

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 8TH DECEMBER, 2009

PRESENT: Councillor R Pryke in the Chair

Councillors C Beverley, R Downes,
T Grayshon, R Harington, M Lobley,
T Murray, D Schofield, S Smith, N Taggart
and G Wilkinson

67 Chair's Opening Remarks

The Chair welcomed everyone to the December meeting of the Scrutiny Board (City Development).

68 Declaration of Interests

a) The following personal interests were declared:-

- Councillor R Downes in his capacity as Chair of the West Yorkshire Integrated Transport Authority (Agenda Items 7 and 9) (Minutes 71 and 74 refers)
- Councillor M Lobley in his capacity as Chairman of Renew Leeds Ltd (Agenda Item 9) (Minute 74 refers)
- Councillor T Murray in his capacity as the Chief Executive Officer for Learning Partnerships and also as a Member of Leeds Credit Union (Agenda Item 9) (Minute 74 refers)

69 Apologies for Absence

Apologies for absence were received on behalf of Councillor S Armitage and A Ogilvie.

70 Minutes of the Previous Meeting

A copy of the minutes of the previous meeting held on 10th November 2009 were submitted for approval.

Councillor M Lobley referred to the following minutes:-

- Planning Enforcement Service – Update Report (Minute 62 refers)
He queried the wording of resolution (c) in relation to an approach being made to Area Committees by planning officers to seek funding for additional resources for planning enforcement to address current work/case loads.

The Chair responded and confirmed that it was the consensus of the Board for such an approach being made.

- The Current Position with Section 106 Planning Agreements (Minute 62 refers)
He referred to the discussions on spending Section 106 monies within Members' Wards and wanted to amend the third bullet point on page 4 of the minutes for the purpose of clarification.

RESOLVED – That the minutes of the previous meeting held on 10th November 2009 be confirmed as a correct record, subject to the following amendment to Minute 62 as follows:-

That the following bullet point be revised and expanded:-

- 'that ward members were required to approve all Section 106 schemes and the opportunities available to spread benefits across ward boundaries. Specific reference was made, in particular, to the City and Hunslet ward
(The Chief Planning Officer responded and confirmed that a meeting on this specific issue would be held with interested parties in the near future)

to read as follows:-

- 'that ward members were required to be consulted on all Section 106 schemes involving expenditure on greenspace
- that Section 106 monies obtained from planning applications would normally only be spent in the Ward in which the applications were located. However, occasionally, the proposals could be of a scale and/or location where their impact could affect one or more wards. In such cases, the Section 106 contributions could be spent outside the immediate ward in which the application was located e.g. large City Centre schemes in City & Hunslet
(The Chief Planning Officer responded and confirmed that a meeting on this specific issue would be held with interested parties in the near future)

- 71 Request for Scrutiny - People Killed and Seriously Injured in Leeds**
Referring to Minute 65 (e) of the meeting held on 10th November 2009, the Head of Scrutiny and Member Development submitted a report on a request for scrutiny received from Councillor S Bentley on the number of people killed or seriously injured in Leeds and the need to increase the number of 20 mph speed restrictions
Appended to the report was a copy of a document entitled ' Road Casualty Trends' – Report of the Director of City Development' for the information/comment of the meeting.

Andrew Hall, Transport Strategy Manager, City Development was in attendance and responded to Members' queries and comments.

The Board's Principal Scrutiny Adviser informed the meeting that Councillor S Bentley had withdrawn her request for scrutiny in view of the fact that the

Leader of the Council had asked the department to initiate action in this regard. However, the Chair stated that the Board would welcome a further request for scrutiny should this matter not be progressed to a satisfactory conclusion

The Chair invited the attendee to provide brief background information and to highlight key issues in relation to the request for scrutiny report and Board Members sought clarification on the points raised.

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

- concern as to the number of casualties, killed so far or seriously injured in 2009
- the fact that a number of local authorities had introduced 20 mph areas which are not enforceable and have no physical measures to reduce speed but have been effective in reducing accidents.
- that 20mph zones were enforceable but required expensive speed management measures.
- clarification of how elected Members can deal with complaints regarding 20 mph zones close to a school where drivers continue to speed and how the authority enforces and monitors the speed restrictions in such areas
- that information be provided to Members which showed that shared space results in traffic travelling more slowly
- the need for the department to be more flexible in those areas where minor accidents are most common, and to apply more speed restrictions and 30 mph repeaters around the airport tunnel at Leeds/Bradford airport
- clarification of the KSI statistics for the Yorkshire and Humberside region and why Doncaster's figures were low in comparison to other authorities
- the value of comparative information from the city region and core cities.
- the need for accident figures to be broken down between pedestrians and those behind the wheel who are killed and seriously injured

RESOLVED –

- a) That the content of the report and appendices be noted.
- b) That if necessary a further report on this issue be submitted to the Board.

(Councillor T Murray joined the meeting at 10.10am during discussions of the above item)

72 Review of the Conservation Team

The Director of City Development submitted a report on the work and priorities of the Conservation Team.

The following officers were in attendance and responded to Member's queries and comments:-

Richard Taylor, Team Leader Conservation, City Development
Steve Speak, Chief Officer, Strategy and Policy, City Development

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

- reference to the buildings at risk register and clarification of the department's role in relation to protecting those buildings which were at risk
(The Team Leader, Conservation, responded and confirmed that his department worked very closely with colleagues in the Asset Management Team in this regard)
- temporary additional resources funded by the Area Committees to undertake conservation area review work which would cease if funding was not renewed from 1st April 2010. Members asked whether all Area Committees had funded this additional resource in their area and if they had applied for the continuation of these funding arrangements
(The Team Leader, Conservation, responded and informed the meeting that majority of Area Committees had taken part and that the department would be approaching the Area Committees shortly in the new year, pointing out the benefits of funding)
- clarification of the role of Area Committees in relation to dealing with specific requests for conservation area status
(The Team Leader, Conservation, responded and informed the meeting that Area Committees now had a duty to look at conservation areas in their Wards and to identify priorities as part of the review)
- clarification of the location in relation to the historic battlefield identified in the list of 'Protected Heritage of Leeds' table
(The Team Leader, Conservation, responded and informed the Board that it was identified as Adwalton Moor which was located in the South West of Leeds)
- the need to preserve Victorian buildings and sheds on farm land where rhubarb was grown
(The Team Leader, Conservation, responded and confirmed that the listing of such buildings would be an English Heritage function)
- the need to list more industrial buildings as part of our industrial heritage and whether the department had a definitive list of buildings which they would like to see listed
(The Team Leader, Conservation, responded and informed the meeting that there was no definitive list available. However, they had helped English Heritage in the past with regard to the surveys of buildings, including mill conversions, etc. He also referred to the ill-fated Heritage Protection Bill, where there was provision for local listing, and it was hoped that this Bill would be resurrected at some point in the future.)
- clarification of how elected Members can obtain details of which buildings in their Wards are listed
(The Team Leader, Conservation, responded and confirmed that such information was available via the English heritage website at heritagegateway.org.uk)

- clarification of a village design statement located in Roundhay and whether it was at the stage of supplementary planning guidance *(The Chief Officer, Strategy and Policy, responded and outlined the technical process. The Board specifically noted that the planning department was able to complete the work, providing such documents had gone through the appropriate supplementary planning guidance process)*
- clarification of whether there were any prosecutions pending in respect of offences for listed buildings *(The Team Leader, Conservation, responded and informed the Board that, to his knowledge, there were no cases pending)*
- clarification if anyone did spot checks on preserving back to back buildings or whether the department relied on the public to intervene in this area *(The Team Leader, Conservation, responded and informed the Board that this area was ad hoc, with some cases picked up as part of the review of the conservation area. He stated that this was the remit of the Area Committees to identify such properties.*

RESOLVED-

- a) That the contents of the report be received and noted.
- b) That the Board commends the work being undertaken by the Conservation Team.

(Councillor T Grayshon joined the meeting at 10.40am during discussions of the above item).

73 Climate Change Planning for Renewables

Referring to Minute 35 of the meeting held on 1st September 2009, the Director of City Development submitted a report on progress on climate change with specific reference to the issue around planning for renewables.

The following officers were in attendance who responded to Members' queries and comments:-

Steve Speak, Chief Officer, Strategy and Policy, City Development
Tom Knowland, Head of Sustainable Development, City Development
Martin Sellens, Head of Planning Services, City Development.

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

- clarification of the current development control processes for building integrated renewables and the concerns expressed about the timing of this issue and the possibility of missing the Regional Spatial Strategy (RSS) target in 2021 *(The Head of Sustainable Development responded and outlined the Regional Spatial Strategy policy, with reference to major developments. Specific reference was also made to wind energy provisions which was the subject of further discussions with the Executive Member, Councillor J Monaghan on the actual criteria)*

- clarification of the code levels and the cost implications and whether the cost of this technology was reducing for new build.
(The Head of Sustainable Development responded and covered the points raised with specific reference to the Government's approach to standards for sustainable design and construction which covered such issues as water consumption and drainage in a building,, etc)
- clarification as to whether builders were using new materials or materials which require less energy in view of the code implications
(The Head of Sustainable Development responded and confirmed that in most cases, builders were complying with the code requirements. The Head of Planning Services informed the Board that, whilst there was an increase of the number of timber framed properties being built, it was not easy yet to discern a major change in the use of external materials and that from an appearance point of view much was dependant on context)
- clarification of the additional cost to a developer of complying with the new standard in a multi-million scheme and the long term revenue implications of renewable energy
(The Head of Sustainable Development responded and informed the Board that it was very difficult to obtain the precise figures on this type of technology. The Board noted that research had shown that it would be more viable on the larger developments in terms of scale, location, etc, as opposed to a single type building)
- clarification as to whether it was worth introducing wind energy generation in view of the fact that eight out of ten applications were turned down by Leeds City Council, unlike Germany where they were on the increase
(The Chief Officer, Strategy and Policy responded and outlined the current policy and also encouraged Board Members to supply details of any suitable sites for wind generators which would be considered on their merits. The Head of Planning Services commented on the outcome of two previous applications for wind turbines considered at Plans Panel meetings with specific reference to Hook Moor and on a Yorkshire Water site located in the Aire Valley)
- clarification of the current landfill gas capacity and how much it would contribute to the Council's targets
(The Head of Sustainable Development responded and informed the meeting that landfill gas capacity would fall and would not contribute to the long-term targets)

RESOLVED –

- a) That the content of the report be noted.
- b) That this Board notes that a further report on evaluating the options for installing L2C energy and the appropriate delivery structure would be submitted to the meeting on 9th March 2010.

74 Quarter 2 Performance Report 2009-10

The Head of Policy and Performance submitted a report presenting an overview of performance against the priority outcomes relevant to the City Services Scrutiny Board, including an analysis of performance indicator

results at the end of Quarter 2 so that the Board may understand and challenge current performance.

Appended to the report were copies of the following documents:-

- a) A summary sheet showing the overall progress rating against the improvement priorities relevant to the City Development Scrutiny Board (Appendix 1 refers)
- b) Amber and red related action trackers which include a contextual update as well as key performance indicator results (Appendix 2 refers)
- c) Performance Indicator report containing two quarter results for all performance indicators which can be reported in year from the National Indicator set and any local indicator which were relevant (Appendix 3 refers)

The following officers were in attendance and responded to Member's queries and comments:-

Paul Maney, Head of Strategic Planning, Policy and Performance, City Development

Fiona McAnespie, Senior Performance and Improvement Manager, City Development

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

- Performance Indicator LSP – EE1A – clarification as to why the Council was over-performing in relation to supporting the establishment of new business in deprived communities
(The Head of Strategic Planning, Policy and Performance responded and made specific reference to the implications of the current recession and further explained that this indicator tracks the total number of businesses and was provided by an independent economic modelling tool based on the Experian business database)
- Performance Indicator LSP – EE1A – the need for a new local indicator to be provided on how many people stay in a job and on the survival rate of businesses
(The Head of Strategic Planning, Policy and Performance responded and suggested that this could be an issue to consider at the Performance Working Group)
- Improvement Priority – TR-16 – Improving the quality, capacity, use and accessibility of public transport services in Leeds – the concerns expressed were that not all the relevant factors were listed in the action trackers i.e. no specific reference to the recent failure to get additional rail carriages and the pending higher bus fares due in 2010 by First Bus
(The Head of Strategic Planning, Policy and Performance responded and commented that there were some difficulties obtaining all the relevant information particularly from external organisations, but

confirmed that he would be delighted to receive further relevant information which could then be included to give a more complete picture of performance.)

- the difficulties of increasing the number of bus passengers and getting people out of their cars when buses in the city were run by a private company where profit is the main criteria for running services
(Councillor R Downes, in his capacity as Chair of West Yorkshire Integrated Transport Authority, updated the meeting on the current issues within Metro, with specific reference to proposed 6% cuts to services this year; introduction of Quality Bus contracts and a recent trial undertaken in South Yorkshire. The Head of Strategic Planning, Policy and Performance responded and acknowledged the above comments)
- clarification as to how the car share scheme could be included in the Performance Indicator figures with a view expressed that travelling by bus was not cost-effective
(The Board's Principal Scrutiny Adviser responded and informed the meeting that this issue was under the remit of the City and Regional Scrutiny Board. The Head of Strategic Planning, Policy and Performance agreed that it would be possible to consider how this information could be used in relation wider improvement priority and suggested it could be raised at the Performance Working Group)
- Performance Indicator LSP-TPIE – Increase the number of new customers on low incomes accessing credit union services – change of targets
(The Head of Strategic Planning, Policy and Performance responded and confirmed that the figures had been reviewed and were now felt to be more realistic targets)

RESOLVED –

- a) That the content of the report and appendices be noted.
- b) That the Head of Strategic Planning, Policy and Performance be requested to investigate those issues raised by Board Members with a view to including them in future performance reports.

75 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report on recommendation tracking.

The Board noted that the report also provided Members with a summary of the further progress made in implementing recommendations 3 and 4 of the Board's statement on the A660 corridor improvement.

The Board's Principal Scrutiny Adviser informed the meeting that recommendations 3 and 4 had now been signed off as achieved by the Director of City Development and therefore no further monitoring was required.

RESOLVED –

- a) That the content of the report and appendices be noted.

- b) That this Board agreed that recommendations 3 and 4 had now been signed off as achieved by the Director of City Development and therefore no further monitoring was required.

76 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 December 2009 to 31st March 2010 and the Executive Board Minutes of 4th November 2009 and 24th November 2009 were also attached to the report.

During discussions, the Chair proposed that the following issues should be considered at the meeting to be held on 12th January 2010:-

- a report on the current budget position, with specific reference to predicted overspend by the Director of City Development
- to invite a representative from the Civic trust to discuss the city centre loop in more detail
- a report on the Blue Badge Enforcement regime
- a report on the Olympic games in Leeds

RESOLVED –

- a) That the content of the report and appendices be noted.
- b) That the Executive Board minutes of 4th November 2009 and 24th November 2009 and the Forward Plan of Key Decisions for the period 1st December 2009 to 31st March 2010 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to incorporate those updates requested at today's meeting.
- d) That the Board's Principal Scrutiny Adviser be requested to include the above items on the agenda for the 12th January 2010 meeting.

77 Date and Time of Next Meeting

Tuesday, 12th January 2010 at 10.00am (Pre-meeting for Board Members at 9.30am).

(The meeting concluded at 11.55 am)