

SCRUTINY BOARD (CITY DEVELOPMENT)

Meeting to be held in Civic Hall, Leeds on
Tuesday, 18th November, 2008 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 |
| C Beverley | - | Morley South |
| B Gettings | - | Morley North |
| R Harington | - | Gipton and Harehills |
| A Hussain | - | Gipton and Harehills |
| J Jarosz | - | Pudsey |
| M Lobley | - | Roundhay |
| R Procter | - | Harewood |
| N Taggart | - | Bramley and Stanningley |
| G Wilkinson | - | Wetherby |
| A Barker | - | Horsforth |
| J Matthews | - | Headingley |
| A Ogilvie | - | Beeston and Holbeck |

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

Agenda compiled by:
Governance Services
Civic Hall
LEEDS LS1 1UR

Janet Pritchard
247 4327

Principal Scrutiny Adviser:
Richard Mills
Telephone No: 2474557

A G E N D A

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|---------|--------------------------|---------------|--|---------|
| 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> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p> | |
| 2 | | | <p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <ol style="list-style-type: none"> 1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>No exempt items or information have been identified on this agenda.</p> | |

| Item No | Ward/Equal Opportunities | Item Not Open | | Page No |
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| 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 MEETINGS</p> <p>To receive and approve the minutes of the last meeting of the Board held on 14th October 2008 and of the Call-In meeting held on 28th October 2008.</p> | 1 - 12 |
| 7 | | | <p>CONSULTATION ON THE DRAFT VISION FOR LEISURE CENTRES IN LEEDS</p> <p>To consider a report of the Head of Scrutiny and Member Development on the consultation process being carried out by the City Development department as part of its review of Council Leisure Centres.</p> | 13 - 34 |
| 8 | | | <p>PUBLICITY AND PROMOTION OF LEISURE EVENTS</p> <p>To consider a report of the Head of Scrutiny and Member Development attaching the report of the Director of City Development on the apparent short notice given to publicise and promote leisure events in the city.</p> | 35 - 40 |

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| 9 | | | <p>UPDATE ON THE STRATEGIC REVIEW OF PLANNING AND DEVELOPMENT SERVICES</p> <p>To consider the attached update report of the Chief Planning Officer for Members to consider and comment on the progress on implementing the solutions within the five improvement themes identified in the strategic review for Planning and Development Services.</p> | 41 - 48 |
| 10 | | | <p>PROGRESS REPORT ON THE MANAGEMENT AND CAPACITY OF THE PLANNING COMPLIANCE SERVICE</p> <p>To consider a report of the Chief Planning Officer on progress being taken to address key issues in the Planning and Compliance Service.</p> | 49 - 68 |
| 11 | | | <p>INQUIRY ON RESIDENTS PARKING SCHEMES</p> <p>To consider the attached report of the Head of Scrutiny and Member Development attaching for Members' consideration the Board's draft final report of its Inquiry on Residents Parking Schemes.</p> <p><i>(Draft Final Report to Follow.)</i></p> | 69 - 70 |
| 12 | | | <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 2008 to 28th February 2009 and the Executive Board Minutes of 8th October 2008.</p> | 71 - 96 |
| 13 | | | <p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting of the Board will be held on 16th December 2008 at 10.00am with a pre-meeting for Board members at 9.30am.</p> | |

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 14TH OCTOBER, 2008

PRESENT: Councillor R Pryke in the Chair

Councillors C Beverley, B Gettings,
R Harington, J Jarosz, G Wilkinson,
A Barker, J Matthews and A Ogilvie

41 Welcome and Introductions

The Chair welcomed everybody to the meeting and Members and Officers introduced themselves.

42 Declaration of Interests

The following Members declared personal interests in relation to agenda item 10 entitled 'Sustainable Education Travel Strategy and the Development of an Integrated School Transport Policy for Children's Services' (Minute No. 50 refers):

- Councillor Pryke as a Governor of Ebor Gardens Primary School and Primrose and City of Leeds Federated High Schools.
- Councillor Ogilvie as a Governor of Cottingley Primary School and Cockburn High School.
- Councillor Jarosz as a member of West Yorkshire Passenger Transport Authority and as Governor of Pudsey Tyersal Primary School and Pudsey Grangefield High School.
- Councillor Harington as a Governor of Oakwood and Bankside Primary Schools.
- Councillor Barker as a Governor of Horsforth Featherbank School.
- Councillor Matthews as a Governor elect of Spring Bank Primary School.
- Councillor Gettings as a Governor of Drighlington Primary School and Bruntcliffe High School.

43 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Lobley and R Procter.

44 Minutes of Last Meeting

RESOLVED – That the minutes of the meeting held on 9th September 2008 be confirmed as a correct record.

45 Deferral of Agenda Item 9

The Chair reported that the Chief Planning Officer was now unable to attend the meeting and suggested that Agenda Item 9 'Update on the Strategic

Review of Planning and Development Services' be deferred to the next meeting.

RESOLVED – That Agenda Item 9, 'Update on the Strategic Review of Planning and Development Services' be deferred to the November meeting of the Board.

46 Inquiry on Residents Parking Schemes - Session 2

The Head of Scrutiny and Member Development submitted a report which outlined the purpose of the second session of the Inquiry on Residents Parking Schemes. Attached was a joint report of the Chief Environmental Services Officer and the Director of City Development, which provided Members with an overview of the process for the introduction of Resident Parking Schemes (RPS) and information requested by the Board at the previous meeting.

The Chair welcomed to the meeting Councillor Steve Smith, Executive Board Member with portfolio responsibility for Environmental Services and Councillor Ryk Downes, Ward Councillor for Otley and Yeadon who had been invited to attend as a witness.

Also in attendance to present the report and respond to queries and comments from the Board were Andrew Mason, Chief Environmental Services Officer, Graham Wilson, Head of Environmental Action and Parking, Helen Franklin, Acting Head of Highway Services, Howard Claxton, Traffic Engineering Manager and Mark Jefford, Parking Manager, Enforcement.

Councillor Smith outlined his responsibilities for this Board which solely related to parking enforcement and then, along with officers, responded to the following issues raised by Board Members:

- **Parking Restrictions** and the overall impact they could have on other areas.
- The **Allocation of Resources** to enforce parking restrictions and keep traffic flowing in the city.
- Process of **Resident Parking Schemes**. The Executive Board Member was confident that the balance between parking and enforcement was about right and thought the system firm but fair.
- Members were advised that the **Current Budget** for RPS was only sufficient to complete approximately one new scheme a year.
- **Objectors** to new RPS was raised. It was reported that an officer group considered objections to such schemes and where objectors had vested interests they were overruled.
- The possibility of **residents funding RPS** was discussed. The Executive Board Member stated that, whilst this was worthy of consideration, it would be wrong to accelerate lower priority schemes in advance of an area where residents were experiencing severe parking issues because of their ability to pay. In addition it was also essential that the Council retained a

strong and clear policy and criteria on where RPS was appropriate and only proposals that met this criteria should be considered if residents were allowed to fund such schemes. However, the proposal would enable more schemes to be injected into the programme. He emphasised that RPS might not be the solution to parking problems and one size did not fit all.

- The Executive Board Member stressed that any recommendations which the Board might make under this review should include undertaking cost benefit analysis and **consultation** with residents affected.
- Parking at **Trinity and All Saints College** – A Member of the Board advised that the College had accepted that the parking difficulties around the College were their responsibility and they were to fund an RPS.

Councillor Downes was invited by the Chair to outline the particular **parking problems experienced around Leeds Bradford International Airport**.

Councillor Downes reported that car parking charges at the airport were very high and consequently travellers parked their cars in local residential streets up to two miles away from the airport and left them there for two to three weeks whilst they went on holiday. There were unofficial signs to deter people, but these were unenforceable. He emphasised that no one parking system for the city as a whole would suit all situations. He suggested that restrictions be applied, for instance 20 hours out of 24 and that residents around the airport be included in the consultation.

Members of the Board were then invited by the Chair to question the witness and Officers on any specific concerns regarding parking around the airport. The following issues were raised:

- **Parking schemes already in place around the airport** – Members were advised that there were no existing schemes as such, although there were now double yellow lines up to ½ mile around the airport to prevent anyone parking due to terrorism concerns.
- Options for **Park and Ride** near the airport – Members were advised that as Leeds City Council no longer owned the airport, sites for possible Park and Ride would be difficult to identify.
- Use of **Parking Restrictions around the airport** – Members were advised of a successful scheme of a one hour parking restriction between 10am and 11am around Garforth Station.

The Chair then invited Officers to highlight any particular issues of note. The Acting Head of Highway Services summarised the report and drew attention to information in the report in particular on:

- **Abuse** of the permit system.
- Income from fines as compared to the **cost of enforcement**.
- The withdrawal and **monitoring** of RPS.
- How the suggestion that residents should pay for the implementation of RPS would **work in practice**.
- The **positive and negative benefits** of charging for permits.

Officers also reiterated that **one size did not fit all**, that local circumstances had to be taken into consideration. They also emphasised that if residents

were allowed to fund RPS, that **clear policies** on where they should be provided were needed, that these schemes should not be fast tracked and that a **priority approach** should still be adopted.

Officers then responded to queries and comments from the Board in brief summary on:

- **Misuse** of the blue badge and residents parking permits – Members were advised that for **blue badges** a parking ticket was issued and if paid, this was a proved offence. On the third offence the person could be prosecuted and the badge taken from them. **Residents permit abuse** was enforced using a combination of parking tickets and withdrawal of permits.
- **Displacement** of parking if charges were introduced – Officers advised that there were no perceived problems in other cities that charged, although detailed information was not available.
- **Parking Charges and Raising Money** – Officers advised that this was not a money raising exercise but about improving the highway infrastructure and parking facilities.
- The perception that Leeds was perhaps too **lenient on enforcement** – Officers advised that they did not believe this to be the case in general. RPS were for the benefit of residents and therefore Officers did take a more lenient approach to appeals lodged by residents who may have received a parking ticket.

RESOLVED –

- (a) That the report of the Head of Scrutiny and Member Development and the joint report of the Chief Environmental Services Officer and Director of City Development be noted.
- (b) That a draft final report and recommendations be prepared for consideration by the Board in accordance with the terms of reference for this Inquiry and incorporating the issues raised at today's meeting.

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

47 Accountability Arrangements for 2008/09 and Quarter 1 Performance Report

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report which set out the new approach to performance reporting and accountability resulting from the introduction of the Leeds Strategic and Council Business Plans 2008 to 2011 and changes to the national performance reporting regime. The quarter one performance results for City Development using this new format were also provided.

The Chair welcomed to the meeting Paul Maney, Head of Policy Performance and Improvement, City Development and Steve Clough, Head of Policy, Performance and Improvement Team in Executive Support.

Officers summarised the report and Members made the following comments and raised the following questions:

- **Monitoring of indicators dropped from the official list** - Officers confirmed that although some indicators had been dropped from the official list, they were still being monitored by managers.
- **The time it took for information to filter through** to the quarterly reports – Officers advised that City Development had monthly reporting. If problems were identified, then necessary action would be taken immediately. As a consequence, therefore, the quarterly information came to the Scrutiny Board after remedial action had already been taken.
- With regard to **indicator nos. 15 and 16** in Appendix 2 to the report regarding street lighting repairs, which had been identified as causing some concerns, Officers advised that there had been a general improvement in these areas.

RESOLVED –

- (a) That the new performance reporting arrangements be noted and approved in accordance with appendices 1 and 2.
- (b) That the Quarter 1 Performance Report 2008-09 be noted.

(Note: At this point in the meeting, at 11.20am, the meeting was adjourned for approximately ten minutes.)

48 Update on the Strategic Review of Planning and Development Services

Due to the unavailability of the Chief Planning Officer, it had already been agreed by the Board to defer this item to the November meeting of the Board (Minute No. 45 refers).

49 Current Work Programme

The Head of Scrutiny and Member Development submitted a report providing Members with a copy of the Board's current Work Programme. The Forward Plan of Key Decisions for the period 1st October 2008 to 31st January 2009 and the Executive Board Minutes of 2nd September 2008 were also attached to the report.

RESOLVED – That with the following changes and additions, the Board's Work Programme be agreed:

- Today's deferred item '**Update on the Strategic Review of Planning and Development Services**' be considered at the November meeting of the Board.
- The item on **Climate Change** be moved from the November to the December meeting of the Board.
- The Executive Board Member with portfolio responsibility for Leisure be invited to the November meeting of the Board to respond to questions regarding the promotion of Leisure events, specifically **Light Night**.
- That an update report on the **City Varieties** be received at either the November or December meeting of the Board.

- That a report on the lack of signage to the **Carriageworks Theatre** be received at a future meeting of the Board.
- That a report on financial issues surrounding the **Grand Theatre** be considered at a future meeting of the Board.

50 **Sustainable Education Travel Strategy and the Development of an Integrated School Transport Policy for Children's Services**

The Head of Scrutiny and Member Development submitted a report attaching the joint report of the Director of City Development and the Chief Executive, Education Leeds and the draft Leeds Sustainable Education Travel Strategy which had been considered at the Executive Board on 8th October. The report had been included on the agenda in response to the possibility of the Board considering undertaking an inquiry into the need for a sustainable transport policy for young people.

Members had been advised that the joint report had been approved by the Executive Board on 8th October 2008 when it had been resolved:

- (a) That the adoption and publication of the Leeds Sustainable Education Travel Strategy be approved.
- (b) That approval be given for the development of a Children's Services School Transport Policy and to the intention to integrate this with the Leeds Sustainable Education Travel Strategy by September 2010.

The Chair welcomed to the meeting to present the report Ray Hill, Team Leader, Smarter Choices, City Development and Allan Hudson, Transport Services Manager, Education Leeds.

In brief summary the following issues were discussed:

- The support structure for the **Walking bus initiative** – Members were advised of the schemes to encourage schools to maintain this initiative but that it was ultimately the responsibility of the schools and parents to maintain this facility.
- The accuracy of the data which indicated that **25% of journeys to school were made by car** – Officers advised that this was comparable with other core cities. Data was collected through school censuses but they were not compulsory for schools to fill in. Work was being carried out to improve returns.
- **Supervision of young people on school buses** – Officers confirmed that there was no statutory requirement to provide such supervision out of school hours and this was a consideration when parents were deciding whether to take their children to school by car. School trips were supervised.
- **Three practical activities to promote sustainable travel behaviour in schools** – The Smarter Choices Team Leader listed these as:
 1. Continue the programme of providing cycle routes to schools.
 2. Continuation of pedestrian training and walking initiatives such as the Walking bus project.
 3. Continue the promotion of the National Walk to School month.

- **Targets in the School Travel Plan** – Officers advised that the first target to maintain car modal share to school at its current level was included in the School Travel Plan. Second targets would be set by schools individually.
- **School Travel Plans** – Officers confirmed that there was no compulsion at present on schools to provide travel plans although 70% of schools now have them. Officers agreed to provide all Members of the Council with information on the schools in their Ward which did not have an approved travel plan. Officers also agreed to provide Members of the Board with the template that was provided to schools to create a travel plan.
- The possible use of **Shopabuses** by schools – Members were advised that Shopabuses were run by private businesses and did not have all the necessary safety facilities required for school children. Metro however was looking at **dual use vehicles**.
- **School trips and Mybus** – Officers advised that Mybuses were available for private hire to schools and any other youth activity. As they were dedicated as school vehicles, they had the advantages of CCTV, seatbelts and CRB checked drivers.
- **Cycle routes to school** – Officers advised that funding was currently being sought to improve core cycle routes and the Department would seek to build in local links to schools.

The Chair thanked Officers for their attendance and stated that a follow up report might be requested in a year's time.

RESOLVED –

- (a) That the joint report of the Director of City Development and the Chief Executive, Education Leeds and the draft Sustainable Education Travel Strategy be noted.
- (b) That all Members of the Council be provided with information on the schools in their Ward which did not yet have approved travel plans.
- (c) That Officers provide Members of the Board with the template that was provided to schools to create travel plans.

51 Date and Time of Next Meeting

Noted that the next meeting of the Board would be held on Tuesday 18th November 2008 at 10.00am with a pre-meeting for Board Members at 9.30am.

The meeting concluded at 12.10pm.

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SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 28TH OCTOBER, 2008

PRESENT: Councillor R Pryke in the Chair

Councillors A Barker, C Beverley,
R Harington, J Jarosz, J Matthews,
A Ogilvie, R Procter, N Taggart and
G Wilkinson

52 Chair's Opening Remarks

The Chair welcomed everyone to the Call-In meeting.

53 Late Item

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair consented to the submission of a late item of business relating to the following documents (Minute 57 refers):-

- Report of the Chief Recreation Officer – Recreation Delegated Decision Panel – 21st September 2007 – Cemeteries and Crematoria Fees and Charges
- Analysis of Cemeteries and Crematoria Outturn Performance as at 28th October 2008

The documents were raised as a part of the Call-in presentation by Councillor M Rafique and assisted the Board in their deliberations of this matter.

54 Apologies for Absence

Apologies for absence were received on behalf of Councillor B Gettings and Councillor M Lobley.

55 Declaration of Interests

There were no declarations made at the meeting.

56 Call In of a Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the Call-In process.

Members were advised that the options available to the Board in respect of this particular called-in decision were:-

Option 1 – Release the decision for implementation. Having reviewed the decision, the Scrutiny Board (City Development) could decide to release it for

implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, the Scrutiny Board (City Development) recommend to the Director of City Development that the decision be reconsidered. If the Scrutiny Board (City Development) chose this option, a report would be submitted to the Director of City Development within three working days of this meeting. The Officers would reconsider their decision and would publish the outcome of their deliberations on the delegated decision system. The decision could not be called-in again whether or not it was varied.

RESOLVED – That the report outlining the Call-In procedures be noted.

57 Review of Decision - Cemeteries and Crematoria Fees and Charges (DD34431)

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to an Officer Delegated Decision DD34431 of the Acting Chief Recreation Officer as follows:-

Cemeteries and Crematoria Fees and Charges

'The Acting Chief Recreation Officer submitted a report on the proposed fees and charges for the Cemeteries and Crematoria Section which would apply from 10th October 2008.

The Acting Chief Recreation Officer:-

- (i) noted the contents of the report, and
- (ii) approved the proposed fees and charges for the Cemeteries and Crematoria Section outlined in the report to take effect from 10th October 2008.

The decision had been called-in for review by Councillors M Rafique, T Hanley, M Iqbal, B Selby and S Armitage on the following grounds:-

'Charges for burials at cemeteries across Leeds have risen by 9%. The Labour Group questions whether the proportionality of this decision is appropriate given this increase is 4% more than the current level of inflation. Therefore the Labour Group believes a more detailed explanation of the aims and desired outcomes of this decision need to be made public, and what reasons were given in reaching this verdict'.

The Board considered the following written evidence:-

- Report of the Chief Recreation Officer considered by the Recreation Delegated Decision Panel meeting held on 21st September 2007 – Late Item
- Analysis of Cemeteries and Crematoria Outturn Performance as at 28th October 2008 – Late Item

Draft minutes to be approved at the meeting
to be held on Tuesday, 18th November, 2008

- Report of the Acting Chief Recreation Officer considered by the Recreation Delegated Decision Panel held on 4th September 2008 and under the Officer Delegated Decision scheme approved on 10th October 2008

Councillor M Rafique, Councillor T Hanley and Councillor M Iqbal attended the meeting to present evidence to the Board and respond to Members questions.

Councillor J Procter, Executive Member (Learning and Leisure), Sean Flesher, Acting Head of Parks and Countryside and Phil Stephenson, Chief Superintendent, Lawnswood and attended the meeting to present evidence to the Board and respond to Members questions.

Board Members then questioned Councillor M Rafique, Councillor T Hanley and Councillor M Iqbal, Councillor J Procter and officers at length on the evidence submitted.

In summary, specific reference was made to the following issues:-

- clarification behind the decision to increase the charges for burials at cemeteries across Leeds which were well above the level of inflation and whether there had been any consultation
- clarification that burials are currently subsidised by the Council by £694 per burial under the current charges
- details of the number of complaints being received about the cities cemeteries across the city and the fact that 20 years ago, as an example, 40 maintenance staff looked after Lawnswood cemetery which today had 5 staff
- clarification of the staffing levels to maintain the cemeteries which was currently 17.3 staff, 13 site based and the rest working in teams as required and the fact that 2 more staff could be employed if the increase was approved
- clarification of the Green Flag Standard for cemeteries
- clarification of the surcharges in relation to burials and cremation and whether the new pricing mechanism was an incentive for people to choose cremation as opposed to burial
- clarification of the date of the officer delegated decision
- clarification on whether comparable data had been obtained in relation to burial charges from other core cities and neighbouring authorities
- clarification of the monitoring process in relation to complaints received about the poor state of cemeteries

- clarification on whether the department had considered increasing the numbers employed through the Probation Service to maintain the cities cemeteries and the restrictions that prevented this
- clarification on whether the additional revenue raised from an increase in burial charges would be ring fenced
(The Executive Member and the Acting Head of Parks and Countryside confirmed that the additional revenue would be ring fenced)
- clarification as to the breakdown of the charges made for burials
- the concerns expressed that the delegated decision had been implemented on the 10th October 2008 before the Call-In period had expired and the sensitivity of this issue on bereaved families. Whilst it was accepted that this error had occurred, the Chief Superintendent at Lawnswood assured Members of the Board that as funeral directors were invoiced in arrears the new charges had not been passed on and that all funeral directors had been contacted and advised of this situation

RESOLVED – That the contents of the report, together with the relevant background papers be noted.

(Councillor N Taggart joined the meeting at 3.15pm during discussions of the above item)

58 Outcome of Call-In

Following consideration of evidence presented to them and the options available to them as outlined in Minute No 56, the Board resolved that Option 1 – Release the decision for implementation, was the most appropriate action.

RESOLVED –

- (a) That the Officer Delegated Decision D34431 be immediately released for implementation.
- (b) That as the cemeteries and crematoria fees and charges had been implemented on the 10th October 2008 under the officer delegation scheme before the Call-In period had expired at 5pm on the 17th October 2008, the Head of Scrutiny and Member Development be requested to write to the Council's Monitoring Officer conveying the Board's extreme disappointment that such a decision was implemented prior to the Call-In period and to request that effective measures should be put in place to ensure that this does not happen again.

(The meeting concluded at 4.35pm)

Originator: Richard Mills

Tel: 247 4557

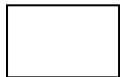
Report of the Head of Scrutiny and Member Development

Scrutiny Board: City Development

Date: 18th November 2008

Subject: Consultation on the Draft Vision for Leisure Centres in Leeds

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 Some Members of the Board at its last meeting expressed concern at the consultation process being carried out by the City Development department as part of its review of Council Leisure Centres.
- 1.2 The Board requested a report on this issue for consideration at today's meeting.
- 1.3 In accordance with the Board's wishes the Executive Board Member for Leisure has been invited to attend the Board today to discuss this matter and respond to Members questions.

2.0 Director's Report

- 2.1 The report of the Director of City Development is attached for Members consideration.

3.0 Recommendation

- 3.1 The Board is asked to consider and comment on the report of the Director of City Development and determine what further information or scrutiny, if any, the Board wishes to undertake.

Background Papers

None used

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Report of The Director of City Development

Meeting: Scrutiny Board (City Development)

Date: 18th November 2008

Subject: Consultation on the Draft Vision for Leisure Centres in Leeds

Electoral Wards Affected:
All

☐ Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

Council
Function

☐

Delegated Executive
Function available
for Call In

X

Delegated Executive
Function not available for
Call In Details set out in the
report

☐

EXECUTIVE SUMMARY

1.0 Purpose of this report

- 1.1 This report seeks to inform Scrutiny Board members of the Draft Vision for Leisure Centres presented to Executive Board on the 2nd September 2008, which is now subject to consultation.
- 1.2 As part of the consultation process, members of Scrutiny Board are asked to consider and provide feedback on the draft proposals presented.

2.0 Main Points

- 2.1 On the 2nd September 2008, the Council's Executive Board received a report outlining a draft vision for the Council's Leisure Centres (Appendix 2). The report outlined the aspiration by the Council to improve the quality of its Leisure Centre provision, but also recognised the increased costs associated with the operation of the service, significant investment challenges and the unstable nature of the existing budget position.
- 2.2 In addition, the report also identified an over supply of swimming pool facilities in the City.

- 2.3 Whilst recognising the challenges that the service faces, the Executive Board report proposes a draft vision for the future provision of Council Leisure Centres to help achieve the Council's improvement priority to enable more people to become involved in sport and culture by providing better quality facilities and activities. The report also provides an overview of the financial and operational pressures facing the Council's Sport and Active Recreation Service.
- 2.4 To deliver the proposed vision, *"to secure a city-wide network of quality, affordable, accessible and sustainable leisure centres for the benefit of all the people of Leeds"*, a series of draft proposals for investment and re-provision have been put forward which aim to facilitate the delivery of a sustainable service that meets the future needs of the people of Leeds.
- 2.5 A public consultation exercise is currently being undertaken to assess public opinion and provide the opportunity for local communities to have their say on local facility provision prior to recommendations being presented to the December Executive Board.
- 2.6 It is proposed that:

| Facilities | Draft Proposal |
|---------------------------|--|
| Kippax Leisure Centre | To re-provide Kippax and Garforth Leisure Centres in the form of a new, purpose built, well-being centre to serve the communities of Garforth and Kippax. |
| Garforth Leisure Centre | |
| East Leeds Leisure Centre | i) To re-provide Fearnville and East Leeds Leisure Centres in the form of a new, purpose built, well-being centre, located close to the A64 corridor. |
| Fearnville Leisure Centre | |
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| South Leeds Sports Centre | i) To close South Leeds Sports Centre once the new Morley Leisure Centre has opened and to concentrate provision at the John Charles Centre for Sport and Morley. |
| Middleton Leisure Centre | ii) To close the pool at Middleton Leisure Centre and to consider the transfer of the dry-side facilities to the voluntary sector as part of a community asset transfer. |

- 2.7 Consultation has taken the form of:
- Citizen's panel survey
 - Leisure Centre user surveys - via the leisure centres, Council website and local libraries
 - Report to the Area Committees directly affected by the proposals
 - Letters with surveys to the remaining Area Committees, town and parish councils and local MP's
 - Leisure Centre staff updates
 - Trade Union updates

- Public displays – in the Leisure Centres and local libraries
- Consultation workshops at the main 6 affected leisure centres (3 at each)
- Stakeholder feedback (For example, Youth forum, Health and Well Being Strategic Leadership Team, PCT, Sport England, Children's' Services, Education Leeds, Equalities team)

A full breakdown of the consultation to date is contained in appendix 3

- 2.8 The consultation process has commenced and the outcome will be reported to the Executive Board In December 2008.

3.0 Implications for Council Policy and Governance

- 3.1 The consultation exercise is a pivotal piece of work to be carried out as part of the Sport Capital Investment Strategy, informing the vision for the Council's Leisure Centres up to 2014.

4.0 Legal and Resource Implications

- 4.1 Resources for the delivery of the consultation programme have been identified within City Development.

5.0 Recommendations

- 5.1 Scrutiny Board is requested to note the proposals for consultation on the draft vision for the Councils Leisure Centres.
- 5.2 Scrutiny Board members are asked to provide their initial feedback on the proposals outlined.

Appendices:

1. Income and expenditure report – Leeds City Council Leisure Centres
2. Executive Board report 2nd September 2008
3. Stakeholder Consultation Update September/October 08

Backgrounds Papers

Report to Executive Board - A Draft Vision for Investment in Sport Centres in Leeds and Proposals for Future Provision for Public Consultation

Appendix 1 - Income and expenditure report – Leeds City Council Leisure Centres

| Centre | | | | | |
|---------------------|-------------------|-------------------|------------------|------------------|------------------|
| | Expenditure | Income | Net Cost | Visitors | Cost/ Visitor |
| | £ | £ | £ | | |
| Aquatics | 348,196 | 282,586 | 65,610 | 51,916 | 1.26 |
| John Charles Centre | 1,836,934 | 814,969 | 1,021,965 | 402,233 | 2.54 |
| Bowls and Athletics | 259,825 | 168,644 | 91,181 | 106,704 | 0.85 |
| Morley | 1,176,683 | 925,322 | 251,361 | 341,353 | 0.74 |
| South Leeds | 407,892 | 160,708 | 247,184 | 70,585 | 3.50 |
| Armley | 876,005 | 494,886 | 381,119 | 200,160 | 1.90 |
| Pudsey | 894,820 | 712,821 | 181,999 | 270,352 | 0.67 |
| Bramley | 610,389 | 318,408 | 291,981 | 145,915 | 2.00 |
| Scott Hall | 919,917 | 661,054 | 258,863 | 400,623 | 0.65 |
| Aireborough | 946,933 | 759,014 | 187,919 | 326,902 | 0.57 |
| Kirkstall | 833,584 | 584,994 | 248,590 | 244,924 | 1.01 |
| LIP | 532,042 | 283,456 | 248,586 | 58,701 | 4.23 |
| Rothwell | 956,064 | 917,581 | 38,483 | 343,093 | 0.11 |
| Fearnville | 794,223 | 387,507 | 406,716 | 212,916 | 1.91 |
| East Leeds | 945,160 | 384,577 | 560,583 | 140,775 | 3.98 |
| Kippax | 598,313 | 250,119 | 348,194 | 150,003 | 2.32 |
| Garforth | 561,467 | 446,030 | 115,437 | 152,556 | 0.76 |
| Wetherby | 704,773 | 470,866 | 233,907 | 190,640 | 1.23 |
| Richmond Hill | 86,677 | 25,682 | 60,995 | 23,599 | 2.58 |
| Otley | 139,547 | 70,657 | 68,890 | 35,810 | 1.92 |
| Holt Park | 855,284 | 461,829 | 393,455 | 204,016 | 1.93 |
| John Smeaton | 915,623 | 559,223 | 356,400 | 249,345 | 1.43 |
| Middleton | 467,009 | 184,637 | 282,372 | 99,091 | 2.85 |
| Total | 16,667,360 | 10,325,570 | 6,341,790 | 4,422,212 | |
| Average | | | | | £1.43 |



Leeds

CITY COUNCIL

Originator: Martin Farrington

Tel: 2243816

Report of the Director of City Development

Executive Board

Date: 2 September 2008

Subject: A Draft Vision for Investment in Sport Centres in Leeds and Proposals for Future Provision for Public Consultation

Electoral Wards Affected:

All Wards



Ward Members consulted
(referred to in report)

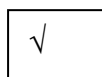
Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

Eligible for Call In



Not Eligible for Call In

(Details contained in the report)



EXECUTIVE SUMMARY

The success of Team GB at the Beijing Olympics has enthused people across the country and, hopefully, will encourage people of all generations to want to participate in sport. Beijing has also created the highest quality sporting venues which have impressed the world. Here in Leeds we want to make sure even more people, and particularly our young people, participate in sport, but to do that we need to make sure our leisure centres are places people want to regularly visit and enjoy sport and active recreation. We want to set high standards for our facilities which will inspire our young people to be the next generation of Olympians and continue to develop Leeds' reputation for producing world class sportsmen and women who will represent Team GB at London 2012 Olympics.

This report therefore proposes a draft vision for the future provision of Council Leisure Centres to help achieve the Council's improvement priority to enable more people to become involved in sport and culture by providing better quality and wider ranging facilities and activities. The report also provides an overview of the financial and operational pressures facing the Council's Sport and Active Recreation Service. To deliver the proposed vision, a series of draft proposals for investment and reprovision are put forward which aim to facilitate the delivery of a sustainable service that meets the future needs of the people of Leeds.

It is proposed that a public consultation exercise is progressed prior to any final recommendations being made.

1.0 PURPOSE OF THE REPORT

- 1.1 This report considers the current financial position of the Council's Sport and Active Recreation Service and proposes a draft vision for Leisure Centre provision for Member consideration. The report seeks Executive Board's approval to a series of draft proposals designed to inform future investment in the Council's Leisure Centres. The draft proposals outlined will be subject to public consultation.

2.0 BACKGROUND

- 2.1 Members of Executive Board will recall that at the last Executive Board meeting held on the 16 July 2008 it was agreed that:

- the Council will not proceed with the development of a Trust to manage the Council's Sports and Active Recreation Service.
- further work be undertaken and reports brought forward for consideration by the Board as to short and medium term options to address the challenges faced by the service as presented in this report.

- 2.2 The Sport and Active Recreation Service has a gross expenditure of some £29.1m and in total an income target for 2008/9 of £13.3m. In addition, there are more than 600 FTEs involved in the delivery of the Service. The resolutions above were made in the context of a £1.4m budget deficit for the Service in 2007/08. Whilst noting this financial pressure, it is also recognised that the Council has a strong health and wellbeing agenda, with a Strategic Outcome to reduce health inequalities through the promotion of healthy life choices and improved access to services.

Further to July's Executive Board, officers have given consideration to a series of measures which are designed to mitigate the long-term impact of the current financial situation faced by the service and to also secure the provision of good quality leisure facilities across the City in a way that is both stable and sustainable over the longer term, that supports the Council's Strategic Plan objectives.

Accordingly, this report:

- Reviews the challenges faced by the Sport and Active Recreation Service.
- Considers the nature and scale of the financial pressures faced.
- Outlines the current condition and investment needs of the sports centres.
- Makes draft outline proposals for investment into the leisure centre portfolio and the re-modelling of the service in specific parts of the City.

- 2.3 **Challenges faced by the Sport and Active Recreation Service** - The challenges faced by the Council's Sports Service have been evident for some time. In 1999, Leeds City Council commissioned KPMG to review the financial impact of different delivery vehicles on the provision of its Sports Strategy. As part of this study KPMG highlighted a number of points which included:

- The facilities were in need of significant capital investment

- The facilities received a low level of subsidy in comparison with other local authorities
- Pricing was relatively high in comparison to the quality of the facilities being offered and
- In part, as a consequence of the above, the gap between income and expenditure had risen and was likely to continue to do so unless a solution to the problem, which gave long-term sustainability was found

2.3.1 Subsequent to the completion of the KPMG report, it is apparent that the Council has made progress in a number of areas. John Smeaton Sports Centre has been significantly remodelled with the help of New Opportunities Funding at a cost of £3m, a new Aquatics Centre has been built to replace the former Leeds International Pool, which attracted £5m of Sports Lottery funding, Yeadon Tarn Sailing Centre has undergone significant refurbishment and work has started on two new leisure centres at Armley and Morley. In addition, the Council has submitted an Expression of Interest for £30m of PFI credits for a new Holt Park Well Being facility and has also made financial provision to support the provision of public access to the new city-centre pool proposed by Leeds University.

2.3.2 Notwithstanding the progress that has been made, a Strategic Leisure report, commissioned by the Council in 2006, considered the investment challenges that remained and also assessed the supply of swimming pools across the City.

2.3.3 Using Sport England's Facilities Planning Model, Strategic Leisure identified the demand for swimming facilities in Leeds. The outcome of this work indicated that the benchmark demand for Leeds is some 5,097m² of swimming pool water as outlined in Table 1 below. In contrast to this, as detailed in Appendix 1, the actual level of supply of pool facilities is currently 11,251m². This equates to an over supply of some 120%. A further analysis undertaken to take account of limited access to some facilities reduced the level of supply to 7,999m², which still equates to an over supply of 57%. In order to verify that the level of supply in 2008 remains as stated, officers have requested that this analysis be updated and projected forward to 2012. The outcome of this work will be reported to Executive Board in December 2008.

Table 1: Analysis of Swimming Pool Provision in Leeds

| Facilities Planning Model Demand Analysis | Total Supply of Water Space | Access Moderation |
|--|--------------------------------|-------------------|
| 5,097 | 11,251 | 7,999 |

2.3.4 In considering Appendix 1, it is evident that the City Council currently provides 7,001m² of swimming pool water. Whilst this in itself represents an oversupply, it is also apparent that, prior to the opening of the new Aquatics Centre in 2007, the last swimming facility opened by the Council was Middleton Leisure Centre in 1986.

2.3.5 During this 21 year period, some 19 new swimming pools were opened in the City, nearly all of which were provided by the private sector. It is important to note that many of these new facilities will target those individuals who can afford to pay the fees and membership rates charged. However, it remains the case that:

- There appears to be a significant over supply of water space in Leeds and
- The recent growth in swimming facilities has largely been made by the private sector.

2.3.6 Consequently, the Council is faced with a position where a significant proportion of the public have a wide choice of facilities to choose from, with many of the local authority's facilities being some of the oldest and in need of investment. In turn, this position has contributed to the financial pressures faced by the service.

2.4 Nature and Scale of the Financial Pressures Faced – As outlined in the report to Executive Board in July 2008, the Sport and Active Recreation Service is facing a number of significant financial pressures both in terms of increased costs coupled with an under achievement of income targets.

2.4.1 To ensure that Executive Board Members are fully aware of the issues impacting on the service, officers have reviewed the financial performance of the service over recent years and normalised the income and costs to take account of facility openings and closures in any particular year to enable a like-for-like comparison.

2.4.2 With respect to costs, there are a number of pressures including rising energy prices and increased building maintenance. Table 2 below indicates that running costs (excluding staffing) rose from £4.75m in 2004/05 to £6.72m in 2007/08, an increase of 41%. Included in this figure is a £0.65m increase in energy costs, a £0.34m increase in business rates and £0.46m increase in building maintenance.

Table 2: Leisure Centres running costs excluding staffing

| Year | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|------------------------|---------|---------|---------|---------|
| Total running costs £m | 4.75 | 5.05 | 5.99 | 6.72 |

2.4.3 Added to the increase in general running costs, there has also been a significant increase in staffing costs as outlined in Table 3 below. In particular, staffing costs have increased by 12.5% in 2007/08, with the impact of job evaluation being a significant factor.

Table 3: Leisure Centre staffing costs

| Year | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|-------------------------|---------|---------|---------|---------|
| Total staffing costs £m | 9.30 | 9.73 | 10.16 | 11.43 |

2.4.4 Coupled with the increased costs, the income generated by the Leisure Centres has not kept pace. As Table 4 outlines, for 2004/05, the total income for the service was £9.7m and has increased to £10.91m in 2007/08, which equates to an increase of 12.5% over the period

Table 4: Leisure Centre income

| Year | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|-----------|---------|---------|---------|---------|
| Income £m | 9.70 | 10.14 | 10.55 | 10.91 |

- 2.4.5 By adding staffing costs to the figures presented above, the total deficit for the service has increased from £4.36m in 2004/5 to £7.23m in 2007/08 as outlined in Table 5 below.

Table 5: Leisure Centre operational deficit

| Year | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|------------------------|---------|---------|---------|---------|
| Operational deficit £m | 4.36 | 4.65 | 5.60 | 7.23 |

- 2.4.6 Based on the information presented above, it is clear that the operational deficit for the service has grown by some 66% over the period. Furthermore, it is also evident that operational costs are likely to increase further in the short-term. The Council is likely to face further significant increases in energy costs during 2008/09, which could create a further financial pressure of up to £1m. In addition, the introduction of equal pay will also increase staffing costs, particularly during evenings and weekends, which are often busy periods for leisure facilities.

- 2.5 Current condition and investment needs of the sports centres** – Key parts of the sports centre portfolio have received significant investment in recent years which has resulted in the remodelling or re-provision of some centres. However, notwithstanding the investment that has been made, there remains a sizeable backlog maintenance issue to address. Excluding the sites that are about to be rebuilt (Armley and Morley Leisure Centres) and the recently re-opened John Smeaton Leisure Centre, the total backlog maintenance identified in the sports centre portfolio is £7.78m. Furthermore, this figure only covers items of condition and those of a wind and weather tight nature, it does not take account of the need to remodel and modernise a number of facilities.

- 2.5.1 The scale of remodelling/modernisation required is difficult to quantify as it is largely subject to the extent of the Council's ambition. However, work commissioned by the Council in 2004 looked at the need to remodel a number of the facilities that still required significant refurbishment. The level of investment reported by these concept studies, excluding any new builds, is outlined below.

Table 6: Investment needs of specific Leisure Centre sites 2004

| Facility | Investment cost £m 2004 |
|-------------|----------------------------|
| Aireborough | 2.02 |
| Fearnville | 3.24 |
| Kirkstall | 2.47 |
| Pudsey | 1.30 |
| Rothwell | 4.55 ¹ |
| Scott Hall | 2.85 |
| South Leeds | 2.76 |
| Total | 19.19 |

¹ Includes works to wet changing rooms completed in 2007 at a cost of £596k

- 2.5.2 The level of investment outlined in the concept studies can only be seen as indicative at this stage and should the Council choose to progress with significant remodelling of centres then more detailed work will be required. However, even though the precise level of investment will be the subject of further work, it remains the case that there is a significant cost attached to modernising the Leisure Centre portfolio.

2.6 Summary assessment

- 2.6.1 Based on the position outlined above it is apparent that there has been a significant growth in the supply of private leisure facilities in recent years. At the same time, the Council's provision has remained largely unchanged, with many of the facilities now requiring a substantial degree of refurbishment and modernisation.
- 2.6.2 In addition to the above, the operational costs of running the facilities have increased significantly in recent years and outpaced the growth in income. Accordingly, the Council needs to bring forward proposals to address the issues that are faced to facilitate the provision of a sustainable service that is best placed to achieve the Council's Strategic Plan objectives to improve healthy life choices and increased participation in sport.

3.0 MAIN POINTS

- 3.1 How the Council chooses to address the issues identified in the first part of this paper is largely dependent on its vision for future Leisure Centre provision. The Sport Leeds Strategy, 'Taking the Lead' acts as the City's strategy for sport and active recreation in Leeds from 2006 to 2012, of which the City Council was a key contributor.
- 3.2 The Vision expressed in this strategy is that:
- 'By 2012 Leeds will be a leading city of sport and active recreation, recognised for the opportunities it provides from participation to excellence*
- Leeds will be a city where more people want to play sport, more people can play sport and more people do play sport'*
- 3.3 It is also acknowledged that the Council's Strategic Plan sets a series of targets to improve health and increase participation in Sport and Active Recreation.
- 3.4 In considering the above it is proposed that the Council's vision for future leisure centre provision should be:
- 'To secure a city-wide network of quality, affordable, accessible and sustainable leisure centres for the benefit of all the people of Leeds.'*
- 3.5 In considering this vision, it is necessary to consider the extent to which the City Council's facilities meet this aspiration and also the areas in need of future improvement. Appendix 2 outlines the current cost and subsidy per visitor of operating each facility.
- 3.6 From this information it can be seen that there are wide variations in the cost of operating each facility and the subsidy per visitor. By way of example, Rothwell

Leisure Centre had a net cost per visit of £0.11 in 2007/08. The same figure for Aireborough and Pudsey Leisure Centres was £0.57 and £0.67 respectively. Conversely, East Leeds Leisure Centre reported a net cost per visitor of £3.98, South Leeds Sports Centre, £3.50 and Middleton Leisure Centre £2.85.

- 3.7 In considering the variations in net costs identified in Appendix 2, it is evident that there are related factors that tend to support the successful operation of Leisure Centres. Specifically, Leisure Centres that attract greater custom and, as a consequence, have a low operational deficit tend to fall into one or more of the following categories:
- 3.8 **Town and District Centres** – a number of Council Leisure Centres are located within, or adjacent to, established District Centres. Town and District Centres are often the hub of services for their local area, with the provision of a leisure centre adding critical mass and being complementary to their status. Existing Council facilities within or adjacent to Town and District Centres are Aireborough, Morley, Armley, Pudsey, Kirkstall, Wetherby and Holt Park.
- 3.9 **On an arterial route** – Some Council facilities are located on arterial routes. As a result, these Leisure Centres are often in a prominent location and best placed to benefit from the significant passing traffic and/or bus routes that result. Council Leisure Centres that fall into this category are Scott Hall, Kirkstall and Rothwell.
- 3.10 **Dual use facilities**– In addition to the factors identified above, some leisure centres benefit from being located next to High Schools, which in turn have the potential to provide off-peak use to support the overall operation of the facility. John Smeaton Leisure Centre, Chippendale Pool and John Charles Centre for Sport all fall into this category.

In considering the factors above, there are a number of facilities that fall outside of these categories. The facilities that do not fall into any of these categories and their net cost per visitor are:

Table 7: Net cost per visit for specific Leisure Centres

| Facility | Net cost per visitor 2007/08 - £ |
|------------------------------------|---|
| East Leeds Leisure Centre | 3.98 |
| South Leeds Sports Centre | 3.50 |
| Middleton Leisure Centre | 2.85 |
| Kippax Leisure Centre | 2.32 |
| Bramley Baths | 2.00 |
| Fearnville | 1.91 |
| Richmond Hill Sports Hall | 2.58 |
| Garforth Leisure Centre (Dry Only) | 0.76 |

- 3.11 Of the facilities identified above, Bramley Baths is the only facility which has listed building status and there is a considerable degree of heritage value attached to the facility. In addition, Garforth Leisure Centre is a 'dry' facility with no swimming pool, hence the lower net cost per visitor.
- 3.12 It is also apparent that a number of the facilities identified above are located in areas with higher levels of social deprivation particularly, East Leeds, Fearnville, Richmond Hill, South Leeds and Middleton, where provision has traditionally been centred within local housing areas rather than in Town and District Centres or on arterial routes. Notwithstanding this position, a number of these facilities operate at

a high net cost per visitor. Accordingly, the challenge for the Council is to consider how it can improve on the current position and provide quality and affordable leisure centres for these communities in a way that is sustainable over the long-term, that supports the achievement of the Council's Strategic Plan. With respect to Fearnville Leisure Centre, from the information contained in Appendix 2, it is apparent that the net deficit of operating this facility has increased markedly over the past 3 financial years. In part, this position is due to the re-opening of John Smeaton Leisure Centre following its refurbishment.

4.0 PROPOSALS

- 4.1 In moving forward with proposals to secure a city-wide network of quality, affordable, accessible and sustainable leisure centres, it is clear that the Council needs to put in place plans to make changes to the existing portfolio. Furthermore, proposals need to identify those facilities which are well located and need continued investment and remodelling and those facilities where some form of re-provision/rationalisation is considered more appropriate. In addition, proposals need to take account of the existing over supply of facilities and the increasing net cost of the service. Accordingly, the following draft proposals are made for Members of Executive Board to consider.

| Facility | Draft Proposal 1 |
|----------------------------|---|
| Aireborough Leisure Centre | To bring forward detailed plans for capital investment and remodelling to modernise and improve the quality of the facilities provided. |
| Pudsey Leisure Centre | |
| Bramley Baths | |
| Scott Hall Leisure Centre | |
| Kirkstall Leisure Centre | |
| Otley Chippendale | |
| Rothwell Leisure Centre | |
| Wetherby Leisure Centre | |

- 4.2 With respect to the proposal detailed above, consideration will need to be given to the ability of the current Capital Programme to finance any works and in this regard it is proposed that any larger scale capital investment is programmed into the medium and longer-term planning of the Council's Capital Programme.

| Facilities | Draft Proposal 2 |
|---------------------------|---|
| East Leeds Leisure Centre | i) To re-provide Fearnville and East Leeds Leisure Centres in the form of a new, purpose built, well-being centre, located close to the A64 corridor. |
| Fearnville Leisure Centre | |
| Richmond Hill Sports Hall | ii) to consider the transfer of the management of Richmond Hill Sports Hall to the voluntary sector as part of a community asset transfer. |

- 4.3 To finance the provision of a modern, new facility for East Leeds, it is proposed that the Council seeks funding from the Department of Health on a similar basis to the expression of interest submitted for a new facility at Holt Park. The location of the new facility will be subject to public consultation and a site search.

| Facilities | Draft Proposal 3 |
|-------------------------|---|
| Kippax Leisure Centre | To re-provide Kippax and Garforth Leisure Centres in the form of a new, purpose built, well-being centre to serve the communities of Garforth and Kippax. |
| Garforth Leisure Centre | |

- 4.4 As the first option, it is proposed that a new, purpose built facility, forms part of an expression of interest for funding for new Well-being Centres combined with the proposals for East Leeds. The location of a new facility will be subject to public consultation and a site search.

| Facilities | Draft Proposal 4 |
|---------------------------|--|
| South Leeds Sports Centre | i) To close South Leeds Sports Centre once the new Morley Leisure Centre has opened and to concentrate provision at the John Charles Centre for Sport and Morley. |
| Middleton Leisure Centre | ii) to close the pool at Middleton Leisure Centre and to consider the transfer of the dry-side facilities to the voluntary sector as part of a community asset transfer. |

- 4.5 The proposals identified above will result in:

- continued investment in the Council's leisure centres that are considered to be well-located and viable over the longer-term.
- the provision of two, new Well Being Centres, for communities in inner and outer East Leeds.
- consolidation of Council provision in South Leeds at the John Charles Centre for Sport and the new Morley Leisure Centre.
- the continued provision of dry-side facilities at Richmond Hill Sports Hall and Middleton Leisure Centre in partnership with the voluntary sector.

In addition, the proposals will also help to mitigate the over supply of swimming pools in the city and reduce the net operational cost of the service.

5.0 PUBLIC CONSULTATION

- 5.1 Should Members of Executive Board agree to the draft proposals outlined, it will be important to engage in a public consultation exercise to gain the views of a wide range of stakeholders and help to shape the form of any proposals made. Accordingly, subject to the approval of Executive Board, it is proposed that public consultation is undertaken during September and October 2008. Consultation will include:

- Attendance at Area Committees for Inner and Outer East Leeds and Inner South Leeds
- Public surveys
- Public displays
- Trade Unions
- Drop in sessions at public libraries.
- The outcome of the PPG17 Needs Assessment
- Feedback from stakeholder groups in the Leeds sporting community

- 5.2 Further to the completion of a public consultation exercise, it is proposed that officers report back to December's Executive Board with final proposals for consideration.

6.0 LEGAL AND RESOURCE IMPLICATIONS

- 6.1 This report sets out a draft vision for the future provision of the Council's Leisure Centres and highlights the need to make a step change in the quality of provision and to address increased operational costs associated with the running of the facilities. The service was £1.4m over budget for 2007/08 with the potential for this position to worsen unless long-term actions are put in place.
- 6.2 In developing these measures, officers have given consideration to the revenue support that the Government has announced to fund free swimming for the over 60's. The £80m of revenue funding available nationally during 2009/10 and 2010/11, will help the Council to consider providing free swimming to the over 60's and Under 16's during the period that the funding is available. However, with respect to the overarching financial pressures faced by the service, the initiative is likely to have a neutral impact.
- 6.3 In terms of the medium term development of the service, subject to the outcome of the public consultation exercise, officers will seek to bring forward funding proposals which will be based on a mix of:
- PFI credits
 - The sale of surplus sites
 - Council capital resources
 - Unsupported borrowing based on the reinvestment of revenue savings realised.
 - Capital from the Government's '£60m Play to Win' initiative fund.
- 6.4 More detailed proposal outlining how the funding mix identified above will be applied to the leisure centre portfolio will be outlined in the report to Executive Board in December 2008

7.0 RECOMMENDATIONS

- 7.1 Members of Executive Board are asked to note the pressures currently facing the Sport and Active Recreation Service and to approve the proposals set out in this report for public consultation with a view to officers reporting back on the outcome of the consultation exercise in December 2008.

Background Papers Referred to:

Future Options for the Council's Sports Centres - KPMG Report 2000
Sports Capital Investment Strategy – Options Appraisal -Strategic Leisure Report 2006
Taking the Lead – A Strategy for Sport and Active Recreation in Leeds 2006 to 2012 – SportLeeds Strategy

Appendix 3 - Vision for Leeds Leisure Centres

Stakeholder Consultation summary – September / October 2008

Updated 22.10.08

| Stakeholder | Method | Date | Responsibility | Comments | Completed | Evidence | Evidence completed |
|--------------|---------------------------------|--|--|------------------------------------|---------------------------------|--------------|--------------------|
| Staff | Intranet | During October | H Evans R Hartley | Link from intranet to main website | | On line | NA |
| | Sports Development Team meeting | 23/10 | M Allman H Evans | | ✓ | Minutes | NA |
| | Operation Manager Briefing | During Sept | M Allman I Waller | Site by site briefings | ✓ | NA | NA |
| | 6 primary sites | 24/9 | H Evans | To go through consultation methods | ✓ | NA | NA |
| Centre Users | Website | 26/9 – 30/10 | R Hartley | Went Live 28/9 | ✓ | NA | NA |
| | Workshops | 2/10 S. Leeds 6/10 Middleton 7/10 East Leeds 8/10 Fearnville 9/10 Kippax 10/10 Garforth 16/10 S. Leeds | H Evans G Williams D Bennett Ops managers x 6 | Managed by Swift | ✓ ✓ ✓ ✓ ✓ ✓ ✓ | Swift Report | ✓ |
| | Additional workshops | 28/10 Middleton 3/11 Fearnville 4/11 Kippax 6/11 South Leeds 7/11 East Leeds 13/11 Garforth | H Evans G Williams D Bennett J Richardson Ops managers x 6 | | | HE Report | |

| Stakeholder | Method | Date | Responsibility | Comments | Completed | Evidence | Evidence completed |
|-----------------|--------------------------------------|--------------|---|---|-----------|---|--------------------|
| | Survey in centre | 24/9 – 13/10 | J Richardson | Managed by QA | ✓ | QA report 2030 returned for libraries / sports centres combined | Due 31/10 |
| Local Residents | Letter to Gipton Residents | 9/10 | H Evans | Gipton residents – via John Woolmer 300 letters sent out | ✓ | Report on returned surveys | Due 4/11 |
| | Survey in centre and local libraries | 24/9 – 13/10 | J Richardson | Managed by QA Results due w/c 27/10/08 | ✓ | QA report 2030 returned for libraries / sports centres combined | Due 31/10 |
| Citizen's Panel | Survey | 24/9 – 27/10 | J Richardson | Managed by QA | ✓ | QA report 800 returned | Due 31/10 |
| Youth Forum | Presentation / workshop | 27/9 | H Evans J Richardson K Elliott S Clark | Report completed | ✓ | JR Report | ✓ |
| Local schools | Workshop | 21/ 10 | H Evans G Williams S Birkinshaw L Preston M Dawson K Elliott | Invited to do workshop for 300 x yr10 following invite to school for Garforth | ✓ | HE Report | Due 31/10 |
| | Workshop | TBC | H Evans G Williams | Invited to do workshop at Brigshaw High School for Kippax | | | |

| Stakeholder | Method | Date | Responsibility | Comments | Completed | Evidence | Evidence completed |
|---------------------------|--|--|---|---------------------------|-----------|---------------------|--------------------|
| | Invited to workshops at 6 hotspot sites | 25/9 – 10/10 | Ops managers | | ✓ | Swift Report | ✓ |
| Area Committees | Outer East special Area Committee meeting | 2/10 | M Farrington | Swift to attend | ✓ | Swift Report | ✓ |
| | Inner East special Area Committee meeting | 23/10 | M Farrington | Swift to attend | ✓ | Swift Report | ✓ |
| | Inner South special Area Committee meeting | 8/10 | M Farrington | Swift to attend | ✓ | Swift Report | ✓ |
| | Remainder – letter and invite for discussion session | 26/9 | H Evans | | ✓ | HE report | Due 4/11 |
| Property Forum | | | M Allman | Need date of next meeting | | | |
| Equalities Forum | Workshop | 6/10 400 invites out 22/10 workshop | K Newman K Elliott A Holmes G Williams | 13 attended | ✓ | KN report | ✓ |
| Hamara Community Centre | Display | 10/10 | K Newman M Noble | | ✓ | KN report | ✓ |
| Health and well being SLT | Presentation / feedback | 18/10 | M Allman H Evans | | ✓ | HE report / minutes | ✓ |
| Lead member for leisure | Regular meetings | 24/10 | M Farrington | | Ongoing | | |

| Stakeholder | Method | Date | Responsibility | Comments | Completed | Evidence | Evidence completed |
|--|--|-------|-------------------------------------|------------------------|-----------|---|--------------------|
| Labour Group | Update meeting | 2/11 | M Farrington | | | MF report | |
| Town Councils | Letter and invite for discussion session | 26/9 | H Evans | Returned by 24 October | ✓ | Report on returned surveys. Horsforth Town Council met 23.10.08 | Due 4/11 |
| Parish Councils | Letter and invite for discussion session | 26/9 | H Evans | Returned by 24 October | ✓ | Report on returned surveys | Due 4/11 |
| MP's | Letter | 26/9 | H Evans | | ✓ | No returns | |
| Learning disability Public Partnership Board | Display stand / surveys / presentation | 14/10 | K Newman K Elliott | 3 responses | ✓ | KN report | ✓ |
| Sport Leeds | Meeting | 1/10 | M Allman H Evans | Feedback by 24/10 | ✓ | Letter | ✓ |
| PCT | Meeting | 24/10 | M Allman | I Cameron updated | ✓ | MA report | |
| Active Leeds Strategic Partnership | Presentation / meeting | 27/10 | I Waller | | ✓ | Stefan Minutes | 4/11 |
| EASEL | Meeting | TBA | H Evans J Richardson M Allman | Postponed by EASEL | | | |
| Beeston Hill and Holbeck Regen P'ship Board | Meeting | 7/11 | M Farrington | | | | |

| Stakeholder | Method | Date | Responsibility | Comments | Completed | Evidence | Evidence completed |
|------------------------|---------------|-------|---------------------|----------|-----------|------------|--------------------|
| Sport England | Meeting | 15/10 | M Allman | | ✓ | Letter | ✓ |
| Education Leeds | Joint meeting | 24/10 | H Evans M Allman | | ✓ | HE minutes | Due 31/10 |
| Children's Services | | | | | | | |

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Originator: Richard Mills

Tel: 247 4557

Report of the Head of Scrutiny and Member Development

Scrutiny Board: City Development

Date: 18th November 2008

Subject: Publicity and Promotion of Leisure Events

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 Some Members of the Board at its last meeting expressed concern at the apparent short notice being given to publicise and promote leisure events in the city and in particular that of the fourth annual Light Night event held recently.
- 1.2 The Board requested a report on this issue for consideration at today's meeting.
- 1.3 In accordance with the Board's wishes the Executive Board Member for Leisure has been invited to attend the Board today to discuss this matter and respond to Members questions.

2.0 Director's Report

- 2.1 The report of the Director of City Development is attached for Members consideration.

3.0 Recommendation

- 3.1 The Board is asked to consider and comment on the report of the Director of City Development and determine what further information or scrutiny, if any, the Board wishes to undertake.

Background Papers

None used

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Report of the Director of City Development

Scrutiny Board (City Development)

Date: 18 November 2008

Subject: Light Night 2008

Electoral wards affected:

All

Specific implications for:

Ethnic minorities ☐

Women ☐

Disabled people ☐

Narrowing the gap ☐

Executive Summary

Light Night is a European Cultural initiative enabling audiences to experience a wide range of entertainment and performances over a single extended evening once a year in major cities. Since cities in West Yorkshire introduced the event to this country in 2005, Leeds has developed the event every year and is now the national leader.

Given the large number of agencies and venues participating, a comprehensive and accurate programme can only be printed at a late stage and collected on the evening. This worked very successfully this year and this report includes proposals to ensure that the initiative is given appropriate corporate publicity.

1.0 Purpose of this report

- 1.1 This report provides information about Light Night 2008 and specifically publicity for the event.

2.0 Background information

- 2.1 Light Night is a popular feature of the calendar in European Cities such as Amsterdam, Berlin and Paris. The format of the event is to utilise unusual performance locations alongside more traditional venues in an extended evening of innovative entertainment. The performances are usually free and the ethos of the initiative is to allow the audience to visit a variety of the many opportunities on offer throughout the evening. The range and variety of performers and performances is an integral part of the philosophy behind Light Night.
- 2.2 The initiative came to this country, specifically West Yorkshire in 2005 as part of the Urban Cultural Programme. The five cities provided various contributions but Leeds is the only city in the region that has continued to develop the event. Other cities in this country have now followed Leeds lead but we remain the most successful national organisers of the initiative.
- 2.3 The fourth Light Night in Leeds this year was the most successful to date with 68 separate events and venues and a recorded 42,000 visits to these events. This large scale partnership was co-ordinated within City Development and attracted visits from town and city centre managers in addition to European interest. The Home Office has subsequently requested the above statistics as a model of good practice in making city centres safe and welcoming places.

3.0 Main issues

- 3.1 In terms of publicity, information ahead of the event was disseminated via flyers (advertising the web site), press releases, listings, street sites and the internet. Following consultation with participating venues, agencies and previous years users, it was agreed that the full printed programme of events should be printed as close to the night itself to ensure that it was comprehensive, up to date and accurate. In the event, the entire print run was collected during the evening itself and used by the audience on the night. Not only did this maximize the quantity and accuracy of information available to the public, it also received very positive feedback from those attending. Many users had also down loaded the online version.
- 3.2 As a result of this strategy the brochure was distributed to Members as soon as it was available, obviously at a late stage. To overcome this problem in future Members will be contacted via e-mail in advance of the event to direct them to the web-site which will provide up to the minute information leading up to the event itself. Any advance flyers will also be distributed. Members who join in the event will be able to pick up the full printed programme if they wish on the evening.

4.0 Implications for council policy and governance

- 4.1 There are no implications for Council Policy and Governance

5.0 Legal and resource implications

- 5.1 There are no legal and resource implications

6.0 Conclusions

- 6.1 As Light Night in Leeds continues to develop, every effort will be made to ensure publicity is as widely available as possible.

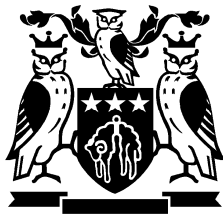
7.0 Recommendations

- 7.1 Members of Scrutiny Board are invited to receive this report.

Background Papers

None used

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Originator: Phil Crabtree

Tel: 2478177

Report of Chief Planning Officer

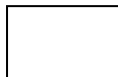
Scrutiny Board: City Development

Date: 18th November 2008

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

Electoral Wards Affected:

ALL



Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

1.0 Purpose of the Report

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

2.0 Background

- 2.1 A Strategic Review of Planning and Development Services was undertaken in 2005, which led to a report to Executive Board on 14th June 2006. Executive Board agreed the proposed service improvements set out in the report. Five improvement themes were identified as follows:-

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

- 2.2 A report of progress was presented to the Overview and Scrutiny Committee in March 2007. At the meeting the committee requested that further reporting on the progress in meeting the work streams identified in each of the themes should be provided yearly. A summary of progress surrounding each improvement theme is therefore, set out below for the period 2007/08.

3.0 Summary of progress since September 2007

Capacity building and working with the private sector

- 3.1 Recruitment has taken place to appoint up to full structure plus a further 2 Principal Planning Officers (grade PO4). However the Head of Planning Services post is now vacant. The post has been advertised, however appointment to this post is now unlikely until early 2009. The Planning Manager post is currently being covered by a short term acting up arrangement involving two of the Senior Area Planning Managers. Overall a 5% vacancy rate is being maintained. Further recruitment to vacant posts is being closely monitored in relation to workloads, capacity and budgetary factors. The recent decline in fee income as a result of the economic downturn also raises concern because of its potential effect on future staffing levels and therefore performance.
- 3.2 The level of technical/admin support has been improved in the Compliance Team. In addition Work is currently under way to make further improvements. A full report to City Development Scrutiny Board will be presented in the near future to detail the proposed improvements.
- 3.3 The E- planning team are currently progressing a scanning project and aim to implement online all Planning applications during 2009.

Realising a definitive officer view

- 3.4 The new Planning Technical Board continues to meet as required and continues to be a successful forum in which to resolve differing views and provide a clear and effective framework for producing timely decisions.
- 3.5 Weekly design surgeries have been expanded and these are now well established and working well and will be continued to be monitored.
- 3.6 The Design Advisory Panel continues to meet regularly to help promote higher and more consistent design standards. This meets on a monthly basis and involves the Civic Architect in considering design issues on significant major developments.
- 3.7 A Protocol for Strategic and Key Regeneration Projects was introduced on the 1st of April 2008. This Protocol recognises that one of the keys to successful delivery of Strategic Developments and Key regeneration projects is to improve communication between the Council, developers and other agencies involved in the development process to minimise delays reduce the possibility of receiving conflicting advice and to maximise certainty in the development process. To achieve this it is intended to utilise the principle of 'Planning Performance Agreements' as advocated by the Department of Communities and Local government. This would in general relate to 'Large Majors' as defined by the DCLG in the consultation paper entitled 'Planning Performance Agreements: a new way to manage large scale major planning applications'. It is anticipated that in the first year approximately 5 large majors will be considered under this Protocol. Currently discussions are under way on a large Major application which may be the first application to be considered under the Protocol
- 3.8 The Charter for charging for pre application advice for major applications as defined by the DCLG has been finalized and implemented on the 1st of June 2008. The purpose of the Charter is to recover the costs associated with providing that advice which in turn will help us to sustain and improve the service provided. The initial fee for providing the service has been set at £2000 plus VAT. Fees for follow up meetings have been set at £500 plus VAT. Since the 1st of July 17 chargeable enquiries have been received (period 1st July – 29th August 2008). Fees of £11000 have been received for 10 of those enquiries. A further £12500 is outstanding on the remaining 7 enquiries. The majority of the fees received so far are for follow up meetings for enquiries that had commenced before the introduction of the Charter. The introduction of the fees has received limited negative feedback from applicants and agents. The introduction of this has however coincided with the economic downturn which is likely to affect the take up rate of this service.

- 3.9 Charging for the discharge of planning conditions following the approval of applications was introduced by Central Government in April 2008. The charges are £85 for a single request to discharge a condition or conditions on most applications and £25 for conditions relating to householder approvals. The introduction of the charge has allowed the service to recover the costs involved in providing this service. Since the implementation of this charge on average £5000 of previously un recovered costs have been recovered per month.
- 3.10 A draft Householder Design Guide is being reviewed in light of the new permitted development rights being introduced by the Government for householders on the 1st of October 2008. The intention is to consult the plans panels on the revised document before going out to consultation later in the year.
- 3.11 Consultation on the Highways Street Design Guide has been completed and the document was presented to the Highways Board on the 11th of August 2008 and to Executive Board on the 2nd of September for approval. The item has however, been deferred to the November Executive Board pending the submission and consideration of a deputation to the council representing blind and partially blind groups.

Development of and support for plans panels

- 3.12 A Review of the Plans Panel is underway and significant process has been made. The composition of the Plans Panel have been looked at in some detail to produce a structure that is both effective in how it operates and politically balanced. For this current financial year there are 10 Members of the Council each on both East and West Panels and 8 on Central Panel. Members are required to have been trained before they can sit on Panel and also have to attend compulsory courses through the year. A full training programme has been arranged for Members in the current year. This is currently underway with a number of Members already accessing the training programme. There has been considerable commitment from Members to undertake the training and this factor will be key in demonstrating that Leeds City Council does make well informed, effective development decisions. The uptake of the training is being closely monitored. There are currently 3 events in the programme outstanding until the end of December, and the response rate has been good. As well as this a training programme for Ward Members who do not sit on Plans Panel has been initiated. A Parish Member training programme is also currently being put together.
- 3.13 A number of meetings have been held of the joint Member/Officer working Group to look at the way that Plans Panel operates and as a result a detailed implementation plan is being developed and a number of protocols finalised. These include a draft Site Visits Protocol, draft Public Speaking Protocol, draft protocol for Pre Application presentations at Plans Panel Meetings and draft Protocol for pre-application discussions with local communities and ward members (including Parish and Town Councils) A Joint Plans Panel was held in March 2008 to report on progress made through the Group. A further Joint Plans Panel is being arranged for November 2008 to report back on the final outcome of the Group and to agree the implementation plan.
- 3.14 In the interim, a number of measures have been tried out to improve how Panels operate and will be taken forward as part of the implementation plan across all Panels. Generally the size of the agendas has been reduced across the Panels and the time of the meetings has decreased substantially as a result. This is certainly the case with both Central and West Panels and whilst the number of items being considered at East Panel is higher than the other two Panels it has been reduced in number overall. West Panel have trialed the timing of items and also splitting the meeting into two sessions on long agendas with a break in between and letting customers know where they are on the agenda to minimise as far as possible the wait time for the item to be heard. Site visits are now programmed in with the consideration of applications to minimise delay as far as is possible.
- 3.15 Pre application presentations and position statements are now more common on both Central and West Panels as time has been released for them to be considered.

- 3.16 On a half yearly basis, it is proposed members will receive a performance management report, with a Core Cities comparison wherever possible, covering the following areas: Enforcement data, Appeals, Improvement activities, Section 106 and Achievements. This range of performance information will provide a more complete picture of the performance of the service than just the Best Value indicators and the priorities for improvement.
- 3.17 A number of Senior Officers have now attended a presentation skills course and the format of presentations will have a more standardised structure. Guidelines have been produced and presentations include a brief introduction to site and development, key issues and an update of what's new rather than repeated information. It is intended that skills will continue to be developed on a rolling programme.
- 3.18 A new Panel report format is currently in development which will be more concise without affecting the quality and comprehensiveness of the information provided. It is also intended to include a summary of negotiations with applicants. Position reports on the Major applications subject to the pre-application "Charter" are also being increasingly used to achieve a steer on major and complex development proposals.
- 3.19 Due to audio and visual problems an audit of alternate venues to hold the Plans Panel meetings has been completed. However, rooms other than Committee rooms 6 and 7 have been used in the past, all with varying degrees of success. There does not appear to be an "ideal" venue. Consequently, an investigation has been carried out into alternative solutions to improving the audio and visual technology used in the existing rooms. The conclusion is that 3 enhancements are required. These are to the microphone system, a second large display screen nearer to the public gallery so that plans are more easily read by members of the public and the introduction of individual display screens for members and officers. These are all being pursued with Corporate Services and the Chief Executives Department.
- 3.20 In June and July 2007 a Plans Panel customer satisfaction survey took place. The survey which ran for two cycles of each Panel attempted to find out a little about the types of customers who attend the Panels and what they thought about the process. The survey highlighted some defined areas for improvement and a number of common themes emerged:
- Lack of customer knowledge of how the process worked
 - Who everyone was at the Panel meeting
 - Perception of a lack of knowledge of the Members
 - Audio and visual difficulties with the venue
 - Advance notice of the running order

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

- Leaflet for the public describing the Plans Panel process and showing who the Members are.
 - A Powerpoint slide showing the seating plan, officer details and exemplar sites of good design quality which have been approved by Panel on a geographical basis, as the public enter the room for each Panel meeting.
 - Implementation of audio and visual solutions for the venue.
 - Introduction of a single agenda rather than an agenda and a Plans Panel list to avoid confusion and improve clarity of those matters to be considered at Panel.
- 3.21 The customer satisfaction survey originally run in June /July 2007 is being re run this autumn at Plans Panel with 2 runs for each Panel to identify customer satisfaction and improvements at Plans Panel.

Information and Communication Technology

- 3.22 Public Access was successfully upgraded to the latest version in Sept 07. We will be working with the software company to develop and test a new version which will offer additional functionality like free text searching and the ability to proactively track applications. This is anticipated to be available from April 09.
- 3.23 The e-Planning Board continues to lead and oversee the implementation of the e-Government agenda including the implementation of Parsol standards.
- 3.24 The Document imaging pilot has been completed. An implementation plan has been agreed to introduce electronic scanning of new planning applications on a team by team basis. The aim is to have all new planning applications available online from early 2009. Application forms, plans, reports and decision notices for applications received after this date will be available using Public Access.
- 3.25 Electronic consultation on planning applications will be rolled out from November 2008 as the applications are scanned.
- 3.26 A major upgrade to the operating system is planned for October 08 and a further upgrade to CAPS Uniform version 7.5 is planned for December.
- 3.27 Benefits continue to be realised from spatial data computer system these include:-
- Spatial information about the UDP Review
 - Discharge of conditions on planning permissions
 - Pre-Application and Planning Performance Agreement information
 - Improved information and reporting on enforcement cases
 - Implementation of Uniform Local Development Framework module continues to be developed.
- 3.28 The service has participated in the Local Government Transformational Planning Project run by the DCLG. The project was carried out in conjunction with Hambleton District Council, East Riding County Council and Lewisham Borough Council. The purpose of this is to Process Map and analyse the entire planning application process to fully understand it and identify where improvements can be made to the process and remove those elements of the process that do not add value. This work will result in better customer service and reduce delay in the process.
- 3.29 An implementation plan has been produced to deliver the identified improvements over the next two years. CLG will be producing a synthesis document, at the end of the year, of the project and lessons learnt so that other authorities can use our experiences of best practice as 'pathfinders' to improve their own services.

Improved Customer Services

- 3.30 Customer Service Forums for agents submitting Householder applications and Major applications now established and meeting on a quarterly basis. Feedback from forums continues to be positive.
- Work has been progressing in readiness for the achievement of the Customer Services Excellence Award (formerly Charter Mark) in the Development Enquiry Centre.
 - A new visual screen has been installed in the reception area of the Leonardo Building. Information on the screen informs members of the public about the functions and services of City Development based in Leonardo Building

- There is now a new reception desk in Leonardo Building which separates the reception role from the enquiry centre, this was undertaken as a direct result of receiving comments back from customers.
- A customer questionnaire was undertaken asking our customers about the services, 93% of customers stated that we provided a good to excellent service.
- Other areas of customer feedback have been implemented, such as a comments book and mystery visitors scheme.
- Service standards have been developed for the Development Enquiry Centre, these were agreed with customers who frequently use our service
- Planning Services and Building Consultancy have also developed individual customer services action plans which identify areas such as training, development of service standards, updating the web, implementing service improvements which have been identified as a result of complaint investigation and feedback from customer questionnaires.

4.0 **Performance**

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

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

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

April 07 – March 08

- **63.49%** (61.01%) major applications
- **78.15%** (69.94%) minor applications
- **86.47%** (83.63%) other applications

July 07 – June 08 PDG timeframe

- **65.98%** (62.36%) major applications
- **77.98%** (77.65%) minor applications
- **86.30%** (87.21%) other applications

4.2 In Compliance the following performance has been achieved:-

April 07 – March 08

- Number of cases received **1501**
(This figure is down 6.7% compared to the same period 06/07)
- Number of cases resolved **1646**
(This figure is up 12% compared to the same period)

- Initial site visits

Cat 1 Site visit same day /within 1 working day Target 100% Achieved **90%**

(There were only 10 cases in this category)

Cat 2 Site visit within 2 working days Target 95% Achieved **91%**

Cat 3 Site visit within 10 working days Target 90% Achieved **87%**

4.3 In most areas performance targets continue to be achieved. In compliance the slight downturn can be attributed to long term sickness and job vacancies. Recruitment for 1 full time

Compliance Officer, 1 part time Compliance Officer and 1 full time Senior Compliance Officer is currently underway to address this.

5.0 Conclusion

- 5.1 The review continues to make significant progress and improvements. But there are still areas that require action. These include implementation of
- Complete Panel review and its implementation
 - Householders guide
 - Enforcement review
 - Continue to look at staff resources in light of considerable budget pressures caused by downturn in the economy
 - Complete and publish the Charter for Parish and Town Councils.
- 5.2 The currently fragile confidence in the economy has significantly affected the pace of development and the consequent effect upon planning fees remains a significant cause for concern. This in addition to existing budgetary pressures could affect staff resources and performance in the coming year.

6.0 Recommendations

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

Background Papers

There are no background papers

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Originator: J Wigginton

Tel: ext 78032

Report of the Chief Planning Officer

Scrutiny Board (City Development)

Date: 18th November 2008

Subject: Progress Report on the Management and Capacity of the Planning Compliance Service

Electoral Wards Affected: ALL

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

Executive Summary

Members of Scrutiny Board (City Development) at its meeting of 22nd April 2008 considered and commented upon a report of the Chief Planning Officer on the management and capacity of the planning compliance function. Scrutiny Board requested a progress report to be provided in Autumn 2008 on actions being taken to address the key issues set out in the report.

This is a report on work in progress, which sets out actions being taken focused around the themes of *improving the customer experience*, *developing skills* and *building capacity*. It also provides a brief overview of enforcement actions and outcomes during Quarters 1 and 2 of 2008/09. The report outlines the reporting mechanisms on key cases to elected members and provision of information about new cases to be introduced in Quarter 3; the information leaflet and new web page content now available and management measures to ensure that customers receive a timely response to the outcome of their initial enquiry. The service training plan is attached and explained with particular reference to training now carried out and currently ongoing. Recruitment and career development issues and actions to build capacity in the service and to improve communication and working relationships with the area planning teams are also explained.

The report requests Scrutiny Board to consider and comment on the report and to request a further update in Spring 2009.

1.0 Purpose of this Report

- 1.1 The purpose of the report is to update Scrutiny Board (City Development) on the actions being taken to implement changes to improve the process management and increase the capacity of the planning enforcement service.

2.0 Background Information

- 2.1 On 22nd April 2008 Scrutiny Board (City Development) considered a report by the Chief Planning Officer on the management and capacity of the planning compliance team. The report set out the main areas of ongoing development focused on improving the customer experience, developing skills and building capacity. The report also set out background information on the current staff establishment and present performance levels. It outlined the main procedures for investigating and resolving breaches of planning control and the enforcement mechanisms used and the penalties that can be imposed where matters are not resolved by negotiation or the granting of planning permission. Scrutiny Board resolved to note the report and to support and endorse the actions and further improvements set out in the report relating to:

- (i) A review of the career graded progression and training and development opportunities available to compliance staff.
- (ii) Regular progress reports to appropriate parties on key enforcement cases.
- (iii) A review of prosecution procedures and the use of PACE interviews.

3.0 Progress Report on the Key Themes

3.1 Improving the Customer Experience

- 3.1.1 A customer leaflet has been published which provides information on the planning enforcement process, guidance on reporting potential breaches, including the types of information needed to assist us in investigating the matter, and setting out how we respond to the enquiries that we receive. A copy of the leaflet is appended to this report. The Council's web site content has been updated to include the same information as is contained in the leaflet. An on line proforma is available for reporting issues but the leaflet and website publicise the planning.enforcement@leeds.gov.uk e-mail address and the contact telephone number for the Development Enquiry Centre. Around 75% of requests for investigation of possible breaches of planning control are now received via e-mail.
- 3.1.2 It is proposed to include on the website a quarterly summary of levels of enforcement activity including formal actions taken and outcomes of those actions including appeal decisions and prosecution results. Much of this information is already being collected for performance management purposes and is proposed for reporting to Plans Panels. To publicise successful outcomes on high profile and significant cases press releases are now being prepared for early submission to the Communications team so that they can be released as newsworthy items for reporting in the press. This will also act as discouragement to others contemplating undertaking work without planning permission.

As most planning enforcement case work is not, of itself, high profile and newsworthy it is proposed to discuss with the Communications team making an item out of the quarterly report on enforcement activity and highlighting some key issues, for example the unauthorised variation of developments from the approved plans, to give publicity to the Councils role in compliance, both through enforcement actions and through guidance to help people comply.

- 3.1.3 To ensure that, in every case, a person making an enquiry to the Council about a possible breach of planning control receives information on the outcome of the initial investigation and the course of action being taken within a timely period a reporting mechanism is being established to check that an initial letter/ e-mail is sent out within 3 weeks of the receipt of the enquiry. The acknowledgement letter is being changed to more clearly explain when a substantive response to an enquiry can be expected as customers often interpret the stated timescale for undertaking an initial site visit as the time in which a response will be provided to them. This process will be operational in Quarter 3 and performance reporting will take place from Quarter 4. An initial target of 90% achieved in 3 weeks with 100% in four weeks is proposed.
- 3.1.4 Scrutiny Board indicated that elected Members should be advised of the receipt of new cases when they are received. To address this it is proposed to provide a fortnightly list of new cases registered by Ward and distributed in the same way as lists of planning applications received. It is proposed to commence this by the end of quarter 3 when the system report has been adapted for this purpose. It is not, however, proposed to make this information available on the Council's public access website. In around 50% of the cases investigated no actual breach is identified and in very many cases the person investigated is not aware that specific complaint has been made. It is not considered helpful for the Council to publicise a list of properties where development activity has been investigated and which may turn out to be fully compliant with planning requirements.
- 3.1.5 To keep elected Members better informed on the progress of the identified key enforcement cases a report on the current status and intended course of action of those cases will be produced on six weekly basis for all ward Members. Where formal enforcement actions are proposed the report will indicate the time scales for the proposed actions. A draft of the template is attached showing the layout of the report and indicative content. It is intended to produce one report in Quarter 3 and two reports per quarter thereafter. Feedback on the format and content of the report will be invited from Members.

3.2.0 Building Capacity

- 3.2.1 To provide an effective and timely planning enforcement service within a realistic level of staffing it is necessary to focus efforts on priority cases. This requires making decisions at an early stage on those matters where it is not expedient to take further action, having regard to adopted national and local planning policies and the degree of impact that the development causes. A list of key cases has been established which comprises of cases arising from elected member and MP complaints; those matters that are subject of Ombudsman investigation or are being dealt with through the Council's own complaints process (the complaint may be one arising from a planning decision and not the enforcement process itself);

and priority cases identified due to the degree of harm and/or immediacy e.g on going unauthorised and potentially unacceptable building works or particularly intrusive uses. This list is used in the management of case reviews and forms the basis for the report to be provided to ward members referred to at para 3.1.5 above. The list currently comprises of some 180 cases citywide, which is being added to as part of the ongoing case review process.

- 3.2.2 Work is ongoing to review dormant cases to identify those where it is not appropriate to take further action. In doing this a broad risk based approach is taken to assess if whether the lack of action at this point even though the activity may not be causing harm could enable a more harmful level of activity to take place in the future that would then be immune from enforcement action. Compliance officer case loads remain at a high level due to effects of staff turnover and the build up of cases in 2007 due to sickness absences. The Planning Advisory Service, in an enforcement good practice note, indicates that, nationally, an officer caseload of around 150 is regarded as a manageable amount. Caseloads of some officers in the team are running at 20-25% above this level.
- 3.2.3 Staff recruitment has continued to be an issue for the service. We were successful in recruiting an additional staff member however, a further vacancy at Compliance Officer level has occurred. It has been agreed that this post can be released, notwithstanding the current constraints on the budget. Approval has also been granted for the appointment a temporary compliance officer post for a period of six months and to advertise again for a senior compliance officer, as the job market conditions may result in more interest from of a qualified planner with development management/enforcement experience. This process is now underway.
- 3.2.4 Temporary external assistance was employed for a three-month period over the summer to assist with the drafting of enforcement notices and written representation appeals. Whilst this was beneficial to work output it was not considered to be a cost effective solution, particularly as continuity of staff could not be provided.
- 3.2.5 Administrative support has been increased from within the Planning and Building Standards pool to provide assistance with inputting new cases. This has provided a better level of cover to deal with peaks in receipt of new enquiries and releases time for other support activities. Training has been carried out to enable the section's administrative officer to produce the documentation required to serve enforcement notices, currently undertaken by legal services. This task is to be taken over by Compliance during Quarter 3 and, in turn, this will release some more time for the legal officer to scrutinise draft notices and respond to general enquiries for legal advice on enforcement matters.
- 3.2.6 The administrative officer will have a key role in compiling and issuing reports to elected members on ongoing case work outlined above. The section's administrative capacity is under review as maximising the use of that resource is cost effective in freeing up time of compliance officers and senior compliance officers to concentrate on their primary tasks and in providing a better level of service to customers.

3.3 Developing skills

- 3.3.1 The Compliance team training plan 2008/09 is attached for information at Appendix 2. An objective of the training plan is for compliance officers and planning officers to receive the same training and development opportunities, where this is relevant to their common work areas. In particular that necessary training opportunities to enable career progression and build the skills base and help retain staff within the planning service at Leeds is available to both planning assistants and compliance officers.
- 3.3.2 The plan is “a work in progress” but has broken new ground with a compliance officer commencing the day release course at Leeds Metropolitan University (LMU) leading to qualification for membership of the RTPI. A second compliance officer wishes to take up the course from September 2009. There is also interest from staff without the required qualifications in taking up a bridging year course to qualify them for the LMU course. The attendance of staff on day release courses has implications for workloads in the team and the staff resources required to maintain service levels.
- 3.3.3 The training plan identifies a number of areas for technical training on planning enforcement matters including training for newer starters in both the compliance and planning application teams. It is proposed to arrange such sessions in the New Year. Training for all planning and compliance staff on the GPDO changes for Householder development, introduced on 1st October, has been held recently. Training in supervisory skills and management processes is scheduled for senior compliance officers in the new programme being developed by Human Resources to reflect and apply the One Council ethos and its key service delivery objectives.
- 3.3.4 A specific issue discussed by Scrutiny Board related to prosecution processes. Training on assembling cases for prosecution, including obtaining evidence through surveillance, explanation of the disclosure process, and the application of the Police and Criminal Evidence Act has been provided to all compliance staff. The prosecution and development team solicitors attended the session. The training clarified issues about where PACE interviews were needed and when such an approach was unnecessary. Surgery sessions and one to one meetings with prosecution solicitors have been taking place. Discussing potential prosecution cases at an early stage with the prosecution solicitors is also providing coaching for case offices in assembling evidence and drafting witness statements. Coaching of staff by those already experienced in PACE interviews takes place to broaden the skills base.
- 3.3.5 An Elected Member training event on planning enforcement is scheduled for 29th October 2008 as part of the member training programme in Planning matters. Parish and Town Councils have also been invited to send representatives to this event and a small number have indicated their intention to attend. At a more local level, a meeting was held in September with representatives of parish councils in Harewood ward, arranged with Cllr. Rachael Procter. It provided a useful opportunity for dialogue on wider issues of the application of planning enforcement processes and powers and local concerns and priorities as well as addressing some case specific matters. In October a well attended forum on planning control processes, including enforcement, organised by Cllr Campbell, was held at Otley Civic Centre for parish councils and amenity bodies in the north west of the city.

3.4 Making closer links with the planning applications teams

- 3.4.1 The development of closer working relationships between compliance officers and planning officers in the planning applications team is a key objective of the Compliance service improvement plan that draws on the above themes of building capacity, developing skills and improving customer service. To improve links a principal planner in each of the area teams has been identified as a first point of contact for planning advice on enforcement matters and to review current enforcement case work in the team's area. Key cases for the areas are being identified for inclusion on the Compliance priority cases list and new case lists provided so that the teams are aware of new cases in their areas. Compliance officers are also to attend area team meetings to discuss enforcement issues.
- 3.4.2 Establishing a better process of liaison between compliance officers and the planning teams will improve customer service by providing a speedier process for decision making on whether enforcement action is expedient and ensuring that a consistent message is provided by both planning and compliance officers. It will help develop skills through increased knowledge and understanding of the enforcement process for planning officers and a better understanding of the planning issues by the compliance officer.

4.0 **Update on Enforcement Actions and Outcomes.**

- 4.1 A brief overview of enforcement actions and outcomes during Quarters 1 and 2 are set out below. 809 cases were received, a reduction of 8% compared to the same period in 2007. 887 cases were resolved, an increase of 4%. For the fourth successive quarter the numbers of cases resolved has exceeded the number received, making an inroad into the total number of cases in the system.

4.2 Prosecutions

- 4.2.1 During the period the following convictions were secured in the Magistrates Court:

- * Three offences for non compliance with enforcement notices relating to the stationing of caravans on Green Belt land. Found guilty in each case. A fine of £1000 was imposed on one defendant and in two cases an absolute discharge was granted but costs were awarded to the Council totalling £1350. An offence of non compliance with an enforcement notice requiring the removal of tall and intrusive fencing at a sports ground resulted in a fine of £1500 being imposed and costs awarded of £1400.
- * One offence relating to non compliance with a S.215 (untidy land) notice. Found guilty and fined £140 with Council's costs of £606 awarded.
- * Eight offences for breaches of advertisement controls (relating to "To Let" boards on separate premises in Headingley). Found guilty in each case. Fines totalling £2000 imposed and Council's costs of £4484 awarded.

Two cases have been before the Courts and deferred. There are three cases for breaches of enforcement notices and two cases for non compliance with S.215 notices awaiting issue of summonses and a further nine cases for non compliance with enforcement notices and three for breaches of advertisement controls are in course of preparation with prosecution solicitors.

4.3 Enforcement and Other Statutory Notices

- 4.3.1 39 enforcement notices and nine breach of condition notices have been served. 54 enforcement notices have been drafted and authorised for issue by the Chief Legal Officer. A Stop Notice and enforcement notice were served in respect of the use of land within the Green Belt at Otley Old Road Bramhope for car parking for airport customers. The Stop Notice effectively brought the use to an end over a three week period and the site is being restored. Without the use of a Stop Notice the Council would have been faced with an appeal, which although it would have had little chance of success, would have resulted in the breach continuing for up to a year. Two Temporary Stop Notices relating to householder developments have been served. In both cases the developments have now been completed in accordance with approved plans.
- 4.3.2 In the period 10 enforcement appeals have been received and 16 others resolved. Of these 9 (75%) were dismissed and 3 (25%) allowed. In two cases appeals were withdrawn by the appellants and the enforcement notices are now in effect. In two further cases the enforcement notices were withdrawn, in one case on legal advice and in the other because compelling evidence was provided as to the lawfulness of the use. In the latter case the Council had not received any response to its enquiries until an enforcement notice was served.
- 4.3.3 One S.215 (untidy land notice) has been served along with a notice under Section 79 of the Building Act in respect of a ruinous and dilapidated dwelling which also has a derelict garden with vehicles and building materials dumped in it. No appeal has been lodged and no works carried out. Works in default are being costed for consideration. S.215 powers have been used to support regeneration efforts in the Morley Bottoms Conservation Area. Five properties were targeted in 2007/08, two premises are being restored, in one case without recourse to serving the statutory notice. In two others prosecution action is being taken (see above) and a notice is being prepared for the fifth.

5.0 Conclusions

- 5.1 This report outlines work in progress towards the goals set in April 2008. The numbers of formal enforcement actions taken is increasing. Results of these actions, reflected in planning appeal decisions and in the Magistrates Court, show a high level of success. The development of skills and knowledge is an ongoing task that supports the growth of experience gained by staff as they undertake their daily tasks. It is important that able staff are retained so that the service can benefit from their growing knowledge, skills and experience. Further work is required in developing career progression opportunities across Planning Services. Making effective the conduits established for communication between the planning teams and compliance is a key responsibility for staff at all levels in their respective teams.


- 5.2 Improvements in communication with all customers and elected members will be operational during Quarter 3 and this process will be kept under review to provide the type and amount of information that is helpful to the users needs.
- 5.3 Building capacity in the Compliance service to address a skills gap and provide the scope for a more responsive and proactive service is central to ensuring that service improvements are fully embedded and sustained. Recruitment to the compliance officer and senior compliance officer posts is needed to enable officers to have more manageable case loads leading to the speedier resolution of cases and to provide a higher level planning input into the work of the section. The latter has been a difficult post to recruit to and so alternative methods of providing that input need to be considered as a fall back position. Appropriate administrative support is a cost effective method of freeing up compliance officer time to concentrate on investigative task and to provide better levels of customer service.

6.0 Recommendation

- 6.1 Scrutiny Board (City Development) are recommended to note and comment upon the content of this report and to receive a further progress report in Spring 2009.

Background Papers

Report of Chief Planning Officer to Scrutiny Board (City Development) 22nd April 2008 – Management and Capacity of the Planning Compliance Service.

A close-up photograph of a white door with a dark, ornate metal handle. A hand is shown knocking the handle over, symbolizing a breach of rules.

What can I do if planning rules are broken?

Advice on what to do if you think planning controls are being breached.

Planning Services

www.leeds.gov.uk/planning

What types of complaints will you investigate?

A breach of planning control arises if development that requires the council's planning permission takes place without it having first been granted. Such development could include the erection, extension or alterations to a building or changing the use of a building for example, from a shop to a house.

A breach may also occur if planning permission has been agreed, but the approved plans and conditions attached to the permission are not being followed.

It is not an offence to carry out development without planning permission, and enforcement action should not be taken solely to regularise something that would be acceptable in terms of planning policies, or is a very minor infringement of planning regulations. But the council can serve an enforcement notice which will require steps to be taken to rectify the breach or the harm which it is causing. Other matters which we will investigate, which carry a legal penalty, are:

- non compliance with an enforcement type notice;
- carrying out of works (other than like for like repairs) to a listed building without listed building consent;
- carrying out works to protected trees without the council's written consent;
- display of an advertisement without advertisement consent.

Some developments do not need planning permission because of their limited size, height etc. This type of development is called 'permitted development'. A leaflet called "*Do I need planning permission?*" describing permitted development is available online from www.leeds.gov.uk/planning or from the Development Enquiry Centre, please see the back of this leaflet.

An extensive range of advertisements such as signs on shops and other business premises can also be displayed without the council having to give its approval. Also running a small business from home does not necessarily require planning permission. Further advice on the criteria we use to assess whether such an activity requires planning permission is included in the booklet "*Planning Permission - A Guide for Business*", which is available free from the Development Enquiry Centre, or we can email a copy to you on request.

What can I do if I think planning controls are being ignored?

- Advice on the types of activities we can investigate.
- How to contact us.
- How we will investigate your complaint.
- What powers we have to prevent further harm or put things right when a breach of planning control takes place.

What should I do if I think someone is doing something without planning permission?

The council has a full range of powers available to establish if planning controls have been broken.

Our compliance service will investigate whether there is a breach and will also establish what harm is caused as a result of the breach and how the situation can best be remedied. Initial concerns can be addressed by the Development Enquiry Centre.

What can I do?

The council takes breaches of planning control very seriously and relies, in part, on the public reporting any suspected breaches of planning control. Most of our complaints come from neighbours or councillors, as well as from officers as part of their routine checks of new developments.

Complaints are best submitted in writing, and we need your name, address and telephone number. These details are kept confidential and are not made known to the person who carried out the breach unless you agree. An online form is available to use at www.leeds.gov.uk/planning_enforcement. You can also email us on planning_enforcement@leeds.gov.uk.

What other information do you need?

It is helpful if you can provide as much information as possible, including:

- What is the activity that is taking place.
- When did the activity start.
- Details of how the activity is causing a problem to you.
- Contact details of any owners, occupiers or builders involved or already known to you.

What happens to my complaint?

We will acknowledge your complaint within three working days and let you know the name of the officer who will be dealing with your complaint and when we expect to be able to investigate it.

We investigate all complaints and first of all check to see if there have been any previous planning applications or enquiries about "permitted development". We do this by looking at our records and relevant planning applications. We will also visit the site to establish exactly what is taking place.

If it is clear that no planning controls have been broken, or if the breach is of a very minor or technical nature where no harm is being caused, we will write to you explaining why no further action will be taken. However, many complaints need further detailed investigation before deciding if there has, or has not been a breach.

All complaints are investigated according to their priority:

- **Priority 1** is where there is a likelihood of irreparable harm occurring and we will aim to visit within one working day.
- **Priority 2** is where there is a significant nuisance or a risk to public safety and we will aim to visit within two working days.
- **Priority 3** is for less urgent cases and we will aim to visit within ten working days.

What are the things that are considered before enforcement action is taken?

We normally seek to resolve planning breaches through discussion and negotiation. Formal enforcement action will be taken in cases where unauthorised development is causing serious harm (e.g because of its impact on amenity or highway safety) and changes cannot be negotiated or could not make the development acceptable.

Enforcement action is usually only used if voluntary co-operation cannot be achieved. If there is a breach of planning control then the person responsible will be asked to take corrective action to resolve the breach. This could be by:

- submitting a retrospective planning application;
- ceasing the unauthorised activities and/or removing any unauthorised development;
- demonstrating that planning permission has been obtained, or is not required;
- negotiating improvements or asking the person responsible to make alterations or relocate a use.

Most people do take the positive steps required to rectify the situation and enforcement activity is only necessary in a small proportion of the cases we investigate.

What does formal enforcement action involve?

An enforcement notice may be served, if the development is causing harm, and unacceptably affects public amenity or the existing use of land and buildings. This course of action will be taken where the development is wholly unacceptable or the desired outcome is not achieved by negotiation.

We need to make sure the notice is served on the right people and that the wording on the notice is precise and exact. This often includes taking legal advice before serving the notice.

The enforcement notice will require certain steps to be taken within a specified period of time. There are rights of appeal, both on the planning merits of the development and against the validity of the notice on legal grounds, and the notices can be challenged if they are inaccurate.

Where breaches are causing potentially serious harm, the council can issue a stop notice or obtain an injunction, although this is only appropriate in exceptional cases. Immediate prosecution can also take place where the breach involves a criminal offence such as demolition of a listed building, demolition in a conservation area or the felling of protected trees.

The resolution of planning enforcement cases can be protracted due to the many processes involved. Delays can occur whilst planning applications are considered or appeals and prosecutions dealt with. Also reasonable time periods are needed for remedial works to take place or for a business to relocate to a more acceptable site. We will keep you informed of the actions we propose to take where a breach of planning control is found and of subsequent key developments in the case. You are welcome to contact the named case officer at any time if you have any queries about the progress of a case and, most importantly, if you have new information about the activities on the site that is relevant to the investigation and progressing of the case.

Useful contacts

Our friendly staff are available to personally advise you in our Development Enquiry Centre, The Leonardo Building, 2 Rossington Street, Leeds LS2 8HD.

We are open:

Monday to Friday 08:30 - 17:00, except Wednesdays 10:00 - 17:00.

You can email us at dec@leeds.gov.uk. Our phone number is 0113 247 8000 and our fax number is 0113 247 4117.

Advice is also available from:

Compliance Services,
Leeds City Council,
Leonardo Buildings,
2 Rossington Street,
Leeds, LS2 8HD.

You can email us at planning.enforcement@leeds.gov.uk

Other helpful leaflets

This is one of a series of leaflets available FREE in the Development Enquiry Centre or that can be downloaded from our web site www.leeds.gov.uk/planning.

What should I consider before applying for planning permission?

- General principles for householder proposals

Do I need planning permission?

- What changes to houses require planning permission

What are plans panels?

- What happens when you attend a plans panel

What can I do if my planning application is refused?

- What courses of action are open to you

What can I do if planning rules are being broken?

- What to do if you think planning controls are being breached.

| Ward | Case No | Officer | Nature | Location | Date Received | Current Status |
|-------------------|---------------|-------------|--|---|---------------|---|
| Adel & Wharfedale | 07/01158/NCP2 | Mr Doherty | Non-compliance with approved plans | 9 Park Terrace Pool Otley Leeds LS21 3BU | 04/09/07 | Dwelling built higher than approved plans. Enforcement notice served 22/02/08 Appeal lodged. Public inquiry 9 Dec 2008 |
| Adel & Wharfedale | 08/00059/NCP2 | Mr Doherty | Development not in accordance with approved plans | Grange Farm Black Hill Road Arthington Otley LS21 1PY | 23/01/08 | Previous unsuccessful attempt to build dwellings. Permission granted to rebuild an agricultural building but constructed with external appearance of dwellings. Enforcement notice served 23/10/08. Appeal expected. |
| Adel & Wharfedale | 08/00471/UHD2 | Mr Doherty | Extension to Dwelling | 30 Broomfield Adel Leeds LS16 6AF | 22/04/08 | Temporary Stop Notice served. Planning permission granted to revised plans and building altered to comply. Completion to be checked. |
| Adel & Wharfedale | 08/00670/NCP3 | Mrs Mackman | Compliance check: Landscape works to dwelling | 17 The Drive Adel Leeds LS16 6BG | 06/06/08 | Replacement trees to be planted in this planting season |
| Adel & Wharfedale | 08/00677/UCU3 | Mr Doherty | Extension of parking/storage area | K T Green White Cross Garage Leeds Road Pool LS21 3DA | 06/06/08 | Some small trees removed/pruned on land within garage site -not covered by Tree Preservation Order. No operational development taken place. No breach identified. |
| Adel & Wharfedale | 08/00678/UCU3 | Mr Doherty | Extension of domestic garden into amenity woodland | Land At Rear Of Adel Wood Grove Adel Leeds | 03/06/08 | Parks and Countryside Service and Legal officers are taking action to reclaim Council land. Planning enforcement action not appropriate in this case as it would involve the Council serving an enforcement notice on itself. |
| Adel & Wharfedale | 08/00875/UNB2 | Mr Doherty | Erection of Structure | Telephone Exchange Avenue Des Hirondelles Pool In Wharfedale Otley LS21 1EY | 21/07/08 | Works involve the replacement of the roof to the existing telephone exchange. No breach of planning control involved. |
| Adel & Wharfedale | 08/00974/UNB3 | Mr Doherty | Erection of farm building and access onto Otley Old Road | Crag House Farm Cookridge Lane Cookridge Leeds LS16 7NH | 06/08/08 | Access formed across Green Belt land. Planning application submitted and likely to be acceptable in policy and amenity terms. Site to be monitored for compliance with any conditions imposed. |

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Appendix 2

COMPLIANCE TEAM TRAINING PLAN 2008/09

| TOPIC | DATE | DELEGATES |
|--|---------------------------------|---|
| PACE procedures/prosecutions (Martin Carter of Counsel) | 15 August 2008 | All Compliance staff and prosecution solicitors |
| Planning/enforcement basics (external supplier) | Early 2009 | New starters to Compliance and Planning |
| Appraisals (advanced course) | Request with HR | Senior Compliance Officers |
| GPDO changes | 16/17 th Oct 2008 | Planning and Compliance staff |
| Supervisory/management skills | Request with HR | Senior compliance officer |
| Recruitment and selection | Request with HR | Senior compliance officer |
| Customer awareness | Various sessions | Planning, compliance and DEC staff |
| Health and safety | | New starters + refresher for ex staff identified through appraisals |
| Equality/Diversity | | New starters + refresher for ex staff identified through appraisals |
| Design awareness (basics/householder) | | Planning and Compliance staff |
| Tree enforcement | | All compliance staff |
| Listed building enforcement | | All compliance staff |
| Grounds of enforcement. Notices/appeals and legal/policy update (external supplier) | Early 2009 | All compliance staff |
| Day release to attend LMU planning course | Sept 2008 | 1 member of staff commenced course |
| Day release to attend bridging course leading to LMU course | Sept 2009 | 2 possibles |

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 18th November 2008

Subject: Inquiry on Residents Parking Schemes

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

1.0 Introduction

- 1.1 Scrutiny Board (City Development) has now completed its inquiry Residents Parking Schemes . The Board is now in a position to report on its findings and its conclusions and recommendations resulting from the evidence gathered.
- 1.2 A copy of the draft final report has been circulated to all Members of the Board for comments prior to this meeting and is now attached for consideration at today's meeting, along with a summary of the evidence considered during the inquiry.

2.0 Consultation

- 2.1 Scrutiny Board Procedure Rule 16.3 states that "where a Scrutiny Board is considering making specific recommendations it shall invite advice from the appropriate Director prior to finalising its recommendations. The Director shall consult with the appropriate Executive Member before providing any such advice. The detail of that advice shall be attached to the report".
- 2.2 In this case the specific recommendations involve the Director of City Development and Director of Environment and Neighbourhoods. They have each been invited to consult with their respective Executive Member and provide any advice that they wish to provide at this stage, before the Board Members, finalise their report. Any comments received from them will be attached as an appendix to the Board's final report.
- 2.3 Once the Board publishes its final report, the relevant Directors will be asked to formally respond to the Scrutiny Board's recommendations within 2 months of receipt of the Board's report in accordance with Scrutiny Board Procedure Rule 15.1.

3.0 Recommendations

3.1 The Board is requested to:-

- (i) Agree the Board's final report and recommendations.
- (ii) Request that the relevant Directors formally respond to the Scrutiny Board's recommendations within 2 months of receipt of the Board's report.

Background Papers

None Used



Originator: Richard Mills

Tel: 247 4557

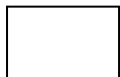
Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 18th November 2008

Subject: Current 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 Appendix 1 to this report provides Members with a copy of the Board's current Work Programme.
- 1.2 Appendix 2 is the current Forward Plan of Key Decisions for the period 1st November 2008 to 28th February 2009.
- 1.3 Appendix 3 provides Members of the Board with the latest Executive Board minutes

2.0 Recommendations

- 2.1 The Board is requested to:
 - (i) Determine from these documents whether there are any additional items the Board would wish to add to its Work Programme.
 - (ii) Receive and make any changes to the attached Work Programme following decisions made at today's meeting.

Background Papers

None used

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| Item | Description | Notes | Type of item |
|--|--|--|--------------|
| Meeting date – 18th November 2008 | | | |
| Session 3 of the Board's Inquiry on residents parking schemes | To receive further information that may have been requested at Session 2 and to consider the Board's draft inquiry report and recommendations | The purpose of this session is to consider information requested from the last Session and the Board's draft inquiry report and recommendations. | RP / DP |
| Consultation on the Review of Leisure Centres | To hear from the Executive Board Member (Leisure) concerning the consultation undertaken with regard to the review of leisure centres | This was requested at the last meeting. | B |
| Advance publicity and promotion of leisure events, in particular the Leeds' fourth annual Light Night events | To hear from the Executive Board Member (Leisure) concerning the alleged short notice being given to leisure event particularly the Light Night events | This was requested at the last meeting. | B |
| Update report on the Strategic Planning Review | To receive an update report of the Director of City Development on the Strategic Planning Review | This was deferred from the last meeting. Members requested to be kept informed on progress on the Strategic Planning Review | PM / B / DP |
| Update on the review of the Planning Compliance Unit | To receive an update on the review of the Planning Compliance Unit | This report was requested by the previous Scrutiny Board and it was agreed that this be included in this Board's Work Programme | PM / B / DP |

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 – 16th December 2008 | | | |
| Performance Management Information | To receive performance information relating to City Development. | Normal quarterly report | PM |
| Climate Change Strategy | To consider a report on the development of a climate change strategy | This was moved from the November meeting. This is in the forward plan and needs to be considered before it is submitted to the Executive Board | DP |
| Update on Traffic Flow and Pinch Points | To receive an update from the Director of City Development on traffic flow and pinch points | This was considered by the previous Board and this Board agreed to monitor this further | B / PM |
| Economic Development Strategy / Agenda for Improved Economic Performance | To consider this strategy prior to its consideration by the Executive Board in January 2009 | New Plan Added to the Budget and Policy Framework on 22/5/08(CG&A on 14/5/08) | DP |
| Update on the City Varieties | To consider an update on the refurbishment of the City Varieties | This was requested at the Board meeting on the 14 th October 2008 | B |

Key:

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

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

| Item | Description | Notes | Type of item |
|--|--|--|--------------|
| Meeting date – 13th January 2009 | | | |
| Provision for Cyclists Across the City | To consider a report by the City Development department on the provision for cyclists across the city | The Board considered this whilst developing its work programme for 2008/09 and requested an initial report with a view to undertaking a suitable inquiry on this issue | B |
| Review of the Loop and major arterial routes onto it | To consider a review of the Loop following completion of modelling work undertaken on by the City Development department | The Board asked that this be included in the work programme and this is the earliest meeting when the department may be in a position to report on this matter | RP |
| Meeting date – 10th February 2009 | | | |
| Performance Management Information | To receive performance information relating to City development. | | PM |
| Meeting date – 17th March 2009 | | | |
| Reports from Departments Required no later than 25th February 2009 | | | |
| Meeting date – 21st April 2009 | | | |
| Annual Report | To approve the Board's contribution to the Scrutiny Boards Annual Report 2007/08 | | |
| Reports from Departments Required no later than 1st April 2009 | | | |

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

| Other Issues | | | |
|--|------------|-----------------|-------------------|
| <ol style="list-style-type: none"> 1. The Board at its meeting on 14th October requested that details on the Carriageworks signage be circulated to all Members of the Board. An email on this matter was sent to all Board Members on 30th October 2008. 2. The Chair is meeting with the Chief Officer Libraries, Arts and Heritage to discuss issues concerning the Grand Theatre and will report back to the Board following the Board's discussion on 14th October 2008. 3. Possible issues raised by the Board in June 2008 for consideration later in the year <ul style="list-style-type: none"> Review of the Environmental Policy and EMAS Review the Design Guide for the Flood Alleviation Scheme Students and the Leeds economy | | | |
| No Working Groups | | | |
| Working group | Membership | Progress update | Dates of meetings |

Key:

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

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

For the period 1 November 2008 to 28 February 2009

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) |
|--|--|----------------------------------|---|---|--|
| Middleton Sissons 20mph zone Permission to construct the scheme and implement a 20mph Zone | Chief Highways Officer | 3/11/08 | Internal, and external consultation with Members, Emergency Services and Metro has taken place. Public consultation is ongoing. | None. | Director of City Development |
| Street Design Guide Approval of Supplementary Planning Document | Executive Board (Portfolio: Development and Regeneration) | 5/11/08 | Already carried out | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |
| Proposed Leeds Arena, Selection of Preferred Development Proposal To select preferred developer / development process for the proposed Leeds arena | Executive Board (Portfolio: Development and Regeneration) | 5/11/08 | Arena Project Board and Yorkshire Forward | 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) |
|--|--|----------------------------------|------------------------------|---|---|
| Leeds Town and District Centres Programme- Oakwood Phase 2 Town and District Centre To approve expenditure for the Town and District Centre Regeneration Scheme as supported by Asset Management Group (AMG). | Executive Board (Portfolio: Development and Regeneration) | 5/11/08 | | The report to be issued to the decision maker with the agenda for the meeting | Director of Environment and Neighbourhoods |
| RFId Equipment in Libraries To seek authority to incur expenditure for £1,200,000 on the programme of installation of Radio Frequency Identification equipment in libraries. | Executive Board (Portfolio: Leisure) | 5/11/08 | N/A | 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) |
|---|--|----------------------------------|---|---|---|
| Future of the former Horsforth Library Executive Board is requested to give authority to spend in the amount of £895,000 in respect of the proposed refurbishment of the former Horsforth Library to provide a new Youth Services Centre in Horsforth and office accommodation for the WNW Area Management Team. | Executive Board (Portfolio: Development and Regeneration) | 5/11/08 | Ward Members, Deputy Executive Member for Learning, Asset Management Group, Directors of Environment & Neighbourhoods and the Children's Service. | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |
| Highways Maintenance Projects estimated to cost in excess of £5,000 for inclusion in the Highway Maintenance Capital Programme 2009/2010. | Chief Highways Officer | 10/11/08 | Each elected member will be consulted on the proposed streets in their ward during September 2008. | Report to the Director of City Development | Chief Highways Officer |
| To set Sport Centre prices for 2009/10 To agree Leisure Centre Prices for 2009/10 | Chief Recreation Officer | 17/11/08 | Consultation with the Executive Member for Leisure | Report and comparison of prices with other providers and other councils | Chief Recreation Officer |

| 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) |
|--|--|----------------------------------|---|---|---|
| A653 Dewsbury Road Bus Priority Measures, Ring Road Beeston Park Bus Land Permission to construct the scheme, subject to satisfactory funding arrangements being in place on return of tenders. The works are required to provide a quality bus corridor identified in the LTP and are an intrinsic part of the Yorkshire Bus Initiative. | Executive Board (Portfolio: Development and Regeneration) | 3/12/08 | Initial Member consultation has taken place. | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |
| Vision for Council Leisure Centres To consider proposals for future investment in Council Leisure Centres following the conclusion of a public consultation exercise. | Executive Board (Portfolio: Leisure) | 3/12/08 | The public, Area Committees, Youth Council, Citizens Panel and other key stake holders. | The report to be issued to the decision maker with the agenda for the meeting | Chief Recreation Officer |

| 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) |
|---|--|----------------------------------|---|---|---|
| Parks and Green Space Strategy To seek approval for the publication of the Parks and Green Space Strategy. | Executive Board (Portfolio: Leisure) | 3/12/08 | Extensive consultation has taken place throughout the development of the strategy with a range of stakeholders and members. | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |
| A639 Arla Landslip To approve expenditure necessary to make the carriageway safe and keep this important link open to traffic. | Executive Board (Portfolio: Development and Regeneration) | 3/12/08 | N/A | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |
| City Centre Park In principle support for the development of a City Centre Park. | Executive Board (Portfolio: Leisure) | 3/12/08 | Members, Officers, CABE, Civic Trust | 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) |
|---|--|----------------------------------|------------------------------|---|---|
| Leeds Town and District Centres Programme - Headingley Town Centre Improvements To approve expenditure for the Headingley Town and District Centre Regeneration scheme as supported by Asset Management Group (AMG). | Executive Board (Portfolio: Development and Regeneration) | 3/12/08 | | The report to be issued to the decision maker with the agenda for the meeting | Director of Environment and Neighbourhoods |
| Leeds Local Development Framework Annual Monitoring Report Executive Board Approval of City Council recommendations for the Secretary of State's consideration. | Executive Board (Portfolio: Development and Regeneration) | 3/12/08 | 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 Review- Leeds City Council comments Executive Board's consideration of City Council's comments in response to the RSS Review consultation. | Executive Board (Portfolio: Development and Regeneration) | 3/12/08 | Via Development Plan Panel | 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) |
|---|--|----------------------------------|---|---|---|
| City Centre Swimming To agree a capital contribution to the University of Leeds in return for public swimming access to their proposed new pool. | Executive Board (Portfolio: Leisure) | 14/1/09 | | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |
| The City Varieties Music Hall Refurbishment Project Approve the incurring of expenditure for the proposed refurbishment | Executive Board (Portfolio: Leisure) | 14/1/09 | The Executive Member for Development and Regeneration and the Executive Member for Leisure. | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |
| Leeds Flood Alleviation Scheme: Design Guide & Vision To approve the Design Guide and Vision | Executive Board (Portfolio: Development and Regeneration) | 14/1/09 | There have been consultations with stakeholders and internally. Joint public consultations will be held in November 2008. | 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) |
|---|--|----------------------------------|------------------------------|---|---|
| UDP Review Saved Policies Executive Board Approval of City Council recommendations for the Secretary of State's consideration. | Executive Board (Portfolio: Development and Regeneration) | 14/1/09 | Development Plan Panel | The report to be issued to the decision maker with the agenda for the meeting | Director of City Development |

NOTES

Key decisions are those executive decisions:

- which result in the authority incurring expenditure or making savings over £250,000 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 Richard Brett |
| 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 Stewart Golton |
| 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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EXECUTIVE BOARD

WEDNESDAY, 8TH OCTOBER, 2008

PRESENT: Councillor R Brett in the Chair

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

Councillor J Blake – Non-voting advisory member

84 Exclusion of the Public

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

- (a) Appendix A to the report referred to in minute 95 under the terms of Access to Information Procedure Rule 10.4 (4) and (5) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure would seriously prejudice the Council's position in negotiations and litigation in relation to current and future legal proceedings in the employment tribunal. This could result in significant cost liability to the Council which would have to be met from the public purse.
- (b) Appendix 1 to the report referred to in minute 104 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 because publication could prejudice the City Council's financial interests in relation to negotiations currently underway with private sector investors and Yorkshire Forward.

85 Minutes

RESOLVED – That the minutes of the meeting held on 2nd September be approved.

CHILDREN'S SERVICES

86 Managing Pupil Numbers at the new Swallow Hill Community College from 2009/10

The Chief Executive of Education Leeds submitted a report on proposals for managing pupil numbers at the new Swallow Hill Community College when it opens in September 2009 including the proposed provision of an annex on the Wortley School site.

RESOLVED –

- (a) That the strategy proposed to accommodate the additional pupil numbers be approved.
- (b) That the expenditure from the education capital programme for the capital costs for establishment of the annex be supported.

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

87 Sharp Lane Primary School - Creation of New Entrance and Provision of Remodelling Works

The Chief Executive of Education Leeds submitted a report on proposals to create a new entrance and undertake associated remodelling works at Sharp Lane Primary School and to incur the necessary expenditure.

- (a) That the design proposals in respect of the scheme to create a new entrance and undertake associated remodelling works at Sharp Lane Primary School be approved.
- (b) That the injection of a Section 106 funding contribution, in the sum of £2,866,204, into the approved Capital Programme be approved
- (c) That expenditure of £902,200 be authorised in respect of this scheme.

88 Report on the September 2008 Admission Round for Community and Controlled Schools

The Chief Executive of Education Leeds submitted a report providing statistical information on the September 2008 admission round for community and controlled schools.

RESOLVED – That the report be noted.

89 The National Challenge and Structural Change to Secondary Provision in Leeds

The Chief Executive of Education Leeds submitted a report on the context and proposals for the next phase in developing secondary school provision in Leeds with specific reference to the National Challenge response.

RESOLVED – That a review of provision in East and North East Leeds be commenced by consulting with schools, ward members, young people and communities and an options paper be brought to this Board later this year.

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

LEISURE

90 Deputation to Council - Friends of Woodhouse Moor Regarding the Provision of Park Wardens on Woodhouse Moor

The Director of City Development submitted a report responding to issues raised in the deputation by the Friends of Woodhouse Moor to Council in July, on proposed future capital investment, the current revenue situation and

measures taken in respect of anti-social behaviour and barbecues on Woodhouse Moor.

- (a) That approval be given for the development of a fully funded bid to the Heritage Lottery Fund Parks For People Programme to be brought back to this Board for approval prior to submission.
- (b) That the work of the Woodhouse Moor Multi-Agency Forum approach to tackle anti-social behaviour in the park be noted.
- (c) That the proposal to consult on the potential for a barbecue area in the park be noted.

91 Garforth Library - Big Lottery Grant

The Director of City Development submitted a report on a proposal to develop a new Library and One Stop Centre for Garforth and the surrounding area following a successful bid to the Big Lottery Fund.

RESOLVED – That a fully funded injection of £1,334,900 into the 2008/11 Capital Programme be approved and that authority be given for expenditure of £1,434,900 on this scheme.

92 The Government Offer in respect of Free Swimming for those 60 years and over and the 16 years and under

The Director of City Development submitted a report on the response to the Government's offer of free swimming for the over 60s and on proposals in respect of the offer in respect of under 16s.

In presenting the report the Executive Member (Leisure) corrected information in table 1 therein with reference to 'Leeds Share' in the right hand column by replacing "£350,000" with "£347,272" and "£143k" with "£170,714".

RESOLVED –

- (a) That it be noted that officers wrote to the Development of Culture, Media and Sport by 15 September indicating acceptance of the offer for free swimming for the over 60s (Pot 1).
- (b) That the Council's participation in Pot 2 to provide free swimming for the under 16s be approved and that a further report be brought back to this Board to agree allocation of government capital provided as part of the free swimming initiative.
- (c) That a further report be brought to this Board in 2010/11 reviewing the free swimming scheme in light of the government funding available at that time for the continuation of such a scheme.

93 New Leaf - Financial Close Position

The Director of City Development submitted a report providing an update on the progress of the procurement through the Local Education Partnership (LEP) of the New Leaf Leisure Centres in Armley and Morley and on the financial position agreed at Financial and Contract Close, which took place on 7th August 2008.

RESOLVED – That the report be noted.

ADULT HEALTH AND SOCIAL CARE

94 Department of Health Extra Care Housing Fund Bid: 2008-2010

The Chief Officer Adult Social Care submitted a report on a proposal to redevelop Hemingway House older persons residential home in Hunslet, replacing it with 45 units of Extra Care Housing for older people, in partnership with Methodist Homes Association and the Primary Care Trust.

RESOLVED –

- (a) That the proposal to develop 45 units of Extra Care Housing for older people on the site of Hemingway House, in partnership with Methodist Homes Association and the Primary Care Trust be approved.
- (b) That the sale of the land at Hemingway House at less than best value to a value forgone of £225,000 be endorsed.

95 Putting People First: Vision and Commitment to the Transformation of Adult Social Care

The Director of Adult Social Services submitted a report providing an update on the work undertaken in Leeds to prepare for the personalisation agenda, since the publication of the concordat “Putting People First” In December 2007.

RESOLVED –

- (a) That progress made in Leeds towards the development of a more personalised system of social care through the Self Directed Support project and other initiatives be noted.
- (b) That, acknowledging the scale and scope of the transformation agenda and the challenge it presents, the approach taken in Leeds to deliver successful change be endorsed.
- (c) That the direct engagement of elected members in these developments be continued by the submission of further reports to this Board, involvement in workshops, seminars, conferences and in the recently established members’ forum.
- (d) That the Board notes the impact Self Directed Support will have on existing service provision including directly provided services and commissioned services in Leeds and the need to accelerate the transformation of these services to meet the challenges and impact of personalisation and customer choice.
- (e) That it be noted that progress and the pace of change regarding the delivery of Personalisation in Leeds will be the subject of some detailed feedback from the recent inspection of Older People’s Services.
- (f) That the Scrutiny Board (Health and Adult Social Care) be requested to monitor progress of the personalisation agenda.

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

CENTRAL AND CORPORATE

96 Pay and Grading Review (Including a response to the Deputation to Council by GMB regarding the Current Dispute on Equal Pay)

The Director of Resources submitted a report providing an update on the Pay and Grading Review and responding to the deputation from GMB to full Council on the current dispute relating to Equal Pay.

Following consideration of the appendix to this report, designated as exempt under Access to Information Procedure Rule 10.4 (4) and (5), which was considered in private at the conclusion of the meeting it was

RESOLVED –

- (a) That the response to the GMB Deputation to Full Council on 2 July 2008 be noted.
- (b) That the progress regarding implementation of the new Pay and Grading arrangements be noted.

97 Leeds Benefits Service Annual Report 2007/08

The Director of Resources submitted a report providing information on the performance of Leeds Benefits Service during 2007/08 and on the main issues facing the service over the forthcoming year.

RESOLVED – That the report be noted.

98 Capital Programme Update 2008 - 2012

The Director of Resources submitted a report providing an updated position on the 2008-2012 Capital Programme.

RESOLVED –

- (a) That the adjustments to capital programme expenditure and resources as detailed in Appendix A to the report be approved.
- (b) That the Strategic Development Fund be sub-divided into 3 investment areas as set out in section 4 of the report.

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he abstained from voting on this matter only in relation to those matters relating to the ALMOs programme).

99 Leeds, by Example: Developing a Corporate Social Responsibility Policy

The Deputy Chief Executive submitted a report highlighting the progress made in developing a Corporate Social Responsibility Policy for Leeds, outlining current developments and seeking agreement of a programme of work to enable the initiative to move forward.

RESOLVED – That the vision, definition and plans as set out in the report be approved and that ongoing and piloted schemes currently under development be noted.

100 Managed Print Service

The Head of ICT submitted a report on a proposed scheme to introduce a managed print service across the Council.

RESOLVED – That approval be given to an injection of £1,835,000 into the Capital Programme and that scheme expenditure in the same amount be authorised.

101 Progress Report on the PPP / PFI Programme in Leeds

The Deputy Chief Executive submitted a report providing an update on the Council's PPP/PFI projects and programmes.

RESOLVED –

- (a) That the current status of PPP/PFI projects and programmes be noted
- (b) That approval be given to the completion and entry into all necessary legal documentation in relation to the Design and Build contract for Crawshaw High School.

(Councillor J L Carter declared a personal interest in this item as a member of the West Yorkshire Police Authority).

102 Cohesion and Integration Priorities and Delivery Plan 2008-2011

The Assistant Chief Executive (Planning, Policy and Improvement) and Director of Environment and Neighbourhoods submitted a joint report on the development of the policy framework and strategic approach to cohesion in Leeds, highlighting a new definition of cohesion and integration and on the proposed cohesion and integration priorities 2008 – 2011 and delivery plan.

RESOLVED – That the report be noted and that the Cohesion and Integration Priorities 2008-2011 and the Delivery Plan attached as appendix 1 to the report be approved.

DEVELOPMENT AND REGENERATION

103 Pudsey Bus Station - Associated Highway Works

The Director of City Development submitted a report on the design and implementation of the associated highway works required to accommodate the redevelopment of Pudsey Bus Station.

- (a) That approval be given to the design and implementation of associated highways works to the redevelopment of Pudsey Bus Station as set out in the submitted report and on drawing HDC/298886/C06, at a total cost of £766,750.
- (b) That authority be given to incur expenditure of £615,000 works and £131,750 staff costs (£20,000 previously approved) which can be met from the Integrated Transport Scheme 99609 within the approved Capital Programme.
- (c) That it be noted that a separate report will be presented to the Chief Highways Officer seeking approval for the advertising and sealing of the associated Traffic Regulation Orders.

104 Sustainable Education Travel Strategy and the Development of an Integrated School Transport Policy for Children's Services

The Director of City Development submitted a report on a proposed Sustainable Education Travel Strategy for Leeds and on the ongoing collaborative work between Education Leeds and Children and Young People's Social Care to develop and introduce a Children's Services School Transport Policy which encompasses all statutory demands.

RESOLVED –

- (a) That the adoption and publication of the Leeds Sustainable Education Travel Strategy be approved.
- (b) That approval be given for the development of a Children's Services School Transport Policy and to the intention to integrate this with the Leeds Sustainable Education Travel Strategy by September 2010.

105 Lands Lane and Central Square Refurbishment

The Director of City Development submitted a report on a proposal to spend a designated sum from the Council's Capital Programme in order to fund the refurbishment of Lands Lane and Central Square.

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 scheme design as outlined in the report be approved.
- (b) That release of expenditure and authority to spend in respect of this scheme be given in the terms detailed in the exempt appendix to the report.

106 Town and District Centre Regeneration Scheme - Armley Town Street

The Director of Environment and Neighbourhoods submitted a report on a proposal to spend £794,274 of Town and District Centre Regeneration Fund monies to aid the regeneration of Armley's Town Street.

RESOLVED –

- (a) That the project brief and scheme design as presented be approved.
- (b) That authority be given to spend £794,274 of capital expenditure from the Town and District Regeneration scheme.

107 Proposed Lloyds TSB Takeover of Halifax Bank of Scotland

The Director of City Development submitted a report on potential implications of the proposed takeover of Halifax Bank of Scotland by Lloyds TSB, and of action proposed by the City Council and its partners.

RESOLVED –

- (a) That the proposed actions detailed in section 1 of the report be endorsed and that a meeting with representation from all political

groups be convened in the near future to consider the ongoing situation in this respect.

- (b) That a further report be brought to the next meeting of this Board.

NEIGHBOURHOODS AND HOUSING

108 Deputation to Council - Designated Public Places Order Consultative Committee Regarding the Designated Public Places Order Proposed for Hyde Park and Woodhouse

The Director of Environment and Neighbourhoods submitted a report responding to the deputation from the Designated public Places Order Consultative Committee to Full Council on the Designated Public Places Order Proposed for Hyde Park and Woodhouse.

RESOLVED – That approval be given to the approach of creating two DPPO's covering Little London and Little Woodhouse immediately with consultation for a further DPPO to cover Woodhouse Moor and nearby residential areas and greenspaces to be started in October.

109 Environment and Neighbourhoods Lettings Policy Revision

The Director of Environment and Neighbourhoods submitted a report on a proposal to implement a revised version of the Council's lettings policy from Wednesday 22nd October 2008.

RESOLVED –

- (a) That the implementation of the revised lettings policy with effect from 22nd October 2008 be approved.
- (b) That the submitted report be used as the basis for a briefing document for all Members of Council.

110 Update report on the Regeneration of 'The Beverleys' Area of Beeston

The Director of Environment and Neighbourhoods submitted a report providing an update on the progress of the Beverleys acquisition and demolition scheme and on the proposed expenditure to undertake the scheme.

RESOLVED –

- (a) That approval be given to the injection of additional private sector resources of £156,000 received from Beeston Group Repair Phase 2 additional to those previously accounted for within this group repair scheme.
- (b) That Scheme Expenditure to the amount of £2,952,700 be authorised .
- (c) That officers report back in future on the progress of the scheme.

111 Assistance to Vulnerable Households

The Director of Environment and Neighbourhoods submitted a report providing an update on the progress made in relation to the Assistance to Vulnerable Households scheme and of Regional Housing Board funding for the 2008-2011 programme.

RESOLVED –

- (a) That scheme expenditure of £1,800,000 fully funded through Regional Housing Board grant for the three year 2008-2011 programme be authorised and that a report on progress of the Scheme be brought back to this Board.

112 Policing Green Paper - From the Neighbourhood to the National: Policing Our Communities Together

The Director of Environment and Neighbourhoods submitted a report commenting on the government green paper and outlining concerns with some of the key proposals.

RESOLVED – That the submitted report together with the resolution of the Local Government Association and Association of Police Authorities on the same subject be approved as the formal response of this Council to the Government's Policing Green Paper: From the Neighbourhood to the National: Policing our Communities Together and that the submission be made under cover of a letter from the Safer Leeds Partnership.

| | |
|-----------------------|---|
| DATE OF PUBLICATION | 10 th October 2008 |
| LAST DATE FOR CALL IN | 17 th October 2008 (5.00 pm) |

(Scrutiny Support will notify Directors of any items Called In by 12.00 noon on Monday 20th October 2008).

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