



SCRUTINY BOARD (CITY DEVELOPMENT)

Meeting to be held in Civic Hall on
Tuesday, 20th November, 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 16th October 2007.</p>	1 - 6
7			<p>OVERVIEW AND SCRUTINY MINUTES</p> <p>To note the minutes of the Overview and Scrutiny Committee meetings held on 11th September and 9th October 2007.</p>	7 - 18

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8			<p>EXECUTIVE BOARD MINUTES</p> <p>To receive the Executive Board minutes of the meeting held on 17th October 2007.</p>	19 - 28
9			<p>REQUESTS FOR SCRUTINY - FORMER MILES HILL AND ROYAL PARK SCHOOLS</p> <p>To consider a report of the Head of Scrutiny and Member Development outlining the requests for scrutiny and attaching a report from the Director of City Development which sets out the general procedures and processes that apply when school buildings and land are declared surplus to requirements.</p>	29 - 36
10			<p>PERFORMANCE REPORT QUARTER 2 2007/08</p> <p>To consider a report of the Head of Policy, Performance and Improvement outlining the key performance issues considered to be of corporate significance identified for the City Development Scrutiny Board as at end September 2007.</p>	37 - 46
11			<p>INQUIRY TO REVIEW CONSULTATION PROCESSES IN THE CITY DEVELOPMENT DEPARTMENT - DRAFT TERMS OF REFERENCE</p> <p>To receive a report from the Head of Scrutiny and Member Development submitting draft terms of reference with a view to the Board undertaking an Inquiry into the effectiveness of the City Development Department's consultation processes.</p>	47 - 52
12			<p>PERFORMANCE MANAGEMENT IN THE LOCAL AREA AGREEMENT</p> <p>To consider a report of the Assistant Chief Executive (Policy, Planning and Improvement) on the Local Area Agreement, focusing particularly on the performance management arrangements for targets within the Agreement that fall within the Board's responsibility.</p>	53 - 56

Item No	Ward/Equal Opportunities	Item Not Open		Page No
13			<p>A65 QUALITY BUS CORRIDOR - FURTHER CONSIDERATION OF A REQUEST FOR SCRUTINY</p> <p>To consider a report from the Head of Scrutiny and Member Development 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.</p>	57 - 72
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 1st November 2007 to 29th February 2008.</p>	73 - 86
15			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting of the Board will be held on 18th December 2007 at 10.00am with a pre-meeting for Board members at 9.30am.</p>	

Agenda Item 6

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 16TH OCTOBER, 2007

PRESENT: Councillor R Pryke in the Chair

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

34 Late Items

There were no late items, however the Chair referred to additional material received by the Board relevant to Item 10 – Request for Scrutiny regarding the Introduction of ‘Home Zones’. This was **correspondence received from various organisations**, which had been received since the agenda despatch and was considered relevant to the request for scrutiny.

35 Declaration of Interests

Councillor Driver declared a personal interest in Item 12 – Sharing the Success – Leeds Local Enterprise Growth Initiative (LEGI) – as a member of the Board of the Belle Isle Foundation which was in receipt of funding from LEGI.

36 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Harper.

37 Minutes of Last Meeting

RESOLVED – That the minutes of the meeting held on 18th September 2007 be confirmed as a correct record.

38 Overview and Scrutiny Minutes

RESOLVED – That the minutes of the Overview and Scrutiny Committee meeting held on 2nd July 2007 be received and noted.

39 Executive Board Minutes

RESOLVED – That the minutes of the Executive Board meeting held on 11th September 2007 be received and noted.

40 A65 Quality Bus Corridor - Request for Scrutiny

The Head of Scrutiny and Member Development submitted a report outlining the Board’s position so far on the request for Scrutiny from Councillor J Illingworth considered at the previous meeting and attaching a report from the

Draft minutes to be approved at the meeting
to be held on Tuesday, 20th November, 2007

Director of City Development that had been requested by the Board in order to determine whether to undertake further scrutiny of this matter.

Members of the Board were reminded in the report that the Chief Executive, at the request of the Council, was to bring forward a **report and recommendations to Council** as to how the Council could be better involved with the decision making process within Council operations and bring forward a new system of officer delegation to reflect greater democratic involvement.

The attached report from the Director of City Development provided additional information about the A65 Quality Bus Corridor requested at the last meeting, in particular the **background; past, present and future consultation; and the relationship between the scheme and other developments along the A65 corridor.**

Councillor Illingworth attended the meeting to respond to Members' questions and clarify any points of concern following his request for Scrutiny. Jean Dent, Director City Development, 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.

Lengthy discussion ensued. The issues discussed were in summary:

- The **legal position** with regard to planning applications, permitted development rights, the Council as a local Highways Authority and Counsel advice.
- The **consultation process** in general on the scheme.
- The apparent **gap in the consultation** process between 2003 and 2006 which officers explained was due to delays by the Department for Transport and the time taken in setting up the Regional Transport Board.
- The **cumulative impact** of the scheme.
- Amendments and changes to the **scheme as it evolved.**
- The **Environmental Impact Assessment** and the work undertaken on this issue.
- That rat running, noise, loss of road access were **issues of concern to residents.**
- That a **report** on the officer delegated decision process was being **submitted to Council** shortly and the consultation process with Members.

The Board decided to continue the discussions on the A65 at the next meeting.

The Chair then put the proposal by a Member that the Board consider a possible Inquiry into the effectiveness of the City Development Department's **consultation processes** and that draft terms of reference be submitted to the next meeting to assist the Board in determining whether it wished to proceed with such an Inquiry.

RESOLVED –

Draft minutes to be approved at the meeting
to be held on Tuesday, 20th November, 2007

- (a) That the Board continue its deliberations as to the process applied to the A65 Quality Bus Corridor at its next meeting.
- (b) That draft terms of reference be submitted to the next meeting for a possible Inquiry into the effectiveness of the City Development Department's consultation processes.

(Note: Councillor R Procter joined the meeting at 10.15am during the consideration of this item.)

41 Request for Scrutiny regarding the Introduction of 'Home Zones'

The Head of Scrutiny and Member Development submitted a report outlining a request for Scrutiny from the Deputy Chair of the Alliance of Service Users and Carers concerning the City Development Department's proposals to expand the use of shared space between vehicles and pedestrians. Details of the request were attached to the report. The new draft 'Street Design Guide', which introduced the concept of 'Home Zones' that included the use of **shared surfaces**, was also attached for Members' information. Members had been advised that the new draft 'Street Design Guide' was out for public consultation during the period 14th September to 26th October 2007.

The Deputy Chair of the Alliance of Service Users and Carers, Mr Keith Spellman, attended the meeting to detail the reasons for his request for Scrutiny to the Board. Representatives from other organisations who had also objected to the proposals to increase the use of shared space were also present - these were Mr Naylor, National Federation of the Blind, Leeds Branch and Mr Jonathan Bentley, Director of Leeds Society for Deaf and Blind People.

Members were advised that other correspondence had been received on this issue from Mr Peter Knott, Vision is not Essential (VINE), Ms Avril Gaunt, Leeds Jewish Blind Society, Mr T Davey, Talking Newspaper for the Blind for Otley and District and Mr Iain Warwick, RNIB, Leeds Branch. This correspondence had been circulated to the Board.

Jean Dent, Director of City Development, Mike Darwin, Head of Highways Development Services, City Development Department, and Gillian MacLeod, Principal Highways Development Engineer, City Development Department, were also in attendance to respond to questions from the Board.

Mr Spellman outlined for the Board why his group opposed the proposal for more shared surfaces.

In brief summary the following issues were discussed:

- The alleged lack of **consultation**.
- The **consultation** that had been carried out by the Department.
- **Safety** issues of disabled groups as well as issues regarding **dignity, equality and inclusion** in society for all groups of people.
- The problems of **parking on pavements** in general and **enforcement**.

- New **high density housing developments** built with seemingly little regard to parking provision.
- That the various disability **groups met on a monthly basis** and needed time to consult with their members.

In view of the comments made, the Director offered to extend the consultation period for the draft Design Guide by at least four weeks.

RESOLVED –

- (a) That the request for Scrutiny from the Alliance of Service Users and Carers be noted.
- (b) That the Department submit a report to the January 2008 meeting of the Board on the outcome of the consultation on the Street Design Guide in order to determine whether the concerns expressed by the various interest groups had been taken into account and to determine if further scrutiny was required.

(Note: Councillor Dunn left the meeting at 11.40am during the consideration of this item.)

42 Consultation on Strategic Outcomes and Improvement Priorities for the Leeds Strategic Plan

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report inviting the Board to provide feedback to the Overview and Scrutiny Committee on the draft strategic outcomes and improvement priorities proposed for the Leeds Strategic Plan 2008-11, with particular reference to the city's ambitions in terms of its economic and physical development.

Members agreed to forego the film presentation as they had all seen it previously. Jean Dent, Director of City Development and Dylan Griffiths, Project Manager (Policy), Chief Executive's Department, attended the meeting and responded to queries and comments from the Board.

Members commented on issues they would like including and raised a number of concerns:

- The need for a **delivery plan approach** and a **monitoring process**.
- Who decides the **priorities** in the Strategic Plan. Concern that some schemes sink so low that they never get implemented.
- The Strategic Plan should **concentrate most resources in areas of most need**.
- Thriving Places: A place of many parts:
 - Should read reduce **re-offending** as well as offending.
 - Support of **Shelter** in its endeavours.
 - Should read increase the number of **affordable homes throughout the whole of the city**.
 - To reducing worklessness, add by **working with families**.
- Environment City: A reputation for environmental excellence:

- Need to improve the **general cleanliness of streets**, not just publicly owned land and inner city areas but also in the more well off areas and on private land.
- The need for **litter pickers** rather than automated street cleaners.
- The problem of **discarded cigarette butts** since the ban on smoking.
- **Reduced ecological footprint** paragraph should be extended to mention the reason for doing this, ie one planet with finite resources.
- **Climate change** – should be considered only if it makes sense from an efficiency perspective.
- Learning: A leading centre of learning, knowledge and research:
 - The importance of **family** should be mentioned, particularly its role in preventing heart disease and establishing a good **diet**.
- Health and Wellbeing: Creating a healthy city:
 - Harm from **drugs and alcohol** was a major reason for claims for **Incapacity Benefit**.
- Harmonious Communities: a rich mix of cultures and communities:
 - The need for **balanced communities**; crime rates increased when there was a transient population eg Houses in Multiple Occupation, particularly as a result of high student numbers.
- A Modern Transport System:
 - Questioned whether **cycle lanes** were safer for cyclists than cycling on roads.
 - **Park and Ride** – the need to establish more smaller sites as a priority to relieve congestion.

RESOLVED –

- (a) That the report be noted.
- (b) That Members' comments as outlined above, be fed back to the Overview and Scrutiny Committee.

43 Sharing the Success - Leeds Local Enterprise Growth Initiative (LEGI)

The Head of Scrutiny and Member Development submitted a report providing a summary of progress in delivering 'Sharing the Success', the Leeds Local Enterprise Growth Initiative (LEGI).

Simon Brereton, Programme Manager LEGI, and Paul Stephens, Chief Economic Services Officer, both from the City Development Department, attended the meeting to present the report and respond to queries and comments from the Board.

Members were advised that funding for the programme had now been confirmed for the next three years. The three themes of Engaging People, Engaging Business and Engaging Investors were referred to. The twenty projects which were now up and running, including the two flagship projects, were also referred to.

In brief summary, the following issues were discussed:

- The challenge of attracting people to set up in business and then supporting them – the issues could not be solved by capital investment alone.
- The need for childcare facilities in the areas covered by the programme.
- The long-term sustainability of the programme.

RESOLVED – That the report and comments be noted.

44 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 October 2007 to 31st January 2008.

RESOLVED –

- (a) That the current Board's Work Programme be received and noted.
- (b) That an initial paper on the impact of students on the economy of the city be included as early as possible in the Board's Work Programme for 2007/08.
- (c) That a joint report of City Development and Education Leeds on the process for disposal of former school buildings including consultation, be considered at the Board's November 2007 meeting.
- (d) That the following items, originally proposed to be considered at the Board's October 2007 meeting, be considered at later meetings as indicated:
 - City Centre Area Action Plan – to December 2007 meeting
 - Bottlenecks/Pinch Points in our Transport System – to December 2007 meeting
 - Transfer of Services to City Development – to January 2008 meeting
 - Supply of one and two bedroomed flats in the city, the vacancy factor and supporting infrastructure – to December 2007 meeting

45 Date and Time of Next Meeting

RESOLVED – Noted that the next meeting of the Board would be held on Tuesday 20th November 2007 at 10.00am with a pre-meeting for Board Members at 9.30am.

The meeting concluded at 12.40pm.

OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY, 11TH SEPTEMBER, 2007

PRESENT: Councillor P Grahame in the Chair

Councillors B Anderson, S Bentley,
B Gettings, S Golton, T Hanley, A Harrison,
W Hyde and R Pryke

Apologies Councillor E Minkin

28 Declaration of Interests

The following Member declarations of interest were made:-

Agenda Item 11 (Minute No 34 refers) – Protocol between Scrutiny and Statutory Public Sector Partners in Leeds – **Councillor Anderson** – personal interest in his capacity as a member of the Environment Agency (Ridings Area)

Agenda Item 11 (Minute No 34 refers) – Protocol between Scrutiny and Statutory Public Sector Partners in Leeds – **Councillor Pryke** – personal interest in his capacity as a member of the Yorkshire Regional Flood Defence Committee.

Agenda Item 13 (Minute No 36 refers) – Recommendation Tracking – ‘When Contracts Go Wrong’ – **Councillor Grahame** – personal interest in respect of the Swarcliffe PFI contract in her capacity as a member of the Swardale Swarcliffe Eastwood Residents Association.

29 Minutes - 2nd July and 20th August 2007

Further to Minute No 19, 2nd July 2007, Councillor Hanley stated that he was not satisfied with the information provided in respect of debt rescheduling and requested that Members be supplied with further information and explanation regarding the dates that loans were taken out, paid off or rescheduled and how this had led to accumulated savings of some £21.8m. The Head of Scrutiny and Member Development undertook to pursue this on Members’ behalf.

RESOLVED – That the minutes of the meeting held on 2nd July (x2) and 20th August 2007 be confirmed as a correct record.

30 Minutes - Executive Board - 4th July and 22nd August 2007

RESOLVED – That the minutes of the Executive Board meetings held on 4th July and 22nd August 2007 be received and noted.

31 Annual Audit and Inspection Letter, June 2007

The Head of Scrutiny and Member Development and the Chief Officer (Executive Support) submitted reports regarding the contents of the Annual Audit and Inspection Letter dated June 2007, prepared by the Council's External Auditors, KPMG, which related to Council performance, its accounts, data quality and use of resources.

This document had previously been considered by the Corporate Governance and Audit Committee on 29th June 2007, which had referred two specific items to OSC for possible further scrutiny – teenage pregnancy figures and worklessness.

Steve Clough, Head of Policy, Performance and Improvement, and Richard Foster, KPMG, attended the meeting and responded to Members' queries and comments. In brief summary, the main issues raised were:-

- **Teenage pregnancy rates** – Councillor Golton agreed that the Scrutiny Board (Health and Adult Social Care) should receive an update report on this issue. It was suggested that it might be helpful to invite back some of the witnesses who had presented evidence to the original Board Inquiry;
- The devolving of control of services to area level, e.g. the Youth Service, and the need for co-ordination to ensure that City-wide issues, such as teenage pregnancies, were not neglected in this process;
- **Worklessness** – It was reported that this was a key issue identified in the Local Area Agreement, and the Scrutiny Board (Resources), in consultation with partner organisations and large local employers, was investigating initiatives to improve the figures for the number of people in work, such as the **Jobcentre Plus 'Halfway Back to Work' initiative**. The **Aire Valley Development** was also aimed at tackling the problem;
- The reasons behind the City's ratings drop in the **CPA 'Culture' block**, due to a change in the scoring system relating to people's ability or otherwise to readily access library books, and what was being done to address the matter. The inherent tension between national targets and local priorities was remarked upon, and how these might be reflected back to the Government, as was Member involvement in the preparation and approval of the **Annual Library Plan** (reported to Council). Opening times of local libraries, and how the public might influence these, was also referred to;
- The unexpected increase in the **population weighting** element for Leeds and its impact on the CPA scores.

RESOLVED –

- (a) That subject to the above comments, the contents of the Annual Audit and Inspection Letter be received and noted
- (b) That Steve Clough and Richard Foster be thanked for attending the meeting and responding to Members' queries and comments.

32 Performance Report - Quarter 1 2007/08

The Head of Policy, Performance and Improvement submitted a report updating the Committee on performance against targets across a raft of statutory and local indicators, involving all the Scrutiny Boards' areas of responsibility. The report contained **predicted CPA scores for 2007/08**.

Steve Clough, Head of Policy, Performance and Improvement attended the meeting and responded to Members' queries and comments. In brief summary the main issues discussed were:-

- The performance report had been discussed with individual Scrutiny Board Chairs, to assist in identifying areas which might benefit from further detailed scrutiny;
- **BV204 – The percentage of appeals allowed against the authority's decision to refuse planning applications** – Performance against this indicator continued to cause concern, but due to the length of time taken to determine appeals, the effects of the recent training for Members in this area would be slow to show through in the performance indicators;
- **Waste and Recycling** – The performance figures for waste and recycling for the period 1st April to 30th June 2007 were very positive, with the highest rate of recycling and composting ever recorded. However, this was a tough target, the aim being to recycle over 50% of Leeds waste by 2020, and the penalties for failure to meet Government targets were swingeing.

Fly tipping was highlighted as an issue, and there was a specific performance indicator in relation to this issue, based on the speed with which the authority dealt with reported instances. It was suggested that this was an issue which the Scrutiny Board (Environment and Neighbourhoods) might wish to look at;

- **Direct Payments** – OSC to consider at its October meeting;
- **LKI-EO1 – Number of staff declaring that they meet the DDA disability definition as a percentage of the total workforce** – Identified as a hard to achieve target, which a Scrutiny Board might wish to pursue;
- The actual targets themselves – were they challenging enough?

RESOLVED – That the report be noted, and Scrutiny Chairs, in consultation with their Boards and the Scrutiny Support Unit, decide which key areas of under-performance they wish to investigate.

33 Consultation on Leeds Strategic Plan

The Committee considered a report from the Assistant Chief Executive (Planning, Policy and Improvement) regarding recently approved changes to the Council's corporate planning framework, which involved the merger of the **Local Area Agreement** with the Council's **Corporate Plan** to form a single document to be known as the **Leeds Strategic Plan**. The report explained the implications for the scrutiny process.

RESOLVED –

- (a) That Option 3, as set out at Paragraph 3.3.4 of the report, be adopted, i.e. overall feedback to be sought from OSC, and on specific draft strategic outcomes and improvement priorities from relevant Scrutiny Boards.
- (b) That if necessary, working groups be urgently established by the Head of Scrutiny and Member Development, to look at specific areas and submit their recommendations to the October cycle of Scrutiny Board meetings.

34 Protocol between Scrutiny and Statutory Public Sector Partners in Leeds

The Head of Scrutiny and Member Development submitted a report regarding the establishment of a proposed protocol between Scrutiny Boards and the Council's statutory public sector partners in Leeds, in anticipation of the proposals contained in the **Local Government and Public Involvement Bill**, which when enacted would extend the Council's scrutiny role into the service areas of those partners.

The range of public sector partners covered by the Bill and the proposed protocol were:-

Environment Agency	Natural England
Fire and Rescue Authorities	Jobcentre Plus
National Park Authorities	Health and Safety Executive
Youth Offending Teams	Police Authorities
Chief Officer of Police	Local Probation Boards
Regional Development Agency	Joint Waste Disposal Authorities
Sport England	English Heritage
Learning and Skills Council	Highways Agency
Metropolitan PTAs	

Scrutiny of the above-named public sector partners in Leeds would cover activities undertaken by them to deliver improvement targets in the **Local Area Agreement**. This included the planning, provision and operation of services commissioned and provided by these organisations.

Scrutiny Boards would not inspect, audit or manage the performance of the named public sector partners, although performance information could be requested by a Board to inform an Inquiry. Arrangements for the inspection, audit and performance management of these organisations would continue to be carried out by the appropriate regulatory bodies or agencies, and would not be affected by the scrutiny function of the City Council.

In response to Members' queries and comments, the Head of Scrutiny and Member Development indicated that it was not entirely clear at this stage whether the provisions would cover, say, just the Police Authority itself, or the actions of the Police, similarly whether it was just the Local Probation Board or the National Offenders Service. The list of bodies might also be subject to change as the Bill progressed through Parliament. It had been suggested that

the Scrutiny Board (Environment and Neighbourhoods) should look at one area affecting the Police, on an experimental basis, during the current municipal year.

RESOLVED – That the report be noted and the proposed protocol be approved.

35 Review of Call - In Arrangements

The Head of Scrutiny and Member Development submitted a report reviewing the Council's Call-In process, and in particular the current requirement for cross-party support before a matter can be Called-In.

The Chair undertook to seek urgent clarification regarding the alleged role of Party Whips in monitoring the current arrangements, and how this had come about.

Following significant discussion and detailed consideration of the evidence and options before the Committee, and on a split vote, it was ultimately :-

RESOLVED – That the present Call-In arrangements be re-affirmed i.e. two Elected Members of the Overview and Scrutiny Committee from any two different political parties.

(NB: Councillor Golton left the meeting at 11.40 am at the conclusion of this item)

36 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report updating the Committee on progress in implementing its recommendations in respect of two Scrutiny Inquiries from 2006/07 – **'When Contracts Go Wrong'** and **'Think Big, Act Local – Narrowing the Gap'**.

Wayne Baxter, Chief Procurement Officer, responded to Members' queries and comments on the former Inquiry, and Kathy Kudelnitsky and Andrea Tara-Chand, Leeds Initiative, and Stephen Boyle, Chief Regeneration Officer, were present to respond to the latter Inquiry.

Wayne Baxter undertook to supply Members with details of the total cost of contracts awarded under £100,000 in value during 2006/07.

RESOLVED –

- (a) That in respect of the **'When Contracts Go Wrong'** Inquiry update, the actions taken to implement the recommendations be noted and accepted as achieved, with the proviso of a further monitoring report in six months time in respect of Recommendations 4, 5 and 6 and an invitation to Paul Langford, Chief Housing Services Officer, to attend a future meeting to respond to Members queries regarding PFI contracts

- (b) That in respect of the '**Narrowing the Gap**' Inquiry update, the actions taken to implement the recommendations be noted and accepted as achieved, with the proviso of a further monitoring report in six months time in respect of Recommendations 1, 4 and 5.

(NB: Councillor Pryke left the meeting at 12.02 pm during the consideration of this item)

37 Overview and Scrutiny Committee - Work Programme and Draft Terms of Reference for Proposed Inquiries

The Head of Scrutiny and Member Development submitted a copy of the Committee's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st September to 31st December 2007. Also attached to the report were the proposed draft terms of reference for two OSC Inquiries in 2007/08 – '**Support to Group Offices**' and '**Responding to the Needs of Migrants and their Families**'.

RESOLVED –

- (a) That approval of the proposed Terms of Reference for the '**Support to Group Offices**' Inquiry be deferred pending the Chief Democratic Services Officer's review of this area;
- (b) That the draft Terms of Reference of the '**Responding to the Needs of Migrants and their Families**' be approved;
- (c) That a working group be established comprising the Chair and Councillors Hanley, Harrison and possibly Anderson (subject to clarification on his position reference his interest in this matter as a Director of Leeds West/North West Homes ALMO Board) to draft Terms of reference for the proposed **ALMO Structure Inquiry**;
- (d) That Mike Evans, Chief Officer, Adult Services be invited to attend the next meeting in October to discuss the proposed **Direct Payments Inquiry**;
- (e) That subject to the above, the Committee's work programme be approved.

38 Dates and Times of Future Meetings

Tuesday 9th October 2007
Tuesday 6th November 2007
Tuesday 11th December 2007
Tuesday 8th January 2008
Tuesday 5th February 2008
Tuesday 11th March 2008
Tuesday 8th April 2008

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

OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY, 9TH OCTOBER, 2007

PRESENT: Councillor P Grahame in the Chair
Councillors B Anderson, S Bentley,
S Golton, T Hanley, A McKenna, W Hyde,
E Minkin and R Pryke

APOLOGIES Councillor B Gettings

39 Declaration of Interests

The following Member declarations of interest were made:

Agenda Item 9 (Minute No. 43 refers) – Planning Performance – Councillors Golton and Minkin – personal interests in their capacity as Members of Plans Panels.

(NB: See also later Minute Nos 44 and 45)

40 Minutes - 11th September 2007 and Matters Arising

The draft minutes of the meeting held on 11th September 2007 were submitted for confirmation.

- (a) Debt Rescheduling (Minute No 29 refers)
Councillor Hanley requested that OSC Members be supplied as soon as possible with the additional information requested at the last meeting regarding an explanation of the dates that loans were taken out, paid off or rescheduled, and how this had led to accumulated savings of some £21.8m. The Head of Scrutiny and Member Development undertook to pursue this.
- (b) Work Programme and Draft Terms of Reference for Proposed Inquiries (Minute No 37 refers)
The Head of Scrutiny and Member Development confirmed that further names had been received to join the working group, the purpose of which would be to consider terms of reference for an Inquiry into ALMOs. The working group now comprised the Chair and Councillors Anderson, Bentley, Hanley, Harrison and Pryke.

It was agreed that the Head of Scrutiny and Member Development would arrange for information supplied by the Chief Democratic Services Officer to Councillor Hanley when he was Labour Whip, relating to the operating costs of the Group Offices, to be circulated to all OSC Members.

RESOLVED – That the minutes of the meeting held on 11th September 2007 be confirmed as a correct record.

41 Minutes - Executive Board, 11th September 2007

RESOLVED – That the minutes of the Executive Board meeting held on 11th September 2007 be received and noted.

42 Leeds Strategic Plan

Further to Minute No 33, 11th September 2007, the Committee considered a report submitted by the Assistant Chief Executive (Planning, Policy and Improvement) relating to the draft strategic outcomes and proposed improvement priorities outlined in the Leeds Strategic Plan 2008-2011. The Committee also received a presentation on this subject.

Steve Clough, Head of Policy, Performance and Improvement, and Dylan Griffiths, Chief Executive's Department, attended the meeting and responded to Members' queries and comments. In brief summary, the main issues raised were:-

- The need to link the budget process and the allocation of resources to the priorities and outcomes identified in the Plan and how this might be achieved;
- The importance of 'selling' the plan to the public, not just the Council and its partner agencies, and how the public could get involved and feel part of the process;
- The importance of the City's transport infrastructure seemed to be downplayed. The need for greater influence at national level was remarked upon, but also the scope for doing relatively small initiatives locally, which cumulatively would make an impact;
- A lack of reference to several issues which Members regarded as vital components of such a Strategic Plan was commented upon – pedestrians, children (too adult orientated?), tackling obesity and the link to diabetes, heart disease and strokes, substance abuse, the impact of refugees and asylum seekers on Council services;
- The role of Members in the process – (a) as 'Community Champions' and (b) as 'Leaders of Change' in terms of, for instance, planning matters and the design and quality of the built environment;
- Housing – the vast, unmet demand for social housing was commented upon. The view was expressed that this would not be addressed by proposals to build 450 so-called 'affordable' homes per annum.

RESOLVED –

- (a) That subject to the above broad comments and concerns expressed today, the report on the draft strategic outcomes and proposed improvement priorities for inclusion in the Leeds Strategic Plan 2008-2011 be received and noted.

- (b) That the matter be referred back to OSC at its November meeting for further comment, following consideration of the Plan by all other Scrutiny Boards in the October cycle of meetings.
- (c) That a further report on the proposed targets and performance indicators to support the improvement priorities contained in the Plan be submitted to the January OSC meeting.

43 Planning Performance

Further to the Committee's Inquiry into this area carried out during the 2006/07 municipal year, culminating in the approval of a final report and recommendations at its meeting on 5th March 2007 (Minute No 87 refers), the Chief Planning Officer submitted a report updating the Committee on progress in implementing those recommendations.

Phil Crabtree, Chief Planning Officer, and Helen Cerrotti, City Development Department, attended the meeting and responded to Members' queries and comments. In brief summary, the main issues discussed were:-

- The Chief Planning Officer was congratulated on the content of the report and the progress which was being made to improve planning performance;
- The Action Plan appended to the report and the make-up of the proposed cross-party Members' and officers Working Group to oversee the process and the implementation of the Action Plan. The need for the involvement of the Party Whips in establishing this Working Group was emphasised, as was the need for OSC to still be involved in the monitoring process;
- The need for greater consultation with Ward Members regarding what was regarded as a 'significant' matter which warranted referral to a Plans Panel – small, but sensitive, applications could still be regarded as significant at local level;
- The importance of developing a digital model of the City in order that the likely impact of planning proposals could be more easily understood by Members and the public;
- The greater emphasis on pre-application presentations, and the development of a protocol in this regard, were welcomed;
- The employment of 'community planning officers' at Area Committee level, such as in the North West Area, was regarded as a good investment in terms of advising local Members, developers and the public;
- The Government's perception of Leeds as a Planning Authority, and whether or not this was influencing the outcome of appeals against planning decisions;
- Whether the current balance of items referred to Plans Panels and those delegated to officers was in need of review?
- The need to improve the administration of Plans Panel meetings in terms of the timing of items, venues, monitoring Members' comings and goings and customer advice and information;

RESOLVED –

- (a) That the report and Action Plan, together with the Committee's comments, be referred to the Plans Panel Members for discussion and comment
- (b) That subject to the submission of regular update reports to OSC, the proposal to establish a joint cross-party Member and officer working group to monitor the Action Plan be endorsed
- (c) That OSC receive a further report in 6 months time.

(NB: Councillor Anderson left the meeting at 12 noon, towards the end of this item)

44 Direct Payments

Further to Minute No 9, 4th June 2007 and Minute No 32, 11th September 2007, the Committee received a briefing on direct payments from Mike Evans, Chief Officer - Adult Services, to assist the Committee in reaching a decision regarding whether or not to conduct an Inquiry into this issue.

In brief summary, the main issues discussed were:

- An explanation of how the current system of direct benefit payments to the public worked, which services the money could be used to purchase and why take-up in Leeds was currently low;
- Police CRB checks in relation to carers employed by recipients of direct benefit payments and the monitoring arrangements for private firms providing these kind of services;
- The current Improvement Plan introduced in April 2007 and a recent Internal Audit report on the service – OSC to receive this report and the Department's Action Plan in response to the report;
- The need for the Council to perhaps provide greater support and assistance for people wishing to claim direct payments, and the work carried out by the Armley Centre for Integrated Living to assist direct payment claimants;
- Whether the payments could be used to pay for adaptations? It was stated that more usually the payments were used to purchase pieces of equipment, rather than adaptations.

RESOLVED – That the Committee consider the Internal Auditor's recent report, and the Department's response, before deciding whether any further action is required and, if so, whether OSC or the Scrutiny Board (Health and Adult Social Care) should carry out an Inquiry.

- (NB: 1 Councillors Hanley and Pryke declared personal interests in this item in their capacity as members of Bramley Elderly Action and Leeds Care and Repair respectively;
- 2 Councillor Harrison left the meeting at 12.30 pm at the conclusion of this item)

45 Scrutiny of the Budget - Financial Health Monitoring 2007/08 - Quarter 1 Report

The Committee considered the 2007/08 Quarter 1 Financial Monitoring report of the Director of Resources, submitted to the Executive Board on 22nd August 2007. The purpose of this was to ascertain whether any areas required further scrutiny.

Doug Meeson, Chief Officer – Financial Management, was present at the meeting and responded to Members' queries and comments. In brief summary, the main issues discussed were:

- The net projected shortfall of £6m at this early stage of the financial year, and the projected savings to offset this;
- The on-going efforts to ensure that OSC's recommendations regarding the budget being linked to achieving the Council's objectives and priorities are realised;
- Disappointment was expressed at the need for the invocation of penalty clauses to the amount of £300,000 in respect of the PFI street lighting contract, due to non-compliance with agreed implementation timescales, so soon into this important project;
- The Housing Revenue Account situation, incentive payments to ALMOs in relation to the quick reletting of void properties and the redistribution to ALMOs of savings generated through a reduction in disrepair claims and bad debt costs in 2006/07. The former, void levels, had been the subject of a previous Board Inquiry, and this should be reviewed to ensure that ALMOs were reaching agreed targets. It was suggested that perhaps both these issues could be picked up as part of OSC's proposed Inquiry into ALMO related areas;
- The performance in respect of the prompt repayment of undisputed invoices. Councillor Hanley requested details of the number of disputed invoices be circulated to OSC Members – prompt payment was vital to many small local businesses;
- The Local Authority Business Growth Incentive scheme, which allowed local authorities to benefit to a degree from business expansion in their area. The current scheme was due to end in December;
- In terms of the write-off of bad debts, Mr Meeson accepted the need to produce future evidence of a downward trend in this area;
- The Council's contingency plans for meeting its commitments under the equal pay claims currently being processed, and the Government's agreement to allow local authorities to capitalise the costs and pay it back over 25 years.

RESOLVED – That subject to the above comments, the report of the Director of Resources be received and noted.

(NB: 1 Councillor Grahame declared a personal interest in respect of the discussion of PFI related issues in her capacity as a member of the Swardale Swarcliffe Eastwood Residents Association;

- 2 Councillor W Hyde left the meeting at 13.10 at the conclusion of this item)

46 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report providing the Committee with an overview regarding the implementation of the recommendations of previous Inquiries carried out by Scrutiny Boards and highlighting any possible areas of concern (none on this occasion).

A discussion ensued regarding the need to ensure that reports detailing progress on implementing Scrutiny Inquiry recommendations, whether by internal Departments or partner public sector organisations, gave clear and meaningful information. It was acknowledged that for their part, Scrutiny Boards should be ensuring that their recommendations were specific, measurable, achievable, realistic and time-bound.

RESOLVED – That the report be noted.

47 Work Programme

The Head of Scrutiny and Member Development submitted a copy of the Committee's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st October 2007 to 31st January 2008.

In response to Members' queries on the Forward Plan, the Head of Scrutiny and Member Development undertook to circulate to OSC Members further details relating to a future decision regarding lamppost advertising and further information on the proposed formation of the Garforth Schools Trust.

RESOLVED – That subject to the above, and any other changes necessary as a result of today's meeting, the Committee's work programme be approved.

48 Dates and Times of Future Meetings

Tuesday 6th November 2007
Tuesday 11th December 2007
Tuesday 8th January 2008
Tuesday 5th February 2008
Tuesday 11th March 2008
Tuesday 8th April 2008

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

EXECUTIVE BOARD

WEDNESDAY, 17TH OCTOBER, 2007

PRESENT: Councillor M Harris in the Chair

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

Councillor J Blake – Non-voting Advisory Member

84 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 ground 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) Appendix 1 to the report referred to in minute 90 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as the information relates to the financial or business affairs of a third party and of the Council and the release of such information would be likely to prejudice the interests of both parties.
- (b) The annexe to the report referred to in minute 91 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information relates to the financial or business affairs of the Council. It is considered that the release of such information could prejudice the Council's commercial interests in relation to the disposal of this property or other similar transactions 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 will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.
- (c) The final appendix to the report referred to in minute 101 under the terms of Access to Information Procedure Rule 10.4(1) and (2) and on the ground that the public interest in maintaining this appendix as exempt outweighs the public interest in disclosing the information because it refers to matters at a preliminary stage which may at some future point have a significant impact on certain schools. Disclosure of the information at this time could lead to speculation prejudicial to the

duty of Education Leeds to secure improvement and increased confidence in schools which would be prejudicial to the public interest.

- (d) Appendices 1 and 2 to the report referred to in minute 88 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information relates to the financial or business affairs of a particular person and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through inviting offers for the property/land then it is not in the public interest to disclose this information at this point in time as this could lead to random competing bids which would undermine this method of inviting bids and affect the integrity of disposing of property/land by this process. 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 could obtain information about the nature and level of offers which may prove acceptable to the Council. It is considered that whilst there may be public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

85 Declaration of Interests

Councillors Blake, Harrand and J Procter declared personal interests in the item relating to City Varieties Music Hall (minute 90) as members of the Grand Theatre Board of Management.

Councillors Blake and Harrand declared personal interests in the item relating to Local Implementation of the National Framework for Continuing NHS Care (minute 89) as a PCT member and as a governor of Leeds Mental Health Trust respectively.

Councillor Wakefield declared a personal interest in the item relating to Secondary and Post 16 Provision in Leeds (minute 101) as a member of the Learning and Skills Council and Councillor Finnigan a personal interest in the same item as a governor of Joseph Priestley College.

86 Minutes

RESOLVED – That the minutes of the meeting held on 11th September 2007 be approved.

DEVELOPMENT AND REGENERATION

87 Holt Park District Centre and Tinshill Recreation Ground

Referring to minute 34 of the meeting held on 6th July 2005 the Director of City Development submitted a report on public consultation on the Holt Park District Centre regeneration proposals, proposed progression of the

proposals, issues with regard to the proposed fencing of 2 pitches at Tinshill Recreation Ground in association with the new Ralph Thoresby High School, including a response to the deputation to Council and seeking endorsement to the fencing of the pitches.

RESOLVED –

- (a) That the development of regeneration options at Holt Park District Centre be progressed on the basis of the inclusion of the former Ralph Thoresby High School site within the overall redevelopment area
- (b) That the outcome of public consultation on the proposed regeneration of Holt Park District Centre and the fencing of two pitches at Tinshill Recreation Ground be noted
- (c) That a 1.8 metre high, steel mesh fence with four gates to the two pitches at Tinshill Recreation Ground adjacent to Farrar Lane, be procured and erected.
- (d) That a report be brought back to this Board detailing the terms for access to the two fenced pitches both for organised sport and general public access.

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

LEISURE

88 The Mansion, Roundhay Park - Offers for Redevelopment Opportunity

The Director of City Development submitted a report on the outcome of the marketing exercise of the Roundhay Mansion seeking a third party operator for the café/restaurant/bar/function rooms at the property.

The report gave detail in relation to the following options:

- 1 Do nothing
- 2 Accept an offer from one of the offerors, subject to agreement on the lease
- 3 Repeat the marketing exercise for a third party operator
- 4 Expend further Council capital on stripping out and providing a shell for the commercial element of the development and then repeat the marketing exercise for a third party operator
- 5 Consider and pursue alternative uses for the Mansion
- 6 Consider the remarketing of the opportunity on the basis that the Council will make a contribution towards the cost of the initial capital fit out works.

Following consideration of appendices 1 and 2 (appendix 2 being circulated at the meeting) designated as exempt under Access to Information Procedure Rules 10.4(3), which were considered in private at the conclusion of the meeting, it was

RESOLVED – That the site be remarketed on the basis of option 6 as referred to above and as set out in the report, following further investigation of costs of

refurbishment and that a further report on offers received be brought to this Board at the appropriate time.

ADULT HEALTH AND SOCIAL CARE

89 Local Implementation of the National Framework for Continuing NHS Care

The Director of Adult Social Services submitted a report on the adoption of the new national framework by the Health and Social Care Community in Leeds with effect from 1st October 2007.

RESOLVED – That the report be noted and that the formal local adoption of the National NHS Continuing Care Policy with effect from 1st October 2007 be endorsed.

DEVELOPMENT AND REGENERATION

90 City Varieties Music Hall

Further to minute 178 of the meeting held on 9th February 2007 the Director of City Development submitted a report on the successful Stage 1 bid to the Heritage Lottery Fund for £3,000,000 to assist with funding the refurbishment of the City Varieties Music Hall and on proposals to progress the scheme.

Following consideration of appendix 1 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 successful £3,000,000 Stage 1 bid to the Heritage Lottery Fund be noted and that preparation of the Stage 2 application be commenced.
- (b) That work on the project be continued during the Stage 2 application assessment period.
- (c) That the issues with regard to the acquisition of third party property be noted and that agreement be given to the principle of making a Compulsory Purchase Order should progress on outstanding matters be not satisfactory, subject to a report being brought back to this Board should it become necessary for the Council to pursue such a course of action.
- (d) That the Leeds Grand Theatre and Opera House Ltd Board of Management be invited to commence their fundraising campaign.

(The urgent need to progress the Stage 2 bid to the HLF precluded this decision from eligibility for Call In).

91 Otley Civic Centre

The Director of City Development submitted a report on the alternatives available to address the future of Otley Civic Centre and offering a proposal as to how the City Council could support the Town Council in the implementation of the Town Council's preferred option.

The report outlined a number of options:

- 1 To do nothing
- 2 To undertake repairs to the external fabric of the Civic Centre independent of any action by the Town Council
- 3 To progress one of the following options identified in the feasibility study:
 - Refurbishment of the existing Civic Centre in its present form
 - Refurbishment and expansion of capacity of the existing Civic Centre (the Town Council's preferred option)
 - Building a new Civic Centre on an, as yet unidentified site
 - Partial conversion and new build of a property at North Parade
 - To split the existing centre and construct a new hall at North Parade

Following consideration of the annexe 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 Director of City Development make a formal approach to Otley Town Council with an offer from the City Council to transfer the freehold of the Civic Centre following its refurbishment on the basis of the costs of the refurbishment programme being shared by the two Councils as set out in the confidential annexe to the submitted report.
- (b) That the Director of City Development report back to this Board with the outcome of that approach and, if appropriate, submit a request for a fully funded injection into the Capital Programme for the refurbishment works.
- (c) That approval be given to the ring-fencing of the capital receipt from the disposal of the North Parade site towards the implementation of the refurbishment works subject to the Town Council agreeing to share this cost as set out in the confidential annexe to the report.

CENTRAL AND CORPORATE

92 Creation of the Leeds Award

The Chief Democratic Services Officer submitted a report on the proposed creation of the 'Leeds Award' to recognise people who have brought credit to the City.

RESOLVED – That the creation of the 'Leeds Award' be approved and that the administration of the Award be as detailed in the submitted report.

93 A Memorials Policy

The Director of City Development submitted a report on the proposed adoption of a policy on honouring citizens of Leeds with a memorial.

RESOLVED –

- (a) That a Memorial Panel as described in paragraph 4.1 of the submitted report be established to agree the criteria for honouring Leeds citizens with a memorial and to consider applications for memorials.
- (b) That all memorials take the form of a suitable inscription engraved in the flagstones of Merrion Gardens.
- (c) That these arrangements should not preclude an alternative memorial in the specific circumstances of a given case.

94 Single Managed Fraud Team

The Director of Resources submitted a report on a proposal to establish a single-managed Counter-fraud Service for Leeds in conjunction with Job Centre Plus and in relation to the full range of benefits administered by the two organisations.

RESOLVED – That approval be given to the establishment of a single managed fraud team that will see operational management provided by Job Centre Plus and strategic management provided by a Joint Management Board.

95 Progress Report on the PPP/PFI Programme in Leeds

The Deputy Chief Executive submitted a report giving a 6 monthly update on progress of PPP/PFI project and programmes and the implementation of the governance framework.

RESOLVED – That the current status of PPP/PFI projects and programmes together with the information on management of attendant risks be noted.

NEIGHBOURHOODS AND HOUSING

96 Burley Lodge Group Repair

The Director of Environment and Neighbourhoods submitted a report on the Burley Lodge Group Repair external enveloping scheme intended to extend the life of 52 properties by 30 years. The report further indicated that it was also anticipated that 11 miscellaneous ALMO properties within the area would also be similarly improved subject to approval by the West North West Housing Ltd Board.

RESOLVED –

- (a) That the injection into the Capital Programme of £2,311,163 of Regional Housing Board funding and £256,959 from owner occupiers be approved.
- (b) That Scheme Expenditure to the amount of £2,567,959 be authorised.
- (c) That a report on progress of the scheme be brought to a future meeting of this Board.

97 Home Improvements

The Director of Environment and Neighbourhoods submitted a report on progress to help homeowners to improve their homes and on a proposal to

spend £1,300,000 government grant for the remaining elements of the scheme.

RESOLVED – That expenditure of £1,300,000 of Regional Housing Grant funding for this scheme be authorised.

CHILDREN'S SERVICES

98 Time for Change White Paper

The Director of Children's Services submitted a report on the significant reforms proposed for Looked After Children in the White Paper and on the current position in Leeds in terms of both current work and work planned for the future in response to this.

RESOLVED – That the report, tabulation of impact assessment and proposed future actions be noted.

CENTRAL AND CORPORATE

99 Arrangements Post the Abolition of the Schools Organisation Committee

The Assistant Chief Executive (Corporate Governance) submitted a report on options available to the Council to decide upon proposals formerly dealt with by the School Organisation Committee.

The report presented the options of

- Executive Board to make the decision
- Executive Board to make the decision following recommendation of an Advisory Board
- An officer to whom the authority has been delegated to make the decision or
- An officer to whom authority has been delegated to make the decision following recommendation of an Advisory Board

RESOLVED –

- (a) That the Executive Board makes decisions on all statutory proposals where they have the responsibility to do so as set out in appendix A to the report.
- (b) That where there are objections to proposals they be first referred to an Advisory Board for a recommendation to be made to the Executive Board.
- (c) That an Advisory Board be set up to advise the authority on proposals
- (d) That the draft Standing Orders at appendix B of the report be adopted as the Standing Orders for the Advisory Board.

CHILDREN'S SERVICES

100 Annual Report on the September 2007 Admission Round for Community and Controlled Schools

The Chief Executive of Education Leeds submitted a report giving statistical information in relation to the admissions process and highlighting issues which need to be addressed for the 2008 admission round.

RESOLVED – That the report be noted.

101 Transforming Secondary and Post-16 Provision in Leeds

The Director of Children's Services and the Chief Executive of Education Leeds submitted a joint report on proposed consultation on an approach to the transformation of secondary and post-16 provision in Leeds.

A four page appendix, circulated with the agenda as exempt, was circulated at the meeting in a revised form which included two pages of open information and two pages of exempt information. In introducing the item the Executive Member (Learning) indicated that all references to "The Central Leeds School Improvement and Learning Alliance" should be amended to read "The Leeds Learning Alliance".

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

RESOLVED –

- (a) That consultation be undertaken on the following:
 - The Transforming Secondary and Post-16 Provision in Leeds paper
 - The Academies in Leeds paper
- (b) That the publication of the Central Leeds School Improvement and Learning Alliance prospectus be approved.
- (c) That the progress being made with the Learning and Skills Council Review be noted and that a further report be brought to this Board in November commenting as part of the formal consultation on the Learning and Skills Council preferred way forward.
- (d) That further reports be brought to this Board outlining the outcome of consultation and expressions of interest in joining the Alliance and sponsoring any Academies in Leeds.

102 Progress of South Leeds High School, October 2007

The Chief Executive of Education Leeds submitted a report summarising the recent progress of South Leeds High School.

RESOLVED –

- (a) That the report and the need for continued support for the school be noted.

- (b) That the Scrutiny Board (Children's Services) be requested to examine the processes whereby Key Stage Four results are initially published with a view to ensuring that the level of risk that incorrect results may be published are minimised.

DATE OF PUBLICATION: 19TH OCTOBER 2007
LAST DATE FOR CALL IN: 26TH OCTOBER 2007 (5.00 PM)

(Scrutiny Support will notify Directors of any items called in by 12 noon on Monday 29th October 2007)

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 20th November 2007

Subject: Requests for Scrutiny – Former Miles Hill and Royal Park Schools

Electoral Wards Affected: Chapel Allerton and Headingley

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 Requests for scrutiny have been made by Councillor Jane Dowson and Councillor David Morton regarding the former Miles Hill School and Royal Park School respectively.
- 1.2 Councillor Dowson refers specifically to the “decision to demolish the former Primary School and of not allowing Area Management sufficient time to review the needs of the local community and consult interested parties”.
- 1.3 Councillor Morton wants to look at the time line between the November 2003 Executive Board and August 2007 and “see why the original aspiration for community use of the building has not been realised and instead we have a largely residential development and a private one as well”.
- 1.4 Councillors Dowson and Morton have been invited to attend today’s meeting to detail to the Board the reasons for their particular request for scrutiny.

2.0 Background

- 2.1 With regard to the former Miles Hill school the City Development Department put demolition of the building on hold pending Area Management making a case to the Council’s Asset Management Group for the retention of this building.
- 2.2 The Asset Management Group met on the 2nd November 2007 and agreed to support (i) a more detailed exploration of the three favored options put forward by the Area Management Team which all promote new build solutions of various sizes on the site and (ii) the consideration of the site for affordable housing and (iii) the demolition of the existing school building, which is not required under any of the options promoted. In order to protect the Council’s interests the Asset Management Group has

asked the Area Management Team to undertake further feasibility work to address the revenue and capital funding issues and an assessment of whether alternative Council or third party sites in the local area present a better opportunity for the facilities proposed.

- 2.3 The attached report of the Director of City Development sets out the general procedures and processes including consultation that applies when school buildings and land are declared surplus to requirements.

3.0 Options for Investigations and Inquiries

- 3.1 When considering requests 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?

4.0 Recommendations

- 4.1 The Scrutiny Board is requested to consider:
- (i) the request for scrutiny by Councillor J Dowson concerning the former Miles Hill school.
 - (ii) the request for scrutiny by Councillor D Morton concerning the former Royal Park school.
 - (iii) the report of the Director of City Development on the general procedures and processes including consultation that applies when school buildings and land are declared surplus to requirements.
 - (iv) what further information, if any, is required by the Board in order to determine whether to undertake further scrutiny in respect to either request, and if so, what specifically it wishes to look at in order that suitable terms of reference can be drafted for consideration by the Board at a future meeting.



Report of the Director of City Development

Scrutiny Board City Development

Date: 20th November 2007

Subject: School Disposals

Electoral Wards Affected: Citywide

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1 Purpose of the Report

- 1.1 To provide the City Development Scrutiny Board with an overview of the process for the disposal of surplus school buildings by the Council, including considerations for retention and alternative use.

2 Background

- 2.1 During the past 7 years, large parts of the school portfolio have undergone transformational change through the delivery of a number of new build and refurbishment projects. In total the Council has developed 7 new secondary schools, 21 new primary schools as well as major refurbishments in more than 28 sites.
- 2.2 This programme has been financed through a number of funding streams including PFI credits and DfES capital. In addition and with specific reference to this report, between 2003/04 and 2006/07 £12.4m of capital receipts from the sale of surplus school buildings has been re-invested in the school estate. There are Education sites to the value of £40.4m due for disposal between 2007/08 and 2010/11 of which a substantial proportion (over £30m) is supporting investment in schools. In the main this is in respect of the Primary School review, Primary School PFI schemes and the Combined Secondary School PFI programme. In the majority of cases, for schools operational reasons, the re-investment in schools takes place before receipts are realised and this cash flow effect results in additional borrowing costs for the Council until sites are disposed of. A schedule of school buildings sold since 2003/4 and the values achieved is detailed in Appendix 1.
- 2.3 The significant investment in the school portfolio has helped to make substantial improvements in the quality of the learning environment as part of Education Leeds' vision for all Leeds schools to be good improving and inclusive schools serving and supporting local communities.

2.4 In a number of instances, the changes made to the school estate have been precipitated by school organisational reviews which have resulted in the closure and/or merger of schools. This process has often resulted in school buildings being closed and declared surplus to education requirements.

3 Main Points

3.1 There are three primary processes that impact on the disposal of surplus school buildings, namely:

- School closure proposal process
- Asset Planning process
- Managing vacant buildings

3.1.1 **School closure proposal process** - This process is well developed and includes a number of key stages.

3.1.2 The first formal stage is a report to Executive Board seeking permission to consult on a proposal to close or to amalgamate one or more schools.

3.1.3 Subject to Executive Board approval, a formal consultation process is implemented. A consultation document is developed outlining the reasons for the proposal, the process, the timeline and how to comment. This stage usually lasts for 6 weeks. It is often at this stage that any aspirations for ongoing community/Council use of the school building are first muted and in response to ongoing concerns regarding the impact of school re-organisation and closure on communities, Education Leeds commissions a 'Community Impact Assessment' as part of the process.

3.1.4 If permission is granted by Executive Board then a statutory notice is published, again for 6 weeks, after which all representations are passed to the decision-maker.

3.1.5 Traditionally, the final decision-maker has been the School Organisation Committee, who would have received all the paperwork within a month of the end of the statutory notice period, and then taken up to a further two months to reach a decision. The decision-maker has recently become Executive Board following new legislation, but at the time of writing, Executive Board has not yet dealt with any proposals.

3.1.6 Usually, Education Leeds plan for this process to be completed during the Spring Term, so normally there is some 5 to 6 months between the decision to close and the closure taking place.

3.1.7 The process outlined above is managed by Education Leeds on behalf of the City Council. Importantly, the Council's Asset Management Service does not undertake any work on the potential disposal of a school building until the school closure proposal process has been completed and the Schools Organisation Committee (now Executive Board) has finally approved a school closure. The Asset Management Service waits until this final stage has been concluded to ensure that the Council is not seen to prejudge the outcome of the process. It is considered inappropriate for Council officers to undertake any pre-marketing work until the final decision to close a school has been made.

- 3.1.8 **Asset Planning Process** - Once a final decision has been made to close a school, the building is formally declared surplus to requirements by Education Leeds. As part of this process the responsibility for the vacant building is passed to the Asset Management Service, who manage the building during this interim period. Once it is known that the building is due to become surplus, the Asset Management Service will review local asset requirements identified in Service Asset Management Plans to ascertain whether an operational requirement for a building in that locality has been identified. As a double check, Asset Management will also liaise again with Services to determine whether the surplus building has the potential to meet the needs of another service, or the Council's service partners.
- 3.1.9 If any potential uses for the surplus building are identified by a particular Council service then a decision to progress with any proposal will depend on the strength of the business case put forward by the service that is championing/sponsoring the proposal. A key part of the business case will be the assessment of how any community proposals would assist the Council in delivering its key activities as defined in the Council Plan. The Council receives many requests for (cheap/free) accommodation from third parties but the community outputs being offered are often not seen as significant in the context of the opportunity cost to the Council.
- 3.1.10 If the retention and/or remodelling of the surplus building requires a key/major decision to be made, which may include an unfunded injection into the Capital Programme, this will be considered by Executive Board. Due to funding pressures on the Council's Capital Programme and current overprogramming of £43.6m, Executive Board in August 2007 agreed a policy for managing unfunded injections and/or the removal of sites from the Capital Receipts Programme. The agreed policy is as follows:
- No new injections to the capital programme will be made without identifying new resources or taking an existing scheme out
 - Existing schemes will be managed within current budgets, making no further call on Leeds resources
 - Capital receipts from sites on the existing disposal programme cannot be diverted to other projects and initiatives
 - The disposal programme is kept under review with a view to seeking to identify any additional disposal sites that can be included"
- 3.1.11 If there are no suitable requirements for Council use agreed, the Asset Management Service will progress with the disposal of the premises. It may already be the case that the sale of the building is required to finance any legitimate decanting arrangements associated with the school reorganisation in question. As identified in paragraph 2.2, £12.4m of receipts from School disposals have been reinvested into the school estate between 2003/4 and 2006/7. Often the Council has to spend capital to effect the school reorganisation before the receipt is realised. Consequently, the Council has to finance the cost of this cash flow requirement.
- 3.1.12 The Asset Management Service will progress the marketing and disposal of the school building in line with the Executive Board decision. The Asset Management Service will notify the Ward Members that they are progressing the disposal of the building and invite their comments before proceeding. In addition, should a planning statement or planning brief be required, Ward members will be consulted on the draft proposals.

3.1.13 **Managing Vacant Buildings** – The Asset Management Service takes responsibility for the management of surplus buildings prior to their disposal, or alternative use. In undertaking this function consideration is given to the risk exposure faced by the Council in managing the premises. Surplus school sites often present a considerable risk to the Council due to the fact that they can attract vandalism, anti-social behaviour, theft and arson. In the past, there have been incidences of arson attacks to vacant school buildings, which have significant health and safety and financial implications to the Council. Due to the severity of the risk exposure faced consideration is given on a case-by-case basis to the demolition of the premises as the most effective method of mitigating the risk exposure faced. Factors that will influence this decision include:

- The health and safety of people in the local vicinity of the school site.
- The prevalence for vandalism and anti-social behaviour on the site to date.
- The heritage value of the surplus building.
- The potential for the existing building to be brought back into use.
- The extent of any asbestos in the premises, which is expensive to manage if subject to vandalism and/or arson.

3.1.14 If, subject to consideration of the factors outlined above, the demolition of the surplus buildings is considered to be the most appropriate course of action to manage the risk exposure the Council, Ward Members will be advised of this proposal and their comments invited before proceeding. This consultation process gives Ward Members the opportunity to raise any concerns about a demolition proposal, which informs the decision maker before any final demolition proposal is implemented. In addition, prior to any building or site being marketed Ward Members' comments on the proposal will again be invited.

3.1.15 This process helps to update Ward Members on the planned disposal, particularly as past experience has shown that if Ward Members are not informed in advance of the community, then this could cause them some embarrassment locally. Whilst comments are invited on the disposal, this process is not, as it is sometimes envisaged, seeking permission to progress, since the decision has already been made by Executive Board and Officers are charged with completing the proposal. It does, however, give Ward Members a final opportunity to make any representations they may wish to make as part of the democratic process, before a property/site is marketed.

4 Conclusions

4.1 Due to the Council progressing with a number of school reorganisations in recent years, there has been an increase in the supply of surplus school buildings. Often the sale of the School building is required to finance the investment requirements of the agreed school reorganisation. However, through the consultation and service asset management planning processes outlined, there are opportunities to identify whether there is a service need to retain the asset for Council use, or for use by the community. Any decision taken to retain the asset for another purpose will be made on the strength of the business case put forward by the sponsoring Council service including the contribution to meeting corporate objectives and the capital and revenue consequences of the proposal.

5 Recommendation

5.1 Members of the City Development Scrutiny Board are asked to note the contents of this report and are invited to comment on the information presented.

Education Capital Receipts 2003/04 to 2006/07

Address/Property	Cap Receipts £	Ringfenced					Total Receipts available to Fund Cap Prog £
		Primary School Review £	PFI Primary £	Combined Secondaries PFI £	To Individual School £	To Education Asset Management Plan £	
NORTHWAYS SCHOOL WILLOW LANE CLIFFORD	3,160,000					3,160,000	0
SPRINGBANK SPRING RD HEADINGLEY	1,260,000					1,260,000	0
HILLTOP INFANTS SCHL BATLEY ROAD	30,800					30,800	0
Sub-Total	4,450,800	0	0	0	0	4,450,800	0
HILLTOP INFANTS SCHOOL BATLEY ROAD	277,200					277,200	0
ALL SAINTS JUNIOR SCHOOL OTLEY	744,000					744,000	0
Sub-Total	1,021,200	0	0	0	0	1,021,200	0
CARETAKERS HOUSE, YEADON SOUTH VIEW	145,000		145,000				0
Garforth Community College	2,247,936				1,600,000	647,936	0
Sub-Total	2,392,936	0	145,000	0	1,600,000	647,936	0
East Ardsley Primary School	1,360,000		1,360,000				0
Elmfield Primary School, Morley	585,000						585,000
Lower Wortley Primary School	172,250		172,250				0
Prince Henry's Grammar School, Otley	1,655,000				1,655,000		0
Rodley Primary School (plot 1)	560,000		560,000				0
Rodley Primary School (plot 2)	260,000		260,000				0
Rothwell Primary School (Land)	200,000		200,000				0
St Margarets Primary School	15,000		15,000				0
St Margarets School, Horsforth	283,637		283,637				0
Sub-Total	5,090,887	0	2,850,887	0	1,655,000	0	585,000
GRAND TOTAL	12,955,823	0	2,995,887	0	3,255,000	6,119,936	585,000

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Originator:
Steve Clough
Tel: 74582

Report of the Head of Policy, Performance and Improvement

Meeting: City Development Scrutiny Board

Date: 20th November 2007

Subject: Performance Report Quarter 2 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 end September 2007. In addition, the report also includes a predicted Comprehensive Performance Assessment (CPA) score for 2007/08 and a performance table detailing all Performance Indicators (PIs) 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 2 (1st July to 30th Sept 2007).

3 Background Information

3.1 This 'highlight report' has been prepared in readiness for the Accountability process, which includes the Corporate Leadership Team meeting on 30th October 2007, Leader Management Team on 1st November 2007 and Overview and Scrutiny Committee on 6th November; separate reports will be prepared for each of the scrutiny boards in readiness for the November cycle of meetings.

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)		3 star	3	3	3	3	3	2	3	3

- 4.2 The CPA 2007 provisional score is based on, the category scores allocated in 2006, and our best informed judgement of our performance over the last year. This information will be updated as and when assessment scores are confirmed during 2007/08. Scores highlighted in grey have been confirmed.
- 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 performance indicator 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. The Culture score is still giving us some concern as we hover between a 2/3 score. The eventual outcome on this will depend on the results of specific PIs, for which we are still waiting.
- 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 Scrutiny Board Performance Issues

5.3 City Development

5.3.1 Planning Appeals

Performance against BV 204 (the percentage of appeals allowed against the authority's decision to refuse on planning applications) continues to miss target. At the end of 2006/07, the result for this indicator was 37.4% against a target of 30%. At the end of quarter 2, 2007/08, performance stood at 51%, with a predicted year end result of 40% (against a continuing target of 30%). The nature of the indicator is such that the aim is to reduce the number of appeals allowed, but, as these figures indicate, the number of appeals allowed is increasing.

Having identified in 2006/07 that there were performance issues relating to this indicator, various measures were taken to improve performance, including the provision of additional training for members and officers.

There is an inherent delay in the appeals process, as they are allowed for up to six months after a decision has been taken; following this the length of time taken by the Planning Inspectorate to come to a final decision can vary from a number of weeks to a number of months, depending on the complexity and form of the appeal (it can involve a public inquiry, for example). Because of this potentially protracted timescale, there was an appreciation that there would be a significant time lag before the benefits of training and other improvements would be seen.

Unfortunately, the benefits are still not evident and an urgent review has begun to examine the reasons for our level of performance and to identify improvements in the quality of our submissions. The outcome will be reported to Development Scrutiny in January 2008

6 Recommendations

6.3 It is recommended that the City Development Scrutiny Committee considers the Quarter 2 performance information and highlight any areas for further scrutiny.

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City Development Quarter 2 Performance Report 2007/08

	07/08 Result to Date	2006/07 Result
Percentage of indicators achieving target at year end - based in Predicated Full Year Result	60%	60%
Percentage of indicators showing a year on year improvement based in Predicated Full Year Result*	60%	50%
Percentage of indicators showing a year on year decline based in Predicated Full Year Result*	40%	40%

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 30th September 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-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	Quarterly %	Rise	61.01	60.00	66.14	63.00	↑	74.90	57	64.73	7	No concerns
Comments	Targets have been set to match the Government's published targets ;measures are in place to ensure these targets are met whilst at the same time, enabling us to deliver high quality development for the city. Principal Planning Officers are to be appointed and will undertake the complex major casework supported by some outsourcing, employment of freelance planners, overtime arrangements and the provision of administrative support which will maximise the capacity of professional officers.								↑	81.07	69	75.36	5	No concerns
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	Quarterly %	Rise	69.89	65.00	79.02	70.00	↑					
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	Quarterly %	Rise	83.58	80.00	86.56	85.00	↑	91.39	83	85.46	7	No concerns
Comments	Targets have been set to match and maintain the Government's published targets.													

City Development Quarter 2 Performance Report 2007/08

Reference	Title	Service	Frequency & Measure	Good Performance	2006/07 Year-End	2007/08 Target	Current Position as at 30th September 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-204 CPA-E42	The percentage of appeals allowed against the authority's decision to refuse on planning applications	Planning	Quarterly %	Fall	37.40	30.00	51.00	40.00	↓	25.00	36	28.5	2	No concerns
Comments	<p>In the quarter 35 out of 64 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 inquiry, 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 training for members, officer training and other improvements before these cases filter to the Planning Inspectorate. In the mean time the situation is being closely monitored and any learning points which emerge are being acted upon. There will be a significant time lag before the improvements measures which have been put in place take effect. An urgent review has begun to examine reasons for our performance and to identify improvements in the quality of our submissions. The outcome will be reported to Development Scrutiny in January 2008</p>													
BV-205 CP-PL51 CPA-E43	Quality of the planning services checklist	Planning	Quarterly %	Rise	N.A.	N.A.	See Comments	See Comments		100.00	83.30	90.7	8	No concerns
Comments	<p>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.</p> <p>If the existing methodology is used the 06/07 Year End Result would be 72.2%, these results will be confirmed when the guidance has been received.</p>													
LK-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	99.60	97.00	99.74	97.00	↓	N.A.	N.A.	N.A.	N.A.	No concerns
Comments	<p>Performance remains strong and the service is on track to achieve its year end target.</p> <p>The target for 2007/08 has been set at this level to reflect the major impact that the weather has on the level of performance on this measure. Performance was very good in 2006/07, helped by the very mild winter we experienced. However, during normal winter conditions the service's workload increases as essential winter maintenance activities (e.g. - road gritting) are performed by the same crew who perform repairs. As such, this increased workload may have an impact on our responsiveness to damaged pavements and roads.</p>													
BV-106 CPA-E23	Percentage of new homes built on previously developed land	Strategy and Policy	Quarterly %	Rise	96.92	92.00	90.94	92.63	↓	96.74	62.52	95.05	4	No concerns
Comments	<p>Figures to end of September are 1235 out of 1358 brownfield housing completions (gross) Brownfield completions continue to run at a high level in line with UDP policy. Since mid 2000 it has been the Council's policy to provide the majority of housing on previously used (brownfield) sites. During this time, a general embargo on the release of previously un developed sites has been in operation, except in occasional exceptional circumstances and this has been largely successful. The proportion of completions on brownfield land has risen from 74% in 2000-1 to 97% in 2006-7. The latest quarterly figures are a little below this because one very large greenfield site (Sharp Lane) is currently under construction; this will moderate brownfield performance for some time to come. Much more information about the operation of housing land policy is in Housing Land Monitors which are published twice a year.</p>													

City Development Quarter 2 Performance Report 2007/08

Reference	Title	Service	Frequency & Measure	Good Performance	2006/07 Year-End	2007/08 Target	Current Position as at 30th September 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-165 CPA-E16	The percentage of pedestrian crossings with facilities for disabled people	Strategy and Policy	Quarterly %	Rise	77.34	84.00	77.30	82.00	↑	99.60	75.6	72.5	4	Some concerns
Comments	The 2006-07 year-end figure has been changed following the July 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 two quarters. 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.													
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	5.88	5.88	↑	3.43	6.69	5.03	7	Some concerns
Comments	The average number of days taken to repair a street lighting fault has improved markedly on the previous year. However, performance is still below the target set for the year. This is as a result of staff being shifted from maintenance to the core investment programme leading to a backlog of maintenance jobs. This has been addressed by the recruitment of additional staff. These measures are part of the SEC Improvement Plan and the Plan has been presented to and agreed by the council (including CLT and LMT). In addition, in the first few months of the year, there were still a small number of jobs that had been in the system for some time and were only closed off in this quarter. This significantly increased the number of days used in the calculation of this PI. In terms of data quality, further auditing of the data used to calculate these PIs show that the quality of data is improving and we can have greater confidence in the figures presented. However, the timeliness of the information inputted into the system is an issue that needs to be addressed. Other system improvements have been made to make the process of calculating this PI easier and further developments are expected, which should further improve our confidence in the data provided. As a result, our data quality concerns have reduced from 'significant' in quarter 1 to 'some' in quarter 2.													
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)	Street Lighting	Quarterly Days	Fall	27.87	14.00	22.65	22.65	↑	14.03	33.77	28.71	1	Some concerns
Comments	Performance on this indicator has improved due to SEC improving their relations with YEDL staff and introducing new processes to improve communications and ensure that work tickets are passed back. Although there are still some issues to be resolved, work is underway and further improvements are expected (as outlined in the SEC Improvement Plan). Initial indications are that the year end target won't be met and the annual predicted performance has been altered accordingly. In terms of data quality, auditing of the work continues and as with BV215a, the data quality rating is being reduced to 'some concerns'.													
LKI-SL2	Percentage of street lamps not working as planned	Street Lighting	Quarterly %	Fall	1.02	1.50	1.09	1.50	↓	N.A.	N.A.	N.A.	N.A.	Some concerns
Comments	These results were provided by SEC. The PFI Contracts Team have expressed some concerns over the validity of these figures and are working with SEC to rectify this.													

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Accountability Reporting Guidance

Column No.	Column Title	Key Description	Colour Code
1	Reference	<p>An indicator can have multiple references allowing it to be identified for different purposes. E.G. indicators included in the CPA assessment are prefixed with CPA.</p> <p>Listed below are the prefixes used to identify the different indicators types.</p> <p>CPA – The indicator is included in the CPA Assessment BV – The indicator is part of the Best Value suit of indicators LKI – This indicator is one of Leeds Local Key Indicators CP – This indicator supports objects within the Corporate Plan LAA – This indicator is part of the Local Area Agreement.</p>	
4	Frequency and Measure	This column identifies how frequently the performance information is collected, E.G. Annually. This column also identifies if the data is a % a Number (No.) or collected in days etc...	
5	Good Performance	This column identifies if the performance information in columns 6,7 and 8 should increase or decrease if the service is performing well. You may also see yes or no in this column. There are a number of performance indicators where the audit commission do not specify if the results should rise or fall, for these indicators good performance is N/A.	
8	Current position	<p>The blue shading identifies that data is not available, this will be for one of two reasons.</p> <ol style="list-style-type: none"> 1. The indicator is reported annually, this can be identified by checking the frequency column 2. The information was not available by the reporting deadline, in this case there will be an explanation in the comments column. 	
9	Predicted Full Year Result	Predicted Full year result Will meet target	
		Although the full year result Will Not meet target, a tolerance has been set which scores the indicator as amber.	
		Predicted Full year result Will Not meet target	
10	Year on Year Improvement	Improvement in performance year on year	↑
		Decline in performance year on year	↓
		No improvement or decline in performance year on year	↔
11	All England Top Quartile Based on 2005/06 Year end data	Leeds performance = Top Quartile	
	Satisfaction indicators are based on the 2006/07 quartile information.	Leeds performance = Median Quartiles	
	(Will be updated for 2006/07 in January 2008)	Leeds performance = Bottom Quartile	
12	Core Cities Average (Based on 2005/06 Year End Data)	Core Cities comparison are taken from our following benchmarking partners – Birmingham, Bristol, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield. To ensure data quality we only compare audited and verified information supplied by the Audit Commission.	
13	Core City position 1 = Top - 8 = Bottom (Based on 2005/06 Year-End data)	This column details where the 2005/06 result is ranked in the results of the 8 Core Cities, with 1= top and 8 = bottom. This is currently based on 05/06 year-end data, we anticipate receiving the 06/07 year end data by February 2008.	
14	Data Quality Issues – Together with projected performance, data quality issues are part of the risk assessment process that is undertaken for each PI included in this report.	Significant Concerns	
		Some Concerns	
		No Concerns	

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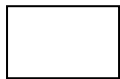
Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 20th November 2007

**Subject: Inquiry to Review Consultation Processes in the City development
Department – Draft Terms of Reference**

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 At its meeting on 16th October 2007 the Board requested that draft terms of reference be submitted to this meeting with a view to undertaking an inquiry into the effectiveness of the City Development Department's consultation processes.
- 1.2 A copy of the proposed terms of reference is attached for consideration by the Scrutiny Board.

2.0 Views of the Director and Executive Member

- 2.1 The Scrutiny Board Procedure Rules Guidance Notes require that, before embarking on an inquiry, the Board seeks and considers the views of the relevant Director and Executive Member. These views will need to be taken into account in finalising the terms of reference.
- 2.2 The views of the Director of City Development and the Executive Board Member with portfolio responsibility for Development and Regeneration have been sought and will be reported to the meeting today.

3.0 Recommendation

- 3.1 The Board is requested to confirm it wishes to proceed with this inquiry and agree the terms of reference.

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Scrutiny Board (City Development)

Inquiry to Review Consultation Processes in the City Development Department

Draft terms of reference

1.0 Introduction

- 1.1 The Scrutiny Board on the 16th October 2007 agreed to consider undertaking an inquiry to review the consultation processes in the City Development Department to ensure that they are fit for purpose.
- 1.2 The Scrutiny Board requested draft terms of reference to be drawn up to assist the Board determine if it wished to proceed with such an inquiry.
- 1.3 The choice of this topic accords with priorities in the Council's Vision for Leeds namely to have an effective communications system connecting people, goods and ideas under the theme Enterprise and the Economy.

2.0 Scope of the inquiry

- 2.1 The purpose of the inquiry is to make an assessment of and, where appropriate, make recommendations on the effectiveness of specific consultation processes used in the City Development Department and determine if they are fit for purpose.
- 2.2 The City Development Department each year undertakes hundreds of statutory and voluntary consultations on a wide range of topics. In order for the Board to undertake useful scrutiny it is proposed that two specific cases studies are selected for review.
- 2.3 The inquiry on the case studies will focus on the following areas:
 - Has the reason for the consultation been explained adequately to the client and or service user?
 - Has the process of consultation been applied fairly and effectively?
 - Has the consultation followed either national or local processes?
 - Has the consultation resulted in the City Development Department incorporating a change to a policy, procedure or process?
 - Has the timescale allowed for consultation been sufficient?
 - Has adequate resources been made available to ensure progress following consultation?
 - Has the consultation not only been effective but proportionate?

3.0 Comments of the relevant Director and Executive Board Member

3.1 The Director of City Development and Councillor Andrew Carter, Executive Board with portfolio responsibility for Development and Regeneration have been requested to comment on these terms of reference and will be reported to the Scrutiny Board.

4.0 Timetable for the Inquiry

4.1 The inquiry will take place between January and March 2008.

4.2 It is envisaged that the inquiry will take place over four sessions. The inquiry will conclude with the publication of a formal report setting out the board's conclusions and recommendations in April 2008.

5.0 Submission of evidence

5.1 The following evidence will be considered by the Board:

5.2 Session One - 22nd January 2008

Case Study 1 - Aire Valley Area Action Plan

To consider evidence from the City Development Department on the consultation with regard to this case.

To hear from clients who contributed to the consultation.

5.3 Session Two - 19th February 2008

Case Study 2 - 20 Mile Per Hour Zone

To consider any further issues raised under Session 1.

To consider evidence from the City Development Department on the consultation with regard to this case.

To hear from clients who contributed to the consultation.

5.4 Session Three - 13th March 2008

To consider best practice from other Local Authorities.

To consider the board's emerging conclusions and recommendations to inform the production of the final inquiry report.

5.4 Session Four - 22nd April 2008

To consider the Board's final report and recommendations

6.0 Witnesses

6.1 The following witnesses have been identified as possible contributors to the Inquiry:

- Director of City Development
- Relevant officers from City Development involved with the two case studies selected
- Representative from the Chief Executive's Department
- Individuals who were consulted by the City Development Department

7.0 Monitoring Arrangements

7.1 Following the completion of the scrutiny inquiry and the publication of the final inquiry report and recommendations, the implementation of the agreed recommendations will be monitored.

7.2 The final inquiry report will include information on the detailed arrangements for monitoring the implementation of recommendations.

8.0 Measures of success

8.1 It is important to consider how the Board will deem whether its inquiry has been successful in making a difference to local people. Some measures of success may be obvious at the initial stages of an inquiry and can be included in these terms of reference. Other measures of success may become apparent as the inquiry progresses and discussions take place.

8.2 The Board will look to publish practical recommendations.

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Report of the Assistant Chief Executive (Policy, Planning and Improvement)

Scrutiny Board (City Development)

Date: 20 November 2007

Subject: Performance Management in the Local Area Agreement

Electoral Wards Affected:

ALL

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

The City Development Scrutiny Board has requested a report on the Local Area Agreement focusing particularly on the performance management arrangements for targets within the Agreement that fall within its responsibility.

1.0 Purpose Of This Report

- 1.1 This report updates the City Development Scrutiny Board on the Local Area Agreement (LAA) focusing particularly on the performance management arrangements for targets within the Agreement that fall within its responsibility.

2.0 Background Information

- 2.1. The LAA is an agreement between Leeds City Council and its local partners on the one hand and central government on the other to work in partnership to improve outcomes for local people and the city.
- 2.2. Leeds signed its current LAA in March 2006. The LAA brings together a number of funding streams into four 'blocks' to provide greater flexibility to reflect local priorities. The LAA consists of a number of targets to improve outcomes in Leeds. Some targets are mandatory for authorities like Leeds. Other targets are chosen locally and reflect local priorities agreed by the Council and its partners.
- 2.3. During the autumn of 2006 there was a mid-year review of performance in the LAA conducted with Government Office and a 'refreshed' LAA, with fewer more focused targets was adopted in April 2007. An LAA annual report was published in April which showed that 60 per cent of targets had been achieved in full and there had been improvement in 65 per cent of targets as a whole.
- 2.4. There are four Blocks in the LAA covering:
- Safer, Stronger Communities
 - Healthy Communities and Older People
 - Children and Young People
 - Economic Development and Enterprise

Each Block collects performance data quarterly and reviews performance and risks to the achievement of the targets. Each Block is chaired by a senior Council officer; the Economic Development and Enterprise Block is chaired by Paul Stephens, the Council's chief economic services officer.

- 2.5. Performance and risk for the LAA as a whole is considered by the Programme Management Board (PMB). The PMB is responsible for conducting mid-year and annual reviews of the LAA as a whole with Government Office. PMB can raise particular areas of concern where performance is not on target.
- 2.6. A small Performance Management Group of senior performance officers from the Council and its partners assist PMB to collect, analyse and interpret performance data. This Group also advises the LAA on the development of a performance management system for the LAA as a whole.
- 2.7. There is a LAA Strategy Group of the most senior officers from the Council and its partners which leads the strategic development of the LAA. This group is chaired by Paul Rogerson, the Council's Chief Executive and all the Council's Strategic Directors, including Jean Dent, Strategic Director for City Development, attend this group. This group can also challenge performance judgements, and review performance where this is a major concern to the viability of the LAA as a whole.
- 2.8. Leeds City Council is the accountable body for the LAA and Executive Board receives regular reports on LAA performance. Performance is also reported regularly to the Leeds Initiative Board.

3.0. Main Issues

- 3.1. The new Local Government and Public Involvement in Health Act brings in a number of changes to Local Area Agreements. Local Area Agreements will become a statutory duty for local authorities. From April 2008 there will be a new LAA with a single 'pooled funding arrangement' which will bring together a number of different funding streams and give local authorities greater freedom as to how this is spent instead of the four current funding blocks.
- 3.2. The Council will have a duty to consult with a number of public sector bodies like the Police, Yorkshire Forward Leeds, Primary Care Trust and others when drawing up its Local Area Agreement. These partners will, in turn have a duty to negotiate and agree the targets in the LAA and to have regard to these targets when drawing up their own budgets and plans.
- 3.3. There will be no mandatory targets in the new LAA. Instead local authorities will negotiate and agree up to 35 targets with Government Office to reflect local priorities. Local Authorities can also include local targets, agreed with local partners which do not have to be reported to Government Office in the new LAA.
- 3.4. Accountability arrangements for monitoring performance in the new LAA are under development. A body similar to the current Programme Management Board will still be required to develop targets, monitor and manage performance, and allocate funding. Similarly, a steering body, bringing together partners at a senior level will be, if anything, more essential than before, given the need to consult with a number of named public sector bodies to agree the contents of the new LAA. The Director of the City Development Directorate will be a senior member of such a body as well as senior representatives from partners such as Yorkshire Forward, Jobcentre Plus and Learning and Skills Council.
- 3.5. The Leeds Strategic Plan is a partnership document and performance will continue to be reported regularly to the Leeds Initiative and some thematic groups like the Skills and Economy partnership.

Member Involvement

- 3.6. The new Local Area Agreement will be part of the Leeds Strategic Plan, the new strategic planning document for the Council. This plan will also be part of the Council's policy planning framework and as such, will need to be considered by Scrutiny, before going forward to Executive Board and full Council for approval.
- 3.7. During October and November 2007 Members have been consulted on the draft strategic outcomes and improvement priorities for the new LAA. Overview and Scrutiny Committee and Scrutiny Boards will be consulted on the indicators and targets to be included in the Plan to measure the achievement of the improvement priorities in the Leeds Strategic plan during February and March 2008.
- 3.8. The scope of the Council's Overview and Scrutiny Committee and Scrutiny Boards will be extended to include the activities of these public sector bodies to deliver targets in the LAA. A protocol for this was agreed by Overview and Scrutiny Committee on 11 September 2007. This will provide a new channel for scrutinising performance of key services in the city.

4.0. Consideration by Scrutiny Board (City Development)

- 4.1. The City Development Scrutiny Board has been consulted on the draft improvement priorities and strategic outcomes to be included in the Leeds Strategic Plan. The Scrutiny Board will be consulted on indicators and targets to be included in the Leeds Strategic Plan in the February cycle of Scrutiny meetings.

5.0. Implications For Council Policy And Governance

- 5.1. As part of the Leeds Strategic Plan the Local Area Agreement will shape the improvement priorities and strategic outcomes for the Council and will influence service and thematic plans and area delivery plans.

6.0. Legal and Resource Implications

- 6.1. The Leeds Strategic Plan will influence the allocation of the Council's resources to meet the improvement targets and strategic outcomes in the plan. The Leeds Strategic Plan will incorporate the duty to consult with named public sector partners to agree the Local Area Agreement for Leeds.

7.0. Recommendations

- 7.1. The Scrutiny Board (City Development) is requested to:
- Note the contents of this report.



Originator: Richard Mills

Tel: 247 4557

Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 20th November 2007

Subject A65 Quality Bus Corridor – Further Consideration of a Request for Scrutiny

Electoral Wards Affected: Kirkstall

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 on 16th October considered a report from the Director of City Development on the information it had requested on the cumulative impact of the A65 Bus Corridor scheme and the alleged lack of consultation.
- 1.2 This information was requested by the Board in September to assist its deliberations in whether to undertake further scrutiny of this scheme following Councillor J Illingworth's representations to the Board.
- 1.3 The Board did not determine whether it wished to proceed with Councillor Illingworth's request and resolved to continue its deliberations as to the process applied to the A65 Quality Bus Corridor at this meeting.

2.0 Supporting Papers

- 2.1 The following reports and background papers previously considered by the Board are attached for Members attention:-
- details of the request for scrutiny from Councillor Illingworth (Document A)
 - legal Advice provided to Councillor Illingworth on this matter (Document B)
 - covering report and paper of the Director of City Development (Document C)

3.0 Recommendations

- 3.1 The Scrutiny Board is requested to determine on the evidence presented to the Board, whether it wishes to undertake further scrutiny of this scheme and, if so
- identify what specifically the Board wants to investigate and
 - whether this should be a formal inquiry with approved terms of reference or by way of a statement and recommendations of the Board.

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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

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 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.

DOCUMENT B

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 (Development)

Date: 16th October 2007

Subject A65 QUALITY BUS CORRIDOR – Request for Scrutiny

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 Scrutiny Board on 18th September considered a request for Scrutiny from Councillor J Illingworth concerning the officer delegated decision not to undertake an Environmental Assessment with regard to the A65 Quality Bus Corridor.
- 1.2 The Board decided that in order to determine whether to undertake further scrutiny of this matter that the Director of City Development submit a report to this meeting setting out the department's response to two particular issues raised by Councillor Illingworth, namely, the cumulative impact of this scheme and the alleged lack of consultation.

2.0 Information

- 2.1 In accordance with the Scrutiny Board's request a report of the Director of City Development is attached for the consideration of Members.
- 2.2 A copy of the report and legal advice considered at the last Scrutiny Board meeting is attached for Members information.
- 2.3 Members of the Board are reminded that Council on 20th June 2007 requested that the Chief Executive bring forward a report to Council as to how Councillors can be better involved with the decision making process and to bring forward a new system of officer delegation to reflect greater democratic involvement. Members of the Board may wish to consider referring Councillor Illingworth's concerns in this regard to this review.

3.0 Recommendations

3.1 The Scrutiny Board is requested to:-

- (i) consider the attached report of the Director of City Development and ask questions of the officers attending the meeting.
- (ii) determine on the evidence presented, whether further scrutiny is required and, if so, what form this should take.

Report of the Director of City Development

Scrutiny Board (City Development)

Date: 16 October 2007

Subject: A65 QUALITY BUS CORRIDOR

Electoral Wards Affected:

Kirkstall, Hyde Park and Woodhouse,
City and Hunslet



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

Further to the item concerning this scheme considered at the September meeting of the Board this report provides further information about the proposed scheme in terms of background to the development of the scheme; past, present and future consultation; and the relationship between the scheme and other developments along the A65 corridor.

1.0 Purpose Of This Report

1.1 This report provides additional information about the A65 Quality Bus Corridor major scheme.

2.0 Background Information

2.1 The Department for Transport (DfT) granted Programme Entry status to the Council's bid for the A65 Quality Bus Corridor (QBC) major scheme in June 2006 at an out-turn cost of £20.746 million. In addition, the Executive Board has approved £834,000 costs for the preparation of detailed designs and contract for the scheme costs which the DfT require the scheme promoters to meet.

2.2 Previous to the above approval, detailed development of a scheme for the A65 corridor commenced in 1999 leading to the submission of a major scheme business case to the Government in the summer of 2000 as part of the first Local Transport Plan 2001-06. Provisional Approval (now "Programme Entry") was granted to the scheme in December 2001 at a forecast out-turn cost of £20.9 million.

- 2.3 Subsequently it became clear during 2003 as the early development of the detailed scheme proposals progressed that a number of issues were likely to influence the final design option, including:
- Creating a design for the Kirkstall Road section (Inner Ring Road to Willow Road) that was capable of accommodating a “boulevard” approach and the flexibility needed for the design to accommodate newly emerging aspirations for the comprehensive regeneration of sites south of the road.
 - Requests to minimize the requirements for property acquisition particularly in the Burley area and at Kirkstall. A wish was expressed by Ward Members and planning officers to safeguard existing local shops and businesses.
- 2.4 In view of these early design responses, these matters were reviewed as part of the scheme development process along with an examination of the opportunities to simplify the proposals and, at the same time, reduce the impacts on public utilities.
- 2.5 As a result of the review modifications to the scheme design were made to reflect the feedback and views received, which were then discussed with the Department for Transport in terms of the scheme approval. An update to the approved business case was then submitted to the DfT in September 2003.
- 2.6 In summary the modifications to the scheme were as follows:
- Inner Ring Road to Willow Road – conversion of the proposed separate busway into a general traffic carriageway resulting in a more conventional dual carriageway layout with with-flow bus lanes in each direction, thereby facilitating a boulevard effect and also allowing for the future improvement of junctions to accommodate anticipated redevelopment.
 - Willow Road to Haddon Road – removal of outbound bus lane from the scheme thus allowing the retention of the existing retail premises at Burley.
 - Haddon Road to Kirkstall centre – limited changes to the entry exit points of the bus lanes thus allowing retention of existing retail premises at Kirkstall.
- 2.7 Subsequent to the scheme update, in April 2004 the DfT requested the submission of a revised major scheme business case and further advised in December 2004 that the scheme was to be “remitted to the region”. Thus the final decision on the scheme was not made until June 2006 following the establishment of the Regional Transport Board and their first advice to Ministers regarding regional transport priorities.
- 2.8 The major scheme forms part of an overall quality bus corridor for the entire A65 corridor within the Leeds district. The overall principle behind the programme is the effective management of traffic congestion and queues to achieve a step change in the journey time and reliability of the bus services using the corridor. Elements of the QBC programme are as follows:
- City Centre to Kirkstall – A65 QBC major scheme, as described by this report
 - Kirkstall to Horsforth – Abbey Road bus priority scheme now completed
 - Horsforth to Guiseley – future stages to be progressed, preparatory upgrades to the Council’s transport model now in process

2.9 The indicative programme for completing the scheme subject to concluding the preparatory work and securing full scheme approval from the DfT is as follows:

Winter 2007/08	First stage tenders for Early Contractor Involvement
2008	Finalise detailed design, contract documents, statutory procedures and complete contract documents
Winter 2008/09	Second stage tenders and appointment of works contractor Submission for DfT Full scheme approval
Spring 2009	Start of works
Summer 2011	Completion of works

3.0 Main Issues

3.1 At this Board's September meeting additional information concerning public consultation and the relationship of the cumulative development along the A65 corridor to the scheme proposals was requested.

Public consultation and engagement

Development of the scheme has involved an extended period of public consultation as follows:

1999 onwards, extended period of engagement including the following:

- Winter 1999, Ward Member briefing
- February 2000, survey of current bus users
- July 2000, public consultation on scheme proposals
 - 17,000 leaflets distributed to residential and commercial premises
 - Three staffed public exhibitions in Burley, Kirkstall and Horsforth
 - Attendance at Kirkstall Festival
 - Consultation with community groups (5 groups participated)
- Autumn 2000, displays in local libraries along the corridor
- Summer 2002, Ward Member briefing
- September 2002, Kirkstall Forum briefing

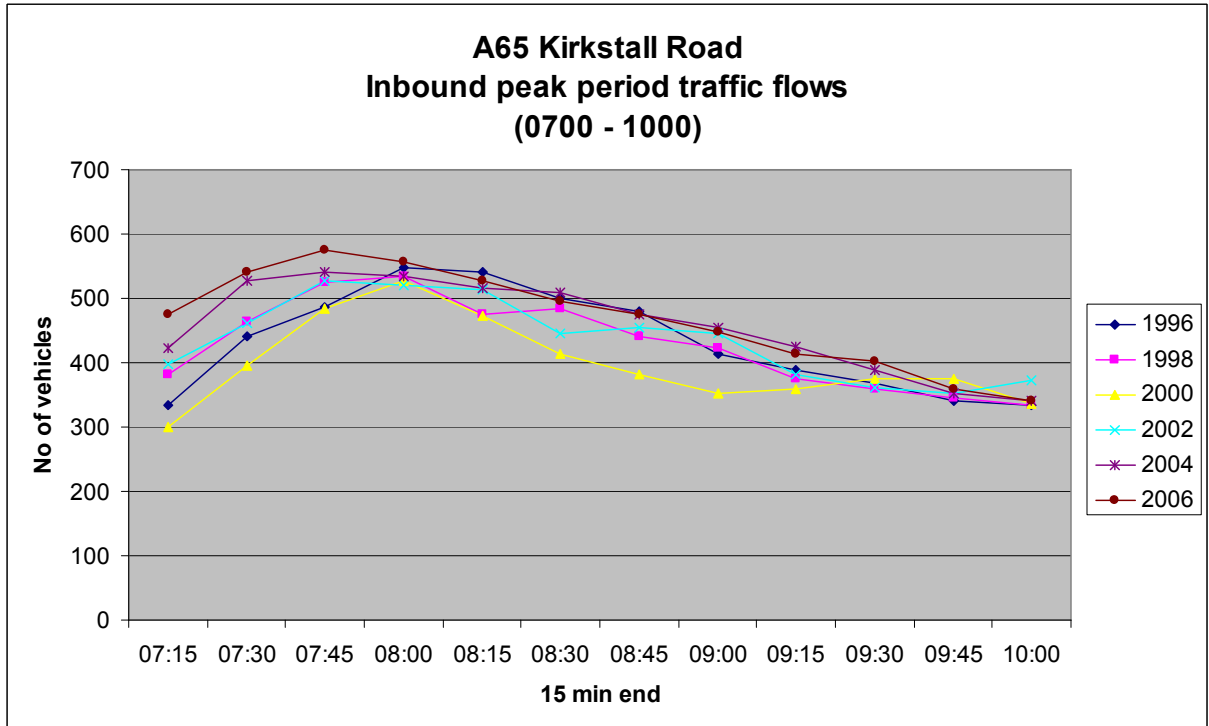
2003 to 2005, during this period the scheme was effectively on-hold pending agreement of the design modifications with DfT and agreement on the route forward.

2006 onwards, establishment of the project and Project Board to oversee the work. Present activities to fully inform Members and residents and the public include:

- September 2006, Ward Member briefing following Department for Transport decision to grant programme entry.
- September 2006, report to Executive Board
- Autumn 2006: A65 Kirkstall Road web page updated to reflect the new status of the scheme.
- Winter 2006/07: Briefing for Kirkstall/Burley Forum and display of plans for Inner North West Area Committee.
- Spring/Summer 2007: An article included in *About Leeds* regarding the scheme.
- July 2007, Ward Member briefing
- Summer 2007: A leaflet distributed to the 8,000 residences within 650 metres of the proposed scheme and to passengers using the A65 bus routes.
- Autumn 2007: three staffed exhibitions will be held along the route of the scheme:
 - Milford Rugby Club, Beecroft St, Tuesday 16th October.
 - Kirkstall Valley Primary School, Argie Road, Wednesday 17th October.
 - Burley Liberal Club, Burley Road, Wednesday 24th October.
 - September/October, consultation with the 140 immediate residential frontagers along the line of the scheme including officer visits as necessary
- Winter 2007/08: Second newsletter updating progress and containing more detailed information about programming and the process for appointing a contractor.
- Spring/Summer 2008: Third newsletter providing an update on progress

Implications of cumulative impacts of development on the scheme proposals

- 3.2 As explained in section 2 of the report the principle of the scheme is one of utilising queue management techniques for the control of traffic flows in a way that effectively allows buses to bypass traffic congestion and the associated queues along the busiest sections of the A65 route into Leeds.
- 3.3 Bearing in mind that the section of road concerned has operated at capacity for many years during the centre of the peak period the scheme has been designed to accommodate this factor. Primarily this is achieved by ensuring that the lengths of bus priority lane provided within the scheme are adequate to accommodate the forecast traffic queues thereby ensuring that buses can gain free flow access to the bus lane. A profile of traffic flow levels over the last ten years is included below.



- 3.4 The above figure illustrates that traffic flows during the high peak period have remained largely stable over the last ten years. In terms of the design of the scheme, local traffic counts and data are being used by Urban Traffic Control to plan the detailed specification of the traffic control proposals within the scheme.
- 3.5 Traffic flow along the route is a function of the development along the corridor and within its hinterland including recent developments. The scheme case did not need to explicitly include an analysis of cumulative development impacts, rather it is based on the observed traffic flows and future forecast flows on the lengths of road at which the scheme is targeted. A multi-modal transport model was used to forecast the modal transfer from car to bus expected from the scheme.
- 3.6 In terms of cumulative development impacts along the A65 route, development proposals have been assessed on an individual basis as they are brought forward to the Council. This takes the form of an assessment of the site traffic impact/transport appraisal submitted in the course of the planning application process, in accordance with established practice.

4 Implications For Council Policy And Governance

- 4.1 This report does not raise any issues for Council policy and governance other than those already considered by the Board at their 18 September meeting.

5 Legal And Resource Implications

- 5.1 This report raises no specific legal and resource implications.

6 Conclusions

- 6.1 This report has outlined the approach to consultation being pursued to ensure public engagement in the final detailed scheme for the A65 Quality Bus Corridor. It has

also provided the background context to the scheme design in terms of traffic flows and the relationship to past and future development decisions along the route.

7 Recommendations

7.1 Members are requested to note and comment on the contents of this report.



Originator: Richard Mills

Tel:247 4557

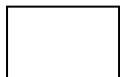
Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 20th November 2007

Subject: Work Programme

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 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 November to 29th February 2008.

2.0 Recommendations

- 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 / Comments	Type of Item
Meeting date – 20th November 2007			
Performance Management Information	To receive performance information relating to resources	Quarterly Report	PM
Request for Scrutiny A65 QBI Scheme	To determine whether to undertake further scrutiny on this scheme following Cllr Illingworth's request and if so, determine what	The Board on 16 th October deferred a decision to the November meeting following consideration of a request for scrutiny on 18 th September 2007	RFS
Review Consultation Processes In City Development Department	To receive draft terms of reference for a proposed inquiry to review the consultation processes in the City Development Department	The Board requested this at the meeting on 16 th October 2007	RP
Requests for Scrutiny former Miles Hill and Royal Park Schools	To consider requests for scrutiny from Cllrs Dowson and Morton respectively	A joint report from the Director of City Development and Education Leeds will be submitted to this meeting on the general processes	RFS
Contribution to the revised Local Area Agreement	To receive a report on the LAA	What are the Director's responsibilities with regard to LAA. How will performance be measured	B
Budget	To consider the City Development Department's budget for 2008/09	The Board agreed that this be included in its programme on 18 th September 2007 <u>The Department has advised that a paper will not be available until the December meeting.</u>	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 – 20th November 2007 <i>Reports required from Department by 31st October 2007</i>			
Leeds City Market & Car Boot Sales Cross Green	<p>To consider a paper on the</p> <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 <p>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.</p>	<u>It has been necessary to defer this matter to a later meeting.</u>	RP / B
Multi Purpose Arena	To receive a paper on progress with regard to this development	<u>It has been necessary to defer this item to a later meeting</u>	B

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CI – Call in

Item	Description	Notes / Comments	Type of Item
Meeting Date – 18th December 2007 cont			
<i>Reports required from Department by 28th November 2007</i>			
City Centre Area Action Plan	To consider the results of the City Centre Area Action Plan	Requested in June 2007	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
Impact of students on the economy of the city	To consider an initial paper from the City development department on the impact of students on the economy of the city	The Board requested this at their meeting on 16 th October	B
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
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 & 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

Key:

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CI – Call in

Item	Description	Notes / Comments	Type of Item
Meeting Date – 18th December 2007 cont			
<i>Reports required from Department by 28th November 2007</i>			
Town and District Centre Review	To receive a report on progress with regard to this review	Requested at the meeting in June 2007	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
Meeting date – 22nd January 2008			
<i>Reports required from Department by 31st December 2007</i>			
Transfer of Highways Services to City Development	To receive a report on the transfer of highways services to the City Development Department on 1 st April 2007	Council restructured on 1 st April 2007. The Chief Highways Officer to report following appointment to the post	B
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

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CI – Call in

Item	Description	Notes / Comments	Type of Item
Meeting date – 22nd January 2008 cont <i>Reports required from Department by 31st December 2007</i>			
Strategic Review of Planning and Development Services – Plans Panels only	To consider an update report on the development of and support for Plans Panels	This specific update was requested by Scrutiny Board on 18 th September	DP
Outcome of the Consultation on the Street Design Guide with specific reference to			
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>			
Scrutiny Board Annual Report	To consider the Board's Annual Report for 2007/08	Council Procedure Rules require the publication of an Annual Report	

Key:

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LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

For the period 1 November 2007 to 29 February 2008

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)
Leeds Climate Change Strategy To approve the consultation draft of the Leeds Climate Change Strategy for design and consultation	Executive Board (Portfolio: Development and Regeneration)	14/11/07	The consultation for the draft strategy will focus on organisations with a stake in climate change, particularly businesses, the public sector and 3 rd sector. Members briefings will be offered. The public will also be informed through the website and About Leeds.	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Horsefair, Wetherby Permission to implement the scheme known as 'Pedestrian Improvements to Horsefair, Wetherby'.	Executive Board (Portfolio: Development and Regeneration)	14/11/07	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

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)
Trinity Quarter To approve the transfer of the existing development agreement for the development of this site	Executive Board (Portfolio: Development and Regeneration)	14/11/07	Executive Member (Development)	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Highway Maintenance Projects Estimated to Cost in Excess of £5,000 for Inclusion in the Highway Maintenance Capital Programme 2008/09	Director of City Services	10/12/07	Each elected member will be consulted on the proposed streets in their ward during October 2007	The report to be issued to the decision maker with the agenda for the meeting	Director of City Services
Otley - Heavy Goods Vehicle Traffic To seek approval for proposals for HGV Management in the Otley area.	Executive Board (Portfolio: Development and Regeneration)	19/12/07	Ward Members, Neighbouring Local Authorities	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development

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)
<p>Town and District Centres Parking Strategy and Priorities</p> <p>To note the contents and recommendations of the Town and District Centres Parking Strategy and Priorities Study, and to approve recommendations for the development of local parking strategies for the centres identified in the report.</p>	<p>Executive Board (Portfolio: Development and Regeneration)</p>	<p>19/12/07</p>	<p>No specific consultation is associated with the report. The development of strategies for the centres recommended in the report will be progressed subject to approval by Elected Members to the detailed consultation stage.</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>Director of City Development</p>
<p>Contract to allow advertising on a number of strengthened street lighting columns in Leeds</p> <p>The letting of a contract for advertising on a number of strengthened street lighting columns in Leeds(excluding the City Centre) 2007-2022.</p>	<p>Executive Board (Portfolio: Development and Regeneration)</p>	<p>19/12/07</p>	<p>Legal and Democratic Services, PPU and all affected Members</p>	<p>Report to Executive Board 15 November 2006</p>	<p>Director of City Services</p>

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)
Leeds Local Development Framework Approval prior to submission to the Secretary of State by 31 st December 2007.	Executive Board (Portfolio: Development and Regeneration)	19/12/07	Officer and Member briefings, Development Plan Panel	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Leeds Local Development Framework - West Leeds Gateway Area Action Plan Preferred Options Approval for public consultation commencing in Early 2008.	Executive Board (Portfolio: Development and Regeneration)	19/12/07	Officer and Member Briefings, Development Plan Panel	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Regional Spatial Strategy - Proposed Changes - Leeds City Council Representations Approval prior to formal submission to the Secretary of State (Deadline 31 st December 2007).	Executive Board (Portfolio: Development and Regeneration)	19/12/07	Officer and Member briefings, Development Plan Panel	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
LEEDS/BRADFORD Corridor Project To support joint work with Bradford within the Leeds/Bradford corridor.	Executive Board (Neighbourhoods and Housing)	19/12/07	Already carried out with partner organisations eg METRO, WNW Homes Leeds , Firebird. All bodies are represented on the Partnership Working Group.	The report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods

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

<u>Executive Board Portfolios</u>	<u>Executive Member</u>
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

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

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