

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 7TH DECEMBER, 2010

PRESENT: Councillor J Procter in the Chair

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

B Woroncow (Co-optee)

79 Chair's Opening Remarks

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

80 Late Items

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

Scrutiny Board (City Development) – Inquiry to Consider the Future of Kirkgate Market – Terms of Reference/ Leeds Markets Marketing and Promotion – Inquiry into Leeds Markets Appendix 1 (Agenda Item 70) (Minute 85 refers) . A letter from Mrs Ruston Market Trader regarding Kirkgate Market (Minute 85 refers) and from Mr & Mrs Simpson concerning Lawns Wood cemetery (Minute 88 refers).

The documents were not available at the time of the agenda despatch, but made available on the Council's Internet site prior to the Board meeting.

81 Declaration of Interests

The following personal interests were declared at the meeting:-

- Councillor M Lobley in his capacity as Chairman of Re'newal Leeds Limited who were involved in employment sites (Agenda Item 10) (Minute 87 refers)
- Councillor R Pryke in his capacity as Friends of Beckett Street Cemetery (Agenda Item 11) (Minute 88 refers)
- Councillor B Atha in his capacity as Friends of Beckett Street Cemetery (Agenda Item 11) (Minute 88 refers)
- Councillor J Procter in his capacity as Chair of the Leeds Grand Theatre Board and also as a trustee on Northern Ballet Theatre (Agenda Item 12) (Minute 89 refers)

82 Apologies for Absence and Notification of Substitutes

An apology for absence was received on behalf of Councillor J Elliott and no substitute had been offered.

83 Minutes of the Previous Meetings

RESOLVED – That, subject to the following revision, the minutes of the scheduled Board meeting and Call-In meeting held on 2nd November 2010 be confirmed as a correct record:-

Scheduled Scrutiny Board (City Development) – 2nd November 2010 - Minute 64 refers – Request for Scrutiny of the Withdrawal of Remaining Creche Provision at Leisure Centres

To delete the first bullet point and text referring to Councillor Lobley and replace with

the background to Councillor Lobley's request for Scrutiny concerning the closure of crèche provision in leisure centres

84 Request for Scrutiny of the Withdrawal of Remaining Creche Provision at Leisure Centres

Referring to Minute 64 of the meeting held on 2nd November 2010, the Head of Scrutiny and Member Development submitted a report on progress in relation to a request for scrutiny of the withdrawal of remaining crèche provision at leisure centres.

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

- A request for scrutiny received from Councillor M Lobley and Councillor J Matthews – Letter dated 18th October 2010
- Delegated Decision Notification – Withdrawal of remaining crèche provision at leisure centres dated 11th October 2010
- Report of the Chief Recreation Officer on progress made to explore alternative options for leisure centre crèches

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

Ms Zoe Walker, Spokesperson for the Crèche Users Parents Group
Mark Allman, Head of Sport and Active Recreation, City Development
Ian Waller, Sports Operations Manager, City Development
Julia Manning, Extended Development Services Manager, Children's Services

The Chair invited Ms Zoe Walker to outline the main points of the Crèche Users Parents Group who were campaigning to prevent the withdrawal of the remaining crèche provision at leisure centres in Leeds.

The Chair then invited Mark Allman, Head of Sport and Active Recreation, Ian Waller, Sports Operations Manager and Julia Manning, Extended Development Services Manager to respond to the main points and to provide the Board with an update on the consultation process in relation to crèche provision at leisure centres.

Board Members, including Councillor Lobley then questioned the representatives on the main points and consultation process.

In summary, specific reference was made to a number of issues by the witnesses and Members including:-

- the view that this proposal goes against the Council's strategic objectives to reduce obesity, increase physical activity and tackle health inequalities
- concern that the Executive Board Member with portfolio responsibility for Leisure had stated that the department should not subsidise this service when many leisure and cultural services were subsidised by the department
- that the budget calculations which had determined that these facilities were not a viable concern take no account of the income generated elsewhere in the leisure centres by users of these crèche facilities
- concern that posters advertising the closure of the crèches are still on display in sports centres despite the decision to go out to consultation on this issue
(The Head of Sport and Active Recreation agreed to have these removed immediately)
- the need to circulate the proposed questionnaire as widely as possible to include users, carers and parents
- clarification as to whether the Crèche Users Parents Group had been involved with the development of the survey questionnaire
(The spokesperson for the Crèche Users Group confirmed that they had)
- receipt of a petition containing over 200 signatures in support of retaining crèche provision in the Council's leisure centres
- that staff operating tills in the leisure centres would be manually recording income from crèche users
- clarification of the role of the Early Years Service with regards to crèche provision and the need for the Early Years Service to engage further with leisure services to identify other ways of providing and expanding this facility for users of leisure centres whether it was in-house or private crèche provision, especially in wards where there was high deprivation
(The Extended Development Services Manager responded and agreed to encourage this as part of the review. She also commented that the ability to find a suitable room in some sports centres that met all the criteria for crèche provision was often a problem)
- a Member sought assurances from officers that the City Development department would continue to subsidise these crèche facilities until the consultation was concluded and a way forward identified to maintain this service either in-house, privately or via a social enterprise scheme
(The Head of Sport and Active Recreation confirmed that his department would continue to subsidise this service until alternative arrangements were identified)

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That this Board notes that Councillor A Ogilvie, Executive Member Leisure and the Acting Director of City Development had agreed to keep the crèches open until February 2010.
- c) That in the circumstances now reported, the Board would not undertake an inquiry on this issue.
- d) That the results of the survey be reported to the Scrutiny Board meeting on 8th February 2011.
- e) That the Acting Director of City Development be asked not to take any action until the Scrutiny Board had considered the results of the survey and alternative arrangements identified to continue this service .

85 Session 1 of the Inquiry to Consider the Future of Kirkgate Market

Referring to Minute 66 of the meeting held on 2nd November 2010, the Head of Scrutiny and Member Development submitted a report on the first session of the Board's Inquiry to Consider the Future of Kirkgate Market.

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

- Scrutiny Board (City Development) – Inquiry to Consider the Future of Kirkgate Market – Terms of Reference
- Leeds Markets Marketing and Promotion – Inquiry into Leeds Markets (Appendix 1 refers)

In addition to the above documents, a copy of a letter from Ms M E Rushton, Leeds Kirkgate Market was circulated to assist the Board with their deliberations.

The following witnesses/representatives were in attendance and gave evidence to the Board and responded to Board Members' queries and comments:-

John Perriton, Field Support Manager, National Market Traders' Federation (NMTF)

Ms Liz Laughton, National Market Traders' Federation (NMTF) (Kirkgate Branch)

Ms Sara Gonzalez, Friends of Kirkgate Market

Ms Megan Waugh, Friends of Kirkgate Market

Mr Chris Leonard, Friends of Kirkgate Market

Ms M E Ruston, Market Trader

Mrs Michele Hocken, Market Trader

Mr Lacky Singh, Market Trader

Paul Stephens, Chief Economic Development Officer, City Development

Cath Follin, Head of City Centre and Markets, City Development

The Chair informed the meeting that the Board took this Inquiry very seriously and as a result the Executive Member, Development and Regeneration was

present in the room to witness the debate in the hope that a positive way forward would be achieved for the benefit of all concerned.

The Chair invited the Chief Economic Development Officer and the Head of City Centre and Markets to give a brief introduction, and together they outlined the key points in relation to the future direction of Kirkgate Market.

Following this, the Chair then allowed a witness from the following organisations to give a brief overview of the key issues affecting Kirkgate Market, including reference to the national picture regarding markets.

National Market Traders Federation (NMTF)

John Perriton in his presentation briefly made reference to the following key issues:-

- the national picture regarding markets
- the membership/history behind the National Market Traders Federation (NMTF)
- Planning Policy Statement 4 and 5 with reference to the important role of markets in today's society. He referred to the fact that markets remain an important source for fresh produce; that there was a general reduction in footfall in markets and that there was a serious need to attract new traders/buyers
- the Eastgate Development; parking provision and the need to target people who do not shop in markets

National Market Traders' Federation (Kirkgate Branch)

Liz Laughton in her presentation briefly made reference to the following key issues:-

- the branch welcomed the appointment of a new Markets Manager but stated it was a new face but the same regime
- concern regarding the lack of progress with the 2009 rent review
- that some traders were being given rent discounts but others who had operated in the market for years received no help at all
- concern that takings in the market were down
- the view that present high rents in the market were not sustainable. She referred to rent levels in Nottingham being £55 per square foot whilst in Leeds it was £85 per square foot
- the view that a dedicated Market department needs to be established
- concern over the impact on the market by the Eastgate Development
- the view that the Council needs to develop in partnership with the traders a short, medium and long term strategy for the market in order to move forward and turn the situation around

Megan Waugh also referred to the suspicion that the Council raised more in service charges than it actual costs the Council and this should be reviewed as a matter of urgency.

Michelle Hocken in her presentation briefly made reference to International markets such as Barcelona's La Boqueria market which was an example of a highly successful retail market and gave details of their rota system and low rent policy. Reference was also made by other witnesses to other successful markets in New York, Belfast and Birmingham.

Friends of Kirkgate Market

Sara Gonzalez, Megan Waugh and Chris Leonard in their presentation briefly made reference to the following key issues:-

- that the Friends of Kirkgate Market welcomed a Scrutiny Inquiry into this issue
- that Leeds Kirkgate Market was rooted within the local economy and was seen as an important social benefit for all concerned, especially for ethnic groups
- concern that there was no mechanism for traders to be involved in key decisions affecting the future development of the market
- the work of NABMA (National Association of British Market Authorities) who hold regular meetings and provide useful data and information on markets
(The Head of City Centre and Markets responded and confirmed that Leeds City Council was a member of this organisation, attended conferences and regularly met with NABMA officials)
- the need for the Council to visit Belfast market to witness another successful market in operation

Kirkgate Market Trader

Ms M E Rushton in her presentation briefly made reference to the following key issues outlined in her letter previously circulated to the Board:-

- concern over the lack of experienced management
- concern over the loss of revenue to the council due to empty units i.e. units not trading and used for storage must be in the region of £625,000 per annum
- took 17 years to get the roof of the market cleaned
- that the market was not just a place to shop but to socialise and pass the time of day
- that the market makes a profit for the Council and yet very little is spent in the Market. She referred to the fact that the Grand Theatre and many other organisations in Leeds receive grants and were subsidised by the Council

The Chair then allowed the Chief Economic Development Officer and the Head of City Centre and Markets to respond to the individual comments made.

Board Members then questioned witnesses and officers on the main points.

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

- a suggestion as to the establishment of a Market Committee/Board of Trustees for the market
- clarification regarding the outcome of the rent review and the current anomalies that exist for new traders and existing traders
- the need to address how to get new customers into the market and for the Council to re-invest in the market's future
- the view that the market was too large and that there was a need to make the market more compact by removing vacant stalls
- the need for traders to accommodate shoppers needs such as the ability to pay by debit/credit cards in the market
- an acknowledgement that there were fundamental differences between markets in New York, Barcelona, Birmingham and Belfast markets and Kirkgate Market
- clarification of parking issues and provision in the Eastgate Development and availability of Section 106 monies
- the concern that the market was not the cheapest place to buy goods
- the need for the Board to be furnished with a Business and Market model that existed in other parts of the country to assist them with this Inquiry
- the need for the Head of City Centre and Markets to ensure search engine optimisation for the official market site
- the need for the Board to be supplied with the details of the condition survey and service charges
- the need to consider the Council's stall allocation policy
- the need for the Board to receive details of NABMA's role and availability of minutes and papers of this body

Michelle Hocken invited Board Members to visit the Market and to be a trader for a 'day' to witness the problems that existed at first hand.

The Chair responded on behalf of the Board and thanked Mrs Hocken for her kind offer. He requested interested Members to contact the Board's Principal Scrutiny Adviser to enable appropriate arrangements to be made.

In concluding, the Chair, on behalf of the Board, thanked witnesses and officers for their attendance and contribution to the Inquiry.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Acting Director of City Development be requested to prepare a further report to the Board meeting on 11th January 2011 to include:-

- the outcome of the rent review
 - the results of the condition survey
 - service charge details
 - the Council's stall policy
 - the alternative ownership and management models that were available to include examples from other markets
 - details of NABMA's role and availability of minutes and papers of this body
- c) That parking issues and provision in the Eastgate Development and availability of Section 106 monies be the subject of a report to the Board on 8th February 2010.

(Councillor R Pryke left the meeting at 12.25pm at the conclusion of the above item)

86 City Development Directorate: 2010/11 Budget - Financial Position

Referring to Minute 68 of the meeting held on 2nd November 2010, the Head of Scrutiny and Member Development submitted a report providing the Board with a financial position for the City Development Directorate at period 7.

Appended to the report was a copy of a document entitled ' City Development Directorate; 2010/Budget – Period 7 Report for the information/comment of the meeting.

Simon Criddle, Head of Finance, City Development was in attendance and responded to Members' queries and comments:-

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

- clarification behind the rise in Planning Appeal costs and the need for the Board to receive the likely outturn figure for the current financial year, together with specific details of those cases that have not been settled
(The Head of Finance responded and agreed to supply this information via the Board's Principal Scrutiny Adviser)
- clarification of how the Early Leavers Initiative costs would be funded
(The Head of Finance responded that the department currently was responsible for any leaving costs but if these costs are capitalised it would become a corporate charge)
- clarification of whether or not the Planning restructuring exercise had been implemented
(The Head of Finance responded and confirmed that the Planning restructuring exercise had now been completed with recruitment to take place in due course)

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

(Councillor M Rafique left the meeting at 12.35pm during discussions of the above item)

87 City Development Performance Report Quarter 2 - 2010/11

The Head of Policy and Performance submitted a report presenting an overview of performance against the priority outcomes relevant to the City Development Scrutiny Board.

Paul Maney, Head of Strategic Planning, Policy and Performance, City Development was in attendance.

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

88 Working Group on Horticultural Maintenance of Cemeteries and Crematoria

Referring to Minute 70 of the meeting held on 2nd November 2010, the Head of Scrutiny and Member Development submitted a progress report in relation to the Board's Working Group on Horticultural Maintenance of Cemeteries and Crematoria.

Appended to the report was a copy of the notes of the Horticultural Maintenance of Cemeteries and Crematoria working group held on 18th November 2010 for the information/comment of the meeting.

In addition to the above documents, a copy of a letter from Mr and Mrs Simpson was circulated to assist the Board with their deliberations.

Sean Flesher, Head of Parks and Countryside, City Development was in attendance.

Specific reference was made to the need of the Working Group to be supplied with details of how other local authorities implement grave conditions with regards to cemetery maintenance to assist them with this Inquiry.

The Board's Principal Scrutiny Adviser agreed to follow up this issue with the Head of Parks and Countryside.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the note of the visit of the Cemeteries and Crematoria Horticultural Maintenance Working Group to Lawns Wood cemetery on 18th November 2010 be received and noted.
- c) That a further meeting of the Cemeteries and Crematoria Horticultural Working Group be convened in due course.

89 Working Group on Grants to Culture and Sport related Organisations

Referring to Minute 70 of the meeting held on 2nd November 2010, the Head of Scrutiny and Member Development submitted a progress in relation to the Board's Working Group on Grants to Culture and Sport Related Organisations.

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

Minutes approved as a correct record at the meeting held on Tuesday, 11th January, 2011

- A copy of the notes of the working group held on 18th November 2010 for the information/comment of the meeting
- A report of the Chief Libraries, Arts and Heritage Officer regarding the Working Group Paper on Grants to Culture and Sport Related Organisations

Catherine Blanshard, Chief Libraries, Arts and Heritage Officer, City Development was in attendance.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the note of the meeting of the Grants to Culture and Sport Related Organisations Working Group held on 18th November 2010, together with the report of the Chief Libraries, Arts and Heritage Officer be received and noted.
- c) That a further meeting of the Grants to Culture and Sport Related Organisations Working Group be convened in due course.

90 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 3rd November 2010, together with the Forward Plan of Key Decisions for the period 1st December 2010 to 31st March 2011 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 3rd November 2010, together with the Forward Plan of Key Decisions for the period 1st December 2010 to 31st March 2011 be noted.
- c) To note that the Chief Executive of Welcome to Leeds would now give a short presentation on the work of his organisation to the Board on 11th January 2011.
- d) That the Board's Principal Scrutiny Adviser be requested to update the work programme to include the following items:-
 - Preliminary Flood Risk Assessment (March/April 2011)
 - City Priority Plan/Corporate Plan (March 2011)
 - Replanting Trees Protocol in Urban and Suburban areas and requirement to use of designated tree pits near highways

91 Date and Time of Next Meeting

Tuesday 11th January 2011 at 10.00am (Pre meeting for Board Members at 9.30am)

(The meeting concluded at 12.50 pm)