indeed, the need for considering important factors in studies about health impacts from incineration was recognised by the UK “Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment” which in 2000 suggested that the following should be taken into account (Enviros et al, 2004): accuracy of health statistics, accuracy of cancer diagnosis, potential confounding factors for individual cancers, and variables specific to incineration (e.g., technology,

waste feedstock, geographical and meteorological conditions and pollution control systems).

Air emissions from incinerators have been said to have potential health impacts in relation to cancer occurrence, respiratory function, and reproduction. Incineration health impacts can be brought about by exposure to air pollutants through a number of pathways. However, inhalation and the food chain have been identified as the most important pathways. Through the food chain human beings may be exposed to trace metals and potential carcinogenic compounds while inhalation is important regarding emissions of SO<sub>2</sub>, NO<sub>2</sub>, and particulate matter (PM<sub>10</sub>). This is particularly so for the more vulnerable members of society, e.g. children, the elderly and, through acute exposure, existing patients with respiratory or cardiovascular diseases (Enviros et al, 2004).

#### 4.1.2 Pollutant from EfW-I and their possible health impacts

This section provides background information on the health effects that might be caused by key pollutants emitted from MSW incinerators; namely, metals (Cd, Hg, As, Cr, Ni, and Pb), particulate matter (i.e., micro-particles carried out by off-gases), nitrogen dioxide (NO<sub>2</sub>), sulphur dioxide (SO<sub>2</sub>), polycyclic aromatic hydrocarbons, and dioxins and dioxin-like compounds. This information has been obtained from Farmer and Hjerp (2001).

Cd (cadmium) compounds are found in fly ash and in off-gases. Long term exposure to Cd is known to cause renal and pulmonary toxicity and carcinogenicity to humans.

Hg (mercury) organic methylated forms are highly toxic and cause neurotoxicological disorders to humans mainly through exposure via the food chain, mainly fish.

Arsenic (As) is mainly present in flue gases. Its major health risk is carcinogenicity although it may also negatively affect the respiratory, skin, vascular and haematopoietic systems.

Hexavalent chromium (Cr(VI)) is the form of Cr of health concern. Cr(VI) can cause lung cancer at environmental exposure levels while at occupational exposure levels Cr can also cause damage of nasal septum and dermatitis.

Ni (nickel) is contained in fly ash and flue gases (as particulate matter) and its most significant route of exposure is inhalation. It can cause respiratory tract irritation and is classified as carcinogenic for humans.

Pb (lead) alkyls are predominantly produced by combustion carried by particulate matter. The main exposure route for human is the food chain. Long term exposure to Pb is linked to negative impacts on haem biosynthesis, nervous system, kidney function, blood pressure, and cardiovascular system.

Particulate matter (PM) is carried to the ambient air by flue gases. PM<sub>10</sub> means particulate matter having a particle size less than 10 µm. Inhalation is the principal pathway for exposure of humans to PM. Short term exposure to PM<sub>10</sub> has been



associated with increased morbidity and mortality, particularly with regard to cardiopulmonary diseases, with the elderly and infirm being at much higher risk. Also, long term exposure to PM might cause increased mortality and morbidity and respiratory symptoms.

NO<sub>2</sub> is emitted through flue gases to the air and the consistent general conclusion is that it affects respiratory function in older children (5 to 15 years old).

SO<sub>2</sub> is emitted through flue gases and is a potent respiratory irritant. It can also be a contributory factor in cardiovascular disease.

Polycyclic aromatic hydrocarbons are organic compounds that are created by incomplete combustion of organic substances. They are mainly carried out by flue gases in a gaseous form or adsorbed on particulate matter. They are classed as substances potentially carcinogenic to humans and general epidemiological studies have linked them to an elevated risk for lung, skin, and perhaps bladder and gastrointestinal cancers.

Dioxins and dioxin-like compounds comprise polychlorinated dibenzo-p-dioxins (PCDDs – commonly referred to as dioxins), polychlorinated dibenzofurans (PCDFs – commonly referred to as furans) and polychlorinated biphenyls (PCBs). The toxicity of these compounds and their mixtures they form with each other is usually expressed as a toxic equivalent (TEQ) factor in relation to the most toxic dioxin which is the 2,3,7,8-tetrachlorodibenzo-p-dioxin. The most important route for exposure of humans to dioxins is through food consumption (95% to 98%). PCDDs/Fs and PCBs may be linked to carcinogenicity, reproductive effects, neurotoxicity, immunotoxicity, and diabetes.

#### **4.2 Cancer occurrence**

Generally, the few epidemiological studies that have been carried out regarding cancer in communities located in the vicinity of incinerators have considered data from older generation incinerators which have been phased out owing to new regulations (e.g., WID, integrated pollution control regulations, and prevention and pollution control regulations). The reason for the absence of studies about the current situation is that cancer occurrence is associated with a latency time (exposure time). The expected, improved impacts of the new generation incinerators will thus be able to be evaluated in a few years from now. This is a point that has to be constantly kept in mind in reading this report, as studies in the UK have so far focused on emissions of dioxins and furans (Enviros et al, 2004) for which strict emission limits are imposed by WID, and it is logical to expect that any carcinogenic effects of those pollutants owing to incineration will be reduced accordingly. For example, Enviros et al (2004) reported that a study conducted by Gonzales et al (2000) indicated that a “modern incinerator” did not cause any differences in exposure levels, based on blood sample analysis, between residents close to the incinerator and residents living further away from it.

Table 3 presents a compact overview of the data about cancer occurrence that were considered in the work of Enviros et al (2004). Owing to the compact character of Table 3 the reader is advised to consult Enviros et al (2004) for details on the examination of the reviewed studies, including accounting for biases, data validity and confounding factors.

**Table 3.** Overview of major outcomes from the review of epidemiological data on cancers occurrence based on information presented in Enviros et al (2004).

Cancer Type	Comments
Stomach, colorectal and liver	<ul style="list-style-type: none"> <li>- Four UK studies were considered that were conducted up to 1987. Thus, they do not correspond to emissions from new generations incinerations.</li> <li>- The report found no link between incineration and any of those cancers, but it was not possible to absolutely preclude the existence of a link with liver cancers.</li> </ul>
Larynx and lung	<ul style="list-style-type: none"> <li>- One UK and two Italian studies were considered. The studies were published in 1992, 1996, and 1998.</li> <li>- The reported concluded that a significant relationship between Larynx and lung cancers and pollution from incineration of MSW could not be established.</li> </ul>
Childhood cancers	<ul style="list-style-type: none"> <li>- Five UK studies were examined. One of them was published in 1995, two in 1996, one in 1998, and one in 2000.</li> <li>- A link between emissions from incineration and childhood cancers could not be established.</li> </ul>
Soft tissue sarcomas and non-Hodgkin's lymphomas	<ul style="list-style-type: none"> <li>- One UK and three French studies were reviewed. One was published in 1996, two in 2000, and one in 2003.</li> <li>- Based on the analysis performed by Enviros et al (2004), it seems that a link could not reliably be established between those cancers and emissions from incinerators.</li> </ul>

Enviros et al (2004) concluded that a consistent and convincing evidence of a link between incineration and carcinogenicity has not been published.

Enviros et al (2004) also reported that specifically for the UK, large epidemiological studies on a total of 14 million people living in a radius up to 7.5 km from 72 incinerators (i.e., all the incinerators existing in the UK up to 1987 irrespective of age) were conducted (Elliot et al, 1992; 1996; 2000). Those studies were not able to demonstrate convincingly increased carcinogenicity due to incineration emissions if one considers socio-economic confounding effects.

Further the UK Department of Health's Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment concluded in a recent statement about cancers from MSW incinerators: "The Committee was reassured that any potential risk of cancer due to residency (for periods in excess of 10 years) near to municipal solid waste incinerators was exceedingly low and probably not measurable by the most modern epidemiological techniques. The Committee agreed that, at the present time, there was no need for any further epidemiological investigations of cancer incidence near municipal solid waste incinerators" (Anonymous, 2000b).

Work undertaken on behalf of the UK environment Agency calculated potential health impacts by modelling the concentration of pollutants in emissions from incineration and considering exposure-response coefficients. Although that work is now

completed it has not been possible to obtain a copy of the final report in the time frames available for the completion of this report, and we have therefore reviewed the comments provided by Enviro et al (2004) with respect to a final draft report for the Environment Agency work (EA, 2003). According to Enviro et al (2004) the work commissioned by the EA focused on key, specific substances known for their potential impact on human health such as SO<sub>2</sub>, PM<sub>10</sub>, NO<sub>2</sub>, As, Cr(IV), Ni, dioxins and furans, polychlorinated biphenyls etc. The work considered a number of waste management treatment methods, including composting, mechanical and biological treatment, gasification, pyrolysis, and incineration of MSW. Broad estimations of the potential number of deaths, respiratory hospital admissions and cancers that may be caused by incineration per tonne waste incinerated considering the whole of the UK are presented in Table 4.

The data presented in Table 4 are provided merely to give a rough idea about potential differences between waste treatment options in causing ill health. These data differ in uncertainty and are influenced by factors such as dispersion modelling and exposure-response coefficients. According to Table 4, the cancers due to incineration were found to be almost equal to that of gasification/pyrolysis. Figures for composting and MBT were not calculated owing to limited data.

**Table 4.** Approximate values for potential effects of composting, MBT, gasification/pyrolysis, and incineration on selected health outcomes in the context of the whole of the UK –based on EA (2003) as reported by Enviro et al (2004)

Health outcome	Composting	MBT	Gasification or pyrolysis	Incineration
Deaths brought forward	No data	10 <sup>-9</sup> - 10 <sup>-6.5</sup>	10 <sup>-9</sup> – 10 <sup>-6</sup>	10 <sup>-8.5</sup> to 10 <sup>-6</sup>
Respiratory hospital admissions	No data	10 <sup>-8.5</sup> – 10 <sup>-6</sup>	10 <sup>-7.5</sup> – 10 <sup>-5.5</sup>	10 <sup>-7</sup> – 10 <sup>-4.5</sup>
Cancers	No data	No data	10 <sup>-12</sup> – 10 <sup>-9.5</sup>	10 <sup>-12</sup> – 10 <sup>-9.5</sup>

Specifically with regard to cancers due to dioxins and furans, Enviro et al (2004) commented based on information reported by EA (2003) that the incremental exposure to dioxins and furans from incineration through inhalation found to be an insignificant proportion of typical human intakes in the UK. Moreover, regarding exposure to dioxins and furans through the food chain the estimation of EA (2003) was that even for people living and consuming foodstuffs grown at the point of maximum ground-level concentration, the contribution of incineration to the intake of dioxins and furans was between 0.66% and 0.8%.

### 4.3 Respiratory function

Enviro et al (2004) reviewed six studies on respiratory effects from incineration; four from the USA, one from Australia and one from Taiwan (Gray et al, 1994; Hsue et al, 1991; Hu et al, 2001; Lee and Shy 1999; Mohan et al, 2000; Shy et al, 1995) . All of those studies concerned incinerators of the older generation and most of them are based on self-reporting of effects which may affect their objectivity.

Of these studies the ones that were not disputed by Enviros et al (2004) on methodological or data quality grounds indicated that no excess acute or chronic respiratory symptoms were shown, and that emissions from incinerators did not make a significant contribution to background particulate matter air pollution.

Thus overall it was concluded that review of the aforementioned literature provided little evidence about incineration increasing the prevalence of respiratory symptoms.

Table 4 indicates that respiratory hospital admissions owing to pollution from incineration in the UK may be comparable to that of MBT and pyrolysis/gasification, albeit slightly higher.

#### **4.4 Reproductive system**

Incineration has been suspected for potentially affecting the reproductive system due to dioxin and furan emissions causing phenomena such as an increase of twinning rates, changes in sex birth ratios, and congenital malformations (Enviros et al, 2004).

Enviros et al (2004) reviewed nine studies on this topic originating from a number of countries including the UK, the Netherlands, and Italy (Dummer et al, 2003; Jansson and Voog, 1989; Jones, 1989; Lloyed et al, 1988; Mocarelli et al, 1996; Rydhstroem, 1998; Straessen et al, 2001; ten Tusscher et al, 2000). Notwithstanding studies with doubtful quality Enviros et al (2004) reported that none of those studies delivered adequate evidence that incineration is linked to reproductive problems. Studies that claimed there was any potential for such links examined older generation incineration which did not feature the controls for dioxins and furans that newer generations of incinerators do, particularly those complying with WID standards.

#### **4.5 Overall human toxicity**

Koller and Soyey (2001) collated data from the studies of Koller et al (2000) and IGW (1999) to estimate human toxicity from MBT and incineration of RMSW as part of a life cycle analysis. Human toxicity estimations were carried out by using a method developed in the Netherlands (Guinée et al, 1996). However, unlike the results presented above from Enviros et al (2004), their assessment was not based merely on potential pollutant emissions from MBT and incineration plants, but they rather considered secondary effects by including effects from recycling of or energy recovery from materials separated from MBT or incineration outputs, or the recovery of energy from EfW-I to substitute conventional fossil energy.

The MBT systems considered by Koller et al (2000) and IGW (1999) included the following alternatives:

- a) a modern intensive aerobic MBT featuring 8 weeks retention time for biological treatment and separation and recycling of Fe metals;
- b) a modern intensive combined aerobic (8 weeks retention time) and anaerobic MBT with production of solid recovered fuel used at a cement kiln;

- c) a modern 30 ktpa intensive aerobic MBT (16 weeks biological treatment retention time) which separates 13% of the incoming RMSW (light high calorific value fraction) as solid recovered fuel;
- d) a modern 60 ktpa intensive aerobic MBT (12 weeks biological treatment retention time) separating 20% of the high calorific value fraction of RMSW to produce a solid recovered fuel;
- e) a relatively basic MBT option having the same degree of mechanical separation as that of options “a” to “d” above, but having an aerobic passively-aerated biological treatment of a retention time of 52 weeks; and
- f) a basic MBT option featuring no separation of materials and passively-aerated biological processing (52 weeks retention time) without off-gas cleaning.

Except for alternative “f” all other MBT alternatives were assumed to have off-gas cleaning by means of water scrubbers and biofilters.

The incineration systems considered included four systems representative of German conditions, including satisfaction of the German air emission standards for waste incinerators (abbreviated as 17 BImSchV, version 1999/2). Those standards were the same as those of WID.

The four incineration scenarios included the following: a) grate firing system representing the German average performance of incinerators regarding emission control; b) exact satisfaction of 17 BImSchV emission limits and electricity recovery (13% efficiency); c) being 25% below the 17 BImSchV air emission limits without recovering energy; and d) being 5% below the 17 BImSchV air emission limits while recovering electricity and heat (efficiency: 10% for electricity and 50% for heat recovery).

Based on the data presented in Koller and Soyez (2001) only the incineration scenario “d” (EfW-I with combined heat and power) could have a relative human toxicity impact comparable or even better than that of the MBT options considered. Caution should be advised as these comments are valid for the conditions applicable to the studies conducted by Koller et al (2000) and IGW (1999). Only a life cycle analysis specific to the conditions of the Leeds CC, such as RMSW composition, products to be claimed from MBT options, EfW-I energy and heat recovery and associated efficiencies, energy form substituted etc. may be able to provide specific answers.

#### **4.6 Indication of health impacts from EfW-I treating Leeds CC’s RMSW**

Based on emission coefficients of the UK Committee on the Medical Effects of Air Pollutants and unit risk factors of the World Health Organisation, Enviros et al (2004) calculated unit health impacts (i.e., impact per tonne MSW incinerated) for a number of key incineration pollutants. The unit health impacts have been calculated for two specific incineration installations examined in the study of EA (2003) and which were

selected because of their stack heights; one being close to the UK median stack height, and the other having one of the lowest UK stack heights.

Based on those unit health impacts and the amount of RMSW to be produced at Leeds CC in 2013 (i.e., 285 ktpa), potential health impacts have been estimated (Table 5). Attention should be paid to the fact that the figures provided in Table 5 do not claim to provide anything other than a general feeling about potential impacts. A reliable prediction of health impacts for Leeds CC should be based on unit health impacts specific to Leeds CC by considering local conditions that are known to potentially influence incineration health effects such as population density, exposure to other emissions, temporal/spatial variables etc.

**Table 5.** Estimates of health impacts from the incineration of Leeds CC RMSW

Type of health impact	Impact per annum	
	Median UK stack height	Lower UK stack height
Deaths brought forward – SO <sub>2</sub>	0.0182	0.0285
Death brought forward – PM <sub>10</sub>	< 0.00011	0.00285
Respiratory hospital admissions – NO <sub>2</sub>	0.4275	1.168
Respiratory hospital admissions – SO <sub>2</sub>	0.013	0.021
Respiratory hospital admissions – SO <sub>2</sub>	< 0.00011	0.00285
Cardiovascular hospital admissions – PM <sub>10</sub>	< 0.00011	0.00216
<sup>a</sup> Cancers – As	0.000004	
<sup>a</sup> Cancers – Cr (IV)	0.000004	
<sup>a</sup> Cancers – Ni	0.000004	
<sup>a</sup> Cancers – Polycyclic aromatic hydrocarbons	0.000004	

<sup>a</sup> No differentiation based on stack height

The figures presented in Table 5 indicate rather negligible impacts and this is particularly evident when one compares them with the impacts of other causes of ill health or common activities (Table 6).

**Table 6.** Health impacts induced by various causes of ill health or human activities

Health impact type	Impact per annum and town (UK) <sup>a, b</sup>						
	Skin cancer	Lung cancer	Air pollution	Road traffic accidents	Natural environmental factors (e.g., excessive cold)	Choking on food	Injury from fire works
Deaths brought forward			Approx. 1 (for small towns)	Approx. 1 (for small towns)	1 (for large towns)	1 (for large towns)	
Hospital admissions			Approx. 1 (for small towns)	1 per street			1 (for small towns)
Cancers	Approx. 1 (for small towns)	Approx. 1 (for large towns)					
Data quality	Moderate	Poor	Poor quality	Good	Good	Good	Good

<sup>a</sup> Blank cells indicate lack of data; <sup>b</sup> Statistics presented were published between 1998 and

2004 (see Enviro et al (2004) for more details)

## **5. Environmental Impacts**

### **5.1 General Comments**

Environmental impacts may generally be evaluated in relation to the environmental media of soil, water and air, and impact categories, like noise odour, dust, flora and fauna, and climate, which however are not expressed as quantitatively estimated environmental phenomena. That approach is commonly met in environmental impact assessment studies for planning applications.

On the other hand, life cycle analyses quantitatively estimate environmental impact categories that relate to key environmental phenomena. With regard to waste management life cycle analysis studies, impact categories commonly include global warming potential (GWP), acidification, eutrophication, ozone depletion potential (ODP) photo-oxidant building potential (POBP), and ecotoxicity.

GWP is associate with emissions that may cause temperature increase such as CO<sub>2</sub>, CH<sub>4</sub> (methane), and N<sub>2</sub>O (nitrous oxide).

Acidification of the soil or surface water is brought about by substances that release protons or are transformed into acids in the atmosphere following their oxidation and reaction with water. Acidification has ecological effects such as deforestation and fish toxicity.

Eutrophication is the phenomenon of aquatic ecosystem damage through excessive plant growth caused by an excessive supply of nutrients, mainly nitrogen and phosphorus. In the case of incineration these could be emitted to the atmosphere and end up in the water body.

ODP is caused by the emissions to the air of chorofluorocarbons and some persistent halogenated hydrocarbons. Ozone depletion can have negative impacts on the biosphere and human health.

POBP (summer smog) is caused by reactions taking place between nitrogen oxides and organic compounds under the influence of ultraviolet radiation. Photo-oxidants (e.g., ozone) are built in the troposphere. POBP can affect human health (e.g., function of lungs) and ecosystems such as forests (Koller and Soye, 2001).

Ecotoxicity is taken in this report to mean any toxic effect to an environmental medium/element (i.e., water, ambient air, or soil) based on a method that was developed by Guinée et al (1996) (Koller and Soye, 2001).

### **5.2 Potential environmental impacts considering only environmental media and qualitative evaluation of impact categories**

Enviro et al (2004) reviewed international literature in this area and identified major data gaps and quality limitations. The areas they considered were noise, odour, dust, flora/fauna, soils, water quality/flow, air quality, climate, and building damage (due to acid gases). Based on the findings of that report incineration of unsegregated MSW

may have potentially significant effects in relation to flora/fauna, soil, and water quality. Their comments are quoted verbatim in the following paragraphs.

Flora/fauna: *“Potentially significant risk of accumulation of metals and dioxins and furans, though other sources are more significant. No adverse animal health effects were observed”.*

Soils: *“Potentially significant risk of accumulation of metals and dioxins and furans, though other sources are more significant and found not to be a significant health issue. Dioxins: contribution 0.1 – 1 ng/kg compared to background of 0.1 – 100 ng/kg”.*

Water quality/flow: *“Potentially significant risk of contaminants leaching from ash. Contributes less than 20% of contaminants in precipitation”.*

Attention should be drawn to the fact that these statements are general statements about potential effects. Information about effects based on epidemiological evidence and prediction of the impact on human health was discussed earlier. In addition, it was noted earlier that the historical data indicate a decrease of relevant incineration emissions in the UK and it was pointed out that strict environmental controls are enforced in the UK.

### **5.3 Potential environmental impacts in relation to specific adverse environmental phenomena**

Koller and Soyez reviewed information published by Koller et al (2000) and IGW (1999) to compare potential environmental impacts of incineration and MBT. The MBT and incineration alternatives that were compared are given in Section 4.5 of this report. The environmental impact categories they considered included GWP, acidification, eutrophication, ODP, POBP, and ecotoxicity and a brief overview of their findings about those categories are presented in this section.

Once again attention should be drawn to that the comments provided in this section are general. If one wishes to evaluate the potential impacts of EfW-I and MBT options for Leeds CC RMSW a dedicated study should be carried out. Also, it should be borne in mind that the studies from which the following comments have been adopted or on which they have been based did not examine only the primary effects of EfW-I or MBT facilities alone, but they also took into account secondary impacts as also explained in Section 4.5. Therefore, the comments on impacts are for RMSW management systems built around either incineration or MBT, including landfilling of residues, recycling of separated materials, or energy recovery from manufactured solid recovered fuel.

#### **5.3.1 Global warming potential (GWP)**

EfW-I was said to score better than the MBT options if one assumes that landfill will not act as a carbon sink for MBT processed outputs being landfilled. If it is assumed that landfill does act as a carbon sink for MBT outputs (which is a debatable issue) and thus leads to methane emission reduction, then MBT could score as well or even



better than EfW-I. Factors of importance in shaping the outcomes were found to be the substitution of fossil energy and the recycling of materials separated during MBT.

### 5.3.2 Acidification

Whether MBT scores better than EfW-I depends primarily on the amount and type of fossil energy substituted by each one of them. This is because acidification potential is driven by SO<sub>2</sub>, NO<sub>x</sub>, and NH<sub>3</sub> emissions, which are chiefly associated with the production of energy from fossil fuels (Koller and Soyez, 2001). According to their findings, although acidification impacts owing to MBT are in general relatively smaller than those of EfW-I, EfW-I has the potential to improve the baseline situation, i.e., to reduce the baseline acidification if it substitutes appropriate amounts and types of fossil fuel energy.

### 5.3.3 Eutrophication

They reported that the main causes of eutrophication for MBT and incineration were emissions of ammonia/ammonium, and nitrogen oxides. However, both MBT and incineration options examined were found to have very small to negligible eutrophication potential. The best performance was achieved by modern intensive MBT featuring recovery of value from separated materials, and EfW-I.

### 5.3.4 Ozone depletion potential (ODP)

EFW-I was found to be performing much better than MBT with regard to ODP. This was owing to the emissions of chlorofluorocarbons from MBT that cannot be removed from off-gases by means of scrubbers and/or biofilters whilst they are destroyed during incineration. This has been one of the reasons why in Germany off-gases from MBT have come under strict controls. However, the current UK regulations do not require such high levels of control for MBT facilities, and therefore commonly-used scrubbers/biofilters would be the type of off-gas cleaning expected at MBT facilities which in turn would mean that EfW-I in the UK would be expected to be a better option than MBT regarding ODP.

### 5.3.5 Photo-oxidant building potential (POBP)

EfW-I was found to have at worst very small negative impacts with regard to POBP. It can even result in huge improvement (i.e., reduction of baseline POBP) given appropriate substitution of fossil energy. On the other hand MBT appeared to always have a negative impact which could be balanced by benefits brought about if MBT features extensive recovery of value from waste fractions (e.g., recycling and/or energy recovery). This situation is due to methane and non-methane volatile organic compound air emissions (particularly linear chlorinated hydrocarbons) that cannot be removed by conventional off-gas treatment technology such as scrubbers and biofilters. As explained above, scrubber and biofilters are the technology that is likely to be used at UK MBT facilities.

### 5.3.6 Ecotoxicity

EfW-I was found to cause as much toxicity as MBT or even outperform MBT if it recovers both heat and power to replace fossil energy. When energy is not recovered incineration was found to have greater ecotoxicity potential than MBT. Gaseous emissions of polychlorinated biphenyls were the principal cause of ecotoxicity in the case of MBT while Cd, and Hg were the main causes for ecotoxicity for incineration.

## 6. Conclusions

Based on the information that was reviewed in this report the following conclusions may be drawn:

- i. Potential health/environmental effects from EfW-I are most likely to be associated with its emissions to air while emissions through its solid or liquid outputs should not be of any concern provided that expected control measures are adequately enforced..
- ii. The findings reported in this work did not provide sufficient evidence on the existence of a link between EfW-I and cancer occurrence. There appears to be little evidence linking EfW-I with respiratory disorders and reproductive disturbances.
- iii. Using unit health impact figures from the literature, that are however not specific to the Leeds CC conditions, it was estimated that the EfW-I of the amount of RMSW produced in Leeds CC would result in health impacts that are likely to be so small as to be negligible.
- iv. Although local conditions are of decisive importance, in general it might be said that MSW management schemes employing EfW-I might give rise to lower global warming potential, ozone depletion potential, summer smog and human toxicity than those employing MBT. A general opinion cannot be expressed with regard to acidification and ecotoxicity.
- v. In order to predict reliable environmental and health impacts for the EfW-I option and compare it to those of other treatment options, a specific study should be carried out taking into consideration the conditions that apply to Leeds CC. The impacts of any EfW-I plant proposed for treating RMSW for Leeds CC would be subject to a full environmental impact assessment that is required at the planning stage.

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# Review of Environmental and Health Effects of Waste Management:

Municipal Solid Waste and Similar Wastes

## Extended Summary

May 2004



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## Foreword by Minister of State, Environment & Agri-Environment

The Prime Minister's Strategy Unit, in its report "*Waste not, Want not*" recommended that an independent body should bring together the literature and evidence on the relative health and environmental effects of all the different waste management options; relative both to each other and to other activities affecting health and the environment. Defra commissioned this report in response to that recommendation.

The report examines the waste management options for treating municipal solid and similar waste. It focuses, as Defra requested, on the principal types of facilities that are currently used for dealing with such waste in the UK and in Europe and on what the currently available scientific evidence can tell us about their environmental and health effects.

It is a very comprehensive report and brings together, for the first time, a wealth of evidence which allows us to consider the health and environmental impacts of waste management on the basis of all available information.

The report has been peer reviewed by the Royal Society and I am grateful to Prof. Howard Dalton, Defra's Chief Scientific Advisor, for advising me on the scientific analyses.

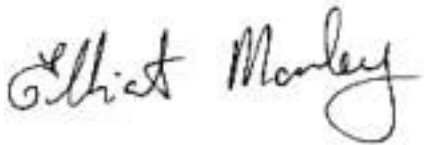
I am particularly encouraged by the report's conclusion that, on the evidence from studies so far, the treatment of municipal solid waste has at most a minor effect on health in this country particularly when compared with other health risks associated with ordinary day to day living. The evidence on environmental effects is limited, but such as there is does not appear to suggest adverse environmental effects of waste management, other than those we know about and are already addressing, such as methane emissions from landfill.

The report rightly recognises that there is more that we can and should still learn and we will be addressing the need and priorities for further research through our waste research strategy this summer. The search for knowledge is never complete and this report usefully identifies areas of research that we will be taking forward as part of our continual efforts to refine the evidence base for policy making.

I believe that this report does give us sufficient confidence in our current policies for local authorities to press ahead urgently with the task of approving planning applications for new waste management facilities. Among the other conclusions to be drawn, the report shows that risks to human health from incineration are small in comparison with other known risks. We must acknowledge the role of incineration with energy recovery as a sustainable waste management option although the priority must be waste minimisation, reuse and recycling. Incineration is an option for dealing with the residual waste that will still be left even after achieving the much higher levels of recycling and reuse we are aiming for and to help absorb the diversion of municipal waste from landfill which we are required to make under the Landfill Directive.

## Foreword

We must manage the growing amount of waste we produce. We will do this by basing our policies on the best available scientific evidence and on an assessment of the comparative risks. We will continue to develop our scientific knowledge to support our policies. This report is a helpful contribution to that process.

A handwritten signature in black ink that reads "Elliot Morley". The signature is written in a cursive style with a large, looping 'E' and 'M'.

Elliot Morley

**Minister of State for Environment & Agri-Environment**

## Foreword by Defra Chief Scientific Adviser

Ministers asked for my assessment of this report in my role as Chief Scientific Adviser to the Department. This Foreword is the advice I have given in light of that request.

This is a timely and useful report, which for the first time provides Government with a critical assessment of the available peer-reviewed scientific literature on the health and environmental effects of options for managing municipal solid waste. I am grateful to the authors, Enviros Consulting Ltd., Professor Harrison, and their colleagues, for their comprehensive and thorough review, and for approaching a difficult task in a positive and imaginative way. I am also very appreciative of the work done by the Royal Society in providing a detailed critique which has been reflected in finalising this report. The Royal Society's working group provided valuable comments on the emerging report. Their statement of March 2004 reflects the extent to which their formal critique of the full draft of November 2003 has contributed in shaping the final version of the review. (These are reproduced at Appendix 4.)

The review and insights of the Royal Society's working group have been of great assistance in preparing my advice to Ministers on the science to support waste management policy. Particularly helpful in this regard is the critical assessment of the quality of the scientific evidence on each of the issues through the use of a 'reliability index', a feature that other similar assessments might adopt to advantage.

The review has concluded that the effects on health from emissions from incineration, largely to air, are likely to be small in relation to other known risks to health. I have confidence in this conclusion, particularly bearing in mind the fact that the current generation of municipal solid waste incinerators have to comply with much more stringent emission standards than those which formed the basis for the majority of studies of health effects in the literature. This does not mean that we can afford to be complacent; rigorous enforcement will be crucial to ensure that the new emission standards are not exceeded, and that non-standard operating conditions, as noted by the Royal Society, do not lead to levels of emission which would give rise to concern.

The review has also addressed the effects on the wider environment. The most important in this context is the contribution that landfill emissions make to emissions of methane, a powerful greenhouse gas. The review has also noted that odours from landfill can be important, and that measures to capture and use landfill gas could alleviate both of these potential problems. The review reported little existing evidence of other environmental effects due to waste management.

The contributions of municipal solid waste to air emissions of methane (27% of UK total) and cadmium (about 10% of UK total) are well known to arise mostly from landfill. This is one of the reasons why government policy is moving away from the landfill waste option. With these exceptions, management of municipal solid waste accounts for less than 2.5% of all other emissions for which data are available (including carbon dioxide and toxic gases). These conclusions mean that the overall scale of direct effects of releases to air from waste management practices is relatively small compared with emissions from other sectors such as transport.

## Foreword

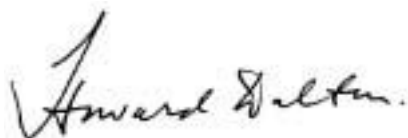
I am nevertheless aware that, since the review was first and foremost a review of the existing literature, coverage will be limited by the availability of evidence, so some areas of the science will be analysed in more depth than others. Consequently there will be gaps and uncertainties in the evidence base.

Areas where there is less work and the science is less certain include releases to soil and water and releases from composting, or other forms of waste management like mechanical biological treatment or anaerobic digestion. One other important study reported an association between birth defects and proximity to landfill sites. The authors of that study were clear, however, that the association reported in this single study does not demonstrate a causal relationship, and the current review reflects this. It would be desirable if further studies could be carried out to identify the non-waste related factors which may influence this association.

In order to reduce, or remove these uncertainties, and to fill gaps highlighted by the review as missing from the current literature, we will need to undertake further research. The issues suggested by the review will be included in consideration of priorities as the waste research strategy is developed, with interested stakeholders, and particularly with the Department of Health.

The Royal Society has highlighted the advantages offered by Life Cycle Analysis in extending the range and scope of comparative analyses available. Life Cycle Analysis (as advocated in Defra's Waste Strategy 2000, and used by the Environment Agency in their WISARD waste management software) is of particular relevance in recycling, and should be incorporated in future research design on this issue.

In conclusion, I welcome this report. Not collecting or managing waste is not an option. The formulation of policy on the management and disposal of waste is an important area of Defra's work. This report helps decision makers by bringing together and analysing the existing body of waste management research.

A handwritten signature in black ink, reading "Howard Dalton". The signature is written in a cursive, slightly slanted style.

Professor Howard Dalton FRS

# Introduction

## This document

DEFRA (The Department for Environment, Food and Rural Affairs) commissioned Enviros Consulting Ltd and Birmingham University to draw together the available information on the environmental and health effects of managing municipal solid waste.

This followed a recommendation in the Prime Minister's Strategy Unit report "*Waste not, Want not: A strategy for tackling the waste problem in England*" (November 2002), and an announcement in the Pre-Budget Report of 2002 that the Government would commission a review of the environmental and health effects of waste management and disposal options.

This document is an extended summary of the report "*Review of Environmental and Health Effects of Waste Management: Municipal Solid Waste and Similar Wastes*". The main report can be obtained from [www.defra.gov.uk/environment/waste](http://www.defra.gov.uk/environment/waste). The study considers municipal solid waste and similar wastes, and will be followed by a further study of other wastes.

## An introduction to waste management in the UK

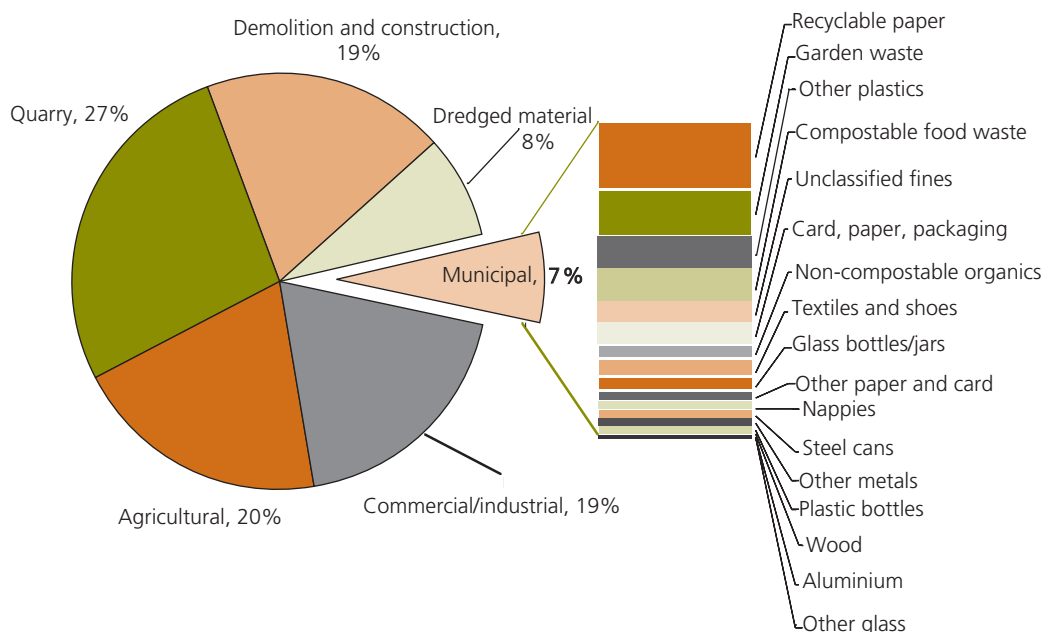
What waste is, and where it comes from

In the UK we produce about 430 million tonnes of waste a year. That's enough waste to fill the Albert Hall in London every hour. Of this, about 7% (29 million tonnes) is municipal solid waste. Municipal solid waste is the waste materials generated in the home, and by schools, shops, and small businesses – any waste collected by the local authority (or companies working for the local authority). Because of this, municipal solid waste contains a wide variety of materials, reflecting the variety of things that we buy, use and then throw away. Much commercial waste, and some industrial waste is similar to municipal solid waste, so much of the information in this report will apply to the management of commercial and industrial waste streams. Figure 1 shows the sources of waste in the UK, and the materials that municipal solid waste is made up from.

Waste is an inevitable by-product of our use of natural resources. The amount and make-up of waste in any given area depends on factors such as the local population density, economic prosperity, time of year, type of housing and whether there are local waste minimisation initiatives such as home composting.

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**Figure 1: Waste in the UK**



### And where it goes to – disposing of municipal solid waste

About three quarters of the UK's municipal solid waste is disposed of directly to landfill. Reuse and recycling (including composting) account for a further 13% of municipal solid waste. The remainder is pre-treated, mostly by incineration (approximately 9% of municipal solid waste). The remaining 1% is pre-treated using a variety of new or specialist methods which include gasification/pyrolysis; mechanical biological treatment (MBT); and anaerobic digestion. In this report, we consider the potential effects of all these waste management options, as well as the potential effects of transporting over 80,000 tonnes of municipal solid waste a day.

#### Ways of dealing with municipal solid waste considered in this report

**Reuse and recycling** is where waste materials are put back into the raw product stream, either as base material, as with glass, plastics and paper, or as reusable product as with returnable milk bottles. This study looked at the facilities where sorting of materials to be recycled takes place. However, in this study, we did not look at industrial waste recycling processes themselves. The recovery of materials in this way will reduce the need to use natural resources directly, and may reduce emissions from extraction and processing of raw materials. On the other hand, there could be environmental or health effects from reprocessing materials which have been taken out of the waste stream. These could offset the benefits of recycling to some extent.

**Composting** uses micro-organisms to break down organic waste in the presence of air, usually to produce compost suitable for adding to soil or as a pre-treatment step. Composting is usually carried out on pre-sorted municipal solid waste or specific organic waste, for example wood chippings, grass cuttings or kitchen waste. Composting can be carried out in the open air (this is known as "windrow" composting). Increasingly, in-vessel systems are being used. These enable the composting process to be automated and any emissions to be more readily controlled.



**Mechanical Biological Treatment** is a composite process involving a mix of sorting; separation; cutting or grinding the waste into smaller pieces; and composting, The residual materials may be used as compost, incinerated (with energy recovery) or landfilled.

**Anaerobic digestion** is the decomposition of organic waste in an oxygen-free atmosphere. This produces gas comprising mainly methane and carbon dioxide, which is burnt for electricity generation. The digested waste material can be composted and spread onto land.

**Gasification** is a process in which a portion of the waste is burnt in a reactor at high temperature. The majority of the organic material present in the waste is converted into carbon monoxide, hydrogen and methane. Pyrolysis involves indirect heating of the waste in an oxygen free atmosphere. This turns organic materials into simple gases, oils and char. The char produced in both cases can be further reacted with air and steam to produce hydrogen and carbon monoxide. Finally the gases are burnt to produce heat, which is usually used to produce electricity. The remaining ash can be re-used or sent to landfill. There is one UK process operating using this approach, which uses a combination of both pyrolysis and gasification.

**Incineration** involves the burning of waste to reduce the volume of solids (typically by 70%.) and generate heat and/or electricity. The resulting ash can again be re-used or sent to landfill. The residue from air pollution control systems used at waste incineration processes is a fine ash, typically about 4% of the weight of waste processed. This is a hazardous material, and normally needs to be disposed of at a landfill licensed to accept this kind of waste. The use of energy generated from incineration will reduce the need to generate energy from other sources.

**Landfill** is a specially engineered area of land where waste is deposited. Once an individual section of the landfill is full, it is sealed with a permanent cap. The biodegradable part of the waste then decomposes and reduces in volume. Much of the non-biodegradable content of municipal solid waste is stable, and is not released from landfill sites at discernible rates. The gas produced by decomposition of municipal solid waste is increasingly used to generate electricity – the extent of collection and burning of landfill gas varies from site to site. Landfill will probably always be needed for the final disposal of unusable residues.

Some of these options result in the generation of electricity. If this occurs, then we do not need to generate so much electricity by other methods. This would result in an overall decrease in emissions from power stations which would otherwise occur.

**Waste transportation** Municipal solid waste needs to be transported from where it is produced to a transfer station or treatment/disposal facility. The majority of municipal waste is transported by road. This makes a contribution to emissions from, and effects of transport in the UK as a whole.

In this study, we looked at the effects of the particular facilities themselves. Indirect effects (like the benefits of avoiding use of raw materials by recycling) were not part of our remit.

### Waste management at a time of change

Municipal solid waste management in the UK is currently in a period of change. There are pressures to move away from traditional disposal methods, while new technology is increasing the alternatives for waste disposal. These changes are brought about by initiatives such as:

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- The introduction of the landfill tax, which is increasing the cost of disposal to landfill;
- The European Landfill Directive, which harmonises and tightens landfill standards throughout the European Union, and also requires a progressive reduction in the amount of biodegradable municipal waste disposed of to landfill. This Directive also means that hazardous wastes will need to be disposed of separately from municipal solid waste and similar wastes;
- The European Waste Incineration Directive, which is resulting in tighter emission limits and improved technology on incinerators;
- Policy measures to reduce emissions of gases responsible for 'global warming' are making landfill and incineration of municipal solid waste and similar wastes less attractive.

### Worries about the health effects of waste management

A few individual sites have been the focus of concerns about the possibility of health effects on people living close to these sites. A lot of detailed research has been carried out, both at these specific sites and nationally, to investigate whether waste management operations do in fact have any adverse health effects:

- Landfill sites have been investigated as the possible cause of birth defects, cancers and respiratory illnesses including asthma;
- Incinerators have been investigated as to possible increases in cancer, birth defects and respiratory illnesses including asthma. Other studies have particularly concentrated on emissions of dioxins;
- Composting and Materials Recycling Facilities (MRFs) have been investigated for possible exposures to micro-organisms and odours, and lung diseases like bronchitis.

### Worries about the environmental effects of waste management

There is also concern about the environmental effects of facilities which deal with municipal solid waste. For example, emissions from municipal solid waste processes might affect acid rain or global warming. Plant life near landfill sites might be affected by landfill gas or water contaminated by waste, if these are allowed to escape from a site. Odours or noise from municipal solid waste facilities are occasionally a problem. We have investigated whether there is scientific evidence for the occurrence of these environmental effects.

### How is the potential for health effects investigated?

The possible health effects of waste management operations have been investigated two main ways:

- Epidemiological studies – these are studies of the distribution (or pattern) and determinants (or causes) of disease in human populations.
- Emissions based studies – which measure emissions being released into the environment from one or more sources. Based on this, human exposures to emitted substances can be estimated, and the risks to human health can be assessed.

### What's different about this report?

Research into waste management and its environmental and health effects is an established area of science. There is no lack of research reports and reviews, although it can be hard to find information of good enough quality to rely on. The available research includes reports from the Environment Agency, the UK Government, a recent study by the Irish Government, and work by the American Agency for Toxic Substances and Disease Registry, Greenpeace, and other organisations. These reviews discuss and draw together the conclusions of other studies but don't usually put numbers on possible health effects or put the conclusions into context.

This report is different because we have set out to quantify, where possible, the potential health effects of waste management. We have also provided a detailed set of data on emissions. We have indicated how reliable (or otherwise) the information is. We have set out comparisons between different waste management options. We have also provided information to allow all of this information to be set in the context of other activities like traffic, other industry, and household activities such as cooking.

The report does not give the whole picture on its own. It needs to be read alongside other information – for example, studies of environmental effects associated with the whole lifecycle of wastes; information on the monetary costs of emissions and environmental effects; and information on the local surroundings of a particular facility.

### The approach used

#### Literature review

We carried out an extensive search and review of the available literature relating to waste management activities. Over 600 papers covering a wide range of sources of information were included: reviewed journals (i.e. scientific texts), Government publications, Environment Agency publications, publications from other institutions (e.g. Greenpeace, and the National Society for Clean Air and Environmental Protection), and information from waste management operators. Most of the information from operators was drawn from their submissions to the Environment Agency. The literature review covered the following areas:

- Studies, reports and information from municipal solid waste facility operators containing emissions data;
- Studies and reports investigating the occurrence of health effects near municipal solid waste management facilities;
- Studies and reports investigating environmental impacts close to municipal solid waste management facilities;

We rated the quality of the information on a scale from poor, through moderate and good, to very good. To do this, we have considered points like how easy it would be to cross check the information, how many measurements were taken, and how reliable the measurement methods were.

### Comparing emissions from different municipal solid waste management facilities

We found a large quantity of information regarding emissions of materials from waste management facilities. Most of this was not published in scientific papers, but was provided by operators of waste management facilities, or regulators like the Environment Agency. Some was of good quality, whilst other data were of moderate or even poor quality. Information considered to be of poor quality was only presented where no better information was available, and we have drawn attention to areas where better quality information would be useful. This information was analysed to find out the likely emissions of different pollutants from waste management operations. The aim of the data analysis was to find a figure for 'emission of pollutant x per tonne of waste processed' for the different waste management options.

We found most information for emissions to air. There was less information available on emissions to land, water or other waste management facilities. This does not necessarily mean that the air emissions are more important instead it suggests that more research into other emissions could be helpful.

We looked at emissions under normal operating conditions. Occasionally the normal operation of waste management facilities is disrupted in some way. For example, emissions from a waste incinerator sometimes exceed the limits set in the operating licence, or the gas control system at a landfill site might fail from time to time, resulting in an increase in emissions of unburnt gas. We considered the kind of incidents which occur at different waste management facilities, and highlighted the incidents which are of greatest concern.

In some cases, we provided estimates of annual emissions from a particular waste management facility, and we were also able to estimate the total annual emissions from managing municipal solid waste in England and Wales.

Information on emissions is useful for comparing different waste management options, but does not allow us to identify the health effects of these emissions. To do this, we need to investigate the exposure of local people to the substances emitted. This is described in the next section.

### Evaluating the health effects

We looked at whether the evidence showed that waste management operations might cause health effects for people living nearby. Where the literature review showed that there might be a link between waste management operations and health effects, we calculated what this might mean for local populations. We studied this in two ways.

Firstly, we considered whether the results of epidemiological studies could be used to quantify any extra health effects that might arise in populations living close to municipal solid waste management facilities, compared to those that would arise if the municipal solid waste facility was not there. Secondly, we estimated the health effects caused by emissions of particular pollutants to the air, based on information on the health effects of increasing levels of these pollutants. We could not do a similar calculation for emissions to water or land, because it is not possible to make similar estimates of public exposure to these pollutants.

Where the information permitted, the health effects were calculated on a “per tonne of waste processed” basis. This enabled us to compare the health impacts of different waste management options.

### Putting things in context

Waste management operations are only one of many sources of emissions and health/environmental effects. We therefore also looked at other sources of emissions such as road traffic, other industries, and domestic activities. This enabled us to put the emissions from waste management facilities into context with other sources of emissions. From this, we can assess the relative importance of waste management as a source of these substances.

We also looked at the estimated health effects of waste management in the context of other issues which affect health. This included the health effects of air pollution, passive smoking, road traffic accidents, and accidents in the home or at work.

### How have we checked the quality of the study?

In order to make sure that the report was as complete as possible, and that the conclusions were supported by the information, DEFRA asked the Royal Society to look at the report in detail.

## **The review was written by:**

Enviros Consulting Ltd.

Mark Broomfield, Jonathan Davies, Nigel Bellamy, Richard Carpenter, Chris Hazell, David Sellwood, Paul Frith and the late Mick Morrey.

University of Birmingham

Roy Harrison, Steve Thomas

### Other contributors

Toni Gladding (Open University), Meg Postle (RPA Ltd.), Maggie Thurgood

### Main report

This summary can be freely copied. The main report and summary can be obtained from: [www.defra.gov.uk/environment/waste](http://www.defra.gov.uk/environment/waste)      [www.enviros.com](http://www.enviros.com)

## The main findings

This section summarises the main findings of the report.

### What are the main emissions from municipal solid waste?

The main emissions from waste management operations are summarised below. A more detailed breakdown is provided in section 3. We found most information for emissions to air. There was less information available on emissions to land, water or other waste management facilities. This does not necessarily mean that the air emissions are more important instead it suggests that more research into other emissions could be helpful.

- Methane and carbon dioxide are the two emitted substances which may significantly influence global warming.

In the UK nearly 150 million tonnes (MT) of CO<sub>2</sub> is released every year. Management of municipal solid waste accounted for 3.6 MT (2.4% of the national total). Other important contributors are electricity generation (42 MT; 28.5% of the national total); and transport (21% of the national total). These figures are of moderate or good quality.

Methane has a global warming effect which is over 20 times more powerful than carbon dioxide. In the UK about 2.4 MT of methane is released every year. Emissions from municipal solid waste in landfill sites account for 0.7 MT (27% of the national total). Although these figures are of moderate or poor quality. Another important contributor is agriculture, which accounts for an estimated 1.0 MT (about 40% of the UK total)

- Benzene is a substance of concern because it can cause cancer. We found that less than 0.02% of UK emissions are due to municipal solid waste operations (this figure is of moderate quality). Transport is the main source of benzene, accounting for 47% of UK emissions.
- A lot of people are concerned about emissions of dioxins and furans (often referred to as just "dioxins"). The developing reproductive system of male offspring seems to be particularly sensitive to exposure to dioxins before birth. Dioxins are associated with other developmental and reproductive effects, and the immune system is also potentially sensitive. UK expert committees regard dioxins as a probable human carcinogen (that is, it can probably cause cancer in humans). We found that dealing with municipal solid waste accounts for only about 1% of UK emissions of dioxins, shared approximately equally between incineration and emissions from burning landfill gas. This figure is of poor quality because of uncertainty over dioxin emissions from other sources. Domestic sources such as cooking and burning coal for heating are the UK's single largest source of dioxins, accounting for about 18% of emissions. Transport accounts for about 3% and electricity generation about 4% of the UK total. A number of other sources contribute to emissions of dioxins to a similar or greater extent: accidental vehicle fires; fireworks and bonfires; small-scale waste burning (for example on building sites); incineration of other wastes; and the iron and steel industry.
- Nitrogen dioxide is a substance of concern, particularly for air quality in urban areas. Emissions of oxides of nitrogen also contribute to acid rain, and excessive levels of nitrogen which can be harmful to some sensitive habitats. Dealing with municipal solid waste results in emissions of about 10,000 tonnes per year of oxides of nitrogen (which form nitrogen dioxide in the atmosphere). This is less than 1% of the UK total – the main contributors are electricity

generation (24%) and road traffic (42%) (those values are of moderate quality). Emissions of oxides of nitrogen and other substances from incineration of municipal solid waste are the most tightly controlled of all waste management processes.

- Metals emitted to the air have a range of possible health effects. Dealing with municipal solid waste accounts for about one tenth of UK emissions of cadmium (a substance associated with cancer of the lungs, throat and prostate, reproductive effects and kidney disease). Almost all of the cadmium emitted from facilities dealing with MSW comes from landfill sites. Municipal solid waste accounts for lower proportions of UK emissions of other substances. The iron and steel industry is the main source of emissions of most heavy metals (for example mercury, arsenic, lead, cadmium). The numerical values are of moderate or poor quality. Other important sources include:
  - lead emissions from non-ferrous metals processing;
  - burning coal to produce electricity and heat in industrial facilities, which is an important source of arsenic emissions;
  - road traffic, which is an important source of mercury. The manufacture of chlorine from mercury cells, non-ferrous metal production and coal combustion are also important sources.
- Although there was less information available we also studied emissions to groundwater and surface water. The substances we looked at included nitrogen (which can promote the growth of unwanted algae); organo-tin compounds (which can affect fish and shellfish), phosphates, pentachlorophenol, copper, tin and lead. Information on these emissions is less widely available, and our estimates in this area were only of poor quality. Bearing this in mind, the rough estimates of emissions of substances which might be of concern are all a very small proportion of the national total. Releases to groundwater and surface water, unlike releases to the air, do not necessarily result in human exposure because mains water is treated before supply. Mains water has to comply with strict safety standards.

Some facilities (anaerobic digestion, pyrolysis/gasification, incineration and landfill) result in the generation of electricity. This means that we would avoid the need to generate electricity in other ways – for example, from burning coal, gas or oil, or from nuclear energy.

## Health effects linked to municipal solid waste

Increased emissions under non-standard operating conditions could be a concern for open windrow composting, if the waste is not handled properly. Disposal of ash from incinerators needs to be carefully managed and landfills can give rise to emissions to water, land or air unless properly managed.

For most of the municipal solid waste facilities studied, we found that health effects in people living near waste management facilities were either generally not apparent, or the evidence was not consistent or convincing. However, a few aspects of waste management have been linked to health effects in local people. These are discussed below, followed by a discussion of the areas where no health effects have been found.

## The main findings

### Where there might be health effects

- A detailed study of landfill sites has identified a possible link between living close to a landfill site, and the occurrence of some birth defects. The study also considered the occurrence of unusually low birth weight. This study was not able to say whether the associations are causal, or whether they might be reflecting other factors which the study could not address fully. The observation is a small increase in the risk of a birth defect happening in babies born to families living near landfill sites. The increase is much smaller than other factors which influence the likelihood of birth defects, and the numerical results cannot at present be reliably used.
- A recent study undertaken at residential areas in close proximity to a commercial composting plant looked at the incidence of bronchitis and minor ailments in people living in this area. The study showed that there might be a link between emissions from the facility and these health effects in residents living nearby.

These health effects are discussed in more detail in Chapter 4.

### Where investigations have been carried out but no health effects have been found

The health effects of some waste management facilities have been investigated in detail, in response to public concerns.

- The review did not find a link between the current generation of municipal solid waste incinerators and health effects. Adverse health effects have been observed in populations living around older, more polluting incinerators and industrial areas. However, the current generation of waste incinerators result in much lower levels of exposure to pollutants. We considered cancers, respiratory diseases and birth defects, but found no evidence for a link between the incidence of disease and the current generation of incinerators.
- A detailed UK study was carried out to investigate whether there is any indication that living close to landfill sites results in an increase in the occurrence of cancer. This study did not detect an increase in the occurrence of cancer.
- Studies have been carried out to investigate the existence of a link between composting facilities and the occurrence of cancers and asthma. No link has been identified.

Thus the studies suggest that if the operation of these facilities does have any effect on the health outcomes which have been investigated, any effect is very small – smaller than many other influences on these health outcomes.

## What are the main environmental effects

The most important environmental impact reported in scientific research is the effect on global warming of emissions of greenhouse gases (most importantly, methane) from landfill of municipal solid waste. Methane is generated at all landfill sites accepting municipal solid waste, and the contribution of methane emitted from landfills to global warming is important. As a result, alternatives to landfill for municipal solid waste are often viewed as having a positive effect on



global warming by reducing the need to landfill biodegradable waste which generates methane. As the Landfill Directive is implemented, the amount of biodegradable waste being landfilled will reduce. Collection and combustion of landfill gas will also become much more widespread, although it is never possible to collect all the methane generated at a landfill site.

Some of the waste management operations involve heating or burning municipal solid waste (for example, incineration, gasification/pyrolysis, anaerobic digestion and the burning of collected landfill gas). These could have an effect on local air quality. For example, Mercury emissions from municipal solid waste incinerators were found to contribute 20% of the overall background mercury concentration at locations surrounding the incinerator.

Emissions of dioxins from municipal solid waste incinerators can increase levels of dioxins in soil, although the present generation of incinerators release much smaller amounts of dioxins than was the case five or ten years ago. Dioxins from an incinerator in an industrial environment will only slightly increase the total deposition of dioxins. We found that an incinerator located in a relatively clean rural environment could significantly increase the dioxin deposition above the much lower background level. Even then, the increase would only affect the immediate vicinity of the plant, and would not be expected to be a concern with regard to health. Emissions from municipal solid waste incinerators account for less than 1% of the dioxins experienced by members of the public.

## Areas where we need more information

During the course of the project, we found several areas where potentially useful information was lacking, or was less than ideal as a basis for waste management policy. The most important areas which need to be studied are:

- Monitoring levels of pollutants emitted from landfill sites in communities located near to landfill sites, where this is not already carried out as part of regulatory monitoring;
- Studying how much particulate matter, micro-organisms, organic chemicals and methane is released from composting of municipal solid waste;
- Measuring emissions of micro-organisms and fungal spores from all forms of municipal solid waste management;
- Looking at what and how much is emitted to air, to sewer and in solid residues from processes which are not yet widely applied to municipal solid waste in this country – mechanical biological treatment, and anaerobic digestion.

# Information on emissions

## What substances did we look at?

Although there are hundreds of substances emitted during waste management operations, most of these are released in very small amounts which, as far as is known, are harmless. We concentrated on substances of concern, and those which are released in large quantities from the management of municipal solid waste. We identified substances for consideration in the assessment of emissions to air from the European directive on waste incineration, and research into the trace constituents of gas generated from decomposition of waste in landfill sites. We identified substances for consideration in the assessment of emissions to water/groundwater from research into emissions to water from landfill sites and substances identified in the waste incineration directive. In the case of solid residues, a more limited range of information was available, and so we provided information on all the substances covered in recent relevant research. We found that a useful range of information was available on the contents of ash from municipal solid waste incineration.

Some of the substances considered are produced or released when waste is burned, some are already in the waste and are emitted when waste is handled, and others are emitted by leaching into water which is then treated and discharged. All the substances that were considered in the review are listed below, with an indication of which municipal solid waste management processes might generate them.

Emissions to air considered in the study							
	C	M	A	P	I	L	T
Carbon Dioxide	✓	✓			✓	✓	✓
Dioxins and Furans		✓		✓	✓	✓	✓
Hydrogen Chloride		✓	✓	✓	✓	✓	
Hydrogen Fluoride		✓	✓	✓	✓	✓	
Individual volatile organic compounds: benzene, chlorobenzene, chloroethane, chloroethene, 1,1-dichloroethane tetrachloroethene	✓		✓			✓	✓
Metals: arsenic, cadmium, mercury, nickel			✓	✓	✓	✓	
Methane	✓	✓	✓	✓	✓	✓	
Nitrogen Oxides		✓	✓	✓	✓	✓	✓
Particulate Matter	✓		✓	✓	✓	✓	✓
Polychlorinated Biphenyls					✓		
Sulphur Dioxide		✓	✓	✓	✓	✓	✓
Total Volatile Organic Compounds		✓		✓	✓	✓	✓

C: Composting; M: MBT; A: Anaerobic digestion; P: Gasification/pyrolysis; I: Incineration; L: Landfill; T: Transport

## Information on emissions

Substances in solid residues (reused or disposed of) considered in the study															
	C	M	A	P	I	L	T		C	M	A	P	I	L	T
Aluminium				✓	✓			Lead	✓		✓	✓	✓		
Ammonium	✓			✓				Magnesium	✓				✓		
Antimony					✓			Manganese					✓		
Arsenic	✓				✓			Mercury	✓		✓		✓		
Barium					✓			Nickel	✓		✓	✓	✓		
Cadmium	✓		✓	✓	✓			Phenol				✓			
Calcium					✓			Potassium					✓		
Carbonate					✓			Sodium					✓		
Chlorine				✓	✓			Sulphate				✓	✓		
Chromium	✓		✓	✓	✓			Sulphite					✓		
Cobalt					✓			Tin					✓		
Copper	✓		✓	✓	✓			Titanium					✓		
Dioxins and Furans	✓				✓			Vanadium					✓		
Fluoride					✓			Zinc	✓		✓	✓	✓		
Iron	✓				✓										

Emissions to sewer, groundwater or surface water considered in the study															
	C	M	A	P	I	L	T		C	M	A	P	I	L	T
Aniline						✓		Methyl chlorophenoxy acetic acid							✓
Arsenic					✓	✓		Methyl tertiary butyl ether							✓
Biphenyl						✓		Naphthalene							✓
Cadmium	✓				✓	✓		Nickel					✓	✓	
Chloride	✓				✓	✓		Nitrogen		✓	✓				✓
Chromium	✓				✓	✓		Nonyl phenol							✓
Copper	✓				✓	✓		Organo-tin							✓
Cyanide	✓					✓		Pentachlorophenol							✓
Di (2-ethyl hexyl) phthalate						✓		Phenols	✓						✓
Dichloromethane						✓		Phosphorus							✓
Ethylbenzene						✓		Polycyclic aromatic hydrocarbons							✓
Fluoride						✓		Suspended solids	✓						✓
Lead	✓				✓	✓		Toluene							✓
Mecoprop						✓		Xylene							✓
Mercury	✓				✓	✓		Zinc	✓				✓	✓	

### What are the main emissions?

We found most information for emissions to air, although this does not mean that emissions to surface water or groundwater are less important – simply that there is less information on emissions to surface water and groundwater.

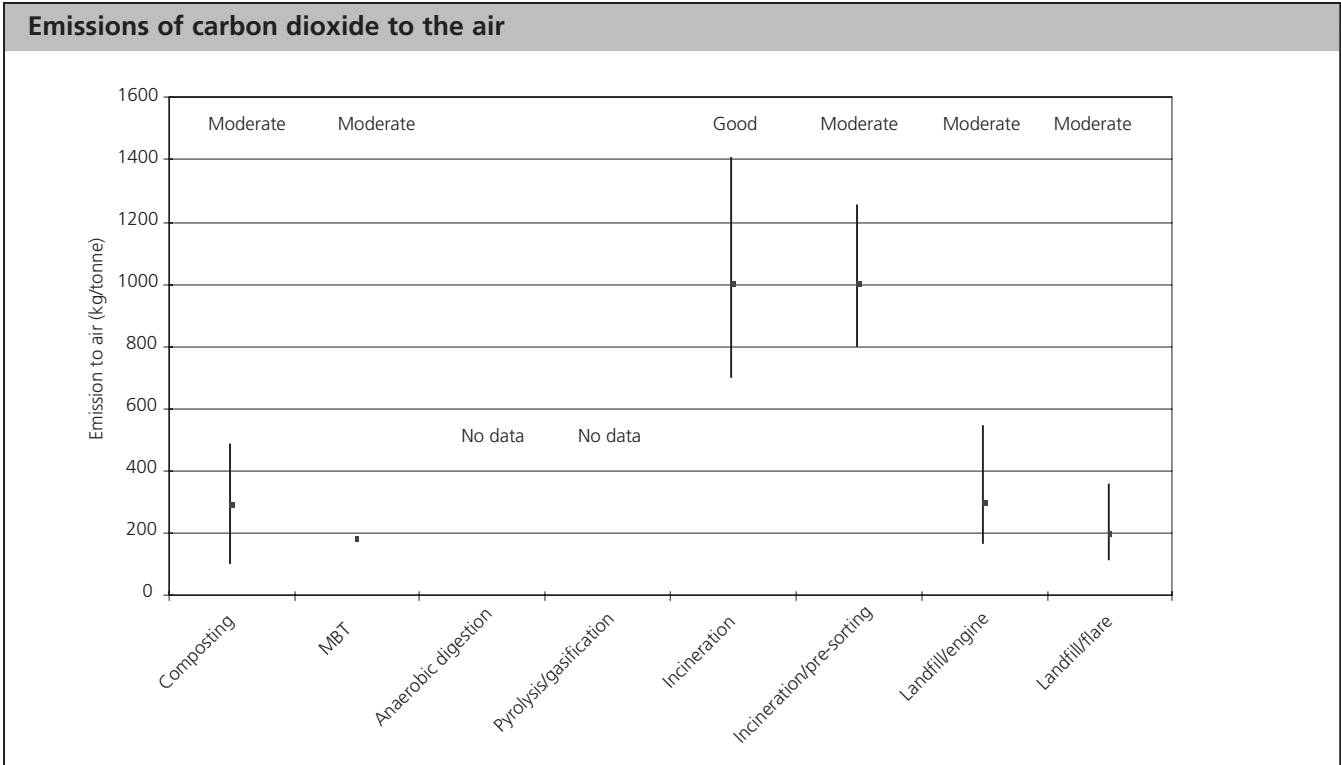
Emissions to air could be broken down into substances released because they are in the waste or produced during its decomposition (examples include methane, volatile organic compounds, and metals), and substances resulting from burning waste or gases derived from waste (for example, carbon monoxide, oxides of nitrogen, and sulphur dioxide). Some substances can arise from both kinds of source – for example, dioxins and furans and particulate matter.

Emissions to water could take place in a number of ways, mostly from landfill. Water already in the wastes, or rainwater falling onto a landfill, acquires (“leaches”) contaminants from the wastes and is known as “leachate”. Leachate is collected and treated on-site or at a sewage treatment works, before being released to a river or the sea. Some of the leachate seeps slowly from the landfill, and mixes with water in the soils surrounding the site. This mixing is measured by taking samples from boreholes around the site boundary to ensure that levels of pollutants stay below specified limits. We were able to estimate emissions to water from landfill operations, but these estimates were only of moderate or poor quality.

Emissions from waste management operations are dependent on the material being treated (in this study, municipal solid waste or similar wastes) and the controls on emissions used at an individual facility. This means that there is a limit to which emissions from individual facilities can be evaluated in a non-site specific study such as this, because of the variations between different facilities. However, this study can give a reliable picture of national emissions, and emissions from an average or typical facility.

The timing of emissions from landfill is different to the other types of facility considered. While the emissions from other facilities happen at the same time as the waste is processed, those from landfill occur at a lower rate, but over a longer period.

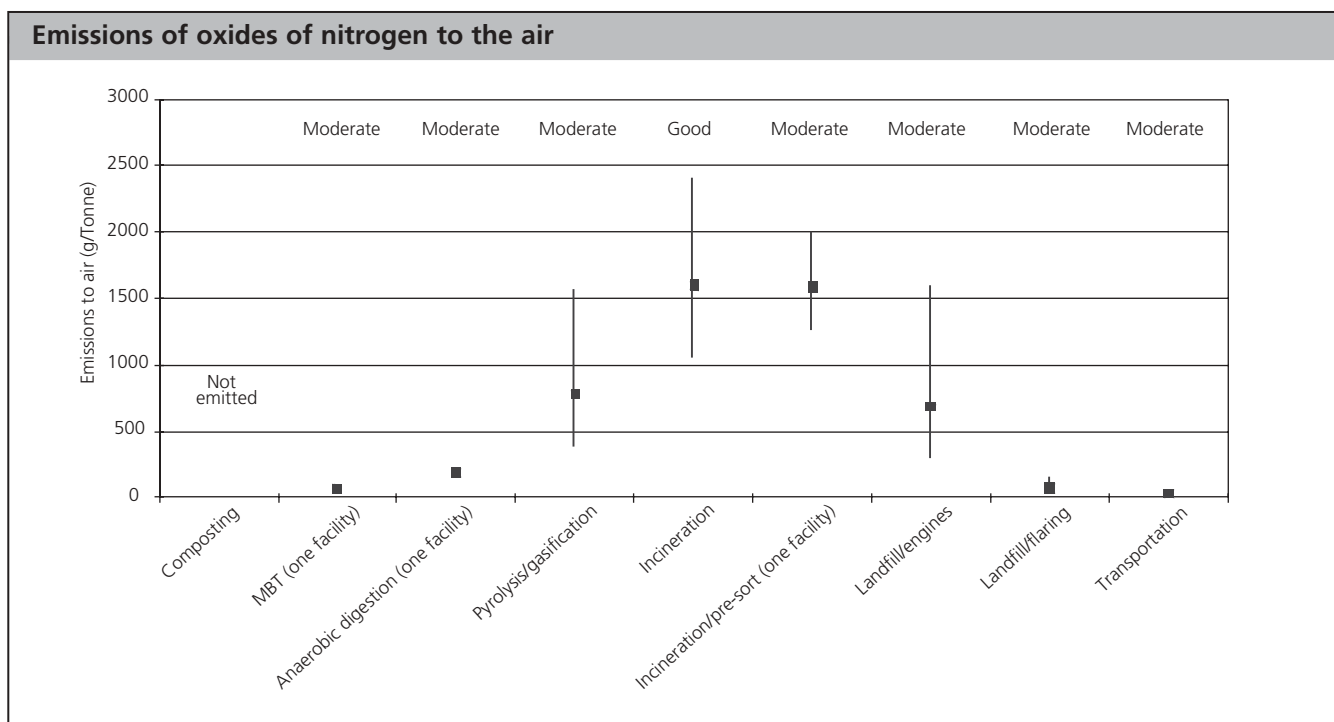
The figures below set out some of the estimated emissions to air from different waste management operations. The bars on the graphs show the margin of uncertainty in the estimated emissions.



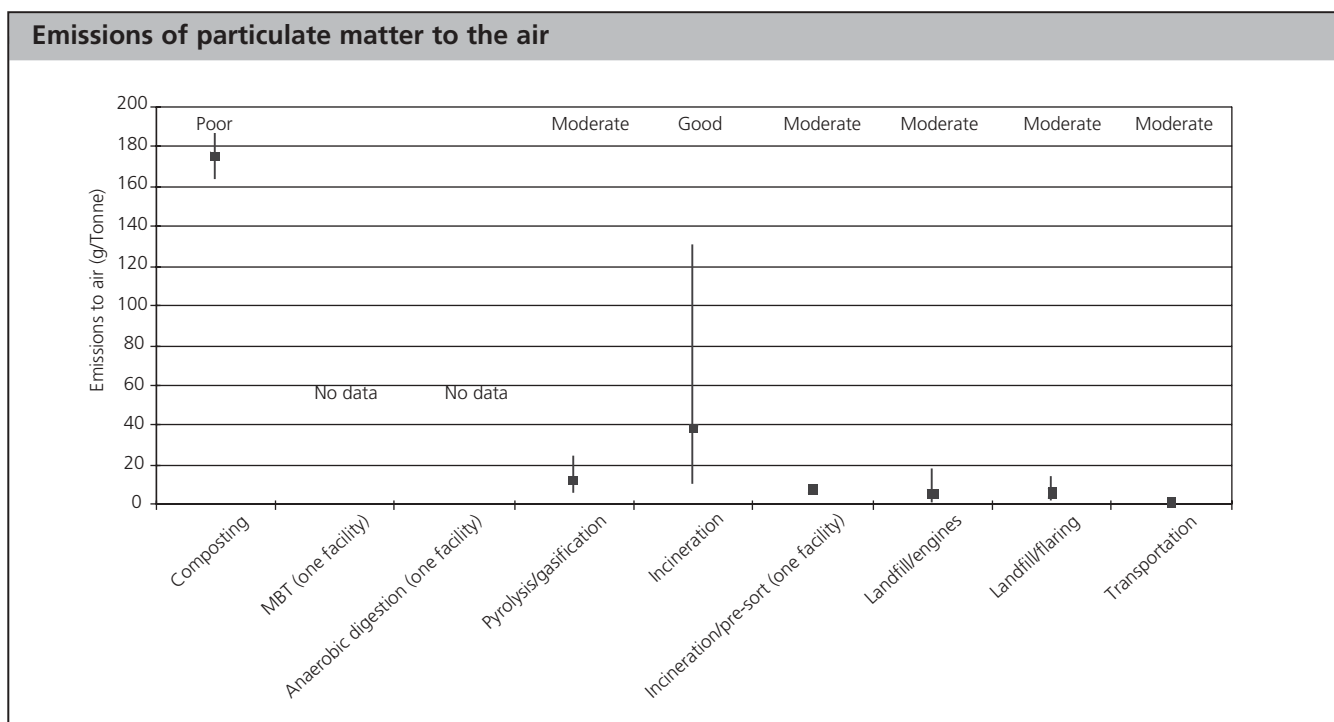
Carbon dioxide is one of the main contributors to global warming. It is emitted when municipal solid waste decomposes or is burnt. Landfill also gives rise to emissions of methane, which is a much more potent greenhouse gas than carbon dioxide. This means that landfill is the waste management option with the greatest global warming impact, even though an increasing proportion of landfill gas is burnt, which converts the methane to carbon dioxide.

The data suggest that combustion of landfill gas in an engine could give rise to higher emissions of carbon dioxide than burning landfill gas in a flare. In fact, a similar emission of carbon dioxide would be expected, and the differences mainly arise from the uncertainty in measurements of flare emissions.

## Information on emissions



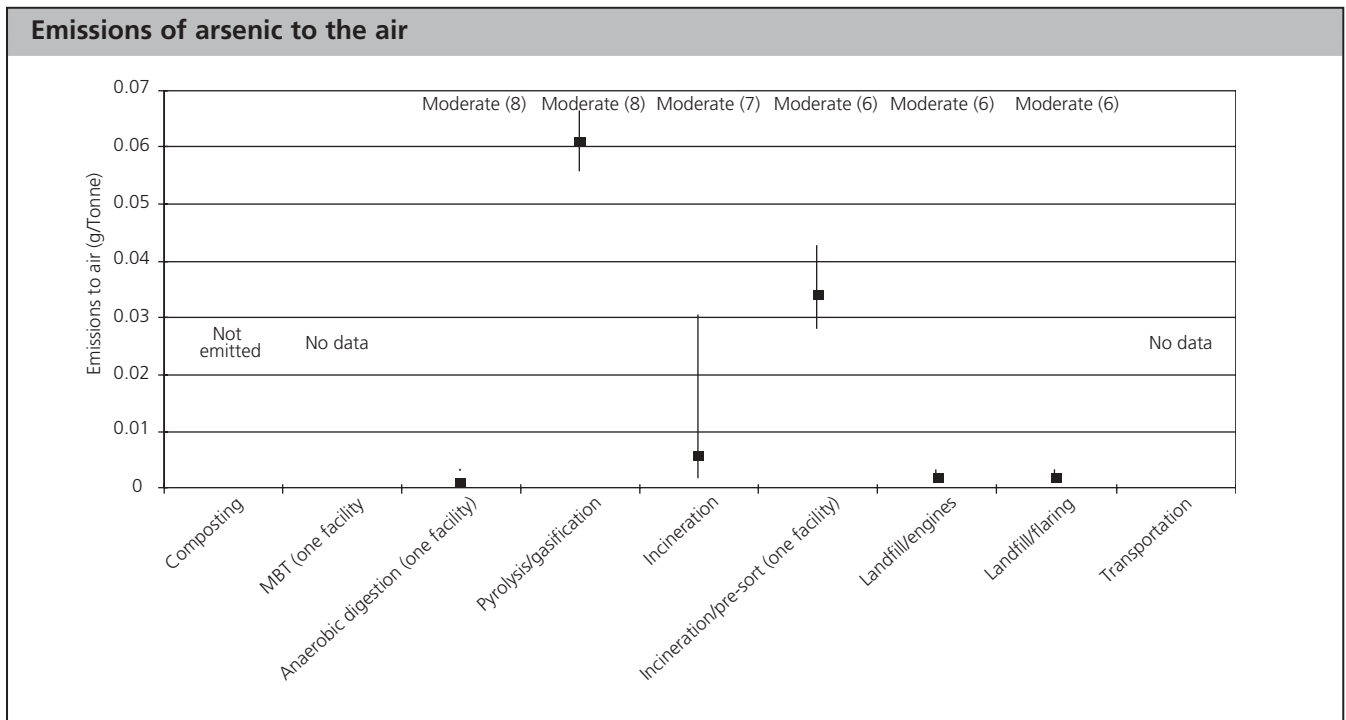
Oxides of nitrogen (known as “NOx”) are produced when municipal solid waste or gases derived from municipal solid waste are burnt. NOx produces nitrogen dioxide, which is a matter of concern regarding air quality in urban areas. Emissions of oxides of nitrogen also contribute to acid rain and excessive eutrophication – that is, increases in nutrients in rivers and lakes which stimulate excessive growth of algae, crowding out other species.



In this study, “particulate matter” means small particles of any material in the air. These may be fine dusts which can be emitted from moving waste around – for example, when turning piles of

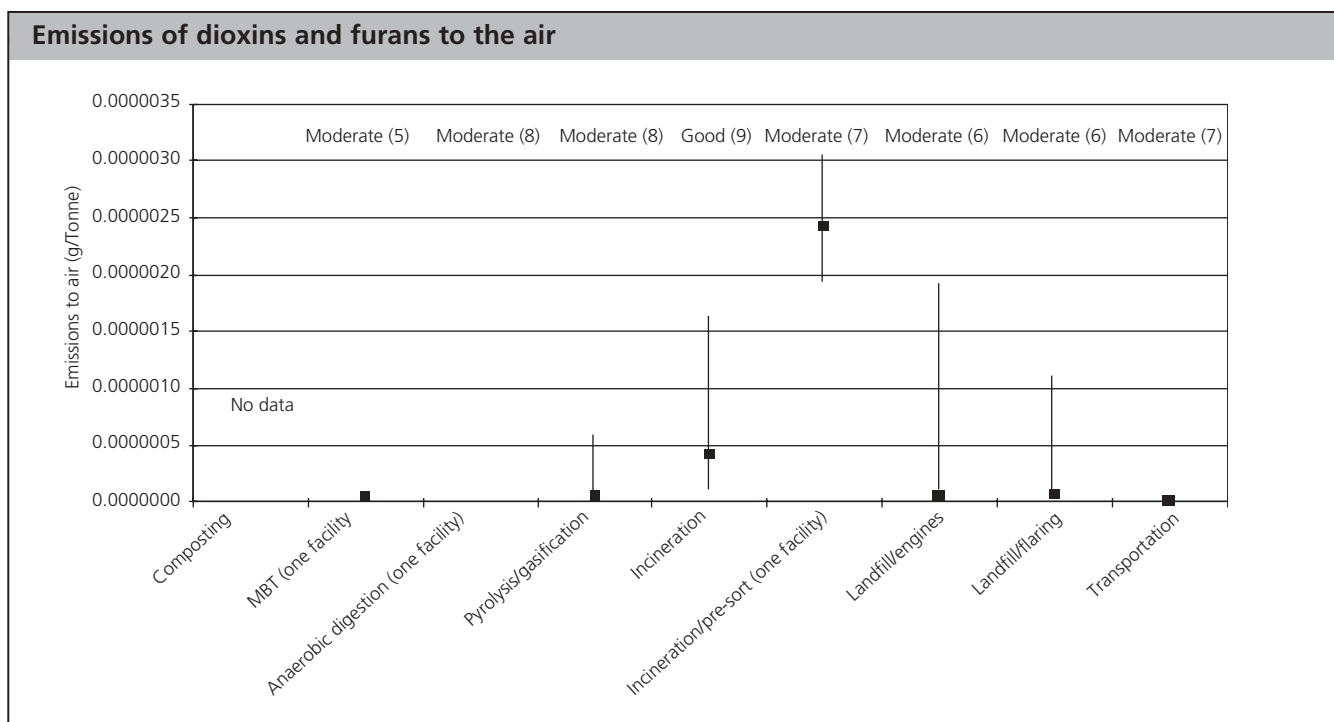
waste during composting. Particulate matter released in this way tends to settle back to the ground soon after being released. Particulates are also emitted when waste is burnt. These emissions can be controlled using filter systems, and the particulate matter released in this way tends to be much finer and not visible to the naked eye. Fine particulate matter is a concern for urban air quality because increases in levels of particulate matter in the air are linked to general indicators of ill health, such as hospital admissions for respiratory ill health.

The wide range in estimates for incineration reflects the differences in low release concentrations in emissions from waste incinerators.



Arsenic is one of a number of metals which can be emitted from waste management facilities, particularly when waste is burnt. If exposure is high enough, metals can have a range of effects on health – for example, arsenic can cause cancer of the skin, kidneys, lung and bladder. The figure shows a relatively high value for emissions of arsenic from pyrolysis/gasification. This value is based on measurements from a single facility, and the high value might just be due to an abnormally high measurement.

## Information on emissions



There is a lot of concern expressed about exposure of the public to dioxins and furans. They are a group of chemicals which can be formed in very small quantities when organic chemicals are burnt in the presence of chlorine. Municipal solid waste was in the past a significant source of these chemicals, but following reductions in emissions from waste incineration now accounts for only 1% of emissions to the air. The developing reproductive system of male offspring seems to be particularly sensitive to exposure to dioxins before birth. Dioxins are associated with other developmental and reproductive effects, and the immune system is also potentially sensitive. UK expert committees regard dioxins as a probable human carcinogen.

A relatively high rate of emissions from an incinerator with pre-sorting was derived. This information was derived from a single process – the only operational UK plant of this type – and so is of less good quality than data for mass-burn incineration.

## The main findings of this study

The main findings were as follows:

- Incineration produces the greatest emissions of oxides of nitrogen, followed by pyrolysis/gasification and landfill (information of moderate quality).
- Composting produces the highest emissions of particulates per tonne of municipal solid waste, although these data are of poor quality and would benefit from further research. Incineration is also an important source. Emissions from transport of waste are unlikely to be important.
- Sulphur dioxide emissions are similar for all processes which burn waste, or gases generated by decomposing waste (information of moderate quality). Transport of waste is unlikely to be important.



- Hydrogen chloride and hydrogen fluoride emissions are higher from processes where waste or waste gases are burnt, and incineration is the biggest source of hydrogen chloride (information of moderate quality).
- VOC emissions are likely to be greater from landfill, composting and MBT than from combustion processes. Methane emissions, which are important in global warming are highest from landfill (information of poor or moderate quality).
- Emissions of dioxins and furans per tonne of waste from incineration are higher than from other options, with other processes burning waste gases having lower emissions. Emissions from incineration in the UK have changed dramatically, with a 99.8% reduction in emissions since 1990. This was brought about following limits imposed in European Commission directives. We gained a better understanding of the factors which result in dioxin and furan emissions, and developed improved ways of stopping them being formed, and removing them from flue gases.
- Landfill is the only significant source of emissions to sewer, surface water and groundwater.
- Other than landfill, all of the processes result in other outputs. These may be useful products (e.g. compost or the digested material from an anaerobic digestion facility). Materials recycling facilities produce materials which are sent for reprocessing into useable products. This is often beneficial – for example, reducing the need to use raw materials. However, it can also result in emissions – for example, if recycled materials need to be transported long distances for reprocessing. Some of the outputs can be re-used in other ways – for example, ash from waste incineration can be used in road building or to make “breeze blocks.” These re-uses have the potential for releasing unwanted substances to the environment, and re-use needs to be properly controlled. Some of the outputs need to be disposed of by landfill – for example, composted material which is not of good enough quality to be used for land improvement, or air pollution control residues from waste incineration plant.

Chapter 5 describes our investigation of the possible health effects of some of these emissions by estimating exposure to the emitted substances. Chapter 7 provides information on other sources of emissions to show how important (or otherwise) these emissions are in the context of other sources of pollution in the UK.

# Information on health effects

We carried out a detailed review of published literature on the health effects of waste management. The main thrust of this work was to look at studies of ill-health in populations who might be affected by waste management operations. This drew on information provided by the branch of science known as “epidemiology.”

We also used information on the health effects of air pollution to investigate whether emissions to air from waste management facilities could have an effect on people’s health. Much of this information also originates from epidemiological studies, but in this case, the information is not specific to waste management operations.

When looking at a particular facility it is important to take account of the local circumstances – for example, how close to the facility people live, or whether there are any pre-existing health concerns.

## Epidemiology

Epidemiology is the study of the distribution (or patterns) and determinants (or causes) of disease in human populations. Epidemiologists study a wide range of health conditions, and consider the effects of exposures to causes of disease on the occurrence of disease.

Many factors may affect the patterns of disease in a population. Some of these factors are known, some are suspected, and some are unknown. It can be very difficult to disentangle them and understand the underlying causes of a disease. This means that, even when exposure to a chemical or other agent influences the rate of a disease, epidemiological studies may not be able to detect any association. It also means that, when an epidemiological study does find an association between a health effect and a measurement linked to a possible cause, it may be difficult to determine whether this is a result of cause and effect. In many cases, there are other explanations for observed associations – for example, from time to time, an apparently significant association will be observed as a result of chance, rather than because there is a cause and effect relationship.

Also, when studying the possible environmental causes of ill-health, it is important to find some way of measuring the proposed cause. In some studies, levels of a pollutant are measured, and the incidence of disease compared to the measured level of the pollutant. In other studies, distance from a possible source of pollution is used to provide an indication of exposure to emissions from the source of pollution. However, many other factors might contribute to different rates of the health effect being studied in different populations. Factors which are correlated with both the measure of exposure (for example, the distance from a possible source of pollution) and the health outcome being studied are known as ‘confounding factors’. Some of the more common confounding factors are:

- The pre-existing health of the people being studied
- The wealth or poverty of the people
- The availability of health or social care services

- Lifestyle including:
  - Smoking;
  - Alcohol use;
  - Drug use (medicinal and recreational);
  - Diet;
  - Fitness;
- Occupation;
- Home environment;
- Work environment;
- Other present or historical sources of pollution;
- Movements of people into or out of a geographical area;
- Genetic factors;
- Weather and temperature.

## The main health effects of concern

### Landfills

Many epidemiological studies have been carried out to investigate the health effects of landfill sites. Recent research has investigated the occurrence of birth defects in infants born to families living near landfill sites in the UK. Many birth defects can be successfully treated, but even so, a birth defect is always a frightening and distressing event for the parents.

An important recent UK study looked at over eight million births in the UK between 1983 and 1999. The data were split into two groups: the first, those births where the mother lived within 2 kilometres of a landfill site and the second, those births where the mother lived further than 2 kilometres from a landfill site. The two groups were then compared to see if there was any difference between living closer to the landfill site than further away. The main problems in a study of this nature relate to possible confounding factors, which could not be completely allowed for. Also, the 2 kilometre cut-off point was a practical necessity, arising from the accuracy of the information on residential location. It might be that any effects actually take place over a different geographical area. In its favour, the study looked at a very large number of cases, and so it was able to pick up significant results at a level of a few percent, which would not be possible with a smaller scale study.

The study showed that people living within 2 km of an active or disused landfill site in the UK experienced slightly higher rates of several birth defects than people living further away. This is not the same as saying that the landfill is the cause – see our discussion of epidemiological studies above. The observed increases are shown in the following table:

## Information on health effects

Outcome	Usual rate	Observed increase and rate in populations close to landfill sites	
Neural tube defect (problem with the spinal cord)	1 in 1800 births	6% (1-12%)	1 in 1700 births
Cardiovascular defect (problem with the heart or blood circulation)	1 in 750 births	No increase	1 in 750 births
Hypospadias and epispadias (mis-placed opening of the urethra)	1 in 420 births	7% (4-11%)	1 in 390 births
Abdominal wall defects	1 in 2900 births	7% (-1-12%)	1 in 2700 births
Surgical correction of gastroschisis (a type of abdominal wall defect – these will also be counted in the row above)	1 in 5300 births	18% (3-34%)	1 in 4500 births
Stillbirths	1 in 195 births	No increase	1 in 195 births
Low birth weight	1 in 16 births	6% (5.2%-6.2%)	1 in 15 births
Very low birth weight	1 in 104 births	4% (3-6%)	1 in 100 births

The figures in brackets are the 99% confidence interval – the study authors are 99% confident that the true figure lies in this range.

The study does not allow us to say whether the increases in birth defects are caused by the landfills or result from another confounding factor. However, the small scale of the increase in risk suggests that living close to landfill sites is less likely to be the cause of the increased incidence of birth defects than other influences on infant health, such as the mother's diet, smoking and alcohol intake.

The study investigated sites which opened during the period covered by the study, and found that some of the outcomes considered were at a lower rate after the site opened than before they opened. This also indicates that factors other than the landfill sites may be the cause of the observed increases. In the light of those concerns the Government's independent expert advisory Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment considered that *"it is inappropriate to draw firm conclusions on the possible health effects of landfill sites from the results of this study."*

### Materials recycling facilities

A few studies have been carried out in the workplace at materials recycling facilities. These indicate that flu-like diseases, eye and skin problems, tiredness and sickness are higher in the workers than would be expected in other comparable groups. So far as we know, there are no studies of health effects in people living near MRFs. If there were any health effects, these would be expected to be similar in nature to those associated with composting facilities, in view of the similarity between the health effects which have been observed in workers at MRFs and workers at composting facilities.

### Composting

A few studies have considered health effects in people near to commercial scale composting plants. There is more research into the health of people who work at composting plants. These studies show that people living near composting plants could experience an increased rate of health effects like bronchitis, coughing and eye irritation.

## Subjects studied, but no health effects identified

### Incinerators

Many studies have investigated how many cancer cases occur close to incinerators. These have mainly considered cancers of the stomach, colorectal, liver, lung, larynx and non-Hodgkins lymphoma. There is no consistent evidence of a link between exposure to emissions from incinerators and an increased rate of cancer. Where apparently significant effects have been observed, these are often in relation to incinerators close to other sources of potentially hazardous emissions, which makes it much harder to pin down the source of any effect. The Government's independent expert advisory Committee on the Carcinogenicity of Chemicals in Food, Consumer Products and the Environment concluded that *"any potential risk of cancer due to residency (for periods in excess of ten years) near to municipal solid waste incinerators was exceedingly low and probably not measurable by the most modern techniques"*

There is little evidence that emissions from incinerators make respiratory problems worse. In most cases the incinerator contributes only a small proportion to the local level of pollutants.

### Landfills

A detailed study using similar information sources to the study of birth defects discussed above found no evidence that living close to landfill sites increases the chance of getting cancer to a level that can be measured.

### Composting

A few studies have looked at emissions of volatile organic compounds (VOCs) from composting facilities, and one study looked at whether there was a cancer risk due to exposure to substances released from composting sites. The study found no additional risk of cancer in populations living close to composting facilities.

As noted above, a few studies showed that respiratory disease can increase in people living close to compost facilities, but there is no link with increased rates of asthma.

### Other facilities

Studies looking at emissions from other facilities have not found evidence of health effects linked to the emissions.

# Can we quantify the health effects?

## Introduction

One way to find out what the health effects of waste management operations might be is to look at what is being emitted from the operation. The next step is to evaluate the *exposure* of people to these emissions – that is, the amount of these emissions that people living nearby might eat, drink, touch or breathe in. One method of doing this is to use a mathematical model to work out where the emissions go once they have left the waste management operation. Using this information, the exposure of local people can be estimated.

Another approach would in theory be to measure the exposure of people to the emissions. This kind of study is very useful in providing information on the levels of pollution that people are actually experiencing, but it is intrusive, very expensive to carry out, and is limited in the number of samples that can be taken. Also, it can be difficult to work out where the measured levels of pollution have come from – for example, road traffic and domestic cooking are also sources of some pollutants which are emitted from waste management facilities.

Either way, by comparing how much substance a person is exposed to, and looking at the possible health effects which would arise from this exposure, it is possible to estimate the health effects that would be expected to occur in people exposed to the air pollutants.

We have carried out a study using a modelling approach to look at the potential health effects of exposure to substances which are emitted to air from facilities handling municipal solid waste. A number of factors mean that this study is less than ideal:

- We are not able to consider pathways other than exposure via inhalation of airborne pollutants. This does not mean that health effects due to exposure via other pathways are necessarily less significant. However, there are controls on food and water quality which make any exposures through these routes easier to control.
- We were not able to consider all potentially harmful substances (because data on the health effects of exposures to other substances are not available).
- As noted in Chapter 3, the estimated emissions to air are subject to uncertainty.
- The forecasts provided by air dispersion models introduce some uncertainty.
- When looking at a particular facility it is important to take account of the local circumstances – for example, how close to the facility people live, or whether there are any pre-existing health concerns.

## Our approach

We firstly estimated the exposure of people living near waste management facilities to emissions from the facilities. We then used factors known as dose-response factors to estimate the health effects of these exposures. A dose-response factor provides an estimate of the size of a health effect which would result from an exposure to a certain concentration or amount of a substance (the dose of the substance). These dose-response functions are subject to uncertainty due to the assumptions that must be made – for example, we assume that the health effect is directly

## Can we quantify the health effects?

proportional to the dose, even at very low doses. In particular, the factors have been obtained from studies of health effects in populations exposed to high levels of pollutants in the workplace, or from studies of the effects of levels of air pollutants on public health in specific areas. Using them to estimate the health effects of emissions from individual facilities, as we have done, introduces additional uncertainty. This is because the people living close to a waste management facility may have different characteristics and different sensitivity to air pollution compared with the people in the studies from which the dose-response factors were obtained.

Many substances have a 'threshold' level, below which the body can accommodate the substance without any ill effects. The 'threshold' differs from person to person, depending on how healthy they are in the first place, and children and the elderly tend to be affected at a lower level than young and middle-aged adults. Sometimes a substance will have an effect in one person and not in someone else. We assumed that there was no threshold for the substances considered in this study – that is, that even the lowest exposures carry some risk of harm.

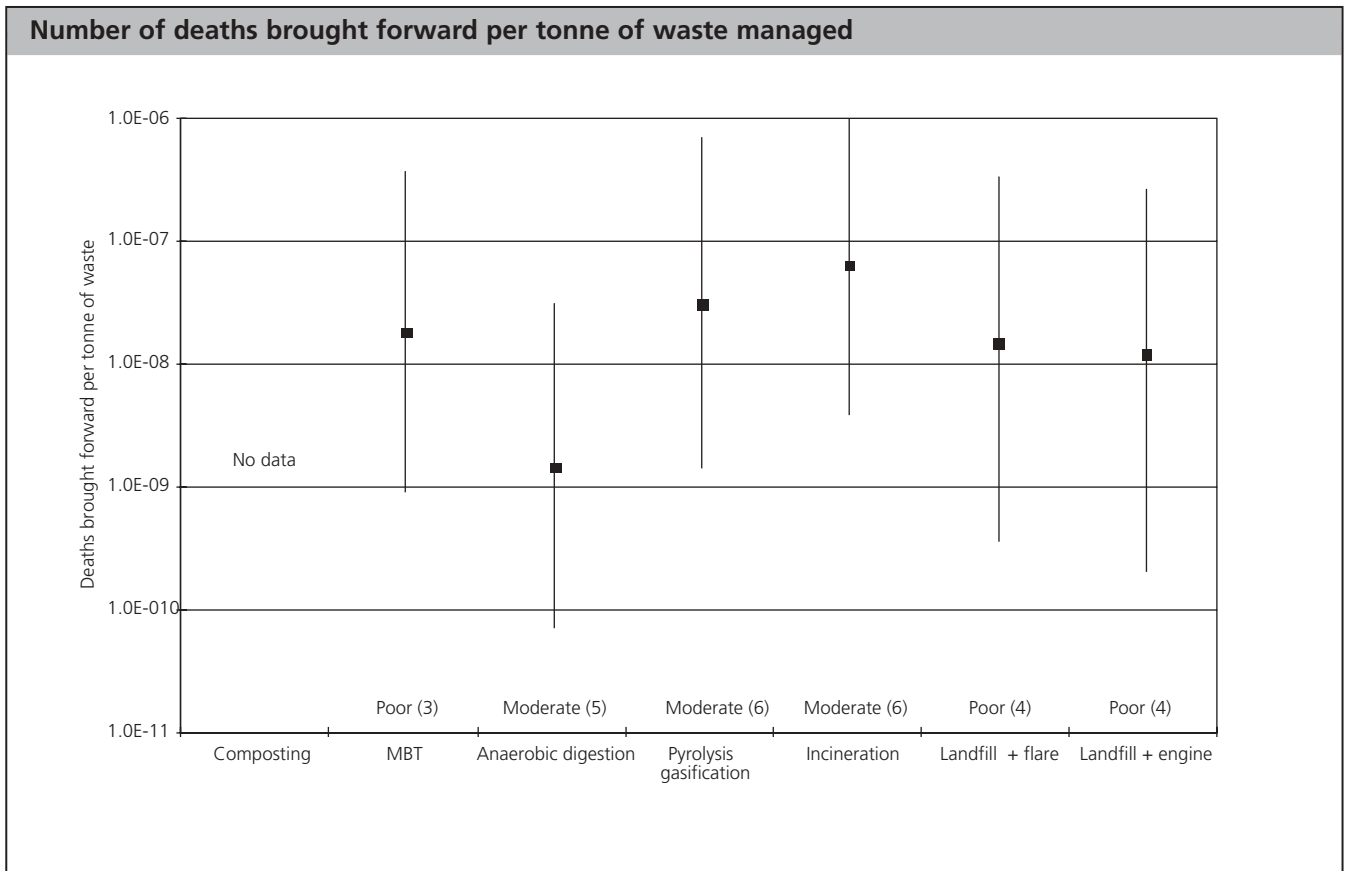
### Results

Bearing this in mind, we estimated the health effects that might arise in the general population due to emissions to air from municipal solid waste management facilities. The three figures below show the health effects which are estimated to occur due to emissions to air from waste management operation. The bars on the graphs show the margin of uncertainty in the estimated health effects, and the point in the middle of each bar shows the best estimate of the true value.

On a national scale, taking into account the amount of waste managed by each process at present, emissions to air from waste management are estimated to result in approximately five hospital admissions for respiratory disease per year, and one death brought forward due to air emission per year in the UK as a whole. Emissions to air from waste management are forecast to result in a much lower increase in the incidence of cancers – only about one additional case every five hundred years.

We were not able to estimate the potential health effects of emissions to air from composting because of a lack of information on emissions. More work on the possible health effects of composting would be useful, particularly in view of some epidemiological evidence suggesting that health effects might occur in people living very close to municipal solid waste composting facilities. Also, as noted previously, we could not do a similar calculation for emissions to water or land from facilities handling municipal solid waste. This is because public exposure to substances released via these pathways is affected to a much greater extent by site-specific factors. Individual exposure to substances released to water and land is also strongly influenced by an individual's diet and lifestyle, and by controls on the quality of water and food.

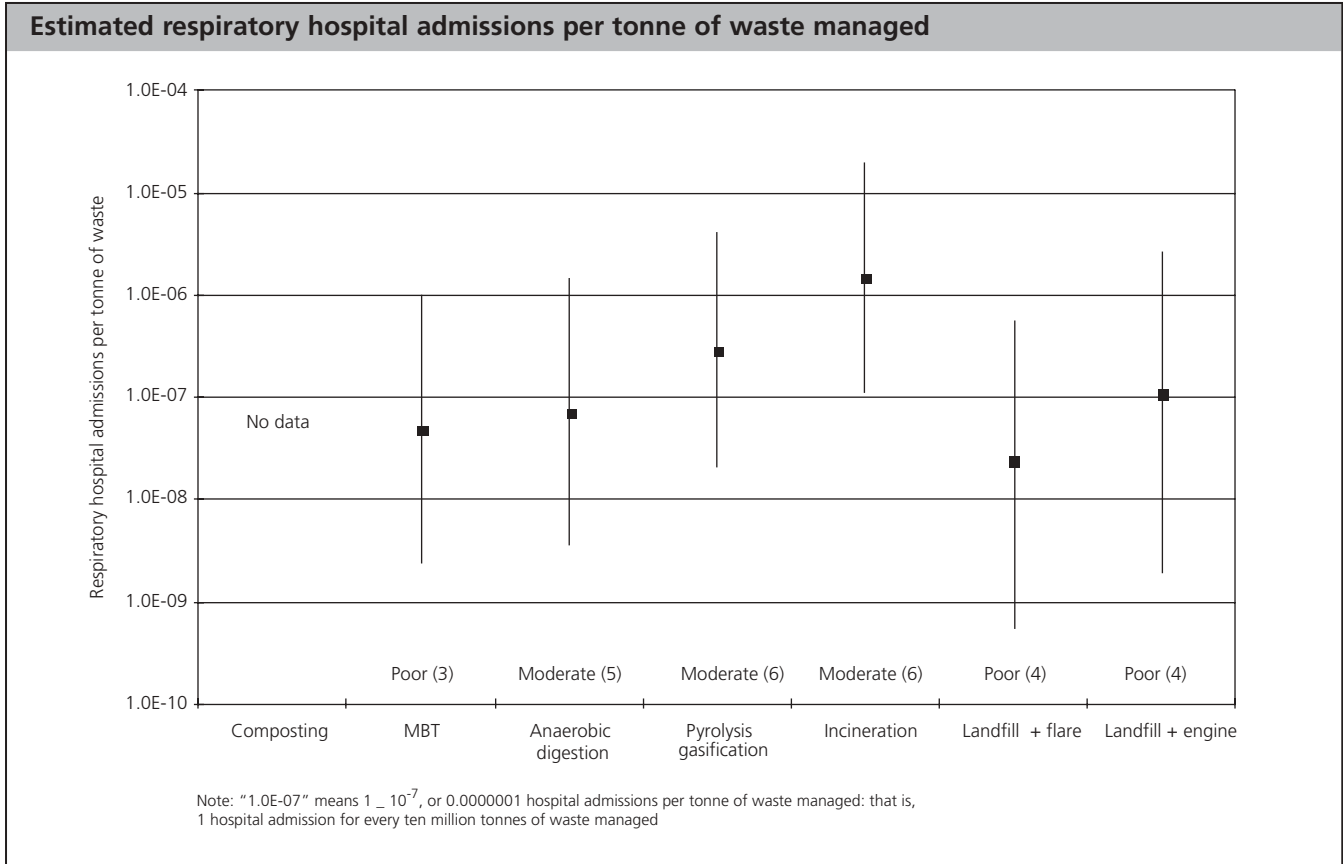
## Can we quantify the health effects?



In view of the margin of uncertainty in estimated deaths brought forward, the presently available data does not allow us to say that one option for managing MSW is definitely better or worse than the other options in terms of deaths brought forward due to emissions to air.

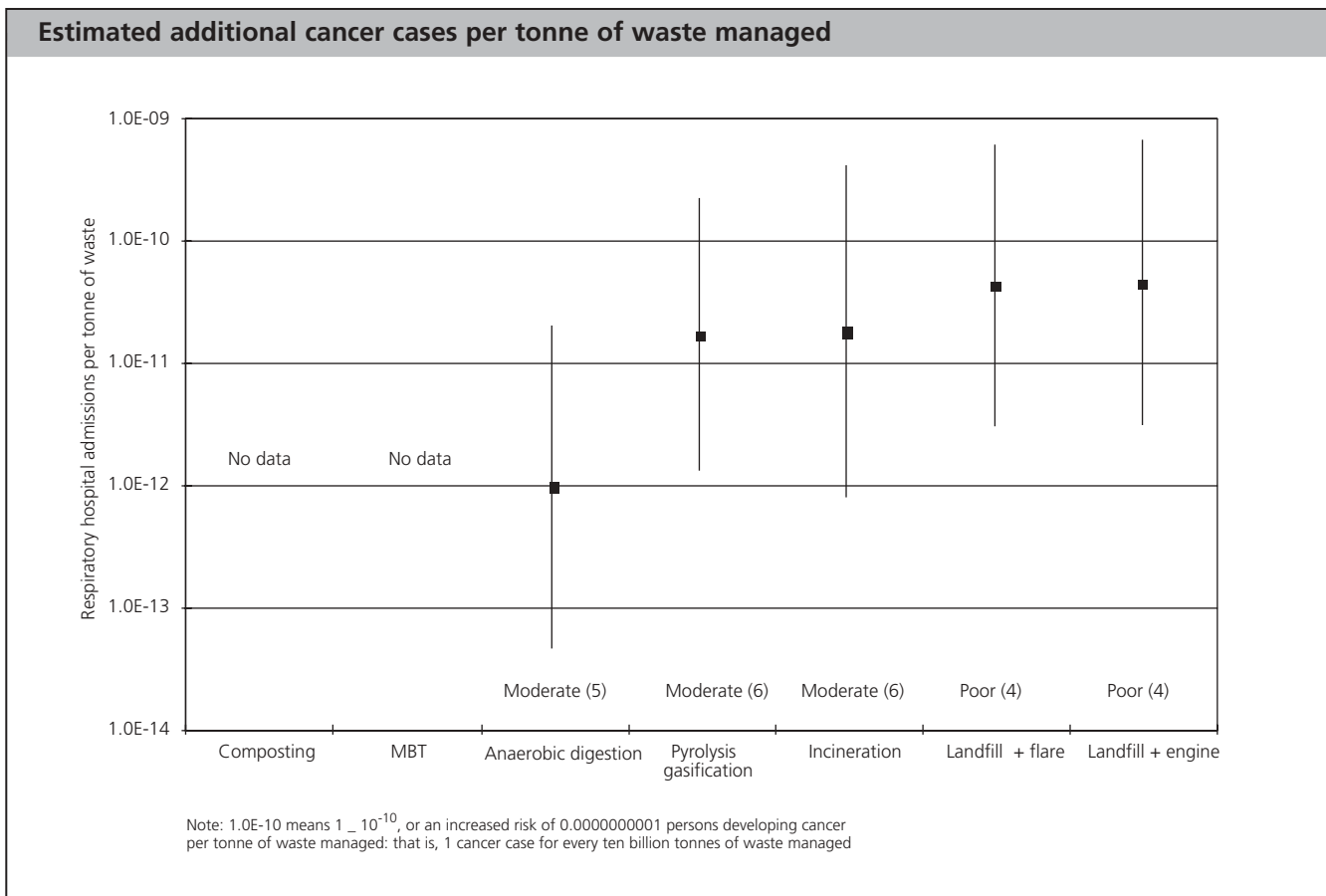


## Can we quantify the health effects?



In view of the margin of uncertainty in estimated respiratory hospital admissions, the presently available data does not allow us to say that one option for managing MSW is definitely better or worse than the other options in terms of hospital admissions due to emissions to air. However, there is an indication that incineration may have a greater effect on health than landfill, per tonne of waste processed. Even so, the total number of hospital admissions per year due to emissions to air from facilities managing MSW in the UK is estimated to be five per year. Although this estimate is of poor quality, the number of hospital admissions is very small compared to the total number of people admitted to hospital every year.

## Can we quantify health effects?



In view of the margin of uncertainty in estimated cancer cases, the presently available data does not allow us to say that one option for managing MSW is definitely better or worse than the other options in terms of cancer cases caused by emissions to air. Although the data are of poor quality the estimated number of cancer cases is extremely small, and suggests that it would not be helpful to give further detailed attention to this area.

# Information on environmental effects

## What are likely to be the main environmental effects?

Waste management facilities require planning permission and prior approval from a regulator before commencing operations. Their operation is regulated with the aim of ensuring that no significant environmental harm is caused. We undertook a substantial literature search to see whether there is any evidence for significant environmental harm arising due to waste management.

When looking at particular facilities, it is important to take account of the local circumstances – for example, other sources of pollution, the presence of particularly sensitive species.

There are several possible effects of waste management operations, including: noise; odour; dust; visual intrusion; damage to plant and animals; damage to soils; pollution of water; pollution of air; emissions of global warming gases; and damage to buildings from acidic gas. Of these, the scientific evidence indicates that probably the most important on a national scale are emissions of methane from landfill sites. This is important in global warming. Odours from landfill sites can also be important, which emphasises the need for good control of odorous emissions from these sites. These are in the context of current and past practice. Changes in legislation will require greater capture of gas from landfills which will reduce these impacts.

We did not find very much evidence for other adverse environmental effects due to waste management. The table below shows the main environmental impacts of waste management facilities. The table shows that landfill and incineration are the waste management options with most potential for environmental effects. Like every waste management site, landfills and incinerators need to be designed and run properly to ensure that these impacts are minimised and controlled.

## Information on environmental effects

### Summary of key environmental issues

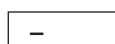
Activity	Noise	Odour	Dust	Flora/ fauna	Soils	Water quality/ flow	Air quality	Climate	Building damage
Materials recycling facility	x	x	x	x	x	xx	xx	-	-
Composting	xx	xxx	xx	✓	x ✓	xx	xxx	x	-
Mechanical biological treatment	xx	xxx	xx	-	-	xx	xx	x	x
Anaerobic digestion	xx	xx	x	x ✓	x ✓	xx	xx	x	x
Gasification/ pyrolysis	xx	xx	xx	-	-	-	xx	x	x
Incineration with pre-sorting	xx	xx	xxx	xx	xx	xx	xxx	x	x
Incineration	xx	xx	xxx	xxx	xxx	xxx	xxx	x	x
Landfill	xxx	xxx	xx	xxx ✓	xxx	xxx	xxx	xxxx	x
Waste transfer stations	xx	xxx	x	-	-	xx	x	✓	-

#### Category

#### Meaning



Direct or indirect benefit



No effect



Unlikely to be significant



Potentially significant impact in some cases, but can be controlled



Impact can normally be controlled, but an issue at sites if design, engineering or operation falls below best practice



An issue at all sites

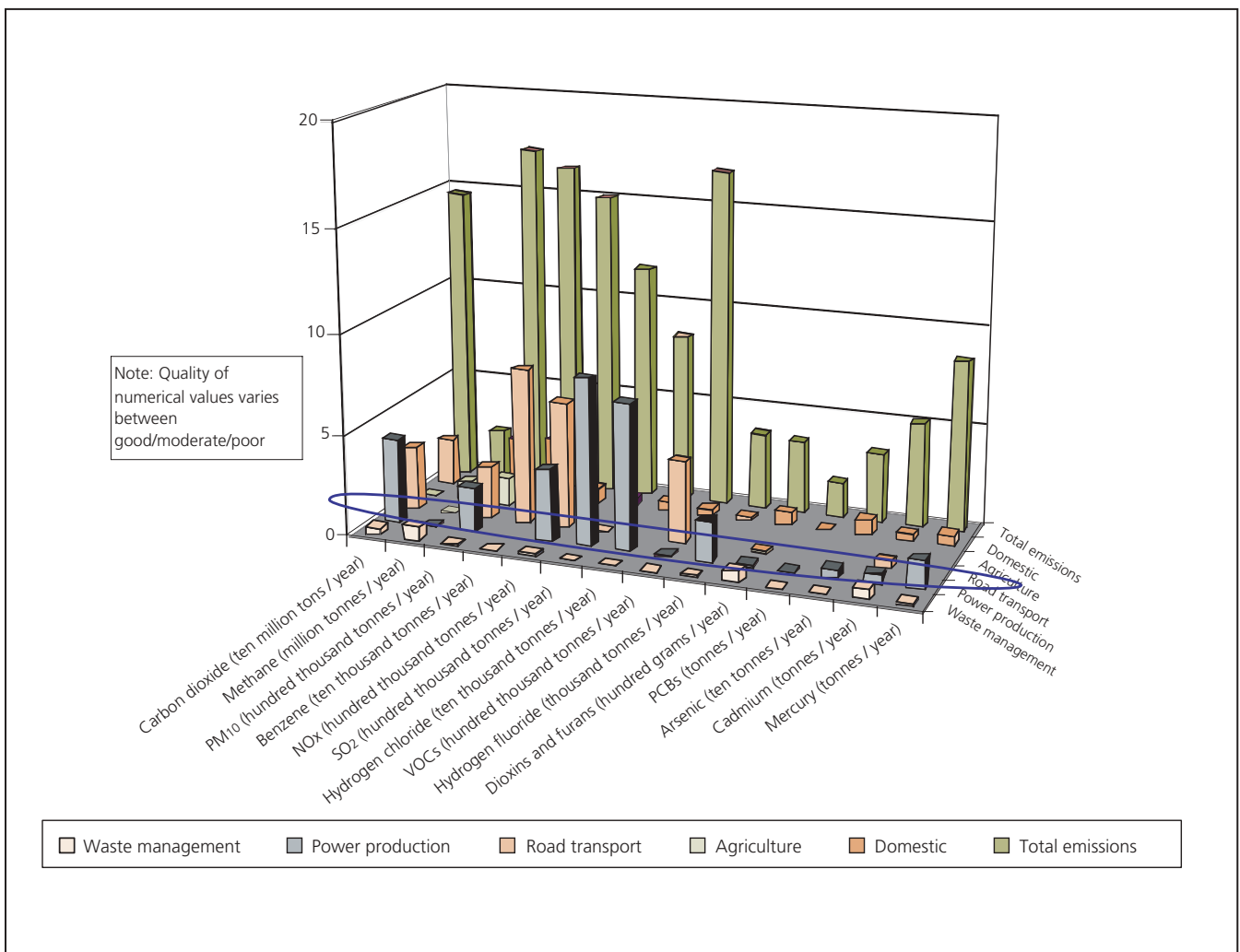
The most significant effects reported in the scientific literature were in respect of global warming impacts. We found that avoiding the landfill of municipal solid waste gave a benefit in avoiding emissions of methane which would otherwise have a significant effect on global warming.

# Putting things in context

## Effects of waste management in the context of other activities in the UK

Managing municipal solid waste accounts for a small proportion of most emissions in the UK: less than 2.5% (one fortieth) of almost all emissions which we were able to quantify (this information is mostly of good quality). The exceptions to this are emissions to air of methane (which accounted for nearly 30% of the UK total) and cadmium (10% of the national total). Almost all of the cadmium emitted to air from facilities dealing with MSW comes from landfill sites.

This is illustrated in the figure below, which compares emissions to air from management of municipal solid waste and similar wastes, and other sources of pollution. The front columns (circled) represent emissions from waste management. Apart from the emissions of methane, these show that waste management makes a very small contribution to emissions of air pollutants compared with other sources of pollution and the national total emissions.



## Putting things in context

Where possible, we have estimated emissions from landfill of municipal solid waste to surface water and groundwater (see below). While the lack of data means that the numbers themselves are of poor quality, they indicate that emissions from waste management are a very small proportion of total UK emissions.

Substance	Landfill releases to groundwater/ surface waters	Landfill releases to sewer		All UK releases to water
	Tonnes per year	To STW Tonnes per year	From STW to receiving waters Tonnes per year	Tonnes per year
Total nitrogen	232	1062		400,000
Organo-tin compounds	0.00013	0.00058	0.0000023	0.45
Phosphates	1.9	8.7		33000
Pentachlorophenol	<0.000026	<0.00025	<0.000035	3.4
Copper	0.0035	0.027	0.0091	590
Lead	<0.032	<0.15	<0.071	480
Zinc	0.026	0.31	0.12	2400

A similar picture emerges when considering the health effects of emissions to air from facilities handling municipal solid waste – other influences on health appear to be much more important, even for people living very close to municipal solid waste management facilities.

Health impact	Handling municipal solid waste	Number per year in the UK due to		Health impacts due to air pollution
		Skin cancer (main UK causes are sunlight and sunbeds)	Lung cancer due to passive smoking	
Deaths brought forward	0.55 (about one nationally per year)			11,600 (about one per small town per year)
Hospital admissions	4.9 (about five nationally per year)			14,000 (about one per small town per year)
Cancers	0.0014 (about one nationally every seven hundred years)	6,000 (about one per small town per year)	several hundred (about one per large town per year)	
Data Quality	Poor	Moderate	Poor	Poor

We have also compared the hazards from municipal solid waste management with other health hazards like accidents in the home or workplace, accidents caused by fireworks, traffic accidents or environmental factors such as excessive cold. Emissions from municipal solid waste are much less significant than these other hazards. For example, fireworks resulted in over 1000 hospital admissions in 2002. Traffic accidents result in over 3,000 deaths and over 300,000 hospital admissions every year. This compares with about one death brought forward and five hospital admissions every year due to emissions to air from managing municipal solid waste.

## Conclusions

We have looked at the available information on the health and environmental effects of waste management. While the information is incomplete and not ideal, the weight of evidence from the studies so far is that present-day practice for managing municipal solid waste has at most a minor effect on human health and the environment. This should be viewed in the light of the benefits of collection and disposal of the waste that we all generate. If waste were not collected, treated and disposed, it would become a source of disease, odours, litters and pests.

We recommend that efforts continue to be made to reduce the amount of municipal solid waste generated by and for us all. The government, regulators and the waste management industry should continue to be vigilant and improve their own understanding of the effects of municipal solid waste management, so that we can better regulate and control this essential industry. This will need to be communicated to the public so that we can all develop a proper perspective on the health and environmental effects of MSW.

Specifically, we recommend that a number of further studies would be helpful in improving our understanding of the health and environmental effects of waste management. The most important areas to investigate are:

- A field study of population exposure to substances emitted from landfill sites;
- A study to improve our understanding of releases of micro-organisms from all kinds of waste management facilities;
- A study to improve our understanding of releases of particulates, micro-organisms, VOCs and methane from composting of municipal solid waste;
- A study to improve our understanding of releases from MBT and anaerobic digestion of municipal solid waste.

Other areas where further work should be considered include looking at whether an increase in composting of MSW could have an effect on our health; looking at emissions under non-standard operating conditions; investigating the health and environment effects of recycling processes; and ongoing study of new ways of dealing with MSW.





## **INTEGRATED WASTE STRATEGY FOR LEEDS 2005-35** **Summary of Consultation Responses – July 2006**

### **Overview of Consultation Programme**

The following report provides a summary of the key responses from the consultation on the draft Integrated Waste Strategy for Leeds 2005-35 carried out by Leeds City Council between December 2005 and June 2006. It is estimated that the people of Leeds and other key stakeholders were provided with over 800,000 opportunities to participate in this exercise, and the programme of consultation implemented was one of the most extensive ever conducted by the Authority. Some of the key activities undertaken are listed below:

- Distributed information and a questionnaire on key issues to all households
- Circulated a community leaflet, with key messages and a short questionnaire, to libraries, one stop centres, community groups, tenant/resident associations, etc.
- Provided exhibition stands at various venues across the city and participated in environmental debates within local communities
- Consulted with residents via a door knocking campaign in selected areas
- Re-developed existing website information, and hosted an on-line survey throughout the consultation period
- Held a high profile media launch in Leeds City Centre, and secured extensive local television, press and radio coverage of key issues
- Conducted a Citizens' Panel survey using a demographically representative sample of residents
- Delivered presentations and Q&A sessions at community forums throughout Leeds
- Consulted with representatives of a wide range of minority groups
- Consulted with children and young people using presentations and special questionnaires (including a poster design competition)
- Held a series of seminars for Elected Members to ensure involvement and engagement in the key issues and decisions facing the Authority
- Commissioned a Scrutiny Board Inquiry by Elected Members into the development of the Waste Strategy, including site visits to Energy from Waste, Mechanical Biological Treatment and landfill facilities
- Consulted statutory consultees, Yorks & Humber Government Office, Yorks & Humber Regional Assembly, regional local authorities and waste contractors
- Consulted environmental pressure groups

The responses to the consultation were extensive, and it is not possible to represent all of the individual issues in this report. However, these issues have all been considered and addressed, where appropriate, in the final version of the Waste Strategy.

### **General - Vision, Key Principles and Key Themes**

Responses to the consultation demonstrated significant support for the proposals and targets set out within the Waste Strategy, and its commitment to driving waste management up the waste hierarchy.

As a part of the consultation, residents were asked to comment on what they felt was the most important issue in dealing with waste. Responses were as follows:

- Reducing the amount of waste that we make - 33%
- Recycling as much as we can - 48%
- Reducing landfill - 14%
- Dealing with waste in the most cost effective way - 5%

These results demonstrate a strong commitment to recycling from the people of Leeds. The fact that a greater proportion of respondents saw recycling as more important than reducing waste confirms that there needs to be a strong emphasis in the Strategy on educating the public regarding the importance of waste reduction and engaging them in activities to achieve this.

Feedback indicated the need for a wider range of specific targets to be introduced into the Strategy, and for greater clarity on how the partnerships with external organisations referred to within the Strategy will work in practice.

A greater emphasis on how the proximity principle has been used in the development of the Strategy was also called for, particularly in relation to assessing the impacts of the transportation of waste.

### **Education and Awareness**

The importance of public education in achieving the aims set out in the Waste Strategy was widely acknowledged, and the focus on this within the Strategy was strongly supported.

It was suggested that a shift in the use of language, such as moving from talking about 'dealing with waste' to 'maximising resources', would support the achievement of the attitudinal change required.

The importance of promoting waste reduction and recycling in schools was highlighted, and the Council was urged to increase its involvement with and influence over this stakeholder group. Clearer plans for linking into the expertise of national waste education organisations were recommended

## **Waste Prevention**

Some stakeholder groups challenged the waste reduction targets set out within the Strategy, suggesting that they should be more stretching, in spite of historical growth and the projected high housing and population growth in Leeds.

Feedback also called for an expansion of the list of re-use items currently identified, and of the availability of re-use schemes. More work on achieving a reduction in the use of disposable nappies was also requested.

## **Market Development and Procurement**

Stakeholders commenting on this section of the Strategy welcomed the development of policies to influence the development of industries for reprocessing recyclable products and the markets for recycled products. However, more detail on specific proposals and targets was requested.

## **Recycling and Composting**

There was strong support from the public and other stakeholders for proposals to achieve significant increases in recycling levels. The results of the resident survey showed the following levels of support for specific proposals to increase recycling:

- 85% agreed that they would recycle more if a wider range of materials was collected from their property
- 81% thought that the Council should provide regular garden waste collections
- 63% agreed that they would recycle more if their green bin was collected more often
- 55% felt that, if their green bin was emptied more regularly, they would be happy for their black bin to be emptied less often

Residents also showed significant interest in receiving a kerbside collection of glass via the green bins. Feedback from environmental pressure groups called for higher recycling and composting targets to be set.

## **Medium and Long Term Recovery Options**

The resident survey showed significant support for the preferred residual waste treatment option included in the draft Strategy, with 84% of respondents stating that an Energy from Waste facility was the right choice for dealing with non-recycled waste. 4% of respondents were not in favour of this option.

Environmental pressure groups expressed opposition to this form of waste treatment, favouring Mechanical Biological Treatment, and challenged the process for selecting the preferred technical option. Although they cited emissions and health impacts as causes for concern, this was not a significant issue for other stakeholders. A concern expressed by the public was that Energy from Waste should not act as a disincentive to recycling.

## **Enforcement**

Proposals to develop enforcement policies and activities to support waste reduction and recycling education were welcomed. Support was shown for the introduction of variable charging for waste, although this is not included as a specific proposal within the Strategy.

## **Planning**

The importance of developing planning policies and plans that support the delivery of the Waste Strategy was strongly emphasised. It was also recommended that the role of Development Control in contributing to waste prevention and recycling targets receive a greater emphasis.

## **Commercial and Industrial Waste**

Positive comments were received in response to the inclusion of a dedicated key theme in the Strategy on commercial and industrial waste, although it was noted that the policies within this section may need to be strengthened further following Defra's national waste strategy review. It was recommended that aspirational targets be introduced, along with a clearer strategy for lobbying Government regarding commercial and industrial waste.

## **Other Issues**

A number of stakeholders suggested that more detail should be included within the Waste Strategy to show how the Council intended to link into the work of the community and voluntary sectors.

## **WASTE STRATEGY PROGRAMME Governance Arrangements/Delivery Protocol**

### **1.0 PROGRAMME DELIVERY**

The City Council has an excellent track record of delivering large change programmes which have significant impacts on the population of the City. This success is largely due to the best practice protocols that it has developed. The intention is to use the agreed protocols to ensure that a successful change programme for waste management in the city is delivered.

The approach to the delivery of the Waste Strategy for the City has still yet to be fully determined, particularly in relation to funding the infrastructure and changes to service delivery. However, officers within City Services, Development and Chief Executive's Department are confident that the necessary experience and expertise can be engaged using the following arrangements to deliver the successful implementation of the Waste Strategy over the coming years.

### **2.0 MANAGEMENT ARRANGEMENTS**

It is proposed that two Project Boards be established to deliver the Waste Strategy for the Leeds. These are as follows:

- a. Waste Infrastructure Board, chaired by the Deputy Chief Executive;
- b. Waste Strategy Delivery Board, chaired by the Director of City Services.

Both Boards will be supported by Project Teams with the responsibility for the day to day delivery of the elements of the overall project.

The approach is to be in accordance with the Council's agreed governance protocol for PPP/PFI projects (see Appendix 1). It will also, through the proposed core membership of the Board, which is shared with other PFI Projects, provide continuity of management and decision making and best use of the expertise already gained within the Council.

### **3.0 WASTE INFRASTRUCTURE BOARD**

#### **3.1 Role and Membership of Board**

The Board will be responsible for the delivery of the actual facilities required to manage waste for the city, where they are to be delivered using PFI or a mixture of PPP and PFI.

The Board will be chaired by the Deputy Chief Executive and established following approval of the EOI.

It is proposed that the membership of the Project Board comprise the Chief Officers (or their nominated deputies) within the specialist areas associated with the project, namely:

- Deputy Chief Executive (Chair)
- Director of Legal and Democratic Services
- Director of Corporate Services
- Director of Development
- Director of City Services

The quorum is to be 3 of the above.

The Chief Streetscene Services Officer and the Chief PPP Officer are also invited to attend the meetings of the Project Board as non-voting members, unless acting as deputies for their appropriate Directors.

### **3.2 Terms of Reference**

The proposed terms of reference for the Project Board are as follows:

- I Determine the appropriate route for the funding of the waste infrastructure and to commission work to deliver the funding package;
- II Determine the parameters within which the project is delivered, ensuring that the project is viable and achievable in the timescales required;
- III Determine the resources to be allocated to the project in order to ensure delivery;
- III Control project delivery by monitoring progress, costs and quality;
- IV Approve the output specification, evaluation criteria and deviations from the project plan;
- V Approve each stage of the PFI/PPP process and make all decisions relating to the delivery of the project, up to and including service commencement;
- VI Approve all post contract matters up to and including service commencement;
- VII Act as ultimate arbiter on any matter which may impact on the cost, quality and timescale of the project;
- VIII Promote the project within the Council; and
- IX Ensure the Project Team receives the required support and responses from other Council areas.

### 3.3 Delegated Powers

It is proposed that the authority to decide on the matters listed below be given to the Chair of the Project Board (Deputy Chief Executive) or, in his/her absence, to a nominated member of the Project Board agreed by the Project Board concurring with the decision. The delegated powers to be:

- I Develop and submit an OBC for funding credits;
- II Agree the land use strategy to enable elements of the project to be delivered;
- III Approval of all elements of the procurement process including:
  - Approval of publication of OJEC notices as appropriate for the Programme;
  - Approval of selection and evaluation criteria for Pre Qualification Questionnaire (PQQ), Invitation to Negotiate (ITN) and (if necessary) other stages of the project;
  - Approval of long list of bidders;
  - Approval of short list of bidders;
  - Approval of the content and issue of the ITN;
  - Approval to negotiate with bidders on ITN response;
  - Approval of the content of any second stage of the ITN phase (re-submission or BaFO), if necessary;
  - Appointment of external advisors, as necessary;
  - Approval of the selection of the preferred bidder;
  - Other matters relating to the detailed procurement of the project and negotiation of the contract;
  - Approval of the final full business case having due regard to the need to ensure the project remains affordable to the City Council;
  - Make recommendations to the appropriate Departmental Directors relating to budgetary provision and the release of expenditure, from appropriate sources, to meet necessary costs identified during each project and essential to ensure its continued momentum;
  - Make recommendations to the relevant Departmental Directors to agree an exception to Contracts Procedure rules, where to do so would benefit the delivery of the project; and
  - Identify and appoint the Project Director (see below).

A decision record would be completed in relation to each substantive decision taken, that decision record to be signed by the Chair or the appropriate Departmental Director where the decision falls within their powers, at or immediately following the next meeting of the Project Board.

Agendas, open reports and decision documents would be recorded within Committee Services in the same way as any other decision made under delegated powers.

## **4 WASTE STRATEGY DELIVERY BOARD**

### **4.1 Role and Membership of Board**

The Board will be chaired by the Director of City Services. This Board will have responsibility for the development and delivery of the Waste Strategy and associated service improvements.

In the event that the provision of waste infrastructure required is delivered via a conventional contractual route, this Board will assume the responsibility for the delivery of this infrastructure, thus negating the requirement for the Waste Infrastructure Board.

It is proposed that the membership of the Project Board comprise the Chief Officers (or their nominated deputies) within the specialist areas associated with the project, namely:

- Legal and Democratic Services
- Corporate Services
- Development
- Neighbourhoods and Housing
- City Services

### **4.2 Terms of Reference**

The proposed terms of reference for the Project Board are as follows:

- I. Manage the delivery of the Waste Strategy action plan, in particular the developments to support the delivery of waste targets, service developments and changes
- II. Make recommendations to Executive Board on proposals to deliver actions covered within the Waste Strategy
- III. Report on progress on implementing the Waste Strategy action plan to Executive Board;

The Director of City Services will, where appropriate, use existing delegated powers, within the parameters of the delegated decision protocol, to approve specific actions.

## **5 PROJECT TEAMS**

Project Teams will be formally established to take responsibility for the day to day administration of the programme of projects associated with the Waste Strategy. These will be small core teams which will be assisted and advised, at different stages of the relevant project, by specialists from different areas



within the Council. There will also be a need to obtain external advice in certain areas, namely legal, financial and technical.

The Project Teams will service the Project Boards and make minutes and other relevant documentation available to the Boards as required. Papers to Project Boards will be presented in the corporate reporting format.

The Project Teams will also be responsible for ensuring project communication and liaison mechanisms are in place and functioning between the two Boards, and with other interested parties.

## **6 PROGRAMME DIRECTOR**

The Programme Director responsibility becomes active following approval by Executive Board of the Waste Strategy and involves:

- I Taking decisions on behalf of the Council in all matters relating to funding and contractual arrangements to deliver the Waste Infrastructure and Waste Strategy Action Plan.
- II Advising the Chief Executive on matters relating to the progress of the programme.
- III Advising the Authorised Officer of all communications received by the Programme Director in relation to the Programme, and any other relevant information.

The role of Programme Director will be the responsibility of the Director of City Services and, in his absence, the Chief Streetscene Services Officer.

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