



## EXECUTIVE BOARD

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Meeting to be held in Civic Hall, Leeds on  
Wednesday, 13th December, 2006 at 9.30 am

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### MEMBERSHIP

#### Councillors

A Carter (Chair)  
M Harris  
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>EXCLUSION OF PUBLIC</b></p> <p>To agree that the public be excluded from the meeting during consideration of the appendices to Items 14 (to be circulated at the meeting) ,18,21,24 and 27</p>	
3			<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>	
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 15<sup>th</sup> November 2006</p> <p><b><u>NEIGHBOURHOODS AND HOUSING</u></b></p>	1 - 8

Item No K=Key Decision	Ward	Item Not Open		Page No
6			<p><b>THE FUTURE OF ARMS LENGTH MANAGEMENT ORGANISATIONS IN LEEDS</b></p> <p>To consider the report of the Director of Neighbourhoods and Housing providing feedback on the proposals for Area Panels as discussed at Executive Board in October 2006 and presenting proposals for the relationships between the new ALMOs and the existing ALMOs during the transition period</p>	9 - 12
7			<p><b>HOME ENERGY CONSERVATION ACT - 10TH ANNUAL REPORT</b></p> <p>To consider the report of the Director of Housing and Neighbourhoods on the annual report as required by the Home Energy Conservation Act</p>	13 - 16
8			<p><b>UPDATED SUPPORTING PEOPLE STRATEGY</b></p> <p>To consider the report of the Director of Neighbourhoods and Housing seeking approval of the updated Supporting People Strategy.</p>	17 - 26
9	Kirkstall		<p><b>BURLEY LODGE - GROUP REPAIR</b></p> <p>To consider the report of the Director of Neighbourhoods and Housing on the allocation of a capital grant of £7.18m by the Regional Housing Board for a long term housing market renewal programme, on the anticipated allocation of a further £6.39m and on the proposal to utilise £2.15m of the allocation on an external enveloping scheme, the purpose of which is to extend the life of 50 properties in the Burley Lodge area by 30 years.</p> <p><b><u>CHILDRENS SERVICES</u></b></p>	27 - 30

Item No K=Key Decision	Ward	Item Not Open		Page No
10 K	Alwoodley; Moortown;		<p><b>REVIEW OF PRIMARY PROVISION IN ALWOODLEY PRIMARY PLANNING AREA</b></p> <p>To consider the report of the Chief Executive of Education Leeds on the outcome of consultation undertaken on the proposed closure of Fir Tree and Archbishop Cranmer Church of England (Aided) Primary Schools and the establishment of a one and a half form entry primary school, with a Children's Centre, on the Archbishop Cranmer site.</p>	31 - 46
11 K	Chapel Allerton; Moortown;		<p><b>REVIEW OF PRIMARY PROVISION IN MEANWOOD PRIMARY PLANNING AREA</b></p> <p>To consider the report of the Chief Executive of Education Leeds providing a summary of the representations received in respect of the statutory notice to close Miles Hill Primary School and Potternewton Primary School in August 2007 and to establish a one and a half form of entry primary school on the current Potternewton site in September 2007.</p>	47 - 54
12 K			<p><b>REVIEW OF RESIDENTIAL CHILDREN'S HOMES</b></p> <p>To consider the joint report of the Chief Social Services Officer and the Director of Children's Services on the key focus, process, findings, recommendations and suggested actions for improvement arising from a review of children's residential homes in Leeds undertaken over 2005-06.</p> <p><b><u>LEISURE</u></b></p>	55 - 74

Item No K=Key Decision	Ward	Item Not Open		Page No
13 K			<p><b>LEEDS PLAYING PITCH STRATEGY</b></p> <p>To consider the report of the Director of Learning and Leisure on developments in the Playing Pitch Strategy since its adoption in 2003, the requirement to update the strategy, the issues currently impacting on the development of the strategy and service delivery and the financial input required to ensure its successful implementation</p>	75 - 92
14 K	Beeston and Holbeck; City and Hunslet; Middleton Park;	10.4(3)	<p><b>SWIMMING AND DIVING CENTRE, JOHN CHARLES CENTRE FOR SPORT</b></p> <p>To consider the report of the Director of Learning and Leisure on the current budget shortfall in respect of the above development and on action taken and proposed to be taken to meet the current shortfall. Appendix 1 to the report is designated exempt under Access to Information Procedure Rule 10.4(3) and will be circulated at the meeting</p>	93 - 98
15 K			<p><b>REVIEW OF THE CEMETERIES AND CREMATORIA STRATEGY - CEMETERY PROVISION FOR EAST AND NORTH EAST LEEDS</b></p> <p>To consider the joint report of the Director of Learning and Leisure and Director of Development on a review of the Cemeteries and Crematoria 50 Year Strategy in relation to cemetery provision in East and North East Leeds</p> <p><b><u>ADULT HEALTH AND SOCIAL CARE</u></b></p>	99 - 104

Item No K=Key Decision	Ward	Item Not Open		Page No
16 K			<p><b>MAKING LEEDS BETTER - STRATEGIC SERVICES PLAN</b></p> <p>To consider the report of the Director of Adult Social Services providing information on the progress towards preparing the Outline Business Case and the statutory public consultation. Widespread consultation and engagement has led to the identification of six key themes, which will require addressing prior to formal public consultation.</p>	105 - 132
17			<p><b>STAR RATING FOR ADULT SOCIAL CARE SERVICES</b></p> <p>To consider the report of the Director of Adult Social Care Services on the assessment of the Council's performance, under the Department of Health Performance assessment Framework from the Commission for Social Care Inspection</p>	133 - 168
18		10.4(3)	<p><b>INDEPENDENT LIVING PROJECT - GROUND INVESTIGATION SURVEY</b></p> <p>To consider the joint report of the Chief Social Services Officer and Director of Development outlining the current position with regard to ground investigation surveys in the Independent Living Project. Appendix 1 to this report is designated exempt under Access to information Procedure Rule 10.4(3)</p> <p><b><u>CENTRAL AND CORPORATE</u></b></p>	169 - 176
19			<p><b>PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2007/08</b></p> <p>To consider the report of the Director of Corporate Services on the provisional Local Government Revenue Support Grant Settlement for 2007/08 which was announced on 28<sup>th</sup> November 2006</p>	177 - 180

Item No K=Key Decision	Ward	Item Not Open		Page No
20			<p><b>STRONG AND PROSPEROUS COMMUNITIES WHITE PAPER</b></p> <p>To consider the report of the Chief Officer Executive Support summarising the contents of the White Paper and recommending that more detailed reports examining the implications of the White Paper for Leeds are prepared for the Executive Board.</p>	181 - 184
21		10.4(3)	<p><b>HUNSLET HAWKS RFLC</b></p> <p>To consider the joint report of the Director of Corporate Services and Director of Learning and Leisure on a proposal to offer financial support and guidance to Hunslet Hawks RLFC Appendix 1 to the report is designated exempt under Access to Information Procedure Rule 10.4(3)</p>	185 - 194
22			<p><b>ANNUAL REPORT ON CORPORATE RISK MANAGEMENT ARRANGEMENTS</b></p> <p>To consider the report of the Director of Corporate Services on the Council's risk management arrangements in line with the corporate policy which was approved in February 2005.</p>	195 - 198
23			<p><b>CORPORATE COMMUNITY ENGAGEMENT POLICY AND TOOLKIT</b></p> <p>To consider the report of the Chief Officer Executive Support presenting the Community Engagement Policy and the Community Engagement Toolkit for approval and adoption. The policy sets out the Council's overall approach to community engagement and is complemented by the toolkit which is a comprehensive guide to good practice. They are both key components of the Council's strategic approach towards joined-up consultation and engagement.</p>	199 - 214

Item No K=Key Decision	Ward	Item Not Open		Page No
24		10.4(3)	<p><b><u>DEVELOPMENT</u></b></p> <p><b>PROPOSED MULTI PURPOSE ARENA DEVELOPMENT</b></p> <p>To consider the report of the Director of Learning and Leisure on proposals to progress the proposed multi purpose arena development Appendix 1 to the report is designated exempt under Access to Information Procedure Rule 10.4(3)</p>	215 - 244
25 K			<p><b>LEEDS LOCAL DEVELOPMENT FRAMEWORK ANNUAL MONITORING REPORT</b></p> <p>To consider the report of the Director of Development recommending approval of the Local Development Framework Annual Monitoring Report for submission to the Secretary of State pursuant to Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004.</p>	245 - 294
26	Chapel Allerton		<p><b>NEW HORIZONS SCHOOL</b></p> <p>To consider the report of the Director of Development on options in respect of the Council owned property, Newton Hill House, Chapeltown and on the proposed disposal of the site to the trustees of the New Horizons School at less than best consideration.</p>	295 - 300
27 K		10.4(3)	<p><b>HEADINGLEY PRIMARY SCHOOL</b></p> <p>To consider the report of the Director of Development on a proposal to market Headingley Primary School for disposal to support the Capital Receipts programme. Appendix 1 to the report is designated exempt under Access to Information Procedure Rule 10.4(3)</p>	301 - 316



Item No K=Key Decision	Ward	Item Not Open		Page No
28	Kippax and Methley		<p><b>REQUEST TO COMMENCE CPO PROCEEDINGS AT HALL FARM , MICKLEFIELD</b></p> <p>To consider the report of the Director of Development seeking authority to make a Compulsory Purchase Order (CPO) to acquire a strip of land</p>	317 - 324
29	City and Hunslet		<p><b>REFURBISHMENT OF MID ALBION STREET</b></p> <p>To consider the report of the Director of Development on a proposed scheme for the refurbishment of the mid section of Albion Street</p>	325 - 330

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## EXECUTIVE BOARD

WEDNESDAY, 15TH NOVEMBER, 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

Councillor J Blake – Non Voting Advisory Member

### 97 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) The appendix to the report referred to in minute 102 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 it contains commercially sensitive information which, if disclosed, could be prejudicial to contract negotiations.
- (b) The appendix to the report referred to in minute 107 under the terms of Access to Information Procedure Rule 10.4(3) on the grounds that the information on the Council's approach to commercial issues outweighs the public interest in disclosing the information.
- (c) Appendix 1 to the report referred to in minute 114 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 the information is commercially sensitive and its release could jeopardise the current transaction under consideration.

### 98 Declaration of Interests

- (a) Councillor Brett declared a personal interest in the items relating to Local Employment and Training Initiatives relating to ALMO expenditure (minute 105) and a plan for delivering affordable housing in Leeds (minute 106) as a board member of South East Leeds ALMO.
- (b) Further interests declared during the course of the meeting are referred to in minute 105 (Councillor J L Carter) and minute 114 (Councillor A Carter).

### 99 Minutes

**RESOLVED** – That the minutes of the meeting held on 18<sup>th</sup> October 2006 be approved.

Draft minutes to be approved at the meeting  
to be held on Wednesday, 13th December, 2006

## **CENTRAL AND CORPORATE**

### **100 Approval of a Statement of Gambling Policy**

Further to minute 55 of the meeting held on 20<sup>th</sup> September 2006 the Director of Legal and Democratic Services submitted a report presenting an updated revised draft policy on the licensing of gambling premises under the Gambling Act 2005 following Scrutiny consideration and responses to consultation. The Chair of the Overview and Scrutiny Committee attended the meeting and presented the comments of the Committee.

#### **RESOLVED –**

- (a) That having considered the responses to the consultation carried out, including the comments of the Overview and Scrutiny Committee at Appendix 1 and the table of responses at Appendix 2, the proposed responses to the consultation exercise be endorsed, and that Council be recommended to approve them as the response to matters raised in consultation.
- (b) That the revised draft Statement of Gambling Policy as set out at Appendix 3 to the report be noted and that Council be recommended to approve it as the final Policy under the Gambling Act 2005.

(Under the provisions of Council Procedure Rule 16.5 Councillor Brett required it to be recorded that he voted against this decision).

## **DEVELOPMENT**

### **101 Advertising Design Guide**

The Director of Development submitted a report on progress on the preparation of an Advertising Design Guide proposed for adoption as a Supplementary Planning Document. An updated version of the guide, containing different illustrations from the version circulated with the agenda, had been provided to members of the Board and the Director of Development indicated that illustrations which offered best examples in relation to the guide would be sought up to the date of publication.

**RESOLVED –** That the Advertising Design Guide, as attached to the submitted report, be adopted as a Supplementary Planning Document.

## **CITY SERVICES**

### **102 Advertising on Lamp Posts**

The Director of City Services submitted a report on the lamp post advertising trial and its findings, reviewing other issues pertinent to advertising on lamp posts and presenting a proposed future strategy for such advertising as a means to generate income to support service provision.

An appendix to the report was designated exempt under Access to Information Procedure Rule 10.4(3).

Following consideration of the exempt appendix in private at the conclusion of the meeting it was

**RESOLVED –**

- (a) That the principle of advertising on lamp posts in Leeds be approved.
- (b) That the Director of City Services be authorised to vary the trial contract arrangement with the service provider to enable up to 10 trial sites to be installed in the city centre.
- (c) That the Director of City Services be authorised to commence procurement of an advertising contract to include supply, installation and maintenance of advertising panels.
- (d) That the content of the Advertising Content Guidance document be noted.

**NEIGHBOURHOODS AND HOUSING**

**103 Housing (Market) Renewal Investment Programme**

The Director of Neighbourhoods and Housing submitted a report on funding recently secured by Leeds City Council and its partners from a Single Regeneration Housing Pot and Housing Market Renewal Investment Fund to enable issues of low demand and poor quality housing in a number of inner city neighbourhoods to be addressed. The report described conditions attached to the two funding streams, how the money had been allocated to individual projects that comprise the overall programme, and what needed to be done to ensure that the projects were delivered to programme.

**RESOLVED –**

- (a) That the Director of Neighbourhoods and Housing be authorised to make changes to individual schemes which have been approved by this Board.
- (b) That the Director of Neighbourhoods and Housing and Director of Development be authorised to make and promote any necessary Compulsory Purchase Orders which may be required in the event that agreement cannot be reached with any property owner within the target area(s) of any approved scheme.

**104 Empty Property Strategy 2006 - 2010**

The Director of Neighbourhoods and Housing submitted a report on the proposed revised Corporate Empty Property Strategy and the updated targets set for the strategy for 2006-2010.

**RESOLVED –** That the Empty Property Strategy be approved.

**105 Local Employment and Training Initiatives Relating to ALMO Expenditure**

The Director of Neighbourhoods and Housing submitted a report on work with the construction industry in Leeds with regard to Local Employment and Training Initiatives since the launch of the Leeds Home Construction Partnership in November 2005 to deliver decent homes and on current

proposed future developments on responsive repairs and maintenance contracts.

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

(Councillor J L Carter declared a personal interest during the discussion on this item as Chair of Re'new).

**106 A Plan for Delivering Affordable Housing in Leeds**

The Director of Neighbourhoods and Housing submitted a report describing the key components of the plan for the delivery of affordable housing in Leeds "Making the Housing Ladder Work" developed by the Corporate Affordable Housing Task Group.

**RESOLVED** –

- (a) That the report be noted and that the principles of the Plan for Deliverable Affordable Housing in Leeds and the key actions for delivery be supported.
- (b) That the proposed development of a 'Special Purpose Vehicle' in respect of cleared Council land be noted as one of the key mechanisms to deliver affordable housing solutions on the scale required.
- (c) That progress on the delivery of the Plan be reported back to this Board in early 2007.

**107 Little London Housing PFI - Outline Business Case**

The Director of Neighbourhoods and Housing submitted a report on progress in seeking approval to the outline business case for the Little London project and the likely timetable for its completion, on a proposed updated affordability position and management of scenarios which might impact on affordability.

Appendix 1 to the report was designated exempt under Access to Information Procedure Rule 10.4(3).

Following consideration of the exempt report in private at the conclusion of the meeting it was

**RESOLVED** –

- (a) That progress made in seeking approval for the Little London outline business case and the current timetable for completion be noted.
- (b) That the updated affordability position for the project as set out in paragraph 1 of the exempt Appendix to the report be approved.
- (c) That the Board notes the financial implications of a number of scenarios which might impact on the affordability of the project and confirms support for the way in which these might be managed as set out in paragraph 2 of the exempt Appendix.
- (d) That the commitment of the Council to the Little London PFI Project be reconfirmed.
- (e) That the increased Council contribution of £149,000 in year one, giving a total of £570,000 be approved and that the updated financial

summary table for the 20 year contract as set out in the appendix be noted.

- (f) That in view of the sensitivities outlined in the exempt appendix, a further contingency sum of £150,000 per annum be committed, such sum to be sought in the first instance from the Housing Revenue Account.
- (g) That, should any affordability gap arise beyond this level, the project be supported through other mechanisms including capital receipts from the area or through reviewing the project scope without impacting on value for money.

## **CENTRAL AND CORPORATE**

### **108 Lord Mayors Earthquake Appeal**

The Chief Officer (Executive Support) submitted a report on a proposal that the Council support the rebuilding of a hospital in Muzaffarabad.

#### **RESOLVED –**

- (a) That this Board endorses the proposal of the Elected Member Advisory Group to support the project to build and equip a hospital in Muzaffarabad.
- (b) That funding toward this capital scheme of £43,871.06 be approved and authority be given to spend the full £50,000 of grant payments from the capital programme to be funded from fund raising (£6,128.94) and an allocation of Leeds capital resources (£43,871.06).
- (c) That the Chief Officer (Executive Support) be authorised to agree the terms of, and to complete the grant agreement and the payment of funds.

### **109 Capital Programme - 2006/07 Mid Year Financial Update**

The Director of Corporate Services submitted a report giving a summary of financial details of the 2006/07 month 6 Capital Programme position.

#### **RESOLVED –**

- (a) That the latest position of the Capital Programme 2006/07 and the projections for 2007/08 and 2008/09 be noted.
- (b) That the injection into the Capital Programme of £5.521m General Sure Start grant for children's centres and extended schools be approved.
- (c) That the injection of £500k of Leeds resources in 2007/08 into the Northern Ballet and Phoenix Dance Company scheme be approved.
- (d) That the approval for the injection of £44k of Leeds resources in 2006/07 in respect of the funding granted to the Pakistan Earthquake Appeal, as referred to in minute 108 above, be noted.
- (e) That the Board notes the pressures on the approved funding for the South Leeds Swimming and Diving Centre and the City Museum schemes and the intention of the Director of Learning and Leisure to report on these schemes to the December 2006 and January 2007 meetings of this Board respectively.

- (f) That the injection of £125k of Leeds resources in 2006/07, to enable the Director of Development to conclude the tenant compensation arrangements at the Otley Ashfield works site, be approved.
- (g) That the injection of £100k of Leeds resources in 2006/07, to enable the Director of City Services to conclude a negotiated settlement of the Council's refurbishment liability in respect of Belgrave House, be approved.
- (h) That the injection of £5.005m of funding, met from unsupported borrowing for the additional and replacement wheeled bin programme, be approved and that the approval of subsequent expenditure within this programme to be delegated to the Director of Corporate Services in line with the management of the equipment purchases scheme.

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

#### **110 Financial Health Monitoring - Half Year Report**

The Director of Corporate Services submitted a report on the financial health of the authority after six months of the financial year, in respect of the revenue budget for general funds services, the housing revenue account and presenting the mid year update of the Annual Efficiency Statement.

**RESOLVED** – That the projected financial position of the Authority be noted, together with the decision of the Leader, Chief Executive and Director of Corporate Services to approve the Annual Efficiency Statement – Mid Year update 2006/07 for submission to the Department of Communities and Local Government by the 17<sup>th</sup> November 2006.

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

#### **111 Financial Plan Annual Review**

The Director of Corporate Services submitted a report providing an update of the current approved Financial Plan covering the years 2005-2008.

**RESOLVED** –

- (a) That the update to the Council's Financial Plan 2005-2008 be approved and that departments be requested to prepare detailed budgets for 2007/08 in accordance with the principles included within the submitted report.
- (b) That the report be forwarded to the Council's Overview and Scrutiny Committee as part of their review of the Executive's initial budget proposals in accordance with the Council's Constitution.
- (c) That the Board notes the intention to produce a new financial plan once the details of the Comprehensive Spending Review 2007 have been announced and the expected move towards three year budgeting.

#### **112 Treasury Management Strategy Update 2006/2007**

The Director of Corporate Services submitted a report reviewing and updating the treasury management borrowing and investment strategy for 2006/07.

Draft minutes to be approved at the meeting  
to be held on Wednesday, 13th December, 2006



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

### **CHILDREN'S SERVICES**

**113 Children's Services Annual Performance Assessment**

The Director of Children's Services submitted a report summarising the findings of the 2006 annual performance assessment process for Leeds and presenting the letter advising of the outcome of the assessment.

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

### **DEVELOPMENT**

**114 Site 1, Quarry Hill - Northern Ballet Theatre Company and Phoenix Dance Theatre**

The Director of Development submitted a report on proposed terms for the disposal of Site 1 Quarry Hill to Rushbond Plc, the making of a capital grant to the Northern Ballet Theatre Company and the Phoenix Dance Company Theatre for the construction of their dance headquarters on the site, and the use of the Council's prudential borrowing powers in order to assist the two companies in funding the scheme, the cost of which would be met by reducing the grants that the Council makes to them.

Appendix 1 to the report was designated exempt under Access to Information Procedure Rule 10.4(3). A revised version of this appendix was circulated at the meeting.

Following consideration of the exempt appendix 1 to the report in private at the conclusion of the meeting it was

**RESOLVED –**

- (a) That approval be given to the disposal of part of site 1 (site A), Quarry Hill to Rushbond plc on the terms reported to facilitate the construction of the new dance headquarters for Northern Ballet Theatre Company / Phoenix Dance Company, and that further decisions relating to the terms of the transaction be delegated to the Directors of Development and Learning and Leisure.
- (b) That approval be given to the disposal of part of site 1 (site B), Quarry Hill to Northern Ballet Theatre Company/Phoenix Dance Company on the terms reported in the confidential appendix to the report, and that any further decisions relating to the terms of the transaction be delegated to the Directors of Development and Learning and Leisure.
- (c) That approval be given to a fully funded injection into the Capital Programme of a sum equivalent to the premiums as reported in the confidential appendix to the report, representing the net site values of sites A and B Quarry Hill, towards the construction of the dance headquarters to grant fund Northern Ballet Theatre Company and Phoenix Dance Company for the construction of dance headquarters on Site B.

- (d) That approval be given to the incurring of expenditure up to the premiums representing the net site values of sites A and B Quarry Hill for the capital grants to Northern Ballet Theatre Company and Phoenix Dance Company to construct the dance headquarters.
- (e) That approval be given to capital grants of £750,000 to Northern Ballet Theatre Company and £200,000 to the Phoenix Dance Company to fund the gap to construct the dance headquarters, the borrowing costs of these grants to be funded by reductions in the annual grants that the Council currently makes to the two organisations in accordance with the arrangements set out in the report.
- (f) That approval be given to an injection into the Capital Programme of £500,000, this being the Yorkshire Forward grant monies the Council transferred to the City Museum project in 2005/06.

(Councillor A Carter declared a personal and prejudicial interest in this item as a director of a company which may tender for works in the construction project and left the meeting).

DATE OF PUBLICATION: 17<sup>TH</sup> NOVEMBER 2006  
LAST DATE FOR CALL IN: 24<sup>TH</sup> NOVEMBER 2006 (5.00 PM)

(Scrutiny Support will notify relevant Directors of any items Called In by 12.00 noon on 27<sup>th</sup> November 2006)



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

**Executive Board**

**Date: 13<sup>th</sup> December 2006**

**Subject: The Future of Arms Length Management Organisations (ALMOs) in Leeds**

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**Electoral Wards Affected:**

**Specific Implications For:**

Ethnic minorities

Women

Disabled people

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 relationships between the new ALMOs and the existing ALMOs and to update members on progress with the initial tasks.

**1.0 Purpose of the Report**

1.1 This report provides feedback on the proposals for Area Panels that were discussed at Executive Board in October 2006 and seeks the approval of members of the Executive Board to the proposals for the relationships between the new ALMOs and the existing ALMOs during the transition period.

**2.0 New and Old Company Relationships**

2.1 In accordance with the decisions of the Executive Board three new companies will be registered at company's house. The new companies will have revised Memorandum and Articles of Association that recognise the decisions taken about size of Boards and Area Panels.

- 2.2 Once the new companies exist, the new Board Members will be appointed. As part of this process the old companies will need to be wound up with a consequent transfer of housing management functions, staff, rights and liabilities.
- 2.3 It is anticipated this process will take place over a period of time between December 2006 and 1st April 2007. The precise timing of the process will depend on a number of factors, (some of which are external, and so outside the Council's control) such as minimising any tax liabilities, and completing all necessary tax, insurance and pension registrations in respect of the new companies.
- 2.4 In order to ensure that this process is carried out in a controlled manner it is proposed to close down the Boards of the existing companies and ask the new Board Members to become Board Members of the old companies as well. This will harmonise the decision making processes throughout the transition period with the new Boards responsible for the set up phase of the new companies, day to day decisions in the old companies and the transition process.
- 2.5 These changes can only be made once the new companies are registered, new Boards have been appointed and the DCLG have agreed a revised S.27 agreement with the Council. It is likely that these requirements will be in place by the end of January 2007.

### **3.0.0 Initial Tasks**

#### **3.1.0 Appoint Chief Officers**

- 3.1.1 The three chief officers of the new ALMOs have been appointed. Claire Warren will be the chief officer for the new Leeds North West / West ALMO, Steve Hunt will be the chief officer for the new Leeds North East / East ALMO and Merran McRae will be the chief officer for the new Leeds South / South East ALMO.
- 3.1.2 These appointments are effective from 1<sup>st</sup> December 2006 and have been made under the Council's recruitment procedures.
- 3.1.3 The new chief officers will agree management structures for the new companies with the Council which will enable appointments to be made before the end of January 2007. The Council will be involved in the appointments.

#### **3.2.0 Establish Three new Companies**

- 3.2.1 The new companies need to be registered with Companies House. Initial revisions to the existing constitutions and management agreements have been made to support the registration. These documents will need further detailed work before 1st April 2007.

#### **3.3.0 Obtain S.27 Approval**

- 3.3.1 Under section 27 of the 1985 Housing Act a Local Authority needs the approval of the Secretary of State in order to transfer Housing Management functions to another

organisation. Leeds currently holds approval to transfer housing management responsibilities to six ALMOs.

- 3.3.2 Following discussions with the DCLG a full Section 27 application will not be required to vary the approval to the new ALMOs. The DCLG 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.

#### **3.4.0 Appoint New Boards**

- 3.4.1 At the October Executive Board the process for appointments to the new Boards was agreed. Existing Tenant and Independent Board members, who wish to be considered for the new Boards, have submitted application forms in accordance with the agreed procedures. The applicants will be interviewed by a panel consisting of officers of the Council and the chief officers. These interviews will take place during the early part of December 2006.

#### **4.0 Feedback on Area Panel Proposals**

- 4.1 The Council has consulted on the proposals for the Area Panels as proposed in the October 2006 Executive Board report. In accordance with the approvals given by the Executive Board the Director of Neighbourhoods and Housing will develop the proposals in the light of the feedback received.
- 4.2 One significant change that will be made will be to increase the number of panels in the new Leeds North East / East ALMO to four. It was felt that the size of the proposed Inner East Panel was too big and that it should be split into two panels.

#### **5.0 Recommendations**

- 5.1 The Executive Board is asked to approve the proposals for establishing the new companies, the winding up of the old Boards and the proposal to make the new company Board Members responsible for the old companies.

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Originator: Alan Jones

Tel: 39 -57151

## Report of the Director of Neighbourhoods and Housing Department

### Executive Board:

Date: 13<sup>th</sup> December 2006

Subject: Home Energy Conservation Act (1995) - 10<sup>th</sup> Progress Report

**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

### EXECUTIVE SUMMARY

The 10<sup>th</sup> HECA Report identifies that steady progress is being made in improving the overall energy efficiency of the Leeds housing stock by 4.06%, to a ten year cumulative total of 18.07%. There has been some solid investment monitored over the period but it will be necessary to ensure that accelerated and progressive energy efficiency growth and investment continues to take place, to maintain the improvement in performance so as to meet the 2011 30% target set by government.

Overall fuel poverty in 2006 is reported at 36.7%, increasing from 22% in the last reporting period. Vulnerable fuel poverty, (those households containing pensioners, long term ill, disabled or children) has increased from 14.3% to 27.5%. These dramatic rises are in the main caused by marked increases in fuel costs in late 2005 and early 2006. Corporate and Local Area Agreement fuel poverty reduction targets are to be revised in light of these significant increases.

Continued action will be necessary to increase awareness to landlords of the benefits of improving the thermal comfort standards, particularly in housing association older stock and, in turn, private rented sector dwellings, which, once again, in this reporting period, show excessively high levels of fuel poverty against the City average.

Carbon dioxide emission reductions are monitored at 76,926 tonnes for the reporting period, with the average Leeds home emitting 6.7 tonnes of carbon dioxide per annum, a 1.5% improvement since the last period.

The cross sectoral 'Public and Private Sector Energy Working Group', Chaired by the Chief Environmental Health Officer, will continue to facilitate action in seeking to take forward the City's HECA and Fuel Poverty targets.

## **1.0 PURPOSE OF THIS REPORT**

- 1.1 The Home Energy Conservation Act (HECA), came into force on 1 April 1996. The Leeds Energy Efficiency Strategy, entitled 'Warm Homes Cool Planet', sets out in 93 action points, how the Authority seeks to stimulate a 30% energy efficiency improvement across the Leeds public and private sector housing stock over the HECA term of 15 years, which runs up to 31<sup>st</sup> March 2011.
- 1.2 It is a requirement of the Act, that authorities report annually as part of and parallel to their housing investment submission on the progress made in managing and implementing measures identified in their energy efficiency plan submitted under Section 2 of HECA (1995).

## **2.0 BACKGROUND INFORMATION**

- 2.1 The 10<sup>th</sup> HECA Progress Report covers the period 1 April 2005 to 31 March 2006 including the Department's Fuel Poverty Strategy for the period 2002 to 2012 and the progress made in seeking to address the incidence of fuel poverty in the Leeds housing stock over the reporting year.
- 2.2 The Authority was contacted by the Department for Environment, Food and Rural Affairs (Defra) on the 17<sup>th</sup> August 2006, setting out the 2006 reporting time scales and procedures.
- 2.3 Information to provide the report involves gathering, processing, collating and extracting data from a 20,000 direct mail out to Leeds households. Because of the magnitude of this task, the specified target return date of the 31<sup>st</sup> October 2006 was deemed as unachievable by officers of the Authority. Defra and the Government Office for Yorkshire and the Humber GOYH were informed therefore, that Leeds were unable to meet the timescales and would be submitting a return slightly later than the target date.
- 2.4 The procedures also require evidence is submitted that a "top down" approach to HECA is fostered in the authority with support and commitment from senior officers and elected members. It is therefore a requirement that the Chief Executive of the authority, formally 'signs off' the progress report. To ensure that the timescales were not further extended, the report was duly agreed for release by the Director of Neighbourhoods and Housing, signed by the Chief Executive and submitted GOYH on the 20<sup>th</sup> November 2006.

## **3.0 THE MAIN OUTCOMES**

- 3.1 The 10<sup>th</sup> Report continues to highlight 'year on year' progress across the City, with an overall City wide improvement of 4.06% against the 2004/05 9<sup>th</sup> reporting year performance of 3.98%. The new overall City running total now stands at 18.07% against the 2011 target of 30% and a notional target for 2005/06 of 20%.
- 3.2 Investment in public sector housing, whilst greater than the 9<sup>th</sup> reporting year period, has seen a drop in the rate of energy efficiency improvement from 7.38% in 2004/5 to 6.34% in this reporting cycle. However the Standard Assessment Procedure (SAP) performance, measured as part of Key Performance Indicator No 63, did meet the City's 2005/06 target of SAP 61.2 (SAP is a domestic energy performance grade of 1 to 100+ with a score of 1 as low and 100 high.) This target was supported by contractors employed by the Arms Length Management



Organisations finding dwellings already insulated under earlier programmes which had not previously been reported on.

- 3.3 Energy efficiency improvement in the owner occupied housing stock has shown steady growth from 3.77% to 4.08%, mainly due to fuel company grant provision. This growth is predicted to flatten out or drop off in 2006/07, as Fuel Company grants were halted in April 2006.
- 3.4 The private rented sector dwelling performance at 1.60% shows no growth in the new reporting period, suggesting this tenure sector requires continuing support and development.
- 3.5 Housing Association performance at 3.37% shows increased gain from the last reporting period, however, self reporting by Registered Social Landlords (RSL) of energy efficiency improvements in older stock is low. The dialogue with RSLs will continue to ensure this tenure's sector managers are aware of the need to support energy efficiency improvement of their existing, older dwellings.
- 3.6 Warm Front Two (WF2) grant take-up shows that 1,734 households received measures against the previous year of 4,162 homes, a drop of 42% in government grant delivery in the City. Neighbourhoods and Housing Department have placed much emphasis in contacting all potential WF2 clients in an attempt to bring people to grant. It is believed there are still around 11,500 households in the city eligible to this grant. Because of this substantive drop in performance in the 10<sup>th</sup> reporting year, the new agency, who manage the process on behalf of government, the Energy Action Grants Agency (EAGA), have been contacted, with discussions still ongoing to ascertain the reason for this much lower grant delivery output.
- 3.7 Energy efficiency improvements have brought about a carbon dioxide (CO<sub>2</sub>) reduction in the whole housing stock for the year of 76,926 Tonnes, this in comparison to the 77,487 Tonnes 9<sup>th</sup> year saving. The average carbon dioxide emissions from a Leeds home are now 6.7 Tonnes, some 1.5% lower than in 2004/05. The highest level of carbon dioxide emissions were noted in the private rented sector at 7.4 Tonnes, with the lowest outputs from RSL dwellings at an average of 5.6 tonnes.
- 3.8 The level of self reported private sector fuel poverty in the City in 2006 has increased dramatically from 22% to **36.7% of all households, with 27.5% vulnerable fuel poverty** noted against a 9<sup>th</sup> reporting year total of 14.3%. Ward mapping of fuel poverty show the range of fuel poverty from a 22% low, up to a 65% high. Fuel poverty is monitored as the actual within the current calendar year, as opposed to energy efficiency performance, which is logged for the previous financial year. Fuel poverty figures are not currently available in the public sector. It is anticipated however, that public sector fuel poverty will be in line with or greater than private sector fuel poverty, due to the high level of benefits dependency and in turn, low income in this tenure grouping. The near doubling of vulnerable households suffering fuel poverty is, we believe, solely due to substantive increases in fuel costs since November 2005, this being in the range 30 to 40%, dependant upon fuel provider and the fuel type used.
- 3.9 Neighbourhoods and Housing Department are currently taking forward a consultation to review and revise the current Fuel Poverty Strategy to widen this for broader partnership inclusion and support. The review commenced in September 2006 with a view to issuing a new city wide Affordable Warmth Strategy early in 2007.

3.10 A full copy of the 10<sup>th</sup> HECA Progress Report is available on the Neighbourhoods and Housing Intranet home page, filed under reference documents.

#### **4.0 RECOMMENDATIONS**

4.1 That the Executive Board of the Authority accept this report for information and note the submission of the 10<sup>th</sup> HECA Progress Report to GOYH.

## Report of the Director of Neighbourhoods and Housing Department

### Executive Board

Date: 13<sup>th</sup> December 2006

### Subject: Updated Supporting People Strategy

**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)

## 1. EXECUTIVE SUMMARY

Supporting People is the national programme for funding and commissioning supported housing services for vulnerable people. The programme aims to assist vulnerable people to ultimately live independently in the wider community through the provision of high quality, strategically planned, complementary housing support services. The programme also aims to ensure that such services deliver value for money. The Leeds Supporting People team, which sits within the Neighbourhoods and Housing Department, is responsible for the day to day management of the programme. The work of the Supporting People team is overseen by the Supporting People partnership, through a Commissioning Body, which comprises of representatives from the Council, Health and Probation. All recommendations made by the Supporting People team relating to the review, tendering and commissioning of housing support services need to be ratified by the Commissioning Body.

The Supporting People programme in Leeds is operating in very challenging circumstances, most notably because of cuts in the grant allocation that have been made by the Department of Communities and Local Government (DCLG) to the Leeds Supporting People partnership. In 2003/04 the grant allocation was £35.9 million; by 2006/07 this had been cut to £32.9 million.

A decision has been taken to update the existing Supporting People strategy to ensure that it responds effectively to the challenges facing the programme. A copy of the full strategy is available on the Council's intranet. Despite the tight financial environment, the Supporting People partnership has protected the quality of services provided and seeks

to develop new services to meet unmet need. This will be done by ensuring that currently commissioned services are operating effectively and that the partnership has established firm foundations to the programme so that service providers can deliver quality services at an operational level.

## **2.0 Purpose Of This Report**

- 2.1 This report will seek Executive Board approval for the updated Supporting People Strategy.

## **3.0 Background Information**

- 3.1 Supporting People is the national programme for funding and commissioning supported housing services for vulnerable people. The programme aims to assist vulnerable people to ultimately live independently in the wider community through the provision of high quality, strategically planned, complementary housing support services. The programme also aims to ensure that such services deliver value for money.
- 3.2 The programme covers a wide range of supported housing services: ranging from the provision of a warden service in sheltered housing schemes to the provision of permanently staffed direct access hostel accommodation for homeless households.
- 3.3 Leeds City Council has been designated by the Department of Communities and Local Government (DCLG) to be an administering authority for the Supporting People programme. The Leeds Supporting People Team, which administers the programme on a day to day basis, sits within the Neighbourhoods and Housing Department.
- 3.4 An underlying principle of the Supporting People programme is the partnering relationship between the administering authority and other key stakeholders. The Leeds Supporting People Partnership was established in 2003 to coincide with the implementation of the programme. The partnership comprises representatives from the Local Authority (Neighbourhoods and Housing and Adult Social Care), Health and Probation. The Partnership manages the fund, on behalf of the administering authority, through a Commissioning Body.
- 3.5 All decisions relating to the review, commissioning and funding of services need to be considered and ratified by the Commissioning Body. Decisions made by the Commissioning Body need to be unanimously agreed by the three partner representatives. Each Commissioning Body partner has an equal voting right: the two Council representatives share a vote.
- 3.6 Funding for the Supporting People programme is paid in two parts: programme grant which is used to fund the provision of services and administration grant which is used to fund the provision of the Leeds Supporting People team. The programme grant allocation for 2006/07 awarded to the Leeds Supporting People partnership is £32.9 million. The programme has been subject to significant cuts in grant allocation in recent years: in 2003/04 the Leeds Supporting People partnership

received £35.9 million in programme grant allocation. The reduction of grant has put pressure on the programme. In response the partnership has achieved the requisite savings through the decommissioning of non-strategically relevant services, subjecting services to competitive tender and negotiating revised contract values based on accepted value for money tests such as a cap on the proportion of overhead costs to total expenditure, and ensuring that no services could be commissioned where the unit cost was placed within the upper quartile of regional or national costed services for a particular client group.

- 3.7 The administration grant allocation for 2006/07 is £523,000. The grant contributes to the cost of the Supporting People team. This grant has not been increased over the term of the programme and therefore does not cover pay inflation or other increased costs of administering the programme such as the costs associated with competitive tendering.
- 3.8 The DCLG obliges each Supporting People Partnership to set out how it intends to spend the fund, what client groups will receive support and how improvements will be made to current service delivery. The Supporting People Strategy for each partnership needs to set out how these actions will be taken.
- 3.9 The first Supporting People Strategy was developed in 2005 and was ratified by the Executive Board in June of that year. As a first strategy, the document was widely consulted on. In light of the feedback and the shifting context, Commissioning Body decided in October 2006, to update the first strategy
- 3.10 The Commissioning Body was anxious to ensure that the Supporting People Strategy reflected the current reality in which the programme is operating and that the strategy sets out the plans of the partnership to respond to these challenges.

#### **4.0 The aims of the strategy**

- 4.1 The updated strategy sets out the five core aims of the partnership: to deliver greater choice for vulnerable people in relation to service delivery; to promote greater opportunities for vulnerable people to live independently; to deliver value for money; to build effective partnerships and to use supported housing provision as a means of promoting social inclusion.
- 4.2 The final aim recognises that the Supporting People programme does not exist in isolation but is linked to wider strategic priorities with the 'Vision for Leeds' being the key local strategic driver. The updated strategy demonstrates the contribution made by the supported housing sector to meeting the 'Vision for Leeds' aim of 'narrowing the gap' by providing services that help vulnerable people to maintain independent living or to help others to be reintegrated back into the wider community after a period of residence in supported housing or institution such as a hospital or local authority care.
- 4.3 The updated strategy will contribute to the objectives set out in the Homelessness strategy 2006-2010 such as maximising opportunities to prevent homelessness wherever that is possible and reducing the incidence of repeat homelessness. The

updated strategy will support the aims and objectives of the Older Persons Housing strategy and most notably the aim of promoting opportunities for older people to live independently if that is their choice. The updated strategy is firmly linked to the Leeds Valuing People strategy and its core aims of assisting people with learning disabilities to live in accommodation of their own choice in the wider community. The updated strategy also recognises that there is a correlation between housing need and criminal behaviour/fear of crime and therefore makes the links with the priorities set out in the Safer Leeds strategy 2005-2008.

- 4.4 The cuts in grant allocation have placed additional pressure on the partnership to maintain the existing level of service provision. The reduction in the number of social housing units that are available to let in the city is making it increasingly difficult for supported housing providers to help vulnerable people to move out of supported housing into a settled housing solution. This inevitably has placed a greater strain on the finite number of supported housing units that the partnership can commission.
- 4.5 The updated strategy recognises that there is limited scope for the partnership to commission additional units of supported housing. Therefore it is imperative that the strategy sets out the partnership's plans to maximise the efficiency and effectiveness of current services. For example, if housing support services do not deliver a sustained resolution to the person's housing issues, then it is likely that there will be no resolution and the person is likely to re-approach for assistance. It is essential that commissioning recommendations can be robustly evidenced in terms of strategic relevance. The strategy in recognising unmet need, will ensure that decisions to commission new services is dovetailed with decisions that will free up available funding.
- 4.6 The updated strategy also establishes the links between the supported housing sector and other key strategic priorities. It is recognised that the Supporting People strategy must not solely be a plan for spending the programme grant allocation within the Leeds district but must also set out the partnership's approach to delivering supported housing within the city. Recognising and implementing the strategic links with other related service areas is therefore of crucial importance to delivering holistic supported housing services.
- 4.7 The updated strategy also establishes the link with other policy initiatives such as the Leeds City Council Lettings Policy. The most common route out of supported housing, in terms of securing a settled housing solution, is the offer of a permanent tenancy managed by one of the Leeds ALMOs. It is acknowledged that supply and demand issues will impact on the supported housing sector in terms of capacity to move customers on in a timely way.
- 4.8 It is therefore crucial that the existing supply of commissioned units are used as effectively as possible and that supported housing providers have a clear understanding of the provisions of the lettings policy so that they can better assist their customers to secure settled housing of their own choice. The Leeds Supporting People team will, in conjunction with other service areas such as the Strategic Landlord, be carrying out a series of briefing sessions for supported

housing providers on policy areas such as homeless and allocations law. This priority for action is a recognition that effective supported housing services need to be firmly linked to housing advice and housing management services.

- 4.9 The updated strategy also recognises that any reduction in the availability of social housing requires that other housing options, such as those provided through the private rented sector, will need to be considered. The provision of tenure neutral floating housing support services will assist in making the private rented sector a viable housing option for people with housing support needs.

## **5.0 Priority Themes**

- 5.1 The updated strategy sets out five broad priority themes: reducing the incidence of homelessness, assisting older people to live independently, promoting community safety, giving people with learning disabilities greater choice in their housing options and embedding a performance management framework.

## **6.0 Reducing the incidence of homelessness**

The supported housing sector contributes to tackling homelessness by providing services that respond to emergency housing situations and by helping homeless households to be integrated back into the wider community. The Supporting People partnership has identified that the purpose of specific commissioned services is to prevent homelessness by helping vulnerable people to retain their current homes or secure alternative housing in a planned way. The updated strategy sets out a framework for measuring the effectiveness of such services at preventing homeless.

- 6.2 It has been noted that Leeds has a comparatively high incidence of repeat homelessness and the updated strategy will seek to measure how effective commissioned services are at helping vulnerable people sustain the settled housing options they have secured. The updated strategy supports the development of the Sanctuary Scheme (provision of security measures to create a safer living environment for a person who has encountered violence or hate crime but wish to remain living in their existing home) by commissioning additional units of floating housing support to further complement the provision of the Sanctuary security measures.

## **7.0 Assisting older people to live independently**

- 7.1 The provision of housing support services for older people is of critical importance to meeting wider strategic priorities for this client group in relation to promoting opportunities for independent living and limiting the need for older people to be admitted to hospital or residential care. However, it is recognised that the majority of older people who are in receipt of housing support are resident in ALMO/RSL managed sheltered housing schemes. The Older Peoples Housing Strategy has identified that approximately 67% of older people in the city are home-owners and that this figure is likely to increase to around 80% in the next ten years. The Older Peoples Housing Strategy is clear that whilst these households may be asset-rich many will have limited disposable income and will be anxious to maintain their current homes if at all possible.
- 7.2 The updated Supporting People strategy will respond to this need by commissioning a larger number of tenure neutral floating housing support services that are targeted at vulnerable older people who are home-owners, private tenants or those who are living in generic social housing stock. The Supporting People partnership will work in conjunction with Adult Social Care partners to identify the most vulnerable households as in all likelihood they will already be offering care services to these people. The need to continue to develop complementary housing support, social care and primary health care services is a key priority of the updated strategy.





## **8.0 Promoting Community Safety**

- 8.1 Tackling criminal behaviour and fear of crime is a key priority theme of the updated strategy. The updated strategy recognises that the provision of suitable, settled accommodation is critical to addressing offending behaviour. Feedback from key stakeholders such as West Yorkshire Probation is that offenders often face difficulties in accessing appropriate supported housing and permanent accommodation. A key priority action is therefore to establish the reasons for this and to identify what steps can be taken to balance the need to provide accessible services with wider public protection considerations.
- 8.2 The updated strategy has also recognised that access to drug treatment programmes, to complement the provision of housing support services, is important if offending behaviour is to be effectively addressed.
- 8.3 The Supporting People partnership fully supports the development of the 'Signpost' project as a vehicle for tackling anti-social behaviour that has blighted certain areas of the city. The updated strategy includes the option to consider whether the programme can part fund project activity, if required, in the longer term.
- 8.4 The commissioning of floating housing support services to complement the development of the Sanctuary scheme is a priority action that cuts across the homeless and community safety priority themes.

## **9.0 Giving people with learning disabilities greater choice in their housing options**

- 9.1 The provision of housing support services for people with learning disabilities is a key element of the Supporting People programme. The priorities for action relating to this vulnerable client group have been driven by the Leeds Valuing People strategy and the aims and objectives of the Independent Living Project (ILP). The ILP involves the modernisation of current accommodation based services for people with learning disabilities: out-moded hostel style accommodation will be replaced with a combination of self-contained/smaller shared accommodation units that are dispersed across the city. The updated Supporting People strategy strongly supports this approach as it reflects the aims of the strategy to promote greater choice in the delivery of services, promotes independence, helps a vulnerable client group be integrated into the wider community and ultimately helps promote social inclusion. The challenge for the Supporting People partnership is to commission floating housing support services to complement the new approach to accommodating this vulnerable group.
- 9.2 It is not permissible under grant conditions to fund services which are deemed to not to be offering housing support. The Supporting People partnership has identified that a proportion of spend on learning disability services is funding care rather than housing support. This is permissible within grant conditions only if there is a robust plan in place to bring grant funding in line with regulations. As such, a retraction plan has been agreed with Adult Social Care partners to withdraw this funding over a five year period and to replace the Supporting People grant with care funding. This is an issue for many administering authorities across the country and is a result

of the historic levels of spend at the inception of the Supporting People programme. The updated strategy is clear that the primary concern is the maintenance of services to a vulnerable people and that a swifter withdrawal of funding would in all likelihood result in vulnerable people having to access other services that can not meet their needs, such as homeless services.

## **10.0 Embedding a performance management framework**

- 10.1 The updated strategy recognises that service providers have the expertise to deliver quality services at an operational level. However it is the role of the Supporting People partnership to develop a stable platform to enable providers to deliver such services, for example, by ensuring that the programme grant is effectively managed; that payments to service providers are made in a timely manner; that performance is effectively monitored; and that commissioning decisions are robust and transparent. The strategy sets out a new strategic vision which reflects this approach to 'establish strong foundations to the programme in order to deliver high quality and effective services to vulnerable people'.
- 10.2 The partnership is committed to using accreditation and procurement as a tool for improving the standards of the Supporting People programme. An example of this has been the tendering of the Richmond Court family hostel service which was previously managed by LCC. The tendering of this has not only generated a saving of £1.3m to the Supporting People budget over the contract of period of five years, but the new provider (Carr Gomm Society) also demonstrated a significant commitment and capacity to improve the services offered to homeless families. The service review process, undergone by all providers, has also been a vehicle for service improvement as negotiations have centered on improving quality and sustainment of service.
- 10.3 It is imperative that the Supporting People strategy continues to respond to the challenges facing the programme as they emerge. The Supporting People partnership is also committed to measuring the effectiveness of supported housing services in terms of meeting a wide range of strategic priorities. Developing a performance management framework is therefore of crucial importance. The DCLG have identified a number of Best Value and Social Services Performance Assessment Framework Indicators that are particularly relevant to the Supporting People programme. An example of these indicators is BVPI54 – Older People who are helped to live at home. The Commissioning Body has agreed to introduce a suite of local performance indicators that have been based upon the relevant BV and PAF Indicators. The Supporting People partnership will measure how many older people are helped to live at home through the provision of housing support in the form of residence in a sheltered housing scheme with an attached warden or receipt of floating housing support.
- 10.4 The examination of performance results achieved in the Leeds district against this suite of performance indicators has also helped inform the priorities for action that are set out in the updated strategy. For example, Leeds has a high incidence (in 2004/05 Leeds was ranked 139<sup>th</sup> out of 145 authorities who submitted performance results against this measure) of repeat admissions to psychiatric hospital wards

within a twenty-eight day period of a previous psychiatric discharge. The Supporting People partnership are anxious to identify how commissioned services, where the primary client group is mental health, are contributing to preventing, where appropriate, repeat admissions to psychiatric hospital care. This measure will be built in ongoing contract management arrangements with commissioned services. It is proposed that two key performance indicators relating to the Supporting People programme will be included within the 2007 Comprehensive Performance Assessment. These indicators are therefore being reported on a quarterly basis through the Council's performance management framework.

## **11.0 Conclusions**

- 11.1 The Supporting People programme is currently operating in an extremely challenging context. The updated strategy recognises this context and puts in place appropriate plans to address these challenges. The strategy recognises the importance of maximising the effectiveness of currently commissioned services and of the need to ensure that the partnership is operating effectively to enable service providers to deliver quality services. The updated strategy recognises that the programme sits within a wider strategic context with the 'Vision for Leeds' being the key local strategic driver. The priorities for action have been shaped and driven by other key strategic initiatives relating to homelessness, criminal justice, community safety, older people and adult social care that all contribute towards the wider strategic aim of promoting social inclusion.

## **12.0 Recommendations**

- 12.1 To note the contents of the report and to approve the updated Supporting People strategy.

**Report of THE DIRECTOR OF NEIGHBOURHOODS AND HOUSING**

**To Executive Board**

**Date: 13<sup>th</sup> December 2006**

**Subject: Design & Cost Report**

**Scheme Title**  
**Capital Scheme Number**

**BURLEY LODGE - GROUP REPAIR**  
**13239 000 000**

**Electoral Wards Affected:**  
Kirkstall

**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 £7.18 million has been secured from the Regional Housing Board to be spent during the financial year 2006/7 together with an in principle allocation of £6.39m in 2007/08. The proposals set out in this report will utilise £2.15m of this allocation over the two years which will extend the life of approximately 50 properties in the Burley Lodge area by 30 years. Executive board are requested to inject £2.372m into the capital programme and authorise scheme expenditure of £2.372m as outlined within this report.

**1.0 Purpose of this Report**

1.1 A capital grant of £7.18m has been allocated by the Regional Housing Board (RHB) for a long term housing market renewal programme. It is anticipated that a further £6.39m will be allocated to the Leeds Housing Partnership in 2007/8. Burley Lodge Group Repair is an external enveloping scheme whose purpose is to extend the life of 50 properties by 30 years.

**2.0 Background Information**

2.1 The Burley Lodge Renewal Area was declared by Leeds City Council on 27<sup>th</sup> June 1995. The Renewal area comprises in total some 723 through terrace and back to back houses. A Neighbourhood Renewal Assessment carried out prior to the renewal area declaration identified 70% of properties as potentially unfit for human habitation, with a further 12% in substantial disrepair. The area is of mixed tenure, 38% are Council owned, 35% private rented, 25% owner occupied and 2% registered social landlords.

2.2 As part of the regeneration of the area a rolling programme of Group Repair Schemes have taken place since 1997. To date approximately 500 properties of all tenures have been improved under such schemes. There are 723 properties in total in the area.

### **3.0 Main Issues**

3.1 The next stage of Group Repair is proposed to include numbers 136 – 222 Burley Road and 1 – 3 Hyde Park Road; 49 properties in total comprising 28 Privately Rented houses, 12 Owner occupiers and 9 Leeds North West homes properties. The vast majority of these properties are substantial 5/6 bedroom properties. The Construction work on the scheme is to be carried out by Frank Haslam Milan, under the provisions of contract number 503968/3454 under which they were appointed to carry out Group Repair work in Burley Lodge and Beeston.

3.2 The Group Repair work will be similar to that done on previous phases and will include:

The re-roofing of the main roof and bay roofs to the front façade (including provision of thermal insulation). Re-roofing the rear “extension” and/or additional roofs where required. Renewal of chimney pots as required. Gas safety checks on gas fires. Brick leaning to the front facades and redecoration. Repairs/reinforcement to brickwork as necessary. Replacement of windows to suit the style of the premises. Replacement of dormers and /or roof windows as required. New high security doors to the front and rear entrances as required. New rainwater goods and soil/vent pipes as required.

The existing front garden boundary walls, which face on to a busy main road through the area, were renewed on an earlier phase to provide a readily visible indicator of the regeneration work that was taking place in the area. (The local community was involved in designing individual tiles that were incorporated as a mosaic within these new boundary walls). New gates and railings are to be provided to rear boundaries, including new rear gates as required.

3.3 Individual properties have been surveyed and cost sheets have been drawn up. The overall cost of the scheme has been estimated at £2,071,164 giving an average works cost per property of just over £42k. Fees set at 14.5% have to be added to this giving a total cost for fees of £300,318.78. These fees are to be apportioned between Property Services (10.2%) and Environmental Health Services (4.3%).

### **4.0 Consultations**

Consultations have taken place with Ward Members, Tenants, Owner Occupiers, and the Acting Chief Officer of Leeds North West Homes and there is broad support for the scheme.

### **5.0 COMMUNITY SAFETY**

The proposals contained in the report have implications under Section 17 of the Crime and Disorder Act 1998. The properties receiving improvements will be made more secure, with an aim of reducing burglary within the area.

### **6.0 Programme**

The programme of works will be carried out over the following period:

Start on Site	January 2007
Practical completion	September 2007

It is anticipated that a further phase of Group Repair will be done within the area subject to additional funding being made available

## 7.0 Scheme Costs

- 7.1 This report seeks approval to provide sufficient funds for improvements to 49 properties, at an average cost of approximately £42,000 works per property, totalling £2.071m. As well as the cost of works, fees will be charged pro rata to all parties involved. 40 of the properties are in private ownership and this report assumes that, on the basis of experience of Group Repair initiatives elsewhere in the city, that these private owners will pay between 10-20% towards the costs of improvements to their properties. The remaining 80-90% represents the cost to the Council.
- 7.2 It is anticipated that work will also be carried out to improve 9 Council owned properties within this area as part of this scheme but this will be the subject of a separate report to the board of Leeds North West Homes ALMO.
- 7.3 As the mix of properties in each of the phases is subject to the occupiers agreement, there may be different numbers of Council or Privately owned properties included for improvements. Nevertheless, the cost to the Council will be maintained within budget by ensuring that if the price per property is higher than the £42,000 estimate, then proportionately less properties will be improved. Also, if the owner occupier contributions are less than the 10-20% assumed, then again less properties will be improved. If savings are made either by a lower level of cost per property or a higher level of owner occupier contributions, there would be an opportunity for additional properties to be included. In the event that scheme costs allow for a significant change in the number of properties to be included in the scheme, a further report will be submitted to Executive Board for approval.
- 7.4 The total estimated cost of the works to the 49 properties is £2,071,164.55 construction works, and £300,318.86 fees, totalling £2,371,483.41.
- 7.5 This will be funded as follows; £221,483 is estimated to be received in contributions from Owner Occupiers towards works and fees, and a £2,150,000 contribution from SHRP.
- 7.6 Each grant is subject to a condition which requires full repayment of the grant in the event of sale within a 5 year period, following completion of the works.

## 8.0. CAPITAL FUNDING AND CASHFLOW

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2006 £000's	FORECAST				0
			2006/07 £000's	2007/08 £000's	2008/09 £000's	2009 ON £000's	
LAND [1]	0.0						
CONSTRUCTION [3]	0.0						
FURN & EQUIP [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				0
			2006/07 £000's	2007/08 £000's	2008/09 £000's	2009 ON £000's	
LAND [1]	0.0						
CONSTRUCTION [3]	2071.2		800.0	1271.2			
FURN & EQUIP [5]	0.0						
DESIGN FEES [6]	300.3		100.1	200.2			
OTHER COSTS [7]	0.0						
<b>TOTALS</b>	<b>2371.5</b>	<b>0.0</b>	<b>900.1</b>	<b>1471.4</b>	<b>0.0</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				0
			2006/07 £000's	2007/08 £000's	2008/09 £000's	2009 ON £000's	
RHB Grant	2150.0		900.1	1249.9			
Private Owner Contr	221.5			221.5			
<b>Total Funding</b>	<b>2371.5</b>	<b>0.0</b>	<b>900.1</b>	<b>1471.4</b>	<b>0.0</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>

## **9.0 REVENUE EFFECTS**

As the work approved by this report is in respect of non-Council properties, there are no revenue effects to the Council.

## **10.0. RISK ASSESSMENTS**

There are Health & Safety implications, but these will be dealt with under Health & Safety Plan. In addition all residents and stakeholders have been consulted prior to instigating The project and there is an existing network of communication and dialogue with residents and owners.

## **11.0 RECOMMENDATIONS**

The Executive Board is requested to :

1. Approve the injection into the Capital Programme of £2,150k of Regional Housing Board money and £221.5k from owner occupiers.
2. Authorise Scheme Expenditure to the amount of £2,371.5k
3. Instruct officers to report back in future on the progress of the scheme.





**Originator:**  
 George Turnbull  
 Telephone: 2243239

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

**EXECUTIVE BOARD: 13<sup>th</sup> December 2006**

**SUBJECT: : Primary Review: Proposals for Alwoodley Primary Planning Area**

**EXECUTIVE SUMMARY**

**1 Purpose of the Report**

**1.1** The report informs Executive Board of the outcome of consultation undertaken on the proposed closure of Fir Tree and Archbishop Cranmer Church of England (Aided) Primary Schools and the establishment of a one and a half form of entry primary school, with a Children’s Centre, on the Archbishop Cranmer site.

**2. Background**

**2.1** The Alwoodley Planning Area comprises Fir Tree, Alwoodley, Archbishop Cranmer CE (aided), Brodetsky Jewish (aided) and St Paul’s Catholic (Aided) primary schools. There are serious concerns about falling pupil numbers in the area and the impact that this is having on local primary schools. Both Fir Tree and Archbishop Cranmer CE primary schools have seen pupil numbers fall in recent years. The proposed amalgamation of the two schools will tackle concerns with the sustainability of current provision in the Alwoodley area.

**3. Main Issues raised during Consultation**

**3.1 Reduction in provision**

There was considerable consensus on the need to reduce provision. Sadness at the loss of the existing schools was tempered by the opportunity to establish a new viable and sustainable primary school, with a children’s centre, within the community.

**3.2 Choice of site**

The initial view of Education Leeds was that the Archbishop Cranmer site was the preferred site for the proposed new school due to its central location with regard to the community of the new school. However, it is important to recognise that both school sites currently offer excellent facilities, and therefore the choice is between two locations that have long served their pupils, staff and communities.

**3.3 Status of the new school**

The new primary school could be a community, Church of England Voluntary Controlled or Voluntary Aided Primary School. Support for all three was

received, but there was a strong view that a Voluntary Controlled school would be acceptable as a compromise. Education Leeds endorses this view on the grounds that a Church of England Voluntary Controlled school would reflect the historical links that Archbishop Cranmer CE has with the Church, while allowing the new school to reflect the strengths of both of the existing schools. The Local Authority would be its Admission's authority.

### **3.4 Timescale**

Concern was expressed that the proposed timescale for implementing these proposals was relatively short. However, there was a greater concern that a longer implementation timescale could be more destabilising and ultimately detrimental to the pupils, staff and to the new school. Following discussion it was accepted that the shorter timescale was in the best interests of a successful proposal.

## **4. Financial Implications**

**4.1** There would be an annual revenue saving of approximately £158,000 from this amalgamation proposal.

**4.2** This proposal would lead to Education Leeds declaring as surplus the Fir Tree site, enabling the Council, if it wished, to dispose of the building and site. The first call on any capital receipt would be works proposed at the new school.

## **5. The Way Forward**

Following careful consideration of the views expressed during the consultation period, Education Leeds retains the view that an amalgamation of Fir Tree and Archbishop Cranmer Primary Schools would be the most appropriate way to achieve sustainable primary provision in the Alwoodley area. The Church of England Diocese and Education Leeds agree that the new school's proposed status should be voluntary controlled.

## **6. Recommendation**

**6.1** Executive Board is asked to approve that a statutory notice is published to:

- i) close Fir Tree Primary School on 31st August 2007,
- ii) close Archbishop Cranmer CE (Aided) Primary School on 31st August 2007

**6.2** The Executive Board is asked to note in line with Statutory Requirements, the Church of England Diocese will publish the notice to establish a 1.5 FE Voluntary Controlled Church of England Primary School on the Archbishop Cranmer site on 1st September 2007.

**6.3** As these are linked proposals they will automatically be determined by the School Organisation Committee (SOC). Executive Board is asked to delegate to the Director of Children's Services the authority to agree the text of Education Leeds' response to any representations received before submission to SOC.

**Agenda Item:**  
**Originator: George Turnbull**  
**Telephone: 2243239**

## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 13<sup>th</sup> December 2006**

**SUBJECT: Primary Review: Proposals for Alwoodley Primary Planning Area**

**Electoral wards Affected:**  
Alwoodley  
Moortown

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in

### 1.0 Purpose of the Report

1.1 The purpose of this report is to inform the Executive Board of the outcome of consultation undertaken on the proposed closure of Fir Tree and Archbishop Cranmer Church of England (Aided) Primary Schools and the establishment of a one and a half form entry primary school, with a Children's Centre, on the Archbishop Cranmer site.

### 2.00 Background

2.1 The Alwoodley Planning Area comprises Fir Tree, Archbishop Cranmer CE, Alwoodley, St Paul's Catholic and Brodetsky Jewish Primary Schools.

2.2 On 20<sup>th</sup> September 2006, the Executive Board considered a report which outlined options for the future pattern of primary provision in the Alwoodley Primary Planning Area. At this meeting, the Executive Board granted Education Leeds permission to undertake public consultation on a proposal to close Fir Tree and Archbishop Cranmer CE Primary Schools and establish a one and a half form of entry primary school on the Archbishop Cranmer site. A six week period of public consultation ran from 29 September until 10<sup>th</sup> November 2006.

- 2.3** Fir Tree Primary School is the smallest in the area with only 106 pupils on roll having experienced falling rolls over several years. The school has the highest percentage of surplus places of all of the schools at 32%. Archbishop Cranmer Primary School has also suffered falling rolls and currently has 192 on roll, and although notionally the school has a surplus of 19%, it is in a building that could accommodate up to 315 pupils. Intakes into both Fir Tree and Archbishop Cranmer Primary Schools are significantly lower than the schools' admission numbers of 30 and 45 respectively – only 11 children were admitted into Reception at Fir Tree and 19 into Reception at Archbishop Cranmer for the 2005/06 academic year (Pupil Level Annual School Census (PLASC) January 2006). Reception numbers for September 2006 show intakes of 16 and 8 respectively.
- 2.4** The long-term vision for primary provision in Alwoodley is for all local schools to be sustainable, well resourced schools that offer an inspiring education for pupils. The proposed amalgamation of Fir Tree and Archbishop Cranmer CE Primary Schools is aimed at ensuring that schools have sufficient pupils and resources to be sustainable into the future and to offer all pupils an excellent education.

### **3.0 Main Issues**

- 3.1** Public consultation on the proposal to amalgamate Fir Tree and Archbishop Cranmer CE Primary Schools on the Archbishop Cranmer site commenced on 29<sup>th</sup> September and ended on 10<sup>th</sup> November 2006. A consultation document was widely distributed to parents, staff, governors and agencies working in the area and was made available through a number of outlets including the local library. The consultation document included a pro-forma response form to encourage written responses. During this period, meetings were held with a range of stakeholders and minuted for the purposes of recording the views expressed. A copy of all written responses and the minutes from the consultation meetings are available for inspection from the clerk to the Executive Board, named on the front page of the agenda.

#### **Timetable of Consultation Meetings**

4<sup>th</sup> October Archbishop Cranmer staff  
 4<sup>th</sup> October Archbishop Cranmer Governors  
 12<sup>th</sup> October Fir Tree staff  
 12<sup>th</sup> October Fir Tree Governors  
 16<sup>th</sup> October Inner North East Area Committee  
 16<sup>th</sup> October Public Meeting at Allerton High School  
 19<sup>th</sup> October Moor Allerton Partnership  
 23<sup>rd</sup> October Outer North East Area Committee

- 3.2** A total of 86 written responses have been received, from parents, staff, governors, pupils and other stakeholders. There were 4 responses from people connected with Fir Tree Primary and 77 responses from those connected with Archbishop Cranmer CE Primary. In addition there were 5 responses where no connection was stated with either school. (See appendix 1)
- 3.3** All of the written responses received have been analysed in detail. The following section provides an overview of the key issues raised during consultation and Education Leeds' response. It should be noted that this is a summary of the more detailed information presented.

### **3.4 Main issues raised during Public Consultation**

#### **3.5 The proposal to reduce the level of provision**

There was considerable consensus among respondents of a need to reduce the level of provision to ensure viable schools. It was recognised that there were insufficient children in the area to sustain the current pattern of primary provision. Whilst people felt saddened by this situation, it was nevertheless widely accepted that significant, planned action was necessary.

#### **3.6 The choice of site for the new school**

It is important to recognise that both school sites currently offer excellent facilities, and have done for many years. Both buildings are sound and their grounds are large and secure, offering considerably more green space than most primary schools can access. Any choice between these two sites is therefore a choice between two excellent facilities which have long served their pupils, staff and communities. However, only one school is required for the future, and therefore only one site is required for education purposes. Whilst either site would be an asset to the school estate in Leeds, the better one should be retained for the future education of children in that area.

#### **3.7 Education Leeds response**

In order to consider each of the current school sites as a possible location for the proposed new primary school, a site appraisal was completed, the outcome of which is summarised in Appendix 2.

**3.8** It is acknowledged that both sites provide excellent potential for the new amalgamated school, each able to fully comply with curriculum requirements. Both schools have sufficient space to accommodate a one and a half form entry school with a fully integrated Children's Centre. The two school buildings are in generally good condition, although some refurbishment and adaptation would be needed at both sites. Internal modification of both buildings is possible to create classrooms that adhere to DfES standards. It is not anticipated that there would be any significant traffic issues at either site arising from the establishment of a new school. Access is relatively good on both sites however, as Fir Tree is a two-storey building, some adaptation would be required, at a minimum, a lift would need to be installed to comply with the Disability Discrimination Act.

**3.9** The Archbishop Cranmer site is a slightly larger site, and more centrally located in relation to the community of the proposed new school. Community provision is currently available at both schools; however, due to its location, and its proximity to Allerton High School, the Archbishop Cranmer site offers significant opportunities for both extended services and for the Children's Centre.

**3.10** Both sites would need some minor work to bring them up to standard. The total cost of the building work required at the Fir Tree and Archbishop Cranmer sites is approximately £1.83m and £1.63m respectively, making the cost at Archbishop Cranmer some £200,000 less than Fir tree. It would be expected that a capital receipt generated from the sale of either of the sites would be used to fund the building works required to establish the new school.

**3.11** The survey conducted on each of the sites did not identify anything that would change the original Education Leeds' position that Archbishop Cranmer is the preferred site for the new school.

### **3.12 The status of the new school**

Many of the parents of Fir Tree Primary School pupils, who expressed a view on the status of the new school, wanted the new school to be a community school. There were also a number of respondents who thought the school should have a church status. A majority considered a voluntary controlled school to be a satisfactory compromise. Only a very small number stated that they would not attend the new school if it adopted any form of religious status.

**3.13** Both governing bodies acknowledged that some compromise would be necessary for the amalgamation to successfully proceed. Accepting that voluntary controlled status would better reflect the current ethos of the two schools, both governing bodies support this.

**3.14** The Church of England Diocese would prefer the retention of Aided status as a matter of principle, but with this particular proposal agree that the long term benefit of primary education in this community is best achieved by a voluntary controlled school, and has actively supported Education Leeds in developing the proposal.

### **3.15 Education Leeds response**

Although there has been support expressed for a community school and an aided school, governors, staff and many individual respondents have suggested that the middle ground of a voluntary controlled school would be an equitable and acceptable way forward. Education Leeds endorses this view, on the grounds that a voluntary controlled Church of England school would reflect the historical links that Archbishop Cranmer has with the church, while allowing the new school to reflect the strengths of both of the existing schools. In this case the new school would have a church ethos, but the Local Authority would be its Admission's authority. Parents of future intakes would apply through the normal admission's process for a place in the school. Children on the roll of the existing schools at the point of closure would automatically be offered a place in the new school.

### **3.16 Timescale for Implementation**

**3.17** Concern was expressed that the proposed timescale for implementing these proposals was relatively short and this could prove problematic in successfully delivering a new school for September 2007. On the presently envisaged timetable, a final decision to proceed could not be taken by School Organisation Committee until March 2007 at the earliest.

**3.18** There was considerable discussion around this subject during the consultation meetings, particularly with both governing bodies and with staff, exploring the consequences of introducing a later implementation date. The potential for either January 2008, or September 2008 to be adopted were considered. There was little support for January 2008 because of the curriculum issues this would present, bringing two schools together in the middle of the school year, disruption to SATs and an inevitable level of general disruption.

**3.19** Implementation in September 2008 would clearly allow more time to be spent in planning, preparation and delivery of the new school with the complex issues and practicalities that need to be addressed. However, there was a greater concern that this longer implementation timescale could prove to be more destabilising and ultimately detrimental to the pupils, staff and to the new school. There has been considerable instability in the area, over many years, as a result of the declining pupil population and the two schools are stretched by their declining budgets. There would

remain uncertainty for prospective parents around their options for future provision, and a period of protracted uncertainty for staff in relation to their future employment positions.

### **3.20 Education Leeds response**

It is acknowledged that the timescale for implementing this proposal is a short one. However, there is now considerable support and expertise within Education Leeds for schools undergoing such changes which is currently available to both schools. The governing bodies have taken a proactive role in establishing a close working relationship, in anticipation of the roles and responsibilities lying ahead. In detailed discussions with them around the timescale, they have both indicated a wish to move as quickly as possible, to build on the early momentum that is now being established, and to remove the uncertainty from the area as soon as possible.

### **3.21 Early Years**

In the Children's Centre Plan 2006-2008 provision has been identified for a Children's Centre in the Alwoodley area, meeting the needs in particular of families living on the Cranmer Bank Estate and the Lingfield Estate. Education Leeds and the Early Years Service believe that the location of the Children's Centre on the Archbishop Cranmer site would make the best contribution to the core offer for both an extended school and a Children's Centre. Whilst the Fir Tree site could also provide a Children's Centre, it is not as centrally located in relation to its target population, and does not offer the same potential to develop 0-19 provision as part of a campus that exists with the Archbishop Cranmer site adjacent to Allerton High School.

### **3.22 SEN**

Careful management of the impact of this proposal on pupils with Special Educational Needs will be built into the implementation phase, should it proceed.

### **3.23 Community Impact Assessment**

**3.24** Education Leeds commissioned the Outer North East Area Management Team to undertake a full Community Impact Assessment on this proposal. The purpose was to investigate the impact of the closure of Fir Tree Primary School on community provision in the area.

**3.25** Fir Tree and Archbishop Cranmer CE primary schools are situated in an area that has been identified as a priority neighbourhood for action by the North East District Partnership. Specifically, this comprises of the Cranmer Bank, Fir Tree and Lingfield estates. There are a number of facilities available in the area for general community use including Moortown Methodist Hall, St Stephen's Church, Moor Allerton Library, Northcall and Open House. All of these facilities are based in and around the Cranmer Bank estate, apart from Open House which is based on the Lingfield and Fir Tree estates. The provision on offer is quite diverse ranging from groups catering for the elderly to support for families and benefit advice.

**3.26** There is a range of services available at both schools for the benefit of the children and families attending the schools. In addition, there are some community facilities based at each of the schools ranging from sports facilities to meeting facilities for families and senior citizens.

**3.27** It is acknowledged that Fir Tree Primary School serves a vulnerable community and

Education Leeds fully supports the development of extended school facilities in the Alwoodley area as part of the Change for Children agenda. Across the city clusters of schools are considering how between them they can extend facilities for pupils, their families and the communities they serve.

**3.28** If childcare provision for school age children was to continue from the Archbishop Cranmer site, this could link out of school childcare for years 6 & 7 with extended schools activities at the nearby Allerton High School, contributing to transition arrangements between the schools. A significant number of children in the locality choose Allerton High School as their preferred option; 30 out of the 42 children in Year 6 at Archbishop Cranmer in the academic year 2005/06 went to Allerton High School.

**3.29** If the Archbishop Cranmer site was identified as the site for the proposed new school, the City Council will need to consider the potential options for the Fir Tree site to support the continued regeneration of the area. This could, however, impact on available investment in the new school that would be funded from a capital receipt for the site. Education Leeds will also work with all schools in the area, including the new school, to provide extended school provision that can be tailored to the community's needs.

### **3.30 The Way Forward**

**3.31** Following careful consideration of the views expressed during the consultation period, Education Leeds retains the view that an amalgamation of Fir Tree and Archbishop Cranmer Primary Schools would be the most appropriate way to achieve sustainable primary provision in the Alwoodley area. The Church of England Diocese and Education Leeds accept that the best option in this case is for the new school's proposed status to be voluntary controlled.

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

**4.1** Planning primary school places is relevant to a number of key priorities identified in the Children and Young People's Plan, the Asset Management Plan and the Corporate Plan, in terms of managing the supply and demand of school places and school improvement. It is also relevant to the Closing the Gap agenda, with the planning of school places taking consideration of wider socio-economic factors and regeneration.

## **5.0 LEGAL AND RESOURCE IMPLICATIONS**

### **5.1 FINANCIAL IMPLICATIONS**

**5.2** There would be an annual revenue saving of approximately £158,000 as a result of closing Fir Tree Primary School and Archbishop Cranmer CE Primary School, and establishing a new 1 and a half FE primary school on the Archbishop Cranmer site to accommodate existing pupils.

**5.3** The Fir Tree Primary School site would be declared surplus to educational requirements if this proposal proceeds. If subsequently there is a capital receipt generated from the site, a first call on this would be to fund improvements proposed on the Archbishop Cranmer School site in order to deliver the new school. This is provisionally costed at £1.6m (including the children's centre for which separate capital funding is available - see Appendix 2 for breakdown). However, a new school could open in the existing building with a smaller scope of works being undertaken, which



could be met from existing capital resources.

#### **5.4 STATUTORY IMPLICATIONS**

**5.5** The review of primary provision fulfils the LEA's statutory requirement to keep under review the supply and demand of school places.

**5.6** After full consideration of the views expressed during the consultation period, Education Leeds is of the view that this proposal should proceed. The recommendation of this report is to initiate the required statutory process. If objections are received during the representation period of the statutory notice, the proposal will be forwarded to the School Organisation Committee for consideration.

#### **5.7 Timescale**

The envisaged timescale for the statutory process is as follows:

January 2007      Publish notices giving 6 weeks for representations.

February 2007    Notice expires

March 14<sup>th</sup> 2007    Exec Board for permission to refer to School Organisation Committee, if there are objections otherwise for Executive Board to determine

Mid May 2007     Deadline for SOC decision, although meeting would be requested by end March

Sep 2007            Implementation

#### **5.8 EQUALITY IMPLICATIONS**

The proposals have been subject to equality impact assessment. There are no anticipated significant differential impacts on the basis of ethnicity, disability or gender associated with the proposals. The five schools in the area have different ethnic compositions and the percentage of White British pupils ranges from 60% in Alwoodley Primary to 99% in Brodetsky. The schools likely affected by this proposal have mixed ethnic compositions which could change as a result of parental preferences.

#### **6.0 RECOMMENDATIONS**

**6.1** Executive Board is asked to approve that a statutory notice is published to:

- i) close Fir Tree Primary School on 31st August 2006,
- ii) close Archbishop Cranmer Church of England (Aided) Primary School on 31st August 2006

**6.2** The Executive Board is asked to note that in line with Statutory Requirements, the Church of England Diocese will publish the notice to establish a 1 and a half FE Voluntary Controlled Church of England Primary School on the Archbishop Cranmer site on 1st September 2007.

- 6.3** As these are linked proposals they will automatically be determined by the School Organisation Committee (SOC). Executive Board is asked to delegate to the Director of Children's Services the authority to agree the text of Education Leeds' response to any representations received before submission to SOC.

## Appendix 1

### Consultation responses to proposal to close Archbishop Cranmer C of E and Fir Tree primary schools and to open a new one and a half form of entry primary school on the Archbishop Cranmer site

The following is a summary of the issues raised in written communication during the consultation period. They reflect the views as they have been expressed. They are not necessarily either accurate or substantiated.

<b>Access</b>	ABC is centrally located	44
	ABC building is more accessible	11
	ABC closer to park and ride providing ample parking	7
	ABC has safe access	6
	proposal would lead to pupils having to cross busy major roads	2
	proposal would lead to increase in congestion	1
	Fir Tree has parking facilities	1
	Fir Tree has no parking facilities	1
<b>Buildings &amp; Sites</b>		
<b>Location of new prim. sch.</b>	<b>ABC site</b>	<b>76</b>
<b>(Tick box)</b>	<b>Fir Tree site</b>	<b>5</b>
	ABC site large enough for other facilities	49
	ABC buildings all on one level	42
	ABC ideal site for Children's Centre	36
	ABC site is church owned land so cannot be used for other purposes	31
	City Council can use Fir Tree site for other purposes	30
	ABC has large school fields and play area	10
	ABC is adjacent to Allerton High	8
	ABC has better buildings	4
	ABC has larger sports fields	2
	Centre of the community	2
<b>Community</b>		
	Community needs a church school	2
	Would like Fir Tree site to be retained for community use (not for private housing)	1
	Fir Tree site not owned by church	1
<b>Disruption to children</b>		
	Children would be disrupted by closure	5
<b>Early Years</b>		
	Fir Tree has established nursery	2
	Relocate Fir Tree Nursery to ABC site	1
<b>Facilities</b>		
	ABC has newly installed amenities such as Smartboards	2
<b>Finance</b>		
	Investment needed in new school	2
	Money invested for Fir Tree wasted	1
	Would have to buy new uniform	1
<b>Parental Choice</b>		
	Parents will send children elsewhere if either school changes	2
	Parental choice would be diminished	1
	Parent's choice of C of E school is restricted	1
	If did not remain C of E school then would remove children from ABC	1
	Community schools are multi-faith and multi-cultural	1

<b>Process</b>	Concerns regarding timescale	44
	Ensure amalgamation creates a viable school for future	30
<b>Pupil numbers</b>	Accept the need to address falling numbers issue	35
	Small classes are better than big classes	2
	Close Fir Tree	1
<b>Staffing</b>	Concerns over future of staff	36
	dedicated staff at ABC	1
<b>Standards</b>	ABC achieves high standards	3
	Happy environment	2
	Standards will fall	1
<b>Status</b>	ABC ethos should be maintained	33
	Would prefer VC	31
	VC could be the compromise for the status issue	31
	New school should be a church school	2
	Choice of a community school in area would be restricted	1
	Schools should have no links to particular faith	1
	Would prefer VA	1
	Concerns regarding admission policies of combined state/church school	1
<b>Other</b>	Accept the proposal	33
	Opportunity for 0 - 19 campus	32
	Leave both schools as they are	7
	Keep ABC as VA	6
	Don't close Fir Tree school	3
	Name of Archbishop should be kept	3
	Do not accept the proposal	1

## Appendix 2

### Site Appraisal

The information below is a summary of the site appraisal of the current Fir Tree and Archbishop Cranmer CE primary schools.

Criteria	Fir Tree Primary School	Archbishop Cranmer CE Primary School
Total floor area of schools	1795m <sup>2</sup>	1637m <sup>2</sup> , including 87m <sup>2</sup> for the temporary building.
Current Building	Built in 1961. Two storey block. Originally constructed in brickwork and pitched roof. Large single storey with extension, added in 1970s. Was remodelled in 2002. Further remodelling in main entrance and school office areas has taken place subsequently.	Built in 1976. Constructed with brick and block walls and a flat felt roof. Single storey. Detached temporary building erected in 2001.
Suitability	Most areas in school suffer from significant solar gain and over heating issue due to the north-south orientation.	Many classrooms exhibit high levels of solar gain  Circulation areas are congested.
Sufficiency	Private Nursery, Education Welfare Service offices and Oracy Unit (funded by European Asylum Seekers Fund) included in sufficiency calculations.  In order to satisfy the full accommodation brief, 300m <sup>2</sup> of new floor space would be needed.	Temporary accommodation, housing the Before and After School Club, not included in sufficiency calculations.  In order to satisfy the full accommodation brief it will be necessary to provide approximately 400m <sup>2</sup> of new floor area.
Number of classrooms	Sufficient number of classrooms to accommodate 1.5FE.	Sufficient number of classrooms to accommodate 1.5FE.
Size of classrooms	Mixture of oversized and undersized classrooms. Adaptation needed to convert office space back to classroom accommodation.	Majority of classrooms are currently classed as undersized at category B1 level meaning teaching methods are inhibited, although some classrooms have the benefit of a large shared practical/resource area.  The existing buildings could be modified in order to increase the size of the classrooms to bring them up to DfES standards.
<b>Site</b>		
General	Total site area 21,391m <sup>2</sup> External areas are of sufficient size to accommodate the proposed development, although site slopes from North to South so some landscaping may be required.	Total site area 24,080 m <sup>2</sup> External areas are in good condition and have benefited from good maintenance. Of sufficient size to accommodate the proposed development.

Accessibility (any costs involved)	Lift required to meet DDA requirements.	None
General condition of building (cost of bringing up to standards)	Generally good with: <ul style="list-style-type: none"> <li>• some steel windows requiring replacement</li> <li>• some pointing required to external walls</li> </ul>	Generally good with: <ul style="list-style-type: none"> <li>• several internal walls requiring some attention.</li> <li>• Some isolated signs of leaks to the roof, such that the flat felt roof may need to be replaced soon.</li> <li>• Emergency lighting, fire alarms and luminaries require replacement within the next 3 years.</li> </ul>
AMP condition survey	Approximately £320,000 outstanding 'condition' work in priority 2 and 3. Work to address outstanding priority 1 electrical issues has just been completed.	A total of £140,668 outstanding "condition" work in priority 2 and 3 (there is no outstanding priority 1 condition work)
Heating	Two gas fired boilers with steel pipe work and a mix of cast iron, steel panel radiators and fan convectors. Both boilers and fan convectors in gym require replacing within the next 5 years. Pipe work is in average condition. Electrical distribution boards need replacing within 5 years. All other electrical infrastructure is in average condition.	Boiler is in good condition having been replaced in 2005
General condition of site	Car parks and pathways in good condition. Timber steps leading to paying fields are in need of renewal	External areas are in good condition and have benefited from good maintenance.
Children's Centre requirements	Currently has no nursery class, but a childcare provider for children from 2 years plus out of school care for school age children including play scheme. Existing Nursery can be used to provide CC accommodation. There is also scope to extend.	Currently no nursery class or other sessional provider. They do have a provider of out of school childcare and play scheme provision on site. It is feasible to reconfigure existing accommodation for CC provision The ABC site seems to be the most centrally located in the area bound by main roads, making it accessible to most families in the locality.
Car parking facilities	Currently sufficient provision, with segregated pupil/visitor and vehicular access and it is envisaged this would also be suitable for 1.5FE	Currently sufficient car parking provision, and it is envisaged that current provision is sufficient for 1.5FE
Traffic impact assessment	There is vehicular access to the school via roads on three sides of the school. Three entrances around the school provide pedestrian access	Vehicular access is via one main road. There are two pedestrian entrances, one at the side with access through the grounds of Allerton HS. It is anticipated, this

	It is not envisaged that local roads would be adversely impacted and there is sufficient space for parents vehicles to park on roads adjacent to the school	will also be part of a cycle route. It is not envisaged that local roads would be adversely impacted upon.
Extended Services	Fir Tree is a stand alone primary school which provides community access to a variety of external users	ABC is a stand alone primary school although situated next to Allerton HS. The school currently provides community access to a variety of external users.
<b>Ownership of each site</b>	Leeds City Council	It would appear that the site, having been provided initially by the Council, has never been transferred to the Diocese and presently rests with Education (Learning and Leisure) in its entirety. It should be noted however, that the Diocese would have claim to a percentage of any proceeds generated by the sale of the site.
<b>Valuation of each site</b>	<b>£5.75m to £6.75m gross</b>	<b>£2.0m to £2.5m</b>
<b>Budget Estimate to bring up to standard of 1.5 FE with Children's Centre</b>		
	Children's Centre – extension to Nursery/Reception @ £2000 per m <sup>2</sup> <b>£200,000</b>	Children's Centre – Refurbishment and conversion of existing accommodation 416m <sup>2</sup> @ £1,600 per m <sup>2</sup> . <b>£665,600</b>
	Conversion of existing Nursery/Reception into CC. Approx 320m @£1600 per m <b>£512,000</b>	Installation of 3 folding screens to classrooms around resources area and minor refurbishment approx <b>£100,000</b>
	3 new classrooms @ 63m <sup>2</sup> per classroom plus 10% circulation plus 9m storage. 217m @£2000 per m <b>£434,000</b>	5 new classrooms @63m <sup>2</sup> plus 10% circulation and 15m <sup>2</sup> storage @ £2,000 per m <sup>2</sup> x 362m <sup>2</sup> <b>£724,000</b>
	Internal alteration to 2 storey block to increase size of 2 classrooms and return existing Education Welfare offices to classrooms. 262m @£1200 per m. <b>£314,400.</b>	
	Installation of lift <b>£50,000</b>	
	Condition work <b>£320,000</b>	Condition work <b>£140,668</b>
<b>Total</b>	<b>£1,830,400</b>	<b>£1,630,268</b>

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**Agenda Item:**

**Originator:** George Turnbull

**Telephone:** 2243239

## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD:** 13 December 2006

**SUBJECT:** Primary Review: Outcome of Statutory Notices for the Reorganisation Proposal in the Meanwood Primary Planning Area

### EXECUTIVE SUMMARY

#### 1 Purpose of the Report

- 1.1 The purpose of the report is to inform Executive Board of the outcome of the statutory representation period for the reorganisation of primary provision in the Meanwood Primary Planning Area.

#### 2. Background

- 2.1 The report provides a summary of the representations received in respect of the statutory notice to close Miles Hill Primary School and Potternewton Primary School in August 2007 and to establish a one and a half form of entry primary school on the current Potternewton site in September 2007.

#### 3. Main issues raised as a result of Statutory Representations

##### 3.1 Opposition to the proposal

From the representations received, there was considerable opposition to the proposal to close Miles Hill Primary School from pupils, parents and the local community. The school was described as being at the 'heart of the community' and the closure of the school would have a detrimental effect on the local area and the extended services on offer.

##### 3.2 Education Leeds response:

Education Leeds acknowledges the concern expressed about the potential impact of the closure of Miles Hill Primary School on the local community. However, the Education Leeds' Organisational Change Team will work with the school providing support through the transition phase to minimise the impact on the community. In addition, the City Council may wish to consider retaining the Miles Hill site for community facilities to support extended services and continued regeneration of the area. This could, however, impact on available investment in the new school that would be funded from a capital receipt for the site.

##### 3.3 Social provision at Miles Hill Primary School

Representations from a number of pupils spoke very highly of the play facilities

on offer at Miles Hill Primary School and of the many awards achieved by the school. These, in addition to the caring nature of the staff at the school, made the school a “fun place to be”.

**3.4 Education Leeds response:**

The new school presents the opportunity to establish a sustainable, extended school to serve the local area with similar facilities to those that currently exist in both schools.

**3.5 Disruption to the children’s education**

The school has a number of children with additional needs and concern was expressed that the transition to a new school would be very difficult.

**3.6 Education Leeds response:**

The proposed new school would build upon the strengths of the existing schools with as much continuity preserved as possible. It is anticipated that careful management of the transition period will minimise disruption and provide the appropriate support for all pupils, parents and staff.

**3.7 Class size**

The view was expressed that the children at Miles Hill have benefited from being taught in small classes.

**3.8 Education Leeds response:**

Low enrolments and falling pupil numbers tend to have a detrimental impact on school budgets. This in turn has implications for staffing and delivery of the curriculum. How the new school chooses to organise pupils will depend on the number of children at the school, however, class size is best managed with viable schools to address curriculum needs rather than ad hoc arrangements potentially caused by falling rolls.

**4. Recommendation**

**4.1** Executive Board is invited to:

- i. Consider the representations received
- ii. Agree to proceed with the proposal to close Miles Hill Primary School and Potternewton Primary School on 31<sup>st</sup> August 2007 and to establish a one and a half form of entry school in the existing Potternewton building on 1<sup>st</sup> September 2007.
- iii. Note that as a result of the representations the determination of the notice falls to the School Organisation Committee
- iv. Agree that the comments prepared by Education Leeds and contained in this report serve as the Local Authority’s response to the representations for consideration

**Agenda Item:**

**Originator: George Turnbull**

**Telephone: 2243239**

## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 13 December 2006**

**SUBJECT: Primary Review: Outcome of Statutory Notices for the Reorganisation Proposal in the Meanwood Primary Planning Area**

**Electoral wards Affected:**  
 Chapel Allerton  
 Moortown

**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

1.1 The report provides a summary of the representations received in respect of the statutory notice to close Miles Hill Primary School and Potternewton Primary School in August 2007 and to establish a one and a half form of entry primary school on the current Potternewton site in September 2007.

### 2.0 Background

2.1 At its meeting on 14<sup>th</sup> June 2006, the Executive Board agreed the publication of a statutory notice to close Miles Hill Primary School and Potternewton Primary School on 31st August 2007 and to establish a one and a half form of entry primary school in the current Potternewton building on 1st September 2007.

2.2 The objective of the reorganisation proposal was to address the long-term viability of schools in the Meanwood Primary Planning area, which comprises Miles Hill, Potternewton, Carr Manor, Meanwood CE and St Urban's Catholic Primary Schools. Potternewton and Miles Hill Primary Schools have both felt the impact of low pupil numbers and have the highest surplus places in the area at 59% and 46% respectively (Pupil Level Annual School Census 2006 (PLASC)). In January 2006,

there were 232 pupils in total on roll in the two schools. September 2006 figures indicate the number on roll for both schools is currently 241 and around 43 Reception aged children in the two schools with a combined admission limit of 90. There are approximately 204 surplus places across the five primary schools that make up the Meanwood Planning Area (PLASC 2006).

### **3.0 Main Issues**

#### **3.1 The Issue: Statutory Representations:**

A total of 175 statutory representations have been received from individuals connected to Miles Hill Primary School, 172 of which were opposed to the proposal. The majority (162) of these are duplicate copies of the same letter that have been signed by parents or carers of children at the school. Eleven letters have been received from pupils at the school, one letter from a local resident and one from the Management Committee of Sure Start Mellow Valley which is located in the former bungalow on the site. A summary is available in Appendix 1.

**3.2** The Statutory Notice period for Potternewton Primary School ended on 20 November 2006. No representations have been received in response to that part of the notice referring to the closure of Potternewton Primary School with the exception of the representation from Sure Start Mellow Valley referring to both schools.

**3.3** All the written representations received have been analysed in detail and the key issues have been summarised below along with Education Leeds' response. It should be noted that this is a summary of more detailed information. A copy of all written responses is available for inspection from the clerk to the Executive Board, named on the front page of the agenda.

#### **3.4 Opposition to the proposal:**

There was considerable support from parents/carers and pupils to retain Miles Hill Primary School within the community to meet the needs of local children and families. Concerns were expressed that the closure of the school would have a detrimental effect on the area. Sure Start, in particular was concerned about the possible loss of a valuable resource for the local communities providing services that local people would otherwise find difficult to access. Furthermore, Sure Start also felt extended services were best achieved through the retention of both schools in the Meanwood area.

#### **3.5 Education Leeds' Response:**

Concern about the impact on the local community of the closure of the school is acknowledged. Education Leeds will engage with local agencies and Council departments to plan the transition and implementation to support the families affected. Education Leeds' Organisational Change Team, which has considerable experience of managing similar proposals, has started discussions with both schools and will continue to support the schools to minimise the impact on the community.

Options for consideration include continued use of the Miles Hill site and use of other facilities within the locality. Consequently, the City Council may wish to consider retaining the Miles Hill site for community facilities to support continued regeneration of the area. This could, however, impact on available investment in the new school that would be funded from a capital receipt for the site. Education Leeds will also work with all schools in the area, including the new school, to provide extended school provision that can be tailored to the community's needs.

- 3.6 Social and welfare provision at Miles Hill Primary School:**  
The view was expressed that the school has worked hard to provide many facilities to enhance the quality of the learning experience of children at the school. The closure of the school would result in the loss of a number of achievements and developments especially the play provision currently enjoyed by the pupils who attend the school. The grounds in general provide a valuable resource to the children in the area.
- 3.7 Education Leeds' Response:**  
The new school presents the opportunity to establish a sustainable, extended school to serve the local area with similar facilities to those that currently exist in both schools.
- 3.8 Disruption to the children's education:**  
Concern was expressed that the children at Miles Hill, particularly those with additional needs, would find the transition to a new school difficult.
- 3.9 Education Leeds' Response:**  
The review of the provision of school places in this area indicates that there are not currently, nor projected to be, sufficient pupils for both Miles Hill and Potternewton to be retained. An amalgamation would be founded on the strengths of the existing schools, with as much continuity preserved as possible. Schools going through similar proposals in the past have successfully managed transition arrangements whereby the process to enable a smooth integration of the pupils starts prior to the establishment of the new school. It is anticipated that careful management of the transition period will minimise disruption and provide the appropriate support for all pupils, parents and staff.
- 3.10 Children benefit from small class sizes**  
It was felt that children benefited from smaller class sizes at Miles Hill Primary School.
- 3.11 Education Leeds's Response:**  
Although small schools receive additional, small school funding, this does not necessarily allow for small, single age classes. Low enrolments and falling pupil numbers tend to have a detrimental impact on school budgets. This in turn has implications for staffing and delivery of the curriculum. How the new school chooses to organise pupils would then depend on the number of children at the school. Class size is best managed with viable schools to address curriculum needs rather than ad hoc arrangements potentially caused by falling rolls. The Potternewton building is sufficiently large to accommodate an intake of up to 45 pupils per year (315 in total). The building is large and light and has the potential for additional facilities to be provided.
- 3.12 Community Impact Assessment**  
Education Leeds commissioned the Inner North East Area Management Team to undertake a full Community Impact Assessment on this proposal. The purpose was to investigate the impact of the closure of Miles Hill Primary School on community provision on the Beckhill estate, within which the school is situated.
- 3.13** There are a number of facilities available in the area for general community use. Other facilities are located nearby but are considered to be less accessible due to the geographical location; in one direction this involves a steep hill. The facilities located at Miles Hill school are not generally accessible to the wider community with

the exception of Mellow Valley Sure Start which is based in the old Superintendent's bungalow within the school grounds. The continued speculation about the future of Miles Hill Primary School has possibly hindered the development of services at the school. Furthermore, evidence from recently organised events within the community show there is no demand for services nor do residents of the estate access those services that are available close to the estate.

- 3.14** Education Leeds acknowledges that the community around the school has been identified as a priority neighbourhood for action by the North East District Partnership. However, there is no reason to believe that the community provision currently located at Miles Hill Primary School would not be replicated at the proposed new school, or would not exist in another neighbouring school.

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

- 4.1** Planning primary school places is relevant to a number of key priorities identified in the Children and Young People's Plan, the Asset Management Plan and the Corporate Plan, in terms of managing the supply and demand of school places and school improvement. It is also relevant to the Closing the Gap agenda, with the planning of school places taking consideration of wider socio-economic factors and regeneration.

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

##### **5.1 Financial Implications**

- 5.2** There would be an annual revenue saving of approximately £147,710 from this amalgamation proposal.

- 5.3** The Miles Hill Primary School site would be declared surplus to educational requirements if this proposal proceeds. If there is a capital receipt generated from the site, a bid would be submitted to fund primary review works, including improvements proposed on the Potternewton Primary School site. A business case would be developed to identify how the potential costs of spending in advance of the capital receipt would be funded.

##### **5.4 Statutory Implications**

- 5.5** The review of primary provision fulfils the LEA's statutory requirement to keep under review the supply and demand of school places.

- 5.6** After full consideration of the views expressed during the Statutory Representation period, Education Leeds is of the view that this proposal should proceed. As statutory objections to the proposal have been received, the proposal falls to the School Organisation Committee for determination.

##### **5.7 Equality Implications**

- 5.8** The proposals have been subject to equality impact assessment which indicates that these proposals are not likely to have differential impacts on the basis of ethnicity, disability or gender. The five schools in the area have different ethnic compositions, with the percentage of White British pupils ranging from 39% in Carr Manor Primary to 84% in Meanwood CE Primary. The schools likely to be most impacted on by this proposal all have black and minority ethnic populations. The composition of the new school could be different from the two original schools, dependant on parental choice.

**5.9 Indicative Timescale**

**5.10** Miles Hill Primary School was considered to require special measures following an Ofsted inspection in May 2006, therefore the statutory notice period required was one month from the date of publication of the notice which ended on 6 November 2006. The statutory notice for the closure of Potternewton Primary School, and the establishment of a new one and a half form entry school expired on 20<sup>th</sup> November 2006.

**5.11** The statutory process requires the Local Authority to formally place the proposal before the School Organisation Committee.

**6.0 RECOMMENDATIONS**

**6.1** Executive Board is invited to:

- i. Consider the representations received
- ii. Agree to proceed with the proposal to close Miles Hill Primary School and Potternewton Primary School on 31<sup>st</sup> August 2007 and to establish a one and a half form of entry school in the existing Potternewton building on 1<sup>st</sup> September 2007.
- iii. Note that as a result of the representations the determination of the notice falls to the School Organisation Committee
- iv. Agree that the comments prepared by Education Leeds and contained in this report serve as the Local Authority's response to the representations for consideration

## Appendix 1

### Representations received in response to the proposal to close Miles Hill and Potternewton primary schools and to open a new one and a half form entry primary school on the Potternewton site.

The following is a summary of the issues raised in written communication during the Statutory Representation period. They reflect the views as they have been expressed. They are not necessarily either accurate or substantiated.

<b>Early Years</b>	Concerns over losing Surestart facilities	2
<b>Access</b>	The Miles Hill pupils will have much further to travel to school	2
<b>Site &amp; Buildings</b>	Make Miles Hill a 1FE primary school	1
	Potternewton not large enough	4
	Should merge both schools on Miles Hill site	3
	Close Potternewton instead	3
	Share pupils from Carr Manor instead	1
	Improve/extend facilities on Miles Hill site instead	1
	Miles Hill provides a valuable play resource	170
	Miles Hill would lose their breakfast and after school clubs	1
<b>Community</b>	Small community schools are beneficial to the children	1
	Miles Hill is at the heart of the community	162
	Don't want to lose facilities	7
	Develop community cohesion by keeping Miles Hill and Potternewton as separate schools	1
	Keep Miles Hill open and improve community resources in the area	1
	Established links with other agencies and voluntary organisations	2
<b>Disruption to children</b>	Concerns about difficulty of pupils adapting to transition	161
<b>Finance</b>	Money invested on facilities wasted	1
<b>Parental Choice</b>	Parent will not send child to Potternewton	2
<b>Process</b>	Proposal has a negative affect on Miles Hill school	1
	Not enough information given	1
<b>Pupil Numbers</b>	Accepts numbers issue	1
	Potternewton has less pupils than Miles Hill	9
<b>SEN issues</b>	Miles Hill provides well for North West SILC	1
<b>Staffing</b>	Dedicated staff at Miles Hill	5
<b>Standards</b>	Small classes are better than large classes	161
<b>Achievements</b>	Miles Hill is a level 3 Healthy School	6
<b>Other</b>	Against proposal	172





Originator: Penny Richardson

Tel: 2478578

**Report of Chief Social Services Officer,  
Director of Children’s Services**

**Executive Board**

**Date: 13<sup>th</sup> December 2006**

**Subject: Review of Residential Children’s Homes**

**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**

1. This report describes the key focus, process, findings, recommendations and suggested actions for improvement arising from a review of children’s residential homes in Leeds that took place over 2005 –06. The review is an integral part of the Council’s drive, overseen by the Director of Children’s Services, to improve the lives, aspirations and achievements of Looked After Children.
2. Children’s homes are a part of the range of care provision used for Looked After children, for whom all Elected Members share the role of Corporate Carer. The review has highlighted a number of priority areas for improvement, referred to in the report as “Improvement Priorities”.
3. The report also draws Elected Members’ attention to a specific part of the review that was to assess the children’s home buildings against “fitness for purpose” criteria. This directly relates to the recommendation that Holmfield children’s home is closed.
4. All appendices and the full report are available to Elected Members as background papers. An executive summary of the report is attached as an appendix to this report to Executive Board.

## **1.0 Purpose Of This Report**

1.1 This report aims to:

- summarise the national and local context of children's services within which the review took place;
- explain the links between the review, priorities for improvement in Children's Services across Leeds, and the Social Services' Transformation Programme for children's services;
- describe the consultation process which has been an integral part of the review at all stages;
- summarise the views of children, young people and staff expressed through consultation;
- report the findings of the review within the thematic areas on which it was structured, including referring to some comparative data;
- list the areas for improvement which have been identified as a result of the review process,  
  
and, in relation to Holmfield children's home
- explain the reasons for suggesting its closure, and outline proposed future arrangements for children who live at Holmfield, and the staff.

## **2.0 Background Information**

### **Every Child Matters – Improving services for children in Leeds**

2.1 The Every Child Matters influence on the development of children's services expects that provision be constructed around a child, putting the needs of the child and his/her family at the forefront of service development. Every Child Matters is supported by a framework of outcomes and performance indicators which link to a 5 fold framework:

- Be Healthy
- Staying Safe
- Enjoying and Achieving
- Making a positive contribution, and
- Achieving Economic Wellbeing

2.2 The priorities for the improvement of services to children across Leeds are linked to this framework, and articulated in Leeds strategic plan for children and young people, also known as "Every Child Matters" (2006). The strategic partnership which develops and monitors this strategic plan is called "Children Leeds". The Director of Children's Services plays a critical role in driving forward this agenda.

2.3 The Director of Children's Services and the Chief Officer for Social Services engages in regular structured conversations with DfES advisers on priorities for Leeds, guided by areas of specific focus articulated within the 5 outcomes framework. Many of the areas of focus relate to securing improvements in provision for looked after children. Within the "Staying Safe" category, a specific priority relates to improving residential care provision to meet National Minimum Standards.

A related focus within “Enjoying and Achieving” is the need to improve attendance and attainment of looked after children, and improve alignment and connections between services. Importantly, under “Making a Positive Contribution”, improving the participation of looked after children and young people in their reviews is highlighted.

- 2.4 The review of residential children’s homes has considered and made direct service related recommendations in all of these areas. The review has been thorough, searching and well timed to challenge and explore practice and provision in this important area of care provision for looked after children and young people.
- 2.5 The Director of Children’s Services has considered the outcomes of the review of residential children’s homes, and is entirely confident that the agenda for improvement that arises from the review, is consistent with identified priorities for the future of children’s services in Leeds. The priorities for improvement and the associated activity programmes (see section 6 of the full residential review report available as a background paper) provide practical approaches to progress key actions to improve services for looked after children.

### **Social Services – Placement Management**

- 2.6 Ensuring an appropriate balance of the right type of high quality care placement presents an ongoing challenge for all Local Authorities, including the Social Services Department of Leeds City Council.
- 2.7 In order to drive forward improvement in services for looked after children, the Social Services department has developed a “Transformation Programme” which sets out proposals for much needed service changes and development. A key strand in the Transformation Programme is that of improving placement management. This means:
- improving placement choice,
  - adjusting the balance between foster care and residential children’s home provision, by increasing the number of foster care places, and
  - improving the quality of all residential care provision through a structured series of reviews.
- 2.8 The aim is to secure a better match of care provision to the needs of children and young people. Plans are well developed to introduce, in 2007, a structure within which the provision of foster care will become “professionalised” ensuring better arrangements for the pay, training and support for foster carers. This structure will enable social workers and their managers, through monitoring and accountability structures, to better assure continuing quality of foster care provision.
- 2.9 It is within the context of the placement management strand of the Transformation Programme, that the review of residential children’s homes has taken place.

### **National Policy**

- 2.10 The government’s green paper “*Care Matters: Transforming the Lives of Children and Young People in Care*” (DFES 2006) sets an aspirational agenda for a “relentless” drive to transforming services for looked after children.
- 2.11 The green paper expresses concerns about the number of changes of care placement that some children and young people experience. It suggests a range of proposals to “radically” reform the placement system, with a focus on extending

numbers and improving quality of foster care provision, and ensuring that children “are only placed in children’s homes which meet high standards of care”. CSCI inspect children’s homes against a set of criteria known as the “National Minimum Standards for Children’s Homes.” Appendix 2 to the full report of the Residential Review (available to Elected Members as a background paper) shows an analysis of inspection grades of Leeds children’s homes against inspection criteria applied in 2005 / 2006.

- 2.12 The green paper also refers to placement choice. It suggests regional commissioning as an approach to extend this. A CSCI report “*Making Every Child Matter: Messages from inspections of children’s social services*” (2005) said that “*real placement choice for looked after children is constrained everywhere.... And many (local authorities) undertake specific initiatives to increase choice, mainly involving foster care recruitment...*”.
- 2.13 The findings of the residential review are consistent with the key messages of Care Matters.

### **Leeds Social Services - Policy Context**

- 2.14 In 2003 Social Services published its “Residential Childcare Strategy 2003-2005”. The strategy provided a direction within which service managers have aimed for improvement. The residential review has reinforced a number of priorities set out in this strategy (also available as a background paper).
- 2.15 The Leeds Social Service’s Children’s Plan (2002-2005) set some success criteria for the development of residential children’s home provision, including:
- the construction of plans to improve residential services,
  - an inclusive programme of participation and consultation with young people and staff,
  - improved attendance and examination results, and
  - independent management of the regulation 33 inspection process.
- 2.16 In its contribution to the 2006 Annual Performance Assessment, CSCI reported that only 57% of children’s homes meet minimum standards in key areas. An analysis of CSCI inspection results shows a very high level of dissatisfaction from inspectors about staffing levels.
- 2.17 Information on how Leeds compares with other authorities is referred to in more detail in the full report of the review.

### **The Consultation Process**

- 2.18 Consultation has been an integral part of the review process. There has been discussion and consultation with staff, both informally, in small groups and in structured team and practitioner meetings. Leeds Children’s Rights service, commissioned by the Social Services Department to provide advocacy services to looked after children and young people, were additionally commissioned to seek young people’s views. This was done through a Children’s Expert Panel and one to one and small group interviews. Children’s comments are summarised throughout the full review report, and are reported in full in an appendix to the review report (available as a background paper).

### **3.0 Main Issues**

#### **The Views of Children and Young People**

3.1 The children's and young people's views reflect their own experiences and perceptions. There are some key themes:

- Homes vary in character and style
- There are differing standards in the different homes.
- 'Bullying' can be an issue, especially where children of widely differing ages are mixed.
- Children would like to be involved in the recruitment of staff
- There are not enough staff and agency staff are not always welcomed.
- A number of young people expressed a desire to have more space / quiet areas
- A common theme was that of pocket money – generally a wish for more
- A number of the children see their homes as an institution rather than a home
- Lack of placement choice means that it looks as if their views on where they would like to live aren't important

These views are drawn from a meeting with young people in July, the results of interviews, consultation and a further meeting in August where the outline recommendations, including ensuring homes are "fit for purpose" was discussed. No recommendations were rejected by the young people.

#### **The Views of Staff**

3.2 The commitment of staff to providing high quality care is very high. Residential staff expressed recurrent concerns about staffing levels, and explained the impact of this (beyond low inspection grades) meant that it was not always possible to undertake the type of normal day to day activity that a child or young person could reasonably expect, such as sports or activities in the evening, or support for making a snack in the kitchen.

3.3 Fieldwork staff expressed concern about the lack of placement choice.

#### **Review Findings**

3.4 The process of the review, and the organisation of review findings is set within the following structure:

- General service
- Staffing
- Accommodation
- Leaving care
- Disability Provision

#### **General Service**

3.5 Restricted placement choice can lead to inappropriate placements, and consequently poor placement stability. This leads to some fieldwork staff having low levels of confidence in placement management. Some placement staff report

frustrations with lack of flexibility and capacity in the overall range of provision within which to place children. The number of referrals for placement exceeds the available resource. Being able to manage the provision resource is complicated because database and systems development work to improve data management has not yet taken place.

- 3.6 CSCI have expressed recurrent and serious concerns about staffing levels in residential homes, as well as recommending that improved approaches to share good practice will help to reduce bad practice.
- 3.7 Sometimes the “statement of purpose” for a children’s home can create lack of flexibility in the provision of residential care, but more importantly, can mean that a young person who is well settled in a home, needs to move because of age restrictions.
- 3.8 Placement stability is a performance indicator for the Council against which its performance is measured and compared with other authorities. A recent analysis (October 06) of children in care for 2.5 years and who have lived in the same place for 2 years, or who were placed for adoption and aged under 16, shows that placement stability is almost twice as good (compared to children in residential homes) for children placed with extended families, and 50% better (than for children in residential homes) for children placed in foster care.
- 3.9 ICT facilities for children and young people are improved and are provided through Education Leeds and the Leeds Learning Network. Most young people would still like access to more than one computer, although some do have their own lap tops. For staff there is more to do. All residential homes have access to e mail and the internet, although the reliability of the links and the effective use of the systems varies across homes. Access to Council systems is needed in due course.
- 3.10 In July 2006 an analysis of education arrangements for children living in children’s homes showed that 23 out of 71 children had not received their full entitlement to 25 hours education. Much of this was around two to three specialist educational provisions / schools, and since this time some progress has been made through closer working with Education Leeds.

### **Staffing**

- 3.11 Many of those consulted during the review commented on the high levels of commitment, dedication and expertise of residential care home staff. Young people also made positive comments.
- 3.12 Salary for Unit Manager 1 graded posts is low in comparison with neighbouring authorities. This creates both recruitment and sustainability issues. CSCI have made frequent comment, both through inspection reports and in conversations with officers, that the staffing establishments in residential homes are inadequate or unacceptable. Staffing levels are having a negative impact on inspection grades. Of ten homes inspected against inspection standard 30 (relates to staffing levels), only 3 met the standard required. Leeds Children’s Rights has commented that current staffing capacity does not enable staff to carry out effective key working activities. Young people enjoy their “one to ones” and said that they were not able to have this contact very often. Unit managers have explained that a number of staff are not up to date with some specialist training because staffing levels do not allow for their release to be trained.

- 3.13 Staff sickness levels are high, and if they continue at current rates will exceed Council targets by 40% in 2006/07. Unit managers explain sickness levels as relating to stress arising from an unacceptably pressured working environment due to inadequate staffing levels.
- 3.14 Low staffing, high sickness levels and high and complex needs of some young people have led to a high use of overtime and agency staff. CSCI support the Department's view that an over-reliance on agency staff is not good practice. Spending on agency and overtime is likely to lead to a £1.3m overspend in 2006/07, although since the review, improved sickness management and increased accountabilities when appointing agency staff may reduce this.
- 3.15 Staff morale is low, although managers say that morale has not affected the hard work and commitment of staff. Managers spend unnecessary time on administrative tasks because there is no administrative post within the staffing structure. Management training and development is not taking place in a coherent and structured way. This is also the case for specialist skills related training, for example in substance misuse, first aid and therapeutic crisis intervention. The Principal Unit Managers (PUM) and unit managers agree that the PUM posts should be increasingly distanced from day to day matters, and should increasingly focus on strategic management, monitoring and accountability to ensure ongoing improvement.
- 3.16 Young people would like to become more involved in the recruitment of the staff who will look after them.

### **Accommodation**

- 3.17 A joint exercise with an asset management officers assessed all children's homes against "fitness for purpose" criteria. These criteria are:
- the home is structurally sound
  - the building meets basic health and safety standards
  - the location of the home is suitable for young people, and enables safe access to community facilities
  - there is suitable space for play
  - bedroom size is suitable
  - communal space is of a sufficient size
- 3.18 CSCI also work within a framework of minimum standards of which the relevant standards are:

Standard No	Standard Description
Standard 23:	The home's location, design and size are in keeping with its purpose and function. It serves the needs of the children it accommodates, and provides an environment that is supportive to each child's development
Standard 24	The home provides adequate good quality domestic style facilities for those living on the premises consistent with the purpose and function of the home, and is maintained in good order throughout.

Standard 25	Baths, showers and toilets are of a number and standard to meet the needs of the children. Outcome: Children's privacy is respected when washing
Standard 26	Positive steps are taken to keep children, staff and visitors safe from risk from fire and other hazards.

3.19 Young people's comments primarily focused on the extent to which their home was like a "family home". The newer purpose built homes received commendation from both staff and young people.

### **Leaving Care**

3.20 Most young people interviewed said that "leaving care" homes were a good idea, although not all wanted to live in one. The design tends to be similar to that of other homes, and as such does not provide the flexibility that is needed to develop independence, such as independent use of kitchen facilities.

3.21 Some managers referred to a model of provision where a building has a communal area, but attached annexes designed to promote independence, but enabling access to and support from staff. There are no "leaving care" homes built on this design idea in Leeds.

3.22 The Pathway Planning team supports the leaving care process. The view of fieldwork staff is that the Pathway Planning team is "massively under resourced", having an impact on the level of support that can be provided, particularly the frequency of contact between staff and the young people, some of whom may be living on their own in flats.

3.23 Residential care home staff want to do more to support the pathway planning process, through the provision of outreach support, and more time to prepare young people for their next steps. However, staffing levels in homes do not allow for this.

3.24 Young people's comments ranged from one young person saying he felt lonely because he did not see enough of his key worker, to another saying that there was nothing about the arrangements for him that he would change.

3.25 Some young people leaving care will need adult care or support. This is especially the case for disabled young people. There is frustration amongst some children's workers because they feel that adult services do not always recognise the extent of some young people's disabilities and their need for continuing provision and support of the type and level that they believe is right.

3.26 The Social Services Transformation Board has recognised these concerns and has commissioned a "Transitions Project" which is currently in the process of being scoped.

### **Disability Provision**

3.27 The review considered the needs of all children, including disabled children, at every stage of the review. However, there are some considerations, for example transitions (see paragraph 3.25 above), that are more relevant to disabled children. In order to support the concerns about transition, a PFI bid is being progressed that proposes the development of a linked residential provision for children and adults with learning difficulties, challenging behaviour and usually an autistic spectrum disorder.



## Areas for Improvement

- 3.28 In total the full review report (available as a background paper), lists 33 separate findings. These are summarised into the text above. The findings have been structured into a framework of six Improvement Priorities. The full review report (section 6) provides sub-text to support the Improvement Priorities. This sub-text indicates broad areas of action called “activity programmes”. They will provide the key building blocks for improvement planning.
- 3.29 The six Improvement Priorities are:
1. Improve the **strategic management** of residential services, including foster care.
  2. Improve **operational / service management** processes to ensure consistency and improve quality in residential services, including foster care.
  3. **Involve children and young people** in implementing the outcomes of the review of residential services, to include contributing to monitoring and evaluation processes.
  4. Achieve an infrastructure of residential homes where **buildings** are fit for purpose and located in appropriate locations.
  5. Develop a **highly skilled and flexible workforce**, able to respond appropriately to the changing and unpredictable needs of children and young people
  6. Ensure that the needs of **disabled children** and their families are fully included within overall service planning and service delivery.

## Holmfield Children’s Home

- 3.30 As a result of the consideration of each children’s home against the criteria set out in paragraphs 3.17 and 3.18 above, Holmfield Children’s home would require significant resources to ensure it is fit for purpose, and even then its building structure does not resemble a family home.
- 3.31 The national and local context to this report, (paragraphs 2.6 – 2.9) indicate a need to move towards a new balance between foster care provision and residential children’s homes. This is articulated in the Social Services Department’s Transformation Plan.
- 3.32 The balance between foster care and residential care home provision is monitored by the Social Services Department. The aim, in changing the balance of placements between foster care and residential children’s homes, is to increase the number of children successfully placed for adoption, and of the remaining children who need specialist care, to increase family living arrangements through foster care, and reduce the corresponding proportion in residential homes. Supporting this is an ongoing aim to reduce reliance on out of authority care provision.

The table below shows recent performance towards attaining a change in the balance of placements:

	<b>April 06</b>	<b>September 06</b>	<b>06/07 target</b>
<b>% of LAC living in residential homes</b>	11.03%	10.1%	10.4%
<b>% of LAC in foster care or placed for adoption</b>	82.77%	83.7%	83%
<b>The number of children adopted as a % of all LAC</b>	(05/06 = 4.9%)	6.2%	5.9%

LAC = Looked After Children

- 3.33 In order to support this, increased capacity has been added to the fostering officer team to deal with a backlog of foster carer assessments, and to continue to provide the support needed to carers who are approved. The new Payment for Skills approach to supporting foster care includes a clear structure of training, support, pay and two way accountability between the Council and the carer to ensure appropriate and skilled foster care. The scheme includes higher fees for carers who look after children and young people with more challenging needs, especially where this relates to difficult behaviour. Complementary recruitment drives to include numbers of foster carers and adopters support this approach.
- 3.34 It is within this context that the assessment of suitability of children's home accommodation (see paragraphs 3.17 and 3.18) has taken place.
- 3.35 In the event that Elected Members approve the recommendation to close Holmfield, and to prepare for an efficient and speedy process, avoiding the difficulties that protracted programmes can bring, early work has been undertaken with staff and young people from Holmfield to explore alternative care arrangements for young people, and employment opportunities for staff. Arrangements are in hand to ensure that all young people have a child care review before Christmas, and to ensure that all young people are supported to participate in the review process and to express their views. The families of the young people have also been informed and have an opportunity to make their views known. The staff have all had interviews with Human Resources staff, and there are suitable vacancies to which the staff can be redeployed.
- 3.36 There are 8 young people at Holmfield. Careful management of admissions to, and leavers from residential care homes, means that there is a place for each young person in either another residential home, or through a supported placement with their family, or with skilled foster care.
- 3.37 Children, young people, staff and social workers have been invited to express their views in this early planning and consultation process. This planning is taking place in the full understanding that any final decision will be taken by the Executive Board. However, in order to manage change for young people and staff with as little disruption and anxiety, early planning and discussion has taken place.
- 3.38 There was a mixed reaction from young people when they were told that there was a possibility that Holmfield might close, with the majority indicating their approval to this. The young people who live at Holmfield all have a range of complex needs. Six

of the eight young people (at October 2006) have committed criminal offences. All young people have a school place, with five of them attending specialist educational provision: special school, Pupil Referral Units or alternative programmes, and three of them at mainstream school. Seven have up to date health assessments and 8 have up to date dental checks. Only 3 of the young people at Holmfield have lived there longer than 2 years. Statutory child care reviews will have taken place for all young people before the end of December, with all young people being supported by staff and by Leeds Children's Rights advocacy service.

3.39 Leeds Children's Rights has written to the Chief Officer (Children's Services). This letter is available as a background paper to this report. The main points made in the letter are:

- A loss of 6 - 8 beds will create further demand on existing placements
- Flexibility on residential homes supports unpredictable demands for foster care breakdown.
- If foster care is going to be a viable alternative, there needs to be a suitable number of foster places with suitably skilled carers.
- It is essential that young people are involved in decision making processes about any future care placement.

These issues are considered within this report: paragraph 3.32 covers the balance between foster care and residential provision; paragraph 3.33 describes the approach to ensure appropriate skills levels amongst foster carers, and refers to recruitment; paragraph 3.38 explains that advocacy support is being provided to support young people participate in their child care reviews.

3.40 If Elected Members support the recommendation to close Holmfield residential home, alternative care placements for young people will be in place by the end of February, and staff will be able to be relocated by the end of this period of time.

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

4.1 There is no statutory guidance or statutory requirements from government concerning the closure of a children's home. Neither is there any statutory provision for determining the balance between different types of care provision for looked after children and young people. Councils are however measured on certain related performance indicators. Placement stability is particularly relevant in this respect. Paragraph 3.8 shows that placement stability is better for young people in foster care or who are placed with their parents.

4.2 The Social Services Transformation Programme signals the need to adjust the balance between residential care and foster provision, stating that the closure of a residential home will support this. Detail on current performance is set out in paragraph 3.32.

4.3 The outcomes of the review, and the aims behind the proposed closure of Holmfield, are consistent with the direction and focus of the Council's Children and Young Person's Strategic Plan (06/07).

4.4 The statutory requirement to have child care reviews to recommend next steps for the young people at Holmfield is satisfied by the current early planning on the proposed closure of Holmfield.

4.5 The Council's duty to act as Corporate Parent is fulfilled by its detailed consideration of the issues and areas for improvement identified through the review of residential children's homes for looked after children, and the related considerations for Holmfield.

4.6 The Headingley ward Members have been kept informed that a report will be taken to this Executive Board recommending the closure of Holmfield. They have indicated that they have no objection to the recommendation.

## **5.0 Legal And Resource Implications**

5.1 The legal implications are set out within the body of this report.

5.2 There are likely to be financial implications arising from the review and the consequent need to increase foster care capacity. Whilst resources would be released from a decision to close Holmfield Children's Home, it is planned to use these to raise staffing levels in other children's homes.

5.3 Financial plans to both increase foster care capacity, and increase residential home staffing to reach national minimum standards, are being developed and refined with finance officers, and need to be considered within the budget submissions from Social Services as part of the process followed by the Council in constructing its budget for 2007/08.

## **6.0 Conclusions**

6.1 The residential review has been a thorough, year long review of a range of aspects relating to residential children's homes for looked after children. The Improvement Priorities that will drive progress over the next 2-3 years are drawn from a sound evidence base of analysis, and engagement through consultative processes with field workers, service managers, residential home staff and children and young people who live in the homes.

6.2 The Improvement Priorities categorise the key areas within which a range of action is needed to secure improvement. They are consistent with priorities agreed by Children Leeds for the ongoing development and improvement of children's services

## **7.0 Recommendations**

7.1 That the Executive Board notes the key issues arising from the residential review as set out in this report, and approves the intention to develop an Improvement Plan based on the Improvement Priorities set out in paragraph 3.29.

7.2 That the Executive Board approves the recommendation that Holmfield Children's Home should close at the end of February 2007, subject to alternative suitable care arrangements having been identified and secured for the young people who live there.

## **Appendices**

1. Executive Summary of the Review of Residential Children's Homes (October 2006)

## Background Papers available for Inspection

1. Residential Review Report (October 2006)
2. Appendices to the Residential Review report
  - Appendix 1a\*      Asset Management Matrix and Report
  - Appendix 1b\*      Placement cost per children's home
  - Appendix 1c\*      Map of children's homes locations
  
  - Appendix 2 \*      Performance of Leeds Residential Children's Homes against CSCI standards between September 2005 and July 2006
  
  - Appendix 3      Report by Leeds Children's Rights: Consultation with Young People
  
  - Appendix 4      Documents from targeted consultation with disabled young people
3. Residential Childcare Strategy (2002-2005) Leeds Social Services
4. Letter from Leeds Children's Rights to the Chief Officer (Children's Services)

\* available to staff and Elected Members only as the reports identify names and locations of children's homes

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# **A Review of Residential Children's Homes**

## **Executive Summary**

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October 2006

Review Officer : Sarah Fitzpatrick

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## Introduction

1. This Executive Summary describes the key aspects of the review of residential children's homes in Leeds, setting them in a broader context of national and Leeds specific placement and policy information. It reports on processes and outcomes of consultation and discussion, and concludes with a framework of improvement priorities which will drive the ongoing development of provision for looked after children in residential children's homes in Leeds.
2. The full report, including a detailed report on children's views, is available on the Leeds City Council website. Other detailed appendices are available on request to Elected Members and Council staff.
3. The initial scope for the review included the following four themes:
  - To achieve an overview of Leeds children's residential provision
  - To gather and collate input from Leeds children's residential provision
  - To deliver a report detailing recommendations for the future of residential provision for the next 5-10 years
  - To begin to consider implementation of the review recommendations.

## National Context

4. The Every Child Matters agenda is driving change across children's services. Nationally achieving real placement choice is a difficulty. Improvements across residential care, including fostering, aim to improve placement choice and the tailoring of provision to meet children's needs and wants.

## Leeds context

5. Leeds Social Services Department is currently in a process of organisational change, in response to the Children Act 2004, and the need to operate as an integral part of Leeds Children's Services. A commissioning framework is being put into place by the Directorate of Children's Services, which will require the Department to act as both a commissioner and provider of services. This will mean an increasingly business oriented approach to planning, delivering and monitoring outcomes from services for children. This presents a number of challenges as children's services budgets in Social Services were overspent in 05/06 and are predicted to overspend in 06/07. £7.6, was spent on Leeds residential children's homes in 05/06, out of a total children's social services budget of £56m.



6. When compared with other Local Authorities, Leeds has a relatively low percentage of children in residential provision, and a significantly lower unit cost of services for looked after children. Per placement costs are also significantly lower than in other Local Authority residential provision.
7. Priorities for improving placement choice are set out within the Department's Business Plan, which includes its transformation priorities. Part of this is to change the balance between residential home provision and foster care, increasing the number of foster carers, and reducing the number of beds in residential homes. The three key service improvement priorities that have relevance to children's homes are:
  - All looked after children should have personal education plans
  - More looked after children should participate in their care planning and reviews
  - Outcomes and integrated support should be improved.
8. In March 2006 there were 1252 looked after children who were the responsibility of Leeds City Council. 120 of these children were placed in residential homes. Leeds has 15 children's homes, and procures the services for four homes from NCH and Catholic Care.

### **Children's Homes – Key Issues**

9. An analysis of inspection findings shows weaknesses in management, staffing levels, and suitability of some buildings and safety arrangements. Staff absence is higher than the Council target. Use of agency staff and over-time is significant, and creates budget management difficulties.
10. The Leeds Social Services Children's Plan (02-05) set out a number of approaches to improve residential care. Limited progress has been made on proposed action. A number of actions set out in the strategy are similar to the findings of this review, which will, it is intended, add a fresh impetus to the achievement of improvements.

### **Review Method**

11. The review method has focused heavily on the need to engage children and young people and residential staff in the process and to offer regular opportunities for ongoing consultation on the emerging findings and recommendations of the review. It also recognised the need to have a strategic lead within the Department, its progress was overseen by a Project Board. Best Value principles, including comparisons with other authorities were applied throughout the review process.

### **Children's and Young People's Views**

12. Leeds Children's Rights Service were commissioned to consult with children and young people in Leeds Children's Homes to gather their views regarding the children's homes. A detailed report has been produced and this is available on the Leeds City Council web-site.

13. The children's and young people's views reflect their own experiences and perceptions. There are some key themes:

- Homes vary in character and style
- There are differing standards in the different homes.
- 'Bullying' can be an issue, especially where children of widely differing ages are mixed.
- Children would like to be involved in the recruitment of staff
- There are not enough staff and agency staff are not always welcomed.
- A number of young people expressed a desire to have more space / quiet areas
- A common theme was that of pocket money – generally a wish for more
- A number of the children see their homes as an institution rather than a home

### Staff Views

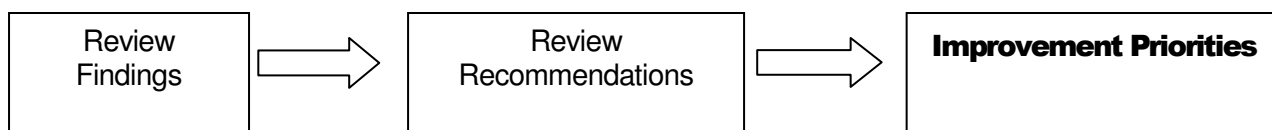
14. The consultation with staff took the form of one to one and small group interviews where participants were asked to comment on a range of subjects. Their views are reflected throughout the discussion on review findings in the full report. The most commonly rehearsed views relate to inadequate staffing, and the pressures this creates to deliver high quality and consistent care. Levels of commitment amongst staff were very high.

### Review Findings

15. Findings are structured under the 5 headings of:

- General Service
- Accommodation
- Staffing
- Leaving Care provision
- Disability provision

16. The full findings are set out within the main report of the Residential Review. Many findings relate to other findings. Because of the number (33) and complexity of the findings, and the need to ensure a coherent approach to implementing improvement, they have been translated into recommendations and then grouped into improvement priorities, thus:



4

RESIDENTIAL REVIEW REPORT  
EXECUTIVE SUMMARY  
FINAL DRAFT  
NOV 06

## Improvement Priorities

17. There are 6 Improvement Priorities, each of which is supported by a range of activities which are drawn from the findings and recommendations. The 6 Improvement Priorities are:

1. Improve the strategic management of residential services, including foster care.
2. Improve operational / service management processes to ensure consistency and improve quality in residential services, including foster care.
3. Involve children and young people in implementing the outcomes of the review of residential services, to include contributing to monitoring and evaluation processes.
4. Achieve an infrastructure of residential homes where buildings are fit for purpose and located in appropriate locations.
5. Develop a highly skilled and flexible workforce, able to respond appropriately to the changing and unpredictable needs of children and young people
6. Ensure that the needs of disabled children and their families are fully included within overall service planning and service delivery.

18. The activity programmes supporting each Improvement Priority are in section 6 of the full residential review report.

## Conclusions

19. The review has provided a wide-ranging exploration of many of the factors that both promote and inhibit the provision of high quality residential care. The challenge for the future is to achieve a forward looking focus, building on what works well, and minimising the effect and occurrence of what does not.
- 7.2 There are challenges for all in the service of providing care to our children. For all staff it is clear that effective communication and clarity of roles and responsibilities is paramount. The Improvement Plan is explicit in describing steps to improved performance. It will need to be owned and driven by senior staff, who will need to provide strong and inspirational leadership.
- 7.3 For service managers, providing regular coaching, support and leadership to service staff, with a strengthened focus on monitoring and accountability for both outcomes for children and performance targets for the service, is essential for organisational effectiveness.





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**Report of the Director of Learning and Leisure**

**Executive Board**

**Date: 13<sup>th</sup> December 2006**

**Subject: Leeds Playing Pitch Strategy**

**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**

Leeds City Council's Playing Pitch Strategy was adopted by Executive Board in 2003. Since its adoption, there have been many developments across the Council and within sport in general that have had a major impact on the successful delivery of the strategy. In addition, Sport England has significantly revised its Playing Pitch Strategy Methodology to give clearer, more strategic guidance in the data provision and implementation for Local Authorities to Service Providers. In July 2006, the Council formally adopted its Children and Young people's Plan, as required by the 2004 Children Act. This contains far-reaching implications for sports provision across the city. As a result of these developments and the recalculation of the costs associated with its implementation, it is necessary to update the Playing Pitch Strategy. The key issues raised in this report are:-

- Since the completion of the Playing Pitch Strategy in 2003, Sport England has significantly revised its guidance on the production of playing pitch strategies.
- There have been many developments in sport which have had an impact on the growth of sport across the city, specifically a growth in football of 30%.
- When the Playing Pitch Strategy was produced in 2003, Learning and Leisure were relying heavily on the increased access to pitches within school sites, to ensure its successful implementation.
- Grass playing pitches are hugely subsidised by Learning and Leisure at an average of £240,000 per annum
- The quality of grass pitches and ancillary facilities across the city is very poor.
- The cost of bringing these facilities up to the standard of the National Playing Field Association, Sport England and Governing Body standards was estimated at £12.5 million in 2003. In reality, the figure is more likely to be in the region of £50 million.

## 1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to inform Executive Board of the developments in the Playing Pitch Strategy since its adoption in 2003, the requirement to update the strategy, the issues that are currently impacting on the development of the strategy and service delivery and the financial input required to ensure its successful implementation.

## 2.0 BACKGROUND INFORMATION – THE FINDINGS OF THE PLAYING PITCH STRATEGY ASSESSMENT IN 2003

### National Incentives

- 2.1. There was increasing concern at national government level due to the loss of playing fields, which prompted the need for Councils to develop Playing Pitch Assessments and Strategies, which identify current and future requirements for playing fields.

### Local Assessments

- 2.2 Leeds City Council's Playing Pitch Strategy was adopted by the Executive Board in October 2003 and since then there has been a report to each Area Committee, detailing the complete picture in terms of pitches and teams in their area.
- 2.3 The 2003 Playing Pitch Strategy identified that there were 818 playing pitches within the Leeds City Council boundary. This pitch supply was made up of the following:-

Pitch Provider	No. of Sites	No. of Pitches
Leeds City Council (Parks)	111	276
Parish/Town Council	2	4
Education Sites	163	324
Private/Voluntary Sports Clubs	117	208
Professional Sports Clubs	6	6
<b>Total</b>	<b>399</b>	<b>818</b>

- 2.4 Since 2003, 22 education sites have been redeveloped through the Private Finance Initiative and together provide 42 sports pitches, 3 artificial turf pitches, and 49 mini pitches and multi-use games areas.
- 2.5 These pitches are not all available for community use, where for example they are 'owned' by professional sports clubs. Similarly, there are pitches still within local schools which are not currently available to the local community. The number of accessible playing pitches are shown in the table below.

Pitch Provider	Cricket	Rugby Union	Rugby League	Football	Hockey	Total
Leeds City Council (Parks)	20	5	31	218	2	276
Education Sites	10	19	29	166	2	226
Private/Other	77	34	10	86	4	211
						713 in total

2.6 It can be seen from the table in 2.5 that Leeds City Council (Parks) is the main supplier of accessible playing pitches within Leeds, supplying 276 pitches citywide. If each pitch is utilised 2-3 times during a weekend, this represents between 15,000 and 22,000 players utilising Leeds City Council (Parks) managed facilities every weekend. This makes the management, co-ordination and future delivery of the Playing Pitch Strategy an essential element of the Parks and Countryside Service, which contributes to the Health and Well Being and Physical Activity aspirations of the Council.

### **Playing Pitch Strategy Facility Assessments**

2.7 From a facilities point of view the Playing Pitch Strategy demonstrated that:-

- There is a shortage of junior and mini football pitches city wide
- There is a shortage of accessible pitches in certain parts of the city
- The overall quality of pitches fall well below customer expectations
- There is a lack of quality ancillary facilities (e.g. changing facilities and car parking) throughout the city. Many of these facilities do not meet current day requirements in terms of child protection and equal opportunities
- Only 34% of schools have community use/access of their facilities. This equates to an untapped resource of 97 sites that are not available to the community across the Authority.
- There has been a lack of capital investment in playing pitches over the last 20 to 30 years
- Confusion exists over the booking arrangements for pitches across the city
- There is a lack of pre-season, grass and all-weather training facilities and clubs/groups find it difficult to access indoor and floodlit training facilities throughout the season at suitable times for their age groups at sport centres and school sports halls
- Optimum use of the new school facilities provided by the PFI can only be realised by a co-ordinated and prioritised approach promoted through the revised Playing Pitch Strategy.

### **Playing Pitch Strategy Sport Assessments**

2.8 **Football**

- There is a deficiency in the number of junior and mini soccer pitches across the city and the quality does not meet current day expectation
- Leeds City Council are the main supplier of accessible football pitches
- Peak demand for senior football is on a Saturday and peak demand for junior football is on a Sunday

## 2.9 Rugby Union

- There is a sufficient supply of rugby union pitches to accommodate current and any future increase in demand but the quality of the pitches does not meet current day expectations
- The main supplier of rugby union pitches is the private/voluntary sports club sector

## 2.10 Rugby League

- There is a sufficient supply of rugby league pitches to accommodate current and any future demand but the quality of the pitches does not meet customer expectations
- Peak demand for pitches is on a Saturday

## 2.11 Cricket

- There is a sufficient supply of cricket pitches to accommodate current and any future demand for pitches but the quality does not meet customer expectations
- There are 4 senior women's cricket teams who play their fixtures on a Sunday
- The main supplier of the cricket pitches is the private/voluntary sports club sector

### **Playing Pitch Strategy Pitch Allocation Assessment**

- 2.12 There are a number of ways that Clubs and Teams can hire a sports pitch. The Parks and Countryside service has a formal booking process for football, rugby and cricket facilities. Prices are set annually and rise in line with inflation.
- 2.13 Education Leeds hires out school facilities including sports pitches and indoor facilities through their letting system. Clubs/Teams can hire sport pitches free of charge if they accommodate people under 18 and do not levy a charge for young people to participate. Schools can also choose to hire out pitches to clubs on a private arrangement. The school can charge its own negotiated rate for the use of the facilities and does not have to go through the Education Lettings System.
- 2.14 Teams that want to book pitches at schools that are part of the PFI programme, New Opportunities Fund funded sports facilities and Building Schools for the Future will have to book access to facilities through a help line managed by the PFI contractor.
- 2.15 Learning and Leisure's Parks and Countryside Service now adopts a more structured and strategic approach to the allocation of clubs/teams to sites, with Charter Standard or Club Mark clubs and teams being prioritised above Sunday League Teams who take part in sport for social opportunities, rather than club and sport development. This approach to allocation has worked well with clubs and sport governing bodies. The major issue for Parks & Countryside is the fact that the cost of maintaining one grass pitch is £1,500 per annum, whilst the income generated from one sport pitch allocation is currently £350.00 for an adult team and £165.00 for a junior team. Due to the poor quality of grass pitches across the city, the maximum number of teams allocated to a pitch is currently 3 with the average number being 2 teams per pitch. This means that grass pitches are subsidised anywhere from £450.00 to £1,335.00 per pitch per annum depending on whether the pitch is used by junior or adult teams.



- 2.16 The total subsidy for the Parks sports pitch allocation across the city is approximately £240,000 per annum. Changing rooms are similarly heavily subsidised as charges for use of changing rooms are currently £200 per season, yet costs of rates, services and staffing can be in the region of £2,500 per annum.

### **Playing Pitch Designation and Allocation**

- 2.17 One of the issues not referred to in the 2003 Playing Pitch Strategy is the issue of future playing pitch designation. As new sites are developed, it is vital that the sport designation of the pitches matches the city-wide demand requirements of clubs and teams. Where there is an identified shortage of pitches for a particular sport, whether football, cricket, rugby union, Gaelic football or rugby league, the new provision should be prioritised through the Playing Pitch Allocation process managed as part of the Playing Pitch Strategy.

The allocation of Clubs and Teams to these new facilities will be carried out in line with the development of the Playing Pitch Strategy since 2003. The implications of this are that clubs with Charter Standard or Club Mark i.e. those with junior boys and girls and women will be prioritised above Sunday league teams in the first instance, followed by historical or localised allocations.

- 2.18 The 2003 assessment showed that in certain areas of the city there is an 'over supply' of pitches for particular sports and in other areas an 'undersupply'. Whilst this picture may have changed with the growth in football teams outlined in paragraph 4.2, it is clear that with only 276 pitches and 1200 teams across the City, the allocation of pitches needs to be carried out in a strategic, cross city manner. This is necessary to avoid those predominantly inner city areas, where there is an undersupply, being disadvantaged in the allocation of pitches.

## **3.0 MAIN ISSUES WITH PLAYING PITCHES – 2003 ONWARDS**

### **Sport England Playing Pitch Strategy Methodology Developments**

- 3.1. Since the completion of the Playing Pitch Strategy in 2002/03 Sport England has significantly revised its guidance on the production of playing pitch assessments, as outlined in 'Towards a Level Playing Field'. This outlines a clear five-step process for the collection of supply and demand information, and its analysis. Accompanying 'Towards a Level Playing Field' is an 'electronic toolkit' which provides specific tools for collecting and analysing data. This toolkit was not available at the time the previous Playing Pitch Strategy was produced and agreed by Executive Board.
- 3.2 The most significant elements of the electronic toolkit are the 'non technical' site/pitch assessment sheets. These provide a consistent way of scoring the quality of all grass pitches and ancillary facilities. This information can be linked to a capacity rating for each site so that the capacity of the pitch stock in particular areas and across the city can be appraised. This information will be invaluable in assessing and prioritising the works required at each site, to bring the facilities up to National Playing Field Association standards.

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

### **Sporting Developments**

4.1. Following the development/adoption of the Playing Pitch Strategy in 2003 there have been many sporting events and successes that have had a major impact on the use of sports pitches and associated facilities.

- England Rugby Union's success in the World Cup
- England cricket team regaining the Ashes
- Many different football initiatives from the Football Association
- The recent football World Cup
- The targeted work of sport development officers
- The Leeds Rhinos winning the Super League in 2004 and their current profile
- Improvements in Club management at all levels

The main impact of all of these is that there has been a growth in sports teams above population growth, particularly in football, where there has been an increase of 30% in the number of teams.

### **Education Initiatives and Programmes**

4.2 Following the development of the Playing Pitch Strategy there have also been developments in the Private Finance Initiative development of schools and the Building Schools for the Future programme as well as ongoing access issues to Education facilities. Only 34% of schools allow the community to use their facilities. This equates to an untapped resource of 97 sites across the city. There may be many reasons why schools do not want to let their facilities to the community – staffing, maintenance and quality issues and concerns about vandalism. This situation has changed in principle since the adoption of the Playing Pitch Strategy in 2003, as the arrangements entered into by the Council with the PFI contractors allows for both school, community and third party use within agreed parameters. In addition, the introduction of the Extended Services programme in schools will require that schools increase their community provision.

4.3 The initial impact of the necessary construction programmes to realise the new investment in both Primary and High Schools has had an instrumental effect on the Playing Pitch Strategy through the temporary (up to 4 years) loss of access to playing pitches for local clubs and teams that access sites through the Education Lettings system. The schools also experience the loss of use of playing pitches to fulfill their curriculum requirements whilst the developments are taking place. When the schools new sporting facilities are completed, the initiative for identifying and allocating priority user has not been taken up by the Council, and in some instances third party users, rather than community groups have taken up this capacity on a temporary commercial basis with the contractor. The impact on Learning and Leisure facilities in the locality of PFI schools has been significant, due to the relocation of either clubs or school usage on both a temporary or permanent basis. There has been a decline in the quality of Parks and Countryside pitches due to an overuse of already poor facilities by schools and teams who would normally have used their own site based facilities.

4.4 In other situations community groups, usually junior teams have approached the contractors directly seeking access on Sundays when schools have not generally opened on a regular basis.

4.5 It is clear that Education Leeds needs to input to the Playing Pitch Strategy to ensure optimisation of use of all facilities provided through the various school projects as they do not have the contacts to enable them to promote these resources city-wide.

- 4.6 In addition to the PFI programme, the development of Building Schools for the Future for 15 schools from 2008-2011 will have an impact on School and Club access to Education facilities and could lead to a decline in both pitch quality and availability. For example there will be particular issues in the NE Wedge when Allerton Grange High and Allerton High are rebuilt in 2007/9. The pitches at these sites will be taken out of use for drainage works for both the school and the many local teams that utilise them. The nearest Learning and Leisure facilities that could be utilised for the decanting of these users are the facilities at Stonegate Road. Unfortunately, the poor condition of the facilities at Stonegate Road has meant that they have had to be taken out of general service this season, and urgently require upgrading at a cost of £250k.
- 4.7 The impact of the BSF programme in West Leeds will be significant, as within a 12-18 month period, school facilities at Pudsey Crawshaw, Intake High, Pudsey Grangefield, Farnley High, West Leeds High and Wortley High will be redeveloped. There will be a major impact on the Parks and Countryside sports pitches in terms of the decanting of teams that use these facilities and the ensuing deterioration in the quality of pitches. The eventual outcome of Wave One of BSF is likely to provide approximately 50 pitches, 70 junior pitches, or MUGA's, and further artificial turf with spare capacity capable of allocation to community groups, if this can be co-ordinated effectively.
- 4.8 The task of liaising with schools, community groups, and third party users to ensure that optimal use is made of all the school facilities now available to the council will require additional resources. How far this cost could be minimised through the application of the Playing Pitch Strategy is to be explored through a pilot project concentrating on the schools involved in the Combined Secondaries School PFI project and the results will be the subject of a future report. The existing and planned Education facilities are outlined at Appendix 4.

### **Children Leeds Issues**

- 4.9 In July 2006, Leeds City Council agreed the city's first Children and Young People's Plan, a requirement of the 2004 Children Act. The Plan is the city's promise to secure the future of children, young people and families and is owned and signed by all the city's major providers of services to children and young people.

The Plan is centred on five objectives that the city want to achieve for its youngest citizens, and quality, accessible sports pitch provision can contribute in greater or lesser ways to all five outcomes of a healthy, safe and enjoyable life, enabling children and young people to achieve, contribute positively to their communities and to achieve economic wellbeing.

### **Current Pitch Supply Issues**

- 4.10 The effect of all of these programmes and initiatives has meant that following the Sports Pitch Allocation process undertaken for the 2006/7 season, there are now more teams utilising Learning and Leisure facilities than ever before. There are now areas of the city where demand for pitches far exceeds the facilities that are available. These areas are:

- Inner East (Gipton & Harehills)
- Outer East (Garforth)
- Outer South (Morley, Rothwell, Ardsley & Robin Hood)
- Outer North West (Rawdon, Otley & Yeadon, Guiseley)
- Inner South (Middleton)
- Outer West (Pudsey, Farnley & Wortley)

- 4.11 In addition, there are now very few single pitch sites that are unused and other pitches that had been returned to public open space have been brought back into use. The allocation process for the 2007/08 season, if the current growth rate continues, could see Parks and Countryside unable to accommodate all of the requests for pitch hire.
- 4.12 The existing Playing Pitch Strategy highlighted the fact that the quality of Learning and Leisure's playing pitches is exceedingly poor, with many matches called off during the winter months due to their poor condition. The existing changing facilities provided by Learning and Leisure are also well below the standard expected by Sport England and the Football Foundation and do not meet Child Protection and Equal Opportunities requirements.

## **5.0 LEGAL AND RESOURCE IMPLICATIONS**

- 5.1 The issues highlighted in section 4.0, make it clear that the Playing Pitch Strategy urgently requires updating. This will give Leeds City Council a clearer picture of the current supply, demand and quality issues and will also allow projections of demand to be produced from the adoption of the Playing Pitch Strategy since 2003. In order to update the existing Leeds Playing Pitch Strategy to meet best practice outlined in 'Towards a Level Playing Field' the following tasks need to be carried out:
- Reassessment of the quality of all grass pitches with non-technical site assessment sheets
  - Update of demand assessment
  - Database development
  - Identification of capacity on sites on an area by area basis
  - Supply and demand analysis and team generation rates
  - Identification of objectives and targets
  - Creation of a site specific action plan
  - Consultation with sports pitch users, including children and young people
- 5.2 The fully updated Playing Pitch Strategy and Action Plan will provide the most up to date information in relation to Playing Pitch Development to ward members, other council departments, sport clubs and teams and local residents. This information can then be utilised in the production of departmental and area committee action plans for site specific schemes, area committee projects and forward planning programmes.
- 5.3 The major obstacle in the successful delivery of the Playing Pitch Strategy is the cost associated with sports facility improvement and management. These funds have to be sourced or matched from external grant funders such as Lottery, New Opportunities Fund, Green Leeds and Sport Governing bodies such as the Football Foundation, which involves the preparation of grant application forms. These are often extensive documents and are time consuming to prepare.
- 5.4 The Playing Pitch Strategy adopted in 2003 estimated the funds required to upgrade all of the existing playing pitch sites to Sport England/National Playing Field

Association standards at approximately £12.5 million. A more recent facility cost analysis has been undertaken and the estimated cost for each Area Committee and citywide are shown in Appendix 1.

- 5.5 Appendix 2 details the refurbishment of pitches and facilities carried out since 2003, totaling £2.5m; and Appendix 3 details the possible future developments totaling £8.6m where bids for external funding may be possible.

The successful delivery of the Playing Pitch Strategy will rely on the provision of match funding through S106 agreements being more focused on recreational facilities, with the support of Ward Members and officers where opportunities present themselves, along with grant bids to external funding bodies. Members will be aware however, of national changes to Section 106 agreements and how funds can be allocated.

## **6.0 CONCLUSIONS**

- 6.1 The Playing Pitch Strategy, since its adoption in 2003, has seen many initiatives, programmes and sporting events that have had an impact on its successful delivery as well as the revision of the Playing Pitch Strategy methodology by Sport England. The result of this, other future planned programmes and a growth in grass pitch users beyond annual population increase has meant that the Playing Pitch Strategy urgently requires updating. This work will be carried out during 2007 to ensure that the updated Playing Pitch Strategy will allow the Council to assess and address supply issues in a more strategic and planned way, including the use of facilities provided through the PFI programme for community use, as well as the liaison on the allocation of these pitches and applications for funding to construct and develop grass pitch facilities.

## **7.0 RECOMMENDATIONS**

- 7.1 Executive Board are requested to:

- Agree that the designation and allocation of pitches on all Parks and Countryside sites should be managed in accordance with the overall Playing Pitch Strategy for the City as a whole.
- Agree that in respect of Education sites, all spare additional capacity, over and above that required for school use (including school team activities), is reserved for community use and allocated in accordance with the Playing Pitch Strategy. Only where community groups show no interest should third party use be promoted.
- Instruct officers to include an update on the impact on sports provision both on and off school sites when subsequent Business Cases for the Building Schools for the Future programme are considered.
- Note the proposed pilot project to promote an increased community use of facilities provided through the Combined Secondary School PFI project through the Playing Pitch Strategy team.
- Note the estimated cost of refurbishment of sports pitches and changing facilities across the City to encourage Council officers and external funding bodies to prioritise grants and external funding to outdoor sports facilities.

- Note that there is a significant capital funding gap which will inevitably increase without investment, and to request a further report on developments towards the end of 2007.

**Costs for Playing Pitch Sites per Area Committee**

<b>Area Committee</b>	<b>Pitches</b>	<b>Changing Facilities</b>	<b>Total</b>
West Inner	1,660,000	2,500,000	4,160,000
West Outer	2,160,000	3,400,000	5,560,000
North West Inner	660,000	2,200,000	2,860,000
North West Outer	1,420,000	4,400,000	5,820,000
North East Inner	1,920,000	4,100,000	6,020,000
North East Outer	420,000	1,000,000	1,420,000
East Inner	2,350,000	3,500,000	5,850,000
East Outer	3,570,000	3,200,000	6,770,000
South Inner	2,860,000	5,050,000	7,910,000
South Outer	2,500,000	2,210,000	4,710,000
<b>Total</b>	<b>19,520,000</b>	<b>31,560,000</b>	<b>51,080,000</b>

## Projects implemented/under construction from 2003

Site	Improvements	Cost
		£
Alwoodley Recreation Ground	Pitch drainage	12,000
Barley Hill Recreation Ground	Pitch drainage, leveling & reseeding	40,000
Bramley Falls Park	Drainage to 2 pitches	54,197
Adwalton Moor, Drighlington	Changing Room	20,000
Glen Road, Morley	Changing Rooms	200,000
Hembrigg, Morley	Drainage to 2 pitches	70,175
King George V Playing Fields, Horsforth	Drainage to 3 pitches	88,739
Potternewton Playing Fields	Fencing	2,193
Rose Lund Centre	Changing Room	61,000
St Gregory's	Pitch Drainage	100,000
Barley Hill Recreation Ground	Sand slitting and reseeding	15,000
Bedquilts Recreation Ground	Changing Rooms	62,000
Oxton Way	New changing and pitches	600,000
Tinshill Recreation Ground	New changing and pitches	800,000
Glen Road, Morley	Fencing	11,000
Tingley, The Crescent	Fencing	850,000
Shadwell Centre	New changing and pitches	450,000
<b>TOTAL</b>		<b>2,586,286</b>



## Projects programmed from 2006 onwards

Site	Improvements	Cost
		£
Middleton Leisure Centre	Pitches, training area and changing facilities	£3.6 million
Fearnville sports centre	Pitches and all weather pitch refurbishment	£600,000
East Leeds Rugby	Pitches, car parking and changing facilities	£1.8 million
Methley Pitches	Pitches and changing facilities	£100,000
Prince Phillip Centre	Pitches and MUGA	£400,000
Rose Lund centre	Changing room extension	£140,000
Oulton and Woodlesford Sports and Social Club	Changing facilities	£300,000
Blackman Lane MUGA	New multi use games area	£160,000
Hunslet Nelson changing	New changing block	£55,000
Beeston St. Anthony's Football Club	Refurbished pitches	£100,000
Rawdon Whitelands Recreation Ground	Refurbished pitches	£150,000
Gildersome changing rooms	Refurbished changing facilities	£60,000
Roundhay Park Cricket pavilion	Refurbished changing rooms	£180,000
Woodlesford Park pavilion	Refurbished changing rooms	£16,000
Poole Football Club	Pitches and changing	£300,000
Rothwell Juniors/Fleet Lane	Pitches and changing facilities	£700,000
<b>TOTAL</b>		<b>£8,661,000</b>

## EXTERNAL SPORTS FACILITIES (Existing and Proposed)

### EXISTING

#### 7 SCHOOLS

##### ROUNDHAY

2 Nr. Football Pitch  
1 Nr. Cricket Pitch  
5 Nr. Tennis Court/ 2 Nr. Netball (tarmac surface)  
2 Nr. Rugby Pitch( 1 Nr. full size)  
2 Nr. Hockey Pitch  
1 Nr. Athletics Track

##### LAWNSWOOD

1 Nr. Athletics Track  
1 Nr Cricket Pitch  
2 Nr. Rugby Pitch(1 Nr. full size)  
4 Nr. Tennis Court3 Nr. Netball (tarmac surface)  
2 Nr. Football Pitch  
1 Nr. Hockey Pitch( full size)  
1 Nr Hockey Pitch(7-a-side)

##### SPRING BANK

1 Nr. All-weather artificial pitch

##### 5 LANES

1 Nr. Football Pitch  
1 Nr. Junior Games Court (tarmac)

##### OAKWOOD

1 Nr. Junior Football Pitch  
2 Nr. Junior Games Courts

##### ASQUITH

1 Nr. Football Pitch

##### HILL TOP

1 Nr. Netball Court  
1 Nr. Football Pitch

## **LEEDS PRIMARIES**

### **COOKRIDGE**

2 Nr. 5-a-side pitches (tarmac)  
1 Nr. Grassed Pitch

### **KIPPAX**

1 Nr Netball / 5-a-side football pitch (tarmac)  
1 Nr. Grassed Mini Pitch

### **ROTHWELL**

1 Nr Netball / 5-a-side football pitch (tarmac)  
2 Nr. Grassed Pitches.

### **HORSFORTH**

1 Nr. Grassed Pitch  
1 Nr. 5-a-side football / Netball (tarmac)

### **YEADON RUFFORD PARK**

1 Nr. MUGA (Netball, 5-a-side, Short Tennis)  
1 Nr. Grassed Sports Pitch.

### **RAWDON**

1 Nr. MUGA (Netball, 5-a-side, Short Tennis)  
1 Nr. Grassed Sports Pitch

### **EAST ARDSLEY**

1 Nr. MUGA (Netball, 5-a-side, Short Tennis)  
1 Nr. Grassed Sports Pitch

### **METHLEY**

1 Nr. MUGA (Netball, 5-a-side, Short Tennis)  
1 Nr. Grassed Sports Pitch

### **PUDSEY**

1 Nr. Grassed Sports Pitch  
1 Nr. Tarmac Sports Pitch  
1 Nr. Basket ball / Netball Court ( tarmac)

### **LOWER WORTLEY**

1 Nr. 5-a-side Football Pitch

## **COMBINED SEONDARY SCHOOLS PROJECT**

### **CARR MANOR**

4Nr Grassed Sports Pitches  
1Nr. Rugby Pitch  
1 Nr. Athletics Track  
3 Nr. Tennis Court / 3 Nr. Netball (tarmac surface)

### **SOUTH LEEDS**

1Nr Grassed Sports Pitches  
1Nr. Rugby Pitch  
3 Nr. Tennis Court / 3 Nr. Netball (tarmac surface)

### **JOHN SMEATON**

2Nr Grassed Sports Pitches

### **RALPH THORESBY**

1Nr Grassed Sports Pitches  
3 Nr. Tennis Court / 3 Nr. Netball (tarmac surface)  
2 Nr Grassed Sports Pitches (Tinshill Rec)

### **PRIMROSE SHAKESPEARE**

1Nr Grassed Sports Pitches  
1Nr Artificial Sports Pitches

## **PROPOSED**

### **BSF PHASE I**

#### **ALLERTON GRANGE**

3 Nr. Netball, 1 Nr. Hockey and 3 Nr. Tennis Courts (tarmac)  
2 Nr. 5-a-side (grassed)  
2 Nr. Junior Grassed Pitches  
2 Nr. Netball and 2 Nr. Tennis Courts.  
1 Nr. Football Pitch  
2 Nr. 5-a-side (grassed)  
1 Nr. Rugby Pitch  
1 Nr. Cricket Pitch  
3 Nr. Hockey Pitches.

#### **ALLERTON HIGH**

1 Nr Rugby Pitch  
1 Nr. Rugby Pitch  
4 Nr. Netball Courts, 4 Nr. Tennis Courts (tarmac)  
2 Nr. Hockey Pitches  
1 Nr. Athletics Track  
2 Nr. 5-a-side Pitches (grassed)  
1 Nr. Netball, Basketball practise area (half size)

#### **PUDSEY GRANGFIELD**

5 Nr. Tennis Courts  
2 Nr. Hockey Pitches  
1 Nr. Athletics Track  
1 Nr. All-Weather Pitch  
1 Nr. Cricket Pitch  
2 Nr. Grassed Pitches.

#### **COCKBURN**

1 Nr. All-Weather Pitch  
1 Nr. Football Pitch  
1 Nr. Grassed Sports Pitch  
1 Nr. 5-a-side Pitch (tarmac)

#### **RODILLIAN**

1 Nr. Cricket Pitch  
1 Nr. Athletics Track  
5 Nr. Tennis Courts, Netball Courts (tarmac)  
1 Nr. Hockey Pitch  
2 Nr. Football Pitches  
1 Nr. Rugby Pitch.

## TEMPLE MOOR

- 1 Nr. Rugby Pitch
- 1 Nr. Football Pitch
- 2 Nr. 5-a-side Pitches
- 1 Nr. Tennis Court/ Netball and 5-a-side Area.

**Note:** BSF PHASE II and III – no proposals to date.



Agenda Item:  
 Originator: D S Evans  
 Tel: 77854

Appendix 1 is confidential/exempt under Access to Information Procedure Rule 10.4.3 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)'. It contains information which if disclosed to the public would, or would be likely to prejudice the commercial interests of the Council. Appendix 1 will be circulated to Members at the meeting and collected back in following consideration of the matter.

**Report to Executive Board**

**Date: 13 December 2006**

**Subject: Swimming and Diving Centre, John Charles Centre for Sport  
 Capital Scheme Number: 02794 / 000 / 000**

**Electoral Wards Affected:**  
 Middleton Park, Beeston and Holbeck,  
 City and Hunslet

**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**

The report advises the Executive Board of the current budget shortfall as detailed in appendix 1 of the report, which is confidential under Access to Information Procedure Rule 10.4.3. The Project Board has identified additional funding of £665,000 for the proposed development of the new Swimming and Diving Centre which is due to be completed and open in September 2007. It details a number of work areas that have contributed to the current budget shortfall, the reasons and the actions that have been, and are being, undertaken to try and reduce the current budget deficit.

The report advises that additional external funding has been sought from both Sport England and Yorkshire Forward but such approaches have been rejected. In addition the report outlines a number of cost saving exercises that have been undertaken at various stages of the project. The consultant Project Manager and Design Team are working on preparing an anticipated final account by late January 2007.

The report recommends that the Council authorise incurring additional expenditure as detailed in appendix 1, and identifies the funding required to meet the current budget shortfall.

## 1.0 PURPOSE OF THIS REPORT

- 1.1 The purpose of this report is to update Members on the schemes latest position and to seek approval for the Council to authorise the additional funding required to make up the current budget shortfall.

## 2.0 BACKGROUND INFORMATION

- 2.1 The new Swimming and Diving Centre which will replace the current Leeds International Pool (LIP) is being built at the John Charles Centre for Sport. The new centre includes a 10 lane 50m pool which can be subdivided into three areas to offer maximum flexibility of use, diving tank with boards up to 10m high, dryland training gymnasium, seating for 800 spectators, dance studio, wet and dry area changing rooms, meeting room, café and kitchen area. The diving tank and part of the swimming pool also incorporate adjustable height floors again to offer maximum flexibility of use. It also includes a new 370 space car park and Phase 1 of the new link road connecting Middleton Grove to Old Run Road in Belle Isle.
- 2.2 The funding profile for the scheme as approved at Executive Board in January 2005 can be summarised as follows:

Sport England	£ 4,761,000
Leeds City Council (part receipt from LIP)	£11,469,700
<b>Total (excluding link road phase 1)</b>	<b>£16,230,700</b>

- 2.3 In March 2005, following a competitive tender exercise where cost and quality was evaluated by Officers from Learning and Leisure, Corporate Procurement Unit and Development, Sir Robert McAlpine Ltd were appointed to build the new Swimming and Diving Centre. The contractors commenced work on site in April 2005 with a programmed completion date of 28 February 2007. The car park and phase 1 of the Link Road are now complete. The remainder of the project is approximately 60% complete with most of the external fabric of the building now in place and it is envisaged that the remaining works will be complete and the building open in September 2007.

## 3.0 MAIN ISSUES

- 3.1 The current project cost, and the overspend are identified in appendix 1 which is confidential under procedure rule 10.4.3 for the reasons identified in 6.1
- 3.2 The main reasons for the scheme being over budget are outlined below. The projected costs are shown in Appendix 1, which is confidential under category 10.4.3 due to some of the costs still being subject to final agreement with the contractor.

### **Piling and Statutory Services**

- 3.2.1 All tenderers stated in their tender submissions that they were not willing to provide a lump sum price as requested for the piled foundations and that the piling would be



subject to remeasuring once the work was complete. The tenderers adopted such a position due to the magnitude of the risk in that the integrity of the rock and the ultimate depth of the piles could not reasonably be forecast until the post tender test piling had been carried out. The design team reviewed these tender qualifications and advised that going back out to tender was likely to result in new tenders that would be higher than the cost of accepting the contractor's qualifications.

### **Variations**

- 3.2.2 These are items that have come to light once the contractor started work onsite. The reasons for these are detailed in appendix 1 which is confidential under Procedure Rule 10.4.3. Examples of such variations include amended/additional structural steelwork, concrete reinforcement, gas membrane, fire boarding and drainage.

### **Additional Works**

- 3.2.3 These are areas of work which could not have been reasonably foreseen at tender stage. It includes part of the excavated earth which was originally planned to be used for the link road having to be taken offsite to a licensed tip due to contamination. The site investigation undertaken did not reveal this contamination. It also includes the need to alter the Stadium escape ramp due to the sequence of the work, drainage alterations and service alterations within the car park.
- 3.3 The Project Manager, design team and cost consultants are undertaking a detailed review to estimate the anticipated final cost. This is programmed to be complete by late January 2007 and will be reported in the February Capital Review report to Executive Board. It is likely that there will be significant additional costs, for the reasons detailed in Appendix 1, which is confidential under category 10.4.3.

## **4.0 ACTIONS TAKEN TO REDUCE PROJECT OVERSPEND**

- 4.1 Additional funding has been sought from both Sport England and Yorkshire Forward to reduce the deficit but the requests were unsuccessful.
- 4.2 As soon as a budget shortfall was identified to the Project Board they requested that the design team look at the potential of reducing specifications/omitting areas of work from the project in order to contain the project in budget. The Project Board considered reducing specification of various elements of the building, reducing the spectator seating and omitting the dance studio and associated dry changing rooms
- 4.3 The Project Board concluded that there was little real opportunity to reduce the scope of works/specification given that there had already been extensive value engineering exercises undertaken to identify cost savings and that given the stage in the construction programme considerable abortive costs would be incurred, minimizing any savings that may be achieved. The Project Board had looked at omitting the first floor containing the dance studio and dry changing rooms but when consulted Sport England informed the Council that if this was done they would reduce their grant accordingly.

- 4.4 The Chair of the Project Board requested that independent reports be procured to advise what actions needed to be taken to try and reduce the budget overspend. Subsequently, the following reports were procured:-
- (i) Advice on potential claims (received October 2006).
  - (ii) Audit of how the design team, contractor and client have performed with actions to be undertaken to improve organisational arrangements of the project (received November 2006).
- 4.5 The independent reports referred to in item 4.4 above, the contents of which are confidential under Access to Information Procedure Rule 10.4.3, include recommendations as to how the financial position of the project may be able to be improved. The independent consultants recognise that the position the parties are taking is causing a strain on their relationship. The key recommendations from the independent reports are included in appendix 1.
- 4.6 Ahead of the conclusions of the independent reports the Project Board concluded that the Project Manager from Lend Lease was not performing adequately and should be replaced. Lend Lease have agreed with this and a new Project Manger has been in place since early October 2006 with active support from his Regional Director. Initial indications show that the new Project Manager is adopting a more proactive approach, both to addressing the concerns raised by the Project Board and to the project itself. He has sought to introduce the following before the end of November:-
- (i) A site based design manager whose primary role will be to interface between the contractor and the design team to ensure information queries and specification/contract disputes are reduced and resolved quickly to enable satisfactory completion of the project. This will help to prevent the design team from being diverted from their primary task of providing necessary instructions and information in order for the contractor to build the facility. The Project Manager proposes that this role will be funded from the existing fee allowance for the Clerk of Works.
  - (ii) A revised and more robust method to control any potential changes and therefore additional costs to the project.
  - (iii) Clearer cost and Project Board reporting.

## **5.0 CONSULTATION**

- 5.1 A wide range of consultation was undertaken in the preparation of the scheme design. The organisations consulted included Sport England, Amateur Swimming Association, local aquatic organisations, local community as well as statutory undertakers.

## **6.0 LEGAL AND RESOURCE IMPLICATIONS**

- 6.1 The Appendix to this report contains information which if disclosed to the public would, or would be likely to prejudice the commercial interests of the Council. The Appendix contains costs and details about the relationships between the parties and if

disclosed may prejudice the Councils position in dealing with potential claims and future negotiations.

- 6.2 In January 2005 Executive Board approved total funding for the scheme of £16,230,700. This consisted of £4,761,000 Sport England Lottery Grant and a Council contribution of £11,469,700 from the sale of the Leeds International Pool site (LIP). This funding package excluded the cost of the Link Road Phase 1 scheme which was funded from a budget provided from within the Development Department
- 6.3 Members of Executive Board should note that a condition within the Sport England Grant award stated that if the difference between the total project cost and the final sale figure achieved for the LIP site is less than £5m, then the award will be reduced accordingly. As the difference between the estimated final cost of the facility and the estimated sale of the LIP is now more than £5m then the grant will be maximised at £5m with additional Sport England funding of £239,000.
- 6.4 In a report to Executive Board entitled South Leeds Stadium Link Road and dated 15 September 2004 the Swimming and Diving Centre scheme provided £250,000 funding for improvement of non- vehicular access from the surrounding communities to the facility. Subsequently the footpath access to the Stadium has been improved by means of works to the new Link Road scheme and the new South Leeds High School scheme thus reducing the extent of works required to improve footpath access to the facility. Therefore, the Project Board has recommended that £150,000 of this £250,000 funding be returned to the Swimming pool scheme to help fund the budget deficit.
- 6.5 The Project Board have identified and supported the following additional funding provision to help offset the projected budget shortfall:
- |       |  |          |
|-------|--|----------|
| (1)   | Maximisation of £5m Sport England Grant<br>(see item 6.2)                                      | £239,000 |
| (ii)  | Learning and Leisure funding for equipment   | £276,000 |
| (iii) | Transfer of footpath funding back to this scheme<br>from Development Department (see item 6.3) | £150,000 |

The total funding identified by Project Board is therefore £665,000.

## **7.0 RISK ASSESSMENT**

- 7.1 There remains a risk that unforeseen costs will arise as practical completion is not due until July 2007. The new project management team is working with the Design Team and Cost Consultants to provide an anticipated final cost but this will not be available until January 2007. However, even when this is received there still remains 7 months before the project is complete when further additional costs may arise. These risks are being mitigated by actions stated in items 4.4 to 4.6. The anticipated final costs will also include a contingency figure to cover this risk.
- 7.2 The remaining risks are included with Appendix 1 as they are confidential under procedure rule 10.4.3

## **8.0 COMPLIANCE WITH COUNCIL POLICIES**

- 8.1 The Councils Corporate Plan identifies the need to:
- (i) Make the most of people. This scheme will increase swimming participation with subsequent health benefits.
  - (ii) Looking after the environment. It has a number of energy saving initiatives including a combined heat and power unit

## **9.0 RECOMMENDATIONS**

- 9.1 Executive Board is requested to approve the recommendations detailed within Appendix 1 which is confidential under procedure rule 10.4.3. The recommendations are to approve the identified funding to make up the current budget shortfall.



**Report of the Director of Leisure Services and the Director of Development**

**Executive Board**

**Date: 13<sup>th</sup> December 2006**

**Subject: REVIEW OF THE CEMETERIES AND CREMATORIA 50 YEAR STRATEGY:  
CEMETERY PROVISION FOR EAST AND NORTH EAST LEEDS**

**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)

**1.0 BACKGROUND**

1.1 At the meeting of the Executive Board on 22<sup>nd</sup> March 2006, members considered the strategy for future cemetery provision in the City and, in respect of East and North East Leeds considered the following options:

- provision of a large cemetery (46 acre/19 hectares cemetery at Whinmoor),
- provision of a medium size cemetery by proceeding with phases 1 to 3 of the Whinmoor proposal,  
or
- provision of small cemeteries.

It was agreed that in pursuit of the option for small cemetery provision that the following be undertaken:

- (a) That negotiations take place with Leeds Federated Housing Association (LFHA) on the acquisition of the Brander Mount (now Green View Mount) site adjacent to Harehills Cemetery and that a feasibility study be undertaken on its development as an extension to Harehills Cemetery as a Muslim burial site.
- (b) That the feasibility of the Whinmoor Grange site as a small cemetery be examined taking account of the possible need to co-locate such a facility with

replacement Red Hall facilities (the Nursery, Parks East Leeds Depot and Red Hall sports pitches).

(c) That the Section 299 agreement with the Killingbeck developer and the Secretary of State for Health be renegotiated with a view to developing a 5acre/2ha cemetery within the allocated greenspace provision for the site.

(d) That a further report be brought to the Board on this matter by September 2006.

## 1.2 Current Capital Provision

The Learning and Leisure Capital Scheme for the East Leeds Cemetery, Scheme No. 23293, has available funds of £176.1k in 2006/07 and £325k in 2007/08.

## 2.0 CURRENT POSITION

The current position regarding each of the actions from the previous report are as follows:

### 2.1 Harehills Cemetery

Negotiations with LFHA regarding the acquisition of Green View Mount (formerly Brander Mount) have yet to reach agreement on gross land value because the land was originally transferred from the City Council at nil value to Leeds Partnership Homes, subject to a covenant that its use should be restricted to social housing. LFHA wish to sell the land at what they consider to be market value, but are willing to enter into discussions with the Council around a land exchange within the Leeds district. Feasibility work has been commissioned to establish the cost of removing the large areas of existing hard surface from roads and removal of foundations and utility services. If terms cannot be agreed by sale or exchange an option exists to compulsorily purchase the site. This site could provide a potential Muslim cemetery of 2.5acres/1ha which at predicted mortality rates will last for 22 years.

### 2.2 Killingbeck (Site A)

Subject to a satisfactory Highways Statement regarding access to the site from Foundry Lane, this site could provide a potential Muslim cemetery of 9 acres/3.8 ha., which at predicted mortality rates would last for 72 years. Approximately 30% of this site is owned by the Council. Work needs to be undertaken to re-negotiate the S299 Agreement with the Killingbeck developer and the Secretary of State for Health to secure the remaining 70%. Feasibility work has been commissioned to determine the suitability of this site as a small cemetery and to determine the effects of development on the adjacent Wyke Beck flood plain.

### 2.3 Killingbeck (Site B)

Council owned land to the west of Site A could provide a 3 acre/1.2 ha. cemetery within the allocated greenspace provision for the Killingbeck development, which for muslim burials could last for 25 years. Although smaller than Site A, this land is terraced and is also closer to the flood plain. A Highways Statement would be required to determine the feasibility of access from Foundry Lane.

There is evidence of an archaeological feature (ridge and furrow) which may affect the future development of the land.

It is doubtful that this site will receive Environment Agency approval because of its proximity to the Wyke Beck flood plain, and it is therefore recommended that this is not pursued as an option.

2.4 The Muslim community have advised that the rate of burials versus repatriation will increase by a projected 3.5% each year. Calculations to determine the operational life of each of the sites outlined above i.e. 2.1, 2.2, and 2.3 have taken this increase into account. The base line figure for calculations is 34 burials in 2003 which is consistent with previous cemetery capacity forecasts. Actual burials in the period 2003-2006 have been in line with the predictions, outlined above.

2.5 The Muslim Community, through their local representatives, have requested that the City Council establish a working group to examine the feasibility of setting up a Trust to run the new part of the Cemetery. It is recommended that such a group be established with the Member Management Committee determining the political representation.

2.6 Whinmoor Grange

As a site, Whinmoor Grange can accommodate either a large, medium or small cemetery, alongside a range of other facilities that may at some point in the future, be re-located from the Red Hall site.

The Highways improvement works and screen planting work have been completed, and the feasibility works were completed prior to this.

2.7 The report to Executive Board on 22<sup>nd</sup> March 2006 included consideration of the development potential of Red Hall playing fields and nursery land, and the potential to co-locate some of these facilities at Whinmoor Grange.

The Director of Development has advised that the Council owned land at Red Hall is allocated for development in the Revised Unitary Development Plan (RUDP), but for the following reasons capital receipts will only be generated from disposal in the medium to long term. Therefore there is no immediate pressure or funding to relocate existing uses.

i) **Red Hall Playing Fields**

The playing fields extend to 21 acres (8.50 hectares) and are allocated for Business Park purposes in the UDP, which was first published in draft in 1991 and formally approved in 2001. Part of the Council's Whinmoor site has been reserved so the playing fields can be relocated two years in advance of any disposal for development. However there has been no evidence of demand for new office development at Red Hall over this period due to the availability of much better located Business Parks with motorway accessibility and planning consents, for example at Thorpe Park, Garforth and in the Aire Valley.

Furthermore some part of the site may be required for the East Leeds Orbital Route in conjunction with the East Leeds Extension. A detailed highways study would be needed to establish this requirement as part of the master planning for the East Leeds Extension, the timing of which is referred to in the following paragraph.

Offices would be the key element of a Business Park and this allocation needs to be seen in the context of recently introduced national planning policy which now adopts a town centres first approach to ensure the vitality of existing centres. A recent

employment land study has also suggested that there is an ample long term supply of employment land in the district, which brings into question whether the Red Hall land is required for this purpose. However this would need to be considered as part of a review of the location and supply of employment land and in the context of the East Leeds Extension proposals through the Local Development Framework process. In this event the earliest date for development of this greenfield land would be 2012, but it could be much later if there is a continuing supply of brownfield land and RUDP phase two housing sites would also be brought forward earlier in preference on planning grounds.

## ii) **Red Hall Nursery land**

Part of the Red Hall nursery land (6.40 acres / 3.59 hectares) was previously allocated for residential use in the UDP (H4:6). Therefore that part is separate from the East Leeds Extension and falls within phase two of the RUDP housing land release, which could theoretically be released for development between 2008 -12. However this is likely to be deferred due to the continuing supply of brownfield land and because it will need to be developed along with the above playing field land, through which the necessary new access would need to be constructed from Wetherby Road.

The remaining 27.50 acres (11.14 hectares) of land is in operational use by the nursery and Parks depot. It is allocated in the RUDP as part of the East Leeds Extension, which is in phase 3 of the RUDP housing land release. This could theoretically be released for development from 2012, although the actual date will be deferred until the supply of brownfield land and RUDP phase two housing sites are exhausted.

Therefore at the appropriate time in the future a decision on relocation of the nursery and depot will be necessary. A site of twenty five acres would be required and this could be accommodated within the proposed site layout at Whinmoor, although other alternatives would also need to be evaluated.

## **3.0 PRESSURES AND TIMESCALES**

- 3.1 Given the time taken to plan for and develop cemetery sites, it is essential that a decision is taken to proceed with one or more of the options outlined above, as there is a pressing need for burial space in North East Leeds. Garforth Cemetery has seen a large increase in burials due in part to lack of suitable space at Harehills, from around 17 burials per annum to the current 40+ per annum. When the current extension was built in 1996 it was anticipated that the space would last for 35 years, however due to the continuing pressure on Garforth there are plans to extend the cemetery during 2007.

## **4.0 CONCLUSIONS**

- 4.1 It would seem appropriate at this stage to continue with feasibility studies at the two sites mentioned in paragraphs 2.1 to 2.2. The feasibility studies will look at ground conditions, impact on surrounding environments and highways impact. Therefore, should it transpire that the Green View Mount site, for whatever reason, is not suitable for an extension to Harehills Cemetery, the feasibility work on the Killingbeck site will have been completed, enabling a decision to be taken without further delay.



## **5.0 RESOURCE IMPLICATIONS**

5.1 Resources totalling £80,000 are required at this stage to fund site investigation and feasibility studies at Green View Mount, Killingbeck Site A and further issues at Whinmoor Grange Farm. This funding is available within the existing Whinmoor Capital Budget No. 23293.

## **6.0 CONCLUSIONS AND RECOMMENDATIONS**

6.1 It is recommended that:

- a) Negotiations continue into the acquisition of Green View Mount and extension of Harehills Cemetery, and that £40,000 is realigned from the current capital scheme to fund site investigation and feasibility studies.
- b) An option appraisal and feasibility study into the suitability of Killingbeck Site A is undertaken and that £40,000 to undertake this work is allocated from the current capital scheme. The areas of investigation to include access to Foundry Lane, negotiations with the Killingbeck developer and the impact on the adjacent flood plain.
- c) The Whinmoor Grange site should accommodate a 5 acre cemetery which will allow for burials in North East and East Leeds for the next 25 years.
- d) A working group be established to examine the feasibility of a Trust for the Muslim part of the Cemetery, and that the Member Management Committee determine the members representatives on the group.
- e) Officers to report back to Executive Board on completion of the feasibility studies for Green View Mount, Killingback Site A and Whinmoor Grange to confirm the course of action to be taken.

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**Report of the Director of Adult Social Services**

**Executive Board**

**Date** December 2006

**Subject: Making Leeds Better**

<p><b>Electoral Wards Affected:</b></p> <p>ALL</p>	<p><b>Specific Implications For:</b></p> <p>Ethnic minorities <input type="checkbox"/></p> <p>Women <input type="checkbox"/></p> <p>Disabled people <input type="checkbox"/></p>
<p>Eligible for Call In <input type="checkbox"/></p>	<p>Not Eligible for Call In (Details contained in the report) <input type="checkbox"/></p>

**Executive Summary**

In the summer of 2004, the health service in Leeds along with the Local Authority agreed to work together to make major improvements in the way that health and social care services are delivered in the city. The first demonstration of this commitment was the submission to the Department of Health of a strategic outline case (SOC) for a new Children and Maternity Hospital in Leeds. Implicit within this proposal were far-reaching changes in the way that health care is delivered in the city, and the work programme became known as Making Leeds Better (MLB). The service improvements and developments that the MLB programme seeks to deliver are to :

**Build a new Children’s & Maternity Hospital** to provide clinically safe, dedicated facilities for children and mothers.

**Invest in primary and community services** so that we can improve health and well-being and reduce the reliance on hospital care.

**Tackle inequalities in health** by improving access to health and social care services.

**Consolidate complex care for adults at St James’s hospital** to improve clinical safety and quality; and to enable better use of healthcare resources across the city.

The programme has reached a key milestone in its development. The outputs to date are described in a series of detailed themed reports and summarized in an Executive Summary appended to this report. With the establishment of the new Leeds PCT in October 2006, the former statutory boards met together in September to review progress on Making Leeds Better and agree a resolution which noted progress and requested that certain further actions are taken prior to the commencement of the formal public consultation.

As these proposals have the potential to make a significant impact on the city and services

that the City Council has a statutory responsibility to provide, Elected Member and officer representatives have been involved as key partners throughout this process. In this report the Executive Board is asked to note progress to date in formulating the plans and the further consultation to be undertaken. Attention is drawn to six key themes which have emerged through the consultation process and a commentary on these themes from the Council's perspective.

## **1.0 Purpose Of This Report**

- 1.1 The proposals being drawn up for Making Leeds Better will have a significant impact for all residents of the city and for public services which contribute to the overall health and well being of the city. This report provides information on the progress towards preparing the Outline Business Case and the statutory public consultation. Widespread consultation and engagement has led to the identification of six key themes, which will require addressing prior to formal public consultation.

## **1.0 Background Information**

- 2.1 Appendix 1 of this report is an Executive Summary prepared for the meetings of the NHS statutory Boards, which provides an overview of the work programme to date. Each section of the Executive Summary is backed up by a more detailed working paper which is available on the Making Leeds Better website.
- 2.2 The introduction to the executive summary provides the context for the MLB programme, and reminds readers of the vision for the future of health and social care in the city, which was first described in the Strategic Outline Case. The focus of the programme has been on delivering better patient care by detailed consideration of over 90 condition specific care pathways, including the involvement of clinicians, patient representatives and their carers, and other health and social care professionals.
- 2.3 A significant amount of work has been undertaken to model and plan the capacity required to deliver new models of patient care, in the long term. These models have factored in population change, the impact of new services such as intermediate care, the impact of patient choice, and a wider range of services that GP's will be able to offer in the future. The results of this modeling are detailed in a separate document.
- 2.4 Critical to delivery will be the development of existing staff to fulfill new roles, and to recruit and retain new staff identified as necessary to deliver the health and social services being planned. Building on experience gained from 'The New Type of Worker Project', led by Social Services, which trained staff to provide personal care and low-level clinical tasks for people at home, will avoid duplicated effort between agencies and improve services for patients and service users.
- 2.5 Although the original Strategic Outline Case focused on the Children and Maternity Hospital, a variation on the original plan will see proposals being developed for new A&E, cardiac and neurological units on the St James's site; a £625m investment in new hospital facilities for the city. The Executive Summary provides information on how the proposal has changed, since the original SOC and the assumptions that are now being made about the affordability of this capital investment..

- 2.6 Besides proposed investment in the hospital estate, progress is being made in the investment in new 'state of the art' community based facilities using the LIFT mechanism. The Executive Summary provides details of the schemes that have already been built and those that are in the pipeline. For the future new community facilities containing diagnostic and other services will be considered for existing hospital sites, for example Seacroft, and Wharfedale.
- 2.7 Changes on the scale being proposed require consideration of the impact for public transport, roads and wider infrastructure. The MLB programme team has worked closely with the City Council's Development Department and METRO to discuss these issues and develop the necessary plans. The team has published a separate paper on the transport implications.
- 2.8 The MLB affordability modeling assumes that PCT growth is fully committed in future years and that any developments in primary, community and social care services will need to be funded by resource transfer from hospital care or from internally generated efficiencies. The modeling indicates that £37m could be transferred from acute care to community health and social care services. More work is required to model the impact for community based services however a first run of the model indicates that the programme is broadly affordable.
- 2.9 Finally, the Executive Summary provides details on the consultation, with the wider public and stakeholders, which has already taken place and the expected scope of the formal public consultation in May 2007.
- 2.10 On the 19 September 2006 all seven statutory NHS Boards in Leeds reviewed the progress and outputs to date of Making Leeds Better in a "Board of Boards" meeting. The Boards met in the same location to discuss a single agenda item. A copy of the public resolution agreed by all seven statutory Boards can be found in appendix 2.

### **3.0 Key Themes Emerging from the Consultation to date**

- 3.1 At a presentation made to the Scrutiny Board Health and Social Care on the 20<sup>th</sup> November 2006, representatives from the Making Leeds Better team identified six common themes emerging from the consultation process so far. They are:
- The impact for carers
  - Transport and access issues
  - The Implications for people with mental health needs
  - New community health services that are tried and tested
  - The implications for social care services
  - The role of the voluntary, community and faith sector.

There follows a commentary on each of these themes.

- 3.2 **The Impact for Carers:** The issue of the impact for carers has been raised by the Council and more widely through the consultation process. It is estimated, based on the 2001 census, that there are 70,000 carers in Leeds, providing support for relatives and friends with long term ill-health or disability. Although the impact for carers is not fully understood at this stage, it could mean that more care at home for people with long term health conditions will create greater demand for services which give carers

a break. However, in the white paper *Our health, our care, our say*, the government announced new initiatives which are to be implemented throughout the country, providing new care pathways for patients with long term health conditions. The implication of these changes is similar to those that *Making Leeds Better* is seeking to deliver.

- 3.3 As Social Services is largely responsible for commissioning services which provide support for carers the department is concerned to ensure that new care pathways do not fail in providing better outcomes for people with long term health conditions because their carers can not access the support that they require. Along with the Leeds PCT, the department is working with the Care Services Improvement Partnership (CSIP is an agency of the Department of Health) to find acceptable measures of the impact for carers from these changes in the delivery of health care. CSIP anticipate that other areas of the country can benefit from the work undertaken in Leeds.
- 3.4 **Transport and Access issues:** The importance of transport and access to new or relocated community health services has been highlighted by patient groups and by elected members in the consultation process. The PCT stresses that this is an issue which can only be resolved through a partnership with the City Council and Metro. Some of the suggestions being made through the consultation include the extension of the free city centre bus service, although the resources required for this or other proposals will need to be identified by all the partners. A group of officers from the Council and Metro are meeting to address these issues, however until the specific proposals for new or re-located health facilities are known it is impractical to make specific proposals.
- 3.5 **The Implications for People with Mental Health Needs:** Concern has been expressed by people with mental health needs that the impact of changes in health services needs to consider their specific requirements, and ensure that their mental and physical health needs are met in a complementary or holistic way. The Social Services Department wishes to lend weight to these concerns and will ensure that the social care perspective is included in further planning work which is required to address this issue.
- 3.6 **Services in the Community:** Significant comment and concern has been expressed about the new community health facilities ability to demonstrate that the service is in place and tested before the changes in delivery of health care are finally implemented. Elected Members have expressed concern about the lack of detail concerning new facilities, where they will be located and what care and treatment patients can expect to receive from these facilities. These concerns apply equally to the new health facilities as well as the additional staff teams that deliver home based care.
- 3.7 **Implications for Social Services:** For social services, *Making Leeds Better* brings forward many of the policy changes set out by the Department of Health in *Our Health, our care, our say*. The development of strong joint commissioning arrangements as well as integrated health and social care services lie at the center

of government policy to reduce the need for hospital admission and provide long term support in the community for patients with long term conditions, for example lung disease and coronary heart disease.

- 3.8 Reduced hospital admissions and shorter length of stay in hospital are bound to increase the need for more and better care in the community. Services will need to be available seven days a week, and more intensive services will be required, for shorter periods of time. Concern has been expressed by service users and members of the public that representatives from Social Services have not been available at larger public consultation events to explain how social care services will meet additional needs as well as answer questions raised at these events.
- 3.9 As the national implementation for the White Paper is rolled out over the next eighteen months social services will have to respond to the national targets and local plans. Working closely with CSIP and the Leeds PCT it is hoped that methods for measuring the impact of significant change in health care provision can be developed and new models of integrated care planned and implemented. However until the results of this work are known it is not possible to give an accurate forecast for the resource implications for social care arising from Making Leeds Better.
- 3.10 **The role of the Voluntary, Community and Faith Sector:** Representations from the sector have drawn attention to the knowledge and experience that the sector can bring to both the consultation and planning of the Making Leeds Better programme. The sector is also concerned that insufficient attention is being given to opportunities to introduce new providers from the not for profit sector into the delivery of health care in the city. There are obvious implications for social care provision within the city whichever way these issues are addressed.
- 3.11 **Consultation:** It is now proposed to commence the statutory consultation in September 2007, following representations from the Health Scrutiny Boards, including Bradford, Wakefield, North Yorkshire and York City, who drew attention to the fact that new Health Scrutiny Boards are unlikely to begin meeting before July 2007, following the elections in May 2007. The revised timing has been recommended so as to avoid the holiday period.
- 3.12 Prior to September 2007 it is intended that there will be a programme of targeted engagement with key stakeholders to address the issues that have emerged so far. Specific activities include to:
- Hone down emerging themes into specific questions,
  - Close the gaps in information and build on 'awareness' through closer engagement with key groups, including elected members.
  - Answer the specific questions e.g. the impact for specific geographical locations
  - Create a small, dedicated team to undertake this engagement work.
- 3.13 The Leeds Health and Social Care Scrutiny Board sitting with Members from Bradford Health Scrutiny received a detailed report on the consultation activity undertaken so far, the emerging themes described in this report, and the next steps in the consultation process. Scrutiny Board members asked to receive further reports during the lead in to the statutory consultation.

3.14 Responding to specific questions from elected members the MLB team has confirmed that during the next stage of the consultation they will indicate those aspects of the plans, which are 'non-negotiable' and the parts of the plan that can be influenced through further consultation. They also indicated in response to a separate question that the team has concluded there is general support for the direction of travel set out in the Making Leeds Better plan.

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

4.1 There are no immediate implications for Council policy or governance. This aspect will be kept under review as the work programme develops.

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

5.1 There will be important legal considerations when the governance arrangements for joint commissioning and integrated service delivery are put forward for approval. As indicated in section 3 identifying the resource implications for the Council and how they are to be managed through new ways of working as well as resource transfers is a key part of the work required for the next stage of the MLB programme.

#### **6.0 Conclusions**

6.1 The six themes that have emerged through the consultation process to date reflect and confirm representations made by the Social Services Department regarding the impact for social care. They also reflect wider concerns expressed by elected members, key stakeholders, including health and social care professionals, patients and the wider public. The commitment to address these concerns during the next phase of consultation is welcomed.

The next phase of Making Leeds Better, which will see a government requirement to implement some aspects of the white paper during 2007/08, alongside further public and stakeholder engagement, will serve to emphasize the extent of the scale and complexity of the Making Leeds Better programme. The inter-connection between the MLB plan and the national white paper policy agenda presents both an opportunity and a challenge for the city.

#### **7.0 Recommendations**

7.1 The Executive Board is asked:

- (a) to note the position outlined in section 2 and appendix 1 regarding the proposals for Making Leeds Better.
- (b) to note the six themes which the MLB team have identified through an analysis of the initial phase of consultation.
- (c) to note the implications for social care and other City Council responsibilities with regard to the six themes.
- (d) to request that the Leeds Health and Social Care Scrutiny Board in partnership with the Scrutiny Boards of adjoining authorities continue their oversight of the consultation process.



### **The Resolution Agreed by the Seven Statutory Health Boards in September 2006**

The seven NHS Boards agreed the following joint statement at the conclusion of the meeting:

“Members of the seven NHS Boards in Leeds have resolved that the vision set out in Making Leeds Better concurs with and builds upon the Government’s new direction for the health and social care system, and that the delivery of that vision will offer significant additional benefits to patients, service users and local communities. The Boards are committed to achieving that vision.

The Boards are assured of the scope, quality and outputs of the work undertaken to date and agreed it as a robust base from which to develop more detailed service proposals for public consultation and an outline business case for capital development.”

### **The specific resolutions agreed by all seven NHS statutory Boards are as follows.**

- The Boards resolved that the vision set out in Making Leeds Better concurs with and builds upon the Government’s new direction for the health and social care system in *Our health, our care, our say, the National Service Framework for children, young people and maternity services* and other programmes of service and health improvement.
- The Boards resolved that the delivery of the Making Leeds Better vision and the care pathway model will offer significant additional benefits to patients, service users and local communities. The Boards are committed to achieving that vision.
- The Boards are assured of the scope, quality and outputs of the work undertaken to date by the Leeds health and social care economy as part of the Making Leeds Better programme. This is a robust base from which to develop more detailed service proposals for public consultation and an outline business case, which includes a new Children’s & Maternity Hospital.
- The Boards recommended that the new Leeds PCT quickly establishes the consulting and decision taking infrastructure necessary to progress to public, staff and other stakeholder consultation on proposed options at the earliest stage possible.

### **The Boards recommended the following key priorities for further action:**

- a. ensure MLB is resourced, progressed and delivered as part of the mainstream work of the health and social care community
- b. develop, with all provider agencies, fuller options and costs, including the use of all available estate, and taking account of access and transport implications

- c. develop citywide arrangements for the delivery of key areas of the programme, including workforce planning, organisational development, engagement of patients, service users and staff, and public education about the new Leeds services
- d. establish local arrangements and agreements for tariff sharing and releasing the agreed level of commissioning spend
- e. agree a process through which the integration of health and local authority commissioning and provision should be explored and delivered
- f. develop a transition plan and risk management framework, for commissioners and providers, to mitigate the clinical, service, workforce and financial risks of delivery between now and completion of the programme
- g. ensure that the MLB programme is fully connected and compatible with the wider Leeds Integrated Service Improvement Programme, including those elements relating to mental health and tackling health inequalities

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For further information, including the Working Papers referred to in this Executive Summary, please see the Making Leeds Better website [www.makingleedsbetter.org.uk](http://www.makingleedsbetter.org.uk)

## 1. Introduction

### The Making Leeds Better Vision

Our vision is for a future where people who need health and social care get the best possible care and treatment in modern facilities closer to their own homes.

Care and treatment that until now have only been available in hospitals will be provided by doctors, nurses and other health and social care staff working in the community.

Staff will be able to take advantage of the latest developments in medical science, technology and clinical practice – free from the limitations of old building and outdated ways of doing things.

When people do need hospital care they will get it in modern facilities truly fit for the 21<sup>st</sup> century.

In the summer of 2004, partners in the Leeds Health and Social Care Community agreed to work together to make major improvements to health and social care services in the city. The first demonstration of this shared commitment was the submission to the Department of Health of a strategic outline case (SOC) for a new Children's & Maternity Hospital in Leeds. The proposals for a new hospital described in the SOC depended on far-reaching changes that would transform the delivery of health and social care across the city.

When the SOC was approved in July 2004, the partners established a programme – known as 'Making Leeds Better' – to work with the public, patients and staff to develop proposals for better health and social care services. Making Leeds Better aims to radically change health and social care in Leeds, focusing on providing more and better care for people closer to home and building a new Children's & Maternity Hospital. We aim to diagnose and treat people sooner, avoid admission to hospital where appropriate, and care for people in up-to-date facilities.

Making Leeds Better is a far-reaching and complex programme of change management, overseen by a Programme Board with members representing public and patients, voluntary organisations, local government, staff side organisations, universities and health and social care organisations. Governance arrangements for the Making Leeds Better Programme have been set up according to the recommendations of the Office of Government Commerce (OGC).

The Making Leeds Better Programme is managed in line with the Office of Government Commerce's *Managing Successful Programmes* approach. A Department of Health Gateway Review of the Programme praised our focus on care pathways, engagement of stakeholders and programme management approach.

Measuring the success of Making Leeds Better implementation will be managed and monitored by adopting the Department of Health's benefits realisation process. This focuses on benefits for patients and services users, clinicians and organisations providing care.

**NHS statutory organisations and the Council are not expected to give formal approval at this stage to the proposals set out in this document, but to support the work that has been done to date and to agree the next steps required to develop deliverable and affordable options for formal public consultation beginning in spring 2007. Public consultation will focus on the proposals for major changes in the location of services outlined in this document and will follow a period of intensive engagement with the public to inform the options for consultation. The proposals for the new Children's & Maternity Hospital and other new buildings on the St James's Hospital site will require formal approval by statutory organisations as part of the outline business case (OBC) approvals process in 2008.**

## 2. Aims of Making Leeds Better

### The Making Leeds Better Aims

<p><b>1 Involve the public, patients &amp; staff in making the vision a reality</b></p>	<p>We have focused from the outset on wide engagement with the public, patients, staff, partner organisations and stakeholders across Leeds and surrounding health communities so that all requirements and issues of concern are addressed prior to formal consultation. Patients, voluntary sector organisations, clinical leaders and representatives of the Trade Unions staff side are members of the Making Leeds Better Programme Board which has overall responsibility for steering the Programme. Service users, patients, clinicians and managerial staff are involved in care pathways development.</p>
<p><b>2 Radically redesign care pathways to provide better access to high quality care closer to home</b></p>	<p>In line with the Government's White Paper <i>Our health, our care, our say</i>, we want to care for people in or close to their own homes, improve access to services, diagnose and treat people earlier, reduce health inequalities, tackle over-hospitalisation and reduce excessive lengths of stay. Our main focus has been on: children's and maternity care pathways; adult care pathways that will have the biggest impact on reducing hospitalisation; providing better care for patients in primary or community settings; and non-pathway services where efficiencies can be made by implementing best practice in demand and capacity management.</p>
<p><b>3 Build a new Children's &amp; Maternity Hospital</b></p>	<p>We want to significantly improve services for children, women and their families by building a new Children's &amp; Maternity Hospital through the private finance initiative (PFI). The outline business case (OBC) is also likely to include other new buildings to facilitate the relocation of services from the Leeds General Infirmary (LGI) to the St James's site.</p>
<p><b>4 Build new premises in the community</b></p>	<p>We want to develop the infrastructure needed for services to transfer from acute hospital settings to primary and community settings. New community health centres and child &amp; family centres will be built through the LIFT (Local Improvement Finance Trust) mechanism.</p>
<p><b>5 Focus acute and complex care on the St James's site</b></p>	<p>We want to improve the quality and safety of services for patients and make best use of specialist clinical staff by focusing acute and complex hospital care onto a single main site at St James's University Hospital. Implementation of care pathways, more day case surgery and development of new premises in the community will allow the number of beds in the acute hospital to be reduced. This will provide the opportunity to locate all acute and complex care on one site.</p>
<p><b>6 Develop a Strategic Services Plan which is deliverable &amp; affordable</b></p>	<p>We can only deliver improvement for patients if our plans are realistic and affordable. The key tests of deliverability and affordability are whether:</p> <ul style="list-style-type: none"> <li>▪ Resources (both financial and workforce) can be transferred to primary and community care to enable the step changes in provision required.</li> <li>▪ We can achieve financial balance and pay for PFI and LIFT new builds.</li> <li>▪ Estate solutions can be implemented in time to allow staged investment in primary care and reduction in acute hospital services – including beds – as services are transferred to community settings.</li> </ul>

**Please see Working Paper: Programme Aims, Governance & Management**

### 3. The Case for Change

Leeds is one of the most prosperous cities in the UK, recently voted the UK's Favourite City and Britain's Best City for Business. Primary, community and social services in the city have seen many developments over the last few years, with investments in services that keep people fitter for longer in their own homes and prevent unnecessary admission to hospital. When people do go to hospital, the Leeds Teaching Hospital Trust provides excellent health care to the people of Leeds and specialist services across West Yorkshire.

But, like other health and social care economies we need to respond to changes in the expectations and needs of the people who use our services, to advances in medical science and technology, and to national policy. Also, in Leeds there are some specific drivers for change that we want to address through Making Leeds Better.

#### The Drivers of Change in Leeds

- **Build a new Children's & Maternity Hospital** to provide clinically safe, dedicated facilities for children and mothers.
- **Invest in primary and community services** so that we can improve health and wellbeing and reduce our reliance on hospital care.
- **Tackle inequalities in health** by improving access to health and social care services.
- **Consolidate complex care for adults at St James's hospital** to improve clinical safety and quality; and to enable better use of healthcare resources across the city.

The MLB programme has the full support of Leeds City Council and the engagement of senior officers and elected members. This recognises the commonality of the Council's wish to 'narrow the gap' between those people who have benefited from the prosperity generated within the city and those people who have yet to benefit. MLB will complement and accelerate the Council's regeneration plans and ambitions for Children's and Adult services.

***Please see Working Paper: Case for Change***

### 4. Better Care for Children & Adults

The Making Leeds Better vision is entirely consistent with the direction of travel outlined in the Government's White Paper *Our health, our care, our say*. The *Your health, your care, your say* consultation, which underpinned the proposals set out in the White Paper, revealed support for more community services. At the culmination of the consultation (the Citizen's Summit in Birmingham involving a thousand people) the majority of participants supported the provision of more services in the community, even if this meant that some larger hospitals would concentrate on specialist services and some would merge or close.

The research carried out for the White Paper also showed that the public in general and people with long-term conditions – such as diabetes or heart disease – support the idea of services which help to maintain the health and independence of people with long-term conditions. People with long-term conditions think this will help to reduce their need for more expensive residential care and medical help in the future. They are particularly keen to see more joined-up social care and health services, such as through single needs assessment and use of care managers.

The Making Leeds Better proposals also include improvements for children's and maternity services provided in community-based settings. As with adult services we recognise that many children and pregnant women could be cared for in community facilities closer to their homes. New care pathways are being developed that will improve the quality and consistency of care for women and children; and many outpatient appointments and other care will be provided in community-based Child & Family Centres.

We expect the result of these community developments to reduce emergency admissions to hospital by around 6,400 (about 8%) a year. In addition, around 115,000 outpatient visits (about 15%) and 55,000 diagnostic appointments (about 25%) that currently take place in hospital would be provided in community healthcare facilities by 2012.

Making Leeds Better is about creating opportunities to look after people better and improve their health outcomes. By ensuring more effective use of resources across the city and reducing the inefficiencies inherent in delivering complex and specialist care from two hospital sites, Making Leeds Better will provide the platform for more investment both in primary and community services so that people can receive care more locally and in a new Children's & Maternity Hospital.

Our ambition for community-based care has been driven by a focus on care pathway development. This ensures that patients and clinicians benefit from a more systematic approach to providing care, which support safe, high quality and equitable care and treatment.

#### **The Care Pathway Approach**

- Ensure care pathway development is **led by clinicians**, with strong **involvement from patients and the public**.
- Develop care pathways that **improve access** for significant numbers of patients – to help reduce inequalities in health – and underpin services with health promotion.
- Ensure proposed service changes meet **clinical governance** requirements, follow **national clinical guidance** and are driven by the **Ten High Impact Changes** endorsed by the Department of Health.
- Ensure pathways address **national and local priorities** such as reducing waiting times to 18 weeks from referral to treatment and supporting GP commissioners to meet local needs.
- Secure **greater integration** within pathways between health and social care services. The pathways are based on multi-professional, multi-agency care, including services provided by Leeds City Council.
- Underpin services with appropriate **teaching, research and development**.

In Leeds, we have been able to begin implementation of many of the care pathways, building on excellent schemes that have already been developed in parts of the city. Making Leeds Better has provided the impetus for these care pathways to be implemented across the whole city so that all patients can benefit.

#### **4.1 Better Care for Children**

There are over 180,000 children and young people between the ages of 0-19 in Leeds. This represents around a quarter of the whole population of the city. Due to falling birth rate and demographic changes, the number of young people has been falling in the recent past. But, more recently, this fall has stabilised. In some parts of the city – particularly in the inner city and in black and minority ethnic (BME) communities – the number of young people is growing. As a result of this demographic trend, around 13% of children and young people in Leeds are from BME communities.

Making Leeds Better has at its heart the desire to improve services for children. Better services will come, not just from a new Children's & Maternity Hospital, but also from development of community-based services, improved delivery of care through redesigned care pathways and new Child & Family Centres based in the community. These changes focus on normalising and localising services, such as outpatients, within community settings and providing a wider range of more local services and treatments to minimise the need for children to go to hospital.

New pathways have been developed for a number of children's health conditions (asthma, epilepsy, enuresis, constipation, diabetes) and are being developed for children with complex needs. The service is also being improved for children who need acute assessment, and we have identified some underpinning changes that are needed to support these new care pathways.

#### **4.2 Better Care for People with Longer-term Needs**

A significant number of people who either live at home or who have become patients in Leeds hospitals suffer from debilitating long-term conditions. Consultation carried out by the Government for the *Your health, your care, your say* White Paper showed that people with longer-term or more complex health and social care needs want services that will help them to maintain their independence and well-being and to lead as fulfilling a life as possible.

By Government estimates, over one third of people in England have longer-term health needs and every decade, from aging of the population alone, the number of people with long-term conditions will increase by over a million. For Leeds, this means around 250,000 people with longer-term needs, growing by over 15,000 every decade. The number of people with severe disability will also increase, partly due to the increased survival of pre-term babies.

Over two-thirds of NHS activity – and around 80% of costs – relates to the one-third of the population with the highest needs of these kinds. The Government concluded that this will have significant resource implications for health and social care unless we change our current approach.

Recent national surveys show that we still need to do more to empower people with long-term health and social care needs through greater choice and more control over their care. Health and care services still do not focus sufficiently on supporting people to understand and take control at an early stage of their condition. As a result, resources are wasted, medication goes unused, people's health deteriorates more quickly than it should and quality of life is compromised.

Making Leeds Better has focused on six longer-term conditions that affect a significant number of people in the city.

##### **Focus of the Care Pathway Work for People with Longer-Term Needs**

- Neurological conditions (particularly stroke)
- Diabetes Type 2
- A fractured hip following a fall
- Chronic obstructive pulmonary disease (COPD)
- Coronary heart disease (CHD)
- Dementia

The aim in developing care pathways for people with these conditions has been to provide better health and well-being; support for those in greatest need; convenient access to high-quality services; and care in the most appropriate setting, closer to home.

Successful support for patients with these conditions requires the effective marshalling and deployment of health and social care services. In addition, social care services commissioned or provided by the Local Authority play a crucial role in promoting self-care and assisting carers in maintaining patients in community settings who would otherwise have to be admitted to hospital.



### **4.3 Better Maternity Care**

Women want birth to be a normal experience, with ante-natal care and post-natal support provided as close to their homes as possible. Our proposals for maternity care therefore aim to provide easy access to services, particularly to support women in hard to reach groups and to further enhance parenting skills and meet the public health needs of the population.

#### **Aims of the New Model for Maternity Services**

- Develop an evidence-based, women-centred and streamlined service.
- Promote public health, enhance choice, reduce health inequalities and tackle social exclusion.
- Implement national policy such as the Maternity Standard of the National Service Framework.
- Respond to recommendations from Confidential Enquiries.
- Consider the changing workforce and development of support worker roles.
- Enhance partnership working with statutory bodies and voluntary agencies

### **4.4 Better Urgent Care**

Leeds experiences around 220,000 patient visits to its accident and emergency (A&E) departments each year. This is higher than the national average for a city the size of Leeds. MLB aims to provide fast and convenient services for patients with urgent health care needs, focusing providing more locally and ensuring that services fit well with the vision set out in the Government's White Paper *Our health, our care, our say*. We are working to provide safe and high quality alternatives to hospital – such as rapid response services in patients' own homes, walk-in centres and minor injuries units – except for patients with the most serious healthcare needs.

In addition to the current support provided by social care services to maintain individuals in community settings, the Local Authority has contracted a number of transitional and respite care beds to provide an alternative to urgent hospital care in those instances where the care network of a vulnerable individual breaks down.

### **4.5 Better Managed Care**

Our work on managed care is being developed to support delivery of the Department of Health's target to ensure that no patient waits more than 18 weeks from referral by their GP to treatment. The 18 week access target is different from previous access targets because it is the first to include all stages that lead up to a patient's treatment, including the outpatient consultation, diagnostic tests and elective procedure. Consequently, the 18 weeks target shifts the focus of management from individual stages of the patient's journey to managing a whole care pathway. Achieving the 18 week target will require significant reductions in the average waits for all stages along the pathway – tackling the longest waits alone will not be enough.

#### **Aims for Patients who need Managed Care**

- Speedy access to high quality care and treatment, including access to diagnostic tests.
- Care in the best possible settings, close to where people live, where it is safe to do so.
- An appropriate choice of provider, treatment, time and place.
- Information & support to make an informed choice.

Achievement of the 18 week access target requires us to focus on specific surgical specialties. For Leeds, these will include orthopaedics, ear nose & throat (ENT), urology, gynaecology, plastic surgery and general surgery. To deliver this ambitious aim, patients and service providers will have to work in partnership to develop innovative means of increasing rates of day case surgery and enabling more patients to be admitted on the day of their operation and discharged much sooner afterwards. This will enable patients to minimise the time they have to spend in hospital.

***Please see Working Paper: Better Care for Children & Adults***

## **5. Modelling Capacity for Efficient Service Delivery**

Planning new services on the scale of Making Leeds Better is complicated and requires detailed modelling for the future. The approach to modelling future capacity within the Leeds health economy has been underpinned by five basic principles: implementation friendly, pathway driven, transparent, bottom up and demand led. The basic modelling process was to understand the service, create a baseline, adjust for future changes and then vary assumptions to create a range of capacity options.

We modelled capacity at the hospital level for specified number of areas: inpatient and day case beds; operating theatres; outpatient clinics; the emergency department; and radiology. For community and social care services we modelled only the service changes identified, including the impact of the care pathways, movement of paediatric medical outpatients into community settings, and movement of some adult outpatients and radiology into community settings.

Demand for health and associated social care continues to change over time. We have assessed the effect of six factors: population change; the impact of Leeds PCTs' plans to develop services to care for people closer to home, such as rapid response services; the impact of the care pathways; commissioning changes identified by PCTs outside Leeds; the future for specialist hospital services; the impact of patient choice; and the impact of independent sector treatment centres.

To assess the impact of efficiency gains, we identified specific issues of current performance and sought to show how these could be improved. Efficiency changes include pooling of hospital beds, theatres and clinics to promote more flexible use of capacity; removing pre-operative stay so that patients come into hospital on the day of surgery; increasing the rates of day case surgery across all adult surgical specialties; reducing length of stay in line with best practice recommended by the new care pathways; assuming patients are discharged when they are fit rather than when it is convenient for staff; changing the new to follow up outpatient ratios for all consultants to the upper quartile performance in each specialty.

For pathway capacity modelling, we used the following approach: *Pathway resources = resources for 1 patient x number of patients*. Resources are expressed in terms of number of rooms or whole time equivalent staff. We used simulation software to model the way patients use beds and the emergency village. The simulation creates a series of 'virtual' patients from a given admission profile and length of stay distribution for each patient group. This approach copes well with seasonal and cyclical demand patterns. We used Excel based capacity and demand models for theatres (elective and acute separately), outpatients (first and follow-up separately) and radiology.

***Please see Working Paper: Modelling Capacity for Efficient Service Delivery***

## 6. Developing the Workforce

The benefits for patients and service users of the changes proposed by Making Leeds Better will only be achieved by our staff – clinicians and managers – and others working in the non-statutory sectors. Critical to delivery will be our ability to develop our existing staff to fulfil new roles, and to recruit and retain new staff identified as necessary to deliver the health and social services being planned.

There are currently over 30,000 staff employed delivering health and social care services in Leeds – approximately 1 in 10 of the working population. The three largest MLB partner organisations – Leeds Teaching Hospitals Trust (LTHT), Leeds PCTs and Leeds Social Services – employ the majority of these staff, but Making Leeds Better will also impact, in differing degrees, on staff employed by primary care contractors (GPs, Dentists, Optometrists, Pharmacists), on those employed by Leeds Mental Health Services NHS Trust, and on staff employed in nursing and residential homes, in the voluntary sector, and on carers.

To deliver the investment in community services proposed by Making Leeds Better, we expect the numbers of community-based clinical staff to increase by around 15-20%. This takes account of additional staff needed to deliver the new care pathways and provide 'generic' services (such as intermediate care and rapid response) that support the Making Leeds Better aim of caring for people close to or in their own homes; and we have also increased staffing levels to the national average to counter the historic underinvestment in community services in Leeds. The increased numbers in community staff would not apply equally across all staff grades: we expect to see staff in specialist grades supported by more staff in 'lower' grades with NVQ type qualifications.

For LTHT, we expect staffing numbers to change to reflect the increased investment in community-based services and the centralisation of hospital services on the St James's site. Although there will be fewer hospital beds needed in future as more patients are cared for in community settings, the level of need of patients cared for in hospital will be proportionately greater. Overall, we predict that, by caring for more patients in community settings and delivering hospital services more efficiently on a main hospital site at St James's, fewer staff would be needed in the hospital sector.

The service redesign work at the heart of Making Leeds Better has asked: who should do what?. This has also prompted some changes in the professional mix of staff – in both hospital and community.

### **New Professional Roles**

- Extended roles for nursing staff – such as Nurse Consultants or in prescribing – which not only relieve medical staff of some tasks but also provide career development opportunities for nurses.
- New roles – such as Assistant Practitioners and Midwifery Support Workers – to support professionally registered staff.
- A 'New Type of Worker' to provide personal care and low level clinical tasks for people at home, who currently are often visited by both social service employed and health service employed carers.

We expect that most of the new community workforce will be created by training and developing staff currently employed in the Leeds health and social care economy. Some of the new skills required will be relatively straightforward, for instance requiring the provision of specific training in a technique or procedure; others will require more substantial action. Training programmes may be required to enable staff to adopt entirely new roles – for instance, Midwifery Support Workers may be recruited from the existing workforce, but will need an extensive training programme to

develop them. Some staff will need to relocate, such as where services currently being provided in hospital settings move fully to community based facilities. Given that the changes proposed by MLB take us up to 2012, we expect any workforce reductions to be managed through natural turnover or deployment of staff.

Plans for training and development of staff will be supported by the workforce development arm of the Yorkshire & Humber SHA (formerly the Workforce Development Confederation) and the two Leeds universities (the University of Leeds and Leeds Metropolitan University). In support of MLB, the Leeds Health and Education Sector Partnership (HESP) is about to commission a major piece of analysis and modelling work to understand and inform the planning of education, teaching and training requirements. We are also working closely with both universities to ensure that the Making Leeds Better proposals continue to support excellence in teaching and research.

***Please see Working Paper:            Developing the Workforce***

## **7.    The Children's & Maternity Hospital & Better Healthcare Facilities**

### **7.1    Why We Need a New Children's & Maternity Hospital and a Single Hospital Site**

**Hospital services for children** are currently provided at both St James's and the Leeds General Infirmary from eight different buildings, with two accident and emergency departments, at least 12 different outpatient areas, a day hospital, 15 inpatient wards and three intensive care units. This results in risks to clinical quality and safety, a poor patient experience and duplication of services leading to inefficiencies. The main clinical risks for children needing hospital care come from having to be transferred between hospital sites or from having to be cared for on a site remote from their main specialty.

Facilities for children of different ages are inadequate. Some children and even more young people are treated as inpatients on adult wards; and many children are still seen in mixed adult/paediatric outpatient clinics. Parents have complained vociferously about the poor quality of patient experience caused by the state of the accommodation and distribution of services for children across and within Leeds hospital sites. A new purpose-build Children's & Maternity Hospital would provide facilities for children and parents that are built around their needs.

**Hospital-based maternity services** are currently provided from both the St James's and the Leeds General Infirmary sites. Bringing these services together would increase the availability of consultant obstetric support to midwives (as this is currently spread across two sites). The links between maternity services and neonates (new born babies) and between neonates and many children's services are critical. Any solution for children's hospital services must also include maternity services – hence the proposal for a Children's & Maternity Hospital.

The split site issues that apply to children's services apply equally to **adult services**. Clinical care for adults is delivered from all of Leeds Teaching Hospitals Trust's sites – many of which contain facilities considerably older than the patients they treat. Centralisation of clinical teams and facilities on one site would ensure that all patients with complex or urgent health needs get the care and treatment they need with minimum delay. In addition, as hospital care becomes increasingly specialised, integrating services on one site would ensure that we make best use of specialist medical and nursing expertise and continue to improve the quality of our health services.

***Please see Working Paper:            Case for Change***

## **7.2 Better Hospital Facilities and a New Children's & Maternity Hospital**

### **LTHT Current Estate Profile**

- Operates from six hospital sites, two major acute hospitals, three peripheral hospitals and one specialist hospital.
- Land area of approximately 59 hectares; buildings with an internal floor area approaching 500,000 m<sup>2</sup>.
- Bed capacity approaching 3,000 beds, of which around 2,600 beds are currently in operation.

In response to this 'case for change', the strategic outline case (SOC) proposed a single acute site at St James's, with new build for children's & maternity and cardiac & neuro services. The Jubilee Wing at the Leeds General Infirmary (LGI) and all peripheral hospital sites were planned to be used, with the Jubilee Wing focused on the delivery of outpatient, diagnostic and day-case services. The old-style Nightingale wards at the LGI would be replaced with modern wards at St James's that provide better dignity and privacy for patients. As well as improving the quality and safety of patient care, consolidating complex care for adults on the St James's site would allow us to manage services more efficiently and provide the opportunity we need to free up funds for investment in primary and community services.

Since the SOC was published, we have modelled in detail the bed, theatre and outpatient clinic capacity needed in LTHT. Beds have been grouped into pools of similar specialties for bed management purposes, allowing more flexible use and further reducing the overall number. We have assumed that most hospital outpatient activity, therapy support and diagnostics will take place away from the proposed single acute site at St James's. The configuration of clinical specialties by site has then been reviewed to identify which clinically appropriate estate option gives the best opportunity for an affordable solution from a workforce and estates perspective. At this stage, a variant on the SOC proposal best meets these criteria because it maximises the use of existing buildings, provides the minimum new build requirement and maximises potential savings by reducing workforce costs (by reducing on call, rotas and duplication of services).

The SOC variant option proposes a single acute site at St James's, with new build for children's & maternity, cardiac & neuro services and A&E. The Jubilee Wing at LGI, part of the Seacroft site and Wharfedale Hospital would continue to be used. However, compared with the original SOC option, we propose to provide more hospital services from St James's and the Jubilee Wing, with orthopaedic services transferring from Chapel Allerton to the Jubilee Wing, and most of Seacroft and Chapel Allerton being available for community-based facilities.

The proposal is that beds will be grouped into pools of linked specialties and used flexibly and more efficiently than currently. The table below illustrates the changes from the 2006 position to 2012/13. Fewer beds are needed for most specialties in the future because of the impact of new community-based services and more efficient delivery of hospital care. The figures include critical care beds.

<b>Bed Pool</b>	<b>Wing</b>	<b>2012/13</b>	<b>2006/07</b>	<b>Change</b>
Acute Medicine	Gledhow/Beckett	672	836	-164
Surgery	Chancellor/Lincoln	492	597	-105
Oncology	New Oncology Wing	216	217	-1
Neuro / Cardiac	New build	288	297	-9
Paediatrics	New build	248	289	-41
Maternity	New build	99	150	-51
Day case	Jubilee/Wharfedale	72	81	-9
Musculoskeletal	Jubilee	54	90	-36
<b>Grand Total</b>		<b>2,141</b>	<b>2,557</b>	<b>-416</b>

The capital value of the SOC variant option is estimated at £625m, which is equivalent to an annual estate running cost of £44m. This compares with a capital cost of £627m to build the original SOC proposal (this is higher than the capital costs assumed in the SOC due to further development of the proposals and inclusion of around £200m for 'optimism bias' – see box below).

#### **Key Assumptions Used in Providing Capital Costs for the SOC Variant Option**

- Proceeds from the sale of most of the LGI site and part of Seacroft could be used to part fund the capital costs of refurbishment. The balance of the capital (other than PFI) requirement would be borrowed, with interest incurred, but it is assumed that interest could be repaid from within existing Trust resources.
- The capital costs for new build and refurbishment are based on benchmark rates for the New Oncology Wing (NOW) scheme and advice from the NOW quantity surveyor, but do not reflect any detailed review of actual requirements.
- An optimism bias allowance of 67% has been added onto refurbishment costs and 50% onto PFI costs. This is a contingency to reflect likely costs on completion and is based on a standard formula now in place for all capital schemes.

The next stage is to develop a robust and supportable outline business case (OBC). The OBC is one of the most important approval stages for major capital projects, and we must be able to demonstrate that a rigorous process has been undertaken to assess and test the options and ensure the selection of the most favourable. We need to develop a Preferred Option for the OBC that is robust enough to withstand the rigorous evaluation undertaken by initially the Strategic Health Authority, followed by the Department of Health and HM Treasury. They will take a view on the strength of the Preferred Option and the process for its determination, including the outcome of our engagement and consultation on the service proposals driving the capital solution. The outcome of the OBC stage forms the basis of the procurement process and with it the subsequent shape of any Private Finance Initiative project.

We are aiming to build the new Children's & Maternity Hospital by 2012.

***Please see Working Paper: The Children's & Maternity Hospital and Better Hospital Facilities***

### **7.3 Better Facilities for Primary & Community Care**

PCT community-based services currently operate from, or are provided within, a range of premises across the city. These include 50 PCT owned health centres and clinics and a number of premises owned by GPs, Leeds Teaching Hospitals, Leeds Mental Health Trust, Leeds City Council and the PCT's voluntary and community sector partners.

In Leeds, in common with many parts of the country, the condition and functionality of the existing estate is variable. Many facilities fail to meet patient and staff expectations, with quality and access often being below an acceptable standard. Fortunately, this is changing, as the Leeds LIFT (Local Improvement Finance Trust) is delivering an ambitious community and GP premises replacement programme.

Four LIFT community health centres are already built and a further eight are under development. In total, this equates to almost £90m of investment in better community health facilities for local residents. These new health centres are providing services which previously were not available locally. For example the Armley Moor Health Centre provides minor surgery and community gynaecology services.

### **Armley Moor Health Centre**

£6m capital cost

Opened November 2005



### **East Leeds Enhanced Primary Care Centre**

£7m estimated capital cost

Estimated completion date July 2008



We have a good understanding of the community estate needed to house the transfer of services from hospital to community settings. Around 115,000 outpatient visits (about 15%) and 55,000 diagnostic appointments (about 25%) that currently take place in hospital would be provided in community healthcare facilities by 2012. So far, we estimate from our capacity modelling that around 50 clinic rooms would be needed to provide these outpatient and diagnostic services. We need to do further detailed work on the impact of new care pathways on the community estate.

The current proposal is for the development of three Child & Family Centres (one already exists at St George's in Middleton) and around three community healthcare 'hubs'. These hubs would house outpatient and diagnostic services, alongside some community services needed to support the care pathways and early discharge of patients from hospital. Additional community capacity will be provided first by ensuring full use of existing and planned community facilities, particularly LIFT buildings that have been designed with Making Leeds Better in mind. Consideration will also be given to using hospital estate (such as Seacroft Hospital) and/or sharing facilities with other organisations such as the Local Authority. Where insufficient capacity is available from these facilities, further LIFT buildings would be commissioned.

For costing purposes, given that further work is needed to refine the community estate capacity requirements, we have been cautious and assumed that all new capacity will be provided by new build. In reality, we are likely to have a mix of new build and better use of existing capacity.

***Please see Working Paper: Better Facilities for Primary & Community Care***

## **7.4 Developing Travel & Transport Solutions**

The Making Leeds Better proposals for hospital and community healthcare services involve the relocation of some services from hospitals to local community settings and also between the two main hospital sites. Travel and transport has been a major theme during our engagement with the public and patients. Finding a place to park at our hospital sites can be difficult, and public transport to our healthcare facilities is not always convenient. MLB provides the opportunity to tackle these travel and transport issues as we design in detail the new hospital facilities at St James's and consider options for location of community health centres.

The proposals for the hospital estate assume the centralisation of acute and complex care on the St James's site, with the Jubilee Wing at LGI used for diagnostics, outpatients and day-case surgery. As these services are currently spread between the two hospital sites, the proposals will mean shifts of services in both directions. We expect around 200,000 inpatient admissions, outpatient visits and A&E attendances at the LGI to take place at St James's in the future; this is around 30% of the 660,000 current patient visits to LGI. We expect around 170,000 outpatient visits, diagnostic appointments and day-case admissions at St James's to take place at the Jubilee

Wing in the future; this is around 30% of the 560,000 current patient visits to St James's. Overall, due to the impact of developments in community-based services, we expect around 100,000 fewer patient journeys to hospital in 2012, with 130,000 fewer visitor journeys. This is around 10% fewer patient and visitor journeys by 2012.

Making Leeds Better provides us with an opportunity to work collaboratively with Leeds City Council and METRO to develop some solutions to these transport issues to ensure that travel in 2012 is easier than in 2006. Leeds City Council and METRO have agreed to work with us to develop an understanding of numbers of patients and staff travelling by each mode of transport and then to map the implications on travel times of the MLB proposals. This mapping will inform options for the location of community healthcare hubs, development of car parking plans for NHS healthcare sites, and discussions with METRO about public transport routes. We aim to have some options developed for public consultation in spring 2007.

***Please see Working Paper: Travel & Transport***

## **7.5 Investing in Information Management & Technology**

Increasingly, clinicians rely on Information Management and Technology (IM&T) to access information to help them care and treat patients effectively. Therefore, IM&T systems across Leeds must fully support the MLB care pathways and other proposed service changes. Our vision of integrated IM&T systems that care pathways across organisational, professional and geographical boundaries is also enshrined within the NHS National Programme for IM&T (NPFIT). From an IM&T perspective, the vision of MLB and the National Programme are the same.

The National Programme's IM&T solutions are expected to bring enormous benefits. Clinicians will have better information and support through access to patient records and diagnoses 24 hours a day, seven days a week. Referrals will be more efficient and appropriate, with swift access to test results. Electronic discharge summaries can improve follow-up care for patients when they leave hospital. Safety in prescribing and monitoring prescriptions can be increased, with warnings about possible conflicts in treatment. The IM&T services can also provide news about changing trends in diseases.

Patients and service users will also benefit from clinicians having the the right information about diagnosis and treatment available when and where it is needed. For example: immediate treatment can be given in an emergency as the patient's medical record can be accessed electronically; PACS (the picture archiving and communications system) can provide faster access to medical imaging services and results, often resulting in quicker diagnosis and/or earlier discharge from hospital; and fewer appointments and operations will be postponed because of non-availability of X-rays. Patients will also have access to their own records, which gives them the opportunity to become more involved in their own care, for example by confirming details of their appointments and prescriptions.

Our strategy will be to adopt solutions from the National Programme when they become available and can offer greater benefit than the systems we use already. Where there is a mismatch of timings between need (generated by MLB) and delivery (from the National Programme), we will consider investment in developing or expanding current systems or procuring interim systems. We expect all organisations to be supported by a nationally provided solution within the lifetime of MLB. IM&T costings for MLB have been based on expanding existing systems to support the new care pathways and the proposed community healthcare hubs.

***Please see Working Paper: Investing in Information Management & Technology***



## 8. Costing & Affordability

### 8.1 Transfer of Resources from Hospital to Community Services

The MLB affordability modelling assumes that PCT growth is fully committed in future years and that any developments in primary, community and social care services will need to be funded by resource transfer from hospital care or from internally generated efficiencies.

Both the community and the LTHT affordability models assume a resource transfer of £37m from secondary (hospital) services to community services at the 2006/07 price base. This assumption was originally made in the Strategic Outline Case (SOC), based on the accrued savings expected from reduction in non-elective hospital spells.

Based on the information within the 2005/06 accounts, the total commissioning spend across primary and secondary care (excluding PCT managed services) was £832m, with £439m spend on hospital services. The cost shift of £37m from hospital to community services represents an 8.4% reduction in secondary care spend; and a 10% reduction in the LTHT contract, if Market Forces Factor is included.

To validate the £37m figure we have identified the shift in activity between 2006/07 and forecast 2012/13, and linked the impact on commissioning spend to the main cost drivers in the hospital costing model. For inpatient activity, one of the main cost drivers for a tariff spell is length of stay. If the trend of reducing length of stay continues, then we would expect the average costs of spells to also reduce – therefore we can use bed day reductions rather than spells to estimate the commissioning spend impact. For outpatients and A&E, the main cost driver is patient attendances.

The assumptions summarised in the table below show that the major contributor to the £37m is the expected reduction in bed days. Transferring this funding to the Leeds PCT would require local agreement. This is because some of the reduction in bed days is generated by efficiency measures taken by LTHT, which under the current rules of PbR would not reduce commissioning spend or be eligible for tariff splitting.

#### Transfer of Commissioning Spend £37m

Transfer	Activity	Value £	Assumptions
Reduction in bed days	126,027	25,205,440	83% occupancy, £200 per day
Reduction in outpatient follow-ups	56,359	4,508,720	£80 per attendance
Relocation of outpatients into community settings	113,964	1,215,446	10% tariff for outpatients
Reduction in A&E attendances	54,503	4,360,240	£80 per attendance
Outpatient demand management	9,772	1,710,154	£175 per attendance
<b>Total Resource Shift</b>		<b>37,000,000</b>	

The table confirms that £37m could be released from LTHT to fund the MLB developments in the community. The £37m includes additional actions to reduce outpatients through demand management schemes included in the PCT commissioning plan for 2006/07. A reduction of 10,000 new attendances would be required to generate the £1.7m needed to ensure a release of £37m.

## **8.2 Community Costing & Affordability**

The approach to costing community services has been to work up the additional cost of delivering community services in the future, taking into account the proposed shifts in services from LTHT and care pathways. Affordability is then determined by comparing PCT resources available through disinvestment in LTHT, against the additional expenditure required to deliver new services in the community.

### **Incremental Costs above Baseline Budget for PCT Provided Services Calculated for Community Costing**

- Costs of implementing care pathways.
- Costs of impact on existing community services, arising from general strategic approach to reduce hospital admissions and facilitate early discharge.
- Transfers of outpatient and diagnostic activity from hospital to community settings.
- Impact on PCT estates requirements.
- Impact on IM&T costs across the health economy.
- Impact of reducing admissions and lengths of stay on the need for home care support.

The results of the costing exercise indicate that the total additional resource requirements are in the order of £42m (based on 2006/07 levels), which includes an assumption of around 900 extra whole time equivalent community-based staff. These results are based on an input-driven assessment, rather than any articulation of required future outputs. They are therefore indicative only and subject to arrangements for how services are commissioned in the future.

Based on the expectation that LTHT's income will reduce by £37m (at 2006/07 levels) as a result of activity being shifted to community-based settings, we would need efficiency savings in community provider services of around £5 million between 2006/07 and 2012/13 for the MLB proposals to be affordable. This represents a 3.3% cost reduction from the future estimated community services cost of £152 million. This level of saving should be achievable over the medium term, and actions are already being taken to begin an external review of community provider services, which should generate efficiency savings through a range of productivity measures.

## **8.3 LTHT Costing & Affordability**

The SOC identified savings from efficiencies and centralisation to fund the revenue consequences of building a Children's and Maternity hospital. LTHT is now in the same position as many other acute trusts, where it has to generate sufficient savings each year to meet the national efficiency requirements, cover any fixed costs losses resulting from the transfer of services and compensate for the loss of income resulting from the roll out of national tariffs. LTHT must also generate further savings to bridge any funding gap that may accrue from the opening of the New Oncology Wing.

LTHT has estimated the combined effect of these factors to be a savings requirement of £182m over the next seven years. This includes the fixed costs loss associated with the £37m decommissioning identified in the SOC and included in the community costing and affordability assumptions. Trans4orm is the LTHT vehicle for delivering the necessary savings.

The MLB care pathways and service efficiency modelling will contribute to meeting the LTHT savings target. The projected reduction in the number of wards and theatres and overall floor area is estimated to generate workforce savings of around £21m per year once fully implemented.

To assess the affordability of MLB from a Trust point of view, its share of activity in 2012/13 has been modelled, adjusted to reflect population changes, known or estimated PCT commissioning shifts, the implications of Choice and predicted changes in care pathways.

LTHT has costed the SOC variant option described in section 7.2 of this executive summary, which would deliver a single acute site at St James's, with new build for children's & maternity, cardiac & neuro and A&E, with the Jubilee Wing used for diagnostics, outpatients and day case surgery. This option maximises efficiency and minimises new build to keep a cap on costs. Nevertheless, this is a major service reconfiguration which requires a significant capital investment in new and refurbished estate, and the associated increase in estate running costs will increase revenue expenditure by an estimated £44m per annum.

This additional £44m cost can only be offset by those savings that could only be achieved as a result of the MLB service reconfiguration – particularly the creation of a single site for acute and complex care at St James's. The detailed analysis of medical costs suggests that £18m could be saved through this centralisation of services and that there would be a consequential saving of £1m from associated administrative staff. Early modelling also suggests a saving of around £10m from clinical support services. The remaining gap of around £15m would be achieved through similar savings through centralisation in other staff groups. As indicated in section 6 of this document, we expect any reductions in workforce at LTHT to be managed by natural means.

The SOC variant option is therefore assumed to be broadly affordable. This is subject to further review at OBC stage.

***Please see Working Paper: Costing & Affordability***

## **9. Engaging & Consulting with the Public, Patients, Clinicians & Staff**

One of the key aims of MLB is to involve the public, patients & staff in making the vision for health and social care in Leeds a reality. Involving the public and patients for whom the health and social care services are provided in Leeds, and working with them as we plan and make proposals about the future, is fundamental to the way we work. This stems from a core belief that working in this way produces results that work better and fit more closely with what is needed.

We have focused from the outset on wide engagement with the public, patients, staff, partner organisations and stakeholders across Leeds and surrounding health communities. We have identified over 70 separate stakeholder groups and categories of people with an interest in the future of health and social care services in Leeds. Our engagement process is designed to elicit views and ideas from these stakeholders, and to provide further opportunities for feedback to, and engagement with, stakeholders on those views. This work will then inform the final proposals and options to be presented at formal consultation in 2007.

To facilitate engagement, MLB stakeholders have been organised into four stakeholder groups. These groups are shown in the table below, along with an explanation about how MLB has engaged with them. Stakeholder engagement is underpinned by a communications strategy which provides the main messages, mechanisms and media for engagement and consultation with the four stakeholder groups.

<b>Group</b>	<b>Consists of</b>	<b>Engaged through</b>
<b>Public &amp; Patients</b>	<ul style="list-style-type: none"> <li>▪ Patients.</li> <li>▪ General public.</li> <li>▪ Voluntary, community and faith sector organisations.</li> <li>▪ 10 identified communities of interest; women; children; older people; carers; black &amp; minority ethnic communities; people with disabilities; users of mental health services; lesbian, gay, bisexual, transgendered people; gypsies and travellers; homeless people</li> <li>▪ The media.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Involvement of specific patient groups and members of relevant Expert Patient Programmes in development of care pathways.</li> <li>▪ Events and activities targeted at other patients, service users and voluntary sector organisations.</li> <li>▪ Work via lead organisations to reach and involve the communities of interest.</li> <li>▪ Communications strategy, including a media campaign and use of the Making Leeds Better website to reach and involve members of the general public.</li> </ul>
<b>Staff, including Clinicians</b>	<ul style="list-style-type: none"> <li>▪ Staff, including clinicians, of the seven Leeds health trusts.</li> <li>▪ Local Authority social care staff.</li> <li>▪ General Practitioners (GPs).</li> <li>▪ Other independent contractors: pharmacists, optometrists, dentists.</li> <li>▪ Relevant academic staff of the two Leeds universities.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Involvement in driving development and implementation of care pathways.</li> <li>▪ Clinical Leadership &amp; Engagement Group for Clinical Champions</li> <li>▪ Staff newsletters.</li> <li>▪ Open meetings, roadshows and events.</li> <li>▪ Health Impact Assessments.</li> </ul>
<b>Democratic</b>	<ul style="list-style-type: none"> <li>▪ Health &amp; Adult Social Care Overview &amp; Scrutiny Committee (OSC).</li> <li>▪ Leeds City Council (LCC) leadership.</li> <li>▪ Leeds City Councillors (through Area Committees).</li> <li>▪ Members of Parliament (MPs).</li> <li>▪ Members of Leeds Initiative Executive Boards.</li> <li>▪ District Partnerships.</li> <li>▪ Community Forums.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Visits, presentations and progress reports to meetings of the Area Committees, Leeds Initiative Boards, District Partnerships etc.</li> <li>▪ Personal briefings to MPs and LCC leadership.</li> <li>▪ Formal scrutiny by Health &amp; Adult Social Care OSC.</li> <li>▪ Involvement of West Yorkshire Scrutiny Chairs in scrutiny process.</li> </ul>
<b>Outside Leeds</b>	<ul style="list-style-type: none"> <li>▪ Cardiac Services Network, Cancer Services Network &amp; Specialist Obstetrics and Paediatric Services.</li> <li>▪ West Yorkshire PCT Chairs, Chief Executives Forum &amp; Commissioning Group.</li> <li>▪ PCTs in North East Yorkshire &amp; Northern Lincolnshire that border Leeds metropolitan district.</li> <li>▪ Members of Parliament for constituencies that border Leeds.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Regular presentations and progress reports to meetings of key groups such as West Yorkshire PCT Chairs.</li> <li>▪ Briefing for West Yorkshire Chief Executives on the emerging Strategic Services Plan for Leeds.</li> <li>▪ Involvement of West Yorkshire Scrutiny Chairs in scrutiny process.</li> </ul>

As the MLB proposals clearly involve a substantial variation and development of health services in Leeds, local NHS organisations have a statutory duty to consult patients and the public on its proposals. The MLB approach is to develop options for change with people and not for them, starting from the patient experience and working with staff to develop new ways of working. In taking a whole system view we have explored the contribution of all health and social care

providers and are working together to build a sustainable solution for the whole community. It is this solution that will be the subject of public consultation in 2007.

### Expected Scope of Consultation

- We will use the consultation to build on the changes in primary, community and social care services necessary to deliver the care pathways, as the pathways themselves have been developed with public and patient involvement; are consistent with the Government's White Paper *Our Health, Our Care, Our Say*, and build on existing service improvements.
- The consultation will include those changes needed for more efficient delivery of hospital services, for example treating and discharging more surgical cases within the day and avoiding the need for an overnight stay, but only where these changes involve the relocation of services. Enhancements in clinical practice are a part of everyday service delivery and thus need not be subject to a formal consultation process.
- The consultation will focus on changes to the location of hospital and community services and the Private Finance Initiative proposal for the new children's and maternity hospital and related capital development.

The lead organisation for the public consultation will be the new Leeds PCT. The PCT will form a body responsible for both leading and taking the final decision at the conclusion of the public consultation. It will receive and consider responses, including those from NHS bodies, and ultimately take a decision in light of them.

The table below sets out the key stages in reaching the point at which the final decision is taken. We currently expect that to be in the autumn of 2007. The detailed approach to this work will be further developed and then shared with the Overview and Scrutiny Committee in autumn 2006.

When	What
Autumn 2006	<ul style="list-style-type: none"> <li>▪ Conclude the awareness or 'deliberative' phase of the communication and engagement programme</li> <li>▪ Finalise proposals for the establishment of the Consultation Decision Making Board</li> <li>▪ Agree the options to progress to targeted or "collaborative" engagement</li> <li>▪ Finalise and endorse the next stage engagement approach and its materials</li> </ul>
Winter 2006	<ul style="list-style-type: none"> <li>▪ Progress the 'collaborative' engagement work</li> <li>▪ Summarise and analyse the results</li> <li>▪ Agree the model which should be the subject of the formal public consultation</li> <li>▪ Prepare and endorse the public consultation resources</li> </ul>
Spring to Autumn 2007	<ul style="list-style-type: none"> <li>▪ Run the formal public consultation process</li> <li>▪ Summarise and analyse the results</li> <li>▪ Take the final decision in public</li> </ul>

MLB expects to adopt the Cabinet Office *Code of Good Practice on Consultation (2004)* which sets out the code and criteria which all UK public bodies are encouraged to follow in developing their approach to public consultation. The Overview & Scrutiny Committee for Health & Wellbeing and the PPI Forums have also reviewed our plans for engagement and consultation.

**Please see Working Papers: *Engaging & Consulting with the Public, Patients, Clinicians & Staff* and *Clinical Leadership & Engagement***

## 10. NHS Board Resolutions and Next Steps

NHS Statutory Boards are meeting on 19 September 2006 to consider the progress made to date by the MLB programme and to agree next steps. The resolutions before this 'Board of Boards', including suggested next steps for MLB, are shown in the table below. A similar process is in place for Leeds City Council endorsement of these resolutions during September and October.

<b>NHS Boards are asked to consider and pass a resolution on each of the following statements:</b>		
1	The Board resolves that the vision set out in Making Leeds Better concurs with and builds upon the Government's new direction for the health and social care system in <i>Our Health, Our Care, Our Say</i> and the <i>National Service Framework for children, young people and maternity services</i> .	
2	The Board resolves that the delivery of the Making Leeds Better vision will offer significant additional benefits to patients, service users and local communities. The Board is committed to achieving that vision.	
3	The Board is assured of the scope, quality and outputs of the work undertaken to date by the Leeds health and social care economy as part of the Making Leeds Better programme. This is a robust base from which to develop more detailed proposals for public consultation and an outline business case for a new Children's & Maternity Hospital.	
4	The [PCT] Board recommends that the new Leeds PCT quickly establishes the consulting and decision taking infrastructure necessary to progress to public consultation on agreed options at the earliest stage possible.	For PCT Boards only
5	The Board recommends the following key priorities for further action: <ul style="list-style-type: none"> <li>5.1. ensure MLB is resourced with adequate capacity (substantially from full-time individuals) to progress all essential work as rapidly as practical</li> <li>5.2. develop fuller options and costs, including the use of community estate, and taking account of access and transport implications</li> <li>5.3. develop citywide arrangements for the delivery of key areas of the programme, for example workforce, organisational development, and training and development planning</li> <li>5.4. establish local arrangements for tariff sharing and releasing the agreed level of commissioning spend</li> <li>5.5. agree a structure through which the potential integration of health and local authority commissioning and provision should be explored and progressed</li> <li>5.6. develop a transition plan to mitigate the service and financial risks of delivery between now and 2012/13</li> </ul>	Please select from, or add to the range of options shown
6	The Board resolves to mandate its Chair, Chief Executive and Medical Director/PEC Chair to agree a joint way forward and corresponding public statement in the final session of the Making Leeds Better meeting.	

The proposals for the new Children's & Maternity Hospital and other new buildings on the St James's Hospital site will require formal approval by statutory organisations as part of the outline business case (OBC) approvals process in 2008.



**Leeds**  
CITY COUNCIL

Originator: Dennis Holmes  
Tel: 2474959

**Report of the: Director of Adult Social Services**

**To: Executive Board**

**Date: 13 December 2006**

**Subject: Star Rating for Adult Social Care Services.**

**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**

On an annual basis each Council with social care responsibilities receives an assessment of their performance, under the Department of Health Performance Assessment Framework from the Commission for Social Care Inspection (CSCI). On the basis of this assessment star ratings are published for each social services authority. Following receipt of the performance review report, Directors of Adult Social Services are asked to ensure that the report is drawn to the attention of the Executive Board and to the wider public.

The judgement reached by CSCI is that adult social care services in the city serve most people well and have promising prospects for improvement. This is rated as two star (out of a possible 3) performance by the Inspectorate. This is the third successive year this level of achievement has been attained, consolidating previous performance attained. It is to be noted that the City has made progress in areas which were identified for development last year. The letter formally advising the Council of the outcome of the review are attached at Appendix 1 and the main report at Appendix 2.

## **1 Purpose of this report**

- 1.1 This report alerts Members of the Executive Board to the judgement made about social care services to adults in the city and provides a brief summary of the key points raised by CSCI in making their judgement. The report also describes those areas identified by Inspectors where further improvements can be made. Those areas for improvement will form the basis of the adult social care services improvement plans for the coming year.

## **2. Background**

- 2.1. Last year adult social care services in the City were judged by CSCI to be serving most people well and to have promising prospects for improvement. The judgement is reached in relation to 6 standards.

- 1.National Priorities and Strategic Objectives
- 2.Cost & Efficiency
- 3 Effectiveness of Service delivery & Outcomes
- 4 Quality of Services for users and carers
- 5 Fair Access
- 6 Capacity for Improvement

- 2.2 In the last year CSCI determined that the council demonstrated it is implementing a coherent strategy which addresses the national priorities and promotes the independence of older people, people with learning disabilities, people with mental health problems and people with sensory and physical disabilities.

- 2.3 This has been reflected in both the strategic statements produced by the Council as well as the independence indicators where the council performs well and compares well with similar councils. Attention is however drawn by the Commission to the levels of delayed transfers of patients out of acute hospital settings which are still comparatively high, although they acknowledge that there is a reducing trend over the year bringing Leeds in line with the England average.

- 2.4 At the annual review meeting held earlier this year, the council acknowledged that levels of delayed transfers presented a continuing challenge. The council and its partners reported that the large and very complex health economy in Leeds impacts on their performance with respect to timely discharge.

- 2.5 Encouragingly, the Inspectors report that levels of intensive Homecare are high in relation to the total population in care (at home or in residential care), and compares well to other councils. Older people are helped to live at home and this, combined with comparatively low numbers of people admitted to residential care in the year, suggests that sustained efforts by the council in this area are improving the outcomes for older people in Leeds.

## **3. Progress in Services for Adults and Older people**

- 3.1 Inspectors report that good progress has been made in a number of key areas.

- Promotion of independence for vulnerable people
- Coherent strategy for promoting independence and addressing all of the aspects of the national service framework
- Prompt provision of minor and major adaptations to people's homes where this is need to support people at home
- Significant and continued investment in extra care housing
- Innovative independent living project for people with learning disabilities



- Further investment in the care of people with HIV and AIDS
- Successful POPPS bid and good focus on the mental health needs of older people
- New commissioning processes for residential and home care provision
- Good partnership engagement and working

3.2 The following areas have been identified by the Inspectors as needing improvement are:

- Continued reduction in the number of delayed transfers of care
- Extend the provision of care and support for carers, particularly for carers of people within learning disabilities
- Comparative cost of home care appears high
- Promptness of provision of equipment for people in need to be supported at home
- Care management processes to be more robust and timely

Executive Board are asked to note that these recommendations cover areas which the department has already identified as in need of improvement. This is evidenced in the departmental business plan 2006/07 and work has already begun to secure improvements in those areas.

3.3 The star rating for each social services authority is reviewed on an annual basis followed by a formal announcement in November. Leeds has retained its **2 star** status,

<b>Services for Adults</b>			
<i>Serving people well</i>	<i>Most</i>	↔	
<i>Capacity for improvement.</i>	<i>Promising</i>	↔	

## 6. Resource Implications

6.1 There are no resource implications for the Council. The inspectors note that Leeds is a relatively low spending Council which offers good value adult care services.

## 7. Specific Implications for Ethnic Minorities & Disability Groups

7.1 There are no specific implications for Ethnic Minority or disability groups, the Inspectors having no recommendations for improvement in this area.

## 8 Conclusion

8.1 The judgements reached by the Inspectors in relation to the performance of the Council offer considerable encouragement noting improvements on the performance achieved in the previous two years and continuing to conclude that promising prospects exist for further improvement. Plans have been put into place to ensure that areas identified for improvement are addressed in the coming year as adult social care services strive to achieve three star status.

## 9. Recommendations

9.1 The Executive Board is asked to note the contents of this report and the attached Performance Review Report from the Commission for Social Care Inspection (CSCI) for adult social care services.

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CONFIDENTIAL: EMBARGOED UNTIL 30th NOVEMBER 2006

22nd October 2006

John Davies
Director of Adults Services
Merrion House
Merrion Centre
LEEDS
LS2 8LA

APPENDIX 1

Dear John,

Performance Ratings for Adult Social Services: 30th November 2006

I am writing to inform you of the 2006 performance star ratings and judgements for your council's adult social services. The performance (star) rating will contribute the 'adults' judgement to the Council's overall CPA rating to be announced by the Audit Commission in February 2007.

a) Judgements and Rating

The judgements and rating for your council are as follows:

b) Social Care Services for adults

Serving people well? Most
Capacity for improvement? Promising

c) Adult Social Care Star Rating

Your social services performance rating is 2 stars.

The Record of Performance Assessment provides the basis of our judgements about your council's performance and trajectory for improvement. The level of in-year monitoring by CSCI is proportionate to performance. Councils with low star ratings or councils deemed to be coasting can expect a higher level of monitoring.

d) Further Changes to Star Ratings

Current CSCI policy on star ratings is that they will be published each year, and for the most part will not be changed during the year. For councils with a zero star rating, a higher rating may be awarded later if robust and substantial evidence of performance improvement becomes

available. Conversely, if serious concerns about performance arise during the year, a council's rating may be adjusted to zero stars, and special monitoring arrangements put in place.

### **e) Representations**

The letter issued to councils by the Chief Inspector on 16<sup>th</sup> July 2006 explained the representations procedure for our adult judgements. This indicated that you would have the opportunity at this stage to make a formal representation.

Councils should ensure their representation is clearly headed according to the judgement in question, be no more than 2500 words max. and ensure it can be linked to the published standards and criteria.

All notifications of intent to make representation, and actual written representations should be sent to CSCI for the attention of Louise Guss Representations Officer, via her PA Annett Hegna using one of the following methods:

Email: [annett.hegna@csci.gsi.gov.uk](mailto:annett.hegna@csci.gsi.gov.uk)

Fax: 01484 770 421

You can also contact the Representations Office via telephone number: 0191 233 3501

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Council intention to make written Representations by	25 <sup>th</sup> Oct by 4.00pm
Council confirmed written Representations received by	30 <sup>th</sup> Oct by 10.30a.m

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### **f) Further Information and Publication**

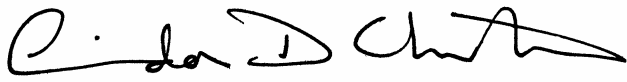
The new performance ratings and underlying judgements will be published on 30<sup>th</sup> November. The record of performance assessment for your council and a copy of this letter will also be available on our website at [www.csci.org.uk/council\\_star\\_ratings/councils\\_star\\_rating/default.htm](http://www.csci.org.uk/council_star_ratings/councils_star_rating/default.htm) on 30<sup>th</sup> November 2006.

We will send you an e-mail containing the embargoed star ratings for all councils on 29<sup>th</sup> November. Both this letter and the e-mail setting out the star ratings for all councils are sent to give you time to prepare local briefings - for example, to handle press enquiries. If you need help or advice on dealing with the media the CSCI press team, Sharon Ward, Michelle Doyle, Andy Keast-Marriott and Ray Veasey are available to assist. Their contact numbers are 0207 979 2089/2090/2093/2094.

Any questions about your star rating that are not answered by the guidance, or by the contents of this letter should be addressed in the first instance to your Business Relationship Manager.

Access to the Performance Indicators website which is password protected will be issued to you at midnight 27<sup>th</sup> November with instructions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Linda Christon', written in a cursive style.

LINDA CHRISTON  
Regional Director, CSCI

Copies: Paul Rogerson, Council Chief Executive

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*Making Social Care  
Better for People*

## **APPENDIX 2**

### **RECORD OF PERFORMANCE ASSESSMENT FOR ADULT SOCIAL CARE 2005-06**

Name of Adult Services Authority

Leeds

Contents

Part 1

Part 2

Business Relationship Manager:	Rod Hamilton
Performance Information Manager:	Michael Peoples
Date Last Updated (dd/mm/yyyy):	25/08/2006
Final Version:	Yes

## **Part 1:**

### **Summary of Improvements**

- Promotion of independence for vulnerable people
- Coherent strategy for promoting independence and addressing all of the aspects of the national service framework
- Prompt provision of minor and major adaptations to people's homes where this is need to support people at home
- Significant and continued investment in extra care housing
- Innovative independent living project for people with learning disabilities
- Further investment in the care of people with HIV and AIDS
- Successful POPPS bid and good focus on the mental health needs of older people
- New commissioning processes for residential and home care provision
- Good partnership engagement and working

### **Summary of Areas for Improvement**

- Continued reduction in the number of delayed transfers of care
- Extend the provision of care and support for carers, particularly for carers of people within learning disabilities
- Comparative cost of home care appears high
- Promptness of provision of equipment for people in need to be supported at home
- Care management processes to be more robust and timely



## **STANDARD 1: National Priorities And Strategic Objectives**

The council is working corporately and with partners to deliver national priorities and objectives for adult social care, relevant National Service Frameworks and local strategic objectives to serve the needs of diverse local communities

### **Improvements achieved/achievements consolidated since the previous annual review**

#### *Older People*

The council has a comprehensive strategic vision for older people, which has been developed in conjunction with its stakeholders. The council has ambitious plans for 2006/07 and these include:

- Improving first access to services and response times by process re-design and better use of resources
- Outcome focused care planning and provision to be enhanced through re-training and new service specifications
- Greater choice for service users through the use of Direct Payments and new contract arrangements with care providers
- Refocusing local authority home care and day care on recovery and re-enablement models.
- Implementing revised care pathways to prevent unnecessary hospital admission
- Further improvements in the hospital discharge process to reduce delayed discharges
- Expanding the reviewing function to respond to peoples changing needs more appropriately and to meet the reviewing performance targets
- Assisting older people with mental health needs through a range of initiatives to be introduced in response to the Grant made under the Partnerships for Older Peoples Projects
- An assistive technology grant will further the work started as a pilot scheme to support more people through the Telecare Project.

The council needs to assure itself that it has the appropriate local information to monitor the achievement of these outcomes. The council has demonstrated that it has engaged the relevant partners in the process addressing national priorities.

The council has achieved good performance in the range of indicators regarding promoting independence for older people. Levels of intensive homecare are high in relation to the total population in care (at home or in residential care), and compares well to other councils. Older people are helped to live at home and this, combined with comparatively low numbers of people admitted to residential care in the year, suggests that sustained efforts by the council in this area are improving the outcomes for older people in Leeds. These achievements are consistent with the plans, which we have noted above.

The council reports that all aspects of the National Service Framework for Older people are well developed.

### *Prevention of Hospital Admission / Timely Discharge*

There has been an improving trend over the past 12 months. Further comments are made under the areas for improvement section.

### *Extra Care Housing*

An additional 72 extra care tenancies have been provided in 2005/06. This compares very well with other councils.

### *Learning Disability*

There is strong evidence that the council is actively promoting independence for people with learning disabilities. The council has comparatively high numbers of people with learning disabilities being helped to live at home.

Furthermore the 'Independent Living Project' is an ambitious project, which will provide flexible, sustainable service models and independent living for a large number of service users with learning disabilities and mental health problems. This major project is a private finance initiative, approved by the Department of Health to assist people with learning disabilities to live in homes that are separate and independent and replace the hostel building they are currently in. The assessment of the existing provision was undertaken jointly with the Commission.

The council has reported that its strategic vision for people with learning disabilities has been developed in full consultation with service users and their carers.

### *Physical and Sensory Disability*

Leeds demonstrates very good performance with regard to promoting independence, with excellent numbers of people helped to live at home.

### *Mental Health*

Proportionally high numbers of people with mental health problems are helped to live at home.

The council reports that mental health services in Leeds are to be redesigned. The anticipated outcomes are fewer people in acute hospital care; reduced stay times for patients; more people returning to employment and education; and fewer numbers in institutional care. This will require a change in traditional funding arrangements, reinvesting in community support. The monies available from the POPPs bid will deliver this.

### *Drugs and Alcohol*

The council reports that high numbers of people accessing drug treatment services doubled the number of people receiving services as compared with last year. The council is also performing very well particularly in comparison with similar councils.

### *HIV / AIDS*

The council's strategic vision for these services is to ensure that people with HIV/AIDS have the necessary support, particularly those who are recently diagnosed or those who face personal crises following diagnosis. The council is increasing its capacity in this area and has allocated £272k to this service area.

The council is currently reviewing the contracts and agencies it has commissioned to provide this support. The overall aim is to commission a single agency to provide this support.

### *General*

Overall the council has demonstrated that it is implementing a coherent strategy that addresses the national priorities and promotes the independence of older people, people with learning disabilities, people with mental health problems and people with sensory and physical disabilities. This has been reflected in both the strategic statements as well as the independence indicators where the council performs well and compares well with similar councils.

## **Areas for improvement**

### *Prevention of Hospital Admission / Timely Discharge*

Levels of delayed transfers remain comparatively high, although there is a reducing trend over the year bringing Leeds in line with the England average. At the annual review, the council acknowledged that levels of delayed transfers presented a continuing challenge. The council and partners report that the very complex health economy in Leeds impacts on their performance with respect to timely discharge. It is envisaged that increased investment by the PCT in intermediate tier care services will further reduce levels of delays in 2006/07. A dedicated integrated health/council team has been established for intermediate care. The council reports that it directly funds fewer people in intermediate care services, but this is due to a revised commissioning strategy resulting in more services commissioned by health partners.

The 'Making Leeds Better' partnership initiative was established in 2004 to redesign health and social care delivery in the city. Key goals of this initiative are to avoid admissions where possible, and establish apposite patient pathways of care (pre and post hospital admission) to facilitate timely and appropriate discharges.

The council's strategy for reducing delayed transfers in 2006/07 will involve

- Revising the interagency protocol
- Regular partnership meetings
- Establishing a joint investment plan for reimbursement

### *Carers*

The indicator PAF C62 – Carers Services shows the proportion of carers’ services provided as compared with all community based services provided by the council. The council’s reported performance last year was 9.2% and for the current year is 5%, suggesting that carers are not accessing the support they need to care for frail relatives. Improved support to carers would also support the council’s strategy to promote independence.

## **STANDARD 2: Cost and efficiency**

Adult Social Care commission and deliver services to clear standards of both quality and cost, by the most effective, economic and efficient means available

### **Improvements achieved/achievements consolidated since the previous annual review**

#### *General*

It is evident that the council’s commissioning strategies have changed and are changing. The council has moved from what was primarily a block contract format for long term care to one that is more based contracting according to need. Furthermore there has been a significant re-tendering exercise with respect to home care, reducing the number of providers from 21 to 7. This is likely to deliver more efficiencies for the council.

In addition the council has reviewed the eligibility criteria to provide services.

The council reports that both processes have been managed in a way that has minimised disruption to service users in the case of home care, and minimised complaints from those service users whose services have either ceased or changed. The council reports that it is reviewing the provision of services to 25,000 of its service users. To date (18/08/2006) they have reviewed the provision for 3,000 service users. Of these over 16% have had their services reduced or have been directed to other forms of support, such as support provided by a voluntary agency. As a result £1.79M has been reassigned to other service users.

The council has appropriate appeal mechanisms in place and to date it is reported that the rate of complaints is very low. With respect to the changes in home care of over 1,000 people affected by the changes it appears that only 20 complaints have been received, representing less than 2% complaint rate.

The council however, notes there have been some difficulties with some providers in arranging the new contracts.

Block contracting expired in March 2006 and as a result a much wider range of options is available to social care staff in selecting care for service users. However, one area that remains under block contracting is that of specialist care – older people with mental health problems.

As noted in the previous section the council has an on-going commitment for the re-provision of facilities for people with learning disabilities. This has required and continues to demand very high levels of investment.

The council and its partners have demonstrated that they are fully committed to joint investment, joint planning and joint working. This has moved beyond simply working under the Section 31 agreements under the Health (Flexibilities) Act.

We note also that most of the cost indicators comparing Leeds with other councils shows that expenditure is generally comparable with that of other councils. The council has also increased its expenditure on services for people with sensory and physical disability and this level of expenditure is now comparable with that of other councils.

That being said it appears that the council is a low taxing council and that it is able to deliver value for money.

## **Areas for improvement**

### *General*

As noted above the council has entered into new contracts for the provision of home care since April 2006. The cost indicators for the period ending March 2006 show that the council is providing home care at a cost that was almost 50% higher than it was last year and that comparatively it was high also. The new contracts may show some improvement.

## **STANDARD 3: Effectiveness of service delivery and outcomes**

Services promote independence, protect from harm, and support people to make the most of their capacity and potential and achieve the best possible outcomes

### **Improvements achieved/achievements consolidated since the previous annual review**

### *Adults and older people*

The council continues to demonstrate that it is supporting older people to live at home and their comparative performance with other councils is very good. The indicator shows that is nearly 40% more effective than other councils. However, there is a mix of indicators. For instance, the council reports that its provision of intensive home care has fallen. Rather than this being accounted for by service user choice to use direct payments it appears that there have been data quality issues for the council. This report of intensive home care activity is therefore considered to be a more accurate reflection of the current provision.

The council is effective in supporting people at home. Admissions to long-term care are comparatively low for most service groups – older people, learning disabilities and for those people with sensory and physical disabilities or mental health problems. However, the Department of Health has introduced new indicators that endeavour to capture the proportion of people who receive residential or nursing care during the year that later become permanent arrangements for them. The council's performance remains good in these new indicators.

There has also been some improvement in the provision of direct payments as a means of offering choice for service users.

The council is effective in supporting the comparatively high numbers of adults with learning disabilities in paid employment.

The council also performs comparatively well with respect to prompt arrangements for minor and major adaptations to people's homes to support them at home. On average minor adaptations take 3.4 weeks for work to commence as compared with nearly 4 weeks for other councils. For major adaptations the council is able to have the work commence in 34 weeks as compared with other councils, which report an average of 75 weeks. Often having appropriate physical changes done at people's homes are key to maintaining them at home.

### *Telecare*

The council reports that nearly 4,000 older people are supported at home with the use of one or more items of telecare equipment, considerably more than comparator councils. Although the council's own contribution is currently modest it has plans are in place to extend this further by 2008.

### *Carers*

The council reports on its strategy to engage carers. It has formed the multi-agency employment and training working group and established a group of carers to inform their work on carer assessments and creating further opportunities for carers. The main priority for the council has been to provide breaks for carers and in this the council supports 3319 carers in Leeds.

## **Areas for improvement**

### *General*

The provision of intensive home care.

The council did not indicate the extent to which it was facilitating people being looked after at home through non-care managed support. This was for all adult service group areas. Information on this provision would indicate the extent to which the council is allowing service users to choose their means of support and the level of engagement with the voluntary services in the area.

Percentage of items of equipment and adaptations has fallen from 93% to 82%. While this is good performance it represents a deterioration of service as compared with last year.

The council reports a lower proportion of breaks offered for carers of people with learning disabilities than other councils for both groups of carers – those over the age of 65 and those aged between 18 and 64. The needs of carers are not being assessed or reviewed to the extent of that which occurs in other councils.

## **STANDARD 4: Quality of services for users and carers**

Services users, their families and other supporters, benefit from convenient and good quality services, which are responsive to individual needs and preferences

### **Improvements achieved/achievements consolidated since the previous annual review**

#### *General*

The council has reported improvements on the previous year's performance with respect to the:

- The promptness of assessing older people
- The proportion of clients who are subject to review
- The percentage of people receiving a statement of their needs and how they will be met.

There continues to be considerable room for improvement on most of these indicators.

The council has re-designed its initial response arrangements across the city and is ensuring that there is sufficient management time and training for staff to ensure appropriate recording and inputting on the data systems. The council is also planning for its records to more outcome focused.

With respect to the single assessment process almost all aspects of this were in place prior to April 2006. Older people's needs are assessed according the national guidance, care co-ordination arrangements are agreed, information is stored and collected using a single assessment summary process, and professionals have received the appropriate training. In the current year the council aims to ensure that a localities approach to single assessment will be place.

The council reports that its electronic record system has been in place since 2003.

#### *Physical and Sensory Disability*

The council has in place transition arrangements for service users who receive children's services and will be receiving adults' services later. This area is subject to review in view of the structural changes occurring within the council.



### *Mental Health*

The council also reports that crisis resolution service has provided a rapid response for people in crisis and has facilitated the provision of home based care. An approved social worker has been allocated to the team. Good outcomes are reported in terms of reducing numbers of people being subject compulsory admission and for younger people who are subject detention in police cells being dealt with more promptly. The council plans extension of this service.

## **Areas for improvement**

### *General*

Only 40 % of clients have had reviews and this compares poorly with other councils. The council plans to achieve at least 60% for 2006/07.

The council's current performance in completing assessments within 2 weeks is significantly behind that of comparator councils.

The council must ensure that its care management processes are robust and timely.

## **STANDARD 5: Fair access**

Adult Social Care services act fairly and consistently in allocating services and applying charges

### **Improvements achieved/achievements consolidated since the previous annual review**

#### *Adults and Older People*

The council continues to provide prompt services for older people. In 2005 the council reported that 86% of its older people clients received a service after their assessment within 4 weeks and for the year ending March 2006 this was 88%. However, on the basis that prompt services provide better outcomes for vulnerable people, to be a top performing council this proportion needs to be improved upon yet again.

Advocacy services have been developed and are available for all service area groups.

#### *Black and ethnic minority access*

The council reports that people from black and minority ethnic (BME) backgrounds have equitable access to its services. Comparatively however, more people with

learning disabilities and who also are from BME backgrounds are accessing services from the council.

The council reports that its Mental Health Modernisation Team – an inter-agency group – is currently reviewing its strategy for the mental health of people from BME backgrounds. The council has recently appointed community development workers who will provide the link between the strategy and the communities.

A full impact assessment identified some 25 areas of work for the council. This is an on-going plan that includes establishing equality mechanisms for its suppliers and contractors.

### **Areas for improvement**

*None to report*

### **STANDARD 6: Capacity for improvement**

The council has corporate arrangements and capacity to achieve consistent, sustainable and effective improvement in Adult Social Services

#### **Improvements achieved/achievements consolidated since the previous annual review**

##### *Vision and strategic direction*

The council reports that its council wide review of adults' services strategy for commissioning and delivery will be completed in the Autumn 2006. The council cites opportunities to work with the new PCT arrangements and that the opportunities provided through their local area agreement will provide improved focus on locality needs and specific targets. Linked to this is the new department's focus on performance management to improve business processes.

The council has introduced new commissioning arrangements based on the performance in previous years. The council is hoping that the new arrangements will deliver better quality and improved cost-effectiveness.

##### *Performance management*

The council has devised a transformational plan that details the projects, their critical success factors and specific tasks in order to deliver the council's vision for adults' services.

The council is confident that its reported figures in the returns it makes to the

Government are reasonably accurate and in so doing is able to monitor the provision it makes to the community.

The council also reports on some risks to achieving its goals – and these appear to be associated with both technical problems in producing relevant data at the team level and broader issues that concern the context of working in Leeds – for instance the re-configuration of the PCT arrangements.

### *Human Resources*

The council acknowledges problems it has with respect to recruitment.

The departmental business plan includes a new configuration of assessment teams and integrated management with improved skills mixes to reflect the demand on services. Managers will be clear about their accountabilities.

The council reports that:

- It will achieve its NVQ 2 target
- It is supporting 48 students in the social work degree programme
- It is reducing its dependency on agency staff
- It is part of the West Yorkshire HR Consortium

The council has also maintained its Investor in People status

In terms of practice learning the council provides a very good level of experience for students.

### *Budget*

The council reports that it significantly invests in social care services for the year 2005-06 it exceeded the central government FSS by 5.4%. Yet it maintains a low per capita expenditure as compared with its comparator councils.

## **Areas for improvement**

### *Commissioning*

As noted earlier the council has embarked upon new commissioning arrangements this year. Further improvement should be evident from these arrangements in the key indicators identified earlier in this report.

### *Partnership Working, etc.*

The outcome of the new partnership arrangements, which include both Section 31 (Health Act Flexibilities) and other local arrangements, that are in part due to the

re-configurations of adults' services and those of the PCT, it is hoped will be reflected also in these key indicators. There should be continued good performance on admission rates to long term care, continued reductions in delayed transfers of care and improvement in the provision of home based care.

### *Human Resources*

The council continues to struggle to retain staff although turnover rates are marginally less than last year. Vacancy rates are marginally worse than comparator councils and higher than last year.

## **Part 2:**

### **STANDARD 1: National Priorities And Strategic Objectives**

The council is working corporately and with partners to deliver national priorities and objectives for adult social care, relevant National Service Frameworks and local strategic objectives to serve the needs of diverse local communities

#### **Summary of admissible evidence (including sources)**

##### **Older People**

###### Strategic Vision

The council reports that its strategic vision, which has been developed with the full involvement of all stakeholders, envisages the creation of excellent and holistic services for Older people. This means that they will have better access and greater choice in service provision. Care planning and service responses will be focused on promoting independence and helping people to achieve their personal objectives within an empowering and socially inclusive model of health and social care. The council says this will be achieved in 06/07 by:

- \* Improved first access to services and response times by process re-design and better use of resources
  - \* Outcome focused care planning and provision to be enhanced through re-training and new service specifications
  - \* Greater choice by the promotion of Direct Payments and new contract arrangements with care providers
  - \* Refocusing local authority home care and day care on recovery and re-enablement models.
  - \* Implementing revised care pathways to prevent unnecessary hospital admission
- Further improvements in the hospital discharge process to reduce delayed discharges
- \* Expanding the reviewing function to respond to peoples changing needs more appropriately and to meet the reviewing performance targets
  - \* Older people with mental health needs will benefit from a range of initiatives to be introduced in response to the Grant made under the Partnerships for Older Peoples Projects
  - \* An assistive technology grant will further the work started as a pilot scheme to support more people through the Telecare Project (DIS 2101)

## *National Service Framework*

NSF Standard 2 – Person Centred Care – Leeds report that the Single Assessment Process (SAP) is well developed.

Three examples of best practice:

- \* New commissioning arrangements for the procurement of domiciliary care and residential /nursing/respite and transitional care beds now put more emphasis on the provision of choice and person centred care than was previously possible
- \* Development of a new kind of Community Support worker that crosses the primary/community/social care boundaries and helps provide for service users a continuity of care that follows some of the new Health Care pathways
- \* SAP documentation has been reviewed and work is in progress to produce a single Contact Assessment for use in both Acute and Community environments

NSF standard 3 – Intermediate care – Leeds report that they have established IC teams in 2000.

Three examples of best practice:

- \* The focus of this last year has been on the development of Rapid Response function to prevent unnecessary admissions to hospital & reduction of emergency beds days.
- \* As a health & social care economy we are now broadening the intermediate tier to incorporate other care pathways.
- \* There is a Community Geriatricians post shared with the acute trust in each PCT.
- \* Providing specialist assessment for people receiving Intermediate Care.
- \* The procurement & contracting of Intermediate care beds in nursing home settings. This is a new PCT contract supported by Leeds City Council Procurement unit, for beds in each local area. The beds are provided by the independent sector & supported by the ICT's.

NSF Standard 6 – Falls - Leeds now has a coordinated, integrated, multi-professional, multi-agency service for Falls

Three examples of best practice:

- \* A falls diversion pathway has been developed with CYMAS & the 5 PCT's. There is a one-point telephone number, which enables direct contact by the paramedics via Careline to the Community Rapid Response Teams. The teams have a target time of 2hrs to respond to a person who has fallen.
- \* Falls awareness is now incorporated within the new code of practice for Social Services Community Support Assistants. Falls education sessions are now included in the induction programmes for all new staff.
- \* Within the acute trust best practice guidelines on the prevention & management of falls, together with risk assessment tools for both the patient & the environment are currently being used.

NSF Standard 7 – Mental health in older people - The Standard 7 Group has developed into a wider Older People's Mental Health Strategy Group

supporting people in the MLB programme and this is reflected in the Leeds POPP's submission.

Three good practice examples:

The Dementia Cafes model in Leeds has been developed to bring people together in a social setting to combat social isolation & loneliness for people with a dementia & their carers, Currently 7 in total (one specifically for BME Communities) with plans to develop 8 more. In terms of capacity building & developing new roles & ways of working, we are developing integrated working between health & social care staff in Community Mental Health Teams serving older people. The Home Support Service in Leeds, which was a joint initiative between Social Services, The voluntary sector & Leeds Mental Health Teaching NHS Trust, provides support to people with severe & enduring mental health problems to live in the community.

We are further developing a rapid response service for older people where crisis situations could be managed without the individual going into acute care. Rehabilitation & therapeutic services can then be provided within the individual's own home

National service framework- Standard 8 - Promoting an active and healthy life -

Over the past year the Standard has been implemented through an Annual Work plan under 5 Objectives:

- \* Promoting active citizenship and positive images
- \* Tackling the barriers to independence
- \* Maximising physical and mental health
- \* Embedding the healthy and active life agenda in wider strategic planning
- \* Continuing improvements in the Standard 8 targets
- \* Underpinning action to support the citywide development of the S8 agenda citywide

Examples of good practice in delivering the Leeds Standard 8 Work plan include

- \* Promoting positive images: The Positive Images Collection launched October 2005- an archived collection of images of older people for available to a wide range of partners for publication in leaflets, reports, newsletters etc (18 examples of use to date)
- \* Tackling the barriers to independence: Interagency benefits training for frontline staff (Health, Local Authority & Voluntary Sector) delivered by DWP & Council Benefits Service trainers: 6 courses covering all 5 Leeds PCT's, 165 participants
- \* Maximising physical & mental health: Leeds Social Isolation Strategy implementation plan completed January 2006 including good practice guide, training for staff delivering Single Assessment Process, & work with Continence Service (DIS 2145 -2154)

## **Prevention of Hospital admission / Timely discharge**

Leeds report that in 2005/06, 1245 fewer people receive 5 or more hours of home care per week than in 2004/05. (UEM P2)

Leeds report an 8% decrease in numbers of people receiving an intermediate care service (3990 – 3665). This compares to a 15% increase for comparator councils (1401 – 1608). (DIS 2139 –2142)

Despite a reducing trend over the year, Leeds report a higher level of delayed transfers than other councils. They have a higher percentage of DTCs for which the council is responsible and thus higher levels of reimbursement payments (SITREPS)

## **Extra care housing**

An additional 72 extra care housing tenancies have been created this year (DIS 2144)

## **Learning Disability**

The strategic vision, which has been agreed and developed with the full involvement of all stakeholders, aims to deliver excellence in the provision of care for people with learning disabilities and their carers. The strategic vision which has been developed and led by people with learning disabilities and their carers where the key priority is to enable inclusive lifestyles through greater control of their lives and more choice in the way health and social care are delivered. (DIS 2201)

## **Physical And Sensory Disability**

All stakeholders have been involved in the development of our strategic vision, which is for disabled people with physical and sensory impairments to have better access to and greater choice in service provision via an empowering and socially inclusive model of health and social care, which focuses care planning and service responses on promoting independence and helping people to achieve personal objectives (DIS 2301)

## **Mental health**

A new Leeds Mental Health Strategy (2005 – 2010) has been introduced and agreed by key partners. The overall vision is to improve the health and well-being of people with mental health problems in ways that are determined by them and which promote independence, inclusion and empower people to achieve their personal objectives. The vision is person centred, needs led and community focused with intervention to support people in their care and recovery. The key theme of the strategy is “recovery” – focused on interventions being commensurate with the level of need and delivered in or close to the service user’s home. The anticipated outcomes will be fewer people in acute hospital care, reduced lengths of stay for in-patients, more people able to return to employment or education, fewer people living in institutional care. This will entail a change in the funding profile – disinvesting in institutional models of care and



treatment and re-investing in community support. (DIS 2401)

### **Drugs and Alcohol**

There has been a major shift in Leeds treatment services over the past year that acknowledges the need to work with clients in a genuine holistic way, which embraces their social care needs. Within Leeds treatment and criminal justice services there are wrap around services, which provide support for clients in terms of their social care needs. Leeds also has a family and carers support service. Work is currently being developed to look at the needs of drug using parents and their children

PAF A60 – Despite having a significantly higher number of people accessing services than comparators (4102 – 1976), Leeds show band 1 for this indicator. The indicator measures only percentage increase year on year, and does not reflect levels of activity in the service. (DIS 2603, 2604)

### **HIV/AIDS**

The strategic vision for Leeds 2 HIV Social Care Services is to provide centres of excellence in the provision of social care for those residents living with or affected by HIV/AIDS. Part of that vision is to ensure services are provided to those who most need at it. Particularly, to those who are newly diagnosed or in a crisis because of their status. Services are jointly commissioned with health & this partnership has proved to be invaluable in terms of contract management. An increase in the ASG was secured for this year & our indicative allocation is £272K, which will be used to increase capacity within HIV services. We are in the process of conducting BV Reviews of both HIV Social Care Services. 350 service user questionnaires were sent out as part of the Reviews and will be used to improve both HIV services. Yet again there has been an increase in the number of Africans accessing services and in particular those who are seeking asylum or those who are destitute. (DIS 2501)

### **Carers**

Leeds intend to build on the achievements of the last 5 years where Carers Grant funding was available for new carers services and growth by encouraging other Council Departments and NHS bodies to make carers a target group for their services. This will be achieved by establishing partnership work with these bodies (DIS 2701)

#### PAF C62 – Carers Services

Leeds reports a figure of 3.9. This represents band 2 and a drop from 9.2 last year.

The percentage of grant that was spent on ensuring access to breaks for black and minority ethnic carers is lower than other councils 4.6 –12.1 respectively. This has been a trend for the last few years. (2714)

## **STANDARD 2: Cost and efficiency**

Adult Social Care commission and deliver services to clear standards of both quality and cost, by the most effective, economic and efficient means available

### **Summary of admissible evidence (including sources)**

#### **Older people**

Percentage increase levels of fees for residential care, home care and day care are in line with those reported by other councils. (DIS 3229-3231)

#### **Commissioning**

Capacity and Commissioning (planning, commissioning and monitoring an adequate supply of services)

Leeds has now structured its management arrangements to reflect a commissioning led approach to social care, these arrangements mirror the arrangements being established in the single commissioning PCT for Leeds, likely to be created as a consequence of 'Commissioning a Patient Lead NHS'. The establishment of a dedicated social care commissioning function will formalise & expand data analysis capacity, contracting & monitoring capacity and user/carer involvement and consultation. Current arrangements have already generated inclusive commissioning strategies for adult day care, respite care, LT care & home care. During 2005/06 large scale tendering exercises for long term care and homecare provision were completed. In 2006/07 we will generate a commissioning strategy for preventative social care services for adults and continue to develop the independent living program for adults with learning disabilities. All this will be supported by enhanced contract management support.

The council reports that it will continue to develop their approach to individually held budgets alongside the wider commissioning program. The council has generated population profiles for each of the Council wards in the City and are able to match these with public health data for the super-numerator districts, we have benchmarked this against other census and morbidity data, this information has supported our most recent commissioning initiatives and will be used to inform the generation of the prevention strategy.

Leeds is a beacon Authority for the Link Age plus program, working in partnership with DWP to address inequality through improved access to support services. Leeds is also part of a DoH reference group informing the development of outcome based contracting. Leeds is working with the DoH CSED to develop sub-regional contracting initiatives. (DIS 3233)

#### **Budgets and expenditure**

In 2005-06, based on the Spring DIS, Leeds forecast a net expenditure of £198,932,000, 1.1% lower than the previous year's expenditure of £201,183,000. The budget for 2006-07 is £206,165,000, 3.6% higher than

the forecast outturn for 2005-06. (UEM p63)

Total PSS per capita – Leeds report a higher percentage increase (10.6%) than comparators (8.5%) but remain lower (£345 –£354) (BU07, UEM p65)

Gross expenditure per capita for 2004-05 is in line with other councils. (EX04, UEM p65)

Per capita (18-64) budget for people for physical and sensory disability has increased by 91% bringing Leeds in line with other councils (BU03, UEM p65)

### **Learning Disability**

Leeds have reported an increase of £314,000 for the total LD development fund representing a percentage increase of 115%. (DIS 2220)

### **Adults and Older people**

PAF B12 – The cost of intensive social care has increased by £116. This however represents band 2 from band 3 last year. (DIS 2125)` `

PAF B17 – a large increase in unit costs of home care for adults and older people 11.8 – 17.5 have seen a drop into band 2 from band 4 last year. (DIS 2126)

Leeds reports that 2 partnerships are using Health Act Flexibilities. This is lower than other authorities (DIS 3301). They report no intentions to use Health Act Flexibilities for any service user group except Learning Disabilities, Drug Misuse and Community Equipment (3302-3310)

Leeds report an increase in the use of variable fees and incentive payments for adults in residential care (DIS 3327)

## **STANDARD 3: Effectiveness of service delivery and outcomes**

Services promote independence, protect from harm, and support people to make the most of their capacity and potential and achieve the best possible outcomes

### **Summary of admissible evidence (including sources)**

#### **Older people**

PAF C32 – Older people helped to live at home – Leeds report a drop from 131 – 117 per 10,000 population although they remain in band 5 for this indicator. Comparators report band 3. (DIS 2118)

However for PAF C28 (intensive home care), there is a dip in performance from band 5 into band 3 (DIS 2121)

A significantly lower number of intensive homecare users purchase their care via direct payments. Leeds report that they have put in place procedures & arrangements to encourage setting up User Led Trusts to enable service users who need a high level of support to use Direct Payments. The Independent Living Project (ILP) is a ground breaking 10-year PFI programme, which will radically change & improve the way that services are delivered to adults with Learning Disabilities & Mental Health needs in Leeds. The ILP addresses the needs of both current and future service users who are increasingly predicted to have more complex care needs. Moving from hostel provision to a domiciliary care and housing related support model, individuals will exercise more choice about how care is delivered. Service users accessing accommodation developed through the ILP and other supported housing initiatives, including extra care housing will be encouraged and supported to use Direct Payments wherever appropriate. This will significantly improve performance to enable the achievement of the above target. (DIS 2122, 2123)

In relation to permanent supported admissions of older people to residential care (PAF C26) Leeds report that 90 older people per 10,000 were admitted. This represents band 5 as last year. PAF C26 is to be replaced with a new indicator – PAF C72 from 2006/07. This new definition will now reflect those admitted on a temporary basis which subsequently became permanent and they report that 83 people per 10,000 population 65+ for 2005/06. This represents band 5. This in a par with other councils (93 & band 3). (DIS 2127, 2128)

### **Younger adults**

Good performance (band 4) is reported for supported admissions of younger adults - PAF C27 - and for the new definition (as above) – PAF C73. (DIS 2129, 2130)

### **Learning Disability**

In regard to the number of adults aged 18 and over with Learning Disabilities on the books to receive community-based council funded services at 31 March and those receiving a completed assessment during the year where the intention is not to provide a service, Leeds report a significantly higher number than other councils. (DIS 2203)

Leeds help more people with LD live at home than other authorities. C30 is at band 5 (DIS 2211)

Leeds have a higher proportion of people with LD than comparators in paid employment. There are a higher proportion of people with LD in residential or nursing accommodation funded by the council. (DIS 2214,2217)

### **Physical and Sensory Disability**

PAF C29 – Younger physically disabled people helped to live at home. Leeds is at band 5, maintained from last year, and better than comparators.

(DIS 2306)

The completion of major and minor adaptations in a timely manner continues to be strength for the council. They outperform comparator authorities. (DIS 2310)

PAF D54 - Despite reporting that a good percentage of items and equipment and adaptations are delivered with prescribed timescales (82%) this is marginally lower than comparators and represents a decline in performance from band 5 last year. (DIS 2305)

### **Mental Health**

PAF C31: Leeds reports excellent numbers (per 1,000 population) of people with mental health problems are helped to live at home. (DIS 2403)

### **Single Rooms**

94% of people who were admitted to residential accommodation were given single rooms. This represents band 4 performance though is lower than comparators at 94%, and represents a drop from band 5 last year. (DIS 2131)

### **Direct payments**

PAF C51 Direct payments. Leeds has reported improving performance and moves into band 3 from band 2 last year now comparable with other councils. Numbers of young carers receiving direct payments is low. (DIS 3328-3343)

### **Carers**

Leeds report a significantly lower proportion of breaks for carers of people with learning disabilities than other councils, and a lower proportion of people with LD who had breaks in their care plan (DIS 2207 -2210)

### **Adult protection**

Leeds established an adult protection committee and has funded a dedicated adult protection coordinator since 1998. Multi-agency procedures were broadly agreed in 2002 and these are under review. A multi-agency funded adult protection unit was created in 2003, which sought to broaden awareness of adult protection issues and provide training to professionals across the city. To date more than a thousand people have received training from statutory, voluntary and independent sectors.

Social services has a lead responsibility in responding to adult protection referrals. Approximately 30 senior staff have received specialised training to undertake this function. Strategy meetings are held to determine the appropriate protection plans and reviewed as necessary. Partners in joint care management teams are also trained to undertake adult protection work. Matters of a criminal nature are referred to the police, and effective relationships are being developed across all partners. (DIS 2608)

## **STANDARD 4: Quality of services for users and carers**

Services users, their families and other supporters, benefit from convenient and good quality services, which are responsive to individual needs and preferences

### **Summary of admissible evidence (including sources)**

#### **Older People**

Waiting times for assessments have been reduced by the delivery of redesigned Initial Response teams across the City. Quality is being improved by the provision of concerted management time for business processes and staff training to address issues of recording, inputting and professional practice. We are now looking to adopt Outcome Focussed Care Planning, using a model developed by the University of York. Contact Assessment and Specialist Nursing Assessment is being used to share information between LTHT and discharge referral points for Hospital discharges, which will avoid duplication and delays in the system and promote a more effective response to Service User needs.

Only 48% of new assessments of older people are completed within 2 weeks. This compares poorly to other authorities (DIS 2110)

PAF D40 – only 38% of clients receive a review. This remains in band 2 and below comparators at 64%. (DIS 2133)

PAF D55 (part i): Percentage of assessments of Older People which begin within 48 hours of first contact with Social Services – Leeds report that 64% occur within timescales. This compares to 75.7% for other councils.

PAF D55 (part ii): Percentage of assessments of Older People completed within 4 weeks. Leeds reports 68%. This compares less well to others (75%).

PAF D55: Acceptable waiting times for assessments (mean of D55 pts 1 & 2) results in a score of 67 for Leeds. This represents band 2. KEY THRESHOLD MET. (DIS 2109)

PAF D39 - Percentage of people receiving a statement of their needs and how they will be met (BVPI 58) – Leeds report 96%. This is band 4 and represents good performance compared to other councils. (DIS 2132)

#### **Ethnicity**

PAF E47 – Ethnicity of older people receiving assessment. Leeds report that people are equitably represented in the system. (1.20, band 3 top band for this indicator).

#### **SAP**

Single assessment process – most aspects were fully implemented prior to April 1<sup>st</sup> 2006. Although the SAP summary has not yet been published (DIS 2112-2116)

## **STANDARD 5: Fair access**

Adult Social Care services act fairly and consistently in allocating services and applying charges

### **Summary of admissible evidence (including sources)**

#### **Older people**

All potential service users are offered an assessment to help determine in particular eligibility for nursing needs & welfare benefit entitlement. In addition we have entered into an accord with Leeds Care Association to ensure self-funders are screened & offered the same support. Implementing revised care pathways to prevent unnecessary hospital admission & expanded reviewing function to respond to peoples changing needs. Leeds is a beacon Authority for the Link Age plus program, working in partnership with DWP to address inequality through improved access to support services (DIS 2105)

PAF D56 - Percentage of social services for Older People provided within 4 weeks following assessment – has moved from 83 – 85 and this represents a drop into band 4 from band 5 based on the revised bandings for 2005/06 (DIS 2111)

#### **Ethnicity**

There are an equitable proportion of BME clients receiving a service following assessment (PAF E48). (DIS 2135)

The percentage of adults with one or more services in the year whose ethnicity was 'not stated' in RAP return P4 (Key threshold) for Leeds was 9.5% (KEY THRESHOLD MET). However this is higher than other councils (IPF average is 3.1%) DIS 2138

However, only 1.7% of staff have an unknown ethnic origin (DIS 3116)

Leeds reports a higher proportion of people with LD accessing services from ethnic minority groups. (DIS 2216)

The council reports that appropriate advocacy services are mostly always available and interpreter services are always available (DIS 3411,3412)

## **STANDARD 6: Capacity for improvement**

The council has corporate arrangements and capacity to achieve consistent, sustainable and effective improvement in Adult Social Services

### **Summary of admissible evidence (including sources)**

#### **Performance Management**

The performance management framework supports the existing performance and improvement mechanisms & provides a coherent and structured approach to the implementation and delivery of quality and improvement initiatives across commissioned and directly provided services it integrates quality assurance, performance management and service improvement into an overarching strategy, enabling it to further meet the requirements of service users, external inspection and government agenda. Its key themes are: Continuous Service Improvement' through a clear framework for identifying priorities supported by a structured pathway to achievement. This is based upon support from efficient business systems and processes that are user-focussed. Effective performance management system through a balanced set of performance indicators that are supported by effective monitoring and review processes. This informs and drives the Department's service planning framework.

Effective Quality Assurance systems. The Department has implemented a number of quality assurance systems and processes focussing on 'raising standards' of the services delivery. This is supported by improving communication and the quality of information it provided to both staff and service-users. Managing Resources. The Department has a strategy for managing directly provided services to achieve service improvements and improve performance. It has identified key areas of change required to support delivery, achieve quality assurance and implement the business plan Outcomes focused. The Performance Management Framework focuses upon delivering better outcomes for service-users. To achieve this, it is developing an effective consultation and evaluation framework that identifies service-user needs and measures the impact of the services it delivers (DIS 3401)

The council reports that the PAF data reflected in the DIS is unlikely to change when the final set is published, and that they have used the self-assessment and audit tool to check data accuracy. (DIS 3403, 3404)

#### **Information Sharing Protocols**

The local existence of 5 different PCT's can increase the time from start-up to final signing but does not present a major obstacle.

Information sharing agreements have continued to be successfully established during the past year. The end of the year saw the conclusion of an agreement between West Yorkshire Fire and Rescue Service and the 5



Social Services Departments in West Yorkshire. Also recently established was an agreement between a number of agencies working with substance abusers.

Progress continues to be made towards finalising an agreement for the Leeds Equipment Store to share information online with staff from the PCT's & Social Services using the new MESALS database. (DIS 3406)

### **Workforce development strategy**

The Departmental Business Plan for 2006 / 2007 describes the Children's and Adults Transformation processes. In the Adults' sector there will be a reconfiguration of assessment teams and more integrated management, with the skills mix better reflecting the demands of the service. Managers will be clear about accountabilities and responsibilities and processes will be established to monitor and improve performance against targets. Extensive management development programmes are available to skill up and maintain management level staff.

'Supporting the Workforce' continues to be a key theme in the Business Plan, which demonstrates the Department's continued commitment to build upon and develop existing initiatives and partnership arrangements with external organisations and the independent sector for the effective delivery of joint training and development activities to ensure the workforce is supported in meeting National Minimum Care Standards (NMCS). For example, we are:

- on target to meet NVQ level 2 targets in line with the NMCS.
- supporting 48 students through the Degree in Social Work qualification
- continuing the 'new type of worker' initiative
- developing career pathways for Community Support Assistants.
- continuing to reduce the use of agency staff

Best practice in HR and Training and Development is continuing to be shared across the region through various working groups. For example, the West Yorkshire Regional Workforce Development Group.

The Corporate People Strategy – 'Valuing Colleagues' 2005 / 2008 is in the process of being reviewed. Departmental HR are working closely with Corporate HR to ensure that the existing Departmental HR Strategy 2003 – 2006 will be reviewed, also taking account of the transformation of the Department's services.

We maintained our Investor in People status and have now achieved Leadership and Management Model accreditation. We are also in the process of preparing an IIP / Staff Survey Improvement Plan.

Leeds report higher than average staff turnover rates, but levels of vacancies are marginally lower than comparators. (DIS 3110, 3111)

Leeds have recruitment and retention difficulties for Field Social workers; OT staff; residential, day and home care staff (DIS 3103 – 3108)

To address this: The following initiatives, which are targeted at the above staff groups have been developed to counter barriers:

- A link is being made between the new transformation managers and HR across the Department
- Roll out of NVQ Level 2 in Care within the Community Support Service
- 'New type of worker' initiative, which develops the Community Support Assistant role to undertake low level nursing duties
- Trainee, Secondment and Bursary Social Work Schemes
- Modern Apprenticeship Scheme in Administration
- Rolling programme of adverts for both residential and day care services, and continued localised recruitment
- Regular recruitment fairs for vacancies within the Community Support Service and Learning Disabilities (DIS 3109)

The percentage of SSD gross current expenditure on staffing which was spent on training the council's directly employed staff during the financial year is higher than other councils at 3.6%. (DIS 3113)

Although, the percentage of Social Services working days/shifts lost to sickness absence during the financial year has increased from 8.3 to 8.5, this remains comparable to other councils (DIS 3112)



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**Not for Publication: Appendix 1 Exempt / Confidential – Access to Information  
Procedure Rules 10.4 (3)**

**Report of the Director of Adult Services and Director of the Development Department  
Executive Board**

**Date: 14<sup>th</sup> December 2006**

**Subject: Independent Living Project – Ground Investigation Surveys**

**Electoral Wards Affected:**  
  
All Wards

**Specific Implications For:**  
  
Equality and Diversity   
Community Cohesion   
Narrowing the Gap

Eligible for Call In  Yes

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

**EXECUTIVE SUMMARY**

1. One of three Bidders for the Independent Living Project has withdrawn leaving the remaining two to bear the significant cost for ground investigation surveys until contract close in December 2007.
2. The recommendation is that only in the event of the Council resolving to withdraw from the procurement that (subject to the provision of transferable warranties) the Council reimburse the Bidders the full cost of the ground investigation surveys.
3. Further information and the background to this report is contained within the Confidential Appendix 1, which contains exempt information under Access to Information Procedure Rules 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 consortia involved in a competitive procurement.

## 1.0 Purpose Of This Report

- 1.1 To outline the current situation with regard to ground investigation surveys in the Independent Living Project. To recommend that in the event of the Council deciding not to proceed with the procurement, that the Council approve the reimbursement of the cost of the ground investigations to Bidders.

## 2.0 Background Information

- 2.1 Three Bidders were short listed for this project by the Independent Living Project Board on 21<sup>st</sup> June 2006, the consortia were:

- Lead Organisation                      Manchester Methodist Housing Association  
Relevant Organisations              Investors in the Community
  
- Lead Organisation                      Wates PFI Investement Ltd  
Relevant Organisations              Yorkshire Housing Association  
The consortium call themselves "Yorkshire Living"
  
- Lead Organisation                      Gleeson Capital Solutions Ltd  
Relevant Organisations              Progress Care Housing Association Ltd  
The consortium call themselves "LiLAC"

- 2.2 The project will involve construction of new accommodation on 41 sites which will require the completion of ground investigation surveys for each site. Within this project the Bidders take the risk of the scope of the surveys being adequate and competent thereby transferring necessary risk to the party best placed to manage it.

- 2.3 The programme for this critical element of the project requires the ground investigation surveys to be completed by the end of February. The estimated cost for this work would normally be met from the Unitary Charge paid by the Council to the winning Bidder once the new facilities had been brought into use in 2008. The ground investigation surveys for the 41 sites were commissioned by the three Bidders via an open tender process including the Council's approved list of ground investigation contractors. White Young Green (WYG) won the tender process.

- 2.4 The Manchester Methodist Housing Association and Investors in the Community (MMHA/IIC) consortium withdrew from the procurement on the 16<sup>th</sup> October 2006. The reasons for their withdrawal are set out in paragraph 2.1 of the Confidential Appendix.

- 2.5 The other consortia have expressed concerns about the cost of the surveys and that such cost is at their risk if the project does not proceed. Further relevant information is set out in paragraph 2.2 of the Confidential Appendix.

- 2.6 After consideration of this issue by the Independent Living Project Board and their agreement to recommend this report to the Executive Board the remaining Bidders have agreed to continue with the ground investigation surveys for the first 15 exemplar sites at their risk, but will only commission the remainder of the ground investigation surveys following the satisfactory determination of this report.

- 2.7 The completion of the ground investigation surveys for the exemplar sites was originally planned to allow costs for below ground works for the exemplar sites to be

included in the Invitation to Negotiate first submission (ITN 1), with the Council providing provisional sums to be included for the other sites. Due to the delay in the commencement of ground investigation works this has not been possible. As the Deed of Appointment which will allow ground investigations to commence has yet to be finalised and signed, the inclusion of accurate below ground cost estimates for any sites will now be at ITN 2 stage. The Council is also now providing provisional sums for the below ground costs for the exemplar sites to be included in ITN 1 submissions. Ongoing delay in the commencement of the ground investigation surveys raises the potential risk of this issue delaying the submission of ITN 2 and therefore the overall project timetable.

### **3.0 Main Issues**

- 3.1 The Bidders are currently required to bear the costs of the ground investigation surveys as the surveys are completed, subject to the approval of this report it is envisaged this will be in February 2007 but will not be reimbursed until the financial close of the project is reached in December 2007. Bidders are concerned about the potential risk of the Council deciding not to proceed with the procurement. The cost implications for Bidders are set out in paragraph 3.1 of the Confidential Appendix.
- 3.2 The cost and risk to the two remaining Bidders has increased because of the withdrawal from the procurement by the third short listed Bidder.
- 3.3 The risk to the Council and the Independent Living Project procurement has also increased and will be set out in paragraph 3.2 of the Confidential Appendix.
- 3.4 The ground investigation surveys will have a value to the Council either if the Council develop the land or the land is sold, if the warranties for the ground investigation surveys are transferable to the Council or a third party.
- 3.5 The Council has taken steps to confirm that the costs for the ground investigation surveys are value for money through benchmarking of the costs and the engagement of external advisors to validate that in the context of these site conditions the costs are value for money. Council engineers within the Development Department have undertaken an analysis of the background site information and established the appropriate tests to be undertaken on each site to ensure that excessive investigations are not being commissioned.
- 3.6 The Independent Living Project Board considered this issue and agreed to recommend to the Executive Board that only if the City Council withdraws from the procurement, and provided that the full benefit of the ground investigation surveys passes to the Council, (with transferable warranties) that the Council reimburses costs incurred by Bidders in relation to ground investigation surveys.

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

- 4.1 In previous projects the Council has not taken on this risk but due to the specific circumstances in this project it is recommended that the Executive Board underwrites and accept this risk, the specific circumstances are:
  - The higher cost than on other projects due to the large number of sites, previous project have not had more than 10 sites this one has 41.
  - The limited number of Bidders due to the withdrawal of one Bidder.

- Greater uncertainty than in other established PFI market areas due to this being a pathfinder project.

## **5.0 Legal And Resource Implications**

- 5.1 The resource implications are the potential expenditure necessary to reimburse the cost of the ground investigation surveys.
- 5.2 Only in the event that the Council decides to withdraw from the procurement then it is proposed that finance to reimburse the Bidders for the cost of ground investigation surveys will be taken from general contingency.

## **6.0 Conclusions**

- 6.1 Members attention is drawn to paragraph 4.1 in the Confidential Appendix.
- 6.2 The way to mitigate this risk for the project is if the Council decides to withdraw from the procurement then the Council commit to reimburse Bidders for the cost of the ground investigation surveys. This risk is from the Councils perspective a low risk due to the original strong justification for the project still being valid and the advanced position of the procurement. If the procurement is abandoned then the Commission for Social Care Inspectorate (CSCI) are clear that they will register the 9 Learning Disability hostels as Care Homes. Such a move would have two specific financial consequences:

1. Services users would no longer be entitled to their present level of welfare benefits.
2. As a result of this lack of benefit entitlement, the services would no longer be eligible for Housing Benefit and Supporting People Grant

The Council would also forfeit the £60 million of PFI investment which has been allocated to this project by the Department of Communities and Local Government and the Department of Health.

## **7.0 Recommendations**

- 7.1 Authorise officers to negotiate with Bidders to agree that only in the event of the City Council withdrawing from the procurement, and provided that the full benefit of the ground investigation surveys passes to the Council, that the Council reimburses costs incurred by Bidders in relation to ground investigation surveys.
- 7.2 Authorise the Deputy Chief Executive as Chair of the Project Board with the concurrence of two of the Board members to agree the final terms of the agreement and take any other necessary action to conclude the agreement.
- 7.3 Note resource implications as outlined at point 5.2

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**Report of the Director of Corporate Services**

**Executive Board**

**Date: 13<sup>th</sup> December 2006**

**Subject: PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2007/08**

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**Electoral Wards Affected: All**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Yes

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

1. This report gives details of the provisional Local Government Revenue Support Grant Settlement for 2007/08 which was announced on 28<sup>th</sup> November 2006.
2. As part of the move towards three year settlements, the Government first announced their 2007/08 settlement proposals in December 2005 at the same time as the 2006/07 provisional settlement.
3. This November's announcement made minor changes to overall national funding but confirmed that Leeds will receive the same amount of Formula Grant funding for 2007/08 as proposed in December 2005, that is £271.391m, an increase of 2.9% over the 2006/07 adjusted figure.

## 1.0 Purpose Of This Report

1.1 To inform members of Executive Board of the implications of the provisional Local Government Finance Settlement for 2007/08.

## 2.0 Background Information

2.1 In December 2005, the Government announced the provisional Local Government Finance Settlement for 2006/07 and 2007/08. This was the first time that Government had announced settlements for more than one year and was part of a move towards providing more stability and predictability for local government.

2.2 The December 2005 announcement also included major changes to funding arrangements for 2006/07 onwards including:

- the new dedicated schools grant which replaced the schools formula spending share;
- the introduction of a four-block mechanism for distributing "Formula Grant" (RSG & NNDR) based upon relative needs, relative resources, a central allocation (basic amount) and floor damping which makes comparisons of need between years and between authorities no longer meaningful;
- doing away with the notional Assumed National Council Tax (ANCT) which was often used as a benchmark for actual council taxes.

2.3 The two-year settlement was designed as a first step towards three-year settlements which the Government is planning for 2008/09 onwards.

## 3.0 Main Issues

3.1 In making his announcement on 28<sup>th</sup> November, Phil Woolas, the Minister for Local Government, confirmed that there would be no "surprises" and that it was his policy "not to change the settlement...from that previously announced". However, some individual specific grant allocations have been amended. The table below compares Aggregate External Finance (AEF) for 2006/07 and 2007/08 at national level:

	2006/07 Adjusted	2007/08 (2005 Figures)	2007/08 New Announce- ment	Variance (Compared to 2006/07)
	£M	£M	£M	%
<b>AGGREGATE EXTERNAL FINANCE</b>				
Revenue Support Grant (RSG)	3,271	4,105	3,105	-5.1
Business Rates	17,500	17,500	18,500	5.7
Sub-total	20,771	21,605	21,605	4.0
Police Grant	3,936	4,028	4,028	2.3
<b>Total Formula Grant</b>	<b>24,707</b>	<b>25,663</b>	<b>25,633</b>	<b>3.7</b>
RSG to specified bodies	65	58	58	-10.8
Dedicated Schools Grant (DSG)	26,576	28,171	28,119	5.8
Other Special & Specific Grants	11,329	11,234	11,954	5.5
<b>TOTAL AEF</b>	<b>62,677</b>	<b>65,096</b>	<b>65,764</b>	<b>4.9</b>

3.2 The amounts of Formula Grant have not changed since the original announcement in December 2005. For Leeds the figures are shown in the following table:

	2006/07 FINAL (ADJUSTED) £m	2007/08 PROVIS- IONAL £m	VARIANCE 2006/07 - 2007/08 %
Relative Needs Amount		189.1	
Relative Resource Amount		-40.2	
Central Allocation		123.7	
Floor Damping		-1.2	
TOTAL	263.7	271.4	2.9

3.3 As mentioned in 3.1, above, the only area where there is a significant variation between the indicative 2007/08 figures announced in December 2005 and the figures announced on 28th November is in relation to specific and special grants. The national total in the original announcement was £43,433m which had apparently risen by £668m to £44,101m over the year. However, further analysis suggests that this is not new money, but merely reflects the fact that Government departments were not able to finalise grant allocations at the time of the original announcement.

3.4 In his speech, Mr Woolas also addressed the issue of council budgets and council tax levels. He confirmed that the Government expects an average council tax increase of less than 5% for 2007/08 and that reserve capping powers would be used to deal with any excessive increases.

3.5 As mentioned in 2.3, above, next year, following the Comprehensive Spending Review, the Government intends to announce local government grant allocations for three years – for 2008/09, 2009/10 and 2010/11.

3.6 As in previous years, the 28<sup>th</sup> November announcement will be followed by a consultation period with final settlement details being confirmed in January 2007. No significant changes are expected between the provisional and final figures.

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

4.1 The settlement in of itself has implications for the 2007/08 budget and the level of council tax for that year which will be the subject of separate reports to Executive Board in the New Year. The move to multi-year settlements will have longer-term implications for financial planning.

#### **5.0 Legal and Resource Implications**

5.1 As the formula grant allocations have not been changed since the original announcement in December 2005, the impact of the settlement itself will be limited. As indicated in 4.1 above, budget planning is already well advanced for 2007/08.

#### **6. Recommendations**

6.1 Members of Executive Board are requested to note the contents of this report.

**Background Papers:**

The Draft Local Government Finance Report 2007/08 and supporting papers, published by the Department for Communities and Local Government, 28<sup>th</sup> November, 2006.



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**Report of the Chief Officer, Executive Support**

**Executive Board**

**Date: 13 December 2006**

**Subject: Strong and Prosperous Communities White Paper**

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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 Department for Communities and Local Government published the Local Government White Paper 'Stronger and prosperous communities' on 26 October 2006. It has major implications for the structure, constitution, Member roles, partnership arrangements, policies and performance management arrangements for all local authorities in England. In the Queen's Speech on 15 November the Government announced a Bill will be introduced in the new Parliamentary session to bring a number of the White Paper's proposals into law.

## 1.0 Purpose Of This Report

1.1 The purpose of this report is to summarise the contents of the White Paper and recommend that more detailed reports examining the implications of the White Paper for Leeds are prepared for the Executive Board and other relevant committees.

## 2.0 Background Information

2.1 The White Paper has 2 volumes, 7 annexes and its 9 chapters outline an enhanced role for councils as strategic leaders and place shapers. It begins to crystallize several policy debates on localism, neighbourhood devolution, and city-regions and is intended to create the foundations of a new relationship between central and local government on the one hand and local government and citizens on the other hand. Alongside the review of local government funding due to be published in December this could be a significant period of reform for local authorities in England.

## 3.0 Main Issues

3.1 Key proposals in the local government white paper include:

- **role for councils as strategic leaders and place-shapers** through stronger Local Strategic Partnerships and next-generation Local Area Agreements (LAAs) with wider scope and importance, and a duty to cooperate between councils and local partners.
- **Stronger cities, strategic regions**, reforming Passenger Transport Authorities and the development of Multi-Area Agreements, with greater powers over skills and spatial planning for authorities who want this.
- **Stronger political leadership** requiring all councils to opt for a directly-elected mayor, directly-elected executive or indirectly-elected leader for a four-year term.
- **A strengthened role for front-line councillors** including powers to respond to community calls for action on local issues, small budgets to deal with very local issues and greater freedom to speak up on planning and licensing issues affecting their wards.
- **A wider and stronger role for scrutiny** including the power to require evidence from all local service providers and a duty on them to have regard to scrutiny recommendations.
- **Devolution of powers**, including removing the requirement for Secretary of State's consent to bye-laws and the creation of parish councils.
- **Community cohesion** – encouraging Councils to put integration and cohesion at the heart of community strategies and LAAs.

3.2 In the Queen's Speech on 15 November the Government announced there will be a Local Government Bill to legislate for the measures proposed in the White Paper including:

- Empowering frontline councillors and strengthening political leadership with:
  - a 'community call for action' to resolve issues of local concern;
  - devolved powers for councils to create new parishes;
  - an end to the Secretary of State's role in confirming byelaws and making it possible for councils to enforce them through fixed penalty notices;
  - Councils choosing one of three executive leadership models; and
  - strengthened overview and scrutiny committees;
- Revising the Council code of conduct, including:
  - establishing a more locally based conduct regime for councillors, with a streamlined Standards Board;
  - revising the code of conduct to allow councillors to speak out on licensing and planning issues in their ward.
- Strengthening local partnership working, including:
  - placing a duty on upper tier councils to prepare LAAs in consultation with named partners;
  - requiring the lead councils and named partners to cooperate in agreeing and meeting targets; and
  - placing more area-based funding in the LAA pot.

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

4.1 The White Paper has extensive implications for the organisation, powers, partnerships, policies and performance management of the Council.

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

5.1 The White Paper will require all local authorities to revise their executive arrangements and make other amendments to their constitutions. The White Paper will have implications for pooled funding through the Local Area Agreement and points to the need to realize greater efficiency savings by local authorities.

#### **6.0 Conclusions**

6.1 The White Paper promises a significant change in the policy environment for local authorities at a neighbourhood, local and city regional level

#### **7.0 Recommendations**

7.1 It is recommended that a series of more substantive papers is prepared for Executive Board and other relevant committees identifying the implications for Leeds City in the key areas outlined in the White Paper.

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Originator: P Hutchinson

Tel: 75921

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**Report of the Director of Corporate Services and Director of Learning and Leisure**

**Executive Board**

**Date: 13/12/06**

**Subject: Hunslet Hawks RLFC**

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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. Hunslet Hawks RLFC are currently having financial difficulties. They play at South Leeds Stadium and as such pay rent to Leeds City Council.
2. The club have asked the Council for some help through their current difficulties and have provided some financial information to enable the Council to reach a decision. This information is included in the appendices to this report.
3. The attached appendices are deemed to be exempt from publication as the case for maintaining the exemption outweigh the reasons for disclosure by reason of the fact that the continued operation of the organisation could be put at risk. The organisation provides a valuable service to the community.

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Originator: Richard Davies

Tel: 74513

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**Report of the Director of Corporate Services**

**Executive Board**

**Date: 13<sup>th</sup> December 2006**

**Subject: Annual Report on Corporate Risk Management Arrangements**

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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**

This report provides Executive Board with an annual report on the Council's risk management arrangements in line with the corporate policy which was approved in February 2005.

**1.0 Purpose of This Report**

1.1 The purpose of this report is to provide Executive Board with an annual report on the Council's risk management arrangements in line with the corporate risk management framework which was approved in February 2005. This report fulfils this requirement.

**2.0 Background Information**

2.1 On 11 February 2005 Executive Board approved a new Risk Management Policy and Strategy (the Leeds Risk Management Framework) drawn up by the Risk Management Unit (RMU). This aimed to address the requirements of the Audit Commission's Comprehensive Performance Assessment process as well as a range of shortcomings identified in District Audit's 2002 review of the Council's risk management arrangements.

2.2 As part of the Framework, it was agreed that Executive Board would receive an annual report from the Director of Corporate Services on the Council's risk

management arrangements. The policy also provides that the Corporate Management Team will review the Corporate Risk Register each year and escalate to Executive Board any risks that remain 'very high' despite treatment or that cannot be/are not being managed at this level.

- 2.3 In May 2006, following a review of the Council's evolving risk management arrangements, KPMG issued a report called "Risk Management Review" which found that the Council is successfully embedding its risk management framework and noted a number of specific positive points, including: a Corporate Risk Register is in place and is being informed and updated by departmental risk registers; training being rolled-out has been positively received by departmental managers and risk co-ordinators; and departments have taken forward their risk management arrangements in response to training.

### 3.0 Main Issues

- 3.1 Since the approval of the Risk Management Framework by Executive Board in 2005 significant progress has been made on delivering the requirements set out at both a corporate and departmental level.

- 3.2 A corporate risk register has been established and is being reviewed by Corporate Management Team (CMT) on a quarterly basis. The register was developed through an iterative process which began with one-to-one meetings with each of the Council's directors to identify their key corporate risks. The results of these meetings were used to inform a half-day risk management workshop with directors which developed collective agreement on the corporate risks and allocated responsibility for their management. Subsequently, each risk was analysed, evaluated and detailed action plans drawn up. RMU collated this data into a corporate risk register and this has since been reported on a quarterly basis to CMT. A Director may add corporate risks at any time to the register subject to subsequent collective agreement by all directors.

- 3.2 In terms of the content of the corporate risk register, this encompasses a range of generic risks of relevance at the strategic level relating to HR (e.g. attendance management, recruitment and retention, compliance with health and safety), finance (e.g. preventing fraud, meeting efficiency savings), and contingency planning (e.g. managing emergencies, disruptions to services). In addition, it includes risks relating to specific agendas or major projects being addressed at a departmental level, but which have a wider significance *at that moment in time* which are therefore under review also by the Corporate Management Team. Specific risks which are mentioned as being *most significant* at present, primarily due to their potential impact rather than probability, relate to:

- the Customer Services Strategy;
- the Waste Management Strategy;
- the revised pay and grading structure successfully;
- the city's transport infrastructure;
- Supporting People;
- EASEL.

In each of these instances, appropriate actions and strategies have been implemented to manage these risks to provide CMT with the assurance that these

are being effectively addressed. No further actions are required for these risks which will be subject to on-going monitoring.

- 3.3 All Council departments, ALMOs and Education Leeds have established their own departmental risk registers. To enable this to happen, RMU worked with departmental management teams (DMTs) to establish departmental risk registers after risks were identified that could impact upon departmental priorities. In addition, any risks for which a director was allocated ownership of at the corporate risk register level are included in the relevant departmental risk register. In line with the Framework, senior managers review departmental risks and reports to departmental management teams and the RMU on a quarterly basis to ensure risks are being managed appropriately and that any new and emerging risks are captured.
- 3.4 The contents of the departmental risk registers are then reported to the quarterly meetings of the Corporate Risk Management Group (CRMG) to enable the identification and discussion of any cross-cutting risks for potential inclusion in the corporate risk register. If senior managers and CRMG deem that a departmental risk is of sufficient corporate significance to merit its inclusion in the corporate risk register, RMU adds this to its next quarterly report to CMT for potential inclusion in the corporate risk register. These processes enable both key strategic risks identified by directors and also any significant operational or project risks identified by other officers to be picked up in the corporate risk register.
- 3.5 The CRMG is comprised of senior managers representing each department which was set-up in June 2005 to:
- Challenge the Council's Risk Management policy and strategy.
  - Review the corporate risk register on an on-going basis.
  - Review very high risks documented in departmental risk registers.
  - Identify cross-cutting risks through departmental risk co-ordinators and reviews of departmental risk registers.
  - Consider new risk management initiatives proposed by RMU.
  - Act as a forum to exchange views on risk management issues and share good practice.

Although CRMG has only been meeting since June 2005, this has already matured into an invaluable and cohesive forum in which departmental concerns can be raised and the broader corporate risk profile clarified and addressed.

- 3.6 The Corporate Governance and Audit Committee (CGAC) has been meeting since 19 April 2005 and receives quarterly updates and formal annual reports on the Council's risk management arrangements to ensure that these are appropriately robust from a governance perspective. This reporting arrangement appears to be working satisfactorily.
- 3.7 Training on the principles and practice of risk management has already been successfully provided to all members of the CGAC. Following this, the Executive Member (Development) has written to all elected members requesting that their attendance at a series of bespoke briefings to request they familiarise themselves with this agenda. The briefings will also enable members to be briefed on the types of questions relating to risk management they should be posing on key decisions. The briefings have been scheduled for January 2007.

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

4.1 This report fulfils a requirement under the corporate risk management policy.

#### **5.0 Legal and Resource Implications**

5.1 Two full-time staff are employed within the Risk Management Unit to progress risk management issues together with nominated officers within departments.

#### **6.0 Conclusions**

6.1 This report highlights that excellent progress has been made in establishing and embedding a culture and practice of risk management at both a corporate and departmental level and that the Council's key strategic risks are being appropriately managed by senior officers.

#### **7.0 Recommendations**

7.1 It is requested that Executive Board notes this report and progress made on implementing and embedding risk management within the management culture of the Council.





Originator: Louise  
Tonkinson  
Tel: 78895

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**Report of the Chief Officer, Executive Support**

***to Executive Board***

**Date: 10 November 2006**

**Subject: Corporate community engagement policy and toolkit**

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**Electoral Wards Affected:**

All

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**Executive Summary**

This report details the development of the council's community engagement policy and toolkit, which are presented for Executive Board approval.

Effective consultation and engagement enables the council to make well-informed decisions about the future of services by asking citizens and stakeholders for their views on what services they want, the services being provided and changes or improvements needed.

The council is committed to a more co-ordinated approach to community engagement and consultation across the city with other partners. As such, it needs to improve its own strategic approach to community engagement and consultation – an area which also was highlighted as a weakness in the Comprehensive Performance Assessment.

The council's intent to develop its strategic approach to community engagement and consultation will be demonstrated by a Community Engagement Policy and supported by a toolkit that provides guidance on good practice. There are many aspects to consultation and engagement at all levels and these developments will help to achieve more consistent and effective engagement, particularly with diverse communities.

## **1.0 Purpose Of This Report**

- 1.1 This report presents the *Community Engagement Policy* and the *Community Engagement Toolkit* for approval and adoption. The policy sets out the council's overall approach to community engagement and is complemented by the toolkit which is a comprehensive guide to good practice. They are both key components of the council's strategic approach towards joined-up consultation and engagement.

## **2.0 Background Information**

- 2.1 The council must engage with local people to help manage and measure progress under the seven strategic outcomes as set out under the Corporate Plan 2004-2007. Creating a culture of involvement and participation will enable people from different communities and backgrounds to take active roles in delivering a better quality of life for themselves and others. Developing a more consistent approach to consultation and engagement will help to address inequality and build a sense of fairness, inclusion and better cohesion within all communities
- 2.2 Leeds City Council supports the city-wide strategy on community engagement – as set out as an aspiration within the Vision for Leeds 2004–2020. The Vision for Leeds 2004–2020 makes a commitment to develop a more strategic approach to community engagement across the city. As a partner of Leeds Initiative, the council itself will develop a more systematic and co-ordinated approach to community engagement. The council has actively contributed to the development of Leeds Initiative's *Framework for Effective Community Participation* and action plan.
- 2.3 The strategic approach to consultation and engagement was to be developed as part of the council's Corporate Communications Strategy 2005-2008 (approved by Executive Board on 21 October 2005). This would aim to bring about better co-ordination of activities, more effective consultation and engagement and better collaboration between internal service departments when engaging with citizens of Leeds.

## **3.0 Main Issues**

- 3.1 The council's strategic approach to community engagement and consultation consists of four key components:
- a corporate Community Engagement Policy
  - a corporate Community Engagement Toolkit
  - a council-wide community engagement networking group
  - an on-line consultation portal and information database

These components are all linked and complement each other and form an overall approach towards joined-up community engagement. Further components such as training for consultation are to be developed.

- 3.2 The corporate Community Engagement Policy clearly sets out the council's approach to consultation and engagement. It reflects the council's aspirations and commitment to understanding the views, needs, desires and preferences of its citizens, including those from vulnerable, minority and not yet reached groups. This will ensure that the way we consult and engage is consistent, co-ordinated and able to respond to change.

- 3.3 The policy has been drafted as a corporate document that, following approval and adoption, can be communicated widely cross all council departments. The policy will be put into action through department plans and service plans. This will help to bring about a more consistent approach across the council.
- 3.4 The policy will link with the partnership approach to community engagement across the city led by Leeds Initiative. It has been developed alongside the city-wide Framework for Effective Community Participation and there is consistency between the council's approach and the city-wide approach.
- 3.5 The Community Engagement Toolkit is a comprehensive guidance document. It complements the council's policy and has been designed to help staff put the principles (as set out in the policy) into practice. It provides guidance and good practice, focusing upon 'how we engage with people in Leeds'.
- 3.6 The toolkit has purposely been drafted as a document for the council Intranet (PDFs) rather than be presented as hard copies. This is to ensure that it can be updated regularly and accessible to all. This format will also ensure that any relevant information or section within toolkit can be found quickly.
- 3.7 The development and consultation process for the toolkit and policy has been comprehensive and inclusive. The toolkit has drawn on good practice nationally and opinions on its content were taken from some key internal staff in the initial stages. Discussions with officers who carry out consultation activity, area managers and co-ordinators, equality team, children's services, planning officers (Statement of Community Involvement), service and improvement officers and communications officers also took place.
- 3.8 The documents were developed into draft format and then put to consultation widely, including all councillors, town/parish councils, Leeds Initiative, Leeds Voice, NHS, the West Yorkshire Youth Association, university youth participation adviser and benchmarked with some other local authorities.
- 3.9 Following approval, the policy and toolkit would be rolled out council-wide over the subsequent few months through a specific communications plan. To ensure that the approval process is structured, the toolkit and policy have already been presented to Corporate Management team, Corporate Governance and Audit Committee and Scrutiny Board for their approval. Final approval is now sought from Executive Board.
- 3.10 The Community Engagement Policy document is attached (**appendix 1**). The draft format of Toolkit can be found on the Intranet under; ***Interest areas/Corporate communications/Consultation/CommunityEngagementToolkit***. Links still need to be added.

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

- 4.1 Leeds City Council has a statutory responsibility to consult with citizens, users groups and communities under Schedule 3 of the Local Government Act 1999. Consultation ensures that citizens, user groups and communities are receiving best value services and the council takes these statutory obligations very seriously. As well as fulfilling its statutory obligation the council will also take a proactive approach to develop good practice and create a culture of participation and involvement. The policy and toolkit will be vital tools to help achieve this aim.

- 4.2 The Audit Commission's Comprehensive Performance Assessment and the Local Public Service Agreement with the government also support the importance of a more co-ordinated approach to community engagement. This area was identified as a weakness within the council's Comprehensive Performance Assessment. If the council is to maintain 'excellent' status at the next review it needs to demonstrate how this weakness is being addressed.
- 4.3 The Leeds City Council Corporate Plan 2005/08 makes specific reference to community consultation and the need to improve our capabilities. This plan states that we will improve consultation and engagement when delivering all aspects of services and put a corporate engagement strategy into practice. This will include working with our partners across the city to improve the quality and co-ordination of consultation and engagement.
- 4.4 The Council Plan for 2005/06 highlighted the need to improve and develop the council's overall consultation function as a means of effective two-way communication and involving citizens, groups and communities in decision making as a key improvement area.
- 4.5 The Corporate Governance Principle in the Council's Code of Corporate Governance states that the council will seek and respond to the views of stakeholders and the community. The council will do this by having a policy on consultation and providing access to a range of consultation methods, particularly to those groups not yet reached.
- 4.6 The council's Corporate Communications Strategy 2005 – 2008 states that council consultation and engagement must strive to be effective, meaningful and directly improve services. The Community Engagement Policy will make this clear across the council. Moreover, open and responsive communications are critical to the success of public consultations, as is factual information presented to participants in plain English. The toolkit will provide guidance for any staff responsible for consulting with the public and communications staff preparing or helping to implement communication plans and strategies.

## **5.0 Legal And Resource Implications**

- 5.1 As well as a legal requirement to consult with residents, an assessment of the council's co-ordinated approach towards community engagement will form of the Comprehensive Performance Assessment. Residents views should form an integral part of how services are delivered by the council. The council will also aim to create economies of scale by taking a more rational and joined-up approach to consultation and engagement.
- 5.2 The development of consultation activity, along with the implementation of the policy and development of the toolkit, will be led by the consultation officer within Corporate Communications, working with a network of colleagues across the council.

## **6.0 Conclusions**

- 6.1 The council has made a commitment to being part of a city-wide approach to developing a more effective consultation and engagement activities under Vision for Leeds 2004-2020. Therefore, it needs to strengthen its own approach as part of the city-wide strategy.

- 6.2 Positive steps towards addressing outlined weaknesses and maintaining 'excellent' status at the next CPA review and beyond can be taken through the adoption of a Community Engagement Policy and Community Engagement Toolkit - as these will demonstrate intent to improve.
- 6.3 There is a need for a council-wide policy and toolkit to help achieve a consistent approach to community engagement. Colleagues and stakeholders have been consulted during the development of these documents for the purposes of consistency.
- 6.4 The Community Engagement Policy will set out the approach towards consultation and engagement across Leeds City Council.
- 6.5 The Community Engagement Toolkit is a key document that will provide one comprehensive source of information and good practice and can be accessed by everyone across the council internally.

## **7.0 Recommendations**

Executive Board are asked to :

- 7.1 Approve and adopt the principles as set out in the Community Engagement Policy.
- 7.2 Approve and adopt the Community Engagement Toolkit as the key point of reference and good practice for council staff and members when carrying out effective community engagement and consultation.

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# **Community engagement policy**

**[final draft]**

**October 2006**

**Produced by the Corporate Communications team**

# Leeds City Council

## Community engagement policy

### Introduction

This is Leeds City Council's corporate community engagement policy. It sets out the council's approach to community development and links into Leeds Initiative's overarching city-wide *Framework for Effective Community Participation* - which draws together all the community engagement policies developed by the partner agencies from across the city.

The council values all of the people of Leeds and recognises the enormous contribution that individuals and communities make to the development of the city.

Across Leeds many successful and innovative approaches to involve communities in decisions and actions that affect their lives already exist - and are being used. This policy builds on existing good practice and the strong tradition of community engagement in Leeds. It makes sure that the way the council engages reflects the people that live here and influences the priorities and ambitions for the city.

The council celebrates the diversity of the people of Leeds. A commitment to addressing inequality and building a sense of fairness, inclusion and cohesion within all communities underpins this policy. The council has a responsibility to make sure that the views, needs, desires and preferences of everyone including those from vulnerable, minority and not yet reached groups influence policy development.

The council must also ensure that particular groups of people who make a valuable contribution to society such as young people, older people and citizens with a disability are also involved in decision making that affects them.

This policy sets out a framework to ensure that the way the council consults and engages with communities is consistent and co-ordinated, that all the community engagement activities are monitored and evaluated and that all residents have the opportunities to get involved in whatever way they want. It also makes sure that there is a clear link between community engagement and decision making.

Our community engagement policy responds to requirements placed upon the council by central government policy, guidance and performance management systems. The *Vision for Leeds 2004 -2020* makes a commitment to develop a more strategic approach to community engagement. As a partner of Leeds Initiative, the council shares this aspiration and this policy supports the local strategic partnership's *Framework for Effective Community Participation*.



## Why do we need this policy?

The council's strategic approach to community engagement is driven by:

- the community engagement policy;
- a community engagement toolkit;
- e-enabled community engagement;
- a proactive network group of key council community engagement specialists; and
- and consultation and engagement training and development.

This policy sets out our intent and overall approach to community engagement. Our approach aims to:

- ensure that there is a clear understanding and commitment to a corporate approach to community engagement;
- establish a strategic approach that will ensure co-ordination, consistency and effective community engagement systems and processes;
- ensure that community engagement is carried out to the highest possible standards, from the early planning stages right through to feedback and evaluation;
- increase the number and range of people active in their community and participating in democratic and decision making processes;
- increase the number of opportunities for everyone to be fully engaged, particularly those who are described as 'not yet reached';
- ensure that community engagement activity impacts on decision making and service delivery and that a direct link can be seen between the two;
- plan and deliver services, strategies and policies that truly reflect the needs of the citizens of Leeds; and
- ensure that we understand the impact of important legislation such as the Local Government Act 1999, Local Government Act 2000, the Children Act 2004, Planning and Compulsory Purchase Act 2004 and the Disability Discrimination Act 2004.

## What is a community?

The council has a responsibility to engage with all stakeholders in how the city is managed. Everyone has a stake in what happens in the future and everyone has a role to play.

Stakeholders can essentially be broken down into the following groups: communities, colleagues, businesses and other agencies and services. This policy focuses on communities. It is important to recognise that communities can be defined in a number of different ways:

**a community of places** – defined by an area with a physical boundary, such as a housing estate, neighbourhood, village, town, the city centre or area committee, wedge or ward boundaries.

**a community of interest** – defined by shared experiences such as a particular interest in an activity or project i.e. lobby groups, community associations, representative bodies.

**a community of identity** - defined by how people wish to identify themselves or how society identifies them e.g. young people, disabled people, ethnic minority groups, the working population, men, women, business leaders etc.

**a community of concern** – community activists or lobby groups.

**a service user or customer community** – users or potential users of council services. This covers essential front line services such as waste collection, highways and recycling or services for specific users such as planning, sports centres or libraries.

No community is made up of people who all think the same, act the same and have the same experience or views. People often belong to more than one community.

### **What is community engagement?**

Community engagement is a broad term used to describe the different ways we communicate, consult, involve and encourage participation from communities.

It is about giving people the opportunity to get information, have a greater say and influence what happens in their community and city. It helps people play a more active role in decision making and delivering improvements for them, their neighbourhood and their city.

Within Leeds we have adopted six different types of community engagement:

- **Researching** needs, priorities and attitudes i.e. *“here’s what we have found out from feedback or survey results”*
- **Providing information** to communities i.e. *“here’s what we are going to do”*
- **Consulting** communities about actions/decisions i.e. *“tell us what you think and we will take that into account when we make the decision”*
- **Involving** communities in shaping plans i.e. *“we want to explore options and decide together”*
- **Acting** together i.e. *“we want to carry out joint decisions together”*
- **Empowering** communities to take responsibility for making decisions or delivering services with our support i.e. *“we can help you achieve what you want”*

This policy recognises that successful community engagement can be achieved where a mix of approaches are employed.

### **Why is community engagement important?**

Community engagement is essential to improving services. It helps to unite local people and communities, builds citizenship and community pride.

By talking to local people, the council can make sure that good quality services are delivered where they are most needed and tailored to local needs. Feedback is also important as this checks that our services are meeting needs and improvements recognised.

Community engagement also breaks down barriers and negative views of organisations. The council will become more open and accessible when communities have a better understanding of how it works and take part in decision making at all levels. We need to reach out to all of our diverse communities to ensure that the wide variety of views are taken.

### **The Leeds City Council perspective**

Community engagement is at the heart of local democracy. Leeds City Council believes that effective engagement must be focused at all levels from local councillors acting as elected representatives of local communities through to area management and the corporate teams responsible for service delivery.

We need to ensure that we reach out to our diverse communities at all levels. At Leeds City Council we will involve our communities on three levels:

**Corporate level engagement:** involving all our citizens in city-wide or cross-cutting issues;

**Service level engagement:** issues that impact upon the users of essential or specific services;

**Community driven engagement :** reaching out to communities on thematic issues, or service delivery issues that affect individual communities or neighbourhoods.

### **Corporate engagement and consultation activities**

The council undertakes a number of corporate consultation activities about services overall and proposals for change or reviews of their effectiveness. These include:

- **The Citizens Panel** - a panel of 2,000 local residents from across Leeds, demographically representative by age, gender, ethnicity and ward;
- **Best Value General Survey** - a major, council-wide, top-line general satisfaction survey on every aspect of the council's services according to national guidelines. The survey is carried out three-yearly (2003, 2006, 2009);
- **Leeds Annual Survey** - an annual survey to assess local residents' year-on-year perceptions of satisfaction with the council and its services;
- **Corporate consultation groups** - there are corporate groups and forums with representatives from different communities. More information on how to access these groups is found in the Community Engagement Toolkit;
- **Children & young people** - *Children Leeds* drives the engagement activities with young people across the city to meet the recommendations of the Child Impact Statement for Leeds. Advocates, based in each wedge, and participation experts can create effective links between corporate level activities and community based activities.

### **Service based activities**

Individual services across the council will carry out a range of community engagement activities to find out if local people are satisfied with their specific

services. Activities will be planned and carried out by individual departmental service teams following key drivers such as :

**Leeds Statement of Community Involvement** - drives the community engagement and involvement activities with stakeholders about planning and city development issues under the local development framework.

**Leeds Charter for the participation of children and young people** – sets out the principles for effective consultation and engagement with young people.

**Leeds Social Services Research Governance Framework** – ensures a high standard of research by health and social care organisations so that people involved in research are well looked after.

**Leeds Regeneration Plan 2005-2008** - produced by the Narrowing the Gap Executive and sets out the approach towards narrowing the gap between the most disadvantaged people and communities and the rest of the city.

**Departmental service plans and action plans** – drive the range of consultation and engagement activities in respect of a specific service area. These include service user feedback, customer focus groups, user forums, newsletters, electronic means giving people who use a service a chance to have their say on-line and household surveys within particular locations or neighbourhoods by post, telephone or face-to-face.

### **Quality standards and accreditations**

Our Customer Strategy 2005-2008 and accreditations such as Chartermark, Servicemark and Beacon status demonstrate our service quality and drive our engagement activities with citizens and customers to ensure that our services meet their needs.

There is a strong link between service delivery and area management teams - who play a key role by understanding a specific community's needs, helping to prioritise services and liaising with service delivery managers.

### **Community driven engagement**

The community based approach to engagement is driven by:

- **Local councillors** - local councillors are the elected representatives of their communities. By having a base in their communities, they are accessible to people in their constituencies and will get to know what the issues that affect them are. Councillors will develop an understanding of the needs and hopes of local people through engaging with them, providing representation and acting as their 'champion';
- **Area Management** - the Area Management structure was introduced across Leeds in 2004. Through partnership working and a thematic approach to community engagement, area management staff work towards ensuring that local people have the opportunity to influence the

prioritisation of a wide range of services in their area and working with service delivery colleagues;

- **Area Committees** – area committees drive the Local Action Plan for each of the city’s administrative area ‘wedges’. In each wedge there are two Area Committees covering the *inner* and *outer* wards. The Area Committees are made up of local councillors from within the area and meet at least 6 times per year. All Area Committee meetings are open to the public and welcome views from local people;
- **District Partnerships**: The five District Partnerships, one in each wedge, have been established to promote a joined-up approach to engagement by bringing the public, private, community and voluntary sectors together in each wedge. They are responsible for guiding the economic, cultural, technological and environmental development of the wedges.

The work of Area Management, the Area Committees and District Partnerships is informed by a variety of engagement activities undertaken directly within their areas:

- community forums;
- feedback;
- ward based forums;
- open events;
- fun days;
- newsletters;
- youth activities;
- super forums (involving other city partners);
- councillor surgeries.

The council will also engage with key community-based representative groups and organisations to develop an understanding of the issues that affect citizens and impact upon their neighbourhoods and quality of life.

- **Parish and town councils**

The partnership between Leeds City Council and the parish and town councils has developed the *Parish and Town Council Charter* which sets out the principles for engaging with local parish and town councils to ensure that they are involved in local decision making.

- **Voluntary, community and faith organisations**

The council will maintain key contacts within many voluntary community and faith organisations and use this network to further engage with our diverse range of communities.

- **Community groups and residents associations**

We need to reach out to all communities through community groups such as residents associations, tenants federations, older peoples network or neighbourhood watch groups to involve local people in decisions that may affect their neighbourhoods.

## **Guiding principles**

Leeds City Council is committed to carrying out community engagement to a high standard. The following principles have been put in place to help shape and drive successful engagement and are consistent with the standards set out in Leeds Initiative's overarching *Framework for Effective Community Participation*:

**Value, know and involve our communities** - everyone has the right to feel they have an investment in and can influence and take an active role in their community.

**Support** - identify and overcome all barriers to participation, including resources and accessibility.

**Plan well** - the council is committed to accessing the views of groups in the community and particularly wants to engage with socially excluded groups. Taking a 'one size fits all' approach to this will not work, so the methods used to engage communities need to be planned to make sure that they are appropriate for the area, the community, the issue and the timescales.

**Ensure quality of methods** - we will reinforce the council's requirements for a high standard of quality within all of our community engagement activities

**Improve our services** - engagement should be embedded into strategic and service planning. Clear procedures and joined-up working will lead to changes in the decisions that are made, the way that things are done and the services that are delivered so that we can aim to meet expectations.

**Co-ordinate and share** - the co-ordination of activities across the council is important. We need to ensure that there is no duplication of effort and that different parts of the council learn and benefit from the engagement activities that others are undertaking. Colleagues should look to create joined-up engagement processes by asking others if they can contribute and benefit from co-ownership.

Our information database is one of the key structures that will help us to co-ordinate our engagement activities. We will use the database to register engagement activities, store information about the process and outcome, then detail the resulting action for all of our involvement work with our communities. This information can be accessed by our citizens.

**Build capacity** - building capacity within communities, infrastructure to facilitate engagement, capacity, skills and systems in the Council.

**Communicate well and provide feedback** - people have the right to information about opportunities to get involved and to find out about decisions

**Evaluate and learn** - community engagement should be monitored and evaluated to ensure that it is delivering on the outcomes described in this framework, that it is best practice and that it is fit for purpose.

### **Co-ordinating our community engagement activities**

This Community Engagement Policy was developed during 2006 and is supported by an interactive toolkit and a community engagement and consultation portal and database. These will help to develop our joined-up approach to community engagement.

#### Community engagement portal and database

The community engagement portal and database will develop our on-line engagement capabilities. It will also act as a comprehensive council-wide information store that also allows our citizens access to information on planned, current and previous consultation and engagement activities.

#### Community Engagement Toolkit

The toolkit acts as the source of reference for community engagement, providing guidance, practical advice and information for Leeds City Council staff on best practice in :

- our guiding principles of community engagement;
- using your skills to carry out engagement activities;
- how we engage with, and reach out to, communities in Leeds;
- communicating with diverse groups and communities;
- evaluating activities and learning from exercises.

It provides comprehensive information on good practice, information on reaching out to include all communities and quality 'checklists' for use when carrying out activities to drive forward the high levels of quality.

### **For more information, please contact:**

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Originator: C Coulson

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**NOT FOR PUBLICATION**

**Appendix 1 only, Exempt/Confidential under Access to Information Procedure Rules 10.4.3**

**Report of : Learning & Leisure & Development Departments**

**To : Executive Board:**

**Date: 13 December 2006**

**Subject: PROPOSED MULTI PURPOSE ARENA DEVELOPMENT**

**Electoral Wards Affected:**

[Empty box for Electoral Wards Affected]

**Specific Implications For:**

Equality and Diversity	<input type="checkbox"/>
Community Cohesion	<input type="checkbox"/>
Narrowing the Gap	<input checked="" type="checkbox"/>

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

**Executive Summary**

The report informs members of Executive Board of the key findings and recommendations of the consultant's report into the preparation of a detailed delivery plan and programme for the selection of an operator, developer and funder to develop a multi purpose arena and associated conference and exhibition facilities. In terms of site selection the report concludes that there are a number of sites suitable for accommodating an arena and associated developments, subject to competition and various levels of public investment. In light of the range of benefits and delivery issues identified across all sites, the consultants have advised that the preferred procurement route must not prejudice any site proposals coming forward. As such, the procurement competition should invite bids from developers/landowners on their own sites, whilst also advising as to the availability of a publicly owned site namely Elland Road, for those developers who either do not have land interests or believe that the publicly owned site offers the best solution.

The report advises that the consultants had assessed two potential procurement routes namely, Design Build, Finance and Operate and a 'Split' procurement process. The consultant's recommend that the split procurement route be pursued, whereby in the first instance an operator is selected by the Council and then the operator inputs into the final arena specification to be provided to interested developer consortia and joins with the Council in the selection process for the developer/site. The consultants also advise that the

Council should explore the option of forming a Special Purpose Vehicle as a fallback option in case a suitable operator proposal is not forthcoming.

The report advises Executive Board that the consultants have explored a number of options regarding the provision of conference and exhibition facilities in the City and have concluded that the least favourable option is to develop a purpose built conference centre and, instead consideration should be given to conference facilities being provided as part of the arena development if bidders determine there are justifiable business reasons for doing so.

Executive Board are advised that a funding model has been developed that can be used to run various funding scenarios for the arena development. The consultants have identified a potential public sector funding requirement the level of which varies dependent upon the location and specification of the proposed arena. Details of the potential public sector funding requirement are contained in Appendix 1 of the report, the details of which are confidential under Access to Information Procedure Rule 10.4.3. It must be emphasised that each funding scenario presented by the consultants is purely illustrative at this time and within each option a number of general assumptions have been made that may be improved through the competitive procurement process.

## **1.0 PURPOSE OF THE REPORT**

1.1 The purpose of this report is to:-

- i) Seek Executive Board's support for the key findings and recommendations contained in PMP's report on the proposed funding and procurement of a multi – purpose arena and, potentially associated conference and exhibition facilities in the city.
- ii) Seek Executive Board's approval to the proposed delivery plan to be pursued by the City Council to select an operator and developer/funder for the development of a multi purpose arena and associated facilities.
- iii) Note the required public sector investment limit to be set at £20m to facilitate the development of a multi purpose arena in the city.
- iv) Authorise the ongoing appointment of PMP Consultants to project manage the implementation of the detailed delivery plan to select a preferred operator and developer/funder to develop a multi purpose arena and associated facilities.
- v) Authorise an injection of upto £235,000 and the incurring of expenditure of between £435,000 to £535,000 for the appointment of consultants and internal City Council fees to project manage the detailed delivery plan.
- vi) Note the project governance arrangements to be established by the Council to guide, manage and control the project for the development of a multi purpose arena.

## **2.0 BACKGROUND INFORMATION**

2.1 On behalf of the Leeds Cultural Partnership, the City Council and Yorkshire Forward initially appointed PMP Consultants to undertake a comprehensive feasibility study into the provision of concert, arena and other music related facilities in the city and, to consider whether such facilities are sufficient, of the appropriate quality or have the capacity to be improved to meet present and anticipated future needs.

- 2.2 The feasibility study concluded that there was clear potential in the city to progress the development of a multi purpose arena providing around 12,500 seats capable of hosting both music, sporting and non sporting events, combined with the potential development of conference and exhibition facilities that would complement existing provision in the region. PMP advised that based on the analysis undertaken, there were a number of sites within and around the city capable of accommodating the nature and type of facilities proposed in the study.
- 2.3 Executive Board at its meeting in November 2005 considered the key findings of the feasibility study and agreed with regard to the proposed arena development to:-
- i) Endorse the recommendations on the conclusions of the Cultural Facilities Study and the proposed way forward.
  - ii) Authorise the appointment of consultants to advise the Council on the development of a delivery strategy for a proposed new arena and associated facilities.
- 2.4 PMP Consultants were subsequently procured by a competitive process to develop a detailed delivery plan and programme for the selection of an operator, developer and funder to develop a multi purpose arena and associated facilities. The consultants were to advise the Council on the funding model and funding implications for the Council to secure the development of the specified facilities and, to advise as to whether a preferred site for the proposed development should be identified and, if so, to identify the preferred location based on the sites identified on the initial feasibility study and any other locations considered appropriate.
- 2.5 With the regard to the potential provision of conference and exhibition facilities and, having regard to existing provision in the region, the consultants were to define the nature, type, size and focus of any such proposed facilities that would complement the existing regional offer

### **3.0 CURRENT PROVISION**

3.1 PMP Consultants have completed their report, the contents of which are confidential under Access to Information procedure Rule 10.4.3. A summary paper is, however, attached for information. The consultant's key findings/conclusions may be summarised as follows:-

#### **i) Site Assessment**

3.2 The consultant's have developed the original site availability and suitability exercise that was undertaken as part of the initial feasibility study. In moving the process forward, the consultants have updated their qualitative assessment matrix produced as part of the initial study for this sites that were considered suitable and capable of accommodating the area development and have considered any other new locations that were subsequently considered appropriate.

3.3 In terms of their ongoing assessment, the consultants works has focused primarily on:-

- Deliverability issues
- Timescale for deliverability
- The extent to which specific sites have the capacity to contribute towards the funding of an arena development.

- The wider socio-economic impact an arena would have on the immediate surrounding environment and the city as a whole.

- 3.4 Executive Board should note, that whilst PMP are of the view that there are complications and challenges to overcome in relation to all of the potential site options, the results of the site assessment exercise concludes that there are a number of sites in the city centre, on the edge of the city centre and 'out of centre' that can accommodate the arena and which would assist in its commercial delivery, subject to competition and various levels of public investment.
- 3.5 In relation to the potential site options, all of the sites vary in terms of their potential to contribute to the wider socio-economic benefits of the city. At a more peripheral, out of town location, visitors to an arena are more likely to attend an event and then leave without participating in any other economic activity. In a city centre/edge of centre location it would be envisaged that a visit to the arena might be combined with a range of other city centre activities. PMP have calculated that the economic impact of an arena, dependant upon its location could contribute between £17m (out of town venue) and £28m (city centre/edge of centre location) per annum to the city economy, whilst the regenerative impact could range from just over £50m to approaching £300m dependant upon the location of the development. An arena proposal can play a key role in raising the profile of the city, helping Leeds fulfil its role as the focus of the city region and raise itself up a league to be recognised as a major European city.
- 3.6 PMP are, therefore, of the opinion that in light of the range of potential benefits and delivery issues identified across all sites, the procurement route outlined in the paragraphs to follow must be structured in such a way to maximise competition between sites and promote value for money and as such, must not preclude any site proposals coming forward and should be organised in a manner so that the sites can be fairly evaluated.

## ii) Procurement Process

- 3.7 PMP are of the view that of critical importance to the selection of the preferred procurement route is the balance between providing a process that maximises bidder interest and allows different approaches to be recognised, against the need to ensure deliverability against the requirements of the project.
- 3.8 In considering the potential procurement routes, PMP advise that there are essentially five key components to be considered:-
- vii) **Operator:** In order to maximise long terms sustainability, the arena will require an experienced operating company and/or personnel capable of delivering a full and varied programme of events.
  - viii) **Site:** There are a limited number of sites suitable for the proposed arena development. Several of the potential sites will require significant land assembly work in order to make them deliverable and, as such, the inclusion of the landowner(s) will be a core component of any development solution.
  - ix) **Developer:** A developer will be required to provide risk capital, co ordinate the site master planning, secure the land and lead the project. Achieving a solution that marries the preferred developer with the preferred operator will be critical to the delivery and long term success of the venue.

- x) **Contractor:** A suitably experienced contractor will be required to build the facility. It is anticipated the contractor and a specialist design team will form part of the developer's team.
- xi) **Funder:** Significant finance will be required from the public and private sector in order to deliver the project and, therefore, the selected procurement route and delivery vehicle will need to be 'attractive' to potential funders if the requisite level of funding is to be achieved.

3.9 In order to satisfy the key components detailed in paragraph 3.7 (i) to (v) above, PMP are of the view that there are essentially two procurement options available to the Council namely:-

- (i) Procure a consortium that will design, build, finance and operate the new arena and associated development.
- (ii) Split procurement, seeking an operator for the venue (who may also provide an element of finance) and, separately the selection of a developer to design, finance and build the venue.

3.10 PMP have recommended that the Council should pursue the split procurement route as such an approach most closely matches the Council's key outcomes and, in particular, would address the concern regarding the limited operator market. The consultants are of the view that the approach would also have the flexibility of allowing the Council the opportunity to consider the establishment of Special Purpose Vehicle management arrangements should the operator procurement not produce the desired results.

3.11 The split procurement route would be based on an overlapping, two streamed process, summarises as follows:-

- (i) **Operator Selection:** A competitive procurement process would be pursued for the appointment of a preferred operator. The process would involve bidders submitting full business plans, with worked up programmes and projected profit and loss accounts. Operators would be given guidance on what the Council hopes to achieve, but the final nature of the facilities would be flexible to allow operators to present proposals they believe to be economically viable. PMP believe that this process will enable the selection of the preferred operator plus a reserve. In the event that no satisfactory operator proposals are submitted, the Council could consider the establishment of a Special Purpose Vehicle for the operation of the new facility.
- (ii) **Site/Developer Selection:** The Council would invite proposals from landowners and developers interested in bringing forward an arena scheme. The process would commence at a time such that a preferred operator could participate in the site/developer selection and, the finalisation of the arena output specification.

Members of Executive Board should note that in pursuing the selection of the site/developer, interested parties would be advised as to the availability of a publicly owned site that is available and capable of accommodating the arena development. PMP believe that it is vital that a publicly owned site be offered to the market as this will ensure at least one deliverable option thus leveraging a competitive response from the market both in terms of :-

- Offering developers without an existing land ownership/interest the opportunity to participate in the procurement process.
- Providing a meaningful alternative option capable of being delivered, against which owners/developers of privately owned sites will have to compete against.

PMP believe the split procurement process will ultimately allow the Council to select a preferred operating partner and preferred developer/site for delivery of the arena and should minimise public sector investment via an open and competitive process.

### (iii) **Funding**

- 3.12 PMP has developed a funding model that can be used to run various scenarios for an arena development. Examination of three potential scenarios has identified a public sector funding requirement the level of which varies dependent upon the location and specification of the proposed arena development. Details of the level of the public sector funding requirement are contained in Appendix 1 of the report which are confidential under Access to Information Procedure Rule 10.4.3. Executive Board should note that at this time precise details of the specification for the arena have yet to be determined, though the core facility mix would be likely to include the main arena space and associated technical facilities, secondary arena space, office accommodation and IT services, dressing rooms and backstage areas, reception, foyer and circulation spaces.
- 3.13 PMP have emphasised that each scenario is purely illustrative and within each a number of general assumptions have been made that may be improved through the competitive process. Executive Board should note that the indicative costs for the city centre options are significantly higher than those for the out of town option, due to an assumed higher overall arena specification offering more flexibility and, an architectural quality appropriate for the city centre environment.
- 3.14 Whilst PMP advise there is a large funding gap for the three scenarios and feel that there may be the opportunity to reduce the gap in a competitive procurement process, they recommend that the City Council and its public sector partners should set a public sector investment limit for the project. They advise that the sum identified could be used in whole or part by any of the bidding consortia, although in competition it would be hoped that bidders would not necessarily seek to use the total funds available.
- 3.15 During the period of the study, PMP have been approached by private sector organisations to discuss the potential development of temporary venues in the city, pending the longer term development of a multi purpose arena. PMP recommend that the City Council should seek to further explore the opportunities that may arise with the provision of a temporary venue that has the potential to add value to the Council, the city and the arena procurement process, through the increased ability to stage events and the consequent opportunity to test and grow the event market prior to the opening of a new arena.

### (iv) **Conference/Exhibition Provision**

- 3.16 The original feasibility study undertaken by PMP established a clear opportunity for the city to promote the development of new conference and exhibition facilities, the precise nature and type of such facility to be determined with regard to existing facility

provision in the region.

- 3.17 The consultants have examined a number of options to fill the gap ranging from improving existing facilities, developing a purpose built conference centre, through to incorporating such facilities within any new arena development. PMP advise that the least favoured option is to develop a purpose built conference centre, whilst the most favourable in terms of maximising benefit and minimising risk (to the Council) and, complementing existing provision in the City Region would be to consider the provision of an arena with sufficient technical capacity and flexibility to host conferences and exhibitions.
- 3.18 PMP advise that the ultimate decision on the inclusion or otherwise of conference facilities in an arena development should be determined by the bidders and, dictated by projections of the feasibility/desirability/operating benefit of adopting this approach. The consultants believe that such an approach could be progressed in parallel with the private sector exploring the potential for the provision of a temporary venue(see paragraph 3.15 above), whilst at the same time endeavouring to develop a positive working relationship with existing conference providers in the region. Members of Executive Board should note that Harrogate Borough Council has expressed concern that a conference/exhibition facility with a capacity for over 500 delegates would have a negative impact upon the Harrogate International Conference Centre, in which case that may lodge an objection to any proposed development.

#### **4.0 THE WAY FORWARD**

4.1 In order to progress the delivery plan for the procurement of a preferred operator and developer/funder, the consultants have identified a number of workstreams that need to be undertaken over the next 18 months which may be summarised as follows:-

- Operator Selection Process
- Public Sector Funding Package Development
- Development of Special Purpose Vehicle for Operation of the Venue
- Developer/Site Selection Process
- Planning Preparation and Submission
- Development of Temporary Venue Concept

4.2 In terms of timescale for implementing the delivery plan, the following provisional strategic milestones have been identified:-

- January 2007: Develop public sector funding package. Explore temporary venue concept
- February 2007: Commence operator selection process.
- June 2007 Update financial model to check affordability. Issue tender documents to potential operators.
- July 2007: Commence developer/site selection process.
- December 2007: Selection of preferred operator. Shortlist developers/site

February 2008: Issue tender documents to developers.

May 2008: Select preferred developer/site.

- 4.3 Executive Board should note that once a preferred developer/site has been selected, a period of time will elapse in order to conclude planning, legal and financial agreements. Thereafter, at least two years should be allowed for the construction period, which will vary dependent upon the complexity of the site and the infrastructure improvements that may be required.
- 4.4 If Executive Board is minded to support the key findings and recommendations contained in PMP's report and, in particular, the delivery plan set out by the consultants there are a significant number of work areas that need to be progressed in order to arrive at a point where the preferred operator and developer/site are identified. Many of these areas of work require highly technical and specialist skills. In order to move forward in a timely manner and provide the best chance to develop a multi purpose arena in the city and, at the same time ensure the Council is properly advised, it is recommended that PMP Consultants be retained to project manage the implementation of the detailed delivery plan and to participate and advise the Council on the workstreams detailed in paragraph 4.1 above.
- 4.5 In order to manage the Council's input to the next stage of the project, it is intended to establish a Project Board to provide the overall strategic direction and management of the project. The Project Board which will be chaired by the Director of Development will comprise the Directors of Learning and Leisure, Corporate Services and Legal and Democratic services or their nominees. An officer from the Development Department will provide day to day coordination on the project, supported by a working group comprising officers from a number of service departments.

## **5.0 CONSULTATIONS**

- 5.1 A wide range of consultation has been undertaken in the preparation of the consultant's report. The organisations consulted include a range of private sector development companies, events organisers, University of Leeds, Yorkshire Forward, Leeds Initiative and the British Tourist Authority.
- 5.2 Regional bodies including Yorkshire Forward, Bradford and Harrogate Councils have been consulted during the preparation of the study and all are supportive of the arena proposal in Leeds. Harrogate Borough Council has expressed some concern that the development of conference/exhibition facilities for over 500 delegates would have a negative impact on their local economy and may ultimately object to any development which incorporates such activity.
- 5.3 The Cultural Facilities Task Group's External Reference Group has been consulted and their comments will be presented to the meeting of the Executive Board.

## **6.0 OPTIONS**

- 6.1 The option exists for the City Council not to support the key findings and the delivery plan proposed by PMP for the development of a multi purpose area and associated facilities.
- 6.2 Members of the Executive Board should note that support for the consultant's key findings and proposed delivery plan does not commit the Council to develop the



arena, but rather authorises officers to work with the consultants to procure an arena operator and developer/funder, at which time a report back on the financial implications to the City Council would be presented to the Executive Board, prior to the conclusion of any legal and financial agreements.

## **7.0 RESOURCE IMPLICATIONS**

- 7.1 PMP have recommended that the City Council and its public sector partners should identify a 'limit' to the level of public sector funding that would be made available to the successful bidding consortia for the development of a new arena and associated facilities. Details of the level of the public sector funding requirements based on three location options for the arena are contained in Appendix 1 of the report, the contents of which are confidential under Access to Information procedure Rule 10.4.3. Executive Board is, however, recommended to support the provision of upto £20m of public sector investment in the project. Given the proposed programme outlined in paragraph 4.2 above, the earliest the public sector investment would be required for the project would be 2008/09. Members of Executive Board should note that discussions will be held with other public sector agencies to fully explore the potential to secure contributions to the public sector fund available for investment in the proposed arena development.
- 7.2 As part of the ongoing work to be undertaken and prior to Executive Board determining whether the arena development should proceed, Members will receive a report at the point in time when a firm commitment to the project has to be made on the financial implications to the Council and, in particular, how the public sector investment limit is to be funded. Whilst PMP recommend the establishment of a public sector investment limit for the project, they advise that this sum could be used in whole or part by the bidding consortia, however through competition bidders may not necessarily seek to use the total funds available.
- 7.3 At this time it has only been possible to estimate the fees that the consultants will seek for project managing the implementation of the detailed delivery plan which has been estimated at between £400,000 to £500,000 dependent upon the precise nature and extent of work that the Council would wish the consultants to undertake. Full details of the fees to be paid will only become available once a brief for the work has been determined and a fee proposal has been received from the consultants. In addition, a fee of £35,000 would need to be charged to cover the internal City Council project coordination costs. Existing budget provision of £300,000 is available (Capital Scheme No. 12589/ARE) to contribute towards the fees required for the ongoing appointment of the consultants and the City Council coordination role. The balance of the required funding (upto £235,000) will need to be authorised as an injection into the capital programme.

## **8.0 RISK ASSESSMENT**

- 8.1 PMP have identified a number of residual risks which will need to be mitigated, quantified and managed through implementation of the delivery plan. The key risks may be summarised as follows:-
- Land assembly in terms of the ability to persuade different landowners to participate in the project without recourse to CPO action. If a site in private ownership is ultimately selected as the preferred location for the arena, the Council must seek to ensure that it 'can compel' the developer to implement the proposals.

- Affordability in terms of land acquisition costs (third party expectations), architectural design requirements (iconic design/city centre expectations) and site infrastructure costs.
- Limited number of potential operators interested in the project, with consequential need to consider establishing a Special Purpose Vehicle option if operator interest fails to materialise during the tender process.
- Planning risks in relation to local/third party objections, PPS6 issues and transport considerations.
- Ability to secure other public sector funding contributions to supplement funds to be made available by the City Council. Discussions will be held with other public sector agencies to secure contributions to the proposed development.

## **9.0 LINKS TO CORPORATE PRIORITIES**

9.1 The Vision for Leeds 2004 to 2020 identifies a major project to improve the cultural life of the City, including developing a new, large scale international cultural facility such as an arena facility.

## **10.0 RECOMMENDATIONS**

10.1 Executive Board is requested to:-

- (i) Support the findings and recommendations contained in PMP's report on the proposed funding and procurement of a multi purpose arena and associated facilities.
- (ii) Approve the proposed delivery plan to be pursued by the City Council to select an operator and developer/funder for the development of a multi purpose arena and associated facilities.
- (iii) Acknowledge the requirement for upto £20m as the public sector investment limit needed to facilitate the development of a multi purpose arena in the city.
- (iv) Authorise the ongoing appointment of PMP Consultants to project manage the implementation of the detailed delivery plan to select a preferred operator and developer/funder to develop a multi purpose arena and associated facilities.
- (v) Authorise an injection of upto £235,000 into existing Capital Scheme No. 12589/ARE and the incurring of expenditure of upto £535,000 for the appointment of consultants and internal City Council fees to project manage the detailed delivery plan.
- (vi) Note the project governance arrangements to be established to guide, manage and control the successful delivery of the next phase of the project to procure an operator and developer/funder for the development of a multi purpose arena

### **Supporting Documentation**

- 1) Cultural Facilities Feasibility Study.

**PROPOSED MULTI-PURPOSE ARENA & ASSOCIATED  
CONFERENCE/EXHIBITION FACILITIES IN LEEDS**



**LEEDS**  
CITY COUNCIL

**AN**

**EXECUTIVE SUMMARY**

**BY**

**PMP/DONALDSONS/ARUP**

**OCTOBER 2006**

### **Executive summary**

#### **Introduction**

- 1.1 In keeping with the vision for Leeds, the City has committed to the delivery of a large multi-purpose arena for the people of Leeds and the Yorkshire Region.
- 1.2 The scope of the project is based on a detailed feasibility study undertaken in 2005, which recommended facilitating the delivery of a 12,500-seat arena in association with private sector partners.
- 1.3 It is intended that, following approval of this report, the Council will be in a position to approach the market and facilitate the delivery of an arena in the near future.
- 1.4 The key objectives of the project are:
  - to secure the development and long-term operation of an entertainment arena in Leeds
  - to invite participation from private sector partners to provide a deliverable/sustainable project
  - to maximise market interest and promote participation and competition within the procurement process
  - to minimise and protect public sector funding whilst encouraging private sector investment/funding
  - to have the flexibility/potential to incorporate optional factors, for example conference/exhibition facilities.
- 1.5 This study was commissioned to advise the Council in relation to the following key areas:
  - site selection
  - procurement
  - funding
  - conference and exhibition facilities
  - marketing and implementation.
- 1.6 This summary presents the context, key findings and recommendations in relation to the areas detailed above.

#### **Project specification**

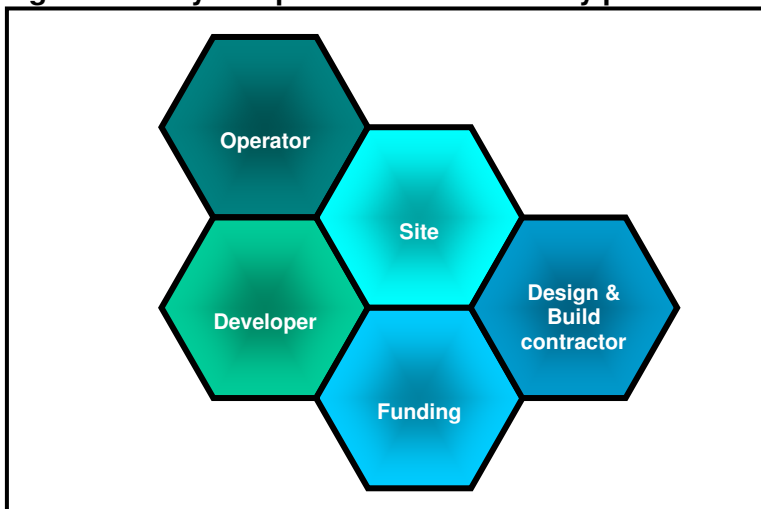
- 1.7 Research undertaken to date has supported the following specification for the arena:
  - an event programme, and operational management thereof, that:
    - maximises the draw of visitors to Leeds
    - is centred on national/European/international entertainments circuit

- ensures operational profitability and a sustainable and resilient business plan
- is integrated with the other major events and operators within the Leeds City Region
- maximises socio-economic benefit for the City
- 12,500+ seats
- an entertainment focussed layout to accommodate the national/European/international concert circuit, not including a permanent ice pad (as concluded in the original feasibility study)
- flexibility in building construction, facilities and rigging to support efficiently the range of event types identified by the operator to achieve its business objectives.
- this could include, for example:
  - conference facilities
  - exhibition space
  - flexible staging and seating arrangements to support other types of events (eg large family shows, demonstration sports etc)
- an architectural approach that will create a landmark for the City (at reasonable cost)
- good access to current and future public transport over the broadest possible range of transport modes
- good road access
- car parking shared with other land uses.

**Context**

1.8 In considering the deliverability of an arena, there are essentially five key components, as outlined in Figure E.1 below.

**Figure E.1 Key components in the delivery process**



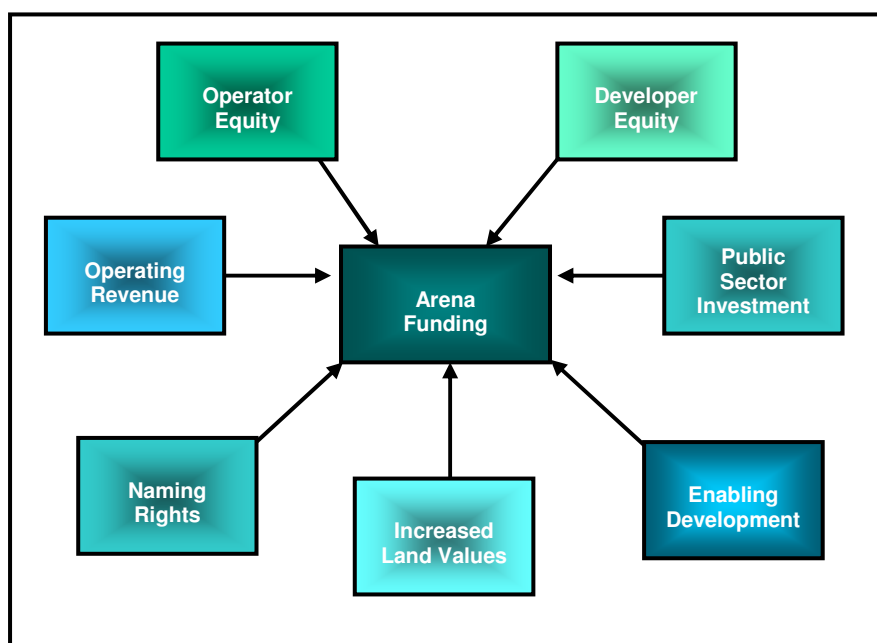
1.9 Achieving the optimum combination of the elements set out in Figure E1 will be critical to the success of the delivery process. Some key considerations in relation to this include:

- Operator
  - experienced operator required to maximise sustainability/ viability
  - limited number of experienced operators in the market
  - risk of leading operators partnering with less favourable site/ development
  - venue management/ promotion needs to fit with city-wide events strategy/ objectives
  - Special Purpose Vehicle could provide a suitable alternative to a private sector operator (eg NEC in Birmingham/ ACC Liverpool)
- Sites/ developers
  - some developer interest in the project is site specific, whilst other interest is generic
- Funding
  - mixture of public and private sector funding will required
  - Operator has the potential to deliver financial investment through operation, equity or via business partnerships such as sponsorship, naming rights, food and beverage contracts etc
  - Developer could deliver financial investment through enabling development

**Funding of the arena**

1.10 Figure E.2 below identifies the key funding sources for the arena.

**Figure E.2 Funding sources**



### **Key deliverability issues**

- 1.11 Of critical importance to the delivery of the project is the balance between providing a process that maximises bidder interest and allows different approaches to be recognised, against the need to ensure deliverability against the core requirements of the project and provide a robust process, which is transparent and auditable.
- 1.12 We have assessed the delivery options identified against their ability to:
- deliver a structured process allowing different types of proposals to be submitted and evaluated in a transparent manner
  - promote economic sustainability
  - ensure the best operator is selected
  - ensure that the best developer/funded consortium is selected
  - promote a location which maximises wider benefits, such as regeneration and community enhancement
  - encourage private sector investment, including enabling development on the same or adjacent sites
  - transfer risk to the private sector
  - ensure any public sector investment is protected in priority to private investment (risk capital)
  - ensure that the selected operator/developer fits with wider city council objectives in terms of promoting a portfolio of venues and events in the City
  - meet EU procurement regulations.
- 1.13 Other issues, such as planning permission, will need to be dealt with through the normal processes.

### **Key findings**

- 1.14 The key findings and recommendations of the study are summarised in the following paragraphs, categorised under the key areas of work.
- site selection
  - preferred procurement route
  - funding parameters
  - conference & exhibition facility requirements
  - implementation plan.

### **Site selection**

- 1.15 The site assessment exercise illustrates that there are a number of sites that could potentially accommodate a new arena facility but all have complications in terms of scheme deliverability.

- 1.16 A city centre site could make a significant contribution to city centre vitality and regeneration, however, there are no sites of sufficient size in public ownership.
- 1.17 The edge of town/out of town sites at Elland Road and Stourton North are in public ownership, which is a significant advantage in terms of deliverability. In evaluating the suitability of site options there is a balance to be struck between town planning and regeneration benefits versus scheme deliverability.
- 1.18 A city centre site is considered the more desirable location and there are city centre sites that should be capable of delivering a scheme for the City. However, this is dependant upon third party participation. Elland Road should provide an acceptable solution and be more dependable in terms of delivery. This option needs to be included in the developer competition with the owner/developer responses then determining whether this or a city centre site will be favoured.

### R1

The procurement exercise should be structured to maximise competition and promote value for money.

### R2

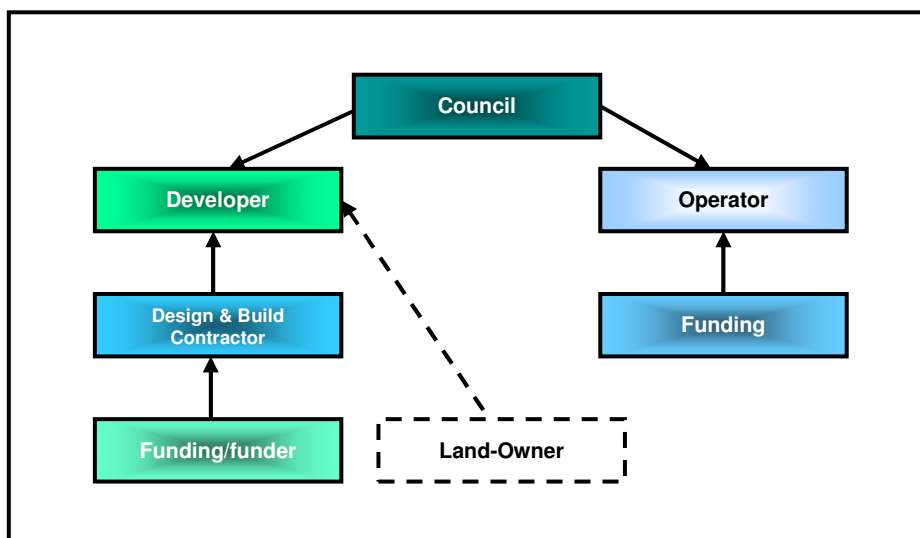
The procurement competition should invite bids from developers/landowners on their own sites, whilst also providing a publicly owned site (namely Elland Road) for those participants that either do not have land interests or believe that the public land available offers the best solution.

## Procurement

- 1.19 The key criteria for selecting an appropriate procurement route have been identified and two procurement routes; design, build, finance and operate (DBFO) and 'split' procurement, have been evaluated against these criteria.
- 1.20 A key characteristic of the arena market is the small number of experienced operators (essential to the sustainability of a venue) available to operate an arena in Leeds, therefore their views on the process have been carefully considered.
- 1.21 The 'split' procurement route is preferred, whereby an operator is selected by the Council (with key terms agreed in principle), and the operator then inputs into the final specifications provided to short listed developer consortia, and participates in the process thereafter. This avoids the key concern that a self-selecting DBFO consortium might not contain all of the adjudged best elements, eg the preferred operator is part of a consortia with a less preferable site.



**Figure E.3. Split procurement process**



- 1.22 Under the split procurement option, the developer consortium would comprise a lead developer, design and build contractor, investor and potentially land owner (depending on the site and ownership arrangements).
- 1.23 The operator consortium would include the operator and potentially other business partners capable of providing funding assistance – for example, a naming rights partner or food & beverage partner.
- 1.24 It is likely that the procurement process to select an operator would commence ahead of the developer selection process, however there would be a significant overlap, minimising any time delay through this two-stage process.
- 1.25 This type of model would also have the flexibility of including an SPV management arrangement, should the operator procurement not yield the desired results.
- 1.26 The recommendations of the procurement analysis are therefore:

**R3**  
The Council should follow a ‘split’ procurement route, selecting the operator separately from the development consortium

**R4**  
The Council should undertake a delivery study (at the appropriate time) into the implications of forming an SPV to operate the facility, should the operator procurement fail

**R5**  
The project should be procured in accordance with EU regulations, advertised in the OJEU and be based on the Competitive Dialogue process.

**Project Funding Model**

- 1.27 The construction of the existing arena facilities in the UK has, given the capital costs involved, required significant levels of public funding to successfully deliver the projects.
- 1.28 It is therefore important to understand the potential funding parameters of the arena, in order that the City can quantify any likely level of public investment and confirm the vehicle by which this investment will be delivered.
- 1.29 We have considered three scenarios, based upon the site assessment exercise and the conference and exhibition market analysis, as follows:
- an out of town arena (base specification)
  - city centre arena (mid specification)
  - city centre arena (high specification with maximised flexibility of use and conferencing capability).
- 1.30 These scenarios are illustrative of three types of scheme that could potentially be presented by private sector consortia under a procurement competition. The information used to inform each scenario, whilst based upon the best information available to the consultant team at this time, is therefore necessarily generic.
- 1.31 The capital costs of these options have been derived from Arup’s database of benchmark costs. The indicative capital costs are set out in Table E.1:

**Table E.1 Indicative capital costs under each option**

Scenario	Indicative capital cost	Comments
Out of town arena	£38m	Base specification
City Centre Arena	£53m	Mid specification with limited conferencing
City Centre Arena	£65m	High specification with maximised flexibility of use and conferencing capability (eg SECC estimated at c£62m)

- 1.32 The indicative costs for the city centre options are significantly higher than those for the out of town option due to an assumed higher overall arena specification offering more flexibility.
- 1.33 Under each scenario, from a capital perspective, there is a large funding gap that would need to be met by Public Sector Investment, after taking into account the potential contributions from developers / operators / sponsors etc. However, the exact amount of Public Sector Investment will be site and scheme specific.
- 1.34 The operational projections for each option in a mature year are shown in table E.2:

**Table E.2 Operating summaries**

	Out of town £m	City centre (mid specification) £m	City centre (high specification, max flexibility/ conference use) £m
Income	6.9	7.2	7.6
Expenditure	(6.1)	(6.5)	(6.9)
Net revenue	0.8	0.7	0.7
<i>Number of events</i>	<i>136</i>	<i>159</i>	<i>179</i>

- 1.35 Operational income from events is broadly similar under each option, with the exception that the conferencing activity is higher under the city centre scenarios.
- 1.36 Expenditure under the city centre scenarios is higher due to higher lifecycle costs (which are a function of capital costs) and higher variable event expenses.
- 1.37 The key recommendations from the project funding analysis are therefore as follows:

**R6**

The Council and its public sector partners should set a 'Public Sector Investment' limit for the project. The bidding consortia could use the sum in whole or in part, however through competition bidders may not necessarily seek to use the total funds available.

**R7**

The Council should seek to apply for/put in place the public sector funding pot.

**Short-term solutions**

- 1.38 In the interim procurement/development period, there are opportunities for the Council to take actions to deliver short-term benefits to the City. These include both the delivery of temporary venues and the development of an events programme to appeal to the public and stimulate potential arena operator interest and confidence.
- 1.39 These opportunities have longer term benefits; increasing events in the Leeds City region generally but perhaps more importantly providing the appointed arena operator the ability to stage advanced 'arena-branded' events to test the event programme, develop profile, sponsorship and customer base and hence maximise the commercial performance of the arena when it opens.

**Temporary venues**

- 1.40 In order to meet the latent market demand for events in the short-term, and to develop an event programme that will increase operator confidence in the feasibility of an arena in Leeds, the Council may choose to look at a temporary venue in the City.

- 1.41 This would capitalise on the positive feedback received from the public, and as illustrated in the campaign of the Yorkshire Evening Post, on the delivery of an arena. It would also assist the Council's momentum towards the procurement of a permanent venue.
- 1.42 Temporary event structures (there are several generic options), although strictly speaking temporary, would be sufficiently robust to withstand the elements for a number of years, and are effectively a quicker and cheaper way of achieving a structure than a traditional build. They can be built elsewhere before being shipped to the UK for assembly.
- 1.43 Through the development of this phase of our work we have had discussions with private sector organisations that are already proposing or have expressed a keen interest in providing this type of facility, either in partnership with, or independent of, the Council. It is recommended that further discussions are held with these parties during the next stage to investigate synergies between their proposals and the needs of the area development.
- 1.44 A temporary venue for the City may therefore be delivered as part of the existing third party proposals or separately by the Council if the economics justify it.

### **R8**

Investigate further the temporary venue options available and the associated benefits to the Council and the City

### **R9**

The Council should seek to work with the selected operator to build up the City's event profile using the venue(s) and develop a portfolio of events/audience to transfer to the arena on completion

## **Conference and exhibition facility requirements**

- 1.45 This analysis builds upon the initial feasibility study completed in 2005. It considers the supply and demand for conference and exhibition facilities in Leeds highlighting latent demand, considers the regional perspective and identifies and assesses the opportunities for the Council to assist in meeting demand. A summary of key findings is presented below.

### ***Supply and demand***

- 1.46 Analysis identifies that Leeds has sufficient venues capable of attracting conferences at the smaller-mid scale end of the market. However, there are few venues that have the capacity, facilities or profile to attract larger conferences, of say 1,000 delegates. Those venues that do have the capacity, for example the Town Hall or the Royal Armouries are seen to have a number of limitations in their current form.
- 1.47 Industry trends suggest that whilst the conference market is growing, this is not at the larger end of the market, with demand for large conferences remaining static at c0.5-2% of all conferences for over 1,000 delegates.
- 1.48 Leeds specific research suggests that there is some latent demand for mid-large scale conferences in the city. In particular from professional conference organisers/corporate enquires. Further, consultation in Leeds and nationally supports this view.
- 1.49 In summary, there is some demand for a facility capable of hosting larger conferences (c1,000+ delegates) in Leeds.

### ***Regional perspective***

- 1.50 The regional perspective is particularly important in relation to conference and exhibition facilities in Leeds, because of the close proximity of Harrogate International Centre.
- 1.51 Regional partners including Yorkshire Forward and Harrogate BC/ HIC have been fully consulted in this process and are supportive of the development of an arena in Leeds. However, there is some concern from HBC that a conference/ exhibition facility with capacity for over 500 delegates would negatively impact upon the HIC, in which case a planning or other objection could be lodged by HBC.
- 1.52 However, evidence suggests that Leeds and Harrogate attract a different type of conference/ organiser and city records indicate that organisers approaching Leeds to host an event rarely use Harrogate if Leeds cannot accommodate their requirements (8 out of 194 enquires). Leeds primarily loses events to other core cities, in particular Manchester. The opportunity for Leeds and Harrogate to work together to develop a joint/ wider offer has been identified.

### ***Opportunities***

- 1.53 Leeds is well-catered for at the lower-scale end of the conference market. However, there is a gap for larger scale (1,000+ delegates) conference and associated exhibition facilities in the City. A number of opportunities to fill this gap have been explored, as detailed in table E.3.

**Table E.3 Summary of options for provision of conference & exhibition facilities**

Option	Scale of capital cost to Council	Scale of revenue/subvention cost	Ability to meet identified gap in market	Associated risk to Council	Summary
Do nothing	0	N/A	Nil	Low	Misses opportunity to increase profile and appeal of Leeds. Fails to generate any business tourism and associated economic impact for the city
Improve existing facilities	Low-Medium	Medium	Medium	Medium	Restrictions dictated by site constraints and problems with extending building footprint to deliver improved facility layout and greater ancillary facilities to attract increased conference use. Unknown how much this would improve market perception and stimulate interest/profile. There remain issues around the potential for the Council to fund capital improvements to facilities that are not Council-owned
Deliver purpose-built conference centre	High	High	High	High	This proposal would be of some concern to both Yorkshire Forward and Harrogate, having a potentially detrimental effect on the operations of the latter. While the market for Leeds would appear strong, the lack of large-scale conferences (events for 1,000+ delegates constitute just c.2% of the total market) and the inevitable competition for events would make this a high-risk strategy for the Council. High capital and revenue costs are likely to be inherent in this scheme.
Adapt arena for conference/exhibitions	Medium	Low	Medium-High	Medium-Low	Provides a valuable facility capable of staging large-scale conferences and exhibitions, to complement existing provision in the city. Allows city to build a market and profile without investing upfront in costly purpose-built conference facilities. Provides additional event day opportunities to the arena to increase project viability and sustainability.

- 1.54 The least favourable option is to develop a purpose-built convention centre (cost and risk considerations). The most favourable option is to consider conference facilities as part of a higher specification arena.
- 1.55 However, the ultimate decision on the inclusion or otherwise of conference facilities in the arena bowl/complex will be determined by the bidders, and dictated by projections of the feasibility/desirability/operating benefit of adopting this approach. The procurement documentation and evaluation process will therefore need to reflect this position.
- 1.56 In parallel with this solution, there is the opportunity for the Council to further investigate and support the emerging temporary/non-permanent solutions being put forward by private sector partners which could provide complementary provision.

### **R10**

Procurement documentation to set out to operators/bidders that inclusion of conferencing/exhibition capabilities should be determined by the financial/operating benefit associated with this flexibility.

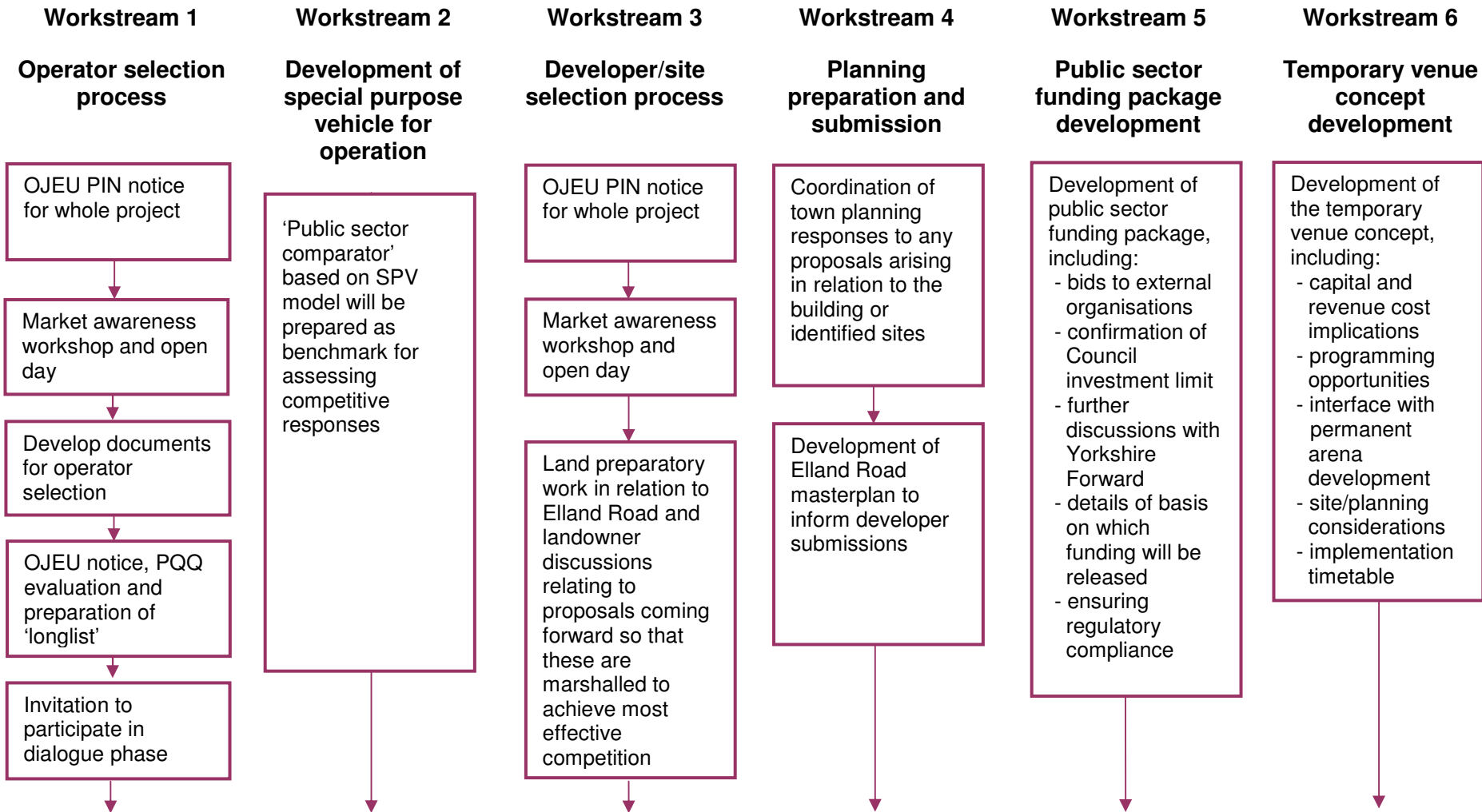
### **Delivery plan for Leeds Arena**

- 1.57 In order to deliver the required outcomes for the project, there are six workstreams that require progression at different times over the life of the project. The headline tasks within each of the six workstreams are detailed in Figure E.3 overleaf.
- 1.58 The tasks are in 'time order' to provide an indication of the inter-relationship across the six workstreams. For example, the Developer procurement process will not begin until the Operator procurement is at Invitation to Participate in Dialogue stage (thus allowing the preferred operator to be selected in time to participate in the developer selection). A full project timeplan is illustrated in Figure E.4.

### **Basis of information**

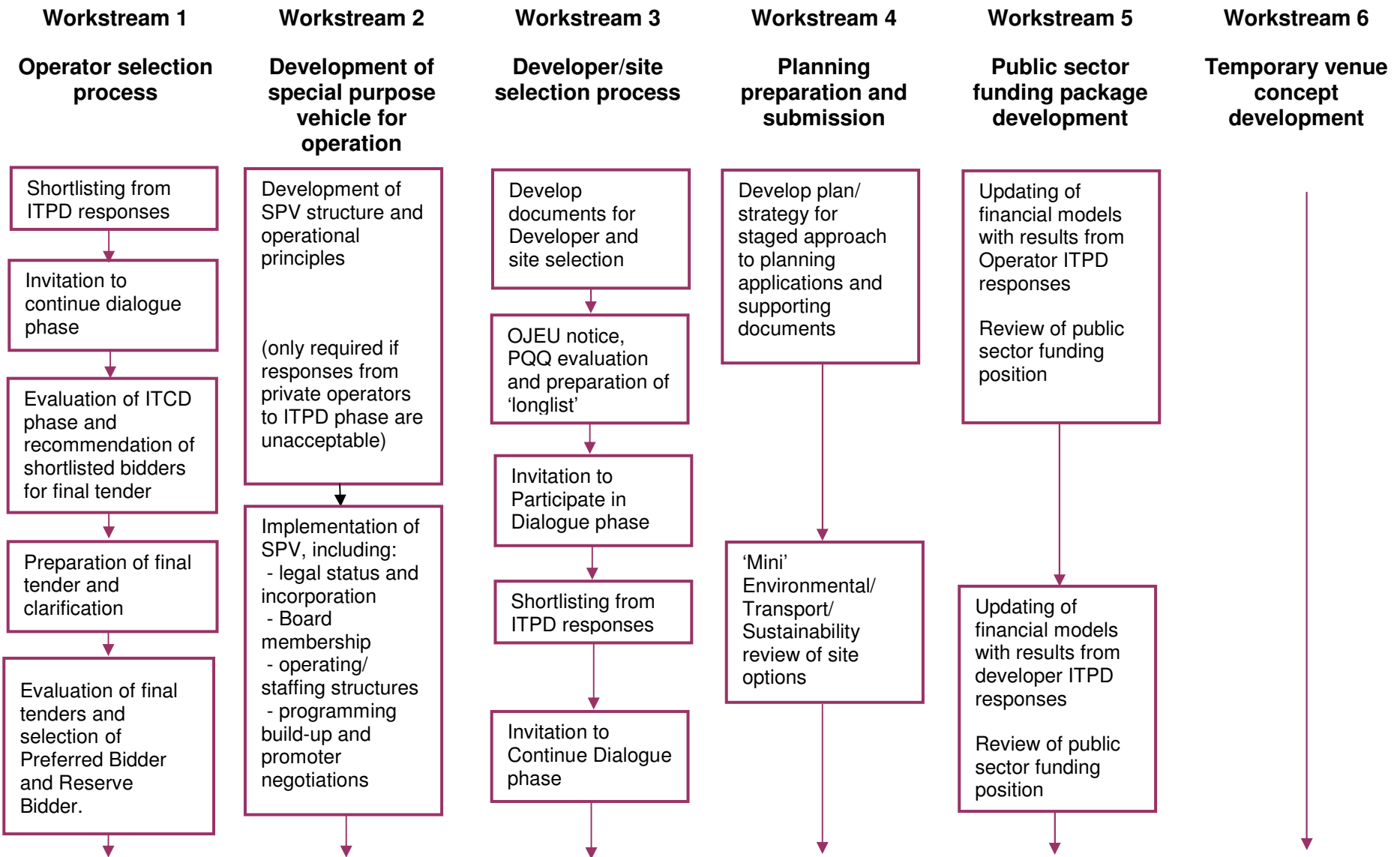
- 1.59 This report has been prepared for Leeds City Council. It is not possible to guarantee the fulfillment of any estimates or forecasts contained within this report, although they have been conscientiously prepared on the basis of our research and information made available to us at the time of the study. The authors will not be held liable to any party for any direct or indirect losses, financial or otherwise, associated with any contents of this report or the associated business plans and cashflow analysis.
- 1.60 Further information or clarification on the contents of this summary can be sought from Kelly du Preez (020 7534 3941) or Andy Farr (01606 49582).

**Figure E.3 Workstream and action plan**





**Figure E.3 Workstream and action plan (cont.)**



**Figure E.3 Workstream and action plan (cont.)**

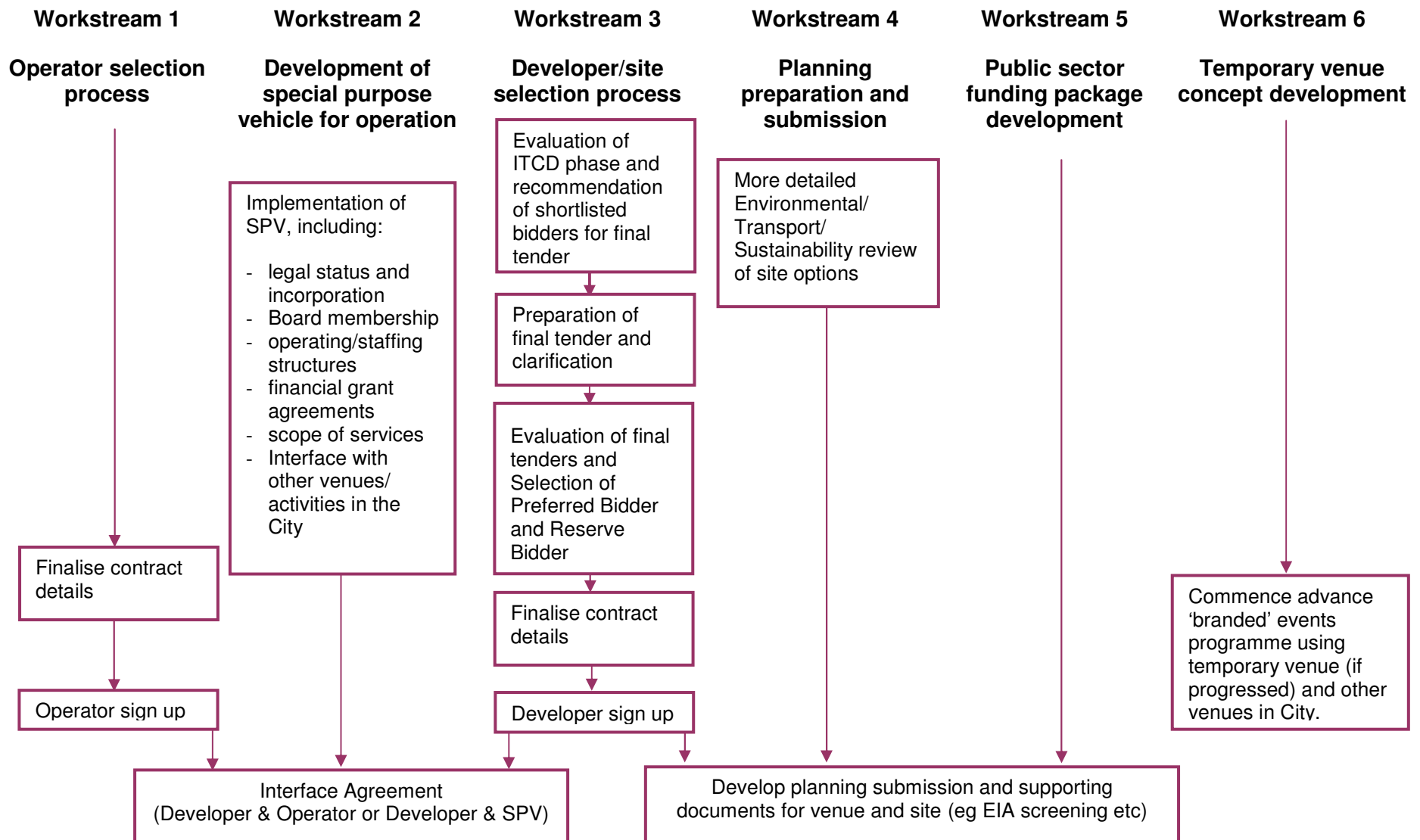
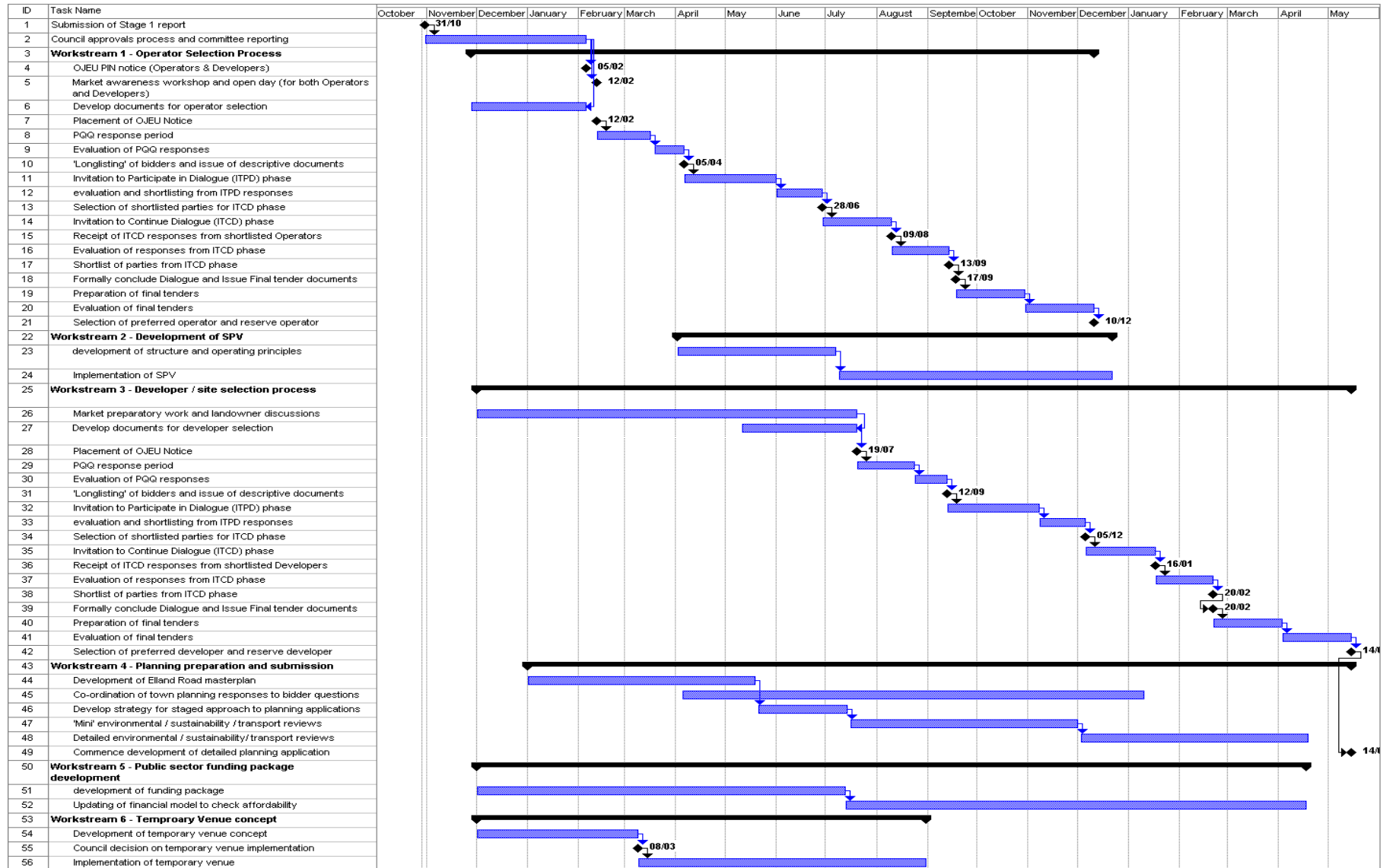


Figure E.4 Project timeplan



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Originator: Peter Shilson

Tel: 247 8122

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**Report of the Director of Development**

**Executive Board**

**Date: 13 December 2006**

**Subject: Local Development Framework – Annual Monitoring Report**

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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. A report on the 2006 LDF Annual Monitoring Report (AMR) was noted at the Development Plan Panel on 5 December 2006 and the Executive Board's approval is needed for its submission to the Dept. of Communities and Local Government by 31 December 2006. Following reforms to the planning system, it is a legal requirement to submit it by that date. The Annual Monitoring Report itself is attached as an Appendix.
2. The purpose of the AMR is two fold. The first is to monitor the performance of specific planning policy areas and the second is to report on progress against the City Council's Local Development Scheme (LDS). An updated LDS was submitted to the Secretary of State in March this year.
3. Consistent with the LDF Regulations and Government Guidance, the reporting period for the AMR is 1 April 2005 – 31 March 2006. The progress update on the LDS relates to the position at December 2006.
4. It should be noted that this second AMR has been prepared during the transitional period between the 'old' Development Plan system and the introduction of fundamental reforms and related guidance, as part of the Planning & Compulsory Purchase Act 2004. Consequently, whilst progress has been made in capturing and reporting on specific data sets (such as housing completions), there is further work to be done in establishing robust and longer term monitoring arrangements within the context of available resources. Where information is currently available, the AMR reports on a number of key policy areas and also considers the approach to future monitoring work (Section 5). This will require corporate support and close interdepartmental working, to ensure that best use is made of existing information and to cover any gaps in data.

## **1.0 Purpose Of This Report**

- 1.1 Monitoring of the LDF is a statutory requirement under Section 35, Planning and Compulsory Purchase Act 2004. Each year an Annual Monitoring Report (AMR) has to be submitted to DCLG.

## **2.0 Background Information**

- 2.1 The purpose of AMRs is to report on both the performance of specific planning policies and a summary of progress against milestones set out for the preparation of Local Development Documents identified as part of the Local Development Scheme. Following this, Government advice promotes the need for local authorities to review planning policies through the LDF process where appropriate. Within this context adjustments were made to update, delete or inject Local Development Documents as part of the overall programme and these were incorporated into an updated LDS which was submitted to the Secretary of State in March.
- 2.2 Within the context of the LDF Regulations and Government Guidance, the reporting period for this second AMR covers the period 1 April 2005 – 31 March 2006 for planning policy issues and the progress update on the Local Development Scheme is the position at December 2006.

## **3.0 Main Issues**

- 3.1 There are two main issues that affect the production of monitoring reports in Leeds. Firstly, the new development plan system includes a detailed monitoring requirement linked to policies that are framed in a way that their performance can be checked. The consequent development and incorporation of monitoring routines into all new development plan documents will prove complex and will place many demands on both the plan drafting process and the back-office systems that will be needed to support policy monitoring. Work on this issue has started but will take some time to bear fruit.
- 3.2 Secondly, provision of adequate monitoring resources has been an issue. Restructuring of the Data Team in the Department is nearly complete. This will provide an additional 2 fte technicians principally to support the LDF monitoring effort. These extra staff, together with a redefinition of the way in which policy development work is organised, should be adequate for the foreseeable future. Links with the Transport Policy Division and the appropriate section of Neighbourhoods and Housing will also strengthen the monitoring resource available.
- 3.3 Data and data collection arrangements are such that, at this stage, no clear conclusions can be drawn on changes in the policy areas where monitoring is required. However, it should be noted that the number of dwellings completed continues to run at a high level, well ahead of the anticipated output. This is the result partly of a boom in planning consents following the revision of PPG3 in March 2000 which introduced a virtual presumption in favour of housing development on most brownfield sites. This has brought sites onto the local housing land market in unprecedented quantities. Combined with strong demand and a concentration on the bulk development of flats, this has led to substantial increases in output.
- 3.4 The proportions of housebuilding on previously developed (brownfield) land have risen further, the 5 year average being up from 84% in 2000 - 5 to 89% in 2001 - 6. Last year 96% of completions were on brownfield sites. The Council attaches considerable importance to maintaining these high rates of brownfield development



and expects them to continue, certainly in the short to medium term. Housing density also continues to rise and 82% of dwellings on sites completed in the last 5 years were at densities in excess of 30 to the hectare, while in 2005 - 6 this proportion rose to 97%.

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

4.1 There are no implications for Council policy and governance.

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

5.1 There are no legal implications stemming from this year's AMR provided it is submitted to DCLG by 31<sup>st</sup> December.

5.2 As LDF work progresses the AMR will present an executive summary of the monitoring carried out on LDF policies. The AMR is an integral part of the new LDF process and is intended to bring to the Council's attention monitoring information that may indicate that certain planning policies may need revision, as well as providing assurance that implementation of other policies is 'on track'.

5.3 There are no staff resource implications in addition to those set out in para. 3.2. Any IT or data costs identified as LDF work progresses will, wherever possible, be supported from within existing provision (the approved LDF budget).

#### **6.0 Conclusions**

6.1 This report has outlined the scope and content of the Local Development Framework Annual Monitoring Report and identified issues relating to supporting the monitoring process. The attached AMR for 2006 shows what is emerging at present and proposed improvements to the monitoring system.

#### **7.0 Recommendations**

7.1 The Executive Board is recommended to approve the Local Development Framework Annual Monitoring Report 2006 for submission to the Secretary of State pursuant to Regulation 48 of the Town and Country Planning (Local Development)(England) Regulations 2004.

## **APPENDIX**

To be attached once drafting completed

**LEEDS LOCAL DEVELOPMENT FRAMEWORK  
ANNUAL MONITORING REPORT  
DECEMBER 2006**

## **CONTENTS**

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## 1 Introduction

1.0.1 This report is the second of an annual series of reports monitoring the Leeds Local Development Framework (LDF). It describes progress in starting work on the new LDF, presents monitoring data for the year from 1 April 2005 to 31 March 2006 and details ways in which the City Council's monitoring work is being developed. Annual Monitoring Reports (AMRs) will always report on events during the preceding Local Government Year and will be published at the end of December each year.

### 1.1 *Monitoring Context*

1.1.1 The Planning & Compulsory Purchase Act 2004 set the framework for the modernisation of planning in the UK as part of a "plan led" system. The Act and other supporting legislation place expectations on local authorities to plan for sustainable communities. As part of the new system, Local Development Frameworks and Regional Spatial Strategies (RSS) will replace the existing system of Unitary Development Plans and Regional Planning Guidance. At a local (Leeds MD) level the Local Development Framework will provide the spatial planning framework for the use of land within the city and a key mechanism to deliver the spatial objectives of the Community Strategy (Vision for Leeds).

1.1.2 A key task for the City Council under the new planning system is the preparation of a Local Development Scheme (LDS)<sup>1</sup>. This sets out a three - year programme with milestones for the preparation of Local Development Documents - documents which together will comprise the Local Development Framework. The LDS and its work programme will be reviewed each year and the three - year programme will be rolled forward. Thus at any given time the LDF will consist of an integrated 'portfolio' of policy documents of different ages.

1.1.3 There is also a requirement to publish an annual report monitoring both progress on the Scheme and the performance of policies. The Regional Assembly (RA) is also required to produce an AMR and this includes coordinated information from the region's planning authorities. The RA's AMR is published at the end of February each year.

### 1.2 *The Annual Monitoring Report*

1.2.1 The Government has produced a guide on LDF monitoring<sup>2</sup>. This covers monitoring in its widest context - monitoring implementation of the Local Development Scheme, Local Development Orders and Simplified Planning

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<sup>1</sup> Leeds Local Development Scheme, June 2005 <http://www.leeds.gov.uk/> then Environment and Planning, then Planning, then Local Development Framework links

<sup>2</sup> Local Development Framework Monitoring: A Good Practice Guide, DCLG, March 2005, [http://www.communities.gov.uk/pub/906/LocalDevelopmentFrameworkMonitoringAGoodPracticeGuide\\_id1143906.pdf](http://www.communities.gov.uk/pub/906/LocalDevelopmentFrameworkMonitoringAGoodPracticeGuide_id1143906.pdf)

Zone schemes, which will also form part of that framework. Monitoring is becoming an increasingly important aspect of "evidence based" policy making. In the past, monitoring has been regarded as an 'error-correcting' mechanism to bring land use plans back on track by addressing negative feedback.

1.2.2 Within the current planning context it is noted that "Monitoring is essential to establish what is happening now, what may happen in the future and then compare these trends against existing policies and targets to determine what needs to be done. Monitoring helps to address questions like:

- are policies achieving their objectives and in particular are they delivering sustainable development?
- have policies had unintended consequences?
- are the assumptions and objectives behind policies still relevant?
- are the targets being achieved?"

1.2.3 In addition "It represents a crucial feedback loop within the cyclical process of policy-making. ... In the context of the new planning system, with its focus on delivery of sustainable development and sustainable communities, monitoring takes on an added importance in providing a check on whether those aims are being achieved. ... The ability to produce various local development documents, as opposed to one local plan document, allows authorities to respond quickly to changing priorities for development in their areas. Monitoring will play a critical part in identifying these. That is why part of the test of soundness of a development plan document is whether there are clear mechanisms for implementation and monitoring.

1.2.4 "In view of the importance of monitoring, Section 35 of the Planning and Compulsory Purchase Act 2004 ("the Act") requires every local planning authority to make an annual report to the Secretary of State containing information on the implementation of the local development scheme and the extent to which the policies set out in local development documents are being achieved. Further details of this requirement are set out in [Regulations]<sup>3</sup>. " Good Practice Guide paras. 1.1-1.3

1.2.5 The Department for Communities and Local Government (DCLG), formerly the Office of the Deputy Prime Minister (ODPM), acknowledge that the first AMRs will not be able to cover everything set out in the Guide. "If authorities experience difficulties meeting the requirements of the Act and Regulations in terms of their first annual monitoring reports, they will need to present as full as an analysis as possible whilst setting out clearly what the problems are and how they will be overcome in the next report in December 2006." Guide para.3.16

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<sup>3</sup> Town and Country Planning (Local Development) (England) Regulations 2004, Regulation 48, SI 2004 No. 2204 <http://www.opsi.gov.uk/si/si2004/20042204.htm>

1.2.6 The current document is the second AMR. It covers a transitional period between the UDP and LDF systems. It is limited in scope for two reasons:

- There are currently no LDF policies and the policy context monitored consists of the saved UDP policies. These policies are listed in the Local Development Scheme but not many are specifically monitored.
- While some monitoring has been undertaken over the last few years this has concentrated on certain key areas, principally relating to the major land demands for housing and employment. With available resources it has not been practical to put into place comprehensive monitoring of the wide range of UDP policies.

1.2.7 However, the Council's computing environment is undergoing considerable change. This has produced a new system for processing planning and Building Regulation applications (key sources of monitoring information) and enhanced Geographic Information System capabilities are being developed that should bear fruit in future years. It is intended to develop the Council's monitoring capability to take advantage of these improvements and in parallel with development of the first LDF policies. These developments are described in more detail in Section 5.

1.2.8 The remainder of this report covers:

2. **the Leeds policy context** - a summary of the broader planning framework within which policy monitoring will be done.
3. **the Local Development Scheme** - a review of progress against the milestones in the Scheme and suggested amendments.
4. **monitoring information** relating to 2005 / 6 concentrating, wherever possible, on the DCLG and Regional Assembly key indicators.
5. **future directions for monitoring** - a description of how it is proposed to develop the LDF monitoring capability within Leeds to best serve the new development plan system. Reference is also made to ongoing technical work that will underpin policy development and monitoring.
6. **key indicator data** - an appendix containing, for convenience, the indicator data required by DCLG and the Regional Assembly.

## 2 The Leeds Policy Context

### 2.1 *The Wider Region*

2.1.1 There is growing recognition that Yorkshire and Humberside's longer term economic prosperity and sustainable development is best achieved in working with a range of partners at a regional level. The concept of the "Leeds city-region" is therefore being developed, consisting of Leeds, Bradford, Calderdale, Kirklees, Wakefield, Barnsley, Craven, Harrogate, Selby and York. This idea is also emerging as part of the preparation of the new Regional Spatial Strategy, which identifies a series of 'sub' areas across the region, including the Leeds city-region.

2.1.2 The Leeds city-region has the potential to develop relatively quickly into a competitive city region, competing successfully with other European cities and contributing to improved economic performance. Stakeholders in the city region are now starting to recognise the advantages of closer co-operation in promoting transport improvements, higher education collaboration and in financial and professional services. Leeds needs to work collaboratively with other city regions, particularly Manchester, to ensure that the north of England realises its full potential.

## **2.2 The Vision for Leeds**

2.2.1 In providing a framework to address the above issues and opportunities, the Vision for Leeds (Community Strategy)<sup>4</sup>, provides a vision for improving the social, economic and environmental well-being across the city. Following a period of extensive public involvement and engagement the 'Vision for Leeds 2004 – 2020' has been adopted, prepared by the Leeds Initiative - the Local Strategic Partnership for Leeds. The purpose of the Vision for Leeds is to guide the work of all the Leeds Initiative partners to make sure that the longer term aims for the city can be achieved.

2.2.2 The Vision has the following aims:

- Going up a league as a city
- Narrowing the gap between the most disadvantaged people and communities and the rest of the city
- Developing Leeds' role as the regional capital

## **2.3 The Leeds Unitary Development Plan**

2.3.1 The City Council's Unitary Development Plan (UDP) was adopted 1 August 2001. Anticipating the need to prepare Local Development Frameworks and within the context of changes to national planning policy the City Council embarked upon an early and selective review of the Adopted UDP. Following public consultation and consideration of representations received, a UDP Review Public Inquiry was held between July 2004 and June 2005. The Inspector's Report into the Inquiry was subsequently received on 23 November 2005.

2.3.2 The Council considered the Inspector's report, including the Proposed Modifications resulting from his recommendations, in a series of meetings of the Development Plan Panel between December 2005 and February 2006. The Panel's recommendations were subsequently approved by the Executive Board on 17 February 2006.

2.3.3 The Proposed Modifications to the Plan were placed on deposit between 27 February 2006 and 10 April. Following this, the City Council concluded that the nature of the representations received did not give rise to the need for

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<sup>4</sup> <http://www.leeds.gov.uk/page.aspx?egmsIdentifier=1BA7EB05F491317080256E160039EDC8>



further modifications to be received or for a second Public Enquiry. The Plan was subsequently adopted at a full Council meeting on 19 July 2006.

### **3 The Local Development Scheme**

3.0.1 As highlighted in the LDS, the priorities for action are intended to complement, support and take forward the city's identified strategic priorities. These include providing expression to the spatial planning aspects of the Community Strategy (Vision for Leeds II) and key objectives in relation to regeneration and renaissance issues. Within this context also, the LDS emphasises the need for the Development Plan system in Leeds to provide a continuity of planning policy whilst developing new policy approaches to deal with current and emerging issues. This is reflected in the schedule of UDP saved policies. In the preparation of the LDF, it was initially anticipated that adopted UDP policies would be saved for three years. A consequence of this a review the schedule of saved policies has been initiated, with a view to saving specific policies beyond the initial three year period – subject to the production timetable for Development Plan Documents. Consequently, the City Council intends to submit an updated LDS to the Secretary of State by 31 March 2006.

#### **3.1 Reporting Period 1 April 2005 – 31 March 2006**

3.1.1 Following preparation of the City Council's initial Local Development Scheme, a revised Scheme was agreed with the Secretary of State, which became formally operational from 1 June 2005. Progress against the milestones and work programme set out in this revised Scheme was subsequently reported as part of the December 2005 AMR. Whilst that AMR reported that LDS programme was moving forward positively (para. 3.5), it was noted that following further advice from the Government Office for Yorkshire & the Humber (GOYH) that it would be necessary to update the LDS for submission to the Secretary of State by 31 March 2006. This was necessary in order to adjust production timetables for a number of Local Development Documents to:

- make them more deliverable to reflect the need to complete further work and consultation on initial Area Action Plan Options and
- to take into account the slippage in the production of the draft Regional Spatial Strategy and the knock on implications for the preparation of the Core Strategy.

Adjustments were also necessary to the production timetable for outstanding SPDs, to take into account resourcing and capacity issues.

3.1.2 Within this context, an updated LDS was considered by the City Council's Development Plan Panel and Executive Board and subsequently resubmitted to the Secretary of State in March 2006.

3.1.3 A major Development Planning commitment during this reporting period has been the progression of the UDP Review process, whilst working in parallel

to work on a range of Local Development Documents. The UDP Review Public Inquiry formally closed in June 2005 and following receipt and analysis of the Inspectors Report of November 2005, UDP Review Modifications were published for formal public consultation (27 February – 10 April 2006). The Plan was subsequently adopted at a full Council meeting on 19 July 2006 (re. 2.3.3).

- 3.1.4 Several strands of work are underway to take the LDS programme forward. Progress during the current reporting period can be summarised as follows.
- 3.1.5 Consistent with the LDS milestones a draft **Statement of Community Involvement** has been prepared following early engagement work during June / July 2005 and was subject to formal 6 week consultation from 7 November – 16 December 2005. A further revised draft SCI was prepared for submission to the Secretary of State (April 2006).
- 3.1.6 Following extensive pre-production work, initial issues and options reports have been prepared for consultation and engagement for the **City Centre, Aire Valley Leeds, and East & South East Leeds (EASEL) Area Action Plans**. Within this context a programme of consultation events for each AAP has been prepared and ongoing delivery of these has taken place within the reporting period, with further Regulation 25 consultation work scheduled to continue after 31 March 2006.
- 3.1.7 With regard to the **West Leeds Gateway Area Action Plan**, pre-production work on an emerging regeneration framework (commissioned by Area Management, Neighbourhoods & Housing Dept.) has continued, with a view to undertake Regulation 25 consultation in Autumn 2006.
- 3.1.8 Preproduction work has been completed or is underway across Supplementary Planning Documents identified in the LDS programme although there has been slippage in some areas due to technical and resourcing issues. The **Eastgate and Harewood Quarter SPD** was been adopted by the City Council following approval by Executive Board in October 2005. The **Biodiversity & Waterfront Development and City Centre Public Realm Contributions SPDs** were prepared and were subject to formal consultation 26 January – 9 March 2006. A draft **“Designing for Community Safety – A Residential Guide” SPD** has also been prepared (for consultation in May 2006) and a draft **Advertising Design Guide** for consultation in summer 2006. Technical work is under way in the preparation of the **Householder Design Guide, Highways Design Guide** and **Public Transport Improvements – Developer Contributions SPDs**.
- 3.1.9 Associated with the preparation of Local Development Documents has been the continued development of the Sustainability Appraisal methodology to support the preparation of the various planning documents through the different production stages.
- 3.1.10 In the continued development of the LDF evidence base, a Leeds Employment Land Review has been undertaken and was completed in March 2006. Work is also underway to commission two key pieces of work

(post March 2006). These are a district wide Strategic Flood Risk Assessment and a Housing Market Assessment.

3.1.11 In setting a context for the Leeds LDF, work has continued to seek to influence the scope and content of the emerging Regional Spatial Strategy (RSS), as a basis to manage and anticipate the policy implications for Leeds. Within this context, the City Council made formal representations to the draft RSS (published for consultation in December 2005) and will continue to participate in the development of the RSS including participation in the Examination in Public which took place in September and October 2006.

### **3.2 Reporting Period 1 April 2006 – 31 March 2007**

3.2.1 Looking ahead to the next AMR reporting period (1 April 2006 – 31 March 2007) are a number of challenges and opportunities for the Leeds LDF. These include:

- The need to conclude the UDP Review process to final Adoption,
- The need to continue to 'bed down' the new LDF in terms of both the City Council and wider stakeholders in order to gain greater familiarity with the operation of the new system,
- To continue to work closely with the Government Office for Yorkshire & the Humber (GOYH) to take the LDF process forward in Leeds,
- The need to continue to integrate Development Plan and regeneration work, where appropriate and where this adds value,
- The need to progress Area Action Plans through the Preferred Options stages and initial 'issues and options' for the Core Strategy,
- To continue to progress the programme of Supplementary Planning Documents,
- To continue to participate in the preparation of the Regional Spatial Strategy, including the scheduled Examination in Public,
- To continue to project and project manage resources to deliver the LDS work programme and evidence base,
- To continue to develop the systems and processes to support the LDF and the monitoring requirements of the AMR,
- To continue to monitor progress against milestones and to adjustments where appropriate.

## **4 Monitoring Information**

4.0.1 This section sets out information available from what is being monitored currently. This year's AMR concentrates on material required by DCLG and the Regional Assembly. Although some of it is discussed in this part of the report for convenience the required information is also grouped in the Appendix. For many of these topics / indicators either no information or

incomplete counts exist. The monitoring work programme over the next year or so will have to address this.

- 4.0.2 This part of the AMR will be expanded each year as LDF policies and their related monitoring sources are developed. It is intended that the monitoring range will be expanded to include matters of local interest reflected in LDF policies. There are, however, three concerns that affect the way in which this monitor will develop.
- 4.0.3 Firstly, the usability of data on any particular topic sent to the Regional Assembly and DCLG depends a lot on whether or not all authorities make returns or whether returns are made using consistent definitions. This is proving difficult at present and it may take some years for practices to converge.
- 4.0.4 Secondly, the Good Practice Guide points out that there can be adverse effects from supporting too many indicators, often leading to information overload and confusion. The Guide recommends that initial monitoring frameworks should have a maximum of 50 indicators. The combined requirement of the Regional Assembly and DCLG this year is 39 indicators and other items of information. During development of the LDF the number and range of indicators will have to be closely watched although an arbitrary limit of 50 will not be used.
- 4.0.5 Thirdly, it is felt that some of the national indicators are not as well framed as they might be. While it is the intention to try to produce information for each of these indicators the issue of redrafting a few of them will be taken up at regional and national level. The nature of policy development and monitoring requirements is dynamic and, therefore, DCLG will update their guidance on a regular basis. The first update was published in October 2005.<sup>5</sup> This included definitional changes to indicators in the Business Development, Transport and Local Services categories.
- 4.0.6 Topics covered in this AMR include:
- housebuilding performance
  - the supply of employment land
  - the monitoring of changes in retail, office and leisure developments in Leeds as a whole and in the City Centre and town centres, together with vacancy rates
  - transport - measuring the accessibility of new residential developments to a range of facilities and the level of compliance with car parking standards in non-residential developments
  - various aspects of green space provision

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[http://www.DCLG.gov.uk/stellent/groups/DCLG\\_planning/documents/page/DCLG\\_plan\\_609973.pdf](http://www.DCLG.gov.uk/stellent/groups/DCLG_planning/documents/page/DCLG_plan_609973.pdf)

- various matters relating to mineral aggregate production, waste management and other environmental concerns

4.0.7 There are other documents that include information which helps monitor the development of Leeds, chiefly the City Centre Audit<sup>6</sup>, the Leeds Economy Handbook<sup>7</sup> and the Local Transport Plan<sup>8</sup>. The relationship of these to the LDF monitoring effort will evolve and be tightened as work on the LDF develops. Different production objectives mean that it is not practical to incorporate them entirely into the AMR. To do so would also make the AMR unwieldy and less focused. In future years it will prove useful to partially merge or cross-link these reports.

## **4.1 Housing Trajectory**

4.1.1 The core housing indicators are summarised in the Appendix.

4.1.2 The housing requirement for Leeds is set in the Regional Spatial Strategy (RSS) for Yorkshire & the Humber. RSS currently requires the completion of 1930 dwellings a year in Leeds over the period 1998-2016. This is a gross figure, which includes an allowance for the replacement of an unspecified number of dwellings assumed to be cleared. As such, it is not directly comparable with the net housing figures reported here, although it clearly overstates the net housebuilding performance required.

4.1.3 Draft proposals to review RSS were published in December 2005 and were subject to Public Examination in September 2006. The review proposes a net housing target of 2260 dwellings a year in Leeds over the period 2004-16. Although not yet policy and subject to change, this target is also used here to assess performance.

4.1.4 Over the last 5 years, output has exceeded the current RSS requirement by 49% gross and 30% net, and in 2005-6 these surpluses rose to 91% and 78% respectively. The draft RSS Review net housing target has also been surpassed, by 11% over the last 5 years and by 52% in 2005-6.

4.1.5 This over supply is the result partly of a boom in planning consents following the revision of PPG3 in March 2000. This introduced a virtual presumption in favour of housing development on most brownfield sites and has brought sites onto the local housing land market in unprecedented quantities. Combined with strong demand and a concentration on the bulk development of flats, this has led to substantial increases in output.

4.1.6 Future housebuilding will be managed initially in the context of the Unitary Development Plan Review, adopted in August 2006. This Plan proposes to meet housing requirements for as long as possible from brownfield windfall sites brought forward by developers, together with a package of allocations

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<sup>6</sup> <http://www.leeds.gov.uk/> then Business, then Town centre management links

<sup>7</sup> <http://www.leeds.gov.uk/> then Business, then Business support and advice, then Local economy – reports and forecasts links

<sup>8</sup> <http://www.wyltp.com/> West Yorkshire Local Transport Plan 2: - 2006 - 2011

identified for release in the first phase of the plan. Further allocations (phases 2 and 3) are held in reserve for release if and when the supply from other sources becomes deficient. The actual dates of release of these phases will be determined by criteria defined in the plan, and cannot at present be predicted.

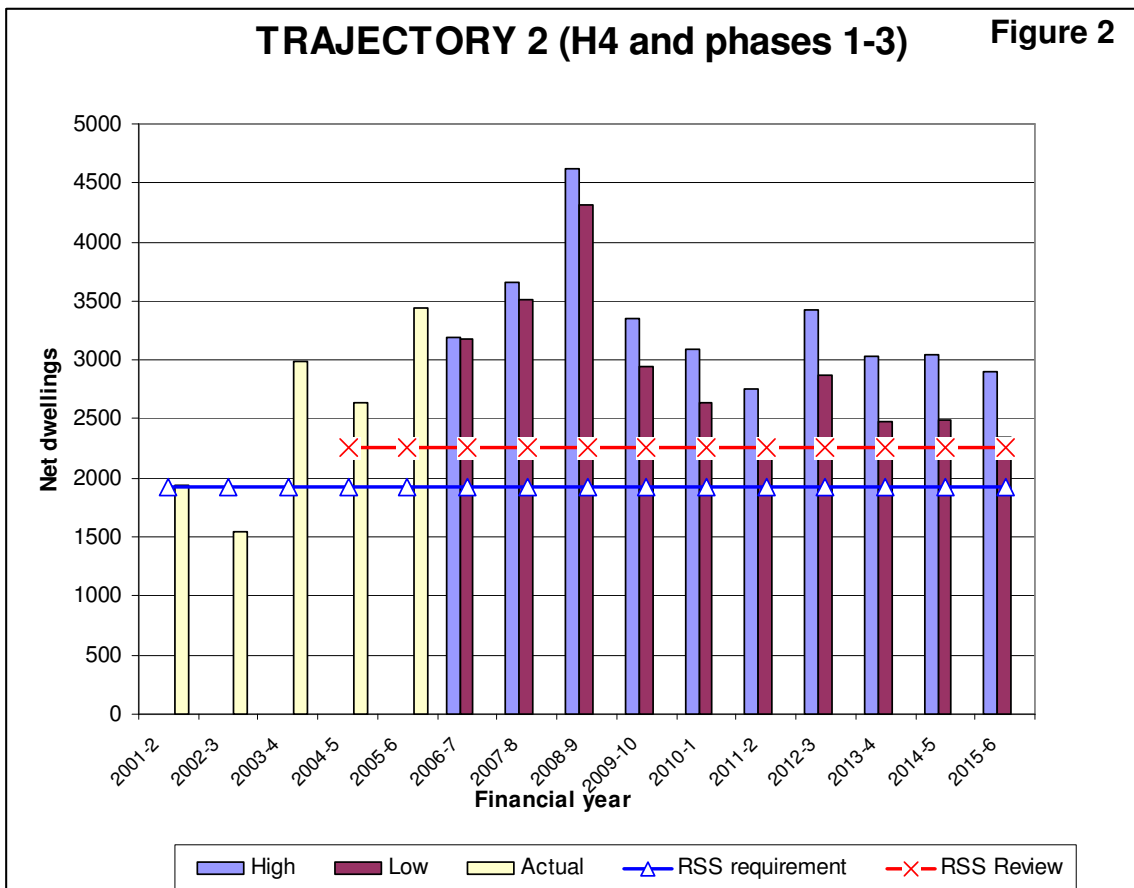
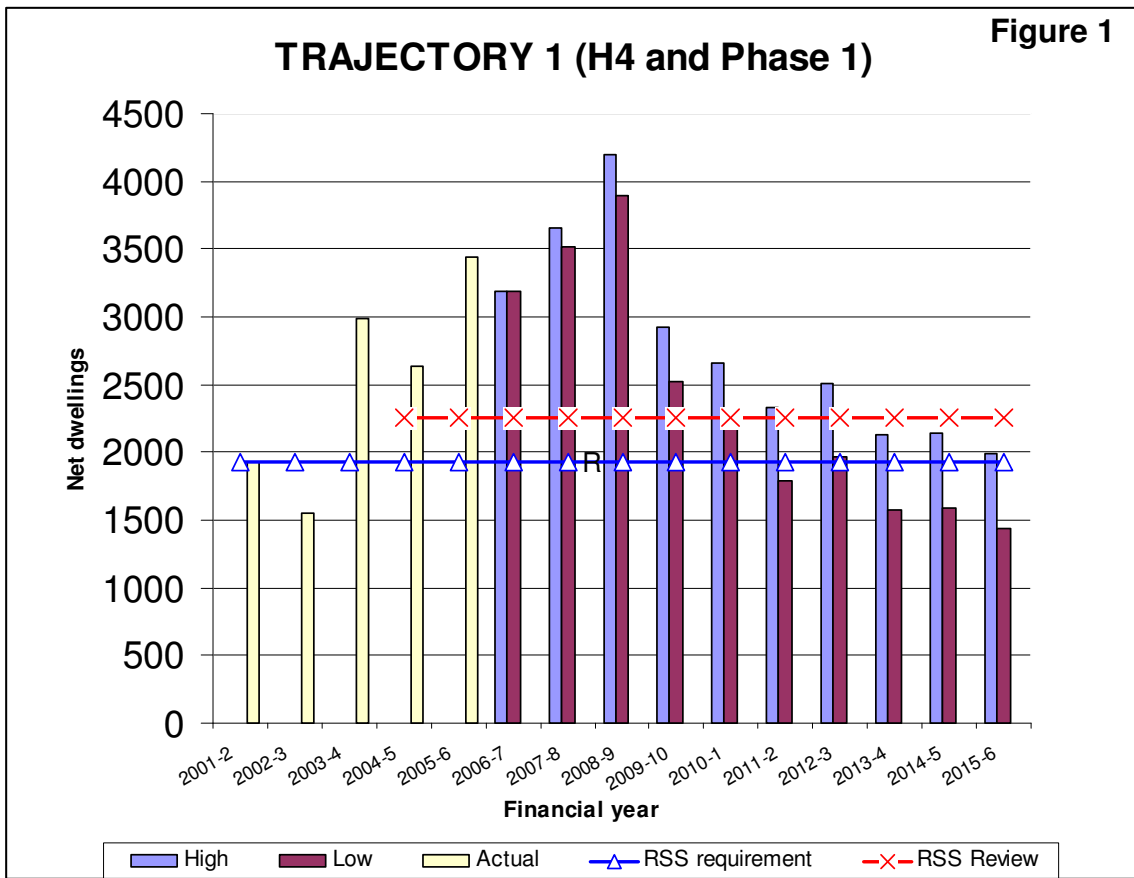
- 4.1.7 This uncertainty makes it difficult to construct a housing trajectory, as this requires events to be given precise timings. This difficulty has been dealt with by preparing two trajectories, one assuming that housebuilding is determined by windfall and phase 1 allocations alone, and the second assuming additionally that phase 2 allocations are released in 2008-12 and phase 3 allocations in 2012-16. These release dates are arbitrary assumptions, but show the maximum output possible under present policies.
- 4.1.8 Both trajectories also assume that windfall will continue at levels related to past trends. A range of windfall output is assumed, the upper limit based on continuation of the higher windfall rates since mid 2000, and the lower on the long-term average since 1991. More details about these and other assumptions are given in the Housing Land Monitor for 31 March 2006. Both trajectories also assume that clearance will continue at the average annual rate for the 5 years 2001 - 6.
- 4.1.9 Trajectory 1 (Figure 1) suggests that windfall and phase 1 allocations could be sufficient to meet the existing RSS requirement (1930 pa) until about 2012 - 3, but might start to fall short of the Review figure (2260 p.a.) a couple of years earlier. However, it is also clear that there is potential for considerable over supply in the first 3 years of the trajectory period. Were this to materialise, the effect would be to reduce the residual requirement (indicator 2a(v) below). The role of "residual arithmetic" in current housing land policy is unclear, but if applied, its effect in Leeds would probably be to enhance the adequacy of the projected land supply in later years.
- 4.1.10 Trajectory 2 (Figure 2) indicates that with the addition of phase 2 allocations from 2008 and phase 3 from 2012, there should be sufficient land to meet both existing and Review RSS requirements right down to 2016. There is potential for large surpluses in the early years, and significant over provision thereafter. It should be emphasised that this trajectory is unlikely to happen, because Trajectory 1 shows that phases 2 and 3 will probably not be needed before 2010-1 at the earliest - but it does serve to underline the probable security of supply throughout the trajectory period.
- 4.1.11 As already indicated, past over performance against planned provision means that the residual requirement is substantially reduced. Taking into account past output, the RSS requirement has fallen by 29% from 1930 to 1378 dwellings a year, and even the higher draft RSS Review requirement has already been cut by 7% from 2260 to 2105 units a year. Although defined as a core indicator, it is not clear what role these residual figures have in the future management of the land supply.
- 4.1.12 The proportions of housebuilding on previously developed (brownfield) land have risen further, the 5 year average being up from 84% in 2000 - 5 to 89% in 2001 - 6. Last year 96% of completions were on brownfield sites.

The Council attaches considerable importance to maintaining these high rates of brownfield development, and expects them to continue certainly in the short to medium term.

- 4.1.13 Housing density also continues to rise. 82% of dwellings on sites completed in the last 5 years were at densities in excess of 30 to the hectare, while in 2005 - 6 this proportion rose to 97%. The average density achieved in the last 5 years (not actually a core indicator) was 53 per hectare, and in 2005 - 6, 122 per hectare. These averages are above the indicative ranges advised in PPG3 and are testimony to the efficient and economical use of land in Leeds at present. They are closely related to the preponderance of brownfield development, which stimulates the release of small sites particularly suited to high density flat development, but also reflect strong market demand.
- 4.1.14 Additions to the stock of affordable housing remain at relatively low levels, mainly due to the fact that the indicator takes no account of losses of existing affordable housing through Right-to-Buy sales and demolition. These losses dwarf the recorded gains. In 2005-6, for example, 1191 Council houses were sold, and a further 231 vacated prior to demolition. Numbers of affordable units secured through planning powers have increased, particularly since a revised annex to the SPG was published in July 2005<sup>9</sup>. The SPG will be reviewed as necessary in the light of a Housing Market Assessment currently being undertaken.

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<sup>9</sup> The policy is set out in Supplementary Planning Guidance (SPG) No.3 'Affordable Housing Policy Guidance Note' (Feb 2003) and 'Affordable Housing Policy Guidance Note Annex' (July 2005).





## **4.2 The Supply of Employment Land**

### **Development Levels**

- 4.2.1 As in 2004/05, the land taken up in completions of office and industrial schemes has been slightly lower than the previous year (17.9 ha in 2005 / 06 vs 19.2 ha.). This reflects the lower levels of starts in 2004 compared to the recent peak year of 2001 and above-average take-up in 2002 and 2003. In 2005 / 06 the amount of land on which a start has been made is well above the long-run average (34 ha vs 25 ha) and this should mean that the completion levels in 2006 / 07 will show a reversal of the past two years and will reflect a familiar cyclical pattern.
- 4.2.2 In terms of floorspace, however, completions during 2005 / 06 were significantly higher than the previous year. Almost 98,000 m<sup>2</sup> (1.054 m ft<sup>2</sup>) of employment floorspace was completed, a rise of 50% overall. Put simply, more floorspace has been produced from a smaller land take.
- 4.2.3 The sectoral pattern of developments this year shows a sharp contrast compared to last. In terms of land, office schemes accounted for 35% of development, whereas offices comprised 61% of the employment floorspace developed. Compared with 2004 / 05, office completions rose to 59,390 m<sup>2</sup> in the year, a 130% increase.

This rise is accounted for to a large extent by the completion of several large city-centre schemes including

- No. 3 Leeds City Office Park (7440 m<sup>2</sup> gross)
- No. 2 Wellington Place (14,630 m<sup>2</sup> gross)
- No. 2 City Walk (5,950, m<sup>2</sup> gross)
- "Lateral", adjacent to City Walk (8,800 m<sup>2</sup> gross)

In all, city-centre office schemes totalled 41,900 m<sup>2</sup> on 2.5 ha.

Outside the city centre, lower density schemes predominated with a significant concentration at J46 of M1, where further phases of business park development occurred at Thorpe Park, Temple Point and Colton Mill. Out of centre schemes amounted to 17,490 m<sup>2</sup> on 3.8 ha.

- 4.2.4 Industrial completions were lower compared with last year (18,950 vs 30,745 m<sup>2</sup>, but warehousing schemes showed a large proportionate rise (15,890 m<sup>2</sup> vs 4850 m<sup>2</sup>). Despite these variations, the overall level of B2 / B8 completions remained about the same at approximately 35,000 m<sup>2</sup>.

LDF Core Indicator 1a: Land developed for employment by type								
Apr05 - Mar06							2004/05	
Development Type	Under 1000 m <sup>2</sup>		1000 m <sup>2</sup> & over		Total		Total	
	Area (ha.)	Floorspace (m <sup>2</sup> )	Area (ha.)	Floorspace (m <sup>2</sup> )	Area (ha.)	Floorspace (m <sup>2</sup> )	Area (ha.)	Floorspace (m <sup>2</sup> )
B1 Office	0.28	2780	5.992	56610	6.272	59390	8.02	26090
B1 Other			1.25	3660	1.25	3660	1.36	3680
B2 Industrial			3.604	18950	3.604	18950	8.581	30745
B8 Warehousing			6.74	15890	6.74	15890	1.213	4850
Total	0.28	2780	17.586	95110	17.866	97890	19.174	65365

Note: Extensions not included

**Table 1**

## Regeneration Areas

4.2.5 Developments in Regeneration Areas (RAs) during 2005 / 06 were of an equivalent level to 2004 / 05 at about 25,000 m<sup>2</sup> in both years, with very similar scales of land-take (7.2 ha vs 7.7 ha). As last year, RAs attracted a bigger proportion of B2 / B8 schemes than other areas but no significant office completion was recorded in 2005 / 06 within a RA. However, within the first half of 2006 / 07 there has been the completion of Phase 2 of Leeds Valley Park, at Stourton, which lies within the Aire Valley Leeds RA.

## Development on Previously Developed Land

LDF Core Indicator 1b: Land developed for employment by type in Regeneration Areas						
Apr05 - Mar06						
Development Type	Regeneration Areas				Total	
	In		Out		ha. Developed	m <sup>2</sup> complete
ha. Developed	m <sup>2</sup> complete	ha. Developed	m <sup>2</sup> complete			
B1 Office			6.27	59390	6.27	59390
B1 Other	1.25	3660			1.25	3660
B2 Industrial	1.94	14050	1.66	4900	3.60	18950
B8 Warehousing	4.01	7260	2.73	8630	6.74	15890
Total	7.20	24970	10.67	72920	17.87	97890
2004/05	7.72	25420	11.45	39945	19.17	65365

Regeneration Areas: as defined in the UDP Review

**Table 2**

4.2.6 Although completion levels are smaller this year, the proportion of the land take on Previously Developed Land (PDL) in 2005 / 06 rose slightly compared with 2004 / 05 (77.4% vs 75.7%). In terms of floorspace, however, the concentration of city centre office schemes has resulted in a sharp rise (85% vs 69%) in the percentage of floorspace completed on PDL. This was despite some significant greenfield developments at Thorpe Park, Temple Point and Colton Mill noted previously.

4.2.7 Unlike housing development, there is no target for the proportion of employment schemes that should be on PDL. Nevertheless there is a policy preference to use PDL before greenfield land. As recorded in Indicator 1c, 77% of employment development was on PDL and so the city's performance would appear to be consistent with such a policy ambition.

LDF Core Indicator 1c: Land developed for employment by type Analysis by Previously Developed Land (PDL)								
Apr05 - Mar06								
Development Type	PDL		Not PDL		Total Land		Total Floorsp	
	Area (ha)	Floorspace m <sup>2</sup>	Area (ha)	Floorspace m <sup>2</sup>	Area (ha)	% PDL	m <sup>2</sup>	% PDL
B1 Office	4.3	52120	1.972	7270	6.272	68.6	59390	87.8
B1 Other	1.25	3660			1.25	100.0	3660	100.0
B2 Industrial	3.604	18950			3.604	100.0	18950	100.0
B8 Warehousing	4.67	8840	2.07	7050	6.74	69.3	15890	55.6
Total	13.824	83570	4.042	14320	17.866	77.4	97890	85.4
2004/05	14.514	45105	4.66	20260	19.174	75.7	65365	69.0

Table 3

4.2.8 The allocated supply which is still available for employment uses amounts to about 635 ha. Over the course of the UDP plan period, take-up of this supply has been restricted, owing in large measure to infrastructure constraints in the Aire Valley area, notably the delayed East Leeds Link to J45 of M1. But, following the announcement in Dec 2005 that the link road would go ahead, approximately 200 ha. of allocated and other sites have been released. Construction of the link road is expected to start in Nov 2006 and completion is scheduled for Oct/Nov 2008.

4.2.9 As a result of this, three major sites have gained outline consents in April and May 2006:

- AMEC's proposal for an employment park of 143,500 m<sup>2</sup> on 49.1 ha. with a supporting 120 bed hotel, crèche (700 m<sup>2</sup>) and retail uses (700

m<sup>2</sup>). Within the employment uses, class B1 is subject to a maximum floorspace limit of 43,050 m<sup>2</sup>.

- Bell Wood Developments' twin proposals for 152,500 m<sup>2</sup> of B2 / B8 floorspace on 55.2 ha or for 275,000 m<sup>2</sup> of B8 floorspace on 90 ha. The latter proposal involves the release of part of the existing filter beds at Knostrop WWTW.
- Skelton Business Park, adjacent J45/M1: here outline consent on 65 ha. has been secured for 102,190 m<sup>2</sup> of B1 floorspace, plus a 200 bedroom hotel and 5000 m<sup>2</sup> of ancillary retail and leisure uses.

It is anticipated that early phases of all these proposals will be ready for the opening of the link road in late 2008. These schemes comprise the largest series of land releases in the city in the last thirty years and are acknowledged to have regional significance.

4.2.10 For allocated land, the amounts that are Previously Developed ("brownfield") and greenfield are broadly balanced at 334 ha vs 301 ha, but the greenfield supply is more concentrated upon providing for the B1 office sector rather than the B2 / B8 industrial sectors. This reflects the objectives of the UDP in providing market opportunities for sites for high quality peripheral office parks. In contrast the provision for B2 / B8 sectors is dominated by PDL sites, particularly the site of the former Skelton Grange Power Station and the land adjacent to the filter beds at Knostrop, which account for almost 150 ha.

4.2.11 The higher-than-average levels of starts of development seen in 2004 / 05 and especially in 2005 / 06 has begun to have an impact on the amount of allocated land available. About 47 ha. of allocated land were taken out of supply since March 2005 for employment and non-employment purposes and also by the "trimming" of allocation boundaries as sites became more precisely defined by planning permissions, infrastructure provision and partial development.

<b>LDF Core Indicator: 1d Allocated Employment Land Supply by Type Analysis by Previously Developed Land (PDL)</b>									
<b>31-Mar-06</b>	<b>PDL</b>			<b>Not PDL</b>			<b>Total Land</b>		
<b>Type</b>	ha.	% (2004/05)	No. sites	ha.	% (2004/05)	No. sites	ha.	% (2004/05)	No. sites
B1 Office	30.8	9.2 (8.3)	13	136.36	45.3 (52.7)	13	167.16	26.3 (29.3)	26
B1 Other	18.48	5.5 (5.5)	7	65.83	21.9 (15.8)	9	84.31	13.3 (10.4)	16
B2 & related	262.92	78.7 (79.6)	44	92.57	30.8 (29.4)	21	355.49	56.0 (55.8)	65
B8 & related	21.71	6.5 (6.7)	10	6.02	2.0 (2.1)	5	27.73	4.4 (4.5)	15
<b>Total</b>	<b>333.91</b>	<b>100.0</b>	<b>74</b>	<b>300.78</b>	<b>100.0</b>	<b>48</b>	<b>634.69</b>	<b>100.0</b>	<b>122</b>
<i>2004/05</i>	<i>359.1</i>		<i>80</i>	<i>322.5</i>		<i>55</i>	<i>681.6</i>		<i>135</i>

**Table 4**

<b>LDF Core Indicator 1d: Allocated Employment Land Supply by Type and Size</b>						
<b>31 Mar 06</b>						
<b>Type</b>	Under 0.4 ha		0.4 ha & over		ha.	No. sites
	ha.	No. sites	ha.	No. sites		
B1 Office	0.42	2	166.74	24	167.16	26
B1 Other	0.08	1	84.23	15	84.31	16
B2 & Related	1.82	9	353.67	56	355.49	65
B8 & Related	0.12	1	27.61	14	27.73	15
<b>Grand Total</b>	<b>2.44</b>	<b>13</b>	<b>632.25</b>	<b>109</b>	<b>634.69</b>	<b>122</b>

**Table 5**

4.2.12 As might be expected, windfall supply is almost entirely on Previously Developed Land - 92% at March 2006 – and shows a preponderance of small sites. Sites with office consents are more prominent this year, representing 50% of the windfall supply. However, this is a variable source of supply and its type, location and timing are uncertain. It provides a bonus rather than a supply that can be set against known sectors of demand.

LDF Core Indicator: 1d Windfall Employment Land Supply by Type Analysis by Previously Developed Land (PDL)									
31 Mar 06									
Type	PDL			Not PDL			Total Land		
	ha.	%	No. sites	ha.	%	No. sites	ha.	%	No. sites
B1 Office	44.25	49.3	76	4.54	61.5	4	48.79	50.3	80
B1 Other	5.76	6.4	12	1.848	25.0	2	7.608	7.8	14
B2 & related	7.704	8.6	14	1	13.5	1	8.704	9.0	15
B8 & related	31.978	35.7	11		0.0		31.978	32.9	11
Grand Total	89.692	100.0	113	7.388	100.0	7	97.08	100.0	120

Table 6

LDF Core Indicator 1d: Windfall Employment Land Supply by Type and Size						
31 Mar 06						
Type	Under 0.4 ha		0.4 ha & over		ha.	No. sites
	ha.	No. sites	ha.	No. sites		
B1 Office	1.77	9	5.84	5	7.61	14
B1 Other	0.90	6	7.80	9	8.70	15
B2 & Related	7.83	47	40.96	33	48.79	80
B8 & Related	1.90	8	30.08	3	31.98	11
Grand Total	12.40	70	84.68	50	97.08	120

Table 7

### Loss of Employment Land to Non-Employment Uses

4.2.13 Table 8 sets out details of the loss of employment land to non-employment uses (Key Indicator 1e). There has been a slightly lower level of gross loss this year compared to last (12.7 ha vs 16.1 ha). This, coupled with more gains of employment land from green-field and previously-developed sites than last year, has resulted in a net gain of employment land across the city of roughly equal size to last year's loss (6.4 ha vs 5.3 ha).

4.2.14 A point made in last year's AMR is that Indicator 1e is a new monitoring instrument for which there is no historical series against which to judge "normal" fluctuations. It is possible that it will show an erratic path year-to-

year. Of greater interest in the short term are the gross losses and gains and the different geographical patterns they make.

4.2.15 Gains this year on green-field sites have featured new phases of peripheral Key Business Parks at Thorpe Park, Temple Point and Airport West, with the emphasis on office space. In contrast, losses have tended to feature small sites distributed broadly equally between the outer settlements, the outer suburbs and the inner core of the city.

4.2.16 It was reported in last year's Monitor that the Council's concern over the loss of employment land to housing had prompted some proposals to amend UDP Policy E7 – a saved policy in the LDF. However, the UDP Review Inspector did not accept the Council's proposals and this resulted in a modification that weakened Policy E7 in cases where housing is proposed on employment land.

4.2.17 So far, it is too soon to see the impact of this change to Policy E7, but in the past two years the Council has been successful in preventing the proposed loss of two allocated employment sites in Morley. It would appear that allocations can be protected where the Council can show clearly that their loss would undermine economic development or regeneration factors in local areas.

<b>LDF Core Indicator: 1e Loss of Employment Land to non-employment uses, in Leeds MD and Regeneration Areas (1) 2005 - 2006</b>				
<b>Apr05 - Mar06</b>				
	<b>Leeds MD</b>		<b>Of which: Regen Areas</b>	
<b>Loss to</b>	<b>ha</b>	<b>No. sites</b>	<b>ha</b>	<b>No. sites</b>
Housing	11.66	41	2.09	4
Retail / other commercial	.66	2	.17	1
Other	.39	1	.39	1
Total Loss 2005 / 06	12.71	44	2.65	6
<i>2004 - 05</i>	<i>16.06</i>	<i>47</i>	<i>3.10</i>	<i>5</i>
<b>Gain from</b>	<b>ha</b>	<b>No. sites</b>	<b>ha</b>	<b>No. sites</b>
Greenfield Sites	13.64	13	0	0
PDL not in employment use (2)	5.45	15	1.95	2
Total Gain 2005 / 06	19.09	28	1.95	2
<i>2004 / 05</i>	<i>10.72</i>	<i>14</i>	<i>4.31</i>	<i>1</i>
Net Loss (Gain) 2005 / 06	(6.38)		0.7	

Note: Losses / Gains are based on start of development

**Table 8**

(1) *Regeneration Areas: as defined in the UDP Review*

(2) *Employment Land re-used for employment purposes: 14.6 ha on 14 sites of which 5.0 ha in Regen Areas*

4.2.18 However, in cases where employment sites are unallocated it is much more difficult to prevent their loss to residential use. The losses to housing recorded in Indicator 1e are almost entirely on unallocated sites. These are mainly small sites where it is extremely difficult to show that the loss of the individual sites would undermine local economic strategies.

4.2.19 In his report, the UDP Review Inspector commented that he was not convinced that the losses of employment land to housing were yet a matter for concern and did not consider that the scale of loss justified the changes proposed to Policy E7. The Inspector's view raises an important issue about indicator 1e. The small annual incremental changes of the kind observed so far using this indicator will need to be seen in the light of their cumulative patterns. In future editions of the AMR, the presentation of this indicator will be supplemented by material on cumulative change and its geographical expression.



### **4.3 Retail, Office & Leisure Developments**

- 4.3.1 DCLG Core Output Indicators 4a (amount of completed retail, office and leisure - Use Classes A1, B1a and A2 and D2 respectively in the Use Classes Order as amended<sup>10, 11</sup>) and 4b (percentage of completed retail, office and leisure development respectively in town centres and out of town centres) can not be met for the time period of the current AMR. Retail floorspace data has been collected for prior time periods (June 1998 - December 2002). In the case of leisure, floorspace data has never been collected for the whole district. Office (Class B1a) has been collected. It is intended that retail and leisure data will be available in future and the need to collect these data is being taken into account as a priority during a review of monitoring arrangements (Section 5.1).
- 4.3.2 The introduction of a new planning and Building Regulation application processing system has provided an opportunity to collect floorspace data in a more systematic and regular basis, subject to resources being available. The issue of resources is discussed in para 5.2.11
- 4.3.3 The Yorkshire & Humber Assembly had previously suggested potential alternative data sources for floorspace other than development control records, to include the Valuation Office Agency (VOA) and Goad Plans from Experian Ltd. The suitability of these sources is still under consideration. Closer working relationships with the VOA, a known source of floorspace data, could possibly lead to more floorspace data being made available locally. In Leeds further work is being undertaken with the VOA to develop the potential for using Non-Domestic Rate data to provide information on vacancies. Nationally the DCLG already use VOA floorspace data as a major component in their definition of Areas of Town Centre Activity.
- 4.3.4 Town Centre survey work was undertaken in the second half of 2006. This should give an up-to-date source of vacancy levels in the 28 Town and District Centres in Leeds. This is an important source of the performance and vitality of centres and will also provide an up-to-date picture of the types of uses present in these centres.
- 4.3.5 Vacancy rate is a coarse measure of how well a centre is considered to be performing. There is a wide variation in vacancy rates, measured as a percentage of the number of shop units, across the city from 0-30%. In general terms the highest vacancy rates tend to coincide with those centres that are not performing well and have major issues concerning vitality and viability. It is noticeable that the City Centre is in the mid teens in terms of vacant number of shops, and has been for the last few years, a higher level of vacancy than would be expected of a city centre that is considered to be an attractive shopping destination. A number of major redevelopment schemes at Trinity Quarter and Albion Street have contributed to the high

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<sup>10</sup> [http://www.opsi.gov.uk/si/si1987/Uksi\\_19870764\\_en\\_2.htm](http://www.opsi.gov.uk/si/si1987/Uksi_19870764_en_2.htm)

<sup>11</sup> <http://www.planningportal.gov.uk/england/professionals/en/1111424875869.html>

level of vacancies in the city centre pending future developments. However overall there is still a relatively high vacancy rate.

- 4.3.6 There are definitional issues that need to be discussed further with DCLG and the Regional Assembly. These involve the classification of floorspace and ways in which it is measured. No progress has been made during the last year but recent strengthening of monitoring resources at the Regional Assembly will present the opportunity to work towards regional agreement on a consistent measure.

## **4.4 Transport**

### **Accessibility**

- 4.4.1 Two key indicators relate to transport issues - accessibility of new homes to various facilities and the level of compliance with non-residential car parking standards.
- 4.4.2 The accessibility measure, "percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre" is not currently monitored. It is an ambiguously worded indicator. As drafted it is not clear whether it refers to six separate indicators of accessibility or whether, to meet it, development has to be within 30 minutes public transport time of all six sub-indicators. No work has yet been done on using this measure in development plan terms.
- 4.4.3 Some work on accessibility is done within the ambit of the West Yorkshire Local Transport Plan (LTP). This uses Department for Transport (DfT) core accessibility indicators for residents of Leeds District. The indicators were calculated using public transport data for autumn 2004 and Population Census data from 2001.

#### **Access to further education**

85.4% and 99.9% of 16 – 19 year olds are within 30 and 60 minutes of a further education establishment by public transport.

#### **Access to work**

98.9% and 99.9% of people of working age are within 20 and 40 minutes of an employment centre by public transport.

99.6% and 99.9% of people in receipt of Jobseekers allowance are within 20 and 40 minutes of an employment centre by public transport.

#### **Access to hospitals**

87.1% and 99.9% of all households are within 30 and 60 minutes of a hospital by public transport.

92.2% and 99.9% of households without a car are within 30 and 60 minutes of a hospital by public transport.

### **Access to GPs**

97.6% and 99.8% of all households are within 15 and 30 minutes of a GP by public transport.

99.1% and 99.9% of households without a car are within 15 and 30 minutes of a GP by public transport.

### **Access to primary schools**

99.5% and 99.9% of all 5 - 11 year olds are within 15 and 30 minutes of the nearest primary school by public transport.

### **Access to secondary schools**

95.9% and 99.8% of all 12 – 17 year olds are within 20 and 40 minutes of the nearest secondary school by public transport.

- 4.4.4 The bulk of Leeds is heavily urbanised and it has a dense public transport network. Consequently, at current service levels a very high proportion of the population falls within the 30 minute accessibility standard in the Key Indicator. For example, according to the figures set out above 99.9% of 5 -11 year olds live within 30 minutes of the nearest primary school. Even if this measure is tightened to 15 minutes most of the District, and 99.5% of pupils, are covered.
- 4.4.5 As LDF policies are developed different local accessibility standards will be considered more appropriate to support local aspirations such as those contained in the Vision for Leeds. Accessibility to a range of facilities is one of the objectives in the Sustainability Appraisal framework against which every LDF policy option is assessed. Considerable work will be needed to develop ways of measuring accessibility and this is covered further at paras. 5.2.8 – 5.2.10

### **Parking**

- 4.4.6 The parking standard indicator "percentage of completed non-residential development complying with car-parking standards set out in the local development framework (in the Regional Transport Strategy for the Regional Assembly)" is not measured. It is considered that the majority of developments comply with the standards and only in special circumstances are the guidelines exceeded. Due to the large number of applications and the very infrequent proposed over-provision it is felt inappropriate to devote further resources to this issue.

## **4.5 Green Space**

- 4.5.1 One of DCLG's Core Indicators is the "percentage of eligible open spaces managed to green flag award standard" (Indicator 4c) related to total open space. This is defined as 'all accessible open space, whether public or privately owned'.

- 4.5.2 The City Council's Parks and Countryside Division (Department of Learning & Leisure) manage around 150 sites that would be eligible for Green Flag assessment. There is a programme in place to assess about 50 of these sites a year. An assessment of 46 sites was conducted in 2005 against the Green Flag standard, and a further batch of assessments was been carried out in 2006. There is also a planned assessment for 2007.
- 4.5.3 A performance indicator has been developed and in 2005 13% of sites assessed met the standard for the field based assessment only, against a target of 12%. The performance indicator for 2006 has been set at 14%. In order for a site to meet the full Green Flag assessment the site must have a management plan. This is a time consuming process to develop and given the number of eligible sites. A rolling programme of preparing management plans for key sites is therefore necessary.
- 4.5.4 Five sites were awarded Green Flag status in 2006:
- Lotherton Hall
  - Temple Newsam
  - Golden Acre Park
  - Pudsey Park
  - Roundhay Park
- 4.5.5 Quantitative information on green space and countryside character is not currently available. Planning Policy Guidance Note 17<sup>12</sup> requires local authorities to carry out an audit of open space, sport and recreation facilities and to assess existing and future needs of local communities. This work has not yet been done owing to other urgent commitments in progressing Development Plan Documents included in the Council's LDS and approved by the Government Office. A scoping exercise has been completed but, in view of current resource difficulties, the precise timing for doing this work has not been finalised. It is anticipated that the survey work required for the PPG17 audit may be carried out in the Summer of 2007.
- 4.5.6 As part of the Council's preparation for undertaking this audit, work is underway to agree a common data set from the information held by the Development Department and Learning & Leisure Department. This will provide the initial data for a desk top study to be carried out at the initial stage of the PPG17 audit. This data capture will be completed by January 2007. Completion of the PPG17 audit will inform work being undertaken as part of the Green Flag scheme but also influence priorities for spending Section 106 receipts from developers for investment in greenspace.

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<http://www.communities.gov.uk/index.asp?id=1144067>

4.5.7 In appropriate cases the City Council has an active programme of seeking commuted sums under Section 106 of the Town & Country Planning Act 1990. The payments arise for various reasons. Some have related to areas closely affected by the Supertram Scheme which has now been formally abandoned. Developer contributions continue to be sought to deliver other public transport infrastructure projects. Other payments help fund affordable housing or greenspace not provided in full or part on the sites of planning applications or where residential schemes are located in areas of greenspace deficiency as measured against Policy N2 of the Adopted UDP. Table 9 gives an indication of the scale of this programme in 2005 / 6. The largest proportion of this is used to secure new or improved green space and recreational facilities in those locations which are in close proximity (i.e. same community area) as the developments that generated the funding. Apart from on residential schemes themselves, the opportunity to create new greenspace is rare and the majority of greenspace S.106 receipts is invested in raising the quality of existing greenspace. This balance may change in the light of future policy directions.

	<b>Income 2002 / 03</b>	<b>Income 2003 / 04</b>	<b>Income 2004 / 05</b>	<b>Income 2005 / 06</b>	<b>% of Income 2005 / 2006</b>
<b>Greenspace</b>	£1,358	£1,384	£1,169	£975	37
<b>Supertram</b>	£665	£218	£483	£639	24
<b>Affordable Housing</b>	£371	£1,584	£299	£779	30
<b>Community Benefits</b>	£319	£241	£89	£92	3
<b>Other</b>	£603	£725	£352	£165	6
<b>TOTAL</b>	<b>£3,316</b>	<b>£4,152</b>	<b>£2,392</b>	<b>£2,650</b>	<b>100</b>

*Money in £1,000s*

**Table 9**

4.5.8 There has been a significant increase in performance in spending greenspace sums. A sum of £975,000 was received in 2005/6 but, against that, £1,060,829 was approved for spending by using funds carried forward from the previous year. This compares with approval for £634,000 in 2004/5. However, it must be appreciated that maintaining growth in spending year on year is not guaranteed. This is due to:

- The size of projects undertaken
- The need to hold funding back in some years until other finance becomes available to deliver a particular scheme in a particular location. This may involve funding from external agencies such as Sport England and the National Lottery.
- The seasonal nature of some of the work and the effects of a particular cold Winter / wet Spring.

- 4.5.9 Information on these monies is held in disparate ways. The capability of monitoring the effect of this work in detail is under development and it is intended to incorporate more information in future AMRs. It is intended to design a database to better coordinate the handling of Section 106 monies. The recent appointment of a Planning Agreement Manager should improve the coordination of the overall Section 106 process and continued improvements are being sought.
- 4.5.10 As part of its work the Regional Assembly is bringing together information on the scale of Landscape Character Assessments within the Region. The UDP contains areas designated as Special Landscape Areas but no Landscape Character Assessment has been carried out in Leeds since these were defined in the early 1990s and currently there is no intention to do another one.
- 4.5.11 The City Council proposed additions to the Green Belt in the UDP Review as an Alteration to the Adopted UDP. This would have entailed returning areas to the Green Belt presently designated for potential longer term development as Protected Areas of Search (PAS). These areas of land were formerly in the Green Belt in earlier Local Plans. This proposal affected around 352 hectares. However, it was rejected by the Inspector in his decision received by the Council in Nov. 2005 and his recommendations have been accepted by the Council. The Green Belt boundary therefore remains unchanged.

## **4.6 Environmental Issues**

### **State of the Environment Report**

- 4.6.1 The Environment Agency is responsible for monitoring and acting on a wide range of environmental issues<sup>13</sup>. The Agency is keen to find ways of sharing data on these in a meaningful way with Local Authorities, who also have many environmental responsibilities. It is currently looking at ways in which information can be reported at a more local level and in a timely manner. It is hoped to gradually include some of this material in this section of LDF Annual Monitoring Reports and to relate it to environmental work carried out by the City Council and to LDF policies that seek to improve the City's environment.

### **Minerals**

- 4.6.2 Two DCLG Core Indicators relate aggregate production. Eight sites in Leeds contributed towards the production of 755,990 tonnes of primary land won aggregates (Indicator 5a), the latest figures the City Council has provided to the Regional Aggregates Working Party (RAWP).
- 4.6.3 Core Indicator 5b covers the production of secondary and recycled aggregates. No secondary aggregates were produced in Leeds. It is estimated that about 250,000 tonnes of recycled aggregates were produced

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<sup>13</sup> <http://www.environment-agency.gov.uk/yourenv/>

but this estimate is subject to wide margins of error. There is likely to have been an increase on the previous year. It is considered that production capacity has been increasing recently. However, this is an area where there is no process for obtaining accurate production figures.

- 4.6.4 The City Council is assisting the contractor currently working on a two-stage study of sand and gravel resources at regional level. Phase 1, which has investigated resource levels, has been completed. Phase 2 will be carried out in 2007. This will assist the drafting of a strategy on how best to exploit these resources and where to source sand and gravel within the region.

### **Waste Management**

- 4.6.5 There are two DCLG Core Indicators relating to waste management. Indicator 6a covers the capacity of new waste management facilities, by type. Recent studies commissioned by the North East Environment Agency will, when completed, establish a baseline position to which new facilities can be related. In Leeds two new waste management facilities were approved:

- Arthington Quarry – a large composting facility with a capacity of 70,000 tonnes per annum. It will take some time to achieve the maximum capacity.
- Howley Park, Morley – an above ground land forming site with an ultimate capacity of 80,000 m<sup>3</sup>.

- 4.6.6 Leeds has reviewed its first integrated municipal waste strategy and produced a draft strategy for the period 2005 - 2035. The strategy outlines the context for and principles of the Council's strategic vision for waste management over the next 30 years and informs the action plan that accompanies the strategy.

- 4.6.7 The review of the strategy was undertaken from December 2005 to June 2006 in an extensive consultation with the people of Leeds and other key stakeholders. The responses to the consultation have all been considered and incorporated where appropriate into the final version of the Strategy which has now been approved<sup>14</sup>. The strategy will inform the procurement of an integrated waste management contract for the Council which will span the life of the strategy.

- 4.6.8 Key principles of the strategy are sustainability, partnership and being realistic & responsive. There are nine key themes for taking these principles forward and policies to ensure that the City Council delivers sustainable waste management. These policies link directly into the Strategy's action plan.

- 4.6.9 Ensuring sustainable development forms part of a city-wide response to the concern to achieve a better balance between economic prosperity, social

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<sup>14</sup> Integrated Waste Strategy for Leeds 2005 – 2035, Leeds City Council, October 2006

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.

4.6.10 Concern over growing environmental damage has led to international targets to reduce greenhouse gas emissions and other environmentally harmful effects. Through the strategy the City Council is working to further reduce the amount of biodegradable waste being sent to landfill and reduce Leeds' impact on climate change. The aim is to stimulate new and emerging businesses across Leeds whose primary purpose is to re-use items or reprocess materials. This will move waste management up the waste hierarchy with particular focus on reduction. The Council's specific aim is to reduce annual growth in municipal waste in Leeds to 0.5% per household by 2016.

4.6.11 In terms of planning the strategy looks to assist with meeting the requirements of sustainable waste by exploring the development of a sustainable energy park which could include, as well as a Materials Recycling Facility and Energy from Waste Facility, an education centre and business incubation units. Work also continues to ensure recycling opportunities are available across the City and that appropriate requirements are contained within the LDF to facilitate this.

4.6.12 Tables 10 and 11 show the amount of municipal waste arising for 2005 / 6 compared with recent years. It shows a small decrease in the total waste arisings. The Landfill Allowance Trading Scheme (LATS)<sup>15</sup> has brought about a decrease in the amount of waste being landfilled and there has been a small rise in waste recycled. The aim through the Strategy is to recycle 40% by 2020.

Management Type	1999 – 2000	2000 – 2001	2001 – 2002	2002 – 2003	2003 – 2004	2004 - 2005	2005 - 2006
Green (Compost)	1,363	1,852	4,965	8,006	7,953	12,644	13,540
Other Recycled	20,618	22,308	32,737	33,888	40,357	53,570	57,389
<i>Total Recycled</i>	<i>21,981</i>	<i>24,160</i>	<i>37,702</i>	<i>41,894</i>	<i>48,310</i>	<i>66,214</i>	<i>70,929</i>
Waste Incinerated	0	0	0	1,293	113	100	87
Waste Landfilled	254,206	275,080	280,143	284,690	283,828	271,677*	261,439
<b>Total</b>	<b>276,187</b>	<b>299,240</b>	<b>317,845</b>	<b>327,877</b>	<b>332,250</b>	<b>337,990*</b>	<b>332,455</b>

Figures in tonnes

\* amended from previous AMR

**Table 10**

<sup>15</sup> <http://www.letsrecycle.com/legislation/landfillallowances.jsp>



Management Type	1999 – 2000	2000 – 2001	2001 – 2002	2002 – 2003	2003 – 2004	2004 - 2005	2005 - 2006
Green (Compost)	0.5	0.6	1.6	2.4	2.4	3.8*	4.1
Other Recycled	7.5	7.5	10.3	10.3	12.1	16.1*	17.3
<i>Total Recycled</i>	<i>8.0</i>	<i>8.1</i>	<i>11.9</i>	<i>12.8</i>	<i>14.5</i>	<i>19.9*</i>	<i>21.3</i>
Waste Incinerated	0	0	0	0.4	<0.0	<0.0*	<0.0
Waste Landfilled	92.0	91.9	88.1	86.8	85.4	80.1*	78.6
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Percentages of total waste

\* amended from previous AMR

**Table 11**

### **Flooding / Water Quality**

4.6.13 DCLG Indicator 7 relates to the number of planning permissions granted contrary to the advice of the Environment Agency on either flood defence or water quality grounds. These are important considerations when judging the acceptability of detailed development proposals and the strategic policies that support them. It has not been possible to reconcile the records of the City Council and the Agency this year in time to include figures in the AMR. The reasons for the data differences are being investigated.

### **Biodiversity**

4.6.14 DCLG have two core indicators on biodiversity, both relating to recording change in areas and populations of biodiversity importance.

4.6.15 Indicator 8(i) covers change in priority habitats and species (by type). In Leeds there is currently no systematic recording of changes to priority species and habitats as a result of development activity. This issue will be reviewed in the light of future work on Sustainability Appraisals.

4.6.16 Indicator 8(ii) relates to change in areas designated for their intrinsic environmental value including sites of international, national, regional, sub-regional or local significance. In the year 2005 – 6 there was no change affecting any such areas. One case still in progress concerns the South Leeds School PFI project and its effect on Middleton Woods Local Nature Reserve. This will be reported in the appropriate edition of the AMR when it is resolved.

### **Renewable Energy**

4.6.17 DCLG Core Indicator 9 covers data on renewable energy capacity installed by type, such as bio fuels, onshore wind, water, solar energy and geothermal energy. No information is currently available for Leeds. This issue is covered in the new Regional Spatial Strategy which underwent its Examination in Public in September and October 2006. The RSS policy ENV5 includes suggested targets for each local authority in the Region. The indicative renewable energy potential in Leeds is suggested by the RSS as 11.3MW by 2010. The establishment of appropriate monitoring

arrangements will be considered by the Regional Monitoring Group convened by the Regional Assembly

4.6.18 The City Council is developing a policy which would require a percentage of the energy needs of new developments to come from on-site renewable sources. It is hoped to explore this as part of the LDF Core Strategy in 2010, through earlier in the Area Action Plans currently in hand and also as part of work in relation to preparation of a Supplementary Planning Document on Sustainable Design & Construction. Such an approach will make planning permission dependent on a developer being able to show that they have met the required percentage of renewable energy. This data will form the basis of monitoring the performance of the policy.

4.6.19 Such a policy will take some time to have any significant effect because the bulk of the built stock will not be directly affected. A range of approaches is needed to secure renewable energy and to improve the efficiency of the energy demands of all buildings and transport. The City Council now employs a Climate Change Officer who will look at ways in which the Council can tackle climate change through other means.

## **5 Developing the Monitoring System**

### **5.1 Overall Approach**

5.1.1 The approach to monitoring in the new LDF system is considerably more prescriptive and complex than that used for previous development plan systems. Inevitably it is involving a period in which its implications are absorbed and new monitoring arrangements are developed. Over time the AMR will become more comprehensive and will grow in line with the production of new LDF documents and policies developed with the new arrangements in mind.

5.1.2 In Leeds the outlines of enhanced monitoring arrangements are taking shape. This section of the AMR describes briefly some important features and section 5.3 outlines progress since the previous Annual Monitoring Report. The principle arrangements will comprise:

- a policy testing routine
- a 'data pool'
- an accessible location for information
- stakeholder involvement

#### **Policy Testing Routine**

5.1.3 A 'tool kit' of advice for policy developers is being developed which will help them to make these checks. An early stage in preparing this involved the development of a flow chart which showed the links between the drafting of policies and the need to carry out Sustainability Appraisals and to ensure that policy performance can be monitored. It will form the basis of a series of policy development processes on which a start has been made. These

will form part of the tool kit and should help make sure that LDF document production is carried out consistently over time.

### **Data Pool**

- 5.1.4 Policy monitoring has resource implications. There is a premium on making the best use of any information collected by the City Council or made available by other agencies. It will often be possible to use the same information in different contexts. This should avoid cases arising where essentially the same information is collected for different purpose using slightly different definitions.
- 5.1.5 To ensure that people can easily find out what data is being collected the concept of a data pool is being adopted. Because of the likely differing nature of the material collected the pool will consist essentially of a web-based metadata system. Ways of providing links to the information via this system are being investigated. The data pool will not be confined to information collated by the City Council. There are many agencies generating information relevant to Leeds and its LDF such as the Environment Agency<sup>16</sup> <sup>17</sup>, the Audit Commission<sup>18</sup> and the Office for National Statistics (ONS). In particular, ONS is developing a statistical facility called Neighbourhood Statistics<sup>19</sup> which contains an increasing volume of data on small areas such as electoral wards.
- 5.1.6 Part of the advice in the policy testing tool-kit will be on the steps to take to research and / or develop new information sources if nothing suitable exists in the pool. This advice will cover resourcing issues. There can be a risk that commitment to monitoring any particular policy can be hampered because the likely cost of gathering relevant monitoring information is excessive or not budgeted for.

### **Accessible Evidence**

- 5.1.7 In order to develop an evidence-based, 'robust' LDF easy access should be provided to the evidence contained in the data pool and used in a wide variety of working documents and databases. There is a need to develop an accessible system in depth.
- 5.1.8 The AMR model currently envisaged will be to present a fairly slim document acting as an 'executive summary' of the monitored position. Links will be provided to working documents and, at the most detailed level, access to the data pool. This will most easily be done in a web access environment but it needs to be backed up by a well referenced set of documentary evidence.

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<sup>16</sup> <http://www.environment-agency.gov.uk/yourenv/eff/>

<sup>17</sup> <http://www.magic.gov.uk/>

<sup>18</sup> <http://www.audit-commission.gov.uk/performance/dataprovision.asp>

<sup>19</sup> <http://www.neighbourhood.statistics.gov.uk/dissemination/>

- 5.1.9 The proposed work programme for developing LDF monitoring includes investigations into how this can best be done. One possibility may be to link the LDF information to one of the other public map access projects being developed by the City Council.

### **Sustainability Appraisals**

- 5.1.10 All Local Development Documents will be subject to sustainability appraisals. This will help identify the significant effects that policies in LDDs are likely to have on the social, environmental and economic objectives by which sustainability is defined.
- 5.1.11 The LDF monitoring framework must help identify whether the implementation of policies affects an area as intended. Sustainability Appraisal targets have been developed. They are linked to sustainability objectives and related indicators to provide a benchmark for measuring policy effects. A wide range of indicators is needed to ensure a robust assessment of policy implementation. Where possible, Sustainability Appraisal indicators will draw upon a common LDF data pool to make the best use of available resources.

## **5.2 Monitoring Issues**

- 5.2.1 There are many issues that relate to data collection. Some of these were identified many years ago but have so far proved resistant to solution. Certain key ones are discussed next as they significantly influence any work programme designed to improve the range and depth of future Annual Monitoring Reports. This work will be carried out in cooperation with the Regional Assembly and with advice from DCLG. Any decisions taken on developing the Council's monitoring system will have to ensure that the information requirements of these two bodies can be met as far as is practicable.

### **Data Definition**

- 5.2.2 Definitional issues become particularly problematic when transferring information between authorities, in particular between a local authority and regional or national bodies who have a wider monitoring remit. As has already been noted the AMR has sought to provide information to satisfy the needs of DCLG and the Regional Assembly, not always successfully.
- 5.2.3 Data definition issues are being investigated as part of the Government supported Planning & Regulatory Services Online (PARSOL) project<sup>20</sup>. PARSOL seeks to develop a common way of transferring data online but the scope of the project is being widened to include issues of data definition. There is little point in agreeing a common computer standard for data transfer if there is no agreement on what information should be collected and how it should be defined. The City Council will attempt to

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<sup>20</sup> <http://www.parsol.gov.uk/index.html>

adapt its monitoring work to any consensus that emerges from the PARSOL project.

### **Collectability**

5.2.4 In its Good Practice Guide the Government (*op cit*) asked for each AMR to include data for a set of 28 indicators. In its first AMR the City Council information was not available to provide returns on 11 of these. In a few cases this was because the necessary data aren't collected systematically in Leeds. In other cases it is difficult to understand how such data could be measured. In at least 2 cases data were returned but is not clear how much use the information would be. These problems affect the credibility of new emphasis on evidence-based policy development and they need tackling (re. para. 5.3.8).

### **Spatial Differentiation**

5.2.5 There is a need to use monitoring information in various contexts. It is recognised that monitoring will need to be done for a variety of areas of Leeds as well as for the city as a whole. For example:

- LDF policies will often relate to specific Local Development Documents (LDDs) or Supplementary Planning Documents (SPDs). These sometimes relate to sub-areas of Leeds such as Area Action Plans and town centres.
- Individual wards and groups of wards such as those covered by an Area Committee.
- Zones with particular levels of accessibility to specified facilities. Accessibility will be an important measure of spatial strategies and measuring it will be an important area of monitoring development.

5.2.6 Existing monitoring systems are not capable of providing data with sufficiently flexible ways of grouping the information spatially. The City Council is committed to improving the quality of its Local Land & Property Gazetteer (LLPG), which will form the central point of reference for the City Council's address-based information. Work is underway to link such Council information to specific addresses including, most importantly for LDF monitoring, the new business system that processes planning and Building Regulation applications. This is the principal source of information on new development. It is used to provide data on housing stock and commercial land-use commitments, employment land development and provision of leisure facilities.

5.2.7 By referencing individual planning commitments at land parcel / property level the ability to monitor development over a range of spatial areas of interest will be significantly enhanced. In addition to this improvement an investigation has been started into how the use of GIS can be harnessed to handle these improvements in data referencing.

### **Accessibility Within Leeds**

5.2.8 One of the key tests for any developing spatial strategy will be the level of accessibility to various types of land use. There is only one explicit

accessibility indicator in the current DCLG Core Indicator list. Indicator 3b requires information on the percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre. There is currently no effective way of measuring this in Leeds.

5.2.9 The need for such indicators is high. Within the LDF it is anticipated that accessibility issues will be important and will relate to various modes of transport. Currently some work is done in West Yorkshire on accessibility by public transport as part of preparing and monitoring the Local Transport Plan. Examples of measures for Leeds residents include:

- **access to school** – 99.5% and 99.9% of primary school pupils respectively within 15 minutes and 30 minutes access by public transport to the nearest primary school
- **access to a hospital** – 87.1% of households are within 30 minutes by public transport

5.2.10 Figures are calculated by West Yorkshire PTE (Metro) in conjunction with the Metropolitan Districts using a relatively simple model to measure public transport accessibility. The residential end of trip calculations uses Census Output Areas. Any development work will need to include other modes of travel, including walking and cycling. This will be a major item in the work programme.

### **Resources**

5.2.11 A major issue in the development of LDF monitoring will be the cost and availability of resources to do the work. In a city as large and dynamic as Leeds there is a large volume of material to be collected, collated and analysed. The City processes over 7000 planning applications and about 5000 Building Regulation applications each year. Some monitoring uses attributes of these applications. These are not always collected during the processing of the applications to produce decisions.

5.2.12 An example is floorspace. This is expensive in staff time to measure. Because proposals can change between being submitted and being approved it is not best practice to measure the plans in detail when they are submitted. This inevitably leads to a degree of double handling of plans.

5.2.13 DCLG recognises the resource issue in its Good Practice Guide. One element of the work programme described below will be to assess the resources needed to monitor policies and, where these are considered excessive, to agree a way of costing the work and of determining priorities. Additionally, the development of a data pool should encourage the use of material for a variety of purposes thus lowering its effective cost.

## **5.3 Progress Since the Last AMR**

### **The Leeds Monitoring Process**

5.3.1 Progress has been slow over the first year or so of the new working context. This has been largely due to three factors.

- 5.3.2 Firstly, the staff principally involved in drafting new DPDs have been heavily occupied in developing the new working arrangements needed to operate the new development plan system and to start work on the plans included in the Local Development Scheme (re. para 3.2). At the same time the final work on implementing the Inspector's recommendations for the review of the Unitary Development Plan (RUDP) has had priority (re. para. 3.4). This work had to follow a critical timetable to ensure that the RUDP could continue to act as the Leeds Development Plan while the initial LDF policy documents are produced and approved. This has slowed work on introducing effective routines to ensure that LDF policies are fully tested against supporting evidence.
- 5.3.3 Secondly, proposals have been agreed to increase the number of staff dedicated to provide monitoring support for LDF work and to support the Council's Land & Property Gazetteer. Delays were experienced in getting these staff in place. This has now been achieved and the benefit of a strengthened monitoring resource should start to be felt during the next year.
- 5.3.4 Thirdly, while some of the LDF's Evidence Base is available on-line it is not yet adequately indexed or accessible. Responsibility for maintaining and developing evidence rests with different parts of the City Council and coordination of this effort will take time.
- 5.3.5 The first and third of these delays has also hampered efforts to ensure that monitoring issues are raised at stakeholder meetings.
- 5.3.6 Work has started on inter-departmental coordination of this evidence so that people based, land based and transport based evidence can be accessed from one place. Wherever possible, access will be made available to the general public as well as to staff working on the LDF and.
- 5.3.7 Issues relating to the spatial organisation of evidence are being addressed as part of this work (re. para. 5.2.5) particularly through the work being done to establish a corporate Land & Property Gazetteer. This is designed to hold records of every address in Leeds and their map locations. Eventually the Gazetteer will be used as a common source of reference for all address-based City Council records. Great improvements in Gazetteer data quality have been made and the work continues. The increase in staff resources to do this work will contribute to this work. In addition, across the Council work on reconciling various City Council databases to the Gazetteer is well underway. This will assist the referencing of events of importance to the LDF evidence base, particularly new housing and commercial properties.

### **National Monitoring Issues**

- 5.3.8 Some of the Core Output Indicators asked for by DCLG are uncollectable or have definitional faults (re. para. 5.2.4). These issues have been raised with DCLG through an appropriate forum – the part of the Central & Local Government Information Partnership (CLIP) which deals with planning

statistics). Discussions are continuing and issues relating to defining indicators remain unresolved.



## Appendix – DCLG Key Indicators

### 1a: Amount of land developed for employment by type. (B1, B2, B8 for 2005 / 6)

Development Type	Area (ha.)	Floorspace ( m <sup>2</sup> )
B1 Office	6.272	59390
B1 Other	1.25	3660
B2 Industrial	3.604	18950
B8 Warehousing	6.74	15890
Total	17.866	97890
<i>Note: Extensions not included</i>		

### 1b: Amount of land developed for employment, by type, which is in development and / or regeneration areas defined in the local development framework

Development Type	ha. Developed	m <sup>2</sup> complete
B1 Office		
B1 Other	1.25	3660
B2 Industrial	1.94	14050
B8 Warehousing	4.01	7260
Total	7.20	24970
<i>Regeneration Areas: as defined in the UDP Review</i>		

### 1c: Percentage of 1a, by type, which is on previously developed land.

Development Type	Total Land		Total Floorspace	
	Area (ha)	% PDL	m <sup>2</sup>	% PDL
B1 Office	6.272	68.6	59390	87.8
B1 Other	1.25	100.0	3660	100.0
B2 Industrial	3.604	100.0	18950	100.0
B8 Warehousing	6.74	69.3	15890	55.6
Total	17.866	77.4	97890	85.4

**1d: Employment land supply by type.**

Type	ha.	%
B1 Office	167.16	26
B1 Other	84.31	16
B2 & related	355.49	65
B8 & related	27.73	15
Total	634.69	122

**1e: Losses of employment land in (i) development / regeneration areas and (ii) local authority area**

<b>LDF Core Indicator: 1e Loss of Employment Land to non-employment uses, in Leeds MD and Regeneration Areas (1) 2005 / 06</b>				
<b>Apr05 - Mar06</b>				
	<b>Leeds MD</b>		<b>Of which: Regen Areas</b>	
<b>Loss to</b>	<b>ha</b>	<b>No. sites</b>	<b>ha</b>	<b>No. sites</b>
Housing	11.66	41	2.09	4
Retail/other commercial	.66	2	.17	1
Other	.39	1	.39	1
Total Loss 2005 / 06	12.71	44	2.65	6
2004 / 05	16.06	47	3.10	5
<b>Gain from</b>	<b>ha</b>	<b>No. sites</b>	<b>ha</b>	<b>No. sites</b>
Greenfield Sites	13.64	13	0	0
PDL not in empty use (2)	5.45	15	1.95	2
Total Gain 2005 / 06	19.09	28	1.95	2
2004 / 05	10.72	14	4.31	1
Net Loss (Gain) 2005 / 06	(6.38)		0.7	

Note: Losses / Gains are based on start of development

(3) Regeneration Areas: as defined in the UDP Review

(4) Employment Land re-used for employment purposes: 14.6 ha on 14 sites of which 5.0 ha in Regen Areas

**1f: Amount of employment land lost to residential development.**

11.66 ha.

**2a: Housing Trajectory**

Net additional dwellings over the previous five year period or since the start of the relevant development plan document period, whichever is the longer. Start of RSS period in the case of RA.

Net additional dwellings for the current year

<b>Indicators 2A (i &amp; ii) Output 2001-2006</b>			
	<b>2001-2006</b>		<b>2005 - 6</b>
	<b>Total</b>	<b>Annual average</b>	<b>Total</b>
New build	12611	2522	3306
Conversion	1790	358	388
Demolition	1862	372	257
Net change	12539	2508	3437

Projected net additional dwellings up to the end of the relevant development plan document period or over a ten year period from its adoption, whichever is the longer. End date of RSS in the case of RA.

**Indicator 2A (iii) Output 2006-16**

<b>Trajectory 1</b>	<b>Total</b>	<b>Annual Average</b>
New build & conversion	27374 - 31453	2737 - 3145
Demolition	3720	372
Net change	23654 - 27733	2365 - 2773

**Trajectory 2**

New build & conversion	32712 - 36791	3271 - 3679
Demolition	3720	372
Net change	28992 - 33071	2899 - 3307

The annual net additional dwelling requirement (as set out in the RSS).

**Indicator 2A (iv) Annual average development plan requirement**

1930 dwellings per annum **gross** 1998-2016 (current RSS)

2260 dwellings per annum **net** 2004-16 (draft RSS Review)

Annual average number of net additional dwellings needed to meet overall housing requirements, having regard to previous year's performance (to meet the overall RSS requirement).

**Indicator 2A (v) Residual annual development plan requirement**

1378 dwellings per annum gross 2006-16 (current RSS)

2105 dwellings per annum net 2006-2016 (draft RSS Review)

**2b: Percentage of new and converted dwellings on previously developed land.**

2001 – 2006            89%

2005 – 2006            96%

**2c: Dwellings - Density of completed development (%)**

	<b>2001 - 2006</b>	<b>2005 - 2006</b>
Fewer than 30 dwellings per hectare	17	3
30-50 dwellings per hectare	24	12
Over 50 dwellings per hectare	58	85

**2d: Affordable housing completions. Gross and net additional affordable housing units completed.**

New build and conversion (annual average)

2001 – 2006            207

2005 – 2006            235

**3a: Percentage of completed non-residential development complying with car-parking standards set out in the local development framework**

No data available for Leeds, re. para. 4.4.6 of AMR

**3b: Percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre**

No data available for Leeds, re. para. 4.4.2 of AMR

**4a: Amount of completed retail, office and leisure development respectively. Retail A1, Office B1a and A2, Leisure D2.**

No data available for Leeds, re. para. 4.3.1 of AMR

**4b: Percentage of completed retail, office and leisure development respectively in town centres**

No data available for Leeds, re. para. 4.3.1 of AMR

**4c: Percentage of eligible open spaces managed to green flag award standard**

No data available for Leeds, re. para. 4.5.2 of AMR

**5a: Production of primary land won aggregates**

755,990 tonnes

**5b: Production of secondary / recycled aggregates**

It is estimated that 250,000 tonnes of recycled aggregates were produced but this estimate is subject to wide margins of error (re. para. 4.6.3)

**6a: Capacity of new waste management facilities by type**

- Arthington Quarry – a large composting facility with a capacity of 70,000 tonnes per annum. It will take some time to achieve the maximum capacity.
- Howley Park – an above ground land forming site with an ultimate capacity of 80,000 m<sup>3</sup>.

**6b: Amount of municipal waste arising, and managed by management type, and the percentage each management type represents of the waste managed**

Management Type	2004 - 2005	% 2004 2005
Green (Compost)	13,540	4.1
Other Recycled	57,389	17.3
<i>Total Recycled</i>	<i>70,929</i>	<i>21.3</i>
Waste Incinerated	87	<0.0
Waste Landfilled	261,439	78.6
<b>Total</b>	<b>332,455</b>	<b>100</b>

**7: Number of planning permissions granted contrary to the advice of the Environment Agency on either flood defence grounds or water quality**

Not available. See commentary in para. 4.6.13 of AMR

**8: Change in areas and populations of biodiversity importance**

(i) change in priority habitats and species (by type)

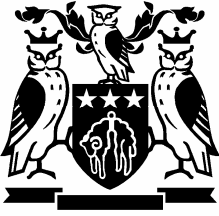
No data available for Leeds, re. para. 4.6.15 of AMR

(ii) change in areas designated for their intrinsic environmental value including sites of international, national, regional, sub-regional or local significance.

No changes in 2005 - 6

**9: Renewable energy capacity installed by type**

No data available for Leeds, re. para. 4.6.17 of AMR



Originator: Peter Shilson

Tel: 247 8122

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**Report of the Director of Development**

**Executive Board**

**Date: 13 December 2006**

**Subject: Local Development Framework – Annual Monitoring Report**

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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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Item 25 on the agenda for this meeting seeks approval to The Local Development Framework Annual Monitoring Report for 2006 (the AMR). The report was considered and noted at the meeting of the Development Plan Panel on 5 December 2006. The Panel noted an amendment to the AMR which incorporated statistics relating to flooding and water quality whose production had been delayed.

The appendix to this supplementary report sets out the amended section. The only other changes to this year's AMR are editorial consequences of this amendment.

**Recommendation**

Members are invited to note this supplementary amendment to the LDF Annual Monitoring Report for 2006.

Flooding / Water Quality

- 4.6.13 DCLG's Core Indicator 7 consists of the number of planning permissions granted contrary to the advice of the Environment Agency (EA) on either flood defence grounds or water quality grounds. This indicator is intended as a proxy measure both of inappropriate development in flood plains and development that could adversely affect water quality. It is considered that while the indicator may be adequate at national and regional levels as giving a broad picture of development pressures affected by flood and water quality issues it is unhelpful at detailed local level.
- 4.6.14 In Leeds during the monitoring period there were 18 planning applications that the EA objected to although there is no record of the City Council having received 6 of these. In 10 of the 18 cases the objection was because a Flood Risk Assessment had not been supplied and in eight cases the Agency considered that the Assessment that had been supplied was not adequate. The position at the end of November for those cases where Council records of objections exist is shown in Table 12.

Status	% of all	Major application	Minor application
Approved – initial EA objection overcome	33	4	0
Approved	0	0	0
Refused	25	0	3
Withdrawn	33	2	2
Undecided	8	1	0
Total	100	7	5

Table 12

- 4.6.15 The City Council would require a flood risk assessment in cases where the Environment Agency has drawn attention to this. However, any flood risk identified would be weighed in the overall balance of planning considerations on development proposals, and due weight accorded depending on the degree of risk.





Originator:

Tel:

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**Report of The Chief Executive and the Director of Development**

**Executive Board**

**Date: 13 December 2006**

**Subject: New Horizons School**

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**Electoral Wards Affected:**

Chapel Allerton

**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 advise Members of discussions that have taken place between the Trustees of the New Horizons School and officers of the Council in relation to the school's interest in acquiring the Council owned property, Newton Hill House, Chapeltown, which they currently occupy on a tenancy at will. Members of Executive Board are requested to consider the options and the proposal to dispose of the site to the Trustees of the New Horizons School at less than best consideration with a covenant restricting the future use of the site to educational and charitable purposes for a period of five years.

## **1.0 SUMMARY**

- 1.1 New Horizons School is an independent, private school that provides girls-only education for pupil's aged 11-16 within the Muslim faith and traditions. The school is a charitable trust managed by a Board of Governors and the Trustees of the charity. The Council has provided temporary financial and material support since this education matter was first considered by Members of Executive Board in February 2000. Assistance has been provided to date in the form of grant assistance and the use of premises at Newton Hill House on Chapeltown Road at a peppercorn rent. This support was provided on the understanding that the Trustees would work in collaboration with the City Council to seek to identify a suitable way for the girls at the school to be found appropriate provision within the education maintained sector. From September 2005 a stepped rent became payable by the Trust.
- 1.2 Executive Board last considered this matter at their meeting in September 2005 where approval was given to the disposal of the freehold interest in Newton Hill House to the Trustees of the New Horizons School at less than the best consideration reasonable obtainable with a positive covenant restricting the future use of the site to educational and community use subject to the Director of Development approving the detailed terms of sale. The less than best consideration approved at this time was £250k. This sum reflected the value of the restricted value of property in perpetuity for educational use less any repairs that were the responsibility of the Council.
- 1.3 Subsequent to Executive Board's approval, officers sought to progress the completion of the disposal, however, this work stalled on the basis that the representatives of the New Horizons School could not agree to the terms of the restrictive covenant proposed by the Council, the fact that it would be in place for perpetuity, and the financial arrangements for lifting the covenant should this be desired at some future date.
- 1.4 Accordingly, following further meetings between officers and representatives of the school, the Trustees have presented an alternative proposal for the purchase of the property.

## **2.0 CURRENT POSITION**

- 2.1 The Trustees have now approached the Council with a request that that they purchase the freehold of the property and offer a commitment to use the building for educational and charitable purposes for a minimum of five years. On the basis that this would bring to a close all of the outstanding matters officers commissioned a revaluation of the property from Lambert Smith Hampton who had supplied the earlier valuation.
- 2.2 The Lambert Smith Hampton report provided the following information:-
- |      |   |          |
|------|---|----------|
| (i)  | The current unencumbered market value of the property is  | £575,000 |
| (ii) | The value of the property with the restriction on use to educational/charitable purposes for a minimum of five years is | £485,000 |

2.3 Both of these valuations assume that before disposal the landlord (the Council) fulfils its obligations in terms of essential works required to the building.

These works include:-

- Refurbishment to the windows
- The carrying out of damp remedial work to the basement
- Decoration and repair of portakabins
- Algae removal from the single storey extension walls and roof tiles

2.4 Officers estimate that these works would cost the Council in the order of £20,000 and therefore, should the disposal to the Trustees proceed, and the Trustees agree to carry out these works themselves, then this sum would constitute a valid reduction in price from the reported market value. Should the transaction proceed then requesting that the Trustees carry out such works is recommended by officers since it removes the risk of capital cost overruns from the Council ie it effectively gives the Council cost certainty. Under such a proposal the sale price to the Trust with the restriction over use would be £485,000 - £20,000 = £465,000

2.5 Members will note, therefore, that the amount which the Trustees would pay for the building does reflect precisely the value to the Trust of the building with the restrictions on its use in place. There is therefore no subsidy to the Trust under such a proposal (and as such therefore, no deemed state aid).

2.6 However, Members will also note that the unencumbered market value of the property is a higher figure than the proposed sale price and that therefore a disposal at this figure does constitute less than best consideration in the sense that the Council has chosen to impose a condition upon the building's use which reduces the maximum sum which it might expect to realise if a disposal had taken place without the restriction.

2.7 On balance, Members may consider that to sanction such a less than best disposal is an appropriate use of the Council's powers so as to resolve the outstanding matters pertaining to this property and to deliver the associated educational benefits.

2.8 Rent arrears of £15,000 are currently outstanding and the Trustees have requested that these be waived if the purchase of the property progresses.

### **3.0 OPTION APPRAISAL**

3.1 There are three options available to the Council:-

- (i) Seek to take possession of the building on the basis of the rent arrears outstanding.

Such a course of action would carry with it a human resource requirement and a financial cost and would be disruptive to the education of the young people involved. It is not therefore a course of action that officers would recommend whenever there are potentially more fruitful options available which would bring about resolution in a more amicable manner, support the education of the young people involved, and at the same time offer the most advantageous financial settlement for the Council. However, it is an option which the Council may have to revisit if an acceptable conclusion to the outstanding matters cannot be achieved.

- (iii) Seek to complete the lease agreement (previously approved by Executive Board) with the Trustees.

This is a course of action which has in the past proved extremely difficult to bring to a conclusion, and officers have little confidence that to again pursue this option would result in an outcome which could be recommended to Members.

- (iv) Seek to dispose of the freehold of the building to the Trustees.

This option, if it can be achieved at a financial consideration which is acceptable to the Council, appears to offer the best way forward in that it would mean a quick resolution of the outstanding issues and minimum disruption to the education of the young people involved, and would also generate a significant and previously not anticipated capital receipt to support the Council's Capital Programme.

#### **4.0 RISK ANALYSIS**

- 4.1 There are a number of risks for the Council if this matter is not brought to a conclusion.
- 4.2 The Council may continue to lose revenue income through non-payment of rent by the Trust and attempts to recover related arrears may prove resource hungry whilst at the same time proving disruptive to the education of the young people involved. In this regard the Council's aspirations regarding the creation of cohesive communities might well be prejudiced.
- 4.3 The most appropriate way to mitigate against these risks would be for there to be a timely, amicable financial settlement at a value which has been arrived at through following the established and rigorous process always followed by the Council during disposals of the property.

#### **5.0 FINANCIAL AND LEGAL IMPLICATIONS**

- 5.1 The Council is being requested to write-off the current rent arrears of £15,000. A decision to comply with this request would result in a corresponding reduction in revenue budget resources.
- 5.2 The disposal would result in a capital receipt for the Council (not previously anticipated) of £465,000.
- 5.3 Section 123 of the Local Government Act 1972 provides that, except with the consent of the Secretary of State, a Council shall not dispose of land under that Section, otherwise than by way of lease for not more than 7 years, for a consideration less than the best that can reasonably be obtained. The Chief Legal Services Officer has been consulted for advice if this option is pursued as the Council will receive a reduced capital receipt if the site is sold with a covenant restricting the future use of the site for a period of five years.

- 5.4 Generally, the case law shows that “consideration” for these purposes means money or money and other elements which have a commercial or monetary value capable of being assessed by those expert in the valuation of land, and that the perceived social or economic value of a proposed use cannot be reflected as a discount on, or as part satisfaction of the commercial or monetary value required to be obtained.
- 5.5 However, the Local Government Act 1972 General Disposal Consent (England) 2003 provides the general consent of the Secretary of State to a disposal where the authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the whole or part of the area, or of all or any persons resident or present in its area, and the difference between the unrestricted value of the land and the consideration for the disposal does not exceed £2m.
- 5.6 Separately from the requirements of Section 123, the Council has a general fiduciary duty to its Council taxpayers, and the interests of those taxpayers need to be considered when deciding whether or not to dispose of the subject site for a consideration less than the best that can reasonably be obtained. In this context it is of course legitimate for the Council to have regard to the fact that a disposal of the freehold will realise a capital receipt rather than the current reduced rental, and the level of its previous financial commitment to the New Horizons School. The Council must also consider the position in relation to EU state aid. However, given that the Council is intending to impose special obligations in the public interest which the potential buyer is able to fulfil, and the economic disadvantage of these obligations has been evaluated by an independent valuer, the disposal will still be treated as being at the market price for these purposes, and so not granting a state aid under the Commission Communication on state aid elements in sales of land and buildings by public authorities.

## **6.0 NEXT STEPS**

- 6.1 The principles of a disposal as outlined in this report have been discussed with representatives of the Trustees and a formal response to the Council is expected following the next Board of Trustees meeting scheduled for early December 2007. Officers will report verbally on that response at the Executive Board meeting.

## **7.0 RECOMMENDATIONS**

- (i) Should the Trustees of the New Horizons School agree to acquire the freehold of Newton Hill House from the Council for the sum of £465,000 then officers be instructed to expedite the disposal with each party meeting its own legal and surveyor costs. Current rent arrears of £15,000 to be written off under this option.
- (ii) Should the Trustees of the New Horizons School not agree to acquire the freehold of Newton Hill House from the Council for the sum of £465,000 then officers be instructed to seek immediate payment of rent arrears outstanding and the signing of the lease and should this fail, to take any recovery action appropriate in the circumstances.

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**Report of the Director of Development**

**Executive Board**

**Date: 13 December 2006**

**Subject: The former Headingley Primary School**

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**Electoral Wards Affected:**  
Headingley

**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 addresses the issues that have been raised through the evaluation of a request from Headingley Development Trust that the disposal of the former Headingley Primary School should be postponed whilst the Trust further develops its business case and seeks funding to support an application for the ownership of the property to be transferred to the Trust at nil or at less than best consideration.

It recommends that the request should be declined because of the loss of the envisaged capital receipt, the questions about the extent to which the Headingley Development Trust's business case can be delivered and because of the risks to which the Council would be exposed.

The support that Ward Members have offered to the request has been noted in the evaluation.

## **1.0 Purpose Of This Report**

- 1.1 The purpose of the report is to recommend to Executive Board that it should approve the continuation of the current arrangements for the marketing for disposal of the former Headingley Primary School (shown on the attached plan) to support the Capital Receipts programme.

## **2.0 Background Information**

- 2.1 The former Headingley Primary School is a two storey late Victorian building of 598 m<sup>2</sup>, with a modern detached single storey block of 159 m<sup>2</sup> and a separate two storey superintendent's house located in the Headingley conservation area on Bennett Road. The school closed at the end of the 2005/06 academic year following public consultation on a proposal to close Headingley and St Michael's CE Primary Schools and establish a one form entry primary school on the St Michael's site.
- 2.2 In reporting to Executive Board (21 October 2005) when seeking approval to the closure of the school, Education Leeds did note the view expressed by community representatives and those associated with the school that the building should be retained for some form of community use.
- 2.3 However, Capital Programme assumptions have been made about the funding required for the decanting and temporary remodelling works required at the St Michael's (now Shire Oak) site and for the construction of three or four classrooms at that site as the long term provision. The temporary works have cost some £57,000 and the estimated cost of the long term provision is between £500,000 and £600,000. The total cost of the works at Shire Oak is therefore estimated at between £547,000 and £647,000. The detailed costs will not be available until tenders for the works have been received and the results of the Strategic Design Alliance feasibility study are not expected until late December 2006.
- 2.4 Executive Board did determine in October 2005 that any capital receipt generated from the disposal of the school would be used to fund primary review works including improvements on the St Michael's Primary School site.
- 2.5 Accordingly, the building has been declared surplus and passed to Development department for disposal.
- 2.6 The Development Department is now in a position to proceed with the marketing of Headingley Primary School. However, before this commenced, consideration regarding the potential for disposal at market value for community use has been undertaken in consultation with Ward Members.

## **3.0 Main Issues**

- 3.1 In order to advise upon the potential and viability of community use, two broad options have been considered, namely
- The disposal of the property on the open market to support the decanting, remodelling and long term works at the Shire Oak Primary School and other works in the Primary Review
  - The development of the property for community purposes



- 3.2 **Disposal of the property:** The estimated Open Market Value of the school property is contained in the confidential annexe to this report as are the estimated Open Market Values of the other properties in the area which the Trust is suggesting could be sold by the Council to make up the deficit in the Capital Receipts programme.
- 3.3 **The development of the property for community use:** No Council department has come forward with proposals based on service need. However, further to the comments in the October 2005 Executive Board report regarding the potential for community use, a local group, Headingley Development Trust, has come forward with a proposal for the development of the property for a centre for social and community enterprises as well as private businesses.
- 3.3.1 The approach from the Headingley Development Trust (the Trust) proposes that the Council should offer a period of exclusivity during which the property would not be disposed of to allow the Trust to build a case for an Arts and Enterprise Centre. This period was originally suggested as being for six months but there is now a recognition from the trust that a rather longer period, of up to a year, would be required.
- 3.3.2 The Trust further proposes that on completion of satisfactory progress in that period of exclusivity the Council would grant either a long leasehold or freehold interest in the property at a less than best consideration premium to facilitate the creation of a centre which the Trust argues would contribute to the development of a sustainable community in Headingley.
- 3.3.3 The Trust recognises that the Council would need to protect its interest in the property should the project fail at some future stage.
- 3.3.4 The Trust also recognises that there is a tension between the needs of the Council to dispose of assets to support its Capital Receipts programme and the proposal that the Trust is making and seeks to offer a modest capital receipt (quantified in the confidential annexe to this report) to the Council.

#### **4.0 The Trust's development proposal and business case**

- 4.1 The Trust has been developing proposals for a centre which would house social and community enterprises as well as private businesses that would pay rent and generate an income stream for the centre. Community facilities will include a performance and exhibition area, meeting and training rooms and facilities for small conferences. The centre would operate as a social enterprise but a café and catering facilities would be available operating on a commercial basis helping to provide a sound income stream for the centre. The Trust envisages that the centre would cover its own operating costs and would not be a cost to the community.
- 4.2 The definition of the Headingley Enterprise and Arts Centre project is as a sustainable community enterprise as part of the regeneration and renewal strategy that the Trust suggests Headingley needs. It aims to provide business start-up space particularly, but not exclusively, for arts and creative industries and to make enough profit in doing so to fund the continued upkeep and management of the project and to subsidise community use of parts of the building.
- 4.3 The Trust suggests that the main strengths of this proposal are its potential for building bridges between the various communities in Headingley and its provision of

a unique opportunity to provide high quality community and arts facilities and affordable space for new businesses in the creative industries

- 4.4 The Trust argues further that the loss of this school has had a severe impact on the morale of long-term residents and that its disposal for commercial use with the capital receipt funding improvements to the newly merged Shire Oak School would have only a minor mitigating effect. It goes on to say that disposal by the Council for development as luxury apartments, student housing or commercial units on the open market would have a detrimental effect on the community.
- 4.5 An initial business plan and a building cost estimate for the conversion works was submitted to the NW Area Management team and a revised business plan has now been submitted.
- 4.6 The business plan makes the assumption that the building will be transferred to the Trust in return for a modest payment and that the capital for the conversion of the building and for working capital requirements will come from the Big Lottery Community Buildings Fund, the Adventure Capital Fund, the Unity Bank and local fundraising from potential members of the Trust. The fund raising target of the Trust is quantified in the confidential annexe to the report
- 4.7 The cost of refurbishment and remodelling works is estimated by the Trust to be in the order of £750,000 excluding VAT and fees. It may be that the Trust could be offered some services on a fee-free basis by local companies. This offer extends to the project management of the refurbishment but would not extend to include the architectural, quantity surveying and site management elements or the cost of professional indemnity cover. These costs would add at least £200,000 to the total cost of the refurbishment project. The Trust is exploring how to reduce these costs but recognises that its capital plan is very tight after the payment of a modest amount to the Council.
- 4.8 The four aspects of the Trust's proposals would be the use of the upper floor as a Catalyst centre in which new businesses would start up, the former reception class and outside area would be the integral café, the recently built annexe in the playground and the remainder of the ground floor would be available for conference, meeting and training purposes, both to users of the Catalyst and to outside businesses and the ground floor would be available primarily, but not only, during the evening for community purposes including evening classes, meetings, events and exhibitions.
- 5.0 Commentary upon the proposal, the business plan and the implications for the Council**
- 5.1 Officers from both the Development and Neighbourhood & Housing Departments have been involved in assessing the Trust's proposal and its business plan. The issues revolve around three main areas to which officers wish to draw Members' attention. These issues are: the funding risks, the business plan and the impact on other community facilities.
- 5.2 The funding risks:**
- 5.2.1 A feature of the Trust's case is that the Council could make up the loss of the envisaged receipt from the disposal of the former school through the disposal of two caretakers' houses in the area. This argument is not accepted by officers because

these properties would, in the normal course of events, be sold by the Council anyway and their disposal would not, therefore, bring any “new” resources to bear.

- 5.2.2 It is also suggested that the Headingley Youth Annexe could relocate to the refurbished centre and the current property be sold with the receipt being applied to make up the Capital Receipts shortfall. This could only be achieved if the accommodation to be provided by the Trust in the centre would meet the changing operational requirements of the Youth Service. The cost of provision of this accommodation would have to be borne by the Trust as, otherwise, the capital receipt would be reduced. The revenue cost to the Council could not exceed that currently incurred at the North Lane premises. The estimate of value of the Youth Annexe is given in the confidential section of this report.
- 5.2.3 Members may also recall that it was originally proposed that the Youth Annexe function should transfer to the Royal Park premises and that the capital receipt from the North Lane premise should support that scheme. Although there is no longer a definitive commitment to continue to support the Royal Park scheme in this way, that property is now the subject of marketing to the private sector with a requirement that a new library and some community space should be provided by any successful developer. It is still possible that the Royal Park scheme will still require financial support from the council and one way of doing this could be to transfer the Youth Service function to Royal Park and use the capital receipt from the North Lane premises to meet part of the requirement for such support. The offer period for Royal park does not close until the end of January 2007
- 5.2.4 It does seem likely that a loan provider of would seek a first charge upon the building as security. This would prevent the Council from regaining possession of the building should the Trust be unable to maintain a viable future and, because of this, officers cannot recommend that such a charge be granted unless that loan provider would commit to continuing the project in very much the same form as the trust proposes.
- 5.2.5 It would, inevitably, take some time for applications to any funding organisations and the outcome is uncertain. This would pose a risk to the Council in keeping the building secure and through the unavoidable deterioration that would occur impacting on its value. Thereafter, a further period would then elapse prior to the commencement of any works to allow for detailed design, planning applications and the tender process. Experience suggests that, in total, this period may stretch to two years during which period the building would have to be secured and maintained and would remain at risk. Of course, the Trust may not be successful in obtaining the full level of grant and loan support it requires and this would mean, at the end on an initial period of exclusivity for the Trust of around 12 months that the Council could then proceed with its original intention of marketing the property.
- 5.2.6 The initial cost of the security works is estimated at £11,000, although there is a question mark over whether these are appropriate as they might actually draw unwanted attention to the fact that the building is vacant, with necessary annual costs of £6,000 also being incurred. So far, there have been no incidents of vandalism or attempted break-in at the premises.
- 5.2.7 From very recent discussions with the Trust, it does seem that there is a reduction in the scale of the refurbishment that the Trust may be proposing. There has been no clear guidance on this but the constraints on the funding that can be achieved are likely to be leading to this reduction. If the refurbishment works are less than complete, it does call into question the protection and maintenance of this building.

### 5.3 **Business plan issues:**

- 5.3.1 It is recognised that the Trust is at a relatively early stage in the development of its proposals. The Trust has been revising its business plan but the latest version does leave some questions unanswered. Any lack of credibility in the plan would mean, of course, that any potential funding organisations would be less likely to support the Trust's proposals.
- 5.3.2 The Trust has submitted a revised business plan which assumes higher income from business accommodation. The business plan has been assessed by LCC officers and feedback has now been given to the Trust.
- 5.3.3 The business plan does not take account of the allocation of space to the Council should it be determined that the disposal of operational property was required to make up for the loss of the potential receipt from the disposal of the school itself.
- 5.3.4 There would be a significant reduction in the income available to the Trust if the Council did require that space. The only revenue support that would be provided by the Council would be an amount equivalent to the current operational cost of the Youth Annexe, around £12,000 per year. It is not yet clear what impact this would have upon the Trust's current revenue forecast in respect of this space.
- 5.3.5 The Trust's proposals rely very heavily upon the business "catalyst centre" concept. Catalyst centres are largely unproven, with the exception of one in Islington and there is very little evidence in the business case to assess the feasibility of such a provision. The number of proposed members of the Trust seems high and the business case seems to be that the £10 monthly fee is of little account, with the Trust comparing it to the "price of a pint of beer" each week. Members will note, however, that this does equate to a not insubstantial £120 per annum. There is no tangible description of what this membership fee would provide. Despite these negative comments, officers would accept that a catalyst centre would work successfully on a commercial basis in Headingley if it would work anywhere in Leeds. The five catalysts proposed by the Council as part of the LEG1 application rely heavily on public subsidy.
- 5.3.6 There is no statistical evidence of market demand. The business case uses phrases such as "considerable use" and "we believe there is demand for". This is particularly worrying as the proposal for the catalyst centre is driven by the "vast young educated laptop population" in North West Leeds but there is no independent evidence provided to support this.
- 5.3.7 The business plan acknowledges that 80% rate relief is a key consideration for this venture. This level of relief would be available only to a registered charity (as opposed to other types of social enterprise) but there is no mention in the business plan that HDT intends to register as a charity. Currently, there is no intention to register the charity.
- 5.3.8 If the Council were to provide the school premises at less than best consideration and the scheme then includes a commercially based café, then it could be suggested by other cafes in the area that the Council was subsidising competition. This point is also addressed in the section of this report relating to the legal and resource implications that would flow from supporting the Trust's proposals

- 5.3.9 The business plan is reliant upon loans and other forms of finance that are nowhere near finalised. It even concedes that, should these avenues prove unsuccessful, HDT would then seek more time to develop its proposals. Officers would advise that HDT should be at a more advanced stage with grant and loan applications. There is a forecast deficit in the business plan each month until the end of month 8, with a maximum cumulative deficit of over £34,000 but no indication of how this will be funded.
- 5.3.10 The viability of the business plan is reliant, in part, upon voluntary work by members of the trust. There is no long term guarantee that this voluntary work will continue and, if it had to be substituted by paid employees, the overall costs of the proposed centre could rise substantially.
- 5.3.11 One of the key impacts of the HDT project is generating long term commitment to the area. The whole idea behind a catalyst centre is that the provision is short term and that businesses develop quickly and move on. This contradicts the argument about long term commitment.

#### **5.4 The impact on other community facilities:**

- 5.4.1 The Trust is suggesting that the provision of additional room hire and meeting facilities in the area will not adversely affect the viability of other facilities such as St Chad's, St Michael's, St Columba's, the Methodist Church, South Parade or the Cardigan Centre and will, if its request for a period of exclusivity is granted, undertake a full impact analysis. It may be that there would be some opposition to the Trust's proposals from one or other of these facilities.
- 5.4.2 The Trust does not envisage that the current Community Centre on North Lane should relocate to the former primary school believing that the activities and user base are different to those that it wishes to provide. This would limit the "new" resources that the Council could, otherwise, have brought to bear. The estimated value of the North Lane Community Centre is given in the confidential section of this report. The gross internal area of the Centre is approximately 376 sq m and this would take up almost two thirds of the gross internal area of the ground floor of Headingley Primary School.
- 5.4.3 It should be noted that there is an aspiration, on the part of Youth Services, to create a "hub" in this part of the city for its activities. This would require significantly more space than is proposed in the relocation of the Headingley Youth Annexe which is, essentially, a "back-office" operation. The aspiration is at a very early stage of development and has no real status and, importantly, no budget attached.

#### **6.0 Ward Members consultation**

- 6.1 Ward Members are supportive of the Trust's proposals but acknowledge the need for the Trust and/or the Council to identify resources to cover the costs of the proposed improvements at the Shire Oak School and the need to ensure that the Enterprise and Arts Centre could support its own revenue running costs.
- 6.2 To date, the North West Inner Area Committee is aware of the proposals but formal support has not been sought. However, an information report on Headingley Development Trust will be considered at the December 2006 meeting.

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

- 7.1 The Council could, if it so determined, support the request from the Trust for a six-month period of exclusivity whilst fundraising and further business planning was undertaken. However, this course of action is not recommended because of the implications for the Capital Receipts programme and risks identified below in Section 9.
- 7.2 Notwithstanding this, the Council could, if it so decided, subsequently grant a long lease of the building to the Trust, should it be able to secure all of the funding that it requires to implement its proposal, in support of the Council Plan priority of making all communities thriving and harmonious places where people are happy to live.

## **8.0 Legal And Resource Implications**

- 8.1 For the Council to forgo some or all of the planned receipt from the disposal of the former Primary School would mean a shortfall in the Capital Receipts programme. No case has been made as to why the council should accept less than best consideration for Headingley Primary School and no Council department has stepped forward to sponsor the Trust's proposals. It is therefore not clear why agreeing to the Trust's proposals would assist the Council in delivering its corporate objectives.
- 8.2 Although the immediate shortfall could be made up through the disposal of other properties in the area these would then no longer be an asset to be realised at some future date. These assets include the Headingley Youth Annexe which could be disposed of only if alternative accommodation were available, at no cost to the Council, within the Trust's scheme. The size of the accommodation required for this purpose would be around 150 m<sup>2</sup> or almost half of the main ground floor area of the Headingley Primary School building.
- 8.3 It would be possible to make up the shortfall through a reduction in the support provided to Education Leeds. It is estimated that to implement both the temporary and permanent proposals at the Shire Oak site a cost of between £547,000 and £647,000 will be incurred. A significant reduction in the support to Education Leeds would mean that the primary education facilities in the area would be inadequate and, accordingly, this approach is not recommended.
- 8.4 The grant of a long lease could protect the Council's position through ensuring that it had first call upon the assets of the Trust, in the event of its failure, although this would impact upon the Trust's ability to raise funding against those assets.
- 8.5 Supporting the request may set a precedent which would mitigate against the Council delivering its corporate objectives. There are many instances across the city of Council premises no longer required for their original operational purpose. It is common for local organisations to seek to retain these buildings for community use. If such requests are supported, the buildings are no longer available for disposal to contribute to the Capital Receipts programme which in turn supports the Council's approved Capital Programme.
- 8.6 The establishment of a commercial café, as proposed in the Trust's business plan, may breach the rules on State Aid given that the Council is being asked to transfer the ownership of the property as less than best consideration.

## **9.0 The risks for the Council in supporting the request from the Trust**

- 9.1 The Council would be exposed to the risk and cost of securing the building whilst the Trust seeks funding support for its proposals.
- 9.2 Even if the building is secured, there would be the risk that the condition of the building would deteriorate during that time and the Council would end up in possession of a building with a reduced value should the Trust be unsuccessful in its fund-raising efforts.
- 9.3 There is a risk of market conditions changing adversely during that time because of events entirely outside the Council's control. Any significant rise in the general level of interest rates could impact quite severely on the demand for and value of residential developments.
- 9.4 There is a risk that, even if the Trust is successful in its fund-raising efforts, its long term business plan could fail. It is probable that the Trust would seek loan support against the security provided by the value of the building. In these circumstances, the loan provider would have first call upon the Trust's assets. However, it should be noted that officers would recommend that the Council should not agree to the grant of a first charge on the property to any other party.
- 9.5 There is a risk that the Trust will not be able to achieve all of the funding support that it is seeking. If that is the case, then the only recourse open to the Trust would be to seek a greater level of support from the Council.
- 9.6 There is a risk that the Trust's proposals will face direct competition from a development of the former Lounge Cinema. An application was submitted in 2005 for a mixed use scheme comprising a café/restaurant and retail units with small business units to the rear together with a total of 68 car parking spaces. This application has not progressed but it does demonstrate what might happen to threaten the viability of the Trust scheme.

## **10.0 Conclusions**

- 10.1 The Trust argues that there would be benefits in supporting the request. These would include the retention of a well-remembered building in and for the community, the potential for contributing to the economic well-being of the area and the creation of exhibition and arts facilities in the area.
- 10.2 However, supporting the Trust's request for a period of exclusivity would have an immediate impact upon the Council's Capital Receipts programme with the deferment of the envisaged receipt. The Capital Receipt is required to fund the current Capital Programme. No Council department has stepped forward to support/sponsor the Trust's proposals and therefore no case is made as to why the Council should accept less than best consideration for this building.
- 10.3 Should the Trust secure the other funding that it requires and seek to complete the transfer of the building the Council would forego the whole of the forecast capital receipt amount less any payment made by the Trust.
- 10.4 The Council could, in theory, make up the immediate cash flow shortfall in the Capital Receipts programme by disposing of unused properties and by relocating services into the refurbished primary school. This could only be achieved if the Trust met the cost of the refurbishment and if the revenue cost of that space were no

greater than that currently incurred. The Trust has indicated that it would be willing to consider this course of action. However, it has to be recognised that

- (i) these receipts could be generated independently of the Trust's proposal and that there would be a real and permanent loss in the Capital receipts usable by the Council; and
- (ii) the Trust's business plan makes no allowance for the loss of income generating space which would result from a relocation of Council facilities into Headingley Primary School

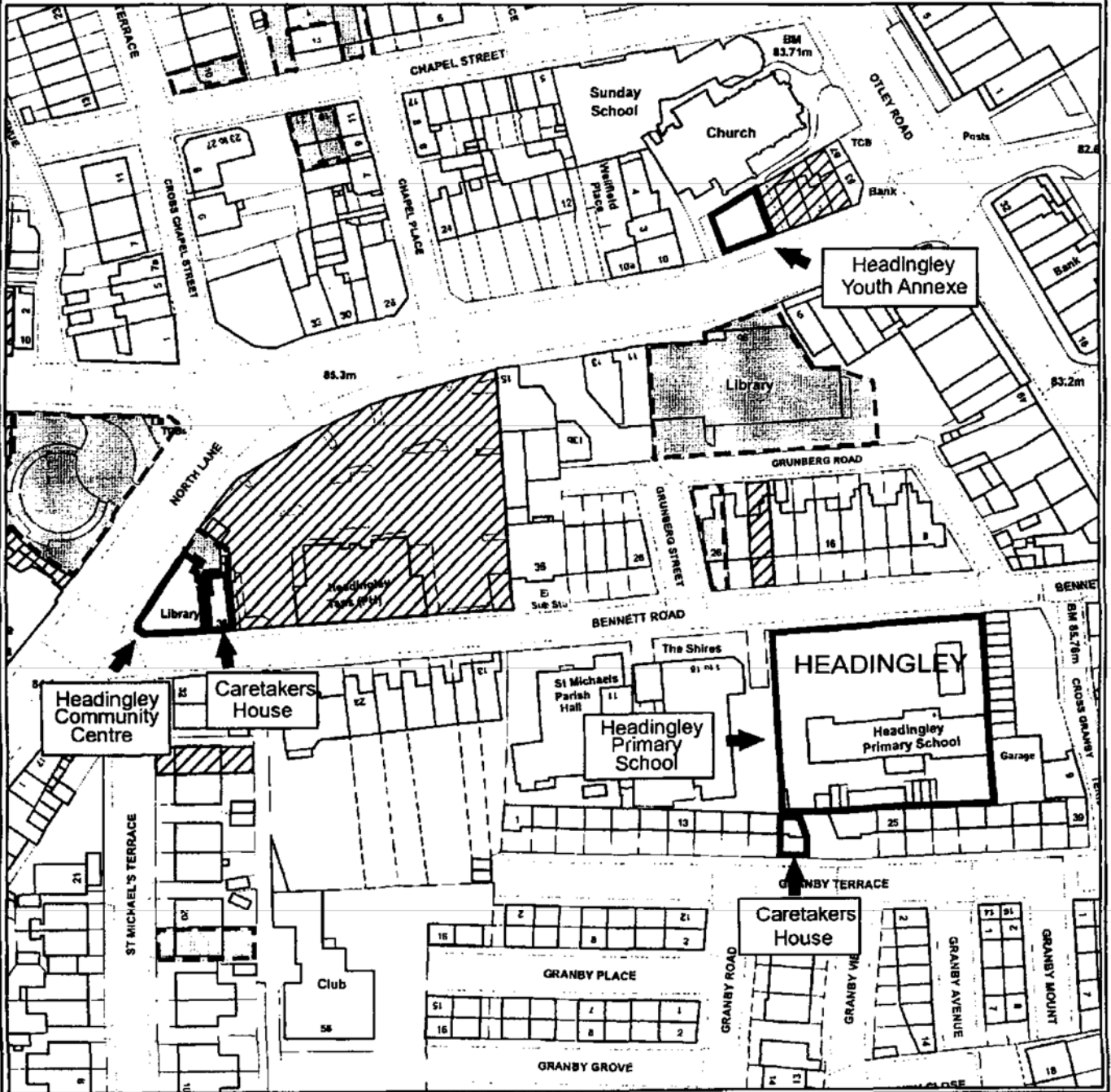
- 10.5 There are significant risks to the Council in supporting the request. These relate to the security of the building, the Health & Safety risks flowing from keeping the building vacant, the possible reduction in its value should market forces change, and the extended period during which the Council could be open to accusations of inactivity.
- 10.6 Additionally, the Council would be exposed to the possibility of requests for financial support from the Trust should the business plan prove less than robust once the property was in use as proposed by the Trust. It would be difficult to decline such requests if the building was in reasonably substantial use but the revenue stream was less than necessary. At this point, the Council would be in partial occupation of the property. The Trust claims that this risk is small because it would undertake not to make any such request but clearly this cannot be guaranteed.
- 10.7 Should the business plan fail, then the Council would be left with a building from which it was providing services but was less than fully utilised. To dispose of the building at that stage, it would be necessary to relocate these services once again and other premises would have to be acquired. It is not certain that works proposed by the Trust would add to or protect the value of the building because of the alterations that it is proposing and because it is seeking to minimise the investment it would make in these alterations. A period of gradual decline in the viability of the proposed centre could reduce the expenditure on routine maintenance and this could also affect the value of the asset.
- 10.8 When viewed overall, the Headingley Development Trust's proposals would require the Council to face a significant reduction in its Capital Receipts programme and would expose the Council to a high level of financial risk both in the short and long term.
- 10.9 The business plan prepared by the Trust is not thought to be fully credible at present. Any delay in disposal or suggestion that the Council will work with the Trust to make its business plan more robust would raise aspirations in the community which might not be realistic
- 10.10 The Council cannot afford to delay because of the risk of vandalism/arson to the premises and the associated cost of security

## **11.0 Recommendations**

- 11.1 Members of Executive Board are recommended to decline the request from Headingley Development Trust to be given access to Headingley Primary School and to continue with the previously planned marketing of the property to support the Capital Receipts programme.



# EXECUTIVE BOARD REPORT RE. HEADINGLEY PRIMARY SCHOOL



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| <p> <b>SUBJECT SITE</b></p> <p> <b>LAND SOLD BY LEEDS CITY COUNCIL</b></p> | <p> <b>LAND OWNED BY LEEDS CITY COUNCIL</b></p> <p> <b>LAND OWNED BY APPLICANT</b></p> | <p> <b>LAND LEASED OUT BY LEEDS CITY COUNCIL</b></p> |
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Leeds

CITY COUNCIL

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Originator: **Martin Sellens**

Tel: **2478213**

**Report of the Development Department**

**Executive Board**

**Date: 13th December 2006**

**Subject: Hall Farm, Micklefield – Proposal for Compulsory Purchase Order**

**Electoral Wards Affected:**

**Kippax & Methley**

**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**

Authority is sought to pursue a Compulsory Purchase Order (CPO) to deliver a tree belt adjoining a residential development at Hall Farm, Micklefield. The housing development was substantially completed in early 1999 - some 7-8 years on the tree belt has not been provided as the land is in a different ownership and no agreement has been reached on acquiring it from the current owners. It is required for the proper planning of the area and there is a strong planning justification for it. Residents of the development continue to press and campaign for it, with the support of local Ward Members and the MP.

A CPO is now considered necessary if this matter is to be finally resolved, although attempts to reach a settlement with the owners and developer will continue to be made. The original developer has admitted liability for not laying out the tree belt and is being pursued to indemnify the City Council in terms of the costs incurred in proceeding with a CPO.

## **Purpose of this Report**

- 1.1 The purpose of this report is to:
- 1) seek authority to make a Compulsory Purchase Order (CPO) to acquire a strip of land at Hall Farm, Micklefield for the layout out of a tree belt adjoining the Hall Farm Park estate
  - 2) note that an indemnity is being sought from Britannia Developments Ltd for all the costs involved in the CPO procedure and
  - 3) note that in the meantime continuing efforts are being made with the various parties involved to acquire the land by agreement to enable the tree belt to be planted

## **2.0 Background Information**

- 2.1 Planning permission was granted in March 1998 to Britannia Developments Ltd to erect a residential development on land at Hall Farm, Micklefield for 30 dwellings. The permission was subject to a Section 106 legal agreement between the Council, Britannia Developments Ltd and John and Charles Bramley (brothers who are retired farmers and owned the land at the time), dated 19<sup>th</sup> February 1998. Permission was only granted to develop the land for housing on the basis that a 10 meter wide tree belt was planted along the edge of the site where it adjoined the Green Belt (see attached plan). The agreement imposed an obligation to plant and thereafter maintain the tree belt.
- 2.2 At the time when the Section 106 agreement was entered into the farmland adjacent to the land, including the 'tree belt' land, was owned by the Bramleys. However, in 1995 they had granted an option to sell that farmland to Messrs Kerry and Hewitt. At the time the agreement was entered into it was known by the Bramleys and Britannia that Messrs Kerry and Hewitt had an option to purchase the land on which the tree belt was proposed. Messrs Kerry and Hewitt were not parties to the Section 106 agreement. They completed the purchase of the land on which they had an option in 2000.
- 2.3 The tree belt has never been planted. The housing development was substantially complete by early 1999 and the City Council has been pursuing the implementation of the tree belt ever since. Residents of the new development have been pressing for the planting of the tree belt since they moved in – a local Action Group was formed and there has been significant involvement of local Ward Members, the MP and the Ombudsman.
- 2.4 In December 2002 a report was taken to the Development Control Panel (East) about the situation and Members agreed to commence legal proceedings in respect of the breach of the obligation in the Section 106 agreement.
- 2.5 A letter before action was sent in the hope that this would prompt Britannia Developments Limited and/or Messrs Bramley (the signatories to the Section 106 agreement) to acquire sufficient interest in the belt land by negotiation with Kerry and Hewitt to enable them to comply with the agreement. No progress was made and so in January 2004 the City Council issued proceedings in the High Court against all three parties to the agreement. The proceedings have been complicated by counter claims between the Bramleys and Britannia and Britannia joining in Messrs Hewitt and Kerry as parties. Mr Kerry was successful in his application for summary judgment and is no longer a party to the proceedings.

Britannia Developments Limited conceded that they were liable to indemnify Messrs Bramley. Messrs Bramley are with the agreement of the Council no longer a party to the proceedings. Britannia have admitted that they are in breach of contract .

- 2.6 The main sticking point in resolving this matter has been the value of the tree belt land. The District Valuer has valued the belt land as agricultural land at £500. This is the value he considers would be payable if the land were obtained by way of compulsory purchase. Messrs Kerry and Hewitt contend it should be valued as residential development land and on this basis assess its value as £220,000 or more. Given such a large discrepancy it is unlikely and improbable that the Council will be able to negotiate the purchase of the belt land on reasonable terms.
- 2.7 The claim was listed for trial on 8 February 2006. The proceedings have been stayed to enable the Council to purchase the tree belt land by way of a Compulsory Purchase Order.
- 2.8 It is known that Messrs Kerry and Hewitt have ambitions to develop the wider land they acquired from the Bramleys for residential development. Outline permission was applied for and refused in October 1996 on Green Belt and access grounds. The land remains in the Green Belt and is greenfield – its development for housing would be contrary to national, regional and local policies on restricting inappropriate development in the Green Belt and developing greenfield sites before brownfield sites in more sustainable locations.

### **3.0 Main Issues**

- 3.1 The statutory framework for acquiring land compulsorily is Section 226 of the Town and Country Planning Act 1990 as amended by Section 99 of the Planning and Compulsory Purchase Act 2004 and states:

“(1) A local authority to whom this section applies shall, on being authorized to do so by the Secretary of State, have power to acquire compulsorily any land in their area..... -

[ (a) if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land,] or

(b) (which) is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated

[ (1a) but a local authority must not exercise the power under paragraph (a) of subsection (1) unless they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects –

- 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. ] “

- 3.2 In this case the justification for pursuing the CPO is the power set out in Section 226 (1) (b) of the 1990 Act. It is required for the proper planning of the area. The provision of the tree belt is a policy requirement under Policy N24 of the adopted

UDP where a site adjoins the Green Belt, to soften the built-up edge of development and assimilate it with surrounding countryside.

3.3 Policy N24 states;

“ WHERE DEVELOPMENT PROPOSALS ABUT THE GREEN BELT, GREEN CORRIDORS OR OTHER OPEN LAND, THEIR ASSIMILATION INTO THE LANDSCAPE MUST BE ACHIEVED AS PART OF THE SCHEME. IF EXISTING LANDSCAPE FEATURES WOULD NOT ACHIEVE THIS, A LANDSCAPING SCHEME WILL BE REQUIRED TO BE IMPLEMENTED WHICH DEALS POSITIVELY WITH THE TRANSITION BETWEEN DEVELOPMENT AND OPEN LAND”

3.4 The residential development would not have been approved without the tree belt. In the negotiation and consideration of the application the achievement of the tree belt was a core objective. Due to the nature and shape of the site it was not easily possible to produce a coherent layout and make best use of the site and incorporate the tree belt within the land which was not in the Green Belt. The development therefore was approved on the basis of a complete strip of planting along the Green Belt boundary but within the Green Belt directly adjoining the site. There are solid planning arguments therefore for the tree belt and it was required by a Section 106 obligation before permission was given.

3.5 In detail the tree belt consists of an open strip of the adjoining farmland up to 10m in width which would be planted with native trees ( about 45-50 in total of horse chestnut, silver birch, hawthorn, beech, ash and double gean at selective standard size) and then maintained to ensure it is properly established and has every chance to mature and provide the softening at the built edge which is the intention of the policy. The site is on the northern side of the village of Micklefield and without the tree belt the development has a hard edge. The layout of the development is such that the houses back onto or have gables towards the green belt and are quite close to it with rear garden depths varying between 7- 15m. There is no existing landscaping or landscape features along this boundary and so the present development has no softening whatever or assimilation into the surrounding countryside but maintains a hard edge and is clearly visible at the northern end of the village. It is considered that the non provision of the tree belt has resulted in visual harm.

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

4.1 It is considered that the provision of the tree belt should be pursued. The requirement for it is a key policy objective in the adopted UDP for developments which abut the Green Belt and its non provision would send the wrong signal to developers who seek to build at the edge of the built up area. The Plans Panel in December 2002 confirmed that the non compliance should be pursued in the High Court. The local residents and action group continue to press for the implementation of the tree belt as they bought their houses on the basis that a tree belt would be planted. Ward Members and the MP are sympathetic to the position of local residents. The developer has also accepted they are in breach of the obligations they entered into as part of the grant of planning permission.

4.2 Whilst significant time have been given for the matter to be resolved by agreement between the parties this has not resulted in any substantial progress. It is considered that there is ample justification for the CPO and that progressing this may also bring matters to a sharper focus and give opportunity for the main parties



to shift their positions and reach a reasonable settlement which would enable the tree belt to be provided.

## **5.0 Legal And Resource Implications**

- 5.1 In making a Compulsory Purchase Order, the Council should use the most appropriate power available. As the planting of the tree belt would not be development and the development which it is intending to screen has already been built, S.226 (1)(a) is not the appropriate power to use.
- 5.2 The power contained in S. 226(1)(b) is an appropriate power. The acquisition of land which seeks to bring about a situation required by a Section 106 agreement, based itself on proper planning considerations, is an acquisition which is required in order to achieve the proper planning of the area.
- 5.3 Circular advice makes it clear that Members (and the Secretary of State on appeal) must conclude that there is a compelling case in the public interest in acquiring the land. There is policy justification in terms of Policy N24 but Members should give site specific consideration to the role that the tree belt would play in the assimilation of the development into the landscape, the harm, if any, that would be caused by not providing the tree belt and whether it is necessary to acquire the land compulsorily to carry that out.
- 5.4 Members will also need to be satisfied that funding is available to carry through the acquisition and to demonstrate that it has the appropriate resources even if the land valuation put by Messrs. Kerry and Hewitt is correct. Although this may be achieved through the assessment of damages in the High Court proceedings and an Indemnity Agreement should be entered into with the Developer, members should be aware that the Developer could become insolvent and an alternative funding stream should be identified. Similarly there should be no physical impediments to implementation.
- 5.5 Acquisition by negotiation should continue to be attempted and members are advised that the making of a resolution or, indeed the CPO, does not require that these be discontinued.
- 5.6 The Landowners have a right of objection to the making of a CPO and have indicated that they will object to it. Although the Rules now allow for such an appeal to be dealt with by Written Representations it should be assumed an objection is likely to result in a Public Inquiry. If the Secretary of State confirms the Order (which is subject to challenge in the High Court) then there is likely to be a dispute about the value of the land which would be decided by the Lands Tribunal. There are therefore ongoing costs involved with pursuing a CPO. Indemnity for all of these costs is being sought from Britannia Developments Ltd.

## **6.0 Human Rights Issues**

- 6.1 Members, the Secretary of State and the Courts will need to have regard to the Human Rights Act 1998 in considering whether there is a compelling case in the public interest for acquisition. The relevant Convention Right is Article 1 of the First Protocol which deals with the protection of property rights.
- 6.2 As indicated above, members will need to consider the planning merit of what the S.106 Agreement was seeking to achieve by requiring the tree belt, consider what, if any, harm is caused by its absence and then consider whether the provision of it

is sufficiently important as to mean that it is proportionate to forcibly deprive the landowners of the land in order to provide it.

- 6.3 In this case there was substantial merit in requiring the tree belt to fulfill an important planning function and there is clear harm in its non provision. Access to the remainder of the land owned by Messrs Kerry & Hewitt for maintenance purposes is provided for by the approved layout with a gap through the tree belt where the current access road adjoins the Green Belt edge. There is no immediate or longer term prospect of the remainder of the land being developed for residential purposes as it is in the Green Belt and is also Greenfield. By its very nature the Green Belt designation of the land gives long term protection against inappropriate development.

## **7.0 Conclusions**

- 7.1 The provision of the tree belt is important in this particular case and considerable time and effort has already been expended by officers in pursuing this matter. Given the impasse that has been reached it is considered that the only way of making further progress on this matter is to pursue a CPO. There is clear justification for it but it is not without risk. It is likely that the CPO will be objected to and will need to be confirmed by the Secretary of State. If successful the value that is set on the land will ultimately be determined by the Lands Tribunal if challenged.
- 7.2 Whilst Britannia Developments Ltd have admitted they are in breach of contract it will be important to ensure an indemnity agreement is in place with them before making the CPO to limit the costs of the Council. At present it is estimated that the costs of pursuing a CPO through an Inquiry would be in the region of £12,500 - £25,000, the costs of planting the tree belt would be about £6,700 and the costs of maintaining the tree belt for the next 20 years would be about £10,800. The biggest unknown is the value of the land given the large difference between agricultural and residential value. The risk therefore to the Council should Britannia Developments Ltd become insolvent would be substantial if ultimately a residential land value was deemed appropriate by the Land Tribunal.

## **8.0 Recommendations**

- 8.1 That the Executive Board resolves that subject to the prior completion of appropriate indemnity and development agreements and the identification of an alternative funding stream, the Council makes a Compulsory Purchase Order under the provisions of Section 226(1)(b) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of land within the area shown on Plan No 1 attached for the purpose of securing the planting of a tree belt

That officers be authorised to take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order including:

- (i) the publication and service of all notices and the presentations of the Council's case at any Public Inquiry;
- (ii) approving the acquisition of interests in land within the compulsory purchase order either by agreement or by way of compulsory powers; and
- (iii) approving agreements with land owners setting out the terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land from the Order and/or making arrangements for relocation occupiers.
- (iv) to authorise officers to enter into negotiations and to provisionally agree the terms of an appropriate indemnity agreements and any other agreements required to facilitate the scheme on detailed terms to be approved by the Director of Development.

PLAN 1



TOWN & COUNTRY PLANNING ACT 1990  
SECTION 106 AGREEMENT

At HALL FARM,  
OLD GREAT NORTH ROAD  
MICKLEFIELD  
LEEDS, LS25

Application No. 33/158/97/FU  
33/177/97/L1  
33/178/97/FU

Location

Tree and Shrub Belt



**LEEDS**  
CITY COUNCIL  
DEPARTMENT OF PLANNING

PLAN No. GC 5179

PREPARED BY S.R.H

CHECKED BY L.A

SCALE: 1:1250

DATE 30/01/1998

GRID REF SE 4333 NI

NORTH: ▲

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**Not for Publication:**

**Report of Director of Development**

**To Executive Board**

**Date: 13 December 2006**

**Subject: DESIGN AND COST REPORT**

**Scheme Title : Mid-Albion Street Refurbishment**  
**Capital Scheme Number 12093 / 000 / 000**

**Electoral Wards Affected:**

City and Hunslet

**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**

This report seeks approval for a scheme for the refurbishment of the mid section of Albion Street. The scope and the quality of the scheme has been reviewed following the refurbishment of Briggate and it is proposed that the refurbishment of Mid-Albion Street should be of a comparably high standard and use similar high quality tradition materials.

**1.0 Purpose of this Report**

1.1 The purpose of this report is to seek:

- a) approval for the scheme design outlined in this report;
- b) authority to spend £1,382,000 from Yorkshire Forward funding for the scheme outlined in this report.

## 2.0 Background Information

- 2.1 Mid-Albion Street was refurbished in 1991/92 as part of the Landmark Leeds project. Its surface has now noticeably deteriorated and it has become increasingly difficult to maintain the street in a safe condition. The refurbishment of Mid-Albion Street is intended to create an attractive, high quality shopping environment befitting a major national retail centre. The scheme will make an important contribution to sustaining and improving the vitality and viability of Leeds city centre and ensuring that it continues to make a significant contribution to the economic and social well being of the region.
- 2.2 A Project Justification Form for the proposed Mid-Albion Street refurbishment scheme was agreed on 22 November 2004 as part of the Capital Programme Review on the basis of the funding coming from the Leeds Yorkshire Forward West Yorkshire Sub-Regional Investment Plan. The scheme is included in the 'Leeds City Centre Strategic Plan 2006 to 2010'.
- 2.3 The scheme was then included, along with a programme of public realm improvements that also included lower Albion Street, as part of the West Yorkshire Sub-Regional Investment Plan (WYSRIP) bid to Yorkshire Forward. The bid was successful and funding of £667,000 for Mid Albion Street was confirmed by Yorkshire Forward, together with £715,000 for lower Albion Street, a total of £1,382,000.
- 2.4 The City Council and Yorkshire Forward subsequently entered into an agreement, dated 7 April 2005, for the delivery of this project as one of a number of WYSRIP funded city centre public realm schemes.
- 2.5 The Leeds City Council / Yorkshire Forward agreement envisaged sections of Lower and Mid-Albion Street each being refurbished in the Landmark Leeds style of paving materials to match those existing in Bond Street. However, the City Centre Public Realm Project Board at their meeting on 9 March 2006 accepted that the Landmark Leeds style now looked tired and outdated and agreed that the refurbishment of Briggate using York stone and granite setts had established a benchmark for the quality of public realm improvement schemes within the pedestrianised shopping core of the city centre. It was therefore proposed that the refurbishment of Mid-Albion Street should be of a comparably high standard and use similar high quality traditional materials.
- 2.6 The cost of repaving Mid-Albion Street in York stone is estimated to be approximately £1,382,000. This sum was originally approved by Yorkshire Forward for the Landmark Leeds style refurbishment of two lengths of Albion Street.
- 2.7 Yorkshire Forward were requested to vary the original agreement so that the funding approval of £1,382,000 could be used in its entirety to fund the proposed high quality treatment of Mid-Albion Street, rather than pay for a lower quality scheme for both Lower and Mid-Albion Street. Yorkshire Forward have now confirmed their agreement and signed a contract variation with Leeds City Council in November 2006.
- 2.8 Lower Albion Street will be affected by the redevelopment of the Trinity Quarter so it would not be advantageous to proceed with its refurbishment at this stage. It is envisaged that this section of the street will be refurbished during or shortly following the Trinity Quarter redevelopment.

## **3.0 Main Issues**

### **3.1 Design Proposals / Scheme Description**

- 3.1.1 As was noted in the "City Centre Pedestrian Area" report to Executive Board, dated 15 September 2004, the city centre benefits the rest of the city and the region as a whole in terms of the jobs, investment, amenities and facilities which it provides. The image, attractions and environment of the city centre are important in terms of attracting investors, employers, employees, residents, shoppers, visitors and tourists to the city. The quality of the public realm is fundamental to the city centre's ability to compete successfully with other major cities.
- 3.1.2 The first phase of the refurbishment of Albion Street will comprise the middle section of the street. Mid-Albion Street extends from the start of the pedestrianised section at its junction with Short Street to a point approximately 5m south of the junction with Commercial Street and extending approximately 27m eastwards into and along Albion Place.
- 3.1.3 The scheme proposes the use of high quality, slip resistant 200mm x 150mm York stone setts as the principal material to create a single, level surface between building frontages. York stone not only provides greater durability and longevity in maintenance terms but also, as Briggate demonstrates, provides the quality of appearance appropriate within the city centre conservation area. This type of construction proposed is appropriate to deal with the vehicular traffic and loading that is experienced on Mid-Albion Street.

### **3.2 Consultations**

- 3.2.1 The concept and detailed design of the Mid-Albion Street refurbishment scheme has been developed by a multi-disciplinary Project Team comprising officers from the City Council's Development and City Services Departments. Officers from Yorkshire Forward and representatives of Land Securities, the owners of Leeds Shopping Plaza, have regularly attended meetings of the Project Team and have, consequently, been consulted throughout this process.
- 3.2.2 City Centre Leeds commissioned a market research company to carry out a public perception survey and footfall count of Albion Street. Members of the public using Albion Street were interviewed during two weeks in September 2006 to find out what they thought about the street and their views were sought on how it could be improved. The footfall count was taken to monitor the pedestrian traffic flow currently experienced on Albion Street. In general, respondents had neutral views on the aesthetics and cleanliness of Albion Street but concern was expressed about the condition of the footway and road surfaces. The majority of respondents used the street for less than 15 minutes at a time indicating the usage appears to be purpose driven or as a route for people passing through the street rather than a destination. Footfall flows indicate that peak pedestrian times occur between 12 noon and 2:00pm. Following completion of the scheme the public perception survey and footfall count will be carried out again to provide a key performance indicator for the success of the works undertaken.
- 3.2.3 Representatives from each of the traders and businesses located on Mid-Albion Street and other interested parties, including Ward Members, Leeds City Centre Partnership Board Members, property owners and the Civic Trust were invited to a presentation of plans and drawings detailing the refurbishment scheme held in the Leeds Shopping Plaza on 24 November 2006. The proposals were broadly supported by those who attended. A number of property owners have indicated



that they will now be more willing to invest in their properties to ensure they complement the improved environment.

### **3.3 Programme**

3.3.1 The following programme has been agreed with Yorkshire Forward:

Tenders Out	17 January 2007
Tenders In	21 February 2007
Start on Site	16 April 2007
Completion	30 September 2007

This timescale will avoid any conflict with the retailers peak shopping period of Christmas.

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

### **4.1 Compliance with Council Policies**

4.1.1 The proposals to upgrade the city centre streets and spaces, accord with a number of key Council policies and strategies which stress the need to improve the city centre public realm and the overall appeal and attractiveness of the city centre. These include the Council Plan, Unitary Development Plan, City Centre Urban Design Strategy and the Economic Development Strategy. The proposals accord with the Council's Green Strategy to help secure sustainable economic development by promoting the city centre, enhancing the local environment, and improving access within the city centre for all.

4.1.2 The proposals also accord with the 'Vision for Leeds 2004 to 2020' key objectives and with the aims and objectives of the 'Leeds City Centre Strategic Plan 2006 to 2010'.

### **4.2 Council Constitution**

4.2.1 There are no reasons for this report to be exempt from the call in procedure.

### **4.3 Community Safety**

4.3.1 The proposals contained in the report do have implications under Section 17 of the Crime and Disorder Act 1998 and these are as follows:

4.3.2 The proposed improvements will help improve people's perceptions of safety in the city centre, and help reduce fear of crime.

## **5.0 Legal and Resource Implications**

### **5.1 Scheme Design Estimate**

5.1.1 The estimated cost of the refurbishment of Mid-Albion Street is £1,382,000 and can be met from scheme 12093 within the approved capital programme and will be fully funded by Yorkshire Forward.

## 5.2 Capital Funding and Cash Flow

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)	1150.0			1115.5	34.5		
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	232.0		140.0	90.0	2.0		
OTHER COSTS (7)	0.0						
<b>TOTALS</b>	<b>1382.0</b>	<b>0.0</b>	<b>140.0</b>	<b>1205.5</b>	<b>36.5</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
LCC Funding	0.0						
Yorkshire Forward	1382.0		140.0	1205.5	36.5		
<b>Total Funding</b>	<b>1382.0</b>	<b>0.0</b>	<b>140.0</b>	<b>1205.5</b>	<b>36.5</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>

### 5.2.1 Revenue Effects

The proposal will not incur any extra revenue costs. Following completion of the refurbishment project, Mid-Albion Street will continue to be maintained from existing City Services resources.

## 5.3 Risk Assessments

- 5.3.1 Financial Risk – There is a financial risk that the cost of implementing the scheme will exceed the funding available.

Response – This risk will be minimised through the tendering process.

- 5.3.2 Operational Risk -There is an operational risk that there might be slippage in the construction programme or overspend on the project.

Response – These risks will be minimised by ensuring that only contractors on Leeds City Council's approved list will be invited to tender and by appropriate on-site project management and supervision of the contract by the Design Services section of the Development Department.

- 5.3.3 Programme Issues – There are risks, as with any project of this nature, of delays in supply of materials or due to exceptionally adverse weather conditions.

Response – The appointed contractor will be experienced in securing materials and will be aware of the specified timescales. The contract timetable is flexible enough to accommodate a reasonable amount of exceptional weather.

5.3.4 General Risk Management – In addition to specialised management of the contract by staff from the Design Services section of the Development Department, the project will also have a dedicated project manager assigned from Asset Management, Development Department, to apply general project management techniques. The project manager will report to the City Centre Public Realm Project Board who will continue to oversee the project with regard to the quality of the scheme, timescales and funding. A risk register will be prepared and reported to the Board to allow risks to be properly managed. The contractors will also be invited to meetings of the Board, as and when necessary, to discuss and seek agreement on any outstanding issues.

## 6.0 Recommendations

6.1 Executive Board is requested to :-

- Approve the scheme design as outlined in this report, and
- Authorize the release of scheme expenditure of £1,382,000 as outlined below :

£ 1,150,000	on construction	CPRH (3)
£ 232,000	on internal fees	CPRH (6)
-----		
£1,382,000	TOTAL	
-----		