

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 7TH SEPTEMBER, 2010

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, J Elliott,
G Harper, J Jarosz, G Latty, R Pryke,
M Rafique, M Robinson and S Smith

B Woroncow (Co-optee)

25 Chair's Opening Remarks

The Chair welcomed everyone to the September meeting of the Scrutiny Board (City Development). He particularly welcomed Ms Barbara Woroncow to her first meeting in her capacity as a non-voting Co-optee on the Board and to Ms Katie Paton, a politics student at Leeds University.

26 Late Items

The Chair agreed to accept the following document as supplementary information:-

- Strategic Housing Land Availability Assessment - Briefing Note from Councillor G E Hall, Barwick-in-Elmet and Scholes Parish Council (Agenda Item 7) (Minute 29 refers)

The document in question was not available at the time of the agenda despatch, but circulated by e mail and made available to the public on the Council's web site prior today's meeting.

27 Declaration of Interests

The following personal declaration of interest was made:-

- Ms Barbara Woroncow (Co-optee) in her capacity as a Member of the Vision Steering Group (Agenda Item 10) (Minute 32 refers)

28 Minutes of the Previous Meeting

RESOLVED -That the minutes of the meeting held on 6th July 2010 be confirmed as a correct record subject to the Corporate Governance Officer checking whether Councillor Jarosz's apologies were reported to this meeting and if so amending the minute accordingly.

29 Request for Scrutiny of the Strategic Housing Land Availability Assessment

The Head of Scrutiny and Member Development submitted a report on a request for Scrutiny in relation to the Strategic Housing Land Availability Assessment.

Appended to the report was a copy of the following document for the information/comment of the meeting:-

- Parish Council Representation on the Strategic Housing Land Availability Study – Report of the Head of Scrutiny and Member Development

In addition to the above appendix, a copy of the following document was circulated as supplementary information to assist the Board with their deliberations:-

- Strategic Housing Land Availability Assessment – Briefing Note from Councillor G E Hall, Barwick-in- Elmet and Scholes Parish Council

The following representatives were in attendance:-

Councillor G E Hall, Barwick-in-Elmet and Scholes Parish Council
Steve Speak, Deputy Chief Planning Officer, City Development
Robin Coghlan, Team Leader, Policy, City Development

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

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

- clarification of the specific request for scrutiny
- the need for the Board to understand the history and process behind the development of a Strategic Housing Land Availability Assessment (SHLAA)
- the fact that SHLAA was not a plan but a piece of evidence which informs plan making prepared according to national planning guidance to illustrate what land might be available for for housing development over the short medium and long term
- test of soundness relevant to SHLAA's preparation
- clarification as to the methodology and requirements for engaging key stakeholders, including local communities in this assessment
- discussion as to the composition of the Strategic Housing Land Availability Assessment Partnership as referred to in Section 4.8 of the report and the decision of the Executive Board and Partnership to appoint two experienced city Councillors to represent community interests
- representations being made by developers that they were under represented on the Partnership
- discussed the fact that the Council's own Statement of Community Involvement makes clear that no consultation was expected as part of the "survey of evidence gathering" stage of plan preparation and the Town and Parish Charter summarises the SCI with no specific reference to evidence gathering

- the CLG SHLAA Practice Guidance concerning public consultation on evidence preparation
- the revocation by the Government of the Regional Spatial Strategy and the implications for SHLAA

The Chair then allowed Councillor G E Hall and officers to sum up prior to making a decision on the request for scrutiny.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the request for scrutiny from Councillor G E Hall recommending that the existing Strategic Housing Land Availability Assessment process be reviewed immediately by key stakeholders be deferred.
- c) That in the interim period, the Director of City Development be requested to prepare a briefing note on the upcoming Local Development Framework programme, including the Core Strategy, with the approximate timetable and opportunities for local community engagement and to report on the process and timetable for updating the SHLAA. for consideration at the next meeting in October 2010.
- d) That Councillor G E Hall be invited to attend the meeting in October .

(Councillors S Smith and J Elliot joined the meeting at 10.05am and 10.08am respectively during discussions of the above item)

30 City Development Scrutiny Board Performance Report Quarter 1 2010/11

The Head of Policy and Performance submitted a report summarising City Development's progress against the Leeds Strategic Plan improvement priorities relevant to the City Development Scrutiny Board for the first quarter of 2010/11 which was the final year of delivery of these plans.

Paul Maney, Head of Strategic Planning, Policy and Performance, City Development was in attendance and responded to Member's queries and comments.

In his presentation, Mr Maney commented on the specific changes made since performance was reported at the last meeting, highlighted some particularly good/improved performance and then outlined those indicators which were either amber or red with a full explanation given of progress.

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

- Improvement Priority – TR-1b - improve the quality, capacity, use and accessibility of public transport services in Leeds – the need for quality bus contracts; the need to improve public transport facilities; the need to focus on enforcing short bus lanes to improve congestion at key areas within the city; the need to engage with the West Yorkshire Police and other agencies in order to achieve these objectives
(The Head of Strategic Planning, Policy and Performance responded and confirmed that there was a clear commitment to partnership working within the Leeds Strategic Plan arrangements particularly

through the Leeds Strategy Group and delivery partnerships and believed that the current review of existing partnership arrangements would further strengthen and address these areas)

- the request for the Board to be furnished with a copy of those Performance Indicators which were not required to be included in these performance reports, but which were collected by the directorate's services for management purposes
(The Head of Strategic Planning, Policy and Performance responded and agreed to circulate this information to Board Members via the Board's Principal Scrutiny Advisor)
- a request for the Board to be involved within the process of setting new targets for 2010/11
(The Head of Strategic Planning, Policy and Performance responded that he welcomed this involvement and agreed to include Board Members within the process of developing the new Leeds Strategic Plan targets for this area)

RESOLVED- That the contents of the report and appendices be noted.

31 Section 106 of the Town and Country Planning Act 1990 - Process and Procedures

The Head of Scrutiny and Member Development submitted a report providing the Scrutiny Board with a comprehensive description of the purpose, justification and management of Section 106 Agreements.

The following representatives were in attendance and responded to Member's queries and comments.

Phil Crabtree, Chief Planning Officer, City Development
Paul Gough, Team Leader, City Development

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

- the concerns expressed that there was no reference to 'locality' within Section 10.0 of the report regarding the spending of monies received from S106 Planning Applications
- that there was no mention of Councillor representation in Section 9.1 of the report in relation to the allocation of monies received from S106 Planning Obligations
- the concern by a Member that it was proposed to use Section 106 monies received from the Kirkstall Forge development to help fund improvements on the Ring Road at Horsforth roundabout and clarification as to the funding streams available for this scheme
- clarification of the use of residual monies process in relation to areas for improvement in the S106 process
- the suggestion that Elected Members be issued with a two page A4 summary guide on S106 and 278 Agreements

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Board notes the arrangements that were in place to manage the S106 and S278 programmes and the reassurances given that the system was robust, up to date and in line with statutory regulations
- c) That the Board also notes that such arrangements were subject to regular review and monitoring and that continual improvements to the systems in place were sought.
- d) That the Director of City Development be requested to provide a simple guide for Elected Members on the community processes and procedures for S106 and 278 Agreements to include how Members were consulted and how funds were made available from these funding streams.

32 Vision for Leeds 2011 to 2030 - Progress with development and next steps

A report of the Leeds Initiative on the progress with the development and next steps in relation to the Vision for Leeds 2011 to 2030 was submitted for the information/comment of the meeting.

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

Martin Dean, Deputy Director, Leeds Initiative
Sally Corcoran, Programme Manager, Leeds Initiative

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

- clarification as to why the consultation process had not been addressed through the Area Committee process
(The Programme Manager, Leeds Initiative responded and confirmed that they were working with Area Committees with the aim of developing local events)
- the importance of including rural groups and outside organisations within the consultation process
(Following discussions, Councillor M Robinson agreed to forward e mail details of relevant groups and organisations to the Programme Manager, Leeds Initiative via the Board's Principal Scrutiny Advisor)
- the view that more PACT meetings should be included within the consultation process and ensure that other ways of disseminating information were used as an alternative to the Internet as a significant number of the population did not have access to this provision
(The Deputy Director, Leeds Initiative responded that 8000 hard copies would be provided and distributed to various outlets across the city and that within the constraints of the resources he had available, he agreed to consider increasing the number of PACT meetings on request)
- clarification of the deadline of the consultation process
(The Deputy Director, Leeds Initiative responded and informed the meeting that the deadline for comments was 31st December 2010)

- the missed opportunity to promote the Vision for Leeds consultation document at recent festivals throughout the city
- the concerns expressed as to the short timescales for consultation and preparation of the Vision document prior to it being considered and signed off at the Executive Board meeting in the spring of 2011
(*The Deputy Director, Leeds Initiative responded and agreed to raise this issue at the next Vision Steering Group*)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Board notes the work carried out to date to develop a new Vision for Leeds 2011 to 2030 in accordance with the report now submitted.
- c) That the consultation document 'What if Leeds' be received and noted and that this Board gives it's support to the process of consultation.

33 City Development Directorate: 2010/11 Budget

Referring to Minute 18 of the meeting held on 6th July 2010, the Director of City Development submitted a report setting out the financial position for the City Development Directorate.

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

- Financial position for City Development Directorate for 2010/11 at period 3 which had been considered by the Executive Board
- Financial position for City Development Directorate for 2010/11 at period 4 which provided a more up to date position

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

Graham Fisher, Principal Finance Manager, City Development
Mohammed Afzal, Principal Finance Manager, Resources

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

- the need for Members to be provided with up to date income and expenditure against the main vote heads showing virements that have been instigated to meet shortfalls from areas of under spend
- the budget process approved by Council
- the delay in undertaking a staffing review within the department
- the need to invite the Director of City Development to the next Board meeting to discuss the financial position of the department
- the need for the Board to see the specific plans for next year's budget in order to have an input in protecting frontline services
- clarification for the shortfall in fees for crematoria services
- the need for the Board to keep under review the budget deficit and to address issues on a month by month basis

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Board's Principal Scrutiny Adviser be requested to invite the Director of City Development to the next Board meeting in October 2010 to discuss the current budget position.

(Councillor B Atha left the meeting at 12.10pm during discussions of the above item)

34 Long stay parking on vacant City Centre sites

Referring to Minute 20 of the meeting held on 6th July 2010, the Chief Planning Officer submitted a report on long stay parking on vacant City Centre sites.

Phil Crabtree, Chief Planning Officer, City Development was in attendance.

RESOLVED - That the contents of the report be noted.

35 Grants to Culture and Sport Related Organisations

(This item was withdrawn from the agenda and would be considered at the next meeting on 5th October 2010)

36 Kirkgate Market

Referring to Minute 18 of the meeting held on 6th July 2010, the Head of Scrutiny and Member Development submitted a progress report on the Board's intention to undertake an inquiry into Kirkgate Market.

Appended to the report was a copy of a note of the Board's visit to Kirkgate Market on 25th August 2010 for the information/comment of the meeting.

It was noted that that the Board would now consider the draft market strategy at its meeting on 5th October 2010, prior to it being considered by Executive Board on 3rd November 2010.

RESOLVED- That the contents of the report, together with details of the informal Scrutiny Board visit of 25th August 2010, be noted.

37 Work Programme, Executive Board Minutes and Forward Plan of Key Decisions

The Head of Scrutiny and Member Development submitted a report providing Members with a copy of the Board's current Work Programme. The Executive Board minutes of 21st July 2010 and 16th August 2010, together with the Forward Plan of Key Decisions for the period 1st August 2010 to 30th November 2010 were also attached to the report.

RESOLVED-

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

- b) That the Executive Board minutes of 21st July 2010 and 16th August 2010, together with the Forward Plan of Key Decisions for the period 1st August 2010 to 30th November 2010 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to include the following items:-
- Request for Scrutiny of the Strategic Housing Land Availability Assessment – A briefing paper to include an approximate timetable relating to the Leeds Development Framework Core Strategy (October 2010)
 - Section 106 – A Simple Guide for Elected Members

38 Date and Time of Next Meeting

Tuesday 5th October 2010 at 10.00am
(Pre meeting for Board Members at 9.30am)

(The meeting concluded at 12.20 pm)