



SCRUTINY BOARD (CITY DEVELOPMENT)

Meeting to be held in Civic Hall on
Tuesday, 18th September, 2007 at 10.00 am

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

MEMBERSHIP

Councillors

R Pryke (Chair)	-	Burmantofts and Richmond Hill
G Driver	-	Middleton Park
J Dunn	-	Ardsley and Robin Hood
P Ewens	-	Hyde Park and Woodhouse
J Harper	-	Armley
M Lobley	-	Roundhay
J Monaghan	-	Headingley
R Procter	-	Harewood
B Selby	-	Killingbeck and Seacroft
A Shelbrooke	-	Harewood
N Taggart	-	Bramley and Stanningley

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>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</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>EXCLUSION OF THE PUBLIC</p> <p>To identify items where resolutions may be moved to exclude the public.</p>	
3			<p>LATE ITEMS</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>DECLARATION OF INTERESTS</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 12 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES OF LAST MEETING</p> <p>To receive and approve the minutes of the last meeting held on 24th July 2007.</p>	1 - 6
7			<p>EXECUTIVE BOARD MINUTES</p> <p>To receive the Executive Board minutes of the meeting held on 22nd August 2007.</p>	7 - 20

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			<p>REQUEST FOR SCRUTINY - A65 QUALITY BUS INITIATIVE ENVIRONMENT ASSESSMENT</p> <p>To receive a request for Scrutiny concerning the A65 Quality Bus Initiative.</p>	21 - 26
9			<p>IMPACT OF FLOODING EVENTS ON THE LEEDS DISTRICT</p> <p>To consider a report from the Head of Scrutiny and Member Development providing 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.</p>	27 - 104
10			<p>UPDATE ON THE STRATEGIC REVIEW OF PLANNING AND DEVELOPMENT SERVICES</p> <p>To consider a report of the Chief Planning Officer for Members to consider and comment on the progress on implementing the solutions within the five improvement themes of the strategic review for Planning and Development Services.</p>	105 - 110
11			<p>PERFORMANCE REPORT QUARTER 1 2007/08</p> <p>To consider a report from the Head of Policy, Performance and Improvement discussing the key performance issues considered to be of corporate significance identified for the Board as at 30th June 2007 and including a predicted CPA score for 2007/08 and a performance table detailing all PIs for the Board.</p>	111 - 118
12			<p>CORPORATE PLAN INDICATION ED 50</p> <p>To consider a report of the Director of City Development recommending that the Corporate Plan indicator ED50 be deleted.</p>	119 - 124

Item No	Ward/Equal Opportunities	Item Not Open		Page No
13			<p>RECOMMENDATION TRACKING</p> <p>To consider a report of the Head of Scrutiny and Member Development outlining a new system of recommendation tracking to ensure that scrutiny recommendations were more rigorously followed through.</p>	125 - 134
14			<p>WORK PROGRAMME</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 September 2007 to 31 December 2007.</p>	135 - 146
15			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting of the Board will be held on 16th October 2007 at 10.00am with a pre-meeting for Board Members at 9.30am.</p>	

Agenda Item 6

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 24TH JULY, 2007

PRESENT: Councillor R Pryke in the Chair

Councillors G Driver, J Dunn, P Ewens,
J Harper, M Lobley, J Monaghan,
R Procter, B Selby and N Taggart

12 Late Items

In accordance with his powers under Section 100(B)(4)(b) of the Local Government Act 1972, the Chair agreed to admit to the agenda the following three late reports not circulated at the time of agenda despatch:-

Agenda Item 9 (Minute No 17 refers) – City Development Department – background information relating to (a) Highways Services and (b) the Strategy and Policy Service, where the Department had failed to meet the statutory report publication deadline;

Agenda Item 10 (Minute No 18 refers) – Leeds Initiative Presentation – background information requested by the Board's Principal Scrutiny Adviser.

13 Declaration of Interests

There were no declarations of interest made at this point in the meeting (please see later Minute No 18).

14 Minutes - 19th June 2007

RESOLVED – That the minutes of the meeting held on 19th June 2007 be confirmed as a correct record.

15 Minutes - Executive Board - 13th June and 4th July 2007

RESOLVED – That the minutes of the Executive Board meetings held on 13th June and 4th July 2007 be received and noted.

16 Minutes - Overview and Scrutiny Committee - 4th June 2007

RESOLVED – That the minutes of the Overview and Scrutiny Committee meeting held on 4th June 2007 be received and noted.

17 Presentation by Chief Officers of the City Development Department

Further to Minute No 8, 19th June 2007, the Director of City Development and Chief Officers of that Department attended the meeting, and the Board

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received brief presentations from the following Chief Officers regarding the work of their respective Divisions:-

Steve Speak, Chief Strategy and Policy Officer
Phil Crabtree, Chief Planning Officer
Paul Stephens, Chief Economic Services Officer
Paul Brook, Chief Asset Management Officer
Donna McDermott, Chief Design Services Officer
Helen Franklin, Acting Head of Highway Services

In brief summary, the main issues arising from the ensuing discussions were:

- Concerns regarding the current trend for **one or two bedroomed apartments** in the City Centre, **investment buying** and the number of **vacant apartments**, the lack of **family housing in the City Centre**, how this might be addressed and progress with the development of a **City Centre Development Action Plan**. Further information was requested regarding City Centre vacancy rates (item already included in Board's work programme for 16th October 2007);
- Current **planning performance** concerns, monitoring and improving the **performance of the Plans Panels** and proposals contained in the Planning White Paper, in consultation and in agreement with developers, to **remove major planning applications** (involving over 200 dwellings or more than 10,000 square metres of floor space) from the normal 13 week approval/refusal process;
- The City's need to respond to the **Government's future house building proposals**, due to be announced in the autumn;
- The amount of land in the City currently held by developers in '**land banks**' i.e. where planning permission had been granted but development had not yet taken place. Officers undertook to supply Members with details;
- **Protecting and preserving the City's heritage** when redevelopment took place, concern at the number of tall buildings in the City and the SDP guidelines in this regard and the development of a **Tall Buildings Strategy** and proposals to prepare Management Plans for the City's **Conservation Areas** and associated local planning guidelines;
- The proposed role of the newly-appointed **Climate Change Officer**;
- Asset management and forward planning difficulties – ex- Merlyn Rees High School site;
- The services available for **local businesses** wishing to start up or expand, as well as those associated with attracting new investment into the City;
- The **street lighting renewal PFI scheme** – the Board was invited to visit the Swillington Depot if it so wished.

In view of the time constraints at this meeting, Board Members were requested to forward all outstanding questions and queries to the Board's Principal Scrutiny Adviser, Richard Mills, who would forward them to the Department and arrange for all Board Members to be circulated with the responses in a 'Q & A' format.

RESOLVED – That the reports be received and noted and the further information requested be circulated to Members.

(NB: Councillor Taggart joined the meeting at 10.10 am during the consideration of this item)

18 Leeds Initiative Presentation

Further to Minute No 10, 19th June 2007, the Board received a presentation from Kathy Kudelnitzky, Martin Dean, Jane Stageman and Dylan Griffiths of the Leeds Initiative regarding the current work and future development plans of that organisation, the recognised Local Strategic Partnership for Leeds.

In brief summary, the main issues arising from the ensuing discussions were:-

- A list of City Councillors involved in the various strands of the Initiative to be circulated to all Board Members;
- The role of **District Partnerships**, how effective they were in actually influencing or changing policies, especially in terms of the Council's partner organisations such as the PCT, ALMOs and the Police, and how this might be improved by the proposed changes to the way **Local Area Agreements** operated, which would place a duty to consult and co-operate on these partner organisations;
- The perceived **remoteness** of the current set up in terms of the everyday lives of citizens, and even Councillors, and the recommendations of the Overview and Scrutiny Committee Inquiry into 'Narrowing the Gap', carried out in the last municipal year. It was confirmed that the need to improve the 'bottom-up' aspects of the Initiative's work was being developed;
- Hard copies of the powerpoint presentation to be circulated to all Board Members;
- Details of the numbers of citizens on **long-term incapacity benefit** to also be circulated to all Board Members.

RESOLVED – That the report and presentation be received and noted.

(NB: 1 Councillor Selby declared a personal interest in the discussion relating to long-term recipients of invalidity benefit, in his capacity as a chairperson involved in associated Tribunals

2 Councillor Harper left the meeting at 12.12 pm, Councillors Lobley and R Procter at 12.23 pm and Councillor Taggart (temporarily) at 12.23 pm during the consideration of this item)

19 20 mph Zones

Further to Minute No 10, 19th June 2007, Steve Speak and Andrew Hall, City Development Department, attended the meeting and outlined the rationale behind the strategy for introducing 20 mph zones in certain parts of the City.

In brief summary, the main issues discussed were:

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- The fact that the existing zones and proposed zones were not, as popularly believed, associated with the immediate vicinity of particular schools, but were introduced, following appropriate consultation, to tackle **road casualty hot spots**, based on statistical information, with a view to reducing the number of road injuries;
- Such zones would not be introduced on major commuter or arterial roads;
- **Whole district schemes** which depended on enforcement rather than physical measures to slow traffic down were not popular with the Police. However, officers were having ongoing discussions with Portsmouth City Council, which had introduced some schemes which affected a wider group of roads. Members requested to be supplied with a note of the outcome of these discussions;
- Officers reported that analysis of the statistics showed that the introduction of whole district 20 mph zones relying on enforcement by the Police had much less effect in reducing accidents than where physical measures had been introduced;
- The need for improved **communication and consultation** with Local Members and the local community.

RESOLVED – That the report be noted.

(NB: Councillor Taggart rejoined the meeting at 12.47 pm at the conclusion of this item)

20 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 1st July 2007 to 31st October 2007.

- **Flooding in Leeds** – Members resolved to invite to the next meeting Richard Davies, Head of Risk and Emergency Planning, David Sellers, Principal Engineer Land Drainage, Councillor Golton, the Council's representative on the State of the River Management Committee and an officer from the Gully Cleansing Team, to provide 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;
- **Sustainable Schools** – Matter referred from Scrutiny Board (Children's Services) – Members resolved not to carry out an Inquiry of their own, in view of their existing work programme, but might be willing to join in a working group investigation, if this was instigated by the Children's Services Scrutiny Board.
- **Planning Performance and Plans Panel performance monitoring**, and proposals to remove major planning applications from the normal timescales for processing applications – further information to be provided to the Board later in the year.

RESOLVED – That subject to the above comments, the Board's work programme be received and noted.

(NB: Councillor Monaghan (12.53 pm) and Councillor Dunn (12.57 pm) left the meeting towards the conclusion of this item)

21 Date and Time of Next Meeting

Tuesday 18th September 2007 at 10.00 am (Pre-meeting at 9.30 am)
(Councillor Ewens apologies to be recorded)

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EXECUTIVE BOARD

WEDNESDAY, 22ND AUGUST, 2007

PRESENT: Councillor M Harris in the Chair

Councillors A Carter, R Brett, J L Carter,
R Finnigan, R Harker, J Procter,
K Wakefield and J Blake

Councillor Blake – Non-voting advisory member

37 Late Items

38 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 the view of the nature of the business to be transacted or the nature of proceedings, that if members of the public were present there would be a disclosure to them of exempt information so designated as follows:

- a.) The appendix to the report referred to in minute 42 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 disclosure would, or would be likely to, prejudice the commercial interests of the Council by virtue of the fact that the information contained within the appendix was obtained through inviting of best and final offers for the property and therefore to disclose this information at this point in time could lead to random competing bids which would undermine this method of inviting bids and affect the integrity of disposing of land / property by means of this process in the future. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties about the nature and level of offers which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information would be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighed the public interest in disclosing the information at this point in time.
- b.) The appendix to the report referred to in minute 43 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 disclosure of the valuation of the site may be prejudicial to the commercial interests of the Council

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as it may prejudice the return that the Council may realise on a future sale of the site.

- c.) The appendix to the report referred to in minute 50 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 disclosure would prejudice the Council's commercial interests as both the appendix and the outline business case include matters where negotiations of a confidential nature will ensue with the Local Education Partnership and Environments for Learning.
- d.) The appendix to the report referred to in minute 51 under the terms of Access to Information Procedure Rule 10.4 (1 and 2) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as Education Leeds has a duty to secure improvement and increased confidence in the schools concerned and this would be adversely affected by disclosure of the information.
- e.) The appendix to the report referred to in minute 52 under the terms of Access to Information Procedure Rule 10.4 (1 and 2) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as as Education Leeds has a duty to secure improvement and increased confidence in the schools concerned and this would be adversely affected by disclosure of the information.
- f.) The appendix to the report referred to in minute 54 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 disclosure would prejudice the Council's commercial interests as the appendix details matters where negotiations of a confidential nature will ensue. In these circumstances it is considered that the public interest in not disclosing this commercial information outweighs the public interest in disclosure.
- g.) The appendix to the report referred to in minute 57 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 disclosure would prejudice the Council's commercial interests as both the appendix and the outline business case include matters where negotiations of a confidential nature will ensue with the Local Education Partnership and Environments for Learning.

39 Declaration of Interests

Councillor J Procter declared a personal interest in the item relating to Leeds Grand Theatre as a Director of the theatre's Board and Councillor Blake as a Director of the theatre's and Opera North Boards.

Councillors Brett and Harker declared personal interests in the items relating to Children's Services PFI and reprovision of Holmfield Children's Home as Chair and as a member, respectively, of the Children Leeds Partnership.

40 Minutes

RESOLVED – That the minutes of the meeting held on 4th July 2007 be approved as a correct record.

DEVELOPMENT AND REGENERATION

41 Draft Leeds Girls High School Planning and Development Brief

The Director of City Development submitted a report on the outcome of the recent public consultation on the Leeds Girls High School Planning and Development Brief. The report also responded to the deputation made to Council in July 2007 on the same subject.

The report outlined a number of options for the site which were recommended for consideration:

1. For the brief to remain essentially the same, with a number of amendments as outlined at paragraph 9.3 of the report. These would include changes to affordable housing provision and the height and density of proposed buildings on the South West corner of the site;
2. To change the brief more radically to meet the wishes of the local community and Elected Members. This would include protecting the playing fields from development;
3. Recognition that the Council's efforts to meet a broad agreement with the school, local community and Elected Members had been unsuccessful and to withdraw the brief.

Documentation and correspondence from G Mulholland MP, Friends of Woodhouse Moor, Councillor Illingworth and a petition were circulated to members of the Board.

RESOLVED – That the planning brief be withdrawn and the future of the school site be determined through the planning process. Outside of the planning process the Council would facilitate further discussions on the future of the site should relevant parties request.

NEIGHBOURHOODS AND HOUSING

42 The former Royal Park Primary School

The Director of City Development and the Director of Environment and Neighbourhoods submitted a joint report on the disposal of the former Royal Park Primary School site. The report recommended the disposal, through the grant of a long leasehold interest, to the preferred developer with the required

library and community space being the subject of a long sub-lease back to the Council at a peppercorn rent.

Further to a marketing exercise to identify proposals for the site, Members were informed that two such proposals were considered to be viable options for consideration. These were as follows:

1. That all of the school building, other than that given over to the Council's uses, be converted to residential use with around forty apartments and twenty seven car parking spaces, with a complete separation between the residential element and the Council's uses.
2. That more recent extensions to the school building be demolished and replaced with more sympathetic new-build elements. The main use of the building would then be given over to eighty age-related assisted living units with an on-site warden to be managed privately.

Documentation and correspondence from Councillors Hussain, Morton and Rhodes-Clayton, the Leeds Muslim Council, and Royal Park Community Consortium were circulated to members of the Board.

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

RESOLVED –

- a.) That a preferred developer be selected on the basis of the schemes described at section 3 of the report as recommended in the exempt appendix;
- b.) That the proposal that the disposal should be on the basis of less than best consideration exercising the Council's powers under the General Consent 2003 as set out in the report be approved;
- c.) That the disposal of a long leasehold interest in the property to the selected developer at the value set out in paragraphs 3.3 and 3.8 of the exempt appendix, subject to a requirement that the Council be granted a sub-leasehold interest at a peppercorn rent, be approved;
- d.) That the decision on any 'less than best' reduction in this disposal value which may arise as a result of the detailed negotiations be delegated to the Director of City Development in consultation with the Executive Member for Development and Regeneration;
- e.) That the consultation process described at 4.5 of the report to determine the precise nature and use of the community space be approved and that a report be brought back to the Board in this respect;
- f.) That the commencement of negotiations with the preferred developer for the undertaking of the fit-out of the library and community space as part of the main contract for the refurbishment with the costs of these works to be deducted from the capital receipt, subject to the Directors of Environment and Neighbourhoods and City Development being satisfied that these costs represent value for money, be approved.

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

CHILDREN'S SERVICES

43 Deputation to Council - Lingfields and Fir Trees Residents Group re: Fir Tree Primary School Site

The Director of Environment and Neighbourhoods submitted a report on the deputation made by Lingfield and Fir Trees Residents Group to Council in June 2007 following the decision to close Fir Tree Primary School and to recommend that further work be undertaken to identify the most appropriate way to meet community needs.

It was reported that Education Leeds had need of the school site until 2010 however, so no new community facilities would be able to be developed before this time, giving an opportunity for a more in-depth analysis of the need for community facilities in the area.

Following consideration of the appendix to the report designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- a.) That the North East Area Management Team work with partner agencies, through the Moor Allerton Partnership, (MAP) to lead on a programme of public consultation and partner agency work to consider the future needs of the area for community activities, provision and facilities;
- b.) That the Area Management Team and MAP also work together to facilitate the continuation of community activities and provision currently being accommodated at Fir Tree School.

LEISURE

44 Wharfemeadows Park Fencing Proposals - Recommendation of the Scrutiny Board (Culture and Leisure)

The Head of Scrutiny and Member Development submitted a report on the decision of the Scrutiny Board (Culture and Leisure) to request that work to erect a fence at Wharfemeadows Park be suspended whilst a scrutiny enquiry into the issue is undertaken. In conjunction with this the Assistant Chief Executive (Corporate Governance) submitted a report commenting upon the request.

RESOLVED – That the request of the Scrutiny Board be not acceded to and that the decision of 13th June 2007 (minute 9) be implemented.

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

DEVELOPMENT AND REGENERATION

45 Deputation to Council - Representatives of the Leeds Licensed Taxi Trade Regarding Concerns Over Insufficient Taxi Ranks in Leeds

The Director of City Development submitted a report responding to concerns raised by a deputation to Council in July 2007 made by the Leeds Licensed Taxi Trade regarding the number of taxi ranks in Leeds. The deputation had raised concerns regarding the time taken to carry out a review of taxi rank provision in the city centre.

The report gave an update as to the status of the review. It was outlined that a draft Traffic Regulation Order was in the process of being drafted which would allow the Council to enforce the ranks and take action against those illegally parked within them. Progress was also being made towards the creation of additional 24-hour ranks.

RESOLVED – That the contents of the report in response to the deputation be noted.

46 Street Trading Act of Parliament

The Director of City Development submitted a report on the current arrangements for street trading in Leeds city centre and the district as a whole and proposing that approval be given to the promotion of a local Act of Parliament to deal with pedlars and street trading. As a core city with an attractive retail centre, Leeds would find itself increasingly at risk from unregulated street sellers unless a suitable solution was adopted.

RESOLVED –

- a.) That the possible benefits to the city of a local act and the estimated costs be noted;
- b.) That Council be recommended to authorise the promotion of a local Act of Parliament to deal with pedlars and street trading and to authorise the Assistant Chief Executive (Corporate Governance) to agree minor amendments to the Bill at any stage during its promotion.

47 Major Transport Schemes - Local Government Act Section 31 Grant Claim

The Director of City Development submitted a report on the terms and conditions of the Section 31 Grant Determination for major schemes in 2007/08 and requested that delegated authority be granted to the Director of Resources to accept and submit all future claims.

The report outlined that as part of the offer of a Section 31 Grant the Department for Transport apply a number of legally binding and financially significant terms and conditions which need to be agreed by Authorities. It was reported that none of the conditions were considered unacceptable or likely to cause the Council any difficulties.

RESOLVED –

- a.) That the acceptance of the Section 31 Grant offer to Leeds City Council for 2007/08 under the terms and conditions offered be approved;
- b.) That the Director of Resources be confirmed as having the delegated authority for the acceptance and submission of all future grant offers under the terms and conditions offered.

NEIGHBOURHOODS AND HOUSING

48 Design and Cost Report - Disabled Facilities Grants

The Director of Environment and Neighbourhoods submitted a report requesting an additional injection of £2m into the Capital Programme and seeking authority to spend an additional £4.5m on Disabled Facilities Grants for 2007/08. Such investment would represent significant additional investment for the purpose of altering dwellings in order to give increased independence for disabled residents.

RESOLVED –

- a.) That the injection into the capital programme of £2m be noted;
- b.) That scheme expenditure of up to £4.5m be authorised;
- c.) That officers be instructed to bring a report back in the future on the progress of the scheme.

CHILDREN'S SERVICES

49 Deputation to Council - Parents of Fountain Primary School regarding the loss of teachers at the school

The Chief Executive of Education Leeds submitted a report in response to the deputation to Council in June 2007 by the parents of Fountain Primary School regarding resources and staffing issues at the school following the opening of the school in September 2005 as the result of a merger.

RESOLVED –

- a.) That the concerns expressed by the deputation be noted;
- b.) That the establishment of a Scrutiny Board working group to undertake an independent inquiry into the matter be noted;
- c.) That Education Leeds' assurance that the comments received as part of the deputation be placed as part of the evidence for the inquiry be noted.

50 Leeds Building Schools for the Future Phases 2 and 3 - Submission of the Outline Business Case

The Director of Children's Services and the Chief Executive of Education Leeds submitted a joint report on the outline business case for phases 2 and 3 of the Council's wave one Building Schools for the Future programme, for the re-building and refurbishing of fourteen secondary schools in Leeds over three phases.

Following consideration of the appendix to the report designated as exempt under Access to Information Procedure Rule 10.4 (3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

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- a.) That the outline business case for phases 2 and 3 of the Council's Wave 1 Building Schools for the Future Programme be approved and that its submission to the Department for Children, Schools and Families and to the Partnerships for Schools be authorised;
- b.) That the capital expenditure and funding as set out in table 2 of the exempt appendix to the report be agreed;
- c.) That the affordability implications over the life of the proposed PFI contract for the new West Leeds High School, as summarised in the exempt appendix, be agreed;
- d.) That the comments in paragraph 2 of the exempt appendix, that the proposed West Leeds High School PFI will provide good value for money to the City Council and the public sector, be noted;
- e.) That the recommendations contained in the exempt appendix be approved and officers be authorised to issue the Council's affordability thresholds relating to both the PFI element and the design and build element to the LEP and Environments for Learning.

51 Termly Report on Standards in Leeds Primary Schools and Update on OfSTED Inspections and Schools Causing Concern

The Chief Executive of Education Leeds submitted a report on the outcome of recent OfSTED inspections in Leeds Primary Schools and an update on schools causing concern.

Following consideration of appendix 2 to the report designated as exempt under Access to Information Procedure Rule 10.4 (1 and 2), which was considered in private at the conclusion of the meeting, it was

RESOLVED – That the report be noted together with the successes in primary schools and strategies for improvement that have been developed to support further increases in achievement for all pupils, groups and schools.

52 Termly Report on Standards in Leeds High Schools and Update on OfSTED Inspections and Schools Causing Concern

The Chief Executive of Education Leeds submitted a report on the outcome of recent OfSTED inspections in Leeds High Schools and an update on schools causing concern.

Following consideration of appendix 2 to the report and an addendum designated as exempt under Access to Information Procedure Rule 10.4 (1 and 2), which was considered in private at the conclusion of the meeting, it was

RESOLVED – That the report be noted together with the strategies for improvement that have been developed to support further increases in achievement for all pupils groups and schools.

53 Allerton C of E Primary School - Additional Classroom Accommodation

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The Chief Executive of Education Leeds submitted a report which sought authority to proceed with a proposed scheme to provide additional classroom accommodation at Allerton C of E Primary School. The report outlined that the school would open in September 2007 as a result of the merger of Archbishop Cranmer C of E Primary and Fir Tree Primary Schools.

The works were necessary as the new school had been identified as the location of a new Children's Centre facility, however the present building was not capable of housing the required number of children and therefore additional building work would need to take place.

RESOLVED –

- a.) That the design proposals in respect of the scheme to provide additional classroom accommodation at Allerton C of E Primary School be approved;
- b.) That expenditure of £1,220,000 from capital scheme 13767/EXT/000 be authorised;
- c.) That the reimbursement of the incurred expenditure against the scheme from the realisation of a future capital receipt be approved, to be injected into the Education capital receipt for reinvestment into the Education estate.

54 Children's Services Private Finance Initiative (PFI) Project

The Director of Children's Services submitted a report on the proposed Children's Services PFI project with the recommendation that it be included within the scope of the Independent Living PFI procurement. The report outlined a proposal to utilise PFI credits to build and equip a residential unit to offer short breaks for young people with learning disabilities and behavioural problems. This was part of the wider modernisation programme for Independent Living, which currently sought to improve housing, care and services for learning disabled adults in the city.

Following consideration of the appendix to the report designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- a.) That the extension of the scope of the Independent Living Project to include the procurement of the Children's Services PFI Project be approved;
- b.) That the Children's Services PFI projects as outlined in the report be approved;
- c.) That the financial issues covered within appendix 1 of the report be noted;
- d.) That the affordability threshold for the first full year of the Unitary Charge 2010/11 as set out in appendix 1 be agreed;
- e.) That the agreed affordability threshold as set out in appendix 1 be issued to bidders.

55 Design and Cost Report - Improvement Works to Various Establishments to Reprovide for the Loss of Holmfield Children's Home

The Chief Officer, Children and Young People's Social Care submitted a report on the decanting requirements after the closure of Holmfield Children's Home which also sought permission to release part of the future capital receipt to the value of £226,210. The report outlined a summary of proposed works to be undertaken to minimise the impact of the placement move for those children affected by the closure of Holmfield.

RESOLVED –

- a.) That £226,210 of the capital receipt from the sale of Holmfield be used to fund the relocation costs as outlined in the report;
- b.) That the injection of the scheme into the capital programme be approved and authority given to incur expenditure of £226,210.

LEISURE

56 Leeds Grand Theatre Refurbishment, Phase 2 Works

The Director of City Development submitted a report on the final cost of phase one works for the refurbishment of the Grand Theatre and on proposals for phase two of the works to continue the refurbishment of the theatre and renovate the adjacent Assembly Room.

The Director of City Development reported that the estimated construction and total project costs for the phase 2 works were within the total budget provision.

In presenting the report the Executive Member (Leisure) reported because of timing arrangements in relation to the contract there could be significant cost implications if this decision was to be subject to Call In.

RESOLVED –

- a.) That the revised estimated final cost of the phase 1 works at £22,365,000 be noted;
- b.) That a fully funded injection of £19,605 into existing capital scheme no. 03611/PH1/000 and the incurring of expenditure on the phase 1 works to refurbish the Grand Theatre be authorised;
- c.) That the current position regarding the proposed phase 2 works to refurbish Leeds Grand Theatre and adjacent Assembly Room be noted;
- d.) That the Council be authorised to conclude a grant agreement with the Arts Council England for a grant of £2,200,000 towards the cost of refurbishing the Leeds Grand Theatre and adjacent Assembly Room;
- e.) That an injection of £400,000 into existing capital scheme no. 03611/PH2/000 to be funded from Leeds Grand Theatre and Opera House Ltd and the Opera North and Leeds Grand Theatre Development Trust;
- f.) That, subject to concluding grant funding agreements with Arts Council England and the Heritage Lottery Fund, authorisation be given to entering into a building works contract with the preferred participating contractor and to authorise total expenditure of £10,459,000 from existing capital scheme no. 03611/PH2/000 on the proposed refurbishment of Leeds Grand Theatre and Assembly Room;

Draft minutes to be approved at the meeting
to be held on Tuesday, 11th September, 2007

g.) That it be noted that the Council will be responsible for any cost overruns that may occur on the project that cannot be contained within the phase 2 project budget of £10,664,000.

h.) That this decision be exempt from the provisions of Call In.

57 Leeds New Leaf Leisure Centres - Affordability Position

The Director of City Development submitted a report seeking agreement on the estimated affordability implications over the life of the proposed PFI contract for the new leisure centres in Armley and Morley. The report also requested permission to issue an outline proposal to the Department for Culture, Media and Sport (DCMS) regarding the potential to replace the existing leisure centre at Holt Park.

Following consideration of the appendix to the report designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

a.) That the following recommendations from the exempt appendix be agreed:

- i.) The funding of the annual revenue deficits set out in detail in the annexe to the exempt appendix and at paragraph 2.6 of the appendix;
- ii.) The funding of the annual client contract management costs following the successful signing of the contract;
- iii.) That the approvals in (i) and (ii) above be subject to a.) the subsequent successful conclusion of negotiations through the Leeds LEP Ltd; and b.) further reports being submitted to the Board at appropriate times during the procurement, culminating in the approval of the submission of the Final Business Case and appropriate authorities to enter into the Contract at Final Close.

b.) That the following recommendations from the open report be agreed:

- i.) That the recommendations to the confidential appendix to the report be agreed and officers be authorised to issue the City Council's affordability thresholds relating to the PFI project to the LEP and to Environments for Learning;
- ii.) That an outline proposal be issued to the DCMS regarding the potential to replace the existing leisure centre at Holt Park and pump prime the regeneration of the district centre and linkages with the community theatre and library at Ralph Thoresby PFI school should additional PFI credits become available be agreed.

ADULT HEALTH AND SOCIAL CARE

58 Reprovision of Windlesford Green Hostel for adults with learning disabilities and site disposal at less than best consideration

The Director of Adult Health and Social Care submitted a report on plans to reprovide the Supported Living Service for twenty seven people with a learning disability at Windlesford Green and to dispose of the Windlesford

Green site at less than best consideration to enable the construction of suitable accommodation that meets the needs of service users and care standards requirements.

Three options were identified in the report for Members' consideration, as outlined below:

1. Continue providing services in the current building. This would lead to the loss of Supporting People income and refurbishment capital costs, and would also result in the loss of benefit income for residents.
2. Provide the service in a dispersed model. This would increase service operating costs to an unaffordable £250,000 per annum.
3. Single site development. Whilst this involves some loss of gross income through housing benefit, this is significantly less than losses experienced under option 1. The sale of the site would also release a capital receipt. This option was identified as most favourable as it met the strategic need to provide services within individuals homes and carried the lowest level of capital risk and revenue liability for the Authority.

RESOLVED –

- a.) That option 3 (single site development) be approved for the reprovision of Windlesford Green;
- b.) That proposals for the disposal of the site at less than best consideration to a value forgone of £455,000 or less dependent on the success of the bid for a Housing Corporation Grant be approved.

CENTRAL AND CORPORATE

59 Capital Programme Monitoring Update 2007/08

The Director of Resources submitted a report giving an update on the resources and estimated spend on the Capital Programme between 2006 and 2009 and highlighting the success of the scheme in delivering investment across the city. The report outlined capital programme pressures and recommended injections into the programme to address these.

RESOLVED –

- a.) That the contents of the report be noted;
- b.) That the Capital Programme injections detailed in paragraphs 3.1.3 to 3.1.10 of the report and appendix A be approved;
- c.) That the Director of Resources be given delegated authority to release funds from a capital contingency scheme of £200,000 for expenditure towards the World Corporate Games;
- d.) That the key principles for managing and controlling the Capital Programme as detailed in paragraph 3.1.11 of the report be approved;
- e.) That the amendment to the capital strategy as outlined in paragraph 3.4 of the report and Appendix B be approved;
- f.) That the measures being taken by the Director of Resources, in liaison with other directors, to ensure the affordability and sustainability of the Capital Programme be endorsed.

60 Financial Health Monitoring 2007/2008 - Quarter 1 Report

Draft minutes to be approved at the meeting to be held on Tuesday, 11th September, 2007

The Director of Resources submitted a report on the financial health of the Authority following the first three 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 after three months of the financial year be noted;
- b.) That the treatment of LABGI and capital finance savings be approved;
- c.) That the use of up to £195,000 to fund new year pressures being £150,000 for flood alleviation, £24,000 for the part year costs of increasing Youth Service budgets delegated to Area Committees, and £45,000 for the co-location of business and enterprise with the Chamber of Commerce.

61 Treasury Management Annual Report

The Director of Resources submitted a report on the Treasury Management Strategy and operations for 2006/07 as required under the Prudential Code introduced in April 2004. This lifted the restriction on local authority borrowing and created a mechanism to stimulate capital investment, encouraging authorities to borrow whilst interest rates were at a low.

The report outlined that due to long term low interest rates and the restructuring of market loans throughout the year, the Council had made £22.2m in revenue savings.

RESOLVED – That the Treasury Management outturn position for 2006/07 be noted.

DATE OF PUBLICATION: 24TH AUGUST 2007
LAST DATE FOR CALL IN: 5TH SEPTEMBER 2007

(Scrutiny Support will notify Directors of any items called in by 12:00 noon on Thursday 6th September 2007.)

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 18th September 2007

Subject: Request for Scrutiny – A65 Quality Bus Initiative Environmental Assessment

<p>Electoral Wards Affected:</p> <input type="checkbox"/> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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1.0 Introduction

- 1.1 A request for Scrutiny has been made by Councillor J Illingworth concerning the officer delegated decision not to undertake an Environmental Assessment with regard to the A65 Quality Bus Initiative.
- 1.2 Councillor Illingworth suggests that (a) the size of the scheme prevented it from being included within the category of General Permitted Development (b) officers did not have the power under the Council's officer delegation scheme to decide not to undertake an environmental assessment of this scheme and (c) that by definition the decision to dispense with an environmental assessment should have been a "Key Decision" and has therefore not been properly notified and published as the law requires.
- 1.3 Attached is a copy of the legal advice provided to Councillor Illingworth. It should be noted that the view of the Assistant Chief Executive (Corporate Governance) is that the decisions were properly taken in accordance with the Constitution. It is not the role of this Board to define whether or not decisions are Key Decisions. However this Board could consider more generally, rather than with regard to this specific case, whether it considers any amendments need to be made to any of the definitions of Key, Major or Significant Operational decisions as currently defined in the Constitution and if so make recommendations to the Leader accordingly.
- 1.4 Councillor Illingworth has been invited to attend today's meeting to detail to the Board the reasons for his request for Scrutiny.

2.0 Options for Investigations and Inquiries

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

- how further scrutiny meets criteria approved from time to time by the Overview and Scrutiny Committee?
- consider the current workload and whether a formal Inquiry can be adequately resourced?
- whether a formal Inquiry should be undertaken?

3.0 Recommendations

3.1 The Scrutiny Board is requested to consider:

- (i) the request for scrutiny by Councillor J Illingworth and the letter of the Assistance Chief Executive (Corporate Governance) and Monitoring officer setting out the legal position with regard to this issue.
- (ii) what further information, if any, is required in order to determine whether further investigation by Scrutiny is justified and what form this will take.

Councillor Illingworth
37 Kirkwood Way
Leeds
LS16 7EU

Legal, Licensing & Registration
Civic Hall
Leeds LS1 1UR

Contact: Caroline Allen
Tel: 0113 2474496
Fax: 0113 2243526
caroline.allen@leeds.gov.uk
Your ref: [Reference]
Our ref: [Reference] CA/CW138

7 September 2007

Dear Councillor Illingworth

A65 QBI Scheme – Decision Making Process

Your e-mail of 2 August to Andrew Wheeler, the Highway Design and Construction Manager within City Development, has been passed to me for a response. Your e-mail asserts, in summary, that a) the size of the Scheme prevented it from being within the category of Permitted Development and b) officers did not have the power under the officer delegation scheme to decide that an Environmental Impact Assessment was not required in respect of the A65 QBI. Scheme. You suggest that these were in fact 'Key Decisions' in accordance with the Council's Constitution, but were not treated as such by officers. As a result, you contend that the decisions have not been properly notified and published on the Forward Plan and the opportunity to call-in these decisions has been denied to Members.

The fundamental problem you raised was that the A65 QBI Scheme is a scheme, which in your words "covers about 10 hectares, affects three or more wards, straddles at least two parliamentary constituencies and involves expenditure of £23m, so it is at least 10 times larger than the maximum permitted size for officer delegation in the Council Procedure Rules".

On a preliminary point, the Constitution does not limit the delegated authority to officers in respect of schemes of a certain size, as you suggest, and, therefore, officers are not prevented from taking Key Decisions on schemes of this magnitude. As currently drafted, the Council's Constitution does allow for officers to take Key Decisions in respect of executive functions and these are subject to the same requirements for publication in the Forward Plan and call-in etc. as apply to the Executive Board. However, the officer in question may decide, where appropriate, to refer the matter to Executive Board for a decision or alternatively, an appropriate Executive Member may direct that the officer should not exercise his/her delegated authority and refer the matter to Executive Board.



However, in this case, the decision to proceed with a scheme of this magnitude was one taken by Executive Board and not by officers. The decisions to which you refer in your e-mail are ones which effectively follow the decision of Executive Board and form part of the process for implementing this Member decision.

The two decisions in question are:-

1. the decision not to make a planning application for the scheme but rather to rely on permitted development rights
2. the formal screening opinion undertaken by officers within Planning Services which concluded that an Environmental Impact Assessment for the development would not be necessary.

In order to properly consider the questions that you have raised it is necessary to view these decisions within the context in which they were taken, the fundamental point to assess being whether these discrete decisions constituted Key Decisions in their own right or whether these were decisions which flowed as a consequence of a broader decision which may have been a Key Decision and effectively embraced these procedural steps.

From my investigation it would appear that in this case the "in principle" decision to progress the A65 QBI scheme was taken by Members, and in particular the decision of the Executive Board on 20 September 2006 was significant in this respect.

The background to that decision is summarised below. The A65 QBI scheme was submitted to the Government as part of the Local Transport Plan 2001-6 submission and provisionally approved by the Government in December 2001. Subsequent discussions with the Department for Transport led to the submission of a revised scheme proposal which was developed to take on board the emerging re-development proposals for the Kirkstall Road corridor and further minimise the need for future land acquisitions.

This revised scheme was remitted for regional advice on transport priorities by the DFT in December 2004 and was subsequently identified as a priority in the Regional Transport Board's submission to the Secretary of State in January 2005. On 6 July 2006 the Secretary of State for Transport announced that the A65 QBI had been granted programme entry into the LTP major schemes programme as part of the first round of Regional Funding Allocation approvals.

A report by the then Director of Development was considered by Executive Board on 20 September 2006. This report updated Members on the current status of the project and sought approval to progress the detailed development of a scheme for the A65 QBI. The report also confirmed that progress would be reported back to the Executive Board at the key stages in the delivery process and that oversight of the scheme would be provided by a project board chaired by the Director of Development (now City Development).

The Executive Board resolved, amongst other things:

“that approval be given to commence the development of the scheme, including detailed design, statutory procedures and procurement planning”.

That decision which effectively approved the progress of the scheme was eligible for call-in but was not called in. This is particularly pertinent to the issues that you have now raised, as this decision of the Executive Board was a Key Decision and was included in the Forward Plan of Key Decisions for September – December 2006.

There has therefore been clear Member involvement in deciding to promote the scheme and the Executive Board authorised both the scheme’s initiation and progression.

Turning to the two officer decisions to which you refer:-

Counsel’s Opinion was sought by officers on the question of whether a planning application should be made in respect of the scheme or whether planning permission had been granted under the provisions of the Town & Country Planning (General Permitted Development Order) 1995. Counsel’s advice confirmed that the scheme did have permission in accordance with the GPDO and confirmed the lawfulness of this approach. The acceptance of that advice should not be confused with the decision to proceed with the scheme taken by the Executive Board “that approval be given to commence the development of the scheme, including detailed design, statutory procedures and procurement planning”. The report considered by Executive Board made reference to the “statutory procedures” and in particular paragraph 5.1 stated:

“As part of the detailed development of the scheme a full evaluation of the necessary statutory requirements will be made. This will review the requirements for planning consent processes needed to acquire any third party land and the Highways and Traffic Orders necessary to construct and implement the scheme”.

Therefore, Executive Board through its Key Decision of 20 September 2006 approved the carrying out of statutory procedures and was aware when doing so that this included, inter alia, requirements relating to the need for planning consent. It follows that the decision not to make a planning application but rather to rely on permitted development rights was a decision that officers were entitled to take in order to implement the earlier Executive Board decision. It is my view that this was not a Key Decision in its own right but was an “Administrative Decision” as it:

- a) Was within an approved budget;
- b) Was not in conflict with the Budget and Policy Framework or other approved policies approved by the Council; and
- c) Did not raise new issues of policy

As a result, the requirements as to publication in the Forward Plan and call-in etc. do not apply.

With regard to the screening opinion in respect of the need for an Environmental Impact Assessment pursuant to part 2 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999, that function is part of the process required in determining planning applications made under Section 70 of the Town and Country Planning Act 1990 and is therefore delegated to officers. It is a procedural and technical requirement by which officers must formulate an opinion as to whether in summary there is likely to be substantial environmental harm arising from the development.

The responsibility for conducting EIA screening opinions under the 1999 Regulations lies with the Council in its role as local planning authority. In accordance with the Council's delegation scheme this function is delegated to the Chief Planning Officer and the Area Planning Managers pursuant to a sub-delegation scheme. These officers were therefore acting in accordance with their delegation and were lawfully entitled to take this decision. Again my view remains that this is not a Key Decision. Rather, these are detailed and administrative arrangements taken in order to carry through the Executive Board decisions and should be seen as a direct consequence and part of the implementation of that decision. Therefore they are not Key Decisions in their own right for the purposes of the Council's Constitution.

Even if a contrary view is taken that these decisions did meet the criteria for Key Decisions in accordance with the Council's Constitution, they would fall within the specified exception, namely that they both constitute:

“a decision which is a direct consequence of implementing a previous Key Decision”.
(para. 4.3 of section 5, Part III of the Constitution).

If the Executive Board or the appropriate Executive Member wished to limit the extent of the delegation to officers in respect of implementing this scheme, it could, at any point, take the decision that specific subsequent decisions relating to implementation should be referred up to the Executive Board.

If, in more general terms, it was considered that the extent of officer delegation under the Council's Constitution was too broad, then the Constitution itself would need to be amended and a recommendation would need to be made to the Leader to this effect.

I hope this helps to clarify the position. In the light of your request that the matter is investigated by Scrutiny Board and the forthcoming Scrutiny Board meeting on 18 September, I have copied this letter to Richard Mills for attaching to the Scrutiny Board Report.

Yours sincerely

Caroline Allen
Head of Development & Regulatory

Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 18th September 2007

Subject: Impact of Flooding Events on the Leeds District

Electoral Wards Affected: All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 The Scrutiny Board at its meeting on 24th July 2007 agreed to invite to this meeting Richard Davies, Head of Risk and Emergency Planning, David Sellers, Principal Engineer Land Drainage, Councillor Golton, the Council's representative on the State of the River Management Committee and an officer from the Gully Cleansing Team, to provide 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.
- 1.2 The officers referred to will attend the meeting today together with the Head of Sustainable Development, Mr Tom Knowland who is associated with State of the River Management Committee and will be able to respond to issues concerning climate change.
- 1.3 Councillor Golton cannot attend today's meeting due to a prior engagement.

2.0 Background

- 2.1 In order to provide Members with the background information to the impact of flooding in the Leeds District the following reports are attached:-

(a) Joint report of the Director of City Development and Director of Resources setting out the impact of flooding events in Leeds in June 2007. The report highlights the nature of the flooding, the initial understanding of its causes and made some preliminary suggestions as to how the Council and its partners might seek to respond to the events. This report was considered by the Executive Board on 4th July 2007 who noted the paper and endorsement given to the proposed preliminary actions.

(b) The Scrutiny Commissions (Flooding within Leeds) Final Inquiry report and recommendations published in April 2006 following flooding on 12th August 2004 and 3rd May 2005.

3.0 Recommendations

- 3.1 The Scrutiny Board is requested to consider the information provided and the progress made in implementing the recommendations of the Scrutiny Commission's report and determine what, if any, further information or scrutiny is required on this issue.



Report of the Director of City Development / Director of Resources

Executive Board

Date: 4 July 2007

Subject: Impact of Flooding Events in June on the Leeds District

Electoral wards affected:

Specific implications for:

Ethnic minorities

Women

Disabled people

Narrowing the gap

Eligible for call In

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

Executive Summary

1. A series of severe weather events in June have given rise to a large number of flooding incidents across Leeds and Yorkshire caused by unprecedented rainfall levels, which the natural and built environments have been unable to cope with.
2. The Council has responded well to this challenge, although a number of residents find themselves out of their homes for some time. We now need to meet urgently with our professional partners to establish what lessons can be learned and to push for flood defence schemes to be implemented in key locations.
3. Following this analysis, there will need to be further consideration of how the Council and its partners need to respond to the challenges to its area and the lives of its citizens being posed by climatic change and related phenomena.

1.0 Purpose of this report

- 1.1 This report outlines the impact of a number of significant flooding incidents between 15 and 25 June 2007 which affected areas across the whole of Leeds district. It highlights the nature of this flooding and our initial understanding of its causes, and makes some preliminary suggestions on how the Council and its partners might seek to respond to these events.

2.0 Background information

- 2.1 Every year Leeds experiences a number of flooding incidents from causes which can significantly impact the lives of residents for a prolonged period. These incidents may arise from a variety of sources, but it has been noted that a growing number of these derive from *non-main river* sources, such as becks, sewers, highway gullies and drains as well as surface water run-off. In response to several factors (including climate change), the frequency and intensity of flooding in Leeds and elsewhere appears to be increasing and Met Office weather forecasters are now stating that we should expect these types of events to occur on a regular basis.
- 2.2 The city has already had a foretaste of these changing conditions. In August 2004 and May 2005 several areas of the city, predominantly in East Leeds, experienced significant flooding due to an unusually intense rainfall and the inability of the drainage infrastructure to cope with the increased volumes of water. Although the weather giving rise to the flooding was extreme, the incidents did highlight several key shortcomings relating to: (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.
- 2.3 In response to these shortcomings, a cross-departmental Water Asset Management Working Group was set-up and developed a range of costed recommendations to address a range of problems and issues relating to the maintenance of the Council's water assets (watercourses, culverts, highways gullies, reservoirs and lakes) and the way in which it responds to flooding incidents. An additional, recurring resource of £1.1m was provided to relevant services to fund an enhanced service provision as well as to continue the development of other recommendations.
- 2.4 A report is attached at Appendix 1 ('A New Departure: The Council's Response to the Lessons Learned from Major Flooding in 2004 and 2005') which highlights the significant progress we have made in developing and implementing these recommendations. However, although we believe the changes made have reduced flood risk overall and enabled a better emergency response, this report makes clear that this work will not eliminate (new) flooding from extraordinary rainfall impacting our communities. More effective flood defences and mitigation will require significant on-going work and investment on the part of key agencies at the local, regional and national levels in partnership.

3.0 Main issues

- 3.1 The recent flooding experienced by residents in Leeds is the culmination of severe rainfall over a period rather than the consequence of a single event. This period arguably began with the intense rainfall (measured at over 100mm at Farnley Hall rain gauge) falling over the 48 hour period between 14 - 15 June. This gave rise to widespread flooding across the city (see map at Appendix 2), including incidents at Northern Street (city centre), Wortley (Outer Ring Road, Branch Road, Pudsey Road), Guiseley (Victoria Road), Swillington (Neville Grove), Beeston (Southleighs), Pudsey (Chaucer Avenue), Howden Clough (Howley Mill Lane), Methley (A639 Methley Lane) and Otley (A660). It is clear that this downpour contributed to the ground becoming saturated and set the scene for the flooding incidents which occurred 10 days later.

- 3.2 The second bout of intense rainfall, which fell during a violent lightning storm on the night of 19th-20th June, closed train services to London and Harrogate and caused flooding in the city centre (Northern Street), Halton (gardens of Dunhills), Pudsey (properties in Turkey Hill), and Methley (Newmarket Lane).
- 3.3 The most serious flooding then took place on Monday, 25 June 2005 and affected most of the whole of the Leeds district (see map at Appendix 3) rather than in a limited number of disparate locations as is more commonly the case. This attests to the unprecedented nature of the rainfall: according to preliminary data, northern England has just experienced its wettest June since records began. In June 1980 an average of 121.2mm of rain fell over the month compared to over 153mm this June in northern England, with around 100mm falling in the 24 hour period covering Monday. This would help to explain why the vast majority of locations – whether houses, businesses or roads - were flooded by surface water run-off or a surcharging of the drainage systems highlighting an inability of the ground or the drainage infrastructure to absorb the extreme volumes of water. There were, however, notable examples of watercourses overtopping their banks to cause major damage.
- 3.4 It is of no surprise then that, whilst some of these affected areas previously experienced severe flooding in August 2004 and May 2005 and yet others are known to have on-going flooding problems, some locations appear to have experienced flooding for the first time on 25 June. This report will now highlight the known areas affected and the sources of the flooding as far as this is understood.

Flooding from Rivers and Becks

- 3.5 The main locations where flooding of domestic properties occurred from watercourses overtopping their banks were:
- Halton (Dunhills, Veritys, Whitebridges): approximately 50+ houses affected by flooding from the beck for the third time in five years. The Wyke Beck is now classified as a 'main river' and has been overseen by the Environment Agency since April 2006.
 - Collingham (Mill Beck Green): approximately 30 domestic properties flooded by the Collingham Beck which managed to circumvent an existing flood defence bund at No. 4 Lowcroft.
 - Wortley: a number of properties flooded from the Wortley Beck at Wortley (Ring Road, Branch Avenue, Pudsey Road).
 - Rothwell: a wide swathe of Springhead Park adjacent Gillett Lane flooded by River Dolphin inundating the depot to 4' and the aviary causing the death of 80 birds.
 - Meanwood: the Meanwood Beck overtopped its banks to flood a Millside Nursing Home, a number of residential properties at Monkbridge Terrace and Mill Pond Close, businesses at Meanwood Close as well as Meanwood Valley Farm.
 - Mabgate: the Sheepscar Beck overtopped and inundated businesses in the Mushroom Street area to around 4 feet.
 - Kippax: around twelve houses in Ramsden Street flooded by an unnamed watercourse.
- 3.6 Possibly our biggest concern on 25 June was the risk that the River Aire would breach its banks along Kirkstall Road, throughout the City Centre and further downstream at Mickletown which could have caused widespread and long-term damage to both homes and businesses as has happened in South Yorkshire. The Aire appeared to be running at higher levels than experienced in October 2000 and August 2002 and did cause flooding of a limited number of roads and properties in the Waterfront/Calls, Dock Street and East Street/Neptune Street areas of the city centre.

Surface Water Flooding and Drainage Surcharging

- 3.7 Flooding from surface water run-off and surcharged drains affected hundreds of domestic and business properties to one degree or another in areas across the city that are too numerous to detail. By way of example, around a dozen or more properties in the Barley Hill Road, Derwent Drive, and Queensway areas of West Garforth were inundated in places to around 4 feet of water’.
- 3.8 Thus far, we are aware of a limited number of schools which were affected by flooding or had to be closed. Amongst the primary schools affected were: Ashfield PS (Otley); Beechwood PS (Seacroft); Garforth Green Lane PS; Parklands PS (Seacroft); Mount St. Mary’s PS (Richmond Hill); Carlton PS (Carlton WF3); Grimes Dyke PS (Stanks); West End PS (Horsforth); and St Nicholas’ RC School (Gipton). High schools affected include: Garforth Community College; Royds HS (Oulton); Corpus Christi RC HS (Halton Moor). Green Meadows North-west SILC.
- 3.9 In addition to this significant impact on properties, the flooding caused chaos to the city’s transport infrastructure. Services from Leeds City Station were cancelled on most lines for most of the day and passengers had to make do with replacement bus services, although train services were restored for many of these destinations on a limited basis with the exception of those serving South Yorkshire for which there are still problems. The roads were also hit hard and the following major roads were closed or under water: Outer Ring Road at Wortley; A62 Gelderd Road; A65/A660 at Otley; and A659 Pool Road.

Actions Undertaken by the Council

- 3.10 It is our view that, whilst the scale of the actual downpour and its impact could not have been predicted, the Council did respond well to incidents that we were made aware of. It is, however, possible that we were not informed about certain incidents either by the public or our partners. Where we were made aware, the Council was able to respond preemptively and reactively to evolving events to address the community’s and city’s needs:
- Sandbags: officers from Highways began filling and deploying large volumes of sandbags to a range of locations preemptively from Sunday 24 June and reactively throughout Monday 25 June and days following this in anticipation of further incidents. The EA also delivered large quantities of sandbags to the Dunhills on Monday afternoon after the flood had occurred and high water levels persisted. The Council also deployed over 400 air brick covers and 50 flood boards to vulnerable locations.
 - Deployment of incident co-ordination staff: the new Emergency Co-ordination Vehicle was deployed to great effect at the Dunhills, but this was but one of many locations where this could have been used. Area Management Teams were able to assist in identifying needs in other areas, including Halton and Collingham, and this approach can be developed further.
 - Watercourse maintenance: Land Drainage officers visited at-risk sites throughout the city throughout the week to ensure preventative and reactive maintenance work was undertaken by our contractors at identified problem sites (some of which are the EA’s responsibility).
 - Structural safety: officers from Building Control and Bridges section assessed the safety of buildings and bridges across the city to ensure these were structurally sound.
 - Street cleansing: the 6 gully cleansing vehicles were deployed across the city to assist in the cleaning down of properties and pumping of gullies following flooding and where it was feared that there might be a recurrence.
 - Area management: officers from area management played an important role in providing reassurance and co-ordinating the distribution of large numbers of sandbags and skips (to enable the disposal of damaged household effects) to residents at the Dunhills and Collingham.

- Environmental Health advice: officers were deployed to all areas reported as having experienced flooding to distribute leaflets and give advice on the dangers of flood water and on how to clean-up after this subsides.
- Rest centres: a rest centre was set-up at Fearnville Leisure Centre in Gipton for residents of the Dunhills and other locations choosing to leave their homes to be sheltered and fed. A rest centre was also set-up at Leeds Town Hall for use by commuters stranded in the city centre due to transport problems, although this was able to close late on Monday evening due to lack of need.

Potential Next Steps

- 3.11 Given the unprecedented scale of the downpour and the large of number of incidents across the city, it is vital that any actions to be taken by the Council and its partners are informed by rigorous analysis and options appraisals. In light of this, it remains too early to provide detailed lessons learned and actions plans which can be agreed by members and senior officers at this stage.
- 3.12 However, we would suggest the following actions which should be acted upon urgently:
- firstly, material and welfare support and guidance should continue to be offered to those already affected by flooding;
 - secondly, Council officers from responding departments should meet at the earliest opportunity for a debrief in order to compare experiences and identify lessons learned. Key concerns should be whether existing service provisions are adequate to cope with both existing and anticipated increases in demand.
 - thirdly, officers from PEPU and Land Drainage should meet their peers from partner agencies in the emergency services, Environment Agency, and Yorkshire Water to consider what went well and where we need to learn lessons. This should focus on whether the EA provided as much information and alerting as they ought to have done and whether recently enmained watercourses like the Wyke Beck and Collingham Beck are sufficiently high in the priorities of the Agency.
 - fourthly, information from the above should be used to review the Stage 2 Action Plan of WAMWG and determine whether any additional work needs to be added to this or if any additional resourcing is needed. A key consideration here will be the potential need for there to be a more dedicated, formal structure in place to oversee the strategic development of initiatives in this area rather than this being an adjunct to existing posts.
 - fifthly, pressure needs to be brought to bear upon the Environment Agency urgently to ensure that flood defences commensurate with identified flood risks are developed and put in place on the River Aire from Kirkstall to Knowsthorpe, and along other 'main rivers in the city, including the Wyke Beck, Wortley Beck at Wortley, and Collingham Beck at Mill Beck Green, Collingham. As members are already aware, the Council was working with the EA to develop a major flood defence scheme for the city centre costing more than £100m, but this was deferred by the EA in their latest capital programme. These schemes should be addressed on 13 July when the Leader is meeting the Chief Executive of the EA, Barbara Young, along with representatives of Land Drainage and emergency planning.
 - sixthly, given that any initiatives by the EA are likely to take time to be developed and agreed, the Council and the EA should discuss actions which they might jointly or severally undertake to reduce or mitigate the flood risk in the interim (e.g. provide all households with floodguards).
 - seventhly, that the risk of flooding is fully taken account of in all new proposed developments in conjunction with the city-wide Strategic Flood Risk Assessment to be completed shortly.

4.0 Implications for Council Policy and Governance

4.1 In May 2006 Executive Board approved a policy statement on 'Maintaining Water Resources and Responding to Flood Incidents' which clarified the scope of the Council's roles and responsibilities in terms of its:

- 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.

4.2 It is considered that this policy provides an adequate and robust framework to enable Council services to undertake their responsibilities, but this document will be reviewed as part of the lessons learned process.

5.0 Legal and resource implications

5.1 Resource issues will be addressed as part of the lessons learned review process and reported back to senior management and Executive Board in due course.

6.0 Conclusions

6.1 A series of extreme severe weather events have given rise to unprecedented levels of rainfall for June across Leeds and Yorkshire. The rain occurred to such an extent that both the natural and built environments were unable to cope with the volumes of water generated and flooding occurred in areas across the whole of the city. Whilst the impact on communities has been heavy, Leeds has been extremely lucky not to have experienced the degree of hardship faced by residents and businesses in South Yorkshire and the Council has responded well in the circumstances. To be clear, this flooding is not the result of failures by the Council or its partners and recent increases in resources and improvements by the Council, though unable to prevent this, undoubtedly mitigated the effects and enabled an improved response.

6.2 Weather forecasters are now suggesting that we should now expect this unpredictable type of weather to become the norm and the Council and its partners will have to work more closely together to identify how the worst effects of climate change can be mitigated to lessen the impact on citizens. However, this is something which requires action at the national and global levels rather than merely at a local level and this degree of challenge will necessitate significant changes in land use and the level of investment currently deployed by the Council and its partners in this area.

7.0 Recommendations

7.1 Executive Board is requested to note the comments contained within this report and endorse the preliminary actions proposed.

A NEW DEPARTMENT

The Council's Response to the Lessons Learned From Major Flooding in 2004 and 2005

report by the
Water Asset Management Working Group
April 2007



Introduction

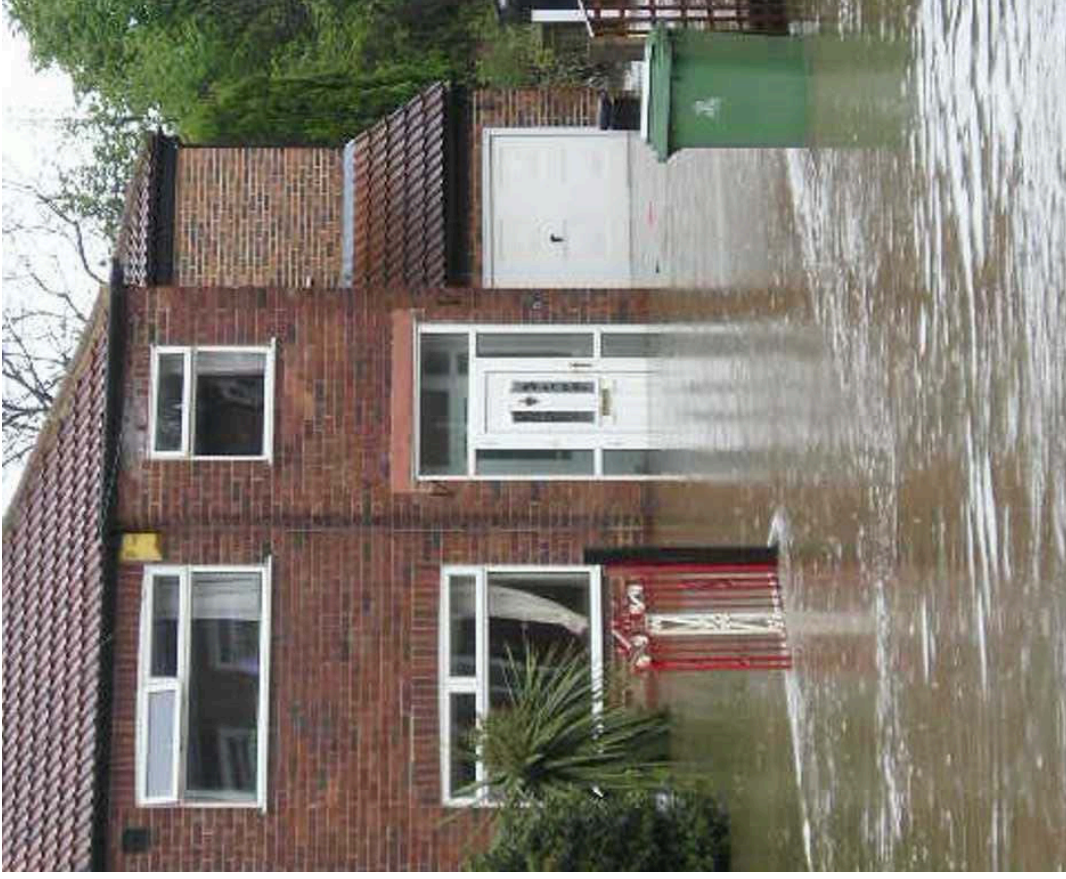
In August 2004 and May 2005 several areas of Leeds experienced significant flooding due to an unusually intense rainfall and the inability of the drainage infrastructure to cope with the increased volumes of water. The incidents highlighted several areas for potential improvement in terms of the resources available to maintain our assets and respond to floods.

On 9 March 2005 Executive Board approved the set-up of a cross-departmental working group to develop costed recommendations for implementation. The **Water Asset Management Working Group (WAMWG)** was consequently set-up and consisted of senior representatives from Land Drainage, Highways Services, Streetscene Services, Enforcement, Asset Management, Bridges Section, and Audit & Risk.

The **33-point Action Plan** of the WAMWG were referred to Leader-Management Team on 7 July 2005 and, following this meeting, funding was put in place to commence implementation of the recommendations in the Action Plan.

A dedicated **Flooding Scrutiny Commission**, initiated in August 2005 to investigate flooding and drainage issues in Leeds, gave its support to the Action Plan as well as making further recommendations.

This report gives an account of the elements of the Action Plan which fall within the remit of relevant Council Services and how they have been implemented.



Flooding adjacent to Wyke Beck on 3rd May 2005

LAND DRAINAGE SECTION

Flood Defence Activities in 2006



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Flood Action Plan

Action Plan points [numbered] relevant to Land Drainage:

Direct maintenance of Council-owned watercourses by the Land Drainage Section, rather than functional Departments, to ensure that blockages and flood risk are minimised [3].

Additional staff for beck inspection, record maintenance, vetting of planning applications for flood risk, and technical assistance [4].

Improved systems for recording water assets – including watercourses, culverts, ponds and lakes [6].

Support for private owners and communities in fulfilling their responsibilities – including participation in flood fairs [7].



Support for the Bridges Section in assessing the capacity of existing highway culverts and the development of a risk-based rolling programme of upgrades [20].

Identification and **recording all lakes and dams** in order to facilitate a programme of hazard assessment [23].

A **dam inundation study** for Waterloo Lake [24].

A **multi-agency technical forum** with the Environment Agency and Yorkshire Water [26].

Helping in the **development of flood alleviation measures** for the Wvke Beck catchment [28].

Council Watercourse Maintenance (1)

Since 1st January 2006 Leeds CC watercourses have been maintained by the Land Drainage Section using a specialist Contractor – Peter Duffy Ltd – under a 24 month term contract.

Grids and Hot-spots

Routine maintenance is now managed on the basis of risk assessment. **32** specified grids and other hotspots are visited and cleared of debris on a fortnightly basis. A further **4** are visited and cleared on a monthly basis. The current table of these locations is given in [Appendix 1](#).

If a Flood Watch notice is issued by the Environment Agency or a Severe Weather (rainfall) notice is issued by the Meteorological Office, then the highest risk locations are visited immediately, so far as is practicable.



**Cock Beck grid at Stanks (4 Sep 06)
before (left) and after (right)
fortnightly clearance**

At the commencement of each hot-spot visit the Contractor takes a photograph of the state of the grid, etc. After clearance of any debris a further photograph is taken (see below). In this way, the effectiveness of the visits is monitored, information is gathered which will help us reassess the frequency of visits in the future and evidence is collected that might be useful in the investigation of flooding events.

Prior to the commencement of the new maintenance regime the hot-spots and grids were frequently the cause of flood incidents. No flooding at these locations has occurred since and - although new flooding from extraordinary rainfall can never be ruled out - it seems clear that the new regime has significantly reduced the flood risk during the last 12 months.

The annual cost of the routine maintenance of grids and hot-spots is expected to be **£70,000**.

Council Watercourse Maintenance (2)

Planned Maintenance

Planned maintenance of open channel watercourses has been prioritised in accordance with perceived risk. This has included the **clearance of about 10,200 metres of watercourse** and the **repair of 2,400 metres of retaining walls or channel fabric**. The total contract cost of this work is estimated to be **£161,000**.

The planned work has been at Ederoyd Drive, Middleton Grove, Finkle Lane, Sugarwell Mount, Topcliffe beck, The Hollies, Wyke Beck, Spring View (Gildersome), Sheepscar Beck, Neville Grove, Cock Beck (Stanks), Stain Beck, Weetwood Mill Lane, Allerton Bywater, Kippax, Stonegate.

One factor that has loomed larger than expected, and has caused work to proceed at only a modest rate, is the care that needs to be taken to avoid disturbance to wildlife habitats. Before any work instruction is issued to the Contractor for the clearance of any section of open watercourse, an **ecological appraisal** has to be carried out. Usually this will be procured from ecologists in the Wildlife and Countryside Team, but has also been done by Consultant ecologists.

Where it does not pose a flood risk, **natural woody debris is left in place** or secured to the banks of a stream in order to provide wildlife habitats.



Removal of a mature tree from the centre of Wyke Beck (behind the Foxwoods) as part of the planned maintenance. Flooding in May 2005 affected properties adjacent to this stretch of beck

Council Watercourse Maintenance (3)

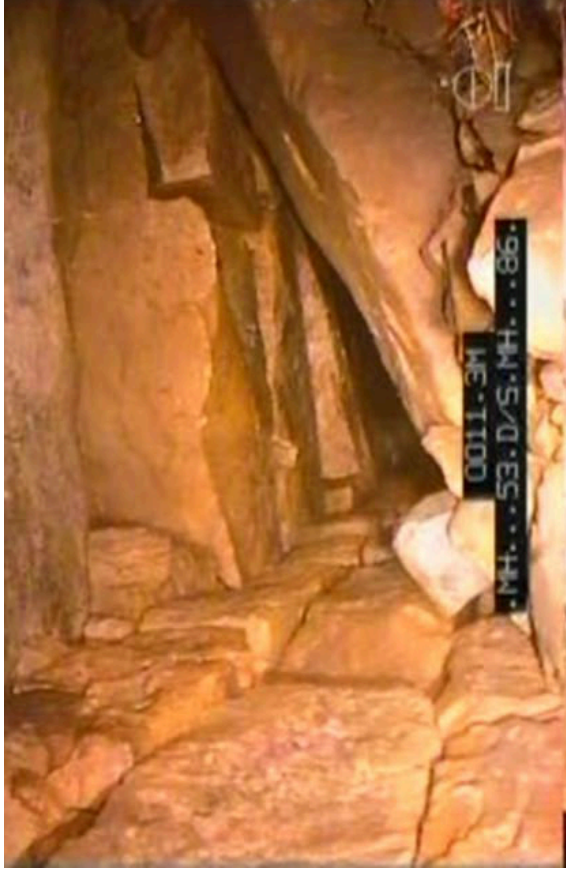
Reactive Maintenance

Reactive maintenance is carried out when the Becks Inspectors or others (including Councillors, members of the public, or other Departments) notify blockages – from fly-tipped debris, etc. Priority is given on the basis of flood risk. Over **430 metres of watercourse have been cleared** in this manner, at a cost of **£23,000**.



Fancy a bath? Flood risk at Kel Beck, Otley

CCTV image of structural damage on Cotton Mill Beck culvert (Morley) adjacent to the site of flooding



CCTV inspection and desilting of culverts

Most of the culverted watercourses owned by the Council have not been inspected internally for decades. Consequently, blockages and structural problems have gone undetected, until flooding is caused. This year a substantial programme of inspection and repair has been commenced. Often access is only possible after manhole replacement or construction.

CCTV inspection and desilting of 11,600 metres of culvert has cost about **£143,000**. Some repairs will require capital works.

Council Watercourse Maintenance (4)

New grids and inlets

Effective, well-maintained grids and inlets to culverts are an essential flood-prevention measure. This year we have provided **new grids or inlet structures** at Wyke Beck (upstream of York Road), Troydale Lane (Pudsey), and Southleigh Garth (Beeston), at a cost of **£30,000**. A further one at Neville Grove (Swillington) has just received EA approval and will be constructed early in the new year.

Culvert lining and repair

The watercourse maintenance term-contract has been used to carry out repairs of short lengths of Council-owned culvert at High Moor Avenue (Moortown) and Foundry Lane (Seacroft) at a cost of **£8,000**.

Dam Maintenance

Maintenance work has been carried out on the embankment of Fenton Dam (Ardley) under instruction from the Supervising Engineer in the interests of safety, at a cost of **£11,000**.

“I have noted several times the lorry of Peter Duffy & the workmen on High Moor Avenue. It is such a relief to me & my family to see the end of the flood water on my property.”

- extract from resident's letter to Land Drainage (May 2006)



Rig set up for hot cured resin lining of culvert at High Moor Avenue (Moortown)

Other Actions (1)

Additional Staffing

A number of appointments have been made following the decision to take on additional staff:

On 1st September David Oldknow started as Group Engineer (Maintenance) managing the maintenance of Council-owned watercourses.

On 27th November Howard Underwood took up his role as Assistant Becks Inspector, allowing us to step up our monitoring of all ordinary watercourses in the District.

On 28th December Mike Emery took up a permanent position as Engineer (Development Control), after having already been seconded for a few weeks in the same work. Mike was covering for the protracted absence of a member of staff following a major operation.

On 22nd January 2007 Jan Cassidy joined us as the new Asset Engineer. Following this appointment a marked improvement in the state of our records system is anticipated.

Due to the difficulties with staffing levels and the increased number of planning applications requiring detailed comment, a significant backlog of applications built up. We are now starting to make inroads into this.

Improved system for recording water assets

This work is now in progress following the appointment of the Asset Engineer (see above).

Support for private owners and communities

The Land Drainage team took part in a 1-day flood fair organised by the Environment Agency in September at the Royal Armouries.

Other Actions (2)

Support for the Bridges Section

The Land Drainage Section has collaborated with the Bridges Section in commencing an assessment of major highway culverts which may have flow capacity restrictions.

A physical model of the Elland Road (Churwell Hill) culvert on **Farnley Wood Beck** was commissioned (see picture below). This shows inadequate capacity. Results of the study have been discussed with a view to developing a capital scheme for improvement.

Similar assistance has been given to Highways Services in identifying minor highway culverts (less than 900mm diameter) and drawing up a programme of improvement works for culverts and highway drains.



Identification and recording of all lakes and dams

A database of lakes and dams in Leeds has been created, in order to assist in hazard identification (where these bodies of water are not registered as 'large raised reservoirs' and not subject to any statutory inspection).

Dam inundation study for Waterloo Lake

This is now complete and initial meetings have taken place with Parks and Countryside to collaborate on the preparation of appropriate contingency arrangements.

Multi-agency technical forums

Regular meetings take place with the Environment Agency and Yorkshire Water to assess specific flooding problems. It is intended that there should be a permanent standing forum (taking up development control issues as well as flooding).

Flood Alleviation Measures for the Wyke Beck and Farnley Wood Beck catchments

The Land Drainage Section is collaborating in Environment Agency appraisals of flood defence measures for both of these newly 'enmained' watercourses.

Emergency Planning and Standby

7 day 24 hour standby backup is now available from our Contractor in the event of major flooding emergencies.

APPENDIX 1

Watercourse	Location	Asset Type	Description	Frequency
Hol Beck	Farnley Lane, Otley	Inlet Grid	Inlet Grid to Highway Culvert	Fortnightly
None Shown	Farnley Lane, Athelstan Lane, Otley	Inlet Grid	Inlet Grid to Highway Culvert	Fortnightly
Kel Beck	Green Lane, Otley	Inlet Grid	Inlet Grid to Highway Culvert	Fortnightly
Hol Beck	Carr Bank Bottom. Otley	Inlet Grid	Inlet Grid to Highway Culvert	Fortnightly
Kel Beck	Weston Lane, Otley	Inlet Grid	Inlet Grid to Highway Culvert	Fortnightly
Nunroyd Beck	Ghyll Royd, Yeadon	Inlet Grid	Inlet Grid to Watercourse Culvert	Fortnightly
None Shown	Parkland View, off Henshaw Lane, Yeadon	Inlet Grid	Inlet Grid to Watercourse Culvert	Fortnightly
None Shown	Troydale Lane, Troydale, Pudsey	Inlet Grid	Inlet Grid to Highway Culvert	Fortnightly
Nunroyd Beck	Leeds Road, Guiseley	Inlet Grid	Inlet Grid to Highway Culvert - Structure No 1005	Fortnightly
Red Beck	Oaklands Road, Farsley	Inlet Grid	Inlet Grid to Watercourse Culvert	Fortnightly
Bagley Beck	Farsley Lane, Farsley	Outlet Grid	Outlet Grid to Watercourse Culvert	Fortnightly
Stain Beck	Meanwood Road, Meanwood	Inlet Grid	Inlet Grid to Highway Culvert - Structure No 1082	Fortnightly
Throstle Carr Beck	Robin Hood	Inlet Grid	Inlet Grid to Watercourse Culvert	Fortnightly
Cock Beck	Barwick Road	Inlet Grid	Inlet Grid to Highway Culvert - Structure No 1123	Fortnightly
Gledhow Lake	Gledhow Valley Road, Gledhow	Outlet Grid	Outlet Grid to Lake and Entrance to Watercourse Culvert	Fortnightly
Gledhow Lake	Gledhow Valley Road, Gledhow	Sluice Manhole	Flow control Chamber	Fortnightly
Wyke Beck	Halton Moor	Inlet Grid	Inlet Grid to Watercourse Culvert	Fortnightly

Wyke Beck	Pontefract Lane	Outlet Grid	Outlet Grid to Watercourse Culvert	Fortnightly
Mill Shaw Beck	Dewsbury Road,	Balancing Pond	Outlet Grid	Fortnightly
Mill Shaw Beck	Dewsbury Road,	Balancing Pond	Inlet Grid	Fortnightly
Mill Beck	Westwood Road, off Dewsbury Road	Inlet Grid	Inlet Grid to Highway Culvert - Structure No 1184	Fortnightly
Farnley Wood Beck	Old Close, off Elland Road	Bridge and Open watercourse	Open section of Watercourse including Structure No 1134	Fortnightly
Wyke Beck	Wykebeck Valley Road	Primary Trash Screen	Trash Screen to Watercourse	Fortnightly
Fleakingley Beck	Astley Lane, Swillington	Bridge	Bridge Structure No 1152	Fortnightly
Hollins Beck	Station Road, Kippax	Inlet Grid	Inlet Grid to Watercourse Culvert	Fortnightly
None Shown	Southleigh Garth, Beeston	Inlet Grid	Inlet Grid to Highway Culvert	Fortnightly
Gledhow Beck	Gledhow Valley Road, Gledhow	Inlet Grid	Inlet Grid to Highway Culvert - Structure No 1127	Fortnightly
WykeBeck	Off Wykebeck Valley Road	Footbridge	Culvert beneath footbridge	Fortnightly
Un-Named	Off Middleton Grove, Middleton Park, Middleton, Leeds	Inlet Grid	Inlet Grid to Watercourse Culvert	Fortnightly
WykeBeck	Off Brooklands Crescent, Seacroft, Leeds	Pipe beneath bridge	Public sewer crossing watercourse	Fortnightly
Tyersal Beck	Tyersal Lane, off Smalewell Road, Tyersal, Pudsey	Footbridge/ Ford	Ford across Tyersal Beck	Monthly
Un-Named	Finkle Lane, Gildersome	Inlet	Inlet to Culverted Watercourse	Monthly
Un-Named	Swillington Lane, junction with Leeds Lane, Swillington Leeds	Inlet	Inlet to Culvert Beneath Highway	Monthly
Un-Named	Off Queensway, Yeaton, Leeds	Inlet Grid	Inlet Grid to Watercourse Culvert	Monthly

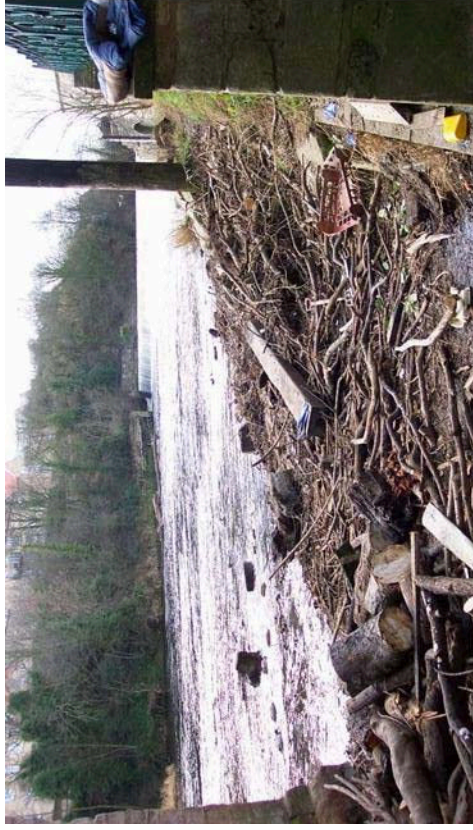
BRIDGES SECTION

Flood Defence Activities in 2006



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Highway Bridges clearance



Tree trunks removed from under bridge on the River Wharfe at Wetherby (sawn into sections ready for removal)

Debris clearance under highway bridges

Bridges Section will remove debris from the major rivers running through Leeds City Council area (Rivers Aire, Calder and Wharfe) where a bridge or culvert has caused a build up of debris.

A term diving contractor is being used to remove debris from major rivers as specialist personnel and equipment are required to carry out this work.

Bridges Section carries out debris clearance work on a reactive basis when notified of blockages.

Debris clearance at entrance to large highway culverts

In conjunction with Land Drainage Section Bridges Section is involved with debris clearance from blockages to culverts.

Significant effort and expense is sometimes involved in getting the necessary machinery into these locations to remove these obstructions.

This activity is costing **£10,000** per annum.



Highway culvert capacity survey

Culvert survey work

Bridges Section has engaged the services of our private sector partner Mouchell Parkman to carry out survey work to existing culverts. The work involves surveying all culverts supporting a highway with a diameter greater than 0.9m.

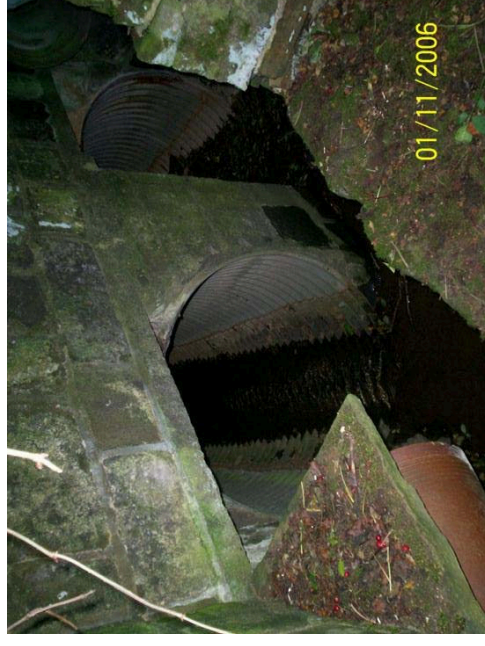
The survey work involves collecting simple but important data about each culvert. Data collected includes:-

- Access details
- Distance of the culvert from a road
- Can the culvert be inspected from the highway
- Details about the size of the culvert
- How far is it to the nearest property

Discounting structures on the rivers Wharfe, Aire and Calder there are 350 highway culverts to be surveyed. Up to the end of February 2007 a total of **136 culverts have been surveyed** at a cost of **£20,000**.

Once collected the survey work is passed to Land Drainage Section to determine the capacity of the culvert. Any culverts found under capacity will be considered, on a risk basis, for inclusion in the Bridges Section Culvert Upgrading Programme.

Survey work has included photographs at upstream and downstream ends of culverts.



Entrance (above) and exit (below) to Carlton-Bramhope highway culvert.



ASSET MANAGEMENT SECTION

Flood Defence Activities in 2006



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Flood risk to Council assets

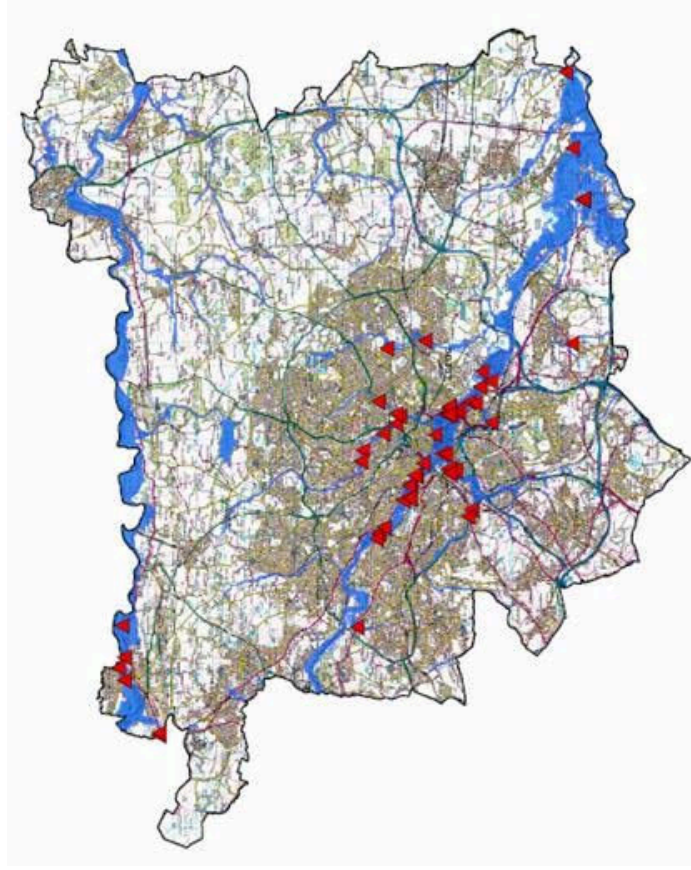
Council asset risk assessment

The Council has more than 20 separate databases holding property information and is part way through a 4 phase programme to bring these into the new 'Caps' geographical information system to allow greater sharing of information and flexibility of use.

The position of Council properties has now been plotted within the new system and compared against *flood risk maps* relating to the city's 'main rivers' provided by the Environment Agency as well as data from Land Drainage on previous incidences of flooding from non-main river sources. This has enabled Asset Management to identify **a total of 60 Council properties at risk of flooding** from identifiable sources of potential flooding.

A programme of inspections has been instigated to assess the actual level of risk and the buildings' vulnerability in order to determine what steps can be taken to reduce the vulnerability and potential impact should flooding occur.

Additionally plans from the new Caps have now been made available to the Land Drainage Section to help them quickly identify Council ownership of land or property should blockages or potential flooding on watercourses be identified.



HIGHWAYS SERVICES

Flood Defence Activities in 2006



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Gully data collection

Gully survey

In support of water asset management activities, Highway Services have begun a project to collect a set of detailed information and location for each gully across Leeds. Approximately 30,000 have been visited so far, but with an estimated 130,000 gullies across the city the project will run until March 2009.

The data will be used to improve the efficiency of cyclical cleaning activities, and allow more sophisticated targeting of maintenance work on problem areas.

Geographical information systems (GIS) are used to display the position of the gullies and to act as a link between the detailed attributes of each gully and other computer systems used for asset valuation, fault reporting and maintenance planning. GIS also facilitates the sharing of information across the Council and with partner agencies to provide a holistic approach to drainage management.

Data collection in West Garforth has been expedited in order to be of assistance in the DEFRA-funded, multi-agency, study of flooding problems in that locality



Typical hazard resulting from blocked gullies and drain connections



GIS record of freshly surveyed gully locations in West Garforth

Sandbag service

Provision of rapid sandbag filling machines

Highways Services has now obtained three rapid sandbag filling machines. These are located at depots together with quantities of sand and unfilled bags.

During a flood or, in certain cases, in anticipation of a flood, the Council may provide sandbags to householders and other parties. To ensure they are deployed to maximum effect, sandbags are issued in the following order:

- To vulnerable individuals or establishments;
- To residential properties;
- To business or other non-residential properties.



**Rapid sandbag filling machine in use
at a Council depot**

ENVIRONMENTAL SERVICES

Flood Defence Activities in 2006



For further information, please contact:
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Highway Gully Cleansing

Additional gully cleansing machines

Streetscene Services have leased two extra vehicles and recruited additional staff to provide a significantly enhanced gully-cleaning arrangements. They have also developed informal out-of-hours call-out arrangements for flooding responses via existing service provision and are working towards formalising these in the near future.

The standard frequency of gully cleansing is every eight months. **The two additional machines have allowed an increase in frequency at the hotspot areas to every three months.** The areas were identified using information from Highways Services (their 'wet spot' list) and information from PEPU in the form of complaints about flooding. Approximately 4700 gullies are now receiving the higher frequency cleansing. This additional service started in November 2005.



'Wet Spot' team at work with one of the new gully cleansing machines



ENFORCEMENT SECTION

Flood Defence Activities in 2006



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Flytipping

Shopping trolleys

The Council has now adopted legal powers to recover abandoned shopping trolleys, many of which were regularly causing watercourse blockages, and charge costs to the owner. A company (TCS) has been identified which will remove such trolleys at no cost to the Council.

Between 1st April 2006 and 31st December 2006, 7252 abandoned shopping trolleys have been collected and



Shopping trolleys removed from Wyke Beck after flooding event



returned to the owning supermarket for re-use or destruction.

The city has been scoured of abandoned trolleys from all types of land, including watercourses, with the support of ecology officers. Trolleys are now removed on daily patrols across the city.

PEACE & EMERGENCY PLANNING UNIT

Flood Defence Activities in 2006



For further information, please contact:
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Emergency Planning (1)

Peace and Emergency Planning Unit (PEPU) was tasked with a number of key actions as part of the Water Asset Management Working Group's work.

Ensure that a **protocol on the co-ordination and response to flooding incidents with partner agencies** is incorporated into Leeds City Council and multi-agency plans and is tested with partners [16].

A West Yorkshire multi-agency flood response protocol with clear roles and responsibilities was developed by Leeds City Council, ratified in December 2005 by all partners to flood response and incorporated into all agencies' flood plans. This protocol was recently tested in a West Yorkshire Resilience Forum Gold-level exercise (Exercise Merlin Aware) and was found to have worked well.

Develop proposals to **provide the capability for rapid deployment of flood mitigation and recovery resources** [17].

An **Emergency Co-ordination Vehicle** has recently been purchased, which will provide an essential focal and communication point for Council services at a flood incident scene. The vehicle contains a control area in the rear of the vehicle with desking, white boards, laptops, printer / fax / scanner, mobile phones and personal protective equipment such as high-visibility jackets and waterproofs. The vehicle also has a microwave and a kettle for responders to be provided with essential food and refreshments.



Exercise Merlin Aware

A **towable trailer** has also been purchased to be linked to the above, which contains a range of **flood recovery resources**, such as shovels, disposable cameras and wellington boots, to hand out to residents to aid their recovery from the effects of incidents. Further resources in the shape of air brick covers which can be provided to residents who have received warnings of predicted flooding have been procured and are held in vehicles used by Land Drainage staff and gully cleansing operatives for distribution when they are deployed to a flood incident scene.

Emergency Planning (2)

Develop and implement a **multi-agency checklist of questions and a flowchart for use in Leeds City Council and partners' call centres** for use in establishing what form of flooding was involved and who this should be referred to [18].

Flood Operator guidelines have been developed and implemented to enable calls from members of the public to be referred through to the most appropriate organisations. PEPU is also working with the Environment Agency and West Yorkshire colleagues in developing the Environment Agency's Floodline service to provide a 'one-stop' number, so members of the public can call one number to report any type of flooding.

Continue to participate in the **West Yorkshire Flooding sub-group of the West Yorkshire Emergency Planning Officers Forum** [21].

PEPU chairs the West Yorkshire Flooding sub-group and provides the impetus for much of its work, including a range of innovative solutions to longstanding problems.

Develop a package of measures to **support private riparian owners and communities** to fulfil their responsibilities, such as 'flood fairs' and public information campaigns [22].

In October 2006 the Unit assisted the Environment Agency in developing and running a **'Flood Fair'** at **the Royal Armouries** for communities at risk from flooding

PEPU is currently working with a community group in Methley/Mickleton to develop a **local flood plan** which may serve as a model for other communities and areas.



Mark Wilkinson (PEPU), Mohammed Iqbal (Lord Mayor of Leeds), Stuart Pedder (Land Drainage) and Heather Pinches (PEPU) at the Royal Armouries Flood Fair in September 2006

PARKS & COUNTRYSIDE

Flood Defence Activities in 2006



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Parks and Countryside were given several important actions as a result of the flooding events in August 2004 and May 2005.

Parks and Countryside to **install a primary trash screen across Wyke Beck upstream of York Road** to stop the migration of large scale detritus downstream [29].

During previous flooding large quantities of debris were washed down the upper reaches of the Wyke Beck causing blockages and exacerbating flooding around the Dunhills area of Halton

To remedy this, a trash screen was constructed and installed by Council contractors on the beck above York Road to catch large items of rubbish, such as supermarket trolleys. This screen is now subject to regular checks and has already work proved its worth in a subsequent flood event.

Install cut-off drains at King George V playing fields (behind Foundry Lane) and at the **Chantrys in Colton** to intercept surface run-off [31].

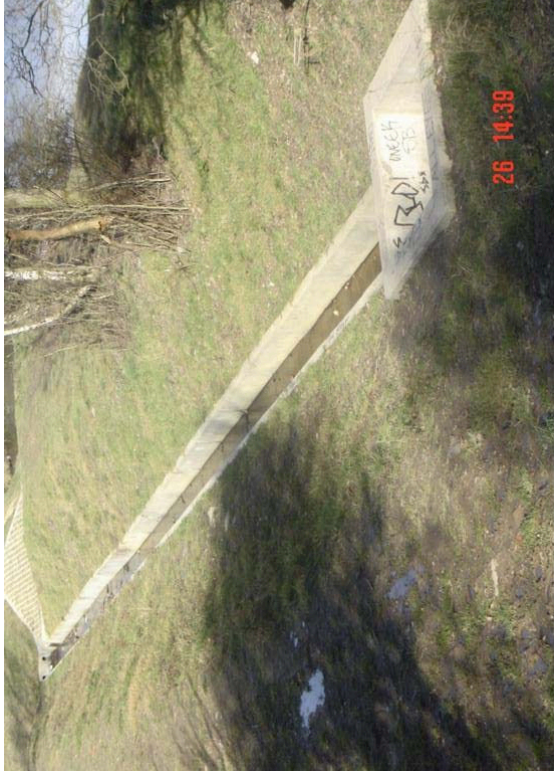
Drainage problems at two recreation sites were identified during previous flooding incidents. At Fearnville Playing Fields at Gipton a cut-off drain was designed and installed to intercept water run-off from the sports pitches and prevent this inundating houses on Foundry Lane. A similar piece of work was carried out on a green space at the Chantrys in Colton.



Wyke Beck trash screen (above) and Fearnville cut-off drain (below)



Parks & Countryside (2)



Further works related to the working group's agenda have also been carried out by Parks and Countryside. **Chippy's Pond** near Scholes is a large body of water with a weir surrounded by a grassed area which is a popular recreation area. Following a risk assessment exercise, work has been undertaken to construct a new dam and spillway as well as to regrade the embankments. New culverting has also been installed downstream to protect properties from flooding on the overflow culvert.

Water Asset Management Working Group

Overall Objective

To provide a forum for cross-departmental liaison on issues relating to the Council's water asset management responsibilities for reporting to elected members and senior officers.

Specific Aims

Corporate Consistency

- To provide a holistic approach to the identification and discussion of water issues within the Council focussed on the long-term needs of the city and community.

Legal Compliance

- To ensure that the Council's statutory and regulatory responsibilities in relation to water assets are clearly stated and understood by relevant departments and that the relevant services conform with these.

Policy Conformance

- To ensure that Council policy on maintaining water assets and responding to floods is understood by relevant departments and that relevant services conform with this.
- To review the Council's 'Policy on Maintaining Water Resources and Responding to Flood Incidents' on a regular basis to ensure this remains relevant.

Resilience and Continuous Improvement

- To maintain an up-to-date work programme seeking to ensure that the Council has plans, resources and investment strategies which fulfil Council policy, meet identified evolving needs and enhance the city's overall resilience to flooding.

Partnership Working

- To liaise on a regular, on-going basis with Council services and external partners on issues impacting upon water assets within the city to ensure that appropriate solutions are implemented.

Awareness Raising

- To report to members and senior officers on progress and relevant issues on a frequent basis to ensure that water issues receive adequate attention.

Adding Value

- To ensure that – where possible – water assets are better exploited as community resources rather than being seen as risks to be mitigated.

Application and Sufficiency of Resources

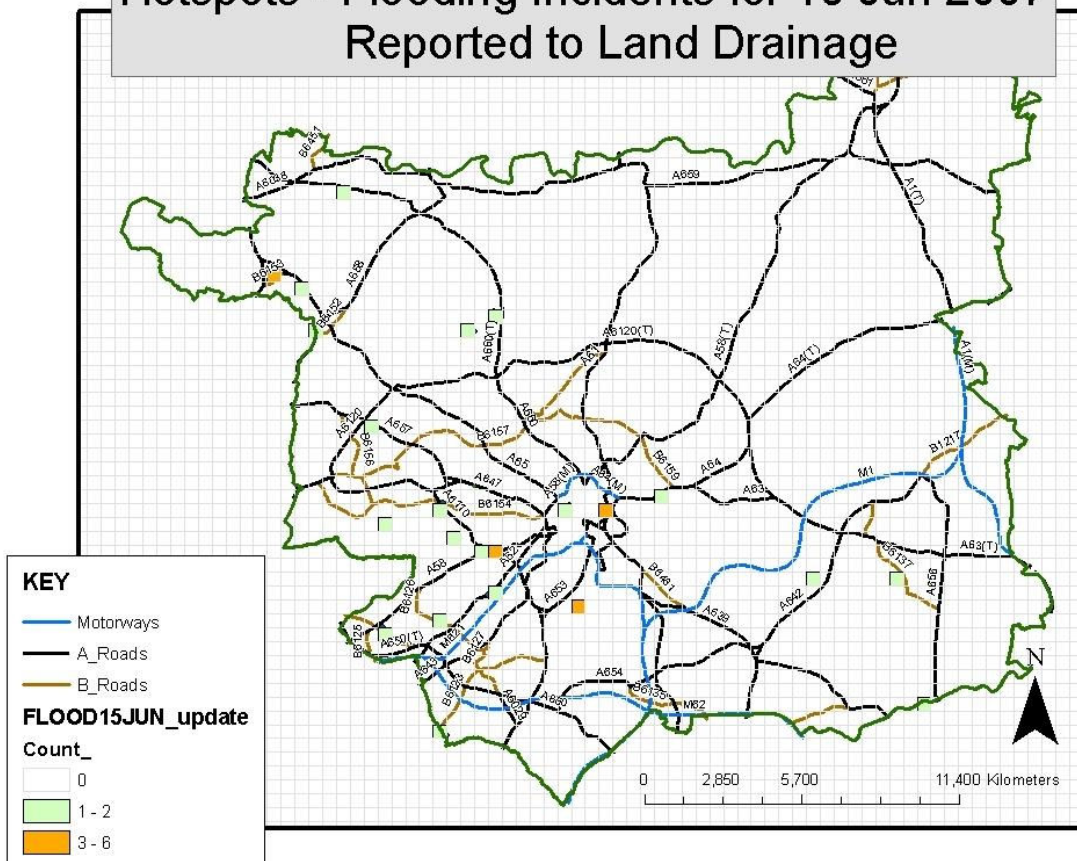
- To review the application of existing revenue budgets and ensure resources are being effectively applied.
- To provide advice to the Council on the appropriate level of investment required to fulfil our legal and policy commitments.

For further information about the work of the Water Asset Management Working Group, please contact the Group's Chair:

Richard Davies
Head of Risk and Emergency Planning
Tel: (0113) 24 74513
Email: Richard.Davies@leeds.gov.uk

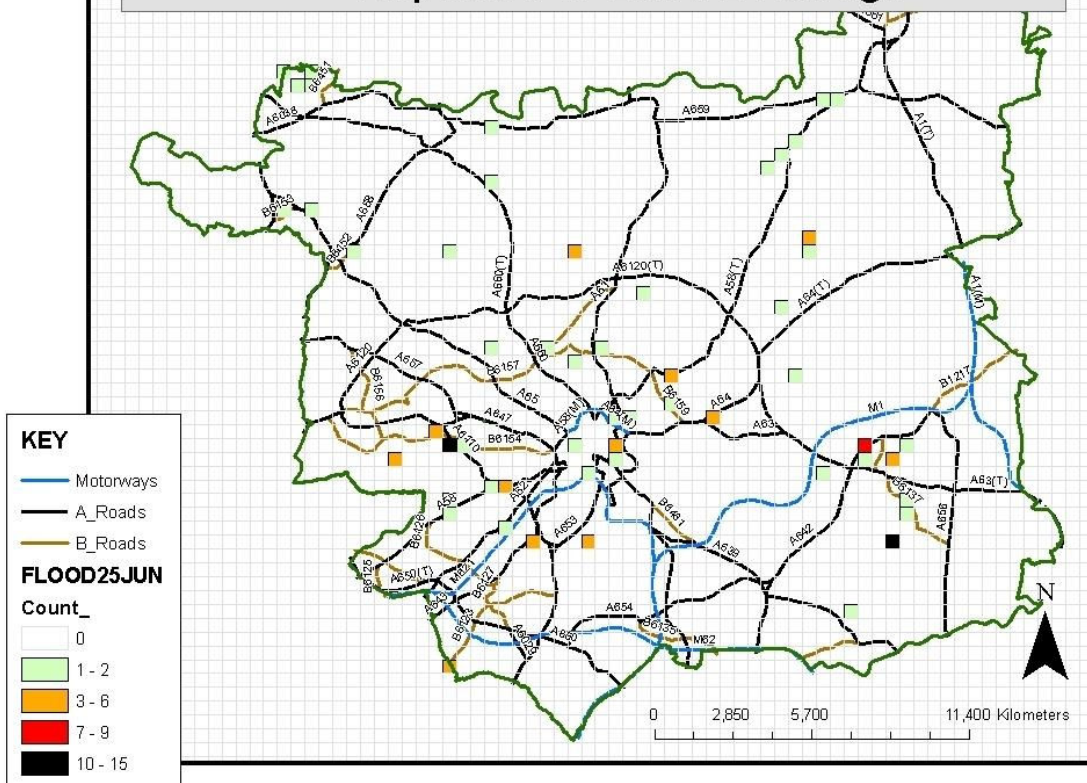
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Hotspots - Flooding Incidents for 15 Jun 2007 Reported to Land Drainage



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Hotspots - Flooding Incidents for 25 Jun 2007 Reported to Land Drainage



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Report of Scrutiny Commission
(Flooding Within Leeds)

Inquiry into Flooding within Leeds

Date of Publication: April 2006

Report of Scrutiny Commission (Flooding Within Leeds)

Inquiry into Flooding Within Leeds

SESSIONAL EVIDENCE

Commission Members:

Cllr Leadley (Chair)
Cllr Golton
Cllr Hollingsworth
Cllr Hyde
Cllr E Nash
Cllr Schofield

Reports and Publications Submitted

- Report of the Director of Development department on session 1 information, dated 16th August 2005, including:
 - Water Asset Management Working Group Terms of Reference
 - Water Asset Management Working Group Action Plan for Improved Council Water Asset Management and Emergency Response
 - Draft Policy on Maintaining Water Resources and Responding to Flood Incidents: A Guide for Council Departments
 - The Council's Legal Responsibilities Relating to Water Management
 - Overview of Council Water Responsibilities
- A variety of media articles regarding flooding
- A presentation from Yorkshire Water
- Information and photographs submitted by residents from Temple Newsam, Churwell and Otley
- Planning Policy Guidance (PPG) 25 'Development and Flood Risk' by the Office of the Deputy Prime Minister
- Sustainable Drainage in Leeds supplementary guidance number 22
- Information and photographs submitted by a resident living on Whitebridge Avenue, Halton, Leeds
- An article on flooding from the Yorkshire Evening Post newspaper dated 25th October 2005
- Information from the Environment Agency - 'West Yorkshire Flood Planning and Response Working Group, Flooding CONOPS v3.2'
- Presentation from Senior Hydrographic Surveyor, British Waterways
- Report of the Director of Corporate Services dated 2nd December 2005 'Briefing Note re Insurance Aspects of the Effects on Leeds City Council of Recent Flooding in Parts of Leeds'
- Press release from the Association of British Insurers dated 11th November 2005 'Insurers new pledge on flood insurance could benefit up to 100,000 more homeowners at risk of flooding'
- Association of British Insurers Statement of Principles of the Provision of Flooding Insurance

- Association of British Insurers Statement of Principles on Flood Insurance - Questions and Answers Briefing
- Association of British Insurers 'Strategic Planning for Flood Risk in the Growth Areas – Insurance Considerations' dated July 2004
- Association of British Insurers Review of Planning Policy Guidance Note 25: Development and Flood Risk consultation response, dated October 2004
- Association of British Insurers 'Safe as Houses' Manifesto, dated April 2005
- An account of flooding around Farnley Wood Beck from Mr Franklin, a resident (Churwell)
- Extract from the Inspector's report on the UDP

(copies of the written submissions are available on request to the Scrutiny Support Unit)

Witnesses Heard

- Jean Dent, Director of Development
- Cllr Andrew Carter, Executive Board Member
- Mr David Sellers, Principal Engineer (Land Drainage), Development department, Leeds City Council (LCC)
- Mr Richard Davies, Head of Risk and Emergency Planning, Corporate Services, LCC
- Mr Jeremy Houseley, Area Manager West, Yorkshire Water
- Cllr David Blackburn, Ward Member for Farnley and Wortley
- Mr Parker, resident of Kirkdale Terrace, Leeds
- Mrs Thompson, resident of Gledhow Valley Road area, Leeds
- Mr Calvert, Chair of Friends of Gledhow Valley Woods, resident of Gledhow Valley Road, Leeds
- Mr Michael Ashworth, Planner, Development Department, LCC
- Mr Willis, resident of Gildersome, on behalf of Gildersome Parish Council
- Mr David Wilkes, Area Flood Defence and Water Resources Manager, Environment Agency
- Mr Laurie Waterhouse, Senior Hydrographic Surveyor, British Waterways
- Mr Frank Morrison, Insurance Manager, Corporate Services
- Mr Franklin, resident of Old Close, Churwell, Leeds
- Mr David Feeney, Head of Planning and Economic Policy, Development Department, LCC
- Mr Matt Crossman, Natural Perils Advisor, Association of British Insurers

Dates of Scrutiny

- 16th August 2005 – Scrutiny Commission meeting
- 28th September 2005 – Scrutiny Commission meeting
- 26th October 2005 – Scrutiny Commission meeting
- 29th November 2005 – site visits
- 2nd December 2005 – Scrutiny Commission meeting
- 15th February 2006 – Scrutiny Commission meeting
- 27th March 2006 - Scrutiny Commission meeting

Site Visits

- Visits to sites in Leeds which have been affected by flooding, including:
 - The Dunhills
 - Wykebeck Valley Road
 - Old Close, Churwell
 - New Lane, Drighlington

Report of Scrutiny Commission (Flooding Within Leeds)

Inquiry into Flooding Within Leeds

1.0 CHAIR'S FOREWORD

At Leeds City Council's Annual General Meeting in May 2005, three Scrutiny Commissions were set up as outriders of the Overview and Scrutiny Committee, to look at matters which cut across the structure of the Council and its departments; the first commission was authorised to investigate flooding in Leeds.

This topic had entered the news on 12th August 2004 when houses in the Wyke Beck catchment in East Leeds were overtaken by a flash flood. A storm followed many days of rain when soils became so soaked that the ground could not take any more, causing rapid run-off; 2004 had one of the wettest Augusts ever recorded.

A few days later on 16th August, much of Boscastle in Cornwall was swept away when a rainstorm stood for some hours over the small, steeply-graded catchment which drains down to Boscastle Harbour. Locally and nationally incidents drew attention to flash flooding, which may be a symptom of climate change. With global warming, there will be more energy in the atmosphere, making it more turbulent and unstable. Sometimes there will be locally arising rainstorms of unusual intensity.

Another remarkable incident took place in Leeds on 3rd May 2005, when, following an exceptionally wet April, a belt of intense rain, no more than about a mile wide fell from Drighlington in the west through Gildersome, Morley, Churwell, Beeston and Hunslet to the Wyke Beck catchment in East Leeds; some houses there were flooded for the second time in less than a year.

Leeds Metropolitan district covers about 550 square kilometres of the foothills of the Pennines, rising from about 10 metres (30 ft) above sea level at Fairburn Ings in the south east, to 330 metres (1000 ft) at Hawskworth Moor in the north west. Its territory is generally undulating. Flat lands are insignificant; water courses and sewers rely mostly on gravity, with little need for pumping. Both the River Aire, which passes through the city centre, and the Wharfe, which forms most of the northern boundary of the district, have narrow floodplains in which some properties are noted by the Environment Agency as being at risk of major river flooding. Parts of Otley are flooded quite frequently by the Wharfe, though the Aire has not overflowed in the city centre since 1946.

Most recent flooding in Leeds has been at pinch points in the more steeply graded catchments of tributaries of the major rivers. Such floods are not easily forecast with accuracy, though lists of places known to be at risk have been drawn up so that particular care can be taken. When flooding happens in towns, sewers are overwhelmed and houses are filled up with more or less diluted sewage. Because of this, clearing up amounts to much more than cleaning and drying; furniture, carpets, fitted kitchens, wall plaster and suspended wooden floors have to be thrown out. Restoration of a home can take more than six months and can cost £10,000 to £30,000.

There are more than 300,000 postal addresses in Leeds, of which no more than a couple of thousand are recognised as being at risk of major river or flash flooding; perhaps up to a thousand homes have actually been flooded within the past 20 years. This means that

flooding in Leeds is manageable; on the other hand, its limited occurrence might lead to neglect through perceived lack of importance.

Neglect may have had the upper hand between 1997, when much of the City Council's land drainage work was taken up by Yorkshire Water, and the August 2004 floods. By then, the City Council Land Drainage section had shrunk to six technical officers with one administrative assistant and a discretionary works budget for 2004/05 of £20,000 to cover the whole of Leeds.

Since August 2004, much has been done within the Council to deal with problems caused or highlighted by flooding, to revive the Land Drainage section, to re-appraise its overall approach to water management, and to commit revenue and capital expenditure to avoid future flooding.

Nationally, the Department for Environment, Food and Rural Affairs (Defra), Office of the Deputy Prime Minister (ODPM), and Environment Agency (EA), have been active in recognising the increased risk of flooding, giving emphasis to major river and coastal flooding linked to rising sea levels. Some attention has been given to flash flooding, no doubt underlined by Boscastle, but, the balance is rather different in Leeds, where weighting is towards flash flooding. Even that might change if the Aire flooded at-risk areas such as the central bus station, Marsh Lane, and low-lying parts of Holbeck and Hunslet to the south which are built up and within the theoretical high risk flood plain.

Our Commission has looked both within Leeds and nationally, taking note of what has been done since the summer of 2004, and what is planned for the future. We have been reassured by what is going on, but we are conscious of the need to avoid relaxation, which might be a temptation if we were without floods for a few years.

Our work has gone forward from a more or less forensic account of the first Wyke Beck incident prepared by the former City Services Scrutiny Board. Yorkshire Water made its own reports on both Wyke Beck occurrences, and some of the policy context was explored by the former Development Services Scrutiny Board during the winter of 2004/05. Many of our recommendations are to do with refinement of City Council policy, and the Council's relationship with Government departments and agencies and Yorkshire Water. Even so, we have concluded that national legislation will be needed to deal with the anachronism of riparian ownership in built up areas - fragmented ownership of watercourses and fragmented maintenance liability are impractical and untenable.

Our Commission has been well supported by Council officers, by external technical witnesses, and by members of the public who have given written, verbal and pictorial accounts of the flooding of their own homes; twice in less than a year in parts of the Wyke Beck catchment. Commission Members thank them all for the time and attention which they have devoted to the inquiry.

Cllr Leadley (Chair)

(A summary of the evidence considered in arriving at our conclusions is presented at Appendix 1.)

2.0 THE SCOPE OF THE INQUIRY

2.1 The purpose of the Inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:

- The practical measures being put in place in the short and medium term to mitigate and respond to flooding incidents and to ease the anxieties of local residents.

This Inquiry will include an assessment of:

- The background to the Leeds flooding incidents, highlighting those common factors identified as contributing to the cause of the flooding and the actions planned as a result, including issues which are relevant across the city, such as:
 - increasing levels of run-off surface water due to non-porous surfaces
 - capacity of water courses
 - factors under the control of Yorkshire Water
 - identifying areas of Leeds where flooding is likely under similar circumstances
- The relevance of meteorological information and possible climate changes on future planning
- The Council's Sustainable Drainage Guide (including alternative drainage methods such as balancing ponds)
- The role of the Local Development Framework
- The development of a 'watercourse management service' to deliver maintenance and emergency response to Council-owned water courses¹, including:
 - resources to be allocated
 - how this service will be delivered
- The development of a policy setting out the Council's role regarding flooding incidents
- Partnership working arrangements with Yorkshire Water
- The role of Land Drainage in inspecting water courses
- The establishment of adequate records, particularly of the city's drainage systems and other Council owned water assets and plans to upgrade and maintain these

¹ Although this specifically highlights Council owned watercourses, the inquiry will also include contributions from the Environment Agency and Yorkshire Water regarding their ownership and responsibilities.

- The various roles of departments and the allocation of responsibilities, including:
 - issues around riparian ownership
 - issues around enforcement
- The statutory and regulatory responsibilities of the authority in relation to water assets
- Private sewers and private riparian ownership including culverts

3.0 THE BOARD'S CONCLUSIONS AND RECOMMENDATIONS

- 3.1 Even with the best efforts of all who work in land drainage and flood defence, there will be weakness if there is lack of co-ordination. Nationally and locally, awareness is growing of the need for close co-operation, and the City Council is represented on the Regional Flood Defence Committee. Such work must continue.

RECOMMENDATION 1

There should be whole river catchment joint bodies to co-ordinate water management, land drainage and flood defence work carried out by Environment Agency, district councils and Yorkshire Water and British Waterways.

- 3.2 Following flooding in recent years, there is willingness to have close working between drainage agencies. Commission Members found evidence of some neglect before August 2004 flooding in Leeds and are anxious that it should not happen again, especially if there is no exceptional rainfall for a few years.

RECOMMENDATION 2

There should be close liaison between Environment Agency, Yorkshire Water and City Council and British Waterways to assess the cumulative effects of all new building and individual effects of major developments on sewer and land drainage.

- 3.3 Until 1997 City Council Land Drainage maintained sewers as agent of Yorkshire Water and held district wide plans of underground drainage, including culverts. Since then, Yorkshire Water have kept up plans of sewers which no longer show culverts. If the City Council's plans of culverts were published on the internet they would be on the same footing as those of underground pipes and cables published by the utility companies. This would reduce risk of damage to unsuspected culverts.

RECOMMENDATION 3

As the City Council is the only body which holds full records of culverted watercourse within its area, these should be placed on the Internet to be complementary to similarly published plans of underground pipes and cables

similarly published by utility companies. These records should be kept up to date.

- 3.4 Unadopted sewers, some of which have lengthy networks and carry large amounts of effluent, are found in some parts of Leeds and are practically and financially difficult to deal with. If they cannot be adopted, there should at least be accurate records to show their extent and how they are linked to the rest of the drainage system.

RECOMMENDATION 4

Records should be made and kept of private sewers not adopted by Yorkshire Water, which do not appear on their Statutory Sewer Maps. These might be made by the Environment Agency or by City Council Land Drainage acting as its agent.

- 3.5 Damage to culverts is caused sometimes by contractors laying, renewing or repairing underground utilities. As well as lesser damage and blockage, cases are known of pipes which cut through culverts on the level, causing at least partial blockage, such as the gas main in Gildersome Town Street. As there is no formal monitoring or reporting, such occurrences may go undetected for some years before being revealed by flooding.

RECOMMENDATION 5

Those working on underground utilities or carrying out other excavations should be pursued by the City Council if they cause culverts or watercourses to be damaged or blocked, to ensure that remedial work is done. Information should be exchanged between City Services Highways division and Land Drainage, with Highways doing the initial monitoring.

- 3.6 Lengths of natural watercourse, whether open or in closed culverts, usually belong to adjoining landowners, often to the mid-line where a watercourse forms a property boundary. Such landowners are therefore 'riparian owners' who are legally responsible for clearance and maintenance of their part of the watercourse, often a length of no more than a few yards and only to the middle of the channel. Especially in urban areas, this leads to fragmentation which is impossible to co-ordinate and beyond the physical or financial means of property owners.

RECOMMENDATION 6

National government should acknowledge that the historic system of riparian ownership is untenable and unworkable in built-up areas, especially where ownership is fragmented. New legislation should be introduced to place all riparian ownership in designated built up areas, whether above ground or culverted, into the hands of drainage boards administered either by district councils or the Environment Agency. It would be unreasonable to expect the City Council unilaterally to take responsibility for all riparian matters within all or part of its area without supporting national legislation or financial means. We recommend that the Chair should write on behalf of Members of the

Commission to the ODPM and DEFRA, with copies to Leeds Members of Parliament to ask that appropriate legislation be drafted.

- 3.7 Water Asset Management does seem to have gone through a spell when it was looked upon as a lesser service which could be starved to allow greater support for what might be termed 'front line services'. This should not happen again.

RECOMMENDATION 7

Water Asset Management, co-ordinated by the Development department, should be recognised by the City Council as an important strategic service with manpower and budgets large enough to deal with the City Council's water assets, monitor planning applications and strategic development proposals, offer land drainage advice to others, and deal with drainage emergencies or selected problems on land outside the ownership of the City Council. Implementation of the Council's 33 point Water Asset Management Plan should continue with adequate budgets being allocated each year. The Water Asset Management Working Group should keep active, have a programme of work, identify the need for funding and report at least twice a year to Executive Board.

- 3.8 Commission Members noted that one of the worst effects of heavy rain was to overload old-style combined sewers in which foul and clear water mixed. Combined sewers are tolerated officially because of their established existence and often have emergency outfalls into beckes and rivers, which they pollute with foul water and sewage solids. Such outfalls are an obvious hazard to public health; their waters defile houses which they enter, and make cleansing harder and more costly than otherwise it would be.

RECOMMENDATION 8

Combined Sewer Outfalls (CSO) to water courses should be acknowledged as hazards to health, wildlife and amenity. Yorkshire Water should address this problem with urgency.

- 3.9 Only a few dozen paper copies of the current Sustainable Drainage notes were printed, largely for use within the City Council. Publishing only on the internet assumes that every interested party will have access to it. In practice this will not be so, and the notes as published cannot be downloaded legibly except with a good quality colour printer. This cannot encourage use.

RECOMMENDATION 9

Sustainable Drainage notes published by the City Council should be revised to match the accepted recommendations of the UDP Review Inspector, and be published on paper at reasonable cost, not just free on the Internet.

- 3.10 National guidance on flooding from ODPM and the Environment Agency is evolving quickly and will have to be built in to the LDF, possibly needing a number of revisions in successive drafts.

RECOMMENDATION 10

Work on the Local Development Framework (LDF) should outline clearly those areas at risk of flooding by the rivers Aire and Wharfe, and acknowledge the risk of less predictable though more localised flash flooding. Measures for dealing with those risks should be built into the LDF, which should cross refer to more detailed and specialised guidance and include the Strategic Flood Risk Assessment.

- 3.11 According to agreed procedures, once a CONOPS (Concept of Operations) emergency is declared the Police should chair the operation.

RECOMMENDATION 11

Officers should obtain clarity as to who and what will trigger CONOPS (Concept of Operations) planned multi-agency responses to flooding incidents. It seems that CONOPS works well when triggered, but it has not always been clear what had to happen to trigger it.

- 3.12 Much has been done to reduce future risk in places affected by the 2004 and 2005 flash floods, and ABI has clear guidance on flood insurance. Even so, owners, occupiers, brokers and insurers seem to have varying and often imperfect knowledge of local flood risk and ABI policy. This has led to widely varying quotations being made for properties at similar risk, from refusal to quote, through expensive offers with excesses of £10,000 or more to offers on more or less normal terms.

RECOMMENDATION 12

Clear advice and information should be available to owners and occupiers to maximise the likelihood of flood risk insurance being offered for any property at reasonable cost and level of excess. The City Council should give localised information on flood management to help those having difficulty with insurance due to past or potential flooding.

- 3.13 Although meant to warn of large scale flooding by sea or rivers, a flood warning system has been set up by the Environment Agency. This could be extended to give some warning of flash flooding by smaller water courses. Even half an hour would give time to take valued possessions upstairs, close air-brick covers, deploy sandbags, and shut down gas and electrical appliances. We would also suggest that advice given by the Council includes references to the use of permeable materials when creating hard standing in gardens.

RECOMMENDATION 13

City Council drainage advice leaflets should draw attention to the flood warning system set up by Environment Agency, which invites occupiers of property at risk to register to be warned by telephone, fax or pager when flooding is imminent. Warnings should also be given by the Environment Agency assisted by the Met Office when soil saturation has been reached, making flash flooding likely. Both the August and May 2005 flash floods were caused by storms following weeks of heavy rain when soils became

saturated, but the Commission acknowledge that flash flooding can occur when the ground is dry, causing excessive run off.

- 3.14 Members accepted that CONOPS would respond to major flooding and that Land Drainage would take the strategic lead in City Council Water Asset Management. Even so, they believed that special thought should be given to those who were helpless and homeless in the aftermath of a flood. We particularly wished to see arrangements in place for a telephone number to be publicised for such emergency events.

RECOMMENDATION 14

All departments of the City Council should do their best to help victims of flooding and that an appropriate telephone number be advertised for use in flooding emergencies. Any City Council department which becomes aware of flooded premises should inform Peace and Emergency Planning Unit without delay.

Report Agreed by the Commission

on.....

.....Date.....

Signed by the Chair of Scrutiny Commission (Flooding within Leeds)

Report of Scrutiny Commission (Flooding Within Leeds)

Inquiry into Flooding Within Leeds

Summary of written and verbal evidence

1.0 INTRODUCTION

- 1.1 Whilst the localised flooding in areas of Leeds during 2004 and 2005 was the starting point for the inquiry, in establishing the Commission, Members sought to understand the strategic approach to flooding and water management on a wider scale. The inquiry therefore balances the input from national organisations, such as the Environment Agency, with the views and experiences of local residents affected by flooding. In setting a much wider scope than the flooding incidents, Members still wished to acknowledge the enormous disruption and distress caused by flooding over the past two years and that whilst it was important to understand this impact on residents, Members felt that the inquiry should deal with drainage, development and water management issues across the city as a whole.
- 1.2 The evidence received by the Commission is summarised below and a separate section is given over to the information provided by residents.

2.0 Synopsis of events

- 2.1 On 12th August 2004 houses in the Wyke Beck catchment in East Leeds were overtaken by a flash flood. On 3rd May 2005 the Wyke Beck catchment in East Leeds was flooded again, as well as areas of the Farnley Wood Beck, Farnley Beck and Millshaw Beck catchments.
- 2.2 The incidents highlighted a number of lessons to be learned both within the Council and more widely in terms of: (i) the resources available to maintain our assets and respond to flooding incidents; (ii) key players' understanding of their roles and responsibilities relating to water; and (iii) the level of co-operation in place between agencies with responsibilities for maintenance and enforcement around the drainage infrastructure (including becks, sewers, highway gullies and drains). In light of recent experiences and changes in flooding risks it is clear that there needs to be a step-change in our ability to respond to identified risks.
- 2.3 The cross-departmental Water Asset Management working group was established to draft and implement proposals to tackle flooding and flood risk across the Council. Proposals were made under a number of headings:
- Council policy
 - Watercourse maintenance and land drainage
 - Emergency response
 - Highways and street cleansing
 - Lakes, reservoirs and dams
 - Partnership working

- Work in specific locations such as Wyke Beck and Farnley Wood Beck, and
- Flytipping and enforcement.

- 2.4 The proposals were agreed by Executive Board and are in the process of being implemented, with many already completed. The Water Asset Management working group has proved a successful way to co-ordinate council work on drainage issues.
- 2.5 A draft policy on 'Maintaining water resources and responding to flood incidents' is due to be agreed by the Executive Board this summer, and the Director of Development has been appointed as 'Drainage Champion' for the Council. All watercourse management for the Council has been delegated to the Land Drainage section and additional staff and significant resources have been allocated for this work. A base budget allocation of over £1 million has been made for the 2006/07 municipal year for works associated with flooding.
- 2.6 In relation to particular locations of the city which have suffered flooding, we are pleased with the Council's rapid response to alleviate the flood risk, such as desilting work, clearance of overhanging shrubs and trees, installation of a trash screen, and modelling work to assess capacity and potential solutions.
- 2.7 The Environment Agency will take over enforcement powers for much of Wyke Beck and Farnley Wood Beck (on the lowest 2-300m) from April 2006. They will monitor the becks and have powers to undertake work necessary to alleviate flood risk on a discretionary basis.
- 2.8 Further detail is available throughout our summary of evidence and conclusions and from the evidence we received.

3.0 EVIDENCE AND DISCUSSIONS

16th August 2005

- 3.1 The Board received information on the Council's response following two serious flooding incidents in August 2004 and May 2005 and noted that a Water Asset Management Working Group had been established, at the Executive Board's request, to progress a number of recommendations. Members noted that these two flooding incidents were explained by unusually intense downpours and the inability of the drainage infrastructure to cope with the increased volumes of water. The Commission was informed that whilst the circumstances leading to the flooding on both occasions were rare (the Met Office reported that the storm in August 2004 had a 1 in 180 year frequency), it was acknowledged that the frequency and intensity of flooding in Leeds could well be increasing.
- 3.2 Members were informed that some major lessons had been learned after the two flooding incidents around resources available to maintain assets and respond to flooding, the key players' understanding of their roles and responsibilities and the need for co-operation between agencies.
- 3.3 The Commission received details on the terms of reference of the Water Asset Management Working Group, its make up and its work programme. It was noted that a number of 'far reaching' proposals were being advanced. Officers raised with

the Commission the challenges being faced in terms of resources, planning and understanding. It was noted that a wide range of organisations have responsibilities with regard to water assets and that the Council itself has a multiple role as a landowner. Members were informed that the Council no longer employed trained operatives to maintain watercourses, either as part of planned maintenance or in response to blockages. Officers informed the Commission that the proposals being pursued by the Working Group were aimed at addressing these issues.

- 3.4 Members noted the discussion on the proposals to ensure that there is a clear understanding at senior officer and Member level of the responsibilities of the Council, the need for these responsibilities to be set out in a policy statement and that the issue of drainage and water asset management is championed at Corporate Management Team (CMT). Members noted that further proposals aimed to ensure there were adequate training and resources available to maintain water assets and respond to incidents, that records were updated on to the Geographical Information System (GIS), that Land Drainage is given the appropriate technical resources to ensure new developments do not add to the overall flood risks and that a package of support be established to help communities understand and fulfil their responsibilities.
- 3.5 Members were informed of the proposals to enhance the emergency response to incidents, in line with the Civil Contingencies Act. These proposals cover the provision of a 24 hour response capability, agreeing roles and responsibilities with the Council's partners, that the sandbag resource is sustainable, the development of a 'Flood Mitigation Resource Pod' and exploring more effective ways to deal with flood-related inquiries, in conjunction with the Council's partners.
- 3.6 The Commission was informed of the role of street cleansing and highways. It was noted that 8 proposals had been set out around gully cleansing, risk based service planning, mapping of water assets which are part of the highway drainage infrastructure, and the capacity of highways drainage.
- 3.7 Members were informed that proposals had been set out to ensure that the Council is able to discharge its responsibilities regarding lakes, reservoirs and dams. These include mapping of assets on to the GIS, that they are subject to a risk assessment, that maintenance projects and contingency plans are in place and how such water assets can be better used for leisure activities.
- 3.8 The Commission noted that it was intended that partner organisations consider issues of joint concern as well as the sharing of data and the agreement of maintenance routines.
- 3.9 Members noted that steps are being taken towards the development of flood alleviation in the Wyke Beck area, York Road, Gipton and Colton. It was explained that the Council is able to take action to reduce the number of abandoned shopping trolleys and that new retail premises are examined at the planning stage.
- 3.10 Members discussed the role of the Water Asset Management Working Group and how the Council's responsibilities could best be discharged. It was noted that the key proposal was to give Land Drainage the resources to keep watercourses (excluding privately owned watercourses) clear and well maintained. Officers

informed the Commission that the Land Drainage team would expand in order to give more emphasis on input into planning applications and inspection.

- 3.11 It was also noted that the Environment Agency will be taking over flood defence responsibility for Wyke Beck, which will be designated as 'main river'. It was explained that the Environment Agency have already begun modelling Wyke Beck, though it was stressed that it was not guaranteed that a scheme would go ahead. Officers explained that there would be an analysis around the likelihood and projected frequency of flooding of Wyke Beck against the cost of a project. Members discussed the competition between regional schemes and the city centre and that whilst the Environment Agency would consider the Wyke Beck scheme it would be within the context of an existing priority list. It was noted that it would not be appropriate to become too focused on flash flooding and that main river flooding was a serious matter.
- 3.12 Officers explained that the recent flooding events in Leeds were the result of extremely heavy rainfall and were subject to investigation by Yorkshire Water and Leeds City Council and a number of lessons were highlighted aimed at improvements in the resilience of the drainage infrastructure. It was noted that the responsibility for drainage falls to a number of organisations (the Council, Yorkshire Water, Environment Agency, private land owners etc.) which leads to some confusion, particularly if residents need to contact the relevant authority. Officers also explained that the Council departments each have riparian ownership responsibilities.
- 3.13 It was explained that before 1997 there existed, within the Council, a pool of specialist operators able to inspect and maintain watercourses. Currently, the Council does not have this specialist labour, which includes the ability to respond to a flooding emergency. It was explained that the recommendations being progressed by the Working Group were aimed at dealing with these issues. It was emphasised that actions were proposed to deal with flytipping, sandbag deployment and highways gully clearing.
- 3.14 The EASEL project was discussed in terms of how it might affect the likelihood of flooding once developments were in place. It was noted that there was an opportunity to build in flood prevention measures and effective drainage into the project, providing a cost effective vehicle for ensuring drainage capacity was adequate (for example, using balancing ponds and other measures).
- 3.15 Members questioned whether infiltration drainage should be relied on to disperse rainfall and that the saturation levels of the soil should act as a forecaster of flash flooding. Officers explained that most of Leeds is on impermeable clay soil, so infiltration techniques were often not viable and other sustainable drainage techniques needed to be employed, such as balancing ponds. It was acknowledged that soil saturation levels were not currently routinely monitored. Officers emphasised that the best proactive action would be to diligently maintain the drainage infrastructure.
- 3.16 The relationship with Planning was discussed and Members were informed that most major applications are sent to Land Drainage, however currently there is a lack of resource to scrutinise applications in detail; the volume of applications makes this impossible. It was also stated that planning permission was not required

for hard surfacing that was taking place which increased run off and decreased infiltration. Members noted that in this sense, the planning route could only provide control over certain areas.

- 3.17 The Commission discussed the issue of riparian responsibilities and whilst it was accepted that there are legal responsibilities for private riparian owners to maintain relevant sections of the watercourse, the Council has used its permissive powers to undertake cleaning work which would be beyond the resources of individual householders. It was emphasised, however, that the Council is not taking over any of the riparian responsibilities from private householders. Officers also emphasised that in some areas, residents have been proactive in cleaning watercourses.
- 3.18 Members were concerned about the issue of riparian responsibilities and how aware members of the public of these responsibilities were when buying houses next to watercourses and how individuals could be supported in discharging these responsibilities. Officers suggested that a publicity campaign should be launched to explain what the responsibilities of the riparian owner are, with advice in which agencies were available to support them. Members were informed that only Land Drainage hold information on culverted watercourses and one of the proposed actions is that a more comprehensive list should be developed.
- 3.19 Members discussed the impact that water butts might have on run off rates. It was noted that should whole estates routinely collect rain water this would have a cumulative impact. It was stated that Yorkshire Water in the past had a campaign to encourage their use.
- 3.20 Members were informed that the action plan being progressed by the Water Asset Management Working Group would need around £1m. Members felt that this would be good value for money if the various actions helped to prevent further flooding.

28th September 2005

- 3.21 Members received information from Yorkshire Water which emphasised the developments in joint working with other agencies, including the Council. A Yorkshire Water representative discussed with the Commission the need to clarify the various agencies' responsibilities with regard to flooding, and promote an understanding of each other's practices. It was argued that this would help agencies to work together for the benefit of customers, particularly during flood conditions. It was noted that joint working practices had been successfully established in Sheffield, following flooding there in 2004 between Yorkshire Water, Sheffield City Council and the Environment Agency, and has proved to help avoid confusions around roles and responsibilities. It was noted that meetings had been held with Sheffield streetforce area maintenance teams and drainage engineers.
- 3.22 The Commission learned that Yorkshire Water has the role of collecting, treating and distributing water in Yorkshire – 1.24 billion litres per day. Yorkshire Water also maintains 40,000 miles of water and sewerage pipes. It was noted that the organisation is continuously working to improve sewerage systems in general and Combined Sewer Overflows (CSOs) in particular.
- 3.23 It was acknowledged that there was a need for flood management systems to be clear to customers and for them to know who was taking the lead. Members also

noted the importance of sustainable urban drainage and the Government's Code of Practice.

- 3.24 Members requested information on the combined sewers and whether there were plans to replace them. It was noted that combined systems were used widely and that ongoing improvements were being made to them, including the installation of trash screens. Members were particularly concerned that sewage had found its way on to streets and into houses during flooding incidents and that this made an already serious situation into a hazard to health.
- 3.25 The Yorkshire Water representative explained that a programme of improvements was in place and that dedicated teams were in place to deal with immediate situations, whilst longer term work was done with capital partners. It was pointed out that there was often confusion over what assets belonged to Yorkshire Water.
- 3.26 It was noted that Yorkshire Water has a development team which responds to planning application consultation requests. However, it was explained that the organisation is not a statutory consultee and opinions offered are not always taken on board.
- 3.27 Members learned that Yorkshire Water operate an escalation process which reacts to the Met Office warnings. A standby team is available and sensors feed back to the escalation teams, giving sewer readings in real time. It was acknowledged that more could be done to establish closer working with other agencies, particularly with regards to the sharing of information.
- 3.28 Members discussed the ground conditions which are problematic during rainfall. It was noted that as well as saturation, dry ground allows water to run off without soaking in, similar to the effect of tarmac or concrete surfaces.

26th October 2005

- 3.29 The Board considered prevention in terms of the planning regulations and guidance in place to promote sustainable drainage and prevent flooding incidents. Members examined the national planning guidance, published by the Office of the Deputy Prime Minister (ODPM) entitled 'Planning Policy Guidance 25 – Development and Flood Risk'. Members noted that the guidance states:
- The susceptibility of land to flooding is a material planning consideration
 - The Environment Agency had the lead role in providing advice
 - Policies in development plans should outline the consideration to be given to flooding issues (including the impact of climate change)
 - Planning authorities should apply the precautionary principle to flood risk, avoiding risk where possible and managing it where avoidance is not possible
 - Planning authorities should recognise the importance of functional flood plains and inappropriate development should be avoided
 - Developers should fund the provision and maintenance of flood defences required because of the development
 - Planning policies and decisions should recognise that flood risk and management should be applied on a whole-catchment basis and not just on flood plains.

- 3.30 The Commission also looked at the Council's Sustainable Drainage Guidance which provides information for developers on the use of sustainable drainage techniques, particularly for run off from hard surfaces and buildings. Members noted that amongst the techniques described were the collection and re-use of run off water, use of permeable surfaces, filter strips and swales (vegetative landscape features), infiltration devices and detention techniques (such as balancing ponds). The guidance states that drainage concepts should be agreed at the earliest possible stage in the planning approval process and that all major developments must demonstrate that a viable drainage strategy is proposed.
- 3.31 Members noted that the document is freely available on the Council's internet site and developers are directed to it at an early stage. This helps to make the Council's requirements clear and avoid delays later in the process.
- 3.32 Officers explained to the Commission that PPG 25 leaves the onus on local councils to take flood risk into account through the planning process and that Leeds City Council is undertaking this actively. The Sustainable Drainage Guidance documents adds to PPG25. Officers explained that PPG25 concentrates on developments on the flood plain, whereas in Leeds the problems occur with upstream developments which can create flooding problems downstream; not dealt with in detail by PPG25. Members learned that the EA have issued flood risk maps, splitting the city into zones according to flood risk (e.g. zone 2 is vulnerable to flooding between once in a hundred and once in a thousand years and zone 3 is vulnerable to flooding once in a hundred years or more frequently and is therefore high risk). PPG25 sets out provisions to be made for each zones. Members noted that the Environment Agency has provided detailed guidance on planning and development within the zones.
- 3.33 It was noted that Planning Officers consult with the Environment Agency and Land Drainage and that the standard advice from the Environment Agency is taken into account at an early stage of vetting of applications. Members also noted the provision of Grampian planning conditions whereby a developer is required to carry out works before the main development is carried out. Members were concerned that this type of condition needs to be enforced and that Grampian conditions be used more rigorously in areas that may be vulnerable to flooding.
- 3.34 Officers explained that money has been collected (usually as Section 106 contributions) to contribute towards flood defence and drainage work. Members noted that planning applications have been refused on drainage grounds. It was also stated that a planning panel would reject planning applications if they are on a flood plain (as mapped out by the Environment Agency). However, it was also noted that in certain parts of the country flood plains are built on as a matter of course, currently and historically, including Leeds.
- 3.35 Members noted that guidance has been provided by the Association of British Insurers to insurers providing terms to households where there was a risk of flooding and that flood cover will be provided to all households provided that they are protected to the Government's minimum standard of one in 75 years risk of flooding (at normal terms). Officers explained that the Council had been involved in helping residents demonstrate to the insurers that the storms affecting Leeds in 2004 and 2005 were rare enough to merit normal insurance coverage. However, it was recognised that some residents were already subject to high premiums after

having been flooded. This was discussed in further detail at the February meeting of the Commission.

- 3.36 Members discussed the Sustainable Drainage Guidance and noted that the primary audience is developers and the planning authority, aiming to offer advice on sustainable drainage and the requirements for the applications. Officers explained that developers are sometimes in the habit of stating on applications that they intend to drain into the public sewer (whether one exists or not) and the Council is now asking for more detailed information on drainage issues from developers. It was noted that infiltration should not be relied on by developers and officers explained that to insist on infiltration methods where they are unlikely to work would be counter productive and cause further flows into the foul water system. It was explained that storage (tanks and ponds) methods are most appropriate for Leeds.
- 3.37 It was re-emphasised that joint working between all the relevant authorities had been lacking in the past, however, it was the intention of the Council to work on communication and information sharing along with its partners to ensure that issues of capacity etc. were dealt with holistically and not in isolation. It was noted that joint forums were being established to develop these joint arrangements.

2nd December 2005

- 3.38 Members received information from the Environment Agency and held a discussion with the Area Flood Risk Manager. Members understood that the Environment Agency is a Government body, set up to protect and improve the environment in England and Wales by looking after the air, land and water. With regard to flooding, the Environment Agency has the role of warning people about the risk of flooding, for example through producing flood risk maps, and the role of reducing the flood risk from rivers and the sea.
- 3.39 The Commission received a presentation from the Area Flood Risk Manager and noted the zones of flood risk in Leeds, with 1700 properties in the city within the river Aire catchment area being at risk of flooding. It was noted that 19km of 'critical ordinary watercourses' including parts of Meanwood Beck, Farnley Beck, Farnley Wood Beck, Millshaw Beck and Wyke Beck (which are currently within the Council's remit), will be designated 'main river' in April 2006 and will therefore fall under the remit of the Environment Agency. Members were pleased to note that regular checks and maintenance work will be done on these watercourses (e.g. checks once per week in high risk areas). The Commission supported the Environment Agency's move to endeavour to clear debris from these becks when the origin of the debris is unclear.
- 3.40 Members also noted the publication of new proposals in the new year for work on the River Aire to protect the city centre from flooding. It was understood that funding must be used in the areas where it will make the most difference. In acknowledging that responsibility for supermarket trolleys lies with the supermarkets themselves, it was noted that the Environment Agency was putting pressure on the supermarkets to introduce trolley management systems which prevent the trolleys leaving the supermarket site and ending up in watercourses. It was stated that the system at ASDA near Wyke Beck appears to be working.

- 3.41 Information was also provided around the West Yorkshire Flood Planning and Response Working Group Concept of Operations (CONOPS) v3.2. The Commission learned that CONOPS is a plan for co-ordinating an effective multi-agency response to all types of flooding. The aims of CONOPS are to preserve and protect lives, mitigate and minimise the impact of the incident, inform the public and maintain public confidence, assist an early return to normality, and respond to all types of flooding.
- 3.42 It was explained that once flooding has been predicted and an alert is put in place, there are a number of stages which are followed in the plan – initial response, consolidation phase, response, recovery phase, and restoration of normality. During each stage, the emergency services (police, fire and rescue service, and ambulance service), the Environment Agency, the local authority, and Yorkshire Water have specific actions they must complete. The actions centre around partnership working, keeping others informed, making resources available and tackling the actual flooding and the problems it causes.
- 3.43 The Senior Hydrographic Surveyor from British Waterways attended the meeting to explain the role of British Waterways. The Commission learned that British Waterways is a public corporation, responsible for maintaining more than 2000 miles of canals and rivers in England, Scotland and Wales. It was noted that in Leeds, British Waterways is responsible for maintaining the Leeds-Liverpool Canal and the River Aire in terms of navigation. British Waterways has riparian responsibilities as owners of property near the river.
- 3.44 The Commission noted that in a situation of flooding, British Waterways has a number of roles:
- Recovery of damaged craft and debris and casualties
 - Removal of materials and dangerous substances
 - Provide craft for early warning and evacuation
 - Provision of maintenance craft
- 3.45 Members also noted that the organisation passes water away from canals quickly and safely, for example through closing flood gates and opening sluices.
- 3.46 Members are aware that Defra are currently carrying out consultation on their proposals for developing a new Government strategy for flood and coastal erosion risk management in England, entitled ‘Making Space for Water’. The proposals aim to:
- “Address the challenges and pressures of climate change, development and rising levels of risk and cost;
 - Address the messages from the Foresight Future Flooding report , and reflect the lessons learned from the flood events in the recent past;
 - Build on existing work to incorporate the principles of sustainable development and to reflect the government’s other priorities; and
 - Take an integrated and holistic approach to looking at all flooding and coastal erosion risks.”
- (Making Space for Water: Developing a new Government strategy for flood and coastal erosion risk management in England: A Consultation Exercise. 2004)

- 3.47 It was noted that the main themes of the consultation paper are risk management, strengthening the sustainable approach, planning and building (including measures to reduce flood risk through land-use planning), awareness (including flood warning systems and emergency responses), coastal issues and funding issues. Members were particularly interested in the proposals to introduce multi-agency plans to deal with flooding, which are legally binding on all the agencies involved.
- 3.48 The Commission noted the other arrangements in place between agencies and were pleased to hear that British Waterways works closely with the Council and the Environment Agency and is satisfied with the assistance it receives.
- 3.49 Following the flooding incidents in east Leeds, Members learned of the partnership working between the Council, the Environment Agency and Yorkshire Water to introduce both short term and long term measures to reduce flood risk. It was acknowledged that some elements of the partnership approach were stronger than others, for example, the Council and the Environment Agency working closely together to successfully negotiate the transfer of 19km of Becks to the responsibility of the Environment Agency.
- 3.50 Members met with Mr George Mudie MP to discuss some of the issues that had arisen for residents as a result of the flooding incidents across the city. The discussion highlighted concerns over the co-ordination of agencies and the lessons learnt particularly during the first major flooding incident in 2004. It was noted that improvements had been identified around the provision of sandbags and the ability for calls to be taken from members of the public. Mr. Mudie, MP described the nature of responsibility and that even though the Council may not have responsibility over all aspects of the flood risk or response to flooding, it was important that the local authority was there for people in an emergency.
- 3.51 Whilst Members were concerned about the ability of the various relevant authorities to co-ordinate, it was noted that another Scrutiny Board had covered the aspects of the immediate response to emergency situations, such as flooding and that further discussions would take place in the commission regarding the improvements made in the protocol to be followed by all agencies.
- 3.52 It was noted that an issue around gully cleansing had been raised and was a concern to residents and that the number of machines available to the Authority had risen from four to six.
- 3.53 The representative from the Environment Agency explained to the Commission that there existed a plan to enable co-ordination between agencies, but that it was recognised that a trigger point for each agency needed to be identified. Whilst the plan had been tested, there needed to be a clear definition of when such a plan needed to be activated. It was explained that the plan had been developed and refined since the two flooding incidents.
- 3.54 Members noted that more work had also been done to establish more resources for Land Drainage and that the work of the Water Asset Management Working Group would be discussed in more detail by the Commission.

15th February 2006

- 3.55 The Commission received information on the progress being made by the Water Asset Management Working Group (WAMWG) and received details of the work programme. It was noted that there are a number of main issues being dealt with by the WAMWG including developing Council policy, the maintenance of Council owned watercourse, lakes and dams, the emergency response in flood situations, highways and street cleansing, partnership working, issues around specific locations and flytipping enforcement.
- 3.56 Members learnt that a detailed protocol (CONOPS) has been developed to co-ordinate the response of various agencies in an emergency. It was noted that trigger points for different agencies have been described to ensure timely responses. Members were informed that enhancements had been made to the Council's ability to respond, including additional resources to respond to flooding incidents, new stocks of sandbags and equipment, the ability to mobilise emergency planning staff rapidly rather than relying on departmental staff and a greater capacity for handling out of hours calls through the new corporate contact centre.
- 3.57 It was noted that a number of 'hotspots' had been identified needing enhanced gully cleaning and highways drainage maintenance work. Members were informed that data is being gathered on all highway culverts and the drainage infrastructure and that this work would be a long term project. Where culverts are susceptible to flooding, links are being made with work on the Highways Asset Management Plan.
- 3.58 The Commission received information on the partnership working currently being fostered with regard to water and drainage management. It was noted that the Director of Development, representatives from Land Drainage and Emergency Planning meet regularly with representatives from Yorkshire Water and the Environment Agency and that a technical forum for practitioners of the Council, Yorkshire Water and Environment Agency is being developed.
- 3.59 The Board received updates on work being done in specific locations and it was noted that as the Environment Agency will become the flood defence operating authority in April 2006, a modelling exercise is being undertaken for Wyke Beck and that the Council will be making the appropriate links with this work and the EASEL regeneration programme. The Board noted that a major scheme is being carried out by Yorkshire Water for the Wyke Beck area. An enhanced inspection regime is also being put in place by the Council, along with the installation of a trash screen.
- 3.60 It was noted that improvements in drainage had been made by Learning and Leisure department in Gipton and Colton and that a modelling exercise is being undertaken at Farnley Wood Beck.
- 3.61 Members received information on the mechanisms in place to deal with flytipping associated with disrupting the flow of water courses. Members were particularly interested in the role of the Council and the Environment Agency in dealing with abandoned supermarket trolleys. Members learned that in December 2005 Executive Board approved a report from City Services to adopt legal powers under the Environment Protection Act and Clean Neighbourhoods Act to place more responsibility for abandoned trolleys upon their owners. The proposal went before full Council in January 2006 and will be in force in April. The Enforcement section

has made clear that it will prosecute persons caught flytipping in watercourses, providing evidence is sufficient to secure conviction. ASDA at Killingbeck now has a secure trolley system (with electronic wheel locking) to prevent these being removed from the site.. WAMWG has been advised that the requirement for secure trolley systems now forms part of the planning process for new developments.

- 3.62 The Commission learned that supermarkets have employed a private company to collect abandoned trolleys around the city. Whilst this initiative was welcomed, Members wished to stress the importance of the Environment Agency using their powers to prosecute supermarkets where trolleys are abandoned in water courses.
- 3.63 Members learnt that the WAMWG have developed a draft policy statement defining the Council's responsibilities for maintaining water courses, assessing and mitigating related risks and responding to flooding incidents. This is due to be discussed by the Executive Board in May 2006.
- 3.64 Officers discussed the progress being made by WAMWG on the specific actions detailed on the work programme. Members also discussed the Emergency Planning response to the flooding incidents in 2004 and 2005. It was noted that officers felt that a number of lessons had been learnt from the first incident which enabled a better response to the second incident, co-ordinated by the Peace and Emergency Planning Unit. Members were informed that further work was being done to raise the profile of the unit's role and that a visible presence would be established when responding to incidents, such as a mobile incident room to provide an even quicker local response. It was also noted that the CONOPS plan was now established that triggers were in place for each relevant agency.
- 3.65 Members received information on the Government response to the consultation document 'Making Space for Water'. It was noted that PPS 25 will replace PPG 25 and that the Environment Agency will be a statutory consultee for planning applications. Members learnt that one of the recommendations proposed is that each local authority should develop its own strategic flood risk assessment to inform all planning documents and development control. It is envisaged that developers can then be asked to contribute to flood and drainage work.
- 3.66 It was noted that there is a proposal that some areas in Leeds could be considered for DEFRA pilot studies where there are challenging flooding issues with the aim of finding innovative solutions.
- 3.67 Members discussed information previously received on the Council's insurance position and the guidance published by the Association of British Insurers (ABI), including the statement of principles on provision of insurance cover in areas of flood risk. Members raised the issue of the difficulties some residents had in arranging insurance after being affected by flooding. A representative from the Association of British Insurers explained that the guidance indicated that insurance would be provided where there is a less than 1 in 75 year risk of flooding. Flooding more frequent than this would require information on how flood risk was being mitigated, but insurance would be provided. For areas of significant flood risk, where there are no flood defence works planned, insurance companies would work on a case by case basis and wherever possible cover would be given. It was noted that the ABI do not cover levels of premiums or excesses and that these are at the discretion of individual insurance companies.

- 3.68 Members noted that the Environment Agency use the benchmark of 1 in 50 years to undertake flood protection schemes and it was suggested that insurance companies should also use this frequency for providing cover. The representative from ABI pointed out that for insurance companies this was a commercial decision and that it certainly did not preclude insurance cover being provided for properties with a 1 in 50 year risk of flooding.
- 3.69 Members also received information from the Council's Insurance Manager. The report explained that insurers who cover UK households against the risk of flood have become more concerned in recent years following an increasing incidence of flooding, i.e. rivers overflowing their banks or ingress from the sea. Insurers consult a flood database before insuring any property which may be at risk of flooding. The Environment Agency Flood Map is accessible on the internet.
- 3.70 The Commission learned that in the last two years, less than £50,000 has been paid out for storm claims (including claims for damage caused by high winds) under the Council's property damage policy. The properties affected were mostly schools. The Council's property damage policy has a large policy excess, and so the claims were met from Council funds. Members noted that external insurance is arranged to deal with catastrophe risks only as it is not economical for large organisations to arrange external insurance for lower cost higher frequency losses.
- 3.71 Officers explained that the Council does not insure against the risk of flood. However, there have been no major incidents of flooding affecting Council buildings in recent years. Members noted that the River Aire does not flood over a wide area so it is unlikely that arranging flood insurance would be of any benefit. It is also possible that those Council properties most at risk of flood would be excluded by insurers from any such cover arranged.
- 3.72 With regard to properties belonging to Leeds householders and businesses, Members learned that following the flooding in East Leeds, some claims were made against Leeds City Council, alleging that the Council failed to clear debris from watercourses or maintain drainage systems satisfactorily. It is believed that similar claims have been made against Yorkshire Water. A total of twenty seven claims, relating to flooding of premises, have been made against the Council in the last two years and are being handled by the Council's insurers. Members noted that all claims are being defended and no compensation has been paid.
- 3.73 The discussion highlighted that issue of providing information to insurance companies on the works being undertaken locally to mitigate flood risk. Whilst it was acknowledged that individuals need to contact their own insurance companies to provide information, Members felt that a more co-ordinated approach to the dissemination of information from the Council to affected households would prove helpful. It was also noted that the Environment Agency already provides information on properties and that the Council's information could be co-ordinated through the Environment Agency.
- 3.74 The Commission discussed the usefulness of flood resilient construction methods which were easier to put right when a flood had occurred, eg water resistant fixtures and fittings, and lessened the effects of flooding in a home. Members supported the use of such construction methods, especially in areas where there was a risk of

flooding. In terms of resilient repairs, Members noted that the ABI will be producing a fact sheet promoting their use, though this would not be prescriptive.

27th March 2006

- 3.75 The Commission discussed progress made in dealing with flooding with the Executive Member with responsibility for development, and the Director of the Development department. During the discussion, Members considered the most recent edition of the Water Asset Management Working group's Action Plan. The Executive Member assured the Commission that flooding issues were taken very seriously by the Council and that the proposals of the Water Asset Management Working Group (WAMWG) were progressing well, with many tasks (such as the purchase and deployment of new rapid sandbagging machines and installation of trash screens) completed. Members noted that the Council has made a joint bid (with the Environment Agency and Yorkshire Water) to Defra for funding to for pilot projects in relation to specific issues.
- 3.76 Members learned that the WAMWG aims to present a draft policy and update on flooding to the Executive Board in May 2006. The purpose of this policy is to clarify and define 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.
- 3.77 Members learned that £1 million had been included in the Council's base budget for 2006/07 for dealing with issues related to flooding and flood prevention in the WAMWG action plan, with £700,000+ being allocated to the Development department and £200,000+ being allocated to the City Services department.
- 3.78 The Commission were pleased to hear that advertisements for extra Land Drainage staff were currently about to be advertised. Members also supported the Council's achievement of providing additional training for planning officers on sustainable drainage issues to help identify any issues when planning applications for new developments are made. The need for planning officers to highlight potential flooding issues relating to planning applications to Plans Panel members was highlighted.
- 3.79 Members discussed the planning policies around developments in areas of flood risk with the Executive Member and officers. The Commission learned that existing and developing planning policy has provision for grey water recycling and the promotion of water butts and that this policy should be especially applied to new developments as part of a package of measures. In considering potential development in the Aire Valley, Members noted that any development in the Aire Valley would have to address sustainable development policies and would be limited by the capacity of the motorway. It was noted that the overall aim was to create and preserve natural wetlands and protect the area which is part of a flood plain. The area action plan will set the framework (including timing issues) for development in the Aire Valley and members of the Commission support this approach.

- 3.80 Members also discussed the demolition of unfit housing, both in Leeds and nationally. It was acknowledged that the Council would prefer to refurbish suitable properties rather than demolish them.
- 3.81 The Commission talked through the issue of riparian ownership of watercourses with the Executive Member for Development. All agreed that the current situation of riparian ownership is not satisfactory in terms of alleviating flood risk, and that a more co-ordinated approach was required. It was suggested that national legislation was needed to deal with riparian ownership and that the Council would consider any proposals made in national legislation.
- 3.82 The second part of the meeting focused on the development of Planning Policy 25 and the Strategic Flood Risk Assessment. Members noted that Planning Policy Guidance 25 is due to be updated and replaced with Planning Policy Statement 25 (PPS25). Consultation on PPS 25 ended in December 2005. Members noted that Leeds City Council commented on the PPS25 consultation, supporting the themes of the new PPS25, but with some concerns about the implementation of the new policy, eg the vulnerability test and the exceptions test, and application of these tests. It was hoped that these matters would be clarified when the new PPS 25 was published.
- 3.83 The Commission noted that PPS 25 includes proposals for requiring Strategic Flood Risk Assessments (SFRAs). The SFRA is assessed as part of the development control process. The purpose of a Strategic Flood Risk assessment is to identify:
- The areas at risk of flooding
 - Variations in the actual flood risk in a given area
 - The effect of the increase in surface water run off for potential developments.
- The Strategic Flood Risk Assessment will provide the evidence base for local planning guidance, and will be supported by more detailed local flood risk assessments.
- 3.84 Members learned that a project group has been established to commission a study for the Strategic Flood Risk Assessment that Leeds City Council is required to do, and that work with other local authorities and the regional assembly will take place before the study is commissioned.
- 3.85 The Commission learned that the current local planning framework - the Unitary Development Plan (UDP) - will be superseded by the Local Development Framework (LDF). UDP policies can be 'saved' for three years once the LDF is implemented. The LDF will be outcome orientated and will consist of a core strategy and a portfolio of planning documents.
- 3.86 Members discussed the culvert which runs under Gildersome village centre and has been partially blocked by a gas main. Residents had raised concerns about the timescale for remedial works by Transco. Land Drainage officers explained that the issue is being dealt with by Highways services in the City Services department, as they own the culvert. Members were informed that Transco are currently assessing options to deal with the partial blockage caused by works. Residents were referred to the Highways Officer dealing with the case for a more detailed update.

3.87 The Commission also received a recent article from the Yorkshire Post newspaper which explained that residents in flood risk areas could sign up to a free service which would give them a warning if flooding was expected imminently in a main river in their area. Members were supportive of the service and urged residents to sign up to it. It was highlighted that many people may not know that they were in a flood risk area, and that the service should therefore be publicised further. Officers explained that the warning service was most suitable for areas close to large rivers, but that it was very difficult to provide warning for flooding of small rivers and becks. Normal water levels would need to be established and any warning time would be negligible. However, the warning could also trigger an Environment Agency officer to do a site visit and assess the problem.

4.0 Evidence from Residents

4.1 Throughout the inquiry, residents affected by flooding were invited to present their experiences and views to the Commission.

4.2 A number of accounts were submitted to Members explaining the events during the flooding incidents in August 2004 and May 2005. Members noted that there were a number of key issues raised:

- The devastating effect on households of serious flooding, including damage to homes, loss of personal items and the distress of finding alternative accommodation, often for long periods of time.
- The feelings of insecurity and that further flooding could happen whenever there is a heavy rainstorm.
- The difficulty in contacting the emergency services or knowing the right agency to contact for immediate help.
- The perception that new developments had put too much strain on the drainage infrastructure.
- The issue of insurance once an area has been labelled a flood risk.
- The perception that agencies did not immediately take responsibility for the matter and that there is confusion over where this responsibility lies.

4.3 Members were also given photographs of the flooding of a number of homes illustrating the extent of the damage and the depth of the water.

28th September 2005

Wortley

4.4 Some residents attended the Commission meetings and presented verbal information. Cllr David Blackburn and Mr Parker attended the meeting on 28th September 2005 and raised the issue of drainage problems associated with Wortley and flooding on the Kirkdale estate. The residents emphasised the need to explicitly take drainage capacity into account when new developments are being planned. It was noted that extreme weather events leave some areas vulnerable and that in the residents' opinion the smaller scale flooding was as important as the larger scale incidents. Members noted that there was some criticism regarding the use of historical statistics in determining how often a storm will cause such flooding, particularly as two major events had occurred in a short space of time. This could be due to the effects of climate change. It was also emphasised that the blocking of

gullies and the erosion of banking contributed to the extensive flooding in Wortley. Residents raised the issue of silted sewers needing cleaning out. It was acknowledged that Yorkshire Water had responsibility for public sewers and were therefore responsible for ensuring there were no blockages. Members learned that residents felt strongly that more action needed to be taken and that this should be a co-ordinated approach from the relevant agencies.

- 4.5 Members noted that in some specific instances research was needed to establish who had the responsibility for the land and therefore the gullies and watercourses. Officers explained that it is an offence to interfere with watercourses, however if such an action is unreported it would be difficult to enforce. Officers indicated that it would be possible to look into the specific issues raised by the Wortley residents to identify how the watercourse had been affected. Members acknowledged that in some circumstances the blocking of watercourses can be done through negligence or ignorance of its status. Members recommended that the inquiry should include further details of the relevant enforcement activity.
- 4.6 Update as of 26th October 2005: Mr Parker explained that since the previous meeting, work had been done to clear out blocked ditches by Corus Steel. It was hoped that this would resolve the flooding problems, though Mr Parker thought that some accidental damage might have been done to land drainage pipes. Mr Sellers agreed to follow this up.

Gledhow Valley Woods

- 4.7 Mr Calvert, Chair of Friends of Gledhow Valley Woods, and Mrs Thompson, who lives on Gledhow Valley Road, attended the meeting on 28th September to give evidence with regard to flooding in the Gledhow Valley Road area. The Commission learned that Gledhow Beck, which was usually no more than a few inches deep, was liable to torrential flooding and pollution from Combined Sewer Outfalls (CSOs) several times a year.
- 4.8 Mrs Thompson explained that she felt that matters had been made worse by upstream building expanding hard surfaces, works carried out to the channel upstream, rubbish dumped in it by others, and poor clearance by City Council operatives or contractors. Members also understood that foul water pollution from CSOs was especially problematic. A photograph of a grille covering one outfall showed it almost sheeted over with trapped solids. Residents questioned whether this was a suitable screen to have at this point as it appeared to block very easily.
- 4.9 Residents also raised the issue of the maintenance of the balancing pond, which had been cleaned out in 1991, but not since that date. It was noted that new developments had meant that more surface water drains were emptying into the pond. Mrs Thompson highlighted the fact that the culvert running from the balancing pond came up to her boundary and the private bridge was in need of repairing.
- 4.10 In considering the issues raised by Mr Calvert and Mrs Thompson Members noted that riparian owners had onerous duties which might be beyond their means and out of scale with the value of their properties, particularly as debris built up from upstream. It was highlighted that residents do not always know which authority to contact when there is a danger of flooding, or when the watercourse appears to be dangerously blocked. In particular, it was noted that during the flooding itself,

residents could not get in touch with the Council and that the Fire Brigade were unable to help. Residents were critical of the amount of help that the Council provided at the time. It was noted that some of the water assets around the Gledhow Valley area belonged to the Water Authority and it was agreed that separate discussions should take place with the representative from Yorkshire Water.

- 4.11 Members wished to highlight the potential problem of too much volume being put into the drainage system, which was exacerbated by new developments. It was emphasised that joined up working needed to be established to ensure existing drainage systems were not overloaded.
- 4.12 With regard to planning issues, there were few if any means of controlling ad hoc hard surfacing of gardens for car parking and residents felt that new housing developments were putting pressure on existing drainage systems.
- 4.13 The Commission also noted that residents were concerned about the provision of, and promotion of, out of hours assistance with regard to flooding to ensure residents are able to quickly report an incident. Members requested further information on this issue which is included in the Water Asset Management Working Group work programme.

26th October 2005

Gildersome

- 4.14 A report was submitted by Mr Willis on behalf of Gildersome Parish Council. This explained that flooding had been caused in the centre of Gildersome over recent years, even after relatively light rainfall, for example in Town Street,. This appears to be from lack of capacity in storm drains and road gulleys. Recent work by Land Drainage had shown defects and blockages in the highway gully system which had been dealt with as far as possible, though some rebuilding might be needed. Mr Willis also explained that on 3rd May 2005, heavy and persistent rain caused flooding on Town Street and other places (this was supported by photographic evidence). Water was seen to be coming out of drainage inspection chambers. Mr Willis explained that properties with cellars on Town Street, The Green and Finkle Lane have suffered from water backing up in stormwater drainage systems and from ingress from raised ground water levels on a persistent basis over many years causing damage and inconvenience.
- 4.15 Representatives from both LCC Main Drainage, Highways and Yorkshire Water have been involved in helping to ascertain the reason for the flooding and the liability for the remedial work and investigative work is currently in hand in parts of the village. Mr Willis explained that currently the Council has appointed the contractor Duffy to carry out investigation work. This found that a culvert in the town centre was 95% blocked over its full length with silt and had collapsed in places. It was vacuum cleaned and jetted but Mr Willis was concerned that the culvert had not been maintained (there were no operable inspection chambers) and the problems would reoccur. Mr Willis suggested that the lack of inspection chambers on the culvert needed to be addressed as the culvert changes direction and level at various parts throughout its path. As such future maintenance can only be carried out if additional inspection points are constructed at all reasonable changes in line or level. Additional inspection points should also be considered where the culvert passes close to and in

some instances under properties if these properties are to be protected from water backing up at times of surcharge and from having their own foundations undermined by stormwater scouring its own path.

- 4.16 Mr Willis also explained that a gas main had been discovered blocking the culvert at right angles under Town Street, which blocked approximately 75% of the culvert's capacity.
- 4.17 The Commission learned from officers that the Council installed three new manhole access points to assess the problem and discovered that a culvert had been partially blocked by a gas main. Transco have accepted responsibility for the blockage. It is estimated that the gas main will cost £250,000 to divert so it no longer blocks the culvert. In the meantime, two smaller pipes have been installed under the gas main to ensure some flow of water. Work done so far would be costed and charged to Transco.
- 4.18 The Commission noted that this part of the culvert is the responsibility of Highways services and they are working with the utilities company to ensure the gas main is diverted as soon as possible. Members also noted that the cost of the work undertaken by the council has been added up and will be recharged to the utilities company.
- 4.19 Members learned that until 1997, when the City Council maintained sewerage maps, they showed underground watercourses, which helped to avoid damage to culverts when utility works were carried out. Since Yorkshire Water took over responsibility for maintaining the maps of the sewerage system from the Council, the maps no longer show the culverts. When statutory undertakers consult the maps before they do works, they therefore do not learn where the culverts are. Members suggested that it would be helpful for Yorkshire Water to consult the Council's sewerage maps including culverts when being consulted by statutory undertakers planning works.
- 4.20 Even when culverted, becks remained in riparian ownership, with all the legal, practical and financial difficulties which this entailed when co-ordinated maintenance or re-building were needed, especially where ownership was fragmented. Members considered how the culvert under Gildersome could be maintained in the future and agreed that this would be a very difficult task and would have to be undertaken using the Council's permissive powers, only in a very serious flooding risk situation. The Commission noted that once the blockage to the culvert is removed, the flood risk level may reduce.
- 4.21 The Commission suggested that the Council could consider introducing a policy to pursue / prosecute statutory undertakers where they cause blockages and increase flooding risks.
- 4.22 Update as of March 2006: The Principal Engineer, Land Drainage explained that Transco have accepted responsibility for the blockage of the culvert. Highways services owns the culvert, and a Highways Officer is taking the lead in liaising with Transco to find a solution. A number of options have been suggested and are being investigated for feasibility and cost. It is hoped to have the remedial work in place as soon as possible.

New Lane, Drighlington

- 4.23 Members discussed the communication between Land Drainage and planners when considering new developments, as in a development at New Lane, Drighlington, the houses flooded within a few weeks of being occupied. No objection had been made to the planning application for the site on the grounds of flood risk. This showed the need to have capacity in the Development department to identify planning applications which might raise drainage concerns, to raise with Land Drainage officers for their views. In turn, Land Drainage needed to have enough staff to give advice on selected applications. It would be helpful if members of the public passed on local knowledge of flooding when planning applications were advertised, though Land Drainage would need enough capacity to follow this up.
- 4.24 These houses were in a hollow drained by a culvert under Whitehall Road, which passed on an embankment. Partial blockage of the culvert had meant that it had not coped with the extreme rainfall on 3rd May 2005. As a highway culvert, it was owned by the City Council which was responsible for clearance and maintenance. Members noted that the flood risk at New Lane would be reduced if desilting works were done downstream. Members understood that this was planned, but were concerned to learn of difficulties in arranging access to do the works with the landowner. The Commission acknowledged that the Council had powers to legally enter the property to carry out the maintenance works if necessary, but agreed that an amicable approach was best, as far as possible.

Whitebridge Avenue, Halton

- 4.25 Additional information was also submitted by a resident of Whitebridge Avenue. This explained that she was worried about her home flooding every time it rained. It also described how during the 12th August 2004 flooding incidents, the beck which runs through her back garden rose by approximately 10 feet in 50 minutes, and spread through the house and front and back gardens. The water level in the house was 3 feet and the resident had to move out of her home for 5 months. The house was stripped out and everything replaced. Photos submitted by the residents showed the effects on her house and garden.
- 4.26 The resident explained that three weeks after she had moved back in, there was another major flood on 3rd May 2005 which caused the same problems and she had to move out again. Residents were not clear on the measures which had been taken to address the flooding problems and the impact of the new development of 450 homes nearby.
- 4.27 The resident explained that there are still problems with the value of homes, selling the homes, obtaining flood insurance and concerns that floods could happen again. The lady who submitted the evidence felt that the enormity of the effects of flooding were not recognised sufficiently for the impact they had on peoples' lives.
- 4.28 Update on Wyke Beck as of March 2006: The EA will become the flood defence operating authority (i.e. having responsibility for enforcement) on most of Wyke Beck in April 2006 and has engaged consultants to model the whole catchment to help determine whether further flood defence measures are required. In the meantime, an enhanced inspection programme has been put in place, including logging of inspections, and photographic recording and rigorous enforcement. A draft interim

report has been produced, although the final work will take a further 3 months. In January 2006 Yorkshire Water's Board approved a major scheme to reduce sewage flood risk at Wykebeck Valley Road. This will involve 'mothballing' the existing tank adjacent to Wyke Beck and constructing a much larger storage tank at the junction of Foundry Lane and Oakwood Lane. Construction work is expected to commence in March 2006. Land Drainage has implemented an enhanced inspection regime along the Wyke Beck and has installed a trash screen upstream of York Road on behalf of Learning and Leisure. Learning and Leisure has installed cut-off drains to intercept surface run-off at King George V playing fields at Gipton and the Chantry in Colton.

2nd December 2005

Churwell

- 4.29 Mr Franklin and Mr Leach of Old Close, Churwell attended the meeting and provided information on the flooding in their area. Mr Franklin also provided a map showing the planning restrictions in place upstream of Old Close from 1974 in the Farnley Wood Beck catchment.
- 4.30 Mr Franklin explained that Farnley Wood Beck flooded and caused significant damage to properties in the Old Close area on 3rd May 2005 which caused great distress and inconvenience to residents.
- 4.31 Mr Franklin submitted a report which explained the historical planning restrictions in place around the Farnley Wood Beck catchment area. It also explained the residents' concerns about the new housing development and the removal of a blockage in a long-disused railway embankment which had previously caused the embankment to act as a dam. Mr Franklin was concerned about the apparent lack of communication with residents about the measures put in place to alleviate the flood risk following the removal of the blockage (which was found to be dangerous) and the development of the new housing estate.
- 4.32 Regarding the informal dam, officers explained that there were plans to replace this with a formal one, but that once a detailed analysis was done, the plans were abandoned in 1990. The analysis revealed that the dam would have to be too big to be practicable and would have adverse effects. Subsequently, some work was done to increase the capacity of the beck in 2004 after the flooding – desilting, wall reinforcement, and extension of the culvert under Elland Road to prevent flytipping into the beck. Residents pointed out that the informal balancing pond had been removed and that developers were required to replace this. However, it is understood that the replacement was only designed to serve the new development.
- 4.33 The Commission discussed the capacity of the culvert downstream under Elland Road and upstream under the railway embankment. Members learned that a one tenth scale model of the beck between Old Close and Elland Road will be built to see what the capacity of the beck is and model potential measures to address flood risk. Members were reassured that residents will be kept informed of the results of the modelling exercise. Further work is subject to the outcome of the modelling exercise.

- 4.34 It was also clarified that the new housing development close by had permanent balancing ponds and other measures in place to ensure that the rate of groundwater flow off the site was no worse than flow from a greenfield site.
- 4.35 Update as of March 2006: Work has been done to increase the capacity of the beck. The Council has received tenders for the building of a one-tenth scale physical model of the beck at Churwell Hill in order to assess the residual flood risk and model potential measures to address flood risk. Further discussion is taking place with the Environment Agency and Yorkshire Water regarding the strategic issues affecting drainage in the Farnley Wood Beck catchment. Residents will be kept informed of the results of the modelling exercise.



Originator: Phil Crabtree

Tel: 2478177

Report of Chief Planning Officer

Scrutiny Board: City Development

Date: 18th September 2007

Subject: UPDATE ON THE STRATEGIC REVIEW OF PLANNING AND DEVELOPMENT SERVICES

Electoral Wards Affected:

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose of the Report

1.1 The report is presented to Scrutiny Board in order that Members can consider and comment on the progress on implementing the solutions within the five improvement themes of the strategic review for Planning and Development Services.

2.0 Background

2.1 A Strategic Review of Planning and Development Services was undertaken last year, which led to a report to Executive Board on 14th June 2006. Executive Board agreed the proposed service improvements set out in the report. Five improvement themes were identified as follows:-

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*

2.2 The Scrutiny Inquiry report from the Overview and Scrutiny Committee in March 2007 requested further reporting on the progress in meeting the work streams identified in each of the themes. A summary of progress surrounding each improvement theme is set out below.

3.0 Summary of progress

Capacity building and working with the private sector

- 3.1 Recruitment has taken place to appoint to full structure and proposals are currently under consideration to add a further 2 Principal Planning Officers (grade PO4) to the structure. It is intended if agreed to advertise for these posts in September.
- 3.2 Discussions have progressed through the Property Forum to develop with the private sector a joint approach to recruitment and retention in Leeds. A separate workshop involving planners and other built environment professionals from both the public and private sector has taken place to develop ideas and workstreams.
- 3.3 On two occasions the existing Strategic Alliance between the council and Jacobs has been utilized to progress discrete areas of work.
- 3.4 The level of technical/admin support has been improved in the Compliance Team. It is anticipated that a range of benefits will be realized including improving and streamlining communications and savings on Legal Services charges. Short listing for a Senior Compliance Officer has also taken place recently.

Realising a definitive officer view

- 3.5 The new Planning Technical Board continues to meet as required and is considered to be a successful forum in which to resolve differing views and provide a clear and effective framework for producing timely decisions.
- 3.6 Weekly design surgeries are proposed to be expanded to include other disciplines such as conservation officers and tree officers to improve speed and quality of consultation responses.
- 3.7 In addition a Design Advisory Panel has been set up to help promote higher and more consistent design standards. This meets on a monthly basis and involves the Civic Architect in considering design issues on significant major developments.
- 3.8 Two new posts proposed and funding secured for a Design Officer (grade PO3) in the Sustainable Development Unit and a Design Engineer (grade PO4) in highways to deal with increased consultation demands.
- 3.9 A protocol for charging for pre application advice for major application as defined by the DCLG is being drafted. The purpose of which is to recover the costs associated with providing that advice which in turn will help us to sustain and improve the service provided.
- 3.10 A charter for Strategic and Key Regeneration Projects is being drafted and circulated for internal consultation. This Charter recognises that one of the keys to successful delivery of Strategic Developments and Key regeneration projects is to improve communication between the Council, developers and other agencies involved in the development process to minimise delays reduce the possibility of receiving conflicting advice and to maximise certainty in the development process. To achieve this it is intended to utilise the principle of 'Planning Performance Agreements' as advocated by the Department of Communities and Local government. This would in general relate to 'Large Majors' as defined by the DCLG in the consultation paper entitled 'Planning Performance Agreements: a new way to manage large scale major planning applications.
- 3.11 Two design training workshops have taken place one of which involved members. A further workshop is programmed for September. Other member training subjects programmed for September through to December include a Design Best Practice Conference which is a joint member/officer event, member training on planning enforcement, planning policy update and the annual Governance and Conduct Update.

- 3.12 Householder Design Guide going to consultation in September.
- 3.13 Street Design Guide produced by Highways going to public consultation in September.

Development of and support for plans panels

- 3.14 In taking forward the *Development and support for Plans Panel* theme, a review of the Plans Panels commenced in May 2007. This has been very comprehensive and has used a range of methodologies taking into account best practice from other Planning authorities, consultations and meetings with Officers, Members and customers, workshops with Members, customer satisfaction surveys and use of “mystery visitors” at Panel. Additionally, external consultants, Addison Associates, were appointed to assist in the review. At the time of writing this report the draft findings of the external consultants have yet to be fully considered. However a significant amount of other work has been initiated.
- 3.15 Corporate Governance and Audit Committee agreed on the 16th of May that the membership of the Plans Panels should comprise of no less than 7 and no more than 11 members of the council and secondly, that completion of the compulsory prescribed training is a prerequisite to any Member sitting as a Plans Panel Member.
- 3.16 Member training is now underway with a number of Members already accessing the training programme. There has been considerable commitment from Member to undertake the training and this factor will be key in demonstrating that Leeds City Council does make well informed, effective development decisions. As well as this a training programme for Ward Members who do not sit on Plans Panel, but who may wish to refer matters to Panel has now been developed and will commence with the first briefing scheduled for 12th December 2007.
- 3.17 The Scrutiny Inquiry report made a recommendation on the development of protocols for Member involvement at the pre-application stage. Some progress has been made here. The revised Code of Practice reflects the changes of the Planning reform agenda and now encourages Member involvement at the pre-application stage, in appropriate cases, subject to the necessary probity and pre-determination safeguards, as set out in the Code. Further detailed protocols are being currently progressed on earlier Member involvement. In the interim a leaflet “Positive engagement, a guide for planning councilors” and a diary insert describing the dos and don’ts of Members engagement in planning has been sent to Members.
- 3.18 On a half yearly basis, it is proposed members will receive a performance management report, with a Core Cities comparison wherever possible, covering the following areas: Enforcement data, Appeals, Improvement activities, Section 106 and Achievements. This range of performance information will provide a more complete picture of the performance of the service than just the Best Value indicators and the priorities for improvement.
- 3.19 A number of Senior Officers have now attended a presentation skills course and the format of presentations will have a more standardised structure. Guidelines are in production and presentations will include a brief introduction to site and development, key issues and an update of what’s new rather than repeated information.
- 3.20 A new Panel report format is currently in development which will be more concise without affecting the quality and comprehensiveness of the information provided. It is also intended to include a summary of negotiations with applicants. Position reports on the Major applications subject to the pre-application “Charter” will also be presented to Members for information to achieve an early ‘steer’ on key issues.
- 3.21 The practice of deciding which sites need a visit at the Chair’s briefing will be adopted by all Panels. This will mean there will be fewer “surprise” requests.
- 3.22 An audit of alternate venues to hold the Plans Panel meetings has been initiated due to audio and visual problems. However, rooms other than Committee rooms 6 and 7 have been used in the past, all with varying degrees of success. There does not appear to be an “ideal” venue.

Consequently, an investigation is underway to see if there are solutions to improving the audio and visual technology used in the existing rooms.

3.23 In June and July a Plans Panel customer satisfaction survey took place. The survey which ran for two cycles of each Panel attempted to find out a little about the types of customers who attend the Panels and what they thought about the process. The survey highlighted some defined areas for improvement and a number of common themes emerged:

- Lack of customer knowledge of how the process worked
- Who everyone was at the Panel meeting
- Perception of a lack of knowledge of the Members
- Audio and visual difficulties with the venue
- Advance notice of the running order

In addressing these issues a number of improvements have been made and will be implemented shortly:

- Leaflet for the public describing the Plans Panel process and showing who the Members are.
- A Powerpoint slide showing the seating plan at Panel runs as the public enter the room.
- Investigation of audio and visual solutions for the venue.
- Member training.

However the main cause for complaint was:

- Lengthy meetings without knowing what time the items would be heard

It is anticipated that a host of measures will be needed to manage the length of time the public need to wait to hear their application. These continue to be investigated.

Information and Communication Technology

3.24 Aiming to have update of Public Access to latest version available for use in September.

3.25 E Government Board established to lead and oversee the implementation of the E Government agenda including the implementation of the new Parsol standards.

3.26 Document imaging pilot still ongoing because of staffing and technical issues. It is now anticipated that this pilot will run to the end of the year.

3.27 Upgrading to latest version of CAPS Uniform (7.4) in September to meet new standards for National Land and Property Gazetteer.

3.28 Introduced electronic responses for members of public whom comment on applications electronically.

3.29 Benefits continue to be realised from spatial data computer system these include:-

- Mapping requirements now comply with new Ordnance Survey requirements
- Additional info added to Panel report templates.
- Increase in electronic comments for public
- Implementation of Uniform Local Development Framework module.

Improved Customer Services

3.30 Customer Service Forums for agents submitting Householder applications and Major applications now established and meeting on a quarterly basis. Feedback from forums has been positive.

- 3.31 A number of new leaflets providing 'up front' guidance for customers on the services we offer are scheduled to be published in the autumn.
- 3.32 The web site has been reviewed and updated in a more user friendly format.
- 3.33 The complaints section continues to respond efficiently and effectively to customer and Ombudsman complaints within target. Feedback sessions are held weekly and quarterly summary reports are produced to take forward service improvements arising from what has been learnt.
- 3.34 Customer Services Action Plan has been developed in Planning Services which highlights priority areas for improvement. Work on implementing the actions identified is on going.
- 3.35 The number of calls received by the Development Enquiry Centre continues to increase. Despite this 85% of calls continue to be answered at first point of contact.

4.0 Performance

4.1 The Government set national performance targets for decision making on planning applications are as follows:-

- 60% of major applications within 13 weeks
- 65% of minor applications within 8 weeks
- 80% of other planning applications in 8 weeks

Leeds cumulative performance against critical targets is as follows (figures for same period the previous year shown in brackets):-

April 06 – March 07

- **67.5%** (61.2%) major applications
- **80.61%** (68.3%) minor applications
- **86.91%** (82.6%) other applications

July 06 – June 07 PDG timeframe

- **79.17%** (65%) major applications
- **76.97%** (69.1%) minor applications
- **82.26%** (83.2%) other applications

4.2 In Compliance the following performance has been achieved:-

April 06 – March 07

- Number of cases received **1612**
- Number of cases resolved **1509**
- Initial site visits

Cat 1	Site visit same day /within 1 working day	Target 100%	Achieved 100%
Cat 2	Site visit within 2 working days	Target 95%	Achieved 83%
Cat 3	Site visit within 10 working days	Target 90%	Achieved 93%

4.3 Performance targets continue to be achieved, and have indeed been improved upon from the comparative period last year particularly related to planning applications. However, in achieving this there is still concern that there has been a fall in customer satisfaction. It is intended to continue to look at this conflict as a priority to achieve a satisfactory balance.

5.0 Conclusion

5.1 The review continues to deliver significant and positive improvements across the range of planning services. The above improvement themes are consistently being moved forward and monitored closely on a monthly basis. However priorities for the next six months are:-

- Complete Panel review and begin implementation
- Strategic and Key Regeneration Applications – finalise and consult
- Review appeals record
- Complete process of staff recruitment
- Develop customer panels

6.0 Recommendations

6.1 Scrutiny Board is invited to note and comment on the attached report.



Originator:
Steve Clough
Tel: 74582

Report of the Head of Policy, Performance and Improvement

Meeting: City Development Scrutiny Board

Date: 18th September 2007

Subject: Performance Report Quarter 1 2007/08

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1 Executive Summary

1.1 This report discusses the key performance issues considered to be of corporate significance identified for the City Development Scrutiny Board as at 30th June 2007. In addition, the report also includes a predicted CPA score for 2007/08 and a performance table detailing all PI's for this Board.

2 Purpose of the Report

2.1 The purpose of this report is to present the key areas of under performance at the end of Quarter 1 (1st April and 30th June 2007).

3 Background Information

3.1 This 'highlight report' has been prepared in readiness for the Accountability process, which includes the CMT meeting on 14th August, Leader Management Team on 23rd August and Overview and Scrutiny Committee on 11th September.

3.2 The issues discussed in this report have been identified because performance in these areas impacts upon one or more of the following; the delivery of effective services, the delivery of our corporate priorities; our CPA score; or our ability to deliver efficiency savings. This report is supported by detailed PI information.

3.3 Any improvement in assessment scores should potentially have a positive impact on the council's Direction of Travel assessment and overall CPA Star Rating.

4 CPA Performance issues

4.1 The table below summarises our predicted CPA scores for February 2008.

	Direction of Travel	Star Category	Corporate Assessment	Level 1 Services			Level 2 Services			
				Use of Resources	Children & Young People	Social Care (Adults)	Benefits	Culture Service Assessment	Environment Service Assessment	Housing Service Assessment
CPA 2006	Improving Adequately	3 star	3	3	3	3	3	2	3	3
CPA 2007 (provisional)		4 star	3	3	3	3	3	3	3	3

4.2 The CPA 2007 provisional score is mainly based on the category scores allocated in 2006. Where this applies the cells are highlighted in grey. This information will be updated as and when assessment scores are confirmed during 2007/08.

4.3 The provisional CPA 2007 Service Assessment scores for Culture, Environment and Housing are included in each Accountability report. These are mainly based on 2006/07 year-end returns, however there are a number of instances where other methods are used.

4.4 The Audit Commission have confirmed the PIs which are to be included in the 2007 CPA Service Assessments and the thresholds to be used to calculate the scores. The above scores have been updated to reflect this, however it must be noted that there are still several outstanding issues which could result in the Culture service assessment score becoming a 2.

The Housing score also takes into account service inspections undertaken between 1 January 2005 and 31 December 2007.

4.5 At this stage we are unable to make an informed judgement as to our predicted Direction of Travel score.

4.6 For a more detailed breakdown of the CPA service assessment scores please see Appendix 1.

5.0 City Development Performance Issues

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

5.2 BV215b – The average number of days taken to repair a street lighting fault, where response time is under the control of a DNO

The Street Lighting Contract started on 1st July 2006 and SEC is the contractor who has been appointed to deliver the street lighting PFI on behalf of the council.

Over recent months data quality issues have come to light which have led to questions being raised regarding the accuracy of information presented to LCC. Key concerns were the inaccurate recording of completion dates and the management of some processes within SEC.

In terms of general maintenance work, the inaccuracies have since been rectified and processes have been put in place to ensure that this does not happen again. This corrected data has been used to re-calculate the performance indicators and to impose performance penalties. There is still some further work required and Project Liaison Group meetings are being held to discuss progress. In addition, the City Services Performance Management Team and LCC Internal Audit are working with SEC to ensure the robustness of the SEC performance data in the future.

With regard to the installation programme, LCC officers will be seeking to gain agreement at the Project Liaison Group Meeting to the principle that an Independent Certifier will certify

100% of all installation work until LCC officers are satisfied that reporting failures have been eliminated.

The Director of City Services will continue to closely monitor and manage the contract and keep the Executive Member for Development and Regeneration and the City Services PFI Board apprised of progress.

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

The performance against this indicator continues to be of concern in that the number of appeals allowed continues to rise. Training for both Elected Members and officers has taken place over previous months and continues; however the true impact of this training will be slow in coming through in the actual performance results. This is due to the length of time it takes for a final decision at appeal to be made against a planning application which is refused in the first instance on officer recommendation.

The performance against this PI impacts on the CPA score, and as such, any further drop in performance could result in this PI falling into the CPA lower threshold within the Environment block.

Performance against this PI will be closely monitored over the coming months. The expectation is that performance should start to improve in the autumn. If this does not happen then further action may be required.

6.0 Recommendations

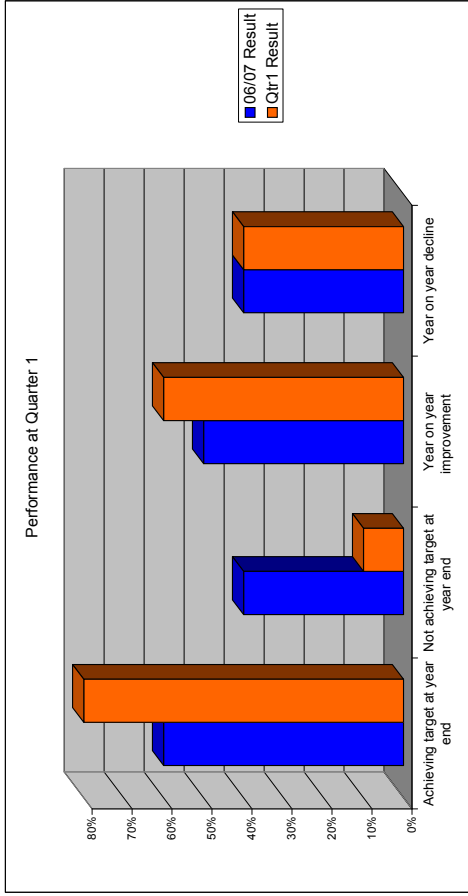
It is recommended that the Scrutiny Committee considers the Quarter 1 performance information and highlight any areas for further scrutiny.

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City Development Quarter 1 Performance Report 2007/08

	07/08 Result to Date	2006/07 Result
Percentage of indicators achieving target at year end - based on Predicated Full Year Result	80%	60%
Percentage of indicators not achieving target at year end - based on Predicated Full Year Result* (This includes any amber traffic lights due to a tolerance level being set)	10%	40%
Percentage of indicators showing a year on year improvement based on Predicated Full Year Result*	60%	50%
Percentage of indicators showing a year on year decline based on Predicated Full Year Result*	40%	40%
Percentage of indicators in All England Top Quartile based on Predicated Full Year Result*	13%	13%
Percentage of indicators in All England Bottom Quartile based on Predicated Full Year Result*	13%	25%

Please note predicted performance can change each quarter*



1	2	3	4	5	6	7	8	9	10	11	11a	12	13	14
Reference	Title	Service	Frequency & Measure	Good Performance	2006/07 Year-End	2007/08 Target	Current Position as at 30 June 07	Predicted Full Year Result	Year on Year Improvement Trend (Based on 2005/06 Year-End data)	All England Top Quartile (Based on 2005/06 Year-End data)	All England Bottom Quartile (Based on 2005/06 Year-End data)	Core City Average (Based on 2005/06 Year-End data)	Core City position 1 = Top 8 = Bottom (Based on 2005/06 Year-End data)	Data Quality Issues
BV-106 CPA-E23	Percentage of new homes built on previously developed land	Planning	Monthly %	Rise	96.92	92.00	95.00	95.02	↓	96.74	62.52	95.05	4	No concerns
Comments	Figures to end of quarter 1 are 915 out of 963 brownfield housing completions (gross). Brownfield completions continue to run at a high level in line with UDP policy which is to prioritise developments on brownfield sites.													
BV-109a CP-PL50 CPA-E2	Percentage of planning applications determined in line with the Government's new development control targets to determine a) 60% of major applications in 13 weeks	Planning	Monthly %	Rise	61.01	60.00	62.50	63.00	↑	74.90	57.08	64.73	8	No concerns
Comments	Targets have been set to match the Government's published targets and performance management measures are in place to ensure targets are met whilst at the same time, enabling us to deliver high quality development for the city. Senior Technical Officers are to be appointed and will undertake the complex major casework supported by some outsourcing, employment of freelance planners and overtime arrangements and providing administrative support to maximise the capacity of professional officers.													
BV-109b CP-PL50, CPA-E2	Percentage of planning applications determined in line with development control targets to determine b) 65% of minor applications in 8 weeks.	Planning	Monthly %	Rise	69.89	65.00	82.09	70.00	↑	81.07	69.00	75.36	5	No concerns

City Development Quarter 1 Performance Report 2007/08

Reference	Title	Service	Frequency & Measure	Good Performance	2006/07 Year-End	2007/08 Target	Current Position as at 30 June 07	Predicted Full Year Result	Year on Year Improvement Trend	All England Top Quartile (Based on 2005/06 Year-End data)	All England Bottom Quartile (Based on 2005/06 Year-End data)	Core City Average (Based on 2005/06 Year-End data)	Core City position 1 = Top 8 = Bottom (Based on 2005/06 Year-End data)	Data Quality Issues
Comments	Targets have been set to match and maintain the Government's published targets.													
BV-109c CPA-E2	Percentage of planning applications determined in line with development control targets to determine c) 80% of other applications determined within 8 weeks	Planning	Monthly %	Rise	83.58	80.00	88.51	85.00	↑	91.39	83.37	85.46	7	No concerns
Comments	Targets have been set to match and maintain the Government's published targets.													
BV-204 CPA-E42	The percentage of appeals allowed against the authority's decision to refuse on planning applications	Planning	Monthly %	Fall	37.4	30.0	44.7	40.0	↓	25.0	36.1	28.5	2	No concerns
Comments	In the last month 12 out of 19 appeal decisions were allowed, contrary to the Council's decision to refuse. The continued performance of this indicator represents the significant time delay inherent within the appeals process. There is a six-month period after a decision for an appeal to be lodged. Following this, the length of time taken by the Planning Inspectorate to come to a final decision can vary from a number of months, depending on the complexity and form of the appeal (there may be a public enquiry, or written representations made for example). This, therefore, has a direct impact on the performance of this indicator; there will be a significant time lag after the compulsory training for members and officers before these cases filter to the Planning Inspectorate. At this point, it is anticipated that performance will begin to improve.													
BV-205 CP-PL51 CPA-E43	Quality of the planning services checklist	Planning	Quarterly %	Rise	N.A.	N.A.	See Comments	See Comments		100.0	83.3	90.7	8	No concerns
Comments	It is not currently possible to set a target for or report the progress of this indicator because guidance has not yet been issued by the Audit Commission. This will clarify what should be included in the count for this indicator, especially as regards the Pendleton Survey (survey of Planning Service accessibility against a pre-defined list). A charter for major development applications, currently in draft, will be implemented by March 2008, focusing on the most complex and large-scale developments. This will also have a bearing on future performance of this indicator. Resourcing issues mean that we cannot provide pre application advice for every application type and size in all forms. The electronic scanning project has been delayed due to technical and resourcing issues and other improvements outlined in the strategic review are being progressed.													
Comments	If the existing methodology is used the result for Quarter One is 77.7% and the 06/07 Year End Result would be 72.2%, these results will be confirmed when the guidance has been received.													
LKI-HM2	The percentage of repairs to dangerous damage to roads and pavements which were carried out within 24 hours from the time of the authority first becoming aware of the damage.	Road Maintenance	Quarterly %	Rise	99.6	97.0	99.1	97.0	↓	N.A.	N.A.	N.A.	N.A.	No concerns
Comments	No Comments Supplied													
BV-215a	The average number of days taken to repair a street lighting fault which is under the control of the local authority	Street Lighting	Quarterly Days	Fall	12.11	5.00	4.77	5.00	↑	3.43	6.69	5.03	7	Significant concerns
Comments	Reported performance on this indicator should be considered in relation to the work currently being undertaken by the Performance & Communications Team, Internal Audit, the LCC Contracts Team and SEC. Concerns regarding the calculation of this indicator and the supporting documentation used have been raised previously and the work required to resolve these issues is ongoing. The performance figures reported may be subject to minor change once the auditing of May and June's figures are complete. We aim to move from 'significant concerns' to 'minor concerns' by Q3.													

City Development Quarter 1 Performance Report 2007/08

Reference	Title	Service	Frequency & Measure	Good Performance	2006/07 Year-End	2007/08 Target	Current Position as at 30 June 07	Predicted Full Year Result	Year on Year Improvement Trend	All England Top Quartile (Based on 2005/06 Year-End data)	All England Bottom Quartile (Based on 2005/06 Year-End data)	Core City Average (Based on 2005/06 Year-End data)	Core City position 1 = Top 8 = Bottom (Based on 2005/06 Year-End data)	Data Quality Issues
BV-215b	The average time taken to repair a street lighting fault where response time is under the control of a Distribution Network Operator (DNO) The high number of days is due to a number of jobs that had been logged onto the system some time ago and, for various reasons, were not closed off. SEC have worked with YEDL to put processes in place to ensure that this doesn't happen again and as such, we expect that next quarters performance should improve significantly.	Street Lighting	Quarterly Days	Fail	27.87	14.00	24.48	14.00	↑	14.03	33.77	28.71	1	Significant concerns
Comments	Reported performance on this indicator should be considered in relation to the work currently being undertaken by the Performance & Communications Team, Internal Audit, the LCC Contracts Team and SEC. Concerns regarding the calculation of this indicator and the supporting documentation used have been raised previously and the work required to resolve these issues is ongoing.													
LKI-SL2	Percentage of street lamps not working as planned	Street Lighting	Quarterly %	Fail	1.02	1.50	0.90	1.50	↓	N.A.	N.A.	N.A.	N.A.	Some concerns
Comments	The performance listed for July-December has been provided by SEC (PFI provider). The council is examining the results from quarter 1 in relation to the outcomes of the KPMG audit. The predicted performance level has been set as 2.0 to reflect this examination of quarter 1 data and also because street lighting failures tend to be highest in winter months. Year end result. Uses 9 months of SEC data only. Also, the information for July - December is unreliable as it is based on a sample of street lamps not the full network. These results were provided by SEC.													
BV-165 CPA-E16	The percentage of pedestrian crossings with facilities for disabled people	Traffic Management	Quarterly %	Rise	77.3	82.1	77.3	84.0	↑	99.60	75.6	72.5	4	Some concerns
Comments	In light of the current audit of BV-165, there are still some concerns about the quality of the data informing this indicator. There is an amount of remedial work required on some crossings, and this is ongoing. It is anticipated that current funding secured will be sufficient to complete this work. Additional funding will be required to increase the percentage of crossings that comply with BV165 performance indicator. The 2006-07 year-end figure has recently been changed after the recent audit. The 2007-08 target, and predicted year-end performance have also been amended as the service is confident that an agreed programme of works will show an improvement in performance over the next three quarters.													

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Report of the Director of City Development

Scrutiny Board (City Development)

Date: 18th September 2007

Subject: CP-ED50- To increase the proportion of businesses who say they are satisfied that the Council is helping to create a good business environment in Leeds

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity
Community Cohesion
Narrowing the Gap

1 Purpose of this report

1.1 To recommend that the Corporate Plan indicator ED50 be deleted.

2 Background

- 2.1 At the Scrutiny Board meeting on 19th December 2006 it was reported that indicator ED50 would be reviewed in terms of its distribution and content in an attempt to gain a more accurate reflection of how satisfied Leeds businesses are that the Council is creating a good business environment.
- 2.2 For the past two years the information for indicator CP-ED50 has been gathered by inserting additional questions (appendix 1) into the Leeds Chamber of Commerce's July to September Quarterly Economic Survey (which is sent to its 1,600 members).
- 2.3 In both years the response rate has been low. In 2006, 118 companies responded to the survey giving a response rate of 7.3% which is slightly lower than the 8.6% in 2005. Considering that there are 18,215 VAT registered businesses in Leeds, and an estimated total of 43,000 enterprises, the validity of the findings is questionable. Therefore consideration was given to whether better methods could be employed to collect data and whether the current questions could be improved. In order to do this the opinions of other local authorities were sought (appendix 2).

3 What are other local authorities doing?

- 3.1 Feedback from 13 local authorities was gained. Most stated that they did not try to collect this type of information and instead surveyed businesses for the purpose of client satisfaction surveys (for business support and inward investment enquiries, and

managed workspace tenants), and/ or general business surveys collecting information on business type, development and supply networks.

- 3.2 Only three councils were attempting to collect information on how satisfied businesses were with the local authority, Bradford, Essex and Manchester.
- 3.3 Bradford adopt exactly the same approach as Leeds by adding a question annually to the Bradford Chamber of Commerce's quarterly economic survey. Response rates from the Bradford Survey are slightly higher with 158 responses in 2005 compared to 139 in Leeds in the same year (Bradford Chamber of Commerce has 1200 members). However, satisfaction levels were much lower in Bradford with only 21% of businesses being satisfied with the council compared to 54% in Leeds in 2005.
- 3.4 Essex County Council has adopted a more in-depth approach having undertaken a telephone survey of 1000 local businesses. The survey was carried out in February 2007 and asks approximately twenty five questions. The aim of the survey is to identify how services provided to businesses by the council and its partners can be improved. The areas covered in the questionnaire are as follows;
 - Business profile
 - Satisfaction with; premises, planning, assistance with relocations and business support, and Essex as a business location.
 - Opinions on how business friendly the council is across various services.
 - Opinions on how services can be improved.
- 3.5 The main conclusion of the research with regards to the satisfaction levels of businesses with Essex County Council was that although it attracts a fairly high level of satisfaction among users of its business support services, it is generally not considered particularly business friendly in its services and activities.
- 3.6 The Essex survey appears to be a comprehensive method of collecting information on businesses satisfaction with local authorities creating good business environments. Essex paid consultants £22,000, however they have around 45,500 VAT registered businesses, so the costs for Leeds would be less.
- 3.7 Similarly, Manchester City Council undertakes an annual telephone survey of 600 businesses within regeneration areas in the city. This survey combines gathering information on the profile of businesses and their future ambitions, and their opinions on how well the Council and its partners are performing on a range of activities aimed at developing Manchester as a city of national and international significance. These activities range from shopping and leisure facilities, to transport, housing and crime. This survey is also undertaken by consultants and costs £15,000 per annum.

4 Collection methods

- 4.1 Methods of collecting data for the indicator suggested by local authorities include holding regular business forums and undertaking telephone surveys.
- 4.2 In terms of business forums, these would enable more detailed feedback directly from businesses. However, efforts would need to be made to ensure that a diverse range of businesses contributed to the panels so that a representative range of views are found. This method would not lend itself to quantitative analysis and reporting.
- 4.3 With regards to carrying out the survey via telephone this would guarantee a greater response rate, although it is much more resource intensive than the current collection

method. There is also the option of extending the collection of the survey by sending it out with mailings undertaken by other partner organisations such as the Federation of Small Businesses, LFSI and Leeds Media. This would have the added benefit of gaining a more representative view from businesses of varying sizes and across different sectors. However the most appropriate collection method should be determined by the content of the questionnaire, as adding a more in-depth questionnaire to other organisations existing surveys may not be feasible.

5 Supplementary Business Rate (SBR)

- 5.1 In the 2007 Review of sub-national economic development and regeneration, the Government reiterated that it will consider giving powers to local authorities to levy a supplementary business rate, following the Lyons recommendation. The revenue, which in Leeds would be around £6.6 m a year for a 1p supplement, would be ring fenced to economic development/ infrastructure projects. The key condition in both Lyons and the governments proposals is that any system must be based on strong accountability to business. This means that a local authority's proposals will need to be systematically and transparently discussed with local businesses before the supplement is introduced. Lyons says that the supplement should;

“be agreed within the local community, with the local business community having a strong voice in the final decision on whether there should be a supplement, and the purpose to which the proceeds are put.”

- 5.2 Furthermore the Review of sub-national economic development and regeneration emphasised that local authorities should lead economic development activity in their areas, requiring close partnership working with business.
- 5.3 If the SBR power is introduced, the Council will need to decide on the mechanisms for consulting the large and diverse business community in Leeds. A stratified sample survey of businesses might be one of the better consultation methods.

6 Conclusions

- 6.1 The 2006 survey revealed that many businesses were unaware or confused about the services provided by Leeds City Council and that the current questions are too simplistic. Therefore questions which ask how businesses might have used council services and greater detail on what is actually needed to improve are required. The surveys adopted by Essex and Manchester would provide a good template but questions would need to be tailored to take into account services provided by Leeds City Council. In addition it is important that a properly stratified sample of businesses are surveyed in order to gain a representative view.
- 6.2 It is clear that the current method of collecting data for the indicator is inadequate and that the recommended method would be to carry out a more comprehensive and properly stratified survey. However this option will require a considerable amount of resource on an annual basis, which for the purposes of reporting on one indicator seems hard to justify. It is therefore recommended that the indicator be dropped from the corporate plan and consideration be given to its reintroduction if SBR plans become more definite.

Appendix One- Business Satisfaction Survey

1. How satisfied are you that Leeds City Council is helping to create a good business environment in Leeds?

Very Satisfied

Fairly Satisfied

Neither satisfied nor dissatisfied

Fairly Dissatisfied

Very Dissatisfied

No Opinion

2. How would you rate the Councils performance on;

(1 is very good and 5 is very bad)

	1	2	3	4
5 N/A				

Business support and assistance with relocations

The promotion of Leeds as a business location

Dealing with your enquiries

Availability of business development information

3. Any Further Comments:

.....
.....
.....

Appendix Two

The local authorities and other agencies which supplied information are as follows;

- Bedfordshire
- Birmingham
- Bradford
- Burnley
- East Lindsey
- East Riding
- Essex
- Halton Borough Council
- Manchester
- Newcastle
- Rotherham
- Suffolk
- Wellingborough
- Federation of Small Businesses
- Leeds Financial Services Initiative
- Leeds Media

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Originator: Richard Mills

Tel: 247 4557

Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 18 September 2007

Subject: Recommendation Tracking

Electoral Wards Affected: All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 Last year Overview and Scrutiny Committee agreed to adopt a new, more formal system of recommendation tracking, to ensure that scrutiny recommendations were more rigorously followed through.
- 1.2 As a result, each board will receive a quarterly report, coinciding with the quarterly presentation of performance information. This will allow the board to monitor progress and identify completed recommendations; those progressing to plan; and those where there is either an obstacle or progress is not adequate. The board will then be able to take further action as appropriate. The recommendations relate to the report on flooding considered earlier under agenda item no 9.
- 1.3 A standard set of criteria has been produced, to enable the Board to assess progress. These are presented in the form of a flow chart at Appendix 1. The questions should help to decide whether a recommendation has been completed, and if not whether further action is required.
- 1.4 To assist Members with this task, the Principal Scrutiny Adviser has given a draft status for each recommendation. The Board is asked to confirm whether these assessments are appropriate, and to change them where they are not.
- 1.5 In deciding whether to undertake any further work, members will need to consider the balance of the board's work programme.

2.0 Next Steps

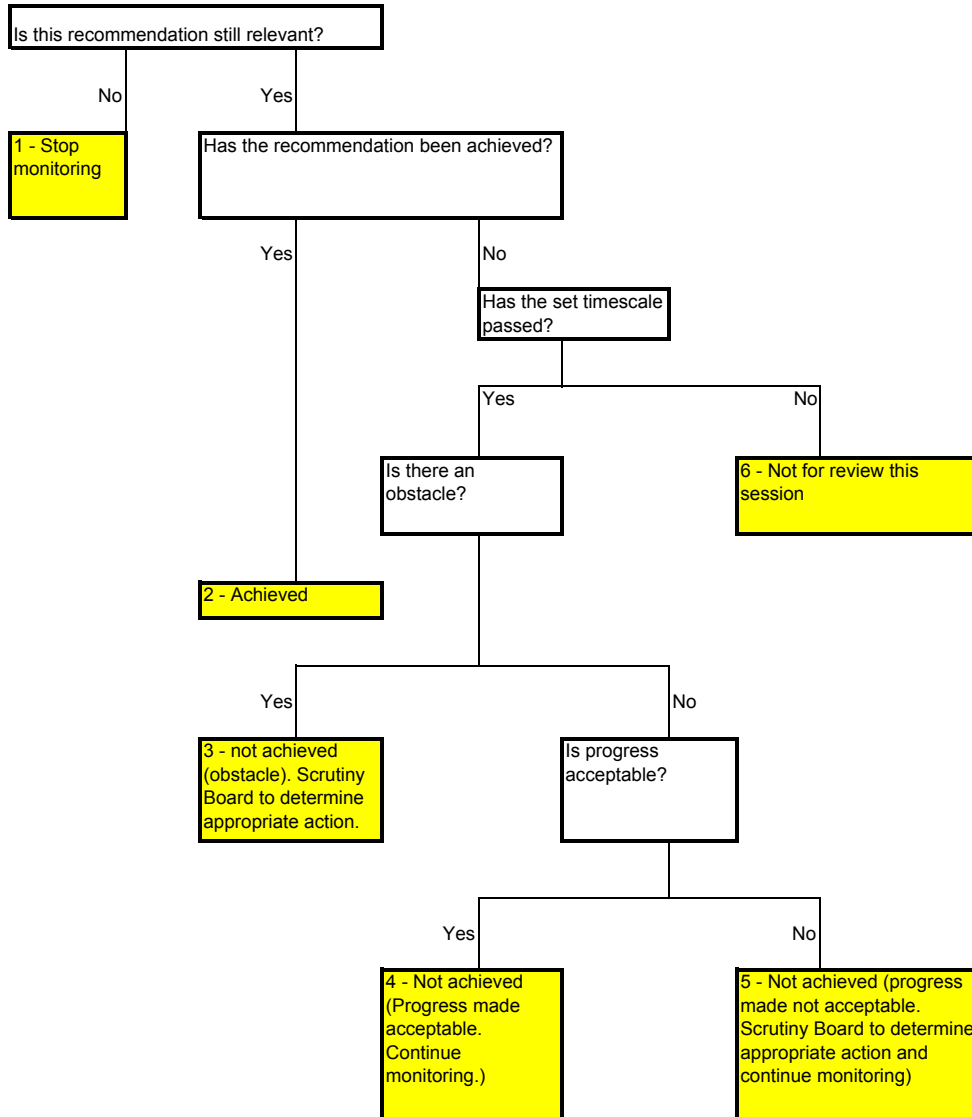
- 2.1 In October the Overview and Scrutiny Committee will receive a composite report which draws together any issues raised by each of the Scrutiny Boards during the recommendation tracking process, and decide any appropriate action.
- 2.2 The next cycle of quarterly recommendation tracking reports will be presented to Scrutiny Boards in November, enabling the Board to judge progress against outstanding recommendations.

3.0 Recommendation

- 3.1 Members are asked to:
 - Agree those recommendations which no longer require monitoring;
 - Identify any recommendations where progress is unsatisfactory and determine the action the Board wishes to take as a result

**Recommendation tracking flowchart and classifications:
Questions to be Considered by Scrutiny Boards**

Appendix 1



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	Recommendation	Where we are up to	Stage	Complete
1	<p>There should be whole river catchment joint bodies to co-ordinate water management, land drainage and flood defence work carried out by Environment Agency, district councils and Yorkshire Water and British Waterways.</p>	<p>This is dependent on new legislation.</p> <p>The 'PPS25 (Planning & Flood Risk) Practice Guide', published in February 2007 reports that the Government is exploring opportunities for Local Planning Authorities to take the lead in developing Surface Water Management Plans, in collaboration with the EA and Water Companies.</p>	1	0%
2	<p>There should be close liaison between Environment Agency, Yorkshire Water and City Council and British Waterways to assess the cumulative effects of all new building and individual effects of major developments on sewer and land drainage.</p>	<p>There is liaison between the Land Drainage Section and the development control officers of the Environment Agency and Yorkshire Water through the West Yorkshire Land Drainage Liaison Group. This meets on a quarterly basis. Other liaison is organised currently on an 'ad hoc' basis for specific developments or catchments.</p> <p>Improved formal liaison on a number of fronts is to be discussed with the management of the EA and YW at a forthcoming meeting, which is being convened by the Director of City Development.</p>	4	
3	<p>As the City Council is the only body which holds full records of culverted watercourse within its area, these should be placed on the Internet to be complementary to similarly published plans of underground pipes and cables similarly published by utility companies. These records should be kept up to date.</p>	<p>The culvert records of the Land Drainage Section are now in an editable GIS format and are shared with Highways Services and the Bridges Section. They are still undergoing corrections arising from recent surveys, however.</p> <p>It is not true that any utility companies have published their records on the Internet.</p> <p>There is currently a craze amongst some young people for exploring underground sewer/ culvert systems and releasing video on YouTube, etc. In this situation, it does not seem wise to publish the whereabouts of the culverts indiscriminately. (see: attached example in PDF file)</p>	1	

	Recommendation	Where we are up to	Stage	Complete
4	<p>Records should be made and kept of private sewers not adopted by Yorkshire Water, which do not appear on their Statutory Sewer Maps. These might be made by the Environment Agency or by City Council Land Drainage acting as its agent. Those working on underground utilities or carrying out other excavations should be pursued by the City Council if they cause culverts or watercourses to be damaged or blocked, to ensure that remedial work is done. Information should be exchanged between City Services Highways division and Land Drainage, with Highways doing the initial monitoring.</p>	<p>No changes in the law have been made requiring the EA or Councils to keep records of private sewers.</p> <p>On 22 Feb 2007 the Government announced that existing private sewers will be transferred to the Water and Sewerage Companies. DEFRA is currently consulting about the best way to implement this (closing date 19th October). Drains serving single properties will probably be excluded.</p>	1	
5	<p>Those working on underground utilities or carrying out other excavations should be pursued by the City Council if they cause culverts or watercourses to be damaged or blocked, to ensure that remedial work is done. Information should be exchanged between City Services Highways division and Land Drainage, with Highways doing the initial monitoring.</p>	<p>The Council recently successfully pursued the utility that laid a gas main through a watercourse culvert at Gildersome. The culvert has now been reinstated at the expense of the utility.</p> <p>Highways Services liaised with Land Drainage in order to identify the route of the culvert and specify reinstatement requirements.</p>	1	

	Recommendation	Where we are up to	Stage	Complete
6	<p>National government should acknowledge that the historic system of riparian ownership is untenable and unworkable in built-up areas, especially where ownership is fragmented. New legislation should be introduced to place all riparian ownership in designated built up areas, whether above ground or culverted, into the hands of drainage boards administered either by district councils or the Environment Agency. It would be unreasonable to expect the City Council unilaterally to take responsibility for all riparian matters within all or part of its area without supporting national legislation or financial means. We recommend that the Chair should write on behalf of Members of the Commission to the ODPM and DEFRA, with copies to Leeds Members of Parliament to ask that appropriate legislation be drafted.</p>	<p>The difficulties brought about by this fragmentation are increasingly being recognised. It is likely that this will be highlighted in the 'Lessons Learned' enquiry into the June 2007 floods that is being chaired by Sir Michael Pitt.</p> <p>Leeds City Council is participating with YW, the EA, Bradford City Council and the Pennine Water Group (Sheffield & Bradford Universities) in carrying out a project looking at the solution to long-standing flooding problems at West Garforth caused by culverts that are in multiple riparian ownership. This is paid for by DEFRA and is one of its pilot projects in 'integrated urban drainage management'. The project has already brought the problem of fragmented ownership strongly to the attention of DEFRA and the final report will reinforce this.</p>	1	
17	<p>Water Asset Management, co-ordinated by the Development department, should be recognised by the City Council as an important strategic service with manpower and budgets large enough to deal with the City Council's water assets, monitor planning applications and strategic development proposals, offer land drainage advice to others, and deal with drainage emergencies or selected problems on land outside the ownership of the City Council. Implementation of the Council's 33 point Water Asset Management Plan should continue with adequate budgets being allocated each year. The Water Asset Management Working Group should keep active, have a programme of work, identify the need for funding and report at least twice a year to Executive Board.</p>	<p>Without a doubt, the implementation of the 33 point Action Plan played a vital role in ensuring that the June 2007 flooding in Leeds did not end up being much worse. Since its introduction, the Water Asset Management Working Group has continued to update the original plan.</p> <p>New proposals, based on lessons learned from the June 2007 flooding, will be reported to City Development SLT on 12th September and to CMT on 25th September, before being put formally to the Executive Board on 17th October 2007.</p>	1	

	Recommendation	Where we are up to	Stage	Complete
8	<p>Combined Sewer Outfalls (CSO) to water courses should be acknowledged as hazards to health, wildlife and amenity. Yorkshire Water should address this problem with urgency.</p>	<p>Action for YW.</p>	3	
9	<p>Sustainable Drainage notes published by the City Council should be revised to match the accepted recommendations of the UDP Review Inspector, and be published on paper at reasonable cost, not just free on the Internet.</p>	<p>Detailed 'sustainable drainage' guidelines – homing in on a common standard across West Yorkshire – have now been placed on the Council's website.</p>	1	
10	<p>Work on the Local Development Framework (LDF) should outline clearly those areas at risk of flooding by the rivers Aire and Wharfe, and acknowledge the risk of less predictable though more localised flash flooding. Measures for dealing with those risks should be built into the LDF, which should cross refer to more detailed and specialised guidance and include the Strategic Flood Risk Assessment.</p>	<p>The final draft of the Leeds Strategic Flood Risk Assessment has now been prepared and it is expected that this will be published shortly.</p>	1	
11	<p>Officers should obtain clarity as to who and what will trigger CONOPS (Concept of Operations) planned multi-agency responses to flooding incidents. It seems that CONOPS works well when triggered, but it has not always been clear what had to happen to trigger it.</p>			

	Recommendation	Where we are up to	Stage	Complete
12	<p>Clear advice and information should be available to owners and occupiers to maximise the likelihood of flood risk insurance being offered for any property at reasonable cost and level of excess. The City Council should give localised information on flood management to help those having difficulty with insurance due to past or potential flooding.</p>	<p>The Land Drainage is able to offer advice and information for this purpose. Sometimes this will consist of information about the probability of recurrence, but this approach needs to be treated with caution: Flood victims currently have a very jaundiced view of claims that the return periods are to be reckoned in decades or centuries – even though such estimates might help in obtaining insurance.</p> <p>More effort needs to be put into informing at-risk residents of the individual house protections systems that can be put into place (floodboards, air-brick covers, etc) and how to make houses resilient, so that they can quickly recover from a flood. The Council is currently implementing a pilot project in house protection at the Dunhill Estate, East Leeds, in collaboration with DEFRA. It is hoped that lessons learned can be used to inform others.</p>	4	
13	<p>City Council drainage advice leaflets should draw attention to the flood warning system set up by Environment Agency, which invites occupiers of property at risk to register to be warned by telephone, fax or pager when flooding is imminent. Warnings should also be given by the Environment Agency assisted by the Met Office when soil saturation has been reached, making flash flooding likely. Both the August and May 2005 flash floods were caused by storms following weeks of heavy rain when soils became saturated, but the Commission acknowledge that flash flooding can occur when the ground is dry, causing excessive run off.</p>	<p>Flood Warning Systems are a matter for the Environment Agency, but the Council is using its website to bring the EA systems to the attention of those at flood risk.</p>	3	
14	<p>All departments of the City Council should do their best to help victims of flooding and that an</p>	<p>The Council did its best to help the victims of flooding in June 2007. There is an advertised telephone number that</p>	4	

	<p>appropriate telephone number be advertised for use in flooding emergencies. Any City Council department which becomes aware of flooded premises should inform Peace and Emergency Planning Unit without delay.</p>	<p>can be used by the general public to report flooding. One issue that was highlighted by the June 2007 flooding was that the recorded options on the automatic answering service do not correspond to requirements during a serious flooding episode. Improvements are being considered.</p>		
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Originator: Richard Mills

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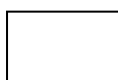
Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 18th September 2007

Subject: Work Programme

Electoral Wards Affected:



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 The attached appendix provides Members with a copy of the Board's current Work Programme (Appendix 1).
- 1.2 At appendix 2 is the Forward Plan for the period 1st September to 31st December 2007.

2.0 Recommendation

2.1 The Board is requested to:

- (i) Determine any additional items for the Work Programme.
- (ii) Receive and make any changes to the attached Work Programme following decisions made at today's meeting.

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Item	Description	Notes	Type of item
Meeting date – 18th September 2007			
<i>Reports required from Department by 29th August 2007</i>			
Performance Management Information	To receive performance management information relating to Resources	Quarterly Report	PM
Strategic Review of Planning	To receive a progress report on the Strategic Review of Planning	Review started in 2006	DP/ RP
Flooding	Officers to attend and report on the impact of flooding events on the Leeds district and on progress in implementing recommendations of the Scrutiny Commission	Requested by the Board on 24 th July 2007	MSR /PM
Meeting date – 16th October 2007			
<i>Reports required from Department by 26th September 2007</i>			
City Centre Area Action Plan	To consider the results of the City Centre Area Action Plan		RP
Bottlenecks / Pinch Points in our Transport System	To receive a report from the Director on this issue	Members concerned that there still appears to be a number of quick transport wins the city can make by reducing pinch points often at little cost – e.g enforcing or introducing parking restrictions	B

Key:

CCFA / RFS – Community call for action / request for scrutiny

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

Item	Description	Notes	Type of item
Transfer of Services to City Development	To receive a report on the transfer of services to the City Development Department on 1 st April 2007	Council restructured on 1 st April 2007	B
Supply of one & two bedroomed flats in the city, the vacancy factor and supporting infrastructure	To receive a paper on the supply of one & two bedroomed flats in the city, vacancy factor and infrastructure to support these new developments	Members concerned at a range of issues including the lack of shops doctors surgeries and other services at many of these new developments	RP / B
Local Enterprise Growth Initiative (LEGI)	To consider a report on achieving the spend under LEGI		RP
Meeting date – 20th November 2007			
<i>Reports required from Department by 31st October 2007</i>			
Performance Management Information	To receive performance information relating to resources	Quarterly Report	PM
Contribution to the revised Local Area Agreement	To receive a report on LAA	What are the Director's responsibilities with regard to LAA. How will performance be measured	B

Key:

CCFA / RFS – Community call for action / request for scrutiny

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

Item	Description	Notes	Type of item
Leeds City Market & Car Boot Sales Cross Green	To consider a paper on the <ul style="list-style-type: none"> • opening hours of Leeds City Market and its outlets and vacancy rates • future of the Council's car boot sale at Cross Green site 	Members were concerned at improving the hours of opening of the market to serve the new developments around the city centre and that the market closes on Wednesday pm. Also redevelopment of the Cross Green site.	RP / B
Multi Purpose Arena	To receive a paper on progress with regard to this development		B
Meeting date – 18th December 2007 <i>Reports required from Department by 28th November 2007</i>			
BV165 % of pedestrian crossings with facilities for disabled people	To receive the outcome of the completed audit	The audit was requested to determine whether these crossings meet all the required standards	PM
Town and District Centre Review	To receive a report on progress with regard to this review		DP
Section 106 Agreements (Town and Country Planning Act 1990) and Section 278 Agreements (Highways Act 1980)	To consider a report detailing the process involved, identification of the audit trail and enforcement, total funding available in 12 month period, amount unspent, strengths and weaknesses	Members concerned on a number of issues including enforcement of conditions imposed on developers to undertake works under these section agreements	RP

Key:

CCFA / RFS – Community call for action / request for scrutiny

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

Item	Description	Notes	Type of item
Meeting date – 22nd January 2008			
<i>Reports required from Department by 31st December 2007</i>			
Review of the Conservation Unit	To consider a report on the Conservation Unit to include available resources, progress on reviewing our 60 conservation areas, and availability of advice to developers and individuals	Members concerned at a range of issues including whether we are meeting our legal obligations	B
Meeting date – 19th February 2008			
<i>Reports required from Department by 30th January 2008</i>			
Performance Management Information	To receive performance information relating to resources.	Quarterly Report	PM
Meeting date – 18th March 2008			
<i>Reports required from Department by 27th February 2008</i>			
Meeting date – 22nd April 2008			
<i>Reports required from Department by 2nd April 2008</i>			
Annual Report	To approve the Board's contribution to the Scrutiny Boards Annual Report 2007/08		
Unscheduled Items			

Key:

CCFA / RFS – Community call for action / request for scrutiny

RP – Review of existing policy

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B – Briefings (Including potential areas for scrutiny)

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Working Groups			
Working group	Membership	Progress update	Dates of meetings

Key:
 CCFA / RFS – Community call for action / request for scrutiny
 RP – Review of existing policy
 DP – Development of new policy
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LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

For the period 1 September 2007 to 31 December 2007

Appendix 2

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
City Centre Improvements To refurbish the retail pedestrian area of the City Centre	Executive Board (Portfolio: Development and Regeneration)	11/9/07	Retailers and other city centre stakeholders.	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Holt Park District Centre - Potential Regeneration To note the contents of the report and agree continuation of the project	Executive Board (Portfolio: Development and Regeneration)	11/9/07	Cabinet, Executive Member and Ward members	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Headingley Primary School 1. Refusal to extend negotiation period with HDT 2. Marketing the site	Executive Board (Portfolio: Development and Regeneration)	11/9/07	Ward Members	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Extending opening hours at Kirkgate Market To extend opening hours at Kirkgate Market to include Wednesday afternoon and to investigate the feasibility of evening shopping Monday-Friday.	Executive Board (Portfolio: Development and Regeneration)	11/9/07	Market traders, city centre users and residents	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Elland Road Master Plan To advise Members of the outcome of public consultation on the draft masterplan proposals for Elland Road	Executive Board (Portfolio: Development and Regeneration)	11/9/07	Asset Management Group, Leader of the Council, Executive Board Members	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Council Property Disposals and Restrictions Over Future Use Executive Board is requested to instruct officers with regard to whether property disposals should be conditioned so as to restrict future use.	Executive Board (Portfolio : Development and Regeneration)	11/9/07	None	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Horsefair, Wetherby Permission to implement the scheme known as 'Pedestrian Improvements to Horsefair, Wetherby'.	Executive Board (Portfolio: Development and Regeneration)	17/10/07	Public consultation in support of the outline proposals was completed May 2006. Statutory consultation during detailed design.	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Contract to allow advertising on a number of strengthened street lighting columns in Leeds The letting of a contract for advertising on a number of strengthened street lighting columns in Leeds(excluding the City Centre) 2007-2022.	Director of City Services	14/11/07	Legal and Democratic Services, PPU and all affected Members	Report to Executive Board 15 November 2006	Director of City Services
Otley - Heavy Goods Vehicle Traffic To seek approval for HGV proposals for HGV Management in the Otley area.	Executive Board (Portfolio: Development and Regeneration)	14/11/07	Ward Members, Neighbouring Local Authorities	The report to be issued to the decision maker with the agenda for the meeting	Director of City 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

Executive Board Portfolios

Executive Member

Central and Corporate	Councillor Mark Harris
Development and Regeneration	Councillor Andrew Carter
Environmental Services	Councillor Steve Smith
Neighbourhoods and Housing	Councillor John Leslie Carter
Leisure	Councillor John Procter
Children's Services	Councillor Richard Brett
Learning	Councillor Richard Harker
Adult Health and Social Care	Councillor Peter Harrand
Leader of the Labour Group	Councillor Keith Wakefield
Leader of the Morley Borough Independent Group	Councillor Robert Finnigan
Advisory Member	Councillor Judith Blake