

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 9TH FEBRUARY, 2010

PRESENT: Councillor R Pryke in the Chair

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

89 Chair's Opening Remarks

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

90 Late Items

The Chair agreed to accept a copy of a supplementary report submitted by the witness, Councillor George Hall, Barwick-in-Elmet and Scholes Parish Council relating to the inquiry to review the method by which planning applications are publicised and community involvement takes place (Agenda Item 7) (Minute 94 refers). The document was not available at the time of the agenda despatch, but had been circulated by emails to all interested parties on 3rd February 2010.

91 Declarations of Interest

There were no declarations of personal or prejudicial interests made under this item.

92 Apologies for Absence

An apology for absence was received on behalf of Councillor G Wilkinson.

93 Minutes of the Previous Meeting

RESOLVED – That, subject to a number of minor changes required by the Chair, the minutes of the previous meeting held on 12th January 2010 be approved as a correct record.

94 Session 2 Inquiry to Review the Method by which Planning Applications are Publicised and Community Involvement takes place

Referring to Minute 83 of the meeting held on 12th January 2010, the Head of Scrutiny and Member Development submitted a report in relation to Session 2 of the Board's inquiry to review the method by which planning applications were publicised and community involvement takes place.

The purpose of this session was to :-

- receive any information requested from the last session

- consider evidence of examples of good practice in other local planning authorities concerning the publicity and notification given to planning applications and the methods used
- consider some Case Studies involving selected residents groups, developers and Area Managers suggesting improvements to the current arrangements for publicising and involving people on planning applications, given the constraints identified in paragraph 1.4 of the terms of reference
- identify the strengths and weaknesses of the current arrangements and opportunities and barriers for improvement
- consider how this fits with current corporate consultation policy, processes and arrangements to facilitate more effective community consultation in neighbourhoods with regard to statutory requirements for timescale and scope

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- a) Terms of reference - Inquiry to review the method by which planning applications are publicised and community involvement takes place
- b) Report of the Chief Planning Officer –Inquiry to review the method by which planning applications are publicised and community involvement takes place

In addition to the above documents, a copy of a supplementary report produced by Councillor George Hall, a witness at today's meeting, was circulated for the information/comment of the Board.

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

- Phil Crabtree, Chief Planning Officer, City Development
- Martin Sellens, Head of Planning Services, City Development
- Helen Cerroti, Development Project Manager, City Development
- Mr Keith Collridge, Kirkstall resident and involved with the Kirkstall forge redevelopment
- Councillor George Hall, Barwick-in-Elmet and Scholes Parish Council
- Ms Freda Matthews, resident and Chair of Little Woodhouse Community Association

The Chair invited the Chief Planning Officer to report on the following three specific issues which had some relevance to the Board's inquiry:-

- new legislation strengthening guidance on "garden grabbing" and inappropriate development in gardens

- new regulations covering houses in multiple occupation where planning permission was now required where three people reside (formally six people)
- the recent introduction of a new Online Public Access System which would include all planning applications and comments that were received. The Board was advised that all Members of Council would be given an opportunity to receive practical instruction to use this new system, but much of it was intuitive and could be used straight away

Following this, the Chair then allowed a short presentation from each witness on their personal experiences of the processes and what they regarded as the main advantages and disadvantages of the present system and how it could be approved.

Councillor George Hall

Councillor Hall referred to his supplementary report and briefly highlighted the main issues relevant to the inquiry and which had been agreed by Barwick-in-Elmet & Scholes Parish Council. Councillor Hall referred to an error on page 2 of his report paragraph 6.1 which should read that 97.1% of planning applications were determined under officer delegated powers not 91.7%. Councillor Hall, in general, was positive of the progress made to date by the department in improving the planning process and of the report of the Chief Planning Officer. In summary, specific reference was made to the following key issues:-

Paragraph 2.0 refers – the appointment of a Community Planning Officer for the North East Outer Area which had been a great success. The Parish Council strongly support further developments in this regard

Paragraph 3.0 refers - the complexity of the planning process

Paragraph 5.0 refers – that they would like to see greater clarity as to the reasons for planning decisions being approved or rejected

Paragraph 6.1 refers – the view that the Statement of Community Involvement (SCI) needed to be more robust in relation to the Parish and Town Council protocol

Paragraph 6.3 refers – the concerns that in accordance with Paragraph 41 of the Planning Policy Statement¹ (PPS1) which states "that Parish Councillors should play a key role in developing full and active community involvement in their area", Parish Councillors were sometimes discouraged when representations they make appear to be given little weight even though they are consistent with the vision of the community

Keith Collridge

Mr Collridge reported on his involvement in the community and with the Kirkstall forge development. He made specific reference to the early establishment of the Kirkstall Forge Liaison Group which promoted good practice and had met regularly since it was established.

The Liaison Group had recently been consulted on the developers proposals to move from one bedroom to more popular three bedroom homes and was

awaiting information on what community service provision was to be provided to meet a more family based community.

He confirmed that the Kirkstall forge developers had in general worked well with the community and had been represented at the Kirkstall festival for a number of years. He reminded Members that Kirkstall groups were still opposed Section 106 monies being designated to improve Horsforth roundabout as this should come from the Council's highways improvement budget.

In relation to affordable housing, he briefly referred to the Kirkstall District Centre and British Home Stores site.

In concluding, he informed the meeting that a document entitled 'Vision for Kirkstall' had been recently completed and that the University students had been a great help with it's production. It was intended for this to be included in the Neighbourhood Design Statement for the area and to be accepted as Supplementary Planning Guidance.

Freda Matthews

Ms Matthews provided the meeting with background information in respect of her role as Chair of Little Woodhouse Community Association. She made reference to the following specific issues:-

- the geography of the Little Woodhouse area which had three Conservation areas and thirteen listed buildings
- the importance of continuing to include the Little Woodhouse Community Association within the planning process
- the need to keep the public fully informed of planning applications via lamp posts/street notices and to actively remove out of date notices
- to welcome the involvement of a Community Planning officer within the North West (Inner) area which had improved the service to the community both in planning and enforcement terms
- the need to continue to improve communications at all levels between Planning Services and members of the public
- to welcome the fact that, as good practice, major developers had provided Little Woodhouse Community Association with exhibitions on planning applications
- to raise their concerns about poor responses to leafleting within the area and to share developers concerns in this regard
- to inform the meeting of the recent discussions in relation to introducing a Neighbourhood Design Statement for the area and for this document being accepted as Supplementary Planning Guidance
- to raise the importance of enforcement within the area and to ensure that appropriate enforcement action was implemented against those who were offending

The Chair then sought comments from Board Members and those officers in attendance responded to the comments made.

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

Kirkstall forge development issues

- the fact that changing the development from a mainly one bedroom development to principally three bedroom properties, would have an immediate impact on school places and other service provision requirements such as doctors dentists and whether the developers had taken this into account
(The Head of Planning Services responded and informed the meeting that there was an outline planning approval in place for Kirkstall Forge with a Section 106 agreement and that the changes being proposed fell within the remit of the outline approval. There were continuing discussions with the developer in bringing forward detailed applications for the development)
- clarification as to who had the overall responsibility of looking at provisions on local services resulting from planning decisions
(The Head of Planning Services responded and confirmed that Planning Services took the lead in this area)
- the need for more affordable housing
(The Head of Planning Services responded and confirmed that affordable housing was a key priority, but within the context of a volatile housing market required a degree of flexibility)
- the provision of a railway station in the development

General Issues

- the definition of what was meant by consultation
- clarification of what was not currently available on the Online Public Access System and why some other local authorities were more advanced in this area
(The Chief Planning Officer responded and outlined the latest developments and protocol)
- how to engage more with both the University of Leeds and Leeds Metropolitan University in the planning process
(The Chief Planning Officer responded and confirmed that Planning officers did consult with students through Unipol and other organisations that existed within the University of Leeds and Leeds Metropolitan Universities, but more could be done)
- the need to continue to develop 'Plain English' wherever possible in all aspects of the planning process
(The Head of Planning Services responded and confirmed that despite the complexity of some of the issues, Planning Services were seeking to ensure that 'Plain English' was used in all its documents)
- how Parish Councils could involve the community more in commenting on planning applications
- the siting of planning notices and their removal once expired
(The Head of Planning Services responded and acknowledged that it was his staff who were responsible for carrying out both these tasks)

- clarification as to whether Community Planning officers were involved in enforcement issues
(*The Head of Planning Services responded and confirmed that the two posts of Community Planning Officers did take up enforcement issues*)
- a suggestion that the department introduce a 'tick box' approach to show what consultation had been undertaken and the outcome
(*The Head of Planning Services responded and agreed to consider this proposal*)

In concluding, the Chair then invited the three witnesses to sum up and thanked them for their attendance and contribution to the meeting.

RESOLVED-

- a) That the contents of the report of the Chief Planning Officer and appendices, together with the supplementary information, be received and noted.
- b) That the case studies and witness statement be received and noted.
- c) That the inquiry be extended in order to invite the following witnesses unable to attend today's meeting to the Scrutiny Board on 9th March 2010 :-
 - Councillor Janet Thornton, East Keswick Parish Council
 - Tony Ray, Planning Consultant
 - Jacqui Baines, Planning Aid
- d) That relevant issues identified at today's meeting be included in the Board's final report.

(Councillor R Harington arrived at 10.10am during discussions of the above item)

(Councillor N Taggart arrived at 11.05am during discussions of the above item)

95 The Agenda for Improved Economic Performance

The Chief Economic Development Officer submitted a report regarding the 'Agenda for Improved Economic Performance'.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- a) Leeds Agenda for Improved Economic Performance – Executive Summary
- b) List of Consulted Organisations
- c) The Agenda for Improved Economic Performance - Future Structure

The following representatives were in attendance:-

Paul Stephens, Chief Economic Development Manager, City Development

Tom Holvey, Economic Policy Manager, City Development

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

- support for the main approach of the document around a common message, leadership and buy in of partners
- support for the themes of the document through the Golden Thread and the three objectives of Great Place, Skilled People and Copetitive Businesses
- concern expressed that EASEL had been omitted from the document
- the need for clarity of the relationship between Leeds and the city region
- the fact that this document should have been reviewed in 2004
- the need for positive elements to be included within the document with the aim of addressing inequalities in the area
- clarification of the principle aims of the document around growth and business diversity and whether the 'Leeds Initiative Leeds Economy Partnership' document published in 1999 had influenced these areas
- the reasons why the document was not to be incorporated within the new 'Vision for Leeds 2011-2030 and the costs involved in developing this separate publication
- reference to a separate policy regeneration document on worklessness which had been produced by the Director of Environment and Neighbourhoods
- the concern expressed that the document would not have an impact as it would be viewed as just another 'glossy' document produced by the Council
- support for a shorter and more succinct style of publication
- the need to identify more of the unique components of the Leeds economy
- support for the proposal that future opportunities need to be made clearer and that linkages be improved particularly with other strategies and the different sections of the document
- support for the proposal that the document be reversed so that the actions and "what are we going to do" was at the front followed by the context
- clarification of which organisations and businesses had been consulted
- the need for the document to include political aspirations which cannot be done by officers to promote major schemes and initiatives in Leeds
- the need for a 'Plan B' to be written into the document i.e. Next Generation Transport, what if scenario
- the need for the document to focus on joined up thinking with a dialogue with 'real people' and avoid having too structured approach

The Chair then invited the Chief Economic Development Officer and the Economic Policy Manager to respond to the various comments made.

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

- details of the cross section consultation process which had included such companies as ASDA and IBM in Thorp Arch
- the view expressed that the document would focus too much on the economic performance of Leeds and not on the areas of deprivation
- to acknowledge the importance of the consultation process in producing the final document
- to advise the meeting that there will be a series of action plans produced and incorporated into the final document
- reference was made to the 1999 document and the fact that for three years from its publication a particular theme was selected each year and progress reviewed
- confirmation that the issue of sustainability would be addressed in the final document, together with focusing on low carbon emissions/equality thereby ensuring that the City of Leeds would be in a good position to respond to the challenges around the targets and aspirations set by the Vision for Leeds 2011 -2030
- the fact that many companies were currently time rich but cash poor and consequently perhaps more willing to visit schools to raise pupils aspirations

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Chief Economic Development Manager and the Economic Policy Manager be requested to incorporate appropriate and relevant comments and support given by the Board within the final document prior to its submission for approval to the Executive Board meeting on 7th April 2010.
- c) That, in conjunction with the Board's Principal Scrutiny Adviser, the Chief Economic Development Manager be requested to provide Board Members with either a hard copy or link in relation to the 'Leeds Initiative Leeds Economy Partnership' document published in 1999 for their information/retention.
- d) That Members of the Board be provided with a copy of the final publication.

(Councillor C Beverley left the meeting at 11.30am during discussions of the above item)

(Councillor D Schofield left the meeting at 11.40am during discussions of the above item)

(Councillor T Murray left the meeting at 11.55am during discussions of the above item)

96 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 February 2010 to 31st May 2010 and the Executive Board Minutes of 6th January 2010 were also attached to the report.

Minutes approved as a correct record at the meeting held on Tuesday, 9th March, 2010

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the Executive Board minutes of 6th January 2010 and the Forward Plan of Key Decisions for the period 1st February 2010 to 31st May 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 following specific items be also added to the work programme:-
 - a request for scrutiny received from Councillor B Cleabsy in relation to the loss of land allocated for employment in Horsforth (March 2010)
 - to discuss with the Chief Highways Officer actions that have or can be taken to reduce highway "Pinch Points", in the city (March 2010)

97 Date and Time of Next Meeting

Tuesday 9th March 2010 at 10.00am (Pre meeting for Board Members at 9.30am)

(The meeting concluded at 12.10pm)