



A meeting of the Council will be held in the Civic Hall, Leeds on Wednesday, 14th July, 2010 at 1.30 pm

Members of the Council are invited to attend and transact the following business:

1. Minutes

To confirm the minutes of the Council Meeting held on 27th May 2010

2. Declarations of Interest

To receive any declarations of interest from Members

3. Communications

To receive such communications as the Lord Mayor, the Leader, Members of the Executive Board or the Chief Executive consider appropriate

4. Deputations

To receive deputations in accordance with Council Procedure Rule 10

5. Reports

To consider reports as follows (the Chief Executive (a,b and c) and the Section 151 Officer (d) consider that these reports are appropriate to be received at this meeting in accordance with Council Procedure Rule 2.2(f)):-

- a) That the recommendations of the Independent Remuneration Panel, as presented by the report of the Chief Democratic Services Officer, be approved and that the Assistant Chief Executive (Corporate Governance) be authorised to make any consequential changes to the Members' Allowances Scheme.

P GRUEN

- b) That the Scrutiny Boards' Annual report to Council, prepared in accordance with Article 6 of the Constitution, be approved.

K WAKEFIELD

- c) That the report of the Assistant Chief Executive (Corporate Governance) on appointments be approved.

P GRUEN

- d) That the report of the Director of Neighbourhoods and Housing on expenditure proposals for the use of Housing Revenue Subsidy refund be approved.

P GRUEN

6. Questions

To deal with questions in accordance with Council Procedure Rule 11

7. Recommendations of the Standards Committee

That the Annual report of the Standards Committee be received in accordance with the recommendations of the report of the Assistant Chief Executive (Corporate Governance)

B SELBY

8. Recommendations of the Corporate Governance and Audit Committee

That the Annual report of the Corporate Governance and Audit Committee be received in accordance with the recommendations of the report of the Assistant Chief Executive (Corporate Governance).

G DRIVER

9. Recommendations of the General Purposes Committee

That the recommendations of the General Purposes Committee, as presented by the report of the Assistant Chief Executive (Corporate Governance) for amendments to the Constitution, be approved.

K WAKEFIELD

10. Minutes

To receive the minutes in accordance with Council Procedure Rule 2.2(o)

11. White Paper Motion - Free Insulation Scheme for Households

Council welcomes the announcement that the Labour administration and the Green Group are working together to establish a Free Insulation Scheme for the city of Leeds, which will be based on the successful model of Kirklees.

Council notes that the scheme when established will lead to a reduction in fuel poverty for many Leeds residents. It will also bring about a reduction in carbon emissions of 48,500 tonnes and the creation of approximately 200 new jobs offering apprenticeship opportunities, including people from Roseville Enterprises.”

Council, therefore, call on the Executive Board to bring forward proposals for this scheme.

A BLACKBURN

12. White Paper Motion - Micro-Generation Energy Schemes

This Council notes the success of micro-generation energy schemes in other local authorities and requests the Executive Board bring forward proposals within the next three months on how such a scheme could be offered on a self financing basis to every household in Leeds.

J MONAGHAN

13. White Paper Motion - New Generation Transport Scheme

This Council reaffirms its all party commitment to the ‘New Generation Transport’ (NGT) project in our city, which represents an important part of Leeds future transport system. Council notes with deep concern a decision by the Government to put on hold this vital scheme which could create 4,000 jobs and bring £160m per year to the City Region’s economy.

Council welcomes the all party delegation on the 19th July to lobby the Secretary of State for Transport on the issues of NGT on behalf of the people of Leeds.

Council instructs the Chief Executive to write to the Secretary of State for Transport outlining the importance of this scheme and to request that the necessary funding be found to progress NGT in our city.

J LEWIS

14. White Paper Motion - Retirement of Chief Executive and Director of City Services

This Council wishes to acknowledge the lengthy and distinguished service of Paul Rogerson and Jean Dent and expresses its thanks and wishes them the best for the future.

B ATHA

15. White Paper Motion Submitted Under the Provisions of Council Procedure Rule 3.1(d) - The World Cup and the Fruit Tree Planting Scheme

Following the success of the "World Cup Fruit tree planting scheme in Durban", our twin City. Council wishes to thank all those involved in the partnership, created by Leeds City Council, for their help in making the project become a reality. Council also congratulates Durban on the success of their involvement in the World Cup.

B CLEASBY

16. White Paper Motion Submitted Under the Provisions of Council Procedure Rule 3.1(d) - Leeds United Football Club

This Council congratulates Simon Grayson, his staff and the players of Leeds United Football Club on their recent promotion to the Football League Championship and wishes them every success in the coming season.

M DOBSON

Chief Executive

Civic Hall
Leeds
LS1 1UR

NOTE – The order in which White Paper motions will be debated will be determined by Whips prior to the meeting

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Proceedings of the Annual Meeting of the Leeds City Council held
Civic Hall, Leeds on Thursday, 27th May, 2010

PRESENT: The Lord Mayor Councillor Judith Elliott in the Chair

WARD

ADEL & WHARFEDALE

Clive Fox
Barry John Anderson
John Leslie Carter

ALWOODLEY

Peter Mervyn Harrand
Ronald David Feldman
Ruth Feldman

ARDSLEY & ROBIN HOOD

Lisa Mulherin
Karen Renshaw
Jack Dunn

ARMLEY

Janet Harper
Alison Natalie Kay Lowe
James McKenna

BEESTON & HOLBECK

David Congreve
Angela Gabriel
Adam Ogilvie

BRAMLEY & STANNINGLEY

Neil Taggart
Angela Denise Atkinson
Ted Hanley

BURMANTOFTS & RICHMOND HILL

Ron Grahame
Ralph Pryke
Richard Brett

WARD

CALVERLEY & FARSLEY

Rod Wood
Andrew Carter
Joseph William Marjoram

CHAPEL ALLERTON

Jane Dowson
Eileen Taylor
Mohammed Rafique

CITY & HUNSLET

Mohammed Iqbal
Elizabeth Nash
Patrick Davey

CROSS GATES & WHINMOOR

Peter John Gruen
Suzi Armitage
Pauleen Grahame

FARNLEY & WORTLEY

John Hamilton Hardy
David Blackburn
Ann Blackburn

GARFORTH & SWILLINGTON

Thomas Murray
Andrea McKenna
Mark Dobson

GIPTON & HAREHILLS

Kamila Maqsood
Alan Leonard Taylor
Arif Hussain

GUISELEY & RAWDON

Pat Latty
Graham Latty
Stuart Andrew

HAREWOOD

Matthew James Robinson
Ann Castle
Rachael Procter

HEADINGLEY

Martin Hamilton
Jamie Matthews
James John Monaghan

HORSFORTH

Brian Cleasby
Christopher Townsley
Andrew Barker

HYDE PARK & WOODHOUSE

Javaid Akhtar
Penny Ewens
Gerry Harper

KILLINGBECK & SEACROFT

Brian Michael Selby
Graham Hyde
Veronica Morgan

KIPPAX & METHLEY

Keith Ivor Wakefield
John Keith Parker
James Lewis

KIRKSTALL

Bernard Peter Atha
Lucinda Joy Yeadon
John Anthony Illingworth

MIDDLETON PARK

Kim Groves
Geoffrey Driver
Judith Blake

MOORTOWN

Sharon Hamilton
Mark Daniel Harris
Brenda Lancaster

MORLEY NORTH

Thomas Leadley
Robert Finnigan
Robert William Gettings

MORLEY SOUTH

Shirley Varley
Judith Elliott
Terrence Grayshon

OTLEY & YEADON

Ryk Downes
Graham Peter Kirkland
Colin Campbell

PUDSEY

Mick Coulson
Josephine Patricia Jarosz
Richard Alwyn Lewis

ROTHWELL

Barry Stewart Golton
Donald Michael Wilson
Steve Smith

ROUNDHAY

Ghulam Hussain
Matthew Lobley
Valerie Kendall

TEMPLE NEWSAM

Michael Lyons
William Schofield Hyde
David Schofield

WEETWOOD

Judith Mara Chapman
Ben Chastney
Susan Bentley

WETHERBY

John Michael Procter
Gerald Wilkinson
Alan James Lamb

110 Announcements

- a) The Lord Mayor welcomed newly elected Members to their first meeting of Council.
- b) The Lord Mayor announced that the Leeds entry at the Chelsea Flower Show had received a Gold Award.
- c) The Lord Mayor addressed Council with regard to the events of her year in office.

111 Issue of Papers for the Meeting

The Lord Mayor indicated that following the dispatch of the Summons together with a complete set of initial schedules on 19th May 2010 further and revised papers were admitted to the agenda as follows:-

- 1) Revised schedules 8(b)(i), and 8(c) together with a revised first two pages of item 10 were issued on 21st May.
- 2) Labour Group amendments to items 6, 7, 8, and 10 and a revised schedule 11 were issued on 25th May.
- 3) Final versions of schedules and alternative schedules (Labour amendments) 8(b) (i), (ii) and (iii) had been admitted to the agenda as attachments to the Order Paper for this meeting

112 Election of Lord Mayor

It was moved by Councillor Wakefield seconded by Councillor A Carter and

RESOLVED UNANIMOUSLY – That Councillor James McKenna be elected Lord Mayor of the City of Leeds to hold Office until the date of the Annual Meeting in 2011.

The meeting was suspended to allow for Councillor McKenna to accept the chain of office and to take the Chair.

113 Vote of thanks to the Retiring Lord Mayor

Councillor Finnigan moved a vote of thanks to the retiring Lord Mayor, Councillor Elliott. This was seconded by Councillor A Carter, supported by Councillors Atha, Brett and A Blackburn.

114 Election of Deputy Lord Mayor

It was moved by Councillor Wakefield seconded by Councillor A Carter and

RESOLVED UNANIMOUSLY – That Councillor Patrick Davey be appointed Deputy Lord Mayor of the City of Leeds to hold Office until the date of the Annual meeting of Council in 2011.

115 Minutes

It was moved by Councillor Bentley seconded by Councillor Gruen and

RESOLVED – That the minutes of the meeting of Council held on 21st April 2010 be approved.

116 Declarations of Interest

The Lord Mayor announced that a list of written declarations submitted by members was on display in the ante-room, on deposit in public galleries and had been circulated to each Member's place in the Chamber

Following an invitation to declare further individual interests, all Members of Council declared personal interests in matters referred to in minutes 117 to 124 where they believed that decisions could result in an increase in allowances payable to them under the Members' Allowances Scheme.

117 Election of Leader

It was moved by Councillor Bentley seconded by Councillor J Procter

That Councillor Stewart Golton be elected as Leader of the Council.

An amendment was moved by Councillor Gruen seconded by Councillor Nash:

Delete "Stewart Golton" and replace with "Keith Wakefield".

The amendment was carried and upon being put to the vote as the substantive motion it was

RESOLVED – That Councillor Keith Wakefield be elected as Leader of the Council.

On the requisition of Councillors J Procter and J L Carter the voting on the amendment and substantive motion were recorded as follows:-

The amendment

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

The substantive motion

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D

Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

118 Amendments to the Constitution

It was moved by Councillor A Carter seconded by Councillor Bentley

That the recommendations of the General Purposes Committee with regard to amendments to the Constitution as detailed in the report of the Assistant Chief Executive (Corporate Governance) be approved save that the recommendation with regard to a proposed amendment to Scrutiny Board Procedure Rules to secure the introduction of substitute arrangements for Scrutiny Boards be not approved.

An amendment was moved by Councillor Wakefield seconded by Councillor Gruen

Delete all after 'as detailed in the report of the Assistant Chief Executive (Corporate Governance) be approved' and replace with:-

'and that recommendation 7.1.2 be amended to refer to retaining the existing Scrutiny Boards except for Scrutiny Board City and Regional Partnerships; and that only amendments to Scrutiny Boards' Term of Reference set out in appendices 10 to 13 and 15 and 16 be approved.'

The amendment was carried and upon being put to the vote as the substantive motion it was

RESOLVED – That the recommendations of the General Purposes Committee with regard to amendments to the Constitution as detailed in the report of the Assistant Chief Executive (Corporate Governance) be approved and that recommendation 7.1.2 be amended to refer to retaining the existing scrutiny boards except for Scrutiny Board City and Regional Partnerships; and that only amendments to Scrutiny Boards' Term of Reference set out in appendices 10 to 13 and 15 and 16 be approved.

On the requisition of Councillors J Procter and Lobley the voting on the amendment and substantive motion were recorded as follows:-

The amendment

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

The substantive motion

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

119 Establishment of Committees and Appropriate Terms of Reference

It was moved by Councillor Bentley seconded by Councillor J Procter

That Committees having Terms of Reference as detailed in Schedule 8(a) be established.

An amendment was moved by Councillor Gruen seconded by Councillor Nash

Delete all and replace with

‘That Committees having Terms of Reference as detailed in Schedule 8(a) be established except that Scrutiny Board (City and Regional Partnerships) be not established.’

The amendment was carried and upon being put as the substantive motion it was

RESOLVED - That Committees having Terms of Reference as detailed in Schedule 8(a) be established except that Scrutiny Board (City and Regional Partnerships) be not established.

On the requisition of Councillors J Procter and Lobley the voting on the amendment and substantive motion were recorded as follows:-

The amendment

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

The substantive motion

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

120 Membership of Committees, Boards and Panels

It was moved by councillor Bentley seconded by Councillor J Procter

That appointments be made to the Committees referred to in 8(a) above as detailed in Schedule 8(b)(i), as attached to the Order Paper for this meeting and coloured white, and that the Assistant Chief Executive (Corporate Governance) be authorised, in consultation with appropriate Whips, to change appointments made during the period between this meeting and the next ordinary meeting of Council.

An amendment was moved by Councillor Gruen seconded by Councillor Nash

Delete all and replace with

‘That appointments be made to the Committees referred to in Schedule 8(a) as amended in alternative Schedule 8(b) (i), as attached to the Order Paper for this meeting and coloured yellow, and that the Assistant Chief Executive (Corporate Governance) be authorised, in consultation with appropriate Whips, to change appointments made during the period between this meeting and the next ordinary meeting of Council.’

The amendment was carried and upon being put as the substantive motion it was:-

RESOLVED - That appointments be made to the Committees referred to in Schedule 8(a) as amended in alternative Schedule 8(b) (i), as attached to the Order Paper for this meeting and coloured yellow, and that the Assistant Chief Executive (Corporate Governance) be authorised, in consultation with appropriate Whips, to change appointments made during the period between this meeting and the next ordinary meeting of Council.

On the requisition of Councillors J Procter and Lobley the voting on the amendment was recorded as follows:-

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

121 Membership of the Standards and Licensing Committees

It was moved by Councillor Bentley seconded by Councillor J Procter

That appointments be made to the Standards and Licensing Committees referred to in 8(a) as detailed in Schedule 8(b)(ii), attached to the Order Paper for this meeting and coloured white, and that the Assistant Chief Executive (Corporate Governance) be authorised, in consultation with appropriate Whips, to change appointments made during the period between this meeting and the next ordinary meeting of Council.

An amendment was moved by Councillor Gruen seconded by Councillor Nash

Delete all and replace with

‘That appointments be made to the Standards and Licensing Committees referred to in Schedule 8(a) as amended in alternative Schedule 8(b) (ii) attached to this Order Paper and coloured yellow, and that the Assistant Chief Executive (Corporate Governance) be authorised, in consultation with appropriate Whips, to change appointments made during the period between this meeting and the next ordinary meeting of Council.’

The amendment was carried and upon being put as the substantive motion it was

RESOLVED - That appointments be made to the Standards and Licensing Committees referred to in Schedule 8(a) as amended in alternative Schedule 8(b) (ii) attached to the Order Paper for this meeting and coloured yellow, and that the Assistant Chief Executive (Corporate Governance) be authorised, in consultation with appropriate Whips, to change appointments made during the period between this meeting and the next ordinary meeting of Council.

On the requisition of Councillors J Procter and Lobley the voting on the amendment was recorded as follows:-

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame,

Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

49

122 Membership of Area Committees

It was moved by Councillor Bentley seconded by Councillor J Procter and

RESOLVED – That appointments be made to Area Committees referred to in 8(a) above as detailed in Schedule 8(b) (iii).

123 Appointment of Chairs

It was moved by Councillor Bentley seconded by Councillor J Procter

That Chairs be appointed to those Committees as detailed in Schedule 8(c) attached to the Order Paper for this meeting and coloured white.

An amendment was moved by Councillor Gruen seconded by Councillor Nash

Delete all and replace with

‘That Chairs be appointed as contained in alternative Schedule 8(c) attached to the Order Paper for this meeting and coloured yellow.’

The amendment was carried and upon being put to the vote as the substantive motion it was

RESOLVED - That Chairs be appointed as contained in alternative Schedule 8(c) attached to the Order Paper for this meeting and coloured yellow.

On the requisition of Councillors J Procter and Lobley the voting on the amendment was recorded as follows:-

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley,

124 Appointments to Outside Organisations

It was moved by Councillor Bentley seconded by Councillor J Procter and

RESOLVED – That appointments be made to outside organisations as detailed in schedule 8(d).

125 Scheme of Delegation

It was moved by Councillor Bentley seconded by Councillor J Procter and

RESOLVED – That the Officer Delegation Scheme (Council (Non-Executive) Functions) as detailed in Schedule 9 to the agenda be approved.

126 Executive Functions

It was moved by Councillor Bentley seconded by Councillor J Procter

That the list presented by the Leader setting out the arrangements for the discharge of Executive Functions be noted as detailed in Schedule 10 to the agenda.

An amendment was moved by Councillor Gruen seconded by councillor Nash

Delete all and replace with

‘That the alternative Schedule 10 (as attached to the letter issued to all members on 25th May 2010 and coloured yellow), presented by Councillor Keith Wakefield, setting out the arrangements for the discharge of executive functions be received.’

The amendment was carried and upon being put to the vote as the substantive motion it was

RESOLVED - That the alternative Schedule 10 (as attached to the letter issued to all members on 25th May 2010 and coloured yellow), presented by Councillor Keith Wakefield, setting out the arrangements for the discharge of executive functions be received.

On the requisition of Councillors J Procter and Lobley the voting on the amendment was recorded as follows:-

YES

Akhtar, Armitage, Atha, D Atkinson, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, J A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, L Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, The Lord Mayor, Wakefield, Yeadon.

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NO

Anderson, Andrew, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

127 Council Meeting Dates 2010/2011

It was moved by Councillor Bentley seconded by Councillor J Procter and

RESOLVED - That the dates of the meetings of the Council for the Municipal year 2010/11 as detailed in revised Schedule 11 circulated to Members on 25th May 2010 be approved.

Council rose at 7.05 pm

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Originator: N de la Taste

Tel: 24 74560

Report of the Chief Democratic Services Officer

Report to Council

Date: 14th July 2010

Subject: MEMBERS ALLOWANCES

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION

1.1 This report advises Council of the receipt of a report from the Independent Remuneration Panel.

2.0 BACKGROUND

2.1 Council is required to determine a Members' Allowances Scheme, having regard to recommendations from an Independent Remuneration Panel.

2.2 In determining or varying its Members' Allowances Scheme, Council may modify, accept or reject any such recommendations from the Independent Remuneration Panel as it considers appropriate.

2.3 Council is advised that the Independent Remuneration Panel has published a report, a copy of which is attached.

3.0 RECOMMENDATIONS

3.1 Council is asked to consider the recommendations of the Independent Remuneration Panel as detailed in the attached report.

3.2 Council is asked to authorise the Assistant Chief Executive (Corporate Governance) to make any consequential changes to the Members' Allowances Scheme.

LEEDS CITY COUNCIL

Report of Panel on Members' Allowances

June 2010

Introduction.

1. The Independent Panel on Members' Allowances was appointed by the Council to make recommendations on Members' Allowances in accordance with the relevant Regulations and the Government's statutory guidance. The Panel now consists of Sir Rodney Brooke CBE DL (Chair), Dave Fortune, Matthew Knight and Carolyn Lord.
2. The Panel issued its first report in May 1999. It updated its recommendations in October 2002 following new Government guidance. The Council adopted those recommendations with modifications. In subsequent reports the Panel has made further recommendations which again have been accepted, in some cases with modifications.
3. The political composition of the Council changed as a result of the 2010 elections. The Labour Group has now formed the administration of the Council, displacing the former Conservative/Liberal Democrat coalition. As a result a number of issues have now been referred to the Panel. They are set out below. The new Administration has expressed its views on the issues, as have representatives of the Conservative and Liberal Democrat groups. The Panel has taken these views into account in framing its recommendations.
4. In the light of the present problems facing public expenditure, the Council has decided to forego any annual updating of allowances due in October 2010 and October 2011. The Panel also is acutely aware of the current financial stringency faced by the public sector and has framed its recommendations in such a way as to create no increase in the bill for members' allowances. National guidance recommends that not more than 50% of members of a Council should receive a Special Responsibility Allowance (SRA). Fewer than 50% of Leeds members will receive an SRA under the proposals in this report.

DEPUTY/DESIGNATED DEPUTY LEADERS

5. Until May 2010, the Council had a Leader and an Alternate Leader (being the Leaders of the two coalition Groups). The two office holders

rotated these two roles between them on a six monthly basis, with the Alternate Leader taking on the role of Deputy Leader. The two applicable SRAs were similarly rotated between the Members in question on a six monthly basis.

6. Under the new political structure agreed in May, the Council has now appointed two Deputy/Designated Leaders. Statutorily, the Council can only have one Deputy Leader of Council at any one time. It has therefore been arranged that, for most practical purposes, the two office holders share responsibility for supporting the Leader of Council but that, formally, only one carries the responsibility of being Deputy Leader of Council at any one time. They will rotate this responsibility on a two monthly basis (although, should circumstances arise that the Deputy Leader had to assume the role of Leader on a permanent basis pending selection of a new Leader, then the Deputy Leader in question would carry on with this role, without rotation, until the appointment of a new Leader).
7. Given this arrangement, it is clearly sensible that the two Deputy/Designated Leaders should receive the same level of SRA payment throughout their period of office rather than have to change SRAs every two months. The Alternate Leader (under the former Administration) received an SRA of £25,050.83 Members of the Executive Board receive an SRA of £22,773.96 A simple way to equalise payment and to avoid any increase in the overall allowances is to recommend an SRA for the Deputy/Designated Leaders mid-way between these two sums. Accordingly, **we recommend that the Deputy/Designated Leaders should each receive an SRA of £23,912.40**

SCRUTINY BOARD CHAIRS

8. The Council has appointed six Scrutiny Boards (formerly there were seven). The Panel **recommends that the SRAs paid to Scrutiny Board Chairs remain at the current level, viz £20,040.42**

DEPUTY WHIPS

9. Currently all Groups with a minimum of 10% of membership of the Council are entitled to a Whip with a SRA payment and a Deputy Whip with a separate SRA payment. The Administration believes that only a relatively large group needs two Whips to assist in the running of the Council's business and suggests that the threshold of 10% be increased to 20%. The Liberal Democrat and Conservative Groups have suggested new thresholds of 15% and 18% respectively.

10. The Panel does not believe there is justification for a Deputy Whip in a political group with less than 20% of members of the Council, ie with fewer than 20 members, Accordingly the panel **recommends that groups which comprise less than 20% of members of the Council should not be entitled to an SRA for a Deputy Whip.**

Deputy Executive members

11. The Panel notes the deletion of one position of Deputy Executive Member and **recommends that there should be no change in the SRA payable to the remaining Deputy Executive members (£4,793.58).**

Opposition Group Office holders

12. The Members' Allowances Scheme provides for a SRA (of equivalent value to that payable to Deputy Executive Members, ie £4,793.58) to be payable to five Office Holders in Opposition Groups with more than 10% of membership of the Council. In the former composition of the Council only one Group qualified for these allowances. Under the new arrangement, two political groups (with 22 and 21 members respectively) meet this definition and, hence, each qualify for five such office holders in receipt of a SRA. The two Groups have asked that the present system continue, but the new Administration is opposed to what would amount to the creation of a further five SRAs.
13. The Panel agrees that the requirement for office holders does depend on the size of the Group and **recommends that five SRAs (at the current level of £4,793.58) be allocated to Group Office Holders in Groups with 40% of the members of the Council; four to Group Office Holders in Groups with 30% of the members of the Council; three to Group Office Holders in Groups with 20% of the members of the Council; and two to Group Office Holders in Groups with 10% of the members of the Council.** For the purposes of the calculation the number of members should be rounded up to the next ordinary number.

Implementation

14. The Panel **recommends that the proposals in this report be implemented with effect from the start of the 2010-11 Municipal Year.**

SMMARY OF RECOMMENDATIONS

- (a) **the Deputy/Designated Leaders should each receive an SRA of £23,912.40**

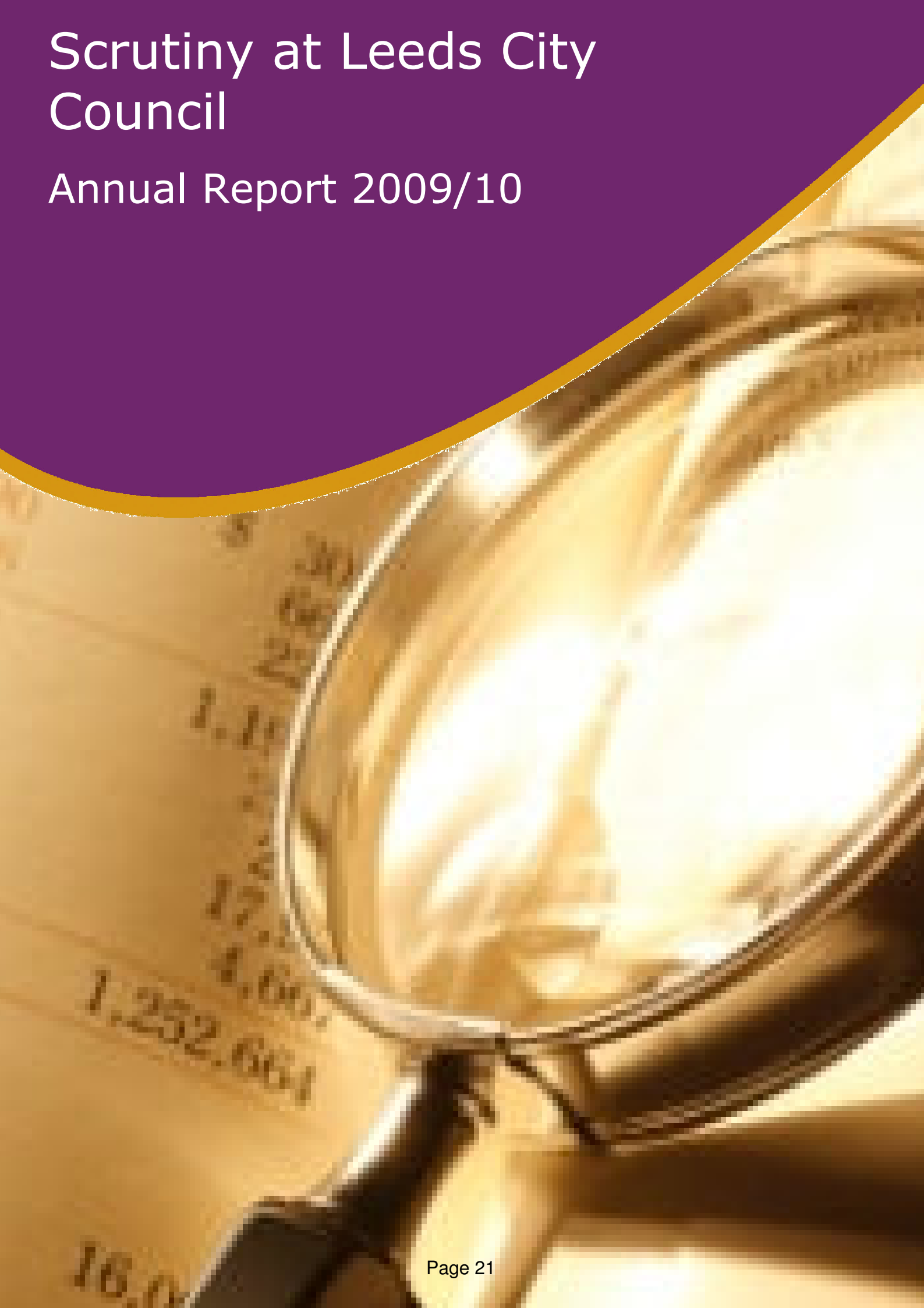
- (b) the SRAs paid to Scrutiny Board Chairs remain at the current level, viz £20,040.42
- (c) groups which comprise less than 20% of members of the Council should not be entitled to an SRA for a Deputy Whip
- (d) there should be no change in the SRA payable to the Deputy Executive members (£4,793.58).
- (e) five SRAs (at the current level of £4,793.58) be allocated to Group Office Holders in Groups with 40% of the members of the Council; four to Group Office Holders in Groups with 30% of the members of the Council; three to Group Office Holders in Groups with 20% of the members of the Council; and two to Group Office Holders in Groups with 10% of the members of the Council.
- (f) For the purposes of clarification, all entitlements throughout the Members' Allowances Scheme which entail exceeding a percentage of membership of the Council should be interpreted as being rounded up to the next whole number of Councillors.
- (g) the proposals in this report be implemented with effect from the start of the 2010-11 Municipal Year.

Rodney Brooke (Chair)
Dave Fortune
Matthew Knight
Carolyn Lord

June 2010

Scrutiny at Leeds City Council

Annual Report 2009/10



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Foreword from the Scrutiny Advisory Group



Scrutiny Advisory Group – Left to Right
Cllr Pauleen Grahame, Cllr Mark Dobson, Cllr Judith Chapman, Cllr Barry Anderson,
Seated: Cllr Bill Hyde (chair) (Cllr Steve Smith and Cllr Ralph Pryke not pictured)

A key role for a Scrutiny Board is to provide challenge to Executive decision makers. However it is also to assist the Executive in developing and making recommendations for new policy. This is often a neglected area of work as the table on page 4 shows. That is why increasing ‘pre-decision scrutiny’ has been identified as a key developmental action for 2010/11.

As Scrutiny Chairs we feel it is an opportunity missed by not focusing more time on policy development. Nearly 69% of the total Council membership sits on Scrutiny Boards. That provides a powerful opportunity for members to help shape future policies. This issue was discussed at one of our regular meetings with the Administration Leaders. We were pleased to hear that they too felt that Scrutiny had an important and legitimate role to play in ‘pre-decision scrutiny’. To support this, the practice of working with Executive Members to identify areas of work will continue into 2010/11. Our other actions for developing Scrutiny can be seen on page 60 of this annual report.

On a different note, we are pleased to report that we have once again been short listed in the *Good Scrutiny Awards* by the Centre for Public Scrutiny. This year Councillor Dobson has been short listed under the category ‘practitioner of the year’, for his work for the Health Scrutiny Board.

The Scrutiny function in Leeds has a good track record of contributing to national ‘good practice’ publications, particularly through its work with the Centre for Public Scrutiny. The work undertaken by the Adult Social Care Board in relation to ‘Dignity in Care for Older People’ is quoted in; *‘Walk a mile in my shoes’ – Scrutiny of dignity and respect for individuals in health and social care services: a guide.*

Other successes have been Environment & Neighbourhoods Scrutiny Board’s Inquiry into Older People’s Housing which is a case study in *Reviewing the Needs of an Ageing Population*, and its work on social housing reviewed in *The role of Scrutiny in tackling the recession*. These are both Centre for Public Scrutiny publications.

Finally our thanks go to all Scrutiny Board Elected Members and co-optees for their independent and impartial hard work, the corner stone of good Scrutiny.

Cllr Bill Hyde – Scrutiny Advisory Group Chair

Work of the Boards

Each individual Board has reported its work in more detail in this report.

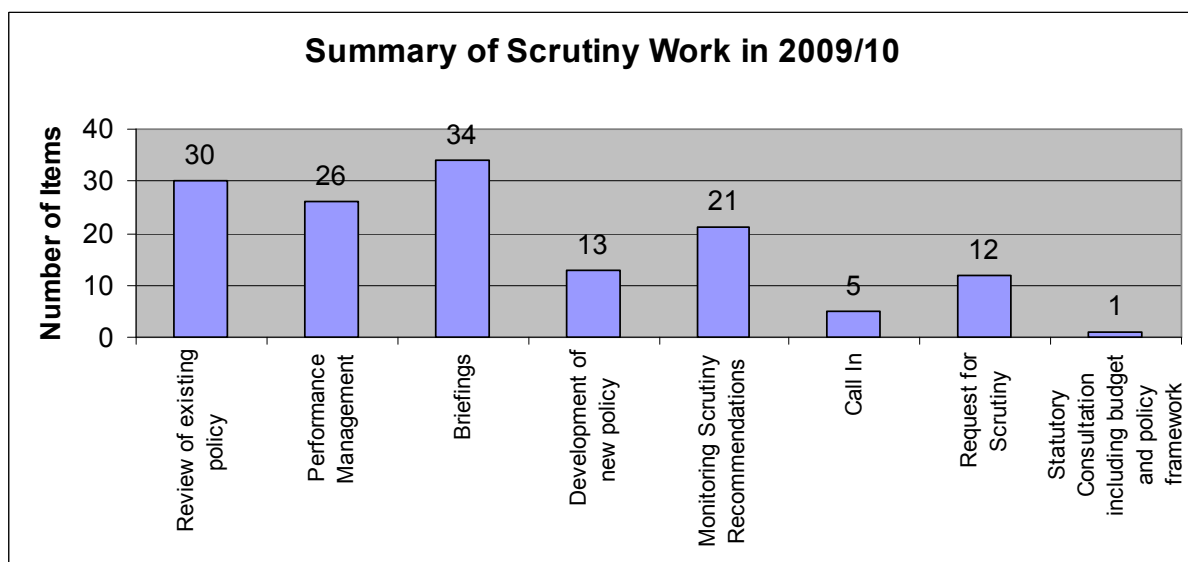
Call In

There have been five Call Ins this year. These are detailed under the relevant Scrutiny Board.

Summary of Scrutiny Work in 2009/10

Each Scrutiny Board identifies the type of work it does. This allows scrutiny members to see at a glance the balance of the items on their work programme and support them in deciding what types of work they would like to focus on.

The bar chart below represents the types of work that the Scrutiny Boards have done this year.



Summary of Scrutiny Board Attendance in 2009/10

The table below details *percentage* levels of attendance by political group by Scrutiny Board this year. Substitutions were not permitted in 2009/10. Substitutions will be allowed in 2010/11.

Scrutiny Board	Labour	Lib Dem	Conservative	Morley Borough	Green	BNP
CCF	82	80	90	n/a	100	n/a
Children's	76	76	73	73	n/a	n/a
City Dev	64	97	77	50	n/a	100
City Partnerships	58	76	45	n/a	n/a	n/a
E & N	71	48	76	n/a	100	n/a
Health	80	88	90	n/a	n/a	n/a
ASC.	55	67	48	n/a	n/a	n/a

Scrutiny Board (Adult Social Care)



Councillor Judith Chapman
Chair of Scrutiny Board
(Adult Social Care)

Membership of the Board:

Councillor Judith Chapman (Chair)
Councillor Stuart Andrew – From 20th January 2010
Councillor Ben Chastney – From 18th November 2009
Councillor Penny Ewens
Councillor Ruth Feldman
Councillor Clive Fox
Councillor Angela Gabriel
Councillor Ted Hanley
Councillor James McKenna
Councillor Vonnie Morgan
Councillor Frank Robinson – Until 20th January 2010
Councillor Alan Taylor – Until 18th November 2009
Councillor Eileen Taylor

Co-opted Members:

Joy Fisher – Alliance of Service Users and Carers
Sally Morgan – Equalities

The Chair's summary

I am pleased to present the annual report of Scrutiny Board (Adult Social Care) for 2009/10.

This year we have completed three major inquiries. The complex inquiry into Self Directed Support and Personal Budgets commenced in the last municipal year and spanned a 10 month period. During this time we witnessed the evolution of this initiative and heard positive feedback from individuals now receiving a personal budget.

The Transitions Service provides support to those aged 14-25 making the transition from Children's Services into Adult Social Care. We wanted to ascertain what standard of service we provide and therefore conducted an inquiry into the transitional arrangements for disabled young people. We identified that the service is in the early stages of development and welcomed the opportunity to become involved and provide our recommendations at such a timely juncture.

The level of support provided to working age adults with severe and enduring mental health problems was the focus of our 3rd inquiry. This was conducted with colleagues from the Health Scrutiny Board.

In addition to our large scale inquiries, we have looked at several other areas such as Commissioning in Adult Social Care with a particular focus on the provision of Neighbourhood Networks. We considered it important to hold a dedicated meeting in August 2009 to consider the future planned Day Service provision in the city. We have also continued to pay particular attention to performance management following the 2008 Commission for Social Care Inspection report, and were very reassured by the positive Care Quality Commission report presented to us in December 2009 which highlighted an overall improvement in Adult Social Care.

No doubt 2010/11 will be another busy year for the Board, monitoring improvement within Adult Social Care and with the anticipated introduction of Free Personal Care at Home for qualifying service users. Looking at the options for the future provision of long term residential care services is an area that the Adult Social Care Directorate will be considering in order to produce a Residential Care Strategy for Older People in Leeds. Domiciliary care services and reablement services are functions we feel warrant further investigation and monitoring during the next municipal year with planned reviews and development due to take place in these specific services. We therefore recommended that in 2010/11 the Adult Social Care Scrutiny Board maintains a watching brief on these processes and where appropriate makes further investigations and recommendations for change where necessary.

Finally, I would like to say thank you to all the members of the Board for participating in the large number of working groups scheduled this year and for completing our busy work programme with such commitment.

A handwritten signature in black ink on a white background with a light dot pattern. The signature reads "Judith M. Chapman," with a comma at the end.

Cllr Judith Chapman, Chair of Scrutiny Board (Adult Social Care)

Inquiry into Self Directed Support and Personal Budgets

Summary

The need to modernise social care services is essential to facilitate the provision and funding of a more flexible service, which in turn will enable people to have a greater influence over their care services.

One of a number of initiatives contributing to service transformation is Self Directed Support (SDS) and personal budgets. Throughout this inquiry we gained an insight into the significant level of change required in the way assessment and care management should be delivered by the Council and our partners.

The inquiry commenced in the 2008/9 municipal year. The modernisation of Adult Social Care is a long term change programme in which Self Directed Support is a major influential factor. Due consideration of evidence took place over a ten month period during which we witnessed the evolution of the Early Implementer Pilot project and the many benefits that a personalised budget can bring to an individual wishing to have more choice and control over the services they wish to receive.

Anticipated service benefits

This inquiry identified some important learning for Adult Social Care as it continues to implement the Putting People First agenda. The recommendations we have made will help the service to strengthen practice and enable us to continue monitoring this area to ensure effective progress is made within budgetary constraints.

Our main recommendations

That the Director of Adult Social Services ensures best practice guidance, the requirement for a single assessment process and feedback from service users continue to be considered to improve the structure and composition of the Self Directed Assessment Questionnaire which will aid completion and remove barriers for service users.

That the Director of Adult Social Services updates the Adult Social Care Scrutiny Board (or its successor board) on a quarterly basis on the budgetary impact of Self Directed Support and financial pressures created throughout the municipal years 2010/11 and 2011/12.

That the Director of Adult Social Services delivers a targeted campaign before December 2010 aimed at older people to raise awareness and to promote the benefits of Self Directed Support.

That the Director of Adult Social Services makes necessary provision to ensure individual support plans clearly identify the short term and emergency back up arrangements should a breakdown in care occur. Arrangements should be stressed and clearly communicated to those in receipt of Self Directed Support and where appropriate to carers and family members.

Inquiry into Transitional Arrangements for Disabled Young People into Adult Social Care

Summary

The Board decided to conduct an inquiry to determine if a sufficient transitional service is being provided and if structures, policies and procedures are in place to facilitate effective multi agency service delivery. We were particularly interested in the differences in eligibility criteria between Children and Young People's Social Care and Adult Social Care, the difficulties this creates, and how this and service user expectations are managed. We also wanted to identify how personal budgets were being utilised and what Care Planning and Safeguarding arrangements are made during the transitional period.

The nature of the inquiry dictated that there should be representation from the Children's Services Scrutiny Board, therefore participation from the Board was invited. Cllr Brenda Lancaster attended as the nominated representative.

Anticipated service benefits

The Transitions Service is currently in a period of evolution and as such is still developing a framework within which to operate. We have made a number of recommendations which should add focus in the development of the service, requesting the introduction of targets and objectives against which the service can measure its performance.

Our main recommendations

That the Directors of Adult Social Services and Children's Services establish and publicise the provision of a Transitions Peer Support Group before the 31st March 2011.

That the Directors of Adult Social Services and Children's Services before July 2010, investigate additional methods of promoting the Transitions Service to raise the awareness of those young people and families who may benefit from the service.

That the Director of Adult Social Services establishes a Transitions Service Action Plan before July 2010, to enable progress against key development objectives to be monitored.

That the Director of Adult Social Services introduces a mechanism for measuring, monitoring and reporting the performance of Transitional Services in Leeds before July 2010.

That the Director of Adult Social Services reviews the Draft Transitions Procedure before July 2010 to adequately reflect Safeguarding, Risk Management and Mental Capacity requirements for young people in transition.

That the Executive Board Member for Adult Health and Social Care identifies an Elected Member to undertake the role of Transitions Champion before August 2010.

Inquiry into Supporting Working Age Adults with Severe and Enduring Mental Health Problems

Summary

During the last municipal year the Adult Social Care Scrutiny Board expressed their concern at the lack of support for those individuals detained under the Mental Health Act and then discharged into the community and suggested that an inquiry be conducted during 2009/10.

As the newly established Board we took into consideration this concern and on 17th June 2009 decided to conduct an inquiry in relation to mental health services for working age adults with severe and enduring problems.

The specific areas we wanted to focus on were as follows:

- The current provision of care in Leeds and performance information
- The pathways into support services
- Choice and control for the individual or their representative
- The different types and scope of services provided by Voluntary, Community and Faith Sectors, Private Sector and the Council and how these compare in terms of quality and value for money. We also wanted to identify the levels of need and capacity, potential duplication of service or elements of the service that were missing in the City
- Current and planned service changes (directed nationally or locally and how this would impact on service provision)

The inquiry was conducted with participation from members of the Health Scrutiny Board. A wide range of stakeholders and partner organisations kindly contributed to the inquiry.

Anticipated Service Benefits

It is evident that the Joint Strategic Needs Assessment will provide key information on which to assess the support requirements across Leeds for those with mental health problems. We have already identified that some services have evolved in certain pockets of the city and consider that a good support service should be available city wide based on need.

We would like to see more effective mental health service commissioning with our health partners again based on assessed needs across the city but which also encompasses flexibility and value for money.

The Council as one of the city's largest employers should set an example to adopt and promote mental health wellbeing initiatives in order to keep individuals in employment and aid people back into the workplace as soon as possible.

We also consider that the inquiry has identified scope for more detailed investigation during the next municipal year.

We hope to publish our final report and recommendations in July 2010.

Other work of the Board

Monitoring the Independence, Wellbeing and Choice Action Plan.

In December the Executive Board received the Independence, Wellbeing and Choice report. Associated with the report was an action plan defining targets for improvement by Adult Social Services in order to resolve the problems raised by the Commission for Social Care inspector. In response, the Executive Board resolved that the report and associated plan be referred to Scrutiny Board (Adult Social Care) for their oversight of performance against the targets set out.

Throughout the review we have maintained a watching brief of the overall improvement in performance of Adult Social Services measured against the action plan. However we considered the area of Safeguarding of particular importance and therefore determined that both the Working Group and the Adult Social Care Scrutiny Board investigate this area in greater detail.

Due consideration of evidence has taken place over a thirteen month period during which we have witnessed the development of the service resulting in the improved performance rating awarded by the Care Quality Commission for 2008/9.

Day Services

In August 2009, a special meeting of the Scrutiny Board was called to look specifically at the future of Day Service provision in Leeds. This occurred as a result of the strong feelings expressed from a number of sources about the proposed changes to some buildings based services provided, which included a number of proposed closures.

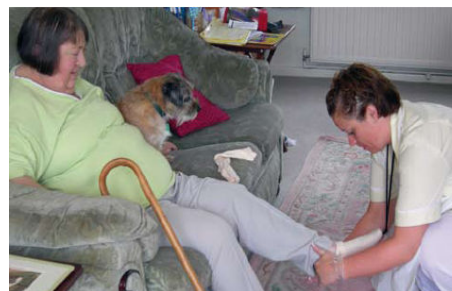
We received a presentation on the background to the national shift away from more traditional day care services such as those provided at day care centres. We were further advised of the influence of direct payments and personal budgets which enables individuals to procure their own services.

The need to concentrate on providing services for those with the greatest needs was stressed to us. This includes specialist services such as services for people suffering from dementia, re-enablement services, specialist BME services, services aimed specifically at carers, and other initiatives such as the development of Well-being Centres and an increase in the number of outreach workers. We heard that day services for those with specialist needs are currently oversubscribed whereas general day services were undersubscribed in many areas.

It was communicated to us that the Council had embarked on a widespread consultation campaign, including individual consultation with service users and their carers. We resolved to receive further updates and to continue monitoring developments as they evolve.

Income Review – Impact of Price Increases on Service Users

Following an Adult Social Services income review in 2008/9, we wanted to assess the impact of price increases on service users and identify if the department had achieved its objective of increasing revenue to counter budget pressures. The update reassured us that there had been little adverse effect on service users and that the Department's original estimate of £2m in additional income had been remarkably accurate.



Commissioning in Adult Social Care



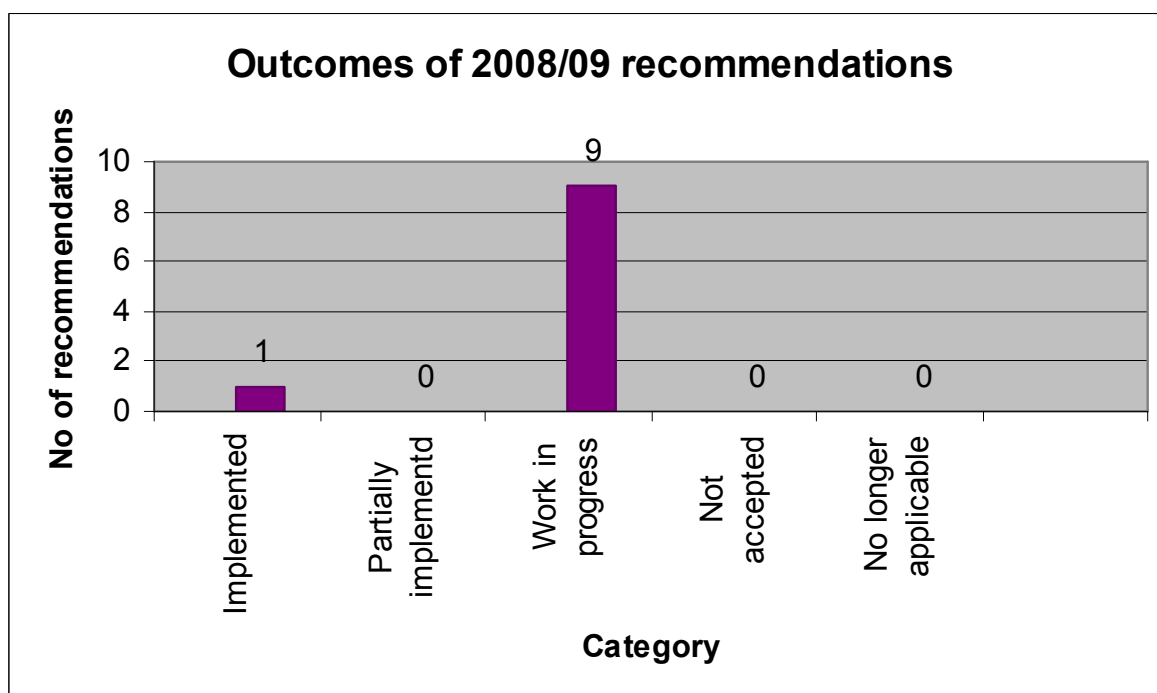
We regularly review the area of commissioning, however this year we have taken a particular interest in the commissioning of the Neighbourhood Network Services. Adult Social Care Commissioning Services has, in partnership with NHS Leeds, Supporting People and the Corporate Procurement Unit, worked to conduct the review anticipating that the new contracts with the Neighbourhood Networks would be in place by July 2010. At the March 2010 meeting we expressed our concerns about the commissioning process undertaken.

We were advised by the Director of Adult Social Services that an independent review of the process would be commissioned to look at the methodology employed. We noted that it was the Directorate's wish to be open and transparent and requested that the outcome of the review be made available to the Board on completion. It is therefore recommended that the Adult Social Care Scrutiny Board incorporate this update into their 2010/11 work programme.

Outcome of recommendations made in 2008/09

The Scrutiny Board (Adult Social Care) carried out an inquiry into Major Adaptations for Disabled Adults during 2008/09, which resulted in ten recommendations. One recommendation has been achieved and work towards achieving the remainder of the recommendations is ongoing. Once completed, service benefits can be better assessed to establish the impact of the inquiry. We hope to see considerable progress and improvement during 2010/11.

- We are already receiving regular quarterly performance updates to assess the delivery of service provided. The format for reporting meaningful information is currently under review.
- During our inquiry we identified that those individuals requiring an adaptation were not advised of the approximate waiting time before their adaptation would be installed. At the last inquiry review we were advised that necessary arrangements have been made to consistently advise customers of the approximate adaptations delivery time, once their needs have been assessed. This promotes a more positive customer experience when utilising the service.



The Board's full work programme 2009/10

Requests for scrutiny

- Voluntary, Community and Faith Sector Scrutiny Inquiry Report Review
- Self Directed Support and Personal Budgets Inquiry

Review of existing policy

- Future Plans for Day Services

Monitoring scrutiny recommendations

- Inquiry into Major Adaptations for Disabled Adults

Performance management

- Commissioning in Adult Social Care
- Performance Management - Quarterly Reports
- Supporting Working Age Adults with Severe and Enduring Mental Health Problems Inquiry
- Adult Social Services- Annual Review Report (2008/09)
- Independence, Well-being and Choice Inspection Report
- Income Review – Impact of Price Increases on Service Users
- Mental Capacity Act – Implementation
- Delivery of Dignity in Care
- Homecare Provision
- Transitional Arrangements for Disabled Young People into Adult Social Care

Briefings

- LINK Annual report
- Safeguarding Board Annual Report
- Safeguarding Board Six Monthly Update

Scrutiny Board (Central & Corporate Functions)



Councillor Pauleen Grahame
Chair of Scrutiny Board
(Central & Corporate
Functions)

Membership of the Board:

Councillor Pauleen Grahame (Chair)
Councillor John Bale
Councillor Sue Bentley
Councillor Ben Chastney
Councillor Penny Ewens
Councillor Martin Hamilton
Councillor Arif Hussain
Councillor Valerie Kendall
Councillor James Lewis
Councillor Alison Lowe
Councillor Andrea McKenna
Councillor Andy Parnham
Councillor David Schofield

The Chair's summary

I would like to take this opportunity to thank all Members of the Board for their support and hard work throughout the year. I would also like to thank our many witnesses.

I am pleased that this year we have been meeting with the Executive Board Member for Central and Corporate Functions on a quarterly basis. This has coincided with our monitoring of the budget and performance management.

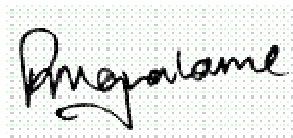
Members of the Board believe it important to consider financial information and performance data together and for the relevant Executive Member to be able to explain the Council's overall performance. I hope it's a pattern which will continue in 2010/11.

We have covered a wide range of topics this year. Our report on the use of consultants is detailed later in this report. Our working group looking at employment and apprenticeship opportunities for young people has resulted in a commitment to provide better corporate co-ordination of activities.

As a forum for enabling the voice and concerns of the public to be heard, we were pleased to allow those opposed to BBQs on Woodhouse Moor to question the

Council on the use of bye-laws. In our monitoring role we have been tracking the recommendations of a number of previously made recommendations, particularly those relating to Interpretation and Translation Services. We have also been championing the use of plain English.

Next year is likely to be very challenging in terms of service provision and reducing budgets. The Board has recommended therefore that we spend a proportion of our time in the new municipal year scrutinising the Council's wider business transformation proposals.

A handwritten signature in black ink, appearing to read 'Pauleen Grahame', is displayed on a white background with a light grey dotted grid pattern.

**Cllr Pauleen Grahame, Chair of Scrutiny Board
(Central & Corporate Functions)**

Inquiry on the Use of Consultants

Summary

The purpose of the Inquiry was to consider whether the Council had a clear definition of what a consultant was and the service provided. It was also to assess how consultants were used; the methods of monitoring and evaluating their use and to establish whether there were differences in practice between directorates.

Anticipated service benefits

We are of the view that the implementation of our recommendations will provide a framework within which procurement will become more open and transparent and best practice will be shared across Council directorates, partners and other local authorities.



Scrutiny Board (Central & Corporate Functions)

“Local Authorities collectively spend £1.8bn on external consultants. Saving just 1% on this could release £18m to invest in other services.”

Making savings through better procurement in professional services. (Regional Improvement and Efficiency Partnerships, LGA and I&DeA – Members’ Guide)

Our main recommendations

That the Director of Resources and Assistant Chief Executive (Corporate Governance) develop a standard definition of what consultants are and what work they undertake. This definition should be adopted by all departments.

That the Director of Resources issues guidance to all departments on the correct expenditure code(s) to use for Consultants.

That Directors/Assistant Chief Executives review expenditure on consultants within their Directorates to assess the extent to which they are used.

That the Director of Resources and Assistant Chief Executive (Corporate Governance) incorporate within Contract Procedure Rules/Guidance clear guidance regarding the use and appointment of consultants.

That a database to record all details of consultants, including ratings, to be shared between departments and potentially with other authorities is set up.

Other work of the Board

Budget and Information Management Monitoring

On a quarterly basis the Executive Board Member (Central and Corporate) attended the Board to detail the Council's overall performance. This also provided Members with the opportunity to quiz the Executive Board Member on other areas falling within his portfolio.

Woodhouse Moor Bye-laws

In October 2009 residents opposed to BBQs on Woodhouse Moor came to the Board alleging that park bye-laws were not being implemented and that this was having a detrimental effect on the park. Whilst not upholding the residents' view that bye-laws were not being enforced, the session had afforded residents the opportunity to raise their concerns with Members. The Board received an assurance from the Executive Board Member that the by-laws would be rigorously enforced, particularly during the period of the trial BBQ area. The Board agreed to revisit this issue in the summer of 2010

14-18 – Employment Opportunities

A Working Group was established to look at the initiatives undertaken by the Council to offer employment and apprenticeships to young people. This work has resulted in the commitment to provide better corporate co-ordination of activities.

Procurement and Scrutiny

The Board is leading on working with the Chief Procurement Officer on ensuring Council Departments are more aware of local considerations and Member interest areas when commissioning services.

Call In

The contract to supply beer, wines and spirits at City Council venues was called in. The decision was released.

Budget Strategy 2010/11

The Board recognised that due to the financial difficulties which had developed in the world economy since 2008, the medium term financial plan had been overtaken by events and was effectively outdated. A fundamental review of likely income and Council priorities was now necessary against a backdrop of imminent severe restraints on public spending levels in the foreseeable future. The Board stated that budget making should be within a strong, policy-led rather than finance-led, corporate planning framework, which draws on other processes within the council, i.e. strategic planning and performance management arrangements.

It was the Board's view that it can be most effective if it can challenge some established assumptions. For example that budgets should automatically be rolled forward without the need for greater challenge to the base budget.

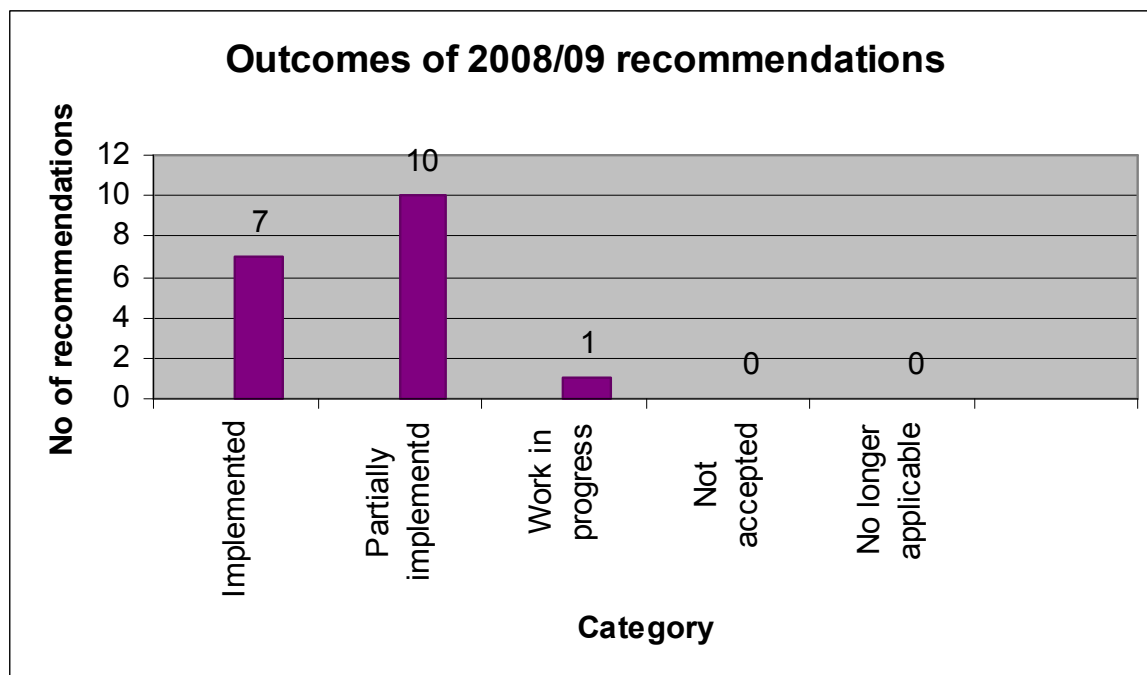
The Board noted that the Council is undertaking efficiency savings to help to balance the budget. The Board will consider undertaking further work on this and the Council's wider business transformation proposals in the new municipal year.

Outcome of recommendations made in 2008/09

The Scrutiny Board (Central & Corporate Functions) carried out three major inquiries in 2008/09, which resulted in 18 recommendations. This section highlights some key examples of where these recommendations have resulted in service benefits, or otherwise added value.

As part of our inquiry into Attendance Management we recommended that the Council continues with its pro-active approach to health and well-being under the Happy, Healthy and Here Programme. In particular, we requested careful evaluation of pilots such as Vielife and rehabilitation and return to work, to see if there is merit in rolling them out across the Council. This has resulted in a more cohesive wellbeing strategy for the organisation and the Council received a national award for its work on wellbeing and attendance from the Public Sector People Managers Association (PPMA) in April 2009.

As part of our inquiry into Procurement we identified the need for contract management to be incorporated in the pre-contract phase of all projects and that complex or high risk services also include the development of a Contract Management Plan. On the back of this, and other recommendations, further research identified that many of the issues identified by the Scrutiny Board were common to many of the region's public sector organisations. Consequently this Board's recommendations are being progressed in tandem with the RIEP 'Smarter Procurement' work programme.



The Board's full work programme 2009/10

Requests for scrutiny

- Woodhouse Moor – Park Bye- laws

Review of existing policy

- Gambling Act 2005 – Statement of Licensing Policy - Consultation
- Inquiry into the Use of Consultants
- Interpretation and Translation Services
- Communications, Report writing and Plain English
- Review of Treasury management post Icelandic reports
- 14 – 18 Working Group – employment opportunities
- Budget Strategy
- Progress against Improvement Priorities relating to community engagement and involvement

Development of new policy

- Procurement and Scrutiny

Monitoring scrutiny recommendations

- Attendance management
- Member Development
- Procurement

Performance management

- Financial Performance Outturn 2008/09
- Council Business Plan Performance report – Quarter 4 2008/09
- Quarter 1 Performance Report
- Financial Health Monitoring – First Quarter Report
- Questions to the Executive – Financial Health Monitoring and Performance Information

Briefings

- Input into Work Programme 2009/10 – sources of work and establishing the Board's priorities – meeting with Cllr Brett
- Changes to the Council's Constitution
- Executive Board Response to Final Scrutiny Board Reports
- KPMG – Scrutiny Review

Call Ins

- Contract for the supply of beer, wines and sprits

Scrutiny Board (Children's Services)



Councillor Bill Hyde
Chair of Scrutiny Board
(Children's Services)

Membership of the Board:

Councillor Bill Hyde (Chair)
Councillor Brian Cleasby
Councillor Debra Coupar
Councillor Geoff Driver
Councillor Ronnie Feldman
Councillor Bob Gettings JP
Councillor Graham Kirkland
Councillor Brenda Lancaster
Councillor Karen Renshaw
Councillor Brian Selby
Councillor Eileen Taylor

Co-opted Members:

Mr Tony Britten
Ms Natalie Cox (part)
Mr Ian Falkingham (part)
Ms Celia Foote
Prof Peter Gosden
Mrs Sandra Hutchinson
Ms Claire Johnson
Ms Taira Kayani
Mrs Sue Knights
Ms Jeannette Morris-Boam
Mr Ben Wanyonyi

The Chair's summary

It is my pleasure and privilege to introduce another annual report from the Children's Services Scrutiny Board. As anyone involved in the delivery of children's services in Leeds knows, this has been a momentous and at times traumatic year, particularly in relation to the findings of the Ofsted unannounced inspection of safeguarding services and the subsequent establishment of an independently chaired Improvement Board.

As a Scrutiny Board, we have continued to take an overview across the whole range of children's services through our regular quarterly performance monitoring programme, and our more detailed work has touched on a wide variety of topics from school attendance to youth services to the local impact of population growth. More details are included on the following pages.

The most significant piece of work we have undertaken this year - and probably the biggest piece of scrutiny inquiry work we have ever carried out - is our work on safeguarding. We started this inquiry at the end of last year, and since then members of the Board have taken part in over twenty meetings and visits with a wide range of stakeholders, focusing on two key aspects: resources for front-line social work; and multi-agency input to preventative work. I would like to pay special tribute to those Board members who have been part of the working groups for this important inquiry.

Finally, I would like to say a huge thank you on behalf of all Board members to Sue Knights, who is standing down after eight years as our primary school parent governor representative. Her steadfast commitment to championing the cause of children and parents will be sorely missed by the Board.

Cllr Bill Hyde, Chair of Scrutiny Board (Children's Services)

Inquiry on Safeguarding

Summary

This inquiry began in 2008/9, and has had two distinct strands. The resources working group has looked at the funding and staffing of the front-line child protection social work function, while the preventative duty working group has considered the wider multi-agency contribution to supporting children and families at an earlier stage.

We have met with a wide range of witnesses from senior managers to front-line staff and trade union representatives, and encompassing the range of partners who work alongside social care to safeguard our children and young people. We have also considered a wealth of written detail about the service in Leeds and many of the key national reports produced over the past year on the subject of safeguarding.

We took the unusual step of producing an interim report in January 2010. Although we had not quite completed our inquiry at this point, we felt that it was crucial that we submitted a recommendation for additional funding before the 2010/11 budget was set. We are pleased at the excellent reception our interim report received.

Anticipated service benefits

Our final report will contain additional recommendations about the training and development of children's social work staff; management, administrative and IT support; the need to ensure that children's cases are progressed through the system; and the contribution of multi-agency working, particularly through the Common Assessment Framework (CAF).

"Children's Services recognise and value the depth of the Scrutiny inquiry into Safeguarding and appreciate the timeliness of this interim report and its recommendation."

Sandie Keene, Interim Director of Children's Services

Our recommendations

Interim report

We recommended that the Executive Board included an increased resource for children's social care staffing in the budget proposals to be put forward to Council in February 2010.

We recommended that the costings provided to us by the Chief Officer for Children and Young People's Social Care for a caseload of 20 cases be used as a minimum starting point for working towards a children's social work service with sufficient staff to ensure a reasonable caseload, and promoting quality outcomes for the children and families of Leeds.

(Further recommendations will be included in our final report.)

Inquiry on population growth

The Council is currently feeling the impact of a steep rise in population in terms of needing to identify additional primary school places in some parts of the city. As a result of this the Scrutiny Board was asked to review the wider implications of anticipated population growth for children's services in the city.

Our inquiry focused on three key questions:

- how good is our information and how do we make it better?
- how well do we use the information, and how can we improve?
- what service changes do we need to make because of population growth?

In particular we were pleased to receive contributions to our work from national and local experts, from the Office for National Statistics, the Local Government Association (LGA) and Leeds University School of Geography, alongside the contributions from internal witnesses. We are pleased that the involvement of these external contributors has developed a useful link for our officers in improving local knowledge of population information. Our recommendations will focus on improvements to the sharing of information to help the future planning of services.

“High quality, accurate population statistics are a fundamental pre-requisite for the planning and allocation of funds for public services. However, estimating local population change has become more difficult with increasing rates of international and internal migration and this has highlighted shortcomings in the current system of national and official statistics.”

LGA evidence to population growth inquiry

Other work of the Board

School organisation consultations

We received a request for scrutiny from two local councillors and school governors, in relation to proposals for the future of City of Leeds High School. As a result we set up a working group to look at the general issue of the management of school organisation consultations by Education Leeds. We heard from a local parent as well as the local councillors and officers.

Our recommendations seek to ensure that more attention is paid to the less formal aspects of the consultation process, ensuring that all stakeholders are kept well informed at the appropriate stages as proposals are developed.

Attendance

We continued the work that we began last year looking at school attendance. We had identified this area of work as an area of under-performance over a number of years, and Leeds is a national target authority for improvement in the number of persistently absent pupils.

We were pleased to note that the Department for Children, Schools and Families considers that some of the work being undertaken locally is best practice, and we have recommended that such good practice needs to be routinely shared more widely to try and increase the benefits further. We have circulated our report to all councillors who are school governors to raise their awareness of the importance of this issue.

Call In

In October 2009, we also considered a call-in, in relation to the award of the contract for wedge based Connexions intensive support services.

After a lengthy debate, the Board unanimously resolved to refer the decision back to the original decision-maker for reconsideration. We had particular concerns about whether the specification process reflected local needs sufficiently. We were disappointed when the original decision was confirmed, particularly as there was a strong suggestion that it was effectively too late in the day for scrutiny to influence the decision.

As a result of this particular call in experience, a number of follow-up actions have taken place:

- The call in process has been amended. In future, if an officer decision is referred back by the Scrutiny Board, the new decision must either comply with the Scrutiny Board's recommendations or, if the original decision is still to be pursued, that decision must be taken by the Executive Board.
- The Central and Corporate Functions Scrutiny Board reviewed the role of members within the procurement process, and a member workshop was held with procurement officers to look at improvements to the commissioning process.

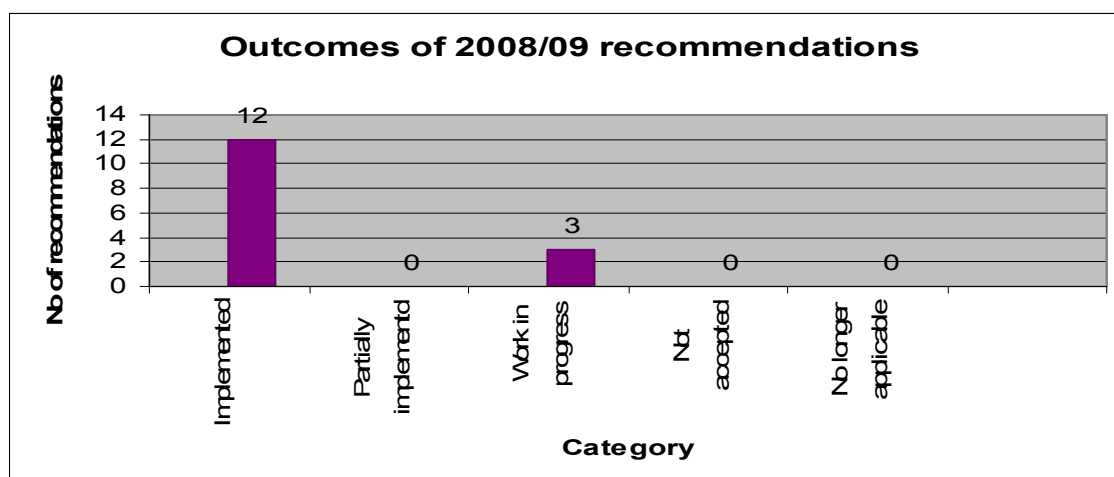


Sue Knights is presented with a gift to mark eight years of Scrutiny Board service by the Lord Mayor, Councillor Judith Elliott

Outcome of recommendations made in 2008/09

The Scrutiny Board (Children's Services) completed 2 inquiry reports in 2008/09, which resulted in 15 recommendations. In addition the Young People's Scrutiny Forum produced a report entitled 'Protecting our Environment', containing a further 11 recommendations. This section highlights some key examples of where our recommendations have resulted in service benefits, or otherwise added value.

- As part of our inquiry into the Multi-Agency Support Team (MAST) we recommended that proper procedures and protocols be put in place to prevent a repeat of the situation faced by the MAST team – that a unilateral decision to withdraw funding by one partner in a multi-agency team could result in its threatened closure, without wider consideration being given to the strategic value of the work done. We consider that this recommendation has now been achieved.
- We also recommended that clear lines of accountability were set out for the management of jointly funded teams, particularly in relation to the management of the staff involved.
- In response to our inquiry about children entering the education system, we are pleased that a review has taken place and proposals are being drawn up to create a single system of funding for children with special educational needs across all early years settings. We will continue to track progress with this recommendation.
- As a result of our recommendations, an agreed transition document has been produced and training will be rolled out over the next year, regarding the transfer from early years settings to school.
- It has recently been proposed that ongoing monitoring of the recommendations from the Young People's Scrutiny Forum inquiry on Protecting our Environment should be jointly monitored by the Environment and Neighbourhoods Scrutiny Board in conjunction with the School Councils sub-group of Leeds Youth Council. Young people have a good opportunity to influence the response of schools to a number of the recommendations through their school councils, and therefore have a direct active role to play in achieving the objectives set out in their original recommendations.



The Board's full work programme 2009/10

Requests for scrutiny

- City of Leeds High School/School Organisation Consultation
- Corporate Governance and Audit Committee – issues raised by the Audit Commission Annual Audit and Inspection Letter
- Executive Board – Request for comments on the City and Regional Partnerships Scrutiny Inquiry report on the role of the voluntary, community and faith sector in council led community engagement

Review of existing policy

- Safeguarding – Resources
- Safeguarding – Preventative Duty
- Attendance
- Youth Service user and non-user surveys
- Meadowfield Primary School
- School Balances

Development of new policy

- The impact of population growth on children's services in Leeds
- 14-19 Education Review

Monitoring scrutiny recommendations

- Adoption
- Services for 8-13 year olds
- Multi-Agency Support Team (MAST)
- Entering the Education System
- Catching the Bus (Young People's Scrutiny Forum)
- Protecting our Environment (Young People's Scrutiny Forum)

Performance management

- Quarterly performance management reports
- Quarterly overview of Children's Services and Children and Young People's Plan priorities
- Ofsted inspection of safeguarding and looked after children services in Leeds
- Annual standards report – primary
- Annual standards report - secondary

Briefings

- KPMG external audit review of scrutiny

Call Ins

- Award of contract for the delivery of Connexions Intensive Support Services – Wedge Based Services

Scrutiny Board (City & Regional Partnerships)



Councillor Steve Smith
Chair of Scrutiny Board
(City & Regional
Partnerships)

Membership of the Board:

Councillor Steve Smith (Chair)
Councillor Bernard Atha CBE
Councillor Patrick Davey
Councillor Geoff Driver
Councillor Jack Dunn
Councillor Clive Fox
Councillor Arif Hussain
Councillor Mick Lyons OBE
Councillor Jamie Matthews
Councillor Ralph Pryke
Councillor Frank Robinson
Councillor Alec Shelbrooke

The Chair's summary

If you access the Leeds City Region web site¹ you will see that Leeds is at the forefront of what has been described as a quiet revolution in pioneering new arrangements that see central government devolving real powers over jobs, skills, transport, housing and low carbon developments so that they can be delivered close to the community we serve.

The Leeds City Region Partnership Pilot Agreement which was signed in November 2009 has four priorities: Housing and Regeneration; Innovation; Transport and Skills; and Worklessness. This agreement fundamentally changes the way in which local government operates. It is quite astonishing to see the work that has been undertaken to date and anticipate the further developments which are still to be put in place.

The new governance arrangements that are being introduced under a new model of economic leadership exemplify subsidiarity; taking decisions through a partnership of local authorities. The challenge ahead is to develop new scrutiny arrangements which are accountable and transparent and are also based on subsidiarity.

¹ www.leedscityregion.gov.uk

The Board this year has considered in some detail a number of new governance structures that have been put in place for the Leeds City Region. We have looked at the establishment of an Employment Skills Board and a Joint Housing and Regeneration Board with the Homes and Communities Agency (HCA).

We undertook an inquiry on the Integrated Transport Strategies for Leeds and the wider region. We looked particularly at a revised City Region Transport Panel to be established as a formally constituted Joint Committee with powers delegated to it from central government, the City Region Leaders Board, Local Authorities and other agencies as appropriate. In tandem we considered proposals to establish an 8 Member Executive Board for the West Yorkshire Integrated Transport Authority to provide strong leadership to drive devolved planning and funding decisions.

Further governance arrangements are being explored including one with Yorkshire Forward and the HCA of a Joint Investment Board which will join up investment planning across the full city region agenda. I hope that scrutiny has a role to play in its establishment and operation.

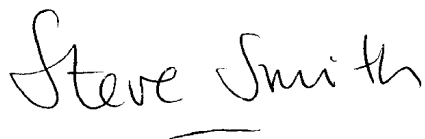
For each of the four priorities the Leeds City Region has agreed performance indicators with Government and relevant agencies which will enable the progress of the pilot programme to be measured. There is clearly a role for scrutiny here.

With the approval of Scrutiny Board (Health) we looked at the decision of NHS Leeds not to proceed with the Joint Service Centre at Kirkstall and issued a statement and recommendations on our findings including "lessons learned".

We also contributed to the development of a new Vision for Leeds 2011 to 2030 and continued to track and monitor our Scrutiny Board recommendations during the year.

We explored the Total Place Government initiative that brings a "whole area" approach to public services in order to identify and avoid overlap and duplication and so deliver a step change in both service improvement and efficiency. Whilst Leeds is not included in the pilot study we have already identified a number of initiatives that are being pursued.

I am extremely grateful to my colleagues on the Board for their support, commitment and advice. I would also like to thank the many officers and other witnesses who have attended and contributed to the Board meetings during the year.

A handwritten signature in black ink that reads "Steve Smith". The signature is written in a cursive style with a horizontal line underneath the name.

Cllr Steve Smith, Chair of Scrutiny Board (City & Regional Partnerships)

Inquiry on the Integrated Transport Strategies for Leeds and the Wider Region

Summary

In June 2009, we discussed the Local Transport Act 2008 and its implications for decision making both within Leeds and more widely. As a consequence we agreed to undertake an inquiry on the integrated transport strategies for Leeds, West Yorkshire and the Leeds City Region. We looked particularly at the new powers of the West Yorkshire Integrated Transport Authority and the new governance arrangements being proposed.

Anticipated service benefits

Increasing accessibility and enhancing transport connectivity through investment in a high quality transport system that ensures the needs of the city, West Yorkshire and the Leeds City Region are appropriately represented at every level.

Our main recommendations

We recommend that the proposed revised Terms of Reference for the Leeds City Region Transport Panel be used as the basis for further iterations of the Terms of Reference and consideration by all the parties concerned.

We endorsed the establishment of an 8 Member Executive Board for the WYITA which came into effect on 1st January 2010. We noted that the 8 Members would be selected from the overall membership of 22 and recommended that representation on the Executive Board come from all 5 West Yorkshire authorities.

We noted that the full WYITA has an important scrutiny role to perform but would welcome the development of scrutiny arrangements for the city region as a whole that are regionally based to aid the transparency, objectivity, efficiency and accountability of the process and asked the Leaders' Board to give consideration to this proposal.

We endorsed the need to consider how private and community sector representation could be achieved on the WYITA without voting rights and asked that this be considered in a future review.

We strongly endorsed the decision of the WYITA to proceed with the introduction of Quality Bus Contracts as a means of imposing on operators a level and frequency of bus service that is required on specific routes.

That a further report on transport governance issues be submitted to this Scrutiny Board for consideration once a more detailed work programme has been developed.



Quality Bus Contracts

Statement on Kirkstall Joint Service Centre

Summary

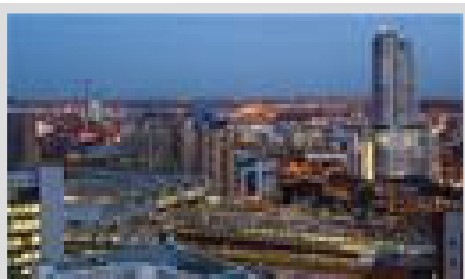
In September 2009 we were advised that the proposal for a new Joint Service Centre in Kirkstall had stalled. This project was one of three proposed new Joint Service Centres for the city. We found that the Joint Service Centre in Harehills and the one for Chapeltown were progressing well and on schedule for completion in 2010. We looked at the reasons for the delay and the subsequent decision of NHS Leeds not to proceed with the Kirkstall Joint Service Centre.

Anticipated service benefits

We recognised that the provision of these Joint Service Centres were an important strand of the Council's Strategic Plan which will contribute towards tackling the health and social inequalities prevalent in the city. Our investigation held NHS Leeds to account for their decision and provided an opportunity to identify a number of "lessons learned".

"Even as late as October 2008, NHS Leeds had been consulting widely with local residents on the proposal for a Joint Service Centre in Kirkstall. This raised people's expectations and aspirations for the area. This last minute change of heart and policy was a bitter disappointment for local residents and Ward Members, who were hoping that this project would help to kick-start the re-generation of this part of Kirkstall."

Councillor Bernard Atha
Kirkstall Ward



That NHS Leeds be asked to submit a paper to this Board and Kirkstall ward Members on the improvements they intend to make to the existing health centre before September 2010.

Our main recommendations

That NHS Leeds be asked to review their governance process in line with the Department of Health Code of Practice 2003 in order to ensure that

- (i) the public is advised of all matters to be considered at NHS Leeds Board meetings whether to be held in public or in private session and
- (ii) that all appropriate reports are made available at the time the agenda is released.

That the "Lessons Learned" report on the Joint Service Centre project be endorsed including the recommendations for improvement as set out in appendix 1 of our Statement.

That this Statement and recommendations be submitted to Scrutiny Board (Health) for information at its meeting in April 2010.

That the Public Private Partnerships Unit submit a report to this Scrutiny Board before 31st December 2010 on the progress in implementing the recommendations for improvement detailed in our Statement.

Other work of the Board

City Region Governance Arrangements

We received an update on the City Regions Forerunner Agreement which the Council signed on 27th November 2009. This brings new freedoms and flexibilities devolved from central Government to promote local leadership and accelerate economic growth on transport, innovation, housing and skills.



Public Services

Total Place

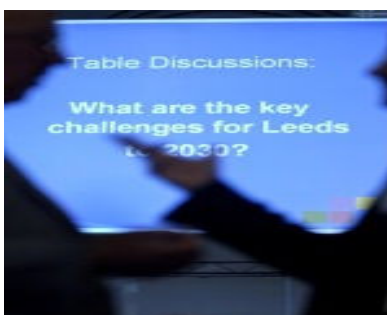
We considered the Total Place government initiative that looks at a 'whole area' approach to public services which can lead to better services at less cost. It seeks to identify and avoid overlap and duplication between organisations – delivering a step change in both service improvement and efficiency. We have asked to receive the key findings of national pilots as they become available. Total Place is a new initiative at local level, as well as across Whitehall.

Yorkshire Forward

In December the Chief Executive of Yorkshire Forward, Tom Riordan, gave us an overview of the role and work of Yorkshire Forward. He outlined a number of schemes which have been supported by Yorkshire Forward here in Leeds and the wider region.



Leeds 2



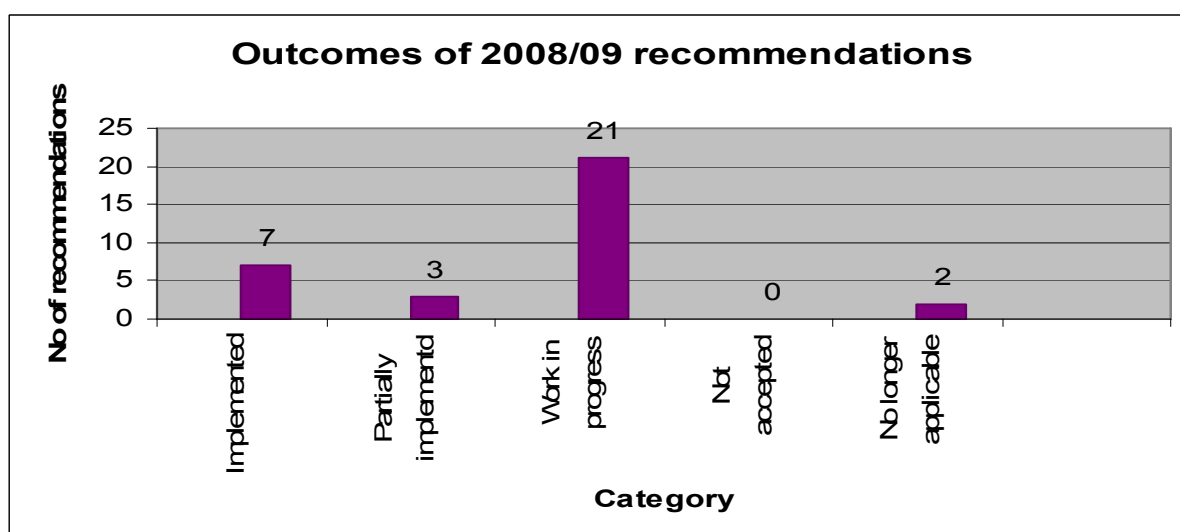
Vision for Leeds 2011 to 2030

We were consulted on the work being undertaken by Leeds Initiative to develop a new Vision for Leeds. We supported the inclusion in the document of a response to the current economic situation and environmental issues including climate change.

Outcome of recommendations made in 2008/09

The Scrutiny Board (City & Regional Partnerships) carried out 2 inquiries in 2008/09, which resulted in 33 recommendations. This section highlights some key examples of where these recommendations have resulted in service benefits, or otherwise added value.

- As part of our inquiry into the role of the Voluntary, Community and Faith Sector (VCFS) in Council led community engagement we recommended that the Director of Environment and Neighbourhoods co-ordinates work across the Council to undertake a Compact for Leeds awareness and compliance self assessment. This has resulted in a review of the Compact for Leeds and a work programme to embed this across all Council activity. The department completed the review in January 2010. We are continuing to monitor this recommendation.
- In our inquiry into Skills we recommended that the Director of Children's Services work with our partners and neighbouring local authorities to ensure wherever possible that there are no artificial barriers that would prevent young people accessing the full curriculum, at the most convenient place geographically, regardless as to where local authority boundaries are. A Memorandum of Understanding has been developed jointly between the local authorities of Leeds, Bradford, Calderdale, Kirklees and Wakefield. The Executive Board approved the Memorandum on 9th December 2009 and in doing so endorsed the partnership approach we proposed. This recommendation has therefore been implemented.
- We recommended in our VCFS inquiry report that the Assistant Chief Executive Planning, Policy and Improvement consider how best to promote the aims, benefits and use of the tool Talking Point. This tool has been further communicated to all internal and external stakeholders including the new A to Z of Council services (sent with Council tax booklets) and through the LAA Strategy Group. Discussions are also continuing with our partners (NHS Leeds, ALMOs) about future sharing of Talking Point. This recommendation has therefore been implemented.



The Board's full work programme 2009/10

Requests for scrutiny

None

Review of existing policy

- Inquiry on the integrated transport strategies for Leeds and the wider region
- Statement on the Joint Service Centre at Kirkstall
- Total Place initiative

Development of new policy

- City region employment and skills board

Monitoring scrutiny recommendations

- Inquiry report into skills
- Inquiry report into the role of the voluntary, community and faith sector (VCFS) in Council led community engagement

Performance management

- Vision for Leeds 2011 to 2030
- Comprehensive Area Assessment Report 2009

Briefings

- Constitutional amendments
- KPMG scrutiny review
- City region governance arrangements
- Planning documents from partner organisations
- Yorkshire Forward's role and investment in Leeds, West Yorkshire and the wider region

Call Ins

None

Scrutiny Board (City Development)



Councillor Ralph Pryke
Chair of Scrutiny Board
(City Development)

Membership of the Board:

Councillor Ralph Pryke (Chair)
Councillor Christopher Beverley
Councillor Roger Harington
Councillor Matthew Lobley
Councillor Neil Taggart
Councillor Gerald Wilkinson
Councillor Adam Ogilvie
Councillor Suzi Armitage
Councillor Thomas Murray
Councillor Ryk Downes
Councillor David Schofield
Councillor Terrence Grayshon
Councillor Steve Smith

The Chair's summary

I am delighted once again to present this year's Annual Report for Scrutiny Board (City Development). As ever my thanks go to my colleagues on the Board who have managed to maintain their customary enthusiasm, good humour and rigour throughout the year despite quite a heavy workload.

This year the Scrutiny Board considered four requests for scrutiny, one more than last year. Two requests involved the thorny issue of the department's proposals to introduce barbeque areas on Woodhouse Moor. We spent a considerable amount of time looking at whether the consultation process undertaken by the department had been carried out properly and establishing whether a satisfactory cost benefit analysis had been carried out to justify the scheme. On both occasions we rejected the requests put to us for further scrutiny. It will be interesting to see during the summer whether the new arrangements for barbeques on Woodhouse Moor are successful. We may be revisiting this later in the new municipal year. We rejected a request for scrutiny of the A65 quality bus initiative on hearing the evidence presented to us. In April 2010 we heard from the Chair of the Development Control Panel concerning a request for scrutiny relating to the loss of employment land in the city we had deferred in March. We accepted on balance that this matter was best left to the Development Plan Panel. However in order to monitor progress, it was agreed that that the successor Scrutiny Board be asked to consider the report of the Director of City Development on the Employment Land Review which is to be considered by the Development Plan Panel in the summer of 2010.

We are grateful to the community groups and elected Members who continue to raise issues of concern with us and wish to hold the Executive to account.

We had a Call In concerning an officer delegated decision regarding the 'sports of the future' ICT refresh which we subsequently released for implementation. We had a further Call In to review the Executive Board decision of 26th August 2009 to proceed with the establishment of a barbeque area on Woodhouse Moor as there had been no public consultation about the recommended option and little indication of the size of the area, the surface treatment, or where exactly this area was to be located. We rejected the arguments put to us and released this decision for implementation.

As a consequence of negative publicity being given to how Section 106 planning agreements were being operated, we undertook a short investigation of unspent funds.

We have actively monitored and challenged the performance indicators of the City Development Department particularly those which could impact on the Council's Comprehensive Area Assessment (CAA) score.

Our aim has always been to challenge and hold to account the decision makers, and we were therefore pleased to have a meaningful dialogue with the Executive Board Member for Development and Regeneration at our meeting in March 2010.

We have commented on a number of ongoing plans, strategies and service areas including the Leeds City Region Transport Plan, the Playbuilder initiative, and the Conservation and Planning Enforcement Services.

We recognised early in the year the importance of the Council's initiatives with regard to climate change. We agreed to concentrate on three key issues, namely:

- a. Evaluating options for installing LZC (Low and Zero Carbon) energy as part of the corporate estate, with a focus on small, medium and large scale projects;
- b. Development control processes to ensure that developments of over 10 dwellings or 1000 m² have at least 10% on-site LZC technologies;
- c. The appropriate delivery structure to ensure that LZC energy, particularly large grid connected or on-site in major regeneration areas, was delivered.

We held three very interesting sessions on the work being undertaken in this regard.

We made a number of informal visits to the new Roundhay Park Mansion, the South Leeds Sports Centre and John Charles aquatic centre.

I was again disappointed this year that the Department was unable to provide us with some of the reports and further information within the proposed and agreed timescales, with some slipping back by several months. I hope that in future greater attention will be given to the Board's relatively short operational timescales.

Finally, my thanks go especially to all the external witnesses who have taken the time and trouble to attend the Board this year on a variety of issues.



Cllr Ralph Pryke, Chair of Scrutiny Board (City Development)

Inquiry to review the method by which Planning Applications are Publicised and Consultation Undertaken

Summary

We thought this review to be timely as it provided an opportunity to look at the ways in which planning applications are publicised and consulted on in the context of a period of considerable change in Leeds Planning Service. This review also facilitated an opportunity to consider whether consultation and notification practices were operating effectively and giving value for money.

Anticipated service benefits

The service benefits of this review will increase the support provided to those who submit or seek information on planning applications by delivering an improved consistent and transparent planning service across the city.

Our main recommendations

That Leeds Planning Service redefine the role of its Planning Officers by aligning the geographical areas of work to the area committees so they can act more proactively in fostering liaison with developers, Members and the local community.

That in order to achieve consistency of service across the city the Chief Planning Officer

- **seeks funding opportunities to extend the network of Community Planners with priority given to disadvantaged areas.**
- **if satisfactory progress is not made by 2012 consideration be given in the budget review to consider how these posts could be funded.**
- **in the interim and as part of the restructure of the area teams consider the appointment of nominated officers to cover specific areas as an option.**

That the Chief Planning Officer introduces by 31st May 2011 a suitable Code of Practice for Publicity to be used across Planning Services to ensure consistency of approach and transparency and reassurance of process.

That the Chief Planning Officer undertakes to build in public engagement for future developments of the Public Access System and continue to improve the design and content of the Public Access Service within the resources available.

That the Chief Planning Officer continues to resource and develop - with our partners - the community, amenity groups and associations database by using the range of communication channels available to the service and that greater emphasis be placed on pre-application engagement with communities to try to involve those who are hardest to reach.

PublicAccess

"The additional facilities which are now available on the Leeds Planning Service Public Access Site must make this one of the best sites in the country for all things planning."

Councillor Matthew Lobley
Roundhay Ward

Other work of the Board

Section 106 Agreements

We considered a report on Section 106 payments following an article which appeared in a local newspaper. We looked at the current system for managing Section 106 Agreements in Leeds. We also received a breakdown of funds generated from these agreements and the protocols for spending this resource. We concluded that the article in the paper was very misleading.



Leeds 2012 Olympic Project

We were pleased to receive details of the Leeds 2012 Olympic and Paralympic Games Project and terms of reference approved by the Leeds 2012 Olympic Project Board. We asked to receive details of the performance indicators which will be used to measure progress and the overall success of the project. We learned that there was interest in the facilities in the Leeds Aquatic Centre at the John Charles centre for Sport.



Leeds Aquatic Centre

The Agenda for Improved Economic Performance

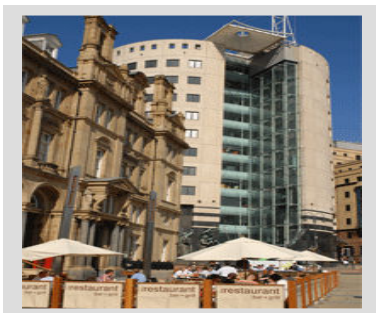
We were consulted on the development of an agenda for improved economic performance. We made a number of comments and suggestions which were incorporated into the final document which was considered by the Executive Board in the spring of 2010.



Leeds 2

Legible Leeds Project

We reviewed and commented on the work ongoing to improve the legibility of Leeds city centre. This means providing information that makes it easy to get into and out of the city centre and once there, easy to find your way around.



City Square

Call-In

We considered a Call-In in respect of a delegated decision in relation to 'sports of the future' ICT and an Executive Board decision of 26th August 2010 to establish a barbeque area on Woodhouse Moor. Both decisions were released for implementation.

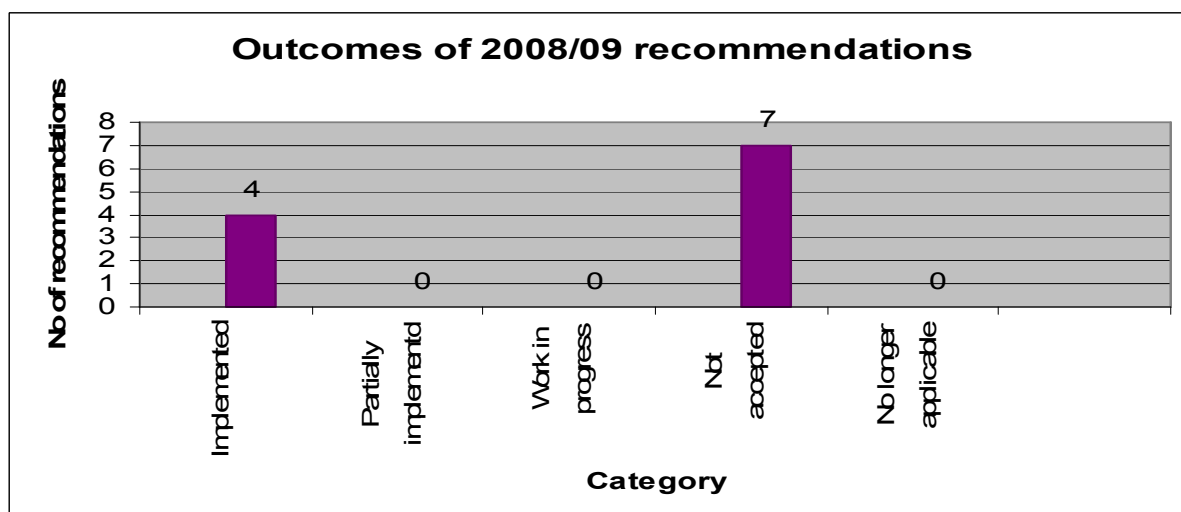


Woodhouse Moor

Outcome of recommendations made in 2008/09

The Scrutiny Board (City Development) carried out two inquiries in 2008/09, which resulted in 11 recommendations. This section highlights some key examples of where these recommendations have resulted in service benefits, or otherwise added value.

- As part of our inquiry on resident parking schemes, we were concerned at the length of time residents had to wait for resident parking schemes to be introduced once they had been included on the waiting list. We wanted to give residents the option to fund the cost of such schemes themselves provided they were within agreed Council policy. We also wanted to allow residents the opportunity to be able to recoup some of these costs by releasing their parking space for pay and display commuters during the day when they were at work. We also thought it appropriate to introduce charges for parking permits. Unfortunately the Executive Board did not concur with our proposals.
- We made four recommendations following consideration of a request for scrutiny on proposals to carry out highways improvements in the vicinity of the junction of Clarendon Road and Woodhouse Lane A660. This has resulted in the department reviewing its consultation process with regard to highway improvement schemes and undertaking to review the traffic modelling scheme for this junction improvement. We consider that these recommendations have now been achieved.



The Board's full work programme 2009/10

Requests for scrutiny

- Review consultation process carried out to determine whether to go ahead with a designated barbeque area on Woodhouse Moor
- Need for cost benefit analysis concerning the proposed designated barbeque area
- Review loss of land allocated for employment
- Review A65 quality bus initiative

Review of existing policy

- Provision of the New Street Design Guide and the provision of shared space and shared streets
- Legible Leeds project
- Planning enforcement service
- Agenda for Improved economic performance

Development of new policy

- Inquiry to review the methods by which planning applications are publicised and community involvement takes place

Monitoring scrutiny recommendations

- Statement on A660 corridor transport issues

Performance management

- Quarter 4 2008/09, Quarter 1 2009/10, Quarter 2 2009/10, Quarter3 2009/10
- Working Group looking at identifying additional local performance indicators

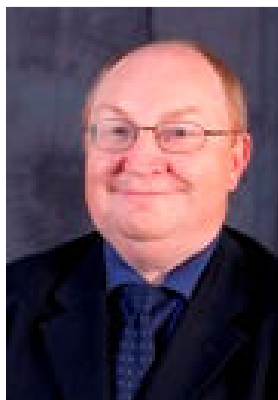
Briefings

- KPMG Scrutiny review May 2009
- Climate change update, on planning for renewables & low zero carbon technology delivery
- Traffic congestion - key location update
- Playbuilder initiative
- Informal visits to Roundhay Park Mansion, the South Leeds Sports Centre and John Charles aquatic centre
- Section 106 planning agreements
- Leeds City Region Transport Strategy
- Review of the Conservation Team
- Review of the 2009/10 Budget
- Leeds 2012 Olympic bid

Call Ins

- Review of delegated decision D35700 sports of the future ICT refresh - 15608
- Review of Executive Board decision of 26th August regarding the decision to establish a barbeque area on Woodhouse Moor

Scrutiny Board (Environment & Neighbourhoods)



Councillor Barry Anderson
Chair of Scrutiny Board
(Environment &
Neighbourhoods)

Membership of the Board:

Councillor Barry Anderson (Chair)
Councillor Andrew Barker – from February 2010
Councillor Ann Blackburn
Councillor Ann Castle
Councillor Ryk Downes
Councillor Jane Dowson
Councillor David Hollingsworth
Councillor Graham Hyde
Councillor Josephine Jarosz
Councillor Joseph Marjoram
Councillor Lisa Mulherin
Councillor Mohammed Rafique

The Chair's summary

It is my pleasure to present the 2009/10 annual report of the Scrutiny Board (Environment and Neighbourhoods). This report provides an overview of the Board's extremely busy work programme over the last 12 months as we have continued to address issues which remain key priorities for local people.

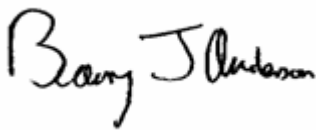
The Scrutiny Board oversees a wide range of services within the Environment and Neighbourhoods directorate. However, this year we have also welcomed the expansion of the Board's portfolio to act as the Council's 'Crime and Disorder Committee' as set out within the Police and Justice Act 2006. This involves scrutinising the work of the local Community Safety Partnership and the partners who comprise it in relation to its crime and disorder functions.

To help provide guidance and a common understanding of how crime and disorder scrutiny will operate in Leeds, a protocol has been developed jointly between the Scrutiny Board and the local Community Safety Partnership (Safer Leeds). In line with this protocol, we very much look forward to working more closely with the Partnership in future in ensuring that Scrutiny remains a positive and challenging process.

The Board has conducted seven separate pieces of Scrutiny work this year. These have focused on improving the long term recycling infrastructure for Leeds; improving the allocation and management of social housing tenancies; strengthening procurement practices within housing services and across the Council; reducing worklessness; delivering effective integrated offender management; procuring a future grounds maintenance service which best meets needs of local residents; and delivering the Council's most significant area based regeneration programme commitment to date, the EASEL Programme.

In view of what the Board has achieved this year, I sincerely thank my fellow Board Members, officers and other witnesses for their commitment and contribution to the Board's work.

I am also proud to acknowledge that the work of this Scrutiny Board continues to be recognised nationally. The Centre for Public Scrutiny has cited the Board's earlier inquiries into Private Rented Sector Housing and Older People's Housing as case study evidence within its publication 'global challenge, local solutions: the role of scrutiny, audit and inspection in tackling the recession'. In addition to this, references to the Board's inquiry into Older People's Housing will also feature within a forthcoming guide, commissioned from the CfPS by the Department for Work and Pensions, to help overview and scrutiny committees review how local areas are addressing the needs of older people.

A handwritten signature in black ink that reads "Barry J. Anderson". The signature is written in a cursive style with a large initial 'B'.

Cllr Barry Anderson, Chair of Scrutiny Board (Environment & Neighbourhoods)

Inquiry into the EASEL Regeneration Programme

Summary

In taking forward this inquiry, the main focus was about identifying opportunities for strengthening communication links with key stakeholders and the EASEL communities around the programme. However, since session one of our inquiry in April 2009, when we received an overview of the initial programme objectives and timeline, we have observed a significant shift in direction for the EASEL programme in light of the current economic climate.

Whilst we do plan to continue with our inquiry and monitor progress with the EASEL programme through to the neighbourhood planning stage, we considered it appropriate to produce an interim report setting out our findings and recommendations at this stage.

Anticipated service benefits

Our recommendations have been formulated to assist the Council and its partners to move forward and provide assurance to the relevant stakeholders and the EASEL communities that the programme will remain a priority and that there will be effective community involvement in shaping the regeneration plans in neighbourhoods in the EASEL area.

Our main recommendations

- That the Director of Environment and Neighbourhoods ensures that the current EASEL Communications and Involvement Framework is reviewed in order to:
 - Improve links with staff, stakeholders, partners and communities
 - Improve co-ordination and avoid duplication of effort
 - Provide a single point of contact for communicating the most up-to-date developments within the EASEL Programme
- That the EASEL Regeneration Team leads on this review and works closely with Ward Members to agree recommendations to be brought back to Scrutiny at the earliest opportunity.
- That the Executive Board instils a duty of co-operation from all Council services to deliver the objectives of the EASEL Programme as a One Council Team.
- That the Director of Environment and Neighbourhoods leads on producing an action plan to ensure that the EASEL Programme is being delivered on a One Council basis by a One Council Team.

Inquiry into Recycling

Summary

Recycling continues to be an area of interest for Scrutiny. At the beginning of the municipal year, we received a referral from the Executive Board Member for Environmental Services to conduct a further inquiry into recycling that focuses on improving the long term recycling infrastructure for Leeds.

Based around the principle that 'one size does not fit all', the focus of this particular Scrutiny inquiry was to explore the different options available for collecting recyclables, taking into account the diverse range of communities and housing types that exist in Leeds. Attention was also given to producing high quality material streams to encourage the long term development and sustainability of secondary material industries.

Whilst acknowledging the wide range of materials currently recyclable at household waste sorting sites and bring sites, we also explored opportunities to expand this range further (including more reusable materials). In doing so, we considered other regional and national approaches towards recyclable collection methods and sought the advice of external experts in this particular area of work. These included representatives of the Waste & Resources Action Programme (WRAP), the Waste Regional Advisory Group (WRAG), CO2Sense and Leeds Friends of the Earth.

“Engaging the public in their local recycling scheme has been shown to be essential to the success of a scheme. Whichever scheme is chosen it is important that it is designed to fit the needs of the local population and the houses they live in”.

WRAP - Guide to choosing the right recycling collection system (June 2009)

Anticipated service benefits

The findings and recommendations arising from our inquiry seek to complement the Council's Recycling Improvement Plan and highlight where long term improvements to the recycling infrastructure for Leeds can be made. We hope to publish our final report and recommendations in July 2010.

Inquiry into Integrated Offender Management

Summary

At the beginning of the municipal year, particular concerns were raised about the rise in serious acquisitive crime in Leeds and most notably domestic burglary. It was therefore clear that reducing burglary would be critical to realising the overall target for serious acquisitive crime. In view of this, particular importance was placed on embedding local processes as part of the Integrated Offender Management (IOM) scheme and therefore we agreed to explore this further.

As part of our inquiry, we considered the current IOM framework in Leeds, identifying any barriers or gaps in relation to the range of partners, interventions and resources available. In particular, we explored mechanisms for improving information sharing between partner agencies to ensure a successful IOM process in Leeds. In doing so, we welcomed the contribution of a wide range of services and organisations during our inquiry. These included Leeds Community Safety; NHS Leeds; Leeds Youth Offending Service; West Yorkshire Probation Service; Leeds Offender Management Unit; Crown Prosecution Service; DISC; and the West Yorkshire Drugs and Offender Management Unit.



Visit to the Leeds IOM hub at Mabgate Mills

Anticipated service benefits

The term 'integrated' offender management suggests end-to end management of an individual's case and whilst our inquiry has highlighted some excellent work arising from the Leeds IOM scheme, our recommendations seek to further strengthen existing partnership working and intelligence-sharing mechanisms. We hope to publish our final report and recommendations in July 2010.

Review into the Procurement of Housing Contracts

Summary

During this review, we welcomed the contribution of representatives from Environment and Neighbourhoods, Supporting People, Corporate Procurement, Legal Services and Internal Audit. In recognition of the strategic move towards adopting a more joined up approach for the procurement of housing provision for vulnerable clients, we also invited contributions from the Adult Social Care and Children's Services directorates.

Overall, this review enabled Scrutiny to observe how the lessons learned from the Call In meeting in June 2009 had led to significant improvements within Environment and Neighbourhoods in terms of its procurement and contract management processes for housing and housing support services. However, it also presented opportunities to identify where procurement practices across the Council could be strengthened.

Anticipated service benefits

Our main recommendations

- That the Director of Environment and Neighbourhoods leads on the development of a robust inspection programme as part of the Council-wide contract for the provision of temporary accommodation to ensure that all properties are checked for suitability prior to any placements being made. Where this is not possible due to unforeseen emergency situations, then to ensure that an inspection is undertaken within 48 hours or on the next working day.
- That the Chief Procurement Officer leads on developing a robust internal data sharing system/protocol to complement the Pre-Qualification Questionnaire process as part of any procurement exercise.
- That the lessons learned from the Supporting People contract management arrangements are disseminated more widely across the Council and for the Director of Environment and Neighbourhoods and Chief Procurement Officer to lead on championing such arrangements as a best practice model.
- That, as part of the ALITO system used by the Procurement Unit, all contract managers across the Council are prompted to conduct a review of a contract at least 12 months before the contract expiry date.
- That the Council's Monitoring Officer and Chief Officer of Human Resources explore ways in which the requirement for all Members and officers to formally register and declare any interests/relationships of a business or private nature with external contractors or potential contractors can be made more transparent as part of any contract review process.

Review of the Housing Lettings Process

Summary

At the April 2009 Council meeting, concerns were raised about the current housing lettings policies. In response, the Executive Board considered a number of proposed options for change aimed at improving the management and allocation of tenancies and requested that these be developed further into recommendations for change to be incorporated into a revised Lettings Policy and guidance.

In acknowledgement of this, we also agreed to take a broad look at the housing lettings process, from the housing application stage through to tenancy management, to explore where improvements in partnership working and data sharing can be made to improve the allocation and management of tenancies. In doing so, we recognised the importance of ensuring that Scrutiny complemented the wider piece of work being undertaken.

Anticipated service benefits

Overall, the findings from our review emphasise the valuable role that all key partners have in the housing lettings process in terms of sharing data that will help determine and address the housing support needs of prospective and existing tenants. Our recommendations therefore seek to strengthen such partnership working in the future.

Our main recommendations

- That the Director of Environment and Neighbourhoods leads on developing an action plan over the next 6 months to improve the coordination of data shared between Housing, Adult Social Care, Children's Services and local NHS Trusts to help identify and address the housing support needs of an individual. As part of this action plan, consideration should be given to the following issues:
 - (i) to determine exactly what information from the Single Assessment Process and Common Assessment Framework processes can and should be shared to assist the lettings process in terms of identifying and addressing the housing support needs of an individual.
 - (ii) to consider any potential IT data issues and resource implications in terms of developing appropriate mechanisms that will aid the coordination of such data.
- That the Director of Environment and Neighbourhoods leads on developing a formal data sharing protocol between the ALMOs, the Police and the Anti-Social Behaviour Unit to ensure that local intelligence about prospective and existing tenants is systematically shared as part of the new Support Needs Assessment to inform the application process and enable appropriate action to be taken.
- That the Director of Environment and Neighbourhoods leads on developing a protocol between the Leeds Housing Options Service and the Leeds ALMOs to clarify appropriate stages of referral to the Leeds Housing Options Service for preventative housing related support services to be assessed and coordinated.

Review into Worklessness

Summary

Helping people find work and stay in work is recognised as a priority both nationally and locally. However, within this policy area, we noted that both strategy and delivery is fragmented, with responsibility spread across a range of agencies and providers. In terms of the impact on employers in particular, they would often be approached by a variety of different agencies and this consequently leads to confusion and frustration by the employer. It was therefore considered appropriate and timely for Scrutiny to focus its review around the development of the new delivery model for work with employers – ‘Employment Leeds’. In doing so, consideration was given to the overall ‘journey to work’, from preparing individuals for work through to job retention.

Anticipated service benefits

It is clear that the way in which services are delivered and planned can have a substantial impact in helping workless people find and sustain employment and therefore our review findings and recommendations are based around the principles of adopting a more holistic approach towards worklessness, embedding a culture of partnership working both internally and externally, and delivering value for money through smarter targeting and improved coordination of services/resources.

Our main recommendations

- That the Director of Environment and Neighbourhoods ensures that appropriate briefings are provided immediately to relevant staff within Economic Development and Planning Services in City Development on the objectives of the Employment Leeds model to help raise its profile amongst employers and developers.
- That the Director of Environment and Neighbourhoods leads on ensuring that a more systematic data sharing mechanism is developed between Economic Development and the Regeneration Service in relation to data gathered on the local economy and potential employers and investors coming into the city.
- That the Director of Environment and Neighbourhoods develops an action plan over the next 6 months to determine the existing customer demand for Jobshop services and to explore ways in which such demand needs can be met effectively. In particular, attention should be given to the potential demand on services in the short term in anticipation of the challenges presented by continuing decreases in public funding nationally.
- That the Director of Environment and Neighbourhoods leads on producing and maintaining an up-to-date electronic directory of employability support services/schemes/agencies within Leeds. That this directory is widely publicised and responsibility placed upon all partners to keep the directory up-to-date.
- That, where appropriate, the Director of Environment and Neighbourhoods leads on exploring the use of the Council’s powers to promote economic and social well-being and the processes for obtaining informed consent from individuals to make best use of data to target and deliver activity to reduce worklessness.

Procurement of the Grounds Maintenance Contract for 2011

Summary

In June 2009, a working group of the Board was established to oversee the procurement process for the new grounds maintenance contract for 2011. We set out to ensure that the recommendations arising from the earlier Scrutiny inquiry around grounds maintenance had been taken forward and that lessons learned from the existing contract were also being reflected in the new specification.

In January 2009, we produced an interim statement setting out our initial findings and recommendations relating to the procurement of the new contract for the attention of the Executive Board and the Grounds Maintenance Programme Board at that particular stage of the procurement process.

Anticipated service benefits

Many of our recommendations sought to address concerns raised about the overall level of engagement with Elected Members and also local Parish and Town Councils throughout the procurement process. Local councils were invited to contribute to our review and as a result, we ensured that their views and concerns were reflected within our interim Statement.

We are pleased to note that our Statement was considered and welcomed by the Executive Board in March 2010. We will therefore be monitoring the implementation of our initial recommendations as we continue to oversee the procurement process for the new contract.

Our main recommendations

- That the Chair of the Grounds Maintenance Project Board ensures that the relevant client groups actively engage with all Elected Members at key stages of the current grounds maintenance procurement project. We would advise that such engagement continues to be conducted through Area Committees.
- That the tendering process for the new grounds maintenance contract encourages a localised approach towards the delivery of the new service, and particularly if the service is to be packaged as one city-wide contract.
- That the Grounds Maintenance Project Board ensures that each of the ALMOs and Highways Services works in partnership with Elected Members and local Parish and Town Councils to develop a framework for delivering more robust and consistent monitoring arrangements for grounds maintenance as part of the current procurement project.

Other work of the Board

Call-In

A Call In meeting of the Environment and Neighbourhoods Scrutiny Board was held on 3rd June 2009. This was to consider an Officer Delegated Decision of the Chief Housing Services Officer relating to a request to enter into a framework contract with Cascade Homes, Care Solutions and Green Investments (Jump) for the supply and management of temporary accommodation for homeless individuals and families for a period of 12 months, commencing in May 2009 at a cost of £2.6m per annum.

In consideration of this decision, we raised a number of concerns about the processes that were followed for this particular contract. In view of this, we referred the decision back to the Chief Housing Services Officer for reconsideration and were pleased to note that our recommendations were taken on board. Following this Call In, we also agreed to conduct a wider review into the procurement of housing contracts.

Crime and Disorder Scrutiny – Development of a joint protocol

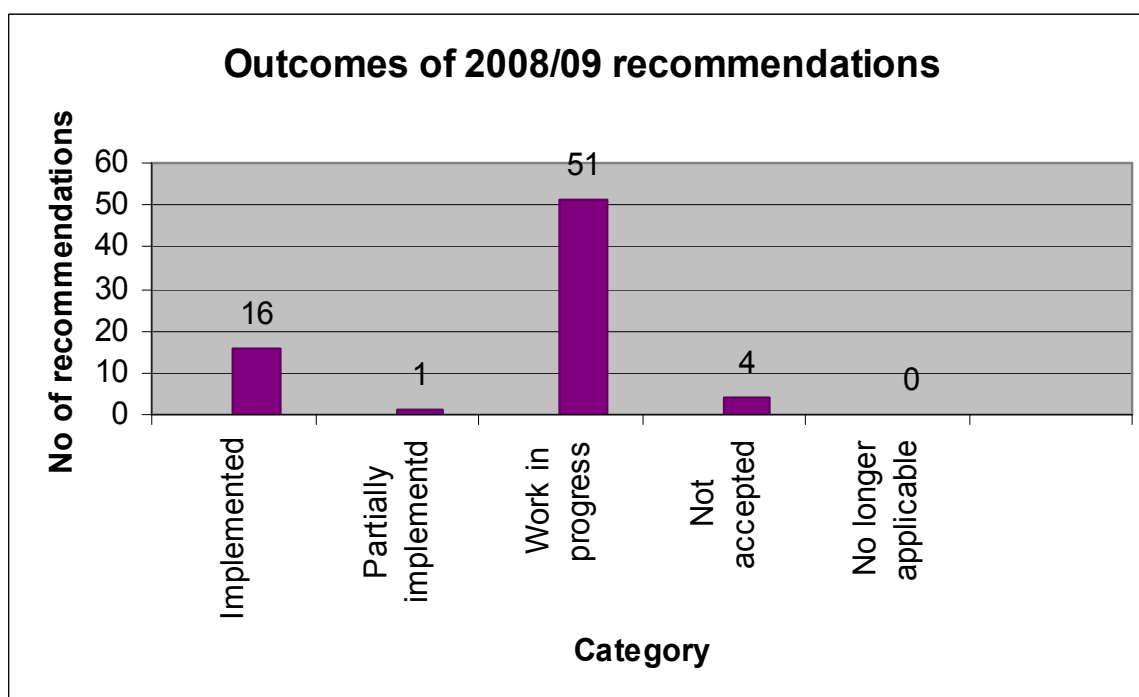
Provisions in the Police and Justice Act 2006 further extend the remit of local authorities to scrutinise the local Community Safety Partnership in relation to its crime and disorder functions as from April 2009. As a result, the Environment and Neighbourhoods Scrutiny Board was assigned to act as the Council's 'Crime and Disorder Committee'. In view of this, a protocol was developed jointly between the Scrutiny Board and the local Community Safety Partnership to help provide guidance and a common understanding of how crime and disorder scrutiny in Leeds will operate in practice.

Outcome of recommendations made in 2008/09

The Scrutiny Board (Environment & Neighbourhoods) carried out 5 inquiries in 2008/09, which resulted in 72 recommendations. This section highlights some key examples of where these recommendations have resulted in service benefits, or otherwise added value.

- As part of our inquiry into Private Rented Sector Housing, one of our main recommendations was to establish a single point of contact within the Council to act as a conduit for both private landlords and tenants to gain access to accurate and timely advice, information and assistance. As a result, the Leeds Housing Options Service became the central contact service for both landlords and tenants, with an e-mail address also set up (landlordandtenant@leeds.gov.uk).
- With regard to our inquiry into Older People's Housing, we were pleased to note that many of our recommendations were taken forward and incorporated within the revised Housing Strategy and Action Plan for Older People 2009-2012. In response to a particular concern raised by the Leeds Older People's Forum, we recommended that its work on tackling social isolation amongst older people is embedded into existing training mechanisms for all relevant front line staff delivering services to older people. This has also been taken forward.

- Following our inquiry into Asylum Seeker Case Resolution, we learned that the UK Border Agency has developed a closer working relationship with the Council and that improvements have been made in communicating detailed projections and baseline data. UKBA also gave a commitment to developing project plans in partnership with the authority for the future of case resolution.
- As a result of our review into Dog Fouling Enforcement, we recommended that a Dog Control Strategy is developed for Leeds. In response, a Dog Warden Service Strategy was produced in October 2009 with a commitment to develop a more detailed Dog Control Strategy along with other key partners. A Multi Agency Project Board was also established to take forward our recommendations around additional Dog Control Orders for Leeds. Dog Control Orders are now to be implemented in two stages to help facilitate early delivery of the overall project. A full consultation will be undertaken following the Advertisement of Intent on 21st May 2010. This includes an online consultation and a dedicated web address has been set up to facilitate this (www.leeds.gov.uk/dogs). The consultation is due to close on 31st August 2010.
- We noted that the refuse collection strike action last year had consequently affected progress in implementing the recommendations from our Street Cleaning inquiry. In view of this, the Chair has continued to discuss progress with the Chief Environmental Services Officer and the Board will be closely monitoring this in the new municipal year.



The Board's full work programme 2009/10

Review of existing policy

- Integrated Offender Management
- EASEL Regeneration Programme
- Procurement of Housing Contracts

Development of new policy

- Dog Warden Service Strategy
- Recycling
- Response to the CLG Consultation around social housing allocations
- Worklessness
- Procurement of the Grounds Maintenance Contract for 2011
- Integrated Waste Strategy for Leeds 2005-2035 – Revised Draft Action Plan
- Protocol for Crime and Disorder Scrutiny in Leeds

Monitoring scrutiny recommendations

- Street Cleaning
- Asylum Seeker Case Resolution
- Private Rented Sector Housing
- Older People's Housing
- Dog Fouling Enforcement

Performance management

- Quarterly performance management reports
- Performance Monitoring and Food Standards Agency Food Service Audit Update

Briefings

- Roseville Door Factory Closure – Update
- Housing Solutions/Mortgage Rescue
- Fuel Poverty

Call Ins

- Supporting People Request to enter into a framework contract with Cascade Homes, Care Solutions and Green Investments (Jump) for the supply and management of temporary accommodation for a period of 12 months

Scrutiny Board (Health)



Councillor Mark Dobson
Chair of Scrutiny Board
(Health)

Membership of the Board:

Councillor Mark Dobson (Chair)
Councillor Sue Bentley
Councillor Judith Chapman
Councillor David Congreve
Councillor David Hollingsworth (part year)
Councillor John Illingworth
Councillor Mohammed Iqbal
Councillor Graham Kirkland
Councillor Alan Lamb
Councillor Graham Latty (part year)
Councillor Linda Rhodes-Clayton (part year)
Councillor Paul Wadsworth (part year)
Councillor Lucinda Yeadon

Co-opted Members:

Mr Eddie Mack (part year)
Mr Arthur Giles (part year)

The Chair's summary

In my first year as Chair of the Health Scrutiny Board, it is with a great deal of satisfaction and sense of pride that I submit this year's annual report.

The year has been particularly challenging as we have strive to make a significant contribution to the well being of the people of Leeds. The Board has taken a very proactive role in raising and responding to public concerns over some proposals put forward by some of our key NHS partners. In order to protect local health services and the patients they support, we have robustly challenged proposals and sought clarity from a wide range of NHS organisations on a number of issues.

We have covered a considerable range of areas and different issues over the course of the year. The main issues and areas covered include:

- Scrutiny inquiry into Promoting Good Public Health;
- Renal Services in Leeds;
- Dermatology Services; and,
- Leeds Teaching Hospitals NHS Trust – Foundation Trust proposals.

A brief outline of these areas is provided elsewhere in this report, along with a summary of the Board's full work programme. However, I think some of the Boards highlights over the year have been:

- Identifying the need to strengthen the consideration of 'health implications' within the Council's decision-making processes – similar in nature to legal and financial implications;
- Recognition of the Board's work, leading to a positive profile across an increasing range of local, regional and national NHS organisations;
- Successfully championing the views of patients – demonstrated through the work around dermatology and renal services. Specifically in terms of renal services, this included a public apology that collectively, the local NHS had failed to fully engage with the Scrutiny Board and other interested parties early enough in the process;
- Being instrumental in a significantly improved working relationship between Leeds Teaching Hospital Trust (LTHT) and dermatology patients – which included the forming of a recognised dermatology patients panel;
- Receiving assurance from the Strategic Health Authority (NHS Yorkshire and the Humber) that the issues highlighted by the Board's work around renal services would be considered as part of appropriate accountability processes for both NHS Leeds and LTHT;
- Amended constituency boundaries and a clear commitment to improving patient involvement and engagement arrangements as part of LTHT's revised Foundation Trust proposals: This was a direct result of the Board's consultation response on the original proposals, which drew on the experience of the Board's work around renal services and dermatology services.

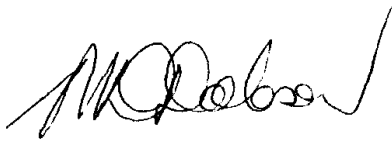
I feel that the Board has also established an approach to some aspects of its work programme that need to be maintained and developed over coming years. These include:

- Regular discussions with each of the local NHS trusts;
- Improved quarterly performance management arrangements – which includes a joint NHS Leeds and Leeds City Council performance report;
- Re-establishment of arrangements to consider potential service changes and/or developments.

However, there is still work to do – and the Board needs to be flexible to adapt to the ever changing environment it operates in. As public finances take the strain of the global economic downturn, I feel the work of the Board and the role it plays will be increasingly important. Clearly, responsibility for decisions within local NHS Trusts is not just the responsibility of Executive Directors. Trust Boards and Non-Executive Directors play a significant role, and I believe it is important to establish better working relationships in this area – by establishing clearer, and more consistent terms of engagement. In this regard, and with the Board's consent, I have written to the current Chair of each local NHS Trust seeking their views on how these relationships can be more clearly established and developed. I see this as an area for further development over the coming year.

In summary, through our work as the Council's watchdog for health, I believe that the Board has effectively and significantly raised the public profile of its work – receiving regular and frequent coverage through the local media. In addition, the Board has been successful in looking beyond the traditional boundaries of our local NHS partners for contributions to its work – highlighting the cross-cutting nature of health issues. As such, I would like to thank everyone who has contributed to the work of the Board during the year, including internal and external witnesses, scrutiny and governance officers and to Members of the Board for completing our busy work programme with such enthusiasm and commitment.

I look forward to the improved ways of working continuing to develop and become more established over the coming year.

A handwritten signature in black ink, appearing to read 'Mark Dobson', written in a cursive style.

Cllr Mark Dobson, Chair of Scrutiny Board (Health)

The Role of the Council and its Partners in Promoting Good Public Health

Summary

The overall aim of our inquiry was to make an assessment of the role of the council and its partners in developing, supporting and delivering improvements to public health. In this regard, the specific targets set out in the Leeds Health and Wellbeing Plan (2009-2012) and its associated strategies were used and considered to inform our discussions. For practical reasons we focused on the following specific areas of public health:

- Improving sexual health and reducing the level of teenage pregnancies;
- Reversing the rise in levels of obesity and promoting an increase in the levels of physical activity; and
- Promoting responsible alcohol consumption.

Anticipated service benefits

The outcome of this inquiry adds to the existing body of evidence aimed at delivering improvements to public health. It also serves to further raise the profile of the importance of public health matters – publicly, professionally and politically.

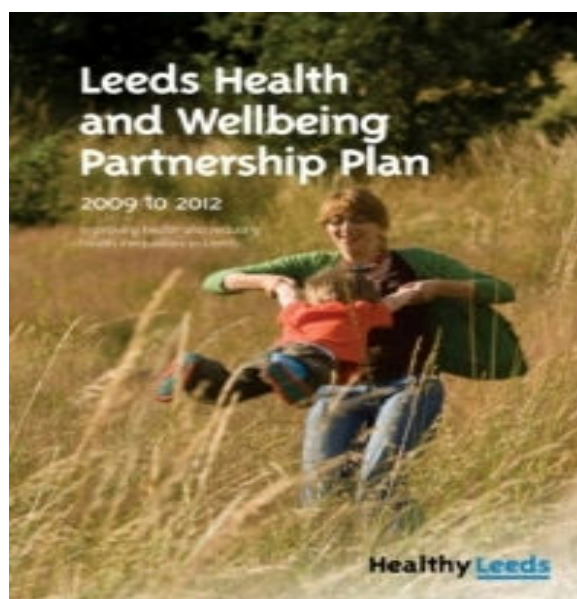
Our main recommendations

That, as soon as practicable, the Director of Children's Services writes to the appropriate Minister and Government Department in an attempt to secure a national direction for the delivery of consistent and high quality Sex and Relationship Education (SRE) in local schools.

That, as part of the overall Leeds Development Framework and prior to formal submission, the Director of City Development and the Director of Public Health ensure that the public health agenda and relevant *NICE* recommendations are appropriately addressed and reflected in the Core Strategy.

That, by July 2010, the Department of Health (in collaboration with any other appropriate Government Department) be strongly urged to work towards the introduction of a minimum price per unit of alcohol, as soon as practicable. This may include, but should not be restricted to, a review of current competition laws and regulations, as appropriate.

That, as soon as practicable, the Director of Public Health and the Head of Licensing and Registration jointly write to the appropriate Minister and Government Department in an attempt to secure changes to the current licensing legislation, that would result in 'public health' considerations becoming material considerations within the licensing application process.



Statement on Renal Services in Leeds

Summary

In June 2009, we were extremely concerned to hear about proposals to abandon plans to re-provide the dialysis facilities at Leeds General Infirmary (LGI). The delivery of a 10-station renal dialysis unit at (LGI) has been a long awaited development for Leeds' kidney patients and had been a long-standing commitment of Leeds Teaching Hospitals NHS Trust (LTHT) since 2006. Despite receiving a range of information from key stakeholders, including regional and local service commissioners, LTHT and transport providers, we were not satisfied with the rationale presented and strongly opposed the approach adopted by LTHT.

In May 2010, despite our best efforts to seek a local resolution to this issue, the LTHT Board decided not to proceed with the previously agreed proposals. As such, we were left little option but to refer this matter to the Secretary of State for Health. We will eagerly await the outcome of any further review of the decision.

Anticipated service benefits

In the case of renal services, the needs of patients were seemingly a secondary issue and largely ignored. By acting swiftly we sent a clear message that these issues cannot be ignored when planning changes to services.

Our main recommendations

Leeds Teaching Hospitals NHS Trust immediately re-affirms its commitment to re-provide dialysis facilities at Leeds General Infirmary and finalises plans for replacement dialysis facilities at Leeds General Infirmary and delivers these as soon as practicable, but no later than December 2010.

Prior to finalising the draft Yorkshire and Humber Renal Network Strategy for Renal Services (2009-2014), the Yorkshire and the Humber Specialised Commissioning Group review current consultation arrangements and, through dialogue with overview and scrutiny committees across the region, develop an extensive 12-week consultation plan.

“By not providing this unit, there is no local dialysis for the population of West/Northwest Leeds who require dialysis. Inpatients at the LGI who require dialysis will continue to be treated by a locally based renal support team, which is less cost effective, in staffing, than treating the patients from a static dialysis unit”

**Extract from LTHT Business Case
November 2007**

“We believe that kidney patients have waited long enough for the promised re-provision of dialysis facilities at Leeds General Infirmary: The Trust should stop prevaricating and deliver what has been agreed and promised”.

**Councillor Mark Dobson
Chair, Scrutiny Board (Health)**

Other work of the Board

Local NHS Priorities

We received and discussed in some detail a number of briefing papers which identified key issues and priorities for NHS Leeds, Leeds Partnerships NHS Foundation Trust, and Leeds Teaching Hospitals NHS Trust. Initially helping us to develop our own work programme, we have also focused on local priorities through the established quarterly monitoring arrangements.



Leeds General Infirmary – Brotherton Wing

Foundation Trust Proposals

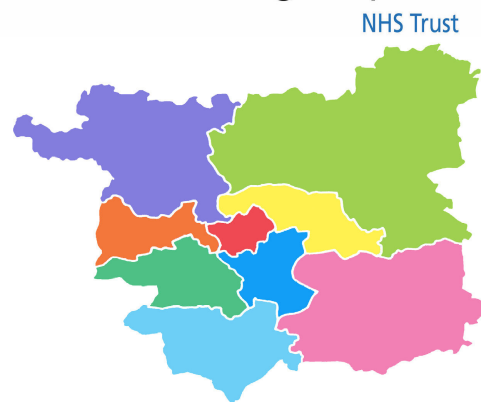
We considered LTHT's initial proposals as part of its plans to achieve Foundation Trust status and submitted a formal consultation response. Based on our experiences around renal services and dermatology we had grave concerns about the Trust's capacity around patient and public involvement. We were also concerned about the Trust's proposed constituencies and felt these should match the Council's already established Area Committee boundaries. The Trust accepted this point and revised its proposals.



Dermatology Patients

In October 2009, we were faced with a number of dermatology patients fearing for the future of the dedicated ward at Leeds General Infirmary. Significant concern about the impact of proposed changes or closure of the service was also expressed by the British Association of Dermatologists (BAD). Our intervention was pivotal in LTHT re-thinking proposals and subsequently engaging patients and carers in the redesign of the service. While final plans are still to be confirmed, we are pleased that our involvement has had a positive impact.

The Leeds Teaching Hospitals



Proposed LTHT constituencies

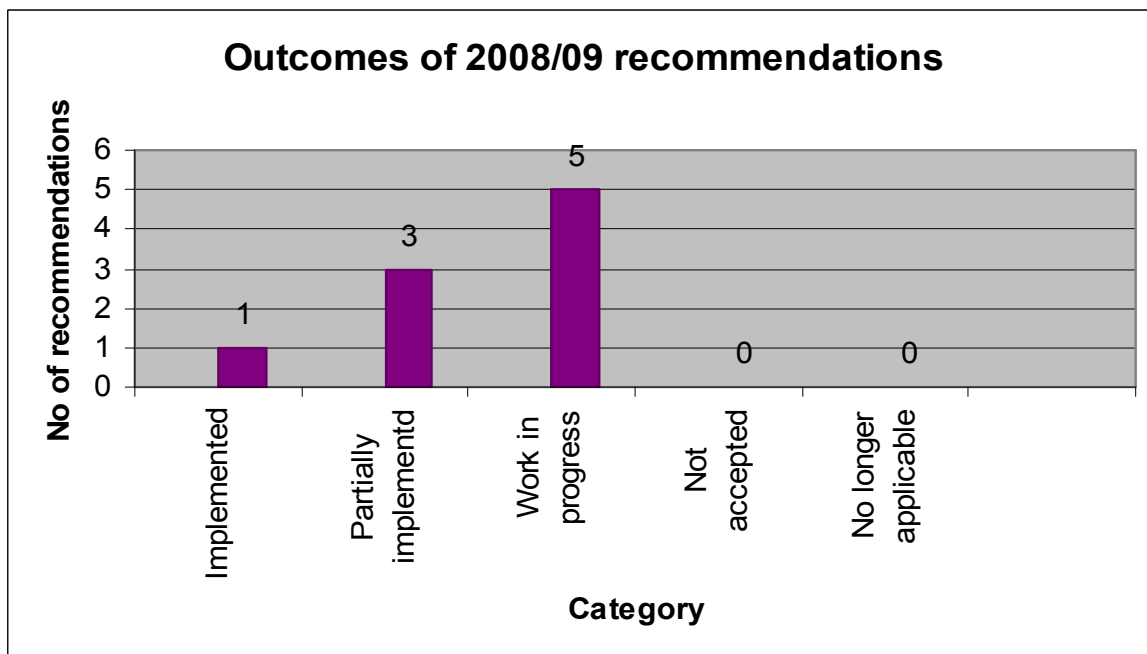
Outcome of recommendations made in 2008/09

The previous Scrutiny Board (Health) carried out an inquiry in 2008/09 on improving sexual health among young people. The Board identified 9 recommendations and this section highlights some examples of where these recommendations have resulted in service benefits, or otherwise added value.

We recommended that NHS Leeds and Leeds City Council work together to establish a local data set as soon as possible, and that this information is regularly made available to everyone who has a role to play in tackling teenage conception.

This has resulted in an Information Sharing Agreement between all relevant partners being established. Work has commenced on establishing a local data set, identifying data leads within each partner agency and agreeing timescales to ensure the data is shared and made widely available. Partners are using the nationally recommended local dataset and ensuring all service level agreements have identified data to collect with associated performance measures to ensure the effectiveness of schemes in place. The Leeds local data set is being used to identify local teenage conception hotspots and trends to help target existing resources. NHS Leeds is providing public health information to support service planning.

The relevant departments and partner organisations have made a commitment to fully implement all 9 recommendations in the future and satisfactory progress has been made to date. We are continuing to monitor those recommendations which remain outstanding.



In addition in 2009/10 we continued to monitor a number of recommendations from inquiries held in 2007/08 which were outstanding in relation to the NHS Dental contract, Localisation and Community Development. We were pleased that 10 out of a total of 17 recommendations had been fully implemented and progress was continuing to be made with the others.

The Board's full work programme 2009/10

Requests for scrutiny

- Provision of Dermatology Services
- Renal Services - Provision at Leeds General Infirmary

Review of existing policy

- Renal Services - Patient Transport Service
- Renal Services - Statement
- Role of the Council and its partners in promoting good public health
- Scrutiny Board response to the Leeds Teaching Hospitals NHS Trust - Foundation Trust Consultation
- Health Proposals Working Group to examine likely service change proposals

Development of new policy

- Joint Health Scrutiny Protocol - Yorkshire and the Humber

Monitoring scrutiny recommendations

- Scrutiny inquiry report – improving sexual health among young people
- Scrutiny inquiry report - community development and localisation
- Scrutiny Board Statement – renal services in Leeds

Performance management

- Joint performance quarterly reports

Briefings

- Appointment of co-opted Members
- Legislation & constitutional changes
- Leeds Local Involvement Network (LINK) - Annual Report
- KPMG Audit Report on scrutiny
- KPMG Health Inequalities report
- Update on local NHS priorities
- Leeds Teaching Hospitals NHS Trust - Foundation Trust Consultation
- The local health economy – Priorities for NHS Leeds

Presentations

- Leeds Partnerships NHS Foundation Trust
- NHS Leeds
- Leeds Teaching Hospitals NHS Trust

Developing Scrutiny

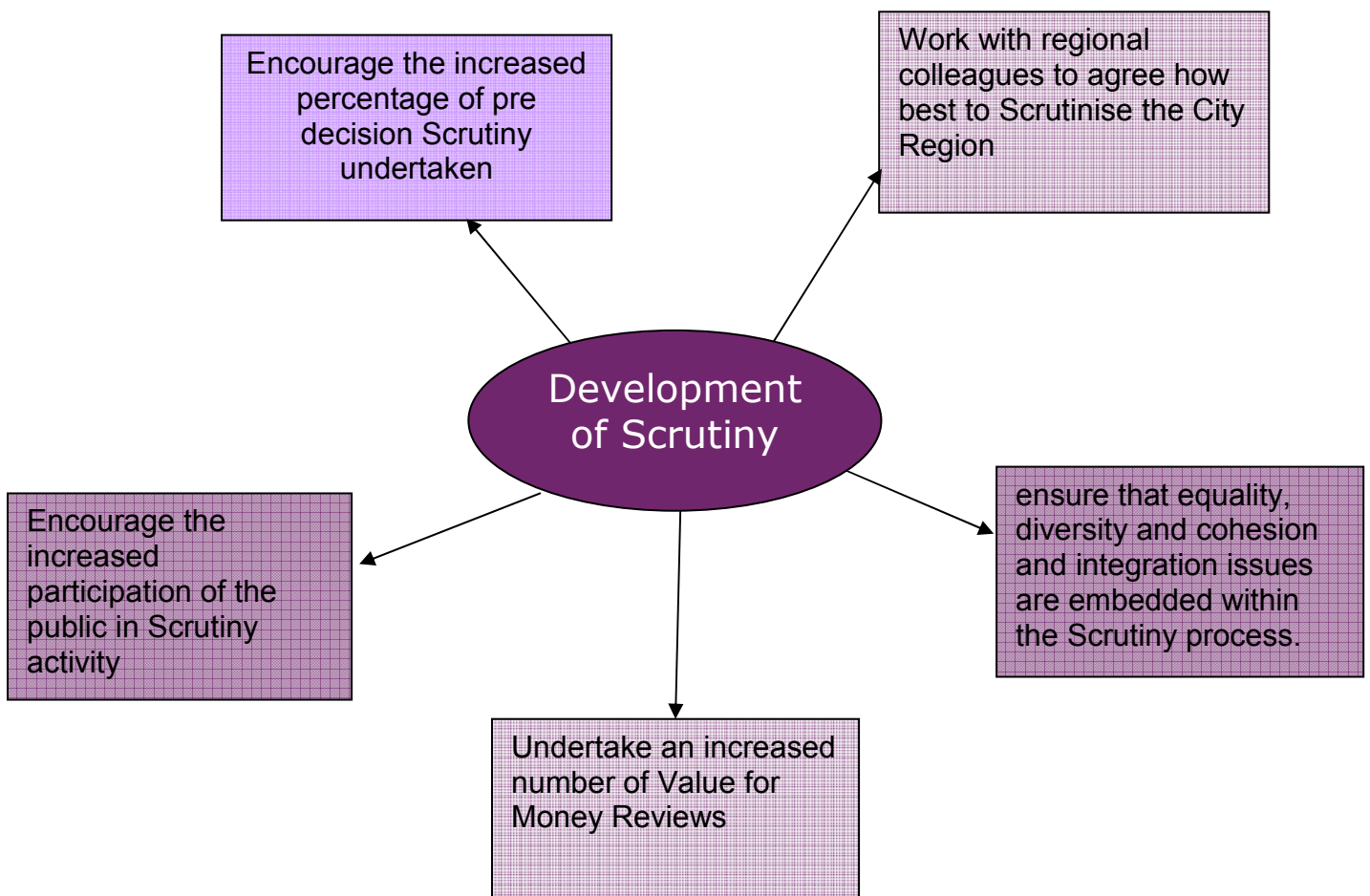
As has been our practice in previous annual reports, we have published an action plan for the coming year identifying our key development areas. Some of these actions are also identified within the Democratic Services Service Plan for 2010/11. The actions shown below are not an exhaustive list and a number of actions from previous years will continue to be progressed.

We have also reviewed last year's key action areas and made an assessment of how well we have met our previous ambitions.

As always a key focus remains ensuring that Scrutiny is a worthwhile process for elected Members and adds value to the running of the Council.

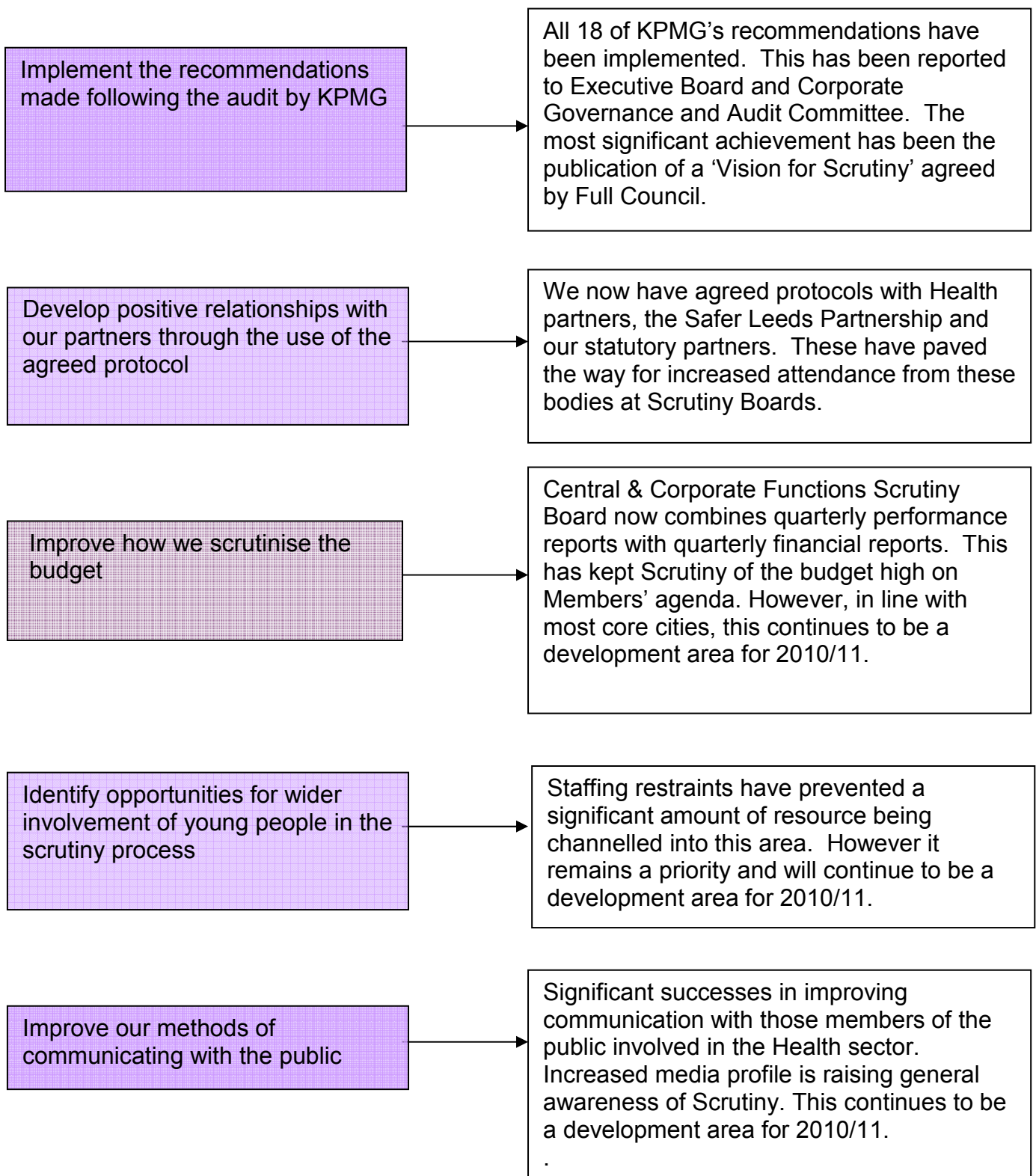
Our goals this year include increasing the amount of 'pre decision scrutiny' undertaken, developing Scrutiny as a vehicle for enabling the voice and concerns of the public to be heard and, to reflect the current financial climate, increase the number of Value for Money reviews undertaken.

Key Action Areas 2010/11



Key Action Areas 2009/10

Progress



Scrutiny Publications 2009/10

Final Inquiry reports issued by Scrutiny Boards in 2009/10

- Consultant Engagement
- The Integrated Transport Strategies for Leeds and the Wider Region
- Method by which Planning Applications are Publicised and Consultation Undertaken
- Education Standards - Entering the Education System
- Interim Safeguarding Inquiry report
- Meadowfield Primary School
- School Organisation Consultations
- EASEL Regeneration Programme
- Inquiry Report on Recycling
- Integrated Offender Management
- Promoting Good Public Health: The role of the Council and its Partners
- Major Adaptations for Disabled Adults
- Self Directed Support and Personal Budgets
- Transitional Arrangements for Disabled Young People into Adult Social Care

Statements issued by Scrutiny Boards in 2009/10

- Kirkstall Joint Service Centre
- Youth Service Surveys
- Attendance
- Interim Statement on the Procurement of the Grounds Maintenance Contract for 2011
- Housing Lettings Process
- Worklessness
- Procurement of Housing Contracts
- Position Statement: Proposed Renal Services Provision at Leeds General Infirmary
- Statement: Renal Services in Leeds
- Independence Wellbeing and Choice Action Plan Statement

Operational and Constitutional documents

- Vision for Scrutiny
- Protocol between the Scrutiny Board and the Community Safety Partnership in Leeds
- Protocol for the Yorkshire and Humber Councils' Joint Health Scrutiny Committee

A list of all final reports since 1999 can be found on our website: www.leeds.gov.uk/scrutiny

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Report of the assistant Chief Executive (Corporate Governance)

Council

Date: 14th July 2010

Subject: Appointments

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

- 1.1 At the Annual Meeting Group Whips were authorised to allocate vacant seats to Members in accordance with the proportions set out on the schedules, subject to their subsequent report to Council
- 1.2 The relevant Group Whips have allocated places to vacancies as follows:-
- Councillors J L Carter and Wood to the Scrutiny Board (Central and Corporate)
 - Councillors W Hyde, Lamb and P Latty to the Scrutiny Board (Children's Services)
 - Councillors Elliott, G Latty, and Robinson to the Scrutiny Board (City Development)
 - Councillors Marjoram and R Procter to the Scrutiny Board (Environment and Neighbourhoods)
 - Councillors Kendall and Schofield to the Scrutiny board (Adult Social Care)
 - Councillors Harrand and Lobley to the Scrutiny Board (Health)
 - Councillors G Latty and J Procter to the Plans Panel (East)
 - Councillors Castle and Wood to the Plans Panel (West)
 - Councillors A Carter, S Hamilton, G Harper and Latty to the Plans Panel (City Centre)
 - Councillors Downes, R D Feldman, G Hyde and Wilkinson to the Licensing and Regulatory Panel
 - Councillors Fox and Anderson to the Development Plan Panel

Councillors G Hyde, G Latty, Lobley and J Procter to the Member Management Committee

Councillors Elliott, Hanley, Harrand, W Hyde and J Lewis to the Corporate Governance and Audit Committee

Councillors A Carter, J L Carter, Lowe and J Procter to the General Purposes Committee

Councillors R D Feldman and K Wakefield to the West Yorkshire Joint Services Committee and Councillor Anderson and G Harper as a substitute member to the same

Councillor Harrand to the West Yorkshire Pension Fund Investment Panel and Advisory Group

Councillors J L Carter, Nash and R D Feldman to the Standards Committee

Councillors Downes, R D Feldman, Mrs R Feldman and Wilkinson to the Licensing Committee

Councillors Castle, Harrand, Pryke and Townsley to the West Yorkshire Fire and Rescue Authority

Councillors Anderson, A Carter, and Matthews to the West Yorkshire Integrated Transport Authority

Councillor Lowe as a nominee to the West Yorkshire Police Authority

1.3 Appointments to Committees are generally reserved to Council.

1.4 The relevant group whip has requested approval of the following:-

Councillor Gabriel to replace Councillor Groves on the Scrutiny Board (Central and Corporate)

Councillor Armitage to replace Councillor Congreve on the Scrutiny Board (Health)

Councillor Lyons to replace Councillor Gabriel on the Scrutiny Board (Adult Social Care)

2.0 Recommendations

2.1 That Council note the appointments referred to in 1.2 and approve the appointments referred to in 1.4 above.

3.0 Background Papers

3.1 Schedules submitted to the Annual Council Meeting.



Report of the Director of Environment and Neighbourhoods

Council Meeting

Date: 14th July 2010

Subject: HRA Subsidy Refund

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

EXECUTIVE SUMMARY

1. Executive Board on February 12th received the Housing Revenue Account (HRA) budget for 2011/12. As outlined by the Director of Resources at this meeting, the final determination in respect of the Housing Revenue Account subsidy was at variance with the figures contained in the papers submitted to the Board which were based on the draft determination. The variance is £4.6m. This paper sets out the principle that the use of this resource must provide added value to the Council over and above planned works. The detailed schemes include enhanced funding to adaptations, fire safety and security work at multi storey blocks, supporting group repair schemes, tackling non traditional housing, energy efficiency work and support for the Council's key regeneration schemes.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to set out proposals for the use of £4.6m HRA subsidy refund.

2.0 Background Information

- 2.1 Executive Board on February 12th received the Housing Revenue Account (HRA) budget for 2011/12. As outlined by the Director of Resources at this meeting, the final determination in respect of the Housing Revenue Account subsidy was at variance with the figures contained in the papers submitted to the Board which were based on the draft determination.
- 2.2 Executive Board resolved that the estimates for the Housing Revenue Account be amended for submission to Council to reflect the final determination with a subsequent increase in the contribution to HRA reserves.

2.3 It was also agreed that a further report be submitted to Board with proposals on the use of these additional resources of £4.6m.

3.0 Main Issues

3.1 It is proposed that the £4.6m is allocated across the three ALMOs, BITMO and the Strategic Housing Function but that it is specifically targeted to work additional to mainstream decency work.

3.2 Areas at which the funding will be targeted include:

- **Adaptations** - Adaptations provide solutions to housing needs that can lead to improvements in well being, reduced risk of danger in the home, increased independence and prevention of unnecessary admission to higher support or residential care for customers. However there is greater demand for the service than can be satisfied by available resources. The Council sees this provision as a priority. £1m will be allocated to this service
- **Fire risk** – Following the fire at Lakanal House in London the ALMOs and BITMO completed fire risk assessments(FRAs) of all the multi storey blocks. A programme of improvements has been agreed with the Fire Service that totals around £6m. A concordat has been entered into with West Yorkshire Fire and Rescue Service and agreement reached that defects identified through FRAs will be remedied within a five year time frame.
- **Non Traditional Housing** – The ALMOs and BITMO will complete their decent homes programme this financial year. This will still leave a number of non traditional build properties that require bringing up to the decent homes standard. The cost of this work was not included in decent homes funding.
- **Regeneration Schemes** – The ALMOs are being asked to support the Council's key regeneration schemes. Key pieces of work at present are clearance of stock within the Beeston Hill area, linking ALMO properties in to a major group repair scheme in Cross Green and continued support for the Easel scheme.
- **Strategic Housing** – The Council owns 350 miscellaneous properties that are leased. When leases end and the properties are returned to the Council funding is required to make them decent so that they can be returned to council housing.

3.3 Given the above it is proposed to allocate the £4.6m as follows:

West North West Homes

£1.5m to be targeted at additional adaptations work, improvements to non traditional housing and fire safety work within multi storey blocks and sheltered housing complexes. Specifically

- £400k will be used to upgrade alarm systems, security locks and electronic release doors to assist access for wheelchair users to sheltered complexes. Of this £175k will be for upgrading existing fire alarm/ emergency lighting systems to 175 sheltered flats to bring them in line with current fire safety regulations. A

further £175k will be used for installing magnetic lock releases to communal doors in our sheltered complexes. This will benefit 500 sheltered properties allowing better mobility for wheel chair users in complexes and ease of opening should there be a fire. Finally, £50k will be used to replace 100 high priority flat doors onto communal areas in sheltered complexes and high rise blocks – these have been identified as a priority requirement following the completion of fire safety risk assessments on sheltered and MSF communal areas.

- £400k will be added to the adaptations budget to increase the spend on adaptations to properties. It is estimated that between 135 and 160 customers will benefit from this additional funding and have their adaptations delivered within quicker timescales.
- £700k will be set aside to provide property improvements to non traditional housing. This will enable delivery of structural and external remedial works to be carried out to between 28 and 35 properties, dependant on property size and construction. WNWhL would also be able to use part of this funding as match funding to external funding available under the government's carbon emissions reduction target scheme (CERT) and community energy saving programme (CESP). This would maximise resources available to invest in our system type properties and make these more energy efficient, therefore reducing the incidents of fuel poverty within the Woodbridge, Stonecliffe and Waterloo estates.

Aire Valley Homes

£1.2m to be targeted at providing additional adaptations work, supporting the Council's PFI regeneration scheme in Beeston Hill and Little London and fire safety work. Specifically

- £850k will be used to support the re housing costs on the phase three clearance programme of the Beeston Hill and Little London housing PFI scheme. This will allow around 116 properties in the Bismarks and Fairfaxes to be emptied and the tenants re housed
- £200k will be used to reduce the backlog of adaptations.
- £150k will be used to provide fire safety works in multi storey blocks. This will include upgrading communal fire doors and replacement of individual flat doors with self closing fire resistant doors.

East North East Homes

£1.2m to be targeted at providing additional adaptations work, fire safety work within multi storey blocks and supporting a group repair scheme in Cross Green. Specifically

- £670k to support the group repair scheme in Cross Green. There are 21 Council owned properties within a predominantly private owned/rented part of Cross Green where regional funding has been obtained for a group repair

scheme. The scheme is mainly external enveloping work but the funding allocation does not cover Council owned stock and match funding is expected for the scheme to proceed. Works required to Council properties have been costed at £672K but all ENEHL capital resources for 2010/11 are committed to Decent Homes works and this allocation will allow the regional funding to be accessed and the scheme to be completed.

- £400k to reduce the backlog of adaptations
- £130k to commence a programme of fire safety and security upgrades to multi storey blocks. FRAs have been completed on all 60 blocks managed by ENEHL. The FRAs have identified substantial remedial work required to ensure the blocks meet current fire safety standards. These include installation of emergency lighting, provision of individual flat door closers and remediation of compartmentalization breaks. This funding will enable ENEHL to bring forward the more urgent works required and reduce risk significantly.

Belle Isle TMO

£0.3m to be targeted at additional energy efficiency work and programmed replacement schemes to maintain decency. Specifically

- £60k to finish the loft and cavity insulation work on the estate which will improve energy efficiency and help fuel poverty issues on the estate. A large proportion of properties in Belle Isle do not have the recommended 300mm of loft insulation and have no form of cavity wall insulation. As a consequence, the tenants of these properties struggle to pay higher average heating costs to maintain a comfortable temperature in their home. It is anticipated that the additional £60k of capital will provide funding to commence works to approximately 200 homes as part of a targeted planned program of improvement works.
- £94k for a re roofing scheme in Belle Isle South. The roof coverings, rainwater goods and associated fascia/soffit boarding to a number of early post war constructed homes have now reached the end of their designed life expectancy. A complete refurbishment is required to reduce increasing reactive maintenance costs and avoid failing decency. It is anticipated that the additional £94k of capital will provide funding to commence works to approximately 14 blocks as part of a targeted planned program of improvement works.
- £84k to replace single glazed windows to improve condensation and SAP rating issues. A significant number of properties in Belle Isle are single glazed even though they meet the decency standard. As a consequence, the tenants of these properties struggle to pay higher average heating costs to maintain a comfortable temperature in their home and suffer from condensation problems. It is proposed to invest in replacement upvc double glazed windows. It is anticipated that the additional £84k of capital will provide funding to commence works to at least 80 homes as part of an on going targeted planned program of improvement works.

- £60k on a boiler replacement scheme. BITMO needs to consider a rolling programme of planned boiler and heating system replacements which could effectively update the stock of boilers every 10 to 15 years. This would reduce the cost of renewing boilers on a reactive basis. There are potentially 180 boilers at present which are now reaching the end of their life expectancy and are inefficient and expensive to run. The additional £60k would provide funding to commence the replacement of approximately 32 outdated boilers with ones which are up to date and more efficient and therefore less costly to run for tenants.

Strategic Housing

£420k to be targeted at decency works for miscellaneous properties, regeneration plans and Affordable Housing. Specifically:

- £80k to invest in decency works for 10 miscellaneous properties previously leased to support agencies and now returned to the Authority so that they can be released for family housing. The money will also allow for the refurbishment of 7 estate shops with living accommodation to be returned for rent. The total budget needed for this work is £310k, £230k of this has been identified from existing resources, leaving £80k, which is being requested as part of this report. This equates to a spend of approximately £18k per property.

This injection of funds will allow for a continuation of work begun in 2008/9 that to date has seen 32 family sized houses and 17 shops within estates returned to Council stock.

In the mid 1990s, when demand for council housing in certain areas of the city was not strong, the Council leased some miscellaneous stock to RSLs and third sector organisations. When the leases have expired the Council has had these properties returned. The condition of the returned properties does not meet decent homes standards or the letting standards operated by the ALMOs.

Consideration has been given as to the best option for these returned properties. It is felt that given the nature of the properties, which are in the main family sized accommodation, that it is best to refurbish them and bring them into the council housing stock. Consideration has been given to selling the properties. However, this is likely to result in purchases by individual private landlords rather than private family ownership.

Those properties still out on lease are having the original leases re-negotiated so that there are greater controls exerted by the Council.

- £240k for acquisition and demolition of properties on the Beckhill Estate to open up the space and complement the proposals for the round 6 PFI bid. Previous Executive Board approvals, from 2005 to date have ensured that the Council continue to work in partnership with East North East Homes on

the acquisition, re-housing and clearance of the following parts of the Beckhill estate.

- 1-67 Beckhill Grove.
- 17-141 Beckhill Avenue
- 2-46 Beckhill Garth
- 1-59 Beckhill Garth
- 139-199 Beckhill Approach

Approximately 30 tenants and 3 leaseholders remain to be re-housed from the properties at Beckhill Grove, Garth and Approach with resources identified in 2009 for a programme which is anticipated to complete by 2011.

The 240k requested now is to complete re-housing of remaining tenants from the properties at Beckhill Avenue; after which the block can be cleared and demolished. This work commenced in 2005-06, however, had temporarily ceased, pending the re-scoping of the wider regeneration of the estate, which can now be taken forward as part of the plans for the land needed for round 6 PFI and complementary re-development.

Ward members and other key stakeholders will continue to be consulted as these plans develop.

- £100k for the demolition of the garages at Mistress Lane. The Mistress Lane development site is located at the heart of the Leeds Bradford Corridor and is identified as a gateway site within the West Leeds Gateway regeneration programme. The site is on the periphery of Armley town centre and is highly visible from the A647, Armley Road. Redevelopment of the site will help to portray a more positive image of the area and has the potential to encourage further investment and development of other nearby sites by the private sector. Proposals are currently being drawn up for the site to develop older people's accommodation as part of the Round 6 PFI programme. Subject to approval of the Outline Business Case which will be submitted to the HCA over the coming months, it is proposed that a comprehensive scheme will be developed with bidders with work commencing on site around 2013/14.'

4.0 Implications For Council Policy And Governance

4.1 None

5.0 Legal And Resource Implications

5.1 The variation in housing subsidy determination between the draft and final position, £4.6m, will resource these proposals.

6.0 Conclusions

- 6.1 The £4.6m is an additional resource to the Council. The proposals set out in this report will provide funding for essential asset management work, strategic housing initiatives and support to regeneration schemes that would otherwise be unfunded.

7.0 Recommendations

- 7.1 Council is recommended to approve the allocation of an additional £4.6m to the Housing Revenue Account to be spent in accordance with the proposals as set out in this report.

BACKGROUND PAPERS

Executive Report, February 2010



Originator: Laura Ford
Tel: 0113 39 51712

Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 14th July 2010

Subject: Standards Committee Annual Report 2009/10

Electoral Wards Affected: <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"/>
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1.0 Purpose Of This Report

1.1 The purpose of this report is to make the Council aware of the Standards Committee Annual Report 2009/10, which is attached at Appendix 1. This report provides an outline of the content of the annual report.

2.0 Background Information

2.1 It has been proposed that an annual report be submitted to the Council to outline the achievements of the previous year and plans for the upcoming year. The appearance of this report reflects the Standards Committee's concern to enhance awareness of its role and activities. The annual report was approved by the Standards Committee at its meeting on 22nd April 2010, subject to any suggested amendments. At that meeting, it was also agreed that the annual report would be presented to full Council at the earliest opportunity.

3.0 Main Issues

Standards Committee Annual Report 2009/10

3.1 This section of the report summarises the contents of the Standards Committee Annual Report.

The Work of the Committee 2009 - 2010

- 3.2 The section regarding the work of the Committee is categorised in the same way as last year's annual report, into issue areas which reflect the Committee's terms of reference. However a section on politically restricted posts has been added to incorporate this additional area of responsibility for the Standards Committee.
- 3.3 Promoting, monitoring and reviewing the codes of conduct:
- Reviewing the Codes and Protocols
 - Ethical Audit
 - Register of Interests and Gifts and Hospitality
 - Officer Code of Conduct
- 3.4 Local assessment of complaints:
- Assessment and Review Sub-Committees
 - Consideration and Hearings Sub-Committees
 - Review of local assessment arrangements
 - Training and guidance for members of the sub-committees
- 3.5 Providing guidance and training:
- Governance Matters
 - First-Tier Tribunal (Local Government Standards in England): Decisions of Case Tribunals
- 3.6 Relationship with Parish and Town Councils:
- Addressing the results of the Annual Audit
 - Parish and Town Council Liaison Forum
- 3.7 Politically Restricted Posts:
- Procedure for Politically Restricted Posts
 - Applications for exemption from political restriction
- 3.8 Working with other agencies
- Local Government Chronicle Awards 2010
 - The Centre for Local & Regional Government Research
 - Standards for England
 - Association of Independent Members of Standards Committees in England (AIMSce)

Issues for 2010 - 11

- 3.9 The potential work of the Committee for the next municipal year is summarised at the end of the report.

These issues are outlined below:

- Member and Officer Codes of Conduct
- Induction of the new Chair
- Recruitment Process
- Increasing understanding of local assessment

4.0 Implications For Council Policy And Governance

4.1 There are no implications for Council policy.

4.2 By producing a report which details its work throughout the year, and the principal decisions it has taken, the Standards Committee is promoting transparency in its actions. The annual report is also a method by which Members and officers can be informed of the Standards Committee's role and its inputs and outputs. This is an objective of the Committee's communication plan which seeks to cascade regular information to Members and officers.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications.

6.0 Conclusions

6.1 The Standards Committee Annual Report 2009/10 is attached at Appendix 1 for Members' information. The report summarises the achievements of the Committee during the previous year, and its plans for the coming year.

7.0 Recommendations

7.1 Members of the Council are asked to note the Standards Committee Annual Report 2009/10 as attached at Appendix 1.

Background Documents

Report to Standards Committee, 'Standards Committee Annual Report 2009/10', 22nd April 2010

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Leeds City Council Standards Committee

Annual Report 2009 – 2010



Introduction

The Local Government Act 2000 requires councils to set up a standards committee. Standards committees have a proactive role in creating an ethical framework which governs the relationship between high standards of conduct and transparency and openness in decision making. As a result of the Local Government and Public Involvement in Health Act 2007 and the Standards Committee (England) Regulations 2008, the role of the Standards Committee also includes the local assessment of complaints made under the Member Code of Conduct.

This is the Committee's fifth Annual Report and it presents a summary of its work during the 2009-10 municipal year. The Committee's Annual Return to Standards for England is appended to the report. This report supports the corporate governance arrangements of the Council by promoting good conduct and cascading information.

Our Ambition

"To help develop and maintain a climate of mutual trust and respect in which Members, officers and partners work effectively together to deliver the Council's strategic and operational priorities and where the public can be assured that this is done in an honest, objective and accountable way."

Foreword from the Chair



Leeds City Council was announced as winner of the Standards and Ethics category at the Local Government Chronicle Awards 2010. The judging panel was impressed by the Leeds approach to ethical governance within the authority, and its commitment to promoting and maintaining high standards of Member conduct. Features of our work were also highlighted as a case study of notable practice in Standards for England's most recent Annual Review. I am delighted that the work undertaken by the Standards Committee has been recognised in this way.

This year the Standards Committee has continued to meet and address the challenges of adapting to its local assessment role, and has also taken on a new role in assessing Politically Restricted Posts. Having served eight years, I will be standing down as Chair and Independent Member of the Committee at the Council's Annual Meeting in May 2010. On behalf of the Committee, I would like to extend a warm welcome to my successor, Mr Gordon Tollefson, who I am sure will continue to drive forward the standards agenda in Leeds.

We hope you enjoy learning about the Standards Committee and its work throughout the 2009/10 municipal year.

Mike Wilkinson
Chair of the Standards Committee

Members of the Committee

The Standards Committee is composed of four independent members (and one reserve independent member for the 2009/10 municipal year), seven City Councillors, and three Parish Councillors.

Independent Members

The purpose of independent members is to help increase public confidence in ethical standards and provide a clear signal that the Standards Committee is fair. Independent members also bring a wider perspective to the Standards Committee from outside experiences. Independent members are not Members or officers of the Council, and are not actively engaged in local party political activity. They are appointed by the Full Council for terms of four years, and can serve two terms overall. This is to prevent them losing their independence from the authority.

Mike Wilkinson

has been an independent member and Chair of the Committee since 2002. He is also the Chair of the Standards Committee at the West Yorkshire Fire and Rescue Authority. Until 2001 he was University Secretary and Clerk to the Board at Leeds Metropolitan University. He is a magistrate on the Leeds Bench, a Director of UNIPOL Student Homes, and a Trustee of Leeds Metropolitan University Students' Union. He will stand down at the Annual Meeting in 2010.



Rosemary Greaves

joined the Standards Committee in 2004 as a reserve independent member. Rosemary previously worked for BT as a Business Manager specialising in business development and strategy which includes developing significant new business propositions or identifying potential acquisition requirements. Rosemary became a full independent member in 2007 and her current term of office runs until the Annual Meeting in 2011.



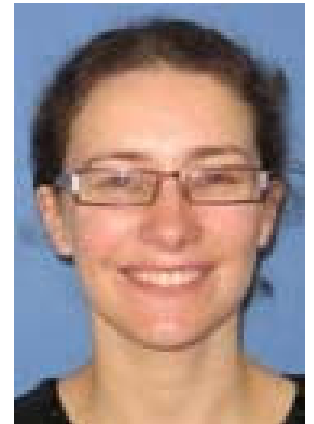
Philip Turnpenny

joined the Standards Committee in April 2008. Philip is the retired Director of Human Resources at Moores Furniture Group in Wetherby, where he is now Chairman of the Trustees of the Pension and Life Assurance Scheme. Philip is a Magistrate sitting in both the Adult and Family Proceedings Courts in Bradford, Chair of the Governing Body at Tadcaster Grammar School and Chair and Member of the Interim Executive Boards of St Joseph's Catholic Primary School and Sherburn High School respectively. Philip also sits on the Board of Foundation Housing. Philip's current term of office runs until the Annual Meeting in 2012.



Joanne Austin

joined the Standards Committee in May 2009. Joanne worked at KPMG for 21 years in a variety of roles, and most recently as a Principal Advisor within the Financial Services Advisory Group. She has also recently completed a degree in Psychology from the Open University. Joanne's current term of office runs until the Annual Meeting in 2013.



Gordon Tollefson

joined the Standards Committee as a reserve independent member in May 2009. Gordon retired from the NHS in January 2006 where he worked as a Senior Ambulance Service Manager. He has served as a magistrate in Leeds since 1994 and chairs Courts on a regular basis. In 2008 he was appointed by the Ministry of Justice to the Lord Chancellor's Advisory Committee for Leeds, which is the body that handles all matters relating to standards, discipline and governance within the Leeds Magistrates' Courts. In February, Gordon was appointed as a full Independent Member of the Committee for a period of four years, commencing at the Annual Meeting in 2010, and as Chair of the Committee for the 2010/11 municipal year.



Leeds City Councillors

The Councillors on the Standards Committee are representatives of all five political groups within the Council. The Standards Committee is not politically balanced, this is because the standards committee should be above party politics and its members need to have the respect of the whole authority, regardless of their political party.

Councillor David Blackburn

is the Whip of the Green Group and represents the Farnley and Wortley ward on Leeds City Council. Councillor Blackburn is also a member of the Corporate Governance and Audit Committee and the City Centre Plans Panel.



Councillor Colin Campbell

is a member of the Liberal Democrat Group and represents the Otley and Yeadon ward on Leeds City Council. Councillor Campbell is also the Chair of Plans Panel (West), and a member of the Corporate Governance and Audit Committee.



Councillor Les Carter

is a member of the Conservative Group and has been a Leeds City Councillor since 1973. He represents the Adel and Wharfedale ward on Leeds City Council and is also an Executive Board Member with responsibility for Neighbourhoods and Housing. Councillor Carter's areas of responsibility include housing policy and strategy, community safety, regeneration, homelessness and environmental health.



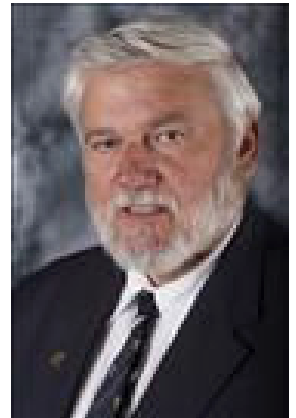
Councillor Ronald Feldman

is a member of the Conservative Group and represents the Alwoodley ward on Leeds City Council. Councillor Feldman is also Chair of the Licensing and Regulatory Panel, and a member of the Licensing Committee and the Children’s Services Scrutiny Board.



Councillor Bob Gettings

is a member of the Morley Borough Independent Group and represents the Morley North ward on Leeds City Council. Councillor Gettings is also a member of the Children’s Services Scrutiny Board and a member of Morley Town Council, on which he represents the Scatcherd Ward.



Councillor Janet Harper

is a member of the Labour Group and represents the Armley Ward on Leeds City Council. Councillor Harper is also a member of Plans Panel (West).



Councillor Brian Selby

is a member of the Labour Group and represents the Killingbeck and Seacroft Ward on Leeds City Council. Councillor Selby is also a member of the Licensing Committee, the Children’s Services Scrutiny Board and he Chairs the East (Inner) Area Committee.

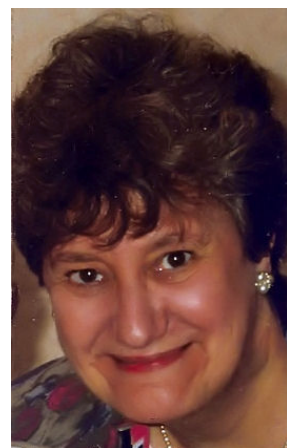


Parish Councillors

The role of the Parish Councillors on the Standards Committee is to make sure that the parish and town councils in Leeds are represented throughout discussions. At least one of the Parish Councillors must sit on the Standards Committee at all times when parish matters are being discussed. As the Standards Committee also has responsibility for the Parish and Town Councillors in the Leeds area, the Parish Councillors on the Standards Committee demonstrate that parish issues are going to be dealt with fairly. They also bring an additional independent perspective to the Committee as they are not able to be members of Leeds City Council.

Councillor Mrs Pat Walker

is a member of Pool-in-Wharfedale Parish Council which she was elected to for the first time 7 years ago. She is lead member on conservation matters. Previously a Harrogate District Councillor, she has been involved in politics at local, national and European levels. A business manager in Leeds and Harrogate for 25 years, she is now an active member of the Ruskin Society and is presently a Foundation Governor of Prince Henry's Grammar School, Otley. Councillor Walker's current term of office runs until the Annual Meeting in 2013.



Councillor John C Priestley

joined the Committee in 2005 as a reserve parish member and became a full member in 2007. He is a retired (litigation) solicitor and was a senior partner of Booth & Co. Leeds. He retired in 2002 and is now the Chairman of East Keswick Parish Council. He is also a Trustee of the W.W. Spooner Charitable Trust. Councillor Priestley's current term of office runs until the Annual Meeting in 2011.



Councillor Paul Cook

joined the Committee in 2009 as a full parish member. He was elected to Morley Town Council in 2007, and is currently the Deputy Mayor. He was a police officer for 30 years and retired in 1999. Councillor Cook's current term of office runs until the Annual Meeting in 2013.



Monitoring Officer to the Committee

Nicolé Jackson – Assistant Chief Executive (Corporate Governance) and Monitoring Officer

After qualifying as a solicitor at Calderdale Council, Nicolé worked at Bradford and Kirklees Councils, prior to moving to Leeds in June 1990. Nicolé became Senior Assistant Director and subsequently Chief Legal Officer in 1994 and 1999 respectively, and was appointed to her current role of Assistant Chief Executive (Corporate Governance) in 2007. Nicolé is also a part time Chair of the Midland Rent Assessment Panel.



Introduction to the Standards Committee

The general functions of the Standards Committee are:

- ▶ Promoting and maintaining high standards of conduct by Members and co-opted members; and
- ▶ Assisting Members and co-opted members to observe the Code of Conduct.

The terms of reference for the Committee are:

- ▶ Promoting, monitoring and reviewing the rules controlling the behaviour of Councillors and Officers (Code of Conduct);
- ▶ To initially assess and review complaints against Leeds City Councillors and Parish and Town Councillors in Leeds and to decide what action (if any) to take;
- ▶ To consider the results of any investigation into the behaviour of Councillors and decide whether their behaviour has broken the rules described above. If the Councillor is found to have broken the rules, the Committee decides what sanction to impose;
- ▶ To make suggestions to and work with other agencies about standards issues and the different codes of conduct. This involves taking part in research projects and consultation exercises, as well as making suggestions for improvement and best practice to Standards for England;
- ▶ To provide advice and guidance to Members and officers and to make arrangements for training them on standards issues;
- ▶ To advise the Council about changes which need to be made to the code of conduct for Officers and to promote, monitor and review this code; and
- ▶ To consider applications to include or remove a post from the Council's list of Politically Restricted Posts.

The Work of the Committee 2009 – 2010

Promoting, monitoring and reviewing the Codes of Conduct

The Standards Committee exists to promote and maintain high standards of conduct within the Council, and has considered several important standards issues over the past year.

► **Reviewing the Codes and Protocols** - The Standards Committee has responsibility for several codes and protocols in the Constitution. To ensure that these are operating effectively, are being complied with, and are fit for purpose the Standards Committee has added regular reports regarding these codes and protocols to its work programme. This year the Standards Committee has reviewed:

- the Monitoring Officer Protocol; and
- the Standards Committee Media Protocol.

The Council's Member Management Committee is currently undertaking a review of the Local Codes and Protocols that affect elected Members, therefore the consideration of these Protocols by the Standards Committee will be delayed until the next municipal year.

The Committee also reviewed its own Procedure Rules in October in order to make them more accessible to subject Members and complainants, and to more accurately reflect the distinct roles of the Standards Committee and its Sub-Committees throughout the complaints process.

► **Ethical Audit** - Through the results of the ethical audits carried out in 2006 and 2007, the Standards Committee identified a general lack of awareness and understanding amongst officers of the ethical framework. As a result the Committee requested that work be carried out by Human Resources to create a new ethical framework training and awareness programme for officers. A progress report was presented to the Committee in July 2009, which detailed some of the activities undertaken such as including ethical governance questions in

the Staff Survey and the 360 degree appraisals for senior officers. A report detailing the results of these ethical governance questions was presented to the Committee in February 2010, and concerns were expressed as the results did not appear to have improved since the Ethical Audit was undertaken. The Committee is therefore overseeing an action plan that will be implemented in order to address the Staff Survey results.

- ▶ **Register of Interests and Gifts and Hospitality** - The Standards Committee seeks to reassure itself that the Members' register of interests is being reviewed and updated by Members on a regular basis and that the rules surrounding the registration of gifts and hospitality are being observed. The Committee receives annual reports to this effect, the last report on this subject having been considered on 8th July 2009. The Standards Committee was satisfied that the review arrangements in place are fit for purpose.
- ▶ **Officer Code of Conduct** - The Standards Committee received a report in October 2009 from Human Resources which proposed some amendments to the Council's Officer Code of Conduct, given the delay in the release of a national Code for officers. The proposed amendments, which were supported by the Committee, will bring the Code up-to-date, particularly in respect of organisational changes and technological advances.

Impact

By seeking assurance that the Codes and Protocols are fit-for-purpose and effectively promoted, the Committee has strengthened high standards of ethical governance throughout the authority, and ensured that any issues, for example the results of the Staff Survey, are addressed. This will assist in increasing public confidence in the accountability of elected Members and officers.

Local Assessment of Complaints

Since May 2008, the Standards Committee has had responsibility for initially assessing and reviewing complaints against Leeds City Councillors and Parish and Town Councillors in the Leeds area.

- ▶ **Assessment and Review Sub-Committees** – The table below shows the number of complaints which have been made about Councillors in Leeds during this municipal year, and the number which have been referred for further investigation. The Assessment Sub-Committee has considered a total of 13 complaints. The Review Sub-Committee has considered 7 review requests, and the decision to take no further action was upheld in all cases.

Authority	Number of Complaints	Number of Councillors referred for investigation	Number of Councillors referred for other action
Leeds City Council	12	5 (3 of which are ongoing)	0
Parish and Town Councils	1	0	0

The Standards Committee aims to assess and review complaints within an average of 20 working days. During the 2009/10 municipal year, complaints were assessed in an average of 21 working days. This is due to two complaints which took 37 and 34 working days to be assessed, as further clarification had to be sought. Without these two complaints, the average is 19 working days.

Review requests were considered in an average of 39 working days. This was due to difficulties in some cases in achieving a quorum for the Review Sub-Committee. However, all review requests were considered within the statutory 3 month deadline.

Eight investigations have been completed during the municipal year, and were completed within an average of 10 months. As the Committee was concerned about the time taken to complete investigations, a Procedure for External Code of Conduct Investigations was introduced. In February, the Committee was informed that the time taken to complete investigations had considerably reduced as a result of the procedure.

► **Consideration and Hearings Sub-Committees** – In July, the Committee agreed to set up a Hearings Sub-Committee to determine complaints made against Members, and in December a Consideration Sub-Committee was created to receive and consider final investigation reports. This year, six final investigation reports were received which contained a finding of no failure, and this finding was accepted by the Consideration Sub-Committee in four cases (one case was investigated by Standards for England so did not need to be considered by the Sub-Committee, and one case is due to be considered on 11th June 2010). Two reports were received which contained a finding of failure (one of which also contained a finding of no failure, which was accepted by the Consideration Sub-Committee), and were referred to the Hearings Sub-Committee for determination. Based on its findings of fact, the Hearings Sub-Committee resolved that the subject Member had not failed to comply with the Code of Conduct in both cases.

► **Review of Local Assessment Arrangements** – The Standards Committee reviews the local assessment arrangements on an annual basis. In December, a questionnaire was sent to all City and Town and Parish Councillors seeking their comments on the local assessment process, including whether they wished to be notified that a complaint had been made against them prior to the meeting of the Assessment Sub-Committee. As the majority of respondents had indicated that they did wish to be informed as soon as possible, the Committee agreed that subject Members should be notified prior to the meeting of

the Assessment Sub-Committee, but that Members should be provided with the opportunity to opt-out of this process if they wish. Several other issues were raised during the review, however as most of these related to the content of the relevant legislation, it was agreed that the comments received should be forwarded to Standards for England and Communities and Local Government.

- ▶ **Training and Guidance for Members of the Sub-Committees** – In February, the Committee reviewed its training plan, and further to a recommendation by Corporate Governance and Audit Committee, it was agreed that members should be required to attend the relevant training prior to sitting on the Assessment, Review, Consideration and Hearings Sub-Committees. This year the Committee has received training in relation to the Code of Conduct, local assessment of complaints, consideration of final investigation reports, investigations, and local hearings. The Independent and Parish Members of the Committee have also sought to increase their understanding of the role of a City Councillor by attending a range of Council meetings, and observing Councillors' ward surgeries. A West Yorkshire Regional Standards Conference was also held in July 2009, at which training on declarations of interest and local assessment was provided.

Impact

By reviewing its local assessment arrangements, the Committee has been able to make amendments where possible to take Members' views and any arising issues into account. The Committee has also satisfied itself that it is meeting its obligations under the Standards Committee (England) Regulations 2008 by receiving six monthly update reports on complaints received. This will ensure that anyone who wishes to complain about the conduct of a Councillor can be confident that their complaint will be dealt with appropriately.

Providing Guidance and Training

The Standards Committee has a special responsibility for ensuring that Members are trained in matters relating to the Code of Conduct and arranging for appropriate training to be provided. As there wasn't a local election in 2009, the Committee has not been provided with information in relation to the Code of Conduct training provided to Elected Members.

- ▶ **Governance Matters** - The Standards Committee features heavily in the regular bulletin 'Governance Matters' which is distributed to all Members of the Council, Directors, Chief Officers and all officers within Legal, Licensing and Registration, Procurement and Democratic Services. This bulletin contains a 'spotlight on' section which provides advice on specific standards or governance issues, front page news and feedback from the Council's governance committees. Past issues are available to download from the Council's website¹.
- ▶ **First-Tier Tribunal (Local Government Standards in England): Decisions of Case Tribunals** – The Committee receives regular reports summarising the decisions of case and appeals tribunals made by the First-Tier Tribunal (Local Government Standards in England) in its role of determining allegations of misconduct. The Committee assesses whether there are any lessons to be learned from the decisions in relation to the training and guidance provided to Members in Leeds.

Impact

By training Members and officers on standards issues, the Committee is adhering to the Council's Code of Corporate Governance by helping to foster a culture of behaviour based on ethical principles and good conduct. In turn, this will help to increase public confidence in the integrity of Councillors and officers, and the decisions they make.

¹

http://www.leeds.gov.uk/Council_and_democracy/Councillors_democracy_and_elections/Council_documents/Governance_Matters_Newsletter.aspx

Relationship with Parish and Town Councils

The Standards Committee has sought to develop its relationship with the Parish and Town Councils in the Leeds area during this municipal year.

- ▶ **Addressing the results of the Annual Audit** – A questionnaire was sent to Parish Clerks at the end of October 2007 to assess the ethical arrangements in place at their Parish or Town Council, the results of which were presented to the Committee on 16th October 2008. The Monitoring Officer, Chair and Parish Members of the Committee then met to discuss the results in detail and agree on the actions to be taken. The results of this meeting were reported to the Committee on 8th July 2009.
- ▶ **Parish and Town Council Liaison Forum** – A report was submitted to the meeting of the Parish and Town Council Liaison Forum which took place in October, which provided an update on ethical governance.

Impact

The Committee has assisted the Town and Parish Councils in meeting the requirements of the Code of Conduct, and is therefore helping to reduce the number of complaints received against Town and Parish Councillors and in turn the negative impact that this can have on the public's perception of ethical standards within Councils.

Politically Restricted Posts

The Local Government and Public Involvement in Health Act 2007 amended the Local Government and Housing Act 1989, transferring powers in relation to politically restricted posts from an Independent Adjudicator to Standards Committees.

- ▶ **Procedure for Politically Restricted Posts** – In August 2009, the Committee considered a proposed procedure for the consideration of politically restricted posts. The Committee raised several queries in relation to the procedure. A further report was therefore submitted to the Committee in October to address these issues. Under the Local Democracy, Economic Development and Construction Act 2009, the rate of remuneration is no longer a determinant of politically restricted posts. Therefore, the Committee will receive a further report in the new municipal year outlining an amended procedure and list of restricted posts.
- ▶ **Applications for exemption from Political Restriction** – The Committee has received one application for exemption from the list of politically restricted posts. Following consideration, the Committee resolved to remove the post from the list of restricted posts.

Impact

The Committee has ensured that it is meeting its obligations under the Local Government and Housing Act 1989, and has ensured that its procedure for considering applications for exemptions from or additions to the list of restricted posts is fit for purpose. This provides assurance to the Council's stakeholders that the Committee is able to make appropriate decisions in relation to political restriction.

Working with Other Agencies

During the year, the Standards Committee has continued to take part in research and policy development on a national scale through various consultation exercises.

► **Local Government Chronicle Awards 2010** –Leeds City Council was announced as the winner of the 'Standards and Ethics' category of the Local Government Chronicle Awards 2010. The judging panel was impressed by the Council's commitment to high standards, and the innovation and hard work put into areas such as communicating standards and engaging leadership.

► **The Centre for Local & Regional Government Research** - In March 2008, Standards for England commissioned Cardiff University to assess the impact and effectiveness of the ethical framework in local government. The research is being carried out over five years using in-depth case studies of nine local authorities. Leeds City Council was selected to take part and accepted. It focuses on the impacts of standards frameworks on processes, systems, cultures and values within local government. The project also uses public surveys and focus groups to explore any impacts of local standards frameworks on levels of public trust in local government.

Case study work is being conducted with Councils at two-yearly intervals, the first round of which took place in September 2008. This included interviews being conducted with Members, key officers, local stakeholders and public focus groups. The second round of interviews will take place in Summer 2010.

► **Standards for England** - The Chair and a Parish Member of the Committee attended the Eighth Annual Assembly of Standards Committees held by Standards for England on 12th and 13th October 2009, which provided an opportunity for training and guidance and also feedback to Standards for England on their work. The Chair of the Standards Committee was also a member of the steering committee

for this year's conference, and was a speaker on the features of highly effective standards committees. He also featured as a panel member in a session on 'sharing good practice'. The Monitoring Officer co-presented a workshop on managing investigations with confidence.

The Standards Committee is kept up to date on national conduct issues by receiving regular Standards for England Bulletins and issues of the Town and Parish Standard. The Standards Committee also received and considered Standards for England's Annual Review at its meeting in December 2009.

In 2009, Standards for England introduced the Annual Return, which all standards committees are required to complete. It asks questions on topics such as the role of the standards committee, what the committee does to promote standards, and Member/officer relations. The Annual Return for 2010 is attached at **Appendix 1** for information.

- ▶ **Association of Independent Members of Standards Committees in England (AIMSce)** - The Chair of the Standards Committee is a Director of AIMSce. The Association provides support and guidance to independent members in carrying out their statutory responsibilities, and also acts as a forum for exchanging views and ideas with other organisations and stakeholders.

Impact

The Committee has ensured that it is kept up-to-date on national developments within the standards regime, and that the views of Members and officers in Leeds are taken into account through correspondence with Standards for England and Communities and Local Government, and are shared with the wider ethical standards community.

Issues for 2010 – 2011

The Standards Committee will have many important issues to address in the coming the year, including the following:

- ▶ **Member and Officer Codes of Conduct** – Communities and Local Government have advised that a new Member Code of Conduct will not be released prior to the general election. The Committee is therefore anticipating the release of a new Code of Conduct in the coming municipal year, as well as the release of a further consultation document in relation to the Officer Code.
- ▶ **Induction of the new Chair** – The current Chair of the Standards Committee, Mike Wilkinson, ends his final term of office at the Annual Meeting in 2010. The Council has appointed Mr Gordon Tollefson (who is currently a reserve Independent Member) as Chair for the 2010/11 municipal year. Mr Tollefson has already spent some time shadowing the current Chair to prepare for the role.
- ▶ **Recruitment Process** – The Committee will consider proposals for amending its process for recruiting the Chair of the Committee, and Independent Members.
- ▶ **Increasing understanding of local assessment** – Through the review of its local assessment procedures, the Committee has become aware that there are some concerns and misunderstanding amongst elected Members in relation to the complaints process. Action will therefore be taken to address this, for example by creating a list of Frequently Asked Questions, and the Monitoring Officer will also offer to attend political group meetings to discuss the process.

Useful Links

If you would like to find out more about standards issues and the work of the Committee, as well as keep up to date with national issues, you may find the following links useful:

- ▶ **Standards for England** (for guidance on standards issues, standards committees and outcomes of recent cases)
www.standardsforengland.gov.uk
- ▶ **The First-Tier Tribunal (Local Government Standards in England)** – <http://www.adjudicationpanel.tribunals.gov.uk/>
- ▶ **The Audit Commission** – www.audit-commission.gov.uk
- ▶ **Department for Communities and Local Government** – <http://www.communities.gov.uk/corporate/>
- ▶ **Leeds City Council** – www.leeds.gov.uk
- ▶ **National Association of Local Councils** – www.nalc.gov.uk
- ▶ **Yorkshire Local Council Association** - www.visionwebsites.co.uk/Contents/Text/Index.asp?SiteId=490&SiteExtra=13134021&TopNavId=459&NavSideId=5536
- ▶ **Chartered Institute of Public Finance and Accountancy** – www.ipf.co.uk
- ▶ **Association of Independent Members of Standards Committees in England** – www.aimsce.org.uk

Parish Councils

The Standards Committee has a special responsibility to the Parish and Town Councils in Leeds. The Standards Committee is responsible for ensuring high standards of conduct are met within the parishes and that every Member is aware of their responsibilities under the code of conduct.

The Parish and Town Councils in the Authority's area are:

Aberford & District	Collingham with Linton	Morley
Allerton Bywater	Drighlington	Otley
Alwoodley	East Keswick	Pool-in-Wharfedale
Arthington	Gildersome	Pudsey
Austhorpe	Great and Little Preston	Scarcroft
Bardsey Cum Rigton	Harewood	Shadwell
Barwick in Elmet & Scholes	Horsforth	Swillington
Boston Spa	Kippax	Thorner
Bramham cum Oglethorpe	Ledsham	Thorp Arch
Bramhope and Carlton	Ledston with Ledston Luck	Walton
Clifford	Micklefield	Wetherby
Wothersome (Parish Meeting)		



Annual Return form - 2010

Authority name Leeds City Council
Primary contact Nicole Jackson
Primary contact email nicole.jackson@leeds.gov.uk

PART 1: COMMUNICATION

Annual Report

Does the standards committee produce an annual report?

Yes

What does the report contain?

- | | |
|--|--|
| <input checked="" type="checkbox"/> A personal statement by the standards committee chairman | <input checked="" type="checkbox"/> Information about the members of the standards committee |
| <input checked="" type="checkbox"/> The role of the standards committee | <input checked="" type="checkbox"/> The standards committee terms of reference |
| <input type="checkbox"/> Information about the Code of Conduct | <input checked="" type="checkbox"/> Statistical information about complaints that have been received |
| <input type="checkbox"/> Information about the length of time taken dealing with complaints | <input type="checkbox"/> A summary of complaints which have led to investigation, sanction or other action |
| <input checked="" type="checkbox"/> Details about training/events provided | <input checked="" type="checkbox"/> The forward work plan of the standards committee |
| <input checked="" type="checkbox"/> Other | |

Please describe what "Other" contents are in the report.

Key achievements of the Standards Committee throughout the year and what they perceive to be their challenges for the year ahead.

A list of the Parish and Town Councils in Leeds and web addresses where relevant.

A list of places to find further information.

Details about the role of the monitoring officer, and brief details of the officers who support the Standards Committee.

This year (Annual Report 2009 – 2010) we will also include information about the length of time taken in dealing with complaints, including the average time taken to complete initial assessment and the average length of investigations, and a summary of complaints which have resulted in a hearing.

How is the standards committee annual report circulated?

- | | |
|---|--|
| <input type="checkbox"/> Sent to all senior officers | <input checked="" type="checkbox"/> Sent to all members |
| <input checked="" type="checkbox"/> Sent to parish/town councils | <input checked="" type="checkbox"/> Available on the authority intranet |
| <input checked="" type="checkbox"/> Available as a specific item on the authority website | <input checked="" type="checkbox"/> Available in the standards committee papers published on the authority website |
| <input checked="" type="checkbox"/> Included as a full authority meeting agenda item | <input type="checkbox"/> Publicised in local press |
| <input type="checkbox"/> Distributed to households | <input checked="" type="checkbox"/> Available at authority offices |
| <input type="checkbox"/> Not circulated outside of the standards committee | <input checked="" type="checkbox"/> Other |

The report is "Available as a specific item on the authority website", please provide the web address.

[http://democracy.leeds.gov.uk/ecSDDisplay.aspx?](http://democracy.leeds.gov.uk/ecSDDisplay.aspx?NAME=SD249&ID=248&RPID=692403&sch=doc&cat=519&path=467,519)

[NAME=SD249&ID=248&RPID=692403&sch=doc&cat=519&path=467,519](http://democracy.leeds.gov.uk/ecSDDisplay.aspx?NAME=SD249&ID=248&RPID=692403&sch=doc&cat=519&path=467,519)

The report is "Available in the standards committee papers published on the authority website", please provide the web address.

<http://democracy.leeds.gov.uk/ieListDocuments.aspx?Cid=104&MId=3446&Ver=4>

Please describe the "Other" circulation methods.

This year (Annual Report 2009-2010) we will also be sending the Annual Report to

all senior officers and issuing a press release about the report.

Publicising Complaints

How can the public access information about how to make a complaint against a member?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Through a 'compliments and complaints' type section of the council website | <input checked="" type="checkbox"/> Through the standards committee section of the website |
| <input checked="" type="checkbox"/> Complaints leaflets available from the authority | <input type="checkbox"/> Included as part of a council newsletter |
| <input checked="" type="checkbox"/> Advertised through parish councils | <input type="checkbox"/> Information is not available to the public |
| <input checked="" type="checkbox"/> Other | |

The information is on the "compliments and complaints' type section of the council website", please provide the web address.

http://www.leeds.gov.uk/Council_and_democracy/Councillors_democracy_and_electio

The information is on "standards committee section of the website", please provide the web address.

<http://democracy.leeds.gov.uk/mgCommitteeDetails.aspx?ID=104>

Please describe the "Other" places the public can access this information.*

Posters were sent to Citizen's Advice Bureaux in Leeds and are displayed in all Council buildings, including one stop centres and libraries.

Also staff in the Council's Contact Centre are trained to forward complaints to the Monitoring Officer which concern the behaviour of Councillors.

How can the public access information about the outcome of initial assessment decisions?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Written summary available for public inspection | <input type="checkbox"/> All initial assessment decisions are publicised in the local press |
| <input type="checkbox"/> Publicised in the local press only if the subject member agrees | <input checked="" type="checkbox"/> Assessment decisions published on the authority website |
| <input type="checkbox"/> Articles published in the authority newsletter | <input checked="" type="checkbox"/> Other |

Please describe the "Other" ways initial assessments are available.

The Assessment and Review Sub-Committees produce minutes of their meetings, as well as a case summary which is kept in Civic Hall and made available for public inspection. The minutes are published on the Council's website and as part of the Standards Committee agenda, and the full Council agenda. The minutes are anonymised and do not contain any details about the allegations.

How can the public access information about the outcome of investigations?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Hearings are open to the public | <input type="checkbox"/> All investigation outcomes are publicised in the local press |
| <input checked="" type="checkbox"/> Publicised in the local press only if the subject member agrees | <input checked="" type="checkbox"/> Published on the authority website |
| <input type="checkbox"/> Decision notices are available for public inspection | <input type="checkbox"/> Articles in the authority newsletter |
| <input checked="" type="checkbox"/> Other | |

Please describe the "Other" ways investigation outcomes are available.

Minutes of the Consideration Sub-Committee meeting and an open covering report by the Monitoring Officer (which details the outcome of the investigation but not the names of the parties) are published on the Council's website. If the Sub-Committee decide it is in the public interest the full investigation report would also be published. If the Member has not breached the Code the notice would only be placed in the Yorkshire Evening Post if they agreed (as per Reg 17(4)). During the pre-hearing process the parties can request that all or some of the hearing is held in private. Such requests would be considered by the Hearings Sub-Committee and decisions made on a case by case basis. The written decision of the Hearings Sub-Committee would be published on the Council's website, with the minutes, and a notice is published in the Yorkshire Evening Post. If the Member did not breach the Code, they could request it is not published, as per Reg 20(2(b)).

Do you have a mechanism in place for measuring the satisfaction of all those involved

in allegations of misconduct? For example the member, complainant and witnesses.

Yes

If yes, please can you describe the process?

We carry out an annual survey of all Councillors and Parish and Town Councillors asking what they think to each stage of the complaints process and what improvements they would like to see. At the end of each complaint we also ask the subject Member and the complainant for feedback on the process. Both sets of results are reported to the Standards Committee on an annual basis alongside recommendations for how the process could be improved. This year's review led to the Council changing its approach to notifying Members that a complaint has been made about them before the Assessment Sub-Committee has met to consider the matter. The Standards Committee resolved that Members should have a choice about whether they are notified prior to the Assessment Sub-Committee meeting or whether they wish to wait until they can be given a summary of the complaint alongside the decision in the form of a decision notice. This was in response to concerns from some Members that the previous procedure had caused them particular worry or concern, which was later found to be unnecessary.

At the end of each hearing the Standards Committee is also required to review the relevant sections of the Standards Committee Procedure Rules in light of any issues that have arisen during the case.

Finally, the Assessment and Review Sub-Committees consider whether there are any lessons to learn from the cases they have considered at the end of each meeting. Any recommendations would be considered by the Monitoring Officer and appropriate changes made. For example, suggestions have been made regarding the amount of readily obtainable information provided with the complaint, and the format of the agenda itself.

Communicating the role and work of the standards committee and standards generally

What does the authority do to promote the work of the standards committee and standards generally to the rest of the authority (i.e. internally)?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Dedicated standards committee pages on intranet | <input checked="" type="checkbox"/> Standards committee has its own newsletter / bulletin |
| <input type="checkbox"/> Standards committee issues briefing notes | <input type="checkbox"/> Articles in employee newsletter / bulletin / newspaper |
| <input checked="" type="checkbox"/> Standards committee independent members observe other authority meetings | <input checked="" type="checkbox"/> Standards committee independent members contribute to other authority meetings |
| <input checked="" type="checkbox"/> Other | |

Please give further details of the contributions made to other authority meetings.

The Chair of the Standards Committee is a co-opted non-voting Member of the Corporate Governance and Audit Committee. This arrangement is set out in Article 9 of the Constitution.

Please describe the "Other" methods used.

Independent and Parish Standards Committee Members shadow elected Members of Leeds City Council by attending ward surgeries. This is part of the Standards Committee's Training Plan to help the external Members understand the role of a City Councillor.

The Chair of the Standards Committee meets with the Leaders of all the Political Groups and the Chief Executive on a quarterly basis with the Monitoring Officer. The minutes of Standards Committee meetings are received by the Corporate Governance and Audit Committee and Full Council. The Standards Committee also provide a six monthly update on their work to the Corporate Governance and Audit Committee (one of these reports is the Annual Report).

How can the public access information about your standards committee?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Dedicated standards committee section on the authority website | <input checked="" type="checkbox"/> Within 'council and democracy' type section of website |
| <input type="checkbox"/> Ethical standards issues have been included in the local press / media | <input checked="" type="checkbox"/> Standards committee minutes, agendas, and reports are available to the public |
| <input checked="" type="checkbox"/> Leaflets and/or posters are placed in public buildings | <input checked="" type="checkbox"/> Places articles in the authority newsletter / bulletin / other publication |
| <input checked="" type="checkbox"/> Standards committee meetings are observed by members of the public | <input type="checkbox"/> Information is not available to the public |
| <input type="checkbox"/> Other | |

Please provide the web address for the standards committee section on the authority website.

<http://democracy.leeds.gov.uk/mgCommitteeDetails.aspx?ID=104>

Please provide the web address for information within the council and democracy section of your website.

<http://democracy.leeds.gov.uk/ieListMeetings.aspx?CIId=104&Year=2010>

What else does the authority do to promote the work of the standards committee and standards generally to the public and other partners?

We publish our own bi-monthly newsletter called "Governance Matters" which highlights front page news and the regular work of the governance committees, as well as providing guidance on one key governance area per issue. This is available to the general public through the Council's website.

Our Chair is the Chair of the West Yorkshire Fire Authority's Standards Committee, a Director without Portfolio in the Association of Independent Members of Standards Committees in England, a member of the SfE's Annual Assembly Steering Group, and the Chair of the Yorkshire and the Humber Independent Members' Forum, raising the profile of the Standards Committee.

We work with other West Yorkshire authorities, particularly through our Monitoring Officer who has monthly meetings with her counterparts to discuss any ethical governance issues. Our Monitoring Officer led a session on "Managing Investigations" at the Annual Assembly which shared our experience in this area. The Chair and the Monitoring Officer also arranged the West Yorkshire Regional Standards Conference with their counterparts to share best practice.

Our Toolkit for Partnership Governance supports the Council's Framework for Significant Partnerships, and provides advice for partnerships on how to put in place codes of conduct and procedures for dealing with conflicts of interest. The Standards Committee have reviewed the toolkit.

We work with Parishes in Leeds through our Parish and Town Council Charter, Liaison Forum, and annual Spring Conference. This year our presentation at the Conference focused on local assessment and what a Member could expect if a complaint was made about them, reducing fears surrounding the process. We also send each Clerk a letter regarding every Standards Committee agenda highlighting matters of interest to Parish Councils.

The Committee has a communications plan which is kept under regular review to ensure it is communicating effectively with these different audiences.

PART 2: INFLUENCE

How does the standards committee communicate ethical issues to the senior figures within your authority (for example the Chief Executive and Leader of the Authority, Party Leaders)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Formal meetings between standards committee members and senior figures specifically set up to discuss standards | <input type="checkbox"/> Informal discussion on particular standards issues |
| <input type="checkbox"/> Senior figure attendance at standards committee meetings | <input checked="" type="checkbox"/> Monitoring Officer is a member of or attends Corporate Management Team (or equivalent) meetings |
| <input checked="" type="checkbox"/> Executive or senior member has portfolio responsibility for standards | <input type="checkbox"/> Chair (or other standards committee member) addresses full authority meeting(s) |
| <input type="checkbox"/> Other | |

How do the senior figures in your authority demonstrate strong ethical values?

- | | |
|---|---|
| <input type="checkbox"/> Through a strongly promoted whistle-blowing policy | <input checked="" type="checkbox"/> By ensuring there are references to ethics in the authority vision / objectives |
| <input checked="" type="checkbox"/> Demonstrating appropriate behaviours | <input type="checkbox"/> Senior figure(s) makes personal commitment to standards in statements to public/employees |
| <input checked="" type="checkbox"/> Through any other method | |

Describe the "Other" ways that this is achieved.

Our "Aspirational Culture" was launched last year at the "from good to great" leadership challenge event, bringing together the Council's leaders and helping them align their thoughts towards a common purpose by embedding key leadership messages. These messages included great governance, behaviours and values. This "Aspirational Culture" is now embedded across the Council, with standards and ethics forming an integral part of each element.

Does your authority have a protocol for partnership working that outlines the standards of behaviour expected of all those working in partnership?

Yes

What mechanisms does the authority use for dealing with member/officer and/or member/member disputes?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Informal discussion/mediation | <input checked="" type="checkbox"/> Monitoring Officer mediation |
| <input type="checkbox"/> Chair of standards committee mediation | <input type="checkbox"/> Senior figure mediation (e.g. Chief Executive) |
| <input type="checkbox"/> Advice from Human Resources department | <input type="checkbox"/> Solicitor / legal adviser consulted |
| <input type="checkbox"/> Informal hearing | <input type="checkbox"/> No mechanisms other than normal complaints process |
| <input checked="" type="checkbox"/> Other | |

Describe the "Other" mechanisms used.

The procedure for Members and officers to follow when facing a breakdown in relations is outlined in the Protocol for Member / officer Relations. Members are told they can raise the issue with the officer if appropriate, otherwise they should raise the matter with the relevant Director. The Monitoring Officer would report any such behaviour by Members to the relevant Group Whip or Leader for them to take appropriate action. If an officer was found to have breached the Member / officer Protocol they may face disciplinary action.

PART 3: TRAINING AND SUPPORT

Between 1 April 2009 and 31 March 2010, has the authority assessed the training and development needs of authority members in relation to their responsibilities on standards of conduct?

Yes

If yes, what needs were identified?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Introduction to the Code of Conduct | <input checked="" type="checkbox"/> Elements of the Code of Conduct |
| <input checked="" type="checkbox"/> The role and responsibilities of the standards committee | <input checked="" type="checkbox"/> Ethical governance/behaviour |
| <input type="checkbox"/> None | <input type="checkbox"/> Other |

What training/support was provided during the period 1 April 2009 to 31 March 2010?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Introduction to the Code of Conduct | <input checked="" type="checkbox"/> Elements of the Code of Conduct |
| <input checked="" type="checkbox"/> Role and responsibilities of the standards committee | <input checked="" type="checkbox"/> Ethical governance/behaviour |
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Other |

Describe the "Other" training/support provided.

Training has been provided to certain Members on the governance and conduct issues surrounding Planning and Licensing decisions, and training has been provided for Standards Committee Members on how to assess complaints. There was also specific training provided on conducting hearings.

Who received training/support?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Standards committee chair | <input checked="" type="checkbox"/> Independent members |
| <input checked="" type="checkbox"/> Other standards committee members | <input type="checkbox"/> All authority members |
| <input checked="" type="checkbox"/> Specific authority members with particular needs (e.g. new members, planning committee members) | <input type="checkbox"/> Other |

What methods were employed to give training/support?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Internal training (presentations/seminars/workshops) | <input checked="" type="checkbox"/> External trainer/speaker |
| <input checked="" type="checkbox"/> One on one training | <input checked="" type="checkbox"/> Joint/regional training event |
| <input checked="" type="checkbox"/> Online learning | <input checked="" type="checkbox"/> Guidance notes/briefing materials |
| <input checked="" type="checkbox"/> Standards for England materials | <input type="checkbox"/> Ethical governance toolkit |
| <input checked="" type="checkbox"/> Other | |

Describe the "Other" methods used.

We have used written case studies which have been created specifically for the Planning and Licensing Training which focus on areas of the Code of Conduct and also predetermination and bias issues. We have also created case studies to be used in training for Standards Committee Members on the Local assessment of complaints.

In which areas of the Code of Conduct has training/support been provided?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Respect | <input checked="" type="checkbox"/> Personal/Prejudicial Interests |
| <input checked="" type="checkbox"/> Use of resources | <input checked="" type="checkbox"/> Bullying |
| <input checked="" type="checkbox"/> Disrepute | <input checked="" type="checkbox"/> Predisposition, Pre-determination and bias |
| <input checked="" type="checkbox"/> Equality | <input checked="" type="checkbox"/> Confidentiality |
| <input checked="" type="checkbox"/> Other | |

Describe the "Other" areas covered.

All elements of the Code of Conduct

What other training/support has been provided on areas of an authority member's role or activities they may engage in?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Chairing skills | <input checked="" type="checkbox"/> Lobbying |
| <input checked="" type="checkbox"/> Predetermination, Predisposition and bias | <input type="checkbox"/> Blogging and/or the use of social media |
| <input type="checkbox"/> Electioneering | <input checked="" type="checkbox"/> Freedom of Information (FOI) |
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Other |

Describe the "Other" training/support provided.

Dealing with the media, public speaking, finance, ICT, equality and diversity, scrutiny, planning and licensing, corporate parenting, and risk management.

In general, how well attended was the training provided?

75% or more of those invited

Please give a brief overview of how standards issues are covered in your induction process for new members of the authority?

Members are provided with the copy of the Code of Conduct within their induction pack and guidance on how to complete their register of interests. Members then have a face to face training session on the Code, usually split into two sessions, one on general obligations and another on interests. These sessions are generally attended by the Monitoring Officer. Members are also provided with guidance from Standards for England and our own e-learning module on the Code. Election candidates are provided with a copy of the induction programme (including dates) in April so they can prepare to attend.

In which areas of the role and responsibilities of the standards committee has training/support been provided for standards committee members? Please tick all that apply.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Initial assessments | <input checked="" type="checkbox"/> Other action/mediation |
| <input checked="" type="checkbox"/> Reviews | <input checked="" type="checkbox"/> Investigations |
| <input checked="" type="checkbox"/> Hearings | <input checked="" type="checkbox"/> Sanctions |
| <input checked="" type="checkbox"/> Other | |

Describe what "Other" areas were covered.

Training has also been provided to the Standards Committee on how to consider final investigation reports.

PART 4: INVESTIGATIONS

Have any investigations been completed during the period 1 April 2009 - 31 March 2010? Yes

How many investigations have been completed during this period?

6

Have any of the investigations used external investigators? Yes

Of the investigations completed during the period, for how many have external investigators been used?

6

Overall, what was your principle reason for out-sourcing the investigation(s)?

To complete the investigation sooner

What type of external investigator(s) did you use?

Employee of another authority

Self-employed investigator

Private law firm

Other

For the period 1 April 2009 to 31 March 2010, what was the approximate total cost of fees paid to the external investigator(s) for completed cases?

£19000.00

Please provide a brief overview of the processes you have in place to ensure the quality of local investigations.

We have created and adopted a Procedure for external Code of Conduct investigations which places strict requirements on the investigator keep the authority informed on the progress of the investigation. This includes regular updates with one point of contact within the authority, and the requirement to produce detailed investigation plans and reviews (including details of interviews to be conducted). The procedure makes the terms of the delegation clear and gives points of contact for queries during the investigation. The draft report is also forwarded to the Monitoring Officer before being sent to the parties for comments, so that any areas of disagreement can be dealt with. We also provide templates for reports and letters etc. so that the information presented to the Standards Committee is all of the same quality.

PART 5: RELATIONSHIPS WITH PARISH AND TOWN COUNCILS

Has your authority provided training for parish councillors during the period 1 April 2009 to 31 March 2010?

Yes

If yes, what topics did the training cover?

- | | |
|--|---|
| <input type="checkbox"/> Freedom of Information (FOI) | <input type="checkbox"/> Confidential information |
| <input checked="" type="checkbox"/> Planning | <input type="checkbox"/> Lobbying |
| <input type="checkbox"/> Dual-hatted members | <input checked="" type="checkbox"/> The Code of Conduct generally |
| <input checked="" type="checkbox"/> Personal and prejudicial interests | <input checked="" type="checkbox"/> Bullying |
| <input checked="" type="checkbox"/> Other | |

What "Other" topics did the training cover?

Training on the local assessment process and the role of the Standards Committee
Access to Planning Information
New Regional Working Arrangements
Customer Services - What We Do
The Power to Promote Well-being
The Future of Development Sustainable Communities
Rights of Way

What methods were employed to give training/support?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Internal training (presentations/seminars/workshops) | <input checked="" type="checkbox"/> External speakers |
| <input type="checkbox"/> One on one training | <input checked="" type="checkbox"/> Joint/regional event |
| <input checked="" type="checkbox"/> Guidance notes/briefing materials | <input checked="" type="checkbox"/> Standards for England's materials |
| <input type="checkbox"/> CALC speakers | <input checked="" type="checkbox"/> Part of wider parish liaison meeting |
| <input type="checkbox"/> Other | |

In general, how well attended was the training for parish councillors?

0-25%

Has your authority provided training for parish clerks during the period 1 April 2009 – 31 March 2010?

Yes

What topics did the training for parish clerks cover?

- | | |
|--|---|
| <input type="checkbox"/> Freedom of Information (FOI) | <input type="checkbox"/> Working with confidential information |
| <input checked="" type="checkbox"/> Planning | <input type="checkbox"/> Lobbying |
| <input type="checkbox"/> Dual-hatted members | <input checked="" type="checkbox"/> The Code of Conduct generally |
| <input checked="" type="checkbox"/> Personal and prejudicial interests | <input checked="" type="checkbox"/> Bullying |
| <input checked="" type="checkbox"/> Other | |

What "Other" topics did parish clerks training cover?

Training on the local assessment process and the role of the Standards Committee
Access to Planning Information
New Regional Working Arrangements
Customer Services - What We Do
The Power to Promote Well-being
The Future of Development Sustainable Communities
Rights of Way

What methods were employed to give training/support to parish clerks?

- | | |
|---|--|
| <input type="checkbox"/> One on one training | <input checked="" type="checkbox"/> Internal training (presentations/seminars/workshops) |
| <input checked="" type="checkbox"/> External speakers | <input checked="" type="checkbox"/> Guidance notes/briefing materials |
| <input checked="" type="checkbox"/> Standards for England's materials | <input checked="" type="checkbox"/> Joint authority/regional event |
| <input type="checkbox"/> Other | |

In general, how well attended was the training for parish clerks?

0-25%

Does your council have a COMPACT (a formal agreement with your county Association of Local Councils about supporting standards for parish and town councils in the area)?

Yes

Describe the relationship between your authority and your County Association of Local Councils in relation to standards. For example, how regularly do you interact with them? Are you involved in delivering joint training?

We have interacted with them in relation to the appointment of Parish Members of Standards Committee (roughly once a year), and in relation to training available to Parish Councils. We do not deliver joint training, but we do make Parishes aware that they can access training from the YLCA.

Standards for England and Teesside University are currently researching the role of the Parish Liaison Officer. Teesside University have created a brief questionnaire to assess the organisational background, functions and skills needed to carry out the Parish Liaison role. Does your authority have a Parish Liaison Officer?

Yes

Does the Parish Liaison Officer (or the person who fulfils the same functions) consent for the University of Teesside to contact them to complete a brief questionnaire about their role?

Yes

If yes, please provide contact details (where there are multiple Parish Liaison Officers, just provide one contact):

Name

Mr Ian Cornick, Resources and Projects Manager, Democratic Services

Contact address

4th Floor West, Civic Hall, Calverley Street, Leeds, LS1 1UR

Contact phone

0113 2243206

Email address

ian.cornick@leeds.gov.uk

What steps have you taken when dealing with parishes which have had problems with standards issues? For example, what preventative or capacity building work have you done with parishes?

Our Parishes have not generally experienced problems with Standards issues. As a result of the Annual Audit we are providing specific advice to Parish and Town Councils in standards issues, such as the registration of interests and recording of declarations of interests in meetings. We are considering working with one of our Parishes to assist them with improving their corporate governance arrangements, including having clear lines of accountability and publicising information.

Which of the following areas would you like Standards for England to produce additional guidance on to support your work with parishes?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Lobbying | <input checked="" type="checkbox"/> Predetermination and bias |
| <input checked="" type="checkbox"/> Planning and interests | <input checked="" type="checkbox"/> Dual-hatted members |
| <input type="checkbox"/> Other | |

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Report of the Assistant Chief Executive (Corporate Governance)

Full Council

Date: 14th July 2010

Subject: Corporate Governance and Audit Committee Annual Report 2009/10

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

1.1 This report presents to Full Council the 2009/10 annual report from the Corporate Governance and Audit Committee. The report is attached at appendix one.

2.0 Main Issues

2.1 Members are requested to receive the report and note the impact the Committee has had in relation to the governance arrangements of the Council.

3.0 Implications For Council Policy And Governance

3.1 Preparing an annual report and presenting this to the Full Council is consistent with best practice guidance in relation to Audit Committees and therefore strengthens the Council's position in respect of any external assessments of the Council's governance arrangements.

3.2 By producing an annual report that focuses on the impact of the Committee's work the Committee has been able to ensure that the work it undertakes during the year is relevant and effective.

4.0 Legal And Resource Implications

4.1 There are no legal or resource implications.

5.0 Recommendations

5.1 Full Council is recommended to receive the Annual Report.

Background Documents

Audit Committees – Practical Guidance for Local Authorities (2005), CIPFA

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Corporate Governance and Audit Committee

Annual Report 2009 – 2010



Foreword from the Chair

I am pleased to present the third annual report of the Corporate Governance and Audit Committee. It demonstrates the sustained impact of the Committee upon the work of the Council, and the foundation which has now been laid for a structure of rigorous independent oversight of the Council's governance and audit processes.


Good governance is indeed the framework which ensures that the work of elected members and officers is fully compliant with legal requirements and established good practice, that its processes and outcomes are transparent to internal and external inspection, and that the Council is properly accountable to its many stakeholders. The responsibility of the Committee is to exercise the 'eternal vigilance' and scrupulous independence without which good governance cannot be guaranteed. While this report records substantial progress towards that ideal, there can be no room for complacency, nor any diminution of the independence of the Committee in relation to political and organisational interests.

The Committee has again been well served by the Council's external auditors (KPMG) and by the Council's internal audit service. Effective internal audit demands (first) a strong control environment and (second) a high level of compliance with established controls. I am satisfied that our control environment is excellent, and that compliance is good and improving. Over the past year the Committee has recognised these strengths, and noted that internal audit has sometimes been ahead of external inspectors in noting gaps and weaknesses. Most recently it has initiated action to build upon that effectiveness by ensuring that serious shortcomings are drawn more rapidly to the attention of senior officers.

The scope of the Committee's work has widened in response to emerging concerns. Recently, for example, it has accepted responsibility for the monitoring of the treasury management function, in accordance with recommendations of the Audit Commission arising from the Icelandic banking debacle (a crisis which, thanks to the wisdom of the officers concerned, did not affect Leeds). The Committee has also, on its own initiative, drawn attention to the need for greater transparency in relation to senior management remuneration: in this matter it responded to growing (national) public concern, and acted in advance of central government policy initiatives.

Finally, I express my thanks to: the members of the Committee and the officers who have supported and contributed to our work; to KPMG and the Local Government Ombudsman, who have both supported and challenged us; and to Mr Mike Wilkinson, the independent Chair of the Council's Standards Committee, who has provided an invaluable link between our two committees, and whose work has recently won well-deserved national recognition .

It has been a privilege to have chaired this Committee over the past three years, and I extend my good wishes to those who will carry forward this vital work - in a climate of public opinion where its visibility seems bound to increase.



Cllr John Bale

Introduction

Background

Corporate Governance is a phrase used to describe how organisations direct and control what they do. For local authorities this also includes how a council relates to the communities that it serves. Good corporate governance requires local authorities to carry out their functions with integrity and in a way that is accountable, transparent, effective and inclusive. The role of the Corporate Governance and Audit Committee is to assess and challenge a range of assurances provided within the Council and those provided externally both by the appointed external auditor and by various inspectorates.

The Council's Code of Corporate Governance provides more information regarding corporate governance at Leeds.

The Annual Report

Effective audit committees help raise the profile of internal control, risk management and financial reporting issues. They enhance public trust and confidence in the governance of the Council. As such, the Corporate Governance and Audit Committee has resolved to produce their annual report for presentation to full Council for two reasons:

- to demonstrate the impact of its work over the last year; and
- to raise awareness of corporate governance across the Council

Membership ¹

The members of the Committee for 2009-2010 are set out below:

Councillor John Bale (Chair)

Councillor David Blackburn

Councillor Colin Campbell

Councillor Geoffrey Driver

Councillor Thomas Leadley

Councillor Pauleen Grahame

Councillor Alison Lowe

Councillor Graham Kirkland

Councillor Graham Latty

Councillor Neil Taggart

Mike Wilkinson, the Independent Chair of the Standards Committee is a non-voting co-opted member of the Committee.

¹ Councillor Fox was appointed to the Committee for the 12th May 2010 meeting.

Terms of Reference

In summary the Committee is responsible for reviewing the adequacy of the Council's arrangements relating to:

- external and internal audit;
- risk management;
- the internal control environment (corporate governance arrangements);
- compliance with statutory and other guidance;
- approving the Accounts;
- approving the Annual Governance Statement; and
- making representations to external agencies on behalf of the Council about any matter relating to conduct.

The Terms of Reference were last amended by Full Council in February 2009, when the Committee was given the additional function of making representations to external agencies on behalf of the Council about any matter relating to conduct. During 2009/10 the Committee has focussed more on Treasury Management, and in light of the recent financial crisis, it was agreed that the Committee should review the Treasury Management Function. Further to this, training was received by Members on how best to review Treasury Management in February 2010. The Terms of Reference under which the Committee operated in 2009/10 are attached at appendix one.

The Work of the Committee 2009 – 2010

The following section provides a summary of the work that the Committee has undertaken over the last year, including the impact that work has had on the effectiveness of the Council's overall corporate governance arrangements. It is divided according to the different elements of the Committee's terms of reference.

External Audit

External audit is an essential part of the process of ensuring public money is spent accountably. The Council's external auditors are KPMG. Their work is guided by an annual audit plan which details the work the external auditors aim to complete over the coming year; the plan for 2009/10 was agreed by the Committee on 30th June 2009. The plan is developed having assessed areas of risk to the Council that have been identified in the corporate risk register and following input from Members and senior officers. During 2009/10 the auditors completed a number of audits which were received by the Committee and published on the Council's website. These are summarised below.

► **KPMG Scrutiny Review**

The Committee received a report summarising the key findings from KPMG's audit of the Council's Overview and Scrutiny Arrangements. In February 2010 the Committee received an update report which advised that good progress had been made against all recommendations.

► **Interim Audit Report on the Statement of Accounts**

This report summarised KPMG's planning and interim audit work at the Council in relation to the 2008/09 financial statements. By receiving and challenging the conclusions of the auditors, the Committee gained independent assurance on progress in producing the 2008/09 financial statements and the quality of controls relating to key financial systems.

► **Health Inequalities Report**

In considering KPMG'S report on a review of health inequalities, the Committee highlighted the need for all Area Committees to be involved in addressing health inequalities and for a more detailed analysis of causes of the current position to be undertaken.

► **The Annual External Audit Plan**

The Committee were consulted on the content of the Annual External Audit Plan for 2010-11. The plan will be submitted for the Committee's approval at the beginning of the next municipal year.

Impact

By receiving all External Audit reports the Committee is provided with an independent overview of key risk areas; in turn this helps to inform the Annual Governance Statement.

External Inspection Reports

External Inspection is central to the current drive for improved public services. Inspectorates have been created in order to ensure that Local Government achieve value for money in delivering services, they are also independent and provide detailed performance information to stakeholders especially the public. Numerous External Inspection Reports were presented to the Committee during 2009/10, the most important of which are detailed below.

OFSTED and Care Quality Commission Inspection of Safeguarding and Looked after Children's Services in Leeds

In March 2010, the Committee received a report updating it on the results of the Children's Services Inspection. Members particularly commented on the management and culture in Children's Services changing in light of new

requirements for looked after children. Further, that the arrangements for control and good management of Children's Services needs to be effective in the future. A further report was requested for the Committee to gain assurance that arrangements for monitoring are in place and are operating as intended.

Impact

The Committee has provided public challenge to the improvements required to be made in Children's Services and has sought assurance that appropriate arrangements are in place to address all the improvement issues raised by OFSTED and the Care Quality

Annual Performance Assessment of Adult Services 2008/09

In February 2010, the Committee received a report updating the Committee on the governance related comments made in the 2008/09 Annual Performance Assessment. Members commented on the positive nature of the report and the improvement made from poor to adequate. The Committee addressed the importance of the Council comparing itself against results of previous years to give a fair indication of progress made.

Outcome of the Comprehensive Area Assessment

In December 2009, the Committee received the outcome of the Comprehensive Area Assessment. The report informed Members of the results of the Organisational and Area Assessment report for Leeds and how the assessment is undertaken. Members raised points around whether the Council had anticipated any of the areas for improvement prior to the inspection.

Internal Audit

Internal audit is an independent function established by the Council to objectively examine, evaluate and report on the adequacy of the corporate governance arrangements. Reports issued by internal audit provide a key source of assurance to the Committee that the governance arrangements in place are functioning correctly. The Committee is also responsible for monitoring the performance of internal audit.

The results of the review of the effectiveness of Internal Audit were presented to the Committee in July 2009. It was reported that the system of internal audit is fit for purpose and highlighted some areas for improvement in 2009/10.

In July 2009 the Committee received the annual internal audit report looking back at work completed and issues identified in the previous municipal year. The Committee raised two issues that were of particular concern: the increase in whistle blowing complaints by 61% between 2007/08 and 2008/09; and the work undertaken in relation to the Strategic Landlord Management and Assurance Framework.

In January 2010, the Committee received the half-year update report which summarised the key findings of Internal Audit during the period April – September 2009. In receiving the report the Committee stressed the importance of significant threats to the control environment being prioritised and escalated to the highest levels of the Council. Subsequently the Corporate Leadership Team approved a revised internal audit protocol.

Impact

The Committee has been a catalyst for amending the internal audit protocol for circulating reports to senior management. The protocol has now been reviewed to ensure major organisation risks are escalated to the Council Corporate Leadership Team.

Corporate Governance / Internal Control

In addition to the specific role the Committee has in relation to audit and risk management, it has a broad responsibility for reviewing the adequacy of the Council's wider corporate governance arrangements. It receives a number of reports which provide assurance as to the extent to which the Council's arrangements are operating effectively, which are summarised below.

► Local Government Ombudsman

At their September 2009 meeting, the Committee received the Local Government Ombudsman's letter for 2008/09 and the Assistant Ombudsman, Neil Hobbs, attended the meeting. Members identified key areas for improvement raised in the letter, in particular, the importance of raising awareness of the Council Complaints procedure and the role that the Local Government Ombudsman plays in resolving complaints, particularly those relating to anti social behaviour. Members also commented that the monitoring data used in the analysis of complaints must reflect current Council structures so that if difficulties exist, the relevant service area can be more easily identified.

Impact

The Ombudsman's letter provided a key assurance to the Committee that there are robust and effective mechanisms in place for dealing with complaints. There is now also improved access to the Ombudsman.

In February 2010 the Committee received a report providing information on the various access routes the Council has for customers to obtain information about the Council's Corporate Complaints process and the Local Government Ombudsman. Members highlighted the good links and co-operation between the Council and other agencies with regards to complaints received.

Further, in March 2009, the Committee received a report informing it of the arrangements in place for the Council to respond to complaints of anti social behaviour. The Committee stressed the importance of having simple pathways through which members of the public can raise concerns of anti social behaviour.

► **Partnership Governance Arrangements**

The annual review of the Governance Framework for Significant Partnerships was submitted to the Committee in January 2010. Members approved changes to the Framework to make it clearer and to ensure that it is in line with Audit Commission guidance on the Use of Resources Key Lines of Enquiry and recommendations received from the Council's External Auditors. The Framework was approved by the Assistant Chief Executive (Corporate Governance) in 26th January 2010, and the Council has now updated its register of significant partnerships accordingly.

Furthermore the Committee raised concerns about ensuring all partnerships are complying with the Framework. To address this, a report was received by the Committee in February 2010 providing an update on the results of a recent monitoring exercise. The report identified the extent to which the Council's Significant Partnerships are complying with the minimum governance requirements set out in the Council's Governance Framework for Significant Partnerships. Members particularly commented that where partnerships involving the Council state that they do not intend to meet the minimum governance requirements, this should prompt the Council to review whether or not the partnership is appropriate.

Impact

The framework recommends best practice governance structures and processes which, where implemented will provide assurance to the Council (and other stakeholders) that governance arrangements are fit for purpose. The Annual review process will help target partnerships where further improvements are requirements.

► Information Security

The Information Security Annual Report for 2008/09 highlighted the steps being taken to improve the Council's information security in order to provide assurance for the annual governance statement and ensure there is more accountability for technical failures and for the contravention of procedures. Members commented on the importance that the Council continues to work on ensuring that risks associated with losing a laptop computer or memory stick are mitigated against. The Committee requested a further report to detail attempted breaches and the controls in place to stop these having an impact on the operation of the Council.

Impact

The Committee has received assurance that arrangements have been put in place that have improved the security of information at the Council and reduced the risk of information being lost.

Locality Arrangements

The Committee received reports proposing formal arrangements for the area and locality aspects of the Children's Trust Arrangements. The Committee were informed of the latest Governance position for Children's Trust Arrangements. These were reported to the Executive Board in April 2010.

Impact

The Committee has provided public challenge to the existing governance arrangements for the new Children's Trust and sought assurance that the arrangements being put in place are tailored around the child.

Key and Major Decisions Taken by Officers under Delegated or Sub-Delegated Authority

The Committee were updated on the monitoring and administration of Key and Major delegated decisions during the period 1 April 2009 to 30 November 2009. The report highlighted the improving picture with regard to the administration of Key and Major decisions notified to Democratic Services.

Impact

By requesting that the Council's decision making process be reviewed, the Committee has ensured that there is increased transparency for stakeholders and greater perception of fairness.

Risk Management

Risk management is defined as the effective management of threats and opportunities in order to enhance the delivery of Council services. Good risk management practices enable the Council to make better decisions, and enhance its ability to achieve its objectives. The Committee receives both an annual report and regular update reports from the Chief Officer (Audit and Risk) regarding key risk management developments across the Council and its strategic partners.

► Annual Report

At its meeting in May 2010, the Committee received the annual report on risk management arrangements for 2009/10. The Committee noted the work that had been undertaken by the risk management unit over the previous year. Members considered the benefits of publicising the corporate risk register and also emphasised the importance of the Corporate Risk Management Unit providing help to known high risk areas within the Council.

► **6 Monthly Update Report**

In November 2009, the Committee received an update report on the Council's risk management arrangements since May 2009 Committee.

Members highlighted the importance of being as transparent as possible and recommended that the corporate risk register should be reported to the Committee and be available to the public.

The Committee recommended that the Executive Board support the proposal for the regular publication of the Council's Corporate Risk Register in a summary form along with the Corporate Risk Map.

► **Tenant Empowerment Framework**

In November 2009, the Committee was informed of the background to the tenant empowerment programme and potential issues arising from the implementation of tenant empowerment options in Leeds. The Committee supported the tenant empowerment principle but commented on the lack of communication between tenants and ALMOs and the importance of ensuring that information is disseminated to tenants at large.

► **Bid Rigging in the Construction Industry**

In November 2009, following wide spread publicity in the National media, the Committee received a report informing it of the findings of the Office of Fair Trading's (OFT) investigation into 'bid rigging' in the construction sector. Members were informed that some contractors named in the OFT's investigation has completed work for the Council. The Committee requested a briefing note be sent to all Members providing legal clarification on ethical conduct and to request the Assistant Chief Executive (Corporate Governance) to consider whether or not contractors named in the OFT investigation be excluded from any further opportunities to tender with the Council.

Impact

By considering this issue the Committee has raised the profile of how corrupt contractors can be excluded from bidding for Council work.

► Leeds City Region Governance Arrangements

The Committee considered reports on the topic including an overview of the existing Leeds City Region governance arrangements, progress made by the City Region Partnership in securing agreement on the forerunner proposals. Members particularly discussed the democratic accountability of the Leeds City Region, the legal status of the Region and the minimum governance arrangements that should be in place. Members resolved that further reports should be submitted to keep the Committee up to date on the progress of governance arrangements.

Impact

As a result of the Committee's input, the Leeds partnership governance framework has been applied to the evolving Leeds City Region arrangements. This has reinforced the importance of openness and transparency and placed an emphasis of partners complying with the Nolan principles of standards in public life.

► Senior Officer Remuneration Policy

The Committee received a report outlining the national and local frameworks for determining and implementing senior officer remuneration packages.

Impact

The Committee's work has been a catalyst for ensuring that there is clarity and consistency in where decisions on senior officer remuneration are taken and that there is transparency in documenting such decisions.

► **Review of Treasury Management Practices following Various Reports on the Icelandic Banking Crisis**

The Committee received a report updating Members on the recommendations of three reports on the Icelandic banking crisis. It was agreed that the Treasury Management function should sit with the Committee and that training take place to ensure that the role undertaken by the Committee is effective. The Committee also requested that its terms of reference be reviewed to ensure that the new role was covered adequately.

Impact

The Committee has a greater understanding of Treasury Management and is now equipped to carry out effective reviews of the function. This will ensure that the Function operates as intended and reduces the risk of bad investment choices being made.

In February 2010 the Committee received training on how to review the Treasury Management Function. This training will be repeated to ensure all Members are trained following elections in May 2010.

► **Other Reports**

Report	Committee Resolution
ALMO Inspection Action Plans	That the action being taken by the ALMOs and Strategic Landlord to address the recommendations in the 2008 Audit Commission Inspection reports be noted.
Members Allowances and Expenses – arrangements for determining	That the report be noted, that the Democratic Services Officer provide information on the notification fee and provision of annual pension contribution statement to Members and future reports on Members’ allowances and expenses be presented to the Committee should there be any changes to or identified failings in the control arrangements currently in place.
The Changing Financial Landscape	To note the contents of the report and agree that the financial planning arrangements in place are fit for purpose. Further that the report be sent to every Member of the Council meeting in February 2010 to discuss the Council’s budget.
Annual Performance Assessment of Adult Services	That the report and attached final performance review report from the Care Quality Commission for Adult Social Care Services in 2008/09 and the areas being progressed be noted.
Code of Corporate Governance	That the revised Code of Corporate Governance should be approved subject to any amendments of a minor nature proposed by the Standards Committee
Outcome of the Comprehensive Area Assessment	That the contents of the report be noted.
International Financial Reporting Standards	That progress made in adopting the IFRS to date be noted and also to note the framework established for planning and

Report	Committee Resolution
(IFRS)	monitoring progress on the implantation of IFRS.
BITMO Governance Arrangements	That the report be noted and that further reports be submitted to the Committee regarding any governance implications arising from the ALMO re-inspections, the BITMO tenant's ballot and the issue of Residents Associations being approached to set up Tenant Management Organisations.
Phantom tenancies	note the report and request that a report be submitted to the Committee to outline the types of irregularities to identify where tenancy fraud may be occurring.
Regulation of Investigatory Powers Act 2000 Policy (RIPA)	The Committee resolved to request that a further report be submitted with a revised RIPA policy prior to the policy being considered by the Executive Board.

Statement of Accounts

One of the Committee's most important statutory roles is to approve the Council's Statement of Accounts.

The Statement of Accounts show how the Council has used public money and demonstrate that the Council has been responsible. The accounts for 2008-09 were received by the Committee at their meeting on 30th June 2009. After being informed of a number of minor changes that had been made since the Committee received the accounts, they were approved.

Once the Committee had approved the accounts they were made available to the public to enable electors to inspect them, ask any questions or challenge them. They were also then passed to the Council's external auditors for examination.

In September 2009, the auditors reported that no material errors had been identified, commented on the smooth running of the audit but advised there were still a number of public interest queries still outstanding. The audit of the 2008/09 accounts was formally acknowledged as completed on 15 February 2010.

Corporate Governance Statement

Each year the Council produces a Corporate Governance Statement which is a public statement regarding the adequacy of the Council's corporate governance arrangements. It sets out the arrangements that have been in place for the previous year and also details what actions the Council will take over the forthcoming year to further strengthen its governance.

As the Statement forms part of the accounts it is always received at the same meeting – therefore, the 2009 Statement was approved at the Committee's meeting in June 2009.

The Committee also received a number of annual update reports to support the information contained in the Statement. These included:

- the Standards Committee annual report;
- an annual report on Member development;
- the annual report on risk management; and
- the annual internal audit report.

The Committee also received a report at their meetings in December 2009 and April 2010 regarding progress against the Corporate Governance Statement Action Plan – which is based on the areas for improvement identified in the Corporate Governance Statement. Receiving this update provided an opportunity for the Committee to challenge officers on the completion of actions. The Committee commented that the language used in the Action Plan should be improved to make it more understandable.

Work Programme for 2010 – 2011

At their May meeting the Committee agreed a draft work programme for 2010-11.

The work programme is developed with reference to:

- any regular items that the Committee receives, for example the Statement of Accounts, and update reports on risk management, internal audit and project governance;
- any requests for reports that the Committee has made over the previous year, for example Annual Reports on Community Engagement and Information Security;
- any emerging areas of local or national interest, for example the Committee will receive reports in 2010-11 on Senior Officer Remuneration Policy, and the governance arrangements of Leeds City Region;
- areas for improvement identified in the Annual Governance Statement; and
- issues identified on a risk assessment basis.

Further Information

The following information can be accessed on the Council's website – www.leeds.gov.uk:

- past agendas and minutes for the Corporate Governance and Audit Committee including the ongoing work programme;
- the Council's Code of Corporate Governance, Corporate Governance Statement and Statement of Accounts;
- external audit reports; and
- Governance Matters – the bi-monthly newsletter produced by Governance Services.

If you have any specific questions you can also contact the Corporate Governance team by e-mail, cxd.corporategovernance@leeds.gov.uk or by phone on 0113 39 51632.

Corporate Governance and Audit Committee

The Corporate Governance and Audit Committee is authorised to discharge the following functions¹:

1. to consider the Council's arrangements relating to accounts² including:
 - (a) the approval of the statement of accounts and any material amendment of the accounts recommended by the auditors;
 - (b) the approval of the Annual Governance Statement³; and
 - (c) with the exception of any matter, which may result in the accounts being qualified, responding to the Council's auditors in respect of any matter where it is not considered appropriate to make the amendments recommended by the auditors.

2. to consider the Council's arrangements relating to external audit requirements including:
 - (a) agreement and review of the nature and scope of the annual audit plan,
 - (b) the receipt of external audit reports so as to:
 - (i) inform the operation of Council's current or future audit arrangements; and
 - (ii) provide a basis for gaining the necessary assurance regarding governance prior to the approval of the Council's accounts.

3. to review the adequacy of policies and practices to ensure compliance with statutory and other guidance

4. to review the adequacy of the Council's Corporate Governance arrangements (including matters such as internal control and risk management)

5. to consider the Council's arrangements relating to internal audit requirements including:
 - (a) considering the Annual Internal Audit Report

¹ Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

² Item 45 Paragraph I Schedule 1 of Local Authorities (Functions and Responsibilities) (England) Regulations as amended.

³ The Annual Governance Statement is Leeds City Council's Statement on Internal Control which is approved under Regulation 4(3) of the Accounts and Audit Regulations 2003, as amended.

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- (b) monitoring the performance of internal audit
6. to make, on behalf of the Council, and having had regard to any recommendations of Standards Committee, representations to external agencies⁴ about any matter relating to general principles of conduct, model codes of conduct and the codes of conduct or protocols approved from time to time by or on behalf of the Council.

⁴ Such external agencies may include, but are not restricted to, the District or Approved Auditor, the Commission for Local Government, the Standards Board for England, an Ethical Standards Officer, the Adjudication Panel for England or an adjudication case panel

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Report of the Assistant Chief Executive (Corporate Governance)

Full Council

Date: 14th July 2010

Subject: Recommendations from General Purposes Committee

Electoral wards affected:

Ward Members consulted
(referred to in report)

Specific implications for:

Equality and Diversity

Community Cohesion

Narrowing the gap

Executive Summary

1. This report sets out recommendations to full Council from the General Purposes Committee at its meeting on 28th June 2010 relating to amendments to the Constitution.
2. The General Purposes Committee made recommendations in relation to the Council's licensing arrangements, and training for Members of the Standards Committee.
3. Full Council are asked to consider the recommendations made by the General Purposes Committee, as set out in paragraph 7 of this report, and make amendments to Article 8, the Licensing Committee's Terms of Reference, the Council Procedure Rules and Article 9 of the Constitution.

1.0 Purpose of this report

1.1 This report presents recommendations to Council from the General Purposes Committee for amendments to the Constitution.

2.0 Background information

2.1 The General Purposes Committee is authorised to consider proposals to amend the Constitution and make recommendations to Full Council. At its meeting on 28th June 2010, the General Purposes Committee considered a number of items proposed and amendments to the Constitution as follows:

- Licensing arrangements; and
- Training for Members of the Standards Committee.

2.2 The report sets out recommendations from General Purposes Committee following consideration of those items.

3.0 Main issues

Licensing arrangements

3.1 The General Purposes Committee considered a report of the Assistant Chief Executive (Corporate Governance) proposing changes to the Council's licensing arrangements.

3.2 The General Purposes Committee recommended that references to the Licensing and Regulatory Panel be removed from the Constitution.

3.3 The General Purposes Committee recommended that the following functions listed below should be agreed as functions which relate to the statutory licensing functions of the Licensing Committee and can, therefore, be carried out by the Licensing Committee under Section 7(3) of the Licensing Act 2003.

- Sex Establishment Licensing (Lap dancing, sex cinemas and sex shops).
- Hackney Carriage and Private Hire Licensing.
- Licensing of Hypnotism.
- Licensing of charitable collections.

3.4 Delegating the functions in this way means that the Licensing Committee will always operate as a committee outside of the normal Local Government structure and will always operate to the Licensing Procedure Rules rather than to the rules in the Local Government Act 1972 that govern all other council committees.

3.5 The General Purposes Committee recommended that Council should arrange for those matters set out in paragraph 3.3 above to be referred to the Licensing Committee under Section 7(3) of the Licensing Act 2003 and for the Licensing Committee to discharge those functions on behalf of the authority with effect from 20th July 2010.

- 3.6 The General Purposes Committee recommended that Council approve the revised terms of reference for the Licensing Committee shown at **Appendix 1** to implement the decisions in paragraphs 3.3, 3.4 and 3.5 above.
- 3.7 The General Purposes Committee recommended that a revised Article 8 be drafted to reflect the new arrangements and this is shown at **Appendix 2** for approval by full Council.
- 3.8 The General Purposes Committee recommended that amendments be made to the Council Procedure Rules to reflect the fact that there will be no substitution permitted between the Plans Panels and the Licensing Committee. Paragraph 26.1 (a) and 26.1 (c) of the Council Procedure Rules require changing the references to Regulatory Panel to state Plans Panel.
- 3.9 The remaining functions of the Licensing and Regulatory Panel that have not been transferred to Licensing Committee as they are not related to the councils licensing functions, are generally carried out by officers under the delegation schemes and have not come to Members for a decision for at least 6 years. However the General Purposes Committee would be able to consider any of these functions under their terms of reference, should there be a need for Member involvement in a decision.
- 3.10 It is proposed that these changes take place with effect from 20th July 2010 which is the date of the next scheduled meeting of Licensing Committee. This would ensure that there is no gap between Licensing Committee being delegated these functions by Council and Licensing Committee sub delegating relevant functions to the Licensing Sub-Committee and officers.

Training for Members of the Standards Committee

- 3.11 The General Purposes Committee considered a report from the Assistant Chief Executive (Corporate Governance) proposing an amendment to Article 9 of the Constitution in order to make certain training compulsory for Standards Committee Members.
- 3.12 This proposal was first made by the Corporate Governance and Audit Committee on 30th June 2009 after consideration of the Standards Committee's Annual Report, and has since been endorsed by Member Management Committee and Standards Committee.
- 3.13 It is proposed that the following four learning targets within the Standards Committee Training Plan are made compulsory:
- To ensure all independent members of the Committee have the necessary skills to chair meetings of the Committee (in order to Chair the Standards Committee or any of its Sub-Committees).
 - To ensure all members of the Committee have an understanding of the Code of Conduct (in order to sit on any Sub-Committee).
 - To ensure all members of the Committee have the necessary skills to assess or review local complaints (in order to sit on the Assessment and Review Sub-Committee).
 - To ensure all members of the Committee have the necessary skills to conduct a local hearing (in order to sit on the Hearings Sub-Committee).

- 3.14 General Purposes Committee recommend that paragraph 9.3.7 of Article 9 of the Constitution be amended in order to make the above training compulsory. An amended version of Article 9 is shown at **Appendix 3** for approval by full Council.
- 3.15 The wording of paragraph 9.3.7, taken together with the wording within the Standards Committee's Training Programme, will place a requirement on all the Members of the Committee to complete the relevant training prior to undertaking the functions of the Standards Committee (or its Sub-Committees).
- 3.16 The Monitoring Officer will ensure that any gaps in an Elected Member's training are brought to the attention of the Member concerned and where necessary that Member's Leader and Whip. Further, for Parish Members and Independent Members of the Committee, the Monitoring Officer will bring any training gaps to the attention of the relevant Executive Member.

4.0 Implications for Council Policy and Governance

- 4.1 Merging the functions that are considered to be related to the Council's statutory licensing functions into the Licensing Committee, would enable Members to take a more strategic approach to licensing the evening economy. It will also permit the smoother, more efficient and transparent administration of the licensing functions of the Council.
- 4.2 The training of Standards Committee Members will promote consistency of decision making through the assessment, review, consideration and hearing processes, and minimise the risk of successful challenge through the relevant appeals process. This will in turn promote public confidence in the complaints process and reassure Members that complaints against them will be dealt with fairly.

5.0 Legal and Resource Implications

- 5.1 Delegating the functions listed in paragraph 3.3 to Licensing Committee under section 7 (3) of the Licensing Act 2003 mean that the Licensing Committee will always operate as a committee outside the normal local government structure and will always operate to the Licensing Procedure Rules, therefore minimising the risk of error in decision-making.
- 5.3 There will be no increased resource implications as a result of the changes proposed above. Subject to the recommendations of the Independent Remuneration Panel the proposals may produce a saving in special responsibility allowances.

6.0 Conclusions

- 6.1 That full Council should consider the recommendations.

7.0 Recommendations

- 7.1 General Purposes Committee recommend to Council to:
- 7.1.1 Agree that the functions listed in paragraph 3.3 of this report, namely sex establishment licensing, hackney carriage and private hire licensing, the licensing of hypnotism and charitable collections should be agreed as functions which relate to the licensing functions of the Licensing Committee.

- 7.1.2 Arrange for those matters to be referred to the Licensing Committee and for the Licensing Committee to discharge those functions on behalf of the authority with effect from 20th July 2010.
- 7.1.3 Approve the revised Terms of Reference for the Licensing Committee shown at **Appendix 1** to implement the decisions in paragraph 7.1.1 and 7.1.2 above.
- 7.1.4 Agree that references to the Licensing and Regulatory Panel be removed from the Constitution.
- 7.1.5 Approve the revised Article 8 shown at **Appendix 2**.
- 7.1.6 Approve the amendment to the Council Procedure Rules set out in paragraph 3.8 above, namely that paragraph 26.1 (a) and 26.1 (c) of the Council Procedure Rules require changing the references to Regulatory Panel to state Plans Panel.
- 7.1.7 Approve the amended Article 9 shown as **Appendix 3** to make certain training compulsory for Members of the Standards Committee.

Background Documents

- Licensing Committee Terms of Reference
- S101 of the Local Government Act 1972
- Licensing Act 2003
- Gambling Act 2005
- Minutes of Corporate Governance and Audit Committee, 30th June 2009
- Report to Member Management Committee, 13th October 2009
- Minutes of Member Management Committee, 13th October 2009
- Report to Member Management Committee, 16th December 2009
- Minutes of the Standards Committee, 16th December 2009
- Report to Standards Committee, 17th February 2010
- Minutes of Standards Committee, 17th February 2010
- Report to Standards Committee, 22nd April 2010
- Minutes of Standards Committee, 22nd April 2010
- Local Government Act 2000
- Standards Committee (England) Regulations 2008
- Article 9 of the Constitution
- Minutes of General Purposes Committee, 28th June 2010

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The Licensing Committee

With the exception¹ of

- any licensing function under the Licensing Act 2003 (the 2003 Act) or the Gambling Act 2005 (the 2005 Act) reserved to full Council;² or
- any licensing function where full Council has referred a matter to another committee,³

the Licensing Committee is authorised to discharge⁴ the following functions⁵:

1. to discharge the licensing functions of the licensing authority;⁶
- 2.1 to discharge any other function of the authority referred to it by full Council;⁷
- 2.2 pursuant to the provision in section 2.1 above full Council has delegated to the Licensing Committee the following functions:
 - 2.2.1 the power to make a designated public places order in respect of alcohol consumption under the Criminal Justice and Police Act 2001⁸
 - 2.2.2 the power to designate an area as an Alcohol Disorder Zone⁹
 - [2.2.3 hackney carriages and private hire vehicles¹⁰](#)
 - [2.2.4 sexual entertainment venues, sex shops and sex cinemas¹¹](#)
 - [2.2.5 performances of hypnotism¹²](#)

¹ In accordance with Section 7(2) of the 2003 Act or s154 (2) (a) and (c) of the 2005 Act.

² Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2003 Act and under the 2005 Act.

³ Under the provisions of Section 7(5)(a) of the 2003 Act.

⁴ The Committee may arrange for any of its functions to be discharged by one or more sub-committees, or by an officer, subject to the exceptions set out in Section 10(4) of the 2003 Act see also Section 154 of the 2005 Act.

⁵ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

⁶ This includes the power to set fees under Section 212 of the 2005 Act

⁷ Full Council may arrange for the Licensing Committee to discharge any function of the authority which relates to a matter referred to the Committee but is not a licensing function (Section 7(3)). It may also refer a matter to the Committee where a matter relates to both a licensing function and to a function of the authority which is not a licensing function, and arrange for the Committee to discharge the other function (Section 7(5)(b) of the 2003 Act). Before exercising this power, the Council must consult with the Committee.

⁸ Item 49 of Para I of Schedule 1 to the 2000 Regulations

⁹ Item 50 Para I of Schedule 1 to the 2000 Regulations

¹⁰ [Item 3 – 5 of Para. B of Schedule 1 to the 2000 Regulations](#)

¹¹ [Item 15 of Para. B of Schedule 1 to the 2000 Regulations and Section 27 Policing and Crime Act 2009 and Schedule 3 Local Government \(Miscellaneous Provisions\) Act 1982](#)

¹² [Item 16 of Para. B of Schedule 1 to the 2000 Regulations](#)

2.2.6 charitable collections¹³

- 3 in respect of any approval, consent, licence, permission, or registration which they may grant,
 - (a) To impose conditions limitations or restrictions;
 - (b) To determine any terms;
 - (c) To determine whether and how to enforce any failure to comply;
 - (d) To amend, modify, vary or revoke;
 - (e) To determine whether a charge should be made or the amount of such a charge.
4. to make recommendations to full Council in connection with the discharge of its functions as licensing authority;¹⁴ and
5. to receive reports from, and to make recommendations and representations to other committees or bodies as appropriate.¹⁵

¹³ [Item 39 of Para. B of Schedule 1 to the 2000 Regulations](#)

¹⁴ Including recommendations arising from the monitoring of the operation and impact of the licensing or Gambling policy by the Licensing Committee.

¹⁵ Where the licensing authority exercises its power under Section 7(5)(a) of the 2003 Act the other Committee must consider a report of the Licensing Committee. Where the Council does not make arrangements under Section 7(3), it must (unless the matter is urgent) consider a report of the Licensing Committee with respect to the matter before discharging the function (Section 7(4)).

ARTICLE 8 - ~~PLANS~~ PANELS

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8.1 ~~REGULATORY~~ PANELS

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The Council will appoint the ~~plans~~ panels ~~as~~ set out in Part 3 Section 2B of this Constitution to discharge the functions described in Part 3 Section 2A.

8.2 PLANS PANEL MEMBERSHIP

8.2.1 Plans Panels will comprise of no less than 7 and no more than 11 members of Council.

8.2.2 Members of the Plans Panels must complete all compulsory training and shall not sit as a Member of the Panel unless such training has been undertaken in accordance with the Council's prescribed training programme.

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ARTICLE 9 – GOVERNANCE COMMITTEES

9.1 GENERAL PURPOSES COMMITTEE

9.1.1 In accordance with Article 15 the General Purposes Committee has authority to consider proposals for amending the constitution and making recommendations to full Council.

9.2 CORPORATE GOVERNANCE AND AUDIT COMMITTEE

9.2.1 Members of the Executive; and Political Group Leaders and Whips from the administration and the major opposition Group are precluded from being members of the Corporate Governance and Audit Committee.

9.2.2 The Chair of Standards Committee will be a non voting co-opted member of the Committee¹

9.3 STANDARDS COMMITTEE

9.3.1 The Council meeting will establish a Standards Committee.

9.3.2 The Terms of Reference for the Sub-Committees of the Standards Committee are set out in Part 3, Section 2B of the Constitution.

9.3.3 Membership

The Standards Committee will be composed of:

- Seven Elected members of Leeds City Council (Elected Members)
- Four Independent Members (Independent Members); and
- Three Parish Members (a Parish Member).²

9.3.4 Elected Members

9.3.4.1 Shall be Councillors other than the leader, three of whom shall be representatives of the three largest political groups; and of the remaining four, at least one being a representative from a political group not being one of the three largest.

9.3.4.2 A maximum of one Elected Member may also be an Executive Member³.

¹ In accordance with the provisions of S102(3) of the Local Government Act 1972, the Chair of Standards Committee will take no part in any business of the Corporate Governance and Audit Committee relating to the regulation or control of the finance of the authority.

² Following appointment to the Standards Committee a Parish member will remain a Member of the Standards Committee until their term of office on the Committee expires, unless at any such time they cease to be Members of their Parish Council (i.e. they resign, are disqualified or are not re-elected or re-appointed to the Parish Council). A temporary cessation in their membership of their Parish Council during election periods is not to be taken as terminating their appointment to the Standards Committee.

³ Regulation 4(b) Standards Committee (England) Regulations 2008

Article 9 - Governance Committees

9.3.4.3 An Elected Member may also be a Member of a Parish or Town Council in the Leeds City Council Area.

9.3.5 Independent Members

9.3.5.1 Shall be people who are not Members or officers of Leeds City Council or any other Relevant Authority⁴ (although a person who is an independent member of the standards committee of another relevant authority may be appointed as an independent member of the standards committee), and

9.3.5.2 They shall not have been a Member or officer of Leeds City Council within the 5 years preceding the date of their appointment, and

9.3.5.3 They shall not be a relative or close friend of a Member or officer of Leeds City Council.⁵

9.3.5.4 Appointment of a new Independent Member to the Standards Committee will be made by Full Council upon the recommendation of a panel. The Panel will include the Assistant Chief Executive (Corporate Governance) and the Chair of the Standards Committee.

9.3.5.5 An Independent Member shall not be appointed to serve more than two terms.

9.3.5.6 Independent Members will be entitled to vote at meetings.

9.3.5.7 The Chair of the Committee will be appointed from the Independent Members appointed to it.⁶

9.3.6 Parish Members

9.3.6.1 Shall be Members of a Parish or Town Council wholly or mainly in the Leeds City Council's area, and

9.3.6.2 Shall not also be Members of Leeds City Council⁷

9.3.6.3 A Parish Member must be present when matters relating to Parish Councils or their Members are being considered. The Parish Member is entitled to vote.

9.3.7 Sub-Committees of the Standards Committee

Members of the Sub-Committees of the Standards Committee must complete all compulsory training in accordance with the Standards Committee Training Programme.⁸

⁴ Section 49(6) Local Government Act 2000

⁵ Regulation 5 (2 & 3) Standards Committee (England) Regulations 2008

⁶ Section 53(4) Local Government Act 2000

⁷ Regulation 4(2) Standards Committee (England) Regulations 2008

⁸ The Monitoring Officer will ensure that any gaps in an Elected Member's training are brought to the attention of the Member concerned and where necessary that Member's Leader and Whip. Further, for Part 2 Article 9

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9.3.7.1 Assessment Sub-Committee

The Standards Committee shall appoint an Assessment Sub-Committee to exercise the function of assessing allegations of misconduct made against Members and determining whether the allegations should be referred to the Monitoring Officer⁹ for investigation or other action.¹⁰

The Sub-Committee membership will be composed of one Independent Member, two Elected Members and one Parish Member¹¹.

The Chair of the Assessment Sub-Committee will be appointed from the Independent Members appointed to the Standards Committee.¹²

9.3.7.2 Review Sub-Committee

The Standards Committee shall appoint a Review Sub-Committee to exercise the function of reviewing a decision made by the Assessment Sub-Committee that no action should be taken in relation to an allegation.¹³

The Sub-Committee membership will be composed of one Independent Member, two Elected Members and one Parish Member¹⁴. Members of the Assessment Sub-Committee which made the initial assessment of an allegation will not be eligible for membership of the Review Sub-Committee in relation to the same allegation.

The Chair of the Review Sub-Committee will be appointed from the Independent Members appointed to the Standards Committee.¹⁵

9.3.7.3 Consideration Sub-Committee

The Standards Committee shall appoint a Consideration Sub-Committee to hold consideration meetings¹⁶.

The Sub-Committee membership will be composed of one Independent Member, two Elected Members and one Parish Member¹⁷. Members of the Assessment or

Parish Members and Independent Members of the Standards Committee, the Monitoring Officer will bring any training gaps to the attention of the relevant Executive Member.

⁹ Or to the Standards Board for England Section 57A(2)(b) Local Government Act 2000

¹⁰ ¹⁰ Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

¹¹ The Parish Member only need attend if the matters being discussed by the Sub-Committee involve a Town/Parish Council Member.

¹² Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

¹³ Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008, and Section 57B Local Government Act 2000

¹⁴ The Parish Member only need attend if the matters being discussed by the Sub-Committee involve a Town/Parish Council Member.

¹⁵ Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

¹⁶ Regulation 17, Standards Committee (England) Regulations 2008 No. 1085/2008

Article 9 - Governance Committees

Review Sub-Committee which made the decision to refer an allegation for investigation will be eligible for membership of the Consideration Sub-Committee in relation to the same allegation.

The Chair of the Consideration Sub-Committee will be appointed from the Independent Members appointed to the Standards Committee.¹⁸

9.3.7.4 Hearings Sub-Committee

The Standards Committee shall appoint a Hearings Sub-Committee to hold determination hearings¹⁹.

The Sub-Committee membership will be composed of two Independent Members, two Elected Members and one Parish Member. Members of the Assessment Sub-Committee or Review Sub-Committee who referred the allegation for investigation, or the Consideration Sub-Committee who referred the allegation to the Hearings Sub-Committee, will be eligible for membership of the Hearings Sub-Committee in relation to the same allegation.

The Chair of the Hearings Sub-Committee will be the Chair of the Standards Committee or his nominee, chosen from the Independent Members appointed to the Standards Committee.²⁰

¹⁷ The Parish Member only need attend if the matters being discussed by the Sub-Committee involve a Town/Parish Council Member.

¹⁸ Regulation 6, Standards Committee (England) Regulations 2008 No.1085/2008

¹⁹ Regulation 18, Standards Committee (England) Regulations 2008 No. 1085/2008

²⁰ Regulation 6(2), Standards Committee (England) Regulations 2008 No. 1085/2008

EXECUTIVE BOARD

WEDNESDAY, 28TH APRIL, 2010

PRESENT: Councillor A Carter in the Chair

Councillors R Brett, J L Carter, S Golton,
R Harker, P Harrand and K Wakefield

Councillor R Lewis - Non-voting advisory member

231 Exclusion of the Press and Public

RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as 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:-

Appendix 1 to the report referred to in minute 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 disclosure as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) which if disclosed to the public would, or would be likely to prejudice the commercial interests of that person or of the Council.

232 Late Items

The Chair had agreed that the meeting be called at short notice in order to consider the one item of business considered to be urgent because the Administrator had advised the Council that the offers it had received needed to be determined in the next few days otherwise one or more of them may be withdrawn. On this basis the Council's stance whether to support any of the offers or not could not wait until the next scheduled Executive Board (19 May 2010)

233 Declaration of Interests

Councillor Wakefield declared a personal and prejudicial interest as a consequence of a close personal association connected to Farsley Celtic. Having declared his interest Councillor Wakefield left the meeting.

234 Farsley Celtic Administration

The Director of City Development submitted a report on the potential acquisition of the site of Farsley Celtic Football Club from the Administrator to ensure the continued use of the site for football for the benefit of the West Leeds area.

The report presented the options of supporting a third party offer to purchase the site, of taking no action or of the Council acquiring the site.

Following consideration of Appendix 1 to the report designated as exempt under Access to information Procedure Rule 10.4 (3) and considered in private at the conclusion of the meeting it was

RESOLVED –

- (a) That the acquisition of the Throstle Nest site identified on Plan 1 attached to the report from the Administrator (at the value identified in the report and on final terms approved by the Chief Asset Management Officer) be approved.
- (b) That approval be given to the immediate sub-sale of the main football ground identified on Plan 2 as circulated at the meeting and as set out in the report with the conditions outlined in Option 3 imposed to restrict future use with final terms delegated to the Chief Asset Management Officer.
- (c) That the Council land shown in Plan 2 be provided to facilitate the Chartford Homes S106 Agreement through the provision of a lease for twenty five years at less than best consideration (Members being satisfied that to do so would promote/improve the social, economic or environmental wellbeing of the area/local residents).
- (d) That approval be given to the provision of the sports hall and associated car park through the provision of a lease for 25 years at less than best consideration on the basis that the tenant meets the community use obligations of the Council (Members being satisfied that to do so would promote/improve the social, economic or environmental wellbeing of the area/local residents).
- (e) That approval be given to the injection of the amount identified in the report into the Capital Programme and that Authority to Spend in the same amount be given to finance the above transactions, of which an amount as identified in the report is unfunded and will be addressed during the Quarter 1 Review of the Capital Programme in July 2010.
- (f) That the Board notes that reference to the report was not included in the Forward Plan of Key Decisions and agrees that the decision be exempt from Call In.

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EXECUTIVE BOARD

WEDNESDAY, 19TH MAY, 2010

PRESENT: Councillor A Carter in the Chair

Councillors R Brett, J L Carter, R Finnigan,
S Golton, J Monaghan, J Procter and
K Wakefield

Councillor R Lewis – Non-voting advisory member

235 Minutes

RESOLVED – That the minutes of the meetings held on 7th April and 28th April 2010 respectively be approved as a correct record.

CHILDREN'S SERVICES

236 Councillor Richard Harker

The Board paid tribute to and thanked Councillor Richard Harker for his services to the Council and Executive Board, who up until the recent local election had held the position of Executive Member for Learning.

237 Outcome of Statutory Notices for Changes to Primary Provision for September 2010, 2011 and 2012

Further to Minute Nos. 192 and 193, 12th February 2010, the Chief Executive of Education Leeds submitted a report detailing the representations received in response to the publication of Statutory Notices regarding proposals to expand primary provision and establish community specialist provision for implementation between September 2010 and September 2012.

The minutes from the School Organisation Advisory Board (SOAB) meeting held on 10th May 2010 were circulated to Members prior to the meeting as appendix 1 to the report.

RESOLVED –

- (a) That the responses to the statutory notices be noted;
- (b) That the views of School Organisation Advisory Board (SOAB), as detailed at appendix 1 to the report, with respect to the proposals where objections have been received, be noted;
- (c) That the proposed alterations at 18 of the 19 schools, as detailed at paragraph 3.2 of the submitted report, be approved. Namely:
 - (i) permanently expand 14 primary schools for 2010; and
 - (ii) linked permanent expansion, and establishment of community specialist provision for up to 14 pupils with Special Educational Needs (SEN) arising from physical disabilities at New Bewerley Primary School for 2010; and

Draft minutes to be approved at the meeting
to be held on Wednesday, 16th June, 2010

- (iii) linked permanent expansion, and establishment of community specialist provision for up to 14 pupils with SEN arising from physical disabilities at Whitkirk Primary School for 2010; and
 - (iv) permanently expand Gildersome Primary School for 2011; and
 - (v) permanently expand Richmond Hill Primary School for 2012.
- (d) That the withdrawal of the proposal for expansion of Brudenell Primary School be approved.

238 Response to Scrutiny Board (Children's Services) Inquiry Report into Meadowfield Primary School

The Chief Executive of Education Leeds submitted a report presenting responses to the recommendations arising from the Scrutiny Board (Children's Services) inquiry into Meadowfield Primary School.

RESOLVED – That the proposed responses to the recommendations of the Scrutiny Board (Children's Services) be approved.

ADULT HEALTH AND SOCIAL CARE

239 Councillor Peter Harrand

The Board paid tribute to and thanked Councillor Peter Harrand, Executive Member for Adult Health and Social Care, for his services to the Board. Councillor Harrand, who had submitted his apologies for absence from this meeting, had recently indicated his intention not to continue in his role of Executive Member following the conclusion of the current municipal year.

240 Telecare Equipment for the Leeds Telecare Service 2010/2011 - Capital Scheme 15989

The Director of Adult Social Services submitted a report outlining proposals to purchase Telecare equipment for the Leeds Telecare Service from April 2010 to March 2011.

RESOLVED – That the release of £1,000,000 capital expenditure for the Leeds Telecare Service from April 2010 to March 2011 be authorised.

241 Response to Scrutiny Board (Adult Social Care) Inquiry Report into Self Directed Support and Personal Budgets

The Director of Adult Social Services submitted a report presenting responses to the recommendations arising from the Scrutiny Board (Adult Social Care) inquiry into Self Directed Support and Personal Budgets.

Members noted that a monitoring exercise on the uptake of Self Directed Support provision was to be undertaken on a Ward basis.

RESOLVED – That the proposed responses, as detailed within the submitted report, be approved.

CENTRAL AND CORPORATE

242 Constitutional Matters: Amendments to the Executive Procedure Rules and Delegation of an Executive Function to Sheffield City Council

The Assistant Chief Executive (Corporate Governance) submitted a report outlining proposed amendments to the Council's Constitution in respect of executive matters following the annual review of the Constitution. The report also outlined details regarding a proposed delegation of an executive function to another authority.

RESOLVED –

- (a) That the revised Executive Procedure Rules, with the amendments detailed in appendix 1 to the submitted report, be approved with effect from the 27th May 2010;
- (b) That under the provisions of the Local Government Act 2000 and Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2000, the executive function of making payments of Home Improvement Loans (or similar new schemes and payments identified by the Director of Environment and Neighbourhoods, in consultation with the Executive Member), approved under the Leeds City Council Private Sector Housing Assistance Policy in accordance with the Regulatory Reform (Housing Assistance) Order 2002, be delegated to the executive of Sheffield City Council;
- (c) That subject to legal advice, officers be authorised to enter into a tripartite agreement with Sheffield City Council and Leeds City Credit Union Ltd to allow the provision of Home Improvement Loans within Leeds.

243 Response to the Scrutiny Board (Central and Corporate) Inquiry Report into Consultant Engagement

The Director of Resources and the Assistant Chief Executive (Corporate Governance) submitted a joint report presenting responses to the recommendations arising from the Scrutiny Board (Central and Corporate) inquiry into consultant engagement.

RESOLVED – That the responses from the Director of Resources and Assistant Chief Executive (Corporate Governance), as outlined within the submitted report, be approved.

DEVELOPMENT AND REGENERATION

244 A653 Dewsbury Road Bus Priority Measures: Ring Road Beeston Park Bus Lane

The Director of City Development submitted a report outlining proposals for the implementation of a scheme to provide a new northbound bus lane on Ring Road Beeston Park and to improve the junction of Ring Road Beeston Park with the A653 Dewsbury Road, as part of the Local Transport Plan programme for improving the quality of bus services in the city.

RESOLVED –

- (a) That the contents of the submitted report be noted;
- (b) That approval be given to the Ring Road Beeston Park Bus Lane proposal, as detailed at drawing number HDC/713450/CO1 which is appended to the submitted report, at an estimated cost of £3,200,000;
- (c) That authority be given to incur additional expenditure of £2,620,000, comprising £2,510,000 works costs and £110,000 staff costs, to be met from the Integrated Transport Scheme 99609, within the agreed Capital Programme; and
- (d) That previous approvals totalling £580,000, comprising £230,000 staff costs, £120,000 ancillary costs, £220,000 for advance statutory undertakers' diversion costs and £10,000 for advance site clearance costs, be noted.

NEIGHBOURHOODS AND HOUSING

245 Cross Green Group Repair - Phase 1

The Director of Environment and Neighbourhoods submitted a report outlining proposals to utilise Single Regional Housing Pot funding on the first phase of the Group Repair scheme within the Cross Green area.

RESOLVED –

- (a) That authority be given to the injection into the Capital Programme of £171,000 from owner occupiers.
- (b) That authority to spend £630,000 from Holbeck Ph4 A&D scheme be rescinded.
- (c) That the transfer of £630,000 government grant from Holbeck Phase 4 to Cross Green Group Repair Ph1 be authorised.
- (d) That scheme expenditure to the amount of £1,891,000 on Cross Green Group Repair Phase 1, be authorised.

246 ALMO Land Assembly in East Leeds

The Director of Environment and Neighbourhoods submitted a report providing an update on the clearance of sites by the Council's Arms Length Management Organisations (ALMOs) in the East and South East Leeds (EASEL). The report also sought approval of the general fund contribution to the costs of acquiring and demolishing houses in private ownerships on such sites.

RESOLVED –

- (a) That the injection of £2,582,000 of General Fund resources to cover the balance of the 2009/10 and projected 2010/11 expenditure, funded initially from unsupported borrowing but to be recompensed from EASEL site receipts in future, be approved; and

Draft minutes to be approved at the meeting
to be held on Wednesday, 16th June, 2010

- (b) That expenditure of £8,425,000 as the costs for the acquisition and demolition of the private sector houses, dealt with as part of the rationalisation of housing stock by East North East Homes Ltd., be authorised.

247 The Review of the Council's Lettings Policy

Further to Minute No. 50, 22nd July 2009, the Director of Environment and Neighbourhoods submitted a report providing an update on the progress made with respect to the reviewing of the Council's lettings policy, the improvements in the management of lettings and tenancies, the development of a framework for lettings to all new affordable housing schemes and the timescales for full consultation and implementation of a revised lettings policy.

RESOLVED –

- (a) That the Director of Environment and Neighbourhoods together with the Council's Assistant Chief Executive (Corporate Governance) develop the proposals, as detailed within the submitted report, into recommendations for change to be incorporated into a revised lettings policy and guidance.
- (b) That an equality impact assessment be undertaken on the potential impact of the proposed lettings policy changes.
- (c) That the proposals, as detailed within the submitted report and including references made during the meeting to the prioritisation criteria for households with dependent children, be consulted upon with a view to a revised lettings policy being prepared and submitted to the October 2010 meeting of Executive Board.

DATE OF PUBLICATION: 21st May 2010
LAST DATE FOR CALL IN: 28th May 2010

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on 1st June 2010)

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EXECUTIVE BOARD

TUESDAY, 22ND JUNE, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors A Blackburn, J Blake, A Carter,
S Golton, P Gruen, R Lewis, T Murray,
A Ogilvie and L Yeadon

Councillor J Dowson – Non-voting advisory member

1 Chair's Opening Remarks

The Chair welcomed all in attendance to the meeting and thanked his predecessors, Councillors A Carter and Brett, for the equitable way in which they had conducted previous Board meetings.

2 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated as 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 2 to the report referred to in Minute No. 14 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains information relating to the business and financial affairs of the Council, and disclosure of such information would, or would be likely to, prejudice the commercial interest of the Council in securing best value for money solutions in the future.
- (b) The appendices and the Final Business Case (FBC) document referred to in Minute No. 15 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that publication could prejudice the Council's commercial interests, as both the appendices and the FBC (lodged with the clerk to this Executive Board and available for inspection by Members of Executive Board) include matters where final negotiations on the Contract are not yet complete, and these negotiations are confidential between the City Council, the Local Education Partnership (LEP) and the Environments for Learning (E4L) Consortium. In addition, both the appendices and the FBC contain sensitive commercial information supplied to the City Council by E4L. In these circumstances it is considered that the public interest in not disclosing this commercial information outweighs the interests of disclosure.
- (c) Appendix 1 to the report referred to in Minute No. 21 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that

Draft minutes to be approved at the meeting
to be held on Wednesday, 21st July, 2010

the information contained within the appendix relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the disposal of the property/land then it is not in the public interest to disclose this information at this point in time. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

3 Declaration of Interests

Councillor Blake declared a personal interest in the item referred to in Minute No. 20, as a trustee of the Health For All organisation.

Councillor Murray declared a personal interest in the item referred to in Minute No. 16, as a Director of Learning Partnerships.

Councillor Murray declared a personal and prejudicial interest in the item referred to in Minute No. 5, due to his involvement in a charitable organisation involved in the running of a Kirkgate Market stall.

Councillor Wakefield declared a personal interest in the item referred to in Minute No. 10, as a stakeholder in Tiger 11.

Further declarations of interest were made at later points in the meeting (Minute Nos. 19 and 24 refer).

4 Minutes

RESOLVED – That the minutes of the meeting held on 19th May 2010 be approved as a correct record.

DEVELOPMENT AND REGENERATION

5 Deputation to Council - The National Federation of Market Traders on behalf of Kirkgate Market Traders regarding the Strategy for Leeds Market

The Director of City Development submitted a report in response to the deputation to Council from the National Federation of Market Traders on behalf of Kirkgate Market Traders on the 21st April 2010.

RESOLVED -

- (a) That the contents of the submitted report and the actions being taken to support the market be noted.
- (b) That endorsement be given to the proposal that following a review of markets management and consultation with Trades Unions, a permanent Markets Manager post is created and that the Council's normal recruitment policies are followed for a post of this grade.
- (c) That there be no immediate rent reduction, but that an independent rent review be undertaken and that the charges for extending produce beyond stalls into the 'Yellow Line' area be reduced and that administrative charges for a change in use etc. be reviewed and that notice periods be reduced from six to three months in line with notice periods of other commercial Council leases.
- (d) That there be no reduction in car parking charges.
- (e) That a fully costed report on the condition of the whole of the market be submitted to a future meeting of Executive Board.
- (f) That tenants continue to be encouraged to take advantage of the Business Support Scheme.

(Having declared a personal and prejudicial interest in this item, Councillor Murray left the meeting for the duration of this item).

RESOURCES AND CORPORATE FUNCTIONS

6 Final Statement and Recommendations of the Scrutiny Board (City and Regional Partnerships) on the Kirkstall Joint Service Centre

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report in response to the recommendations detailed within the Scrutiny Board (City and Regional Partnerships) statement regarding Kirkstall Joint Service Centre.

The Chair of the Scrutiny Board at the time the inquiry was undertaken attended the meeting to present the Board's findings.

RESOLVED - That the proposed responses to the recommendations of the Scrutiny Board (City and Regional Partnerships) be approved.

DEVELOPMENT AND REGENERATION

7 Response to Scrutiny Board (City Development) Inquiry into the Method by which Planning Applications are Publicised and Consultation Undertaken

The Director of City Development submitted a report in response to the recommendations arising from the Scrutiny Board (City Development) inquiry into the method by which planning applications were publicised and consultation was undertaken.

The Chair of the Scrutiny Board at the time the inquiry was undertaken attended the meeting to present the Board's findings.

RESOLVED - That the proposed responses to the Scrutiny Board (City Development) recommendations be approved.

8 Response to Scrutiny Board (City and Regional Partnerships) Inquiry into Integrated Transport Strategies for Leeds and the Wider Region

The Director of City Development submitted a report in response to the recommendations arising from the Scrutiny Board (City and Regional Partnerships) inquiry into integrated transport strategies for Leeds and the wider region.

The Chair of the Scrutiny Board at the time the inquiry was undertaken attended the meeting to present the Board's findings.

RESOLVED - That the Director of City Development's responses to the recommendations of the Scrutiny Board (City and Regional Partnerships) inquiry into "Integrated Transport Strategy for Leeds and the Wider Region", be approved.

NEIGHBOURHOODS AND HOUSING

9 Response to Scrutiny Board (Environment and Neighbourhoods) Statement regarding the Procurement of Housing Contracts

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations detailed within the Scrutiny Board (Environment and Neighbourhoods) statement regarding the procurement of housing contracts.

The Chair of the Scrutiny Board at the time the inquiry was undertaken attended the meeting to present the Board's findings.

RESOLVED – That the proposed responses to the recommendations of the Scrutiny Board (Environment and Neighbourhoods) be approved.

LEISURE

10 South Leeds Sports Centre

Further to Minute No. 79, 26th August 2009, the Chief Recreation Officer submitted a report outlining proposals to extend the Council's management of South Leeds Sports Centre for up to four months, in order to allow continuity of service pending a decision in relation to a possible community asset transfer.

RESOLVED –

- (a) That the postponement of the closure of South Leeds Sports Centre for up to four months from the current approved date of 21st June 2010 be

approved, and a further report regarding the proposed community asset transfer be submitted to the Board within that period of time.

- (b) That the financial implications of continued opening, which will be met by the reprioritising of resources in the City Development Directorate, be noted.

11 Woodhouse Moor Park Barbecue Use

Further to Minute No. 66, 26th August 2009, the Director of City Development submitted a report providing an update on the actions taken following a previous Executive Board decision regarding barbecue usage on Woodhouse Moor, detailing a summary of the research and consultation undertaken in respect to this issue and outlining proposals to address future barbecue usage on the site.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the enforcement of existing byelaws outlawing barbecue usage at Woodhouse Moor Park continue as an alternative to trialling a designated barbecue area on the site.

ADULT HEALTH AND SOCIAL CARE

12 Deputation to Council - The Access Committee for Leeds regarding 'Adult Social Care: The Real Deal'

The Director of Adult Social Services submitted a report in response to the deputation to Council from the Access Committee for Leeds on 21st April 2010.

RESOLVED –

- (a) That the concerns raised by the deputation be noted and members of the Leeds Access Committee be thanked for bringing this matter to the attention of the Council.
- (b) That Adult Social Care's approach to tackling the issues raised by the deputation be noted, all of which form part of the Council's commitment to 'Putting People First' and its four key principles of early intervention and prevention, empowering people through choice and control, universal services and developing social capital.
- (c) That Adult Social Care's commitment to developing good practice by issuing additional professional guidance notes to all staff when conducting assessments for vulnerable adults, particularly where support is required to access signposted services, be noted.
- (d) That Adult Social Care's commitment to developing good practice by taking steps to ensure all service users are aware of their right to make representations regarding the outcome of their assessment, be noted.

13 Leeds Safeguarding Adult Partnership Board Report 2009/2010

The Director of Adult Social Services submitted a report presenting for approval the Leeds Safeguarding Adults Partnership Board annual report for 2009/10, in addition to the Board's work plan for 2010/11.

RESOLVED – That the content of the 2009/2010 annual report be noted, and that the 2010/2011 work programme for the Adult Safeguarding Partnership Board be endorsed.

14 Social Care Systems Review

The Director of Adult Social Services, the Interim Director of Children's Services and the Director of Resources submitted a joint report outlining proposals for the implementation of new social care business solutions, which were aimed at radically improving the access, assessment, commissioning, provision, management and monitoring of Social Care in Leeds.

Following consideration of appendix 2 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 approval be given to incur expenditure as detailed within exempt appendix 2, in order to develop the existing information systems (ESCR) and implement the associated business changes required to support the service improvement and transformational plans in Social Care, as outlined within the submitted report.
- (b) That the staffing resource costs to produce further reports and associated business cases for Executive Board approval in respect of the development and implementation of replacement business solutions to meet ongoing and future demands be approved.
- (c) That Board Members' views be sought in relation to the areas that those future reports referred to in recommendation (b) above should focus upon.

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

15 Leeds Holt Park Wellbeing Centre Project: Submission of the Final Business Case and Execution of the Contract for the new Holt Park Wellbeing Centre

Further to Minute No. 189, 12th February 2010, the Directors of Resources, City Development and Adult Social Services submitted a joint report providing an update on the Holt Park Wellbeing Centre project, and which sought the necessary approvals to facilitate the submission of the Final Business Case (FBC) to the Department of Health and the execution of the project's contract documentation.

With the Chair's agreement, an updated set of recommendations for this item were circulated at the commencement of the meeting. The recommendations had been revised in response to the recent announcement by the Government that the Holt Park Wellbeing Centre was one of a number of projects to be suspended pending the Government's Comprehensive Spending Review.

Following consideration of the appendices to the report, designated as exempt under Access to Information Procedure Rule 10.4(3) which were considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the final scope of the Holt Park Wellbeing Centre Project (Project), as set out in the submitted report, be noted and confirmed.
- (c) That the submission of the FBC to the Department of Health be approved and that the Director of City Development be authorised to make any necessary amendments to the FBC. (The Final Business Case covers the Holt Park Wellbeing Centre Project financed through the Government's Private Finance Initiative).
- (d) That the demolition of the existing leisure centre in advance of opening the new Wellbeing Centre, subject to further consultation once the outcome of the spending review is known, be approved in principle.
- (e) That approval be given to the financial implications for the Council of entering into the Project, and agreement be given to the maximum affordability ceiling for the Council in relation to the PFI of £2,428,000 in the first full year of service commencement (2012/13), as set out in exempt Appendix 1 to the submitted report, but subject to resolution (i) (below), should the SWAP rate exceed 5.00%.
- (f) That the balance sheet treatment for the Project be noted.
- (g) That it be noted that the project is one of a number suspended as part of the Government's Comprehensive Spending Review, but that the Department of Health review of, and the Council input into the FBC continue (together with the progress with the Leeds Local Education Partnership (LEP) of any significant outstanding matters on the new project approval process which impact upon the process for the approval of the FBC).
- (h) That, whilst noting the financial close cannot take place until and unless the Government confirms the availability of PFI Credits and the FBC approval, approval be given to the arrangements for Financial Close and the implementation of the Project to include (but not by way

of limitation) the award/entry into a PFI Project Agreement to a special purpose company to be established under terms agreed between the City Council and the LEP, and

in connection therewith, the arrangements at paragraph 5.4 of the submitted report be confirmed, and (for the avoidance of doubt) authorisation be given to the exercising of delegated powers (as set out at Part 3 Section 3E of the Constitution in relation to PPP/PFI and other Major Property and Infrastructure Related projects), in relation to this Project, by the Director of City Development (or delegee) in consultation with the Director of Adult Social Care (or delegee).

- (i) That authority be delegated to the Director of City Development, or her nominee, to approve the completion of the project should the SWAP rate exceed 5.00% but be less than 5.50% at the time of Financial Close up to a maximum affordability ceiling of £2,500,000 in 2012/13 terms.

RESOURCES AND CORPORATE FUNCTIONS

16 Reductions in Grants to Local Authorities 2010/2011

The Director of Resources submitted a report providing details of the reductions in grants to local authorities as part of the Government's accelerated deficit reduction plan at a national level, and detailing information, in so far as it was available, as to the impact of the grant reductions on this Council.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That a detailed report be submitted to the July meeting of Executive Board on the implications for Leeds and the options available to meet the funding gap.

17 Financial Performance - Outturn 2009/2010

The Director of Resources submitted a report presenting the Council's financial outturn position for 2009/2010, including both revenue and capital and the Housing Revenue Account. The report also detailed revenue expenditure and income compared to the approved budget and reported on the outturn for Education Leeds and the Arms Length Management Organisations (ALMOs).

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the contributions to, and the use of, Housing Revenue Account reserves, as outlined within the report, be agreed.

18 Corporate Performance Report 2009/2010 Year End

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report presenting an overview of the Council's performance against the priority outcomes at the 2009/2010 year end.

RESOLVED - That the overall performance position at quarter 4 of 2009/2010 against the strategic priorities and the action planned to further improve or address the performance concerns be noted.

DEVELOPMENT AND REGENERATION

19 Deputation to Council - Wetherby Business Association seeking reinstatement of the Wetherby Historic Market Town Signage on the A1

The Director of City Development submitted a report in response to the deputation to Council from Wetherby Business Association on 21st April 2010.

RESOLVED -

- (a) That the contents of the submitted report be noted.
- (b) That the application for appropriate brown tourist signing for Wetherby from the A1(M), from a third party, for example either the business community in Wetherby or the Wetherby Town Council, be supported.
- (c) That the applicant should fund all associated costs.

(During the course of the discussion on this matter, Councillor Gruen declared a personal interest in this item, due to his employment by the Department for Transport)

20 Granting a New 20 Year Lease at a Peppercorn Rent in respect of the New Middleton Enterprise Centre

Further to Minute No. 170, 6th January 2010, the Director of City Development submitted a report outlining proposals to grant a new 20 year lease to the Health for All (HFA) organisation, at a peppercorn rent in respect of the new Middleton Enterprise Centre.

RESOLVED - That the proposal to grant a 20 year lease to Health for All for the new Middleton Enterprise Centre at a peppercorn rent be approved.

NEIGHBOURHOODS AND HOUSING

21 Disposal of 60, Sholebroke Avenue, LS7 3HB

The Director of Environment and Neighbourhoods submitted a report outlining the options available to the Council with respect to the future of 60, Sholebroke Avenue, LS7 3HB.

Following the conclusion of an options appraisal exercise, the report presented the following four alternatives:

1. An open market sale of the property
2. The refurbishment and letting of the property as a Council house, managed by the relevant Arms Length Management Organisation (ALMO)
3. The Council entering into negotiations with a partner Registered Social Landlord currently managing other stock in the immediate neighbourhood, with a view to them purchasing the property, investing in it and creating a new affordable home.
4. The Council entering into negotiations with a local supported housing provider, with a view to them leasing the property from the Council at a peppercorn rent for a 21 year period.

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 approval be given to progress with Option 3, as detailed above and within the submitted report.
- (b) That the property be declared surplus to the Council's operational requirements
- (c) That approval be given to enter into negotiations with a partner Registered Social Landlord, with the aim of concluding a sale to them which represents the value of the property and which recognises the level of refurbishment needed to bring the property to a decent homes standard.
- (d) That approval be given to covenant the sale, in order that the property is retained in perpetuity as a socially rented family home and that the Council retains nomination rights in respect of lettings.

- 22 Government Review of Council Housing Finance: The Council's Response to the Consultation Paper: "Council Housing: A Real Future"**
 The Director of Environment and Neighbourhoods and the Director of Resources submitted a joint report providing a proposed response to the Government's consultation paper entitled, "Council Housing: A Real Future".

RESOLVED -

- (a) That the proposed response to the Government's consultation paper "Council Housing: A Real Future" be agreed.
- (b) That this decision be exempt from Call In, as there is insufficient time for the Call In process to be concluded prior to the closing date for responses to the consultation exercise.

ENVIRONMENTAL SERVICES

23 Grounds Maintenance Contract

The Director of Environment and Neighbourhoods submitted a report outlining the progress made to date in relation to the procurement of a new grounds maintenance contract for the Council, recommending a proposed approach to the contract's packaging and procurement, whilst also informing of a proposed revision to the contract start date.

RESOLVED –

- (a) That the progress made to date regarding the procurement of a new grounds maintenance contract be noted.
- (b) That the contract administration and monitoring arrangements, as set out in the submitted report, be approved.
- (c) That approval be given to the contract being advertised on the basis of one, single city-wide contract, with the option to require a variant bid to allow interested Parish or Town Councils to tender for work within their areas.
- (d) That approval be given to a contract being advertised for five years with the option to extend for up to a further five years.
- (e) That the contract with Glendale and ATM be extended until 31st December 2011, subject to the issue of a transparency notice.
- (f) That a contingency sum of £60,000 in year 1 (financial year 2012/2013) and £20,000 in year 2 onwards, be allocated to enable any future orphan sites identified to be properly maintained.

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

24 Strategic Review of Household Waste Sorting Sites and Bring Sites

The Director of Environment and Neighbourhoods submitted a report providing an update on the current provision and performance of Household Waste Sorting Sites (HWSS) and Bring Sites in Leeds, outlining issues which influence their usage and effectiveness and recommending options in relation to spatial policy and joint working with neighbouring authorities.

RESOLVED -

- (a) That the permanent closure of the Calverley Bridge zero waste site be approved.
- (b) That approval be given to maintaining the current free access of border HWSS by residents from neighbouring authorities, on the proviso that protocols and procedures to account for the shared cost of the provision of facilities, on a site by site basis, are developed and subject to continuous review.

- (c) That the development of joint working with neighbouring authorities North Yorkshire and Wakefield in parallel with the undertaking of a revised replacement site search, to be carried out during the interim period before Gamblethorpe closes upon completion of East Leeds redevelopment, be commended.
- (d) That approval be given to the redevelopment of the HWSS at Kirkstall Road and modernisation of the existing transfer station by means of an injection of £3,800,000 into the Capital Programme, with a full design and cost report (DCR) and business case being prepared and submitted to Executive Board for approval when the detailed plans have been fully worked up and costed. At this stage it is proposed to fund the redevelopment of the site using a DEFRA grant (£500,000) and unsupported borrowing, with the borrowing repayments being funded from savings made as part of the overall HWSS review. The scale of the revenue repayment will be dependant upon the use of the £1,050,000 currently identified for a replacement site for Gamblethorpe, as set out in paragraph 5.5.4 of the submitted report.
- (e) That approval be given to the further review of operational practices, in order to deliver a consistently high performance across all sites, with a further report being submitted to a future meeting of Executive Board.
- (f) That approval be given to the maintenance and development of the current complementary bring site infrastructure, whilst continuing to evaluate the effectiveness of bring site provision.

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

(During the course of the discussion on this matter, Councillor Golton declared a personal interest in this item, as a user of the Gamblethorpe site)

CHILDREN'S SERVICES

25 Updated Statements of Purpose for the Fostering and Adoption Services of Leeds City Council

The Interim Director of Children's Services submitted a report presenting for approval the revised statements of purpose for Leeds City Council's Fostering and Adoption Services.

RESOLVED – That the Statements of Purpose for both the Fostering and Adoption services of Leeds City Council be approved.

26 Building Schools for the Future Phase 2 - Farnley Park Maths and Computing College

Further to Minute No. 151, 9th December 2009, the Chief Executive of Education Leeds submitted a report presenting for approval and submission

to Partnerships for Schools (Pfs) the Final Business Case (FBC) for the Farnley Park Maths and Computing College project.

RESOLVED – That the submission of the Final Business Case for the Farnley Park Maths and Computing College Project to Partnerships for Schools be approved.

27 Outcomes of the Consultation on the Proposals for the West Leeds Specialist Inclusive Learning Centre (SILC)

Further to Minute No. 154, 9th December 2009, the Chief Executive of Education Leeds submitted a report providing the outcomes from the public consultation exercise undertaken with respect to the proposed relocation of the West Leeds Specialist Inclusive Learning Centre (SILC) modular building at Farnley Park Maths and Computing College to Bruntcliffe High School. The report also outlined an alternative proposal formulated in response to the feedback received.

RESOLVED –

- (a) That the outcome of the formal public consultation exercise on the relocation of the West SILC modular building at Farnley Park Maths and Computing College to Bruntcliffe High School be noted.
- (b) That the alternative proposal formulated in response to the public consultation, to make provision for the pupils currently educated on the Farnley Park site at the West SILC Milestone site, be noted.

28 Response to Scrutiny Board (Children's Services) Inquiry Statement regarding School Attendance

The Chief Executive of Education Leeds submitted a report in response to the recommendations detailed within the Scrutiny Board (Children's Services) statement regarding school attendance.

RESOLVED – That the proposed responses to the recommendations of the Scrutiny Board (Children's Services) be approved.

DATE OF PUBLICATION: 24th June 2010
LAST DATE FOR CALL IN: 1st July 2010 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 2nd July 2010)

Draft minutes to be approved at the meeting
to be held on Wednesday, 21st July, 2010

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SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 7TH JUNE, 2010

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, D Blackburn,
K Groves, M Hamilton, J Hardy, A Lowe
and N Taggart

1 **Chair's Opening Remarks**

The Chair welcomed Members and officers to the first meeting of the Board in the 2010/11 municipal year, and Members and officers introduced themselves.

2 **Declarations of Interest**

No declarations of interest were made.

3 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors J L Carter, B Chastney, and J Lewis.

4 **Co-opted Members**

The Head of Scrutiny and Member Development submitted a report in respect of the appointment of co-optees onto Scrutiny Boards.,

Arising from specific discussions in relation to Procurement matters, it was the consensus of the Board to co-opt someone with a procurement or contract background when discussing this issue.

The Head of Scrutiny and Member Development responded and agreed to investigate who the most appropriate person may be and report back to the Board.

RESOLVED –

- (a) That the contents of the report be noted.
- (b) That the Board consider on an ad hoc basis the need to appoint co-optees as and when the need may arise in relation to a particular Inquiry or specifically when discussing procurement matters.

5 **Input to the Work Programme 2010/11 - Sources of Work and Establishing the Board's Priorities**

The Head of Scrutiny and Member Development submitted a report to assist the Board to develop its work programme for the 2010/11 municipal year. This included an executive summary of, and the improvement priorities identified in, the Council's Business Plan 2008-2011, a list of work undertaken by this Board and a copy of the relevant extract from the Council's Forward Plan of Key Decisions for the period 1st June to 30th September 2010.

In attendance at the meeting and responding to Members' queries and comments were:-

Nicole Jackson, Assistant Chief Executive (Corporate Governance)
James Rogers, Assistant Chief Executive (Planning Policy and Improvement)
Doug Meeson, Chief Officer (Financial Management), Resources

At the request of the Chair, the above officers outlined their individual responsibilities and key roles for their particular service area for the information/comment of the meeting.

Arising from these discussions, the Chair and Board Members identified the following issues for potential scrutiny for the new municipal year:-

- Business Transformation Project
- Draft Enforcement Policy
- Costs of communications
- Employment issues around diversity within the workforce
- The Social Responsibility Programme
- Procurement around specific issues e.g. how, during a tender exercise, any material change to the original specification may or may not result in a fresh tender being advertised, efficiency savings and renewables and the need to look at the evaluation criteria
- Budget scenario planning
- Partnerships
- Equality and Diversity Scheme
- Joint Services
- New Vision for Leeds 2011-2030
- Leeds Strategic Plan

The above officers responded to the individual comments made by the Board.

In conclusion the Chair thanked officers for their attendance and the manner in which they had responded to Members' queries and comments.

RESOLVED – That the contents of the report, and the contributions made during the discussion, be taken into account when the Board was finalising its work programme and deciding its priorities.

6 Determining the Work Programme 2010/11

Further to Minute 5, the Head of Scrutiny and Member Development submitted a report regarding the criteria for determining its proposed work programme for the next year, and including a skeleton work schedule, which highlighted the dates for budget scrutiny, quarterly performance monitoring reports and recommendation tracking updates.

In addition to the issues discussed under Minute 5, the following issues were also referred to as matters which Members felt warrant further investigation, if possibly not in some cases a formal inquiry:-

Draft minutes to be approved at the meeting
to be held on Monday 5th July 2010

- Leeds City Region and the Governance Arrangements
- Equality Issues/Policy Issues with an input from ALMOs
- Data Information shared throughout the Council

The Head of Scrutiny and Member Development advised the Board that the Executive Member for Resources and Corporate Functions may also want to raise a number of issues for the Board to consider when he attends the next meeting in July 2010. The Board also noted that they would still receive regular quarterly financial monitoring reports.

In conclusion, the Head of Scrutiny and Member Development agreed to update the Board's July work programme to incorporate the following specific issues:-

- Procurement, with the Chief Procurement Officer in attendance to discuss issues relating to material change/risk assessment and to comment on a list to be provided of all Scrutiny Board recommendations made at previous meetings in relation to procurement
- Generic costs around communications
- Outturn quarterly report, with the Chief Officer (Financial Management) in attendance

RESOLVED – That the Head of Scrutiny and Member Development, in conjunction with the Chair, draw up a draft work programme for discussion with the Board.

7 Executive Board Response to Final Scrutiny Board Reports

The Head of Scrutiny and Member Development submitted a report regarding the response of the Executive Board following receipt of this Scrutiny Board's Inquiry report into the use of consultants published in April 2010. All the Board's recommendations had been agreed by the Executive Board and the recommendations would now be monitored under the Recommendation Tracking System, and the Board would receive its first progress report at its September meeting..

RESOLVED –

- (a) That the contents of the report be noted.
- (b) That this Board notes the response of the Executive Board to this Board's recommendations arising from the Inquiry into consultant engagement.
- (c) That this Board notes the arrangements for monitoring progress on the implementation of the recommendations.

8 Date and Time of Meetings for the 2010/11 Municipal Year

Monday, 5 July 2010
 Monday, 6 September 2010
 Monday, 4 October 2010
 Monday, 1 November 2010

Draft minutes to be approved at the meeting
 to be held on Monday 5th July 2010

Monday, 6 December 2010

Monday, 10 January 2011

Monday, 7 February 2011

Monday, 7 March 2011

Monday, 4 April 2011

All to commence at **10.00am** (Pre-meetings for Board Members at 9.30am)

(The meeting concluded at 10.55am)

SCRUTINY BOARD (CHILDREN'S SERVICES)

THURSDAY, 22ND APRIL, 2010

PRESENT: Councillor R D Feldman in the Chair

Councillors G Driver, B Gettings, G Kirkland,
B Lancaster, K Renshaw and B Selby

CO-OPTED MEMBERS (VOTING):

Mr E A Britten	- Church Representative (Catholic)
Ms N Cox	- Parent Governor Representative (Special)
Prof P H J H Gosden	- Church Representative (Church of England)
Mrs S Knights	- Parent Governor Representative (Primary)

CO-OPTED MEMBERS (NON-VOTING):

Mrs S Hutchinson	- Early Years Development & Childcare Partnership Representative
Ms C Johnson	- Teacher Representative
Ms J Morris-Boam	- Leeds Voice Children and Young People Services Forum Representative

112 Appointment of Chair

RESOLVED – That Councillor R D Feldman be appointed Chair of the Scrutiny Board (Children's Services) for the duration of the meeting, as Councillor W Hyde, the appointed Chair of the Board for 2009/10 municipal year, had submitted his apologies for absence.

(Councillor R D Feldman took the Chair)

113 Late Items

The Chair admitted to the agenda as supplementary information, the draft scrutiny inquiry report on school organisation consultations, which was to be considered as part of agenda item 10. (Minute No. 120 refers)

114 Declaration of Interests

Mrs Knights declared a personal interest in agenda item 7, Leeds School Balances, and agenda item 10, Draft Scrutiny Inquiry Report – School Organisation Consultations, in her capacity as Governor at various schools, including one of the feeder schools to City of Leeds High School. (Minute Nos. 117 and 120 refer)

Councillor Lancaster declared a personal interest in agenda item 7, Leeds School Balances, in her capacity as LEA Governor and Vice-Chair at Carr Manor High School. (Minute No. 117 refers)

Councillor Selby declared a personal interest in agenda item 7, Leeds School Balances, in his capacity as LEA Governor at Cross Gates Primary and Grange Farm Primary Schools. (Minute No. 117 refers)

Further declarations of interest were made at later points in the meeting. (Minute Nos. 117 and 119 refer)

115 Apologies for Absence

Apologies for absence were submitted by Councillors D Coupar, W Hyde and E Taylor; and Co-opted Members, Ms C Foote and Mr B Wanyonyi.

116 Minutes - 25th March 2010

The following suggested amendments were raised at the meeting:

Minute No. 106 – Additional resolution b) to be inserted to read ‘That the Scrutiny Board receives regular reports back on the progress of the Improvement Board and Improvement Plan.’

Minute No. 107 – Addition to read ‘Councillor Kirkland declared a personal interest in this item in his capacity as Foundation Governor at Prince Henry Grammar School.’

RESOLVED – That subject to the above amendments, the minutes of the meeting held on 25th March 2010 be confirmed as a correct record.

117 Leeds School Balances

The Chief Executive of Education Leeds submitted a report which presented the Scrutiny Board with the levels of school balances and the mechanisms in place to recover large surplus balances and support schools with deficit budgets.

Appended to the report was the following information:

- Balances for primary, secondary and special schools as at 31st March 2009

Minutes confirmed as a correct record
at the meeting held on 10th June 2010

- List of schools with surpluses above the prescribed limits in 2008/09 together with the recommendations of the Schools' Forum panel.

The Chair welcomed to the meeting Patrick Fletcher, Head of Financial Services to Schools, to present the report and respond to Members' questions and comments.

In brief summary, the main areas of discussion were:

- Concern about the build up of large surplus balances by some schools.
- Concern about the effect of carrying forward balances on existing children at schools. It was reported that most schools had strategic plans in place to deal with specific items and projects in the longer term.
- Reviewing Ofsted reports of schools with large surplus balances, particularly in terms of ensuring that services being provided were up to standard.
- Proposals to establish a small working group to consider the issue in more detail in the new municipal year. The Principal Scrutiny Advisor agreed to prepare draft terms of reference.
- Concern about the pressures on schools to spend surplus balance.
- Possible appointment of Scrutiny Board representative on the Schools' Forum panel.

RESOLVED –

- (a) That the process in place for dealing with school balances be noted; and
- (b) That the Scrutiny Board establishes a small working group in the new year to consider the issue in more detail.

(Councillor Kirkland declared a personal interest in this item in his capacity as Foundation Governor at Prince Henry Grammar School.)

(Mrs Knights declared a personal interest in this item in her capacity as Member of Leeds Schools' Forum.)

118 Annual Report 2009/10

The Head of Scrutiny and Member Development submitted a report which presented the Board's contribution to the Annual Scrutiny Report 2009/10.

RESOLVED – That the Board's contribution to the Annual Scrutiny Report 2009/10 be approved.

119 Draft Scrutiny Inquiry Statement - Youth Service Surveys

The Head of Scrutiny and Member Development submitted a report which presented the conclusions and recommendations arising from the Scrutiny Board's work on youth service surveys.

Members agreed to send the report to all Area Committees to make them aware of scrutiny's work. They also indicated that they may wish to undertake further scrutiny work on youth services, dependent on the outcome of the Youth Services Commissioning working group which had yet to meet.

RESOLVED –

- (a) That the Scrutiny Board's final statement and recommendations be approved;
- (b) That a formal response to the recommendations be produced in line with normal procedures for scrutiny inquiry reports; and
- (c) That the report be sent to all Area Committees.

(Councillor Lancaster declared personal interests in this item in her capacity as Trustee of Karate for Inner City Kids (KICK) and Member of West Yorkshire Police Authority.)

(Councillor Driver left the meeting at 10.40 am during the consideration of this item.)

120 Draft Scrutiny Inquiry Report - School Organisation Consultations

The Head of Scrutiny and Member Development submitted a report which presented the conclusions and recommendations arising from the Scrutiny Board's work on school organisation consultations.

Amendments to the draft scrutiny inquiry report were agreed as follows:

- Addition at the end of paragraph 26 to read 'Although we understand that this was an unusual situation, we also acknowledge that a good consultation process must include adequate timescales for participants to give a considered response.'
- Amendment to recommendation 1 to read 'That the Chief Executive of Education Leeds revises the school organisation consultation guidelines to automatically include the full governing body and all Elected Members at the informal Stage A in the process.'

The Principal Scrutiny Advisor also agreed to e-mail Scrutiny Board Members with a suggested amendment to recommendation 2, in relation to the proposed communications strategy being brought back to the Board for comment prior to being finalised.

RESOLVED –

- (a) That subject to comments raised at the meeting, the Scrutiny Board's final report and recommendations be approved; and
- (b) That a formal response to the recommendations be produced in line with normal procedures for scrutiny inquiry reports.

121 Suggested Date and Time of Next Meeting

On behalf of the Scrutiny Board, the Chair thanked Sue Knights for her positive contribution to the Board's work over the last 8 years. It was reported that Sue was shortly coming to the end of her term of office as parent governor representative (primary).

It was also suggested that a letter be written to those Members of the Scrutiny Board who were not standing at the forthcoming local elections to express gratitude for their hard work and support.

RESOLVED – That an additional meeting be arranged to take place on Thursday 20th May 2010 at 12 noon (no pre-meeting), to agree the Board's draft scrutiny inquiry report in relation to safeguarding.

(The meeting concluded at 10.54 am.)

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SCRUTINY BOARD (CHILDREN'S SERVICES)

THURSDAY, 10TH JUNE, 2010

PRESENT: Councillor J Chapman in the Chair

Councillors M Coulson, G Driver, K Groves, A Lamb,
P Latty, K Maqsood and B Selby

CO-OPTED MEMBERS (VOTING):

Mr E A Britten	- Church Representative (Catholic)
Ms N Cox	- Parent Governor Representative (Special)
Prof P H J H Gosden	- Church Representative (Church of England)
Mr J Granger	- Parent Governor Representative (Primary)

CO-OPTED MEMBERS (NON-VOTING):

Ms C Foote	- Teacher Representative
Ms C Johnson	- Teacher Representative
Ms J Morris-Boam	- Leeds Voice Children and Young People Services Forum Representative

1 Chair's Opening Remarks

The Chair welcomed everyone present to the first Scrutiny Board (Children's Services) meeting of the 2010/11 municipal year.

2 Late Items

The Chair admitted to the agenda as supplementary information, the following information to be considered as part of agenda item 9:

- An overview of the key themes of the Children's Services Improvement Plan
- An extract from the annual progress review of the Children and Young People's Plan (CYPP).

3 Declaration of Interests

Councillor Chapman declared a personal interest in agenda item 9, Input to the Work Programme 2010/11 and agenda item 10, Determining the Work Programme 2010/11, in her capacity as LEA Governor at Weetwood Primary School.

4 Apologies for Absence

Apologies for absence were submitted by Councillors W Hyde and Lancaster; and Co-opted Members, Mrs Hutchinson, Ms Kayani and Mr Wanyonyi.

5 Minutes - 22nd April 2010

RESOLVED – That the minutes of the meeting held on 22nd April 2010 be confirmed as a correct record.

6 Appointment of Co-opted Members

The Head of Scrutiny and Member Development submitted a report which sought Members' approval for the appointment of co-opted members to the Board. Details of current arrangements were contained in the report.

RESOLVED –

(a) That Professor Gosden (Church Representative - Church of England) and Mr Britten (Church Representative - Roman Catholic) be re-appointed as voting co-opted members of the Board for 2010/11;

(b) That the Board confirms the appointment of Mr Granger to replace Mrs Knights (Primary Governor Representative – Primary) as a voting co-opted member of the Board for a four year term of office from 1 June 2010;

(c) That the continued appointment of Mr Wanyonyi (Parent Governor Representative - Secondary) and Ms N Cox (Parent Governor Representative - Special), be noted; and

(d) That Ms Foote and Ms Johnson (Teacher Representatives), Mrs Hutchinson (Early Years Development and Childcare Partnership Representative), Ms Kayani (Youth Work Partnership Representative) and Ms Morris-Boam (Leeds VOICE Children and Young People Services Forum Representative) be appointed as non-voting co-opted members of the Board for 2010/11.

7 Changes to the Council's Constitution in relation to Scrutiny

The Head of Scrutiny and Member Development submitted a report which provided the Board with information on recent amendments to the Council's Constitution, as agreed by Council on 27th May 2010, which directly related to and / or made an impact on the work of Scrutiny Boards.

In response to a Member's query, it was advised that the Scrutiny Board (Environment and Neighbourhoods) was the Council's designated Crime and Disorder Committee.

RESOLVED – That the amendments to the Council's Constitution as outlined in the report, be noted.

8 Input to the Work Programme 2010/11 - Sources of Work and establishing the Board's priorities

The Head of Scrutiny and Member Development submitted a report which provided information and guidance to assist the Board develop its work programme for 2010/11.

Relevant information from the following key sources was attached to the report to assist Members:

- Leeds Strategic Plan 2008 to 2011 – Executive Summary
- Building Brighter Futures: The Leeds Children and Young People's Plan 2009-14 – immediate priorities and long term ambitions
- List of scrutiny work undertaken in the past six years.

The Chair welcomed to the meeting the following officers to contribute to the discussion about the Board's work programme:

- Eleanor Brazil – Interim Director of Children's Services
- Mariana Pexton, Deputy Director of Children's Services
- Chris Edwards, Chief Executive of Education Leeds.

A general overview of the key issues facing children's services was provided as follows:

- Taking forward the Children's Services Improvement Plan, particularly ensuring that key actions were delivered.
- Developing integrated children's services (contract with Education Leeds ends March 2011)
- Financial and policy context – budget pressures, particularly in relation to Children's Social Care.

The following issues were also highlighted as potential areas for scrutiny:

- The transformation programme for integrated children's services with a specific focus on the work of the Programme Board, which included the following elements:
 - Terminating the contract with Education Leeds.
 - Business support functions, especially around commissioning and making best use of resources.
 - Service re-design and developing work with children and families including the following project teams:
 - The need to improve safeguarding arrangements.
 - Services for looked after children, especially children with disabilities, special educational needs, etc.
 - Developing universal services, early years and work with schools.
 - Wellbeing support services, e.g. family support, behavioural support, etc.

- Budget issues – looking at potential significant overspend in Children’s Social Care largely due to an increase in the number and cost of residential placements.

The Chair then invited questions and the main areas of discussion were:

- Clarification that the rise in social care placements was in line with national trends. (The Interim Director of Children’s Services agreed to provide Members with information highlighting local and national trends.)
- Clarification about the work of CAFCASS, a government funded organisation that looks after the interests of children involved in care proceedings.
- Concern that the good practice developed through Education Leeds and the education Joint Consultative Committee must not be lost in the development of the Integrated Children’s Services, and queries regarding consultation arrangements for the new service. It was reported that the revised Joint Consultative Committee (JCC) was meeting on 21st June.
- Service re-design specifically focussing on “work on the ground” and ensuring a quicker, more co-ordinated approach.
- Developing the work of extended services and locality enablers with specific focus on local leadership teams, children’s themed champions, area inclusion partnerships and 14-19 partnerships.
- Concern about insufficient capacity focussing on out of school activity for 5-12 age group and the need to develop role of the third sector and voluntary sector.

RESOLVED – That the report and contributions made during the discussion be taken into account when the Board is finalising its work programme and deciding its priorities.

9 Determining the Work Programme 2010/11

The Head of Scrutiny and Member Development submitted a report which requested Members to determine the work programme for 2010/11. A draft work programme was appended to the report.

Further to earlier discussion, the following key areas were highlighted:

- Review of large school surplus balances.
- Youth services commissioning framework.
- Funding arrangements in relation to Children’s Outdoor Activity Centres, particularly Herd Farm.
- Service re-design (There was a specific request for Transformation Board minutes to be forwarded to Members.)
- The role of the voluntary sector.
- Changes to the education service and issues around the potential establishment of more academies.

- Partnership working, especially in localities.
- A request for further information about key stage 2 assessment.

The Scrutiny Board agreed to conduct its first major inquiry on service re-design, particularly focussing on children with disabilities, special educational needs and additional health needs. The Principal Scrutiny Advisor agreed to produce draft terms of reference to be brought back to the Scrutiny Board meeting in July.

In addition, the Scrutiny Board agreed to establish the following working groups:

Youth Services Commissioning Working Group – Councillors Chapman, Groves, Lamb and Maqsood added to membership of this working group.

Funding arrangements in relation to Children’s Outdoor Activity Centres – Councillor Chapman, Lamb and Latty, Ms Cox, Ms Foote and Ms Johnson volunteered to serve on this working group.

School Balances – Councillors Chapman, Driver, Selby, Professor Gosden and Ms Johnson volunteered to serve on this working group.

The Principal Scrutiny Advisor agreed to e-mail Members with suggested dates of working group meetings.

It was agreed that the Board would decide the remainder of the work programme at a later date.

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That the Principal Scrutiny Adviser produces a draft work programme to be confirmed at the next meeting of the Board.

(Councillor Lamb joined the meeting at 11.00 am during the consideration of this item.)

10 Formal Response to Scrutiny Recommendations - Meadowfield Primary School

The Head of Scrutiny and Member Development submitted a report which presented the formal response to the Scrutiny Board’s recommendations in relation to Meadowfield Primary School.

The status of recommendations was agreed as follows:

- Recommendation 1 – continue to monitor
- Recommendation 2 – sign off
- Recommendation 3 – sign off
- Recommendation 4 – continue to monitor to ensure action completed

Draft minutes to be approved at the meeting
to be held on Friday, 16th July, 2010

Recommendation 5 – continue to monitor
Recommendation 6 – continue to monitor at appropriate points.

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That the Scrutiny Board approves the status of recommendations as set out above.

11 Dates and Times of Future Meetings

RESOLVED – That the following dates be noted and approved:

- Friday, 16th July 2010
- Monday, 20th September 2010
- Thursday, 21st October 2010
- Thursday, 18th November 2010
- Thursday, 16th December 2010
- Thursday, 20th January 2011
- Thursday, 17th February 2011
- Thursday, 17th March 2011
- Thursday, 21st April 2011

All meetings at 9.45 am (Pre-Meetings at 9.15 am).

(The meeting concluded at 11.50 am.)

SCRUTINY BOARD (CITY AND REGIONAL PARTNERSHIPS)

FRIDAY, 16TH APRIL, 2010

PRESENT: Councillor S Smith in the Chair

Councillors P Davey, C Fox, M Lyons and
R Pryke

69 Chair's Opening Remarks

The Chair welcomed everyone to the final meeting of the Scrutiny Board (City & Regional Partnerships) for the 2009/10 Municipal Year and expressed thanks to all Members and officers for their contribution and support to the Board during the past year.

70 Declarations of Interest

Councillor Lyons declared a personal interest in Agenda Item 8, Inquiry on the Integrated Transport Strategies for Leeds and the Wider Region – Draft Final Report & Recommendations, due to his position as a Member of the West Yorkshire Integrated Transport Authority. Minute No. 73 refers.

71 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors G Driver and J Dunn.

72 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 4 March 2010 be confirmed as a correct record.

73 Statement - Joint Service Centre Kirkstall

The Head of Scrutiny and Member Development submitted a report which included a copy of the Board's draft statement and recommendations following the investigation into the joint service centres at Harehills, Chapeltown and Kirkstall and the subsequent decision of NHS Leeds not to proceed with the Joint Service Centre in Kirkstall.

Members attention was brought to the draft statement and its conclusions and recommendations. It was felt that the investigation had been successful in highlighting accountability and governance issues. The possibility of publicising the Board's findings was discussed. It was reported that a formal response was due to be submitted to the Executive Board and that a decision regarding publicity could follow that.

Draft minutes to be approved at the next meeting

The Head of Scrutiny and Member Development reported that the Assistant Chief Executive (Planning, Policy and Improvement), the Director of Resources and the Executive Board Member with portfolio responsibility for Central and Corporate issues had indicated that they did not wish to make comment or give advice on the Board's report and recommendations.

RESOLVED –

- (a) That the Board's final Statement and recommendations be agreed.
- (b) That a formal response to the recommendations is produced in line with normal procedures for scrutiny inquiry reports as set out in Scrutiny Procedure Rule 15.1

74 Inquiry on the Integrated Transport Strategies for Leeds and the Wider Region - Draft Final Report & Recommendations

The report of the Head of Scrutiny and Member Development referred to the Board's Inquiry into the Integrated Transport Strategies for Leeds and the Wider Region.

Members discussed the recommendations and suggested amendments. It was also suggested that Parish Councillor George Hall be thanked for his input into the Inquiry.

The Head of Scrutiny and Member Development reported that the Director of City Development and the Executive Board Member with portfolio responsibility for Development and Regeneration had indicated that they did not wish to make comment or give advice on the Board's report and recommendations.

RESOLVED –

- (a) That the Board's final report and recommendations be agreed.
- (b) That it be requested that a formal response to the recommendations is produced in line with normal procedures for scrutiny inquiry reports as set out in Scrutiny Procedure Rule 15.1
- (c) That the Principal Scrutiny Adviser writes to Parish Councillor George Hall to thank him for his contribution to the Inquiry.

75 Annual Report 2009/10

The report of the Head of Scrutiny and Member Development presented the Board's draft contribution to the Scrutiny Board's Annual Report.

Members discussed the draft contribution and the possibility of future consideration of the People's Vision for Leeds.

RESOLVED – That paragraph 3.2 of the report be noted and the Board's contribution to the Annual Report be approved.

Draft minutes to be approved at the next meeting

76 Forward Plan of Key Decisions and Latest Executive Board Minutes

The report of the Head of Scrutiny and Member Development provided Members with the Forward Plan of Key Decisions and the most recent Executive Board Minutes.

RESOLVED – That the report be noted.

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SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 6TH APRIL, 2010

PRESENT: Councillor R Pryke in the Chair

Councillors S Armitage, C Beverley,
R Downes, T Grayshon, A Ogilvie,
D Schofield, S Smith and G Wilkinson

111 Chair's Opening Remarks

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

112 Late Items

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

- Briefing Note on Employment Land (Agenda Item 7) (Minute 116 refers)
- Draft Final Report – Inquiry to review the Method by which Planning Applications are Publicised and Consultation Undertaken (Agenda Item 9) (Minute 118 refers)

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

113 Declaration of Interests

There were no declarations made at the meeting.

114 Apologies for Absence

Apologies for absence were received on behalf of Councillors R Harington, M Lobley and T Murray.

115 Minutes of the Previous Meeting

RESOLVED- That the minutes of the previous meeting held on 9th March 2010 be approved as a correct record.

116 Request for Scrutiny - Loss of Land Allocated for Employment

Referring to Minute 105 of the meeting held on 9th March 2010, the Head of Scrutiny and Member Development submitted a report on a request for scrutiny concerning the loss of land allocated for employment.

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

- the original request received for scrutiny from Councillor B Cleasby concerning the loss of land allocated for employment which had been considered by the Board at their meeting on 9th March 2009
- a list of Lost Employment Sites along the A65 Corridor 2010

In addition to the above documents, a copy of a report entitled 'Briefing Note on Employment Land' prepared by the Team Leader, City Development was circulated for the information/comment of the meeting.

The Chair also allowed the submission of a document provided by Councillor B Cleasby entitled 'The Local Economy' which had been extracted from the Leeds UDP Review – Volume 1; Written Statement- Adopted July 2006 to assist the Board with their deliberations.

The following representatives were in attendance and responded to the request for scrutiny and to Members' queries and comments:-

Councillor B Cleasby
 Councillor C Fox, Chair, Development Plan Panel
 Paul Gough, Team Leader, City Development
 Terry Smith, Planner Data Team, 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.

Councillor B Cleasby

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

- the need for the Scrutiny Board to consider an inquiry to look into the loss of employment land for housing across the city, and the enormous pressure this places on existing infrastructures particularly in the North West
- re-development of the former Kirkstall Forge and Clariant sites were cited as examples
- a view that there seemed to be no designated plan in place to protect and retain employment land on a city-wide basis
- identification of employment sites for specific purposes as set out in "The Local Economy' document

Councillor C Fox

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

- the need for the Board to consider whether or not an inquiry into the use of employment land was the appropriate way forward in view of the current work being undertaken by the Development Plan Panel on employment land through the emerging update and review of the Local

Development Framework. The work being guided by the Development Plan Panel included the preparation of the Core Strategy to be adopted in 2011, the Site Allocation Development Plan to commence in early 2011 and the Employment Land Review which was underway and would report to the Panel in mid 2010

Paul Gough

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

- the briefing note circulated on employment land and the proposed timetable around the preparation for the Core Strategy and Site Allocations Development Plan and Employment Land Review
- that Councillor Cleasby's concerns on employment land had been fully recognised and that such comments would be fed into the reviews being undertaken which would include wide public consultation and the public inquiry process associated with the Core Strategy and a future Site Allocations Development Plan
- that the bank of current employment land was sufficient to provide 33 years of supply at current take up rates
- the need for officers to continue to apply the criteria in UDP Policy E7 in examining whether employment sites and premises can be used for alternative, non-employment uses

Terry Smith

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

- the background criteria behind the current UDP Policy E7 proposals
- reference to windfall sites and the Council's failure to win such cases on appeal
- reference to the recently published Planning Policy Statement 4 (PPS4) issued by the Government which has given a broader interpretation to what constitutes economic development and which will need to be taken into account in the future application of Policy E7

In addition, the following points were referred to:-

- clarification of whether or not the mixed development at Kirkstall Forge could be changed over a period of time
(The Team Leader responded and confirmed that the developer at Kirkstall Forge was currently looking at the configuration of the development mix that the amount of employment uses was proposed to be increased)
- preference for using brownfield sites for housing development in order to reduce the pressure to encroach on Green Belt sites
- the national measure of 'local' employment sites being a 15 minute drive time and the fact that this provided a 'catchment' which enabled developers proposing the development of employment sites for alternative uses being able to point to alternative employment sites

in that locality. The consequences people travelling further to work by car led to a discussion about road congestion and poor transport infrastructure

(The Team Leader responded and referred to the preparation of an Infrastructure Delivery Plan which is being prepared as part of the emerging Core Strategy. He stated that Leeds, as a growing city, was suffering from increased congestion in a number of locations within the District but confirmed that such issues were being addressed in the Core Strategy)

The Chair then invited Councillors Cleasby and Fox to sum up prior to the Board making a formal decision on the request for scrutiny.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That, on balance this matter was best left to the Development Plan Panel and consequently the request by Councillor Cleasby for scrutiny of this issue was refused.
- c) That, in order to monitor progress of this issue, the successor Scrutiny Board be asked to consider the report of the Director of City Development on the Employment Land Review which was to be considered by the Development Plan Panel in the summer of 2010.

(Councillor C Beverley arrived at 10.05am during discussions of the above item)

(Councillor T Grayshon arrived at 10.30am during discussions of the above item)

117 Public Buildings and Reducing CO2 Emissions

Referring to Minute 108 of the meeting held on 9th March 2010, the Head of Scrutiny and Member Development submitted a report on Public Buildings and reducing CO2 Emissions.

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

- Reducing CO2 Emissions in Council Buildings – Report of the Chief Officer Corporate Property Management
- Climate change – LZC technology delivery and in our estate – Report of the Director of City Development

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

John Kearsley, Chief Officer Corporate Property Management
Peter Lynes, Group Manager, City Development

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

- clarification as to why there was a 10% increase in street lighting in relation to NI 185 Performance data
(The Chief Officer Corporate Property Management responded that Highways had anticipated that this would be an impact in the early stages of the new PFI scheme but would change to a decrease in overall energy use as the scheme progressed)
- clarification of the Council's position in relation to installing LED lighting, especially in Morley Town Hall
(The Chief Officer Corporate Property Management responded and informed the meeting that a programme of energy efficiency surveys was being carried out to develop business cases for initiatives and if LED lighting was recommended for that type of building, then it would be installed accordingly)
- clarification of the Energy Project Board's role in relation to Low Zero Carbon Emissions
- clarification of how the department can promote the use of wind turbines to members of the public
(The Group Manager responded and outlined the department's current criteria in relation to wind turbines)
- the need for the department to address the issue of sustainable energy in the future and to consider installing micro generation on public buildings as a visual impact statement e.g. Leeds Civic Hall
(The Chief Officer Corporate Property Management and the Group Manager responded that priority was currently being given to initiatives to reduce consumption as these have more impact with shorter payback periods. Renewable energy schemes were being considered and may become more attractive and viable with the recent proposals for feed in tariffs)
- the need to continue the good practice of recycling within public buildings e.g. printer cartridges etc
(The Group Manager responded and confirmed that more and more items were being recycled within the authority)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That a progress report on this issue be submitted to the new Board in the new municipal year.

(Councillor D Schofield left the meeting at 11.00am during discussions of the above item)

118 Inquiry to Review the Method by which Planning Applications are Publicised and Consultation Undertaken

Referring to Minute 104 of the meeting held on 9th March 2010, the Head of Scrutiny and Member Development submitted a report on the Board's Inquiry to review the method by which planning applications are publicised and consultation undertaken.

A copy of a document entitled 'Draft Report – Inquiry to review the Method by which Planning Applications are publicised and Consultation Undertaken' was circulated for the information/comment of the meeting.

The Board's Principal Scrutiny Adviser informed the meeting that he had received three comments from Councillor M Lobley, namely:-

- Recommendation 3 – clarification as to whether the Board had agreed disadvantaged areas or actually meant hard to reach groups
(The Board agreed to include both in the recommendation)
- Recommendation 3 – clarification as to whether the Board had agreed a 2012 date to seek funding of additional posts
(The Board agreed the date of 2012 in the recommendation)
- a request to include the need to improve the guidance note and correspondence sent to neighbours affected by planning applications explaining their rights
(The Board was in agreement with this comment)

The Board also noted that the Director of City Development and the Executive Member Development and Regeneration had been consulted on the content of the document and had not made any specific comments.

The Principal Scrutiny Adviser reported that the main costs associated with the Board's recommendations was the potential for up to 8 Community Planner posts. At an average cost of £45K per post then this would mean a further investment in the service of about £360K over and above existing staffing levels.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That, subject to incorporating the above comments, approval be given to the Board's final report and recommendations.
- c) That the Board's Principal Scrutiny Adviser be requested to produce a formal response to the recommendations in line with normal procedures for scrutiny inquiry reports as set out in Scrutiny Procedure Rule 15.1.

119 Annual Report 2009/10

The Head of Scrutiny and Member Development submitted a report presenting the draft of the Scrutiny Board (City Development)'s contribution to the Scrutiny Boards' Annual Report.

RESOLVED – That the Scrutiny Board (City Development)'s contribution to the composite Annual Report be approved.

120 Forward Plan of Key Decisions, latest Executive Board Minutes and the Board's Work Programme

The Head of Scrutiny and Member Development submitted a report on the Forward Plan of Key Decisions for the period 1st April to 31st July 2010, the Executive Board minutes of 10th March 2010 and on a list of issues which were not brought into the Board's work programme in the current year.

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

121 Chair's Closing Remarks

The Chair reminded Members that this was the last Board meeting within the current municipal year. He personally thanked Board Members, external witnesses and officers for their support during the year.

(The meeting concluded at 11.20am)

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SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 8TH JUNE, 2010

PRESENT: Councillor J Procter in the Chair

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

1 Declaration of Interests

There were no declarations made at this stage of the meeting. Councillor Javaid Akhtar made a personal declaration during the discussion on Agenda Item 8, Input to the Work Programme Minute No. 5 refers.

2 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Atkinson, Jarosz and Smith.

3 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 6 April 2010 be confirmed as a correct record.

4 Changes to the Council's Constitution in relation to Scrutiny

The report of the Head of Scrutiny and Member Development outlined changes to the Council's Constitution in relation to Scrutiny. The Principal Scrutiny Adviser gave the Board a brief overview on the following main areas for change:

- Requirements to look for Value for Money as part of scrutiny reviews into services.
- The agreement for Members to be able to nominate substitute Members for all Scrutiny meetings, provided that Member is already a Scrutiny Board Member.
- The reduction of Scrutiny Boards to six. The Scrutiny Board (City & Regional Partnerships) had been disbanded and the role of that Board allocated to Scrutiny Board (City Development) and Scrutiny Board (Central and Corporate).
- Minor amendments to Call-In arrangements.

RESOLVED – That the report be noted.

5 Input to the Work Programme 2010/11 - Sources of Work and Establishing the Board's Priorities and Determining the Work Programme 2010/11

The reports of the Head of Scrutiny and Member Development provided the Board with assistance and guidance to develop the Work Programme for 2010/11. Information appended to the reports included the successor Board's previous inquiries and briefing papers that it had received over the last 6 years and the current Forward Plan of Key Decisions for the period 1st June to 30th September 2010.

The Chair welcomed Phil Crabtree, Chief Planning Officer to the meeting who was attending on behalf of the Director of City Development and asked him for his views on issues that would be of interest to the Board over the coming year. Reference was made to the following issues :

- Those carried over from the previous Board and the need to track progress on previous inquiries including a report on major planning applications.
- City and Regional Governance.
- Leisure Issues
- Issues identified by the previous Board but not yet included in the Work Programme

In response to Members comments and questions, the following issues were identified and discussed:

- Vision for Sport and associated issues.
- Budgetary issues as a consequence of a reduction in Local Government finances.
- Open Source Planning : That a request for a report on the implications of the Government's proposals on Open Source Planning.
- Marketing Leeds -That the Chief Executive of Marketing Leeds be requested to submit a future report/update to the Board.
- Tourism – That the Chief Executive of Yorkshire Welcome be invited to a future meeting.
- Play equipment – costs and procurement issues.
- Public transport – links to Leeds/Bradford airport and other places of public interest. It was suggested that the Chief Executives of Metro and Leeds Bradford Airport be invited to a future meeting.
- Major development sites – That an update report was requested on major development sites across the City Centre.
- Leeds City Markets – it was suggested that this be the focus of a future scrutiny inquiry for the Board. The Principal Scrutiny Adviser to contact the Head of City Centre and Markets regarding draft terms of reference. A site visit to markets was also suggested.

RESOLVED –

Draft minutes to be approved at the meeting
to be held on Tuesday, 6 July 2010

- a) That the reports of the Head of Scrutiny and Member Development be noted.
- b) That the Work Programme be updated in line with the discussion.

(Councillor Akhtar declared a personal interest during this item due to his employment as a Private Hire Driver)

6 Co-opted Members

The report of the Head of Scrutiny and Member Development sought the Board's formal consideration for the appointment of co-opted members to the Board. The report detailed arrangements for appointing co-opted members and also referred to the KPMG review of scrutiny which recommended that Scrutiny Boards gave further consideration to having co-opted members.

The Chair reported that he would like to ask the Board at its next meeting to consider appointing a non voting co-optee for this municipal year and that he would circulate a brief biography of the individual concerned for members comments. He also invited names to be put forward by other members of the Board.

RESOLVED – That Members provide feedback to the Principal Scrutiny Adviser regarding the proposed appointment at the next meeting of the named individual as a co-opted member of the Board and consider any additional nominations which have been submitted .

7 Date and Time of Next Meeting

The next full meeting of the Scrutiny Board (City Development) would be held on Monday, 6 July 2010 (pre-meeting for all Members at 9.30 a.m.). A Call-In meeting was scheduled to take place at 11.15 a.m., shortly after this meeting.

Meeting concluded at 10.55 a.m.

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SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 8TH JUNE, 2010

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, G Harper,
R Pryke, M Rafique, M Coulson, G Latty,
Hardy and M Robinson

8 Declaration of Interests

There were no declarations of interest made.

9 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Atkinson, Elliott, Jarosz and Smith. Councillors Hardy and Coulson acted as substitutes on behalf of Councillors Atkinson and Elliott respectively.

10 Call-In of Decision - Briefing Paper

The report of the Head of Scrutiny and Member Development advised the Scrutiny Board on the procedural aspects of a 'Called-In' decision and also outlined the options available for consideration.

RESOLVED – That the report be noted.

11 Call-In - Review of Delegated Decision No D36872 - Greenspace Funds

The report of the Head of Scrutiny and Member Development referred to the Call-In to review the Delegated Decision No. D36872 of the Deputy Chief Planning Officer. The decision was to release £201,654 from retained balances for Greenspace improvements in the area which that funding was generated.

Phil Crabtree, Chief Planning Officer and Richard Mond, Chief Recreation Officer were present for this item.

It was reported that a Call-In of the decision had been submitted by Members of the Liberal Democrat Group and subsequently accepted. Councillor Colin Campbell was present at the meeting to support the Call-In request. Councillor Geoff Driver was also present to represent himself and colleagues from the Labour Group who had also requested that the decision be called-in.

Councillors Campbell and Driver raised the following concerns regarding the delegated decision:

- It took away Elected Members' control over the spending of Section 106 monies.
- It was felt that these monies had already been earmarked for other projects.
- Concern that monies could be used for core spending and general maintenance.
- The decision was against the principal of Section 106 with respect to local choice, compensation and community empowerment.
- It removed opportunity for Elected Members to influence local priority spending.

In response to the concerns, it was reported that the delegated decision only affected residual sums left in the accounts up to a value of £10,000 and where the principal amounts had already been spent.. Assurances were given that these sums would continue to be spent in accordance with the conditions stipulated in the Section 106 agreements and that they could not be used for routine general maintenance. Elected Members would be consulted on the identification of locations and works to be done. Clearly some amounts available would be too small on there own to enable a scheme to be developed and this would require discussion with ward members to identify other funding sources or the amalgamation of residual sums within a ward or wards with Members approval.

Further discussion included the following:

- Lack of consultation/engagement with Elected Members on Section 106 monies and how and where they should be spent and allegations that some monies were allocated without consultation.
- Concern that 106 monies were spent outside wards where the monies originated – how to define localities?
- The timescales involved between receiving the money and spending it – it was reported that more recent awards of section 106 monies did have timescales applied to them whereas earlier awards did not.
- Circulation and provision of information to Elected Members
- Concern that unspent Section 106 monies could be reclaimed by developers – it was reported that Leeds City Council had not had any money reclaimed.
- Concern that Section 106 monies would be used for core spending priorities.

RESOLVED – That the report and discussion be noted.

(Councillor Pryke left the meeting at 12.10 p.m. during the discussion on this item).

12 Outcome of Call-In

The Board was asked to make a decision following the discussion on the review of the called in decision – Delegated Decision No. D36872 – Greenspace Funds.

RESOLVED – That this decision be referred back and that it be retaken with the following information included within the supporting report:

- Additional detail which sets out the process applied in spending these residual sums and
- Clarity that Ward Members will be consulted in expenditure of these residual sums.

The meeting concluded at 12.25 p.m.

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SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 19TH APRIL, 2010

PRESENT: Councillor B Anderson in the Chair

Councillors A Barker, A Blackburn,
A Castle, J Dowson, D Hollingsworth,
G Hyde, J Jarosz, J Marjoram and
L Mulherin

112 Chair's Opening Remarks

The Chair welcomed everyone to the April meeting of the Scrutiny Board (Environment and Neighbourhoods).

113 Declarations of Interest

The following personal interests were declared:-

- Councillor A Blackburn in her capacity as a Director of West North West Homes (Agenda Item 8) (Minute 117 refers)
- Councillor G Hyde in his capacity as a Director of East North East Homes (Agenda Item 8) (Minute 117 refers)
- Councillor J Jarosz in her capacity as a Probation Officer employed by the National Probation Service (Agenda Item 10) (Minute 119 refers)
- Councillor A Castle in her capacity as a Member on the West Yorkshire Fire and Rescue Authority (Agenda Item 10) (Minute 119 refers)
- Councillor D Hollingsworth in his capacity as a Member on the West Yorkshire Fire and Rescue Authority (Agenda Item 10) (Minute 119 refers)

114 Apologies for Absence

Apologies for absence were received on behalf of Councillors R Downes and M Rafique.

115 Minutes of the Previous Meeting

RESOLVED - That the minutes of the meeting held on 8th March 2010 be approved as a correct record.

116 Executive Board - Minutes

RESOLVED – That the minutes of the Executive Board meeting held on 10th March 2010 be received and noted.

117 Procurement of the Grounds Maintenance Contract for 2011 - Formal Response to the Scrutiny Board's interim Statement

Referring to Minute 85 of the meeting held on 11th January 2010, the Head of Scrutiny and Member Development submitted a report presenting the formal response to the Board's Statement in relation to the procurement of the grounds maintenance contract for 2011.

Minutes approved as a correct record at the meeting held on Monday, 17th May, 2010

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

- Scrutiny Interim Statement – Procurement of the Grounds Maintenance Contract for 2011 (Appendix 1 refers)
- Report of the Director of Environment and Neighbourhoods – Executive Board – 10th March 2010 – Environment and Neighbourhoods Inquiry in to the Procurement of the Grounds Maintenance Contract for 2011 (Appendix 2 refers)
- Report of the Director of Environment and Neighbourhoods – Scrutiny Board (Environment and Neighbourhoods) – 19th April 2010- Procurement of the Grounds Maintenance Contract for 2011 – Formal Response to the Scrutiny Boards Interim Statement (Appendix 3 refers)

Andrew Mason, Chief Environmental Services Officer, Environment and Neighbourhoods was in attendance and responded to Members' queries and comments.

In acknowledging the poor response received in relation to the Scrutiny Board's initial invitation to all 31 Parish and Town Councils to attend a meeting of the working group to discuss the future content of the grounds maintenance service contract, Members questioned whether engagement with the Parish and Town Councils had improved.

Andrew Mason, Chief Environmental Services Officer informed the meeting that officers within Environment and Neighbourhoods would be approaching all of the Parish and Town Councils again during key stages of the procurement process.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That any recommendations which had not yet been completed would be included in future quarterly recommendation tracking reports to enable the Board to continue to monitor progress.

(Councillor J Marjoram joined the meeting at 10.10am during discussions of the above item)

118 Procurement of Housing Contracts Review - Draft Statement

Referring to Minute 6 of the meeting held on 3rd June 2010, the Head of Scrutiny and Member Development submitted a report on the draft Statement of the Board in relation to the procurement of housing contracts.

Appended to the report was a copy of a document entitled 'Draft Scrutiny Statement Procurement of Housing Contracts April 2010' for the information/comment of the meeting.

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

Minutes approved as a correct record at the meeting held on Monday, 17th May, 2010

Wayne Baxter, Chief Procurement Officer, Chief Executive's Department
Debbie Forward, Supporting People Manager, Environment and Neighbourhoods.

Wayne Baxter, in his presentation, made specific reference to Recommendation 5 within the draft statement and provided further background about officer declarations in particular and the ongoing debate both locally and nationally about whether the register of employee interests should also be made available to the public.

Following a brief discussion, the Board agreed that it would be more appropriate for recommendation 5 to be directed at the Council's Monitoring Officer and Chief Officer for Human Resources for implementation. Members also amended the recommendation to request that an update report be brought back to Scrutiny within 3 months. The Board's Principal Scrutiny Adviser was therefore requested to redraft this recommendation as follows:-

Recommendation 5 – (i) That the Chief Human Resources Officer and the Council's Monitoring Officer be requested to explore ways in which the requirement for all Members and officers to formally register and declare any interests/relationships of a business or private nature with external contractors or potential contractors can be made more transparent as part of any contract review process. (ii) That an update report be brought back to Scrutiny within three months.

The Chair then welcomed Debbie Forward, Supporting People Manager, to the meeting who was conveying comments received from Councillor J L Carter, Executive Member for Neighbourhoods and Housing, and Neil Evans, Director of Environment and Neighbourhoods, on the recommendations within the draft Statement.

In consideration of the comments made, the Board agreed to make the following amendments to the draft recommendations:-

Recommendation 1 – the Board agreed to include the words 'Where this was not possible due to unforeseen emergency situations, then to ensure that an inspection was undertaken within 48 hours or the next working day' to the end of this recommendation.

During the meeting, specific reference was also made to the following issues:-

- clarification of the number of inspections that have been conducted with regard to the provision of temporary accommodation
(The Supporting People Manager responded and informed the meeting that 280 properties had been inspected last year. It was also reported that currently there are no families placed in the private sector as temporary accommodation)
- clarification of the inspection arrangements in place in terms of the provision of temporary accommodation for Asylum Seekers

(The Supporting People Manager responded and explained that the UK Border Agency was primarily responsible for commissioning and managing the provision of private sector accommodation for Asylum Seekers and therefore would have in place their own inspection arrangements)

- in acknowledging the robust inspection regime now adopted by the Council, it was proposed that the Chair writes on behalf of the Board to the UK Border Agency to advise that such good practice is also adopted by them in relation to the provision of temporary accommodation for Asylum Seekers in Leeds
- reference was again made to the need to reduce the numbers of requests made to waiver/invoke contract procedure rules.
- clarification was sought on the number of requests still being made by Environment and Neighbourhoods to waiver/invoke contract procedure rules and the reasons for such requests. It was recommended that the successor Board receives details of such requests made over a recent quarterly period and uses this to review and evaluate the situation *(The Supporting People Manager explained that the majority of waivers will relate to Supporting People contracts as not all will be subject to competitive tender due to the high volume of contracts in place and therefore contracts are prioritised for competitive tender)*

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That, subject to incorporating the above comments, approval be given to the Board's Statement on the Procurement of Housing Contracts in accordance with the report now submitted.
- c) That the Chair writes on behalf of the Board to the UK Border Agency advising that the robust inspection regime adopted by the Council in relation to temporary accommodation was also adopted as good practice in relation to the provision of temporary accommodation for Asylum Seekers in Leeds.
- d) That the successor Scrutiny Board receives details of requests made by the directorate to waiver/invoke contract procedure rules over a recent quarterly period and uses this to review and evaluate the situation.

(Councillor D Hollingsworth joined the meeting at 10.15am during discussions of the above item)

119 Crime and Disorder Scrutiny - Draft Protocol

The Head of Scrutiny and Member Development submitted a report on the draft protocol in relation to Crime and Disorder Scrutiny in Leeds.

Appended to the report was a copy of a document entitled ' Scrutiny Board (Environment and Neighbourhoods) – Protocol between the Scrutiny Board and the Community Safety Partnership in Leeds' for the consideration and agreement of the Board.

Marcus Beacham, Head of Strategic Commissioning (Community Safety), Environment and Neighbourhoods, was in attendance to respond to any queries and comments from Members.

The Board's Principal Scrutiny Adviser informed the meeting that following the Scrutiny Board's meeting, formal agreement of the protocol would also be sought from the Safer Leeds Partnership Executive.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That approval be given to the draft protocol between the Scrutiny Board and the local Community Safety Partnership in relation to crime and disorder scrutiny in Leeds in accordance with the report now submitted.

120 Current Work Programme

The report of the Head of Scrutiny and Member Development submitted a report on the Board's current work programme.

Also attached was the current Forward Plan of Key decisions for the period 1st April 2010 to 31st July 2010.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the work programme be approved in accordance with the report now submitted.

121 Date and Time of Next Meeting

Monday 17th May 2010 at 10.00am (Pre-meeting for Board Members at 9.30am)

(The meeting concluded at 10.40am)

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SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 17TH MAY, 2010

PRESENT: Councillor B Anderson in the Chair

Councillors A Barker, B Cleasby,
R Downes, J Jarosz, J Marjoram,
L Mulherin and M Rafique

122 Chair's Opening Remarks

The Chair welcomed everyone to the May meeting of the Scrutiny Board (Environment and Neighbourhoods). He also welcomed Councillor B Cleasby who had been appointed to the Board following the recent non-election of the former Councillor D Hollingsworth.

123 Late Items

The Chair agreed to accept the following documents as late items:-

- Review of the Housing Lettings Process – Draft Statement (Agenda Item 9) (Minute 129 refers)
- Worklessness Review – Draft Statement (Agenda Item 10) (Minute 130 refers)
- Annual Report 2009/2010 – Draft Annual Report 2009/2010 (Agenda Item 11) (Minute 131 refers)

The documents in question were late due to ongoing consultation following the agenda despatch deadline.

124 Declarations of Interest

There were no declarations made at the meeting.

125 Apologies for Absence

Apologies for absence were received on behalf of Councillors A Castle and J Dowson.

126 Minutes of the Previous Meeting

RESOLVED- That the minutes of the meeting held on 19th April 2010 be approved as a correct record.

127 Executive Board - Minutes

RESOLVED- That the minutes of the Executive Board meetings held on 7th April 2010 and 28th April 2010 be received and noted.

128 Inquiry into the EASEL Regeneration Programme - Draft Interim Report

Referring to Minute 93 of the meeting held on 9th February 2009, the Head of Scrutiny and Member Development submitted a report on the Board's inquiry into the EASEL Regeneration Programme.

Minutes approved as a correct record
at the meeting held on 14th June 2010.

Appended to the report was a document entitled 'Draft Scrutiny Interim report – East and South East Leeds Regeneration Programme May 2010' for the information/comment of the meeting.

Prior to considering the draft report, the Board noted that the Director of Environment and Neighbourhoods was in agreement with the content and did not wish to make any further comments.

Stephen Boyle, Chief Regeneration Officer, Environment and Neighbourhoods was in attendance to respond to any Members' queries and comments.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That approval be given to the Board's interim inquiry report on the EASEL Regeneration Programme in accordance with the report now submitted.

129 Review of the Housing Lettings Process - Draft Statement

The Head of Scrutiny and Member Development submitted a report presenting the Board's draft findings and recommendations in relation to its review of the Housing Lettings Process.

Appended to the report was a copy of a document entitled 'Draft Scrutiny Statement – Housing Lettings Process – May 2010' for the information/comment of the meeting.

Simeon Perry, Housing Policy and Monitoring Manager, Environment and Neighbourhoods was in attendance and responded to Members' queries and comments:-

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

- clarification of the content of the update report due to be considered by the Executive Board on 19th May 2010 in relation to the review of the Council's Lettings Policy and also the consultation undertaken to date with political groups in this regard
(The Housing Policy and Monitoring Manager responded and briefly outlined the areas covered within the Executive Board report and the consultation undertaken to date with Elected Members)
- that the timing of the Executive Board report had not allowed for the work of the Scrutiny Board to be taken into consideration at this stage. It was the view of the Board that an acknowledgement needed to be given to the work undertaken by the Scrutiny Board on the housing lettings process as part of the update to Executive Board on 19th May 2010
- the need to incorporate a defined timescale in relation to Recommendation 4 'That any concerns or complaints made to the ALMOs about the behaviour of a particular tenant are acted upon with urgency'

(Following discussions, the Board agreed to include the following additional wording after the word urgency.... 'with an interim response given within 5 working days')

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That, subject to the proposed amendment to Recommendation 4 as referred to above, approval be given to the Board's Statement on the Housing Lettings Process in accordance with the report now submitted.
- c) That the Director of Environment and Neighbourhoods be requested to acknowledge the work undertaken by the Scrutiny Board on the housing lettings process as part of the update being presented to the Executive Board on 19th May 2010.

(Councillor R Downes joined the meeting at 10.05am during discussions of the above item)

130 Worklessness Review - Draft Statement

The Head of Scrutiny and Member Development submitted a report presenting the Board's draft findings and recommendations in relation to its review on Worklessness.

Appended to the report was a copy of a document entitled 'Draft Scrutiny Statement - Worklessness – May 2010' for the information/comment of the meeting.

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

- Stephen Boyle, Chief Regeneration Officer, Environment and Neighbourhoods
- Sue Wynne, Head of Regeneration Policy and Planning, Environment and Neighbourhoods

Arising from discussions, it was the view of the Board that due to the complex nature of this issue, the successor Board should be provided with regular updates in relation to the overall delivery of the new Employment Leeds model.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That approval be given to the Board's Statement following its review on Worklessness in accordance with the report now submitted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme for the successor Board.

131 Annual Report 2009/2010

The Head of Scrutiny and Member Development submitted a report presenting the draft contribution of the Scrutiny Board (Environment and Neighbourhoods) to the Scrutiny Boards' Annual Report.

RESOLVED – That, subject to a number of minor amendments, the contribution of the Scrutiny Board (Environment and Neighbourhoods) composite Scrutiny Annual Report be approved.

132 Work Programme

The Head of Scrutiny and Member Development submitted a report on the Board's work programme.

Appended to the report was a copy of the current Forward Plan of Key Decisions for the period 1st May 2010 to 31st August 2010 for the information/comment of the meeting.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Board notes the current position with regard to the work programme, which will be forwarded to the new Board for the 2010/11 municipal year for consideration.

133 Chair's Closing Remarks

The Chair reminded Members that this was the last Board meeting within the current municipal year. He personally thanked Board Members, witnesses and officers for their support and commitment during the year.

(The meeting concluded at 10.25am)

SCRUTINY BOARD (ADULT SOCIAL CARE)

TUESDAY, 11TH MAY, 2010

PRESENT: Councillor J Chapman in the Chair

Councillors B Chastney, P Ewens,
Mrs R Feldman, C Fox, V Morgan and
E Taylor

CO-OPTEEs J Fisher and S Morgan

106 Chair's Opening Remarks

The Chair welcomed everyone to the final meeting of the Scrutiny Board (Adult Social Care) for the 2010/11 Municipal Year and expressed her thanks to all Board Members for their support and hard work during the year.

Congratulations were made to officers in Adult Social Care as the Social Care Institute of Excellence had acknowledged their Dignity in Care Campaign as an example of good practice.

107 Declarations of Interest

The following personal declarations of interest were made:

- Councillor J Chapman as she has a family member employed in a local care capacity (Agenda Item 9) (Minute No 113 refers)
- Councillor P Ewens in her capacity as a Member of the Cardigan Centre (Agenda Item 9) (Minute No 113 refers)
- Councillor E Taylor due to her employment with NHS Leeds (Agenda Item 9) (Minute No 113 refers)
- J Fisher in her capacity as a service user and voluntary sector representative (Agenda Item 9) (Minute No 113 refers)
- S Morgan in her capacity as a service user (Agenda Item 9) (Minute No 113 refers)

108 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Andrew, Gabriel and Hanley.

109 Minutes

RESOLVED – That the minutes of the meeting held on 17 March 2010 be confirmed as a correct record.

110 Matters Arising from the Minutes

Minutes approved at the meeting
held on 23 June 2010

Minute No 100 – Adult Social Care Commissioning Update

The Chair welcomed Dennis Holmes, Deputy Director - Adult Social Services to the meeting. The Board was given an update on the position with the review of commissioning for Neighbourhood Networks. The Board was informed that it was intended to present an updated report to the Executive Board in July 2010. Contracts for the current Neighbourhood Networks have been extended for 3 months until July in the first instance and, if required, then for a further three months until October 2010 and it would be ensured that all 99 Elected Members would be kept appraised across the City.

(Councillor Fox joined the meeting at 10.10 a.m. during the discussion on this item).

111 Inquiry into Transitional Arrangements for Disabled Young People into Adult Social Care

The report of the Head of Scrutiny and Member Development referred to the Board's recent Inquiry into Transitional Arrangements for Disabled Young People into Adult Social Care and a copy of the final draft scrutiny inquiry report was included with the agenda.

It was reported that the draft report had been circulated to relevant officers and the Executive Member for Adult Health and Social Care who had all accepted the recommendations within.

RESOLVED – That the inquiry report on Transitional Arrangements for Disabled Young People into Adult Social Care be agreed.

112 Statement on the Independence Wellbeing and Choice Action Plan

The report of the Head of Scrutiny and Member Development referred to the Independence, Wellbeing and Choice Report and subsequent Action Plan that had been monitored by the Board's Proposals Working Group. A draft statement had been included in the report which outlined the findings and recommendations of the Proposals Working Group.

Dennis Holmes addressed the Board. He reported that there was no longer a requirement for intensive oversight of safeguarding in the City and that in terms of monitoring from the Care Quality Commission (CQC), this would now proceed in the standard way for an authority with a good rating. Future aspirations included achieving excellent status.

Improvements in standards had been achieved ahead of schedule and congratulations were made to all concerned.

RESOLVED – That the statement on the monitoring of the Independence Wellbeing and Choice Action Plan be approved.

113 Annual Report

The report of the Head of Scrutiny and Member Development contained the Board's proposed submission to the Annual Scrutiny Report to Council.

Members discussed the report and requested that the future scrutiny of Homecare Provision be included for the Board's work programme.

The Chair expressed thanks to all that had been involved in the scrutiny process for their support and hard work.

RESOLVED – That paragraph 3.2 of the report be noted and the Board's contribution to the composite Annual Report be approved.

114 Work Programme

The report of the Head of Scrutiny and Member Development summarised the Board's Work Programme and also included the latest Forward Plan of Key Decisions and Executive Board Minutes.

RESOLVED – That the report be noted

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SCRUTINY BOARD (ADULT SOCIAL CARE)

WEDNESDAY, 23RD JUNE, 2010

PRESENT: Councillor T Hanley in the Chair

Councillors J Chapman, B Cleasby,
S Hamilton, A Hussain, G Hyde, V Kendall,
R Pryke, D Schofield and S Varley

1 Declarations of Interest

The following declarations of interest were made in Agenda Items 9 and 10 Input to the Work Programme 2010/11 – Sources of Work and Establishing the Board's Priorities/Determining the Work Programme 2010/11. (Minute No. 6 refers):

- Councillor B Cleasby as a Member of the Horsforth Live at Home Scheme and as his wife was in receipt of a care allowance.
- Councillor J Chapman as she has a family member employed in a local care capacity.
- Councillor G Hyde as a Neighbourhood Network Member.
- Councillor R Pryke as a Neighbourhood Network Member.
- Councillor S Hamilton due to her employment with the NHS
- Councillor V Kendall due to her position with Community Action for Roundhay Elderly.
- Councillor Hanley as a director of Bramley Elderly Action

2 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors A Gabriel and K Renshaw. Councillor G Hyde was in attendance as a substitute for Councillor Renshaw.

3 Minutes - 11 May 2010

RESOLVED – That the minutes of the meeting held on 11 May, 2010 be confirmed as a correct record.

4 Co-opted Members

The report of the Head of Scrutiny and Member Development sought the Scrutiny Board's formal consideration for the appointment of co-opted Members to the Board.

The Board were asked to consider the co-option of the following for the 2011/12:

Draft minutes to be approved at the meeting
to be held on Monday, 19th July, 2010

- Joy Fisher – Alliance of Service Users and Carers
- Sally Morgan – Equality Issues

In addition to this, the Board discussed having a co-opted Member who represented the Leeds LINK.

RESOLVED –

- (a) That the following be co-opted to the Scrutiny Board (Adult Social Care) for the 2010/11 Municipal Year:
 - Joy Fisher, Alliance of Service Users and Carers
 - Sally Morgan, Equality Issues
- (b) That a further report be submitted to the next meeting to give further consideration to co-opting a Member from Leeds LINK

5 Changes to the Council's Constitution in relation to Scrutiny

The report of the Head of Scrutiny and Member Development referred to recent amendments to the Council's Constitution as agreed by Council, which directly related to and/or impacted on the work of Scrutiny Boards.

The following main issues were highlighted:

- The need to investigate 'value for money' in any scrutiny reviews
- The reduction to 6 Scrutiny Boards – Scrutiny Board (City and Regional Partnerships) had ceased
- Substitute Members were now permitted for all Scrutiny Board meetings provided that the substitute was already a Scrutiny Board Member

Concern was expressed due to the cessation of the Scrutiny Board (City & Regional Partnerships) particularly as it was felt that there were cross boundary issues in relation to the provision of adult social care. It was reported that there was a regional network of Lead Members for Adult Social Services and networking also took place with other Local Authorities and the Centre for Public Scrutiny.

RESOLVED – That the report be noted.

6 Input to the Work Programme 2010/11 - Sources of Work and Establishing the Board's Priorities and Determining the Board's Work Programme 2010/11

The reports of the Head of Scrutiny and Member Development provided information and guidance to assist the Board in developing its Work Programme for 2010/11.

Members attention was brought to the following content detailed in the report:

- Council Business Plan

Draft minutes to be approved at the meeting
to be held on Monday, 19th July, 2010

- List of previous Scrutiny Inquiries relevant to the Adult Social Care Portfolio
- The Forward Plan of Key Decisions
- Suggested work areas.

The Chair welcomed the following to the meeting:

- Councillor Lucinda Yeadon, Executive Member for Adult Social Care
- Sandie Keene, Director of Adult Social Services
- Dennis Holmes, Deputy Director of Adult Social Services
- John Lennon, Chief Officer – Access & Inclusion

Councillor Yeadon and Sandie Keene addressed the Board and highlighted some of the key issues/areas concerning the provision of Adult Social Care over the following year. These included the following:

- Budget constraints
- Residential care, domiciliary care and reablement services
- Provision of Day Services
- Work with health partners
- Neighbourhood Networks
- Learning Disability Services

In response to Members comments and questions, the following issues were discussed:

- Hospital discharges and the impact on residential care.
- End of life care
- Day centre provision and the impact of recent closures
- Integration issues with health service partners and joint commissioning
- Holt Park and PFI funding.
- Issues surrounding IT systems including compatibility and transfer of data with partner organisations
- Working Groups – the Principal Scrutiny Adviser agreed to contact Members regarding availability for Working Groups and to arrange dates and times of meetings. The Board was also advised that member availability will directly influence the capacity to undertake inquiries
- The possibility of joint working with the Scrutiny Board (Health) on various issues and the need to avoid duplicating areas of work.

RESOLVED – That the report and discussion be noted and the Work Programme be amended where appropriate.

7 Inquiry Report, Self Directed Support and Personal Budgets- Formal Response

The report of the Head of Scrutiny and Member Development referred to the Board's Inquiry into Self Directed Support and Personal Budgets. It was

Draft minutes to be approved at the meeting
to be held on Monday, 19th July, 2010

reported that the Director of Adult Social Services response to the Executive Board had been approved and all this was detailed in appendices to the report. Members were asked to consider the responses provided and to decide whether further scrutiny was required

John Lennon gave the Board a brief overview of the Inquiry and Members were invited to make comments and questions. In brief summary, the following issues were discussed:

- The Board referred to recommendations which specified monitoring the position in relation to Self Directed Support and Personal Budgets on a quarterly basis.
- Individuals did not have to move to a personal budget, and those who did would be assessed for suitability.
- The relevant information on all Inquiry's as detailed in the previous Board's Annual Report would be distributed to all Board Members for information.

RESOLVED – That the report and discussion be noted

8 Date and Time of Next Meeting

Monday, 19 July at 10.00 a.m. (pre-meeting for all Board Members at 9.30 a.m.)

The meeting concluded at 11.25 a.m.

SCRUTINY BOARD (HEALTH)

TUESDAY, 25TH MAY, 2010

PRESENT: Councillor M Dobson in the Chair

Councillors S Bentley, J Chapman,
D Congreve, J Illingworth, M Iqbal,
G Kirkland, A Lamb and L Yeadon

Co-optees Arthur Giles – Leeds LINK
Razwanah Alam – Leeds VOICE

87 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda the following late reports and supplementary information relating to the following agenda items:-

Agenda Item 8 – Foundation Trust Costs – Summary Briefing.

Agenda Item 9 – Renal Services in Leeds – Report following the Leeds Teaching Hospitals Trust Board on 20 May 2010.

Agenda Item 10 – Copy of the Scrutiny Board's proposed final Inquiry Report into Promoting Good Public Health, together with the advice and comments of the Directors and Chief Officers in respect of the Board's recommendations.

Agenda Item 11 – Copy of the Chair's Summary to preface the Board's contribution to the composite Annual Scrutiny Report for submission to Council.

None of the above documents had been available at the time of the agenda despatch.

88 Declarations of Interest

Councillor Chapman declared a personal interest in relation to Agenda Items 9 and 10 in respect of a relative who worked in the health care sector.

89 Minutes - 16th March 2010

RESOLVED – That the minutes of the meeting held on 16th March 2010 be confirmed as a correct record.

90 Draft Quality Accounts 2009/10 - Leeds Teaching Hospitals NHS Trust and Leeds Partnership Foundations Trust

Minutes confirmed as a correct record
at the meeting held on 25th June 2010

Further to Minute No. 66, 26th January 2010, the Head of Scrutiny and Member Development submitted for the Board's consideration and comment the draft 2009/10 Quality Account Reports of the Leeds Teaching Hospitals NHS Trust (LTHT) and Leeds Partnership Foundations Trust (LPFT).

In attendance at the meeting, and responding to Members' queries and comments, were:-

- Guy Musson, Deputy Chief Executive, LPFT
- Julia Roper, Quality Improvement Manager, LTHT

In brief summary, the main areas of discussion were:-

- A current lack of targets in respect of the LPFT document.

It was explained that this was the first full year of producing the statutory Quality Accounts and there was currently no baseline data for comparison purposes. However, the point was acknowledged and the Board could expect to see targets in future years.
- The current dual monitoring and assessment arrangements, involving both the official Monitor and the Care Quality Commission, and the slightly different assessment regimes involved. It was to be hoped that, possibly, these arrangements might be rationalised in the future.
- The numbers and percentage of re-admissions of patients within 28 days of discharge and some of the reasons underlying the statistics.
- A suggestion that when the Quality Accounts were published, they should be supplemented by a glossary explaining the various acronyms used, and a simplified bullet point summary of each document.
- The LTHT report referred to accessibility, and the view was expressed that this should apply equally to information and not just service provision. Whilst understanding the need for some patient confidentiality, it was felt to be important to keep close relatives and carers informed of developments.
- Reference was made to the Board's previously expressed and continuing concerns regarding the present consultation methods of LTHT, e.g. the lack of meaningful consultation on the issue of the provision of renal services at Leeds General Infirmary (LGI). It was suggested that some sort of reflection on this issue on the part of the LTHT should, perhaps, be included in the Quality Account Statement.
- Recognising and responding to acutely ill patients – reference was made to efforts to embed, locally, national best practice in this area.

RESOLVED –

Minutes confirmed as a correct record
at the meeting held on 25th June 2010

- a) That the officers be thanked for their attendance and the manner in which they have responded to Members' queries and comments.
- b) That the Principal Scrutiny Adviser, in consultation with the Chair, prepare and circulate to Board Members a draft Board Submission on the Quality Accounts for submission to both LPHT and LTHT.

91 Leeds Teaching Hospitals NHS Trust - Foundation Trust Status - Update Report

Further to Minute No. 65, 26th January 2010, the Board received an update on the progress of the public consultation exercise regarding LTHT's proposal to achieve Foundation Trust status.

Ross Langford, Head of Communications, LTHT, was in attendance at the meeting and responded to Members' queries and comments. In brief summary the main issues discussed were:-

- Ross Langford outlined some of the agreed changes as a result of the consultation to date. The more significant ones were an increase in the number of Elected Governors, from 21 to 23, and the Appointed Governors, from 9 to 11, making a revised total of 40 Governors. It had also been agreed to amend the proposed constituency boundaries from 9 to 10, and these would be aligned with Council Area Committee boundaries.
- Many of the Scrutiny Board's subsequent comments and concerns reflected the main concerns identified in the overall public consultation exercise, in particular :-
- The costs of implementing Foundation Trust status and the resultant bureaucracy;
- A lack of clarity regarding any perceived direct benefit for patients; and
- The cost of the consultation exercise and whether it was real or cosmetic.

Members requested comparative figures for the current administration costs of LTHT and the estimated costs of the new arrangements.

- Concern was also expressed regarding current communication and consultation difficulties between LTHT and its patients and, to an extent, the Scrutiny Board (Health), and whether the new arrangements would actually improve those areas.
- Whilst Members accepted the principles which lay behind the exercise, and that democracy came at a price, overall they remained to be convinced, and would require further details regarding costs, how the

Minutes confirmed as a correct record
at the meeting held on 25th June 2010

proposals would work in reality, especially the LTHT Board/Board of Governors arrangements/relationships, and the perceived benefits to front-line services.

RESOLVED –

- a) That, subject to the above comments and requests for further information, the progress report be received and noted.
- b) That Ross Langford be thanked for attending the meeting and the manner in which he has responded to Members' queries and comments, and he be invited to update the Board again at a future meeting.

(NB: Councillor Yeadon left the meeting at 11.02 am, during the consideration of this item.)

92 Renal Services in Leeds

Further to minute 85, 16th March 2010, the Head of Scrutiny and Member Development submitted a report advising the Board that, at its meeting held on 20th May 2010, the LTHT Board had decided not to proceed with the development of a renal haemodialysis unit at LGI.

In summary, the Scrutiny Board remained extremely concerned and unhappy at the decision, the rejection of its own finding and recommendations, and at what it regarded as wholly inadequate consultation and supporting evidence on the part of LTHT.

The Scrutiny Board considered the options now available to it, in particular taking into account the advice of the Head of Scrutiny and Member Development contained in paragraph 4.3 of his report regarding referrals to the Secretary of State for Health.

RESOLVED – (a) That further to the full Council resolution on 21st April 2010, the decision of LTHT not to provide a satellite renal dialysis unit at LGI be formally referred to the Secretary of State for Health, on the basis of the decision not being in the interest of the local health services.

(b) That, as part of the formal referral, the Principal Scrutiny Advisor prepares and circulates a brief statement setting out the Board's concerns regarding the recent Trust Board decision.

93 Scrutiny Inquiry Report: Promoting Good Public Health

The Board considered its proposed final Inquiry Report, together with the comments and advice of Directors and chief Officers regarding the proposals.

RESOLVED – That, subject to the acceptance of the advice from the Director of Adult Social Services in respect of Recommendations 4 and 7, the Board's proposed final Inquiry report be approved and published.

Minutes confirmed as a correct record
at the meeting held on 25th June 2010

94 Annual Report

RESOLVED – That the Board’s proposed contribution to the composite Annual Scrutiny Report be approved, as updated to reflect decisions taken at today’s meeting.

95 Chair's Closing Remarks

The Chair thanked Members, present and past, and officers for their contributions to the work of the Board during what had been a challenging year in which the Board had tackled some significant issues in a meaningful way.

In particular, he paid tribute, endorsed by the Board, to the tremendous work performed by Steven Courtney, Principal Scrutiny Adviser, on the Board’s behalf.

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SCRUTINY BOARD (HEALTH)

FRIDAY, 25TH JUNE, 2010

PRESENT: Councillor M Dobson in the Chair

Councillors D Congreve, Mr Arthur Giles,
K Groves and G Kirkland

CO-OPTEEs: A Giles (Leeds Local Involvement Network)

1 Chair's Opening Remarks

The Chair welcomed everyone present to the first Scrutiny Board (Health) meeting of the 2010/11 municipal year.

2 Declarations of Interest

There were no declarations of interest.

3 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Councillors Ewens, Harrand, Illingworth, Matthews, A McKenna and E Taylor. Notification had been received that Councillor Groves was attending the meeting as a substitute Member.

4 Minutes - 25th May 2010

RESOLVED – That the minutes of the meeting held on 25th May 2010 be confirmed as a correct record.

5 Co-opted Members on Scrutiny Boards

The Head of Scrutiny and Member Development submitted a report which sought Members' consideration of the appointment of co-opted members to the Board. Details of current arrangements were contained in the report.

Members discussed arrangements for allocating 2 non-voting co-opted member places to Leeds LINK (to include Arthur Giles and one other) and not, currently, seeking a nomination from Leeds Voice (Health Forum).

RESOLVED –

- (a) That Arthur Giles (Leeds LINK representative) be re-appointed as a non-voting Member of the Board for 2010/11; and
- (b) That Leeds LINK be invited to nominate a second representative to serve as a non-voting co-opted member on the Scrutiny Board (Health) for 2010/11.

(NB Following the conclusion of this item, Mr Giles was invited to formally join the Board as a non-voting co-opted member and contribute to the remainder of the meeting.)

6 Changes to the Council's Constitution in relation to Scrutiny

The Head of Scrutiny and Member Development submitted a report which provided the Board with information on recent amendments to the Council's Constitution, as agreed by Council on 27th May 2010, which directly related to and / or made an impact on the work of Scrutiny Boards.

RESOLVED – That the amendments to the Council's Constitution as outlined in the report, be noted.

7 Input into the Board's Work Programme 2010/11 - Sources of Work and Establishing the Board's Priorities

The Head of Scrutiny and Member Development submitted a report which provided information and guidance to assist the Board develop its work programme for 2010/11.

Attached for Members' information was a copy of the Board's terms of reference and the Board's annual report (2009/10).

In addition, relevant information from the following key sources was attached to the report to assist Members in developing the Board's work programme for 2010/11:

- Leeds Strategic Plan 2008 -2011 – Executive Summary
- Combined extract from Leeds' Director of Public Health Annual Reports (2008 and 2009) – outlining recommendations for action to reduce health inequalities (2008) and associated progress (2009)
- List of scrutiny inquiries relevant to the Board's portfolio undertaken since 2003
- The Health and Wellbeing Partnership Plan (2009-2012)
- Department of Health – 2009 Annual Report of the Chief Medical Officer.

The Chair welcomed to the meeting Councillor Yeadon, Executive Member (Adult Health and Social Care) and the following officer and representatives to contribute to the discussion about the Board's work programme:

- John England, Deputy Director of Adult Social Services
- Frank Griffiths, Chair of Leeds Partnerships NHS Foundation Trust (LPTF)
- Chris Butler, Chief Executive of Leeds Partnerships NHS Foundation Trust (LPTF)

A brief overview of key issues and priorities relevant to the work of the Scrutiny Board (Health) was provided as follows:

Draft minutes to be approved at the meeting
to be held on Tuesday, 27th July, 2010

Leeds Partnerships Foundation Trust (LPTF)

- Current context
 - Significant national reforms across the NHS – in the context of financial austerity
 - A changing landscape for service commissioners and service providers, with changes to the commissioning framework
 - Entering new ways of working – particular focus on working in partnership and the integration of services (where appropriate and beneficial)
 - Significant challenge to identify priorities.
- Key areas:
 - Re-design of older people services and local implementation of the national dementia strategy
 - Development of Financial Plan to assist with reducing unnecessary costs and ensuring better integration of services
 - Improving individuals' health and well-being with specific focus on those with learning difficulties and mental health needs
 - Making best use of individuals' knowledge and experience to help plan for the future
 - Valuing and developing the workforce
 - Contributing to the development of the role of the Strategic Commissioning Board.

The Chair then invited questions and the main areas of discussion were:

- Recognition of the need to develop collaborative arrangements, especially with local voluntary groups and organisations.
- Acknowledgement of the importance of proper consultation with service users.
- Concern that due to budget pressures, some of the more innovative and creative schemes could be at risk. (It was reported that a cost reduction programme had already started and the Trust was taking an upfront view of the challenges it was facing. Within its financial planning, the Trust was aware of the need to make provision (head-room) to allow for the development of services / areas that may deliver longer-term financial benefits).
- Support for individuals with mental health needs, e.g. investment in partnership approach with Department of Work and Pensions to help individuals back into employment.

Councillor Yeadon, Executive Member (Adult Health and Social Care)

- Need to be realistic about the current context:
 - Challenging times
 - Changing demographics
 - Changing face of Adult Social Care.
- Budgetary pressures, particularly relating to hospital, residential and homecare admission / discharge arrangements.

- Need to improve care for individuals with terminal illnesses, particularly those with dementia.
- Working to ensure equal access to healthcare for all.

John England, Deputy Director of Adult Social Services

- Patient and public engagement and shift to local level accountability.
- Re-organisation of services and focussing on how proposals worked in practice.
- Partnership and services integration.

Members also expressed concern about information contained within the 2009 Annual Report of the Chief Medical Officer, relating to 'Winter kills', particularly that mortality in England rises 18%, during the winter months, but other colder countries had smaller increases. Members felt that there was a need for further research on factors contributing to differences in life expectancy across different Wards and different communities in Leeds.

RECOMMENDED – That the report and contributions made during the discussion be taken into account at a future meeting when the Board is finalising its work programme and deciding its priorities.

(Councillor Groves left the meeting at 11.05 am. The Chair advised that the meeting was now inquorate.)

(Mr Giles declared a personal interest in this item as a representative of Leeds LINK.)

8 Kirkstall Joint Service Centre

This item was deferred to the Scrutiny Board meeting in July.

9 Determining the Board's Work Programme 2010/11

This item was deferred to the Scrutiny Board meeting in July.

10 Dates and Times of Future Meetings

RESOLVED – That the following meeting dates be noted and approved:

- 27th July 2010
- 21st September 2010
- 26th October 2010
- 23rd November 2010
- 21st December 2010
- 25th January 2011
- 22nd February 2011
- 22nd March 2011
- 26th April 2011

All meetings on a Tuesday at 10.00 am except 21st December at 2.00 pm
(Pre-Meetings at 9.30 am).

(The meeting concluded at 11.25 am.)

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Standards Committee

Thursday, 22nd April, 2010

PRESENT:

Independent Members

Mike Wilkinson (Chair)	(Independent Member)
Joanne Austin	(Independent Member)
Rosemary Greaves	(Independent Member)
Philip Turnpenny	(Independent Member)
Gordon Tollefson	(Reserve Independent Member)

Councillors

C Campbell	B Gettings
R D Feldman	B Selby

Parish Members

Councillor Mrs P Walker	Pool in Wharfedale Parish Council
Councillor John C Priestley	East Keswick Parish Council
Councillor Paul Cook	Morley Town Council

APOLOGIES:

Councillors D Blackburn, J L Carter and J Harper

81 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

82 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

83 Late items

There were no late items submitted to the agenda by the Chair for consideration.

84 Declaration of interests

There were no declarations of 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.

85 Minutes of the Previous Meeting

The minutes of the Standards Committee meeting held on 17th February 2010 were approved as a correct record.

Further to Minute 67, the Committee was informed that a flowchart had been created to explain the local assessment process, as well as a list of frequently asked questions, which would be reviewed by the Whips before being sent to all Members.

Further to Minute 70, the Committee was informed that a briefing note prepared by the Head of Human Resources had been circulated by e-mail on 15th April 2010.

86 Minutes of the Assessment Sub-Committee

The minutes of the Assessment Sub-Committee meetings held on 1st February and 23rd March 2010 were received and noted.

Further to Minute 27, the Monitoring Officer informed the Committee that the purpose and retention of Clerks' notes would be reviewed in relation to all Committees.

87 Minutes of the Review Sub-Committee

The minutes of the Review Sub-Committee meeting held on 26th February 2010 were received and noted.

88 Minutes of the Consideration Sub-Committee

The minutes of the Consideration Sub-Committee meetings held on 1st February and 26th February 2010 were received and noted.

(Councillor Selby arrived at 2.10pm during the consideration of this item.)

89 Minutes of the Corporate Governance and Audit Committee

The minutes of the Corporate Governance and Audit Committee meetings held on 10th February and 17th March 2010 were received and noted.

90 Chair's Opening Remarks

As this was the Chair's last Standards Committee meeting, Councillor Campbell expressed his appreciation on behalf of the Committee for the Chair's hard work and contribution to the Committee over the last eight years.

The Chair spoke about the Council's recent success in the 'Standards and Ethics' category of the LGC Awards 2010, and the compliments the Council had received from the judging panel. He thanked the members of the Committee, the Leaders of the Council, and the officers that support the Standards Committee. He also welcomed the new Chair.

91 Local Government Chronicle (LGC) Awards 2010: Standards and Ethics

The Assistant Chief Executive (Corporate Governance) submitted a report notifying members of the Standards Committee that Leeds City Council was successful in its entry for this year's LGC Awards 2010 'Standards and Ethics' category.

RESOLVED – Members of the Standards Committee resolved to note the report.

92 Standards Committee Procedure Rules

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) reviewing the Standards Committee Procedure Rules and making proposals in light of issues that had arisen throughout the year.

The Committee particularly discussed the options that had been suggested in respect of the timescales to be set for the subject Member and the investigator to return the pre-hearing forms.

The Committee discussed the benefits and drawbacks of Option 4 (give the subject Member 10 working days in which to respond with a potential extension of 5 working days, and give the investigator 5 working days to respond). Although this would provide the subject Member with up to 15 days to respond, it may cause difficulties in meeting the statutory deadline of 3 months, by which time the hearing must have been held. The Monitoring Officer explained that this was due to the deadline commencing from the date that the final investigation report is received rather than the date of the Consideration Sub-Committee meeting, and because the pre-hearing process summary must be sent out at least 10 working days prior to the hearing.

Following further discussion, Option 3 (give both parties 5 working days to respond, with a potential extension of 5 days for the subject Member) was agreed. It was also agreed that this decision should be reviewed in 6 month's time (or earlier if problems arise), and that Sub-Committee meetings should be scheduled on a more regular basis to minimise delays in final investigation reports being considered.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Approve the proposed amendment to Procedure Rule 3.2.5 (regarding the publication of the Consideration Sub-Committee’s decision);
- (b) Approve the proposed amendment to Procedure Rule 4.15.3 (regarding the publication of the Hearings Sub-Committee’s decision);
- (c) Give the parties 5 working days each to return their pre-hearing form (with a potential extension of 5 working days for the subject Member following a reminder, after which a series of assumptions will be made about their response), approve the necessary amendments to Procedure Rules 4.2.3 to 4.2.6, and review this decision in 6 month’s time (or earlier if problems arise);
- (d) Approve the proposed deletion of footnote 64 from Procedure Rule 4.2.9 (regarding the parties being required to notify the Committee Clerk at least 10 days before the hearing in order to make representations on the issue of witnesses);
- (e) Approve the proposed amendment to Procedure Rule 4.3.1 (regarding the contents of the pre-hearing process summary);
- (f) Approve the addition of a new paragraph under Procedure Rule 4.3 to clarify that both parties are responsible for arranging the attendance of their requested witnesses on the day of the hearing;
- (g) Approve the addition of a new paragraph under Procedure Rule 4.3 to clarify the procedure for deciding requests for adjournment made after the date of the hearing has been set and at least five clear days in advance of the Hearings Sub-Committee meeting, with the addition of the relevant timescales;
- (h) Approve the other amendments and corrections made for the purposes of clarification (such as page numbering and changes in titles), ensuring that the Procedure Rules are consistent in stating either ‘days’ or ‘working days’; and
- (i) Request that Sub-Committee meetings to deal with the consideration function be scheduled on a more regular basis.

93 Standards Committee Training Programme

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) addressing some outstanding issues and concerns raised by members of the Standards Committee at its meeting on 17th February 2010 regarding the changes to the Standards Committee Training Programme, and proposing some further amendments to address these issues.

The Committee was informed that if the ‘compulsory’ training was not completed, this would only prevent Committee members from sitting on the relevant Sub-Committees, rather than the full Standards Committee. It would be a matter for the relevant Group Whip/Leader or Executive Member to decide what action, if any, to take if any Committee members did not attend the ‘highly recommended’ training.

RESOLVED – Members of the Standards Committee resolved to adopt the proposed training programme attached at Appendix 1 to the report, and recommend to General Purposes Committee that the following learning targets are made compulsory:

- To ensure all independent members of the Committee have the necessary skills to Chair meetings of the Committee (in order to Chair the Standards Committee or any of its Sub-Committees);
- To ensure all members of the Committee have an understanding of the Code of Conduct (in order to sit on any Sub-Committee);
- To ensure all members of the Committee have the necessary skills to assess or review local complaints (in order to sit on the Assessment and Review Sub-Committees); and
- To ensure all members of the Committee have the necessary skills to conduct a local hearing (in order to sit on the Hearings Sub-Committee).

94 Standards for England's Review of the Local Standards Framework

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) summarising the results of the recent review of the proportionality and effectiveness of the local standards framework carried out by Standards for England.

Concerns were raised about the cost of dealing with trivial complaints, and the need to highlight this in Decision Notices was discussed as a step that could be taken now without the need for a change in legislation.

RESOLVED – Members of the Standards Committee resolved to note the contents of the report.

95 Standards Committee Annual Report 2009/10

The Assistant Chief Executive (Corporate Governance) submitted a report seeking the Committee's comments on the draft Standards Committee Annual Report 2009/10.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Review the contents of the report and provide the Corporate Governance Officer with any suggestions for amendment by 21st May 2010;
- (b) Give authority to the Assistant Chief Executive (Corporate Governance), in consultation with the Chair, to approve the final report subject to any suggested amendments;
- (c) Agree to forward the report to the Corporate Governance and Audit Committee to constitute the second of its six monthly update reports; and
- (d) Agree to forward the final report to full Council for consideration.

96 First-Tier Tribunal (Local Government Standards in England) - Decisions of Case Tribunals

The Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) summarising recent decisions made by the First-Tier Tribunal (Local Government Standards in England).

The Committee noted that a high number of planning related complaints have arisen nationally and locally, and requested that further consideration be given as to whether a Member should be appointed to a Plans Panel that considers applications from their ward.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the latest decisions of the First-Tier Tribunal (Local Government Standards in England) case tribunals; and
- (b) Request that an item is added to the Committee's work programme in relation to whether a Member should be appointed to a Plans Panel that considers applications from their ward.

97 Standards Committee Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report seeking comments from the Committee regarding the draft work programme for the next municipal year.

RESOLVED – Members of the Standards Committee resolved to note the work programme subject to the inclusion of the item referred to in Minute 96 above.

Standards Committee - Assessment Sub-Committee

Tuesday, 13th April, 2010

PRESENT:

Independent Members

Joanne Austin (Chair)

Councillors

C Campbell B Gettings

28 **Declarations of Interests**

There were no declarations of 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.

29 **Case Reference 0910012**

The Monitoring Officer submitted the above complaint to the Assessment Sub-Committee for consideration.

RESOLVED – The Assessment Sub-Committee resolved:

- That the subject Member may have potentially breached the Code of Conduct in the circumstances of the complaint; and
- To refer the complaint to the Monitoring Officer for local investigation.

30 **Case Reference 0910013**

The Monitoring Officer submitted the above complaint to the Assessment Sub-Committee for consideration.

RESOLVED - The Assessment Sub-Committee resolved:

- That there was no potential breach of the Code of Conduct disclosed by the complaint; and
- To take no further action on the allegations.

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Standards Committee - Assessment Sub-Committee

Friday, 11th June, 2010

PRESENT:

Independent Members

Philip Turnpenny (Chair)

Councillors

J Harper B Selby

Parish Members

Councillor Paul Cook

1 **Declarations of Interests**

There were no declarations of 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.

2 **Case Reference 0910014**

The Monitoring Officer submitted the above complaint to the Assessment Sub-Committee for consideration.

RESOLVED - The Assessment Sub-Committee resolved:

- That there was no potential breach of the Code of Conduct disclosed by the complaint; and
- To take no further action on the allegations.

3 **Lessons to Learn**

The Assessment Sub-Committee resolved to recommend that the Chief Planning Officer reviews whether planning officers should ask Members if they still want an application to be considered by Plans Panel, if officers are minded to refuse the application.

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Standards Committee - Review Sub-Committee

Wednesday, 12th May, 2010

PRESENT:

Independent Members

Joanne Austin (Chair)

Councillors

D Blackburn

Parish Members

Councillor Paul Cook

11 Declarations of Interest

There were no declarations of 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.

12 Case Reference 0910011

The Monitoring Officer submitted a review request in relation to the above complaint to the Review Sub-Committee for consideration. The complaint was originally considered by the Assessment Sub-Committee on 23rd March 2010.

RESOLVED – The Review Sub-Committee resolved:

- That there was no potential breach of the Members' Code of Conduct disclosed by the complaint; and
- To take no further action on the allegations.

13 Lessons to Learn

The Review Sub-Committee resolved to recommend that the Chief Planning Officer contacts all Members to advise them to clarify that they are representing their constituents' views, when doing so at Plans Panel meetings.

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Standards Committee - Review Sub-Committee

Friday, 11th June, 2010

PRESENT:

Independent Members

Philip Turnpenny (Chair) Independent Member

Councillors

J Harper B Selby

Parish Members

Councillor Paul Cook

1 Declarations of Interest

There were no declarations of 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.

2 Case Reference 0910013

The Monitoring Officer submitted a review request in relation to the above complaint to the Review Sub-Committee for consideration. The complaint was originally considered by the Assessment Sub-Committee on 13th April 2010.

RESOLVED – The Review Sub-Committee resolved:

- That there was no potential breach of the Members' Code of Conduct disclosed by the complaint; and
- To take no further action on the allegations.

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Standards Committee - Consideration Sub-Committee

Friday, 11th June, 2010

PRESENT:

Independent Members

Philip Turnpenny (Chair)

Councillors

J Harper B Selby

Parish Members

Councillor Paul Cook Parish Member

1 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

2 Exempt Information - Possible Exclusion of the Press and Public

In relation to agenda item 5 (Minute 5 refers), Appendix 1 (the final report and bundle of evidence of the investigating officer in relation to an investigation into a complaint against a Member), was classified as exempt under Access to Information Procedure Rule 10.4 (7c). Members of the Sub-Committee agreed that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as the report refers to the health of the subject Member, and a report on performance matters relating to an officer.

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:-

- Appendix 1 of agenda item 5 (Minute 5 refers).

3 Late Items

There were no late items submitted to the agenda by the Chair for consideration.

4 Declarations of Interest

There were no declarations of 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.

5 Final Investigation Report - Case Reference 0809019

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the findings of the Investigating Officer in a Code of Conduct investigation into a complaint against a Member. The investigation followed the submission of a complaint to the Assessment Sub-Committee, who had resolved to refer part of the complaint for investigation.

The Investigating Officer was present at the meeting to present his findings and to respond to any questions from Members.

Members agreed that through their actions, the Councillor had not:

- brought their office or authority into disrepute;
- failed to treat others with respect; or
- acted in such a way which compromised or was likely to compromise the impartiality of those who work for, or on behalf of, the authority.

It was also alleged that the Councillor had disclosed confidential information. The Investigator did not make a finding as to whether the information was confidential, however he concluded that if it was, the information was disclosed reasonably, in the public interest, in good faith and in compliance with the reasonable requirements of the Council. The Consideration Sub-Committee agreed with this finding.

Members therefore agreed to accept the Investigating Officer's finding that there had been no failure to comply with the Code of Conduct.

As a result of this case, the Consideration Sub-Committee decided to recommend that paragraph 27.2 of the Council's Access to Information Procedure Rules be amended to say that a Councillor 'must' rather than 'should' give the relevant Director reasonable notice of their intention to make such a disclosure.

RESOLVED – Members of the Consideration Sub-Committee resolved to:

- accept the Investigating Officer's finding of no failure; and
- recommend that paragraph 27.2 of the Council's Access to Information Procedure Rules be amended as above.

Standards Committee - Hearings Sub-Committee

Tuesday, 11th May, 2010

PRESENT:

Independent Members

Mike Wilkinson (Chair)
Philip Turnpenny

Councillors

J L Carter B Gettings

Parish Members

Councillor Mrs P Walker

1 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

2 Late Items

There were no late items submitted to the agenda by the Chair for consideration.

3 Declaration of Interests

There were no declarations of 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.

4 Case Reference 0910005

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the procedure to be followed by the Hearings Sub-Committee in determining allegations of misconduct against a Member of Leeds City Council. The final report of the investigator and supporting evidence were attached at Appendix 1 to the report.

The Hearings Sub-Committee considered whether the press and public should be excluded from any parts of the hearing, and whether any parts of the agenda should not be made available for public inspection. The Sub-Committee considered representations on behalf of the subject Member and

from the investigator, who requested that the press and public be excluded from the meeting. It was agreed that, in the interests of openness and transparency, the press and public should be allowed to attend the hearing, but that they should be excluded if any sensitive information relating to Council employees needed to be discussed or referred to. It was also agreed that a redacted version of the agenda would be made available after the meeting. Therefore, it was agreed that appendices 1, 2, 3 and 4 should not be exempt under Access to Information Procedure Rule 10.4 (7c).

It was alleged that a Councillor had:

- (a) failed to treat others with respect, contrary to paragraph 3(1) of the Code of Conduct;
- (b) bullied others, contrary to paragraph 3(2)(b) of the Code of Conduct;
- (c) conducted herself in a manner which could reasonably be regarded as bringing her office or authority into disrepute, contrary to paragraph 5 of the Code of Conduct; and
- (d) used her position improperly to confer on or secure an advantage or disadvantage for herself or others, contrary to paragraph 6(a) of the Code of Conduct.

On the basis of its findings of fact, the Hearings Sub-Committee found that there could not be any breach of the Members' Code of Conduct.

The Sub-Committee then considered whether it wished to make any recommendations to the authority as a result of this case. The Sub-Committee recommended that key witnesses are interviewed in person, and that enhanced arrangements be made to seek to ensure that hearings commence on time.

RESOLVED – The Hearings Sub-Committee resolved:

- (a) That the appendices to the report should not be exempt under Access to Information Procedure Rule 10.4 (7c), but that any sensitive information relating to Council employees should be redacted before the appendices are made publicly available;
- (b) That on the basis of its findings of fact, there had been no breach of the Members' Code of Conduct by the subject Member; and
- (c) To recommend to the authority that key witnesses are interviewed in person rather than over the telephone, and that enhanced arrangements be made to seek to ensure that hearings commence on time in future.

Standards Committee - Hearings Sub-Committee

Monday, 17th May, 2010

PRESENT:

Independent Members

Mike Wilkinson (Chair)
Joanne Austin

Councillors

C Campbell J L Carter

Parish Members

Councillor Mrs P Walker

1 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

2 Late Items

There were no late items submitted to the agenda by the Chair for consideration.

3 Declaration of Interests

There were no declarations of 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.

4 Case Reference 0809006

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the procedure to be followed by the Hearings Sub-Committee in determining allegations of misconduct against a Member of Leeds City Council. The final report of the investigator and supporting evidence were attached at Appendix 1 to the report.

The Hearings Sub-Committee considered whether the press and public should be excluded from any parts of the hearing, and whether any parts of the agenda should not be made available for public inspection. The Sub-Committee considered representations on behalf of the subject Member and

from the investigator, who did not request that the press and public be excluded from the meeting. It was agreed that, in the interests of openness and transparency, the press and public should be allowed to attend the hearing, and that all parts of the agenda should be made available for public inspection.

It was alleged that a Councillor had:

- (a) failed to treat others with respect, contrary to paragraph 3(1) of the Code of Conduct; and
- (b) conducted himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute, contrary to paragraph 5 of the Code of Conduct

On the basis of its findings of fact, the Hearings Sub-Committee found no breach of the Members' Code of Conduct.

The Sub-Committee then considered whether it wished to make any recommendations to the authority as a result of this case. The Sub-Committee recommended that the following issues be considered further:

- Whether Committee Room 6&7 is an appropriate venue for Plans Panel meetings due to its shape and configuration, overall acoustics and the current microphones system;
- The way Plans Panel members interact at Plans Panel meetings;
- Whether guidance should be provided for those who address a Plans Panel, and whether the Chair should provide guidance on how others should behave when someone is making representations to the Panel; and
- The location of speakers addressing Plans Panel meetings.

RESOLVED – The Hearings Sub-Committee resolved:

- (a) That appendices 1, 2 and 3 to the report should not be exempt under Access to Information Procedure Rule 10.4 (7c);
- (b) That on the basis of its findings of fact, there had been no breach of the Members' Code of Conduct by the subject Member; and
- (c) To recommend to the authority that further consideration is given to the issues listed above.

EMPLOYMENT COMMITTEE

WEDNESDAY, 14TH APRIL, 2010

PRESENT: Councillor A Carter in the Chair
Councillors D Blackburn, R Brett,
R Finnigan and K Wakefield

14 Exclusion of Public

RESOLVED - That the public be excluded from the meeting under the terms of Access to Information Procedure Rule 10.4(1) and (2) and on the grounds that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the need to maintain the competitive nature of the interview process and to retain information submitted by individual applicants in confidence, as disclosure could undermine the process, future appointment processes, or the outcome on this occasion to the detriment of the Council's and public interest.

15 Appointment of the Chief Executive

The Committee interviewed four applicants for the post of Chief Executive

RESOLVED – That the Chief Officer (Human Resources) prepare a report for submission to Council on 21st April 2010 recommending that Council approve the appointment of Mr Tom Riordan to the post of Chief Executive.

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EMPLOYMENT COMMITTEE

THURSDAY, 13TH MAY, 2010

PRESENT: Councillor A Carter in the Chair
Councillors S Golton and R Lewis

16 EXCLUSION OF PUBLIC

RESOLVED - That the public be excluded from the meeting under the terms of Access to Information Procedure Rule 10.4(1) and (2) and on the grounds that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the need to maintain the competitive nature of the interview process and to retain information submitted by individual applicants in confidence, as disclosure could undermine the process, future appointment processes, or the outcome on this occasion to the detriment of the Council's and public interest.

17 APPOINTMENT OF TEMPORARY ACTING DIRECTOR OF CITY DEVELOPMENT

RESOLVED – That three applicants as now identified be shortlisted for interview.

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COMMITTEENAME

MEETINGDATELEGAL

PRESENT: Councillor ChairPresentShortList in the
Chair
Councillors MembersPresentShortList

Apologies Councillor MemberApologiesShortList

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EMPLOYMENT COMMITTEE

WEDNESDAY, 9TH JUNE, 2010

PRESENT: Councillor J Blake in the Chair
Councillors S Golton and A Lamb

3 Exclusion of Public

RESOLVED - That the public be excluded from the meeting under the terms of Access to Information Procedure Rule 10.4(1) and (2) and on the grounds that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the need to maintain the competitive nature of the interview process and to retain information submitted by individual applicants in confidence, as disclosure could undermine the process, future appointment processes, or the outcome on this occasion to the detriment of the Council's and public interest.

4 Appointment of Director of Children's Services

The Committee further considered applications for the post of Director of Children's Services

RESOLVED – That the two applicants now named be selected to proceed to final interview.

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EMPLOYMENT COMMITTEE

TUESDAY, 15TH JUNE, 2010

PRESENT: Councillor R Lewis in the Chair
Councillors A Carter and S Golton

5 EXCLUSION OF PUBLIC

RESOLVED - That the public be excluded from the meeting under the terms of Access to Information Procedure Rule 10.4(1) and (2) and on the grounds that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the need to maintain the competitive nature of the interview process and to retain information submitted by individual applicants in confidence, as disclosure could undermine the process, future appointment processes, or the outcome on this occasion to the detriment of the Council's and public interest.

6 APPOINTMENT OF TEMPORARY ACTING DIRECTOR OF CITY DEVELOPMENT

The Panel interviewed three candidates shortlisted for the post of Temporary Acting Director of City Development.

RESOLVED – That Martin Farrington be offered the post of Temporary Acting Director of City Development.

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EMPLOYMENT COMMITTEE

FRIDAY, 18TH JUNE, 2010

PRESENT: Councillor J Blake in the Chair

Councillors J Dowson, S Golton and
A Lamb

7 Exclusion of Public

RESOLVED – That the public be excluded from the meeting under the terms of Access to Information Procedure Rule 10.4(1) and (2) and on the grounds that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the need to maintain the competitive nature of the interview process and to retain information submitted by individual applicants in confidence, as disclosure could undermine the process, future appointment processes, or the outcome on this occasion to the detriment of the Council's and public interest.

8 Appointment of Director of Children's Services

The Committee interviewed two applicants for the post of Director of Children's Services

RESOLVED – That Nigel Richardson be offered the post of Director of Children's Services and that the Director of Resources be advised of the Committee's views with respect to the payment of a market supplement in this instance.

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Plans Panel (East)

Thursday, 8th April, 2010

PRESENT: Councillor G Latty in the Chair

Councillors D Congreve, R Finnigan,
P Gruen, M Lyons, J Marjoram, K Parker,
A Taylor, P Wadsworth and D Wilson

209 Chair's opening remarks

The Chair welcomed everyone to the meeting

210 Late Items

There were no formal late items, however Panel Members were in receipt of the following additional information to be considered at the meeting:

Application 09/05162/OT – South Point House, South Accommodation Road LS10 – written information and letters of support submitted by the applicant's agent

Application 10/00773/FU – White Rose Centre – a letter from Councillor Leadley sent to Panel Members

211 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Application 10/00773/FU – White Rose Shopping Centre – Councillor Finnigan declared a personal interest as a member of Morley Town Council which had objected to the application (minute 220 refers)

Applications 09/05411/FU and 10/00378/CA – Buslingthorpe Tannery Education Road LS7, - Councillors Congreve, Lyons and Wadsworth declared personal interests through being members of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 222 refers)

212 Minutes

RESOLVED - That the minutes of the Plans Panel East meeting held on 11th March 2010 be approved

213 Matters arising from the minutes

With reference to minute 198 – Applications 09/05215/FU and 09/05216/CA – 2 North Lane Oulton LS26 and minute 200 – Applications 09/005500/FU and 09/00501/CA – rear of 134-140 High Street Boston Spa LS23, the Head of Planning Services stated that appeals had been lodged against the Panel's decisions to refuse these applications

minutes approved at the meeting
held on Thursday, 13th May, 2010

With reference to minute 164 of the Plans Panel East meeting held on 11th February 2010 where Panel received a report on a recent appeal decision in respect of 16a Church Lane Bardsey (Application 09/01678/OT), Members were informed that the costs of the one day hearing which had been awarded against the Council had been resolved; these being £11,825, which was 21% less than had been originally submitted

With reference to the Plans Panel East meeting held on 11th March 2010, minute 196 – Application 09/04871/FU – 36 West Park Avenue LS8 and minute 199 - Application 09/03138/FU – 10 Elmete Avenue LS15, Councillor Gruen raised concerns that in both of these cases the applicants had lodged appeals against non-determination. Officers were asked that in cases where the Panel was minded to refuse an application against Officers' advice, then timescales should be made clear to Members, particularly if the target date was likely to be exceeded by the time a report setting out detailed reasons for refusal was submitted to the following meeting, in order that the Panel did not miss out on taking the decision

The Chair agreed with the comments made

214 Request to withdraw an item from the agenda

The Panel's Lead Officer requested that the report relating to application 09/05463/FU – 1 New Farmers Hill Woodlesford LS26 – be withdrawn from the agenda as it had come to light that not all parties had been notified that the matter was to be considered at this meeting. Members were informed that the report would be brought back to the next Panel meeting

Members requested details of the timescale for the application and discussed the possibility of dealing with the application under delegated powers to avoid further delay

Officers stated that the application was already beyond the target date and that the applicants could lodge an appeal against non-determination if they wished. Whilst noting the suggestion that the matter be delegated to Officers, the fact that there had been a request from two Ward Members for the Panel to determine the application and that objections had been made, Members were informed that it was important, for fairness, that the report be dealt with by Panel

RESOLVED - That the report be withdrawn from the agenda and resubmitted to the meeting to be held on 13th May 2010

215 Application 09/05603/FU - Change of use involving alterations of Chapel, to form 4 one bedroom and 4 two bedroom flats with eight car parking spaces at 'The Chapel' Calverley Road, Oulton, Leeds 26

Plans and drawings were displayed at the meeting

The Panel's Lead Officer presented the report which sought permission for alterations to a chapel to form 8 flats with 8 parking spaces at Calverley Road Oulton which was situated in the Oulton Conservation Area

Members were informed that a previous application for a larger scheme which had been refused by Panel had been allowed on appeal. The applicants were now seeking a revised, smaller scheme which would also see the removal of the modern single storey extension and hipped roof extension which would be replaced by a walled garden which would also include a bin store and cycle parking

To allow additional light into the ground floor rooms it was proposed to lower the windows on the chapel and a condition relating to materials for this work was proposed

The Panel's Lead Officer stated that the principle of development had been established at appeal; that there were no major changes in circumstances and that the vehicular access was considered to be acceptable. If minded to approve the application, two further conditions were requested

Members were informed of a further representation from the Oulton Society
Members discussed the following matters:

- the car parking spaces; that these were to be unallocated and because of this, the possibility of these being used by the public
- that the reduced scheme was more appropriate but that concerns remained in respect of the parking arrangements
- that two business premises were located adjacent to the site which would add to the parking difficulties

Officers provided the following responses:

- that the intention of providing unallocated car parking was because not all the residents of the flats would have cars, therefore the limited parking spaces could be shared between the residents. This approach was in line with Government guidance and had been incorporated into the Council's Street Design Guide
- that an additional condition could be included which would require the applicants to put forward a car parking management plan for approval

RESOLVED - That the application be granted subject to the conditions in the submitted report plus the following additional conditions:

- development in accordance with approved plans
- parking spaces to be laid out prior to occupation of building
- submission of a car parking management plan for approval
- details of scheme for demarcation of parking spaces to be submitted and approved in writing by the Local Planning Authority

216 Application 09/05162/OT - Outline application to erect 14 storey block comprising 150 bed hotel with 2 floors of B1 offices and basement car parking at South Point House, South Accommodation Road, Hunslet, Leeds 10

Plans, photographs, drawings and graphics were displayed at the meeting

Officers presented the report which sought permission for a 14 storey, 150 bed hotel with offices and basement car parking on a 0.4ha site at South Point House Hunslet LS10

Members were informed that the site was within an area of Air Quality Concern due to emissions from the nearby glass works. The site was also in Flood Zones 2 and 3

The application had been brought to Panel with a recommendation for refusal with suggested reasons being included in the submitted report and outlined to Members. Following the submission of an addendum to the flood risk assessment by the applicant, the Environment Agency (EA) had removed their technical objection. Members were advised that if minded to refuse the application, then reason two should be deleted and an amended reason was read out for Panel's consideration together with minor amendments to reasons one and three

Officers reported the receipt of two further letters of representation, these being letters of support from the Royal Armouries and Alea Casino, based at Clarence Dock

The Panel heard representations from the applicant's agent who attended the meeting

Members discussed the following matters:

- that despite the Environment Agency's removal of their technical objection, there were flood risk issues associated with the scheme and a representative should have been in attendance
- that the proposals could lead to the creation of jobs and the weight this was given by Officers when considering the application
- the statement by the applicant's agent that a smaller scheme comprising an eight storey building might be acceptable

Officers provided the following responses:

- that job creation was recognised as being important, however on this site a hotel could potentially compromise other existing hotels in the area and those nearby sites which had consents for hotel use. On this matter, Officers were of the view that the applicant had not put forward a good enough case
- regarding a smaller scheme on the site, that this had not previously been mentioned and even at eight storeys the building would be considered to be too high for the surrounding area as the seven storey building occupying the site was regarded as being an anomaly

RESOLVED- That the application be refused for the following reasons:

- 1 The proposal is to locate a main town centre use in an unsustainable out of centre location. The applicant has failed to demonstrate that there are not sequentially preferable sites available and has not carried out an impact assessment as to the effects of the development on the vitality and viability of existing centres. Furthermore the site is considered to be in a relatively inaccessible location with limited public transport links in the evenings. As such it is considered that this is an unsustainable form of development that is contrary to the guidance set out in PPS1, policies EC15 and EC16 of PPS4 and policy E2 of the Regional Spatial Strategy together with policies GP5 and T2 of the UDP Review 2006
- 2 The application site lies within Flood Zone 3a defined by Planning Policy Statement 25 as having a high probability of flooding. PPS25 requires new development to apply a 'sequential test' to demonstrate that there are no other reasonably available sites which could be considered as being suitable and appropriate for the development that is proposed, where that development could then be located. The applicant has failed to apply the sequential test and the proposal is therefore considered to be contrary to guidance within PPS25 and policy N38A of the Leeds UDP Review 2006 and would result in unnecessary risk to life
- 3 The proposed development gives rise to significant potential for noise disturbance to future occupants of the building which would require

significant noise attenuation measures to overcome. Furthermore, the application has not taken account of the effect of actual emissions from surrounding uses which affect the air quality of the site. In the absence of the applicant demonstrating that United Kingdom National Air Quality Strategy (UKNAQS) objectives will not be exceeded it is considered that it has not been demonstrated that the site is suitable for the proposed use and the application is contrary to guidance within PPS23 – Planning and Pollution Control, Planning Policy Guidance Note 24 – Planning and Noise and policy GP5 of the UDP Review 2006

- 4 The proposed 14 storey building is considered to be an unacceptable scale of development, which would be out of scale with the surrounding area and would contribute to the peppercotting of tall buildings within the city. The proposal is considered to be contrary to guidance within the Tall Buildings Design Guide as the site is outside of the identified zones of opportunity for tall buildings and is also contrary to policies N12 and BD2 of the UDP Review 2006
- 5 It is considered that the proposal for a tall building in this location would detract from the setting of both Hunslet Mills and Victoria Mills which are Grade II* and Grade II listed buildings respectively, by virtue of the development's dominance within the skyline which would compete with and detract from views of the listed buildings. As such, the proposal is contrary to guidance within PPS5 and policies GP5 and BD2 of the UDP Review 2006
- 6 The proposed development could have a detrimental effect on the adjacent viaduct as a wall is proposed and parking bays within the required easement distances from the structure. Yorkshire Water records also indicate that a water main crosses the site and the proposed location of the hotel building is sited directly over the public water main. As such, the proposed layout is considered to be unacceptable and could be detrimental to highway safety and the ability of Yorkshire Water to maintain the public water network. The proposal is therefore considered to be contrary to policies GP5 and T2 of the UDP Review 2006

217 Application 09/05167/FU - Alterations involving re-grading of site to provide improved playing pitches, installation of multi-use games area, extended existing hard playground area and landscaping at Brodetsky Primary School, Wentworth Avenue, Alwoodley, Leeds 17

Plans and drawings were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

The North West Area Planning Manager, Mr Dunlevey, presented the report which sought permission for improvements to playing pitches; installation of multi-use games area; extension to existing playground area and landscaping at Brodetsky Primary School, Wentworth Avenue LS17. The report had been brought to Panel due to the high level of local concern the proposals had generated

Members were informed that the proposals would result in the removal of approximately one-third of the existing trees on the site although compensatory landscape planting would be provided to the boundaries; the proposed 5m high metal fence had been deleted from the proposals

There would be some community use of the playing fields and local concerns had been raised about the impact of increased car parking resulting from this. Similarly, local concerns relating to flooding had been received. Members were informed that an existing drain was blocked; that the proposals would resolve this problem; that the land would be drained; the blockage removed and that a maintenance plan would be required as part of any approval. It was confirmed that a pumping station would not be required to drain the land

Members were informed that Sport England supported the scheme and highways had raised no objections to the proposals

Officers reported the receipt of a letter from Councillor Harrand regarding car parking and three further letters of representation from local residents

Members commented on the following matters;

- the loss of trees on the site
- car parking at the school on weekends and whether problems were currently occurring
- flooding issues; whether conditions could adequately control this and that if approved, that the scheme should not add to any drainage problems
- the wording of conditions 10 and 11 in relation to drainage and concerns that these did not address the issue of how future blockages would be dealt with
- condition 14, relating to no external lighting of the pitches, that it should be made clear to the applicants that an application at a later date for floodlights or similar lighting might not be looked at favourably in the interests of residential amenity
- that the proposals were welcomed as was the work undertaken by the land drainage section

Officers provided the following responses:

- regarding the removal of trees, that a full landscaping scheme would be required to be submitted and approved
- relating to car parking at week-ends, that this could increase and that the impact of 60 cars had been considered. A car parking management plan was to be submitted and whilst the school was looking to use only one car park, it could be required to open both car parks if necessary
- that the applicant would need to supply a maintenance regime, with this being conditioned
- that any lighting of the pitches would require planning permission and that a direction could be placed on the application, in view of the concerns raised about this

RESOLVED - To approve the application subject to the conditions set out in the submitted report, subject to deleting the reference to the length of drain to be cleaned in condition 11 and to add a direction that any application for the lighting of the pitches would not be looked at favourably

The Chair informed the meeting that this was Mr Dunlevey's last appearance at Panel as he was to retire on 7th May. The Chair stated that whilst Mr Dunlevey had only attended Plans Panel East for a short time he had done sterling work and had been a popular Officer. The Panel wished Mr Dunlevey well in his retirement

218 Application 09/01694/FU - Amendment to previously approved application (07/05636/FU) for alterations including new roof to existing two storey side extension, canopy and porch to front, enlarged single storey rear extension, enlarged bay window to rear and attached garage to side at 'Amaracre' Wetherby Road, Leeds 17

Plans and photographs were displayed at the meeting. A site visit had been undertaken earlier in the day which some Members had attended

The Head of Planning Services presented the report which sought approval for amendments to a previously approved application for alterations to a residential property known as 'Amaracre', which was situated on Wetherby Road, in the green belt and was the last house on the urban edge of the north side of the city

Members were informed that the previous application which was approved in 2007 was for a large side and rear extension. However, what was approved was not what was subsequently built and as well as enlarged extensions, the former brick built property had now also been stone-cladded. Members were informed that the case was currently with the Compliance Section within City Development

The revised proposals sought to retain the existing roof and the porch but to remove the dormers and reduce the height of the rear extension, retain another rear extension and reinstate the timber detailing to the front gable

The Head of Planning Services stated that he had spoken to the applicant about the situation and informed Members that to carry out these amendments would cost a significant sum of money. Whilst the extensions would increase the volume of the original property by over 50%, these had been built and in this case it was a matter of judgement as to the impact of these on the openness of the green belt. Further planting was proposed to the northern boundary as requested by Thorne Parish Council. Members were informed that Councillor Castle supported the request for additional landscaping

Members commented on the following matters:

- whether an approval could be justified
- that no objections to the proposals had been listed in the report and that a compromise solution, with a time limit being imposed for the work, should be accepted
- whether a refusal could be successfully argued at appeal and concerns that the planning process was being flagrantly disregarded
- the view that by agreeing to some compromises, the Council was weakening its position at any possible appeal
- how, if the revised proposals were agreed, it could be ensured that these were carried out correctly
- that in this case it was perhaps possible to accept the situation as it was an individual house, however it could not be accepted that if by allowing the application which was far from what was originally agreed, it would set a precedent which could be used to give some comfort in an on-going enforcement case in the Crossgates and Whinmoor Ward

Officers provided the following responses

minutes approved at the meeting
held on Thursday, 13th May, 2010

- that the application had to be assessed on its impact in the area and to consider whether planning permission would have been granted in this form from the start, with Members being informed that it possibly would not
- that the timescale attached to the Enforcement Notice for completion of the works would be nine months
- that any approval would be conditional upon the works to be carried out within 9 months
- that in this case there were particular circumstances, ie that there was a large extension on the site, but that if planning permission was approved, that comfort could not be drawn from that decision and that the message was clear that where unauthorised development was carried out, this was frowned upon; where action could be taken, it would be; that it would cost the perpetrators money and that people had to have regard to planning permissions as they were legal documents

RESOLVED - To approve the application subject to the conditions set out in the submitted report and an amendment to condition 4 to stipulate the timescale for completion of the works to be within 9 months from the date of approval

219 Application 09/04656/FU - Change of use from 2 flats to 2 town houses including external alterations, roof extensions, bay window to side with balcony over, single storey building to rear to form 3 dwellings, 2.3m high wall and 1m high glazed balustrade with altered vehicular access and parking court at 128 Wetherby Road, Leeds 17

Plans, photographs, drawings and a model of the proposals were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a change of use from two flats to two town houses and the erection of three dwellings to the rear of the site, with amended vehicular access and parking court at 128 Wetherby Road Roundhay LS8, which was situated in the Roundhay Conservation Area

Members were informed that it was the view of Officers that the proposals would not have a harmful impact on the character of the area and due to the amount of screening on the site, there would not be a detrimental impact on amenity

Ten car parking spaces were proposed for the five dwellings

Officers referred to the receipt of a letter from Councillor Lobleby who had withdrawn his objection to the proposals

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

220 Application 10/00773/FU - Extension to mezzanine floor and addition of new raised roof to retail units at units MSU 10 and 33 at the White Rose Shopping Centre, Dewsbury Road, Leeds 11

Plans, drawings and photographs were displayed at the meeting

Officers presented the report which sought permission for a 452sqm extension to an existing mezzanine floor and the addition of a new raised roof to

retail units at MSU10 and 33 at the White Rose Shopping Centre, Dewsbury Road LS11, which were required to meet the needs of a new business in the shopping centre

Members were informed that the application raised fundamental issues in respect of retail planning policy; that the site was not an identified Town Centre and whilst such extensions were usually not accepted, there was in this case, the opportunity to regulate the possible future expansion of the White Rose Centre, so protecting the viability and vitality of the city centre and other neighbouring centres as well as restricting piecemeal expansion of the shopping centre. Additionally any future development of the White Rose Centre would be dependent upon the recommencement of the Trinity Quarter scheme in the city centre, as the applicants were partners in that scheme

Officers referred to objections raised by Morley Town Council which had raised concerns that increases in floorspace had already taken place at the centre when part of the site was remodelled. Reference was made to a letter e-mailed by Councillor Leadley directly to Panel Members ahead of the meeting. Councillor Marjoram stated that he had not seen this letter

Members were informed that the applicant had submitted advice from Leading Counsel on the creation of mezzanines of up to 200sqm retail floorspace without the need for planning permission and that it was Leading Counsel's view that this should apply to individual units in the White Rose Centre, so providing the potential for an additional 7,946sqm of additional retail floorspace without the need for planning permission. The Council's Chief Legal Officer was of the view that whilst there was no case law on this issue which would provide a definitive answer, the interpretation suggested by Leading Counsel acting on behalf of the applicant, was persuasive

The Panel was informed that the applicant proposed to submit a further application to restrict the future expansion at the centre to no more than 2,500 sqm A1 floorspace (minus the 452 sqm provided by this application) and approximately 1.850sqm of A3/A4/A5 floorspace. In terms of A1 provision this would be considerably below the floorspace which could be created without the need for planning permission and as such, Members would need to have regard to this in reaching a decision

The Panel heard representations from the applicant's agent and from Councillor Leadley who attended the meeting in his capacity as a local Ward Member

Prior to addressing the Panel, Councillor Leadley declared a personal and prejudicial interest through being the Chair of the Morley Town Council Planning Committee

Following his representations to the Panel and before the applicant's agent addressed Members, on advice from the Panel's Legal Services representative, Councillor Leadley withdrew from the meeting

Members discussed the following matters:

- the link with the recommencement of works at Trinity Quarter and what safeguards could be put in place to ensure this was not a temporary measure in order to further develop the White Rose Centre
- that more discussion was needed on the proposals with Ward Members from Morley North, Morley South and Beeston & Holbeck

RESOLVED - To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions set out in the submitted report, an additional condition requiring the submission of a work

programme and timetable for the recommencement and completion of works to the Trinity Quarter (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, for the submission of an outline application (within 6 months and subject to consultation with Ward Members from Morley North, Morley South and Beeston & Holbeck) to apply for additional floorspace at the White Rose Centre (up to 2,500 square metres of A1 floorspace and 1,800 square metres of A3/A4/A5 floorspace) which would also be accompanied by planning obligations to deal with the following matters:

- the ability to install a mezzanine floor of 200 square metres or less in each individual unit in the White Rose Centre without planning permission will be removed. This equates to potentially 7,946 square metres of mezzanine floorspace that does not currently require planning permission and this right will be removed
- the floorspace for A1 (2,500 square metres) will be reduced by the floorspace granted on Unit MSU 10(452 square metres)
- for the additional retail floorspace to relate to existing occupiers only
- for the application not to be implemented until works have recommenced on the Trinity Quarter development in the city centre

221 Application 10/00771/FU - Erection of three storey mosque (re submission of Application No. 07/05963/FU) at 4-6 Woodview Road, Beeston, Leeds 11

Further to minute 208 of the Plans Panel East meeting held on 12th February 2009 where Panel approved an application for a three storey mosque at 4-6 Woodview Road LS11, Members considered a revised application

Plans, photographs, drawings and graphics were displayed at the meeting

Officers presented the report and stated that problems in implementing the previously approved scheme had led to a revised scheme being submitted which would reorganise the internal layout of the building; would remove the on-street car parking and include an additional minaret and slightly larger dome

If minded to approve the application, Officers requested two additional conditions to be included relating to the reinstatement and formal closure of the redundant vehicular access to Woodview Road and submission of details of a sound insulation scheme. Members were informed that condition 12 as set out in the submitted report relating to submission of details of motorcycle parking should be deleted

Members were informed that the local Ward Members supported the application and Officers were of the view that that the amended application was an improvement on the previously consented scheme

RESOLVED - To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions set out in the submitted report; the deletion of condition 12; the addition of a condition requiring the reinstatement and formal closure of the redundant vehicular access to Woodview Road; an extra condition requiring details of a sound insulation scheme to be submitted and approved (and any others which he might consider appropriate); the expiry of the consultation period, subject to no additional representations being received that raise new issues and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief

Planning Officer, to include an obligation for the travel plan monitoring evaluation fee of £2,500

222 Position Statement - Applications 09/05411/FU and 10/00378/CA for redevelopment of the Buslingthorpe Tannery, Education Road, Sheepscar, Leeds 7

(Prior to consideration of this matter, Councillor Gruen left the meeting)

Plans, photographs and graphics were displayed at the meeting

Officers presented a report setting out the current position on an application for part demolition, change of use, including five storey extension and addition of new floor to roof of former tannery to form 190 apartments and erection of multi level development up to 7 storeys in 3 blocks comprising 9 town houses and 150 apartments with retail shop, car parking and landscaping together with a related Conservation Area application at Buslingthorpe Tannery, Education Road Sheepscar LS7

Members were informed that the main tannery building would be retained for residential use, with an additional floor being added to part of the roof. Three new part 4/part 5 buildings would be erected on the site with the design of these reflecting some of the historic elements of the tannery, albeit in a modern interpretation

A landscaped boulevard through the centre of the site would provide some of the greenspace associated with the scheme. Whilst the overall amount was less than that required under policy, an off-site contribution would be sought

The proposals were for 349 flats in a mix of studio, one and two bed with nine town houses, each of the houses having a private garden. Car parking spaces would be shared amongst residents, with 237 spaces being proposed

Two feeder roads served the site and whilst initially access was to be taken from Sheepscar Road, Officers considered this was not acceptable and the applicant had been asked to remove this

The S106 obligations had yet to be resolved although the application would require contributions of approximately £850,000 plus 15% affordable housing and a financial viability assessment submitted by the applicant was currently being examined

The Panel was informed that concerns at the intensity of the development and the lack of family housing had been raised in a letter from Councillor Dowson

Members commented on the following matters:

- the level of affordable housing being sought and why this was not at a level of 25%
- concerns that the proposals were overintensive and too high
- the 'H' shape of the tannery extension and concerns this was not the most attractive design
- that insufficient family housing was being provided and concern at the high level of flats and apartments being proposed
- that the high number of flats and studio apartments could mean the development would predominantly be occupied by students and that their requirements would need to be catered for. Officers advised that the applicant had stated the development would not be for students but would be marketed towards those people who could not afford to live in the city centre

- odour issues; the fact that the site was still being used for the processing of dead skins and that the smell around the area was off-putting. Officers were unsure of the exact length of occupancy remaining for the tannery, but this was considered to be approximately 2-5 years
- the need for the site to be developed
- that the applicant would be required to provide planning contributions by way of a S106 legal agreement and concerns that the education contribution of £30,000 was insufficient
- that taking vehicular access from Sheepscar Street North was not supported
- the need to reassess the parking needs if the accommodation mix was changed

Regarding the level of affordable housing being requested on this scheme, the Head of Planning Services stated that there was not a blanket level of 25% affordable housing but a gradation of levels across the city and he agreed to check the level for inner city areas

In summing up the comments made on the position statement, the Chair stated that the view of the Panel seemed to be that the proposals as presented, were not good enough

RESOLVED – To note the report, the presentation and the comments now made

223 Date and time of next meeting

Thursday 13th May 2010 at 1.30pm in the Civic Hall, Leeds

Plans Panel (East)

Thursday, 13th May, 2010

PRESENT: Councillor G Latty in the Chair

Councillors D Congreve, R Finnigan,
P Gruen, M Lyons, J Marjoram, K Parker,
A Taylor, G Wilkinson and D Wilson

224 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

Members were informed that Councillor Wilkinson had been appointed to the Panel in place of former Councillor Paul Wadsworth

The Panel paid tribute to the work Paul Wadsworth had undertaken whilst being a member of the Panel

225 Late Items

The Chair referred to a request made on behalf of an applicant to table additional information for an item being considered at the meeting

The Chair stated that he had declined to accept this information as it was not appropriate to present Members with additional information when other parties, including Officers, had not had a chance to fully consider the new material

226 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 10/00412/OT – Former Greyhound Stadium Elland Road – Councillors Congreve and Lyons declared personal interests as members of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 233 refers)

Application 09/01584/OT – Land near Crank Cottage Station Road Morley – Councillor Finnigan declared a personal interest as a member of Morley Town Council which had commented on the proposals (minute 234 refers)

Application 08/00298/OT – Optare site Manston Lane LS15 – Councillors Congreve and Lyons declared personal interests as members of West Yorkshire Integrated Transport Authority as Metro had previously commented on the proposals (minute 235 refers)

Application 08/00298/OT – Optare site Manston Lane LS15 – Councillor Gruen declared a personal interest through being a Roman Catholic as the report related to the method of assessment for the education contribution as part of the S106 agreement and that the initial assessment had not included children attending Catholic primary schools (minute 235 refers)

minutes approved at the meeting
held on Thursday, 10th June, 2010

Application 08/03378/OT – Knowsthorpe Crescent Cross Green LS9 – Councillors Congreve and Lyons declared personal interests through being members of West Yorkshire Integrated Transport Authority as Metro had previously commented on the proposals (minute 237 refers)

Application 10/01347/FU – Old Golden Fleece Elland Road LS27 – Councillor Finnigan declared a personal interest as a member of Morley Town Council which had commented on the proposals (minute 238 refers)

227 Minutes of the last meeting

RESOLVED - That the minutes of the Plans Panel East meeting held on 8th April 2010 be approved subject to an amendment to the resolution of minute 220 – Application 10/00773/FU – White Rose Shopping Centre – as follows:

‘an additional condition requiring the submission of a work programme and timetable for the recommencement of works to the Trinity Quarter’ to be amended to read ‘ an additional condition requiring the submission of a work programme and timetable for the recommencement and completion of works to the Trinity Quarter’

228 Matters arising from the minutes

Councillor Gruen referred to situations where the Panel had not accepted an Officer’s recommendation to approve an application and before the Panel had met again to consider the detailed reasons for refusal an appeal against non-determination had been lodged. A report on this had been requested and the Head of Planning Services stated this would be brought to the next meeting

229 Request to withdraw a report from the agenda

Members were informed of a request by Councillor Iqbal for the withdrawal of the report on application 10/00944/FU – change of condition relating to opening hours of a hot food take away at 250 Easterly Road LS8, as further information was to be submitted

RESOLVED - That the report be withdrawn from the agenda

230 Application 08/04259/FU - Demolition of existing bungalow and erection of Four 4 bedroom detached Chalet Bungalows with attached garage, Lingwell Rise, Gypsy Lane, Beeston LS11

Further to minute 253 of the Plans Panel East meeting held on 7th May 2009 where the application was withdrawn from the agenda in order to resolve issues which had arisen on the Members’ site visit earlier that day, the Panel considered a revised report

Photographs and plans of the current and previous proposals were displayed at the meeting

The Panel’s Lead Officer presented the report which sought permission for the demolition of the existing bungalow on the site and the erection of 4 detached chalet bungalows with garages on Lingwell Rise Gypsy Lane LS11

Members were informed that the previous proposals had been for four 2 storey houses with a significant amount of hardstanding. The revised proposals were for the same number of properties but these would now be dormer bungalows

with attached garages and less hardstanding on the site. Block A had been set back further within the site which Officers considered to be an improvement

The Panel was informed of a correction to the report at paragraph 1.3 and were informed of representations received from the local Residents' Association which had raised concerns particularly in respect of the highway implications of the scheme

Members commented on the following matters:

- the arrangements for refuse collection
- the longstanding highway problems from Gipsy Lane to Ring Road Beeston Park leading to the backing up of traffic from the junction at Dewsbury Road
- that residents' concerns about the scale of the proposals had not been taken on board and the view that a smaller scheme would be more suitable
- acknowledgement of the work undertaken by Officers to obtain a more acceptable scheme than that previously proposed but that concerns remained with the revised scheme

The Head of Highways Development Services who attended the meeting stated that whilst there had been complaints received on the level of traffic in this area, this related to the dropping off/picking up of pupils from the nearby Cockburn College of Arts and that the accident records indicated that the road was not dangerous

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

231 Application 09/05463/FU - 5 Bedroom Detached House with integral double garage to existing residential site, 1 New Farmers Hill, Woodlesford LS26

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which sought permission for a five bedroom detached house and garage at 1 New Farmers Hill LS26

Members were informed there was an extant permission on the site for the demolition of the existing dwelling and the subdivision of the plot to form two houses. The applicant had begun to implement that permission but had now submitted a revised scheme

The footprint of the revised proposals was similar to the approved scheme but one metre had been added to the single storey element. The ridge heights had increased by 0.5m and 0.7m and roof lights had been included

The Panel's Lead Officer updated the report in respect of the number of trees previously and currently on the site; that the application for listing of the house had taken place in 2007, not 2009 as stated; that the representations from Oulton Society constituted an objection to the application and minor amendments to paragraphs 10.3 and 10.6

The Panel heard representations from the applicant's architect and an objector who attended the meeting

Members discussed the following matters:

- permitted development rights; whether these had been removed on the extant permission and whether condition 5 could be amended to remove permitted development rights, if approved

- the information provided by the applicant's architect in response to concerns raised about the possibility of a third level being added to the property
- concerns at the removal of the existing laurel hedge and that this should be replaced

Members discussed the removal of permitted development rights with concerns being raised that the removal of these would be unfair to the applicant

RESOLVED - That the application be granted subject to the conditions set out in the submitted report and that the condition requiring the submission of a landscaping scheme for approval should include the replacement of the laurel hedge

232 Application 06/06118/FU - Two Linked towers (Part 12 storey raising to 19 and part 24 Storey raising to 26) block comprising 357 Crash Pads, 63 Studio Flats, 16 one bedroom Flats and 4 two bedroom flats, with Launderette, residents gym and 85 car parking spaces at Cromwell Mount, Burmantofts

Plans, photographs, drawings and graphics were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a major residential development on a brownfield site at Cromwell Mount LS9 comprising two linked towers, part 12 storey raising to 19 and part 24 storey raising to 26 containing 357 crash pads, 63 studio flats, 16 one bed and 4 two bed flats together with a residents' gym, laundrette and 85 parking spaces

Members were informed that the area was characterised by multi-storey buildings and that the site was in close proximity to St James' Hospital in the heart of Burmantofts

Images of the previous designs of the buildings were shown for comparative purposes with Officers stating that the revised scheme resulted in a more slender building and featured a glazed corridor to link the two blocks. To address issues of overlooking, fins would be incorporated to obscure the views on floors 3 – 7

A copy of a plan showing the sun path analysis was circulated at the meeting

The Panel was informed that concerns had been raised in respect of car parking in the area with Officers stating that there were existing problems due to the location of St James' Hospital and the proximity of the city centre, although there were residents' parking schemes in the area

In respect of S106 contributions, the equivalent of the market value of 66 units (ie 15%) was being provided as an off-site affordable housing contribution and a significant contribution - £687,513 – towards greenspace was being proposed together with highways contributions and travel plan monitoring fee

The Panel heard representations from the applicant's agent and an objector who attended the meeting

The Panel commented on the following matters:

- the need for further information on what constituted a crash pad
- the lack of public consultation on the proposals
- who the scheme would be marketed to and concerns that the impression was being given that the accommodation would be taken up largely by medical staff from the nearby hospital
- the level of car parking being provided and concerns this was insufficient

- the adopted Tall Buildings SPD; whether the requirements for the siting of tall buildings applied to out of city centre sites and the need for more information on how the scheme related to the SPD
- that the building was incongruous in size and shape and that the type of accommodation it would provide could add to problems in the area
- the need for evidence of the demand for this type of accommodation in this area
- that the scheme should be welcomed; that it could provide community benefits and was an adventurous and exciting building in an area which had suffered from deprivation for many years
- that the accommodation should be thought of as studios rather than crash pads and that the growth in the population in Leeds was increasingly young, single people who were being attracted into professions in the city and that this development catered for them
- that the revisions had merit compared to the bulk of the previous scheme but that a city centre location was more suitable to a such a building

Concerns were expressed that a position statement had not been presented to Members to enable early sight of the proposals

Members considered how to proceed

The Panel's Lead Officer stated that if minded to refuse the application then an appeal against non-determination could be lodged which the Planning Inspectorate might accept. In order to ensure that the Council was in a position to identify reasons for refusal which could be relied on at appeal without delay, the Lead Officer requested that Members should defer and delegate the refusal to the Chief Planning Officer

RESOLVED –

- i) That the refusal of the application be deferred and delegated to the Chief Planning Officer based upon the concerns raised by Members in relation to:
 - the scale and height of the development in relation to the size of the plot and that the resultant development would be inappropriate in its context causing harm to the character of the area
 - inadequate car parking provision causing harm to highways safety
 - lack of public consultation if a reason for refusal on this ground could be sustained on appeal following legal advice

233 Application 10/00412/OT - Outline application to erect new Divisional Police Headquarters comprising offices & storage areas, custody suite, multi level car park and secure yard area, former Greyhound Stadium, Elland Road, Holbeck

Further to minute 207 of the Plans Panel East meeting held on 11th March 2010 where Panel considered a position statement for a divisional police headquarters together with multi-level car parking, offices, storage areas and custody suite on the former greyhound stadium on Elland Road LS11, Panel considered the outline application

Plans, drawings, photographs and graphics were displayed at the meeting

Officers presented the report and outlined the main issues raised by Panel at the meeting held on 11th March 2010 which were:

- car parking proposals
- the travel plan
- match day parking
- scale

The Panel was informed that the original proposal included 500 car parking spaces which was a significant overprovision on UDP standards and Highways Officers had raised concerns at this. The revised proposals included 315 spaces in the multi-storey car park and surface parking for operational vehicles. Within the multi-storey car park space had been set aside to be available at all times to relocate operational vehicles during massing of police vehicles for large events

A travel plan had now been submitted and agreed

Regarding match day car parking, that the proposals would result in the loss of approximately 350 spaces but that the applicant had agreed to fund Traffic Regulation Orders in the order of £250,000 which was equivalent to providing parking permits for 69 streets around the football stadium. Officers were of the view that this was considered to be reasonable and proportionate to the loss of match day parking; a plan of the area which would be considered for parking permits was displayed and Ward Members would be included in the negotiations to identify the streets in the area to be designated

In respect of the scale of the proposals there was a 10.6 metre difference in height between the residential property at 277 Elland Road and the four storey building. Graphics showing the lower scale of building at this point were displayed but Members were informed that the applicants were seeking to create a civic building on the site and were of the view that a lower scale detracted from the prominence the building was seeking to achieve

Officers provided the following updates:

- condition 21 within the report was no longer required
- in respect of condition 18, - design of the site access junction – a revised junction arrangement had been submitted which would be considered, with the original proposal being a suitable fall back position if needed
- page 47, the reference to 400 cars in the multi-storey car park should read 315
- that refuse vehicles would not use Heath Road

Members discussed the following matters:

- a possible reduction in scale of the building on Elland Road adjacent to the Heath Road junction and where larger building could be sited. Officers stated that it might be possible to re-site the larger building in a less sensitive area but that detailed discussions on this had not taken place
- the possibility of stepping back the building adjacent to 277 Elland Road whilst retaining the presence of the building
- that the building should not be perceived as imposing
- concerns at the reduction of match day parking and that this was something which Ward Members had never agreed to
- acknowledgement of the implementation of TROs but concern at the relatively small area which had been identified for these; that parts of Cottingley and Holbeck suffered from match day parking as much as streets within the Cross Flatts area and that it was necessary to ensure

that sufficient money was being provided for TROs in all of the affected areas

- the need for meaningful consultation with Ward Members on this issue

The Head of Highways Development Services stated that discussions with the developer had led to an area larger than the 350 spaces which would be displaced being agreed on for the implementation of TROs and this had been costed. Whilst Officers were happy to discuss where the money could best be spent, Members were informed that further money to cover a larger area could not be requested. However, another development in the area was to be put forward and it was likely that as part of any approval, contributions for a permit scheme would be requested on that scheme

Regarding the scale of the building it was agreed that this matter be left to Officers to negotiate through the discussion of the Reserved Matters application

RESOLVED - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer subject to the conditions specified (and any others which he might consider appropriate); the deletion of condition 21 and rewording of condition 18 and following completion of a Section 106 Agreement to cover the following matters:

- travel plan monitoring evaluation fee £4545
- public transport improvements contribution of £101,814
- Metro contributions of £20,000 for real time information at bus stop numbers 10104 and 12116
- £250,000 contribution towards traffic regulation orders to surrounding residential streets as considered necessary by the Council to mitigate the loss of match day parking at the site
- car parking levy charge if peak time vehicle trip rate targets within the travel plan are not met and/or provision of free bus metro cards to 9-5 staff

In the circumstances where the Section 106 Agreement has not been Completed within 3 months of the resolution to grant planning permission, the final determination of the application to be delegated to the Chief Planning Officer

234 Application 09/01584/OT - Outline application to erect Four 5 Bedroom Detached Houses on land near Crank Cottage, Station Road, Morley

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought outline approval for the erection of four 5 bedroom detached houses on land near Crank Cottage, Station Road Morley LS27

Members were informed that the site is not currently within a Conservation Area but did sit within the revised draft Morley Conservation Area Appraisal. As the revised Conservation Area had not been adopted, only limited weight could be attached to that document

The Panel was informed that the design of the properties was a reserved matter but they would be three storeys in height. Landscaping was also a reserved matter but it was proposed to reduce the height of the Leylandii hedge at the rear of the site by 3 metres

Members discussed the following matters:

- highways and concerns that there should be yellow lines to provide better visibility for traffic exiting on to Station Road
- that if road markings were to be included as part of an approval that further consultation should be carried out with Morley South Members as this was a complex area
- the arrangements for refuse collection
- that the hedge should be reduced by a lesser amount

Officers provided the following responses

- that it would be possible to include road markings but that 19 Albert Road would then have a parking space whereas the other terraced properties would not which would impact on their amenity, also there was doubt that the inclusion of road markings would achieve the full visibility splay. As a private road the geometry was acceptable but that it would not be so if it was an adopted road
- that refuse collection was from the end of the access drive and that currently residents did wheel their bins to this point for collection

RESOLVED - That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions set out in the submitted report, an additional condition requiring any reduction in the height of the existing conifer hedge to be agreed with the Local Planning Authority, a Traffic Order to be drafted in consultation with Ward Members and further consideration of the siting of the bin store and to have regard to its visual impact including its supporting structure and following completion of a Section 106 Agreement to cover the following matter:

- the provision of a contribution (£200 per unit) for drainage improvements at Cotton Mill Beck
- the expiry of the further advertisement period and no adverse representations being received that raise new issues

In the circumstances where the Section 106 Agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application to be delegated to the Chief Planning Officer

235 Application 08/00298/OT - Outline application to layout access and erect residential development at the Optare site, Manston Lane, Crossgates LS15

Further to minute 110 of the Plans Panel East meeting held on 25th September 2008 where Members approved in principle an application for a residential development on the Optare site at Manston Lane LS15, Members considered a further report of the Chief Planning Officer requesting consideration of revisions to the Section 106 Agreement in respect of education contributions. Members were also informed of a request by the applicant for an increase to the standard time limit for the outline application from three years to five years for the submission of reserved matters

Officers stated that new tests relating to the legality of planning obligations had recently been introduced and that it was necessary to consider each of the proposed planning obligations on this application in the light of the new tests

Additionally, the applicant had questioned the methodology used by Education Leeds to determine local capacity as this related to the level of contributions required and had subsequently challenged the methodology

Members were informed that in respect of primary school provision an allowance for the intake of children at a local faith school (a RC Primary School) had

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not been included in the calculation. Having made an allowance for Catholic children attending a Catholic primary school, the trigger threshold before education contributions would be required would increase from 200 to 223 which equated to a sizeable drop in the amount of primary school contributions

In respect of secondary school provision Panel was informed that the original assessment had been based on the capacity of John Smeaton Community College which had been challenged by the applicant on the basis that there was spare capacity at Parklands Girls' High School. The applicant was therefore suggesting a reduction in the level of contributions for secondary school provision of 25%

Members were informed that it would be necessary to be equitable to the adjacent Threadneedle development in this matter if they were minded to accept the revised education contribution and a request was made by Threadneedle for an equivalent adjustment and that any contribution had to be fairly and reasonably related in scale and kind to the development applied for

Members commented on the following matters:

- that the financial contribution for secondary school provision should take into account the fact that parents who wish their children to attend RC secondary schools may well have a preferred school which is some distance from the development site. The Panel's legal representative advised that the legal tests relating to planning obligations require that contributions must be directly related to development. In the context of education contributions this means that there should be a geographical link between the development site and the educational provision that is being funded
- the time taken from September 2008 for the application to come back to Panel
- concern that other faith schools were not being given consideration in assessing the level of education contributions
- the need for a representative from Education Leeds to provide further information
- agreement that the Threadneedle site should be considered in the same way
- the likely start date of the Manston Lane Link Road
- concern at the request for an extension to the time limit on the outline application

Members considered how to proceed

RESOLVED - That the application be deferred for one cycle to enable clarification to be sought on the issues which had been raised and that the Chief Planning Officer request that a representative from Education Leeds attends the meeting to respond to questions from the Panel

(Following consideration of this matter, Councillor Gruen left the meeting)

236 Application 10/00758/FU - Variation of Condition 12 of Application No. 07/04625/FU to allow 24 hour delivery, Moortown Service Station, 401 Harrogate Road, Moortown Leeds

Further to minute 47 of the Plans Panel East meeting held on 30th July 2009, where Panel granted permission for the redevelopment of an existing petrol filling station at 401 Harrogate Road LS17, the Panel considered a report seeking approval

minutes approved at the meeting
held on Thursday, 10th June, 2010

for the variation of condition 12 of application 07/04625/FU to allow 24 hour delivery of fuel

Officers presented the report and stated that Environmental Health Officers had raised no objections to the proposal and that this 24 hour use had occurred in the past with no complaints from neighbours

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

237 Application 08/03378/OT - Outline application for residential development comprising 86 flats and car parking at Knowsthorpe Crescent/Cross Green Lane LS9

Plans and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a residential development comprising 86 flats and car parking at Knowsthorpe Crescent/Cross Green Lane LS9. Members were informed that the boundary plan attached to the submitted report had been amended and that Members should have regard to the plan displayed at the meeting

A further correction to the report was made in relation to paragraph 10.1 with Officers stating that a previous permission (21/188/04/FU) was extant due to some preliminary works which had been carried out as part of that permission

The Panel was informed that the development had been revised from the original scheme which comprised 128 flats in five blocks

A total of 61 car parking spaces would be provided; 41 of these being within the development with 20 perpendicular car spaces off Knowsthorpe Crescent, for public use

The proposed materials would include brick, render with dark grey roofing membrane

The height of the proposals was considered to be acceptable and to relate well to the height of the nearby St Hilda's Church

Whilst the scheme would require affordable housing provision of 12 units, a financial viability statement had been submitted. This had been assessed independently with the view being reached that the scheme could not support any affordable units. In respect of a greenspace contribution, an amount had been submitted although this was below the required level

Members discussed the following matters:

- whether the properties would be rented or sold by the developer
- that no affordable housing was being provided and that developers should not submit applications which did not meet the required level of affordable housing provision
- that previous schemes had sought a reduction in the level of affordable housing but not a complete absence of provision
- the make up of the units
- concern at the location of the car parking spaces; that the boundary treatment obscured the parking spaces and that these should be sited within view of the flats for greater security
- the location of the bin stores

Officers provided the following responses:

- that the flats would be sold as low cost housing

- that the apartments would be a mix of two and one bed flats with some studio apartments
- that 61 car parking spaces were considered to be sufficient for the development
- that further discussions in respect of the proposed boundary treatment could take place
- that a communal bin store was sited in the courtyard and that a condition requiring written details of this had been included

Members considered how to proceed

RESOLVED - That the application be deferred to enable further negotiations with the applicant on the provision of affordable housing and re-consideration of the car parking on Knowsthorpe Crescent by opening up the boundary treatment at this point

238 Application 10/01347/FU - Amendment to previous approval 09/02973/FU (Demolition of existing public house and replace with single storey A1 retail unit) for repositioning of building and relocation of service area from front to rear, Old Golden Fleece, Elland Road, Churwell, Morley LS27

Further to minute 92 of the Plans Panel East meeting held on 22nd October 2010 where Panel approved in principle an application for the demolition of the Old Golden Fleece Public House at Elland Road Churwell and the erection of a single storey A1 retail unit, Members considered a further report seeking the repositioning of the building and relocation of the service area from the front to the rear of the site

Plans, photographs and drawings were displayed at the meeting

Officers advised that concerns at the proposals had been received from Environmental Health Officer regarding possible noise nuisance but that conditions 5, 10 and 19 in the submitted report required the provision of noise mitigation measures

Whilst Morley Town Council supported the scheme, concerns remained in respect of highways issues and delivery hours

Members were informed that the information provided on traffic management as set out in paragraph 7.3 of the Officer's report was incorrect and should be disregarded

RESOLVED - That the application be granted subject to the conditions set out in the submitted report including a revision to condition 10 to require the provision of noise attenuation surfacing to the service area

239 Application 10/00711/FU - Position Statement - Laying out of access road and erection of 4 buildings comprising of 1 single block of 12 Start Up Units with 2 Seminar Rooms and 6 Workshop Units in 3 blocks (all class B1(b) and B1(c)) with car parking at Holmecroft, York Road, LS15

Plans and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented a report of the Chief Planning Officer setting out a position statement in respect of an application for laying out of access and the erection of start up units, workshop units, two seminar areas and car parking at Holmecroft, York Road LS15

Members were informed that the site was situated within the Green Belt and by definition would be inappropriate development requiring the applicant to demonstrate that very special circumstances applied to outweigh the harm to the Green Belt

The following information was provided:

- design details of the units
- that the proposals would lead to a clearance of the existing buildings on the site and a net reduction of 34% in the overall floor areas of the buildings
- that the proposals provided the opportunity for further planting to enhance the area
- that approximately 80 permanent jobs would be created by the proposals
- that the scheme would provide 10% renewable energy

Members were informed of comments from the Parish Council and local Ward Members

The Panel was informed that Environmental Health Officers were satisfied with the proposals subject to conditions and Officers confirmed that the proposals did not include office use

Members responded to the specific points raised in the report as follows:

- that the principle of development was acceptable as very special circumstances existed to justify developing in the Green Belt
- that the proposals were a sustainable form of development
- that the proposal was justified in the context of the advice set out in PPS4
- that the design of the buildings required improvement
- that parking provision was acceptable
- that the scheme had adequate regard to the amenities of local residents
- that the proposed landscaping was satisfactory
- that the proposed Section 106 Agreement covered all necessary matters

RESOLVED - To note the report and the comments now made

(Councillor Wilkinson left the meeting at this point)

240 Consultation by Wakefield Council on Planning Application 10/00225/OUT - Outline Application for Mixed Use Development including 12000 seat community stadium, Newmarket Lane, Wakefield

Members considered a report of the Chief Planning Officer seeking comments from the Panel on proposals submitted to Wakefield Council on a mixed-use development at Newmarket Lane Wakefield which abutted the Leeds boundary

Officers presented the report and outlined the main issues which they considered to be highways and the significant intrusion into the Green Belt

Whilst the scheme contained a 12000 seat community stadium for Wakefield Trinity Wildcats Rugby League club, this constituted 5% of the site

Members provided the following comments:

- that the proposals were intrusive and unwelcome

- that this represented inappropriate development in the Green Belt
- that recently the site had been a breeding ground for the little ringed plover
- that local Ward Members had been invited to a meeting about the proposals although the presence of a distribution centre on the site had not been raised
- that alternative proposals in respect of a shared stadium with Castleford Tigers Rugby League club might be more appropriate
- that the new Secretary of State should be made aware of the proposals

RESOLVED - To note the comments made by Members and that Leeds City Council wished to make the following comments in respect of the proposal:

Whilst Leeds City Council does not wish to frustrate regeneration and provision of important community facilities in Wakefield District and there are no concerns in principle over the stadium itself, there are objections over the scale and impact of the wider development on the Green Belt and transport network in Leeds District

(During consideration of this matter, Councillor Marjoram left the meeting)

241 Date and time of next meeting

Thursday 10th June 2010 at 1.30pm in the Civic Hall, Leeds

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Plans Panel (East)

Thursday, 10th June, 2010

PRESENT: Councillor D Congreve in the Chair

Councillors R Finnigan, R Grahame,
P Gruen, G Latty, M Lyons, K Parker,
J Procter, A Taylor and D Wilson

1 Chair's opening remarks

The Chair began by welcoming the two new Panel Members; Councillor R Grahame and Councillor J Procter and then welcomed everyone else to the meeting and asked Members and Officer to introduce themselves

2 Late Items

The Chair admitted one late item to the agenda (minute 10 refers). This item was not available when the agenda was despatched and required urgent consideration because it addressed matters that were potentially relevant to items to be considered by the Panel and therefore could have a bearing on how they should be dealt with. A copy of the report had been circulated to Members prior to the meeting

3 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Application 08/03378/OT – Knowsthorpe Crescent/Cross Green Lane LS9 – Councillor Lyons declared a personal interest through being a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 7 refers)

Application 08/03378/OT – Knowsthorpe Crescent/Cross Green LANE ls9 – Councillor Grahame declared a personal and prejudicial interest through his previous involvement in this application (minute 7 refers)

Application 10/00060/FU – Tennyson Street Morley LS27 – amendment to permission 23/436/03/FU – Councillor Finnigan declared a personal interest through being a member of Morley Town Council which had commented on the application (minute 9 refers)

4 Latest planning guidance - verbal update

At the request of the Chair, the Panel's Lead Officer referred to amendments to PPS3 which had been reissued on 9th June which two significant changes, these being that garden land would no longer be classed as brownfield land but would now

be greenfield land; the other change relating to the requirement to achieve a density of 30 dwellings per hectare which had now been removed

Members were informed that the implications in respect of garden land would be that it would strengthen the Council's position when dealing with developments on garden land but it was stated that whilst priority had to be given to brownfield sites, there was not an embargo on developing greenfield sites

In respect of the second change, this would strengthen the ability of the LPA to seek development which was more in keeping with the character of an area

The Panel's Lead Officer also referred to a letter from the Secretary of State Communities and Local Government regarding the abolition of the Regional Spatial Strategy (RSS) which had set targets for housing supply. Whilst each application would continue to be dealt with on its merits, the letter from the Secretary of State should be regarded as a material planning consideration when dealing with applications

Members commented on the following matters:

- whether Permitted Development (PD) rights remained
- that applications had recently been refused by Panel for garden land developments and had been appealed and whether the new guidance could be applied in such cases
- that the speed in which the new guidance had been brought to Members' attention was to be welcomed; that it should also be provided to Members on Plans West and Plans City Centre; be written up into a guidance note for Members and be incorporated into future training
- that the new guidance was welcomed and that Officers should continue to robustly defend the Council's position where this was necessary
- that an update from the Chief Planning Officer on appeals was requested
- whether any costs had been incurred in relation to the RSS which had now been abandoned
- that the requirement to meet housing targets as part of the RSS had led to applications for flats in areas where family housing was a greater priority

Officers provided the following responses:

- that the new guidance contained in PPS3 would not affect existing buildings on garden land or uses which were ancillary to the house, ie PD rights, but related to new, independent dwellings
- that for appeals which had been lodged and might be affected by the new guidance, this would be brought to the attention of the Planning Inspectorate
- that the Council had not had to bear direct costs as part of the RSS. In response to the request by Councillor R Grahame for a copy of the Regional Spatial Strategy, this would be provided

5 Minutes of the Previous Meeting

RESOLVED – That the minutes of the Plans Panel East meeting held on 13th May 2010 be approved

6 Matters arising from the minutes

Further to minute 235 of the Plans Panel East meeting held on 13th May 2010 – Application 08/00298/OT – Optare site Manston Lane LS15, the Panel's Lead Officer stated that it had not been possible to obtain the information Panel had requested in the timescale. Furthermore there were ongoing discussions with Education Leeds and Legal Services about this matter so a further report would be brought to the meeting on 8th July where a representative from Education Leeds would also be present to respond to questions from the Panel

7 Application No. 08/03378/OT - Outline Application for residential development comprising 86 Flats and car parking at Knowsthorpe Crescent, Cross Green, Leeds 9

(Having declared a personal and prejudicial interest in this matter, Councillor Grahame withdrew from the meeting)

Plans were displayed at the meeting

Further to minute 237 of the Plans Panel East meeting held on 13th May 2010 where Panel resolved to defer determination of the application to enable further negotiations on the provision of affordable housing and reconsideration of the proposed car parking, the Panel considered a further report

Officers presented the report and informed the Panel that despite a financial viability assessment indicating the provision of affordable housing was not viable, the applicant had now offered some affordable housing, this being four units, but that the greenspace contribution would be reduced

Panel Members were informed of comments received from Councillors Brett and Pryke who maintained their support for the application and stated there was no shortage of affordable housing in the area

Officers reported receipt of 20 letters of representation supporting the proposals; nine of these having previously supported the scheme

Members were informed that there were three options open to them, these being to approve the previous recommendation which provided no affordable housing; approve the proposal before Panel which provided four affordable units but a lower greenspace contribution or refuse the application on the lack of affordable housing provision. Officers stated that if Panel were minded to refuse the application it was unlikely that the site would come forward for development

In respect of on-street car parking, the police had been consulted and it was accepted that cars could be more vulnerable when parked on the street. Highways Officers had considered the car parking layout and were of the view that the best which could be achieved was by providing echelon parking as opposed to chevron parking

Members discussed the following matters:

- that affordable housing was needed in this area
- that it would be possible for speculators to buy affordable units cheaply for rental purposes so denying people for whom such housing was intended, being able to purchase a property

- concerns at the security for car parking and that people living in inner city areas should be afforded the same level of protection and safety as everyone else
- that property values had decreased and that there was spare capacity in the area
- that the area needed environmental improvements
- the difficulty of the decision before Members

The Panel considered how to proceed

RESOLVED - To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions set out in the submitted report and following completion of a Section 106 Agreement to cover the following matters:

- Greenspace commuted sum - £50,000
- Affordable Housing provision of four units
- Public Transport Infrastructure enhancement contribution - £28,306
- Traffic Regulation Order (Knowsthorpe Crescent/Cross Green Lane)
- Travel Plan (including monitoring fee - £2500)

In the circumstances where the Section 106 Agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

(Councillor Grahame resumed his seat in the meeting)

8 Application No. 10/00944/FU - Variation to Condition No. 4 of Permission H34/582/89 (opening Hours 16:00 to 00:30 Sunday to Thursday and 16:00 to 01:00 Hours Friday and Saturday) to Premises at 250 Easterly Road, Leeds 8

Plans and photographs were displayed at the meeting

The Panel considered a report of the Chief Planning Officer on an application for a variation of condition 4 of permission H34/582/89 in respect of opening hours of a hot food takeaway shop at 250 Easterly Road LS8

Officers presented the report and stated that an extension of opening hours was being sought from the approved hours of 0800 to 2300 hours Sunday to Thursday and 0800 to 2330 hours on Friday and Saturday to the extended hours of 1600 to 0030 hours Sunday to Thursday and 1600 to 0100 hours on Friday and Saturday

Officers were of the view that the extension of opening hours would set a precedent and would have a detrimental impact on residential amenity and were recommending the application be refused with a possible reason being included in the submitted report

The Panel heard representations on behalf of the applicant from Councillor Iqbal who stated he was not speaking in his capacity as an Elected Member, but as an advocate for the applicant

The Panel commented on the following matters:

- that it was possible to take into account economic impact which had been cited as part of the representations made to the Panel on the applicant's behalf
- that an extension of opening hours had been refused in the past and how the situation had changed since then

- whether an Environmental Impact Assessment had been carried out
- policy SF15, which relates to hot food takeaway shops
- that only one objection had been received from a resident in the area
- the possibility of setting a precedent in allowing increased opening hours
- the comments of the applicant's representative that an increase of one hour per evening could be considered
- that the application went against policy which was put in place to create uniformity across the city
- the possibility of granting temporary planning permission for 6 months to ascertain if there was a significant difference in terms of economic impact, with a further report being presented to Panel

The Panel considered how to proceed

RESOLVED - That the application be refused for the following reason:

The Local Authority considers the proposed opening hours of the hot food takeaway shop to be unacceptable, as they would cause significant detriment to the residential amenity and quality of life of the occupants of adjoining and nearby residential properties, as a result of noise disturbance emanating from within the premises and externally, generated by the comings and goings of customers and congregation of customers outside of the premises. Therefore, the proposed development is contrary to policies GP5 and SF15 of the Leeds Unitary Development Plan (Review)

In reaching the decision, the Chair stressed this did not reflect on the applicant or the way in which his business was run

9 Application No. 10/00060/FU - Amendment to Permission 23/436/03/FU (Change of Use involving First Floor Extension and New Second Floor of Workshop to 10 Flats) for alterations to unauthorised works to approved scheme at The Fab Shop, Tennyson Street, Morley Leeds 27

Plans, drawings, photographs and sample materials were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought approval to rectify unauthorised and unacceptable works which have been carried out on the site when implementing a previous permission – application 23/036/03/FU. Details of the proposed amendments were included in the submitted report

Members were informed of the concerns of Morley Town Council in relation to the situation and the Town Council's acceptance for the need for a practical solution to be reached which was clear to all the parties involved

If minded to approve the application, two additional conditions relating to the submission of detailed drawings of the balconies and details of the access barrier were recommended

Members commented on the following matters:

- concerns at the quality of the building work which had been undertaken and the need for this to be monitored carefully if the same builder was to continue on the development

- that the ground floor flats comprised three rooms but only one window, with concerns being given to the amount of available light and that Panel had refused applications on the provision of inadequate light
- the legal position in cases where planning permission had not been adhered to
- the view that the scheme was a result of the previous guidance in respect of housing targets which had to be met, resulting in cramming of accommodation on sites
- that the proposed wooden cladding was out of keeping in the area which was typified by old, stone buildings with some brick elements and that the design of the consented scheme did not relate to its location

Officers provided the following responses:

- with regard to the internal layout of the flats and penetration of natural light, it would be a matter of debate whether what was before Members now would be granted if this was a new application. However the fact remained that there was an existing, part implemented permission and that developers were seeking to rectify the errors which had been made
- that where plans had not been adhered to, the applicant was entitled to submit a further application to regularise the works. In such cases Government guidance confirms that the LPA has a discretion when it comes to pursuing enforcement action and the possibility of such an application being submitted was relevant to the decision that the Council makes on whether or not to enforce

The Panel discussed the application and how to proceed

RESOLVED – To defer and delegate approval to the Chief Planning

Officer subject to the conditions set out in the submitted report additional conditions relating to profile drawings/section of the balustrades and fixtures of the Juliet balconies to Tennyson Street elevation to be submitted and agreed in writing to ensure they do not overhang the footway and details of the access barrier to the car park and pedestrian access from South Parade to be submitted and agreed in writing and conditions to cover the proposed cladding and the degree of illumination at the rear part of the property; consultation with Ward Members and any additional conditions arising from these discussions

10 Appeals against non determination

Further to minute 228 of the Plans Panel East meeting held on 13th May 2010 where the Head of Planning Services informed Panel that a report on the matter of appeals against non-determination would be submitted, Members considered a report of the Chief Planning Officer

The report sought to address concerns raised about the practice of deferring consideration of an application to bring back reasons for refusal and that by doing so, whether the Council was disadvantaged in any subsequent appeal proceedings, particularly those lodged against non determination

The Panel's Lead Officer informed Members that in 2009/2010 the Officer recommendations of 12 applications, which related to 10 schemes, had been overturned by the Panel. Of these, two appeals had been lodged against non-

determination. This indicated that, in the main, applicants preferred to wait for the full documentation, including the detailed reasons for refusal, before lodging appeals

Further analysis had been undertaken on those two cases

In respect of application 09/03138/FU – 10 Elmete Avenue LS15 – previous appeals had been refused and following the last appeal decision the applicant may have felt that the Planning Inspector had given a strong steer for a further application and so was motivated to lodge an appeal before detailed reasons for refusal could be considered by Panel

As this was a garden land development, in view of the revised guidance contained in PPS3, Officers were of the view that they could robustly defend the case at appeal

In relation to application 09/05196/RM – South View Lodge LS17 – this had been constructed 0.5m higher than agreed, with the possible motivation for this appeal against non-determination being to avoid delaying the situation further

The current practice in dealing with situations where Members resolve not to accept an Officer's recommendation to approve an application followed national best practice guidance and 'the Planning Code'

One area of concern existed in respect of the timescales for the submission of the LPA's case in respect of planning appeals and that the LPA was required to submit its case, or outline of the case to the Planning Inspectorate within 6 weeks of the appeal being made. If there was ever an occasion where a Panel meeting was cancelled or delayed, that could have implications in terms of meeting the deadlines

Councillor Gruen, who had requested the report asked that this be referred to Plans Panel City Centre and Plans Panel West and stressed the need for Officers to alert the Panel in those cases where the timescale for determination of an application could potentially place the Council in a difficult position

RESOLVED - To note the report

11 Date and time of next meeting

Thursday 8th July 2010 at 1.30pm in the Civic Hall, Leeds

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PLANS PANEL (WEST)

THURSDAY, 15TH APRIL, 2010

PRESENT: Councillor C Campbell in the Chair

Councillors A Castle, B Chastney,
M Coulson, T Leadley, J Matthews,
E Nash, F Robinson, N Taggart and
L Yeadon

101 Late Items

There were no formal late items however an additional document relating to agenda items 11 and 12 Mid Point Office Park, Pudsey (copy of January 2009 report) which had been omitted in error from the report had been despatched to the Panel prior to the meeting.

102 Chairs Opening Remarks

The Chair welcomed all present to the meeting, particularly Councillor Robinson as a new member of the Panel.

103 Declarations of Interest

The following Members declared 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:

Councillor Campbell - Application 09/05311/OT redevelopment of Springhead Mills – declared a personal interest as a local authority appointed Member of WYITA. Comments made by WYITA were included within the Position Statement report discussed by Panel on 18 February 2010. The report before Panel on this occasion set out proposed reasons to refuse the application. (minute 108 refers)

Councillor Campbell - LBIA Monitoring Report - declared a personal interest as a local authority appointed member of the Leeds Bradford International Airport Joint Consultative Committee (minute 107 refers)

Councillor Castle - Application 09/05311/OT redevelopment of Springhead Mills – declared a personal interest as a member of Leeds Civic Trust. The comments made by the Civic Trust were included within the report presented to Panel on 18 February 2010. The report before Panel on this occasion set out proposed reasons to refuse the application (minute 108 refers)

Councillor Castle - Application 09/03653/FU rear extension at 54 Cliff Road, Woodhouse – declared a personal interest as a member of Leeds Civic Trust. Comments made by the Civic Trust were referred to in the report. (minute 112 refers)

Councillor Coulson - Variations of conditions attached to permissions for redevelopment of Mid Point, Office Park, Pudsey – declared a personal

interest as a member of Leeds Bradford Corridor Working Group which had been mentioned in previous discussions on the applications. He had also declared a personal interest in the matter when the original application was considered (minute 110 refers)

104 Apologies for Absence

Apologies for absence were received from Councillor Harper. The Panel welcomed Councillor Nash as her substitute

105 Minutes

RESOLVED – The minutes of the previous meeting held 18th March 2010 were agreed as a correct record

106 Report on recent Appeal Decisions for Householder Applications from 1st July 2009 to 31st March 2010

The Panel considered the report of the Chief Planning Officer setting out the results of appeals decided within the Plans Panel West area for Householder Planning Applications for the period 1st July 2009 to 31st March 2010.

The report outlined the results and considerations of the Planning Inspectors on 32 appeals. In brief 20 were dismissed, 10 allowed and 2 issued with a split decision. Officers felt that some of the decisions highlighted the contradictory approach of different Inspectors to similar issues.

A report to consider any lessons to be learned from the Inspectors findings was being prepared. Officers stated it was difficult to identify any trends in the Inspectors decision making and the increased number of appeals lodged could be attributed to the implementation of the electronic appeal system.

The Head of Planning Services highlighted the comments of the Inspector at the Hartley Crescent appeal and assured Members that relevant housing mix data would be presented to future appeals when necessary. It was noted that collation of this type of data would be improved through the introduction of the new Use Classes on 6 April 2010 which created a class for Houses in Multiple Occupation (HMO's) which along with the new HMO licensing process, would afford the LPA the opportunity of collating and presenting robust data.

The Chair welcomed the move of some Inspectors to consider the overall character of an area in their deliberations, and Members commented that they felt their approach was not inaccurate

RESOLVED – To note the contents of the report

107 Leeds Bradford International Airport - Monitoring Report of Night Time Aircraft Movements, Noise Levels and Air Quality

The Panel considered the report of the Chief Planning Officer on the monitoring of night time aircraft movements, noise and air quality in relation to Leeds Bradford International Airport. Officers highlighted the number of times a particular airline carrier (PIA) had operated outside of the permitted hours, and therefore caused a breach of planning conditions.

It was reported that LBIA was working with this operator to minimise the likelihood of further breaches and suggested measures were contained in paragraph 5.5 of the submitted report, although not yet implemented. Members were keen to ensure the measures were implemented and to understand how and when these would be in place. Officers explained the process prior to formal enforcement action should matters not improve and the Panel indicated that enforcement action should be taken if there were any further breaches by Pakistan International Airway flights.

The Head of Planning Services received support for the approach taken so far and for his suggestion that a letter be sent on behalf of the Panel to the Airport expressing the Authority's desire to see the measures implemented and offering support to LBIA in their negotiations with the individual operator.

The Chair reported he had obtained figures for December 2009 /January 2010 flight departure times and had noted the range of times the particular aircraft used by that operator departed. Members commented that an earlier departure time may not be enough to combat the noise issue alone. The Chair also suggested the LBIA Noise Action Plan updates should be forwarded to this Panel. He also requested more detail on the mechanism for recording departure times.

RESOLVED – That the contents of the report be noted and

- a) That the Chief Planning Officer be authorised to write to the Airport and request an update and firm timescale on the initiatives that LBIA and PIA have committed to, these being:
 - a. The introduction of a B777 aircraft for the PIA flights
 - b. The reduction of the numbers of departures per week of the PIA Flight
 - c. The re-scheduling and earlier departure time of the PIA flights and
 - d. The implementation of the Noise Action Plan
- b) To note that officers will present an update report on these issues in 6 months time and report again on night time movements, noise and air quality monitoring in 6 months time
- c) To request officers also include detail of the mechanism for recording departure times in that report
- d) To note the request that LBIA Noise Action Plan updates be presented to appropriate Plans Panel West meetings in the future

108 Application 09/05311/OT - Outline application to demolish Mill Buildings, layout access road and erect Residential Development, comprising of dwellings, Sheltered Housing accommodation (C3) & Care Home (C2) and conversion of Mill Building to residential (indicative only), with car parking, Springhead Mills, Springfield Road, Guiseley, LS20

Further to minute 91 of the meeting held 18th February 2010 when the Panel received a position statement on the proposals, the Chief Planning Officer submitted a report on the detail of the application as submitted. The report set out proposed reasons to refuse the application for the Panel to consider.

Plans and photographs of the site were displayed at the meeting. Officers reported receipt of 48 letters of objection including letters from Mr P Truswell MP and from local ward Councillor Andrew and went onto highlight their consideration of:

Loss of employment land – a study had concluded the current supply was sufficient for local employment needs without this site being essential. The site was surrounded by housing and may not be considered to be an ideal industrial site in the future. Officers were mindful the Panel had previously expressed a desire to keep some employment use here, but stated they did not feel they could defend a reason for refusal based on the loss of employment land.

Assisted Living Apartments – the clarity sought from the applicant on this issue had not been supplied. Use Class C3 attracted contributions as an ordinary residential use, Use Class C2 did not. Problems relating to the levels of provision of parking and amenity could occur without confirmation of the exact nature of the residential type

Design and Impact on the Guiseley Conservation Area – the buildings appeared too large/bulky and too different to those in the setting. The buildings within the northern part of the site lay within the proposed extended Conservation Area and were regarded as having some local importance but were proposed for demolition under this application

Public Transport Infrastructure/Greenspace Provision – a legal agreement is not in place to secure the financial contributions required to deal with these matters and this is dealt with the recommended reasons for refusal

Affordable Housing – the applicant sought a more flexible approach to determining the level of affordable housing in the future but officers considered that a case had not been made to depart from normal policy requirements.

Housing Mix – Much of the development was designed to cater for more elderly residents. Officers reported that, in the context of a number of recent developments in the locality also geared to older people, that it had not been shown that the development would achieve an appropriate mix and balance in the community in line with Government guidance on PPS3

Officers provided an update on comments received from Highways following the results of traffic survey stating that although this development would not have an unacceptable impact on the network in terms of impact on junctions, there were concerns regarding traffic controls; and the site layout did not meet current design standards. As such officers requested an amendment to Reason 4 as follows:

FROM - The Local Planning Authority considers that the proposal includes inadequate information to enable an informed decision to be made regarding the impact of the proposal on the highway network. In the absence of such information it is considered that it is likely to lead to an intensification of use which, in the absence of off site traffic management measures, would generate additional congestion as well as conflicting traffic movements to the detriment of road safety, the free flow of traffic and the amenity of existing and prospective residents in this vicinity, and the proposed development is therefore contrary to policies GP5 and T2 of the Leeds Unitary Development Plan Review (2006)

TO – “The Local Planning Authority considers that the proposed development does not include satisfactory provision for access to the site including measures to control on-street parking on Springfield Road and satisfactory pedestrian linkages from the site to surrounding destinations. In addition, the detailed layout of the site does not meet the layout requirements of the Council’s Street Design Guide August 2009. It is further considered that the submitted Travel Plan does not satisfactorily address the need to promote sustainable patterns of travel. The development would therefore be detrimental to highway safety, contrary to Policies GP5 and T2 of the Leeds Unitary Development Plan Review (2006)”.

Members whilst acknowledging this would be a difficult site to develop commented the application did not yet present any proposals the Panel could support.

RESOLVED – That the proposed reasons to refuse the application as set out in the report be agreed – with the exception of Reason No 4 which is amended in the following terms:

“The Local Planning Authority considers that the proposed development does not include satisfactory provision for access to the site including measures to control on-street parking on Springfield Road and satisfactory pedestrian linkages from the site to surrounding destinations. In addition, the detailed layout of the site does not meet the layout requirements of the Council’s Street Design Guide August 2009. It is further considered that the submitted Travel Plan does not satisfactorily address the need to promote sustainable patterns of travel. The development would therefore be detrimental to highway safety, contrary to Policies GP5 and T2 of the Leeds Unitary Development Plan Review (2006)”.

109 Application 10/00779/EXT - Extension of time for Planning Application 06/02738/FU for 3 and 4 Storey Block of 3, 5 and 6 Bed Apartments (47 beds in 11 clusters) with 14 car parking spaces at 45 St Michaels Lane, Headingley, LS6

Site plans, layout plans and photographs of the site were displayed at the meeting. Officers outlined the development proposals previously approved by the Planning Inspectorate in 2007. Officers reported receipt of 67 letters of objection, including letters of representation from Leeds HMO Lobby and local ward Councillor J Monaghan.

The Panel were advised of the 2009 Government guidance on applications for extensions of time for implementation of extant permissions, particularly whether anything had materially changed since the grant of permission.

Officers stated they had considered the application having regard to:

- the Government advice
- against the UDP criteria
- the Inspectors comments at the appeal,
- the outcome of the “Glassworks” appeal where the Inspector had regard to the disturbance likely to be caused by student resident of the 256 bed development to existing residents in traditional family housing. It was noted the Inspector at the St Michaels appeal also considered the issue of disturbance but had come to a different conclusion as this

application was very different. Officers therefore felt there was no choice but to recommend approval of this application to extend the time limit for the permission.

Officers did acknowledge local feeling that there was a surplus of student accommodation but this could be attributed to the uptake of new purpose built student accommodation leaving houses previously let to students vacant and potentially available for family occupation.

The Panel discussed the following matters

- Expressed dismay at the Inspectors decision in 2007.
- Location of the site within the heart of Headingley adjacent to traditional semi detached houses. Members still believed the proposal was too high, overbearing and over dominant for this small site.
- Concern at the impact on local highways network
- Noted comments that some student housing developments were empty
- Expressed the view there had been a material change due to the increase in and availability of purpose built accommodation

The Panel heard representation from Mr P Downing, an objector who stated that families were moving back into the area and this new development would have a detrimental impact on the improving housing mix. He expressed concern over highways issues; particularly the inclusion of a gated access to Back Broomfield Crescent which he believed would be used as a general pedestrian route by students. Mr Downing stated that 1000 students attending classes in the new Carnegie development would add to pressures on the area.

The Panel then heard from Mr S Grundy, agent for the applicant who addressed the contents of the Government Guidance and stated that this development would continue the current trend of releasing old style student lets back to family housing. Mr Grundy confirmed the applicants would agree to the gated access to Back Broomfield Crescent being used only as emergency service access and being locked at all other times.

Members further discussed:

- the comments about purpose built accommodation but remained unhappy this development was proposed in its present form in the middle of a residential area.
- the comment about 1000 students at the school and their likely impact on the neighbourhood
- the changes in the locality due to the new Cricket Pavilion and the subsequent increase in pedestrian and vehicle movements particularly on match days

(Councillor Taggart joined the meeting at this point)

The Chair noted the majority of Panel Members were not minded to approve the application and suggested the matter be deferred for one cycle to afford officers the opportunity to consider the points made by Members. The Panel

were advised that very strong evidence would be required to overturn the decision of an Inspector and attendance by a Panel Member at any subsequent appeal would be essential

Members were not minded to accept the officers recommendation to approve the application and

RESOLVED – To defer the application for one cycle to allow time for officers to investigate the merits of the reasons to refuse the application discussed by Panel including:

- PPS3
- Change in demand for student housing
- Change in the locality including the impact of the new Cricket stand, its impact on highways and student usage
- Relevance of the Glassworks decision due to noise impact and proximity of this site to residential

(Councillor Taggart abstained from voting on this matter as he had not been present for consideration of the whole item of business)

110 Application 10/00613/FU - Variation of Condition 28 of Application 25/407/05/OT (Affordable Housing Matters) AND Application 10/00614/FU Variation of Condition 5 of Application 07/05428/RM (Affordable Housing Matters) to approved residential development at land to the rear of Mid Point, Office Park, Dick Lane, Pudsey

The Panel considered consecutive reports on two applications requesting variations to Affordable Housing conditions in relation to a proposed residential development on land to the rear of Mid Point, Office Park, Dick Lane, Pudsey. The report on 10/00613/FU appeared as agenda item 11 and 10/00614/FU was included as agenda item 12 and both matters were considered together.

Officers reported the original permission secured 25% Affordable Housing (AH), with a 50:50 split between on-site/off-site provision. A financial viability assessment undertaken in July 2009 showed the development would not be viable if those obligations were met. The developers now sought flexibility in the approach to AH provision and had undertaken discussions with local ward Councillors who supported the developers approach but sought 100% off-site provision immediately.

In response the developers offered to commit 10% now, then 10% later with the remaining 80% being forthcoming following satisfactory viability assessments. Officers reported this approach to the S106 Agreement would enable development to start on-site but noted the LPA may not receive the remaining 80% if the economy did not improve.

The Area Planning Manager read the contents of an e-mail received from local ward Councillor A Carter expressing his support for the proposed approach due to the proximity of the development site to existing affordable housing.

The Panel then heard from local ward Councillor Marjoram who further explained the stance of ward councillors and acknowledged that although offsite provision monies may not be spent within the Calverley & Farsley wards the scheme would benefit the whole locality. Members also heard from Mr Rawlinson, the agent for the developer, who reiterated the scheme was not viable in its current form and estimated the AH requirement as £2m. He outlined the guaranteed 20% (offer totalling £400k now), in the hope that further financial viability assessments would provide the solution for the remaining 80%.

Members went onto discuss:

- The principle of changing the condition which required AH on-site and accepting the provision of a commuted sum instead
- The view of local ward councillors who could accept that monies may not be spent in the ward IF this would enable the developer to be onsite straight away
- The possibility the money could be spent within the “Leeds Bradford corridor” rather than the ward itself
- The developers offer to provide 20% of the AH commitment soon, with the remaining 80% when it was possible
- Proximity of this site to existing AH in Bradford and Leeds

Members were advised that amending the Section 106 would offer flexibility but that the S106 itself would ensure that profit from house sales would be designated to the AH contribution.

The Panel adjourned for a short comfort break at this point

(Councillor Nash withdrew from the meeting)

Members considered and broadly agreed with each of the recommendations pertaining to each of the applications but remained concerned about the framework for how AH would be delivered on the site. The Chair directed Panel to consider whether 100% of the AH requirement should be a commuted sum. If that was accepted, the Panel would need to consider at what point the commuted sum was paid.

Members discussed the possibility that the commuted sum could be spent in the Leeds Bradford corridor as previously mentioned and considered this to be too broad an area. They expected the monies to be spent within the ward of the development. The Panel was also keen to ensure the LPA received the 100% of the commuted sum. Members were advised that “greenspace 106” monies were spent within wards with the developers input, however LCC decided how and where S106 AH monies were spent. In any event the terms of the 106 would have to be presented to the Panel for final agreement.

Noting the agreements reached to amend the conditions, and the acceptance of a commuted sum rather than provision on site, the Chair suggested a different approach to the payment of the AH monies:

On sale of 25% of the housing – LCC receive 25% AH monies

Final minutes approved at the meeting
held on Thursday, 20th May, 2010

On sale of 50% of the housing – LCC receive 25% AH monies and so on until 100% was provided. This approach was supported by the Panel.

The Panel discussed the current 25% AH Policy, but took the view this policy should be adhered to bearing in mind the existing regional Spatial Strategy suggested 30-40% and the overall demand for housing in the city

RESOLVED –

- a) **Application 10/00613/FU** – That the application to vary Condition 28 attached to Application 25/407/05/OT be amended to read “ Prior to commencement of development arrangements for the provision of affordable housing shall be agreed in writing by the Local Planning Authority”
- b) **Application 10/00614/FU** – That the application to vary Condition 5 attached to Application 07/05428/RM be varied to read “ Prior to commencement of development, arrangements for the provision of affordable housing in accordance with Condition 28 of Outline permission reference 25/407/05/OT shall be agreed in writing with the Local Planning Authority”.
- c) That the comments made by Panel regarding the framework for delivery of the AH commuted sum be noted by officers and the developer in the drawing up of the Section 106 Agreement and
- d) To note the Section 106 Agreement will be presented to Panel at the appropriate time

111 Application 08/06627/FU - Part Three Storey, Part Single Storey Side Extension with Roof Terraces at First Floor and Third Floor Levels, 20 Rockery Road, Horsforth, Leeds LS18 5AS

Plans and photographs of the site were displayed along with artists' impressions of the proposed development. Members had previously visited the site. The report included reasons to refuse the application and officers reported that, on receipt of details for the proposed materials, reference to materials should be deleted from the reason. Members noted the site lay within the Horsforth Conservation Area and was surrounded by historic buildings.

Officers outlined the proposals; the negotiations undertaken with the applicant and their view that the proposal was finely balanced, as the modern design element was acceptable but Members views were sought on whether it was acceptable in this location.

The Panel heard from Mr N Brown, agent for the applicant, who addressed issues of design and the context of the application site.

The Panel received comments from the highways officers regarding access to the proposed garage, parking and the suitability of the access road. Members discussed the design of the proposal which they generally found to be acceptable; however the Panel also expressed the opinion that this design did not complement the existing dwelling; changed the nature of all the dwellings within the terrace and would not be acceptable within this setting in terms of

- dominance at the end of traditional terraces

- contrast between the flat roof extension and the pitch roof of the terraces
- contrast between the elongated windows contrasting with the traditional windows to the front elevation

Following a vote the Panel

RESOLVED – that the application be refused for the following reason:

“The Local Planning Authority considers that the proposed extension by reason of its inappropriate and over-assertive scale, form and detailing in a prominent and sensitive location will not sympathetically relate or complement the existing historic terrace row or the Conservation Area as a whole. As such the proposal is considered to be detrimental to the character and appearance of the original terraced row, the present street scene and the Horsforth Conservation Area, contrary to Policies GP5, BD6, N12, N13 and N19 of the Leeds Unitary Development Plan (Review 2006), advice contained within PPS1: Delivering Sustainable Development and PPS5: Planning for the Historic Environment as well as supplementary guidance contained within Neighbourhoods for Living (2003) and the Horsforth Conservation Area Management Plan (2008).

112 Application 09/03653/FU - Retrospective application for Single Storey rear Extension at 54 Cliff Road, Woodhouse, Leeds LS6 2EZ

Photographs of the site and the development were displayed at the meeting. Members had previously visited the site.

Officers highlighted the main issues for consideration as the construction materials and the view that this was unacceptable development within the Conservation Area. Officers reported receipt of an e-mail from local ward Councillor Ewens and letters of representation from a neighbour; Leeds Civic Trust and North Hyde Park Neighbourhood Association.

The Panel also considered:

- issues of overlooking, although noted the rear courtyard garden was overlooked by all dwellings within the terrace;
- the width of the extension and its relationship to the gable end;
- the windows to the side elevation
- the suitability of the materials within the Conservation Area

(Councillor Matthews withdrew from the meeting for a short time at this point)

Officers reported the history of the application particularly as the applicant had made a verbal enquiry to the Development Enquiry Centre prior to commencing the works. It was felt that advice given had been misinterpreted by the applicant and officers reiterated that this development, as it lay with the Conservation Area would require planning permission. Members noted the applicant had lodged an appeal against non-determination and

RESOLVED – That had the Local Planning Authority been in a position to determine the application then it would have been minded to refuse the application under delegated powers for the following reason

“The Local Planning Authority considers that the extension by reason of its scale, materials and detailing has produced a discordant feature which is unsympathetic to the character of the host dwelling and terrace row to the

detriment of the Conservation Area. As such it fails to preserve or enhance the Conservation Area and is contrary to Policies N19, BC7, GP5 and BD6 of the Leeds unitary Development Plan (Review) 2006 and advice contained within PPS5 – “Planning for the Historic Environment”

113 Chairs Closing Remarks

The Chair commented this would be the last Panel meeting prior to the forthcoming local and General Elections and wished all colleagues well in the elections. He also noted that Councillor Robinson would retire from Council at these elections and expressed his best wishes to him on behalf of the Panel

114 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next Panel meeting as Thursday 20th May 2010 at 1.30 pm

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PLANS PANEL (WEST)

THURSDAY, 20TH MAY, 2010

PRESENT: Councillor C Campbell in the Chair

Councillors A Castle, B Chastney,
M Coulson, T Leadley, J Matthews,
E Nash, N Taggart, G Wilkinson and
L Yeadon

115 Chairs Opening Remarks

The Chair introduced officers and Panel Members to members of the public in attendance and welcomed Councillor Wilkinson as a new Member of the Panel.

116 Late Items

There were no late items of business.

117 Declarations of Interest

The following Members declared 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:

Councillor Campbell – Application 09/05353/FU redevelopment of the former Victoria Nursing Home site Kirkstall Lane, Headingley – declared a personal interest as a Local Authority appointed Member of West Yorkshire Integrated Passenger Transport Authority (WYITA). METRO had requested a contribution towards enhancement of a bus stop on Kirkstall Lane. (Minute 123 refers)

Councillor Campbell – Application 10/00407/FU Student accommodation at St Marks Street, LS2 – declared a personal interest as a Member of WYITA as METRO had suggested the provision of real time displays. (minute 124 refers)

Councillor Campbell – Application 10/01166/RM replacement school at Farnley Park High School – declared personal interest as a member of WYITA as METRO commented on bus manoeuvring, bus stop and hard standing arrangements (minute 128 refers)

Councillor Campbell – Applications 09/005163/FU & 09/05164/CA redevelopment of Park Hotel, Pudsey – declared a personal interest as a member of Campaign for Real Ale. CAMRA had objected to the proposed loss of a public house (minute 125 refers)

Councillor Castle – Application 09/05353/FU – Redevelopment of the former Victoria Nursing Home site Kirkstall Lane, Headingley – declared a personal interest as a Member of the Leeds Civic Trust who had objected to the proposal (Minute 123 refers)

Councillor Castle – Applications 09/005163/FU & 09/05164/CA redevelopment of Park Hotel, Pudsey – declared a personal interest as she had become aware during the site visit that a work colleague lived next door to the former Hotel (minute 125 refers)

Councillor Chastney – Application 10/01088/RM Wellbeing Centre at the former Ralph Thoresby High School site – declared a personal interest as he had previously attended some public consultation meetings on the proposals in his capacity as a ward Councillor, although he stated he had not formed a view on the application.(minute 127 refers)

Councillor Chastney – Application 10/01613/FU householder extension at 5 Glebe Terrace, Weetwood – declared a personal interest as he had become aware that a personal friend was a resident of Glebe Terrace (minute 120 refers)

Councillor Matthews – Application 10/01088/RM Wellbeing Centre at the former Ralph Thoresby High School site – declared a personal interest as he had previously worked from the office of Mr G Mulholland MP which is located within the Holt Park District Centre. (minute 127 refers)

Councillor Taggart – Application 10/01166/RM redevelopment of Farnley Park High School – declared a personal interest as a member of West Leeds Specialist Inclusive Learning Centre which is located within the school grounds (minute 128 refers)

Councillor Taggart – Applications 09/005163/FU & 09/05164/CA redevelopment of Park Hotel, Pudsey – declared a personal interest as a member of West Yorkshire Joint Services Committee which encompasses West Yorkshire Archives Services. WYAS had commented on the proposals. (minute 125 refers)

118 Apologies for Absence

Apologies for absence were received from Councillor Harper. The Chair welcomed Councillor Nash as her substitute

119 Minutes

Minute 107 Leeds Bradford International Airport –
Update- The Head of Planning Services read out the contents of a draft letter to be sent to LBIA as requested at the last meeting which sought clarity on the issues raised including the number and departure times of PIA flights per week; the progress of discussions on the use of the B777 aircraft and the recording mechanism for departure times.

The Chair referred to the introduction of the B777 and noted LBIA had stated these aircraft were quieter only if partially loaded. Further details of how LBIA would ensure the operator would carefully load the B777 to minimise noise were requested.

Amendment – the Chair requested an amendment to paragraph 2 of the minute to ensure the Panels' support for enforcement action is clearly

recorded as follows “and the Panel indicated that enforcement action should be taken if there were any further breaches by Pakistan International Airway flights “

RESOLVED – That subject to the inclusion of the amendment detailed above, the minutes of the previous meeting held 15th April 2010 were agreed as a correct record

120 Application 10/01613/FU - Single Storey Rear Extension to 5 Glebe Terrace, Weetwood, Leeds LS16 5NA

The Panel considered the report of the Chief Planning Officer on an application received from a former Area Planning Manager for a single storey rear extension to a domestic dwelling.

Plans of the site were displayed at the meeting and it was noted this type of application would normally be dealt with under delegated powers however a Panel determination was required because the applicant was a former LCC planning officer.

RESOLVED – That the application be granted subject to the specified conditions contained within the report

121 Application 10/00455/FU - Single Storey rear extension to 66 Clara Drive, Calverley, Leeds LS28 5QP

The Panel considered this application in conjunction with the following matter on the agenda relating to another application on the same site (minute 122 refers). Members had previously refused a scheme for redevelopment of the same dwelling 26th November 2009 (minute 58 refers). Two separate applications had since been made for each of the the two distinct elements of the original proposal.

Officers reported that this single storey rear extension element of the previous proposal had not been altered. The dwelling lay within the Green Belt and was a relatively new property having been completed in 2007. At that time Permitted Development rights had been removed due to the size of the replacement dwelling being 87% above the volume of the original dwelling on the site. That permission had been granted having regard to Policy GB8 which allowed for increases up to 100% within the Greenbelt. That policy no longer existed. Furthermore, recent decisions from the Planning Inspectorate showed their unwillingness to support increases over 50%.

The Panel noted the officer’s recommendation to refuse the application as there had been no revisions to the proposals or any significant policy change since November 2009. Members noted that local ward Councillor A Carter intended to speak on behalf of the applicant but not on this application.

Officers reported that the necessary advertisement period for this application as a Departure from the Development Plan had not expired and requested the recommendation be amended to delegate authority to the Chief Planning Officer to refuse the application after the expiry of the advertisement period

RESOLVED – That refusal of the application be deferred and delegated to the Chief Planning Officer, subject to the expiry of the advertisement period, for the following reason:

“The Local Planning Authority considers that the proposed rear extension by virtue of its size, siting and design is a disproportionate addition to the host dwelling, (when considered with the new dwelling as constructed), which introduces an element of sprawl to the site, producing development harmful to the openness of the Green Belt and Special Landscape Area. As no very special circumstances have been demonstrated the proposal is inappropriate development within the Green Belt which contravenes Policies GB1 , N33 and N37 of the Leeds Unitary Development Plan (Review) 2006 and advice within Planning Policy Guidance 2 - Green Belts.”

122 Application 10/00456/FU - Conversion of Garage to Habitable Room, detached Garage to side at 66 Clara Drive, Calverley, Leeds LS28 5QP

The Panel considered this application in conjunction with the previous item for development on the same site made by the same applicant (minute 121 refers)

The Panel, having heard officers stance regarding development in the Green Belt previously, went on to hear the representation by local ward Councillor A Carter in support of this application for the applicant. Councillor Carter highlighted the variety of development/extension styles within the immediate locality, the lack of local objection to this scheme and his own view that the proposals would match the existing dwelling.

The Panel acknowledged the difficult balance of considerations the scheme presented and recalled their previous comment in November 2009 that broadly speaking the garage proposals were found to be acceptable. Members discussed the dimensions of the replacement garage and their concerns that the new garage could be inhabited in the future.

The Panel noted the officer recommendation to refuse the application however were not minded to do so and

RESOLVED – To defer and delegate approval of the application to the Chief Planning Officer subject to the following conditions to cover:

- materials to match existing dwelling
 - development to be constructed as per the plans submitted to the Local Planning Authority
 - the use of the new garage to be restricted for the parking of cars only.
- And such other conditions the Chief Planning Officer considers appropriate

123 Application 09/05353//FU - Demolition of existing Care Home Buildings and erection of replacement part 2, part 3 and part 4 storey building, comprising 50 Flats with communal facilities to provide Extra Care Facilities/Complex for the Elderly, former Victoria Nursing Home, 224 Kirkstall Lane, LS6

The Panel considered the report of the Chief Planning Officer on redevelopment proposals for the former Victoria Nursing Home. The Panel had previously considered the application in March 2010 (minute 99 refers).

Plans and photographs of the site were displayed at the meeting along with architects' drawings of the proposals. Officers outlined the revisions made to the scheme in terms of:

Design

- The reduction of the number of apartments from 51 to 50
- A revised 2 storey elevation with hip ended roof to face the existing bungalows (as opposed to 3 storeys including roofline accommodation)
- Added detail to the entrance to better enhance the feature of the streetscene.

Sustainability

- Proposals would now meet "Sustainable Homes Code-level 3" which includes water efficiency & energy efficiency measures, site waste management plan, household waste management plans and sustainable materials
- The developer had agreed to a condition requiring their participation in the Code
- The developer had agreed to a condition regarding on-site recycling provision for residents

Travel plans

- Consultation undertaken with the travel plan co-ordinator regarding measures to be put in place to ensure travel targets are met.
- The developer had agreed to fund a further year of metro cards if the targets are breached
- Officers believed the Travel Plan would meet the needs of this development and would deliver a modal shift from car use to public transport

Members discussed the following matters:

- On-site car parking provision
- The relationship and distances between the new build and the existing bungalows
- The impact of the development on the residents of Greysheels Close
- Noted the amended scheme had been re-advertised, further representations had been received from local residents however these did not raise new issues
- Design and elevations to the Kirkstall Lane frontage.
- The need for site safety checks to deter further vandalism

Overall the Panel broadly welcomed the revisions to the scheme although some Members remained dissatisfied with what they regarded as an uninspiring design

RESOLVED – That determination of the application be deferred and final approval delegated to the Chief Planning Officer subject to the specified conditions contained within the report; the requirements of the Section 106

Agreement package as outlined in the March 2010 Panel report; the additional conditions to cover sustainable development and construction detailed below, plus an additional clause to be added to the Section 106 Agreement requiring the developer to commit to the Considerate Constructors Scheme

1) Sustainability Statement

Prior to commencement of construction a revised sustainability statement shall be submitted by the applicant clearly indicating the details of the measures that will be delivered in the development to improve the sustainability and sustainable construction aspects of the development, and approved in writing by the Local Planning Authority. The approved details shall be implemented on site during the construction phase and retained and maintained thereafter.

In the interest of sustainable development and in order to accord with the details of the planning application and with Policy GP11 of the Council's Unitary Development Plan.

2) Energy performance

Prior to commencement of construction a detailed energy assessment shall be made of the proposed development to i) clearly demonstrate that at least 10% of the energy supply for the development's overall energy requirement will come from decentralised and renewable or low-carbon energy sources, and ii) indicate what measures will be undertaken to future proof the development in terms of ensuring suitable installations and or design features are incorporated to enable direct linkages to potential future area heating systems, and iii) clearly indicate an agreed performance target with the planning authority in KW/m²/annum for the development and its phases, and approved in writing by the Local Authority. The development shall be carried out in accordance with the detailed scheme.

In the interest of sustainable development and to accord with the Regional Spatial Strategy Policy ENV 5B3 and the climate change supplement of PPS1.

3) The development shall meet the requirements of delivering Code for Sustainable Homes Level 3 rating unless otherwise agreed in writing by the Local Planning Authority.

In the interest of sustainable development and the climate change supplement of PPS1.

Under the provisions of Council Procedure Rule 16.5 Councillor Matthews required it to be recorded that he voted against this matter

(Councillor Taggart withdrew from the meeting at this point for a short period)

124 Application 10/00407/FU - Demolition of existing Student Flats and erect replacement Multi Storey Student Accommodation, comprising 2,3,4,5 &

6 storeys with 526 student bed spaces, warden accommodation, an energy centre and central reception building with landscaping, amenity spaces and car parking areas, St Marks Residence, St Marks Street, Woodhouse, LS2

The Panel considered the report of the Chief Planning Officer on proposals to redevelop University of Leeds student accommodation at St Mark's residence, Woodhouse. The Panel had previously received a pre-application presentation on draft proposals in December 2009, and the submitted report addressed issues raised then.

Plans, architects drawings and slides showing sections through the site were displayed at the meeting. Photographs of the site and slides of 3D modelling were included within the presentation.

Officers outlined the revisions made to the scheme since December 2009 and architects drawings of the earlier proposals were displayed for reference. Three further letters of representation had been received but these raised no new issues. Officers highlighted the following matters:

- Internal courtyards would provide amenity space for the student residents.
- Daylight/sunlight studies were presented to show sun tracking and shadow throughout the site and towards the adjacent almshouses
- Commitment towards real-time displays with further discussion due on provision within the reception area on site
- Drop off/pick up points to be provided at the start/end of terms within the site with a management plan to allocate arrival/departure time slots to students. The smaller courtyard area to incorporate a permeable membrane covering to withstand car parking
- Input from City Services regarding waste management and access for service vehicles
- Comments from Highway Services regarding Traffic Regulation Orders currently being implemented which are not related to this scheme
- Section 106 package confirmed an amount towards greenspace. It was noted the University was keen to see Woodhouse Moor benefit but the S106 would ensure consultation with local ward Councillors and take other high priority schemes in the locality into account.

Members considered the following:

- Measures within the tenancy to secure a car free development.
- Terms of the Section 106 Agreement which included the tenancy agreement, travel plan and greenspace
- The elements of public art proposed throughout the development which Panel requested be conditioned in order to better understand the management and rotation of the displays
- Pedestrian access through and security to the site. Members commented that although the site was visibly permeable it would not be open to the public

The Panel welcomed the revisions made to the scheme, particularly the amendments to the Crossfield Street elevations. Members noted the proximity of the site to the city centre which they felt would discourage car use and expressed their support for some of the S106 greenspace monies being dedicated to Woodhouse Moor which lay adjacent to the site

RESOLVED –

a) That determination of the application be deferred and delegated to the Chief Planning Officer for final approval subject to the specified conditions contained within the report plus additional conditions to ensure the provision, rotation and retention of public art (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months of the date of the resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- 1) Travel Plan
- 2) Travel plan monitoring fee - £2,500.00
- 3) Public transport Contribution - £32,589.00
- 4) Tenancy agreement to ensure car free scheme
- 5) Car park management plan for Providence Terrace
- 6) Real time displays - £10,000
- 7) Green space - £147,514.63 with up to 50% being available for enhancement on Woodhouse Moor (subject to ward member and community consultation);

OR,

b) if agreement cannot be reached on the Section 106 matters, to defer and delegate refusal

125 Application 09/05163/FU - Part Demolition of Public House and Conversion to offices and Two 4 Bed Terraced Houses, AND Application 09/05164/CA Part Demolition, The Park Hotel, Church Lane, Pudsey, LS28

The Panel considered consecutive reports on two applications relating to the redevelopment of the former Park Hotel, Otley to create offices and two 4 bedroom terraced houses. Plans, architects drawings and photographs of the site were displayed at the meeting. Members had previously visited the site.

Officers briefly outlined the revisions made to the original proposals and reported that Pudsey Civic Society was now supportive of the scheme. It was noted that West Yorkshire Archaeological Society had commented on the proposals seeking to ensure that archaeological recording was undertaken with regards to application 09/05164/CA. In addition officers requested two further conditions be attached to application 09/05163/FU regarding cycle parking provision and the management of the render removal.

The Panel commented that the parking associated with the office scheme should be managed and secure as parking was difficult in the locality. Members also requested the stonework from the extension be re-used for the boundary wall and the retention of the date stone above the entrance.

RESOLVED –

- a) **Application 09/05163/FU** - That determination of the application be deferred and delegated to the Chief Planning Officer for final approval subject to a full bat survey being submitted and assessed and subject to the specified conditions contained within the report, plus additional conditions to cover:
- provision of cycle parking
 - retention and removal of render and making good of gable wall including pointing
 - management and security of the office car park
 - retention and restoration of date stone above the door
 - reuse of existing boundary wall
 - stone work to extension which is to be demolished to be retained and incorporated into the retained boundary wall
- b) **Application 09/05164/CA** – That the application be granted subject to the specified conditions contained within the report and an additional condition to ensure that archaeological recording of the building to be demolished is undertaken

126 Application 10/00195/FU - Change of Use of part of offices to 2, two bedroomed Dwellings including external alterations at 14A Town Street, Rawdon, Leeds LS19

Plans and architects drawings were displayed at the meeting. Members visited the site prior to the meeting where local ward Councillor Cleasby had submitted a letter of objection with photographs on behalf of a local resident.

The Panel heard representation from Mrs C Forkins, a local resident whose own property formed the northern and western boundaries of the development site. Mrs Forkins stated her concerns regarding land ownership issues, the proposed access to the development across her own property, use of the rear door and the lack of amenity/car parking spaces for the development.

The Panel then considered the submission made by Mr J Clay, agent for the applicant who stated the issues of the Right of Way across the site and restricted use of the rear door had not previously been raised by the objector. Mr Clay outlined the difficulty the developer had experienced marketing the property as its current office use due to the lack of parking.

Members commented one of the main issues was the likelihood of the rear door being used as a main access. Mr Clay responded that the main door to the offices would be a new entrance off Far Well Road, the rear door would remain as a fire exit. Members therefore requested an additional condition be added to ensure this, should permission be granted.

The Panel considered the available amenity space for future residents but noted that other dwellings in the immediate locality also had a restricted amount of space. The proposed car parking arrangements were also discussed which some Members felt to be contrived. The Panel commented that as one space was directly outside one residents' main window, that space should be designated for that resident.

RESOLVED – That the application be granted subject to the specified conditions contained within the report plus two additional conditions

- to ensure parking spaces were retained for residents parking and allocated to specific properties to ensure a kitchen window was not obscured by another residents vehicle
- to ensure the rear door to the offices be used as a Fire Escape only

127 Application 10/01088/RM - Reserved Matters application for a "Well-Being Centre" for Leisure and Fitness, former Ralph Thoresby High School, Farrar Lane, Adel

The Chief Planning Officer submitted a report on the Reserved Matters to be determined in relation to the development of a Well Being Centre for fitness and leisure on the site of the former Ralph Thoresby High School, Adel. The Panel had previously received a pre-application presentation on the proposals in February 2010. This report addressed comments made then and during the formal consultation process, including issues of design and landscaping; access; traffic & car parking and sustainability.

Photographs and plans of the site were displayed along with floor plans and architects drawings of the proposed development. Officers highlighted the level changes throughout the site and the proposed "level access" route through the development connecting with the new Ralph Thoresby High School and the Holt Park District Centre. A copy of the overall masterplan showing the likely redevelopment proposals for the locality was displayed and officers reported an application for social housing had recently been submitted for the adjacent site to the east.

The contents of two further letters of representation were read out to the meeting and officers highlighted the two distinct elements to the proposal as being

- the textured cube design of the sports hall
- the sweeping design of the swimming pool, comprising an over-sail roof, with strategic landscaping and angled pillars with louvers above to the elevation to provide privacy

The Panel commented on the design of the swimming pool elevations and were particularly concerned that the walling material was inappropriate. Members requested a condition be added to ensure that the colour/texture/finish of the walling material be submitted to officers for approval and that the proposed details should be reported to an appropriate Panel meeting prior to that approval.

The Panel also expressed disappointment over the design of the sports hall. Officers advised the design was use-led as the dimensions of the new building were set to the requirements of Sports England, however officers felt the textured brickwork would add interest to the elevation but further consideration could be given to the inclusion of a green wall. Members commented that further detail and improved graphics would be required in any future presentation.

(Councillor Wilkinson left the meeting at this point)

The Chair noted the comments made so far and with the agreement of the Panel, invited Mr S El-Salamani architect for the developer to respond. Mr El-Salamani stated the facilities had been designed having regard to other large buildings in the locality – such as the drama block at the new High School – or other similar facilities such as Armley Swimming Pool

Members also requested that an appropriate condition be attached to the approval to ensure that the site where the existing pool is to be demolished should be restored (cleared of rubble and grassed) and not left derelict.

The Panel was minded to defer determination pending receipt of further information, particularly as Members expressed a divergence of views, but were advised of the strict timescales associated with PFI schemes and that the matters raised could be delegated to the Chief Planning Officer.

RESOLVED – That the application be granted subject to the specified conditions contained within the report plus additional conditions to cover:

- Submission of walling materials for the swimming pool, including colour/texture/finish, to officers for approval. The proposed details to be reported to an appropriate Panel meeting prior to final approval.
- To ensure the existing pool site - which is to be demolished – is cleared of rubble, grassed and restored and not left derelict

Councillor Nash left the meeting at this point

128 Application 10/01166/RM - Reserved Matters application to partially demolish school and erection of part Single Storey and Part Two Storey School, Farnley Park High School, Chapel Lane, Farnley Leeds LS12

The Panel considered the report of the Chief Planning Officer on an application to determine Reserved Matters relating to the redevelopment of Farnley Park High School as part of the Building Schools for the Future programme.

Members noted that as most of the existing school site lay within the Green Belt, and redevelopment would impact on Protected Playing Fields, the matter had been referred to the Secretary of State for Communities and Local Government. The Minister had not called in the application for determination and Outline consent for the redevelopment (06/06171/LA) had been granted.

Site plans, photographs, 3D images, architects drawings and aerial photographs were displayed at the meeting. Officers reported the following

- West Leeds SILC would be relocated off-site for the duration of the development works to return to the site once completed.
- The hard standing playground to the south of the site would be lost but re-provided elsewhere on site
- The Chapel Lane access was very constricted so a temporary works access would be established

- The inclusion of a “street” through the new buildings would act as a separate thoroughfare and keep pedestrians away from the service area
- A key issue was to ensure the scale of the development was not overbearing and remained within the brownfield part of the site, bearing in mind the significant expansion the scheme would bring. It was noted the existing school building would screen the new build during the development stage.

Officers suggested the size of the development would afford the school the opportunity to develop a sense of presence and civic pride, as such the quality of the scheme needed to be ensured through design and materials.

RESOLVED – That the determination of the application be deferred and final approval be delegated to the Chief Planning Officer subject to the resolution of all outstanding matters, the conditions contained within the report and any other conditions the Chief Planning Officer may consider necessary

129 Date and Time of Next Meeting

RESOLVED – To note the next meeting would fall within the new Municipal Year and was proposed to be Thursday 17th June 2010 at 1.30 pm

Plans Panel (City Centre)

Thursday, 29th April, 2010

PRESENT: Councillor M Hamilton in the Chair

Councillors D Blackburn, T Hanley, G Latty,
J McKenna, J Monaghan and E Nash

84 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

85 Date and time of next meeting

The Head of Planning Services referred to the next scheduled date for a meeting of Plans Panel City Centre, this being Wednesday 25th May 2010. As this was the day before Annual Council, Members were asked to consider whether they wished to have the meeting on that day or postpone it to the following week

Members discussed this and there was some support for the proposal to move the meeting to the following week but it was decided not to make a decision until after the outcome of the local elections. It was agreed that the clerk would liaise with the Head of Planning Services on this and notify Members accordingly

86 Late Items

There were no late items

87 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 09/03829/OT – 10-11 Sweet Street Holbeck – Councillors Hanley and Monaghan declared personal interests through being members of Leeds Civic Trust which had previously commented on the proposals (minute 90 refers)

88 Apologies for Absence

No apologies for absence had been received

89 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meetings held on 22nd March and 1st April 2010 be approved

90 Application 09/03829/OT - Outline application to erect B1 offices in two blocks and a health and fitness centre and multi-storey car park at 10-11 Sweet Street Holbeck Leeds LS11

Further to minute 43 of the Plans Panel City Centre meeting held on 5th November 2009 where Panel considered a position statement on proposals for a mixed-use, phased development at 10-11 Sweet Street Holbeck, Members considered a report seeking approval for an outline application

Plans, photographs and precedent images were displayed at the meeting

Officers presented the report and stated that the outline application sought approval for the principle of development together with access, layout and scale with all other matters being reserved

Approximately 8000sqm of office space was proposed in two six storey buildings, with a multi-storey car park (MSCP) to the east of the site and a gym on the ground floor of the site

Leeds Civic Trust had previously expressed concerns at the proposed height of the blocks which had now been amended to 5 storeys and a plant room which Officers considered to be more acceptable

Landscaping would be provided as part of the scheme. Approximately half of the 1 hectare site would be undeveloped and much of that would be used as public open space

In the first phase of development the MSCP, gym, the north/south cycle route and some landscaping would be delivered, with the office blocks and other landscaping being developed in the second phase

In respect of the car park, 596 spaces would be provided, with 104 of these being allocated to the gym and offices and the remaining spaces being for short stay parking. Members were informed that a car parking management plan had been submitted which included details of cycle storage, tariffs and shared vehicle spaces

The short stay spaces would be for five hours or under, with the tariff being negotiated with the Council and then monitored in the future. If it was found that a high level of long stay parking was occurring, further controls could be imposed. It would also be possible to allocate some of the parking spaces to other users in the surrounding area, particularly Holbeck Urban Village (HUV)

Officers provided details of the S106 contributions and reported the receipt of a letter of objection from the Mosaic Church which had questioned the need for the site to be developed

Members commented on the following matters:

- whether enforcement action was being taken on the site for allowing unauthorised car parking and whether there were proposals for any other MSCPs in the area
- that car parking was taking place on the Sweet Street frontage of the site and that details of the level of this was requested
- the lack of a bus service in the area of Holbeck Urban Village which could lead to more people using cars to access the facilities on the site
- that delivery of the offices ahead of the MSCP was preferred
- design details of the office blocks with concerns being raised at the stepping down of the top storey adjacent to Marshall Street. This could be continued at the upper height to help screen views of the proposed MSCP beyond

Officers provided the following comments:

- that the site was not subject to unauthorised car parking; that the HUV Planning Framework referred to a MSCP to support development where no car parks existed and that whilst there had been some discussions in the past about a MSCP on Bath Road, this had not been forthcoming. In terms of the numbers of cars parking on the Sweet Street frontage, this was estimated to be in the region of 60 – 80 cars *
- that in terms of provision of a bus service on Sweet Street, this was for an operator to agree to provide this
- regarding the phasing of the proposals, the applicant had submitted letters from businesses in the area, including The Mint, stating that the lack of car parking was having a detrimental effect in attracting people to the area. It was felt that there was some demand already for a visitor car park and that a robust car parking management plan had been submitted with the application to prevent general commuter car parking use
- that in respect of the top floor design if approved in principle, Officers could negotiate further on this aspect
- that some of the S106 money should be used to identify where bus stops in the area could be located

A detailed discussion took place on public transport contributions and how these were used, with the following comments being made by Members:

- concerns that money generated through developments was not being used for improvements in the areas where the schemes had taken place and that S106 contributions should not be put into a general fund, but should be aligned to the specific development
- whilst noting this view, that the amount of S106 contributions generated within the city centre would be disproportionate to other areas and these would lose out if this method was used
- that for many schemes to develop as planned and deliver the envisaged benefits, transport improvements were necessary
- that public transport contributions had been collected from major schemes but that little in the way of improvements had been seen
- that consideration should be given to refusing applications where transport links were not in place
- that Metro and bus operators should be asked to look at the demand and provision of services around the city
- that whilst some major public transport improvements would be needed, it was also possible for relatively small sums to make a difference and this should be considered
- concerns about the way the S106 contributions were collected; that some funds which had been agreed were delayed or had not been forthcoming and the importance of ensuring the legal agreements were worded in such a way to prevent this situation continuing

The Panel's Highways representative stated that a list of major public transport improvements was included in the SPD and that some of these were coming forward. Members were also informed that the current Local Transport Plan finished in 2011 and a new one would be written

The Chair agreed to write to Metro on the matters raised regarding bus services, with a copy being circulated to Panel Members for information

RESOLVED - To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions set out in the submitted report (and any others which he might consider appropriate), further discussions regarding the design detail of the stepping of the office block and the completion of a Section 106 legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- securing the Car Park Management Regime (CPMR)
- public transport contribution of £116,155
- travel plan with monitoring fee of £4,275
- public access through the site
- off site highway works
- commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service
- £600 monitoring fee for each of the CPMR, public transport and off site highway works

*Officers provided an update on this point at the meeting held on 26th May 2010

91 Trinity Quarter (West), Boar Lane LS1 - Changes required to existing bus services to facilitate the development of Boar Lane undercroft as part of the Trinity West scheme

Plans of the proposals were displayed at the meeting

Members considered a report of the Chief Planning Officer providing information on the strategy to relocate bus services currently located on Boar Lane in the undercroft of the Leeds Shopping Plaza – to be known as Trinity West to facilitate that development

Officers presented the report and stated that there were currently 8 bus stops but that it was felt that 5 stops would be sufficient to accommodate the buses as this would enable up to 20 buses per hour to stop in this location

Members had regard to a colour site plan which indicated the stops being considered for alteration and were informed that stop T3A would be removed for the NGT service and stop T4 would be relocated to accommodate the NGT service, this being resited on Duncan Street

A new stop would be provided on Infirmary Street and stop P5 in City Square would become a prestigious location for a prominent transport hub which would also include the NGT services. The articulated bus service, Route 4, would also stop at P5 and buses serving St James Hospital would be regrouped at this point

Three other stops, P6A, T2 and T3 would be enhanced with improved shelters and real time information

The proposals would continue to provide conveniently located stops and would create an improved route at the side of Holy Trinity Church

Members were informed that the proposals had the support of Metro, subject to the developer funding the improvements to the stops; contributing to the NGT interchange and the public information which would be needed on the relocation of the stops. The proposals would need to be ratified by the Metro Board

Members discussed the following matters:

- whether bus operators had been consulted on the proposals

- concerns at possible blockages on stands G and H sited on Infirmary Street as these were already busy with concerns that often the FTR bus had difficulties in exiting Infirmary Street
- the relocation of stop P8 to G; that this was congested; that the next stop at T4 was too far away and whether stop P6A would be at capacity
- that bus stops could be relocated if the proposals did not work, but that there was only one chance to improve this part of Boar Lane
- that stop P8 needed to be given further consideration
- that the changes to New Station Street with the introduction of buses stopping directly outside the railway station had not worked out as envisaged and had an adverse impact and concerns that the proposals being put forward could result in a similar situation

The Panel's Highways representative stated that bus operators had been involved in discussions on this and had signed up to the proposals. The scheme had been considered both with and without NGT and Officers were satisfied that the proposals would work. Members were informed that this particular part of the NGT proposals did have funding allocated to it

RESOLVED - To note the report and the comments now made

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Plans Panel (City Centre)

Wednesday, 26th May, 2010

PRESENT: Councillor M Hamilton in the Chair

Councillors D Blackburn, Mrs R Feldman,
T Hanley, G Latty, J McKenna,
J Monaghan and E Nash

92 Chairs Opening Remarks

The Chair welcomed all present to the meeting and invited officers and Members to introduce themselves

93 Late Items

The Head of Planning Services reported on the circumstances of the late despatch of the agenda for the meeting. It was noted that in such instances, officers were required to put forward the special reasons to consider the business on the agenda.

Mr Sellens referred to the one item of business on the agenda – the application to extend the existing planning permission for the Eastgate & Harewood Quarter development – and explained the existing permission would expire in August 2010. He highlighted the importance to the developers of extending the time limit in terms of continued commercial interest, confidence and financial support for the proposals. There was also a pressing need to extend the time to allow the developers to continue the programme of progress, deal with the Judicial Review into the associated Compulsory Purchase Orders and complete the Section 106 Agreement.

It was noted the application had been advertised and no representations had been received. The Panel was of the view that the item should be considered.

The Chair took into account the special reasons put forward and was of the opinion that the item should be considered as a matter of urgency.

RESOLVED – That the item be considered as a matter of urgency

94 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 10/01477/EXT extension of time period for application 06/03333/OT the Eastgate and Harewood Quarter (minute 96 refers):

Councillor Nash – declared a personal interest as a member of English Heritage which had commented upon the scheme

Councillors Hanley and Monaghan – declared personal interests as members of Leeds Civic Trust which had commented on and objected to elements of the scheme at the time of the original application

Councillor Hamilton – declared a personal interest as a member of the University Superannuation Scheme which had commented upon the proposals at the time of the original application

Councillor Latty – declared a personal interest as one of the Directors of a property proposed to be served a Compulsory Purchase Order was a friend

95 Minutes

Minute 90 Application 09/03829/OT Sweet Street – the Area Planning Manager stated he had incorrectly reported that no enforcement action was being taken in respect of unauthorised car parking. In fact an Enforcement Notice had been served at the site and was now the subject of an appeal
RESOLVED – That the update be noted and the minutes of the meeting held 29th April 2010 be agreed as correct.

96 Application 10/01477/EXT - Extension of time period for Application 06/03333/OT for Major Redevelopment involving mixed use to provide retail stores, restaurants, bars & offices within Use Classes A1, A2, A3, A4, A5 & B1 and housing (class C3), cinema (class D2), gym (class D2), medical centre (class D1), church drop-in facility, creche (class D1) & hotel (class C1), with associated highways works, open space, landscaping, car parking, pedestrian facilities & re-alignment of culvert, Eastgate & Harewood Quarter

The Chief Planning Officer submitted a report on an application seeking to extend the time limit for the submission of reserved matters and implementation of outline permission 06/03333/OT relating to the development of the Eastgate and Harewood Quarter. Outline permission was previously granted on 24th August 2007 and the applicant seeks to extend the time limit by 3 years.

Site plans, layout plans and photographs of the site were displayed at the meeting along with architects' drawings showing the proposed elevations and massing of the new buildings.

Officers advised the Panel of the guidance associated with the General Development Procedure Order 2009 relating to applications for extensions of time for the implementation of extant permissions. This suggested that Local Planning Authorities should take a positive view of such applications during the current economic climate and should particularly consider whether anything had materially changed since the grant of permission. Officers stated the scheme before Panel was exactly the same as that approved in 2007 and went onto highlight the key elements of the scheme.

Mr J Thorp, Civic Architect, then addressed the Panel to explain progress made on the scheme and emphasise the need to retain confidence in the delivery of the scheme.

Members noted the developer's intention to submit a further outline application containing revised development proposals for the Eastgate and Harewood Quarter which would be presented to Panel in July 2010 as a pre-application presentation.

The Panel, noting the developers were present at the meeting, took the opportunity to comment on those aspects of the existing outline permission they remained concerned about as follows:

Vicar Lane

- massing appeared to dwarf the existing bank to the Eastgate/Vicar Lane junction
- the inserts in to the buildings must complement those buildings

Eastgate

- building splay did not encompass the Appleyards roundabout as a usable space or suitable setting
- concern remained over the proposal to extend the Eastgate buildings towards the roundabout

Open space/amenity

- Members felt the Outline scheme did not create new public space and made too much use of existing open space/streets/Appleyard roundabout

Highways issues

- treatment of George Street and concern over proposals to realign the highway and possible impact of its closure for market traders who currently use this as service access to the Market
- a drop-off point required for the National Express Coach Station

Templar Street arcade

- Some Members remained concerned over the design of "caterpillar" style roof to the arcade and referred to the design of the Trinity scheme as an exemplar

Officers then highlighted key points of the new proposals which when presented in July could address Members concerns:

- Vicar Lane – the highest storeys would be set back from the front elevations in order to retain existing eaves heights to reflect those adjacent and to reduce the perceived imposing nature of the massing
- Public open space – to be relocated
- Eastgate – the proposals for inserts now deleted from the scheme and a proper setting for Appleyards roundabout incorporated
- Templar Street Arcade – the "caterpillar" roof design to be revisited and possibly to be a more conventional arc shape
- Highways issues – the new scheme deleted the undercroft servicing arrangements on George Street. Members asked for further consideration of hackney carriage rank provision. Amendments to Bridge Street would retain the current course of the highway and traffic flow around the markets was to be revised which would address traders access, allow sufficient highway length for traffic stacking and provide a coach drop-off point

Officers reminded the Panel of the complexities of the scheme and the need to retain developer and financial confidence in the delivery of the scheme. Furthermore, the scheme before them now and the city landscape itself was exactly the same as in 2007, and Members must have regard to those issues when considering the Guidance on this application for an extension of the time limit

RECOMMENDATION - That the application be approved in principle and be deferred and referred to the Secretary of State for the Department of Communities and Local Government as a Departure from the Statutory Development Plan and for consultation under the Town and Country Planning (Consultation) (England) Direction 2009, and final approval be delegated to the Chief Planning Officer subject to the specified conditions as detailed in Appendix 1 of the submitted report (such conditions being the same as those attached to the original outline consent (updated as appropriate)) (and such other conditions which he might consider appropriate) and the completion of a Section 106 Agreement to cover the following matters (such matters being the same as those obligations agreed with the original outline consent);

- affordable housing provision
- public realm provision
- access and maintenance
- greenspace contribution
- contribution to education
- employment and training initiatives
- use of Templar House
- re-use of railings
- provision of travel plans
- public transport contribution
- highway requirements
- retail delivery

should the Secretary of State decide not to call in the application for determination.

In the circumstances where the Secretary of State has decided not to call in the application and the Section 106 has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

97 Date and time of next meeting

RESOLVED – To note the date and time of the next meeting would fall within the new Municipal Year and was proposed as 24th June 2010 at 1:30 pm

98 Chairs Closing Remarks

The Chair noted this was the last Panel meeting of the 2009/2010 Municipal Year and that membership of the Panel may change after the forthcoming Annual Council meeting. Councillor Hamilton expressed his thanks to Panel members and officers for their hard work to ensure the production of excellent schemes for Leeds

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Licensing Committee

Tuesday, 13th April, 2010

PRESENT: Councillor D Wilson in the Chair

Councillors M Dobson, J Dunn,
T Grayshon, G Hyde, V Morgan, B Selby,
R D Feldman, C Townsley and G Wilkinson

IN ATTENDANCE

Mrs B Yearwood – LCC Area Community Safety Co-Ordinator (East Leeds)
Inspector E Chesters – Killingbeck & Seacroft Neighbourhood Policing Team

47 Chairs Opening Remarks

The Chair noted this would be the last Committee meeting prior to the local and General Elections called for 6 May 2010. He expressed his thanks to colleagues for their hard work during the 2009/10 Municipal Year and wished all Members well in the forthcoming elections.

48 Declarations of Interest

There were no declarations of interest.

49 Apologies for Absence

Apologies for absence were received from Councillors Castle and Hanley.

50 Minutes

RESOLVED – That the minutes of the previous meeting held 1st December 2009 be agreed as a correct record

51 Proposed Designated Public Places Order (DPPO) Seacroft & Killingbeck

The Director of Environment and Neighbourhoods submitted a report setting out proposals for a Designated Public Places Order (DPPO) to be made to cover the area of Seacroft and Killingbeck in East Leeds as detailed in Appendices 2 and 3 of the report. The report outlined the background to the proposals and the consultation process undertaken so far.

Mrs B Yearwood attended the meeting to present the proposals and explained this DPPO was intended for use as another measure to address alcohol related incidents of anti social behaviour which affected the area. She stated incidents of alcohol related assaults occurred throughout the ward and a particular issue was the presence of groups of youths who pressurised adults into purchasing alcohol for them. It was noted the ward had a high proportion of licensed shops and public houses compared to other wards in Leeds.

Inspector E Chesters of West Yorkshire Police (WYP) explained the measures already in place to assist with policing the area and went on to state that this DPPO would provide the police with additional powers to deal with incidents of alcohol related anti social behaviour. Insp. Chesters was mindful of the impact the forthcoming World Cup and associated celebrations could have on instances of street drinking.

The report included schedules and maps detailing the type and locations of anti social behaviour in the area. Members commented on the number of hotspots identified. It was reported that two of these were very close to the two large supermarkets within the ward, the remaining hotspots identified streets where residents were known to hold impromptu "street parties".

The Committee discussed the pricing strategy of supermarkets with regards to alcohol sales. Members also considered the interpretation of the measures contained within a DPPO and were assured that police officers and PCSOs within East Leeds received training on the measures in order to ensure consistency of approach.

RESOLVED –

- a) That approval be given for a Designated Public Places Order to be made in respect of Seacroft and Killingbeck as set out in Appendix 2 of the submitted report and detailed in the map attached at Appendix 3
- b) That the Director of Environment and Neighbourhoods be authorised to advertise the making of the Order, to procure the required signage and to carry out any further steps necessary to bring the Order into force

52 Large Casino Update

The Committee considered the report of the Assistant Chief Executive (Corporate Governance) on the next steps to be taken by the Authority in the process of determining the grant of a Large Casino licence under the terms of the Gambling Act 2005. It was noted the Authority had now reached the preliminary stages of the process in terms of establishing a Project Board within the Department of Development and procuring an Advisory Panel to advise the Licensing Committee.

Members noted that operators had started to show an interest in the progress of the Authority and were advised to record any approaches made to them directly by interested parties as outlined in the letter from the Section Head, Entertainment Licensing.

RESOLVED – To note the contents of the report

53 Three Yearly Review of the Statement of Licensing Policy

The Assistant Chief Executive (Corporate Governance) submitted a report on the process of reviewing the Council's Statement of Licensing Policy, as required by Section 5 of the Licensing Act 2003.

Officers reported the Policy remained fit for purpose but required amendment to incorporate the changes relating to Community Premises and Minor Amendments implemented by Central Government. The Committee noted the

five Cumulative Impact Areas within Leeds would also be reviewed as part of the process.

Members recalled earlier discussions on the impact of alcohol sales from supermarkets, proxy sales and youth drinking and went onto make the following comments

“Check 25”

- Suggested a “Check 25” condition be implemented on Premises Licences held by supermarkets and off-licences.
- The Committee was advised that this could not be imposed as a “blanket condition” but could be included within the Policy as an indication of the commitment the Committee would like to see from all applicants seeking a Premises Licence for a supermarket and/or off licence.
- WYP as the relevant Responsible Authority would liaise with prospective applicants over this measure. Applicants could then choose to offer Check 25 within their management plan for the premises included within their application or choose not to offer it. WYP could then consider whether to raise a representation, thereby securing a hearing before a Sub Committee where Members could consider the specific application on its own merits and determine whether to impose any conditions or not.
- The Committee was supportive of this suggestion and noted that further consultation and evidence gathering would have to be undertaken with WYP and possibly the Primary Care Trusts prior to it being included within the Revised Policy.

Test Purchases

- Members noted that 2 successful test purchases in a short period would now constitute the offence of persistent under age sales rather than 3 instances.
- The Committee accepted a suggestion that representatives from WYP and West Yorkshire Trading Standards be invited to attend a future meeting to explain their approach to the issues of proxy sales and youth drinking.
- Members also requested representatives from LCC Youth Services be invited to attend to present the advice about alcohol given by the Service to young people, preventative measures and the activities on offer.

RESOLVED

- a) To note the contents of the report
- b) To note the intention to invite representatives of various organisations; including West Yorkshire Trading Standards, Leeds Youth Services and WYP; to future Committee meetings to provide an overview of their role in the work undertaken to address the issues of proxy sales and the culture of youth drinking.
- c) To note the Committees’ support for the Statement of Licensing Policy to be amended in order to incorporate a “Check 25” requirement for all supermarket and “off-licence” Premise Licences and the work necessary to make that amendment

54 Any Other Business

Member Training –.Officers outlined the proposed itinerary for a night time visit around the city for the Committee and Members of the Licensing and Regulatory Panel. The visit could incorporate a CIP area, an area with a

DPPO in place, a presentation by WYP and provide an overview of the night time economy within the city centre including taxi and private hire issues. The date for the visit would be confirmed to Members following the election.

55 Date and Time of Next Meeting

RESOLVED – To note the provisional date and time of the next Committee meeting as Tuesday 20th July 2010 in the new Municipal Year

Licensing Committee

Tuesday, 22nd June, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors M Dobson, R Downes, J Dunn,
R D Feldman, T Hanley, G Hussain,
G Hyde, V Morgan, B Selby, C Townsley,
D Wilson and G Wilkinson

1 Late Items

No formal late items of business were added to the agenda however Members had received the following supplementary documents prior to the meeting:

- Agenda item 7 – An up to date version of Appendix 3 detailing the Terms of Reference of the Licensing Sub Committees
- Agenda Item 7 – An up to date version of Appendix 5 detailing the Officer Delegation Scheme (Council (non executive) functions) in relation to Director of Environment and Neighbourhoods

2 Declarations of Interest

There were no declarations of interest.

3 Apologies for Absence

Apologies for absence were received from Councillors Mrs Feldman and Grayshon

4 Minutes

RESOLVED – That the minutes of the previous meeting held 13th April 2010 be approved as a correct record

5 Licensing Committee - Annual Governance Arrangements

The Assistant Chief Executive (Corporate Governance) submitted a report on the governance arrangements for the Licensing Committee during the 2010/2011 Municipal Year. It was noted the Terms of Reference for the Committee had been agreed by Annual Council on 27 May 2010 The report set out the following matters for the Committee to consider:

- Appointments to the Licensing Sub Committees
- Approval of the Terms of Reference for the Sub Committees
- The Officer Delegation Schemes appropriate to the work of the Committee

Members were in receipt of additional documents which provided the most up to date versions of Appendices 3 and 5 of the report.

Officers highlighted the amendments made to the powers of the Committee and the documents for this Municipal Year which included:

- The power for Committee to designate Alcohol Disorder Zones. This function to be delegated to the Director of Environment and Neighbourhoods as appropriate to the community safety work of the department
- and an additional clause within the Sub Committee Terms of Reference to allow them to address any new legislation/guidance which may be published during the course of the year

Members discussed the following:

Officer Delegations

A comment was made that the power to determine whether objections were “irrelevant” under the Act 2003 should rest with Committee and not be delegated to officers.

In response, officers outlined the strict criteria set out in the Act which was adhered to and assured Members that whenever there was doubt over the validity of a representation the application was listed for a hearing before a Sub Committee. It was reported that the number of hearings would significantly increase if the power to determine relevancy was not delegated to officers.

Officers proposed to bring a report back on the number and type of objections received and subsequent officer determinations

Responsible Authorities

The Committee noted a comment welcoming the recent improvement in liaison between Planning Services and the Licensing Committee.

Members were reminded that Planning Services were regarded as a Responsible Authority (RA). All RA’s were served with notice of all applications received however no RA had the right to speak at a hearing to determine an application they had not submitted a representation on

RESOLVED –

- a) That the Terms of Reference for the Licensing Committee (as contained in Appendix 1) be noted
- b) That five Sub Committees of three Members each be established, and the membership of each Sub Committee as proposed within Appendix 2 and detailed below be agreed:

Sub Committee A	Councillors Armitage, Dobson & Downes
Sub Committee B	Councillors Dunn, R D Feldman & Hyde
Sub Committee C	Councillors Grayshon, Hussain & Morgan
Sub Committee D	Councillors Mrs Feldman, Hanley & Selby
Sub Committee E	Councillors Townsley, Wilkinson and Wilson
- c) That the Terms of Reference for the Licensing Sub Committees as contained within Appendix 3 of the report be approved
- d) That the delegation of licensing functions to the Assistant Chief Executive (Corporate Governance) as detailed in Appendix 4 of the report be approved
- e) That the approval be given to delegate the function of making an Alcohol Disorder Zone to the Director of Environment and Neighbourhoods as shown in Appendix 5

- f) That a report be presented to the next Committee on the number and type of objections received and subsequent officer determinations

6 Licensing Procedure Rules and Code of Practice for Determining Licensing Matters

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the Rules of Procedure and Code of Practice for Determining Licensing Matters relevant to the work of the Licensing Committee and the Licensing Sub Committees during the 2010/11 Municipal Year

RESOLVED –

- a) That the Licensing Procedure Rules as set out in Appendix 1 of the report; and the contents of the associated information sheets (as contained within Appendix 2); be noted
- b) To note the contents of the Code of Practice for Determining Licensing Matters as set out in Appendix 3

7 Work Programme

The Committee received a schedule setting out the proposed Licensing Work Programme during the 2010/11 Municipal Year.

Officers reported that work had commenced on a review of the Authority's Statement of Licensing Policy, as required by the Licensing Act 2003. Part of that process included a thorough review of the Cumulative Impact Policy and copies of the CIP Review document were presented to Members to consider and comment on prior to the end of the consultation period on 30 June 2010

RESOLVED –

- a) To note the contents of the Work Programme
- b) To note receipt of the CIP Review document and to note that Members are requested to pass any comments they may have on the Policy to Entertainment Licensing by 30 June 2010

8 Date and Time of Next Meeting

RESOLVED –

- a) To note the date and time of the next Licensing Committee as Tuesday 20th July 2010 at 10:00 am. This meeting will be followed immediately by a Licensing and Regulatory Panel.
- b) To note the dates for the remainder of the Municipal Year as: 20th July 2010 ; 17th August 2010; 14th September 2010; 19th October 2010; 16th November 2010; 21st December 2010; 18th January 2011; 15th February 2011; 15th March 2011; 12th April 2011 and 17th May 2011.

The Panel and the Licensing Committee will meet on the same day, alternating the 10.00 am start time

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LICENSING AND REGULATORY PANEL

TUESDAY, 22ND JUNE, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors J Dunn, R D Feldman,
G Hussain, G Hyde, V Morgan, B Selby,
C Townsley, G Wilkinson and D Wilson

1 **Chairs Opening Remarks**

The Chair welcomed all present to this, the first meeting of the new Municipal Year. Councillor Armitage particularly welcomed new Members Councillors R Downes and G Hussain to the Panel and invited officers to introduce themselves.

2 **Late Items**

There were no late items of business

3 **Declarations of Interest**

There were no declarations of interest

4 **Apologies for Absence**

Apologies for absence were received from Councillor Grayshon

5 **Minutes**

RESOLVED - That the minutes of the previous meeting held 23 March 2010 be agreed as a correct record

6 **Terms of Reference and Officer Delegation Scheme for the Licensing and Regulatory Panel**

The Panel received a report from the Assistant Chief Executive (Corporate Governance) setting out the Terms of Reference and Officer Delegation Scheme relevant to the work and remit of the Panel for the 2010/2011 Municipal Year. Both documents had previously been approved by Annual Council on 27 May 2010.

The report also included a copy of the Code of Practice for Determining Licensing Matters for Members' reference.

The Panel commented on the ongoing situation regarding the Section Head of the Taxi & Private Hire Licensing and expressed dissatisfaction over the length of time the Section had been without a senior officer. The Chair noted Members' request for an investigation into the matter and directed officers to report to Members at the appropriate time.

Members went on to discuss the contents of the Code of Practice, and received clarification on the paragraph relating to lobbying. The paragraph relating to officers discretion to determine valid representations under the

Licensing Act 2003 was also discussed at this point although it was noted that this matter fell within the remit of the Licensing Committee. It was noted that all Codes and Protocols were currently being reviewed.

RESOLVED –

- a) That the Terms of Reference and Officer Delegation Scheme for 2010/11 be noted
- b) That the contents of the Code of Practice for Determining Licensing Matters be noted and taken into account when considering future items of business
- c) That, on completion of the current personnel matter relating to the Taxi & Private Licensing Section, officers be requested to report back to Panel Members on the process and the outcome

7 Sexual Entertainment venues - Adoption of Provisions Local Government (Miscellaneous Provisions) Act 1982

The Assistant Chief Executive (Corporate Governance) submitted a report seeking the Panel's preliminary opinion on whether the Council should adopt the provisions of the Policing and Crime Act 2009 which amended the Local Government Act (Miscellaneous Provisions) 1982 (Section 2 schedule 3). This introduced a new classification of Sex Establishment namely "Sexual Entertainment Venues" and a new licensing regime to Lap Dancing; Pole Dancing and "relevant entertainment" venues.

The Panel broadly welcomed the opportunity to adopt the provisions of the 2009 Act which they felt would provide better regulation of the industry than currently afforded local authorities under the Licensing Act 2003. Members briefly discussed their concerns over the inclusion of an exemption clause in the Act which would allow pubs/venues to provide occasional performances and the number of establishments currently operating in Leeds. The Panel also noted that historically, no incidents of crime and disorder/anti social behaviour had been reported to the Licensing Sub Committees which currently dealt with the premises licences under which the venues currently operated

RESOLVED

- a) That the contents of the report be noted
- b) That Panel recommend to Council that the provisions of the Schedule to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009 be adopted
- c) That a further report providing information on the number and location of existing Sexual Entertainment Venues be presented to Members in due course

8 Sexual Entertainment Venues - Adoption of Policy and Standard Conditions Local Government (Miscellaneous Provisions) Act 1982

Further to minute 7 above where Panel resolved to recommend the adoption of the provisions of the Policing and Crime Act 2009 in terms of regulation of Sexual Entertainment Venues to Council, Members considered a further report by the Assistant Chief Executive (Corporate Governance) providing information on the process required in order to adopt a Policy for Leeds and

standard conditions relating to Sexual Entertainment Venues; Sex Shops and Sex Cinemas.

The report outlined those matters the Panel and Council may wish to consider for inclusion within the Policy and Members highlighted the safety of performers and advertisement displays as key issues. The Panel discussed the merits of setting a Policy bearing in mind that each application would be considered having regard to that Policy. It was also noted that once the provisions of the Policing and Crime Act 2009 in terms of the regulation of Sexual Entertainment Venues was adopted and the Policy in place; each existing operator would be required to apply for a new Licence.

The Panel considered the proposal to establish a small cross party Working Group to consider the terms of the Policy and receive advice from relevant parties and agreed to establish such a Group with cross party membership.

RESOLVED

- a) That Panel recommend to Council that a Policy for the regulation of Sexual Entertainment Venues, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009), be adopted
- b) That a Working Group be established to gather information and seek specialist advice in order to develop the Policy
- c) That the membership of the Working Group be as follows: Councillors Armitage, R D Feldman and Dunn.
*subsequent to the meeting, Councillor Grayshon accepted the invitation to join the Group

9 Work Programme 2010/2011

The Panel received a schedule setting out the proposed Licensing Work Programme during the 2010/11 Municipal Year. Members were aware that meetings of the Panel and the Licensing Committee had been scheduled to run concurrently in preparation for the proposal to merge both bodies being approved at full Council in July 2010

RESOLVED – To note the contents of the Work Programme

10 Date and Time of the Next Meeting

RESOLVED –

- a) To note the date and time of the next Licensing and Regulatory Panel as Tuesday 20th July 2010 at the conclusion of the Licensing Committee scheduled for 10.00 am the same day.
- b) To note the dates for the remainder of the Municipal Year as: 20th July 2010 ; 17th August 2010; 14th September 2010; 19th October 2010; 16th November 2010; 21st December 2010; 18th January 2011; 15th February 2011; 15th March 2011; 12th April 2011 and 17th May 2011.
The Panel and the Licensing Committee will meet on the same day, alternating the 10.00 am start time

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Licensing Sub-Committee

Monday, 10th May, 2010

PRESENT: Councillor T Grayshon in the Chair

Councillors A Castle and R D Feldman

1 Election of the Chair

RESOLVED – Councillor T Grayshon was elected Chair for the duration of the meeting

2 Late Items

There were no late items of business

3 Declarations of Interest

There were no declarations of interest

4 "Armley Convenience Store" - Application for the Variation of a Premises Licence for the premises known as "Armley Convenience Store", 57 Town Street, Armley, Leeds, LS12 1XD

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to the application to vary the Premises Licence currently in operation at Armley Convenience Store.

The Sub-Committee first considered representations from Mr B Patterson on behalf of West Yorkshire Police (WYP) who had submitted an objection to the application. Mr Patterson highlighted concerns regarding the licensing objectives; the location of the premises within the boundary of Armley DPPO and the licence history of the premises. Mr Patterson also sought clarification on the serving hatch arrangement for the sale of alcohol during the night and reported the plan attached to the current Premises Licence did not indicate the siting of the hatch.

The Sub-Committee went on to consider the representations made by Mr Digwan on behalf of Mr Shah the applicant. Members were provided with details of the premises and the measures the applicant proposed to take in order to satisfy the licensing objectives. The applicant provided clarification on the operation of the premises for the sale of alcohol between 23:00 and 07:00 hours. Mr Digwan, with the agreement of all parties, tabled a plan drawn by the applicant showing the location of the serving hatch.

The Sub Committee carefully considered the representations made by both parties and also had regard to the discussions held between the applicant and WYP just prior to the hearing.

The Sub Committee had received no representations regarding the protection of children from harm or the prevention of public nuisance in relation to these

premises and therefore concluded there was no need to impose extra conditions related to these objectives.

With regards to the prevention of crime and disorder, the Sub-Committee was satisfied that there were no recorded incidents of crime and disorder related to this premises on the basis of the representation made by WYP. The Members also felt the steps to be put in place by the applicant to assist in the problems, as discussed with WYP, were proportionate however they felt it was necessary to amend the proposed conditions and place additional conditions on the Premise Licence.

RESOLVED - To grant the application as requested with the following conditions which the Sub Committee felt were necessary and appropriate for this premises in this location:

Conditions

- There should be a minimum of 2 members of staff on the premises at all times alcohol is sold
- That CCTV is positioned to cover the outside of the premises to include the serving hatch
- Whenever this premises Licence has effect:-
 - 1) Members of the public will be allowed access to the licensed premises for the sale of alcohol only between the hours of 07:00 hours to 23:00 on any Monday to Sunday
 - 2) At all other times, the licensed premises will remain closed to members of the public for the sale of alcohol
 - 3) Photographs of the “hatch” and an up-to-date professionally drawn plan of the premises to be submitted to WYP and LCC within 7 days
 - 4) All sales outside these times, so between 23:00 hours and 07:00 hours each day, will be made through the professionally installed “hatch” at the premises and shown on the plan submitted as part of the premises licence
 - 5) Between these times there will be no access to the premises by members of the public and the doors will be locked.
- Where there is conflict between the conditions imposed above and existing conditions on the Premises Licence, the conditions imposed at this hearing will take precedence

In making their decision Members were satisfied that the grant of the variation application would not undermine the Licensing Objectives.

Licensing Sub-Committee

Monday, 17th May, 2010

PRESENT: Councillor V Morgan in the Chair

Councillors G Hyde and G Wilkinson

1 Election of the Chair

RESOLVED – Councillor Morgan was elected Chair for the duration of the meeting

2 Late Items

There were no formal late items of business, however the Sub Committee was in receipt of supplementary information relating to the following:

- Agenda Item 6 “Pizza Express”, Arndale Centre Headingley – photographs sales statistics and website pages (minute 4 refers)
- Agenda Item 7 “Costcutter, Haddon Hall, LS4 – company policy documents (minute 6 refers)

The additional information had been despatched to the Sub Committee prior to the hearing and additional copies were available at the individual hearings.

3 Declarations of Interest

There were no declarations of interest.

4 "Pizza Express" - Application for the Grant of a Premises Licence in respect of Pizza Express, Unit 9 - 10 Arndale Centre, Otley Road, Headingley, Leeds LS6 2UE

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence relating to 9-10 Arndale Centre, Headingley which will trade as “Pizza Express”. Three letters of representation had been received including one on behalf of Headingley Renaissance Group.

The Sub-Committee first considered representations from Mr C Sanderson on behalf of LCC City Development who had submitted an objection as the hours requested in this application exceeded those permitted under the recently granted planning permission for the premises. Mr Sanderson stated that as part of the planning application process, comments from LCC Environmental Health Services had been sought. The permitted hours had been set having regard to concerns of noise and disturbance to the surrounding residents raised by LCC EHS. He reported that the agents for the applicants had been content with the hours at the time planning permission was granted. The hours granted for the planning permission were stated as Monday to Saturday until 23:00 hours and Sunday and Bank Holidays until 22:30 hours

The Sub-Committee then heard the representation made by Mr G Cushion on behalf of the applicant. Mr Cushion was accompanied by Ms E Lamb; Mr M

Ryan and Ms J Beer. Mr Cushion assured the Sub Committee the applicant did not intend to sell alcohol past the hours of the current planning permission (23:00 hours) although the applicants would wish to allow customers to remain in the premises for 30 minutes after that in order to finish their drink. He stated the business was primarily food-led and referred to the sales statistics despatched as supplementary information.

Mr Cushion acknowledged the premises lay within the Headingley CIP area, but highlighted that measures agreed with West Yorkshire Police including the number of tables would prevent this premises becoming an “alcohol sales led” venue. Mr Cushion referred to the marketing materials submitted, and introduced Ms Beer as an experienced manager. Mr Cushion also offered to amend the application to delete reference to “off-sales” and confirmed no live music or DJ entertainment would be offered at the premises.

The Sub Committee carefully considered the representations made by both parties and the measures agreed between the applicant and WYP. Members also had regard to the amendment made to the application at the hearing in respect of off-sales.

The Sub Committee decided the CIP did not apply to this application, however remained concerned the proposed hours would lead to noise and disturbance to local residents and undermine the prevention of public nuisance licensing objective. The Sub Committee therefore

RESOLVED – To grant the application with the following restrictions:

Sale of alcohol (for consumption ON the premises)

Monday to Saturday 11:00 until 22:30 hours

Sundays 11:00 until 22:00 hours

Recorded Music and hours the premises are open to the public:

Monday to Saturday 11:00 until 23:00 hours

Sundays 11:00 until 22:30 hours

Non Standard Timings – granted, in view of the infrequency of the occasions

- The Sub Committee also accepted the offer to delete off-sales of alcohol from the application, and this measure was imposed, along with the measures agreed with WYP

5 "Dough Bistro" - Application for the Grant of Premises Licence in respect of Dough Bistro, 293 - 295 Spen Lane, West Park, Leeds LS16 5BD

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for “Dough Bistro”, West Park. Members noted that No. 293 Spen Lane currently benefited from a Premises Licence and operated as a bistro. This application was made therefore in order to extend that licensed business into No 295 Spen Lane, extend the hours of operation and make necessary internal alterations to the building.

The Sub-Committee first considered representations from Mr C Sanderson on behalf of LCC City Development who had submitted an objection to the application. Mr Sanderson explained that a planning application to change the use of No. 295 from retail to A3 use had been made, but that had not been determined yet. The planning process included consultation with LCC Environmental Health Services and he noted the premises lay within a parade of shops surrounded by residential properties which could have an impact on the comments submitted. Furthermore, the expansion of the business would impact on the shopping frontage and double the size of the business. Any permission would have to respond to relevant planning policies. He confirmed that No. 293 had planning permission to operate as an A3 use until 23:00 hours.

The Sub-Committee went on to consider the representations made by Mr L Downing, the applicant. Mr Downing stated he currently operated No. 295 as a delicatessen. Simultaneous planning and licensing applications had been made; however the planning application process had taken longer. Mr Downing acknowledged the location of the premises within a residential area; however he had operated No 293 for some time and gave a brief overview of how he intended to operate the refurbished premises in the future.

The Sub Committee carefully considered the representations made by both parties, particularly the submissions made the representative of LCC City Development regarding noise and disturbance, but did not feel it necessary to restrict or refuse the application.

RESOLVED – to grant the application as requested

- The Sub Committee noted the agreements reached between the applicant and West Yorkshire Police and those proposed measures would now be included on the new Premises Licence
- Members took the opportunity to remind the applicant not to operate this Premises Licence before the relevant planning permission was in place.

6 "Costcutter" Unit 1 Haddon Hall - Application for the Grant of a Premises Licence for Unit 1, Haddon Hall, Bankfield Road, Leeds LS4 2JT

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered an application and associated written submissions relating to the grant of a Premises Licence for premises to be known as Costcutter, Unit 1, former Haddon Hall public house, Leeds LS4. One representation had been submitted to the application which included a petition containing 58 signatures, although only 40 of these were from persons who lived within the vicinity of the premises.

The Sub-Committee first addressed a procedural issue. Several members of the public attended the hearing but none were entitled to speak as the objector (Mr S Jaffry) who had indicated he would attend and would call them as witnesses was not in attendance.

The Sub Committee dealt with submissions on the question of whether to proceed in the absence of that “main objector” or whether to adjourn from Mr F Jaffry (brother of the main objector) and Mr A Woods on behalf of the applicant. Both parties expressed a preference to continue with the hearing. Mr F Jaffry stated his brother was unable to attend as he was sitting an exam for his Masters Degree. Mr Woods stated he was happy to accept Mr F Jaffry as a substitute speaker.

After a short adjournment to consider the matter, the Sub Committee determined to proceed in the absence of Mr S Jaffry, to accept Mr F Jaffry as his representative but not to allow the other members of the public to speak as they were witnesses for Mr S Jaffry, not Mr F Jaffry.

The Sub Committee went onto consider the representation made by Mr F Jaffry who was accompanied by the following: Mr S A Jaffry; Mrs R Jaffry; Mr R Finnigan and Mr G Vickers. Mr F Jaffry outlined the character of the area and history of anti social behaviour which he associated with alcohol consumption and patrons of the former Haddon Hall public house. Mr Jaffry referred to the petition submitted by his brother, stating the signatories were local residents, and there was some local feeling in support of a community use for the former building, rather than another licensed premises. Mr Jaffry also acknowledged he had commercial concerns as a rival retail operator.

The Sub-Committee went on to consider the representations made by Mr A Woods on behalf of the applicant. Mr Woods was accompanied by Miss Lee and Mr Dresser. Mr Woods described the nature of the business and referred to the company policies and staff training programmes already used by the Company which he stated would address the licensing objectives of crime and disorder and public nuisance and deal with the non-commercial concerns raised by Mr Jaffry. Mr Woods referred to the measures proposed by the applicant within the application and the measures agreed with West Yorkshire police. Members noted the Company had recently adopted a Check 25 policy and further detail was provided on this.

The Sub Committee carefully considered the representations made by both parties, particularly the submissions that granting the licence could lead to an increase in incidents of crime and disorder and public nuisance. However, the Sub Committee was persuaded that, given the policies in place and the style of operation, granting the application would not undermine the licensing objectives

RESOLVED – To grant the application as requested.

- Members took the opportunity to remind the objectors of their right to request a Review of the Premises Licence should they feel the premises contributed to problems in the area in the future

7 "Carnegie Pavilion" - Application for the grant of a Premises Licence in respect of the Carnegie Pavilion, Carnegie Stadium, Kirkstall Lane, Leeds LS6 2DP

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered an application and associated written submissions relating to the grant of a Premises Licence for new premises at Carnegie Pavilion (which replaces the former North Stand) within Carnegie Stadium, Kirkstall Lane, Leeds LS6. Three letters of representation had been submitted by members of the public including one on behalf of the Turnways and Laurel Bank Residents' Association (TLBRA).

The Sub Committee considered the representation made by Mr B Moy on behalf of TLBRA. Mr Moy stated the recent Annual General Meeting of TLBRA had made no objection in principle to the application but had maintained concerns regarding the possible activities to be offered at the premises. Mr Moy provided proposed conditions to address those concerns for Members' consideration.

The Sub-Committee went on to consider the representations made by Mr D Cobbett on behalf of Leeds Metropolitan University - the applicant who was accompanied by Ms L Hartley. Mr Cobbett described the intended use for the premises which included a base for the LMU Hospitality Faculty. The premises would not be open to the public, except by booking in advance to participate in one of the Hospitality Faculty "training events". He confirmed the restaurant would consist of 30 tables only, with a small bar ancillary to that use and any music would be to accompany the training events. Ms Hartley confirmed there would be no bar facility for students. The other small hospitality area within the building was for use purely by Yorkshire County Cricket Members. Ms Hartley also stated the terms of planning permission restricted the hours of operation to 22:30 hours and she described the bespoke acoustic glazing used throughout the building to mitigate against noise escaping from the building.

The Sub Committee carefully considered the representations made by both parties, particularly the concerns stated by TLBRA and those listed by Mr Moy. However Members felt that having heard from the applicant, it was clear that there would be no student bar, only incidental music, a capacity of 30 within the restaurant and strict management of the Cricket Club area. This, along with the planning restrictions and the acoustic glazing, persuaded Members that granting the application would not undermine the licensing objectives

RESOLVED – To grant the application as requested.

- Members suggested that the applicants liaise with TLBRA in the future should plans for events change.

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Licensing Sub-Committee

Monday, 24th May, 2010

PRESENT: Councillor D Wilson in the Chair

Councillors J Dunn and G Wilkinson

1 Election of the Chair

RESOLVED – That Councillor Wilson be elected as Chair for the duration of the meeting

2 Late Items

There were no formal late items of business added to the agenda. However supplementary information had been submitted and had been despatched to all parties prior to the hearings in respect of the following matters:

Agenda item 7 Hob Cookshop – the applicant supplied a copy of the measures agreed between the applicant and West Yorkshire Police in order to address the prevention of crime and disorder licensing objective

Agenda item 8, 9 & 10 Domino's Pizza premises in Horsforth, Guiseley and Headingley - the applicant supplied two bundles of additional documents. The first included the Company's Branded Litter Survey, Safety & Security Audit and the transcript of the "Thwaites Case" court Judgement. The second included suggested additional conditions for the Sub Committee to consider and operational plans for the individual premises

In addition, a statement was submitted at the hearing by the applicant in respect of Agenda Item 6 relating to Bar Noir. This was accepted by West Yorkshire Police as a late submission as the Responsible Authority in attendance and was considered during the hearing.

3 Declarations of Interest

There were no declarations of interest

4 Application to Vary of Premise Licence relating to Bar Noir, Clock Buildings, Roundhay Road, Leeds LS8 2SH - To specify a Designated Premises Supervisor. Proposed Designated Premises Supervisor: Rushpal Singh Chana

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them, including an additional statement tabled by the applicant at the hearing, relating to an application made under Sections 37(5) & (6) for the variation of a Premises Licence in order to specify Mr R S Chana as Designated Premises Supervisor (DPS) at Bar Noir, LS8. Officers outlined the licensing history of the premises.

The Sub-Committee first considered representations made by Mr B Patterson on behalf of West Yorkshire Police (WYP) who indicated their intention to rely

on their submissions made to Sub-Committees on 15 March and 19 April 2010 respectively. PC L Dobson then addressed the content of the additional document submitted by the applicant and then set out what WYP regarded as the exceptional circumstances why the grant of the application would undermine the crime prevention licensing objective. These were detailed as

- the premises had operated beyond its permitted hours after the dismissal of a Magistrates Court Appeal in December 2008.
- an assault had taken place immediately outside the premises at a time when Mr Rushpal Chana was the named DPS. This assault had taken place prior to 15 March hearing.
- Mr Gurpal Chana, a member of the management team, was alleged to have been involved in an incident of false imprisonment that had taken place on the premises on 20 January 2010. Mr Gurpal Chana was subject to stringent bail conditions as a result
- That CCTV footage concerning the allegation of false imprisonment had not been readily supplied to WYP by the premises management team.
- That the management team, including Mr Gurpal Chana, had not taken swift steps to remedy the failure to supply CCTV footage. This delay had led to WYP installing their own CCTV machine at the premises
- That Mr Gurpal Chana remained the prominent partner in the management team at the expense of the proposed DPS.

The Sub-Committee then went on to consider representations made by Mr Gurpal Chana on behalf of Bar Noir Ltd. who referred to the Statement of Facts submitted just prior to the hearing and was accompanied by Mr R Chana the proposed DPS. Mr G Chana provided Members with details of the premises, its recent history – including the incidents referred to by WYP - and measures taken to promote the licensing objectives. Mr G Chana also expressed his concern over the treatment of themselves and the premises by WYP. Mr R Chana briefly explained his role at the premises and argued that the circumstances were not such as to warrant rejection of the application.

After hearing from both parties the Sub-Committee accepted the submissions of WYP entirely and agreed that the circumstances set out were exceptional.

The Sub-Committee agreed that the proposed DPS still failed to provide the strong and careful management the premises required. WYP had demonstrated this continued failure. Members were concerned about the alleged incident of false imprisonment and that the incident had occurred when the proposed DPS was responsible for the premises.

Members were also concerned that the proposed DPS had not been able to supply WYP with CCTV footage of the alleged incident promptly and still had not done so as the access code for the CCTV machine was known solely to Mr G Chana.

As such, the Sub-Committee did not have any confidence that under the stewardship of the proposed DPS the premises would not undermine the crime prevention objective.

Members were therefore satisfied it was necessary to refuse the application in order to promote the crime prevention objective.

RESOLVED: That the application to vary the premises licence be refused in accordance with the Licensing Objective of Prevention of Crime and Disorder.

5 "Hob Cookshop & Cafe" - Application for the Grant of a Premises Licence for Hob Cookshop & Cafe, Unit 33, The Boulevard, Hunslet, Leeds LS10 1LU

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for "Hob Cookshop and Café", Leeds LS10.

A representation had been submitted by West Yorkshire Police which included suggested measures to address the prevention of crime & disorder licensing objective. Those measures had subsequently been agreed to by the applicant prior to the hearing. One letter of representation had been received from Mr N D Payne, a local resident, who did not attend the hearing. The Sub Committee resolved to proceed in his absence.

The Sub Committee heard from Mr P Glazebrook, solicitor for the applicant who was accompanied by Mr R Abraham, the proposed Designated Premises Supervisor. Mr Glazebrook outlined the background for the application, addressed the concerns raised by the local resident; the proposed style of the operation and management of the premises, the likely style of live/recorded music and the number of covers. It was noted the premises currently operated a restaurant facility which had not attracted any complaint from Responsible Authorities.

Members noted how the Applicant proposed to promote the licensing objectives with reference to conditions being offered in the Applicant's operating schedule and those conditions agreed with responsible authorities.

The Sub Committee carefully considered the representations made on behalf of the applicant and the measures proposed by them for the management of the premises. Members also considered the written representation submitted by Mr Payne regarding public nuisance and crime prevention, particularly people leaving the venue after hours and causing noise disturbances, the delivery of goods, and live and recorded music being played after 22:00 hours. Members however noted the operating schedule stated the terminal hour for live and recorded music as 22:00 and were satisfied the steps proposed by the applicant would promote the public nuisance and crime prevention objectives and address the issues raised by the objector.

Members were therefore satisfied that granting the application as applied for was necessary and would not undermine any of the licensing objectives.

RESOLVED – To grant the application as requested

6 "Domino's Pizza" - Application for the Grant of a Premises Licence in respect of Domino's Pizza, 12 St Anne's Road, Headingley, Leeds LS6 3NX

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for "Domino's Pizza", Headingley. The report suggested the premises lay within the Area 2 (Headingley) of the Cumulative Impact Policy (CIP). Members noted receipt of two additional bundles of documents from the applicant despatched prior to the hearing.

Representations had been submitted by West Yorkshire Police (WYP) and LCC Environmental Protection Team (LCC EPT) which included suggested measures to address the relevant licensing objectives. LCC City Development had also made representation and one letter of representation had been received from Dr M & Mrs E Yeadon, local residents, who did not attend the hearing. The Sub Committee resolved to proceed in the absence of the public.

The Sub-Committee first considered representations from Mr C Sanderson on behalf of LCC City Development who outlined the 2001 planning consent for the premises and the permitted opening hours which had been set having regard to the amenity of surrounding local residents. 2 conditions had been agreed at that time:

- Opening hours – Close at 00:00 Monday to Saturday
- No operations shall take place after 00:00 midnight Monday to Saturday and after 23:30 hours on Sundays

Mr Sanderson stated the grant of the premises licence would undermine the prevention of the public nuisance licensing objective in terms of the likely increase in noise caused by people visiting the premises, congregating and noise associated with delivery vehicles.

Mr B Kenny made representation on behalf of LCC EPT who reiterated the potential for disturbance caused by this premises operating at a later hour. He explained that although the unit was within a parade of shops, there were residential properties close by.

The Sub Committee then heard from Mr B Patterson on behalf of WYP who stated the premises was located within Area 2 of the CIP (Headingley) which had been revised in 2007 to include Hot Food Take Aways in order to address the problems caused by their late night operation. Mr Patterson referred to the Guidance and reminded all parties that it was up to the applicant to prove the operation of the premises would not adversely affect the CIP. In response to a question, Mr Patterson stated this unit was not within one of the "hotspot" areas for crime and disorder.

The Sub-Committee went on to consider the representations made by Mr J Smith, solicitor for the applicant who was accompanied by Rimpal, the Operations Director, Mr J Swift and Mr N Onlsow. Mr Smith referred to the additional documents submitted and went onto to further explain the operation

of this premises, its location and the emphasis of the business on home delivery as opposed to public counter service. Mr Smith provided figures recorded during the previous week of the number of patrons visiting the premises. Mr Smith offered the following measures for the Sub Committee to consider

- to cease counter service at 00:00 midnight – at which time the lights would be switched off, no public access permitted and deliveries only would be operated until the requested 03:00 hours
- the applicant would accept a condition preventing operation of the 03:00 delivery until the relevant planning permission was in place
- the applicant would accept a condition to restrict use of the rear car park by delivery drivers

Mr Smith also stated his belief that the premises did not lie within the CIP area as it was not located on Otley Road which was the spine of the area.

Members considered the representations made by the Responsible Authorities. Members heard submissions that granting the application would undermine the public nuisance objective and that the premises was subject to the CIP however they agreed with the applicant that the premises was not located in Area 2 of the CIP.

The Sub Committee was satisfied that there were steps the Applicant could take that were necessary and proportionate in order to address the concerns of the Responsible Authorities. The steps would allow the application to be granted without undermining the public nuisance objective.

Members felt that granting late night refreshment to allow the premises to operate a vehicle based delivery service to patrons at their homes would not lead to an increase in noise and disturbance. This was providing those vehicles were parked away from residents whilst not in use. Members also felt that these vehicles should not be motorised two wheeled vehicles which tended to attract and cause noise disturbance.

RESOLVED – That the application be granted in the following terms:

The hours of the premises are set out below:-

Hours open to the public.

11:00-00:00 Monday to Sunday

Late night refreshment.

23:00-03:00 Monday to Sunday

Conditions imposed to promote the prevention of public nuisance.

- Those proposed by the applicant and the operating plan.
- Delivery vehicles used at the premises shall not be motorised two wheeled vehicles.

Members were therefore satisfied it was necessary for the promotion of the public nuisance objective to impose the conditions proposed by the Applicant and require them to comply with their submitted operating plan.

7 "Domino's Pizza" - Application for the Grant of a Premises Licence for Domino's Pizza, 257 New Road Side, Horsforth, Leeds LS18 4DR

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for "Domino's Pizza", Horsforth.

Representation to the application had been made by LCC Environmental Protection Team which included measures suggested to address the prevention of public nuisance licensing objective. Those matters had been agreed prior to the hearing by the applicant.

The Sub-Committee first considered representations from Mr C Sanderson on behalf of LCC City Development who had submitted an objection to the application. Mr Sanderson outlined the planning history of the premises which was granted permission for use as a Hot Food Take Away in 2007. At that time the hours of operation were conditioned as 08:00 hours until 23:30 hours Mondays to Saturdays and 12:00 noon until 23:00 on Sundays and the grant of this premise licence application would conflict with those hours. He explained the planning process included consultation with the agents for the planning application and he noted the premises were surrounded by residential properties and the hours would have been conditioned to protect the amenity of those residents and minimise noise and disruption to them.

Mr Sanderson also recalled an earlier licensing application for this premises had been withdrawn by the applicant in order for them to have more time to submit a corresponding planning application, Mr Sanderson reported no planning application had been received.

The Sub-Committee went on to consider the representations made by Mr J Smith, solicitor for the applicant who was accompanied by Rimpal, the Operations Director, Mr J Swift and Mr N Onlsow. Mr Smith set out the style of the proposed operation, its location and referred to how this premises intended to promote the public nuisance objective. He set out proposed conditions agreed with the LCC EPT and recent additional conditions which included an operational plan.

Members commented that this premises did have the potential to cause noise and disturbance if it was permitted to trade beyond those hours set by the most recent planning permission, however carefully examined the proposed conditions put forward by the Applicant.

The Sub Committee carefully considered the representations made by both parties, particularly the submissions made the representative of LCC City Development regarding noise and disturbance. Although they did not feel it necessary to refuse the application they did feel it was necessary and proportionate to restrict the operation of the licence and to impose conditions to prevent the potential for undermining the public nuisance objective. They considered these to be tailored to the particular style of this operation.

Members considered that a take-away delivery service operated later into the night by delivery vehicles would not lead to the noise disturbance caused by patrons anticipated by LCC City Development however did feel that as delivery vehicles which were either motorbikes or cycles could cause disturbance it was necessary and proportionate to impose a condition that all delivery vehicles should be cars.

The Sub Committee was therefore satisfied that if the premises opened to the public in line with its planning permission, but then operated a delivery only service later into the night, this would be necessary for the promotion of the public nuisance objectives. Members were also satisfied that the measures proposed by the Applicant and the Responsible Authorities were also necessary and proportionate.

RESOLVED – to grant the application as amended below:

Open hours to the public.

11:00-23:30 Monday-Saturday.

12:00-23:00 Sundays.

Late night refreshment.

23:00-23:30 Monday-Thursday

23:00-01:00 Friday-Saturday (a delivery service only after 23:30).

Conditions imposed to promote the public nuisance objective.

- The additional conditions and operational plan proposed by the applicant
- All vehicles used by the premises for deliveries shall be cars
- The Sub Committee noted the agreements reached between the applicant and West Yorkshire Police and those proposed measures would now be included on the new Premises Licence

Members took the opportunity to remind the applicant not to operate this Premises Licence before the relevant planning permission was in place.

8 "Domino's Pizza" - Application for the Grant of Premises Licence for Domino's Pizza, 119 - 121 Otley Road, Guiseley, Leeds LS20 8BH

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for "Domino's Pizza", Guiseley

Representation to the application had been made by LCC Environmental Protection Team which included measures suggested to address the prevention of public nuisance licensing objective. Those matters had been agreed prior to the hearing by the applicant.

The Sub-Committee considered representations from Mr C Sanderson on behalf of LCC City Development who had submitted an objection to the application. Mr Sanderson outlined the planning history of the premises which had been granted permission for use as a Hot Food Take Away in 2002 with

the hours of operation conditioned as 11:00 hours until 23:30 hours Monday to Sunday. He stated the grant of this premise licence application would conflict with those hours.

Mr Sanderson also recalled an earlier licensing application for this premises had been withdrawn by the applicant in order for them to have more time to submit a corresponding planning application, Mr Sanderson reported no planning application had been received.

The Sub-Committee went on to consider the representations made by Mr J Smith, solicitor for the applicant who was accompanied by Rimpal, the Operations Director, Mr J Swift and Mr N Onlsow. Mr Smith described the location of the premises and set out the style of the proposed operation. Mr Smith also addressed the proposed conditions agreed with the LCC EPT and recent additional conditions which were included an operational plan submitted within the additional documents.

Members did consider that this premises did have the potential to undermine the public nuisance objective if the application was granted in its proposed form but the potential was not such so as to merit refusal. Members therefore felt it necessary and proportionate to impose conditions to promote the public nuisance objective. The Sub Committee decided that allowing the premises to be open to the public in line with its existing planning permissions and to allow the premises to operate a home delivery service only until reasonable terminal hours would not undermine the licensing objectives. This delivery service would be operated by the use of four wheeled vehicles only providing the style of operation was a set out in the proposed operation outline provided by the Applicant's solicitor.

Members concluded that restricting the type of delivery vehicle, imposing these conditions and those of LCC EPT was necessary and proportionate in the circumstances.

RESOLVED – That the application be granted in the following terms:

Hours open to the public.

Monday to Sunday 11:00 - 23:30 hours

Late night refreshment

Sunday to Thursday 23:00 - 23:30 hours

Friday to Saturday 23:00 - 01:00 hours

(Deliveries only service after 23:30)

Conditions imposed to promote the prevention of public nuisance.

- To impose those conditions proposed by the applicant and the applicants operating plan.
- Those conditions agreed with LCC EPT
- All vehicles used by the premises for deliveries shall be cars.

Licensing Sub-Committee

Monday, 7th June, 2010

PRESENT: Councillor R D Feldman in the Chair

Councillors J Dunn and T Hanley

1 Election of the Chair

RESOLVED - Councillor R D Feldman was elected Chair for the duration of the meeting

2 Late Items

No formal late items of additional business were added to the agenda. However supplementary information had been submitted and had been despatched to relevant parties prior to the hearings in respect of the following matter:

Agenda item "La Liga" – additional letter of representation from a member of the public who had already made a representation but was not able to attend the hearing (minute 4 refers)

3 Declarations of Interest

There were no declarations of interest

4 "La Liga" - Application for the Grant of a Premises Licence for "La Liga Soccer Centre", Dick Lane, Thornbury, Bradford BD3 7AT

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for "La Liga Soccer centre", Dick Lane, Thornbury.

Representations had been submitted by LCC City Development and two representations from LCC Environmental Protection Team (LCC EPT), the first dated 23 April 2010 which included suggested measures to address the relevant licensing objective and the second dated 24 May 2010. Letters of representation had also been received from the following members of the public - Mr Q Alam; Mr D W Kenyon; Ms J Jones; K D Sharpe; Mr & Mrs Cawthra; Mr D Forrest and Mrs F Mir. Local ward Councillors A Carter; Marjoram and Wood had also submitted a representation and Mrs Mir, who had been unable to attend submitted one supplementary letter. None of the local residents attended the hearing and the Sub Committee resolved to proceed in their absence.

The Sub-Committee first considered representations from Mr C Sanderson on behalf of LCC City Development who outlined the 2001 planning consent for the premises as a detached changing room with ancillary bar and flat above.

The permitted hours of use had been set having regard to the amenity of surrounding local residents and were restricted to:

Monday to Saturday	07:30 until 23:00 hours
Sundays	09:00 until 22:30 hours

Mr Sanderson noted the premises, although near a business park, was not surrounded by a built environment which would prevent noise travelling greater distances towards local residents but was surrounded by open pitches and a former golf course. He explained that complaints had been received about the premises during the last 18 months, and the premises management had been informed. During discussion he reiterated the planning permission stipulated bar use to be ancillary to the main use of the building as a changing room. The structure was sufficient for changing rooms and had not been altered since 2001.

Mr Sanderson concluded by stating the existing planning hours of operation were still appropriate to protect the amenity of local residents.

Mr B Kenny then addressed the Sub Committee on behalf of LCC EPT and explained the two submissions from the Department. The first contained measures proposed in order to address the prevention of public nuisance licensing objective – which the applicant had agreed to. However on 20 May 2010 an event had been held at the premises, and following receipt of complaints, the EPT Out of Hours Team had witnessed loud music at 23:15 hours which was a Statutory Nuisance. A Noise Abatement Notice was subsequently served on 27 May 2010. The Department then submitted the second letter of representation to this application. During discussion Mr Kenny stated that if measures could be implemented to contain noise within the building, then it was possible the Departments' concerns could be addressed.

The Sub Committee then considered the representation made by Mr J Cordingly, Licensing Consultant acting on behalf of the applicant. Mr Cordingly was accompanied by Mr R Blackburn the applicant and Mr S Baker, commercial manager.

Mr Cordingly outlined the premise licence and ownership history of the premises and recent the investment made into the business by the applicant. Mr Cordingly stated the applicant was now aware of the conflict between the requested hours of operation of the premises licence and those conditioned on the planning consent. Previous licensing permissions had been granted which had allowed the premises to operate until 01:00 hours.

Mr Cordingly referred to the measures proposed by the applicant and detailed in Box P of the application which the applicant felt would, with careful management, allay residents concerns. Mr Baker briefly addressed the hearing regarding misuse of the surrounding pitches and car park by people who were not patrons of the Soccer Centre, liaison he had previously undertaken with local residents. He also confirmed the premises were air conditioned and that doors were not left open.

The Sub Committee considered the representations made by the Responsible Authorities, the applicant and by members of the public in their letters of representations. Members were concerned about public nuisance issues, noise issues raised by LCC Development and the event held at the premises on 20th May 2010 at which a Statutory Noise Nuisance was witnessed at 23:15 hours.

The Sub Committee also noted with concern the applicant's admission that the structure of the building and its' tin roof had not been constructed to contain music. However the Sub Committee did not consider their concerns strong enough to merit not granting the application and felt there were steps which could be taken which would address the licensing objectives.

RESOLVED – To grant the application for all the licensable activities requested, but to limit the hours of operation of the Premises Licence as follows:

Monday to Saturday	10:00 until 23:00 hours
Sunday	10:00 until 22:30 hours

- The measures outlined by the applicant at Box P of the application form and those measures agreed with LCC EPT prior to the hearing are imposed as conditions on the Premises Licence
- Where there is a conflict of those conditions, those set by the Responsible Authorities shall take precedence

5 "Sainsbury's" - Application for the Variation of a Premises Licence for "Sainsbury's", 70-74 Brudenell Road, Headingley, Leeds LS6 1EG

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application to vary an existing Premises Licence held at "Sainsbury's", Brudenell Road, Headingley.

A representation had been submitted by LCC Environmental Protection Team (LCC EPT) and Mr B Kenny attended the hearing on behalf of the Department. Mr Kenny described the nature of the premises and surrounding area. He highlighted concerns regarding public nuisance and noise disturbance later into the night to local residents, should the variation be granted.

The Sub Committee then considered the representation made by Mr R Botkai, solicitor on behalf of the applicant. Mr Botkai was accompanied by Ms M Zouch, licensing manager for Sainsbury's and Ms J Brown the Headingley store manager.

Mr Botkai explained the conditions on the current Licence had been imposed when the premises was a Jackson's store. There were no restrictions attached to the planning permission for the store in terms of opening hours and Sainsbury's now sought to open the store 24 hours per day and revise the conditions to match Sainsbury's standard management approach. Mr

Botkai stated the applicant did not intend to sell alcohol after 23:00 hours; the later hours were intended purely to allow staff to take deliveries and re-stock the store. He also referred Members to the liaison which had taken place between the applicant and West Yorkshire Police.

Members considered the application and the representations made at the hearing and paid particular attention to the public nuisance objective. The Sub Committee also noted that no objections to the application had been received from members of the public. Members therefore did not consider that varying the licence in the manner requested would have an adverse impact on the licensing objectives.

RESOLVED – To grant the application as requested.

- Those measures proposed by the applicant (and detailed in Box P of the application) and amended by the Responsible Authorities shall be imposed on the Premises Licence.
- Where there is conflict between the conditions, those suggested by the Responsible Authorities shall take precedence.

6 "Krunch" - Application for the Grant of a Premises Licence for "Krunch", 33 Chapeltown, Pudsey, Leeds LS28 7RZ

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for premises known as "Krunch", 33 Chapeltown, Pudsey.

A representation had been submitted by LCC City Development and Mr C Sanderson attended the hearing on behalf of the Department. Mr Sanderson noted this premises licence application had been adjourned previously to allow time for a simultaneous application to extend the hours of use attached to the planning permission to be determined. Mr Sanderson reported the planning application had been refused having regard to the potential for additional noise and nuisance being generated by this premises. He also reported the original planning consent had been very recently granted in 2009, to the same applicant.

The Sub Committee noted the comment made by the applicant that another premises in the locality was trading past its permitted hours and discussion followed on the steps available to the Department in such cases.

The Sub Committee then heard from Mr M Haider, the applicant who was accompanied by Mr Shah. Mr Haider described the immediate and detailed the other unit which traded past permitted hours. He stated he also had operated his premises past permitted planning hours but had ceased as soon as he had been made aware of the conflict between the hours. Mr Shah highlighted the premises had been trading for a while and no reports of any noise or nuisance had been received.

The Sub Committee noted that no letters of representation had been submitted by members of the public

The Sub Committee carefully listened to the representations made by the Responsible Authority and the applicant at the hearing and considered the application before them. The Sub Committee was not satisfied that this particular premises would cause additional public nuisance to the locality and therefore

RESOLVED – To grant the application as requested

The measures included in Box P of the application and the pro-forma risk assessment will now be included as conditions on the Premises Licence

- The Sub Committee took the opportunity to remind the applicant that the new Premises Licence could not be operated until the planning permission had been varied. Until that time the premises must operate to its permitted planning hours.

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Licensing Sub-Committee

Monday, 21st June, 2010

PRESENT: Councillor C Townsley in the Chair

Councillors G Hyde and V Morgan

1 Election of the Chair

RESOLVED – Councillor C Townsley was elected Chair for the duration of the meeting

2 Late Items

No formal late items of business were added to the agenda. The Sub Committee were in receipt of supplementary information in relation to Item 8 “Lister Fisheries” as follows:-

- letter of representation dated 24th May 2010 from West Yorkshire Police setting out their objection to the application. This document had been submitted in time but omitted from the report on the application in error.
- additional letter of representation dated 14 June 2010 from Licence Trade Consultants submitted on behalf of the applicant

3 Declarations of Interest

There were no declarations of interest.

4 "Garforth Town FC" - Application for the Grant of a Premises Licence for Garforth Town Football Club, Cedar Ridge, Garforth, Leeds LS25 2PF

This application was withdrawn from the agenda prior to the meeting as the applicants and all interested parties had reached agreements on measures suggested in order to promote the licensing objectives of the city. The Premise Licence will therefore be issued by the Licensing Officer in accordance with the agreed conditions.

5 "Hedley Verity" - Application for the Variation of a Premises Licence for Hedley Verity, 45 - 47 Woodhouse Lane, Leeds LS1 3HQ

This application was withdrawn from the agenda prior to the meeting as the applicants and all interested parties had reached agreements on measures suggested in order to promote the licensing objectives of the city. The Premise Licence will therefore be issued by the Licensing Officer in accordance with the agreed conditions.

6 "Lister Fisheries" - Application for the Variation of a Premises Licence for Lister Fisheries, 56 North Lane, Headingley, Leeds LS6 3HU

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application to vary the existing Premises Licence held at “Lister Fisheries”, 56 North Lane, Headingley.

Representations had been submitted by West Yorkshire Police (WYP) which had been omitted in error from the report, but had been despatched to the applicant in good time. The documents were tabled to Members and were considered at the hearing. Members had also received an additional letter from the applicant prior to the hearing regarding the representations within the licensing officers' report.

Letters of representation had also been received from the following members of the public – Mr M Cook; Mr B Unsworth; Mr & Mrs Cockerham and Mrs A Beaumont. None of the local residents attended the hearing and the Sub Committee resolved to proceed in their absence. Local ward Councillor J Monaghan also submitted a letter of representation and did attend the hearing.

The Sub-Committee firstly considered a representation from the applicant seeking the removal of the letters received from Mr Cook and Mr & Mrs Cockerham from consideration at the hearing. The request was based on the distance of the resident's address to the premises. The applicant also sought removal of Councillor Monaghan's written submission and therefore his right to speak at the hearing. This request was based on his general comments on links between noise nuisance and take-away's. The applicant referred Members to the findings of the planning inspectorate on this matter and the fact that no representation had been received from LCC Environmental Protection team. The Sub Committee received legal advice and determined to exclude the representations from Mr Cook and Mr & Mrs Cockerham, but to proceed with the representation from Councillor Monaghan as the representation was valid. The question of what weight would be given to his representation was a matter for the Sub Committee to determine in due course.

Members then considered the applicants' representation seeking removal of the submission from WYP. This request was based on the fact that WYP letter referred to the application as a new Premises Licence, and not a variation; however the applicant confirmed they would not pursue this request.

The Sub Committee noted the applicant; Mr M Quadeer was not in attendance and sought to clarify the status of those in attendance on his behalf. The applicant was represented by Mr Maguire of Licence Trade Consultants who was accompanied by Mr M Bashir and Councillor M Iqbal. It was determined that Mr Bashir was the applicants' father and Councillor Iqbal would attend only to act as interpreter for Mr Bashir.

The Sub Committee then moved onto the hearing proper and heard from Mr B Patterson on behalf of WYP who referred Members to Cumulative Impact Policy (2) which covered Headingley and had been amended in 2007 to include variations of hours at hot food take-aways such as this premises in order to address problems of crime and disorder and public nuisance.

Councillor J Monaghan then addressed the Sub Committee and described the character of the local area and stated the hours requested by the applicant

would represent a significant increase and allow them later opening hours than any other premises in Headingley. He believed this premises would attract a number of people congregating which could cause additional noise nuisance.

The Sub Committee then heard the representation from Mr Maguire on behalf of the applicant who explained that planning permission to amend the hours of operation for the premises had been granted by the Planning Inspectorate following an appeal and the findings of the Inspector were detailed in his written submission.

Mr Maguire stated this premises had operated as a take away for 8 years and noted the application had attracted only 2 valid letters of representation from residents and no comments from LCC EPT. Mr Bashir, through Councillor Iqbal, answered questions from Members on the nature and trading of the business.

The Sub Committee considered the representations made by WYP, the applicant and by members of the public both in their letters of representation and at the hearing. Members noted the assurances given at the hearing by the applicant. Members also noted that WYP and Councillor Monaghan had not mentioned any problems associated with this premises and that LCC EPT had not made a representation.

However, Members reminded all present that the CIP was in place in Headingley for specific reasons, but these were not related to this business.

The Sub Committee felt they had not heard anything at the hearing, which equated to exceptional circumstances to set aside the CIP.

RESOLVED – To refuse the application.

- The application was refused on the basis of the CIP alone as the Sub Committee determined there were no exceptional circumstances in this case.

7 "Trax" - Application for the Variation of a Premises Licence for Trax, 148 Chapeltown Road, Chapeltown, Leeds LS7 4EE

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application to vary the existing Premises Licence held at "Trax", 148 Chapeltown Road, Leeds LS7.

Representations had been submitted by West Yorkshire Police (WYP) and LCC Environmental Protection Team (LCC EPT).

The Sub-Committee firstly considered legal advice regarding the hearing procedure as this application contained three elements for consideration. The Sub Committee agreed to vary normal procedure in order to consider the requests to extend the opening/licensable hours and the provision of an outside area first. Once that decision had been reached Members would deal

with that part of the application seeking to remove and or replace embedded restrictions.

The Sub Committee then heard from Mr B Patterson and PC L Dobson on behalf of WYP who outlined the recent history of crime and disorder associated with the premises and the background to the serving of a Section 19 Closure Notice at the premises. That Notice had now been lifted however the measures contained within the Action Plan remained in place. WYP expressed deep concern over the impact the extension of hours requested and the provision of an outside drinking area would have on local residents and the possibility of further disturbance and/or disorder later into the night. Mr Patterson highlighted that the grant of this application would provide this premises with the longest opening hours in the locality.

Mr Patterson stated the applicant had not been able to identify an area within the site boundary for the external drinking area which would be acceptable to WYP. PC Dobson reiterated that the severe nature of the crimes associated with this premise had triggered the representation from WYP.

Mr B Kenny then addressed the Sub Committee on behalf of LCC EPT, highlighting the residential nature of the surrounding area and a number of complaints received from residents about noise emanating from the premises. He stated that LCC EPT were opposed to the use of any external area for drinking at this premises as noise could not be controlled outside the building and were opposed to any extension of hours as this would lead to an increase in noise and disturbance for local residents.

The Sub Committee then heard the representation from Mr Maguire on behalf of the applicant. He was accompanied by Mr E Ferguson.

Mr Maguire outlined the recent meetings he had attended with the Responsible Authorities on behalf of the applicant. Mr Ferguson confirmed measures had been taken to address the concerns raised at the time the S19 Closure Order was implemented. Mr Ferguson acknowledged that groups did congregate outside the premises but stated it was hard to control this. He addressed the history of the noise complaints made by local residents during 2008/09 and explained the background to the request for an external drinking area which he stated would be to the front of the premises, covered by CCTV and managed by doorstaff.

The Sub Committee discussed the location of the proposed external drinking area with all parties present, taking into account the more commercial nature of the area to the front of the premises, the measures proposed at the hearing to manage the external area; capacity and likely usage of that area.

The Sub Committee adjourned at this point to consider the first two elements of the application. On resuming the hearing, Members indicated that they were not prepared to grant permission for the extension of hours or the external drinking area, as they believed the premise had not previously been managed in accordance with the licensing objectives. They felt this was borne

out by the serving of the S19 Closure Notice and the implementation of the Action Plan. Members acknowledged the applicants' submission regarding measures since taken and those proposed, but felt the Notice and Action Plan showed that conditions had not been complied with previously. They commented that this application presented a significant extension to the licensed area and the hours of operation and felt it was too soon after the implementation of the Action Plan to assess whether the premises could be managed satisfactorily. Members therefore felt this application was premature.

With regards to the element of the application which would permit an external smoking area, the Sub Committee resolved to modify Condition 109 of the Premises Licence to read:

“Drinks, open bottles and glasses will be allowed to be taken from the premises into the front area up to 23:00 hours and not after that hour. This provision is limited only to the area between the front wall of the premises and the small wall abutting the highway”

The Sub Committee intended then to deal with the application to amend the embedded conditions on the Premise Licence, having regard to their earlier decision.

Mr Maguire reported that the applicant, during the adjournment, had reached agreement with WYP over the measures proposed to address the crime and disorder licensing objective. This was confirmed by WYP and the Sub Committee accepted the WYP representation regarding the conditions was settled and withdrawn. No agreement had been reached with LCC EPT over the measures contained within their representation and the Sub Committee resolved to adjourn the hearing again to afford the applicant time to discuss all the conditions with LCC EPT in the presence of WYP and the Legal Adviser to the Sub Committee.

On recommencement of the hearing, the Legal Adviser reported that agreements had now been reached between the applicant and LCC EPT regarding the conditions, importantly these would ensure inaudibility at the nearest noise sensitive premises and provision of plastic drinking glasses for use in the external area.

Members noted there were a total of 159 conditions on the current licence and the Legal Advisor reported that essentially the applicant had concurred with the requests made and wording suggested by the Responsible Authorities.

RESOLVED –

- a) That the elements of the application relating to the extension of hours and provision of an external drinking area be refused
- b) That Condition 109 be modified in order to permit use of an external area as a smoking area, to read: “Drinks, open bottles and glasses will be allowed to be taken from the premises into the front area up to 23:00 hours and not after that hour. This provision is limited only to the area between

the front wall of the premises and the small wall abutting the highway”. The remainder of that condition to read as proposed by WYP

- c) That with regards to the removal/amendments to the embedded conditions, Members noted the agreements now reached between the applicant and the Responsible Authorities, and noted that the agreed measures will now be imposed as conditions on the Premises Licence

Licensing Sub-Committee

Wednesday, 23rd June, 2010

PRESENT: Councillor R D Feldman in the Chair

Councillors C Townsley and G Wilkinson

1 Election of the Chair

RESOLVED – Councillor R D Feldman was elected Chair for the duration of the meeting

2 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That the public be excluded from the meeting during consideration of that part of the agenda designated as 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 public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix B to the report referred to in minute 5 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose this information at this point in time as information could be discussed which could undermine any future legal action intended to be taken and could jeopardise that case.
- (b) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter , as allowed under the provisions of the Licensing Procedure Rules

3 Late Items

No formal late items of business were added to the agenda for deliberation; however the Sub Committee had received an amended version of the officer's report prior to the hearing which corrected an administrative error. A site location map was also tabled at the hearing for reference.

4 Declarations of Interest

There were no declarations of interest

5 "Streets of Leeds" - Application for the Review of a Premises Licence for the premises known as the "Streets of Leeds", Street Lane, Roundhay, Leeds LS8 1BW

The Sub Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Council's own Statement of Licensing Policy, considered an application made under the provisions of Section 53A of the Licensing Act 2003 by West Yorkshire Police (WYP) seeking a Summary Review of the Premises Licence currently held at the Streets of Leeds Public House, Street Lane, Roundhay, Leeds LS8.

It was noted that Appendix B to the report was marked as exempt information both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules.

The application, having been made on 21st June 2010 set out that, in the opinion of WYP, the premises were associated with serious crime and/or serious disorder. This necessitated the Interim Review Hearing being held within 48 hours of that application to determine whether any action should be taken by the Local Licensing Authority immediately. A full Summary Review Hearing would be held in due course.

The Licensing Officer's report contained a copy of the application as made by WYP. An appendix of exempt information (as designated under Regulation 14 of the Licensing Act 2003 (Hearings Regulations 2005)) was included. No members of the public were present at the hearing. The report set out the interim steps the Sub Committee could consider:

- Modification of the conditions of the Premises Licence
- The exclusion of the sale of alcohol by retail from the scope of the Premises Licence
- The removal of the Designated Premises Supervisor from the Premises Licence
- The suspension of the Premises Licence

Members were advised that any steps they wished to take must be necessary to address the immediate problems at the premises identified by WYP and in particular any steps that would address the likelihood of serious crime and/or serious disorder at the premises.

The Sub Committee first considered the representation made by Miss M Falciano-Padron on behalf of WYP who introduced the case. She was accompanied by PC L Dobson and Sgt R Fullilove (observing).

PC Dobson outlined the facts of a criminal case being brought against two persons, one of whom the police believed was associated with the premises; and due to the nature of that persons' relationship with the DPS at the premises, the police questioned whether the DPS could successfully prevent further serious crime at the premises. An incident on 24 May 2010 had led to the premises being searched by police and a quantity of drugs had been found within the living accommodation within the premises.

The Police also provided details of meetings held between themselves and the PLH since that date and expressed the opinion that the PLH was reluctant to accept the findings were a serious problem for the premises. WYP requested the Sub Committee consider the suspension of the Premises Licence as they believed this was the only appropriate course of action.

It was also reported the premises had recently failed two test purchases undertaken by youth volunteers for a West Yorkshire Trading Standards/WYP operation, however it was noted that this matter was separate to this Interim Review

The Sub Committee then heard from Mr J Coen, solicitor on behalf of the applicant. He was accompanied by Mr T Brisbane, the Premise Licence Holder; Miss N Brisbane, the Designated Premises Supervisor and Mr E Bennett (observing). Mr Coen took the opportunity to address the issues raised by WYP which were not the subject of this Interim Review and the nature of the business at the premises. He then moved onto highlight what he regarded as the two key issues; namely what was actually happening at the premises and the conduct of the DPS.

Mr Coen explained the relationship between the DPS and Mr McLeary; the person at the centre of the police drugs investigation; and was careful to reiterate the drugs had been found in the living quarters of the premises, which was not within the licensable area. Furthermore, the police had not stated that any drugs had been found within the public house area. He maintained that there was no link between the PLH and that person, and no link between that person and the business of the public house.

The Sub Committee carefully considered the representations made on behalf of WYP and the applicant at the hearing. Members noted and carefully considered the stance of WYP that the only suitable interim step to take was to suspend the Premises Licence. Members also had regard to the submission on behalf of the PLH that the person(s) responsible for the criminal activity had no professional attachment to the premises.

The Sub Committee considered they had heard serious allegations of criminal activity. However, despite Members' serious misgivings about the role of Mr McLeary at the premises, the Sub Committee was not persuaded it was necessary to suspend to the Premises Licence at this stage in the Review process.

The final decision on the Review application rests with the full review which must take place before 19th July 2010

Having indicated their decision the Sub Committee then presided over arrangements for the Summary Review Hearing. Both parties were encouraged to provide relevant documentation between themselves and the Licensing Authority in good time for the Hearing

RESOLVED -

- a) Not to suspend to the Premises Licence at this stage in the Review process.

The final decision on the Review application rests with the full review which must take place before 19th July 2010

- b) To note that parties agreed the following arrangements for the Summary Review
Friday 2nd July – all papers to Entertainment Licensing
Monday 5th July – despatch of agenda for the Summary Review
Tuesday 13th July 2010 at 1.00 pm – Summary Review Hearing

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Corporate Governance and Audit Committee

Wednesday, 14th April, 2010

PRESENT: Councillor J Bale in the Chair
Councillors G Driver, G Latty, N Taggart,
C Campbell, G Kirkland, A Lowe and
A Blackburn as substitute for D Blackburn

Co-optee Mr M Wilkinson

Apologies Councillors D Blackburn, P Grahame and
T Leadley

114 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

115 Exempt Information - Possible Exclusion of the Press and Public

There were no appeals against refusal of inspection of documents.

116 Late Items

There were no late items added to the agenda.

117 Declaration of Interests

Councillor Driver declared a personal interest in Agenda item 6 (Minute 121 refers) as a Member of the Aire Valley Homes ALMO.

Councillor Latty declared a personal interest in Agenda item 6 (Minute 121 refers) as a Member of the ALMO Outer North West Area Panel.

118 Apologies for Absence

Apologies were received from Councillors D Blackburn, P Grahame and T Leadley.

119 Minutes of the Previous Meeting

RESOLVED - The minutes of the Corporate Governance and Audit Committee meeting held on 17th March 2010 be approved as a correct record.

120 Matters Arising

Further to minute 56 (Six Monthly Update Report on Risk Management), Mr M Wilkinson asked what action had been made regarding the request to have the Committee's recommendation regarding the publication of the Council's Corporate Risk Map considered by Executive Board before the end of the current municipal year.

The Assistant Chief Executive (Corporate Governance) advised that it had not been considered at the April Executive Board but she would make enquiries

121 Fraudulent Tenancies

The Strategic Landlord and the Housing Policy and Monitoring Manager presented a report which informed the Committee of the work undertaken by the Communities and Local Government Social Housing Fraud Initiative. The report also informed the Committee of policy development and performance information regarding social housing fraud.

Members particularly discussed the options available to the Council to counter tenants who sublet Council properties. Also discussed, was the availability of resources to address subletting and the accessibility of the service that responds to reports of subletting.

RESOLVED – The Committee resolved to:

- (a) note the report; and
- (b) request that a report be submitted to the Committee to outline the types of irregularities to identify where tenancy fraud may be occurring and the information trigger points within the Council.

Councillor A Lowe entered the meeting during the discussion of this item at 10.10 am.

Councillor A Blackburn entered the meeting during the discussion of this item at 10.15 am.

122 Regulation of Investigatory Powers Act 2000 Policy

The Head of Property Finance and Technology presented a report which outlined the Council's proposed policy on covert surveillance conducted within the Regulation of Investigatory Powers Act 2000 (RIPA).

Members discussed the report in detail and use of RIPA as an investigatory need to use as a last resort. Members, though, agreed that in certain circumstances covert surveillance is an essential tool for gathering evidence where it is believed laws are being broken. Members further considered:

- the level of authorisation required to sign off a RIPA request; and

- which elected body should receive the annual report and their view was that it be this Committee

Members also discussed the draft RIPA policy and agreed that further work be done to make the policy more clearly worded and directly linked to the legislation, including greater emphasis on definitions.

RESOLVED - The Committee resolved to request that a further report be submitted with a revised RIPA policy prior to the policy being considered by the Executive Board.

123 Corporate Governance and Audit Committee Annual Report 2009/10

The Corporate Governance Officer introduced a report of the Assistant Chief Executive (Corporate Governance) which presented the Committee with the first draft of the Corporate Governance and Audit Committee Annual Report for 2009/10.

Members reviewed the Annual Report and suggested amendments that could be made to ensure the report more clearly demonstrated the impact which the Committee's work has had over the municipal year.

During discussion of this item, Councillor Bale thanked Members and officers for their hard work and contributions to the Committee over the past three years of his Chairmanship.

RESOLVED – The Committee resolved to:

- (a) approve the draft report subject to the amendments suggested; and
- (b) authorise the Assistant Chief Executive (Corporate Governance) to approve the final report prior to it being received at full Council in the new municipal year.

124 Corporate Governance Statement Action Plan

The Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) which updated the Committee on the progress that has been made in implementing the Corporate Governance Statement Action Plan 2009/10.

Members discussed the progress made with the Corporate Governance Statement Action Plan and commented on the importance of focussing on outcomes and impact with regards to the actions contained in the Action Plan.

RESOLVED – The Committee resolved to note the Corporate Governance Statement Action Plan.

125 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for the remainder of the 2009/10 and the 2010/11 municipal year.

Members of the Committee expressed their thanks to Councillor Bale for his hard work over the last three years as the Chair, as this was his last Committee meeting.

RESOLVED – The Committee resolved to note the draft work programme.

Corporate Governance and Audit Committee

Wednesday, 12th May, 2010

PRESENT: Councillor Latty in the Chair
Councillors M Wilkinson, D Blackburn,
G Driver, P Grahame, G Latty, N Taggart,
C Campbell, G Kirkland, T Leadley and
A Lowe
Co-optee Mr M Wilkinson

Apologies

126 Appointment of The Chair

Due to the resignation from the Council of the sitting Chair a new Chair was required to be elected by the Committee. Councillor G Latty was nominated and seconded for the position of Chair and was un-opposed.

127 Exempt Information - Possible Exclusion of the Press and Public

There were no appeals against refusal of inspection of documents.

128 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

129 Late Items

There were no late items added to the agenda.

130 Declaration of Interests

No declarations of interest were declared.

131 Apologies for Absence

No apologies for absence were received.

132 Minutes of the Previous Meeting

RESOLVED – The minutes of the Corporate Governance and Audit Committee meeting held on 14th April 2010 be approved as a correct record.

Minutes approved as a correct record at the meeting held on Wednesday 23rd June

133 Assurance of the Process by Which Planning Decisions are taken by the Council

The Chief Planning Officer presented his report which outlined the arrangements that are in place to underpin the decision making process within the remit of the Chief Planning Officer, these being planning decisions taken by officers under delegated authority. The report also assured the Committee that the operation of the processes in place are accountable, transparent, have integrity and are inclusive.

Members congratulated the Chief Planning Officer on the improving picture in relation to planning decisions. Members discussed the small percentage of planning decisions which get to the Plans Panel. Also discussed was the method for requesting a planning decision to be taken to Plans Panel and the rules that surround this.

RESOLVED – The Committee resolved to:

- (a) request further information about the comparator percentages of decisions taken by officers under delegated authority at other authorities be provided to members;
- (b) receive a similar report on planning decision making on an annual basis; and
- (c) note the report.

Councillor Grahame entered the meeting during the discussion of this item at 10.20 am.

134 Annual Update on the Council's Risk Management Arrangements

The Principal Risk Management Officer presented a report of the Director of Resources which provided an overview of the Council's key risk management developments over 2009/10 focusing on the period following the six monthly report in November 2009. The report also provided assurance on the strength of risk management arrangements.

Members discussed the report in detail particularly the known risks the Council has and the further work that is being done by the Risk Management Unit to ensure exposure to these is minimised. Members noted that the Executive Board is due to consider, as part of the Annual Report on Risk Management proposals by the Committee for the publication of the risk register.

RESOLVED – The Committee resolved to:

- (a) note the report and the progress made on embedding risk management across the Council; and
- (b) continue to review and challenge the Council's risk management arrangements and attend risk management training sessions and briefings provided by the Risk Management Unit.

135 Leeds City Region - Emerging Governance Structures

The Head of Regional Policy (Acting) presented a report of the Assistant Chief Executive (Planning, Policy and Improvement) which updated the Committee on progress made in establishing the Leeds City Region Employment and Skills Board and the Leeds City Region Homes and Communities Agency Board. The report also informed the Committee of the extent to which these Boards have taken account of the governance themes contained within the Governance Framework for Significant Partnerships.

Members raised concerns as to the limited extent to which local elected councillors could contribute to the work of the Leeds City Region. Consideration was given to the potential of elected Members from across the Leeds City Region being given the opportunity to contribute to the work programme other than just Leaders and portfolio holders as is currently the case.

Members also expressed a desire for further work to be undertaken to improve the transparency of the governance arrangements of the various Leeds City Region structures; particularly those relating to the Leeds City Region Employment and Skills Board and the Leeds City Region Homes and Communities Agency Board.

RESOLVED – The Committee resolved to:

- (a) note the progress on establishing decision making arrangements, being developed at the Leeds City Region level, for skills and housing and that a further report was due to be brought addressing the infrastructure required within the Council regarding Members role in shaping the Leeds perspective regarding matters to be considered at City region level ;
- (b) request six monthly reports on the governance arrangements of the Leeds City Region; and
- (c) request that the Committee's concerns be brought to the attention of the Council's appointed nominee to the Leeds City Region Leaders Board.

136 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for the 2010/11 municipal year.

Members of the Committee expressed their thanks to Mr Mike Wilkinson for his valued contributions to the Committee as this was his last Committee meeting.

RESOLVED – The Committee resolved to note the draft work programme.

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GENERAL PURPOSES COMMITTEE

TUESDAY, 18TH MAY, 2010

PRESENT: Councillor A Carter in the Chair

Councillors S Bentley, A Blackburn,
J Blake, R Brett, P Gruen, E Nash,
J Procter and K Wakefield

Apologies Councillor N Taggart

45 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents.

46 Exempt Information - possible exclusion of the press and public

There were no resolutions to exclude the public.

47 Late items

In accordance with his powers under Section 100 B (4) (b) of the Local Government Act 1972, the Chair admitted to the agenda three late reports which were as follows;

- (1) Responding to recommendations of the Independent Remuneration Panel;
- (2) Changes to Licensing Arrangements; and
- (3) Overview and Scrutiny - Proposed Changes to Overview and Scrutiny.

The late items were admitted because the Labour Group wanted to put forward a number of proposals regarding amendments to the Constitution which required consideration in advance of the Annual Council Meeting.

48 Declaration of Interests

No declarations of interest were made either under this item or at any stage during the meeting.

49 Apologies for absence

Apologies were received from Councillor N Taggart.

50 Minutes of the Previous Meeting - 8th February 2010

RESOLVED - That the minutes of the General Purposes Committee meeting held on 8th February 2010 be approved as a correct record.

51 Employment Committee Terms of Reference

The Principal Legal Officer (Corporate Governance) presented a report of the Assistant Chief Executive (Corporate Governance). The report asked the Committee to make recommendations to full Council about amendments to the Employment Committee's terms of reference to provide additional functions:

- to consider grievances against the Chief Executive and related appeals;
- to take disciplinary action short of dismissal against the Chief Executive; and
- to give the Committee the power to suspend the Chief Executive, Monitoring Officer and Director of Resources.

This would ensure that the Council has clear processes and procedures for regulating the conduct of all its officers, and for dealing with any grievances they may have.

Members discussed the report, specifically who would be able to take disciplinary action and what the role of the Employment Committee would be.

RESOLVED - The General Purposes Committee resolved to recommend to full Council that the Employment Committee's terms of reference should be amended as set out in Appendix B of the report.

52 Licensing Arrangements

The Section Head Regulatory and Enforcement (Corporate Governance) presented a report of the Assistant Chief Executive (Corporate Governance). The report informed Members of proposed amendments to the constitution relating to the Council's licensing arrangements and asked the Committee to consider and recommend the proposed amendments to full Council.

RESOLVED – Members of the General Purposes Committee resolved to recommend to full Council that:

- (a) the function of making an Alcohol Disorder Zone is a function which relates to the licensing functions of the Licensing Committee and should be delegated by full Council to the Licensing Committee;
- (b) the Licensing Committee's terms of reference be amended as set out in Appendix 1 of the report;
- (c) the Licensing and Regulatory Panel's terms of reference amended as set out in Appendix 2 of the report;
- (d) Article 8A be amended to clarify that the Licensing Committee can carry out functions that are not licensing functions but which are referred to it by virtue of the powers in Section 7 of the Licensing Act 2003 and also to require members to undergo compulsory training as requested by Member Management Committee as set out in Appendix 3 of the report; and

- (e) amendments be made to the Assistant Chief Executive (Corporate Governance) (Council (non – executive) functions) to delegate the power to licence sexual entertainment venues.

53 Overview and Scrutiny - Proposed Changes and Amendments to the Constitution

The Head of Scrutiny and Member Development presented a report of the Chief Democratic Services Officer. The report asked the Committee to make recommendations to full Council in respect of the Overview and Scrutiny function following the officer annual review of the Constitution.

Members discussed the report, particularly the number of Scrutiny Boards which should be retained. The focus of the discussion was the financial implications of reducing the number of Boards, and the implications arising in relation to the work-load of the Scrutiny Board (City and Regional Partnerships), being shared amongst the other Scrutiny Boards.

An amendment to the item was proposed in relation to substitute arrangements. Members considered whether substitutes should be permitted during scrutiny meetings and the conflicting needs to secure continuity of membership, and sufficient attendance at meetings.

RESOLVED - The General Purposes Committee resolved to recommend to full Council to;

- (a) to amend Article 6 as set out in Appendix 1 to the report;
- (b) to amend the Scrutiny Boards Terms of Reference as set out in Appendix 2 to the report;
- (c) to amend the Scrutiny Board Procedure Rules as set out in Appendix 3 to the report, with an additional amendment to Rule 4, to widen substitute arrangements at Scrutiny Boards so that substitutes can attend Scrutiny Board meetings;
- (d) designate the post of Head of Scrutiny and Member Development, as its Scrutiny Officer in accordance with Section 21ZA of the Local Government Act 2000; and
- (e) retain the seven Scrutiny Boards

54 Review of Call in Procedure Rules

The Head of Scrutiny and Member Development presented a report of the Chief Democratic Services Officer. The report reviewed the requirement to have original signatures on Call-in request forms in the light of 12 months operational experience and the comments of Members identified. The report also provided an analysis of Members involved in Call-in.

Members discussed the merits of having original signatures on Call-in request forms and that original signatures should continue to be requested.

RESOLVED – The General Purpose Committee resolved to recommend to full Council to retain the current requirement in the Scrutiny Board Procedure Rules for an original signature to requests for Call-in, subject to a further review of the requirement in a year’s time.

55 Annual Review of the Constitution

The Principal Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) asking the Committee to recommend to full Council, amendments to the Constitution, following the annual review of the Constitution.

Members particularly discussed:

- amendments proposed to Article 16 which related to the distribution of hard copies of the constitution. Members felt that the constitution should still be circulated in hard copy to ensure as many people as possible could have access to it and agreed that this amendment should not be made;
- the Officer Delegation Scheme – Council (non executive functions) footnotes which refer to the further delegation of functions by the Directors and Chief Officers to whom they are delegated being amended to read “may arrange for such delegation to be exercised by an officer of suitable experience or seniority” rather than “experience and seniority”. Members considered when appointments are made to officers with delegated authorities they should be competent to exercise the functions of the post. Members further indicated that Directors and Chief Officers could ask full Council to extend their power to sub-delegate on a case-by-case basis and therefore agreed that this amendment should not be made; and
- amending Article 13 to amend the Guidance notes on Delegated Decision Making to exclude from the definition of a Key Decision, decisions made in relation to making, payment or borrowing of loans under treasury management or to the purchasing of energy under existing energy contracts. Members discussed how accountability could be retained for such decisions. The Assistant Chief Executive (Corporate Governance) clarified that the power to purchase energy contracts could be subject to consultation with the appropriate Executive Member.

RESOLVED - General Purposes Committee resolved to recommend to full Council amendments to the Constitution to:

- (a) the summary and explanation, as set out in Appendix 1 to the report;
- (b) Article 1, as set out in Appendix 2 to the report;
- (c) Article 3, as set out in Appendix 3 to the report;
- (d) Article 4, as set out in Appendix 4 to the report ;
- (e) Article 9, as set out in Appendix 5 to the report;

Minutes approved as a correct record
at the meeting held on Monday 28th June 2010

- (f) Article 12, as set out in Appendix 6 to the report;
- (g) Article 13, as set out in Appendix 7 to the report;
- (h) the Standards Committee's terms of reference, as set out in paragraph 3.14 of the report;
- (i) the Corporate Governance and Audit Committee's terms of reference set out in Appendix 9 to the report;
- (j) the Member Management Committee terms of reference, as set out in Appendix 10 to the report;
- (k) the delegation of the Assistant Chief Executive (Corporate Governance), as set out in Appendix 11 to the report;
- (l) the delegation to the Director of City Development, as set out in paragraph 3.23 of the report;
- (m) the delegation of the Chief Planning Officer, as set out in Appendix 12 to the report;
- (n) the delegation of the Chief Recreation Officer, as set out in Appendix 13 to the report;
- (o) the delegation of the Director of Environment and Neighbourhoods, as set out in paragraph 3.26 of the report, and to the post-titles of Chief Officers within that directorate, set out in paragraph 3.27 of the report;
- (p) the Council Procedure Rules as set out in Appendix 14 to the report;
- (q) the Outside Bodies Procedure Rules, as set out in Appendix 15 to the report; and
- (r) note the consequential amendments which the Assistant Chief Executive (Corporate Governance) proposes to make under her delegated authority to the Guidance Notes on Delegated Decision Making, should full Council approve the amendments to the Officer Delegation Scheme and to Article 13.

56 Work programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2010/11.

RESOLVED - Members resolved to agree that the draft work programme for the 2010/11 year be noted.

57 LATE ITEM - Responding to recommendations of the Independent Remuneration Panel

The Assistant Chief Executive (Corporate Governance) presented a report of the Chief Democratic Services Officer which asked the General Purposes Committee to consider recommending to Council that the Constitution be amended with respect to how recommendations of the Council's Independent Remuneration Panel are taken into account when varying the Members' Allowances Scheme.

Members discussed the current financial climate, the recent national expenses scandal and the subsequent need to ensure that Members lead by example in terms of ensuring allowances are reasonable, fair and not increased if Officers pay remains frozen.

Minutes approved as a correct record
at the meeting held on Monday 28th June 2010

RESOLVED - The General Purposes Committee resolved to recommend to full Council to amend the Members Allowances Scheme, so that no annual updating should take place for two years.

58 LATE ITEM - Changes to Licensing Arrangements

The Committee discussed the proposals in the report and requested further information from officers on changes to licensing arrangements.

RESOLVED - The General Purposes Committee resolved to;

- (a) defer consideration of this matter; and
- (b) request a further report considering the merger of the Licensing Committee and the Licensing and Regulatory Panel which should be added to the work programme and considered at the earliest opportunity in the new municipal year.

59 LATE ITEM - Overview and Scrutiny - Proposed Changes to Overview and Scrutiny

RESOLVED - The Committee resolved to withdraw the item.

MEMBER MANAGEMENT COMMITTEE

TUESDAY, 20TH APRIL, 2010

PRESENT: Councillor S Bentley in the Chair

Councillors D Blackburn, P Gruen, G Latty,
T Leadley, E Nash and J Procter

44 Late Items

The Chair admitted the following late item to the agenda as follows:

West Yorkshire Playhouse Change to Board Arrangements (minute 47 refers)

To allow urgent consideration of the matter in order that the Council representatives can attend a meeting of the newly constituted Board.

45 Declarations of Interests

Councillor Gruen declared a personal interest in the item relating to the West Yorkshire Playhouse (minute 47 refers) as a former member of the former Board.

46 Proposals for New Children's Trust Arrangements

The Interim Director Of Children's Services submitted a report seeking Member Management Committee approval to designate the new Children's Trust Board and revised Leeds Safeguarding Board as Strategic and Key Partnerships and seeking appointments to the Boards.

RESOLVED –

- a) That, in accordance with the Appointments to Outside Bodies Procedure Rules, the Children's Trust Board and revised Leeds Safeguarding Board be categorised in the Strategic and Key Partnerships category.
- b) That one position on the Children's Trust Board be reserved to the Lead Executive Member for Children's Services.
- c) That Councillor Golton be appointed to the Children's Trust Board.
- d) That the two remaining positions on the Children's Trust Board be a Labour Group whip nominee and a Conservative Group whip nominee.
- e) That the appointment to the Leeds Safeguarding Board be reserved to the Lead Executive Member for Children's Services and Councillor Golton be appointed.

47 West Yorkshire Playhouse Change to Board Arrangements

The Chief Libraries, Arts and Heritage Officer submitted a report informing Member Management Committee of the West Yorkshire Playhouse proposal to change its Governance Board, to identify the implication for Leeds City Council and seek recommendations for the newly Constituted Board.

RESOLVED -

- a) That the reduction in the size of the West Yorkshire Playhouse Board be noted
- b) That the West Yorkshire Playhouse request for two nominations be noted.
- c) That the Councils two positions be allocated to the Administration and Labour Group as whips nominees.
- d) That the Chief Libraries, Arts and Heritage Officer seek an additional Councillor representative on this Board.

(Under the provisions of Council Procedure Rule 16.5 Councillor Leadley required it to be recorded that he voted against resolution (c).

Development Plan Panel

Tuesday, 11th May, 2010

PRESENT: Councillor C Fox in the Chair

Councillors B Anderson, T Hanley,
D Blackburn, T Murray and R Lewis

42 Late items

There were no formal late items, however Panel Members were in receipt of supplementary information in respect of a summary of the community engagement on the Residual Waste Treatment project (minute 46 refers)

43 Declaration of interests

The following Members declared 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:

Agenda items 8 and 9 – Leeds LDF Core Strategy – Analysis of consultation responses: A well connected city (transport) theme and Sustainable Communities theme – Councillor Anderson declared personal interests through being a member of West Yorkshire Integrated Transport Authority as Metro had commented on these matters (minutes 47 and 48 refer)

44 Apologies for Absence

Apologies for absence were received from Councillors Gruen, Leadley and Smith

45 Minutes

RESOLVED- That the minutes of the Development Plan Panel meeting held on 9th March 2010 be approved.

46 Leeds LDF Natural Resources and Waste Development Plan Document - 'Policy Position' Consultation (initial report of consultation)

Further to minute 23 of the Development Plan Panel meeting held on 13th October 2009 where Panel considered a report on the scope and content of the Natural Resources and Waste Development Plan Document prior to a period of informal consultation, Members considered a report of the Director of City Development setting out a summary of the responses received to that consultation. The report also set out the current position on the preparation of the documents for independent examination

The Head of Forward Planning and Implementation presented the report and informed Members of the various events which had been arranged as part of the

consultation which had resulted in over 100 responses, some of which were very detailed. He also referred to the document which had been tabled to the Panel setting out the consultation by colleagues in Waste Management as part of the PFI procurement process for a Residual Waste Treatment facility

Arising out of the consultation of the DPD, Members were informed that whilst there was a measure of support for the emerging 'policy position' there were a number of key issues to consider. These included planning issues associated with the residual waste treatment proposals and the representations received from the Coal Authority regarding the presentation Minerals Safeguarding Areas. These matters would need to be covered in further detail as part of the more detailed analysis of responses at the next stage of the process

Members commented on the following matters:

- the number of responses which had been received; that this was disappointing and that not everyone had responded to all of the questions which were posed
- the number of non-answers which could be interpreted either as an acceptance of or rejection of the issues
- that some of the events were held in supermarkets which perhaps should have yielded a higher response rate
- that the impression from the information in the report was that the general public had not really been consulted

The Head of Forward Planning and Implementation gave the following responses:

- regarding the number of responses received, that the LDF process differed from the UDP process and was about more engagement at an earlier stage in order to try and address issues before policies were drawn up and submitted for final consultation
- that the consultation had given a sense of what the reaction to proposals would be
- that much information had been available; that many people had expressed an interest in the consultation and had taken away leaflets etc and where specific sites were being looked at, Officers had contacted the landowners/tenants, where individual sites were specifically affected by the proposals

RESOLVED – To note the report, the progress and next steps in relation to the preparation of the LDF Natural Resources and Waste Development Plan Document and the next stages in production of the publication draft

47 Leeds LDF Core Strategy - 'Preferred Approach' Analysis of consultation responses : A Well Connected City (Transport) theme

Further to minute 34 of the Development Plan Panel meeting held on 2nd February 2010 where Panel considered a report on the initial feedback on the consultation exercise for the Leeds LDF Core Strategy ' Preferred Approach', Members considered a report of the Director of City Development setting out further detailed consideration of the comments received in respect of the transport theme

Officers presented the report and stated that the main theme of the transport chapter was a 'well-connected city' based on the delivery of a sustainable and integrated transport strategy to support economic growth and the RSS housing

targets, whilst seeking to address climate change issues; safety; security and health; equality of opportunity and quality of life

The four main policy areas in this theme were:

- Transport investment and management priorities
- Accessibility requirements and new development
- Freight
- Managing the growth of Leeds Bradford Airport

A total of 150 individual responses had been received and that in general there was support for the majority of the policies. Members were informed of the main areas of concerns which were:

- the need to integrate the location of transport infrastructure and potential housing growth areas
- increased traffic at Leeds Bradford Airport
- that there were insufficient proposals contained in the document
- concerns about the availability of funding for the existing proposals and that the economic downturn could mean that some of the proposals could not now be delivered

Members were informed that Transport Leeds were looking at transport requirements for the next 20 years; that subject to further commissioning by the Government, that ongoing work would be undertaken on delivering a sustainable transport system and that a new transport model would be available for use in the next few months

Members commented on the following matters:

- provision for roadside services and whether this referred to formal or informal facilities. Officers stated that this related to formal services and that they were of the view that the current services were sufficient to meet the needs of road users
- the comments received on the inadequacy of transport to the airport and where the thrust of these comments emanated from. Members were informed these were largely responses from individuals and that in terms of funding new infrastructure for Leeds Bradford Airport, it was expected that the airport would make a significant contribution to this
- the tram train; the view that the situation on this had moved on and that there was no intention of increasing the frequency of the tram train
- regarding carbon emissions, that there was a policy for a 40% reduction across the Leeds economy and that the document had to take this into account. Officers stated that the proposals would help to reduce carbon emissions
- that the strategy should be more ambitious
- the importance of ensuring that the proposals could be funded and would be capable of being delivered and that this could lead to some difficult decisions having to be made
- that the current economic situation could not be ignored but that the ambitions in the transport proposals had to be retained to ensure Leeds was ready when the recovery began. Whilst Officers were supportive of this, it was stated that it would be challenging to match ambitions with the resources which were available

Regarding funding, Officers stated that the Department of Transport

Programme looking at the delivery of a sustainable transport system was looking at funding up to 2019. However, future funding provision was currently uncertain, within the context of wider reductions in public spending. Despite this difficult context, the City Council and its partners were committed to delivering sustainable transport initiatives

RESOLVED - To note the report, the comments now made and the course of further action as set out in appendix 1 of the submitted report in preparing a draft Publication Core Strategy

48 Leeds Local Development Framework Core Strategy - 'Preferred Approach' Analysis of consultation responses : Sustainable Communities Theme

Further to minute 34 of the Development Plan Panel meeting held on 2nd February 2010 where Panel considered a report of the initial feedback on the consultation exercise for the Leeds LDF Core Strategy 'Preferred Approach', Members considered a report of the Director of City Development setting out further detailed consideration of the comments received in respect of the sustainable communities theme

Officers presented the report and stated that this theme was a wide ranging one to reflect community needs

Arising out of the consultation there would be an expansion of the information in respect of regeneration areas. For the AAPs which were not now being taken forward some of the information from these documents would be placed in the Core Strategy where appropriate. Aire Valley Leeds would also be highlighted to a greater degree in the Core Strategy, possibly with its own chapter

Members were informed that there had been general support for uses in centres and edge of centres, but that more specific information was needed. There was a need to balance appropriate uses to each centre and the need for the retention of Post Offices had been highlighted. However, it had to be accepted that some uses were not able to be situated in local centres, eg schools, hospitals and some leisure facilities

In respect of Sustainable Design and Construction, there had been a wide range of responses received with many people asking for stricter regulations for new development. Members were informed that higher standards for development would be encouraged but that these should not be too onerous. The Panel was informed that this particular chapter would be moved to sit with environmental policies as it was thought this was a more appropriate place for this information

Members discussed the following matters:

- whether West Leeds Gateway would still be given high priority in view of the withdrawal of the AAP
- the siting of offices; that the steer was to locate this use in centres and how applications for out of centre offices would be dealt it
- the impact of large supermarkets and Tesco in particular, on local centres and that the document did not seem to address this problem

Officers provided the following responses:

- that West Leeds Gateway (as a Supplementary Planning Document) would be given as high a priority as possible and that the main thrust of the aspirations to regenerate West Leeds had been retained

- regarding the location of office accommodation, that in terms of the Core Strategy offices should be located in centres, but applications would be judged by Officers in Development Control on a site by site basis and on the individual merits of the application
- that a Town Centre Survey was to be undertaken which would look at the most suitable locations for any further supermarket retailing

RESOLVED - To note the report, the comments now made and the course of further action as set out in appendix 1 of the submitted report in preparing a draft Publication Core Strategy

49 Leeds Local Development Framework Core Strategy - 'Preferred Approach' - Analysis of consultation responses: Green Infrastructure (and Natural Environment) theme

Further to minute 34 of the Development Plan Panel meeting held on 2nd February 2010 where Panel considered a report of the initial feedback on the consultation exercise for the Leeds LDF Core Strategy 'Preferred Approach', Members considered a report of the Director of City Development setting out further detailed consideration of the comments received in respect of Green Infrastructure - the natural environment theme

Officers presented the report and stated that the concept of Green Infrastructure had been put forward by Natural England with whom Officers had worked closely alongside other authorities in the Leeds City Region. Members were informed that Leeds City Council was viewed by the Leeds City Region to be an pioneer in respect of Green Infrastructure

Members were informed that 142 responses had been received and overall the ideas put forward in the consultation had been well received

Concerns had been raised from developers and advisers in relation to developer contributions as these were seen as potential burdens which could undermine viability, however it was important for the Council to continue to seek such contributions

In respect of Policy G3 – Housing Growth Areas, developers were of the view that this required further clarification or should be deleted

Policy G5 – the creation of new woodlands was well received however the policies in respect of TPOs and Ancient Woodlands were considered to be too detailed and Officers were of the view that these should be deleted from the Core Strategy and be picked up in more detail elsewhere

A plan showing the extent of the Green Infrastructure had been provided as part of the consultation and several further suggestions for possible areas had been received, ie the South Leeds corridor and the Morley/Middleton Corridor as well as the woodland on the Outer Ring Road

Natural England had suggested the Council carry out an up-to-date character assessment to help strengthen the evidence base for this theme, however there were resource issues associated with this. Officers considered that some of the work done for the UDP could be revisited and updated for the Core Strategy

RESOLVED - To note the report, the comments now made and the course of further action as detailed in appendix 1 of the submitted report in preparing a draft Publication Core Strategy

50 **Date and time of next meeting**
Tuesday 8th June 2010 at 1.30pm

Development Plan Panel

Tuesday, 22nd June, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors B Anderson, C Fox, T Leadley,
J Lewis, L Mulherin and S Smith

1 Declaration of interests

There were no declarations of interest

2 Apologies for absence

Apologies for absence were received from Councillor R Lewis

3 Minutes

RESOLVED- That the minutes of the Development Plan Panel meeting held on 11th May 2010 be approved

4 Leeds LDF Core Strategy - The changing context post election

The Panel considered a report of the Director of City Development setting out the changing context for the Leeds LDF Core Strategy following a change in Central Government

The Deputy Chief Planning Officer presented the report and stated that although announcements had been made that the Regional Spatial Strategies would be rapidly abolished, that Officers were of the view that the current progress on the Leeds Core Strategy should be maintained

The Panel was informed that the possibility of the abolition of the RSS and the targets it contained had been considered by Officers prior to the announcement. There was nothing in the new Government's agenda to indicate that there would no longer be a Development Plan or a plan at strategic district level. Because of this and as the Leeds LDF Core Strategy was not at the stage for crucial decisions to be made, Officers considered that it was sensible to continue this work with a further report being brought to Panel once the position was clearer

Members commented on the following matters:

- that whilst the abolition of the housing targets in the RSS could be understood, the RSS did contain other matters and it would be disappointing if these were lost
- that the abolition of the RSS was envisaged but that there remained a need for some targets to be in place, these being local if not regional
- that the targets in the RSS did have a scientific base to them and that if targets were left to District Councils alone, then there was some doubt about whether people's needs would be met
- whether there was a fall back position

- the possibility of having an update on this at a future meeting

The Deputy Chief Planning Officer stated that there was an ongoing debate as to what figures the Council would be working to and that a report on this would be going to the July meeting of the Council's Executive Board. One possibility would be to take an early draft figure from the RSS. However, Leeds had objected to all of the figures in the RSS. On this matter the Panel was informed that the only figure which the Authority could be said to have signed up to was the one in the UDP of 1930 (which was the taken included within the former Regional Planning Guidance document)

RESOLVED - To note the report and the comments now made

5 Leeds LDF Core Strategy - 'Preferred approach' Analysis of consultation responses: Vision for Leeds and Spatial Vision Chapter

Further to minute 34 of the Development Plan Panel meeting held on 2nd February 2010 where Panel considered a report outlining the initial comments received on the consultation exercise on the Vision for Leeds and Spatial Vision chapter, Members considered a further report setting out the detailed comments and including the Council's initial response and details of any proposed action to be taken

The Head of Forward Planning and Implementation presented the report and stated that many useful comments had been received, with many being broadly supportive. Where there were negative representations these tended to be in respect of emphasis and clarity rather than challenges to the overall approach, although some agents, house builders and developers had indicated the chapter should be more specific in respect of site and scale of development. There was also some concern that the outcome of the Strategic Housing Land Availability Assessment (SHLAA) was not available at the time of the consultation on this chapter, however the SHLAA had now been shared with all interested parties

There was support for the definition of the settlement hierarchy as a basis to plan for future growth

The need to better integrate the theme with the Vision for Leeds and other strategies had been noted

Comments from Government Office of Yorkshire and the Humber (GOYH) had related to the sequence of documents and its overall flow and Members were informed that Officers would consider these matters

In respect of cross-boundary issues, dialogue would continue with neighbouring authorities although some were at different stages, ie Wakefield Council had adopted their Core Strategy whilst Bradford Council were not as far forward as Leeds in the preparation of their Core Strategy

A minor amendment was reported on page 37

Members commented on the following matters:

- the need for continuous discussion with neighbouring authorities including Harrogate
- the importance of cross boundary dialogue, particularly in respect of transport and Greenbelt issues
- whether comments made by GOYH were given more regard by Officers

- that if differences did occur between the Council and Government Office on these matters, the hope these could be resolved rather than being raised elsewhere
- the possibility of the GOYH being wound down and local authorities being given some of their powers
- the need to have a good relationship with the Integrated Transport Authority and the importance of transport infrastructure to enable some planning permissions to be implemented
- the possibility of a stronger role for the City Region if other regional bodies were dissolved

The Head of Forward Planning and Implementation stated that structures had been established under the City Region for cross-boundary dialogue and it was important not to duplicate existing mechanisms. There was also a standing meeting of Officers in other Local Authorities so it was felt there existed the scope to raise cross-boundary issues at two levels

In respect of the comments made by GOYH, the Panel was informed that some of these were at an editorial level and on the matters raised, Officers had compared other Core Strategies to the Leeds CS. Where it was felt that Government guidance was acceptable then it would be followed but where it was possible to make a case on local evidence then this is what would be done

RESOLVED - To note the report, the comments now made and course of further action as set out in appendix 1 of the submitted report in preparing a draft Publication Core Strategy

6 Leeds LDF Core Strategy - 'Preferred Approach' Analysis of consultation responses: Managing Environmental Resources Chapter

Further to minute 34 of the Development Plan Panel meeting held on 2nd February 2010 where Panel considered a report outlining comments received on the consultation exercise on the Leeds LDF Core Strategy 'Preferred Approach' – Managing Environmental Resources Theme, Members considered a further report setting out the detailed comments including the Council's initial response and details of any proposed action to be taken

The Head of Forward Planning and Implementation presented the report and outlined the main issues, these being:

- Biodiversity – with GOYH stating the policies were not locally specific enough
- Carbon reduction – with comments being received from developers about the financial viability of incorporating the required reductions into new developments. Members were informed that it was important to strike a balance between setting a standard for carbon reduction which was challenging whilst not being unreasonable. In terms of financial viability, the economic situation was also having an impact
- Renewable energy – with comments being generally supportive of the policy although there were requests for it to be more spatially specific
- Green infrastructure and climate change – Following responses on the two policies it was proposed to combine these to create a new CC2 policy which would apply District-wide

- Managing flood risk – that there was an intention to put more detail on this issue in the Natural Resources and Waste Development Plan Document. Regarding the Leeds Flood Alleviation Scheme, comments had been received from Wakefield Council that this could cause some difficulties in their area
- Natural resources and waste management – that a separate DPD was being prepared but that in response to the comments for strategic policies to be included in the Core Strategy, broad arching policies for waste and minerals would be included in the Core Strategy

In response to a question on how SSSIs and SEGIs would be maintained at a strategic level, the Panel was informed that the UDP afforded protection with the Core Strategy being used as a basis to continue this protection at a strategic level. It was hoped for site allocations a document would be prepared and if it was necessary to amend boundaries, this would be considered

Whilst the LDF stated that SSSIs would be protected in perpetuity, it might not be possible to use this same wording in the Core Strategy as it was not the role of the LDF to duplicate national guidance. However, it was felt that the document could signpost people to that precise wording, which would be a way to address this issue

RESOLVED - To note the report, the comments now made and the course of further action (as detailed in Appendix 1) in preparing a draft Publication Core Strategy

7 Leeds LDF Core Strategy - 'Preferred Approach' Analysis of consultation responses: Managing the needs of a growing city

Further to minute 34 of the Development Plan Panel meeting held on 2nd February 2010 where Panel considered a report outlining the initial comments received on the consultation exercise in respect of the 'Managing the needs of a growing city' theme, Members considered a further report setting out the detailed comments and including the Council's initial response and details of any proposed action to be taken

Officers presented the report and outlined the main issues relating to:

Housing supply

- concerns were raised in respect of the phased requirements which had been put forward with the criticism being made that this was 'back loading' the delivery of housing to later years
- the need to focus on urban areas and previously developed land
- that the policies would not deliver sufficient housing
- that some greenfield sites were needed to be considered alongside brownfield sites
- criticism of the previously developed land target of 75% over the planning period and that the figure of 85 – 90% in the early years was too high

Officers' response to these points were:

- with the abolition of the RSS, the housing targets would go and at this stage it was not clear what would replace these. If Local Authorities set their own targets, these would be subject to examination and evidence would need to be provided to support the figures being used

- that the OPCS household projection statistics indicated a higher figure was needed for housing provision, whereas the economy and actual housing demand indicated a lower figure was needed
- further work was currently underway to consider future housing growth options, to examine the concerns raised regarding green belt, locations of growth areas and the scale of this

Housing mix

- the main objection to this policy was that it was too prescriptive. The Panel was informed that Officers did not agree with this as the policy set bands for provision not individual targets for greater flexibility
- the lack of guidance in respect of the city centre was highlighted with Officers stating that this could possibly be looked at now that the City Centre APP was not being progressed

Affordable housing

- Two main objections had been made to this policy, these being the requirement for up to 40% affordable housing which was considered to be too onerous and not sufficiently evidenced, together with the view that the SPD on affordable housing should not be progressed in advance of the Core Strategy

In response to these two objections, Panel was informed that Officers were to refresh the evidence and that the Core Strategy would provide a 'hook' for the SPD but that the major part of the policy on affordable housing should be examined in greater detail so it would be included in the Core Strategy

Specialist housing

- an objection to this was in respect of the lack of evidence for the need to control specialist housing. Officers accepted the need to reference this so policy H6 would be retained and greater clarification would be made as would the potential for an area-based policy to be brought in at a later stage

In respect of comments on the Leeds Economy, Members were informed:

- there was general support for the retention of the primacy of the city centre as the main location for retail and leisure development
- some support for the identified employment land requirement but also some concerns that the requirement was insufficient to support the growth of Leeds as the main economic driver of the City Region

Officers agreed that there was a need to update the evidence base and to ensure a flexible supply of employment land was identified

Members commented on the following matters:

- the judgement and the implications of recent planning appeal decisions need to be considered
- the affordable housing targets and the need to take account of viability and to be realistic in some areas about the levels of affordable housing being sought
- to recognise that even affordable housing was beyond the reach of some people
- land use around Leeds Bradford Airport and whether all of the offices which had been built there were for uses related to the airport

- the need for a policy on employment land; that it had been useful in some areas of the city but that for it be effective it needed to be long-term and far-sighted

RESOLVED – To note the report, the comments now made and the course of further action (as detailed in Appendix 1 of the submitted report) in preparing a draft Publication Core Strategy

8 Natural Resources and Waste Development Plan Document - 'Policy Position' document: Analysis of consultation responses

Further to minute 46 of the Development Plan Panel meeting held on 11th May 2010 where Panel considered a report outlining the initial comments received on the consultation exercise on the Natural Resources and Waste Development Plan Document, Members considered a further report setting out the detailed comments and including the Council's initial response and details of any proposed action to be taken

Officers presented the report and outlined the main issues; these being:

- Land use
- Minerals – that attempts to identify sites for safeguarding had been made but that the Coal Authority was of the view that further work should be undertaken
- Energy – that the policy was drawn up in the context of the RSS targets but that these had been abolished
- Water – that a 'Sustainable Design and Construction' SPD was shortly due to be released for public consultation in respect of reducing water consumption for new developments
- Air Quality – the possibility of introducing low emission zones; that this would tie into transport issues and that more work and consultation on this would be needed
- Waste – that no further sites had been identified for hazardous waste; that there was a need for long-term forecasting on waste levels linking in with policy PPS10 which related to the need to identify sites for waste over the plan period, including cross-boundary discussions. On this matter, the Panel was informed that Wakefield Council had approved their Waste Development Plan Document

Members commented on the following matters:

- that politically, the most sensitive issue was in respect of open cast mining
- the dwindling supplies of sand and gravel in the region

RESOLVED – To note the report, the comments now made and the course of further action (as detailed in the Appendices) in preparing a draft Publication Natural Resources and Waste Development Plan Document

9 Date and time of the next meeting

Tuesday 13th July 2010 at 1.30pm

The Chair referred to the possibility of altering the day/time of future meetings and that the clerk, in conjunction with the Chair would look at possible dates and advise Members accordingly

Draft minutes to be approved at the meeting
to be held on Tuesday, 13th July, 2010

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NORTH WEST (INNER) AREA COMMITTEE

THURSDAY, 22ND APRIL, 2010

PRESENT: Councillor B Chastney in the Chair

Councillors B Atha, S Bentley, J Chapman,
P Ewens, M Hamilton, J Illingworth,
J Matthews, J Monaghan and L Yeadon

OFFICERS: Jason Singh, Acting West North West Area Manager
Chris Dickinson, West North West Area Management
Alison Gilliland, Environment and Neighbourhoods
Susan Holden, Chief Executive's Department
Nicola Raper, Chief Executive's Department
Stuart Robinson, Chief Executive's Department

MEMBERS OF THE PUBLIC:

Richard Tyler, Leeds HMO Lobby
Barrie Payne, Leeds HMO Lobby
Penny Bainbridge, Cardigan Centre
Sue Holmes, Leeds Metropolitan University
Liam Challenger, Leeds Metropolitan Student's Union
Hannah Greenslade, Leeds University Student's Union
Ted Winter, Royal Park Community Consortium
Johnny Solstice, Royal Park Community Consortium
Jake England – Johns, Royal Park Community Consortium
Andrew Milne Beresford, Royal Park Community Association
Jessica Morris, Royal Park Community Consortium
Liz Boyd, Royal Park Community Consortium
J Sherwin, Royal Park Community Association
Sue Buckle, South Headingley Community Association
Clare Marlow, North Hyde Park Neighbourhood Association
John Barron, Guardian Leeds

91 Chair's Opening Remarks

The Chair welcomed everyone to the April meeting of the North West (Inner) Area Committee held at Abbey Grange Church of England High School, Butcher Hill, Leeds 16.

He informed the meeting that as there were no Elected Members present from the Hyde Park and Woodhouse ward, the meeting was currently inquorate.

92 Declarations of Interest

a) The following personal declarations were made:-

- Councillor J Illingworth in his capacity as Company Secretary of 'dig2ride' which was a charitable company established to provide BMX dirt jumps in the Kirkstall Valley (Agenda Item 11) (Minute 100 refers)

b) The following personal and prejudicial declaration was made:-

- Councillor J Illingworth in his capacity as Company Secretary of 'dig2ride' which was a charitable company established to provide BMX dirt jumps in the Kirkstall Valley (Agenda Item 12) (Minute 101 refers)

93 Apologies for Absence

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

94 Open Forum

In accordance with paragraph 6.24 and 6.25 of the Area Committee Procedure Rules, the Chair allowed members of the public to make representations or ask questions on matters within the terms of reference of the Area Committee:-

a) New Laws on Shared Houses (HMOs) (Houses in Multiple Occupation)

Dr Richard Tyler, Leeds HMO Lobby made a brief reference to the following legislation in relation to new laws on Shared Housing (HMOs):-

- Statutory Instrument 2010 No. 653 *The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010* which came into force 6th April 2010
- Statutory Instrument 2010 No. 654 *The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010* which came into force 6 April 2010
- Communities & Local Government *Introducing a definition of houses in multiple occupation into the Use Classes Order: Impact assessment*, CLG, London, 18 March 2010
- Communities & Local Government, *Circular 05/10: Changes to Planning Regulations for Dwelling Houses and Houses in Multiple Occupation*, CLG, London, 31 March 2010
- Communities & Local Government, *General consents for discretionary licensing schemes under Parts 2 and 3 of the Housing Act 2004: Consultation - Summary of responses*, CLG, London, 31 March 2010; general consent delegated to local authorities, 1 April 2010

As a result of this legislation, all new HMOs needed planning permission and the new rules also meant that you don't need permission to turn a HMO back into a family home.

The Committee welcomed this new legislation and paid tribute to Leeds HMO Lobby and local residents for ten years of campaigning.

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

- the need for a report to be brought to the Area Committee on the policing/monitoring of HMOs
(The Acting West North West Area Manager responded and agreed to consult with the Housing Strategy Team with the aim of bringing a local tailored HMO report to the next meeting In July 2010)
- the view expressed that discretionary licensing could help local authorities in relation to enforcement in the long run and the need for the Area Committee to place on record it's opposition to the Conservative's Parties position on HMOs which favoured landlords
(The Area Committee supported this statement)
- the concerns expressed about the increasing problems of Anti Social Behaviour resulting from the large number of HMO properties in Kirkstall (Burley in particular) where student lets were not being returned to family properties and the need for the Area Committee to address this issue
(The Acting West North West Area Manager responded and agreed to include this issue within the HMO report)

Councillor P Ewens joined the meeting at 7.15pm during discussions of the above item. The meeting was now quorate.

b) Royal Park School

Sue Buckle, South Headingley Community Association wished to place on record her sincere thanks to Councillors for their continuing efforts in securing the retention of the building for community use.

A debate then ensued on the discussions that took place at the Council Meeting held on 21st April 2010 in relation to Royal Park School.

At the request of the Chair, the Acting West North West Area Manager provided the meeting with the background detail and it was noted that a report on this issue would be submitted to the Council's Executive Board in July 2010.

A member of public also raised his concerns about the damage caused to the roof of the school by scaffolding works which had resulted in a number of slates being removed.

The Acting West North West Area Manager responded and agreed to raise this issue with the Asset Management Team with a report back on progress at the next meeting.

c) 649 Kirkstall Road

Councillor J Illingworth raised his concerns about the continuing problems associated with 649 Kirkstall Road and the failure of the Asset Management team to address them.

The Acting West North West Area Manager responded and confirmed that this issue would be addressed in the report due for consideration at the next meeting.

d) Proposed Closure of the City of Leeds High School

Sue Buckle, South Headingley Community Association, reaffirmed the need for a high school within the Hyde Park and Woodhouse area.

e) Operations on Woodhouse Moor

Sue Buckle, South Headingley Community Association referred to the current operations being undertaken on Woodhouse Moor and welcomed the fact that there was no smoke or haze problems in the area. She wished to place on record her personal thanks to Kevin Barker, Executive Officer, Parks and Countryside and his team for their excellent work on Woodhouse Moor.

f) New Generation Transport (NGT) - Works on Woodhouse Moor

Sue Buckle, South Headingley Community Association reported her current concerns about the damage caused to a number of flagstones on Woodhouse Moor by the New Generation Transport team.

A debate ensued and the Chair agreed to contact the New Generation Transport team to ascertain the personal details of the team which would then be passed on to Sue Buckle for her information/retention.

g) Litter Problems on Woodhouse Moor

Councillor J Monaghan raised his concerns about the amount of litter on Woodhouse Moor and queried if the park was getting the additional resource as funded by Area Committee Well-being monies.

Jason Singh, Acting West North West Area Manager responded and agreed to raise this issue with Parks and Countryside.

h) HEART/Headingley Development Trust

A number of residents enquired on the latest position with regards to HEART/Headingley Development Trust (HDT).

Jason Singh, Acting West North West Area Manager responded and provided the meeting with an update, together with the current legal implications regarding the transfer arrangements of the building indicating that LCC were waiting for the scheme's external funders to resolve these matters in preparation for an exchange of contracts.

i) Barbeque Activity at Kirkstall Abbey

Councillor L Yeadon referred to a recent article on Unipol's website which encouraged people to have barbeques at Kirkstall Abbey. She deplored this course of action.

Jason Singh, Acting West North West Area Manager responded and agreed to follow up this issue with a report back at the next meeting.

95 Minutes of the Previous Meeting

RESOLVED- That the minutes of the previous meeting held on 25th February 2010 be approved as a correct record.

96 Matters Arising from the Minutes

a) West Park Centre (Minute 82 refers)

Councillor B Atha referred to the proposed sale of the West Park Centre and of the fact that he was in receipt of a number of e mails which alleged that the sale was imminent.

Detailed discussion ensued on this issue and it was noted that no decision had been made to sell the building and that it was still the Council's intention to retain the site for community use.

Councillor S Bentley referred to an e mail in her possession which confirmed that the building was not to be sold and, on behalf of the Chair, she agreed to forward a copy of this e mail to Councillor B Atha for his information/retention.

b) Former Royal Park School (Minute 84 a refers)

Councillor B Atha referred to the above issue and enquired on the latest position with regards to the legal costs.

It was noted that this issue had been debated at the Council Meeting held on 21st April 2010 and that a report setting out the legal position and implications would be submitted to the Executive Board in July 2010 for consideration.

c) Hyde Park and Woodhouse Forum (Minute 84 b) refers)

The Committee noted that a meeting of the Hyde Park and Woodhouse Forum would be held on Wednesday 12th May 2010 at 7pm at Woodsley Road Community Centre.

97 Dates, Times and Venues of Area Committee Meetings 2010/11

The Chief Democratic Services Officer submitted a report requesting Members to give consideration to agreeing the dates and times of their meetings for the 2010/11 municipal year.

RESOLVED-

- a) That the contents of the report be noted.
- b) That approval be given to the dates and times for the North West (Inner) Area Committee for 2010/11 in accordance with the report now submitted.
- c) That Members of the Committee be requested to give consideration to any suitable venues with their respective wards and to forward any suggestions to the Acting West North West Area Manager for discussion with the Chair.

98 Little London Intensive Neighbourhood Management Project

The Director of Environment and Neighbourhoods submitted a report outlining the achievements of the Little London Intensive Neighbourhood Management (INM) project and providing information on plans for the partnerships and delivery of the Neighbourhood Improvement Plan in 2010/11.

Appended to the report was a copy of a document entitled ' Little London – Neighbourhood Improvement Plan 2009 – 2011' for the information/comment of the meeting.

Chris Dickinson, West North West Area Management presented the report and responded to Members' comments and queries.

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

- the need to convey this Committee's thanks and appreciation to those officers and staff who were involved in the successful clean up scheme of Hawksworth Wood where a significant improvement has been achieved
- the need for the Area Committee to closely monitor the situation in relation to the loss of two services; the weekly drugs outreach and the dedicated Streetscene Pride Team as a result of both Safer Stronger Community Funding and Neighbourhood Renewal Funding coming to the end of their three year programme in March 2010.

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

99 Licensing Act 2003 Policy and Cumulative Impact Policy

The Assistant Chief Executive (Corporate Governance) submitted a report providing the Area Committee with the opportunity to make comment on the current policy which included a cumulative impact policy for Headingley and Woodhouse/Hyde Park.

Appended to the report was a document entitled ' Licensing Act 2003 Statement of Licensing Policy 2008-2010' for the information/comment of the meeting.

Sue Holden, Principal Project Officer, and Nicola Raper, Section Head, Corporate Governance were in attendance and responded to Members' queries and comments.

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

- the need for a separate meeting of the Headingley Forum to be convened to enable residents to convey their detailed comments on the Cumulative Impact Policy and with a requirement to extend the geographical area
(The Acting West North West Area Manager responded and agreed to make the necessary arrangements)

- to welcome the fact that Weetwood ward's requirements relating to the Far Headingley area had been taken into consideration within the document
- clarification of the regulations in relation to alcohol delivery services and proof of age
(The Principal Project Officer responded and explained that new mandatory conditions would address this issue and it was accepted that was an area enforced by Trading Standards)
- clarification of the criteria in relation to 'Carnage Events'
(The Principal Project Officer responded and explained that it was difficult to prevent such events, although the promoters now liaised closely with the responsible authorities and the events were monitored)
- clarification of the lap dancing regulations
(The Principal Project Officer responded and explained that this would be regulated under new legislation and was subject to a separate policy)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That Members of the Committee be requested to forward any further comments on the Licensing Act 2003 Policy and Cumulative Impact Policy to the Principal Project Officer, Corporate Governance in accordance with public consultation period outlined in Section 3.5 of the report.

100 Inner North West Area Delivery Plan

The Director of Environment and Neighbourhoods submitted a report presenting the meeting with an updated Inner North West Area Delivery Plan (ADP) for 2010-11 for approval, and to inform Members of the proposed content and format of the Area Delivery Plan with detail of how it will link with the Leeds Strategic Plan.

Appended to the report was a copy of a document entitled 'Inner North West Area Committee – Area Delivery Plan 2008/11' for the information/comment of the meeting.

Chris Dickinson, West North West Area Management presented the report and responded to Members' queries and comments.

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

- the need to strengthen the Enterprise and Economy theme and to consider establishing a Sub Group to lead on this
(The Acting West North West Area Manager responded and confirmed that further work would be undertaken to address these issues and that officers would work closely with the theme Champion to link with the existing worklessness partnership)
- the need for the work of the voluntary and community sector to be better reflected in the Area Delivery Plan

(The Acting West North West Area Manager responded and made reference to the development of an Community Engagement Plan in this respect)

- the need for the Council to improve its community engagement efforts in relation to the A65 Bus Scheme and to adopt a more consistent engagement approach, especially within the Kirkstall area
(The Acting West North West Area Manager responded and confirmed that a summary of the Area Delivery Plan would be presented to Area Committee later in the year that addressed some of these issues)
- the need to explore the possibility of establishing a Sub Group in relation to the District Children Leeds Partnership
(The Acting West North West Area Manager responded and indicated that Jane Maxwell was in discussions with Councillor P Ewens in preparation for a meeting of the Children and Young People's sub group)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That approval be given to the draft Area Delivery Plan in accordance with the report now submitted.

101 Area Manager's Report

The Director of Environment and Neighbourhoods submitted a report informing Members of progress on a number of projects in Inner North West Leeds as determined by the Area Delivery Plan 2008-11.

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

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

- clarification of the issues and arrangements in relation to the preparations for the Year of the Volunteer 2010
(The Acting West North West Area Manager responded and outlined the arrangements, with specific reference to hosting a volunteer celebration event in September 2010 to held in the Civic Hall, Leeds)
- to note that Councillor L Yeadon in her capacity as 'Area Committee Year of the Volunteer Champion' would be attending a steering group meeting in the near future, together with convening a briefing session with the Leeds Year of Volunteering 2010 Co-ordinator after the elections
- the need for a letter to be sent by the Chair, on behalf of the Area Committee, to Parks and Countryside seeking the assurances that work to develop the proposed BMX trial on disused land known as Dobby Row, off Kirkstall Road, be progressed without delay
(This proposal was supported by the Committee)

RESOLVED-

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

- b) That approval be given to £5,000 Well-being revenue funding, in principle, to cover the costs of the Dobby Row BMX trail feasibility study, as referred to in paragraph 6.6 of the report, should the scheme not progress to completion.
- c) That the Chair write, on behalf of the Area Committee, to Parks and Countryside seeking the assurances that work to develop the proposed BMX trail on disused land known as Dobby Row, off Kirkstall Road, be progressed without delay.

(Councillor J Illingworth having previously declared a personal and prejudicial interest in the Dobby Row BMX trail feasibility study, left the room during this item and took no part in the discussion or voting thereon)

102 Key Messages from Area Committee Sub Groups and Forums

The Director of Environment and Neighbourhoods submitted a report providing Members with an update and summary on progress made at the Area Committee sub groups and ward forums that have taken place since the last Area Committee.

Appended to the report was a copy of a document entitled 'Report of Environmental Action Team Service Manager – Deployment of Community Environment Officers and Support Officers within the Area Committee' for the information/comment of the meeting.

Chris Dickinson, West North West Area Management and Alison Gilliland, Environment and Neighbourhoods presented the report and responded to Members' queries and comments.

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

- the need to establish a Health and Well-being Sub Group or to expand the group that currently exists in Hyde Park and Woodhouse
(The Acting West North West Area Manager responded and outlined the work currently undertaken by the Health Partnership in order to address Health issues in the area. It was agreed to request Tim Taylor, Health Partnership Board to present a report to the Area Committee at the July 2010 Area Committee meeting before progressing with any plans for the development of a sub group)
- the need for a progress report on PP17 Assessment to be submitted to a future Area Committee
(This proposal was supported by the Committee)
- clarification of the current deployment arrangements in relation to the Community Environment Officer and Community Environment Support Officer; the role of the Environmental Sub Group in this regard and whether these officers be continued to be deployed to Hawksworth Wood and Little London, as a top priority, or that they be deployed in other areas within the NW Inner area where there was an increasing demand
- some indication of a discussion over resolution c) regarding the decommissioning of the York stone budget

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Environmental Action Team's Community Environment Officer and Community Environment Support Officer be continued to be deployed to Hawksworth Wood and Little London as a top priority, and that the Environmental Sub Group be requested to monitor the situation over the next six months with a view to coming back to the Area Committee on any proposed changes to their working arrangements.
- c) That approval be given to the recommendation in Section 3.2.2 of the report to decommission the York stone capital budget and to split the £7,500 funding between Hyde Park and Woodhouse, Headingley and Kirkstall wards.

103 Date and Time of the Next Meeting

Thursday 1st July 2010 at 7.00pm in the Civic Hall, Leeds.

(The meeting concluded at 8.40pm)

NORTH WEST (OUTER) AREA COMMITTEE

MONDAY, 21ST JUNE, 2010

PRESENT: Councillor B Cleasby in the Chair

Councillors B Anderson, A Barker,
C Campbell, J L Carter, R Downes, C Fox,
G Kirkland, G Latty, P Latty and
C Townsley

1 Election of Chair 2010/11

The Chief Democratic Services Officer submitted a report outlining the arrangements for the annual election of the Chair of the Area Committee.

In accordance with the agreed procedure, the Chief Democratic Services Officer reported that a nomination for the position of Chair had been received on behalf of Councillor B Cleasby and those Elected Members present at the North West (Outer) Area Committee meeting were asked to take a formal vote.

RESOLVED –

- a) That the contents of the report be noted.
- b) That following an overall majority of votes cast by those Elected Members present at the meeting eligible to vote, Councillor B Cleasby be elected as Chair of the North West (Outer) Area Committee for the Municipal Year 2010/11.
- c) That Councillor G Latty be appointed as Deputy Chair of the North West (Outer) Area Committee for the Municipal Year 2010/11 as proposed by Councillor J L Carter and seconded by Councillor R Downes.

2 Chair's Opening Remarks

The Chair welcomed everyone to the first meeting of the North West (Outer) Area Committee held within the new municipal year in the Civic Hall, Leeds.

He also wished to place on record his appreciation to Councillor C Townsley, the outgoing Chair, for his past services as Chair of the North West (Outer) Area Committee.

3 Late Items

The Chair agreed to include the following report as a late item of business:-

- Executive Board Report – 22nd June 2010 – Strategic Review of Household Waste Sorting Sites and Bring Sites – Report of the Director of Environment and Neighbourhoods (Minute 19 refers)

The report was late in order to seek Members views and comments on the Executive Board report prior to the meeting on 22nd June 2010.

Draft minutes to be approved at the meeting
to be held on Monday, 27th September, 2010

4 Declaration of Interests

a) The following personal interests were declared:-

- Councillor C Campbell in his capacity as a Member on the Leeds Bradford Airport Consultative Committee (Agenda Item 16) (Minute 8 refers)
- Councillor R Downes in his capacity as Chair of the West Yorkshire Passenger Transport Authority (Agenda Items 12 and 13) (Minutes 12 and 13 refer)
- Councillor B Anderson in his capacity as a Member on the West Yorkshire Integrated Transport Forum (Agenda Items 12 and 13) (Minutes 12 and 13 refer)
- Councillor C Fox in his capacity as Director of West North West Homes and as a Member on the West North West Area Panel (Agenda Items 13 and 15) (Minutes 13 and 15 refer)
- Councillor G Latty in his capacity as a Member on the West North West Area Panel (Agenda Items 13 and 15) (Minutes 13 and 15 refer)

b) The following personal and prejudicial interest was declared:-

- Councillor A Barker in his capacity as a Member on Horsforth Town Council (Agenda Item 9) (Minute 9 refers)

5 Apologies for Absence

An apology for absence was received on behalf of Councillor S Andrew.

6 Open Forum

In accordance with Paragraphs 6.24 and 6.25 of the Area Committee Procedure Rules, the Chair allowed a period of up to 10 minutes for members of the public to make representations or ask questions on matters within the terms of reference of the Area Committee.

- a) Otley and District Road Safety Committee Sports Quiz
Hazel Lee, Pool Parish Council thanked the Area Committee for their recent generosity towards the above event.

She informed the meeting that the three winning schools of the sports quiz were:-

- Yeadon Westfield
- Ashfield College
- Adel Primary

The Committee noted and welcomed that the organisers were hoping to extend the quiz to other schools in the future following the success of the event.

During a debate, the Committee recommended that, in future, the organisers should send a direct invitation to the Area Committee Members.

Hazel Lee responded and agreed to convey this decision.

b) Leeds Bradford International Airport

Clive Woods, Aireborough Civic Society raised the following issues and questions which were contained in a letter he had prepared for submission to Leeds Bradford International Airport:-

- the need for Leeds Bradford International Airport to work with local agencies regarding the airport's future
- congestion problems in the area and the need for the airport to engage in marketing and publicity campaigns
- Airport Transport Forum – the need for more detail in this area
- Travel Plans for airport staff – the need for an update in this area
- Light aircraft noise/overhead flying at the weekends – the need for Leeds Bradford International Airport to address this issue within their Noise Action Plan

Following a brief discussion, the Area Committee agreed that Mr Wood's letter be referred to Leeds Bradford International Airport for a response and that Members of the Area Committee be furnished with a copy of their reply.

(Councillor C Townsley joined the meeting at 2.10pm during the discussions of the issue relating to Leeds Bradford International Airport)

7 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 29th March 2010 be approved as a correct record.

8 Leeds Bradford International Airport

Referring to Minute 87(a) of the meeting held on 29th March 2010, the Director of Environment and Neighbourhoods submitted a report on progress in relation to a Draft Noise Action Plan at Leeds Bradford Airport.

In addition to the report, Members received a presentation from Carl Lapworth, Director of Operation and Engineering from Leeds Bradford International Airport who responded to Members' queries and comments.

The presentation briefly covered the following specific issues:-

- Our Airport Today..context
- Noise Action Plan
- Responses by Area/Topic
- Light Aircraft Movements

Draft minutes to be approved at the meeting
to be held on Monday, 27th September, 2010

- Next Steps

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

- clarification of the reasons behind the reduction in aircraft movements, especially light aircraft activity
- clarification of the responses and data received from other airports
- the need for the airport to consult with the Council/Elected Members/Area Committee and members of the public
- the concerns expressed about the airports failure to engage in a proper consultation exercise which was viewed to be over complicated
- the need for the airport to focus on increasing scheduled flights and the income generated by over priced taxi fares at the airport
- clarification of night time flights and the concerns expressed about the noise generated by certain types of aircraft used at different times of the day
- the concerns expressed about increased traffic levels and the dangers of speeding on local roads arising from people accessing the airport
- the need for the airport to undertake a survey of traffic accessing the airport at northern side of the Dynley Arms junction

RESOLVED- That the contents of the report and presentation be received and noted.

9 Well Being Budget Report

Referring to Minute 91 of the meeting held on 29th March 2010, the Director of Environment and Neighbourhoods submitted a report providing Members with a current position statement on the well-being budget, details of proposed projects and small grant applications received to date.

Jane Pattison, West North West Area Management, presented the report and responded to Members' queries and comments.

RESOLVED-

- That the contents of the report and appendices be noted.
- That this Committee notes the current position of the Well-being budget as detailed in Sections 2.0 and 3.0 of the report.
- That the following projects outlined in Section 4.0 of the report be dealt with as follows:-

<u>Name of Project</u>	<u>Name of Delivery Organisation</u>	<u>Decision</u>
Community Skips Budget	West North West Area Management	Agreed £4,000 (revenue)
Small Grants Budget	West North West Area Management	Agreed £12,000 (revenue) (£3,000 per ward)

Draft minutes to be approved at the meeting to be held on Monday, 27th September, 2010

Horsforth PCSOs	West Yorkshire Police and Horsforth Town Council	Agreed £8,100 (revenue)
Horsforth CCTVs – Monitoring and Maintenance	Leeds Community Safety	Agreed £3,192 (revenue)
Otley CCTV	Leeds City Council Community Safety	Agreed £7,420 (revenue)
Yeadon CCTV	Leeds City Council Community Safety	Agreed £6,185 (revenue)
Outdoor activities for young people and their families – Leeds Sailing and Activity Centre Yeadon Tarn	Sport and Recreation Service – City Development	Agreed £3,793 (revenue)
Youth Mobile 2010/11	Youth Service	Agreed £8,400 (revenue) (£2,100 per ward) and for a report being submitted to the Children and Young People Sub Group for discussion addressing the specific issue of the total spent on youth service funding
Leodiensians Junior Rugby Club Kitchen Refurbishment	Leodiensians Junior Rugby Club	Agreed £4,850 (capital)
Energy Efficiency Campaign	Leeds City Council Health and Environmental Services	Deferred for more information

CASAC Burglary
Reduction

CASAC Leeds
United

Deferred for
further
discussion at
the Community
Safety Group

- d) That the small grants as detailed in Section 5.2 of the report be noted.
- e) That in order to assist Members with their deliberations, the Acting West North West Area Manager be requested to provide the meeting with a running ward by ward total of monies spent, together with an itemised spreadsheet, when considering future Well-being reports.

(Councillor C Townsley left the meeting at 3.30pm during discussions of the Energy Efficiency Campaign project)

10 Well-being 2009/10 Year End Monitoring Report

The Director of Environment and Neighbourhoods submitted a report providing Members with a summary of Well-Being projects commissioned during 2009/10.

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

- Revenue Funded Projects for 2009/10 (Appendix 1 refers)
- Capital Funded Projects for 2009/10 (Appendix 2 refers)
- Quarter 4 2009/10 - Well-Being Projects Updates (Appendix 3 refers)

Jane Pattison, West North West Area Management, presented the report and responded to Members' queries and comments.

Specific discussion ensued on the five Conservation Area Reviews identified in Section 5.1 of the report and Members requested progress on the Yeadon Conservation Area Review project.

Jason Singh, Acting West North West Area Manger responded and agreed to report back on progress at the next meeting in September 2010.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That in relation to the Yeadon Conservation Area Review, the Acting West North West Area Manager be requested to report back on progress at the next meeting in September 2010.

11 CCTV Report for Leeds City Council Community Safety CCTV Service in North West (Outer) Area Committee

The Director of Environment and Neighbourhoods submitted a report on the Community Safety CCTV service in relation to the North West (Outer) area.

Appended to the report was a copy of a document that provided Members with a financial breakdown and a summary of incidents reported to the North West (Outer) Area Committee for the information/comment of the meeting.

Zahid Butt, Environment and Neighbourhoods presented the report and responded to Members' queries and comments.

Reference was made to the maintenance costs for CCTV cameras and Members requested that details of the actual monitoring costs be reported back at the next meeting in September 2010.

Jason Singh, Acting West North West Area Manager responded and agreed to consult with the CCTV Co-ordinator on this issue.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Acting West North West Area Manager be requested to report back on details of the actual monitoring costs for CCTV cameras at the next meeting in September 2010.

12 Area Delivery Plan Update - Quarter 4, 2009/10

The Director of Environment and Neighbourhoods submitted a report on progress for Quarter 4 against actions in the 2009/10 Area Delivery Plan for Outer North West.

Jane Pattison, West North West Area Management presented the report and responded to Members' queries and comments.

RESOLVED- That the contents of the report be noted.

13 Key Messages from Area Committee Sub Groups and Forums

The Director of Environment and Neighbourhoods submitted a report providing Members with an update and summary on progress made at the Area Committee sub-groups and Ward Forums that have taken place since the last Area Committee Meeting.

Jane Pattison, West North West Area Management, presented the report and responded to Members' queries and comments.

RESOLVED-

- a) That the contents of the report be noted.
- b) That approval be given to the membership of the sub groups for the coming year in accordance with the report now submitted.

- c) That in relation to the current vacancy on the Children and Young People Sub Group, Councillor P Latty be appointed with immediate effect.

14 Area Committee Roles for 2010/2011

The Director of Environment and Neighbourhoods submitted a report on Area Committee roles for 2010/11.

Appended to the report was a summary of the functions to be rolled forward to 2010/11 for the information/comment of the meeting.

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

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

15 Dog Control Orders

The Director of Environment and Neighbourhoods submitted a report regarding the Council's proposals to introduce Dog Control Orders in the City.

Stacey Campbell, Service Manger, Environment and Neighbourhoods presented the report and responded to Members' queries and comments.

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

- clarification of the dog on lead control order and areas to be targeted in the future
- clarification of the protocol in relation to dogs fouling on football pitches
- clarification of where Golden Acre Park and Chevin Forest Park would sit within the new legislation and how dog control orders would be implemented in such areas
- reference to the Scrutiny Board (Environment and Neighbourhoods) Inquiry into Dog Wardens and the resourcing difficulties encountered
- the concerns expressed over the Council's proposal to limit the number of dogs walked by an individual to as many as six

RESOLVED - That the contents of the report be noted.

(Councillor J L Carter left the meeting at 4.00pm during discussions of the above item)

16 New Generation Transport

(This item was withdrawn at the request of the New Generation Transport Team)

17 Heritage Open Days

A report of the Leeds Civic Trust was submitted on Heritage Open days for the information/comment of the meeting.

Lynda Kitching, Leeds Civic Trust presented the report and responded to Member's queries and comments.

Discussion ensued on the merits of the event and the Chair encouraged Members of the Area Committee to forward any details of local groups, organisations, societies or charitable organisations within their area to the Leeds Civic Trust, who may wish to become 'hosts' to an event.

RESOLVED-

- a) That the contents of the report be noted.
- b) That the Heritage Open Days initiative be supported and welcomed.

18 Local Authority Appointments to Outside Bodies

The Chief Democratic Services Officer submitted a report outlining the Committee's role in relation to its Elected Member appointments to the community and local engagement category appointments to outside bodies which had been delegated to the Area Committee to decide.

RESOLVED:-

- a) That the contents of the report and appendices be noted.
- b) That in respect of the Outside Body schedule, approval be given to the following appointments being made for the Municipal Year 2010/11:-

Aireborough Educational Charity (All four year appointments with effect from 2010 until June 2014)	Michael Dunn S Waddington N Gledhill
Aireborough Voluntary Services to the Elderly with Disabilities	Councillor R Downes
Bramhope Youth Development Trust	Councillor C Fox
Horsforth Live at Home Scheme	Councillor B Cleasby
Rawdon and Laneshaw Bridge Trust (All four year appointments with effect from 2010 until 2014)	Councillor B Cleasby Mr S Waddington Mr J Peebles
ALMO Outer North West Area Panel	Councillor G Latty Councillor C Fox
Divisional Community Safety Partnership	Councillor A Barker
Area Children's Partnership	Councillor G Latty

Area Health and Social Care
Partnership

Councillor G Latty

Area Employment, Enterprise and
Training Partnership

Councillor B Cleasby

19 Executive Board Report - 22nd June 2010 - Strategic Review of Household Waste Sorting Sites and Bring Sites

The Director of Environment and Neighbourhoods submitted a report seeking Members views on the Executive Board report on the Council's ten household waste sorting sites due to be considered on 22nd June 2010. The report made specific recommendations affecting the waste sorting site at Calverley Bridge.

Appended to the report was a copy of the Executive Board report entitled 'Strategic Review of Household Waste Sorting Sites and Bring Sites' for the information/comment of the meeting.

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

Specific reference was made to the following issues:-

- the need to see kerbside collection in place as being a pre-requisite and condition to the closure of Calverley Bridge Household Waste Sort Sites (HWSS)
- the need for land at the current Calverley Bridge site to be retained for 'employment use'
- the view that Milners Road was not as accessible to current users of Calverley Bridge as the report suggested
- the fact that users come to Calverley Bridge from as far as the Holtdales in Holt Park who do not yet have access to kerbside facilities

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Acting West North West Area Manager be requested to convey the above comments to the author of the Executive Board report prior to 22nd June 2010.

20 Date and Time of Next Meeting

Monday 27th September 2010 at 2.00pm (venue to be confirmed)

(The meeting concluded at 4.45pm)

NORTH EAST (INNER) AREA COMMITTEE

MONDAY, 21ST JUNE, 2010

PRESENT: Councillor M Rafique in the Chair

Councillors J Dowson, S Hamilton,
G Hussain, V Kendall, B Lancaster,
M Lobley and E Taylor

1 Election of Chair 2010/11

A report was submitted by the Chief Democratic Services Officer which outlined the arrangements for the annual election of Chair of the North East (Inner) Area Committee. It was reported that two nominations for the position of Chair had been received on behalf of Councillors Kendall and Rafique.

RESOLVED –

- (a) That the contents of the report be noted;
- (b) That following a vote by those Elected Members present at the meeting, Councillor Rafique be elected Chair of the North East (Inner) Area Committee for the 2010/2011 municipal year.

(Councillor Rafique took the Chair)

2 Chair's Opening Remarks

The Chair welcomed all in attendance to the first North East (Inner) Area Committee meeting of the new municipal year and invited Members and Officers present to introduce themselves to the meeting.

(Councillor Lancaster joined the meeting at 4.03 pm during the consideration of this item.)

3 Late Items

The Chair admitted to the agenda the following supplementary information to be considered as part of agenda item 14, Local Authority Appointments to Outside Bodies 2010/11:

- An update on Moor Allerton Elderly Care (MAECare) with a request that the Area Committee consider making an appointment to this Outside Body for 2010/11. Also submitted was an updated schedule of Area Committee appointments to Outside Bodies in the inner north east area (Minute No. 15 refers).

4 Declarations of Interest

Councillors Dowson, Hamilton, Hussain and Lancaster declared a personal interest in agenda item 11, Well-Being Fund 2010/11 (application by Leeds City Credit Union), in their capacity as Member's of Leeds City Credit Union. Councillor Dowson also declared a personal and prejudicial interest in this item as Director of Groundwork Leeds, but had already left the meeting prior to consideration of the item (Minute No. 12 refers).

Councillor Rafique declared an interest in agenda item 11, Well-Being Fund 2010/11 (application by West Yorkshire Police NPT), in his capacity as a member of the Divisional Community Safety Partnership. On the basis that the interest was personal and prejudicial, he withdrew from the meeting during the consideration of the item and did not vote (Minute No. 12 refers).

Councillor Lobley declared a personal interest in agenda item 11, Well-Being Fund 2010/11, in his capacity as a Director of Renew and Renewal Ltd (Minute No. 12 refers).

Councillors Lobley and Kendall declared a personal interest in agenda item 14, Local Authority Appointments to Outside Bodies, in their capacity as Member's of Community Action for Roundhay Elderly (CARE) (Minute No. 15 refers)

Further declarations of interest were made at later points in the meeting (Minute Nos. 9 and 12 refer.)

5 Apologies for Absence

An apology for absence was submitted on behalf of Councillor Harris.

6 Open Forum

In accordance with paragraphs 6.24 and 6.25 of the Area Committee Procedure Rules, the Chair allowed a period of up to 10 minutes for members of the public to make representations or to ask questions on matters within the terms of reference of the Area Committee. On this occasion, there were no matters raised under this item by members of the public.

7 Minutes - 15th March 2010

RESOLVED – That the minutes of the meeting held on 15th March 2010 be confirmed as a correct record.

8 Matters Arising from the Minutes

Members wished to place on record their thanks to former Councillors Harker and Wadsworth for their hard work and positive contribution to the Area Committee's work.

Minute No. 91 – Leeds City Credit Union Branch Network

One Member requested an update in relation to the Area Committee's request for a costed options appraisal to be conducted. The Area Manager reported that due to staffing and budget constraints, a costed options appraisal had not been completed.

9 Community Engagement Strategy

The East North East Area Manager submitted a report which presented a proposed new Community Engagement Strategy "Working Together" for the Inner North East Area Committee 2010/11.

The following information was appended to the report:

- Inner North East Priority Neighbourhoods Framework
- Review of Police and Communities Together (PACT) Meetings.

The Area Manager, Rory Barke, presented the report and responded to Members' questions and comments.

In brief summary, the main areas of discussion were:

- Clarification about priority neighbourhood boundaries – the Area Manager agreed to provide Members with details of the map boundaries.
- Community engagement work across north east inner and the need to make better use of the citizen's panel and survey work.
- Members welcomed the review and development of Police and Communities Together (PACT) meetings, but felt there was a need to develop local knowledge and experience, particularly in relation to Council issues, and for meetings to be linked to existing meetings and networks in the area.

RESOLVED –

(a) That the report and information appended to the report, including the agreement between partner organisations to provide greater support and attendance at public Police and Community Together (PACT) meetings, be noted

(b) That the "Working Together" Community Engagement Strategy for 2010/11, be approved

(c) That appointments in relation to the new Community Leadership Teams (CLTs) for 2010/11 be agreed at Ward Member meetings and endorsed by the Area Committee

(d) That the Area Management Team be given authority to work with relevant Ward Members on establishing the CLTs for priority neighbourhoods, as set out in the strategy

(e) That the Area Management Team works with Moortown Ward Members on developing the best approach to managing partnership and community

engagement activity in the Moor Allerton priority neighbourhood and bring back recommendations to the Area Committee.

(Councillor Lancaster declared a personal interest in this item in her capacity as a Member of West Yorkshire Police Authority.)

10 North East Divisional Community Safety Partnership - Annual Report

The East North East Divisional Community Safety Partnership submitted a report which provided an overview of the performance of the North East Divisional Community Safety Partnership and ward based Neighbourhood Policing Teams.

The following information was appended to the report:

- Final Divisional targets for 2009/10 based on actual outturns and Divisional targets set for 2010/11
- Structure Chart of the Divisional Community Safety Partnership
- Timetable of Champion Days of Action 2010
- Proceeds of Crime Act – Summary of allocations in the inner north east area.

The Chair welcomed to the meeting, Superintendent Tim Kingsman, West Yorkshire Police and Beverley Yearwood, Area Community Safety Co-ordinator, to present the report and respond to Members' questions and comments.

On behalf of the Area Committee, the Chair congratulated Beverley Yearwood, who had recently made the finals of the Local Government Worker of the Year award.

In brief summary, the main areas of discussion were:

- Concern by local residents about the bottle bank sited at Lidgett Lane, particularly due to noise disturbance. It was reported that there were ongoing discussions in relation to potentially removing the bottle bank.
- Concern about the issue of vulnerable people being "ripped off" by bogus contractors. It was advised that discussions were being held with trading standards and the local community about introducing 'no cold calling zones'.
- Clarification about the practice of 'stop and account', particularly in terms of targeting young people and the difference between this and 'stop and search'.
- Clarification that under para. 52 of the report, 'confidence in local policing', March 2010 figure should have read 66.5% not 57.7%.

RESOLVED – That the report and information appended to the report be noted.

(Councillor Dowson left the meeting at 4.50 pm at the conclusion of this item.)

Draft minutes to be approved at the meeting
to be held on Monday, 6th September, 2010

11 CCTV- Six Monthly Update Report

The Director of Environment and Neighbourhoods submitted a report which highlighted the services provided by Leeds City Council Community Safety CCTV, particularly in terms of demonstrating the effectiveness of the service in reducing the fear of crime and facilitating the apprehension and detection of offenders in areas covered by CCTV.

Appended to the report was a summary of incidents reported in the inner north east area.

RESOLVED – That the report and information appended to the report be noted.

12 Wellbeing Fund 2010/11

The East North East Area Manager submitted a report which presented proposed projects and activities relating to the agreed themes and outcomes of the Area Delivery Plan. Members were invited to determine the capital and revenue proposals as detailed within the report.

Appended to the report was the latest financial position of the well-being (revenue and capital) budget.

Sharon Hughes, Area Management Officer, presented the report and responded to Members' questions and comments

In brief summary, the main highlighted points were:

- In relation to the youth services and extended services project for out of school activities, Members requested further information about the locations to be used to deliver vocational activities.
- There was a request for a representative of the Probation Service to attend future Ward Member briefings.
- It was agreed by Area Management to undertake a review of spending on community skips and report back to the Area Committee.

RESOLVED –

(a) That the following decisions be made in relation to the well-being (revenue) funding proposals which had been submitted for determination at the meeting:

- Exhale Training – Training Scheme and Promotional Material – £6,000 (ADP Theme – Healthy Living) – £4,000 approved towards training provision for 40 people
- ZEST Meanwood – Family Projects – £5,160 (ADP Theme – Healthy Living) – £1,500 approved towards projects 3 and 4
- CANPLAN – Open Day and Printing of Plan – £1,325 (ADP Theme – Community Life) – £1,325 approved

- Chapel Allerton Food Festival – Village Fete and Food Festival – £1,500 (ADP Theme – Community Life) – Funding of £1,500 approved by the East North East Area Manager. Decision endorsed by the Area Committee.
- Leeds City Council Youth Service and Extended Services – Young People’s Accredited Out of School Activities – £11,605 (ADP Theme – Learning for All) – £8,500 approved (pre-learner driver, confidence building and hair and beauty elements not supported)
- Leeds Ahead – Business and Community Projects – £4,500 (ADP Theme – Learning for All) – £4,500 approved
- Child Seasons – Holiday Playscheme and Equipment – £12,500 (ADP Theme – Things to Do) – £500 small grant approved, subject to clarification of registered charity, voluntary/community group or not-for-profit-organisation status.
- Groundwork Leeds – Stonegates Playspace – £9,639 (ADP Theme – Clean and Green) – £7,163 approved (The Well-being Fund Working Group was supportive of the project with the exception of the artwork entrance feature, subject to a review of the design at a Moortown ward meeting, and the involvement of the local Neighbourhood Policing Team)
- DOJO – Club Panda – £10,000 (ADP Theme – Learning for All) – £8,500 approved, subject to further documentary evidence being provided. (The Well-being Fund Working Group recommended that the trips be reduced to once a week and was not supportive of the food element)
- Area Management Team – 2010 Volunteer Thank You Event – £2,000 (ADP Theme – Community Life) – £2,000 approved
- West Yorkshire Police Neighbourhood Police Team – Cold Calling Reduction Project – £1,800 (ADP Theme – Safer Neighbourhoods) – £1,200 approved to Roundhay, Moortown and Alwoodley NPT and £600 to Chapel Allerton NPT.
- Area Management – Consultation and Community Engagement – £3,000 (ADP Theme – Community Life) – £3,000 approved
- Area Management – Materials for Probation and Leeds Ahead – £1,000 (ADP Theme – Clean and Green) – £1,000 approved
- Area Management – Community Skips Budget – £5,000 (ADP Theme – Clean and Green) – £5,000 approved, subject to review of allocation across the inner north east area
- Leeds City Credit Union – Chapetown Joint Service Centre Partnership (ADP Theme – Local Economy) – £5,000 approved.

(b) That the following decisions be made in relation to the well-being (capital) funding proposals which had been submitted for determination at the meeting:

- Chapeltown Youth Development Centre (CYDC) – New Portable Goalposts – £4,833.95 – £2,900.37 approved
- St Edmund’s Community Hall – Stage Two Improvements – £3,584 – £3,584 approved.

(c) That the budget variation between capital and revenue be noted and that the application by Leeds Lights for Festive Lights in Inner North East Leeds –

£20,157 (capital) and £13,695 revenue (£10,126.50 from the Local Economy and £3,568.50 from Community Life ADP Themes), be approved

(d) That the budget variance be noted and any overspend be covered by a transfer from the "Getting Around" theme budget. Area Management to encourage appropriate bids for the remaining funding

(e) That the 2009/10 revenue budget end year position, be noted.

(Councillor Hamilton declared a personal interest in this item in her capacity as a Trustee of Leeds Women Aid.)

13 Priority Neighbourhoods - Update Report

The Director of Environment and Neighbourhoods submitted a report which provided the Area Committee with a quarterly update on activity and actions in the agreed priority neighbourhoods within the inner north east area.

Appended to the report were the Neighbourhood Improvement Action Plans for Meanwood and Chapeltown and Scott Hall.

The Chair welcomed to the meeting, Steve Lake, Neighbourhood Manager (Inner North East), to present the report.

Members requested that consideration be given to developing work on the Stonegates Estate and including this in the Meanwood priority neighbourhood.

RESOLVED – That the report and information appended to the report be noted.

14 Area Committee Roles 2010/11

The Director of Environment and Neighbourhoods submitted a report which presented a summary of the Area Functions and Priority Advisory Functions for 2010/11.

RESOLVED – That the report and information appended to the report be noted.

15 Local Authority Appointments to Outside Bodies 2010/11

The Chief Democratic Services Officer submitted a report which outlined the procedure relating to local authority appointments to outside bodies and invited Members to consider making appointments to those outside bodies detailed within the report.

RESOLVED –

- (a) That the report and information appended to the report be noted;
- (b) That approval be given to the following Outside Body appointments being made for the 2010/2011 municipal year:

- Moor Allerton Elderly Action (MAECare) – Refer back to North East (Outer) Area Committee
- Community Action for Roundhay Elderly (CARE) – Councillor Kendall
- East / North East Homes – Inner North East Area Panel – Councillor Hussain and Vacancy (to be reported back to the next meeting)
- Divisional Community Safety Partnership – Councillor Taylor
- Area Children’s Partnership – Councillor Lancaster
- Area Health and Wellbeing Partnership – Councillor Hamilton
- Area Employment, Enterprise and Training Partnership – Councillor Hussain.

16 Dog Control Orders

The Director of Environment and Neighbourhoods submitted a report which sought Members’ feedback on proposals to introduce Dog Control Orders across the City.

The Chair welcomed to the meeting, Graham Wilson, Head of Environmental Action and Parking, to present the report and respond to Members’ questions and comments.

One Member expressed concern that there was a need to be clear about the specific areas affected by dog control orders, e.g. not whole areas in parks, etc.

RESOLVED – That the report and information appended to the report be noted.

17 Dates, Times and Venues of Future Meetings

6th September, 2010
(St Edmunds Hall, Roundhay)

18th October, 2010
(Leeds Media Centre, 21 Savile Mount, LS7 3HZ)

6th December, 2010
(Immaculate Heart, 294 Harrogate Road, LS17 6LE)

31st January, 2011
(City Learning Centre, Allerton Grange School Talbot Avenue, LS17 6SF)

14th March, 2011
(Technorth, 9 Harrogate Road, LS7 3NB)

(All meetings to take place on a Monday at 4.00 pm).

(The meeting concluded at 6.10 pm.)

Draft minutes to be approved at the meeting
to be held on Monday, 6th September, 2010

EAST (INNER) AREA COMMITTEE

THURSDAY, 17TH JUNE, 2010

PRESENT: Councillor B Selby in the Chair

Councillors A Hussain, A Taylor, R Brett,
G Hyde, R Pryke, V Morgan and
K Maqsood

1 Election of Chair

The report of the Chief Democratic Services Officer informed Members of the arrangements for the annual election of the Area Committee Chair. It was reported that a nomination had been received in support of Councillor Graham Hyde to take the Chair for the 2010/11 Municipal Year.

Following a show of hands, it was

RESOLVED – That Councillor Graham Hyde be elected as Chair of the East Inner Area Committee for the 2010/11 Municipal Year.

2 Declaration of Interests

There were no declarations of interest.

3 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor R Grahame and Mr P Rone, Co-opted Member.

4 Open Forum

The agenda made reference to the provision contained in the Area Committee Procedure rules for an Open Forum Session at each ordinary meeting of an Area Committee, for members of the public to ask questions or to make representations on matters within the terms of reference of the Area Committee.

A member of the public addressed the Area Committee with concerns regarding the condition of the old library building on York Road. Contact had been made with Council officers regarding this in November 2009 when assurances were given that emergency repairs would be carried out, but these had not been carried out. The building was no longer secured and access could easily be made which raised concerns over safety. The following questions were asked:

- Why could the Council use powers to act on similar building at Armley (Mike's Carpets) and not York Rd?
- Could it be recategorised as a Priority B site?
- Can immediate repairs be carried out to the roof?

It was reported that Area Management would pursue this query with Planning/Conservation officers.

5 Minutes

RESOLVED – That the minutes of the meeting held on 25 March 2010 be confirmed as a correct record.

6 Community Charter Promises and Wellbeing Update Report

The report of the East North East Area Manager provided Members with an update on the progress against the 33 promises in the Community Charter for 2010-11. It included details of schemes developed in support of the Community Charter priorities. It also presented information on the Wellbeing revenue expenditure in order to monitor its use.

In brief summary, the following issues were discussed:

- Members attention was brought to the progress against promises as outlined in the report.
- It was reported that the 33 promises outlined in the Charter were all on track and progress was detailed in Appendix A of the report.
- The well being budget update and match funding.
- The provision of local employment opportunities for local people.

RESOLVED: That the following be noted:

- a) Progress on the delivery of Community Charter priorities (appendix A)
- b) Commissioned schemes detailed in paragraphs 8 – 12
- c) The Area Committee forward plan (appendix B)
- d) The summary of spending commitments (appendix C)

7 Priority Neighbourhoods

The report of the Director of Environment and Neighbourhoods provided the Area Committee with the following:

- Outline 2010/11 Neighbourhood Improvement Plans that set out key priorities for the development of actions to address inequalities in the Burmantofts, Gipton, Harehills, Richmond Hill and Seacroft priority neighbourhoods for approval

- a proposed framework to develop new local delivery and accountability arrangements in the priority neighbourhoods as part of the overall community engagement strategy for Inner East.

RESOLVED:

- (a) That the outline 2010/11 Neighbourhood Improvement Plans (NIPs) for the Burmantofts, Gipton, Harehills, Richmond Hill and Seacroft priority neighbourhoods; specifically the top priorities identified in paragraph 9 (with the addition of Crime/ASB as a priority for Gipton), be approved.
- (b) That the intention to develop action plans which tackle the top priorities and relevant Area Delivery Plan promises through local ward members and the new Community Leadership Teams and report progress to future Area Committee meetings be noted.

8 CCTV Report - for Leeds City Council Community Safety CCTV Service in East (Inner) Area Committee

The report of the Director of Environment and Neighbourhoods highlighted the services provided by Leeds City Council Community Safety CCTV to demonstrate the effectiveness of the service in reducing the fear of crime and facilitating the apprehension and detection of offenders in areas covered by both mobile and fixed CCTV cameras. Cost details were appended to the report.

In brief summary, the following issues were discussed:

- CCTV costs across Inner East Leeds
- Future CCTV provision
- CCTV provision in Seacroft and Bellbrooks

RESOLVED – That the report be noted

9 Appointments to Outside Bodies

The report of the Chief Democratic Services Officer outlined the procedures for Council appointments to outside bodies, and the Committee was requested to consider and appoint to those bodies listed at Appendix 2 and referred to in Paragraphs 14-33 of the report.

RESOLVED – That the following appointments be made, subject to Councillor A Taylor's agreement to accept the appointment to the Chapeltown Citizen Advice Bureaux:

Outside Body	Name	Review Date
Chapeltown Citizen Advice Bureaux	Councillor A Taylor	June 2011

Richmond Hill Elderly Aid	Councillor R Pryke	June 2011
East North East ALMO Area Panels	Councillor R Pryke Councillor V Morgan Councillor K Maqsood	June 2011
Divisional Community Safety Partnership	Councillor B Selby	June 2011
Area Children's Partnership	Councillor V Morgan	June 2011
Area Health & Wellbeing Partnership	Councillor R Brett	June 2011
Area Employment, Enterprise & Training Partnership	Councillor G Hyde	June 2011

10 Area Committee Roles for 2010/11

This report of the Director of Environment and Neighbourhoods presented the Area Committee with a summary of their Area Functions and Priority Advisory Functions for 2010/11. As there were no significant changes proposed to the functions agreed by the Executive Board for 2009/10, it was agreed that this approval is to be rolled forward to 2010/11.

RESOLVED – That the summary of approved Area Functions and designated priority functions for 2010/11 which are appended to this report be noted.

11 Inner East Community Engagement Strategy

The report of the East North East Area Manager presented for approval a proposed new Community Engagement Strategy, "Working Together", for the Inner East Area Committee for 2010/11.

The proposal had been updated following discussion at the previous Area Committee meeting to better explain the role of the proposed Community Leadership Teams and how it is proposed to strengthen the links between residents and the business of the Area Committee.

The report asked the Area Committee to appoint Chairs for each of the new Community Leadership Teams, subject to approval by the Council's Member Management Committee.

Members attention was brought to the following areas:

- The proposals would empower local residents who became involved and strengthen their links of working in conjunction with front line staff.
- Local residents would maintain the ability to hold the Council and its partner agencies to account.
- Better alignment with the Police and Community Together (PaCT) meetings would be provided.
- It was proposed that there would be 5 Community Leadership Teams (CLTs) – one for each priority neighbourhood area.
- Proposals for a two stage structure to Community Leadership Team (CLT) meetings – the full meeting held in public, with the second part of

the meeting encouraging public debate on a key issue and to incorporate a “have your say” item.

In response to Members comments and questions, the following issues were discussed:

- Concern regarding the structure of the CLT meetings.
- Concern as to how the core membership of CLTs would be recruited to
- That the proposals as presented could be seen as a ‘top down’ rather than ‘bottom up’ approach to engagement.
- Cost of community engagement

In response to the concerns expressed, it was reported that the intention was to give a greater voice and role to local residents in supporting the business of the Area Committee. Members discussed differing options for establishing Community Leadership Teams.

The proposal to cease the role of co-optees on the Area Committee was discussed. There was agreement that this was premature and time was needed for the Community Engagement Strategy to be embedded and the effectiveness of the new CLTs to be assessed.

RESOLVED –

- (a) That the content of the report be noted, including the agreement between partner agencies to provide greater support and attendance at public Police and Community Together (PaCT) meetings (as set out in appendix B)
- (b) That the ‘Working Together’ community engagement strategy for 2010/11 be approved.
- (c) That the Area Management Team work with Killingbeck & Seacroft and Gipton & Harehills Ward Members on establishing a CLT for their priority neighbourhoods based on the framework set out in the strategy. Further discussion to be held with Gipton & Harehills Members at their next Ward Member meeting.
- (d) The implementation of CLTs in Burmantofts & Richmond Hill to be delayed to allow the Area Committee to assess the effectiveness of operation in Killingbeck & Seacroft and Gipton & Harehills.

12 North East Divisional Community Safety Partnership Annual Report

The report of the North East Divisional Community Safety Partnership provided Members of the Area Committee with an overview of the performance of the North East Divisional Community Safety Partnership and ward based Neighbourhood Policing Teams. It also included details of the key initiatives that had been delivered in local communities to reduce crime and disorder. The report focussed upon the period 1st April 2009 to 31st March 2010

The Chair welcomed Beverley Yearwood, Area Community Safety Co-ordinator and Superintendent Timothy Kingsman to the meeting.

It was reported that there had been a continued overall reduction in crime across Inner East Leeds and the current key focus was on reducing burglary of dwellings. Members attention was brought to other issues including the use of funds obtained under the Proceeds of Crime Act and Designated Public Places Orders.

In response to Members comments and questions, the following issues were discussed:

- Concern that public confidence had fallen in Burmantofts and Richmond Hill and perceptions in the area that crime had not fallen due to increased levels of anti-social behaviour.
- Increased anti-social behaviour in Gipton and Harehills.
- Concerns with alleygated areas – some areas being permanently locked, and new residents having difficulties obtaining keys.
- Concern regarding race hate crime – it was agreed to provide the Area Committee with figures relating to this.

The Chair congratulated Beverly Yearwood for being shortlisted for the National Council Worker of the Year award and thanked her and Superintendent Kingsman for their attendance.

RESOLVED –

- (a) That the report of the North East Divisional Community Safety Partnership be noted.
- (b) That Members continue to support the Divisional Community Safety Partnership in relation to prioritising and tackling Burglary Dwelling during 2010/11 through partnership work at neighbourhood level and the Area Delivery Plan.

13 Dog Control Orders

The report of the Director of Environment and Neighbourhoods sought feedback on the proposals to introduce Dog Control Orders in the City and inform committees of the consultation process with regards to these proposals.

The Chair welcomed Stacey Campbell, Health and Environmental Action Services, to the meeting.

Members were informed of the different kinds of Dog Control Orders available and those that it was proposed to introduce in Leeds, which included the following:

- Areas where dogs must be kept on leads at all times;

- Areas where dog owners could be requested to keep their dogs on leads;
- Areas where dogs were to be excluded, and
- Limiting the number of dogs that can be walked by one person at any one time.

Fixed penalty notices would be issues where orders were contravened and prosecution would follow if the fixed penalty notices were not adhered to.

It was reported that the first phase of introducing the orders would include play areas and the second phase would include schools and playing fields. Members were asked to inform Stacey Campbell of any areas not included in the report.

In response to questions regarding the enforcement of the orders, it was reported that there were currently 23 dog wardens and technical officers across the City with powers to issue the fixed penalty notices. This would be increased to include all enforcement staff within Environment Action Teams, bringing the total staff across the City to approximately 90. Discussion was also to be held with West Yorkshire Police regarding the role of Police Community Support Officers.

RESOLVED – That the report be noted.

14 Closing Remarks

It was reported that this would be the last meeting of the East Inner Area Committee for Anna Turner, Area Management Officer as she was off to cover the North East Outer Area Committee. Members thanked Anna for her hard work and service to the Area Committee during the previous 6 years and she received a round of applause.

Thanks were also made to Councillor Selby for his work during the past 3 years as Chair of the Area Committee and to former Councillors Harington and Hollingsworth for their service.

15 Dates and Times of Future Meetings

Thursday, 23 September 2010
 Thursday, 21 October 2010
 Thursday, 2 December 2010
 Thursday, 3 February 2011
 Thursday, 24 March 2011

All meetings commence at 6.00 p.m. Venues to be confirmed.

The meeting concluded at 8.05 p.m.

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SOUTH (INNER) AREA COMMITTEE

TUESDAY, 22ND JUNE, 2010

PRESENT: Councillor A Gabriel in the Chair

Councillors J Blake, D Congreve, P Davey,
G Driver, K Groves, M Iqbal, E Nash and
A Ogilvie

1 Election of Chair 2010/11

A report was submitted by the Chief Democratic Services Officer which outlined the arrangements for the annual election of Chair of the South (Inner) Area Committee. It was reported that one nomination for the position of Chair had been received on behalf of Councillor Gabriel.

RESOLVED –

- (a) That the contents of the report be noted;
- (b) That following a unanimous vote by those Elected Members present at the meeting, Councillor Gabriel be elected Chair of the South (Inner) Area Committee for the 2010/2011 municipal year.

(Councillor Gabriel took the Chair)

2 Chair's Opening Remarks

The Chair welcomed all in attendance to the first South (Inner) Area Committee meeting of the new municipal year. In particular, the Chair welcomed Councillor Groves (Elected Member for Middleton Park Ward) to her first Area Committee meeting.

3 Declarations of Interest

Councillors Blake and Gabriel declared an interest in agenda item 11, Inner South Well-Being Budget (well-being application by Health for All for community access to IT services), in their capacity as Member's of Health for All. On the basis that their interests were prejudicial, they withdrew from the meeting and did not vote. (Minute No. 10 refers)

Councillor Iqbal declared an interest in agenda item 11, Inner South Well-Being Budget (well-being application by Hamara Healthy Living Centre for Roof Top Garden Development) in his capacity as a Member of Hamara Healthy Living Centre. On the basis that the interest was prejudicial, he withdrew from the meeting and did not vote. (Minute No. 10 refers)

4 Apologies for Absence

There were no apologies for absence.

5 Minutes - 25th March 2010

Subject to an amendment under Minute No. 64, Declarations of Interest, to delete reference to Councillor Congreve having declared a personal interest as a Member of Leeds City Credit Union, it was

RESOLVED – That the minutes of the meeting held on 25th March 2010 be confirmed as a correct record.

6 Matters Arising from the Minutes

Minute No. 67 – Matters Arising from the Minutes (New Generation Transport (NGT) Scheme)

It was reported that government funding for the NGT Scheme had been withdrawn.

Minute No. 69 – Streetscene Services Change Programme – Update Report

Area Management agreed to forward a breakdown of litter pickers by ward.

Minute No. 70 – Deployment of Community Environment Officers and Support Officers within Inner South

Members sought clarification on whether income from fixed penalty notices was re-distributed for community use. Area Management agreed to raise the matter with Gerry Shevlin, Community Safety Co-ordinator.

Minute No. 72 – Future Management of Priority Neighbourhoods

Members requested an update on support for local community groups from Leeds Ahead. Area Management agreed to report back with details of groups that had been supported.

7 Open Forum

In accordance with paragraphs 6.24 and 6.25 of the Area Committee Procedure Rules, the Chair allowed a period of up to 10 minutes for members of the public to make representations or to ask questions on matters within the terms of reference of the Area Committee. On this occasion, there were no matters raised under this item by members of the public.

8 Future Management of Priority Neighbourhoods

The Director of Environment and Neighbourhoods submitted a report on progress relating to the management of priority neighbourhoods.

Draft minutes to be approved at the meeting
to be held on Wednesday, 22nd September, 2010

Sheila Fletcher, Area Management Officer, presented the report and responded to Members' questions and comments.

In brief summary, the main areas of discussion were:

- Concern that the introduction event for Team Belle Isle on 7th July had been arranged to take place during the day, which made it difficult for some individuals to attend.
- Concern about travellers occupying land at Thorpe Road, particularly in terms of pollution and noise disturbance to local residents. Members also expressed concern about co-ordination of services, e.g. police, housing and cleansing services. It was agreed to discuss these issues in greater detail at a future meeting of the Middleton Regeneration Board and report back to the Area Committee, particularly focussing on local arrangements.

RESOLVED –

- (a) That the contents of the report be noted;
- (b) That the Area Committee approves well-being funding of £16,350 from the Middleton Park revenue allocation to Re'new to continue the further development and support of the Middleton Regeneration Partnership; and
- (c) That a six month evaluation report be submitted to the Area Committee meeting in January 2011.

9 Review of Mobile Youth Provision

The South East Area Manager submitted a report which presented the findings of a review on mobile youth provision funded by the Area Committee and delivered by St Luke's Cares.

The following information was appended to the report:

- An overview of actions and achievements over the previous 12 months
- Timetable of mobile youth service across the inner south area.

Sheila Fletcher, Area Management Officer, presented the report and responded to Members' questions and comments.

Representatives of St Luke's Cares attended the meeting and provided a brief summary of the benefits of the service to young people.

Members expressed concern that they were no longer receiving regular updates on Youth Services. Area Management agreed to raise this issue and report back.

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That option 1 be identified for future mobile provision as follows

Option 1 - The Area Committee continues to fund St Luke's Mobile Youth Provision from 1st October – 31st March 2011 at a reduced cost of £15,170 to reflect funding from Early Years Service. Funding split by ward is £5,878 City and Hunslet; £4,646 from Beeston and Holbeck and Middleton Park wards. This option to include recommendations, as outlined in paragraph 19 of the report.

(Councillor Nash left the meeting at 7.24 pm at the conclusion of this item.)

10 Inner South Well-Being Budget

The Director of Environment and Neighbourhoods submitted a report which contained details of proposed projects and activities to deliver local actions relating to the agreed themes and outcomes of the Area Delivery Plan (ADP).

Sheila Fletcher, Area Management Officer, presented the report.

RESOLVED –

- (a) That the report and information appended to the report be noted;
- (b) That the small grants allocation for the three inner south wards be approved;
- (c) That the 2010/11 funding allocations for the ADP commissioning pots be approved;
- (d) That the following decisions be made in relation to the 2010/11 ADP commissioning pot proposals:

- Belle Isle Garden Scheme (Belle Isle Elderly Winter Aid) – £2,895 from Middleton Park Environment commissioning pot – **Approved**
- After School Activities Club (Broomfield South SILC) – £2,985 – As only 41% of the children live in inner south area it was agreed that only 41% of the amount applied for be **approved** (£1,225). Funding to be allocated to the commissioned learning pots for each Ward on a pro rata basis of the number of children living in the Inner South area, i.e. Beeston & Holbeck Ward (£392), City & Hunslet Ward (£245) and Middleton Park Ward (£588).
- Middleton Emotional Health and Wellbeing Project – £3,000 from Middleton Park Health and Well-being commissioning pot – **Approved.**

- (e) That the following decisions be made in relation to 2010/11 revenue well-being budget applications:

- Mobile Youth Provision – six months additional funding – Further to the report on the review of mobile youth provision presented under agenda

item 10, the Area Committee **endorses** the decision to continue funding St Luke's Mobile Youth Provision from 1st October – 31st March 2011 at a reduced cost of £15,170 to reflect funding from Early Years Service. Funding split by ward is £5,878 City and Hunslet; £4,646 from Beeston and Holbeck and Middleton Park wards

- Regenerating the Garnets – £1,500 from City and Hunslet Ward – **Declined**
- Additional gardens (Middleton Elderly Aid) – £2,826 from Middleton Park Ward – **Approved**
- Middleton Regeneration Partnership – £16,350 – Further to the report on the future management of priority neighbourhoods presented under agenda item 9, the Area Committee **endorses** the decision to approve well-being funding of £16,350 to continue the further development and support of the Middleton Regeneration Partnership (In addition, a six month evaluation report be submitted to the Area Committee meeting in January 2011).

(f) That the following decisions be made in relation to 2010/11 capital well-being budget applications:

- Manorfields Hall – Improvements and Signage – £3,330 (£2,755 for the flooring and £555 for the signs; made and fully installed) from Middleton Park Ward – **Approved**
- Middleton Circus – Christmas Tree & Lighting – £1,000 from Middleton Park Ward – **Approved**
- Hamara Centre Roof Top Garden Development – £10,070 from City and Hunslet Ward – **Approved**
- New 'carpet' for the artificial cricket pitch at Hunslet Nelson – £6,500 with approximately £2,167 being funded from each of the three Wards – **Approved**
- Fire safety (St. Lukes) – £4,551 with 2,276 each from Beeston and Holbeck and City and Hunslet Wards – **Approved**
- Litterbins – Helston Walk – £800 from Middleton Park Ward – **Approved**
- Additional gardens – equipment (Middleton Elderly Aid) – £625 from Middleton Park Ward – **Approved**
- Community access to IT service (Health for All) – £11,328 with £4,979 from Beeston and Holbeck Ward, £1,412 from City and Hunslet Ward and £4,937 from Middleton Park Ward – **Approved in principle, subject to receiving further information, particularly in relation to open access for local groups and people.**

(In the absence of Councillor Gabriel who had declared a personal and prejudicial interest and withdrawn from the meeting (well-being application by Health for All for community access to IT services), Councillor Ogilvie took the Chair for this item.)

11 Actions and Achievements Report

The Area Committee considered a report from the South East Area Manager which updated Members on the actions and achievements of the Area Management Team since the last meeting.

The following information was appended to the report:

- Minutes of South Leeds Children's Services Leadership Team held on 17th March 2010
- Joint Extended Schools and Services Cluster (JESS) – Summary of recent activity
- Minutes of South East Leeds Health and Well-being Partnership held on 18th March and 27th May 2010
- Minutes of South Leeds Community Safety Partnership (Core Group) held on 14th May 2010.

Keith Lander, Deputy Area Manager, presented the report and responded to Members' questions and comments.

In brief summary, the main areas of discussion were:

- Reporting arrangements of partnerships, particularly Aspire. The Area Manager reported that there was an intention to link the work of partnership groups across all wards in the inner south area.

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That the appointment of themed champions for the specific themes of the ADP be deferred with the exception of Councillor Ogilvie being confirmed as themed champion for environment.

12 Area Committee Roles for 2010/11

The Director of Environment and Neighbourhoods submitted a report which presented a summary of the Area Functions and Priority Advisory Functions for 2010/11.

RESOLVED – That the report and information appended to the report be noted.

13 Local Authority Appointments to Outside Bodies

The Chief Democratic Services Officer submitted a report which outlined the procedure relating to local authority appointments to outside bodies and invited Members to consider making appointments to those outside bodies detailed within the report.

RESOLVED –

- (a) That the report and information appended to the report be noted;
- (b) That approval be given to the following Outside Body appointments being made for the 2010/2011 municipal year:

- Belle Isle Elderly Winter Aid – Councillor Blake
- Belle Isle Tenant Management Organisation – Councillors Blake and Groves
- Holbeck Elderly Aid – Councillor Ogilvie
- Middleton Elderly Aid – Councillor Groves
- Inner South ALMO Area Panel (Aire Valley Homes Leeds) – Councillors Iqbal and Ogilvie;
- Divisional Community Safety Partnership – Councillor Groves
- Area Children’s Partnership – Councillor Gabriel;
- Area Health and Social Care Partnership – Councillor Groves
- Area Employment, Enterprise and Training Partnership – Councillor Driver.

14 New Generation Transport (NGT) Scheme: Update

This item was withdrawn (See matters arising from the minutes).

15 Dog Control Orders

The Director of Environment and Neighbourhoods submitted a report which sought Members’ feedback on proposals to introduce Dog Control Orders across the City.

Keith Lander, Deputy Area Manager, presented the report.

Members identified the following areas to be included in the dog exclusion orders schedule:

- Land adjacent Domestic Street and Balm Road
- Land adjacent Leasowe Road
- Throstle Road Recreation Ground.

In addition, Members suggested putting forward sites used by the Mobile Youth Bus.

RESOLVED – That the report and information appended to the report be noted.

16 Dates, Times and Venues of Future Meetings

Wednesday 22nd September, 2010
(Building Blocks, Maud Avenue, Leeds, LS11 7DD)

Tuesday 4th November, 2010
(Belle Isle Family Centre, St John and Barnabas
Church, Belle Isle Road, Leeds, LS10 3PG)

Wednesday 12th January, 2011
(Civic Hall, Leeds, LS1 1UR)

Wednesday 9th February, 2011
(Venue to be advised)

Thursday 24th March, 2011
(Venue to be advised)

(All meetings to commence at 6.30 pm).

(The meeting concluded at 8.32 pm.)

SOUTH (OUTER) AREA COMMITTEE

MONDAY, 21ST JUNE, 2010

PRESENT: Councillor R Finnigan in the Chair

Councillors J Dunn, J Elliott, B Gettings,
S Golton, T Leadley, L Mulherin,
K Renshaw, S Smith, S Varley and
D Wilson

1 Election of Chair

The report of the Chief Democratic Services Officer informed Members of the arrangements for the annual election of the Area Committee Chair. It was reported that a nomination had been received in support of Councillor Robert Finnigan to take the Chair for the 2010/11 Municipal Year.

Following a show of hands, it was

RESOLVED – That Councillor Robert Finnigan be elected as Chair of the South Outer Area Committee for the 2010/11 Municipal Year.

2 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the meeting 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:

Agenda Item 18, Town Centre Management, discussion of the Options as outlined in paragraph 6.0 under the terms of Access to Information Procedure Rule 10.4 (3) (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

3 Declaration of Interests

The following declarations of personal interests were made:

- Councillor Elliott – Agenda Item 18, Town Centre Management - as a Member of the Morley Town Centre Partnership (Minute No. 16 refers)
- Councillor Wilson – Agenda Item 12, Licensing Act 2003 Policy – as a Member of the Licensing Committee (Minute No. 9 refers)

- Councillor Mulherin – Agenda Item 13, Children and Young People’s Activities Final Evaluation 2009/10 – due to her Membership of the Rothwell Cluster of Extended Services (Minute No. 10 refers)
- Councillor Finnigan – Agenda Item 18, Town Centre Management – due to his position on the Morley Town Centre Management Board (Minute No. 16 refers) and Agenda Item 17, Area Manager’s Report due to his position on the Morley Literature Festival (Minute No. 15 refers)
- Councillor Leadley - Agenda Item 13, Children and Young People’s Activities Final Evaluation 2009/10 – due to his position as Chair of the Lewisham Centre Management Committee and position as Governor at Westerton Primary School (Minute No. 10 refers); Agenda Item 14, Area Committee Well-Being Budget as a Member of Morley Town Council (part fund Town Centre Management), . Trustee and Management Committee Member of Morley Elderly Action (Minute No. 14 refers); Agenda Item 17, Area Manager’s Report as Member of Morley Town Council (part fund Town Centre Management), Chair of Morley Town Council’s Planning Committee (Conservation Audits), Trustee and Committee Member of Morley Elderly Action (Minute No. 15 refers), Agenda Item 18, Town Centre Management as Member of Morley Town Council (Minute No. 16 refers).
- Councillor Gettings – Agenda Item 17, Area Manager’s Report as a Member of Morley Town Council (part funds Town Centre Management) and Chair of the Morley Literature Festival (Minute No. 15 refers) and Agenda Item 18, Town Centre Management as a Member of Morley Town Council (Minute No. 16 refers)
- Councillor Varley – Agenda Item 17, Area Manager’s Report as a Member of Morley Town Council (part funds Town Centre Management) and Chair of the Morley Literature Festival (Minute No. 15 refers) and Agenda Item 18, Town Centre Management as a Member of Morley Town Council (Minute No. 16 refers)

4 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Grayshon.

5 Minutes - 15 March 2010

RESOLVED – That the minutes of the meeting held on 15 March 2010 be confirmed as a correct record.

6 Open Forum

The agenda made reference to the provision contained in the Area Committee Procedure rules for an Open Forum Session at each ordinary meeting of an Area Committee, for members of the public to ask questions or to make representations on matters within the terms of reference of the Area Committee. On this occasion, no matters were raised under this item by those members of the public who were in attendance.

Draft minutes to be approved at the meeting
to be held on Monday, 6th September, 2010

7 Area Committee Roles 2010 -11

This report of the Director of Environment and Neighbourhoods presented the Area Committee with a summary of their Area Functions and Priority Advisory Functions for 2010/11. As there were no significant changes proposed to the functions agreed by the Executive Board for 2009/10, it was agreed that this approval is to be rolled forward to 2010/11.

Members discussed the role of Community Environmental Officers and Community Environmental Support Officers and further information was requested on enforcement issues and the issue of Fixed Penalty Notices. Further discussion focussed on street cleansing.

RESOLVED – That the summary of approved Area Functions and designated priority functions for 2010/11 which are appended to this report be noted.

(Councillor Renshaw joined the meeting at 4.10 p.m. during the discussion on this item).

8 Appointments to Outside Bodies

The report of the Chief Democratic Services Officer outlined the procedures for Council appointments to outside bodies, and the Committee was requested to consider and appoint to those bodies listed at Appendix 2 and referred to in Paragraphs 14-33 of the report.

RESOLVED –

(1) That the following outside body appointments be made:

Outside Body	Name	Review Date
Morley Town Centre Management Board	Councillor R Finnigan Councillor T Grayshon	June 2011
Morley Literature Festival Committee	Councillor J Elliott Councillor R Finnigan Councillor B Gettings	June 2011
Outer South ALMO Area Panel Aire Valley Homes	Councillor S Varley Councillor J Dunn	June 2011
Divisional Community Safety Partnership	Councillor R Finnigan	June 2011
Area Children's Partnership	Councillor B Gettings	June 2011
Area Health and Social Care Partnership	Councillor K Renshaw	June 2011
Area Employment, Enterprise and Training Partnership	Councillor L Mulherin	June 2011

(2) That Councillor Judith Elliott be appointed as Corporate Carer.

9 Licensing Act 2003 Policy

Draft minutes to be approved at the meeting to be held on Monday, 6th September, 2010

The report of the Assistant Chief Executive (Corporate Governance) advised the Area Committee of the impending review of the Licensing Act 2003 Statement of Licensing Policy and public consultation.

The Chair welcomed the following to the meeting:

- Michael Waters, Senior Liaison and Enforcement Officer
- Nicola Raper, Section Head, Entertainments Licensing
- Susan Holden, Principal Project Officer, Licensing and Registration Services.

It was reported that the review of the Council's Licensing Policy was due and public consultation period would be held between July and October. The consultation would be publicised in One Stop Centres, Libraries, Leisure Centres and other Council buildings. There would also be press releases to announce the review. The three main amendments to the review included the introduction of minor variations, the ability for Community Halls to operate without a Designated Premises Supervisor and the Challenge 25 Age Verification Scheme.

In response to Members comments and questions, the following issues were discussed:

- The decision on a large casino for Leeds.
- The change of classification for bars that have lap dancing to Sex Establishments.
- Amendments to the Social Responsibilities Bill which may affect licensing issues.

RESOLVED – That the report be noted.

10 Children's and Young People's Activities Final Evaluation 2009-10

The report of the Director of Environment & Neighbourhoods referred to the £35,000 well being funds previously agreed by the committee to enable the development of an annual programme for out of school activities. Further information detailed in the reported included a summary of the work achieved by the Children and Young Peoples Working Group; an evaluation of out of school activities; an update on the commissioning of 2010/11 Children and Young People out of school activities and success of the Breeze monitoring.

In response to Members comments and questions, the following issues were discussed:

- Work with the Voluntary Sector
- Match funding – Members requested further details
- Concern regarding provision and facilities in Ardsley and Robin Hood

Draft minutes to be approved at the meeting
to be held on Monday, 6th September, 2010

- Concern over impact that could be caused by potential spending cuts
- Youth Service provision in the Area
- Use of other funding streams

RESOLVED – That the report be noted.

11 Area Delivery Plan 2008-11 - Annual Refresh

The report of the South East Area Manager presented a refresh of the Area Delivery Plan (ADP) 2008-11 to ensure that priorities and actions met with current local needs. It explained the context for the plan including its links to the Leeds Strategic Plan and actions planned relating to responsibilities delegated to Area Committee by the Executive Board, both around Council functions and partnership working. The report presented the Outer South area priorities around which the work of the Area Management Team would be focused in 2010-11 on behalf of the Area Committee. The report also presented an update on the Outer South 'Community Charter, the 'resident-friendly' document of the Area Delivery Plan

Members attention was drawn to the draft Area Delivery Plan and Community Charter, both of which were appended to the report.

RESOLVED –

- (a) That the annual refresh of the ADP 2008-11 be approved.
- (b) That the intention to use Ward Member meetings to bring forward and track any new local actions that relate to the agreed priorities be noted.
- (c) That the continued connectivity with the community engagement events and the setting of Area Committee priorities outlined in the ADP be noted.
- (d) That the following Members be nominated to act as champions for the specific themes of the ADP:
 - Culture – Councillor J Elliott
 - Enterprise & Economy – Councillor L Mulherin
 - Transport – Councillor T Leadley
 - Environment – Vacancy
 - Health & Wellbeing – Councillor K Renshaw
 - Thriving Places – Councillor R Finnigan
 - Harmonious Communities – Councillor T Grayshon
- (e) That the continued development of the community charter as the public facing resident friendly version of the ADP be agreed and the Area Committee Chair approve the final draft before printing.

12 Dog Control Orders

The report of the Director of Environment and Neighbourhoods sought feedback on the proposals to introduce Dog Control Orders in the City and inform committees of the consultation process with regards to these proposals.

Draft minutes to be approved at the meeting
to be held on Monday, 6th September, 2010

The Chair welcomed Stacey Campbell, Health and Environmental Action Services, to the meeting.

Members were informed of the different kinds of Dog Control Orders available and those that it was proposed to introduce in Leeds, which included the following:

- Areas where dogs must be kept on leads at all times;
- Areas where dog owners could be requested to keep their dogs on leads;
- Areas where dogs were to be excluded, and
- Limiting the number of dogs that can be walked by one person at any one time - a limit of 6 was proposed.

Fixed penalty notices would be issues where orders were contravened and prosecution would follow if the fixed penalty notices were not adhered to.

It was reported that the first phase of introducing the orders would include play areas and the second phase would include schools and playing fields. Members were asked to inform Stacey Campbell of any areas not included in the report.

In response to Members comments and questions, the following issues were discussed:

- Enforcement Issues – who had the powers to enforce and costs of Fixed Penalty Notices – it was reported that staff in Environmental Action Teams would be able to issue Fixed Penalty Notices in addition to current provision and Fixed Penalty Notices would be for £75.
- The consultation process – it was reported consultation closed on 31 August 2010 and a report would be submitted to Executive Board in the autumn.
- Publicising of the orders – this would be done via signage and other resources including the Council website.

RESOLVED – That the report be noted.

13 Priority Neighbourhood Worker Update

The report of the Director of Environment and Neighbourhoods outlined the work achieved by the Priority Neighbourhood Worker since November 2009; including an update to Members on the Neighbourhood Improvement Plans (NIPs), details on the 'Supported Area' programme and additional community engagement work.

Members attention was brought to the Neighbourhood Improvement Plan updates detailed in the report and Community Safety Issues.

RESOLVED – That the report be noted.

14 Well-being Budget Report

The report of the Director of Environment and Neighbourhoods provided Members with the following:

- An update on both the revenue and capital elements of the Area Committee's budget.
- Details of projects that require approval.
- A summary of all revenue and capital projects agreed to date.
- A summary of the revenue allocation for 2010/11 Well being Revenue Budget already approved and linked to the priorities and outcomes identified in the approved Area Delivery Plan (ADP).
- An update on the Small Grants budget.

The Area Committee was asked to consider the approval of funding for additional litterbins across the South Outer area. Further discussion included the additional allocation to each Area Committee from the Area Committee Wellbeing Capital programme and Members queried whether this was the same for each Area Committee regardless of the number of Wards involved. Area Management staff agreed to investigate this.

RESOLVED –

- (a) That the content of the report be noted.
- (b) That the position of the Well being Budget as set out at 3.0 be noted.
- (c) That the actual revenue expenditure for 2009/10 as outlined in Appendix 1 be noted.
- (d) That the revenue allocation for 2010/11 as outlined in 2.2. be noted.
- (e) That the ring fence revenue amounts for 2010/11 as outlined in Appendix 1 be noted.
- (f) That the capital allocation for 2010/11 as outlined in 2.2 be noted.
- (g) That the Well being capital projects already agreed as listed in Appendix 2 be noted.
- (h) That £12,800 capital (£3,200 from each ward pot) towards Outer South Additional Litterbins as detailed in 4.4.1 be agreed.
- (i) That the Small Grants situation as outlined in 5.1 be noted.

15 Area Managers Report

The report of the Director of Environment and Neighbourhoods detailed a range of activities taking place within the Outer South Leeds Area and also provided Members with an update on actions and achievement of the Area Management Team relating to priorities and work of the Area Committee since the Area Committee meeting in March 2010.

In brief summary, the following issues were discussed:

Draft minutes to be approved at the meeting
to be held on Monday, 6th September, 2010

- Work that was linked to the Area Delivery Plan
- Ginnel Mapping
- Site Based Gardeners
- Morley Literature Festival – it was reported that the Arts Council would not be contributing this year

RESOLVED –

- (a) That the report be noted.
- (b) That the Cleaner Neighbourhoods Terms of Reference and Community Skip criteria for 2010/11 as outlined in 6.1 be confirmed.
- (c) That Morley North be the next ward to have a ginnel location map compiled as outlined in 6.1.
- (d) That £30,000 funding and locations outlined in 6.5 for the Site Based Gardeners Project be confirmed.

16 Town Centre Management

The report of the Director of Environment and Neighbourhoods provided Members with an opportunity to review the Town Centre Management Project and following Member briefings, consider future options for the future delivery of the project.

The Chair welcomed Peter Mudge. Town Centre Management to the meeting. Peter gave the Area Committee a brief overview of the work carried out by Town Centre Management in Morley and Rothwell over the previous few years and possible future areas of work.

The Chair thanked Peter for his efforts on behalf of the Area Committee and the Meeting went into private session to discuss the options as outlined in the report.

Members discussed the options available. It was proposed to take Option 3 as described in paragraph 6.2.3 of the report with the amendment that the project should end in September 2010 and Members subsequently voted in favour of this option.

RESOLVED –

- (a) That the report be noted.
- (b) That Option 3 as detailed in paragraph 6.2.3. be agreed with the amendment that the current project ends in September 2010.

17 Dates, Times and Venues of Future Meetings

Monday, 6 September 2010 – Rothwell One Stop Centre
 Monday, 18 October 2010– to be arranged
 Monday, 29 November 2010 – Drighlington Meeting Hall

Draft minutes to be approved at the meeting
 to be held on Monday, 6th September, 2010

Monday, 31 January 2011 – Morley Town Hall
Monday, 14 March 2011 – Rothwell One Stop Centre

All meetings to commence at 4.00 p.m.

The meeting concluded at 6.05 p.m.

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WEST (INNER) AREA COMMITTEE

WEDNESDAY, 14TH APRIL, 2010

- PRESENT:** Councillor N Taggart in the Chair
Councillors D Atkinson, A Lowe and J McKenna
- Co-optees:** Hazel Boutle, Armley Forum
Stephen Longley, Bramley and Stanningley
Forum
Morgan Pugh, Armley Forum
- Apologies:** Councillors T Hanley and J Harper

86 Exempt Information - Possible Exclusion of the Press and Public

The Chair drew attention to Agenda Item 17 (Min. No. 101 refers) – Leeds City Credit Union Branch Network. The report included an appendix which contained exempt information relating to the financial and business affairs of the Credit Union, and the Committee would have to decide whether or not to exclude the press and public when that information was considered later in the meeting.

87 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda, as a late item of urgent business, the minutes of the meeting of the Bramley and Stanningley Community Forum held on 25th March 2010, which had not been available at the time of agenda despatch. It was regarded that these should be dealt with as a late item of urgent business at this meeting, as the next scheduled Area Committee meeting was not until 23rd June 2010 (Minute No.92 refers).

88 Declaration of Interests

The following declarations of personal interest were made:-

Agenda item 17 (Min. No. 101 refers) – Leeds City Credit Union Branch Network – Councillors D Atkinson, A Lowe and J McKenna in their capacity as Credit Union account holders.

Agenda Item 10 (Min. No. 95 refers) – Wellbeing Budget Applications – Application from Raynville Mosaic Arts Project – Councillor A Lowe, in her capacity as a Governor at Raynville Primary School – and application for the Refugee Week Exhibition – Councillor Lowe in her capacity as a member of Pafras, one of the partner organisations.

Councillors A Lowe, J McKenna and N Taggart and Morgan Pugh also made a general declaration of personal interest in respect of any matters appertaining to West North West Homes ALMO, in their capacities as either an ALMO Director or members of the ALMO Inner West Area Panel.

89 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors T Hanley and J Harper.

90 Open Forum

Two local residents raised concerns regarding the condition of Rodley Park and The Cowie and lack of action by the Parks Department.

The Chair requested the Area Manager to arrange a meeting with the Parks Department, involving himself and the local residents, to discuss the situation and remedial action.

91 Minutes - 17th February 2010

RESOLVED - That the minutes of the meeting held on 17th February 2010 be confirmed as a correct record.

92 Minutes - Community Forum Meetings

RESOLVED – That the minutes of the meetings of the Armley Community Forum held on 16th February and 16th March 2010 and the Bramley and Stanningley Community Forum held on 25th March 2010 be received and noted.

93 Children's Services - Area Committee Performance Report

Further to Minute No. 80, 17th February 2010, the Committee re-considered the report of the Director of Children's Services providing an overview of information relating to children and young people in the Committee's area, in a format which it was proposed should form a template for regular future update reports to the Area Committee.

In attendance at the meeting, and responding to Members' queries and comments, were:-

- Chris Edwards, Chief Executive, Education Leeds.
- Paul Bollom, Priority Outcome Commissioner, Children's Services.
- Amanda Jackson, Locality Enabler, Children's Services.

In brief summary, the main areas of discussion were:-

Minutes approved as a correct record at the meeting held on 22nd June 2010

- The presently unsatisfactory nature of the statistical information currently available to the Committee via the Office of National Statistics and other sources on such matters as teenage pregnancies, which was out of date and based on previous Ward boundaries.

The officers outlined the steps which were being taken to improve the statistical information available to Members, and Members should notice an improvement in future reports. More up to date information on the NEET statistics (young people Not in Education, Employment or Training) would be sent separately to Members.

- Performance statistics and other matters in relation to the areas primary and secondary schools. The importance of whole community involvement with schools was emphasised, e.g. mentoring and volunteering from both the local and business communities – say, helping pupils to read and write. It was also agreed to extend an invitation for the head teachers of both local secondary schools to attend a future Area Committee meeting to discuss these matters. It was reported that the Council's Executive Board had recently agreed to commission a study regarding the potential demand for, and merits of, an all-girls high school in the centre of Leeds.

RESOLVED – That the report be noted and the officers thanked for their attendance and the manner in which they have responded to Members' queries and comments.

94 Exclusion of the Press and Public

RESOLVED – That the press and public be excluded from the meeting during the consideration of the application for funding from Friends of Bramley Carnival 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, being information relating to a particular individual, or which is likely to reveal the identity of an individual, which is categorised as exempt information under Paragraph 10.4(1) and (2) of the Council's Access to Information Procedure Rules.

95 Inner West Area Committee Well-Being Fund Update

The Director of Environment and Neighbourhoods submitted a report updating the Committee regarding its available budget for 2010/11 and inviting the Committee to consider several applications for funding.

RESOLVED –

- a) That the report be received and noted, including the Committee's revenue and capital budget allocations for 2010/11;

- b) That approval be given to establishing a Small Grants Fund (£5,000) and Skips Fund (£1,000) for 2010/11.
- c) That the following decisions be taken in respect of the applications for funding before the Committee tonight for determination :-

CAPITAL

- i) CCTV – Broadleas Roundabout - £23,130 – Approved in principle;

REVENUE

- i) CCTV – Broadleas Roundabout – maintenance - £3,568 – Approved in principle for 5 years, but the Area Committee is strongly of the view that these maintenance costs should be picked up by West North West Homes. Matter to be referred to the ALMO Inner West Area Panel;
- ii) 4 Families Project - £65,000 – Refused;
- iii) Refugee Week Exhibition - £2,220.98 – Approved.

SMALL GRANTS

- i) Friends of Bramley Carnival - £500 – Refused;
- ii) Raynville Mosaic Arts Project - £500 – Approved;
- iii) Interplay – LS12 Film trip to London - £350 – Approved.

d) That the update regarding the Community Centres' Consortium be received and noted, and the £75, 680.32, agreed in principle at the last meeting (Min. No. 72, 17th February 2010), be approved.

- (NB: 1. Councillor D Atkinson left the meeting at 5.57 pm at the commencement of this item.
2. That in respect of the application on behalf of Friends of Bramley Carnival, Councillors A Lowe, J McKenna and N Taggart wished it to be recorded that they all voted in favour of refusing the application.)

96 Pricing and Lettings Policy for Community Centres

RESOLVED – That the proposed pricing and lettings policy for directly managed community centres in the area, as set out in the report of the Director of Environment and Neighbourhoods, be approved, with an implementation date of 1st October 2010.

97 Inner West Area Delivery Plan 2008/09 - 2010/11

RESOLVED – That the draft Area Delivery Plan 2010/11 be approved, for submission to the Executive Board.

98 Dates, Times and Venues of Future Meetings

RESOLVED – That the following dates be agreed for meetings of the West Inner Area Committee in the 2010/11 municipal year, all normally to commence at 5.00 pm, venues to be confirmed at a later date:-

23rd June 2010
8th September 2010
20th October 2010
15th December 2010*
16th February 2011
6th April 2011.

*NB. Possibly an a.m. meeting.

99 Deployment of Community Environment Officers and Support Officers within the Committee's Area

RESOLVED – That, initially, the area's Community Environment Officer be deployed in the priority areas identified at Paragraph 3 of the report, the situation to be kept under review at least annually.

100 Exclusion of the Press and Public

RESOLVED – That the press and public be excluded from the meeting during the 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 of to them of exempt information, as follows:-

Agenda item 17 – Leeds City Credit Union Branch Network - Access to Information Procedure Rules 10.4(3) – information relating to the financial or business affairs of any particular person (including the Authority holding the information).

101 Leeds City Credit Union Branch Network

The Committee considered a joint report submitted by the Director of City Development and the Chief Customer Services Officer regarding the current operation of the Leeds City Credit Union and its network of branch offices. The report included an appendix containing exempt information relating to the financial and business affairs of the Credit Union.

Members indicated that they were supportive of the Credit Union, and would be prepared to assist financially in order to keep the branch open at the Armley One Stop Centre.

Whilst welcoming the Committee's support, the officers clarified that, at this stage, there was no guarantee that any of the Credit Union branches would be able to be kept open.

RESOLVED – That the Area Committee agrees, in principle, to make a contribution of up to £10,000 to Leeds City Credit Union, specifically in order to maintain a branch at the Armley One Stop Centre.

102 Area Manager's Report

This item was deferred.

103 Inner West Area Delivery Plan 2009/10 - Progress Report: Quarters 3 and 4

This item was deferred.

The meeting concluded at 6:35 pm.

WEST (INNER) AREA COMMITTEE

TUESDAY, 22ND JUNE, 2010

PRESENT: Councillor J Harper in the Chair
Councillors ¹ T Hanley and A Lowe

Co-optees Hazel Boutle, Armley Forum
Eric Bowes, Armley Forum
Stephen McBarron, Bramley and
Stanningley Community Forum

1 Election of Chair 2010/11

The Chief Democratic Services Officer submitted a report outlining the arrangements for the annual election of the Chair of the Area Committee.

In accordance with the agreed procedure, the Chief Democratic Services Officer reported that a nomination for the position of Chair had been received on behalf of Councillor J Harper and those Elected Members present at the West Inner Area Committee meeting were asked to take a formal vote.

RESOLVED - That following an overall majority of votes cast by those Elected Members present at the meeting eligible to vote, Councillor J Harper be elected as Chair of the West (Inner) Area Committee for the Municipal Year 2010/11.

2 Chair's Opening Remarks

The Chair welcomed everyone to the first meeting of the West (Inner) Area Committee for the 2010/2011 municipal year.

She informed the meeting that Councillor D Atkinson was currently in hospital and it was agreed that the Acting West North West Area Manager would write a letter, on behalf of the Area Committee, conveying their best wishes to her for a speedy recovery.

3 Declaration of Interests

The following personal declarations were made:-

¹ Cllr Hanley was absent at the commencement of the meeting (causing the meeting to be inquorate for a short while), all recommendations of the Committee were subsequently confirmed as resolutions when the meeting became quorate.

- Councillor A Lowe in her capacity as a Member of the Credit Union (Agenda Item 12) (Minute 10 refers)
- Councillor J Harper in her capacity as a Member on Plans Panel (West) (Agenda Item 13) (Minute 12 refers)

4 Apologies for Absence

Apologies for absence were received on behalf of Councillor D Atkinson and J Mc Kenna.

5 Open Forum

The Chair gave notice that in accordance with the Area Committee Procedure Rules, there was provision for an Open Forum session of up to 10 minutes at each ordinary meeting of an Area Committee in order to allow members of the public an opportunity to ask questions or to make representations on any matter which fell within the remit of the Area Committee.

There were no issues raised on this occasion.

6 Minutes of the Previous Meeting

RECOMMENDED - That the minutes of the meeting held on 14th April 2010 be approved as a correct record.

7 Matters Arising from the Minutes

a) Open Forum (Minute 90 refers)

Clare Wiggins, Area Management Officer informed the meeting that in respect of The Cowie, the Community Environment Officer had now visited the site which had resulted in the area being cleaned. However, persistent fly-tipping remained on this site which was being closely monitored.

In relation to Rodley Park, a dialogue was continuing on this issue between Councillor T Hanley and the Parks Department.

b) Children's Services – Area Committee Performance Report (Minute 93 refers)

Clare Wiggins, Area Management Officer informed the meeting that Head teachers of local schools would be invited to attend the October Area Committee to discuss performance statistics and other matters in relation to the areas primary and secondary schools.

8 Minutes - Community Forum Meetings

A copy of the minutes of the Armley Community Forum meetings held on 20th April 2010 and 18th May 2010, together with the minutes of the Bramley and Stanningley Community Forum meetings held on 25th March 2010 and 20th May 2010 were also attached for Members' information.

RECOMMENDED –

a) That the minutes of the Armley Community Forum meetings held on 20th April 2010 and 18th May 2010, together with the minutes of the Bramley and Stanningley Community Forum meetings held on 25th March 2010 and 20th May 2010 be received and noted.

b) That the Acting West North West Area Manger be requested to write a letter, on behalf of the Area Committee, to Stephen Longley and Morgan Pugh, thanking them for their past services as Co-optees on the Area Committee.

9 Appointment of Co-optees 2010/11

The Director of Environment and Neighbourhoods submitted a report which sought approval for the annual appointment of Co-opted Members to the West (Inner) Area Committee, in accordance with Article 10 of the Constitution, which states that there was provision for the Area Committee to appoint up to five non-voting co-opted members to support the Area Committee.

RECOMMENDED - That Hazel Boutle and Eric Bowes (Armley Forum) and Stephen McBarron and Roland Cross (Bramley & Stanningley Forum) be appointed as non-voting co-opted members on the West (Inner) Area Committee for the 2010/2011 municipal year.

10 Wellbeing Fund 2010/11 - Update Report

The Director of Environment and Neighbourhoods submitted a report providing Members with details of the amount of well-being capital and revenue funding available for the financial year 2010/2011, an update on the commitments already made and comment on any of the new applications received to date.

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

- Breakdown of Revenue Spend (Appendix 1 refers)
- Project Summary – CCTV –Broadleas Roundabout (Appendix 2 refers)
- Project Summary – New Wortley Temporary Community Garden (Appendix 3 refers)
- Project Summary – Armley Branch Sustainability (Appendix 4 refers)
- Project Summary – Breeze Friday Night Project (Appendix 5 refers)
- Project Summary – Dispersal Order Edinburghs (Appendix 6 refers)
- Project Summary – Armley Christmas Lights Event (Appendix 7 refers)

Clare Wiggins, Area Management Officer presented the report and responded to Members' questions and comments.

At the request of West North West Area Management, a number of officers/case workers were in attendance to provide the Area Committee with background detail on their respective projects.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Committee notes the financial breakdown of the Well-being Budget revenue spend for 2010/11 as outlined in Appendix 1 of the report.
- c) That the following requests for funding for revenue and capital allocations and be dealt with as follows:-

<u>Project Name</u>	<u>Decision</u>
CCTV – Broadlees Roundabout	Deferred until 8 th September 2010 meeting and, in the interim period, authority be given for officers to proceed with the required planning application
New Wortley Temporary Community Garden	Approved £1,200
Armley Branch Sustainability	Approved £10,000
Breeze Friday Night Project	Approved £7,000 with a report back on progress in six months time and for a dialogue to be undertaken between the Acting West North West Area Manager and the Executive Member (Leisure) with regards to the funding criteria
Dispersal Order Edinburghs	Approved £4,809
Armley Christmas Lights Event	Approved £2,000

- d) That the Acting West North West Area Manager be requested to investigate the current position in relation to two outstanding small grant applications, namely Armley Fun Day and Armley Common Rights Trust Hanging Baskets, with a report back at the next meeting on 8th September 2010.

11 Community Safety Report

The West North West Leeds Area Manager submitted a report on Community Safety issues in Inner West Leeds.

Police Inspector Bownass presented the report and provided the meeting with an update on Community Safety issues and crime trends in Inner West Leeds since the last Area Committee meeting.

In addition to the presentation, Gill Hunter, Area Community Safety Co-ordinator, Environment and Neighbourhoods also gave an update on current issues.

The Chair thanked Inspector Bownass and Gill Hunter for their attendance.

RESOLVED- That the contents of the report and the update provided by the West Yorkshire Police be noted and welcomed.

12 Area Manager's Report

The Director of Environment and Neighbourhoods submitted a report informing Members of progress against the Leeds Strategic Plan on a number of projects in the West Inner Leeds area, as determined by the Area Delivery Plan 2009-11.

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

- Bringing Armley Together dated 9th March 2010
- Scrutiny Statement – Youth Service Surveys – Scrutiny Board (Children's Services) – April 2010

Jason Singh, Acting West North West Area Manager, Clare Wiggins, Area Management Officer and Nigel Conder, Armley and Pudsey Town Centre Manager presented the report and responded to Members' queries and comments.

At the request of the Chair, Suzane Wainwright, Senior Youth Officer, Learning and Leisure provided the meeting with background detail in relation to the Scrutiny Statement on Youth Service Surveys.

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

- the need for a detailed report on the West Leeds Enterprise Centre (LEGI) covering such issues as monies spent to date, jobs created, companies formed etc to be submitted to the next meeting in September 2010
- the need for clarification in relation to the 10 year maintenance costs in respect of Armley Moor with a report back at the next meeting in September 2010

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Acting West North West Area Manager be requested to commission a detailed report on the West Leeds Enterprise Centre (LEGI) for discussion at the next meeting on 8th September 2010.
- c) That the Acting West North West Area Manager be requested to investigate the current position with Parks and Countryside in relation to the 10 year maintenance costs in respect of Armley Moor with a report back at the next meeting on 8th September 2010.

13 Inner West Area Delivery Plan 2009/10 - Update Report - Quarters 3 and 4

The Director of Environment and Neighbourhoods submitted a report informing Members of progress to date for the second two quarters of the Area Delivery Plan (ADP) 2009-10.

Appended to the report was a copy of the Inner West Area Committee – Area Delivery Plan 2008/11 for the information/comment of the meeting.

Clare Wiggins, Area Management Officer, presented the report and responded to Members' queries and comments.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Committee notes and welcomes the progress in relation to the Inner West Area Delivery Plan 2008-2011.

14 Priority Neighbourhood Areas - Update

The Acting West North West Area Manager submitted a report providing the meeting with an update on progress, and achievements to date that have occurred in the Inner West's Priority Neighbourhood Areas (also known as Local Area Management Plans – LAMPS)

The report also outlined the next steps for each of the partnerships.

Jason Singh, Acting West North West Area Manger presented the report and responded to Members' queries and comments.

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Committee notes the progress and next steps of the three LAMP areas as outlined in the report.

15 Area Committee Roles 2010/11

The Director of Environment and Neighbourhoods submitted a report on Area Committee roles for 2010/11.

Appended to the report was a summary of the functions to be rolled forward to 2010/11 for the information/comment of the meeting.

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

The Chair made specific reference to advertising on lampposts and reaffirmed her view that such measures were not necessary within the Armley area.

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

16 Appointments to Outside Bodies 2010/11

The Chief Democratic Services Officer submitted a report outlining the Committee's role in relation to its Elected Member appointments to the community and local engagement category appointments to outside bodies which had been delegated to the Area Committee to decide.

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

- Appointments to Outside Bodies Procedure Rules (Appendix 1 refers)
- Area Committee Appointments to Outside Bodies Schedule (West Inner) (Appendix 2 refers)

Arising from discussions, clarification was sought on whether or not Bramley Sure Start had now been officially wound up as an organisation.

Stuart Robinson, Governance Services responded and agreed to investigate this matter further with a report back on progress at the next meeting in September 2010.

RESOLVED:-

- (a) That the contents of the report and appendices be noted.
- (b) That in respect of the Outside Body schedule, approval be given to the following appointments being made for the Municipal Year 2010/11:-

ALMO West Inner Area Panel

Councillor J Harper
Councillor N Taggart

Bramley Sure Start	Councillor N Taggart Mr S McBarron
West North West Divisional Community Safety Partnership	Councillor J McKenna
Children Leeds West Partnership	Councillor A Lowe
West North West Health and Social Care Partnership	Councillor A Lowe
West North West Education, Employment, Enterprise and Training Partnership	Councillor T Hanley

- (c) That in relation to the ALMO West Inner Area Panel, Governance Services be requested to supply Councillor J Harper with a list of Panel Meetings for 2010/11.
- (d) That in relation to Bramley Sure Start, Governance Services be requested to make further enquiries on whether or not this outside body had now been officially wound up with a report back on progress at the next meeting on 8th September 2010.

17 CCTV Report - West Inner Area

The Director of Environment and Neighbourhoods submitted a report on the Community Safety CCTV service in relation to the North West (Outer) area.

Appended to the report was a copy of a document that provided Members with a financial breakdown and a summary of incidents reported to the West (Inner) Area Committee for the information/comment of the meeting.

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

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

- Financial Cost breakdown for West (Inner) Area Committee (Appendix 1 refers)
- Summary of incidents reported in the West (Inner) Area Committee (Appendix 2 refers)

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

18 Dog Control Orders

The Director of Environment and Neighbourhoods submitted a report regarding the Council's proposals to introduce Dog Control Orders in the City.

Stacey Campbell, Service Manger, Environment and Neighbourhoods presented the report and responded to Members' queries and comments.

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

- clarification of the total number of people engaged in the Dog Warden Service
- a request for the Service Manager to attend a future meeting of the Armley Forum to talk about Dog Control Orders

RESOLVED –

- a) That the contents of the report be noted and welcomed.
- b) That Clare Wiggins, Area Management Officer be requested to e mail the date and time of the next Armley Forum meeting to the Service Manager, Environment and Neighbourhoods.

19 Dates, Times and Venues of Future Meetings

a) That the following arrangements be noted:-

Wednesday 8th September 2010, 17.00, venue t.b.c.

Wednesday 20th October 2010, 17.00, Stanningley Rugby Club

Wednesday 15th December 2010, 16.00, venue t.b.c.

Wednesday 16th February 2011, 17.00, Stanningley Rugby Club

Tuesday 5th April 2011, 17.30, venue t.b.c.

b) That Governance Services be requested to e mail those Members of the Committee who were not present at today's meeting with a view to notifying them of the revised commencement time of 15th December 2010 meeting.

(The meeting concluded at 7.00pm)

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