

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 20TH NOVEMBER, 2007

PRESENT: Councillor R Pryke in the Chair

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

46 Declaration of Interests

Councillor Monaghan declared a personal interest in Item 10 – Performance Report Quarter 2 2007/08 – as a Member of Plans Panel (City Centre).

(NB: See also later Minute No. 50)

47 Minutes of Last Meeting

RESOLVED – That the minutes of the meeting held on 16th October 2007 be confirmed as a correct record.

48 Overview and Scrutiny Minutes

RESOLVED – That the minutes of the Overview and Scrutiny Committee meetings held on 11th September and 9th October 2007 be received and noted.

49 Executive Board Minutes

RESOLVED – That the minutes of the Executive Board meeting held on 17th October 2007 be received and noted.

50 Requests for Scrutiny - Former Miles Hill and Royal Park Schools

The Head of Scrutiny and Member Development submitted a report outlining the requests for scrutiny made by **Councillor Jane Dowson and Councillor David Morton** regarding the former Miles Hill School and Royal Park School respectively. Attached to the report was a report from the Director of City Development which set out the general procedures and processes, including consultation, that applied when school buildings and land were declared surplus to requirements.

Councillors Dowson and Morton attended the meeting to detail to the Board the reasons for their particular requests for scrutiny.

Paul Brook, Chief Asset Management Officer, City Development, Martin Farrington, Head of Asset Management, City Development, and George

Turnbull, Resources Team Leader, Education Leeds were in attendance to respond to questions from the Board.

Councillor Dowson advised the Board that her main concerns were whether the "**Narrowing the Gap**" agenda had been taken seriously into consideration when reviewing the fate of the former **Miles Hill School** building, which had now been demolished. The building was situated in an area of acute deprivation, and she was of the view that the whole **process of consultation** that took place when any school building closed needed to be reviewed.

Councillor Morton wanted to know what lessons could be learned from the redevelopment of the former **Royal Park School** site which had taken four years from the Executive Board decision to retain the building in 2003 to the present scheme. The original **aspirations for community use** of the building had not been fully realised and it was now substantially a commercially based scheme. He thought delays in implementation and rising refurbishment costs had contributed to this change in emphasis.

Councillor Hussain also attended the meeting to add his concerns regarding the disposal of **Royal Park School**, particularly with regard to **lack of consultation** within the local community.

Officers agreed that both schools were in areas of deprivation. It was reported that whilst the **Miles Hill School** had been demolished, a decision on whether to dispose of the site had been deferred pending submission of a **report by Area Management** on possible community uses. With regard to the former **Royal Park School**, officers briefly explained the **background of events** leading to the present scheme. Paul Brook explained the **pressures that Asset Management were under to achieve capital receipts** and the fact that only service departments consulted with the public and acted as the "sponsoring department".

The Board, after lengthy questioning of officers, agreed that **consultation processes** as applied when school buildings and land were declared surplus to requirement **should be scrutinised** by joining this issue with Item 11 on the Agenda – Inquiry to Review Consultation Processes in the City Development Department - (Minute No. 52 refers).

RESOLVED –

- (a) That Councillors Dowson, Morton and Hussain be thanked for bringing this matter to the attention of the Board
- (b) That the Board **scrutinise the consultation processes that are undertaken when school buildings and land are declared surplus to requirements**, using this as a case study within the Inquiry to be held on Reviewing Consultation Processes in the City Development Department (Minute 52 refers).

(Note1: Councillor Lobley declared a personal interest in this item as Chair of North East (Inner) Area Committee.)

(Note2: Councillors R Procter and Taggart joined the meeting at 10.45am and 11.10am respectively during the consideration of this item.)

51 Performance Report Quarter 2 2007/08

The Head of Policy, Performance and Improvement submitted a report which outlined the key performance issues considered to be of corporate significance identified for the City Development Scrutiny Board as at the end of September 2007. The report also included a predicted Comprehensive Performance Assessment (CPA) score for 2007/08 and a performance table detailing all Performance Indicators (PIs) for this Board.

Steve Speak, Chief Strategy and Policy Officer, City Development attended the meeting to present the report and respond to questions from the Board.

The Board was advised that the main issue of under performance for this Board was with regard to **BV204 (the percentage of appeals allowed against the authority's decision to refuse on planning applications)**. The officer highlighted the various measures that had been taken to try and reduce the number of appeals allowed. It was explained that because of the inherent delay in the appeals process and subsequent time lag before an appeal was determined, that any improvements would take time to show through. Members were advised that a progress report on this matter was to be considered by Overview and Scrutiny Committee in January 2008.

Discussion followed on the following two particular performance indicators:

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

In response to a query regarding penalties, Officers agreed to advise Members of the penalties imposed on the contractor.

BV204 - (the percentage of appeals allowed against the authority's decision to refuse on planning applications)

Members requested that the report to the Overview and Scrutiny Committee planned for January 2008 on the planning appeals review, also be submitted to this Board and requested that it should include:

- figures broken down on a Ward by Ward basis,
- whether the overturned appeal was originally an officer or a Member decision,
- the number of applications and type ie whether they were from a householder or developer.

RESOLVED –

- (a) That the report and Quarter 2 performance information be noted.
- (b) That officers advise Members of the penalties imposed on the contractor with regard to BV215a.
- (c) That the January 2008 report to Overview and Scrutiny Committee on the planning appeals review also be submitted to this Board and should include the figures broken down on a Ward by Ward basis,

whether the overturned appeal originated from an officer or a Member decision, and the number of applications and type ie whether they were from a householder or developer.

52 Inquiry to Review Consultation Processes - Draft Terms of Reference

The Head of Scrutiny and Member Development submitted a report attaching draft terms of reference with a view to the Board undertaking an Inquiry into the effectiveness of the City Development Department's consultation processes, as requested by the Board at its meeting on 16th October 2007.

Steve Speak, Chief Strategy and Policy Officer, City Development was in attendance to respond to questions from the Board.

RESOLVED –

- (a) That the Board proceed with this Inquiry which would now include as a Case Study a **review of the consultation processes** undertaken when **school buildings and land** were declared surplus to requirements.
- (b) That the draft terms of reference set out in the appendix be approved subject to the necessary changes as a consequence of (a) above and the **deletion of 20 Mile Per Hour Zones as a Case Study**.
- (c) That a **Working Group** be established to consider the **consultation processes** that were undertaken specifically to the former **Miles Hill and Royal Park Schools** and any lessons learned be reported back to the Inquiry.
- (d) That the **Working Group** in (c) above comprise of Councillors Pryke, Ewens, Driver, Selby and R Procter.

(Note: Councillor Dunn left the meeting at 11.45am at the conclusion of this item.)

53 Performance Management in the Local Area Agreement

The Assistant Chief Executive (Policy, Planning and Improvement) submitted a report on the Local Area Agreement (LAA), which focused particularly on the performance management arrangements for targets within the Agreement that fell within the Board's responsibility.

Dylan Griffiths, Project Manager (Policy), Chief Executive's Department, attended the meeting to present the report and respond to Members' queries and comments.

RESOLVED – That the contents of the report be noted.

54 A65 Quality Bus Corridor - Further Consideration of a Request for Scrutiny

The Head of Scrutiny and Member Development submitted a report, attaching reports and background papers previously received in order to assist the

Board in its deliberations as to whether to proceed with Councillor Illingworth's request for scrutiny.

Councillor Illingworth attended the meeting to respond to Members' questions and clarify any points of concern following his request for Scrutiny. Caroline Allen, Head of Development and Regulatory, Chief Executive's Department and Andrew Hall, Transport Strategy Manager, City Development Department were also in attendance to put forward the legal and Departmental case and respond to questions from the Board.

The Chair summed up the deliberations of the Board so far and officers reiterated their previous advice.

Members, having considered officers' **assurances regarding measures to consult with the 140 householders** who were directly affected by the scheme, voted not to proceed with a formal Inquiry.

RESOLVED – To **refuse the request for scrutiny** by Councillor John Illingworth regarding the A65 Quality Bus Corridor.

(Note: Councillors Shelbrooke and Procter left the meeting at 12.15am at the conclusion of this item.)

55 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 November 2007 to 29th February 2008.

The Principal Scrutiny Adviser drew Members' attention to the comments column in the Work Programme which indicated the **items that had been deferred**.

A Member referred to a number of **Trading Standard issues at the Car Boot Sales Cross Green** and asked that if and when the item on the Leeds City Market and Car Boot Sales Cross Green was considered by the Board, that this be included.

RESOLVED – That the current Board's Work Programme be received and the items deferred noted.

56 Date and Time of Next Meeting

Noted that the next meeting of the Board would be held on Tuesday 18th December 2007 at 10.00am with a pre-meeting for Board Members at 9.30am.

The meeting concluded at 12.20pm.