

## SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 18TH SEPTEMBER, 2007

**PRESENT:** Councillor R Pryke in the Chair

Councillors G Driver, J Dunn, R Procter,  
B Selby and A Shelbrooke

### 22 Declaration of Interests

Councillor Pryke declared a personal interest in Item 9 – Impact of Flooding Events on the Leeds District – (Minute No. 27 refers), as a member of the Yorkshire Regional Flood Defence Committee.

### 23 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Ewens, Harper, Lobley and Monaghan.

### 24 Minutes of Last Meeting

With regard to Minute No. 18 - **Leeds Initiative Presentation**, a Member referred to the fact that a response from Leeds Initiative detailing the political composition of the new corporate structure had not been circulated to the Board. The Principal Scrutiny Adviser reported that details would be circulated to Members by email as soon as they were made available.

With reference to Minute No.17 - **Presentation by Chief Officers of the City Development Department**, the Chair reported that a number of questions had been submitted by Councillor Lobley following the last Board meeting and a detailed response to these had been provided by the City Development Department and had been emailed to all Members of the Board.

**RESOLVED** - That the minutes of the meeting held on 24<sup>th</sup> July 2007 be confirmed as a correct record.

### 25 Executive Board Minutes

**RESOLVED** – That the minutes of the Executive Board meeting held on 22<sup>nd</sup> August 2007 be received and noted.

### 26 Request for Scrutiny - A65 Quality Bus Initiative Environment Assessment

The Principal Scrutiny Adviser submitted a report outlining a request for Scrutiny made by Councillor J Illingworth with regard to the A65 Quality Bus Initiative. Attached to the report was a copy of the legal advice provided to

Councillor Illingworth on behalf of the Assistant Chief Executive (Corporate Governance) in response to his request for Scrutiny.

Councillor Illingworth attended the meeting to detail the reasons for his request for Scrutiny to the Board. Jean Dent, Director of City Development, Caroline Allen, Head of Development and Regulatory, Chief Executive's Department and Andrew Hall, Transport Strategy Manager, City Development Department, were in attendance to put forward the legal and Departmental case and respond to questions from the Board.

Councillor Illingworth tabled some key points on the A65 Quality Bus Initiative, in particular outlining his concerns regarding its **size**, the **cumulative impact** of several major schemes in the area and **community involvement** and **consultation**.

Initial points of clarification were sought from Councillor Illingworth and officers.

The Principal Scrutiny Adviser stated that a number of the issues raised by Councillor Illingworth were concerns about the extent to which officers were authorised to take action under the Council's officer delegation scheme. Members were reminded that Council had recently requested a review of this scheme with a view to a report being presented to the October Council meeting.

The Board asked the Director of City Development to submit a report to the next Board meeting setting out the department's response to the issues raised by Councillor Illingworth, in order to determine whether to undertake further scrutiny.

#### **RESOLVED –**

- (a) That the request for Scrutiny by Councillor Illingworth and the letter of the Assistant Chief Executive (Corporate Governance) setting out the legal position with regard to this issue, be received and noted.
- (b) That a report be submitted by the Director of City Development to the October meeting of the Board, to include in particular information on the cumulative impact and past and future consultation on the A65 Quality Bus Initiative.

## **27 Impact of Flooding Events on the Leeds District**

The Head of Scrutiny and Member Development submitted a report to the Board as a result of the resolution made at the Board's meeting on 24<sup>th</sup> July 2007 to receive an update regarding the recent flooding problems in Leeds and progress on implementing the recommendations of the 2006 Scrutiny Commission Inquiry into flooding within Leeds.

As background information, Members were provided with the joint report of the Director of City Development and Director of Resources to the Executive Board on 4<sup>th</sup> July 2007, setting out the impact of flooding events in Leeds in

June 2007. The Scrutiny Commission's (Flooding within Leeds) Final Inquiry report and recommendations published in April 2006, following flooding on 12<sup>th</sup> August 2004 and 3<sup>rd</sup> May 2005, were also provided to the Board.

Jean Dent, Director of City Development, Richard Davies, Head of Risk and Emergency Planning, Corporate Services, David Sellers, Principal Engineer Land Drainage, City Development Department, Tom Knowland, Head of Sustainable Development, City Development Department and Steve Smith, Head of Environmental Services, City Services, attended the meeting to respond to Members' queries and comments.

Members were advised that it had been estimated that at least 300 houses in Leeds had been flooded internally and that many of these households would still be in temporary accommodation. A review of the responses to the June 2007 floods had taken place and further proposals would be put forward to the Corporate Management Team and Executive Board in October. The Board was also informed that the Environment Agency had agreed to put the Leeds flood defence scheme to safeguard the city centre, back on their agenda.

In brief summary, the main issues discussed were:

- **Partnership working** – Members were advised that SORM (State of the River Meeting), in which the main partners were Leeds City Council, the Environment Agency, Yorkshire Water and British Waterways, was now continuing as **Aire Action Leeds** and Chaired by the Environment Agency. Meetings at Director level had also been held with the Environment Agency on how to deal with the day-to-day management of the River Aire and there were plans to develop a single telephone number for people to ring in a flooding emergency.
- The **flood resilience scheme** which was being supported by the Council and Defra – this would include providing flood defence equipment for vulnerable houses and giving advice to householders as an interim measure, whilst the Environment Agency investigated longer term flood defence schemes.
- **Public meetings** - concerns about Members not being kept informed by the Environment Agency of public meetings they had been holding in the Leeds area, particularly concerning **Collingham Beck**. Officers agreed to raise this matter with the Environment Agency and also that the Agency revisit their recent feasibility study on flood defences at Collingham.
- **Developments on Flood Plains** – concern about outline planning permission being given for developments on flood plains.
- Members were advised that run-off rates should be limited to the green field **run-off rate** through the use of balancing tanks and ponds in respect to future developments.
- Members were informed that the report to the Executive Board in October would include recommendations for more **staff resources** in the Land Drainage Section to enable the Department to spend more time on planning applications, including site visits and undertake more enforcement work.

- Members were also advised on the extensive **liaison** that takes place between the Land Drainage and Planning Sections of the Council.
- **Drainage** – the problems of shared responsibility between Yorkshire Water and the Council's Highways section.
- **Fragmented ownership of water courses** – the lack of awareness of riparian owners on their responsibilities and the permissive powers of the Council to remove blockages.
- **Costs of gully clearing and improved drainage** - seen as a growing area of importance by the Government which was making more resources available and which the Council would be bidding for.

**RESOLVED** – That the report and background information provided to the Board be noted.

(Note: Councillor Dunn left the meeting at 11.25am during the consideration of this item.)

At the end of this item, at 11.40am, the meeting was adjourned for five minutes.

## 28 Update on the Strategic Review of Planning and Development Services

The Chief Planning Officer submitted a report outlining the progress on implementing the solutions within the five improvement themes of the strategic review for Planning and Development Services, for Members' consideration and comment. The five improvement themes that had been identified by the strategic review were:

1. Capacity building and working with the private sector
2. Realising a definitive officer view
3. Development and support for Plans Panels
4. Information and communication technology
5. Improved customer services

Phil Crabtree, Chief Planning Officer from City Development Department, was welcomed to the meeting to present the report and respond to queries and comments from the Board. He was accompanied by Jean Dent, Director of City Development.

Members were advised that the main area of concern was the **appeals record**, which would impact on the Council's Comprehensive Performance Assessment.

Members complimented officers on progress made so far. The main issues discussed were in brief summary:

- The number of successful **appeals** and the length of the appeals process – the need for a comprehensive guide to producing clearer, more concise, better quality submissions.
- The **House Extension Design Guide** – that this should help improve the quality of submissions and provide advice on precedents.

- **Membership of Plans Panels** – several concerns were expressed by Members. They were advised that training was now compulsory for Members.
- **Enforcement** – had now moved back into the Planning Section and was seen as a priority.
- **The Design Advisory Panel** - Members were advised that this was chaired by the City Architect, John Thorp, and was supported by the Commission for Architecture and the Built Environment. The Panel's guidance had led to significant improvements in the quality of design to the larger and more sensitive schemes within the city.

**RESOLVED –**

- (a) That the report be noted.
- (b) That a further update report on the appeals panels be submitted to the January meeting of the Board.

**29 Performance Report Quarter 1 2007/08**

The Head of Policy, Performance and Improvement submitted a report discussing the key performance issues considered to be of corporate significance identified for the Scrutiny Board (City Development) as at 30<sup>th</sup> June 2007, including a predicted Comprehensive Performance Assessment (CPA) score for 2007/08. Attached to the report was a performance table detailing all the Performance Indicators (PIs) relevant for this Board.

Jean Dent, Director of City Development, Phil Crabtree, Chief Planning Officer, Tom Smith, Head of Performance and Communication Team, City Services and Paul Maney, Head of Performance Management, City Development Department, attended the meeting to respond to questions and comments from the Board.

Members had been advised in the report that the **key areas of concern** at the end of Quarter 1 (1<sup>st</sup> April to 30<sup>th</sup> June 2007) had been identified as:

**BV215a** – The average number of days taken to repair a street lighting fault which is under the control of the local authority.

**BV215b** - The average number of days taken to repair a street lighting fault, where response time is under the control of a Distribution Network Operator.

**BV204** – The percentage of appeals allowed against the authority's decision to refuse on planning applications.

In response to queries from the Board, Officers advised that the concerns with regard to street lighting were largely to do with the accuracy and collection of the data by the contractor rather than issues of performance. These concerns were being addressed by the Department.

**RESOLVED –** That the report and Quarter 1 performance information be noted.

(Note: Councillor R Procter left the meeting at 12.10pm during the consideration of this item.)

### 30 Corporate Plan Indication ED 50

The Director of City Development submitted a report to the Board on its recommendations that the **Corporate Plan Indicator ED50 be deleted**. CP-ED50 was 'To increase the proportion of businesses who say they are satisfied that the Council is helping to create a good business environment in Leeds'.

Jean Dent, Director of City Development, Paul Stephens, Chief Economic Services Officer and Jo Rowlands, Policy and Information Officer, both from the City Development Department, attended the meeting and responded to queries and comments from the Board.

Members were advised that the current method of collecting data for this indicator was inadequate, although it was recognised that finding out what local businesses thought of Council services was important. Only three other authorities used this indicator. The recommended alternative method, to carry out a more comprehensive and properly stratified survey however, would require considerable more resources. This would be hard to justify given the benefits and given the changes that might arise with the possibility of local authorities being given powers by the Government to levy a **Supplementary Business Rate** (SBR). It had therefore been recommended in the report that the indicator be dropped from the corporate plan and consideration be given to its reintroduction if SBR plans became more definite.

**RESOLVED** – That the report and recommendation that the Corporate Plan indicator ED50 be dropped from the corporate plan and that consideration be given to its reintroduction if SBR plans became more definite, be noted.

### 31 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report outlining the new, more formal system of recommendation tracking which would ensure that scrutiny recommendations were more rigorously followed through.

The recommendations for tracking by this Board for this meeting related to the **Flooding Inquiry** considered earlier in the agenda under Item no. 9 (Minute no.27 refers), and these were attached to the report. A draft status classification had been given for each recommendation and Members were requested to confirm whether these assessments were appropriate or not.

**RESOLVED** –

- (a) That recommendations 2, 3, 11, 12 and 14 continue to be monitored.
- (b) That recommendations 1, 4, 5, 6, 7, 9 and 10 no longer required monitoring.

- (c) That recommendations 8 and 13 required further action and with regard to recommendation 8, that the Principal Scrutiny Adviser writes to the Yorkshire Water Authority to determine progress.

### **32 Work Programme**

The Head of Scrutiny and Member Development submitted the Board's current Work Programme together with a relevant extract of the Council's Forward Plan of Key Decisions for the period 1<sup>st</sup> September to 31<sup>st</sup> December 2007.

#### **RESOLVED –**

- (a) That the current Board's work Programme be received and noted.
- (b) That the reports below, as requested in the meeting, be added to the Board's Work Programme:
- A65 Quality Bus Initiative Report to the October meeting.
  - Further update report on the appeals panels of the Strategic Review of Planning and Development Services to the January meeting.
- (c) That a report on the City Development Department's budget be included in the Board's Work Programme for November.

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

**RESOLVED –** To note that the next meeting of this Board would be held on Tuesday 16<sup>th</sup> October 2007 at 10.00am with a pre-meeting for Board Members at 9.30am.

The Chair thanked everyone for attending and the meeting concluded at 12.30pm.