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## SCRUTINY BOARD (DEVELOPMENT)

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Meeting to be held in the Civic Hall, Leeds on  
Tuesday, 10th October, 2006 at 10.00 am

A pre-meeting will take place for ALL Members of the Board  
in a Committee Room at 9.30 am

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### MEMBERSHIP

#### Councillors

B Cleasby (Chair)	-	Horsforth
P Davey	-	City and Hunslet
D Hollingsworth	-	Burmantofts and Richmond Hill
G Latty	-	Guiseley and Rawdon
R Lewis	-	Pudsey
M Lobley	-	Roundhay
A Lowe	-	Armley
A Millard	-	Wetherby
A Ogilvie	-	Beeston and Holbeck
N Taggart	-	Bramley and Stanningley
Whips Nominee	-	

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*Please note: Certain or all items on this agenda may be recorded on tape*

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# A G E N D A

Item No	Ward/Equal Opportunities	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 Rules (in the event of an Appeal the press and public will be excluded).</p>	
2			<p><b>EXCLUSION OF THE PUBLIC</b></p> <p>To identify items where resolutions may be moved to exclude the public.</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 circumstance 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>APOLOGIES FOR ABSENCE</b></p>	
6			<p><b>MINUTES OF LAST MEETING</b></p> <p>To receive and approve the minutes of the last meeting held on 12<sup>th</sup> September 2006.</p>	1 - 6
7			<p><b>EXECUTIVE BOARD MINUTES</b></p> <p>To receive the Executive Board minutes of the meeting held on 20<sup>th</sup> September 2006.</p>	7 - 18

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			<p><b>OVERVIEW AND SCRUTINY MINUTES</b></p> <p>To note the minutes of the Overview and Scrutiny Committee meeting held on 4<sup>th</sup> September 2006.</p>	19 - 22
9			<p><b>SUSTAINABLE DESIGN AND CONSTRUCTION AND SUSTAINABILITY ASSESSMENTS</b></p> <p>To receive a report from the Head of Sustainable Development and a PowerPoint presentation from EDAW consultants providing background information on how sustainable development issues are being addressed.</p>	23 - 28
10			<p><b>REQUEST FOR SCRUTINY REGARDING THE FORMER BLACKGATES SCHOOL AT TINGLEY</b></p> <p>To receive a report from the Head of Scrutiny and Members Development regarding a request for Scrutiny received from a Leeds resident following a deputation to Council on 19<sup>th</sup> July 2006 relating to the former Blackgates school at Tingley.</p>	29 - 46
11			<p><b>REQUEST FOR SCRUTINY REGARDING THE FORMER DRIGHLINGTON JUNIOR SCHOOL</b></p> <p>To receive a report from the Head of Scrutiny and Member Development regarding a request for Scrutiny made by the Clerk to Drighlington Parish Council following a deputation to Council on 19<sup>th</sup> July 2006 relating to the former Drighlington Junior School.</p>	47 - 60
12			<p><b>LONDON 2012 OLYMPIC GAMES</b></p> <p>To receive a report from the Leeds Initiative and the Director of Learning and Leisure briefing Members on Yorkshire preparations for London 2012 Olympics.</p>	61 - 68

Item No	Ward/Equal Opportunities	Item Not Open		Page No
13			<p><b>CLIMATE CHANGE</b></p> <p>To receive a report from the Director of Development on Climate Change in general, the role of Local Government and Leeds' commitment to address the causes and impacts of climate change at a local level.</p>	69 - 78
14			<p><b>PROGRESS OF WATER ASSET MANAGEMENT WORKING GROUP</b></p> <p>To receive a report from the Director of Development on progress made on implementing the initial recommendations of the Water Asset Management Working Group.</p>	79 - 82
15			<p><b>WORK PROGRAMME</b></p> <p>To consider the attached report of the Head of Scrutiny and Member Development regarding the Board's work programme, together with a copy of the Forward Plan of Key Decisions pertaining to this Board's Terms of Reference for the period 1<sup>st</sup> October 2006 to 31<sup>st</sup> January 2007.</p>	83 - 92
16			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next meeting of the Board will be held on 21<sup>st</sup> November 2006 at 10.00am in the Civic Hall, Leeds.</p>	

# Agenda Item 6

## SCRUTINY BOARD (DEVELOPMENT)

TUESDAY, 12TH SEPTEMBER, 2006

**PRESENT:** Councillor B Cleasby in the Chair

Councillors P Davey, D Hollingsworth,  
G Latty, M Lobley, A Lowe, A Ogilvie and  
N Taggart

### 16 Declaration of Interests

The Chair declared a personal interest for Item 9 (Minute No. 21) as a Member of the Airport Consultative Committee.

### 17 Apologies for Absence

Apologies for absence were received on behalf of Councillors R Lewis and Millard.

### 18 Minutes of Last Meeting

**RESOLVED** – That the minutes of the meeting held on 18<sup>th</sup> July 2006 be approved as a correct record.

### 19 Executive Board Minutes

The Chair informed Members that the Scrutiny Unit had received a request from a Leeds resident for scrutiny of the Executive Board's decision on the deputation against the sale, demolition and redevelopment of the former Blackgates School in Tingley. As this request was received after the papers for this meeting had been despatched, it was proposed to consider this item at the October meeting.

**RESOLVED** –

- (a) That the minutes of the Executive Board meeting held on 16th August 2006 be noted.
- (b) That the request for scrutiny of the decision of the Executive Board to go ahead with the disposal of the former Blackgates Infants School at Tingley be considered at the October meeting of the Scrutiny Board (Development) and added to the work programme.

### 20 Overview and Scrutiny Minutes

**RESOLVED** – That the minutes of the Overview and Scrutiny Committee meeting held on 3<sup>rd</sup> July 2006 be noted.

## **21 Presentation on the Short, Medium and Long Term Transport Strategy for the City**

The Head of Scrutiny and Member Development submitted a report introducing a presentation to be given to Members at the meeting on the short, medium and long term transport strategy for the city. Attached to the report was information related to delivery against the first West Yorkshire Local Transport Plan 2001 – 2006 which highlighted key achievements in Leeds over this period.

At the meeting to make the presentation on the Leeds Transport Strategy Review was Dave Gilson, Head of Transport Policy in the Development Department and to give a presentation on Bus Services was Neil Holt, Assistant Director Transport Co-ordinator from Metro.

Also in attendance at the meeting to respond to Members' questions and participate in the discussion were Richard Harris, Assistant Director Commercial Section at First Bus, David Hoggarth, Assistant Director Transport Development at Metro and Louise Holliday, Transport Planner (Policy) from the Development Department.

Dave Gilson's PowerPoint presentation outlined in summary:

- Improvements in transport in Leeds since 1995.
- An overview of the impacts of the West Yorkshire Local Transport Plan 2001-2006 (LTP1).
- Examples of successful actions of LTP1.
- A Forward Strategy for each area of Leeds, taking into account in particular alternatives to the unsuccessful proposals for the Supertram.
- Schemes identified in the short (2006-2008) medium (2008-2011) and long terms (2011+) for improvements to highways, rail and bus services.

Next Neil Holt gave a PowerPoint presentation on the organisation of Bus Services. The presentation included in summary:

- The implications of the 1985 and 2000 Transport Acts.
- Metro's role.
- How commercial services operate.
- Meeting social needs through tendered services and Metro's approach to these services.
- A bus strategy and future plans.

The Chair thanked the speakers and invited questions and comments from the Board. In summary the issues covered were:

- The modernisation of buses – the need for improved cleanliness, air conditioning, more spacious seating and First Bus's investment programme in new stock and new depots. These improvements would make journeys a more positive experience and encourage people to use public transport.

- Plans to improve transport connectivity in West Leeds and the justification for an outward bound High Occupancy Vehicle lane through the area rather than a bus lane.
- The proliferation of information signs.
- The use of new technology to control traffic lights and provide passengers with information on the arrival of their next bus.
- The use of data mapping to aid social inclusion by improving accessibility in particular to services such as hospitals.
- The use of modelling techniques to produce a preferred transport network.
- Quality contracts.
- The need to inform residents as to the reasons why longer bus stops are necessary on certain bus routes.
- The possibility of having bike lockers that can be booked with a train ticket in advance. Difficulties as to the availability of such lockers and problems of vandalism.
- Kirkstall Forge Station and general issues around funding contributions from developers as part of the planning consent package.
- Park and ride at railway stations and the difficulties of acquiring enough land for parking and ways to encourage travellers to use other means of transport to reach railway stations.
- The use of park and ride facilities by travellers from outside the Leeds boundary to take advantage of the Metro card.
- The reasons for the cost of new railway stations.
- The responsiveness of Metro to requests from Councillors.
- Governance arrangements in London and whether adopting a similar approach in the Leeds City Region would have a beneficial effect on transport.

The Chair thanked Officers and representatives from Metro and First Bus for attending and contributing to the discussions.

(NB: During the course of the above discussions, Councillors Hollingsworth and Taggart arrived at 10.10am and 11.25am respectively and Councillor Lowe left the meeting at 11.40am.)

#### **RESOLVED –**

- (a) That the report, presentations and comments above be noted.
- (b) That a printout of the PowerPoint presentations be circulated to all Members of the Board.
- (c) That details of new technologies aiding the planning and use of transport facilities including Smart cards be provided to Members, and information as to when and where these new technologies will become available.

## **22 Members' Questions**

The Head of Scrutiny and Member Development submitted a report outlining the provisions contained in the Scrutiny Board Procedure Rules for Members

to ask questions of the Director who Chairs the corresponding Corporate Priority Board on a range of service issues.

Officers had been given notice of the following question: 'What were the lessons learned from the issue by default of planning consent and the subsequent reports by the Ombudsman over the Telecoms Mast on Rawdon Billing?'. Sue Wraith, Head of Planning Services in the Development Department, was in attendance to respond to this specific question from the Board.

Sue Wraith explained to the Board that this type of planning application worked on the basis that the applicant had permitted development rights unless the Council intervened within 56 days and issued a refusal notice. She explained the circumstances behind the telecommunications mast being erected apparently by default of planning consent at Rawdon Billing. In the case of Rawdon Billing she reported that the Department had received a letter from the Ombudsman's office in July 2006 saying that they were now satisfied with all the actions taken by the Council. With regard to Thompsons's Yard at Otley, enforcement investigations are being carried out with a view to enforcement action being taken.

Members were advised that procedures had been updated to minimise the risk of these situations arising again:

- the regulation number of 56 days to issue a refusal notice had been artificially reduced within the Department to 46 days,
- a system of automatic computer reminders had been put in place,
- line managers monitor and are provided with a weekly list of mast applications that would expire that week,
- these types of applications continue to be put in a red file,
- the date and time these applications are received is stamped on the envelope and the envelope retained with the documentation, if not opened on the same day,
- refusal notices are faxed as well as posted and a follow up telephone call made to ensure that the notice had been received,
- staff awareness of these procedures had been raised and this would be regularly revisited.

In response to other questions from the Board, Members were advised that not every planning permission was checked to make sure that it was being implemented correctly but that complaints from the public were responded to. Members were also informed that all letters received at the Department were screened and sent out to the appropriate officer to deal with. Sue Wraith would pass on the Board's concerns to the relevant senior managers in the Department regarding notifying Councillors of senior officers leaving or retiring from the Department.

**RESOLVED –**

- (a) That Members be kept informed regarding developments with the Otley telecommunication phone mast case.



- (b) That in future Members be advised at an early date when senior officers leave or retire from the department.

(NB: Councillor Lobley left at this point in the meeting at 12.10pm.)

## **23 Inquiry into Leeds City Region**

The Chief Executive's Department submitted a report outlining some of the latest developments to the Leeds City Region and to the issue nationally. Attached to the report was a letter from the Rt Hon Ruth Kelly MP, Secretary of State for Communities and Local Government, to the joint Leaders of Leeds City Council outlining a number of questions that her Department would like to see explored by September 2006.

Nicole Brock, Head of Regional Policy, Chief Executive's Department, presented the report and updated Members on the latest developments. She was accompanied by Rob Norreys, Project Manager in the Regional Policy Team also from the Chief Executive's Department.

Members were advised that a written response to the Rt Hon Ruth Kelly MP's letter would be sent on 18<sup>th</sup> September and Members would be circulated with a copy. The City Region Development Programme had also been agreed in principal and a report would be going to the Executive Board on 20<sup>th</sup> September prior to its launch in November 2006. Members were also informed that the concept of a Leeds City Region had the support of the Secretary of State for Communities and Local Government but not yet of others who were more in favour of stronger Regional Development Agencies co-existing.

Members expressed their support for the Leeds City Region concept and there followed general discussion on this topic, in particular on issues concerning governance and accountability. Members were advised that Leeds City Region leaders were not in favour of an elected mayor. Exploring delivery structures and more formal governance arrangements were now high on the agenda, although the name of 'Leeds City Region' had already been accepted. It was explained that other city regions were further ahead in terms of robust governance arrangements but theirs were built on existing structures, whereas it did not make sense to build the Leeds City Region on the West Yorkshire administrative region.

The Chair thanked Officers for their hard work on this fascinating project and also for their time attending and presenting reports to the Board.

(NB: Councillor Davey left the meeting at 12.15pm during the course of the above discussions.)

### **RESOLVED –**

- (a) That the Board supports the city region approach as the functionally coherent unit for developing interventions aimed at achieving enhanced economic growth, particularly relating to interventions around transport

- connectivity; economic development (including innovation); skills and housing/building sustainable communities (ie places where people choose to live) where city region working can bring real added value.
- (b) That the Board endorses Leeds City Council's contribution to the broader city region partnership and to its efforts to enhance overall economic performance.
  - (c) That the Board endorses the view that other regional and national public bodies, government agencies and departments with a remit to promote economic growth, improve transport connectivity, improve skills levels etc, should seek to align their strategy and delivery plans to the city region.
  - (d) That the Board recognises that developing a city region strategy and policy in all areas will proceed at different rates dependent on the level of existing understanding, so for example transport thinking at a city region level is well advanced and moving forward, whereas a distinct city region skills offer is less well developed.
  - (e) That the response sent to the letter received from the Rt Hon Ruth Kelly MP be shared with the Board.
  - (f) That an update report be presented to the Board in a year's time or when there were significant developments particularly with regard to governance arrangements.
  - (g) That further information be provided to Members on other city regions particularly regarding their governance arrangements.

## **24 Work Programme**

The Head of Scrutiny and Member Development submitted a report on the Board's Work Programme, together with the Forward Plan of Key Decisions pertaining to this Board's Terms of Reference covering the period 1<sup>st</sup> August 2006 to 30<sup>th</sup> November 2006, for Members' consideration.

### **RESOLVED –**

- (a) That the report and Forward Plan of Key Decisions be noted.
- (b) That consideration of performance management information be added to the Board's Work Programme for November 2006.

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

Tuesday 10<sup>th</sup> October 2006 at 10.00am with a pre-meeting for Board Members at 9.30am.

The meeting concluded at 12.40pm.

## EXECUTIVE BOARD

WEDNESDAY, 20TH SEPTEMBER, 2006

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

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

### 51 Exclusion of Public

**RESOLVED** – That the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of the exempt information so designated as follows:

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

### 52 Declaration of Interests

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

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

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

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

### **53 Minutes**

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

## **CENTRAL AND CORPORATE**

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

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

#### **RESOLVED –**

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

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

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

#### **RESOLVED-**

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

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

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

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

#### **RESOLVED-**

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

### **d) Leeds Initiative**

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

#### **RESOLVED-**

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

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

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

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

**RESOLVED –**

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

**56 Financial Health Monitoring - Revenue**

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

**RESOLVED –**

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

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

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

## **CHILDREN'S SERVICES**

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

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

The report outlined the following options:

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

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

#### **RESOLVED –**

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

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

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

#### **RESOLVED –**

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

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

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

#### **RESOLVED –**

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

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

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

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

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

**LEISURE**

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

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

The report outlined the following options:

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

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

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

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

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



The report presented the following options for future board arrangements.

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

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

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

**RESOLVED –**

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

**63 Council Participation in IGEN**

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

**RESOLVED –**

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

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

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

## **DEVELOPMENT**

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

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

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

#### **RESOLVED –**

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

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

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

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

**RESOLVED –**

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

**66 A65 Quality Bus Initiative**

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

**RESOLVED –**

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

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

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

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

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

**RESOLVED –**

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

**68 The Leeds City Region Development Programme**

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

**RESOLVED –**

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

**69 Regeneration of Cross Green Phase 2**

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

The report detailed the following options:

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

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

**RESOLVED –**

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

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

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

## **NEIGHBOURHOODS AND HOUSING**

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

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

#### **RESOLVED –**

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

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

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

#### **RESOLVED –**

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

### **72 EASEL**

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

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

#### **RESOLVED –**

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

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

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

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

## OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 4TH SEPTEMBER, 2006

**PRESENT:** Councillor G Driver in the Chair

Councillors B Anderson, J Bale, B Cleasby,  
B Lancaster and T Leadley

### 25 Declaration of Interests

The following declarations of personal interest were made:-

Councillor Anderson – Agenda Item 7 (Minute No 28 refers) Preliminary Report on the Council's Statement of Gambling Policy (Chair of the Leeds Casino Advisory Group), Agenda Item 8 (Minute No 30 refers) Scrutiny Inquiry into Energy and Water Management (Lead Member on this subject), Agenda Item 10 (Minute 29 refers) Performance Report 2005/06 (ALMO Board Member, Leeds NW Homes and Lead Member on 'Narrowing the Gap')

Councillors Driver and Lancaster – Agenda Item 10 (Minute 29 refers) – ALMO Board Members, Leeds South Homes and Leeds NE Homes respectively)

### 26 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors Grahame and Pryke

### 27 Minutes - 3rd July 2006

- Minute No 23 – Review of Called-In Decision – Closure of Miles Hill and Potternewton Primary Schools and Creation of a New School on the Potternewton Site.

Councillor Lancaster referred to her declaration of interest at the last meeting, and indicated that this related to her capacity as a Governor of Carr Manor High School, not Primary School.

**RESOLVED** – That subject to the above amendment, the minutes of the meetings held on 3<sup>rd</sup> July 2006 be confirmed as a correct record.

### 28 Preliminary Report on the Council's Statement of Gambling Policy

The Director of Legal and Democratic Services submitted a report informing Members of the implications of the Gambling Act 2005 and seeking the Committee's views on the draft Statement of Gambling Policy, which was a statutory document outlining how the Council would seek to promote its licensing objectives under the Act.

Draft minutes to be approved at the meeting  
to be held on Monday, 9th October, 2006

Michael Romagnoli, Licensing Section, Legal and Democratic Services Department, attended the meeting and responded to Members' queries and comments. In brief summary, the main areas of discussion were:-

- The Committee regarded that they had not been consulted early enough in the consultation process;
- The Committee stressed that its greatest concern at this stage was the seemingly limited range of those who had been consulted. As the document stood, it appeared that some key partners had not been consulted, particularly District Partnerships, Primary Care Trusts and faith organisations. The view was expressed that the apparent absence of consultation potentially weakened the legitimacy of the policy document, and that consultation should not end with the publication of the document, but should continue throughout the life of the document, including any review of its effectiveness;
- Reference was made to Paragraph 2.1 of the draft Statement, which referred to 'excellent accessibility and transport connections'. Whilst this might be true in terms of getting to Leeds, it was the view of the Committee that it did not apply in terms of movement within Leeds;
- Reference was made to the comments contained in Paragraphs 12.1 to 12.7 relating to the protection of children and 'vulnerable people'. This was felt to be too vague, as was reference to a 'Children's Board';
- The fact that the Statement was a 'work in progress' – this draft had been prepared three months ago, but new guidelines had now emerged from the Gambling Commission and the Department for Culture, Media and Sport, and these would be reflected when a revised statement was submitted to the Committee in October before going before the Executive Board on 15<sup>th</sup> November and full Council on 13<sup>th</sup> December 2006.

The Chair suggested that at this stage, in consultation with the Head of Scrutiny and Member Development, he should draft and send a letter to the Chair of the Executive Board, outlining the Committee's initial concerns as expressed today, but that the Committee reserve making its formal comments or recommendations on the draft Statement of Gambling Policy until it has considered a possible revised Statement in October.

**RESOLVED** – That the Chair's suggested course of action, as outlined above, be approved.

## **29 Performance Report - Full Year 2005/06**

The Committee considered a report relating to performance issues for the period 2005/06 and those matters which had been identified by the Corporate Priority Boards and the Corporate Management Team as key performance indicators of corporate significance.

Steve Clough, Chief Executive's Department, attended the meeting and responded to Members' queries and comments. In brief summary the main points discussed were:-

Draft minutes to be approved at the meeting  
to be held on Monday, 9th October, 2006



- Reference was made to the evidential base for alleged 'areas of good performance', the Committee's draft Terms of Reference for its proposed Inquiry into the effectiveness or otherwise of the Council's 'Narrowing the Gap' initiative, and how relevant current monitoring methods and performance indicators were in this regard. This was something which no doubt the Committee would want to cover as part of its Inquiry, and individual Scrutiny Boards might also wish to pursue this aspect in terms of performance areas within their remit;
- Some of the terminology in the report was regarded as less than transparent – instead of referring to performance being 'within the threshold', it was regarded as more appropriate to refer to it being 'less than satisfactory' or 'failing to meet the target'. It was also felt that it would be useful in future to highlight or 'headline' the main issues in some way;
- Referring to 'complaint handling' and Paragraph 5.14 of the report, and the target figure of 90% of complaints answered within 15 days, as opposed to a year end performance of 38%, comment was made that more information was required regarding past performance and current performance, and that these should then be linked to a realistic achievable target. The question was also raised as to whether the report should contain recommendations and action plans linked to the resource implications? It was pointed out that these matters were addressed at Departmental level;
- Parts of the report were regarded as too vague, in particular the references to Children's Services, and this could lead to scepticism in regard to the report as a whole.

**RESOLVED** – That individual Scrutiny Boards pick up any particular issues within their remit which they wish to investigate in more depth, and a further report be submitted to OSC in due course after this exercise.

### **30 Scrutiny Inquiry - Energy and Water Management - Response to Committee's Recommendations**

The Head of Scrutiny and Member Development submitted the response of the Asset Management Service, Development Department, to the results of the Committee's Inquiry into Energy and Water Management within the Council.

**RESOLVED** – That the Committee receive periodic update reports in order to monitor progress on implementation of its recommendations.

### **31 Scrutiny Commission Inquiries: Flooding in Leeds and Workforce Planning - Responses to Recommendations**

The Head of Scrutiny and Member Development submitted a report regarding the responses of various Departments and agencies to the recommendations made by the above two Scrutiny Commissions established in 2005/06 by the Committee.

**RESOLVED** – That the report be noted and issues be addressed by this Committee, other Scrutiny Boards and individual Members as appropriate throughout this municipal year, Councillor Driver to lead on Workforce Planning issues and Councillor Leadley on Flooding in Leeds issues.

### **32 Work Programme**

The Head of Scrutiny and Member Development submitted the Committee's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract of the Council's Forward Plan of Key Decisions and a copy of the minutes of the Executive Board meeting held on 5<sup>th</sup> July 2006.

It was agreed to delete the scrutiny of the budget item from the October meeting, but to hold an informal working lunch in October for a preliminary discussion of budget issues. It was also agreed to invite Councillor Harris to the October meeting to discuss the 'Narrowing the Gap' initiative.

**RESOLVED** – That subject to the above amendments, the Committee's work programme be approved and accepted.

### **33 Dates and Times of Future Meetings**

Monday 9<sup>th</sup> October 2006  
Monday 6<sup>th</sup> November 2006  
Monday 4<sup>th</sup> December 2006  
Monday 8<sup>th</sup> January 2007  
Monday 5<sup>th</sup> February 2007  
Monday 5<sup>th</sup> March 2007  
Monday 2<sup>nd</sup> April 2007

All at 10.00 am (Pre-meetings at 9.30 am)

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## Report of the Head of Sustainable Development

### **SCRUTINY BOARD (DEVELOPMENT)**

**Date: 10 October 2006**

**Subject: Sustainable Design and Construction and Sustainability Assessments**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 1. Executive Summary

- 1.1. There is a clear need and opportunity to promote sustainable development as a strategic response to development pressures in Leeds. In addition, the Council wishes to encourage development that will be competitively advantageous in a future in which resource costs and pressures and the impact of issues such as climate change are likely to favour development that is resource efficient.
- 1.2. Leeds City Council revised Unitary Development Plan includes the revised policy GP11 "All development must ensure that it meets sustainable design principles". This revision was endorsed by the inspector's report on the revisions which stated that "*sustainable design principles are always applicable, even to small-scale development*".
- 1.3. A further revision (policy GP12) would have required a "sustainability assessment ... to accompany the submission of all applications for major development". This latter revision was not fully supported by the inspector who recommended that the Council should "encourage" rather than "require" such assessments and that this should be taken forward through a supplementary planning document.
- 1.4. This report provides some of the background to how these issues are being addressed and provides the context for a more detailed presentation to Scrutiny.

## 2. Background

- 2.1. Following the award of funding from the Renaissance Leeds partnership, Leeds City Council have commissioned EDAW consultants

- to replace and update existing Supplementary Planning Guidance (Sustainable Development Design Guide 1998 – [www.leeds.gov.uk/sustain](http://www.leeds.gov.uk/sustain)) in providing guidance to developers to encourage more sustainable buildings through the use of sustainable design and construction. This guidance will have the status of a Supplementary Planning Document (SPD) under the Council’s Local Development Framework (LDF).
- to prepare a simplified version of this guidance suitable for minor planning applications, including small householder applications. This version of the guidance will have advisory status only and will hopefully be incorporated as part of the Householder advise guidance.
- to prepare guidance for developers on how to prepare a sustainability assessment for major developments. This guidance will have the status of a Supplementary Planning Document (SPD) under the Council’s Local Development Framework (LDF).

2.2. The attached diagram outlines the project plan for these pieces of work and shows that it is hoped to have the SPDs completed by the end of the year when they will be subject to sustainability appraisal and formal consultation prior to adoption.

### **3. Sustainable Construction SPD**

3.1. The document will refer to top level sources of further information, data on costs and benefits and case studies of successful developments. The advice will be robust and defensible, based on legislation and independent standards that are regularly updated, and percentage improvements above. Site location, including transport, flood and biodiversity issues, will be covered by core policies, spatial policies within Area Action Plans and existing SPG. The issues to be included in the document will cover the design and construction of buildings, once the location has been optimised.

3.2. Using the references above, the issues to be potentially covered by the sustainable construction guides include:-

- Carbon (energy efficiency, efficient energy supplies and renewable energy);
- Site Design (day-lighting, orientation, ventilation)
- Water (efficiency, collection, recycling);
- Drainage (source reduction, management);
- Biodiversity (on-site protection, enhancement, creation);
- Environmental Protection (external - light pollution, acoustics, internal – air quality)
- Waste (operational municipal storage, recycling and composting);
- Materials (lifecycle impact, refurbishment, reuse, specification);
- Accessibility and inclusion (design for all, private and public space, , security, Lifetime Homes);
- Construction site management issues (consideration, energy, water, waste, transport);
- Management, performance and monitoring (commissioning, information provision, revisiting, reporting);
- Universal standards (BREEAM versions, CSH, CCS).

3.3. Leeds City Council recognises that in setting standards for the development industry, there will be a need to look ahead to future, probably tighter standards in the years to come and so allow Leeds to remain competitive. An important element therefore of the guidance will be to give developers clear guidance on the standards that are expected now and also to give an indication of the 'direction of travel' of standards setting, and therefore, what standards may be set in the future.

#### **4. Minor Advisory Note**

4.1. These issues will be simplified for the Minor Advisory Note, reducing to the following issues:

- Energy efficiency, efficient energy supplies and renewable energy;
- Water efficiency, collection and recycling;
- Materials reuse and specification;
- Care during construction;
- Monitoring success.

#### **5. Sustainability Assessment SPD**

5.1. The purpose of this SPD will be to advise developers of major developments what should be contained within a Sustainability Assessment to demonstrate how a major application addresses all of the sustainable development objectives in the Council's Sustainability Appraisal Framework.

#### **6. Recommendation**

6.1. Scrutiny Board are recommended to

- Note the contents of this report;
- Note the content of the three guidance documents to be prepared by consultants and the accompanying project timetable;
- Receive the accompanying presentation from EDAW;
- Receive a further update on the project at a future Scrutiny meeting.

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## Project work plan

### Leeds Sustainable Design and Construction SPDs

w/e	July		August					September				October				November			
Task/deliverable	21/07	28/07	04/08	11/08	16/08	25/08	01/09	08/09	15/09	22/09	29/09	06/10	13/10	20/10	27/10	03/11	10/11	17/11	24/11
Inception meeting																			
Formulate issues																			
Formulate current standards																			
Formulate future standards																			
DELIVERABLE: issues and standards for final agreement																			
Workshop – wider Leeds Council attendance and developer attendance																			
Preparing Guidance SPD																			
DELIVERABLE: Draft Guidance SPD																			
Third meeting/Scrutiny Board																			
Preparing minor advisory note																			
Preparing Assessment SPD																			
DELIVERABLE: Draft minor and assessment documents																			
Fourth meeting																			
Final drafting																			
FINAL DELIVERABLE: three documents																			

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Originator: Richard Mills

Tel: 247 4557

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**Report of the Head of Scrutiny and Member Development**

**Scrutiny Board (Development)**

**Date: 10<sup>th</sup> October 2006**

**Subject: Request for Scrutiny Regarding the Former Blackgates School at Tingley**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**1.0 Introduction**

1.1 A request for Scrutiny has been made by a Leeds resident following a deputation to Council on 19<sup>th</sup> July 2006. The request relates to the former Blackgates school at Tingley. Details of the request are attached.

1.2 The resident has been invited to attend today's meeting to detail to the Board the exact nature of the request for Scrutiny.

**2.0 Executive Board**

2.1 The Executive Board on 16<sup>th</sup> August 2006 considered the attached report of the Director of Development in response to the deputation to Council by local residents against the sale, demolition and redevelopment of the redundant Blackgates School at Tingley.

2.2 The Executive Board noted the concerns of the deputation but agreed that the disposal of the former Blackgates Infants School, Bradford Road, Tingley be progressed as detailed in the submitted report.

**3.0 Options for Investigations and Inquiries**

3.1 When considering the request for Scrutiny, the Scrutiny Board (Development) shall determine;

- how the proposed inquiry meets criteria approved from time to time by the Overview and Scrutiny Committee
- whether the Inquiry can be adequately resourced
- whether an Inquiry should be undertaken

#### **4.0 Recommendations**

4.1 The Scrutiny Board is requested to;

- (i) Consider the resident's request for Scrutiny.
- (ii) Receive and consider the attached report from the Director of Development.
- (iii) Consider whether further Scrutiny is required on this matter.

## REQUEST FOR SCRUTINY

### YOUR DETAILS

Name **Mr Paul Cockcroft**

Address

Tel.

E-mail

**WHAT WOULD YOU LIKE SCRUTINY TO LOOK AT?** Scrutiny Boards look at issues which affect Council services or communities in general. Specific issues which are of an individual nature may be taken up with your local Councillor or referred to the Council's complaints system. *Please describe the issue briefly and explain why you would like the Scrutiny Board to consider it.*

ON 19<sup>th</sup> July 2006 Tingley Residents presented a deputation to Leeds City Council complaining about the sell off, Demotions and redevelopment of the redundant Blackgates school which is sited within our community. The Executive Board of the city council considered our complaint on 16<sup>th</sup> Aug 06 and decided in it's wisdom NOT to refer our complaint to the relevant Scrutiny department for investigation as we had requested in our deputation. We Tingley residents are now directly contacting the relevant Scrutiny Board requesting that our complaint is now taken seriously and investigated.

### PLEASE RETURN TO:

Leeds City Council Scrutiny Support Unit  
1st Floor West  
Civic Hall  
Leeds  
LS1 1UR  
Tel. 0113 39 51151

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**REPORT OF THE DIRECTOR OF DEVELOPMENT**

**REPORT TO: EXECUTIVE BOARD**

**DATE: 16 AUGUST 2005**

**SUBJECT: REPORT - FORMER BLACKGATES PRIMARY SCHOOL, TINGLEY  
DEPUTATION TO FULL COUNCIL 19 JULY 2006**

**APPENDIX - To be circulated at the meeting  
Exempt under Exemption 1 (Commercial Interests)**

**Electoral Wards Affected:**

**ARDSLEY AND ROBIN HOOD**

**Specific Implications for:**

Ethnic Minorities   
Women   
Disabled People   
Narrowing the Gap

Executive  
Board  
Decision



Eligible for call in



Not Eligible for call in  
(details contained in the report)



Summary

This report has been prepared at the request of Council following a deputation to Full Council on 19 July 2006 by local residents opposed to the sale, demolition and redevelopment of the redundant Blackgates Infants School, Bradford Road, Tingley.

The report provides information relating to the closure of the school and the chosen method of disposal. Responses to questions raised by the deputation are contained in the report. The report concludes that the Council is acting correctly and recommends that Executive Board supports the proposed disposal as approved by the Director of Development.

**1.0 INTRODUCTION**

1.1 Local residents made a deputation to Full Council at its meeting on 19 July 2006 "against the sell off, demolition and redevelopment of the redundant Blackgates School, Tingley." This report details the concerns of the deputation and contains responses to those concerns. The main points that were brought to the Council's attention are contained in section 2.

**2.0 THE DEPUTATION**

2.1 The main points raised by the deputation are listed below:

- i) "Why isn't the school being offered for sale freely on the open market to be tendered for and why has this developer been allowed by the City Council to apply for planning permission to demolish the school and infill the space with housing you may well be asking."

- ii) "Requests have been made to the City Council for information relating to the property disposal and some of the requests made under the Freedom of Information Act have been turned down, so much for transparency!"
- iii) The developer's planning application was rejected. "What now disturbs us Tingley residents now is that the Council has given this developer the opportunity to consider appealing against the refusal of the planning application. We have now been informed by the Development Department that the builder has now considered the Council's suggestion and has decided to lodge an appeal."
- iv) "This appeal is going forward against the wishes of the public and it flies in the face of the decision made in February this year to reject the planning application by the Plans Panel East."
- v) "Whilst we understand that the Council has an obligation to obtain 'best consideration' for the redundant school we feel that the Council have poorly consulted with the local community regarding how this could be achieved without upsetting and distressing our community. The school has now become a target for vandals, substance misuse and yobbish antisocial behaviour and Tingley residents deserve some answers."
- vi) "We would like to see the Development Department agree a planning brief detailing that all traffic enters and exits the site via the school gates. We ask that this Council places the safety of our children before the profits of any future development taking place at the site."
- vii) "We request that this matter is referred to Scrutiny Board for development and that an inquiry is set up which will allow local residents to make representations to. Provide local residents the proper, decent, meaningful and transparent consultation regarding the disposal of this redundant community property and allow them to jointly agree the remit into this Scrutiny inquiry."

2.2 A copy of the deputation paper is attached as appendix 1 to this report. This report will address the items detailed above and provide Members with other information.

### **3.0 BACKGROUND**

3.1 In delivery of its 'Making the Most of People' corporate objective, the Council has invested over £68 million upgrading and replacing primary school facilities across the district under the Primary School Review and Leeds Primary Schools PFI programmes. On 16 October 2002 and 21 July 2004 Executive Board approved the disposal of the surplus school properties which are being replaced and the ring fencing of capital receipts to the scheme as part of the funding package.

3.2 Blackgates Infants School was declared surplus to requirements by the Chief Education Officer in the Department of Learning and Leisure on 31 January 2005. The school closed at the end of the summer terms 2005. The school comprises a building of approximately 784sqm (8,436sqft) situated within a site extending to approximately 0.32 hectares (0.8 acres) as shown edged black on the attached plan.

### **4.0 NEGOTIATIONS FOR THE DISPOSAL OF BLACKGATES INFANTS SCHOOL**

4.1 Prior to the school becoming surplus the adjoining site (shown on the plan) was being purchased by Minton Homes (a residential development company). The company proposed a residential development. In order to achieve satisfactory access arrangements Minton Homes had to achieve sight lines to provide unrestricted visibility along Bradford Road for drivers leaving the site. One of the sight lines fell across the front

garden of the Blackgates Infants School caretaker's house. Minton Homes approached the Council (acting in its capacity as landowner) requesting whether agreement could be reached for Minton Homes to acquire the sight line. Negotiations took place and it was agreed that the Council would make the sight line land available if Minton Homes undertook certain works. The works comprised: setting back the boundary wall, construction of a vehicular drive into the caretaker's house from the proposed Minton housing estate and construction of a drive and turning area within the curtilage of the house. The house did not have vehicular access and construction of such an access would increase the value of it at no cost to the Council. At that time the house was shortly to be vacated and could then have been disposed of independently of the school and be much more attractive to the market with a vehicular access.

- 4.2 During negotiations, Minton Homes enquired about the availability of Blackgates School. At that time there were no proposals to close it. Consideration was, however, given by the Development Department to the development potential of the property if it ever became available. This was undertaken as good estate management of the Council's property portfolio. As Minton Homes proposed a residential development on adjoining land with an access point onto Bradford Road positioned very close to the school site a situation could arise where a second vehicular access point into the school site would not have been permitted due to inadequate junction spacing. In these circumstances it would have been advisable to object to any planning application submitted by Minton Homes to protect the Council's interest.
- 4.3 Enquiries with Highways Officers revealed that a vehicular access was unlikely to be achieved to the school site due to the presence of a pedestrian crossing in front of the school. A limited number of cars (equivalent to the number currently parking at the school) may be permitted to use the current school access point on to Bradford Road if the use of the building changed in the future. This limited amount of traffic movement would restrict the level of development that could be accommodated on the site if the school building were to be demolished.
- 4.4 Minton Homes was aware of the Council's enquiries regarding access arrangements and suggested that if the company was granted an option to acquire the school then vehicular access could be provided through the housing estate on their adjoining land. This was an acceptable arrangement to Highways Officers and the road could be designed to a standard appropriate to serve additional houses on the school site.
- 4.5 In circumstances where vehicular access can only be achieved to a development site across third party land it is usual practice for the third party to be paid between one third and one half of the development value of the site which would benefit from the access being provided. This payment is known as a 'ransom'. Minton Homes would have been justified in requesting such a payment to provide such an access to the Council's school site. Minton Homes, however, advised that a ransom would not be charged. The Council could achieve the full value for its property. It was further agreed by Minton Homes that if after having had the opportunity to purchase the property the company decided not to proceed then unrestricted vehicular access rights would be granted across its new estate road into the school for use by any other party the Council chose to sell the property to.
- 4.6 On 15 March 2005 the Chief Asset Management Officer (by way of authority delegated by the Director of Development) approved that the school be disposed of:
- i) By way of one to one negotiations under the terms of an option agreement agreed between the Council and Minton Homes for the acquisition of the property,
  - ii) In the event of negotiations not being concluded under the terms of the Option Agreement then the property should be advertised for sale on the open market by

informal tender.

- 4.7 The school subsequently became surplus to requirements and negotiations took place between the Council and Minton Homes for the sale. A redevelopment scheme was proposed by the company which was considered by Planning and Highway Officers. Agreement was reached in principle as to the content of the scheme and negotiations took place for the purchase price that would be paid by Minton Homes.
- 4.8 A purchase price was provisionally agreed with Minton Homes. An independent valuation was commissioned by the Council due to the high value of the site and the nature of the disposal being on a one to one basis. The independent valuation was undertaken on 2 bases, for redevelopment of the property and for refurbishment for residential use. These valuations are detailed in section 1 of the confidential appendix to be circulated at the meeting. The appendix is designated Exempt under Exemption 1 (Commercial Interests) as disclosure of the information is commercially sensitive and may jeopardise the current transaction. The purchase price agreed with Minton Homes is the same as the independent valuation for a redevelopment scheme.
- 4.9 It was proposed that the terms of the disposal be reported with a recommendation that the property be sold to Minton Homes. The sale being conditional on the company obtaining a satisfactory detailed planning permission for residential redevelopment in the form provisionally agreed with Council officers.
- 4.10 A detailed planning application was then submitted by Minton Homes for redevelopment of the school site for residential use (including demolition of the school) with vehicular access being taken across the Minton Homes' newly constructed adjoining housing estate (Shancara Court).

## **5.0 BEST CONSIDERATION**

- 5.1 The Council is under a statutory duty to obtain 'best consideration' (the highest price) when it disposes of property assets under Section 123 of the Local Government Act 1972 (or under the Housing Act 1985). In relation to Blackgates Infants School the Council will realise best consideration in the event of the property being sold for residential redevelopment. The values for redevelopment and refurbishment are confirmed independently and reported in section 1 of the confidential appendix.
- 5.2 There are certain times when the Council can sell at less than best consideration, but only in exceptional circumstances. In the event of the building being sold for refurbishment a lower price would be realised than if it had been sold for refurbishment, and if the building is put to community use the Council would not realise any capital value.

## **6.0 CONSULTATIONS**

- 6.1 Prior to closure of the school a statutory consultation process must be undertaken by the Council. The process was undertaken which resulted in approval being obtained by the Council to the closure.
- 6.2 Ward Members were consulted on the proposal to dispose of the school. Two of the Ward Members advised that they wished to retain the school building and both favoured its retention for local community use. One Ward Member wished to see the building retained because of its visual merit and historic significance in the area.
- 6.3 The proposal to dispose of the school and the Planning Statement for the school prepared by Planning Officers were referred to the South (Outer Area) Committee on 14 February 2005 for consideration. Support was given to the Ward Members' comments that the building should be retained for community use, but recognition was given that Executive



Board had already taken the decision that the property should be disposed of.

## **7.0 PLANNING APPLICATION**

7.1 The detailed planning application submitted by Minton Homes initially showed vehicular access for all 11 proposed houses via the newly constructed Shancara Court. Shancara Court had been designed and constructed to adoptable standards and to a specification in accordance with the Council's West Yorkshire Highways Design Guide to be capable of serving this additional development.

7.2 The planning application was advertised and notices posted adjacent to the site. Objections were received and Planning Officers requested Minton Homes to reduce the number of houses that would be served from Shancara Court. The application was amended to show 5 houses being access directly from Bradford Road and 6 houses via Shancara Court. The application was presented to a meeting of the Plans Panel East on 9 February 2006 with a recommendation that it be approved. Members of the Panel did not accept the recommendation because of concerns of the impact on the street scene, over development of the site and detriment to highway safety. Members instructed that the application be brought back to Panel with details of reasons for refusal based on the Panel's considerations.

7.3 The planning application was then presented to a meeting of the Plans Panel East on 9 March 2006. The report, from the Chief Planning and Development Services Officer, detailed the reasons given by Members as to why the application should be refused. It also contained further advice that Members of the Plans Panel should consider prior to determining the application. The main points raised were:

- i) Mews Court cul-de-sac arrangements (such as Shancara Court) are designed in accordance with the Council's own West Yorkshire Design Guide and are suitable for use by up to 25 units. These mews court arrangements are common throughout Leeds and have been used since 1985.
- ii) The additional 6 extra dwellings accessed via Shancara Court would be likely to result in only an extra 4 vehicle movements in peak periods.
- iii) Design Bulletin 32 states that a study of local accident records for such mew court arrangements found that no accidents had been reported.
- iv) Shancara Court has only recently been built and was specifically laid out to enable access for future development of the school site.

7.4 The report concluded:

- i) Highways Officers are of the opinion that a highways safety reason for refusal could not be substantiated on appeal.
- ii) Members should have regard to advice of Circular 8/93 'Award of Costs in Planning Proceedings' where the circular states that an award of costs is likely when the Local Planning Authority has acted unreasonably; which could include an unreasonable refusal of planning permission.
- iii) Circular 8/93 also states that Members are not bound to adopt professional or technical advice by their Officers, but they will be expected to show that they had reasonable grounds for taking a decision contrary to advice, and be able to produce relevant evidence to support their decision in all respects. If they fail to do so, costs may be awarded.

- 7.5 Minton Homes planning application was refused by Members of the Plans Panel. The reasons for refusal being
- i) Loss of the Victorian School building and its replacement by modern detached two storey houses fails to reinforce local distinctiveness, and that the design, by reason of its modern, two storey, predominantly brick materials, is inappropriate in its context, and fails to take the opportunities available for improving the character and quality of the area. As such the proposal is considered to be contrary to policy.
  - ii) The proposal constitutes overdevelopment of the site, causing harm to the character and amenity of the area, contrary to policy.
- 7.6 The refusal was considered by the Development Department Departmental Management Team. A report containing options was considered. The options were:
- i) As Minton Homes did not achieve a satisfactory planning permission the Council could withdraw from the sale and market the property. Marketing literature could contain an explanation of the planning history and specify that access has to be taken from Bradford Road and the building retained. This would result in the Council realising a lower capital receipt. Also, it is likely that offers would be received for demolition and redevelopment with access being taken in numerous different locations. These schemes would be accompanied by higher offers than those for refurbishment.
  - ii) English Heritage could be requested to consider listing the building. If listed, the only possible scheme would be refurbishment. The sale price in these circumstances, although lower than a redevelopment scheme, would be considered to be best consideration. Any scheme proposing demolition could be rejected.
  - iii) To continue to pursue the best consideration option through further negotiations with Minton Homes. Minton Homes had expressed an interest in appealing the refusal of the planning application. As the applicant this is a right available to the Company.
- 7.7 It was agreed that for reasons of best consideration the Council would continue to negotiate with Minton Homes to see if the Company could secure an appropriate planning consent. One course of action available to the Company is to appeal against the refusal of the planning application and the Company has subsequently confirmed that it does wish to appeal the decision. Minton Homes is now preparing to lodge the appeal, which the Council has requested should be conducted by written representations.
- 8.0 FURTHER CONSULTATION**
- 8.1 Local residents are aware of the situation, which is clearly demonstrated through the deputation to Full Council on 19 July 2006. Ward Members are also aware.
- 8.2 Ward Members advise that local groups are interested in the building for community uses. A meeting was held with two of the Ward Members on 17 May 2006. On a confidential basis these Members were advised of the sale price that had been agreed with Minton Homes. The Members advised that they would have further discussions with some known community groups and return to officers. Following the meeting a member of one of the groups had a brief discussion with an officer who was involved in the meeting with the Ward Members. No further contact has since been made by Ward Members or the representative of the community group.

## 9.0 ADDRESSING THE POINTS RAISED BY THE DEPUTATION

9.1 Section 2 of the report detailed the concerns raised at Full Council by the Deputation. This section will summarise how the Council can respond to those concerns:

- i) Concern - "Why isn't the school being offered for sale freely on the open market to be tendered for and why has this developer been allowed by the City Council to apply for planning permission to demolish the school and infill the space with housing you may well be asking."

Response – A sale directly to Minton Homes for redevelopment of the site with vehicular access being taken via Shancara Court will result in the Council meeting its statutory obligation to achieve best consideration from the disposal of its property asset.

- ii) Concern - "Requests have been made to the City Council for information relating to the property disposal and some of the requests made under the Freedom of Information Act have been turned down, so much for transparency!"

Response – Access has been given to the files in accordance with the terms of the Freedom of Information Act. The only information that was withheld was that relating to the valuation and to the terms agreed with Minton Homes. This information is exempt from disclosure under section 43 of the Act as information likely to prejudice commercial interest. The refusal by the Council to disclose this information was appealed. The decision was reviewed at a senior level in accordance with the Council's procedure and the original decision was upheld. The applicant was also notified at that time that an application may then be made to the Information Commissioner for a decision as to whether the request had been dealt with in accordance with the requirements of part 1 of the Act, and contact details for the Commissioner were given.

- iii) Concern - The developer's planning application was rejected. "What now disturbs us Tingley residents now is that the Council has given this developer the opportunity to consider appealing against the refusal of the planning application. We have now been informed by the Development Department that the builder has now considered the Council's suggestion and has decided to lodge and appeal."

- iv) Concern - "This appeal is going forward against the wishes of the public and it flies in the face of the decision made in February this year to reject the planning application by the Plans Panel East."

Response to iii and iv – The initial recommendation of the Chief Planning and Development Services Officer was that the application should be approved. It was at the direction of Plans Panel Members that the application was re-presented with reasons for refusal. The scheme proposals were unchanged. An appeal against the refusal can be made by the applicant with or without the landowner's consent. In this case the developer is prepared to take the matter further at its own risk.

- v) Concern - "Whilst we understand that the Council has an obligation to obtain 'best consideration' for the redundant school we feel that the Council have poorly consulted with the local community regarding how this could be achieved without upsetting and distressing our community. The school has now become a target for vandals, substance misuse and yobbish antisocial behaviour and Tingley residents deserve some answers."

Response – The Council is attempting to achieve best consideration from the

disposal of this property. In terms of consultation:

- a) Ward Members were consulted on the Council's intention to dispose of the property, and
  - b) The proposed disposal and the Planning Statement relating to the property were referred to the South (Outer Area) Committee on 14 February 2005 for consideration. This committee is open to members of the public to attend.
- vi) Concern - "We would like to see the Development Department agree a planning brief detailing that all traffic enters and exits the site via the school gates. We ask that this Council places the safety of our children before the profits of any future development taking place at the site."

Response – Highways Officers have considered whether traffic could access the site directly from Bradford Road. It has been concluded that only the number of vehicles that used that access point whilst the school was operational could continue to access via that route. This will limit the development potential of the property to either refurbishment of the building to provide 10 apartments, or 5 new build properties. Both these options would result in the Council receiving less than best consideration, something which by law, it is required to achieve. In addition the restricted number of residential units would not assist in meeting the target for delivery of housing numbers set by central government.

- vii) Concern - "We request that this matter is referred to Scrutiny Board for development and that an inquiry is set up which will allow local residents to make representations to. Provide local residents the proper, decent, meaningful and transparent consultation regarding the disposal of this redundant community property and allow them to jointly agree the remit into this Scrutiny inquiry."

Response – The Full Council meeting on 19 July 2006 considered that it was appropriate that the matter be referred to a meeting of Executive Board.

## **10.0 PROPOSAL**

- 10.1 It is proposed and recommended that Members of Executive Board note the contents of this report and agree that the proposed disposal of the former Blackgates Infants School, Tingley should continue with Minton Homes in the way detailed.
- 10.2 The Director of Development confirms that the proposed method of disposal set out above is the method most likely to result in the Council achieving the best consideration that can reasonably be obtained under Section 123 of the Local Government Act 1972 (or under the Housing Act 1985).

## **11.0 OPTIONS**

- 11.1 There are other options available to the Council in dealing with the former Blackgates Infants School. These are detailed below:
- i) The Council could withdraw from the sale to Minton Homes and advertise the property for sale on the open market. The planning history could be provided in the marketing literature and a requirement that access only be taken directly from Bradford Road. This will severely reduce the value of the property due to the limited nature of the development that can be accommodated on the site. Should offers be invited on this basis then it is quite likely that schemes will be received indicating vehicular access via Shancara Court which will be accompanied by higher offers.

This option is not considered appropriate and should not be pursued.

- ii) The Council could market the building as a refurbishment opportunity only with vehicular access only being taken from Bradford Road. This would result in the Council receiving less than best consideration. Should the property be sold on this basis there is the possibility that the new owner could submit a planning application for demolition and redevelopment. The Council could be put in a position where it had sold the property for a price which then did not reflect the value of a site if a planning permission was granted for redevelopment, but the more intensive scheme opposed by the objectors still resulted.

This option is not considered appropriate and should not be pursued.

- iii) The property could be made available for community purposes. Neither the Department of Neighbourhoods and Housing nor the Department of Learning and Leisure have indicated a requirement for community facilities to be provided on the old school site. Should demand become apparent then these Council departments would have to sponsor any group's occupation of the property and identify a budget to provide financial support. There is no such budget available to enable support to be given. If the building was made available for community use the Council would not receive a capital receipt. The building has already been vacated by the Council as it is considered inappropriate as modern teaching accommodation and it will be more costly to occupy and maintain than any modern building.

This option is not considered appropriate and should not be pursued.

- iv) Continue with the sale to Minton Homes. This is the option that is most likely to achieve best consideration.

It is recommended that this option be pursued.

11.2 It is recommended that the sale to Minton Homes is continued.

## **12.0 RISK ASSESSMENT**

12.1 In continuing with the sale to Minton Homes the following risks have been considered:

- i) Costs may be awarded against the Council if Minton Homes' planning appeal is successful. The costs will have to be borne by the Council, however, in the event of a detailed planning permission for residential redevelopment being granted then the Council will achieve a higher capital receipt for the site which will more than off set the costs incurred.
- ii) The property will remain vacant and vulnerable to vandalism whilst it remains in the Council's ownership. The costs associated with continued maintenance will have to be borne by the Council. There is a risk that people may enter the property without authority and injure themselves. This risk is mitigated by regular inspections being undertaken and if any repairs or additional security is required then these are attended to.

## **13.0 RECOMMENDATION**

13.1 It is recommended that Members of Executive Board note the concerns of the deputation made to Full Council on 19 July 2006, but agree that the disposal of the former Blackgates Infants School, Bradford Road, Tingley should progress as detailed in the report.

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This Deputation is being presented by local residents who are against the sell off, Demolition and Redevelopment of the Redundant Blackgates School at Tingley.

Several years ago Leeds City Council undertook a review of Primary School Services and in 2003 a decision was made by the City Council to close and sell off Blackgates Infants School at Tingley. This School closure eventually took place in July 2005. Local residents waited for the Advertising Boards to be erected detailing the sale of the School yet nothing happened.

It came as quite a surprise for Tingley residents in September 2005 when planning notices were displayed locally detailing that a private housing developer wanted to demolish the School which had served our community since 1894 and wanted to infill the space with housing. Instead of submitting plans to bring all of the access traffic to the site via the School gates this Developer has been allowed by the City Council to submit plans detailing that additional traffic will be brought onto the site through the tiny cul de sac where our small children play.

So why isn't the School being offered for sale freely on the open market to be tendered for and why has this developer been allowed by the City Council to apply for planning permission to demolish the School and infill the space with housing you may well be asking. Let me tell you why.

Back in 2003 this Developer showed an expression of interest in purchasing Blackgates School and was given the first option to negotiate with over the purchase of the redundant School. Requests have been made to the City Council for information relating to the property disposal and some of the requests made under the Freedom of Information Act have been turned down, so much for transparency!

The planning application to demolish the School and infill the space with housing went before the plans panel **FAST** on Thursday 9th

February this year and local residents rightly raised their concerns. Tingley residents were pleased when the plans to redevelop this site were turned down. The development department has set about forming an options appraisals report regarding the disposal of the school. Seeking transparency a request was made to inspect the options appraisal report and the request made under the terms of the Freedom of Information Act was turned down. What disturbs us Tingley residents now is that the Council has given this developer the opportunity to consider appealing against the refusal of the planning application. We have now been informed by the development department that the Builder has now considered the Council's suggestion and has decided to lodge an appeal. Who exactly is running this Council we ask? This appeal is going forward against the wishes of the public and it flies in the face of the decision made in February this year to reject the planning application by the Plans Panel East.

Whilst we understand that the Council has an obligation to obtain 'best considerations' for the redundant school we feel that the Council have poorly consulted with the local community regarding how this could be achieved without upsetting and distressing our community. The school has now become a target for vandals substance misuse and yobbish antisocial behavior and Tingley residents deserve some answers.

We would like to see the development department agree a planning brief detailing that all traffic enters and exits the site via the school gates. We ask that this Council places the safety of our children before the profits of any future development taking place at this site. We request that this matter is referred to a scrutiny board for development and that an enquiry is set up which will allow local residents to make representations to. Provide local residents with proper, decent, meaningful and transparent consultation regarding the disposal of this redundant community property and allow them to jointly agree the remit into this scrutiny enquiry.





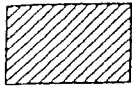
SUBJECT SITE



LAND OWNED BY LEEDS CITY COUNCIL



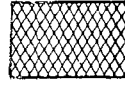
LAND LEASED BY LEEDS CITY COUNCIL



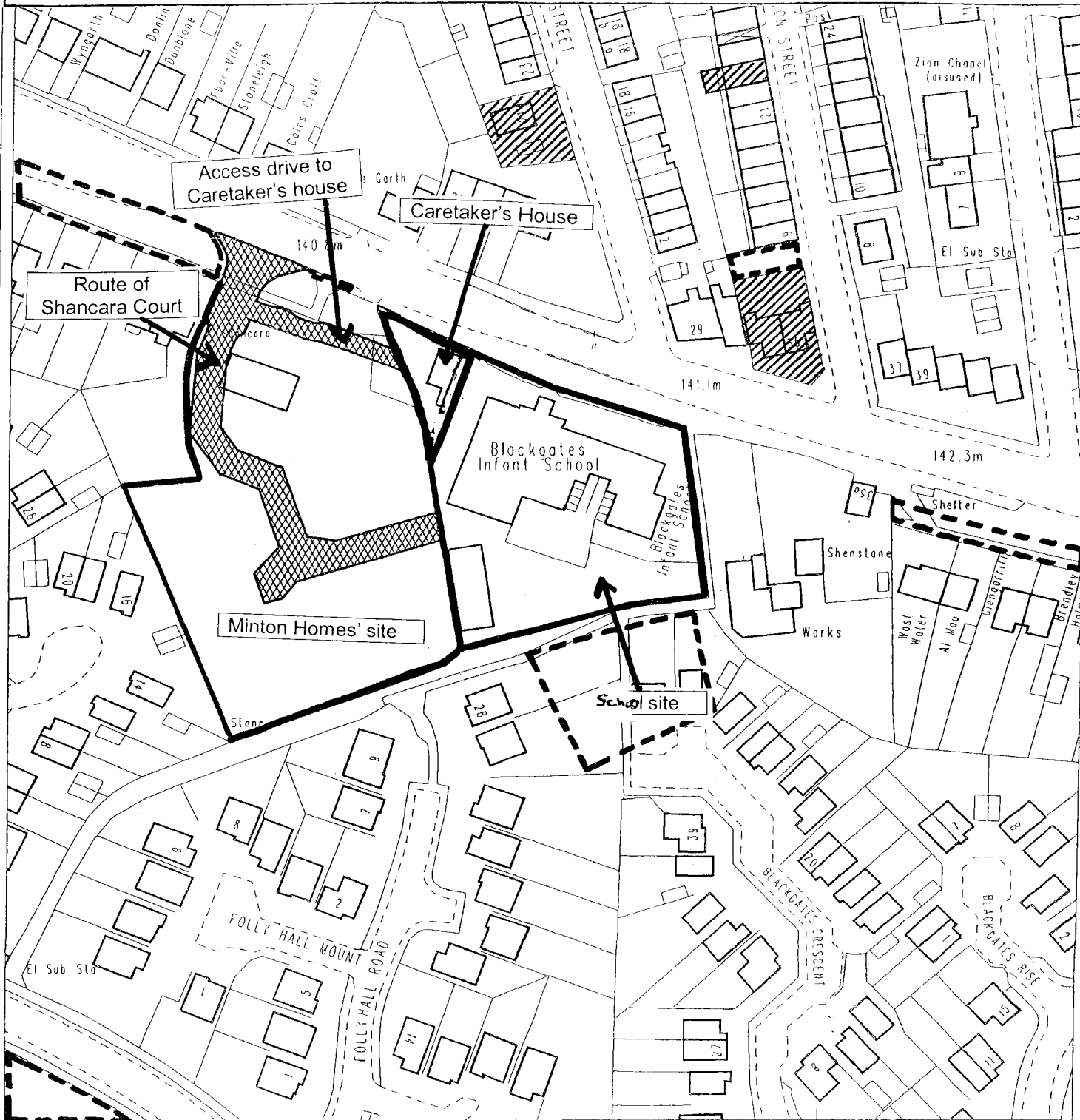
LAND SOLD BY LEEDS CITY COUNCIL



LAND OWNED BY APPLICANT

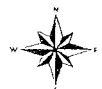


PROPOSED ACCESS ROUTES



LAND AT  
 BLACKGATES INFANT SCHOOL  
 BRADFORD ROAD  
 TINGLEY WF3

PREP BY Ida039  
 DATE 16/04/2003



OS No SE2826SW  
 Scale 1: 1250

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Originator: Richard Mills

Tel: 247 4557

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**Report of the Head of Scrutiny and Member Development**

**Scrutiny Board (Development)**

**Date: 10<sup>th</sup> October 2006**

**Subject: Request for Scrutiny Regarding the Former Drighlington Junior School**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**1.0 Introduction**

- 1.1 A request for Scrutiny has been made by the Clerk to Drighlington Parish Council following a deputation to Council on 19<sup>th</sup> July 2006. The request relates to the former Drighlington school. Details of the request are attached.
- 1.2 The Clerk to Drighlington Parish Council has been invited to attend today's meeting to detail to the Board the exact nature of the request for Scrutiny.

**2.0 Executive Board**

- 2.1 The Executive Board on 16<sup>th</sup> August 2006 considered the attached report of the Director of Development in response to the deputation to Council by the Drighlington **Conservation** Group regarding lack of consultation on the disposal of Drighlington Old School and land.
- 2.2 The Executive Board at this meeting noted:
- (a) the concerns expressed in the deputation from Drighlington Conservation Group
  - (b) the consultation which has taken place to date
  - (c) that the petition from Drighlington residents did receive due consideration from officers and the Executive Member for Development, but that on balance the view was taken that it was necessary to progress the disposal in order to deliver the Primary School Review programme

- (d) that representatives of Drighlington Parish Council will have a further formal opportunity to submit any objections on the development of the school upon submission of a planning application by the successful purchaser of the site
- (e) that discussions are underway to secure the rebuilding of the clock tower, the clock face and mechanism, and the weather vane in appropriate locations within the community
- (f) that the Council is the legal owner of the site and buildings and therefore does have the right to dispose of them
- (g) that Development Department will continue to progress the disposal of the school to meet the targets of the Primary School Review, and maintain an ongoing dialogue with Local Ward Members.

### **3.0 Options for Investigations and Inquiries**

3.1 When considering the request for Scrutiny, the Scrutiny Board (Development) shall determine;

- how the proposed inquiry meets criteria approved from time to time by the Overview and Scrutiny Committee
- whether the Inquiry can be adequately resourced
- whether an Inquiry should be undertaken

### **4.0 Recommendations**

4.1 The Scrutiny Board is requested to;

- (i) Consider the Clerk to Drighlington Parish Council's request for Scrutiny.
- (ii) Receive and consider the report from the Director of Development.
- (iii) Consider whether further Scrutiny is required on this matter.

## REQUEST FOR SCRUTINY

### YOUR DETAILS

Name Drighlington Parish Council / Drighlington Conservation Group  
Address Clerk Mr D Lacey

Tel.  
E-mail

**WHAT WOULD YOU LIKE SCRUTINY TO LOOK AT?** Scrutiny Boards look at issues which affect Council services or communities in general. Specific issues which are of an individual nature may be taken up with your local Councillor or referred to the Council's complaints system. *Please describe the issue briefly and explain why you would like the Scrutiny Board to consider it.*

We are of the view that the Executive Board could not have come to a proper decision regarding the disposal of Drighlington Junior School, as they were not fully appraised of the situation with regard to the issues of ownership. Contrary to statements made in the said report Drighlington Parish Council was not at any stage consulted, making this report factually incorrect

In addition, the Drighlington Conservation Group wishes to state that consultation did not take place prior to the Deputation made by Mr. M. Crabtree to Full Council on the 19<sup>th</sup> July 2006.

### PLEASE RETURN TO:

Leeds City Council Scrutiny Support Unit  
1st Floor West  
Civic Hall  
Leeds  
LS1 1UR  
Tel. 0113 39 51151

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**REPORT OF THE DIRECTOR OF DEVELOPMENT**

**REPORT TO: EXECUTIVE BOARD**

**DATE: 16 AUGUST 2005**

**SUBJECT: REPORT - FORMER DRIGHLINGTON PRIMARY SCHOOL, DRIGHLINGTON DEPUTATION TO FULL COUNCIL 19 JULY 2006**

**APPENDIX - To be circulated at the meeting  
Exempt under Exemption 1 (Commercial Interests)**

**Electoral Wards Affected:**

**MORLEY NORTH**

**Specific Implications for:**

- Ethnic Minorities
- Women
- Disabled People
- Narrowing the Gap

Executive Board Decision



Eligible for call in



Not Eligible for call in  
(details contained in the report)



Summary

This report has been prepared at the request of Council following the deputation by representatives of Drighlington residents which raised specific points regarding the ownership of the school and consultation which has been undertaken. It provides background information on the disposal of the former Drighlington Primary School as part of the Council's Primary School Review, the consultation undertaken and the Council's ownership of the land and buildings.

**1.0 ISSUE**

1.1 Representatives of the Drighlington Conservation Group were granted a deputation to the Council on 19<sup>th</sup> July 2006. Specific concerns that the deputation raised were:

- (i) Representatives of the local residents of Drighlington have not been consulted by officers, and that a petition raised to save the school has not been considered by officers.
- (ii) The Council do not have legal ownership of the site.

**2.0 PURPOSE**

2.1 The purpose of this report is to inform Members about concerns raised in the deputation granted to representatives of Drighlington residents regarding the disposal of the former Drighlington Primary School. This will enable Members to make an informed response to the deputation made by Drighlington Conservation Group.

2.2 A copy of the deputation paper is attached as appendix 1 to this report. This report will

address the items detailed above and provide Members with other information.

### **3.0 BACKGROUND**

- 3.1 In delivery of its 'Making the Most of People' corporate objectives, the Council is investing over £68 million in upgrading and replacing primary school facilities across the district under the Primary School Review and Leeds Primary Schools PFI programmes. On 16 October 2002 and 21 July 2004 Executive Board approved the disposal of the surplus school properties which are being replaced and the ring fencing of capital receipts to the scheme as part of the funding package.
- 3.2 The disposal of Drighlington Primary School as part of the Primary School Review will fund replacement school provision in the area through the refurbishment of the former infants school at Moorlands Drive in Drighlington, which will become the new primary school.
- 3.3 A Planning Statement was prepared which indicates potential alternative uses to be residential, office, light industrial, storage or distribution, or community uses such as dentists, doctors surgery or nursery. The building is not listed or in a conservation area
- 3.4 Drighlington Junior School was declared surplus to requirements by the Chief Education Officer on 31<sup>st</sup> January 2005. The Director of the Development Department gave approval on 11 March 2005 that the above site be advertised for sale on the open market and that offers received be reported to the Director of Development for consideration. Prior to the marketing of the property Ward Members were consulted (see below).
- 3.5 The property has been marketed and by the closing date of 18<sup>th</sup> August 2005, 8 valid offers were received. A further offer was received on the same day. The schemes have been referred to Planning and Highways officers within the Development Department for consideration.
- 3.6 The Director of Development gave approval on 8<sup>th</sup> November 2005 to undertake further discussions with a shortlist of 3 parties whose submissions were accompanied by the 3 highest financial offers.
- 3.7 The shortlisted schemes have been discussed further with Planning and Highways Officers and a report to the Chief Asset Management Officer has been prepared recommending disposal for the highest offer which has been received.

### **4.0 MAIN ISSUES**

- 4.1 Representatives of the Drighlington Conservation Group were granted a deputation to the Council on 19<sup>th</sup> July 2006. Specific concerns that the deputation raised were:
- (i) Representatives of the local residents of Drighlington have not been consulted by officers, and that a petition raised to save the school has not been considered by officers.
  - (ii) The Council do not have legal ownership of the site.
  - (iii) The buildings should not be demolished under any change of use of the site.
  - (iv) The clock in the clock tower was recently installed through public subscription and should be retained within the community.



## 5.0 CONSULTATION

- 5.1 Ward Members were consulted on 28<sup>th</sup> January 2005 on the proposal to dispose of the property and have commented that the buildings should be retained and used for community uses that should be restricted to either the provision for Early Years/Childcare facilities or sheltered housing provision. The normal period for consultation with Local Ward Members is 10 days, although a request was agreed from Local Ward Members to extend the consultation period to the end of February to enable Drighlington Parish Council to provide their views to Local Ward Members.
- 5.2 The proposal to dispose of the surplus school, and the Planning Statements was referred to the Outer South Area Management Committee on 14<sup>th</sup> February 2005 for consideration. The Area Committee supported Ward Members desire to retain the building for community use but recognised the Executive Board decision to sell the property.
- 5.3 Drighlington Parish Council submitted a petition signed by local residents on 22<sup>nd</sup> June 2005 to retain the building for use within the community, and together with local school governors, have expressed a desire for the clock face to be relocated to the new school as this was a memorial to a previous headmaster. Education Leeds have discussed this with the school governors and arrangements are being progressed for the relocation of the clock and weather vane separately. Officers are also currently examining whether the clock tower itself can also be reconstructed as a part of these arrangements. The petition was included with the report to the Chief Asset Management Officer on 8<sup>th</sup> November 2005 outlining the offers which have been received and recommending a shortlist of interested parties for further discussion.
- 5.4 Since then, further meetings have taken place between one Local Councillor for Morley North and Senior Officers of the Council regarding progress of the sale and he has expressed support for affordable housing within any scheme. Affordable housing will be provided where schemes exceed the threshold of 25 dwellings, although given the size of the site it is unlikely that the threshold will be exceeded.
- 5.5 Local communities are not consulted on the principle of retention or disposal of buildings. Rather, they are consulted on an ongoing basis by service departments regarding the need for services in their areas. Where the case can be made for new facilities then these are incorporated into the appropriate departmental asset management plan. Neither the Department of Neighbourhoods & Housing nor the Department of Learning & Leisure have identified a need for additional community facilities on the old school site.
- 5.6 With regard to the design, environmental and usage issues relating to any future development of the site, representatives of Drighlington residents will have the formal opportunity to make objections to the Council (as Planning Authority) once a planning application has been submitted by the successful purchaser.
- 5.7 The petition raised to save the school was discussed with the Executive Member for Development. The concerns of the community were noted. However, on balance the Executive Member concurred with the view of officers that:
- (i) The substantial sum offered for the site (see confidential appendix) was an important element of the funding to deliver the Primary School Review programme. Any decision to retain this site in Council ownership would have necessitated the deletion of one or more other important schemes from the Capital Programme.

and

- (ii) The difference between the highest offer for demolition/new build on the site and the highest offer involving retention/refurbishment by the developer of the existing school buildings (see confidential appendix) was too great to justify pursuing the latter option. It was also noted that the buildings are neither listed, nor in a conservation area.

## **6.0 BEST CONSIDERATION**

6.1 The Council is under a statutory duty to obtain 'best consideration' (the highest price) when it disposes of property assets under Section 123 of the Local Government Act 1972 (or under the Housing Act 1985). There are certain times when the Council can sell at less than best consideration, but only in exceptional circumstances. In relation to Drighlington Primary School the Council will realise best consideration in the event of the property being sold for residential redevelopment. The values for redevelopment and refurbishment are given in the confidential appendix.

## **7.0 OWNERSHIP**

7.1 The Council's Legal and Democratic Services Department have investigated the claims in respect of ownership by the Margetson Estate and have found no evidence to suggest that the land is not within the Council's ownership, and the Council has registered its legal interest in the ownership of this land with the Land Registry.

7.2 The Parish Council have been invited to submit any evidence to suggest otherwise for further consideration, however no further evidence has been forthcoming.

7.3 The Charity Commission have written to the Council to confirm they are satisfied that the school site and buildings are owned by Leeds City Council as the lawful successor to the School Board of Drighlington.

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

8.1 Any consideration for the rightful ownership of land and consultation undertaken as proposed in the deputation by the representatives of Drighlington residents should be considered within the context of the Primary Schools Review, Asset Management Plan, and the Corporate Plan.

## **9.0 LEGAL AND RESOURCE IMPLICATIONS**

9.1 The ownership of the School has been investigated by the Council's Legal and Democratic Services Department and the Council's title has been registered at the Land Registry. The Charity Commission have confirmed they are satisfied the Leeds City Council are the owners of the site and buildings.

9.2 The disposal of this school as part of the Primary School Review will fund replacement school provision in the area through the refurbishment of the former infants school at Moorlands Drive in Drighlington, which will become the new primary school through the generation of a capital receipt for the Council.

## **10.0 RECOMMENDATION**

10.1 Executive Board are asked to note:

- (i) The concerns expressed in the deputation from the Drighlington Conservation Group.

- (ii) The consultation which has taken place to date.
- (iii) That the petition from Drighlington residents did receive due consideration from officers and the Executive Member for Development, but that on balance the view was taken that it was necessary to progress the disposal in order to deliver the Primary School Review programme.
- (iv) That representatives of Drighlington Parish Council will have a further formal opportunity to submit any objections on the development of the school upon submission of a planning application by the successful purchaser of the site.
- (v) That discussions are underway to secure the rebuilding of the clock tower, the clock face and mechanism, and the weather vane in appropriate locations within the community.
- (vi) That the Council is the legal owner of the site and buildings and therefore does have the right to dispose of them.
- (vii) That Development Department will continue to progress the disposal of the school to meet the targets of the Primary School Review, and maintain an ongoing dialogue with Local Ward Members.

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**DEPUTATION TO COUNCIL- DRIGHLINGTON CONSERVATION GROUP, LACK OF CONSULTATION RE DISPOSAL OF DRIGHLINGTON OLD SCHOOL AND LAND.**

The site of the old school Drighlington is of great historical importance to the residents of Drighlington. In the 1600's the famous son of Drighlington , James Margetson left his home and journeyed south to Cambridge where he was befriended by a wealthy merchant who paid for his education at college. He took holy orders and eventually was elected Archbishop of Armagh ,primate of all Ireland.

He did not forget his roots however and having purchased an area of land in the centre of the village he had a school built which he called it the Free School of James Margetson and also set up the Margetson Trust Fund where moneys were paid annually from his estates into the fund which is still in operation today.

When the fund was run by the West Riding and after that by Morley Borough Council, many pupils benefited by grants from the fund to go to higher education but we have not discovered any applicants who have been successful since Leeds City Council administered the fund.

The Parish Council have applied to LCC to be trustees of the fund in order that the pupils of the new school can derive benefit. We trust this can be achieved.

In the will of James Margetson he left the land and School to the people of Drighlington and in 1904 records show that the trustees handed the administration of the School to the West Riding Education Dep't.

No mention of any Deeds, title or Freehold being passed to the West Riding has been found in any of the records.

The land has never been registered at the Land Registry.

The people of Drighlington feel that now the old school and land are no longer used for Educational purposes, possession should be returned to them as the original owners.

This building is the only monument Drighlington has to the memory of its famous son and we should not allow it to be demolished.

The building is a stone Victorian building of architectural merit with a central clock tower with a clock recently installed by public subscription as a memorial to a previous headmaster.

Over a year ago a petition was raised bearing 1500 signatures by Drighlington residents to save our school from sale and possible demolition, however the officers concerned appear to have ignored this.

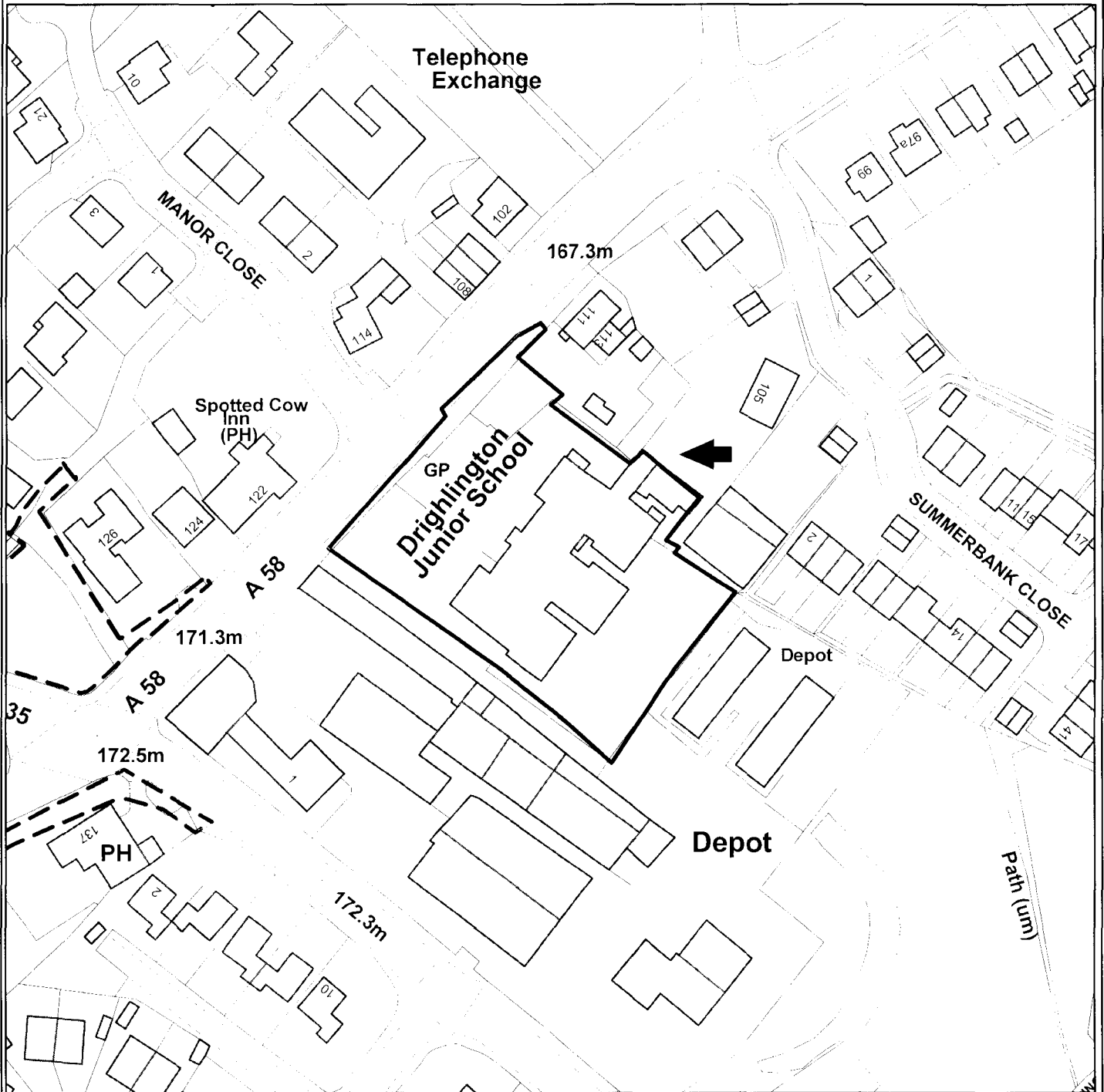
In a recent report to the Director of Development recommending the sale of the school and land to the highest bidder, Shaun Smith of the Development Dep't Leeds says his report was delayed to enable consultations with Drighlington Parish Council and Drighlington Conservation Group. Neither of these groups have been invited to sit round a table and put forward the views and needs of the villagers and suggestions for the use of

our land and property for the benefit of our community.

Moves are afoot to raise funding to finance a legal challenge on ownership grounds and in the Governments directive with openness and transparency, we suggest that the officers concerned inform the prospective purchaser of this.

We believe in not seeking consultation with the representatives of the residents of Drighlington we believe these officers of LCC have failed in their duty .

**FORMER DRIGHLINGTON PRIMARY SCHOOL  
WHITEHALL ROAD  
DRIGHLINGTON BD11**



**SUBJECT SITE**



**LAND OWNED BY LEEDS CITY COUNCIL**



**LAND LEASED OUT BY LEEDS CITY COUNCIL**



**LAND SOLD BY LEEDS CITY COUNCIL**



**LAND OWNED BY APPLICANT**



**Leeds**  
CITY COUNCIL

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Leeds City Council LA07621X 2006

PREP BY A. GINNAW  
DATE 26/07/2006  
OS No SE2229SE  
Scale 1:1,250



**PLAN No 10009**

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## Joint Report of Leeds Initiative and Director Learning and Leisure

### Scrutiny Board (Development)

Date: 10<sup>th</sup> October 2006

Subject: London 2012 Olympic Games

Electoral Wards Affected: All

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

## 1.0 Purpose of this Report

- (a) To brief members of the Scrutiny Board on Yorkshire preparations for London 2012 Olympics
- (b) To report to members on the work to date of the Leeds Olympic / Paralympic Task Group.
- (c) For members of the Scrutiny Board to give their endorsement on the actions that need to be taken by Leeds City Council and partners to ensure that Leeds residents and businesses benefit fully from the London Olympics 2012.

## 2.0 Introduction

2.1 The announcement that London is to host the Olympics 2012 was made in July 2005. LOCOG (*London Organising Committee of the Olympic Games Ltd*) is established to organise, finance and stage the London 2012 games from Friday 27 July to Sunday 12 August 2012 and to stage the Paralympic Games from Wednesday 29 August to 9 September 2012. Yorkshire Forward was the first region to formally back London's bid in 2004.

## 3.0 Main Issues

3.1 The International Olympics is the largest sports and cultural world event and will be hosted by London in 2012. The Government has resolved that the entire country should benefit from this. Maximising the potential benefits and opportunities to Leeds and the region can only happen with input from all the agencies.

- 3.2 Olympics 2012 has the potential to make a significant contribution to the Vision for Leeds aims of narrowing the gap, going up a league and developing Leeds' role as the regional capital.
- 3.3 The Games will undoubtedly influence partnership work at city and regional level on a range of **tourism and business** as well as sporting and cultural matters. Yorkshire Forward estimates an additional **economic benefit** to the region of £600 million. This is based on projected figures of 2,500 extra overseas athletes and officials being based in Yorkshire for pre-Olympic preparation and training camps. The estimate does not include additional revenue from increased tourism spend.
- 3.4 Yorkshire Forward asserts that the region could potentially benefit for four years prior to the 2012 Games during which time extra monthly revenue is estimated at approximately £13.4 million. Yorkshire Forward and Sport England have commissioned a Sports Technical Audit which identifies 63 facilities in the region which could cater for Olympic and Paralympic disciplines. Around 200 teams will require around 100 holding camps for weeks and months before the Games. Leeds needs to assess its competitive position with regard to these 100 camps.
- 3.5 Leeds is well placed to benefit from the benefits of the 2012 Games through hosting these training and holding camps. The completion in the summer of 2007 of the new Swimming and Diving Centre at the John Charles Centre for Sport should prove to be an attractive venue for international teams in the build up for the Games. A wide range of other high quality sports facilities at the University of Leeds, Leeds Met University, major sports clubs and other City Council and private sector sites will be available to international teams from a range of different sports.
- 3.6 London Olympics 2012 also has the potential to enthuse and motivate young people to achieve excellence by emulating role models at the Games to reach the highest level of performance. It could support the achievement of the cultural aims of the Vision for Leeds to develop talent; achieve recognition for Leeds as a leading artistic, cultural and sporting centre; and create first class facilities and experiences.
- 3.7 Hosting the world's greatest sporting event – given the passion, excitement and enthusiasm likely to be generated – could act as a key catalyst in helping the Government to achieve its target to get more of the UK population physically active by 2020. There is the opportunity for the wider community to take part in **sport and active recreation** and to create a step change in peoples' attitudes to leading more active and **healthy lifestyles**.
- 3.8 There are also wider potential benefits in terms of promotion of volunteering, **education and skills** and delivering **community cohesion**. Sports clubs, sport colleges and universities are looking to place the best of Leeds' athletes in the 2012 Games and work in partnership with schools and communities to provide additional training and pathways for children and young people to excel at their sport.

#### **4.0 Regional Structures – Yorkshire 2012 Committee (Y2012)**

4.1 Martin Havenhand has been appointed as the part-time Executive Chair of the new Yorkshire Committee for the 2012 Games (Y2012) established in accordance with the Olympic Bill. Yorkshire Culture is hosting this committee. The five key cities of Leeds, Bradford, Hull, Sheffield and York and the regional agencies are represented on Y2012. The Y2012 objective is to ensure that Yorkshire and Humber region engages in and benefits from the London 2012 Games.

#### **5.0 Y2012 Key Work Areas**

5.1 The Y2012 Committee has agreed six key work areas and has identified lead agencies for each:

Business	Yorkshire Forward
Tourism	Yorkshire Tourist Board
Sports Legacy - participation	Sport England
Sports Training Camps	5 Key Cities
Cultural Legacy	Yorkshire Culture
Community Engagement	Yorkshire Assembly / GOYH
Elite Sport	Sport England

5.2 Yorkshire Forward has set up an officer team to exploit the business, sports and tourism benefits of 2012 under its newly appointed Head of Culture and Major Events, Neil Jenkinson. Neil is overseeing the development of a major events strategy for the region and is working closely on it with Yorkshire Culture, Yorkshire Tourist Board and Sport England. The 2012 Olympics is a key driver for the new strategy, which is still in draft. It underpins Yorkshire Forward's interest in major national and international sporting events as a new strand of business development in the region.

5.3 Yorkshire Futures is drafting a regional prospectus on behalf of the new Y2012 Committee, due to be published in September.

#### **6.0 Yorkshire to give a national lead on Diversity**

6.1 Each region has been nominated (by the Nations and Regions national Group) to be a national lead for key areas. Yorkshire will take the national lead on Diversity to ensure that the UK's diverse communities are engaged with and benefit from changes and opportunities arising from hosting the Games in the UK. This will be led at regional level by Carol Hassan of the Yorkshire and Humber Assembly.

## **7.0 City-Region Expectations**

- 7.1 Yorkshire Forward is anticipating that Sheffield and Leeds will take the lead on maximising the benefits to the region and city-region and will provide the gateway for the involvement of the other local authorities.
- 7.2 It was agreed early on that Yorkshire and Humber would need to work in partnership as a region if it is to be successful in attracting international visitors and Olympic opportunities. Yorkshire and Humber is competing with other UK and European cities which have already recognised the opportunities and made significant marketing and investment opportunities available.

## **8.0 Activities of the Leeds Task Group**

- 8.1 Leeds Olympic / Paralympic Task Group was set up by the Leeds Initiative in August 2005 to start investigating the implications to Leeds of the 2012 games. The Leeds Task Group is chaired by David Heddon, Chair of Sport Leeds. Task Group members include Leeds Olympian athletes Clare Huddart and Roger Hackney, senior appointments from the two universities, Marketing Leeds, Leeds City Council, Leeds Initiative and the regional agencies.
- 8.2 The Chair has held briefings with counterparts in the city-region and region including with Neil Jenkinson and Wayne Coyle, the Olympic Lead Officer for Sheffield.
- 8.3 The Task Group has provided input to a number of draft plans and proposals and to regionally and nationally convened meetings, including a visit to the region by the Chair of LOCOG. An informal reception for Lord Sebastian Coe with Cllr Andrew Carter and Leeds athletes at South Leeds Stadium was held in February 2006.
- 8.4 Leeds was selected out of all the other core cities to host the DCMS regional opening event which was targeted at businesses and held at Leeds Town Hall on 19 July 2006.
- 8.5 Leeds Initiative is planning with Leeds Metropolitan University and Leeds Chamber to host a breakfast briefing in early November. The purpose of the event is to engage city partners and stakeholders in a full discussion on the best ways for Leeds to take advantage of the opportunities presented by the Games and to obtain sign-up by city partners to a 'Leeds' approach.
- 8.6 To prepare for the event, a draft prospectus has been developed by the Task Group with the expert assistance of KPMG.
- 8.7 The prospectus frames the potential areas of benefit in terms of:
- Leeds Economy
  - Leeds Tourism
  - Leeds Sport – Elite Sport and Participative Sport

- Leeds Infrastructure
- Leeds Communities

8.8 The contents of the draft prospectus will be used to inform the broader discussions.

## **9.0 Task Group Resources**

9.1 Partners so far have expressed interest in committing resources as follows.

- (a) The private sector through KPMG has committed a short term staff resource, as has Sport Leeds and the Leeds Initiative office.  
Leeds City Council is shortly to advertise for a senior postholder to work with partners to lead and co-ordinate the activities of an Olympics Initiative based initially in the Leeds Initiative office.
- (b) Leeds Chamber of Commerce has offered the services of its events team to deliver the breakfast briefing for business event in November. The Chamber is interested in establishing a business club and other support for industries such as construction, hoping to win contracts.
- (c) Professor Simon Lee at Leeds Metropolitan University has offered senior staff appointment(s) with business and corporate experience to work as secondees on the project. He has also offered the services of Brendan Foster potentially as a flagship President of a Leeds Olympic / Paralympic initiative.
- (d) Sport England has indicated it may be able to contribute funds to support a post.
- (e) Sport Leeds is already working to ensure that Leeds' citizens enjoy a legacy of increased sports participation, leadership, health and volunteering opportunities through Leeds' association with the 2012 Games.

## **10.0 Conclusions**

- 10.1 For the past year the Chair and members of Leeds Olympic Task Group and Sport Leeds have successfully represented Leeds' interests in early dialogue at regional and national level meetings.
- 10.2 The Task Group is mindful of the progress being made in other parts of the region and nationally. Other cities such as Sheffield, Birmingham and Manchester are also beginning to realise that a more dedicated approach is needed rather than having individuals doing work towards 2012 as an 'add-on.'
- 10.3 While our approach is not to replicate the activities of other areas, we are clear that with more resource we could create the right approach for Leeds.

- 10.4 Such a resource is currently not available through Leeds City Council's Sports and Active Recreation Service which is fully committed to PFI and Sports Trust development and capital investment projects.
- 10.5 The Task Group considers this to be a corporate issue for the Council requiring a corporate approach because:
- (a) There are a range of cross-cutting benefits to be gained in terms of tourism, culture, economic development and reputation for city-region leadership. Leeds is already the major events hub of the region. The anticipated boost to be brought by Olympics 2012 to business and tourism development in addition to the opportunities to enhance the city's cultural infrastructure and sporting profile, are substantial.
  - (b) In terms of the city's Vision for Leeds, the Games and their build-up provide the opportunity to enhance the city's international links, motivate and inspire future generations, provide a sporting legacy, and deliver a range of associated health, social, educational and community benefits to local residents.
- 10.6 The city has a critical mass of sporting and cultural resources which it can bring to bear on initiatives linked to preparations for Olympics 2012 and it has a city-regional responsibility to provide leadership and direction.
- 10.7 The potential risks to the city of Leeds City Council choosing not to contribute to this initiative are that the city may be identified as having a negative attitude to major events, sport and active recreation and to the 2012 Olympics.
- 10.8 The Task Group considers that to realise the full economic, community and sporting benefits to the city a team is required with senior management skills and experience in business, sports and tourism, the ability to develop partnerships, and attract additional resources for a package of activities.
- 10.9 The team will be expected to co-ordinate and give leadership to a wide range of programmes and initiatives by city partners which will deliver sporting, community, educational and health benefits and programmes to local people. The senior post-holder will be expected to motivate and provide direction and leadership to partners and the team and to lead negotiations at city, region, national and international levels.

## **11.0 Recommendations**

Members of the Scrutiny Board are asked to:-

- (a) note the contents of the report and endorse the work to date of the Leeds Olympic / Paralympic Task Group.

(b) note the proposed appointment by Leeds City Council and Leeds Initiative of a dedicated resource to progress this project.

(c) determine what, if any, further information the Scrutiny Board requires.

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## Report of the Director of Development

### Scrutiny Board (Development)

Date: 10<sup>th</sup> October 2006

### Subject: Climate Change

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## Introduction

Al Gore's recent documentary 'An Inconvenient Truth' contains science-based facts that evidence the cause and effects of climate change.

He presents photographic evidence to show that almost all the mountain glaciers in the world are melting, some of them quite rapidly. Scientists attribute this to increasing concentrations of CO<sub>2</sub> in the atmosphere, which causes the temperature to rise because more heat from the sun is trapped inside (greenhouse effect). This conclusion is based on extracting long cylinders filled with ice from glaciers around the world that have formed over many centuries and examining tiny bubbles of air trapped in the ice the year that it fell. Measurements of CO<sub>2</sub> and temperature of the atmosphere year by year show a striking correlation over the last 1000 years.

In Antarctica the measurement of CO<sub>2</sub> concentrations and temperature go back 650,000 years, the lowest temperatures correlate to each ice age, in between there are periods of warming. At no point in the last 650,000 years did CO<sub>2</sub> concentrations go above 300 parts per million (ppm). Records of global temperatures show they have been increasing for the last 150 years, since the start of the industrial revolution and that 20 of the hottest years have occurred in the last 25 years with 2005 being the hottest year on record. Today CO<sub>2</sub> concentrations are above 350ppm and within 45 years they will over 600ppm if we do not make dramatic changes quickly.

The Arctic ice cap is much thinner than the Antarctic since it floats on top of the Arctic Ocean. Since the 1970s the extent and thickness of the Arctic ice cap has diminished so precipitously that if we continue with business as usual the Arctic ice cap will disappear each year during the summertime. Scientific studies show that melting of the polar ice cap is resulting in polar bears drowning in significant numbers because they have to swim much longer distances from floe to floe. Melting the Arctic could also profoundly affect the planet's entire climate pattern

The redistribution of heat from the Equator to the poles drives the wind and ocean currents - like the Gulf Stream and jet stream. These currents have followed much the same pattern since the end of

the last ice age 10,000 years ago. Today's climate pattern has existed throughout the entire history of human civilisation.

According to scientists one surprisingly fragile component of the global climate system is in the North Atlantic where the Gulf Stream encounters the cold winds coming off the Arctic and across Greenland. As the two collide heat evaporates and is carried by prevailing winds and the earth's rotation across Western Europe. The water left behind is not only colder it is also saltier and therefore sinks at the rate of 5 billions gallons second. As it drops toward the bottom of the ocean it forms the cold-water current flowing southward. Scientists call this the thermohaline pump and it is crucial in powering the continuous flow in the world's ocean currents. The last time the gulf stream stopped, when the last glacial ice sheet in N America melted around 10,000 years ago, Europe went back into an ice age for another 1000 years and the transition happened relatively quickly. As a result some scientists are concerned about the rapid melting of ice in Greenland, which is adjacent to the area where the pump operates.

Many residents of low-lying Pacific island nations have already had to evacuate their homes because of rising seas but sea levels could rise much further depending on what happens in Antarctica and Greenland.

The East Antarctic is the largest ice mass on the planet and had been thought to be increasing in size. However two studies in 2006 show that the volumes of ice appear to be declining and that 85% of the glaciers there appear to be accelerating their flow toward the sea. This ice mass is still considered to be more stable than the West Antarctic ice shelf which because it is propped up against the tops of islands does not displace sea water as floating ice would. However since the oceans flow under large sections of this ice shelf and as the oceans have warmed alarming structural changes have been documented on the underside of this shelf.

In Greenland pools of fresh meltwater can be seen on the ice, this meltwater is now believed to keep sinking all the way to the bottom of the ice sheet where it lubricates the surface of the bedrock and destabilises the ice mass, raising fears that it will slide more quickly toward the ocean. In 1992 scientists measured the amount of melting in Iceland, in 2002 their measurements showed that it was much worse and in 2005 it had accelerated dramatically yet again. If Greenland's ice mass melted or broke up and slipped into the sea, or half Greenland and half Antarctica melted, sea levels world wide would rise by 18 – 20 feet, the maps of the world would have to be redrawn and millions of people would be displaced.

## **The role of UK Local Government in climate change**

Climate change is now recognised as one of the greatest threats of the twenty first century and is the key driver for a raft of international, European and national policy aimed at reducing carbon emissions.

The UK ratified the Kyoto protocol in 2003 and is committed to a 12.5% cut in greenhouse gases compared to 1990 levels by 2008-12. As well as this international commitment, the UK has its own Climate Change programme, which commits it to reducing CO2 emissions by 20% by 2010. "Our energy future - creating a low carbon economy" also commits the UK to reduce CO2 emissions by 60% by 2050 and expects energy to be a strategic priority in local government.

Local authorities seeking to deal with climate change need to consider taking action in two complementary ways: Firstly councils need to reduce their own emissions of greenhouse gases so as to **mitigate** the impact of climate change in the future and then work with stakeholders in their community to help them reduce their emissions.

Secondly councils need to understand how their services and communities will be affected by changes to the climate and begin now to **adapt** those services to best cope with change and take

advantage of any opportunities that climate change might offer. The tools at Local Government's disposal to address climate change include:

**Community strategy:** Government guidance expects to see climate change addressed within community strategies.

**Education for sustainable development:** should be a priority for local schools and life-long learning. School building and design should use low energy architecture and design.

**Local authority housing management:** should contribute to meeting the requirements of the Home Energy Conservation Act, by improving the energy rating of homes and invest in energy efficiency.

**Planning and development:** should reduce the need for travel and promote energy efficiency and renewable energy generation and consider options such as combined heat and power or district heating.

**Building regulations:** should be enforced to improve energy efficiency.

**Flood control and drainage development:** policies should reduce the risk of flooding by not allowing development in the flood plain and maintenance programmes should prioritise highway gully cleansing in high risk areas.

**Transport planning and policy:** should aim to reduce traffic levels and emissions of greenhouse gases

**Highway maintenance:** needs to take account of increased risk of flooding and subsidence, increased weed growth and reduced need for winter gritting.

**Energy management:** within the local authority (including fleet management) should be delivering sustainable energy outcomes that address climate change. Low carbon fuelled fleet vehicles should be considered.

**Emergency planning:** should be considering responses to more frequent, extreme weather events such as urban flash-flooding, storm surges, droughts and heat-waves.

**Inward investment:** should be looking ahead to the new businesses, technologies and skills that will be needed in a low carbon economy.

**Air quality:** management plans should support reducing greenhouse gas emissions

**Waste management:** should aim to reduce landfill greenhouse gas emissions

**Pest control:** services should be prepared for new invasive species and how warmer weather will affect animals such as rats, mice, wasps and other infestations.

**Parks and open spaces management:** is likely to have to change as the climate changes

**Biodiversity:** action plans will need to take account warmer weather and new invasive species and the effect that will have on existing ecosystems

## **Leeds contribution to climate change**

In June 2005 LCC signed the Nottingham Declaration, the declaration contains a series of commitments designed to put local government at the forefront of reducing the effects of climate change on the UK's economy, society and environment.

These commitments include an agreement to develop plans with our partners and local communities, within the next two years, to progressively address the cause and impacts of climate change and to work at a local level to help the UK deliver its national climate change targets.

Leeds City Council's proposals to develop a climate change strategy and action plan with our partners are contained in Appendix 1. As indicated above the strategy will need to utilise a number of existing and future strategies and policies. The challenge will be to ensure that the requirements of the Nottingham Declaration are firmly embedded in all relevant council plans and policies and to ensure that plans are converted into action.

It is now widely accepted that the UK will not meet its commitment to reducing CO2 emissions by 20% by 2010. In fact CO2 emissions in Leeds increased by 8.5% between 1990 and 2003 due to economic growth and our increasing dependency on technologies that are dependant on fossil fuel. Although alternative technologies are available to help us work toward a carbon neutral economy they are often rejected as having greater up-front costs. Unfortunately what is not considered at present, but will start to become more important as climate change starts to impact on our lives, is the potential cost of continuing with business as usual.

## **The cost of climate change**

Taking a strategic approach to climate change will allow investment by a local authority in adaptation and mitigation measures to be weighed against the benefits both to the organisation itself and to the community it serves.

- severe weather such as flooding currently costs UK £1 billion each year. This figure is likely to increase.
- increased insurance risk (£700 million flood claims in autumn 2000).
- new business opportunities, for example the opportunity for the outdoor leisure and tourism industry to develop, and changes to agriculture due to the range of crops that can be grown in the UK
- lower fuel bills, helping people to tackle fuel poverty and its health effects;
- lower costs for businesses if they become more resource efficient, making them more competitive;
- a better transport system, improving access for local residents and businesses.

Finally, authorities that do make a considered strategic response to climate change will enjoy increased resilience to the effects of climate change, leading to greater protection in the future.

## **Recommendations**

The Scrutiny Board is asked to note:

- the contents of this report
- the timetable for to produce a climate change strategy and action plan (appendix 1)
- a further report will be presented at a future scrutiny meeting.

## **Appendix 1: Climate Change Strategy and Action Plan for Leeds**

### **Introduction**

A citywide strategy and action plan needs to include everyone – businesses, education establishments, health service, individuals and community groups. To gain support for the strategy, members of the Leeds Initiative, officers and councillors were invited to a workshop on World Environment Day.

It was proposed that a Climate Changer Strategy Group be set up within the Leeds Environment City Partnership and that the group comprise of the group chair (councillor), Climate Change Officer, Environment City Manager and a representative from each of the following themed groups:

- Planning and development
- Adaptation (covers flooding arrangements not covered by planning)
- Built environment
- Transport
- Waste
- Procurement
- Natural environment
- Education and awareness

Participants were invited to join a themed group and each themed group was asked to nominate a member to represent them at the Climate Change Strategy Group (Appendix 2). It was suggested that both the themed groups and the Climate Change Strategy Group would meet at quarterly intervals requiring the group representative to attend eight meetings per year.

The response to these proposals was extremely positive and will be implemented once the Climate Change Officer has been appointed, this will be either October or November of this year, dependant on the successful candidates existing commitments.

### **Proposed Timetable:**

It is hoped that the first meeting of the Climate Change Strategy Group will take place in November this year when a timetable of events will be agreed. The following programme will be proposed:

	<b>Themed group</b>	<b>CC Strategy Group</b>
<b>2006</b>		
Q4		Establish administrative needs for both strategy and themed groups Agree timetable
<b>2007</b>		
Q1	Identify opportunities to add to those already identified by LCC officers. Identify existing achievements to feature in the climate change strategy	Receive feedback - identify gaps and opportunities where different themes would benefit from working together.

	<b>Themed group</b>	<b>CC Strategy Group</b>
Q2	Receive feedback – identify further opportunities by working across groups	Receive feedback - agree how to change opportunities to actions* and to monitor action plan. Start to review strategy document
Q3	Receive feedback – agree an action plan to meet 2010 targets	Receive feedback – Continue to review strategy
Q4	Review strategy	Plan strategy launch
<b>2008</b>		
Q1	Launch strategy with action plan to meet 2010 targets	
Q2	Implement action plan	Monitor and review 2010 targets
Q3	“	“
Q4	“	“
<b>2009</b>		
Q1	Develop action plan 2010-2020	Monitor and review
Q2	“	“
Q3	“	“
Q4	“	“
<b>2010</b>		
Q1	Launch action plan 2010 to 2020	

\* with reference to the Nottingham Declarations Action Pack

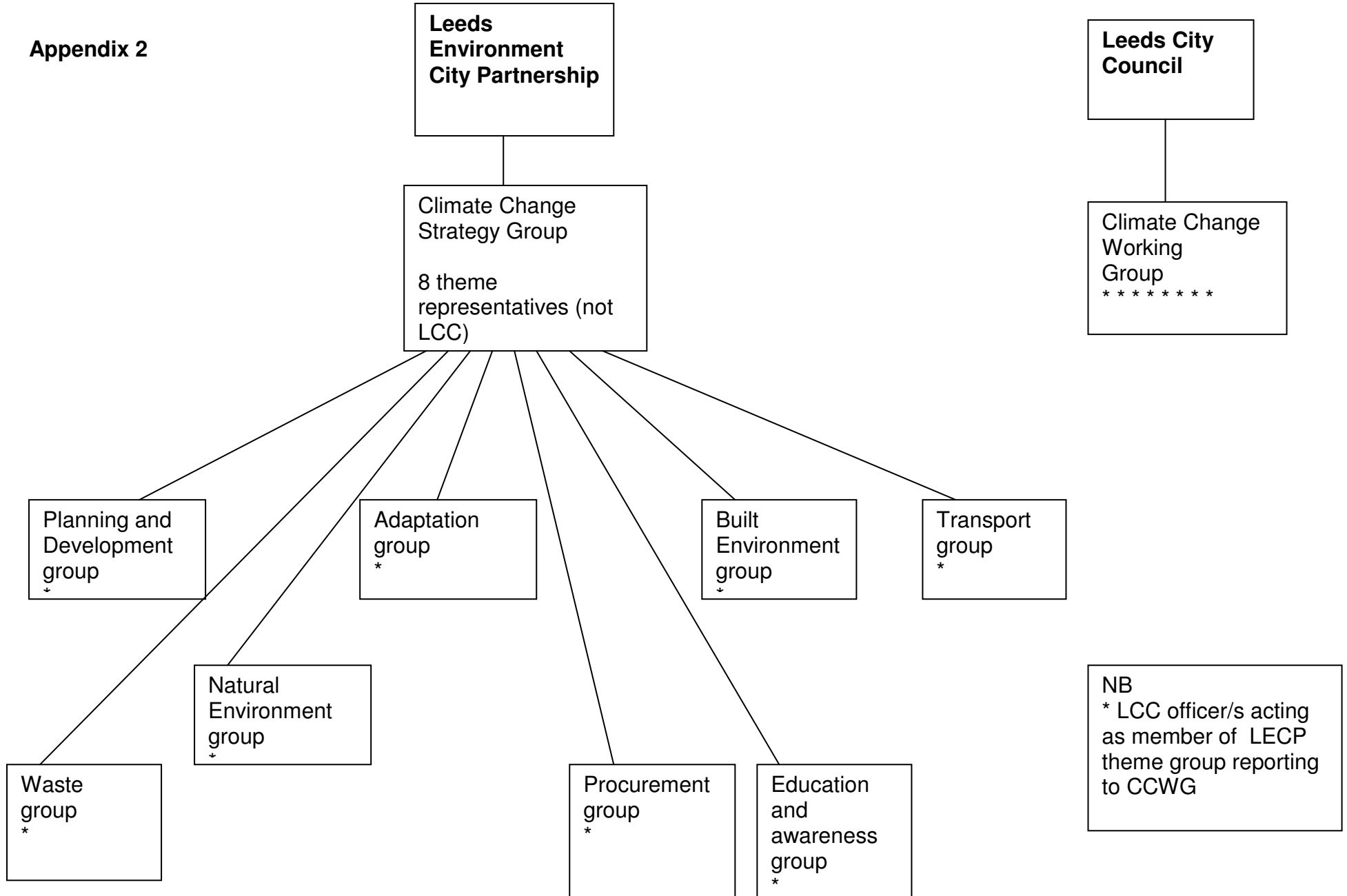
### **Role of the Climate Change Working Group**

Progress to date can be attributed to a multi-department group which has been meeting under the chairmanship of Councillor David Blackburn since March 2005. It is proposed that this group continues to meet to ensure that where the climate change strategy and action plan contains actions and targets that apply to LCC activities and services, then these targets can be and are achieved. It is also proposed that an LCC officer represents LCC interests at each of the themed groups.

### **Role of the Climate Change Officer**

The Climate Change Officer will facilitate the work of the climate change working group, the Climate Change Strategy Group and the climate change themed groups. Attendance at the themed groups will not be required since members of the Climate Change Strategy Group will identify their needs.

The Climate Change Officer will develop the Climate Change Strategy based on an outline document that has already been prepared (Appendix 3) and a considerable amount of research that has already been conducted. The Climate Change Officer will also identify existing monitoring arrangements and put a system in place to monitor future requirements.



NB  
\* LCC officer/s acting as member of LECP theme group reporting to CCWG

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## **Appendix 3: Proposed structure for Climate Change Strategy and Action Plan**

### **Forward**

#### **Introduction**

Aim and objectives of strategy

The drivers: threat to mankind, global/national/regional policy and targets and local commitments

Introduction to Climate Change/greenhouse effect/green house gases

#### **Impacts of Climate Change**

Global/national/regional effects of climate change

#### **Adapting to Climate Change in Leeds**

Local effects of climate change

Local achievements

#### **Greenhouse Gas emissions**

National and regional emissions

Introduction to mitigation – how each theme contributes to emissions (appendices legislation)

#### **Reducing Greenhouse Gas emissions in Leeds**

Introduction to Leeds population and industry

Local emissions and targets

Local achievements

#### **The Way Forward**

Local objectives and Action Plan

#### **Partnership Approach**

Leeds Environment City Partnership to establish Climate Change Strategy Group

#### **Monitoring Progress**

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## Report of the Director of Development

### Scrutiny Board (Development)

Date: 10 October 2006

### Subject: Report on Progress of Water Asset Management Working Group

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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

1. The Water Asset Management Working Group was set-up following a report to Executive Board in March 2005 on a series of flooding incidents affecting houses in Leeds in August 2004. The Group aimed to: (i) review the Council's approach to maintaining its water assets and responding to flooding incidents; and (ii) draw-up and implement proposals to respond to the issues identified.
2. WAMWG and the departments concerned have continued to make good progress on implementing its initial recommendations. This report provides an update on its progress.

## **1.0 Purpose Of This Report**

- 1.1 This report provides an update on the on-going development and implementation of detailed proposals by the Water Asset Management Working Group (WAMWG) in response to major flooding incidents in Leeds in 2004 and 2005.

## **2.0 Background Information**

- 2.1 In August 2004 and May 2005 several areas of Leeds experienced significant flooding which highlighted areas for potential improvement by the Council and its partners in terms of: (i) the resources available to maintain our assets and respond to floods; (ii) key players' understanding of their responsibilities relating to water; and (iii) the level of co-operation between agencies with responsibilities for water maintenance and enforcement.
- 2.2 In March 2005 Executive Board approved the set-up of a cross-departmental working group (WAMWG) to develop costed recommendations for implementation. WAMWG reported its initial proposals to Corporate Management Team in June 2005 which led to the release of £503,380 to begin their implementation. Additional full-year funding of £1.1 million per annum was approved as part of the 2006/7 budget and is to be provided on an on-going basis.
- 2.3 On 17 May 2006 WAMWG reported to Executive Board on its progress and received approval for a new 'Policy on Maintaining Water Resources and Responding to Flood Incidents'.
- 2.4 In addition to earlier inquiries, a 'Flooding in Leeds' Scrutiny Commission was initiated in August 2005 to investigate flooding and drainage issues in Leeds. WAMWG provided written evidence and verbal updates on its work to the Commission and recently submitted a formal response to the final report.

## **3.0 Main Issues**

- 3.1 WAMWG has made significant progress in implementing most of its original recommendations which aimed to enhance the way in which we maintain our water assets and in which we respond to flooding incidents. The group is currently in the process of revising its terms of reference to ensure its on-going relevance and developing a 'Stage 2 Action Plan' to take its work forward. The following paragraphs provide a status report on the progress made towards their full implementation.

### **Management Oversight**

- 3.2 As senior management's 'drainage champion', the Director of Development continues to meet regularly with WAMWG members to monitor progress, offer support and provide oversight to its activities. The Director also leads in regular senior management discussions with partners in the Environment Agency and Yorkshire Water.
- 3.3 Corporate Management Team continues to take an active interest in this area and received a detailed briefing from the Environment Agency in August on its plans for a £200m flood defence scheme on the River Aire in Leeds. Leader-Management Team has also received this briefing.

### **Maintenance of Council-owned Watercourses, Lakes and Dams**

- 3.4 At the beginning of 2006 Land Drainage contracted a major specialist, Duffy's, to undertake preventative and reactive maintenance work on Council and privately-owned watercourses. All work is commissioned and directed by Land Drainage on the basis of identified priorities and in their view this work has been very successful. Since this work began Leeds has experienced several severe weather events which resulted in a smaller

number of flooded properties relative to that previously experienced and very few problems arising from Council-owned water assets.

- 3.5 Land Drainage also participates in a technical forum of practitioners from the Council, EA and YWS which has been established to discuss detailed issues of mutual concern and this meets regularly.

### **Risk Assessment**

- 3.6 In order to ensure that all significant new developments fully consider flood risks and encompass sustainable drainage funded by developers where possible, Development Department is procuring a comprehensive Flood Risk Management Strategy for the whole Leeds district. The consultants concerned presented its proposals in August and work is aimed for completion in January 2007.

- 3.7 Work is on-going on the major task of identifying and recording the location, ownership and vulnerabilities/risks relating to all watercourses, highway drainage, culverts, lakes and reservoirs across the city. Data collected is being recorded in GIS for use in more effectively responding to flooding, ensuring more effective maintenance prioritisation, and informing the development of capital investment programmes (e.g. Highways Asset Management Plan) and emergency plans, and assessing how assets such as reservoirs and lakes can be better used for recreational purposes.

### **Emergency Response**

- 3.8 The contract with Duffy's procured by Land Drainage for maintaining watercourses also includes provision for call-out by the Peace and Emergency Planning Unit (PEPU) to respond to emergencies on a 24-hour basis (see 3.4 above).

- 3.9 A detailed protocol for more effective multi-agency co-ordination and response to flooding incidents in West Yorkshire was ratified by senior officers of the relevant organisations in December 2005. This clearly sets out the roles and responsibilities for all forms of flooding and the trigger points at which agencies would be expected to respond.

- 3.10 PEPU continues to work with our partner agencies in the Flooding sub-group of the West Yorkshire Resilience Forum (WYRF) to progress several initiatives to benefit communities, including: targeted flood fairs and public information campaigns; proposals for the rapid deployment of resources to mitigate or recover from the effects of flooding; enhanced call-handling of flood-related calls by clearer identification of the sources of flooding and who should be responding; and the sharing of GIS data on the location of each organisation's assets.

### **Highways and Street Cleansing**

- 3.11 Highway Services has identified – together with information provided by Streetscene Services, PEPU and Land Drainage - a range of 'hot spots' for enhanced maintenance work and these locations are now receiving more frequent attention. In addition to this, Streetscene Services has leased two extra vehicles and recruited additional staff to enhance their gully-cleaning arrangements on an on-going basis. These measures also appear to be making a significant contribution to a reduction in the number of flooding incidents.

### **Wyke Beck**

- 3.12 The EA took over responsibility for enforcement on this watercourse in April 2006. Since the May 2005 flooding the agency has built a full hydraulic and hydrological model of the catchment using aerial surveys to map the topography in order to determine what further actions need to be taken. The EA has now received a final report and is determining

whether improvement works are required. Land Drainage has implemented an enhanced inspection regime along the Wyke Beck and installed a trash screen upstream of York Road. WAMWG continues to monitor developments with the EA and is liaising with the EASEL programme to ensure that this links satisfactorily to this work.

### **Flytipping and Enforcement**

- 3.13 The supermarkets have procured the services of a company which has identified and removed shopping trolleys from streets and watercourses across the city. It will now respond to reports of abandoned trolleys on a 24 hour basis through a contact number. As a result, there has been a marked reduction of the number of trolleys found blocking watercourses.

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

- 4.1 On 17 May Executive Board approved a policy statement drafted by WAMWG on 'Maintaining Water Resources and Responding to Flood Incidents'. This policy clarifies and defines the scope of the Council's roles and responsibilities in terms of statutory duties and permissive powers in relation to maintaining water resources, assessing and mitigating the risks arising, responding to related flooding incidents and supporting the communities affected by these. As such, the policy should help senior officers and members to understand better what the Council should or should not undertake, provide an appropriate profile for water asset management within the Council's portfolio of responsibilities and provide a firmer underpinning for the resourcing of this area. The policy was disseminated to Directors for discussion at their DMTs and publicised as a news item on the intranet. It also forms part of a dedicated WAMWG presence on the intranet in Development's pages.

## **5.0 Legal And Resource Implications**

- 5.1 The new policy has made explicit the range of existing legal implications arising from the Council's ownership of water assets, but most of these were already in existence prior to this initiative. Further responsibilities are likely to arise for the Council in relation to arrangements for large bodies of water as a result of impending guidance for the implementation of the Water Act (2004) which is currently out to consultation. The WAMWG will ensure that these issues are addressed as part of its on-going work and reported back as appropriate.
- 5.2 Additional revenue resources to the tune of £1.1 million per annum have been approved as part of the 2006/7 budget. However, in addition to this, the group's on-going work is likely to give rise to the need for further investment as the implications of its data collection and risk assessment become clearer (e.g. in relation to the Highways Asset Management Plan). This will be reported as this information becomes available.

## **6.0 Conclusions**

- 6.1 Overall, the information provided demonstrates that the WAMWG has made excellent progress in both developing appropriate solutions addressing lessons learned, obtaining funding to deliver these and in implementing the recommendations. This work will not be completed overnight and necessitates an on-going, long-term funding commitment and focus from the Council to ensure that it delivers on its statutory, common law and other responsibilities.

## **7.0 Recommendations**

- 7.1 Development Scrutiny Board is requested to note the work and progress of the WAMWG to-date and to support its on-going work.

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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Development)

Date: 10<sup>th</sup> October 2006

Subject: Work Programme

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**Electoral Wards Affected: All**

**Specific Implications For:**

Ethnic minorities

Women

Disabled people

Narrowing the Gap

### 1.0 Introduction

- 1.1 The Board's current Work Programme for 2006/2007 is attached as appendix 1 and incorporates the decisions made at the last Board meeting.
- 1.2 A copy of the Forward Plan of Key Decisions is also attached as appendix 2. This is for Members reference and covers the period 1<sup>st</sup> October 2006 to 31<sup>st</sup> January 2007. It details those 'key decisions' pertaining to this Board's terms of reference.

### 2.0 Recommendations

- 2.1 The Board is requested to:
- (i) Consider and make any changes to the attached Work Programme following decisions made at today's meeting.
  - (ii) Receive and note the Forward Plan of Key Decisions

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## SCRUTINY BOARD (DEVELOPMENT) - WORK PROGRAMME

Appendix 1

This work programme is based on the Board receiving initial reports only. If the Board determines to undertake an Inquiry on a particular issue as a consequence of receiving an initial report it would necessitate amending the work programme and reducing the number of topics to be considered. The agreed best practice is to have no more than 2 inquiries underway at any one time with the Board considering a single issue at each meeting

ITEM	DESCRIPTION	NOTES	DATE ENTERED INTO WORK PROGRAMME
<b>Meeting date: 21st November 2006 -The deadline for reports for this meeting is 10am 2<sup>nd</sup> November 2006</b>			
<b>Worklessness</b>	To consider an initial report on progress in the development of a strategic and coordinated approach to worklessness and the apparent mismatch of remit and targets set by Job Centre Plus and the Council	<p>The Board in July 2006 indicated that they wanted to include reference to the day services review looking at people on incapacity benefit and people with mental health problems and learning difficulties.</p> <p>In addition Members asked what the senior youth service is doing to encourage young people to gain qualifications to increase their chances of employment</p>	June/July 2006
<b>Meeting date: 19th December 2006 -The deadline for reports for this meeting is 10am 30<sup>th</sup> November 2006</b>			
<b>Leeds Development Scheme Annual Monitoring Report</b>	To receive the Leeds Development Scheme Annual Monitoring report	To consider how the department is progressing against policy objectives	June 2006
<b>Meeting date: 23rd January 2007 - The deadline for reports for this meeting is 10am 4<sup>th</sup> January 2007</b>			

**SCRUTINY BOARD (DEVELOPMENT) - WORK PROGRAMME**

ITEM	DESCRIPTION	NOTES	DATE ENTERED INTO WORK PROGRAMME
<b>Meeting date: 20th February 2007 - The deadline for reports for this meeting is 10am 1<sup>st</sup> February 2007</b>			
<b>Planning a Better Future – Planning and Development Services</b>	To scrutinise progress on implementing the solutions agreed by the Executive Board	The Scrutiny Board (City Development) considered a report on this matter on 25 <sup>th</sup> April 2006 and agreed that progress on the solutions to the issues as outlined in the Director’s report to the Board be scrutinised at a future meeting of the Board	June 2006
<b>Softer Transport Measures</b>	To consider a progress report on the Leeds TravelWise Scheme which aims to promote sustainable travel through public transport and alternatives to travel by car		June 2006
<b>Meeting date: 20th March 2007 - The deadline for reports for this meeting is 10am 1<sup>st</sup> March 2007</b>			
<b>Sustainable Construction Design Guide</b>	To receive a progress report on the development of a Sustainable Construction Design Guide for the Department	The Board is supportive of developing this strategy through the planning process to ensure that future construction techniques have less environmental impact	June 2006
<b>Night Time and Evening Economy</b>	To consider a report reviewing the <ul style="list-style-type: none"> <li>• impact of new licensing laws and whether partners are working effectively together</li> <li>• the lack of facilities for the new burgeoning residential community in the city centre</li> </ul>	To be discussed further with Paul Stephens in the Autumn 2006	June 2006
<b>Meeting date: 24<sup>th</sup> April 2007 - The deadline for reports for this meeting is 10am 29<sup>th</sup> March 2007</b>			
<b>Parking in Town and District Centres</b>	To consider the framework and prioritisation for introducing parking policies in our 28 town and district centres		June 2006

### SCRUTINY BOARD (DEVELOPMENT) - WORK PROGRAMME

ITEM	DESCRIPTION	NOTES	DATE ENTERED INTO WORK PROGRAMME
<b>Climate Change Strategy</b>	To consider a progress report on the Department's submission to the Council's Working Group established to develop a climate change strategy for the Council	The initial scope and timetable for this work would be considered by the Board in October 2006. All Council departments are contributing to the development of this strategy	June 2006
<b>Annual Report</b>	To consider the Board's submission to the Scrutiny Boards Annual Report	In accordance with Council Procedure Rules the Overview and Scrutiny Committee co-ordinates submission of the Annual Report to Council	June 2006

#### Other Issues identified but not Included in Work Programme

Environmental Management and Audit System (EMAS)

Consideration of the detailed budget of Development (Consideration of the overall budget is within the remit of the Overview & Scrutiny Committee but individual Boards can look at the details if they wish)

Monitor delivery of major highways schemes-Inner Ring Road stage 7 and the East Leeds Link Road

City Centre Public Realm

Regeneration initiatives within Neighbourhoods and Housing which have an economic development aspect to them: the Lower Aire Valley and the West Leeds Gateway.

## SCRUTINY BOARD (DEVELOPMENT) - WORK PROGRAMME

Super Casino

Marketing Leeds – Carry forward from previous Scrutiny Board

New Technologies - To receive details of new technologies aiding the planning and use of transport facilities including Smart and Oyster cards be provided to Members, and information as to when and where these new technologies will become available. Requested by Scrutiny Board on 12<sup>th</sup> September 2006

City Region - That further information be provided to Members on other city regions particularly regarding their governance arrangements and an update in 12 months time or sooner if there is something to report.. That the response sent to the letter received from the Rt Hon Ruth Kelly MP be shared with the Board. Agreed by Scrutiny Board on 12<sup>th</sup> September 2006

That Members be kept informed regarding developments with the Otley telecommunication phone mast cases. Agreed by Scrutiny Board on 12<sup>th</sup> September 2006

**LEEDS CITY COUNCIL**

**FORWARD PLAN OF KEY DECISIONS**

For the period 1 October 2006 to 31 January 2007

Appendix 2

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made)
Former Horsforth Library Carry out the refurbishment of the former Horsforth Library to enable the relocation of Stanhope Drive Youth Club and North West Area Management services to the property	Executive Board (Portfolio: Development)	18 Oct 2006	Asset Management Group	The report to be issued to the decision maker with the agenda for the meeting	Director of Development
Pudsey Bus Station - Associated Highway Works Authority to implement highway works associated with the redevelopment of Pudsey Bus Station	Executive Board (Portfolio: Development)	15 Nov 2006	Ward Members have been presented with the redevelopment proposals and are in support. A public exhibition was held in July 2005. Consultation with METRO is ongoing. Consultation with key stakeholders, emergency services and other affected bodies (specific to the highway works) will commence in February 2006	The report to be issued to the decision maker with the agenda for the meeting	Director of Development

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made)
Otley Heavy Goods Vehicle Traffic - To seek approval for proposals for HGV management in the Otley area	Executive Board (Portfolio: Development)	15 Nov 2006	Neighbouring Local Authorities	The report to be issued to the decision maker with the agenda for the meeting	Director of Development
Holbeck Urban Village - Delivery and Implementation To note progress on Holbeck Urban Village in particular the regeneration links with the adjacent areas of Beeston Hill and Holbeck	Executive Board (Portfolio: Development)	15 Nov 2006	Holbeck Urban Village Partnership Board, Asset Management Group	The report to be issued to the decision maker with the agenda for the meeting	Director of Development
City Varieties Injection to Capital Programme and Authority to Spend	Executive Board (Portfolio: Development)	15 Nov 2006	Heritage Lottery Fund, Leeds Grand Theatre Board, Friends' Group	Design and Cost Report	Director of Development

## **NOTES**

Key decisions are those executive decisions:

- which result in the authority incurring expenditure or making savings over £500,000 per annum, or
- are likely to have a significant effect on communities living or working in an area comprising two or more wards

In cases where Key Decisions to be taken by the Executive Board are not included in the Plan, 5 days notice of the intention to take such decisions will be given by way of the Agenda for the Executive Board meeting.

### **Executive Board Portfolios**

### **Executive Member**

Central and Corporate

Councillor Mark Harris

Development

Councillor Andrew Carter

City Services

Councillor Steve Smith

Neighbourhoods and Housing

Councillor John Leslie Carter

Leisure

Councillor John Procter

Children's Services (Lead)

Councillor Richard Brett

Children's Services (Support)

Councillor Richard Harker

Adult Health and Social Care

Councillor Peter Harrand

Customer Services

Councillor David Blackburn

Leader of the Labour Group

Councillor Keith Wakefield

Advisory Member

Councillor Judith Blake

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