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## EXECUTIVE BOARD

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Meeting to be held in Civic Hall, Leeds on  
Wednesday, 3rd November, 2010 at 1.00 pm

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### MEMBERSHIP

#### Councillors

K Wakefield (Chair)	A Carter	S Golton	A Blackburn
J Blake			
P Gruen			
R Lewis			
T Murray			
A Ogilvie			
L Yeadon			
J Dowson*			

\*non voting advisory member

## CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

# A G E N D A

Item No K=Key Decision	Ward	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of those 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.</p>	

Item No K=Key Decision	Ward	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATION OF INTERESTS</b></p> <p>To declare any 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.</p>	
5			<p><b>MINUTES</b></p> <p>To confirm as a correct record the minutes of the meeting held on 13<sup>th</sup> October 2010.</p> <p><b><u>RESOURCES AND CORPORATE FUNCTIONS</u></b></p>	1 - 6
6			<p><b>GOVERNMENT SPENDING REVIEW 2010</b></p> <p>To consider the report of the Director of Resources providing information about the Government's announcement on 20<sup>th</sup> October 2010 in respect of its Spending Review, highlighting the implications for the Local Authority and detailing proposals for the development of the Council's budget setting process, including the proposed delivery of a consultation exercise.</p>	7 - 16
7 K			<p><b>TREASURY MANAGEMENT STRATEGY UPDATE 2010/2011</b></p> <p>To consider the report of the Director of Resources providing a review and update on the Treasury Management Strategy for 2010/2011 which was approved by Executive Board on 12<sup>th</sup> February 2010.</p>	17 - 26

Item No K=Key Decision	Ward	Item Not Open		Page No
8 K			<p><b>CAPITAL PROGRAMME UPDATE 2010 - 2014</b></p> <p>To consider the report of the Director of Resources summarising the financial details of the 2010/2011 month 6 Capital Programme position. The report also seeks approval to transfer some schemes to the reserved Capital Programme, following the conclusion of the capital review and details the action being taken in respect of individual capital schemes to ensure that the overall level of the Capital Programme expenditure can be managed within the ever changing resource position.</p>	27 - 72
9 K			<p><b>FINANCIAL HEALTH MONITORING 2010/2011 - HALF YEAR REPORT</b></p> <p>To consider the report of the Director of Resources outlining the financial health position for 2010/2011 at the half way stage of the financial year. The report covers revenue expenditure and income projected to the year end, whilst highlighting other key financial indicators including Council Tax collection and the payment of creditors.</p>	73 - 100
10			<p><b>LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY</b></p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) seeking endorsement of the proposed responses to the consultation exercise undertaken in respect of the Licensing Act 2003 Statement of Licensing Policy and recommending to full Council the formal approval of the Policy.</p>	101 - 190
11			<p><b>SCRUTINY BOARD RECOMMENDATIONS</b></p> <p>To consider the report of the Chief Democratic Services Officer providing a summary of the responses to Scrutiny Board recommendations received since the last Executive Board meeting.</p>	191 - 194

Item No K=Key Decision	Ward	Item Not Open		Page No
12	Wetherby;		<p><b><u>DEVELOPMENT AND REGENERATION</u></b></p> <p><b>DEPUTATION TO COUNCIL - WETHERBY TOWN COUNCIL SEEKING PROVISION OF A MINI-ROUNDBOUT AT THE TOP OF CROSSLEY STREET, WETHERBY</b></p> <p>To consider the report of the Acting Director of City Development in response to the deputation to Council from Wetherby Town Council on 21<sup>st</sup> April 2010.</p>	195 - 202
13	Horsforth;		<p><b>DEPUTATION TO COUNCIL - LOCAL RESIDENTS CONCERNED AT ACCESS TO THROSTLE NEST VILLA, HORSFORTH</b></p> <p>To consider the report of the Chief Planning Officer in response to the deputation to Council from local residents to Throstle Nest Villa, Horsforth on 15<sup>th</sup> September 2010.</p>	203 - 212
14 K			<p><b>NATURAL RESOURCES AND WASTE DEVELOPMENT PLAN DOCUMENT: PUBLICATION DRAFT</b></p> <p>To consider the report of the Acting Director of City Development on the approval and publication of the Leeds LDF Natural Resources and Waste Development Plan Document for the purposes of public participation and representation.</p>	213 - 216
15 K	City and Hunslet;	10.4(3) (Appendix only)	<p><b>DESIGN AND COST REPORT - LEEDS ARENA</b></p> <p>To consider the report of the Acting Director of City Development providing an update on the progress made in pursuing the development of the arena at Clay Pit Lane, regarding proposals for a design and cost freeze at RIBA Stage D+ and seeking authorisation of related expenditure and letting of contracts.</p> <p>The appendix to this report is designated as exempt under Access to Information Procedure Rule 10.4(3).</p>	217 - 234

Item No K=Key Decision	Ward	Item Not Open		Page No
16 K			<p><b><u>ENVIRONMENTAL SERVICES</u></b></p> <p><b>DOG CONTROL ORDERS</b></p> <p>To consider the report of the Director of Environment and Neighbourhoods outlining the outcome of the consultation exercise undertaken in respect of the Dog Control Order implementation process and seeking approval to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 with effect from 1st January 2011.</p> <p><b><u>NEIGHBOURHOODS AND HOUSING</u></b></p>	235 - 256
17 K			<p><b>THE FUTURE OF COUNCIL HOUSING</b></p> <p>To consider the report of the Director of Environment and Neighbourhoods providing an update on the progress made in respect of the Future of Council Housing Review and making recommendations regarding key reforms to the current system and a preferred model for Council house provision in Leeds.</p> <p><b><u>ADULT HEALTH AND SOCIAL CARE</u></b></p>	257 - 272
18			<p><b>DEPUTATION TO COUNCIL - UNISON LEEDS COMMUNITY HEALTH REGARDING NHS LEEDS AND SOCIAL ENTERPRISE</b></p> <p>To consider the report of the Director of Adult Social Services in response to the deputation to Council from Unison Leeds Community Health on 15<sup>th</sup> September 2010.</p>	273 - 280
19 K	Ardsley and Robin Hood; Horsforth; Wetherby;		<p><b>TRANSFORMING DAY OPPORTUNITIES FOR ADULTS WITH LEARNING DISABILITIES</b></p> <p>To consider the report of the Director of Adult Social Services regarding proposals to accelerate the programme aimed at transforming the delivery of day services for adults with learning disabilities by Adult Social Care in Leeds.</p>	281 - 294

Item No K=Key Decision	Ward	Item Not Open		Page No
20  K			<p data-bbox="676 255 1251 322"><b>DOMICILIARY CARE STRATEGY AND REABLEMENT</b></p> <p data-bbox="676 367 1406 730">To consider the report of the Director of Adult Social Services providing information on homecare service provision in Leeds, detailing plans to further develop these in line with the commissioning strategy approved by Executive Board in 2005, in addition to outlining national and local developments since that time, so that Adult Social Care is able to respond to the increasingly challenging financial climate, whilst continuing to provide high quality front line services.</p>	295 - 308



## EXECUTIVE BOARD

WEDNESDAY, 13TH OCTOBER, 2010

**PRESENT:** Councillor K Wakefield in the Chair

Councillors A Blackburn, J Blake, S Golton,  
P Gruen, R Lewis, T Murray, A Ogilvie,  
J Procter and L Yeadon

Councillor J Dowson – Non-voting Advisory Member

**81 Substitute Member**

Under the terms of Executive Procedure Rule 2.3, Councillor J Procter was invited to attend the meeting on behalf of Councillor A Carter.

**82 Introduction of the new Director of Children's Services**

On behalf of the Board, the Chair introduced Nigel Richardson, as this marked the first meeting of Executive Board since he began his tenure as Director of Children's Services.

**83 Declaration of Interests**

Councillors Murray, R Lewis, Ogilvie, Blake, Golton and A Blackburn all declared personal interests in the item relating to the Environment and Neighbourhoods Lettings Policy (Minute No. 91 refers), due to their respective positions as either a Board Director or an Area Panel member of an Arms Length Management Organisation (ALMO) or Belle Isle Tenant Management Organisation (BITMO).

Councillor Murray declared a personal interest in the item relating to the Compact for Leeds (Minute No. 90 refers), due to his position as Chief Executive of the Learning Partnerships organisation.

A further declaration of interest was made at a later point in the meeting. (Minute No. 92 refers).

### **LEISURE**

**84 South Leeds Sports Centre**

Further to Minute No. 10, 22<sup>nd</sup> June 2010, the Acting Director of City Development submitted a report regarding the proposed closure of the South Leeds Sports Centre and which outlined a proposal for officers to submit a report to a future meeting following further work being undertaken, in order to consider the proposal from Tiger11 regarding a possible community asset transfer of the facility.

In response to Members' enquiries regarding comparisons provided between South Leeds Sports Centre and other centres in terms of usage levels and cost per visit, the Acting Director of City Development provided clarification

and suggested that, when determining this matter, Members should take into account that the centre attracted 215 visits per week at a cost of circa £10 per visit.

With regard to the future of the sports centre, the following options were outlined within the submitted report:-

Option 1 - The Sports Centre remain open pending further work on Tiger11's proposals for a community asset transfer.

Option 2 – Immediate closure of the Sports Centre and acceptance of Tiger11's proposal for community asset transfer.

Option 3 - Immediate closure of the Sports Centre and rejection of Tiger11's proposal. This option would lead to a recommendation to demolish the facility with further consideration of the site's use as a capital receipt, or as part of any regeneration programmes in the area.

Option 4 – Immediate closure of the Sports Centre, whilst proactive work with Tiger11 continued on their proposals for consideration by Executive Board later this year.

#### **RESOLVED –**

- (a) That the Acting Director of City Development be authorised to commence the closure of South Leeds Sports Centre in consultation with the Executive Member for Leisure and to make arrangements for Corporate Property Management to secure the building.
- (b) That officers be requested to undertake further work with Tiger11 in order to enable proposed Heads of Terms for a Community Asset Transfer to be developed which are consistent with the principles established in August 2009, for further consideration by Executive Board in December 2010.
- (c) That the Acting Director of City Development be authorised to enter into a 6 month exclusivity agreement with Tiger11 for South Leeds Sports Centre.

#### **85 Minutes**

**RESOLVED** – That the minutes of the meetings held on 16<sup>th</sup> August, 25<sup>th</sup> August and 23<sup>rd</sup> September 2010 be approved as a correct record.

#### **DEVELOPMENT AND REGENERATION**

#### **86 West Leeds Gateway Supplementary Planning Document**

Further to Minute No. 201, 10<sup>th</sup> March 2010, the Acting Director of City Development submitted a report presenting the representations received as part of the final period of public consultation on the West Leeds Gateway Supplementary Planning Document (SPD) and which sought approval of the formal adoption of the SPD.

A schedule detailing the responses received as part of the final period of public consultation had accompanied Board Members' agenda papers.

**RESOLVED -**

- (a) That the representations received on the West Leeds Gateway Supplementary Planning Document and the recommended responses to the representations be noted.
- (b) That the adoption of the West Leeds Gateway Area Supplementary Planning Document be approved.

**87 Design and Cost Report: Proposed Works at Woodhouse Lane Multi Storey Car Park**

The Acting Director of City Development submitted a report regarding a design and cost freeze at RIBA Stage D on the proposed improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park. In addition, the report also sought authorisation to the incurring of related expenditure and letting of related contracts.

**RESOLVED –**

- (a) That the design and cost freeze at RIBA Stage D for the proposed improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park be approved.
- (b) That subject to the tender sum for the proposed works being within the budget available, approval be given to the letting of the contract and the incurring of expenditure of £5,806,500 from existing budget provision (Capital Scheme No 13307/WHL/000) on the proposed design and subsequent improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park.

**NEIGHBOURHOODS AND HOUSING**

**88 Deputation to Council - Tenants of Moor Grange Court Regarding Anti-Social Behaviour and Possible Changes to a Local Lettings Policy**

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council on 14<sup>th</sup> July 2010 from the tenants of Moor Grange Court regarding concerns over anti-social behaviour and possible changes to a local lettings policy.

**RESOLVED –** That the response taken by the Council and the ALMO to the problems facing the residents of Moor Grange Court be noted.

**89 Deputation to Council - Local Residents of Hyde Park Regarding Social Deprivation and Community Cohesion in the Area**

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council on 14<sup>th</sup> July 2010 from local residents of Hyde Park regarding social deprivation and community cohesion in the area.

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That a further report be submitted to a future meeting of the Board providing an update on the progress made in addressing the issues highlighted by the deputation.

**90 Adoption of the Compact for Leeds 2010**

The Director of Environment and Neighbourhoods submitted a report presenting the revised Compact for Leeds 2010 for approval and adoption.

**RESOLVED –** That the adoption of the Compact for Leeds be approved, and that the Council commit to undertaking an assessment of current policy and practice and the development of a plan to strengthen priority areas for action.

**91 Environment and Neighbourhoods Lettings Policy Revision**

Further to Minute No. 247, 19<sup>th</sup> May 2010, the Director of Environment and Neighbourhoods submitted a report outlining the options available for amending the Environment and Neighbourhoods lettings policy, providing a summary of the consultation undertaken with customers, considering the potential impacts in equality arising from such changes and seeking approval to implement the revised policy.

**RESOLVED –**

- (a) That the results of the consultation exercise undertaken be noted, and that the revised Lettings Policy be approved.
- (b) That the implementation of the proposals contained within section 4 of the submitted report be approved with effect from 5<sup>th</sup> January 2011.

**CHILDREN'S SERVICES**

**92 Report on the September 2010 Admissions Round**

The Chief Executive of Education Leeds submitted a report presenting a range of statistical information relating to the September 2010 admissions round in Leeds.

Officers undertook to provide the relevant Member with a list of those 19 primary schools where places could not be offered to all those children who had expressed a preference for a school which was their nearest.

**RESOLVED –** That the statistical content of the report be noted, including:

- the percentage of first preferences achieved, where 86.2% of parents are offered the school of their first preference and 96.7% of parents received one of their preferences;
- the increase in the number of secondary block appeals, but fall in the number of in year appeals, and the further 8% improvement in the successful defence of in year appeals.

- the continued increase in use of the on-line service for parents to 44% of on time applications.
- a further increase in birth rate and the rise in successful preferences following a range of school expansions.

(Councillor J Procter declared a personal interest in this item, as a parent of a child who had not been offered a place at the child's nearest school, having expressed a preference for that school).

## **LEISURE**

### **93 A New Chapter: A Fresh Direction for Leeds Libraries and for Integrated Services**

The Chief Libraries, Arts and Heritage Officer submitted a report informing of the challenges faced in the delivery of the Leeds Library and Information Service and, in taking into account the delivery of other front line services, outlining new approaches for consultation which would ensure the sustainability and relevance of the library service for the people of Leeds.

Members referred to the possibility of extending the consultation period, should this be required.

#### **RESOLVED -**

- (a) That the operational challenges of the Libraries and Information Service, as outlined within the submitted report, be noted.
- (b) That a public consultation exercise on the detailed proposals contained within appendix 1 to the submitted report be approved.
- (c) That a further report be submitted to the Board early in 2011 outlining the outcome of the consultation process and which takes into consideration the outcomes from the Comprehensive Spending Review.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Blackburn and Golton respectively required it to be recorded that they abstained from voting on the decisions referred to within this minute).

## **RESOURCES AND CORPORATE FUNCTIONS**

### **94 Financial Strategy and Budget Setting Process**

The Director of Resources submitted a report providing background information to the forthcoming Comprehensive Spending Review and outlining the proposed process for setting the Council's 2011/12 budget.

Members made reference to the possibility of liaising with external organisations and service providers as part of the process to consider the budget proposals.

**RESOLVED –**

- (a) That the background to the current budget setting process and the actions taken to date be noted.
- (b) That the establishment of a Members' working group comprising Members of the five political parties to consider budget proposals be agreed.
- (c) That a subsequent report be brought to the January 2011 Executive Board reporting on the outcome of the Member working group discussions.
- (d) That the budget principles, as set out within paragraph 5 of the submitted report, be agreed.

**95 Scrutiny Board Recommendations**

The Chief Democratic Services Officer submitted a report providing a summary of the responses to Scrutiny Board recommendations received since the last Executive Board meeting.

**RESOLVED –**

- (a) That the responses to the recommendations of the Scrutiny Board (Adult Social Care), as detailed within the submitted report, be noted.
- (b) That a review be undertaken in relation to the ways in which responses to Scrutiny Board recommendations are received by the Executive Board.

**DATE FOR PUBLICATION:** 15<sup>th</sup> October 2010

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 22<sup>nd</sup> October 2010 (5.00 p.m.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 25<sup>th</sup> October 2010)

Originator: Alan T Gay

Tel: 74226

## Report of the DIRECTOR OF RESOURCES

### Executive Board

Date: 3<sup>RD</sup> November 2010

Subject: GOVERNMENT SPENDING REVIEW 2010

#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

### EXECUTIVE SUMMARY

The Chancellor of the Exchequer published the coalition government's Spending Review on the 20<sup>th</sup> October 2010 setting out their public expenditure plans for the next four years (2011/12 to 2014/15). The government state that they have established a new fiscal framework to remove the structural deficit by the end of the current Parliament. The headline for local government is for funding to reduce by 26% in real terms over 4 years. This compares to average savings for government departmental budgets of 19%. Reductions for local authorities are significantly front-loaded, with real term losses in 2011/12 of more than 10%.

The proposals do include a significant reduction in the number of ring-fenced grants with around £4 billion a year to be rolled into (general) Formula Grant. Funding will also be provided for Council taxes to be frozen for 2011/12. The grant settlements for local authorities will not be known until late November, but a simple extrapolation of the national figures suggests a grant reduction for the council of over £150m by 2014/15, of which around £52m could impact in 2011/12.

Capital support for local authorities is reduced by 45% over the review period, but the government have stated that the proposals for Tax Increment Financing (TIF) will go ahead.

Funding for schools is to be increased in real terms by 0.1% per year including a new pupil premium, and £4.5 billion is provided for affordable housing. It is also proposed that council tax benefit is localised from 2013/14, but for it to cost 10% less.

As expected the Spending Review presents a significant financial challenge to the council, and this report does make proposals for the setting of the council's budget for 2011/12 including commencing a process of consultation.

## 1. **PURPOSE OF THIS REPORT**

- 1.1 The purpose of the report is to provide information about the Government's announcement on 20<sup>th</sup> October 2010 of the results of its Spending Review. As expected this has significant implications for public spending in general and for local authorities in particular although figures announced are mainly national ones. Individual authorities' grant figures are expected to be announced at the end of November. The report also sets out proposals for developing the council's budget, including the commencing a process of consultation.

## 2. **KEY HEADLINES**

- 2.1 Headline announcements include:

- Average savings in government departmental budgets of 19% over the next 4 years
- On average central government funding to councils, schools, police and fire to decrease by 26% in real terms over four years
- Overall funding for local government to fall by an average 7.1% per year over the next 4 years but with a larger decrease in the first year

## 3. **LOCAL GOVERNMENT FUNDING**

- 3.1 In his speech the Chancellor of the Exchequer said that overall funding for local government is to fall by an average of 7.1% in real terms in each of the next 4 years although there are significant variations between years as the table below shows:

National Funding	Base	Variation			
	2010/11 £bn	2011/12 £bn	2012/13 £bn	2013/14 £bn	2014/15 £bn
Local Government Funding	28.5	26.1	24.4	24.2	22.9
Real Terms reduction (%)		10.6%	8.3%	2.8%	7.2%

The reduction applies to the whole of Formula Grant not just the Revenue Support Grant (RSG) element.

- 3.2 Most ring-fencing of grants is to be removed from 2011/12. £4 billion of specific grants per year will be rolled into Formula Grant. That includes funding for Supporting People of about £1.6bn per year (£6.5bn over the next four years), about £200m of concessionary fares specific grants and extra funding announced of £1bn by 2014/15 for social care. Remaining "Core Revenue Grants" include:

- Early Intervention Grant
- Public Health Grant (from 2013-14)
- Learning Disabilities
- New Homes Bonus
- Council Tax Freeze Grant
- Housing Benefit and Council Tax Benefit Administration Grant
- PFI Grant
- Dedicated Schools Grant
- Preventing Homelessness

Transferring specific grants into formula grant could have a distributional effect. Leeds, for example, receives lower than average through formula grant.

- 3.3 In addition to the extra funding announced of £1bn by 2014/15 for social care referred to above, another £1bn for social care is to be provided from the Health budget.



- 3.4 Capital funding from Government to councils will fall by around 45% over four years. The Government estimate that self-financed funding will fall by 17% and capital expenditure by 30%.
- 3.5 The cost of borrowing to local authorities will increase as PWLB rates are to be increased to 1% above UK government gilts. This will mean an increase on PWLB rates of approximately 0.85%.
- 3.6 Council budgets on average are estimated to decrease by 14% in real terms over four years allowing for the Office for Budget Responsibility's projections for increases in council tax and for growth in the tax base.
- 3.7 The new Regional Growth Fund will provide £1.4bn of support over three years, £0.5bn in 2011/12, £0.5bn in 2012/13 and £0.4bn in 2013/14. This will aim to support growth and create jobs in the private sector in places currently dependent on the public sector. It will be subject to a bidding process.
- 3.8 Government will guarantee a £200 million capitalisation fund in 2011-12 to support authorities that wish to deliver efficiency savings early through internal restructuring.
- 3.9 Fire service funding will reduce by 4% per year in exchange for service reforms. Over the four years formula grant funding for fire authorities will reduce by 25%, weighted to the second half of the period.
- 3.10 Police spending will fall by 4% a year for 4 years and central government police funding will reduce by 20 per cent by 2014-15.

#### **4. COUNCIL TAX FREEZE**

- 4.1 The Government will provide funding for a one year council tax freeze for 2011/12, to be funded to cover a 2.5% increase, Authorities could choose to set a council tax higher than 2.5% but, if they did, they would not receive any support from this scheme. This funding of £650m will be for each of the next four years to cover the resultant loss to the tax base. There is no guarantee that the funding will continue beyond 2014/15.
- 4.2 The scheme will apply to major precepting authorities (e.g. Police and Fire Authorities) as well as to billing authorities, but not to parishes
- 4.3 The Secretary of State has indicated that capping powers would be used to curb any "excessive" increases.
- 4.4 CLG have provided indicative grant figures which include £6.7m for Leeds.

#### **5. POSSIBLE GRANT IMPLICATIONS FOR LEEDS**

- 5.1 The figures per the Spending Review (SR) indicate a real terms reduction of 26% over the four years of the SR. In addition, the Government's proposed reductions rather than being spread evenly are to be frontloaded. This gives a forecast grant change for the council as detailed below:

Leeds Position	Base	Variation				
	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m	2014/15 £m	Total £m
Government Grant	634.4	-	-	-	-	-
Real terms change		59.0	47.0	14.0	37.0	157.0
Funding for Council Tax		6.7				6.7
		<b>582.1</b>	<b>535.1</b>	<b>521.1</b>	<b>484.1</b>	
Reduction from previous year		- 52.3	- 47.0	- 14.0	- 37.0	

5.2 The Government's inflation assumptions over the period are 2.4% in 2011/12, 1.9% in 2012/13 and 2.0% in the final two years.

5.3 The above should be treated with caution, it being a straight extrapolation of headline figures within the spending review, and does not take account of any distributional impacts such as the ending of all Working Neighbourhoods Fund which will not impact on Leeds' funding as we do not receive any, nor the transfer of specific grants to formula grant.

## 6. **COUNCIL TAX BENEFITS**

6.1 Government will reduce spending on council tax benefit by 10% and localise it from 2013/14 to provide greater flexibilities to authorities to manage pressures from same date. DWP are expected to issue more information over the next few weeks.

## 7. **TAX INCREMENT FINANCING (TIF)**

7.1 TIF funding will go ahead and further details will be issued in a sub-national review later in the year. Members will be aware that Leeds, along with the other Core Cities have been promoting TIF through a policy proposal known as Accelerated Development Zones for the last few years, and in particular in relation to the Aire Valley.

## 8. **HOUSING**

8.1 Major reforms are to be put in place to better meet housing need, to increase housing supply and support sustainable growth. £4.5 billion is to be invested to provide up to 150,000 new affordable homes over the Spending Review period. A further £100 million will be provided to bring empty homes back into use.

8.2 The Preventing Homelessness Grant will continue and will provide £357m over the next four years.

8.3 The reforms to social housing will make no changes to security of tenure for existing tenants, but rents for new tenants are expected to increase from ~ 50% to ~ 80% of market rent levels. Further details on these reforms are to be set out shortly.

8.4 A New Homes Bonus scheme will be introduced. This will match fund the council tax on every new home for each of the following six years. A consultation paper on the scheme design will be launched in November and the scheme will commence in the financial year 2011/12. Nationally £900m funding will be provided over four years. An initial estimate for Leeds suggests this might amount to about £1.5m in the first year, depending on the number of new dwellings built and how the scheme is structured.

## **9. SCHOOLS**

- 9.1 Funding for schools is to be protected. There will be a real-terms increase in schools funding of 0.1% a year for each of the next 4 years which equates to a cash increase of £3.6 billion over the Review period. There is also a commitment that cash per pupil will not fall.
- 9.2 A pupil premium is to be introduced worth £2.5bn over the review period. The premium is designed to support the educational development of disadvantaged pupils and provide incentives for good schools to take on pupils from poorer backgrounds
- 9.3 There will be a 60% real-terms reduction in capital funding over the Review period. £15.8bn will be provided to meet demographic pressure and maintain the school estate.
- 9.4 Sure Start funding (worth £1.55 billion nationally) is to be protected in cash terms but refocused on early intervention for families who need the most support. It will remain as a ring-fenced “Early Intervention” grant.
- 9.5 As previously announced, provision is to be made to extend the 15 hours of free nursery care a week for 3 and 4 year olds to disadvantaged 2 year olds.
- 9.6 The arrangements for schools funding and the pupil premium have been subject to a recent consultation exercise and funding allocations for 2011/12 are not expected to be provided until November or early December, including final details of which grants are to be included in the DSG, which grants will continue and the size and distribution of the pupil premium. Leeds received nearly £22 million in Sure Start, Early Years and Childcare grant in 2010/11. Assuming the grant is protected in cash terms Leeds can expect to receive a similar sum in 2011/12. Leeds received £6.1m in 2010/11 for increasing flexibility for 3-4 year olds. The funding for extending this for disadvantaged 2 year olds is not yet known.

## **10. OTHER ISSUES**

- 10.1 The Government will look at setting proportions of appropriate services across the public sector that should be delivered by independent providers, such as the voluntary and community sectors and social and private enterprises. This approach will be explored in adult social care, early years, community health services, pathology services, youth services, court and tribunal services, and early interventions for the neediest families. A White Paper will be issued early in the New Year.
- 10.2 The government has announced the first sixteen areas which will set up pooled budgets across different government departments, and stated its intention that this model of accountability will be rolled out across the country by the end of the Spending Review period. In addition, Central Government departments will be actively working with a further 20 areas to help push forward local flexibility and to address barriers. Cabinet Office will work with nine authorities, including Leeds, to involve communities in designing and commissioning services that better meet local needs. Places that want to trial different ways of delivering services including community-designed and delivered services are encouraged to do so.
- 10.3 The Government will establish a Transition Fund of £100 million to provide short term support for voluntary sector organisations providing public services.

## **11. DEVELOPMENT OF THE BUDGET AND CONSULTATION**

- 11.1 In accordance with the Council's Budget and Policy framework, full council are responsible for setting the budget, including setting the council tax. In compliance with the framework, the executive is required to publish its initial proposals for the budget, having first canvassed the views of local stakeholders as appropriate and in a manner suitable to the matter under consideration at least two months before the budget needs to be adopted. It is also a requirement that the initial budget proposals are referred to the appropriate Scrutiny Boards for further advice and consideration.
- 11.2 Whilst it is clear that the outcome of the Spending Review will present a significant financial challenge to all public authorities, it will not be until the end of November that the council receives details of its provisional grant settlement from government, which it is anticipated will cover two financial years. Considering these factors, it is proposed that initial budget proposals in the form of a draft medium term financial strategy is presented to this board at its meeting on the 8<sup>th</sup> December 2010, which would then be submitted to scrutiny for consideration. It is also proposed to commence a consultation process and a draft consultation document is attached. The results of consultation will be reported to both this board and scrutiny in January 2011.
- 11.3 At the board's meeting on the 13<sup>th</sup> October 2010, the establishment of a member working group comprising members of the five political parties to consider budget proposals was agreed. This advisory group will meet during November and December to consider and develop budget options. The outcome of these discussions will be reported to the board prior to the finalisation of the Council's 2011/12 budget.
- 11.4 In summary the following timetable is proposed:
- Agreement of approach to stakeholder consultation – Executive Board 3<sup>rd</sup> November 2010
  - Advisory Group to meet - November/December 2010
  - Formula Grant Announcement – 30<sup>th</sup> November 2010 (TBC)
  - Agreement of initial budget proposals – 8<sup>th</sup> December 2010
  - Submission of initial budget proposals to Scrutiny – 9<sup>th</sup> December 2010
  - Scrutiny and Executive Board to receive results from stakeholder consultation – January 2011
  - Executive Board to receive report from Advisory Group and views from Scrutiny, and propose budget to Council – 11<sup>th</sup> February 2011
  - Full Council to receive budget proposals from Executive Board, including results of consultation and views of scrutiny – 23<sup>rd</sup> February 2011

## **12. RECOMMENDATIONS**

- 12.1 To note the details of the Spending Review
- 12.2 To approve the approach to stakeholder engagement and related budget timetable as outlined in the report and the Appendix.

### **BACKGROUND PAPERS**

*Spending Review 2010, HM Treasury, October 2010 (Cm 7942)*

*Letter from CLG, Rt Hon Eric Pickles MP, 20<sup>th</sup> October 2010*

*Letter from DoH, D.Behan, Director for Social Care, Local Government and Care Partnerships, 20<sup>th</sup> October 2010*

*Letter from CLG, Grant Shapps, Minister for Housing and Local Government, 20<sup>th</sup> October 2010*

*Executive Board 13<sup>th</sup> October 2010 - Financial Strategy and Budget Setting Process*

# **A Consultation Document for the People of Leeds (Draft V- E.B. 2)**

## **“Delivering Responsive and Efficient Services”**

### **Challenging Times:**

Everyone will be aware that local public services have to change as a response to reductions in public expenditure. For Leeds City Council, we estimate that we will need to reduce our budget by approximately £150m over the next four years – that sounds a large amount of money, equal to approximately 18% of our net expenditure. Whilst we have four years to address this issue, it is critically important to take action now as we know that we'll need to find at least £50m next financial year alone, starting 1 April 2011. Our biggest area of spend is on staffing. It is inevitable therefore that we will see a fairly large reduction in overall staffing. It's difficult to be precise on the actual number, but our current estimates would suggest that we're likely to have 2,500 to 3,000 fewer staff in four years' time. We currently employ approximately 17,000 people (excluding schools based staff), so that's approximately one in every six jobs. It's important that all residents, partners and Leeds City Council staff understand the challenge we face, understand the approach we are taking and help us to identify the specific actions that need to be taken forward. Please do take some time to read this consultation document carefully and feedback your thoughts and suggestions. If we tackle this together, in a responsible way, we can deliver responsive and efficient public services for the people of Leeds.

### **Our Response:**

We firmly believe that cities like Leeds need strong civic leadership that cares about the city and its people. We also believe that we need a committed and ambitious public sector workforce. We do not agree with the concept that council's should solely be commissioners of services – so we're not proposing an easy-Council approach which is being adopted in some other councils across the country. We believe that we need an appropriate mix of service delivery provision. So, for example, where we can clearly demonstrate that efficiency and effectiveness can be provided by in-house service delivery, this is what we will do. Where we recognise that others can help us to deliver change at a faster rate or deliver better results, either through partnership arrangements or through direct delivery, then this will be considered. We are fully committed to the independent and voluntary sectors and recognise that there is much more that they could do to help us deliver better and more efficient services.

In delivering efficiencies, we recognise the importance of protecting those services provided to the most vulnerable in the city. We also recognise that we are a large city and sometimes don't think sufficiently local in determining priorities and in planning services. We are proposing to review the number of buildings we use across the city to provide services. Too many of them are in poor condition, too many are in the wrong location and some facilities are underused. This will mean that some facilities have to close whilst we make better use of other facilities. We very much appreciate that in such circumstances some service users might be inconvenienced, but we will work closely with service users to find alternative ways of accessing services. We also need to look carefully at funding provided to external organisations to ensure that they are delivering the outcomes required, as well as delivering efficiencies in the context of the reductions we are facing. We will prioritise new investment in initiatives where there is a clear case of saving money in the medium-term or in areas where we are supporting vulnerable people. And remember, the need to make efficiencies is not a new idea. Indeed, over the last 5 years, we have already delivered £100m of efficiencies. We've also developed a new set of values which are currently out for consultation. These are: Celebrating Diversity, Engaging Citizens Locally, Being Open and Honest, Working as a Team for Leeds and Spending Money Wisely. These new values are driving our improvement activity. For example, we are simplifying our partnership arrangements to make them more effective and are about to publish all spend over £500. Whilst this document talks about a general approach to making efficiencies, we will also consult on specific issues, where it is appropriate to do so, to engage citizens and service users in more specific changes when they are developed.

*Question 1 : Do you support this overall approach and do you think there is anything missing that we should consider?*

## **Limiting the Impact on Front-Line Services:**

We are reviewing our office accommodation and working arrangements to reduce the number of buildings that we occupy as well as using technology better to support the delivery of more efficient ways of working. Through better contract management, negotiation and packaging we believe we can make significant savings on the £500m we spend on buying goods and services every year. We recognise that it is important to have a lean managerial structure and in this regard work is being progressed with the aim of securing a reduction in the number of senior managers we employ. We recognise that the council is large and complex and that it is not always easy to know where to go to get the services people need. We will make it even easier to contact and do business with the council, deliver on our promises, and communicate more clearly with you. We will also maximise the use of electronic means of service delivery (for example through the website) and encourage people to use these cheaper channels where they are comfortable in doing so. We will centralise and review further support services where it makes sense to do so to create economies of scale and deliver efficiencies in order to reduce the impact on front-line services.

*Question 2 : What are your views on our proposals to limit the impact on front-line services and do you have any particular issues, ideas or concerns that you would like us to consider in progressing this work?*

## **Safeguarding and Supporting Children and Young People:**

Our vision is for Leeds to become a truly child friendly city. We wish for our children and young people to be safe from harm, to do well at school and be ready for work, to choose healthy lifestyles, to have fun growing up and to be active citizens who feel they have voice and influence. We recognise it can sometimes be difficult for children and families to get the services that they need, when and where they are needed. We are therefore reviewing how we deliver services to children and their families in the city. We will make services easier to access by providing them in the heart of communities, building strong services around strong schools, working better with partners in the health service to provide more things together. An example would be the integration of children's centres within schools to make this a strong model right across the city. We will also prioritise what services we provide and how we provide them, focusing on the children with greatest needs and that face greatest disadvantage, such as children with complex health care needs and disabilities and looked after children. We will do this by reviewing services that aren't effective, don't provide good value for money and that are duplicated elsewhere. We will also look for more opportunities for services to be provided by our partners, such as the voluntary sector, where this would deliver better outcomes for children and better value for money.

*Question 3: Do you support our aspiration to become a truly child friendly city? Do you support proposals to improve access with more joined-up services based in local schools and communities? What are your thoughts on prioritising services for those most in need? Do you have any other thoughts on how we best support and make efficiencies in the way we support children and young people?*

## **Supporting Older and Disabled People:**

In adult social care, we are developing more personalised services. Our commitment is to make sure future services fit the needs and wishes of the individual as closely as possible. We will do this by ensuring services are flexible and by enabling people to choose from a wide variety of options, which are capable of being changed as people's personal needs change. Our aim is to enable people to stay in their own homes for as long as possible. In the future, we propose that our own council-run services will be smaller, more specialised and will target people with the greatest and most complex needs. We will continue to have a focus on safeguarding and quality and will provide a new service for people who need help to regain their independence after an accident or illness, to help them stay out of hospital or residential care. In future, some adult social care services are likely to be delivered by partner organisations such as the NHS and others in the public, private and voluntary sectors, with whom we will continue to work closely.

*Question 4 : What are your views on proposals for the council to work more with partners to reduce the need for long-term social care, by helping people remain independent and supporting people with the most complex needs? Should we increase charges for adult social care services, for those people who can afford to pay? And, do you have any other thoughts on how we best support and make efficiencies in the way we support older and disabled people?*

## **Clean and Safe Neighbourhoods:**

We provide many key services which are crucial to the quality of life people experience in the city. We want to ensure that neighbourhoods are clean and safe. We recognise the importance of basic services such as refuse collection but also the significance of dealing with waste in a sustainable way. Anti-social behaviour is a blight on many people's lives and we are determined to tackle it. The costs of dealing with waste are rising, particularly as landfill taxes increase. You can help by reducing what you throw away and recycling as much as you can, which will reduce the disposal bill and make our recycling services more cost effective. We will also need to look at how we best encourage recycling with the funding limits we will have. We will try to preserve spending on keeping the streets clean. Residents, however, are paying largely for the council to pick up the litter thrown down by the minority. We want to try a new approach to dealing with the problem at source, working at a local level to tackle hotspots and with our police colleagues on issues such as fly tipping, graffiti and anti-social behaviour, combining our resources to have the maximum impact in local areas. The council plays a key role in ensuring people's housing needs are met. We know that there are not enough affordable homes and the council receives thousands of requests for help by people threatened with homelessness. We will continue to place an emphasis on trying to develop new homes and resolving people's housing problems.

*Question 5: Do you support our proposed priorities for clean and safe neighbourhoods and do you agree with a need to tackle local hot-spots and for people to take greater responsibility for their own actions? And, do you have any other thoughts on how we best support and make efficiencies in these service areas?*

## **Sustainable Economy and Jobs:**

We want Leeds to be a vibrant and sustainable city that has a thriving economy, a rich cultural life and an attractive environment. To achieve this we need to be sure that new developments are appropriate and relevant for the area they are planned for, maintaining an appropriate balance between development to create jobs and investment and the need to look after the environment. We also need to have a greater focus on the low carbon economy as well as a focus on improving broadband access across the city. We need to ensure people can get to where they want to go, preferably using sustainable transport and we need to ensure that the city offers a rich variety of things to do and places to go. A key priority is helping people to find work in this current economic climate. We want to work closely with education providers and employers and to make sure that local people are able to take up opportunities as they arise. We will work to make sure that any investment the council makes includes a commitment to jobs and training. We will also encourage major businesses to remain in or relocate to the city to create and retain jobs. To meet our future challenges we are reviewing all of our services, seeking partners to help us deliver better services where appropriate, removing duplication where needed and questioning services which are underused. For example, there is a separate consultation currently underway on the provision of library services across the city. We will also need to consider charging for some of the events and services we currently provide free of charge.

*Question 6: Do you agree that Leeds needs to be vibrant and sustainable and that a key priority for us is to encourage investment and help people into work? And, do you have any other thoughts on how we best support and make efficiencies in these service areas?*

## **Please let us have your views by:**

1. Visiting our website and completing the survey online at [www.leeds.gov.uk/.....](http://www.leeds.gov.uk/.....)
2. Or completing the attached questionnaire.

The deadline for feeding back your comments is Friday 17<sup>th</sup> December 2010. If you have any questions please ring our Contact Centre on (0113) 222 4444 (or a number to be confirmed).

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Originator: M Taylor

Tel: x74234

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**Report of the DIRECTOR OF RESOURCES**

**Executive Board**

**Date: 3<sup>rd</sup> November 2010**

**Subject: TREASURY MANAGEMENT STRATEGY UPDATE 2010/11**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

1. This report provides a review and update of the treasury management strategy for 2010/11.
2. The Council's level of external debt as at 31<sup>st</sup> March 2011 is anticipated to be £1,620m, £40m higher than that was approved in February 2010. This is due to an increase in borrowing required to fund the capital programme which includes equal pay costs.
3. Monitoring of money and financial markets has enabled revenue savings of £4.7m to be made against £7.9m assumed in the budget. This is largely due to previous actions of repaying long term debt and maintaining funding through short-term loans at historic low rates.
4. The investment of surplus monies will continue to have due regard for security of capital in accordance with the Council's approved investment strategy.
5. The level of debt is expected to remain within the Authorised limits for external debt as agreed by Council on 24<sup>th</sup> February 2010.
6. Following the CSR the cost of borrowing for new loans has increased by an average of 0.85% bringing the margin paid above gilts to 1%. This will increase the cost of borrowing by £85k for each additional £10m borrowed.

## 1.0 Purpose Of This Report

1.1 The 2010/11 treasury management strategy was approved by Executive Board on 12<sup>th</sup> February 2010. This report provides a review and update of the strategy for 2010/11.

## 2.0 Background Information

2.1 The operation of the Treasury Management function is governed by provisions set out under part 1 of the Local Government Act 2003 whereby the Council is required to have regard to the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities (amended 2009) in particular:

- The Prudential Code requires that full Council set certain limits on the level and type of borrowing before the start of the financial year together with a number of Prudential indicators.
- Any in year revision of these limits must be set by Council.
- Policy statements are prepared for approval by the Council at least twice a year.

## 3.0 Main Issues

### 3.1 Review of Strategy 2010/11

3.1.1 The current borrowing forecasts are shown in Table 1.

**Table 1**

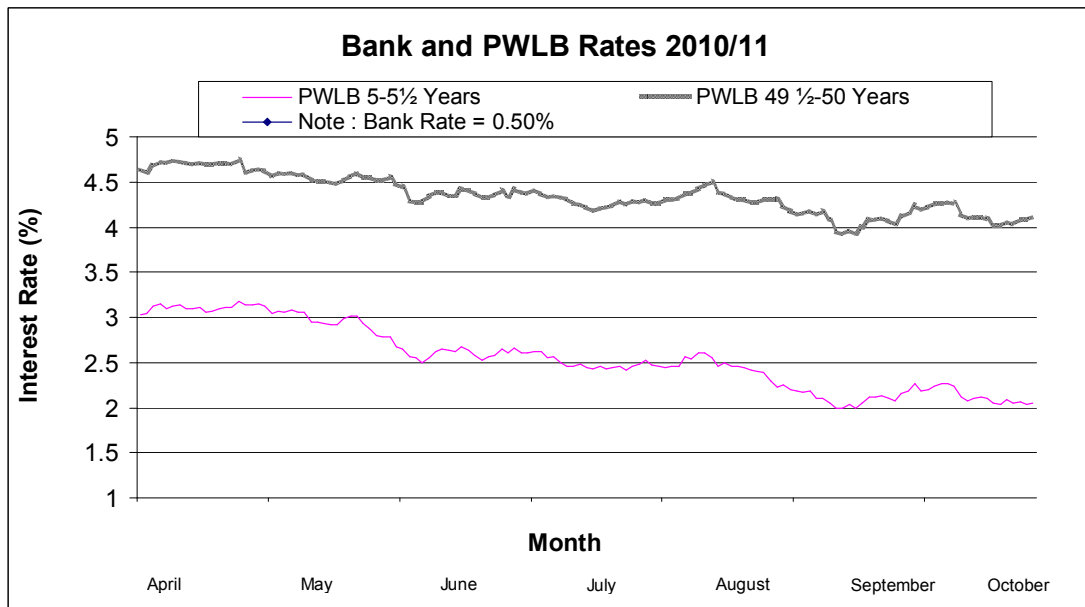
	2010/11 This Report £m	2011/12 £m	2012/13 £m
<b>ANALYSIS OF BORROWING 2010/11</b>			
<b>Net Borrowing at 1 April</b>	<b>1,414</b>	1,620	1,689
New Borrowing for the Capital Programme – Non HRA	<b>188</b>	99	48
New Borrowing for the Capital Programme – HRA	<b>15</b>	3	3
Debt redemption costs charged to Revenue (Incl HRA)	<b>(27)</b>	(33)	(36)
Reduced/(Increased) level of Revenue Balances	<b>30</b>	0	0
<b>Net Borrowing at 31 March*</b>	<b>1,620</b>	1,689	1,704
<b>Capital Financing Requirement</b>	<b>1,765</b>	1,833	1,847
* Comprised as follows			
Long term borrowing Fixed	<b>1,329</b>	1,516	1,560
Variable (less than 1 Year)	<b>25</b>	55	50
New Borrowing	<b>272</b>	69	15
Short term Borrowing	<b>25</b>	70	90
Total External Borrowing	<b>1,651</b>	1,710	1,715
Less Investments	<b>31</b>	21	11
Net External Borrowing	<b>1,620</b>	1,689	1,704
% borrowing funded by short term and variable rate loans	<b>20%</b>	11%	9%

**Note:** The Capital Financing Requirement (CFR) is the maximum level of debt (i.e. borrowing and finance leasing) that the Council can hold for its current year capital purposes. The Council is also allowed to borrow in advance for up to two future years capital programmes.

3.1.2 Table 1 above shows that 2010/11 net external borrowing is now forecast at £1,620m, £40m higher than in the report to Executive Board on 12th February 2010. The Increase is due to the need to borrow more to fund the capital programme (including equal pay).

- 3.1.3 In the early part of the year the world economies were driven by the sovereign debt crises, following concerns about the Greek government's total debt and annual deficit. The real worry in Europe was that any default on debt repayments would have had a substantial impact on other countries in particular, Portugal, Spain and Ireland. This crisis culminated in the EU and IMF putting together a €750bn support package in mid May.
- 3.1.4 Whilst growth in the US, UK and the Euro zone in quarter 2 of 2010 was encouraging it is unlikely to be repeated in second half of the year. Market expectations are that the growth rebound has peaked and indications are pointing downwards, though not necessarily into negative territory.
- 3.1.5 As with other economies, the UK is in the process of rolling out austerity plans to correct the public sector deficit over the next five years. The inevitable result of fiscal contraction will be major job losses during this period, in particular in public sector services. This will have a knock on effect on consumer and business confidence. House prices have started a negative trend during the summer and mortgage approvals are sluggish and declining.
- 3.1.6 Key indicators suggest that:
- GDP growth is likely to have peaked at 1.2% in quarter 2 of 2010.
  - The trend of falling unemployment (on the benefit claimant count) has now been replaced since July with small increases which are likely to be the start of a new trend of rising unemployment.
  - CPI has remained high so far during 2010. It peaked at 3.7% in April and has fallen back to 3.1% in August. RPI remains high, at 4.7% in August. Although inflation has remained stubbornly above the MPC's 2% target, the MPC is confident that inflation will fall back under the target over the next two years. The last quarterly Inflation Report in August showed inflation significantly below 2% after the end of 2011.
- 3.1.7 The Bank of England originally finished its £200bn programme of quantitative easing in November 2009. Following the Bank of Japan's decision to increase quantitative easing, it is possible that other countries including the UK will follow.
- 3.1.8 The UK economy could take a number paths ranging from strong recovery to a further slip back into recession. The key factors that will shape its direction are likely to be:
- the speed of economic recovery in the US and EU
  - the degree to which government austerity programmes will dampen economic growth
  - the speed of rebalancing of the UK economy towards exporting and substituting imports
  - changes in the consumer savings ratio
  - the potential for more quantitative easing, and the timing of this in both the UK and US
  - the speed of recovery of banks' profitability and balance sheet imbalances
  - the potential for a major EU sovereign debt crisis which could have a significant impact on financial markets and the global and UK economy

- 3.1.9 The overall balance of risks is weighted to the downside and there is some risk of a double dip recession and continued deleveraging, creating a downward spiral of falling demand, falling jobs and falling prices, although this is currently viewed as being a small risk.
- 3.1.10 The following table shows how gilts have performed since the start of the financial year.



- 3.1.11 The general trend has been a reduction in interest rates during the first six months of the year, across all bands, with the low points occurring in the middle to end of August. The Council's Treasury advisors forecast that the Bank rate is unlikely to increase from its historic low of 0.5% until the middle of 2011. The outlook is for gilt yields and PWLB rates to rise due to the high volume of gilt issuance in the UK, and the high volume of debt issuance in other major western countries.
- 3.1.12 Whilst the current strategy of funding the borrowing requirement to support the capital programme is from short dated loans, there will come a point when rates begin to rise and more expensive longer dated funding will be required. The Director of Resources will continue to monitor market dynamics with a view to securing longer term debt at the appropriate time.
- 3.1.13 No rescheduling of long term debt has taken place in 2010/11. The replacement of long dated loans from previous rescheduling exercises, already reported to Executive Board, are detailed in table 2 below:

**Table 2**

Rescheduling 2010/11							
Premature Repayments				New Replacement Borrowing			
Date	Amount	Original Rate	Discount Rate	Date	Amount	Term	Interest Rate
	(£m)	(%)			(£m)	(Years)	(%)
PWLB				PWLB			
				26/05/2010	20	50	4.28
<b>Sub Total</b>	<b>0</b>				<b>20</b>		
LOBOs (Call date)				Market Loans			
				22/04/2010	2	1	0.65
				14/05/2010	1	1	0.55
<b>Sub Total</b>	<b>0</b>				<b>3</b>		
<b>Total</b>	<b>0</b>				<b>23</b>		

3.1.14 The strategy outlined in the February Treasury Executive Board Report has been maintained. Short term debt at low rates of interest and existing revenue balances continue to be used to fund this years borrowing requirement, and the remaining balance of previous years rescheduling. This has enabled savings of £4.7m against a budgeted target of £7.9m for the year to be made.

### 3.2 ***Borrowing Limits for 2010/11, 2011/12 and 2012/13***

3.2.1 The Council is required to set various limits for 2010/11, 2011/12 and 2012/13 in accordance with the Local Government Act 2003, having regard for CIPFA's prudential code (as amended 2009). These limits including prudential indicators are detailed in Appendix A.

3.2.2 New borrowing limits for 2010/11 were approved by Council on 12<sup>th</sup> February 2010 and are set out below in Table 4.

**Table 3**

	<b>2010/11 February 2010 £m</b>	<b>2010/11 This Report £m</b>
<b>Authorised Limits</b>		
Borrowing	1,830	1,830
Other Long Term Liabilities	380	380
<b>Total</b>	<b>2,210</b>	<b>2,210</b>
<b>Operational Boundary</b>		
Borrowing	1,690	1,690
Other Long Term Liabilities	370	370
<b>Total</b>	<b>2,060</b>	<b>2,060</b>

3.2.3 It is anticipated that the authority will continue to remain within the authorised limits for 2010/11. Both the authorised limit and operational boundary are made up of a limit for borrowing and one for other long term liabilities and the Director of Resources has authority, under the Prudential Code, to vary these two elements within the overall limits. Current performance against borrowing limits is shown in Appendix B.

### 3.3 ***Investment Strategy & Limits***

3.3.1 The Council's external debt is reduced by the availability of revenue balances. The Treasury policy also allows for the external investment of these balances at advantageous rates but with due regard for security of capital invested. The Council's surplus monies continue to be held in short periods until required. As market sentiment to counter-party risk improves, together with enhanced returns surplus monies will be invested in accordance with the approved lending list. This lending list is based upon the assessment of the financial standing of counterparties as determined by international credit rating agencies and further refined and updated by the Council's advisors on a continual basis. The lending list is often further restricted based upon the Council's own view of the credit worthiness of counter-parties.

3.3.2 The investment strategy, as re-affirmed by Executive Board and full Council in February, allows for the Council to invest in only the most highly rated financial institutions around the world. The Council will only lend to a maximum of £15m to financial institutions that are rated as excellent. There is also a limit of £5m for financial institutions that are rated as very good.

### 3.4 **Comprehensive Spending Review (CSR)**

3.4.1 The CSR on 20/10/10 resulted in the cost of any future borrowing from the PWLB increasing by an average of 0.85% to 1% above the price of gilts. This increase does not affect the interest paid on existing fixed debt but will affect any new long term borrowing. Members are asked to note that new borrowing does not just include borrowing for new capital schemes, but also includes that which has been funded at low short term rates or by balances that the Council has. The average cost of borrowing £10m will now increase by around £85k to £950k.

3.4.2 Members will recall in the February annual strategy report 2010/11 that the average cost of borrowing for the authority was at a low, but was forecast to increase in future years. This latest change will only add to those forecasts. The increase in debts costs will need to be reflected in future capital spending decisions that are made.

## 4.0 **Implications For Council Policy and Governance**

4.1 The framework within which Treasury Management function is governed is set out in section 2. Within the Council, Executive Board consider updates on the treasury strategy twice a year: in the half year report and when setting the following year's strategy. Any changes to borrowing limits require the approval of full Council.

## 5.0 **Legal and Resource Implications**

5.1 This update on the treasury strategy recognises the borrowing necessary to fund the capital programme requirements of both General Fund and HRA. Where borrowing is supported the revenue costs are met by the Government, whilst for unsupported borrowing revenue costs are met either by the General Fund or HRA.

5.2 Following the CSR the cost of borrowing for new loans has increased by 0.85% to 1% above gilts. This will increase the cost of borrowing by £85k for an additional £10m borrowed.

## 6.0 **Conclusions**

6.1 The Council's level of external debt at 31<sup>st</sup> March 2011 is anticipated to be £1,620m, £40m above expectations in February 2010. This increase is due to additional borrowing to fund the capital programme (including equal pay).

6.2 Treasury Management activity has enabled revenue savings of £4.7m to be made against £7.9m assumed in the budget. This is largely due to funding the Council's borrowing requirement from short-term loans at historic low rates.

6.3 It is anticipated that the authority will remain within the approved limits for 2010/11 as outlined in Table 3 and paragraph 3.2.3.

## **7.0 Recommendations**

That the Executive Board:

- 7.1 Note the update on Treasury Management borrowing and investment strategy for 2010/11.

### Associated documents:

- a) Treasury Management Strategy 2010/11 - Executive Board 12<sup>th</sup> February 2010.

## Leeds City Council - Prudential Indicators 2010/11 - 2012/13

No.	PRUDENTIAL INDICATOR	2010/11	2011/12	2012/13
<b>(1). EXTRACT FROM BUDGET AND RENT SETTING REPORTS</b>				
	<b>Ratio of Financing Costs to Net Revenue Stream</b>			
1	General Fund - Excluding DSG (Note 1)	10.73%	13.56%	14.01%
2	HRA	13.35%	15.32%	15.16%
	<b>Impact of Unsupported Borrowing on Council Tax &amp; Housing Rents</b>	<b>£ . P</b>	<b>£ . P</b>	<b>£ . P</b>
3	increase in council tax B7(band D, per annum) (Note 2)	121.36	162.77	178.65
4	increase in housing rent per week	0.00	1.00	1.00
5	Net Borrowing and the capital financing requirement (Note 3)	OK	OK	OK
	<b>Estimate of total capital expenditure</b>			
6	Non HRA	351,306	190,038	88,080
7	HRA	73,751	10,962	40,916
	TOTAL	425,057	201,000	128,996
	<b>Capital Financing Requirement (as at 31 March)</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
8	Non HRA	956,763	1,022,164	1,033,764
9	HRA	808,642	811,201	813,714
	TOTAL	1,765,405	1,833,365	1,847,478

No.	PRUDENTIAL INDICATOR	2010/11	2011/12	2012/13
<b>(2). TREASURY MANAGEMENT PRUDENTIAL INDICATORS</b>				
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
10	<b>Authorised limit for external debt - (Note 5)</b>			
	borrowing	1,830,000	1,900,000	1,900,000
	other long term liabilities	380,000	380,000	380,000
	TOTAL	2,210,000	2,280,000	2,280,000
11	<b>Operational boundary - (Note 5)</b>			
	borrowing	1,690,000	1,760,000	1,760,000
	other long term liabilities	370,000	370,000	370,000
	TOTAL	2,060,000	2,130,000	2,130,000
14	<b>Upper limit for fixed interest rate exposure</b>			
	expressed as either:-			
	Net principal re fixed rate borrowing / investments OR:-	115%	115%	115%
	Net interest re fixed rate borrowing / investments			
15	<b>Upper limit for variable rate exposure</b>			
	expressed as either:-			
	Net principal re variable rate borrowing / investments OR:-	40%	40%	40%
	Net interest re variable rate borrowing / investments			
17	<b>Upper limit for total principal sums invested for over 364 days (Note 5)</b>			
	(per maturity date)	150,000	150,000	150,000

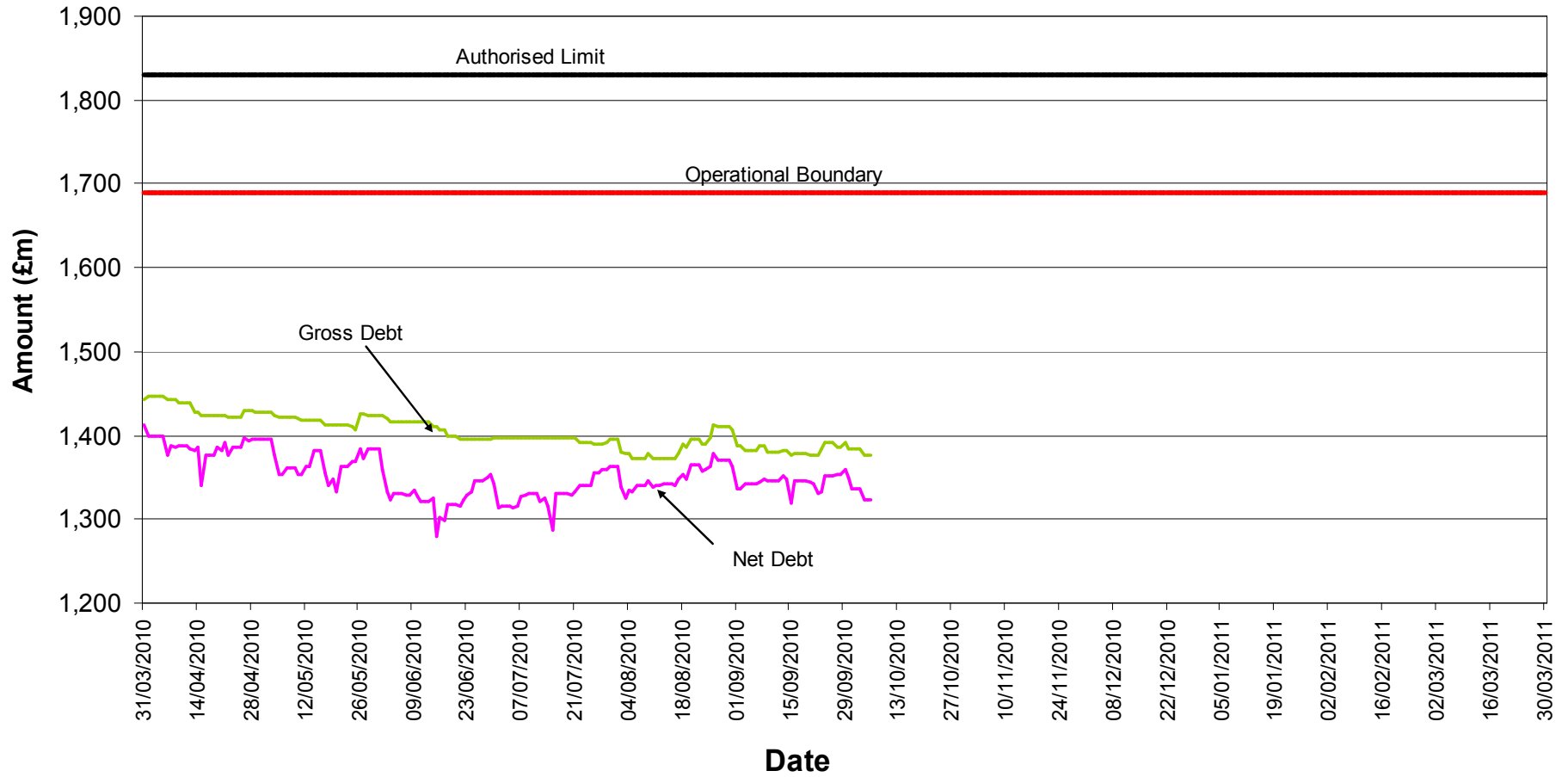
16	Maturity structure of fixed rate borrowing 2010/11	Lower Limit	Cumulative Upper Limit	Projected 31/03/11
	under 12 months	0%	10%	4.3%
	12 months and within 24 months	0%	10%	6.3%
	24 months and within 5 years	0%	30%	23.6%
	5 years and within 10 years	0%	25%	6.3%
	10 years and above	25%	90%	59.6%

## Notes.

- The indicator for the ratio of financing costs to net revenue stream for General Fund is now calculated based on the Net Revenue Charge less the Dedicated Schools Grant (DSG). The Government changed the funding of education to DSG from 2006/07.
- The code requires that the Council identifies the capital financing costs arising from unsupported borrowing expressed as the amount per band D property. No assumption of treasury management savings have been made from 2011/12 onwards and will be reviewed at a later stage.
- In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Council should ensure that net external borrowing does not exceed the total capital financing requirement in the preceding year plus estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence.
- Prudential indicator 12 relates to actual external debt at 31st March, which will be reported in the Treasury Management Annual Report.
- Prudential indicator 13 relates to the adoption of the CIPFA Code of Practice on Treasury Management. The Council formally adopted this Code of Practice in March 2003, and the revised code in February 2010
- The HRA figures are based upon the continuation of the current Housing Subsidy Regime . However, it should be noted that the current review of Council Housing Finance may result in this being replaced by a system of self financing for local housing authorities.



# Prudential Code Monitoring 2010/11 - Debt



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Originator: Maureen Taylor  
Tel: 74234

**Report of the Director of Resources**

**Executive Board**

**Date: 3rd November 2010**

**Subject: Capital Programme Update 2010-2014**

**Electoral Wards Affected:**

Ward Members consulted  
(Referred to in report)

**Specific Implications For:**

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**Executive Summary**

1. This report sets out the latest capital programme position for both the general fund and housing. Overprogramming on the general fund programme has remained at the same level as reported in August 2010. Forecast expenditure within the ALMO programmes can be contained within available resources.
2. Following the conclusion of the capital review, the report seeks approval to transfer some schemes to the reserved programme and request that business cases are re-considered for some other schemes.
3. The report concludes that overprogramming in the current year is considered manageable but over the 5 year programme is not sustainable in the long term. Careful monitoring of the overall resources position and phasing of schemes will be required to ensure the programme is affordable.

## 1.0 Purpose Of This Report

- 1.1 To provide Members with summary financial details of the 2010/11 month 6 Capital Programme position. The report seeks approval to transfer some schemes to the reserved capital programme, following the conclusion of the capital review. The report also details the action that is being taken in respect of individual capital schemes to ensure that the overall level of Capital Programme expenditure can be managed within the tolerances assumed for what is an ever changing resource position.

## 2.0 Background Information

- 2.1 The Capital Programme approved by Council in February 2010, projected expenditure of £1,105.5m from 2009/10 to 2013/14. General Fund overprogramming over that period of £40.2m was assumed which whilst higher than the previous year, was considered to be manageable. The position approved in February also included a reserved programme of £49.0m. For HRA, overprogramming of £16.4m was included and ALMOs are expected to manage this throughout the year and constrain their expenditure within resources available.
- 2.2 Since June 2010, government have announced a number of in year capital grant cuts which were reported in July and the capital programme has been updated to reflect these.
- 2.3 In anticipation of future reductions in revenue grants through the Comprehensive Spending Review, a review of all uncommitted Leeds funded schemes has taken place and some recommendations from that review are included at section 8.1.

## 3.0 Main Issues

### 3.1 General Fund Capital Programme

- 3.1.1 The latest capital programme resources position in Table 1 below:

**Table 1 – Capital Resources Position**

	2010/11		
	February 2010	August 2010	Latest
	£m	£m	£m
Forecast Expenditure	310.2	344.2	327.4
<b>Funded By:</b>			
Government Grants	145.2	152.1	142.0
Other grants & contributions	28.7	22.4	20.4
Supported borrowing	40.9	45.3	46.1
Unsupported Borrowing	70.8	104.0	103.3
Capital Receipts	7.7	5.9	5.9
Capital receipts adjustments		(6.0)	(6.9)

Revenue / reserves	0.7	1.5	1.5
Total Forecast Resources	294.0	325.2	312.3
<b>Overprogramming</b>	<b>16.2</b>	<b>19.0</b>	<b>15.1</b>

3.1.2 As Table 1 shows, in year overprogramming had increased at the first quarter position and has now fallen back to £15.1m due to rephasing of capital schemes.

3.1.3 For the capital programme period through to 2013/14, overprogramming increased from £40.2m at February 2010 to £51.1m at August 2010 (following adjustments at 2009/10 outturn). At month 6 this has remained at £51m but is not sustainable in the long term. Some proposals to transfer schemes to the reserved capital programme are set out later in this report.

3.1.4 The capital receipts position continues to be a difficult one. The forecast receipts from disposal of land and buildings during the current year stands at around £6m and in the current climate this is unlikely to improve. During 2009/10, HRA capital receipts of £6m were used to fund the general fund programme and these are scheduled to be repaid during 2010/11.

3.1.5 Overprogramming in the current year is £15.1m and in the following three years is £23.9, £14.9, and £11.6m. This will need careful management to ensure the programme is affordable. It should be noted also that in year 5 of the programme (2014/15), only £2m of unfunded capital expenditure is currently forecast whilst capital receipts of £16.4m are assumed. The current forecast position is set out in **Appendix A**.

## 3.2 Review of Uncommitted Schemes

3.2.1 As reported in August 2010, a review of all uncommitted Leeds funded schemes has taken place with a view to either reducing or delaying schemes to save borrowing costs. To focus this review it was necessary to determine some high level priority areas and these are:

- **Invest to Save** – does the scheme save revenue costs in the future or generate additional income? Is the business case robust?
- **Avoidance of Future Costs** – does the investment mean that costs will be avoided in future?
- **Protecting our assets** – does the investment protect our existing assets and/or meet compliance/regulatory requirements
- **Adult and Children’s Social Care** - Following the principles above in terms of sound business case, does the investment support improvements in Adult or Children’s Social Care?
- **Environmental Impacts** – Does the investment reduce energy costs and/or carbon emissions?

3.2.2 A group of Chief Officers from across the Council have reviewed all uncommitted schemes funded by Council resources and have classified schemes according to traffic lights:

**Green** - recommended to proceed;

**Amber** – recommend the business case for the scheme is re-visited to ensure it is robust, costs are comprehensive and benefits clearly identifiable;

**Red** – recommend should not proceed at present and should be transferred to the reserved programme pending future consideration.

Recommendations from the review are set out in **Appendix B**, and Table 2 below summarises the Leeds funding element of schemes in these categories.

**Table 2 – Capital Review Summary of Recommendations – Leeds Funded**

<i>Recommended Action</i>	<i>2010/11 £000</i>	<i>2011/12 £000</i>	<i>2012/13 £000</i>	<i>2013/14 £000</i>	<i>2014 onwards £000</i>	<i>Total £000</i>
<b>Do not progress / delay (RED)</b>	1786.8	1634.1	2300.5			5721.4
<b>Business Case Required (AMBER)</b>	11278.8	24435.5	20482.7	10895.1	3300.0	70392.1
<b>NGT / Flood Alleviation (AMBER)</b>  (awaiting external funding decisions)	2996.0	6000.0	4500.0	4500.0	9551.1	27547.1
<b>Recommend to Proceed (GREEN)</b>	40002.7	19205.1	9579.0	8450.4		77237.2
<b>Total Uncommitted Leeds Funded</b>	56064.3	51274.7	36862.2	23845.5	12851.1	180897.8

3.2.3 In relation to ‘amber’ schemes, it is recommended that business cases are considered in the first instance by the Strategic Investment Board which will recommend how they should proceed.

### 3.3 Specific Project Issues

3.3.1 **Kirkgate Market Business Support** - The February 2010 Capital Programme made provision for this £250k scheme within the reserved programme, awaiting detailed proposals to come forward. Given the priority given by Members to the improvements at Kirkgate Market, it is proposed to transfer this scheme to the funded capital programme to ensure that the works can be progressed.

- 3.3.2 **ALMO Vehicles** - The 2010/11 Capital Programme Quarter 1 report approved by Executive Board, 25 August 2010, gave authority to spend for £3.051m of replacement vehicles for General Fund services. Vehicle replacement requirements in relation to ALMOs have now been clarified and a further approval of £750k is now sought. Whilst the ALMO vehicles are dealt with as part of the overall General Fund vehicle replacement strategy, funding for them is held within ALMO budgets so there are no financial implications for General Fund.
- 3.3.3 **Equipment Programme** - In August 2010, Members gave approval to the first tranche of the equipment programme based on business cases approved to date. Further business cases have now been approved, in relation to equipment in Parks, Sport and the Adult Social Care service and therefore a further authority to spend of £685k is requested. In total, expenditure on vehicles and equipment remain within the total capital programme provision agreed in February 2010.
- 3.3.4 If Members are minded to agree the above proposals, the overprogramming in 2010/11 will reduce to £13.3m which is considered manageable with careful monitoring. Over the 5 year programme, overprogramming will reduce to £45.3m which is higher than would normally be acceptable. This will need to be monitored carefully to ensure the programme is affordable and it is possible that further transfers to the reserved programme will be necessary during the year. As business cases for the 'amber' schemes are considered the phasing and affordability of schemes will need to be considered.
- 3.3.5 **East Leeds Household Waste Site** - redevelopment was approved by Executive Board in July 2005. The proposals for the site have gone through various design iterations to determine the best operational use of the site with the new disposal contracts in place and the long term residual waste procurement project implemented.
- 3.3.6 Since July 2009, the scheme has developed to include a number of additional new works to complement the full scheme and these works have been adjusted to comply with planning requirements. The Strategic Design Alliance conducted a tender exercise in August/September 2010 and all seven tenders returned exceed the budget provision. The Strategic Design Alliance considers that the lowest tender represents value for money and is indicative of current market prices. Given this advice on tender prices the Director of Environment and Neighbourhoods has now awarded the main works contract as sufficient authority to spend has been approved previously. However, in order to deliver the overall scheme additional funding of £208,200 is required and this has been secured from a combination of government grant and third party funding.
- 3.3.7 **Home Insulation Scheme** – As reported to Executive Board in the first quarter update in August 2010, proposals are being drawn up for the introduction of a Home Insulation scheme within the city. Provision of £1.3m has been made in the capital programme to commence this. Any further funding required would need to be considered with regard to the overall capital programme provision and other capital pressures.

#### 4.0 **Housing Revenue Account Programme**

- 4.1 The approved February 2010 Capital Programme reported an overall HRA programme of £235.4m for 2009/10 through to 2013; this included an additional programme of £16.4m for which resources were not available. The 2010/11

programme was £64.9m gross, including £2.2m overprogramming. Since supported borrowing allocations for decency have come to an end, ALMOs are now reliant on their annual Major Repairs Allowance (MRA) grant funding as their main source of funds for tackling Decency.

- 4.2 The 2010/11 forecast spend now stands at £75.7m including overprogramming of £2.1m. This will be managed within available resources with the likelihood that some schemes will slip to later years.
- 4.3 In the forward years through to 2013, forecast spend stands at £181.2m, with overprogramming of £10.1m. Further work will be undertaken with the Director of Environment & Neighbourhoods and the ALMOs to address the overprogramming and deliver a programme within the available resources.
- 4.4 Monitoring of the individual ALMO programmes indicates that current levels of overprogramming in the 2010/11 programmes can be managed down within the available resources by March 2011. The current position for each ALMO is summarised below:

**Belle Isle and Aire Valley Homes(AVH)** – Both organisations have realistic programmes and the 2010/11 month 6 expenditure is in line with projections. Belle Isle is currently projecting a balanced programme; expenditure at month 6 is £448k. AVH are projecting a small surplus position of £344k on a £14.738m programme; expenditure at month 6 is £1.347m. Their current programmes are realistic for being delivered within the available resources.

**East North East Homes (ENEH)** – the 2010/11 programme is currently £20.635m with at mid year, a manageable overprogramming level of £1.276m(6%). The expenditure position at month 6 is £3.422m and whilst there is a level of overprogramming it can with careful monitoring still be managed effectively within available resources. ENEH are undertaking some stock rationalization, private property acquisitions and site assembly for the EASEL project. 2010/11 is the final year of the current EASEL site assembly process.

**West North West Homes (WNWH)** – the 2010/11 programme at £25.204m is currently the largest of the three ALMOs. There is a projected overprogramming of £812k (3%) which is considered a manageable level. The Month 6 spend position is £6.711m and the programme is considered realistic for delivery within available resources.

- 4.5 In addition, an updated investment position received from the ALMOs and Belle Isle at period 6 on the achievement of decency, demonstrates that the council is on course to meet the governments Decent Homes Standard by March 2011.

## **5 Implications for Council Policy and Governance**

- 5.1 In order to ensure that schemes meet Council priorities and are value for money, the Director of Resources will put processes in place to ensure:
- the introduction of new schemes into the capital programme will only take place after completion and approval of a full business case and identification of the required resources;



- promotion of best practice in capital planning and estimating to ensure that scheme estimates and programmes are realistic;
- the use of unsupported borrowing by directorates based on individual business cases and in the context of identifying the revenue resources to meet the borrowing costs;

5.2 One of the main risks in developing and managing the capital programme is that insufficient resources are available to fund the programme. A number of measures are in place to ensure that this risk can be managed effectively:

- monthly updates of capital receipt forecasts prepared, using a risk based approach, by the Director of Development;
- monthly monitoring of overall capital expenditure and resources forecasts alongside actual contractual commitments;
- quarterly monitoring of the council's VAT partial exemption position to ensure that full eligibility to VAT reclaimed can be maintained;
- ensuring written confirmation of external funding is received prior to contractual commitments being entered into;
- provision of a contingency within the capital programme to deal with unforeseen circumstances;
- compliance with both financial procedure rules and contract procedure rules to ensure the Council's position is protected.

## **6 Legal and Resource Implications**

6.1 The resource implications of this report are detailed in section 3 above. For the capital programme to be sustainable, the Director of Resources must be satisfied that spend in each year of the programme can be afforded. A level of overprogramming is suitable for the capital programme to take account of the nature of capital schemes where timing is not always easy to predict.

6.2 The economic downturn is continuing to have a significant effect on our ability to resource investment in our strategic priorities. If the proposals outlined in Table 2 are accepted, the overprogramming over the life of the capital programme will reduce to £45.3m which is £5m higher than reported in February 2010.

6.3 For HRA, the position outlined in section 4 shows that in the main, expenditure by the ALMOs can be managed within resources available.

6.4 In the February 2010 capital programme report Members agreed that no further injections can be made to the capital programme without a corresponding reduction or identification of additional resources. In light of the current resources position and the economic climate in general it is imperative that this principle is maintained. In addition, further transfers to the reserved programme may need to be considered during the year dependent on the overall resources position.

## **7 Conclusions**

7.1 The general fund overprogramming of £13.3m in 2010/11 is considered manageable through to the end of the year. The overprogramming over the life of the programme, £45.3m is higher than normal tolerances and due to the current

economic conditions, is unlikely to improve in the near future. Careful monitoring of the 5 year programme is required to ensure it can be afforded.

- 7.2 For HRA, ALMO forecast expenditure can be contained within available resources in 2010/11.
- 7.3 Specific approvals are requested in relation to Kirkgate Market, the vehicle and equipment programmes and East Leeds Household Waste site and these are set out in paragraph 3.3.

## **8 Recommendations**

- 8.1 Executive Board is requested to:
- a) note the latest position on the general fund and HRA capital programmes;
  - b) give approval to transfer to the reserved capital programme, schemes classified as 'red' on Appendix B;
  - c) agree that further business cases be considered in relation to schemes classified as 'amber' on Appendix B;
  - d) approve the transfer of £250k from the reserved to the funded programme in relation to the Kirkgate Market business support scheme;
  - e) agree an injection to the capital programme of £750k and give authority to spend of £598k for replacement of vehicles, the revenue cost of which is provided for within ALMO budgets; and,
  - f) Give authority to spend of £685k for equipment purchases within the Parks, Sport and Adult Social Care services.
  - g) agree an injection into the capital programme and authority to spend of £208,200 for East Leeds Household Waste Site funded through government grant of £188,200 and third party funding of £20,000.

### Associated Documents

- a) Capital Programme 2009/10-2013/14 – Executive Board 12<sup>th</sup> February 2010
- b) Capital Programme Update 2010-2014 – Executive Board 25<sup>th</sup> August 2010

## General Fund Capital Programme Funding Statement 2010/11 to 2014/on

Date:-

01/10/10

	Actuals £000	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	2014/on £000	Total £000
<b>GENERAL FUND - COMMITTED</b>							
<b>EXPENDITURE</b>							
CITY DEVELOPMENT	27,095.3	61,716.0	11,286.8	1,150.0	0.0	0.0	74,152.8
ENVIRONMENT & NEIGHBOURHOODS	8,471.1	18,252.5	2,156.9	42.5	0.0	0.0	20,451.9
CHILDRENS SERVICES	4,519.1	13,472.8	25.3	0.0	0.0	0.0	13,498.1
EDUCATION	24,809.6	97,844.0	29,553.1	1,607.5	0.0	0.0	129,004.6
ADULT SERVICES	469.4	935.4	0.0	0.0	0.0	0.0	935.4
CENTRAL & CORPORATE FUNCTIONS	2,549.7	6,789.1	3,668.6	1,801.7	295.0	0.0	12,554.4
STRATEGIC	(1,886.4)	477.4	0.0	0.0	0.0	0.0	477.4
CENTRAL ACCOUNTS	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL ESTIMATED SPEND ON COMMITTED SCHEMES	66,027.8	199,487.2	46,690.7	4,601.7	295.0	0.0	251,074.6
<b>CERTAIN FUNDING</b>							
GRANTS AND CONTRIBUTIONS	0.0	12,395.3	360.2	0.0	0.0	0.0	12,755.5
GOVERNMENT GRANTS	0.0	100,850.6	28,005.7	1,192.5	0.0	0.0	130,048.8
RCCO / RESERVES	0.0	286.2	0.0	0.0	0.0	0.0	286.2
SUPPORTED BORROWING	0.0	33,782.1	9,918.1	1,607.5	0.0	0.0	45,307.7
UNSUPPORTED BORROWING	0.0	12,799.5	750.1	41.7	0.0	0.0	13,591.3
	0.0	160,113.7	39,034.1	2,841.7	0.0	0.0	201,989.5
CAPITAL RECEIPTS REQUIRED FOR COMMITTED SCHEMES	66,027.8	39,373.5	7,656.6	1,760.0	295.0	0.0	49,085.1
BALANCED PROGRAMME	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>GENERAL FUND - UNCOMMITTED</b>							
<b>EXPENDITURE</b>							
CITY DEVELOPMENT	2,930.8	38,540.3	72,036.7	51,259.6	13,417.5	7,250.0	182,504.1
ENVIRONMENT & NEIGHBOURHOODS	88.9	8,219.6	12,261.1	8,688.2	8,469.6	3,800.0	41,438.5
CHILDRENS SERVICES	27.0	2,205.3	6,188.0	8,839.0	2,115.1	537.6	19,885.0
EDUCATION	1,209.5	45,022.4	53,531.7	9,083.2	1,500.0	0.0	109,137.3
ADULT SERVICES	201.6	4,348.5	2,710.0	1,100.0	1,100.0	0.0	9,258.5
CENTRAL & CORPORATE FUNCTIONS	29.9	11,625.4	4,992.6	5,989.2	6,967.0	2,000.0	31,574.2
STRATEGIC	46.3	32,010.1	30,572.3	21,806.5	10,773.5	9,551.1	104,713.5
CENTRAL ACCOUNTS	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>DEDUCT:</b>							
RESERVE SCHEMES (includes SDF)	0.0	(14,066.3)	(15,039.3)	(8,437.2)	(9,672.4)	0.0	(47,215.2)
TOTAL ESTIMATED SPEND ON UNCOMMITTED SCHEMES	4,534.1	127,905.3	167,253.1	98,328.5	34,670.3	23,138.7	451,295.9
<b>CERTAIN FUNDING</b>							
GRANTS AND CONTRIBUTIONS	0.0	7,810.6	3,540.3	10,313.2	58.6	0.0	21,722.7
GOVERNMENT GRANTS	0.0	41,106.5	46,208.4	16,568.9	2,950.0	750.0	107,583.8
RCCO / RESERVES	0.0	1,258.2	0.0	500.0	500.0	0.0	2,258.2
SUPPORTED BORROWING	0.0	12,280.9	23,252.3	14,176.3	0.0	0.0	49,709.5
UNSUPPORTED BORROWING	0.0	34,113.3	55,990.2	24,699.0	13,677.3	20,388.7	148,868.5
TOTAL ESTIMATED SPEND ON UNCOMMITTED SCHEMES	0.0	96,569.5	128,991.2	66,257.4	17,185.9	21,138.7	330,142.7
CAPITAL RECEIPTS REQUIRED FOR UNCOMMITTED SCHEMES	4,534.1	31,335.8	38,261.9	32,071.1	17,484.4	2,000.0	121,153.2
<b>UNCERTAIN FUNDING</b>							
CAPITAL RECEIPTS	0.0	(96.5)	13,033.2	11,800.0	19,334.2	16,408.0	60,478.8
ADDITIONAL CAPITAL RESOURCES	0.0	250.0	0.0	0.0	0.0	0.0	250.0
UNSUPPORTED BORROWING CONTINGENCY	0.0	4,000.0	0.0	0.0	0.0	0.0	4,000.0
ADDITIONAL BORROWING REQUIREMENT / BUFFER	0.0	52,373.4	8,979.8	7,180.0	(13,125.0)	0.0	55,408.3
EQUAL PAY PROVISION	0.0	(903.3)	0.0	0.0	0.0	0.0	(903.3)
	0.0	55,623.7	22,013.0	18,980.0	6,209.2	16,408.0	119,233.8
CAPITAL RECEIPTS ALREADY USED TO BALANCE THE PROGRAM	66,027.8	39,373.5	7,656.6	1,760.0	295.0	0.0	49,085.1
FLEXIBLE RESOURCES AVAILABLE FOR UNCOMMITTED SCHEME	(66,027.8)	16,250.2	14,356.4	17,220.0	5,914.2	16,408.0	70,148.7

OVER PROGRAMMING (Net of Reserve Prog)

(70,561.9)	(15,085.6)	(23,905.5)	(14,851.1)	(11,570.2)	14,408.0	(51,004.5)
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## Uncommitted capital schemes - Green

## Appendix B1

Recommended that the following capital schemes should be granted approval to progress.

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
<b>Adult Social Care</b>														
14997	000	000	LEARNING DISABILITIES	Improvements in Adult or children's social care	01	1841.4	0.0	731.4	1110.0	0.0	0.0	0.0	0.0 Funding originally injected into the February 2009 Capital Programme. Initial allocations made for minor building improvements and Changing Places toilet facilities to ensure service continuity at new sites. Also proposals for 3 Community bases making a major call on this funding; recommended that these second stage works are subject to further review when proposals more fully developed.	Recommend approval -
13763	000	000	IMPROVEMENTS TO CARE HOMES	Adult and children's social care and protecting our assets	41	45.3	0.0	45.3	0.0	0.0	0.0	0.0	0.0 External grant funding received to carry out the improvement work.	Recommend approval
13763	000	000	IMPROVEMENTS TO CARE HOMES	Adult and children's social care and protecting our assets	01	16.4	0.0	16.4	0.0	0.0	0.0	0.0	0.0 Balance of Leeds funding required to implement building evacuation requirements.	Recommend approval
15989	TEL	000	TELECARE EQUIPMENT UNCOMMITTED	Improvements Adult or children's social care	01	750.0	0.0	750.0	0.0	0.0	0.0	0.0	0.0 Initial funding for Stage 1 works approved by Exec Board 19/05/10. The service are reviewing the spending profile and some funding may slip to 2011/12. Telecare is projected to deliver number of benefits; these includes savings in residential care costs and a reduced requirement for purchasing external residential care.	Recommend approval
15989	TEL	010	TELECARE COMMITTED 2010-11	Improvements Adult or children's social care	01	250.0	0.0	250.0	0.0	0.0	0.0	0.0	0.0	0.0
16040	ADT	000	ADAPTATIONS 2010-11	Improvements Adult or children's social care	01	102.7	0.0	102.7	0.0	0.0	0.0	0.0	0.0 Balance of 2010/11 funding for minor adaptations work to private properties. More extensive requirements are currently dealt with via Disabled Facilities Grant funding provided for in Environment and Neighbourhoods.	Recommend approval
16040	MKS	000	MINOR WORKS / ADAPTATIONS 2010-11	Improvements Adult or children's social care	01	250.0	0.0	250.0	0.0	0.0	0.0	0.0	0.0 Minor adaptations works; forms part of the 2010/11 £400k allocation for private properties.	Recommend approval
<b>Adult Social Care Total</b>						<b>3255.8</b>	<b>0.0</b>	<b>2145.8</b>	<b>1110.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>		
<b>Strategic Accounts</b>														

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
1371	000	000	CONTINGENCY SCHEME		01	£000, 1753.7	£000, 0.0	£000, 931.1	£000, 822.6	£000, 0.0	£000, 0.0	£000, 0.0	Central Contingency provision to cover significant unexpected scheme costs. Allocation of this funding is subject to approval by the Director of Resources or Exec Board.	Recommend approval
12523	000	000	TOWN & DISTRICT REGENERATION (T&DR), PARKS URBAN RENAISSANCE	Invest to save and protecting our assets	01	4.6	0.0	4.6	0.0	0.0	0.0	0.0	A small residual contingency fund is retained for any further scheme costs.	Recommend approval
14201	BTE	CEP	BUSINESS TRANSFORMATION PROGRAMME - CORE ENABLING PROJECTS	Invest to save	01	1,350.0		700.0	350.0	300.0			This is the parent scheme balance for the ED RMS element of the Business Transformation (BT) programme. The overall BT strategy was approved by Exec Board in December 2008. This funding is allocated to specific projects on the basis of approved business cases with the end purpose of delivering on the BT key objectives of improved business efficiency and service delivery. The spending profile reflects the provisional programme dates and is currently subject to review.	Recommend to proceed
14201	BTE	CEP	BUSINESS TRANSFORMATION PROGRAMME - CORE ENABLING PROJECTS	Invest to save	52	1,054.4		700.0	350.0	4.4				
14201	BWS	CTW	CHANGING THE WORKPLACE	Invest to save	01	49.7	49.7	0.0	0.0	0.0	0.0	0.0	Initial budget put in place in March 2009 for internal IT fees and an external IT consultancy. The Changing Workplace strategy has been subject to a further detailed report to Exec Board 25.08.2010.	Recommend approval
14201	BWS	CTW	CHANGING THE WORKPLACE	Invest to save	52	100.0	68.7	31.3	0.0	0.0	0.0	0.0		
14201	CEP	ALM	APPLICATION LIFECYCLE MANAGEMENT (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Application Lifecycle Management (ALM) is the framework of standards, tools and good practice that ensures that the Council's internal ICT applications are developed in an efficient and effective way and can be satisfactorily supported. ALM also includes the provisioning of the necessary development, test and live environments. The ALM installation and commissioning work is nearly complete and LCC application development staff have been trained in the use of the framework. The first project to use the elements of ALM 'end to end' procedures are scheduled to commence after October 2010.	Recommend to proceed
14201	CEP	ALM	APPLICATION LIFECYCLE MANAGEMENT (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	52	52.9	0.0	52.9	0.0	0.0	0.0	0.0		

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
14201	CEP	DRM	EDRM DOCUMENT AND RECORD MANAGEMENT (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	52	95.6	95.6	0.0	0.0	0.0	0.0	0.0	An outline business case was presented at 26th June 2009 ICT Management Board. The Full Business Case is being developed and will cover the capture, management, retention and disposition of information across the Council. A corporate Electronic Document and Records Management System (EDRMS) will deliver a central platform for the creation, management, storage, preservation and delivery of all of the Council's information content whether it originates in paper or electronic form.	Recommend approval
14201	CEP	DRM	EDRM DOCUMENT AND RECORD MANAGEMENT (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	01	134.0	133.2	0.8	0.0	0.0	0.0	0.0		
14201	CEP	IPM	INTEGRATION AND PROCESS MANAGEMENT BIZTALK (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	01	74.8	8.8	66.0	0.0	0.0	0.0	0.0	This project is part complete. The initiative will see the installation and commissioning of Microsoft's Biztalk integration software.	Recommend to proceed
14201	CEP	IPM	INTEGRATION AND PROCESS MANAGEMENT BIZTALK (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	52	202.0	1.3	200.7	0.0	0.0	0.0	0.0		
14201	CEP	WEB	WEB AND INTRANET REPLACEMENT (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	01	58.4	0.0	58.4	0.0	0.0	0.0	0.0	New scheme within the IT programme approved by IT Commissioning Board 06/10/10 and Resources and Performance Board	Recommend to proceed
14201	CEP	WEB	WEB AND INTRANET REPLACEMENT (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	52	291.8	0.0	251.8	40.0	0.0	0.0	0.0		
14201	ESS	000	EMPLOYEE MANAGERS SELF SERVICE (ESSMSS) (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	01	842.5	378.4	253.2	93.4	0.0	117.5	0.0	Exec Board December 2009 approved funding to invest in Employee Self Service / Manager Self Service (ESS/MSS). The system will allow employees and managers to directly update their human resource / staffing records and associated information.	Recommend approval
14201	ESS	000	EMPLOYEE MANAGERS SELF SERVICE (ESSMSS) (BUSINESS TRANSFORMATION PROGRAMME)	Invest to save	52	740.5	151.1	469.4	120.0	0.0	0.0	0.0		
14201	LOW	000	LOWFIELDS ROAD ACQUISITION	Protecting our assets	52	700.0	6.7	693.3	0.0	0.0	0.0	0.0	Funding required to secure this key site as part of the wider Eiland Road development proposals. The balance of the agreement is funded via a land swap with a site at Thornes Farm.	Recommend approval
14201	NGT	000	NEW GENERATION TRANSPORT (NGT)	Avoidance of future costs	52	2764.0	1501.7	1252.3	0.0	0.0	0.0	0.0	Funding allocated to date to cover the Leeds element of initial NGT scheme development costs	Recommend approval

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
14236	ADL	000	ADEL & WHARFEDALE - WARD BASED INITIATIVE (WBI) 2	WBI	01	13.8	0.0	13.8	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	ADL	001	POOL IN WHARFEDALE MEMORIAL HALL	WBI	01	7.2	0.0	7.2	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	ALW	000	ALWOODLEY WBI2	WBI	01	23.6	0.0	23.6	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	ARD	000	ARDSLEY & ROBIN HOOD WBI2	WBI	01	30.0	0.0	30.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	ARM	000	ARMLEY WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	BEE	000	BEESTON & HOLBECK WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	BRA	000	BRAMLEY & STANNINGLEY WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	CAL	000	CALVERLEY & FARSLEY WBI2	WBI	01	15.6	0.0	15.6	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	CHA	000	CHAPEL ALLERTON WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	CIT	000	CITY & HUNSLET WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	CRO	000	CROSSGATES & WHINMOOR WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	FAR	000	FARNLEY & WORTLEY WBI2	WBI	01	11.0	0.0	11.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	GAR	000	GARFORTH & SWILLINGTON WBI2	WBI	01	25.0	0.0	25.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	GIP	000	GIPTON & HAREHILLS WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	GUI	000	GUISELEY & RAWDON WBI2	WBI	01	8.1	0.0	8.1	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	HAR	000	HAREWOOD WBI2	WBI	01	18.7	0.0	18.7	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	HYD	000	HYDE PARK & WOODHOUSE WBI2	WBI	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	KIL	000	KILLINGBECK & SEACROFT WBI2	WBI	01	38.0	0.0	38.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	KIP	000	KIPPAX & METHLEY WBI2	WBI	01	0.5	0.0	0.5	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	KIP	010	METHLEY VILLAGE COMMUNITY CENTRE PRAM STORE	WBI	01	6.2	0.0	6.2	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	KIR	000	KIRKSTALL WBI2	WBI	01	14.4	0.0	14.4	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	MID	000	MIDDLETON PARK WBI2	WBI	01	19.0	0.0	19.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	MON	000	MORLEY NORTH WBI2 SCHEMES	WBI	01	14.8	0.0	14.8	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	MOO	000	MOORTOWN WBI2	WBI	01	21.0	0.0	21.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	MOS	000	MORLEY SOUTH WBI2	WBI	01	6.2	0.0	6.2	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval



Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/05	Comments	Recommendation	
						£000,	£000,	£000,	£000,	£000,	£000,	£000,			
14236	OTL	000	OTLEY & YEADON WBI2	WBI	01	10.8	0.0	10.8	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval	
14236	PUD	000	PUDSEY WBI2	WBI	01	33.9	0.0	33.9	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval	
14236	ROU	000	ROUNHAY WBI2	WBI	01	32.0	0.0	32.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval	
14236	RTH	000	ROTHWELL (WBI 2)	WBI	01	20.1	0.0	20.1	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval	
14236	TEM	000	TEMPLE NEWSAM WBI2	WBI	01	26.7	0.0	26.7	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval	
14236	WEE	000	WEETWOOD WBI2	WBI	01	3.9	0.0	3.9	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval	
14236	WTH	000	WETHERBY WBI2	WBI	01	28.1	0.0	28.1	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval	
15988	000	000	PRIVATE FINANCE INITIATIVE (PFI) DEVELOPMENT COSTS		01	3555.0	981.6	1573.4	1000.0	0.0	0.0	0.0	In previous years this funding has been used to fund PFI scheme development costs excluding the Building School for the Future (BSF) programme. Capitalised costs relating to the Holt Park, New Leaf, Independent living and Residual Waste projects. If these development costs were not capitalised they would be a charge against the revenue budget. Costs relating to the same projects are expected to be capitalised in 2010/11 including Holt Park where the Council is still trying to obtain the grant funding.	Recommend approval	
99863	000	000	GENERAL CAPITALISATION		01	27096.8	15096.8	3000.0	3000.0	3000.0	3000.0	0.0	Funding required to support the capital expenditure originally charged against Revenue Budget.	Recommend approval	
99863	000	000	GENERAL CAPITALISATION		37	3700.0	1500.0	700.0	500.0	500.0	500.0	0.0			
<b>Strategic Accounts Total</b>						<b>45399.3</b>	<b>19973.6</b>	<b>11727.8</b>	<b>6276.0</b>	<b>3804.4</b>	<b>3617.5</b>	<b>0.0</b>			
<b>Other Education Services Managed By E.L.</b>															
12137	000	000	BUILDING SCHOOLS FOR THE FUTURE (BSF) WAVE 1 PHASE 1	Protecting our assets	41	1727.2	0.0	0.0	1727.2	0.0	0.0	0.0	0.0	External funding element of the overall BSF contingency allocation. Funding allocated to individual schemes to meet approved essential cost variations.	Recommend approval
12137	HIG	000	BSF PH1 HIGHWAYS WKS-GENERAL	Protecting our assets	01	20.0	18.2	1.8	0.0	0.0	0.0	0.0	Leeds funding for Highways works relating to BSF sites.	Recommend approval	
12137	WKS	000	AUTHORITY WORKS BSF	Protecting our assets	01	366.5	0.0	366.5	0.0	0.0	0.0	0.0	Leeds funding for essential works not covered by the BSF grant funding.	Recommend approval	
13372	FAR	000	FARNLEY PARK BSF PH2	Protecting our assets	39	17219.0	7756.9	7756.9	8686.5	0.0	0.0	0.0	Approved Govt funding.	Recommend approval	
13372	FAR	000	FARNLEY PARK BSF PH2	Protecting our assets	41	3529.0	0.0	179.2	1742.3	1607.5	0.0	0.0	Approved Govt funding.	Recommend approval	

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/05	Comments	Recommendation
13372	FAR	000	FARNLEY PARK BSF PH2	Protecting our assets	01	£000, 2252.0	£000, 0.0	£000, 0.0	£000, 2252.0	£000, 0.0	£000, 0.0	£000, 0.0	This scheme has achieved financial close with Partnership for Schools (Pfs) and is now contractually committed.	
13372	HIG	CRA	BSF PH2 HIGHWAYS WKS-CRAWSHAW	Protecting our assets	01	45.0	3.3	41.7	0.0	0.0	0.0	0.0	0.0 Required authority works if the related projects proceed.	Recommend approval
13372	HIG	FAR	BSF PH2 HIGHWAYS WKS-FARNLEY PARK	Protecting our assets	01	5.0	0.0	5.0	0.0	0.0	0.0	0.0	Leeds funded element of the required Highways works associated with site.	Recommend approval
13372	WKS	000	AUTHORITY WORKS BSF PH2	Protecting our assets	01	207.1	0.0	207.1	0.0	0.0	0.0	0.0	Leeds funding for essential works not covered by the BSF grant funding.	Recommend approval
13373	ARC	000	ARCHITECTS SERVICES BSF PH3	Protecting our assets	39	218.2	62.9	155.3	0.0	0.0	0.0	0.0	0.0 External funding element of BSF works	Recommend approval
13373	ARC	000	ARCHITECTS SERVICES BSF PH3	Protecting our assets	01	17.8	0.0	17.8	0.0	0.0	0.0	0.0	0.0 Leeds funded element of BSF works	Recommend approval
13373	HIG	COR	BSF PH3 HIGHWAYS WKS-CORPUS CHRISTI	Protecting our assets	01	5.0	0.0	5.0	0.0	0.0	0.0	0.0	0.0 Leeds funded element of BSF works	Recommend approval
13373	HIG	MSM	BSF PH3 HIGHWAYS WKS-MOUNT ST MARYS	Protecting our assets	01	5.0	2.2	2.8	0.0	0.0	0.0	0.0	0.0 Leeds funded element of BSF works	Recommend approval
13373	WKS	000	AUTHORITY WORKS BSF PH3	Protecting our assets	01	679.2	0.0	679.2	0.0	0.0	0.0	0.0	0.0 Leeds funded element of BSF works	Recommend approval
15414	HIG	WLA	BSF PH4 HIGHWAYS WKS-WEST LEEDS ACADEMY	Protecting our assets	01	5.0	1.9	3.1	0.0	0.0	0.0	0.0	0.0 Leeds funded element of BSF works	Recommend approval
15414	WKS	000	AUTHORITY WORKS - BSF PH4	Protecting our assets	01	342.0	0.0	167.0	175.0	0.0	0.0	0.0	0.0 Authority works funding as part of Phase 4 funding	Recommend approval
15414	WKS	DES	DESIGN DEVELOPMENT - BSF PH4	Protecting our assets	01	3.0	0.0	3.0	0.0	0.0	0.0	0.0	0.0 Leeds funded element of BSF works	Recommend approval
16155	000	000	BSF WAVE 1 PHASE 5	Protecting our assets	39	5306.0	0.0	0.0	4974.8	331.2	0.0	0.0	0.0 External funding element of BSF works	Recommend approval
16155	000	000	BSF WAVE 1 PHASE 5	Protecting our assets	41	2818.0	0.0	0.0	0.0	2818.0	0.0	0.0	0.0 External funding element of BSF works	Recommend approval
16155	000	000	BSF WAVE 1 PHASE 5	Protecting our assets	01	821.2	0.0	57.0	764.2	0.0	0.0	0.0	0.0 Leeds funded element of BSF works	Recommend approval
1804	000	000	GARFORTH COMMUNITY COLLEGE LAND RECEIPT	Invest to save, protecting our assets and Environmental impacts	01	111.1	0.0	111.1	0.0	0.0	0.0	0.0	0.0 This funding was earmarked by Exec Board in 2004 for educational purposes. This funding is required for fees contractual overspends on schemes at the College.	Recommend approval
14236	ADL	002	ADEL ST JOHN THE BAPTIST - GRANT	Ward Based Initiative	01	15.0	0.0	15.0	0.0	0.0	0.0	0.0	0.0 Ward Based Initiative works	Recommend approval
14800	000	000	MAJOR REFURBISHMENT WORKS 2008/09	Invest to save, protecting our assets and Environmental impacts	01	19.3	0.0	19.3	0.0	0.0	0.0	0.0	0.0 Residual funding balance to be allocated for minor refurbishment works	Recommend approval
14800	000	000	MAJOR REFURBISHMENT WORKS 2008/09	Invest to save, protecting our assets and Environmental impacts	40	4.6	0.0	4.6	0.0	0.0	0.0	0.0	0.0 External funding balance for minor refurbishment works	Recommend approval

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/05	Comments	Recommendation
						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
16102	000	000	SCHOOL CAPITAL INVESTMENT PARTNERSHIP (SCIP) 2010/11	Protecting our assets	01	771.3	0.0	514.4	256.9	0.0	0.0	0.0	Funded from the annual general refurbishment allocation. Assists joint funded schemes with schools	Recommend approval
98000	000	000	MAJOR REFURBISH & GENERAL BUILDING WORKS	Protecting our assets	01	5578.7	0.0	1078.7	1500.0	1500.0	1500.0	0.0	Annual maintenance allocation. Has been used most recently for fire safety works	Recommend approval
13926	ELE	000	ELECTRICAL TESTING/REMEDIATION WORKS 07/08	Protecting our assets	01	85.0	0.0	85.0	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
15349	ASB	000	GENERAL REFURB 09-10 - ASBESTOS REMOVAL	Protecting our assets	01	250.5	0.0	250.5	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
15349	ELR	000	GENERAL REFURB 09-10 - ELECTRICAL REWIRE	Protecting our assets	01	56.8	0.0	56.8	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
15349	FIR	COM	FIRE COMPARTMENTATION WORKS 2009/10	Protecting our assets	01	192.6	49.7	142.9	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
16128	ALA	000	FIRE ALARM SYSTEMS REPLACEMENT	Protecting our assets	01	110.0	0.0	110.0	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
16128	COM	000	2010-11 FIRE COMPARTMENTATION WORKS	Protecting our assets	01	27.2	0.0	27.2	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
16128	MIN	000	FIRE SAFETY - MINOR WORKS	Protecting our assets	01	25.0	0.0	25.0	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
16128	MIN	SPR	FIRE SAFETY MINOR WORKS-SPRINKLERS	Protecting our assets	01	85.0	0.0	85.0	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
<b>Upper Education Services Managed By E.L. Total</b>						<b>42923.3</b>	<b>913.8</b>	<b>12173.9</b>	<b>22078.9</b>	<b>6256.7</b>	<b>1500.0</b>	<b>0.0</b>		
<b>City Development</b>														
16170	000	000	WEST ROYD PARK LODGE ELECTRICITY SUPPLY	Protecting our assets	01	3.7	0.0	3.7	0.0	0.0	0.0	0.0	Essential electrical works	Recommend approval
14204	000	000	TRAFFIC MANAGEMENT PROGRAMME	Avoidance of future costs and Protecting our assets	01	39.1	0.0	39.1	0.0	0.0	0.0	0.0	This is the balance remaining in 2010/11 to be allocated. It covers a variety of a minor scheme which have a clear highways safety content.	Recommend approval
14236	HOR	003	CLARENCE ROAD TRAFFIC CALMING WBI	WBI	01	10.0	0.0	10.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	KIP	009	GIBSON LANE VAS	WBI	01	4.2	0.0	4.2	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	MOO	007	FENCING OFF OF LAND AT CARR MANOR RD	WBI	01	2.1	0.0	2.1	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
12421	000	000	SUNNY VIEW/WESLEY STREET REVIEW OF RPP	Avoidance of future costs and Protecting our assets	01	10.0	0.0	5.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
13100	000	000	PARKSTONE AVENUE WEST PARK TRAFFIC REGULATION ORDER (TRO)	Avoidance of future costs and Protecting our assets	01	16.7	3.8	6.4	6.5	0.0	0.0	0.0	Traffic Management works	Recommend approval
13101	000	000	GLEDHOW RISE ROUNDHAY HGV BAN	Avoidance of future costs and Protecting our assets	01	22.0	1.9	17.1	3.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
14136	000	000	BEESTON ROAD HUNSLET HALL ROAD	Avoidance of future costs and Protecting our assets	01	25.9	5.0	20.9	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
14303	000	000	CROSS GATES TRO	Avoidance of future costs and Protecting our assets	01	20.0	12.9	7.1	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
14862	000	000	TRO PROCESSING SOFTWARE	Avoidance of future costs and Protecting our assets	01	24.5	3.8	20.7	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
14894	000	000	HEADINGLEY MOUNT / ASH ROAD AREA	Avoidance of future costs and Protecting our assets	01	22.2	18.2	4.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15435	000	000	ST JAMES HOSPITAL PARKING REVIEW	invest to save	14	75.0	6.7	68.3	0.0	0.0	0.0	0.0	Installation costs to be funded from S106 contributions	Recommend approval
15435	000	000	ST JAMES HOSPITAL PARKING REVIEW	invest to save	01	6.5	0.0	6.5	0.0	0.0	0.0	0.0		Recommend approval
15435	000	000	ST JAMES HOSPITAL PARKING REVIEW	invest to save	15	6.0	0.0	6.0	0.0	0.0	0.0	0.0		Recommend approval
15449	000	000	GALLOWAY LANE PUDSEY PED BUILD OUT	Avoidance of future costs and Protecting our assets	01	7.0	0.0	7.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15563	000	000	BRADFORD ROAD A650	Avoidance of future costs and Protecting our assets	01	25.0	1.2	12.0	11.8	0.0	0.0	0.0	Traffic Management works	Recommend approval
15565	000	000	DEWSBURY RD / LOWRY RD A653 ADJUSTMENTS	Avoidance of future costs and Protecting our assets	01	5.0	0.0	5.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15567	000	000	TINGLEY COMMON A650	Avoidance of future costs and Protecting our assets	01	12.0	0.0	0.0	12.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15569	000	000	GLEN ROAD	Avoidance of future costs and Protecting our assets	01	5.0	0.0	5.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15573	000	000	HOLBECK MOOR RD / NEW PRINCESS ST TRO'S	Avoidance of future costs and Protecting our assets	01	4.4	0.5	3.9	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15575	000	000	OAKLEY VIEW	Avoidance of future costs and Protecting our assets	01	11.0	2.7	8.3	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15576	000	000	BACK TEMPEST ROAD	Avoidance of future costs and Protecting our assets	01	5.0	0.0	0.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15577	000	000	GT GEORGE STREET	Avoidance of future costs and Protecting our assets	01	3.0	0.0	0.0	3.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15578	000	000	COTTINGLEY TRO	Avoidance of future costs and Protecting our assets	01	13.0	0.5	12.5	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15582	000	000	STAFFORD ST / PYM ST / GOODMAN ST	Avoidance of future costs and Protecting our assets	01	8.0	0.0	0.0	8.0	0.0	0.0	0.0	Traffic Management works	Recommend approval

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						£000.	£000.	£000.	£000.	£000.	£000.	£000.		
15584	000	000	GELDERD RD / BROWN LANE WEST	Avoidance of future costs and Protecting our assets	01	5.0	0.0	0.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15586	000	000	NEPSHAW LANE NORTH	Avoidance of future costs and Protecting our assets	01	5.0	0.0	0.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15587	000	000	ROYDS LANE	Avoidance of future costs and Protecting our assets	01	5.0	0.0	0.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15589	000	000	REVIE RD / ELLAND RD	Avoidance of future costs and Protecting our assets	01	5.0	0.0	0.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15590	000	000	MALVERN ST & ADJACENT STREETS	Avoidance of future costs and Protecting our assets	01	20.0	0.0	0.0	20.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15592	000	000	BALM WALK	Avoidance of future costs and Protecting our assets	01	5.0	0.0	0.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15596	000	000	FOUNTAIN STREET CHURWELL	Avoidance of future costs and Protecting our assets	01	5.0	0.0	5.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15599	000	000	HOWLEY PARK CLOSE MORLEY	Avoidance of future costs and Protecting our assets	01	5.0	0.0	0.0	5.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15617	000	000	HAREHILLS ROAD - TRAFFIC REGULATION ORDER	Avoidance of future costs and Protecting our assets	01	3.0	-0.4	3.4	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15678	000	000	PRESTON LANE TRO	Avoidance of future costs and Protecting our assets	01	6.0	2.9	3.1	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15680	000	000	ARMLEY PRISON TRAFFIC REGULATION ORDER	Avoidance of future costs and Protecting our assets	01	7.0	2.2	4.8	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15687	000	000	BAYSWATER ESTATE RESIDENTS PERMIT ZONE	Avoidance of future costs and Protecting our assets	01	38.0	5.1	32.9	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15701	000	000	A65 LEEDS RD GUISELEY HWY WIDE & BUS WKS	Environmental impacts	14	16.0	0.0	16.0	0.0	0.0	0.0	0.0	Section 106 agreement - design and implement bus stop works necessary as part of this agreement.	Recommend approval
15701	000	000	A65 LEEDS RD GUISELEY HWY WIDE & BUS WKS	Environmental impacts	17	13.5	0.0	13.5	0.0	0.0	0.0	0.0		
15701	000	000	A65 LEEDS RD GUISELEY HWY WIDE & BUS WKS	Environmental impacts	01	13.5	1.5	8.0	4.0	0.0	0.0	0.0		
15702	000	000	COWPER TERRACE TRO	Avoidance of future costs and Protecting our assets	01	6.1	2.4	3.7	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15737	000	000	RING ROAD SHADWELL SPEED LIMIT ORDERS	Avoidance of future costs and Protecting our assets	01	5.4	1.0	4.4	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval

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						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
15738	000	000	CROSS GATES PARKING RES TRO AREA 2	Avoidance of future costs and Protecting our assets	01	25.0	5.9	19.1	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15741	000	000	WESTGATE, WETHERBY, NWAAT RESTRICTIONS	Avoidance of future costs and Protecting our assets	01	5.0	0.5	4.5	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15750	000	000	GLEDHOW LANE, ROUNDHAY, NWAAT	Avoidance of future costs and Protecting our assets	01	5.0	0.5	4.5	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15753	000	000	COLD WELL ROAD, CROSSGATES - TRO	Avoidance of future costs and Protecting our assets	01	6.0	1.2	4.8	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15765	000	000	PUDSEY LEISURE CENTRE & LIDGETT HILL CAR PARK'S	Avoidance of future costs and Protecting our assets	01	3.5	0.0	3.5	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
15771	000	000	PUDSEY LOWTOWN TRO	Avoidance of future costs and Protecting our assets	01	1.0	0.5	0.5	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
16037	000	000	HORSFORTH & RODLEY ROUNDABOUTS RELINING	Avoidance of future costs and Protecting our assets	01	14.5	0.0	14.5	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
16145	000	000	CLARENCE DOCK PARKING REVIEW ( PH 2 )	Avoidance of future costs and Protecting our assets	01	12.0	0.0	12.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
16146	000	000	LOW BRIDGE SIGNING WORK - TR. SOUTH AREA	Avoidance of future costs and Protecting our assets	01	50.0	0.0	50.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
16167	000	000	SPEED LIMIT REVIEW - A & B CLASS ROADS	Avoidance of future costs and Protecting our assets	01	40.1	0.0	40.1	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
16180	000	000	TOWN STREET HORSFORTH - AMEND TRO'S	Avoidance of future costs and Protecting our assets	01	7.5	0.0	7.5	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
12208	000	000	SHARPE LANE MIDDLETON DEVELOPMENT	Avoidance of future costs and Protecting our assets	01	14.7	0.0	14.7	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval
12570	000	000	MIDDLETON LANE SOUTH SITE TOWCESTER AVE106	Protecting our assets	15	120.0	4.6	59.4	56.0	0.0	0.0	0.0	0.0 S106 works funded via planning agreement contributions	Recommend approval
12570	000	000	MIDDLETON LN SOUTH SITE TOWCESTER AVE106	Protecting our assets	01	40.0	4.7	35.3	0.0	0.0	0.0	0.0		
12573	000	000	BRADFORD RD A650 THORPE LANE WIDENING S106	Protecting our assets	15	310.0	37.7	216.3	56.0	0.0	0.0	0.0	0.0 S106 works funded via planning agreement contributions	Recommend approval
12573	000	000	BRADFORD RD A650 THORPE LANE WIDENING S106	Protecting our assets	01	55.0	0.0	30.0	25.0	0.0	0.0	0.0		
15766	000	000	REDHALL ROAD IMPROVEMENT CONTRIBUTION	Avoidance of future costs and Protecting our assets	01	50.0	0.0	50.0	0.0	0.0	0.0	0.0	Traffic Management works	Recommend approval

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14961	000	000	OTLEY OLD ROAD TINSHILL LANE COOKRIDGE	Protecting our assets	17	£000, 233.5	£000, 66.2	£000, 167.3	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Signalised junction improvements to enhance highways safety at this busy junction and to assist the Fire Authority with improved access from their adjacent station.	Recommend approval
14961	000	000	OTLEY OLD ROAD TINSHILL LANE COOKRIDGE	Protecting our assets	01	£000, 91.5	£000, 0.0	£000, 59.5	£000, 32.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Authority with improved access from their adjacent station.	Recommend approval
15709	000	000	HIGHWAYS MAINTENANCE - GENERAL	Avoidance of future costs and Protecting our assets	01	£000, 3000.0	£000, 0.0	£000, 1500.0	£000, 1000.0	£000, 500.0	£000, 0.0	£000, 0.0	0.0 Additional capitalisation to support Revenue budget, approved as part of Feb 2010 Capital Prog Review.	Recommend approval
15784	000	000	THE VALLEY VIEW - AVENUE	Avoidance of future costs and Protecting our assets	01	£000, 50.8	£000, 0.0	£000, 50.8	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15789	000	000	THE CRESCENT VIEW - SPEED HUMP	Avoidance of future costs and Protecting our assets	01	£000, 9.2	£000, 0.0	£000, 9.2	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15791	000	000	MOSS VALLEY- FAR MOSS - END	Avoidance of future costs and Protecting our assets	01	£000, 15.9	£000, 0.0	£000, 15.9	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15793	000	000	FORSYTHIA AV- CHERRY TREE WALK	Avoidance of future costs and Protecting our assets	01	£000, 28.9	£000, 0.0	£000, 28.9	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15794	000	000	CHERRY TREE WK BRAD RD A650 SPURS	Avoidance of future costs and Protecting our assets	01	£000, 51.2	£000, 0.0	£000, 51.2	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15795	000	000	SUNNYVIEW-SUNNYFIELD O/S NO 24	Avoidance of future costs and Protecting our assets	01	£000, 10.6	£000, 0.0	£000, 10.6	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15796	000	000	SUNNYFIELD - BRAD RD O/S NO 34	Avoidance of future costs and Protecting our assets	01	£000, 18.4	£000, 0.0	£000, 18.4	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15798	000	000	RAYNVILLE DR -RAYN WK - SNOWDON APP	Avoidance of future costs and Protecting our assets	01	£000, 89.9	£000, 0.0	£000, 89.9	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15800	000	000	RAYNVILLE RISE RAYN DR 23/25	Avoidance of future costs and Protecting our assets	01	£000, 47.7	£000, 0.0	£000, 47.7	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15801	000	000	WHINGATE GROVE - TOWN ST	Avoidance of future costs and Protecting our assets	01	£000, 21.4	£000, 0.0	£000, 21.4	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15803	000	000	WOOLER ROAD WOODLEA ST END	Avoidance of future costs and Protecting our assets	01	£000, 111.9	£000, 0.0	£000, 111.9	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15804	000	000	REDHALL CRESCENT - CLOSE-	Avoidance of future costs and Protecting our assets	01	£000, 54.2	£000, 0.0	£000, 54.2	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15805	000	000	REDHALL CLOSE - CRESCENT END-	Avoidance of future costs and Protecting our assets	01	£000, 35.5	£000, 0.0	£000, 35.5	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15807	000	000	PARKFIELD ROW BEESTON RD MARSTON AV	Avoidance of future costs and Protecting our assets	01	£000, 27.0	£000, 0.0	£000, 27.0	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval

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15823	000	000	CROSS GREEN WAY MERCADO CAR PARK	Avoidance of future costs and Protecting our assets	01	£000, 98.8	0.0	£000, 98.8	0.0	£000, 0.0	£000, 0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15827	000	000	HAWTHORN GROVE-RODLEY LANE	Avoidance of future costs and Protecting our assets	01	30.7	0.0	30.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15828	000	000	HAWTHORN DRIVE- ROD LN - HAWTH GR	Avoidance of future costs and Protecting our assets	01	15.8	0.0	15.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15829	000	000	WOODHALL PARK AVEN - GROVE NO 24	Avoidance of future costs and Protecting our assets	01	37.5	0.0	37.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15830	000	000	WOODHALL PARK AV 24 ROCKW RD	Avoidance of future costs and Protecting our assets	01	34.0	0.0	34.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15831	000	000	MILES HILL MOUNT 15/16 END OF PARKING	Avoidance of future costs and Protecting our assets	01	42.7	0.0	42.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15832	000	000	RIVIERA GDNS -POTTERNEWTON LN	Avoidance of future costs and Protecting our assets	01	90.6	0.0	90.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15833	000	000	ROUNDHAY GR-HAREHILLS LN- GLED VAL RD	Avoidance of future costs and Protecting our assets	01	69.9	0.0	69.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15834	000	000	NEWTON PARK VIEW -HAREHILLS AVEN	Avoidance of future costs and Protecting our assets	01	41.7	0.0	41.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15835	000	000	WOODLAND DRIVE- WOODLAND RD	Avoidance of future costs and Protecting our assets	01	21.3	0.0	21.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15836	000	000	ST MARTINS RD-CHAP RD-ST MART CRES	Avoidance of future costs and Protecting our assets	01	65.6	0.0	65.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15837	000	000	ST MARTINS ROAD -CRESCENT- DRIVE	Avoidance of future costs and Protecting our assets	01	40.7	0.0	40.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15838	000	000	DONISTHORPE ST-STH ACCOM RD- FORS ST	Avoidance of future costs and Protecting our assets	01	93.2	0.0	93.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15839	000	000	ENFIELD ST-ROUNHAYD RD - MANOR ST	Avoidance of future costs and Protecting our assets	01	45.2	0.0	45.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15840	000	000	MANOR STREET -ENFIELD STREET	Avoidance of future costs and Protecting our assets	01	75.3	0.0	75.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15841	000	000	MANOR STREET LAMP 6	Avoidance of future costs and Protecting our assets	01	17.8	0.0	17.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15843	000	000	STRATFORD AVENUE- WICKHAM STREET	Avoidance of future costs and Protecting our assets	01	13.7	0.0	13.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval



Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
15849	000	000	MANSTON APPROACH-DRIVE-CHURCH LN	Avoidance of future costs and Protecting our assets	01	£000, 48.6	£000, 0.0	£000, 48.6	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15850	000	000	SOUTHWOOD GATE-SWAR DR BARWICK RD	Avoidance of future costs and Protecting our assets	01	70.3	0.0	70.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15851	000	000	SHERBURN RD NTH-WHI LAI RD-BAIL DR	Avoidance of future costs and Protecting our assets	01	102.1	0.0	102.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15860	000	000	PURBECK GROVE - DERWENT AVENUE	Avoidance of future costs and Protecting our assets	01	26.9	0.0	26.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15861	000	000	TOWN END - 21 ABERFORD RD	Avoidance of future costs and Protecting our assets	01	23.6	0.0	23.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15862	000	000	TOWN END NO 15	Avoidance of future costs and Protecting our assets	01	10.3	0.0	10.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15863	000	000	BARWICK RD-BARROWBY LN RAIL BRIDGE	Avoidance of future costs and Protecting our assets	01	27.0	0.0	27.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15865	000	000	EASTWOOD GROVE-FAIRBURN DRIVE	Avoidance of future costs and Protecting our assets	01	15.9	0.0	15.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15866	000	000	BECK RD-ROUNDHAY RD-HAREHILLS AV	Avoidance of future costs and Protecting our assets	01	36.6	0.0	36.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15867	000	000	NORTH FARM RD-OAKTREE DR FOUNDRY AV	Avoidance of future costs and Protecting our assets	01	41.0	0.0	41.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15868	000	000	BALDOVAN MT-BECK RD-ELLERS RD	Avoidance of future costs and Protecting our assets	01	22.5	0.0	22.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15869	000	000	SEAFORTH AV STRATHMOR AV FOUND AP	Avoidance of future costs and Protecting our assets	01	43.1	0.0	43.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15870	000	000	SEAFORTH AV-STRATHMORE AV - DR	Avoidance of future costs and Protecting our assets	01	45.3	0.0	45.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15872	000	000	AMBERTON APP-AMB ROAD-OAKTREE DR	Avoidance of future costs and Protecting our assets	01	38.6	0.0	38.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15873	000	000	HILL TOP MT-ELLERS RD-SHEPHERDS LN	Avoidance of future costs and Protecting our assets	01	25.7	0.0	25.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15875	000	000	ELLERS GR-ROUND RD-HILL TOP MT	Avoidance of future costs and Protecting our assets	01	17.3	0.0	17.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15877	000	000	BENTON PARK AVEN-HARROGATE ROAD	Avoidance of future costs and Protecting our assets	01	24.4	0.0	24.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval

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15878	000	000	BENTON PARK CRESCENT-AVENUE	Avoidance of future costs and Protecting our assets	01	£000, 29.0	£000, 0.0	£000, 29.0	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15879	000	000	BENTON PARK ROAD - AVENUE	Avoidance of future costs and Protecting our assets	01	11.2	0.0	11.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15880	000	000	WOODLEA ROAD - APP - GREENLEA RD	Avoidance of future costs and Protecting our assets	01	63.4	0.0	63.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15881	000	000	BROWNLEA CLOSE - WOODLEA ROAD	Avoidance of future costs and Protecting our assets	01	11.9	0.0	11.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15882	000	000	WOODLEA DRIVE- WOODLEA ROAD	Avoidance of future costs and Protecting our assets	01	11.5	0.0	11.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15883	000	000	THE SYCAMORES - MOORLAND AVENUE	Avoidance of future costs and Protecting our assets	01	24.9	0.0	24.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15884	000	000	THE BIRCHES - MOORLAND AV- THE BEECHES	Avoidance of future costs and Protecting our assets	01	17.4	0.0	17.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15885	000	000	THE BEECHES - THE SYCAMORES	Avoidance of future costs and Protecting our assets	01	23.7	0.0	23.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15886	000	000	THE POPLARS - THE BEECHES	Avoidance of future costs and Protecting our assets	01	27.9	0.0	27.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15887	000	000	THE OAKS - THE BEECHES	Avoidance of future costs and Protecting our assets	01	2.2	0.0	2.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15888	000	000	SHAKESPEARE ROAD-RUSKIN CRESCENT	Avoidance of future costs and Protecting our assets	01	39.2	0.0	39.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15889	000	000	SHAKESPEARE CLOSE - ROAD	Avoidance of future costs and Protecting our assets	01	8.5	0.0	8.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15890	000	000	ROUNDHAY PK LN - FARM RD- OAKFIELD HSE	Avoidance of future costs and Protecting our assets	01	40.1	0.0	40.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15891	000	000	ROUNDHAY PK LN - OAKFIELD HSE- PK LN MEWS	Avoidance of future costs and Protecting our assets	01	42.1	0.0	42.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15892	000	000	ROUNDHAY PK LN - PK LN MEWS- SHADWELN	Avoidance of future costs and Protecting our assets	01	18.0	0.0	18.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15893	000	000	ROUNDHAY PK LN- RING RD- FARM RD	Avoidance of future costs and Protecting our assets	01	31.5	0.0	31.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15894	000	000	MILL LANE-A58 WETH RD-HOLME FM LN	Avoidance of future costs and Protecting our assets	01	41.9	0.0	41.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval

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						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
15896	000	000	HOLLYBUSH GREEN - SCHOOL LN 18/20	Avoidance of future costs and Protecting our assets	01	33.3	0.0	33.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15897	000	000	NORTHGATE RISE-LANE	Avoidance of future costs and Protecting our assets	01	9.1	0.0	9.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15898	000	000	LANGWITH DRIVE-HAREWOOD ROAD	Avoidance of future costs and Protecting our assets	01	15.3	0.0	15.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15899	000	000	NORTH GRANGE RD-HEAD LN- NTH GRANGE MEW	Avoidance of future costs and Protecting our assets	01	38.4	0.0	38.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15900	000	000	NORTH GRANGE ROAD-MEWS - MOUNT	Avoidance of future costs and Protecting our assets	01	16.1	0.0	16.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15902	000	000	HAROLD GROVE-CARDI RD THORNHIL RD	Avoidance of future costs and Protecting our assets	01	29.8	0.0	29.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15904	000	000	MEADOW VIEW-ROYAL PK RD-BRUDENEL RD	Avoidance of future costs and Protecting our assets	01	22.6	0.0	22.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15905	000	000	WILLIAM STREET - PEARSON GROVE	Avoidance of future costs and Protecting our assets	01	19.0	0.0	19.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15906	000	000	ELIZABETH STREET - PEARSON GROVE	Avoidance of future costs and Protecting our assets	01	18.7	0.0	18.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15907	000	000	JOHN STREET - PEARSON GROVE	Avoidance of future costs and Protecting our assets	01	15.2	0.0	15.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15909	000	000	WELTON PLACE - ROAD	Avoidance of future costs and Protecting our assets	01	31.5	0.0	31.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15910	000	000	SPRINGFIELD GDNS-MOUNT-LOW LANE	Avoidance of future costs and Protecting our assets	01	29.9	0.0	29.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15911	000	000	VICTORIA MT-CRES-CALVERLY LN+CUL D SAC	Avoidance of future costs and Protecting our assets	01	107.8	0.0	107.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15914	000	000	WEST END GR 10 WEST END RISE 30	Avoidance of future costs and Protecting our assets	01	24.1	0.0	24.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15915	000	000	AUTUMN CRESCENT - JACKMAN DRIVE	Avoidance of future costs and Protecting our assets	01	24.5	0.0	24.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15916	000	000	OUTWOOD WALK-NEW ROAD SIDE	Avoidance of future costs and Protecting our assets	01	16.2	0.0	16.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15918	000	000	REGENT CRESCENT - AVENUE	Avoidance of future costs and Protecting our assets	01	23.9	0.0	23.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval

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15919	000	000	GREEN LANE-REGENT RD - CRESCENT	Avoidance of future costs and Protecting our assets	01	£000, 30.6	0.0	£000, 30.6	0.0	£000, 0.0	£000, 0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15921	000	000	CROMER TERR-MT PRESTON ST-LIFTON PL	Avoidance of future costs and Protecting our assets	01	32.5	0.0	32.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15922	000	000	MT PRESTON ST-CLARENDON RD-SPRING MT	Avoidance of future costs and Protecting our assets	01	101.8	0.0	101.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15924	000	000	WOODSLEY RD-BURLEY-BELLE VU RD	Avoidance of future costs and Protecting our assets	01	94.1	0.0	94.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15926	000	000	ROSGILL DRIVE-KENTMERE AVENUE O/S 131	Avoidance of future costs and Protecting our assets	01	30.6	0.0	30.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15927	000	000	ROSGILL DRIVE 131 NTH PARKWAY	Avoidance of future costs and Protecting our assets	01	14.0	0.0	14.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15930	000	000	GRANGE PK ROAD - CLOSE-DIB LANE	Avoidance of future costs and Protecting our assets	01	123.6	0.0	123.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15931	000	000	GIBSON LANE NO 87 - NO 52	Avoidance of future costs and Protecting our assets	01	28.8	0.0	28.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15932	000	000	GIBSON LANE NO 52 HIGH ST	Avoidance of future costs and Protecting our assets	01	32.8	0.0	32.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15933	000	000	CHURCHVILLE DR-TERR-GREAT NTH RD	Avoidance of future costs and Protecting our assets	01	37.2	0.0	37.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15936	000	000	GLENCOE TERR-STATION RD NO 30	Avoidance of future costs and Protecting our assets	01	6.7	0.0	6.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15937	000	000	HELENA STREET-STATION RD END	Avoidance of future costs and Protecting our assets	01	28.6	0.0	28.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15938	000	000	LATCHMERE GDNS-MOOR GRANGE DR	Avoidance of future costs and Protecting our assets	01	40.8	0.0	40.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15939	000	000	GILBERT CLOSE-SANDFORD RD END	Avoidance of future costs and Protecting our assets	01	52.4	0.0	52.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15940	000	000	GILBERT MOUNT-CLOSE-COMMERCIAL RD	Avoidance of future costs and Protecting our assets	01	10.0	0.0	10.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15941	000	000	LATCHMERE WLK-MOOR GRANGE DR	Avoidance of future costs and Protecting our assets	01	27.8	0.0	27.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15942	000	000	HADDON PL-KIRKSTALL BANKFIELD RDS	Avoidance of future costs and Protecting our assets	01	22.5	0.0	22.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval

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15943	000	000	OLD FARM GARTH - DRIVE END	Avoidance of future costs and Protecting our assets	01	£000, 8.5	0.0	£000, 8.5	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15950	000	000	NEWHALL CHASE- NEWHALL RD END	Avoidance of future costs and Protecting our assets	01	32.5	0.0	32.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15951	000	000	MIDDLETON PK RD -NO 54- HOPEWELL VIEW	Avoidance of future costs and Protecting our assets	01	52.3	0.0	52.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15952	000	000	LINGWELL CRESCENT - AVENUE END	Avoidance of future costs and Protecting our assets	01	20.0	0.0	20.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15956	000	000	CHURCH GARDENS-RING RD END	Avoidance of future costs and Protecting our assets	01	19.7	0.0	19.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15957	000	000	QUEENSHILL AV- RING ROAD - CRES	Avoidance of future costs and Protecting our assets	01	60.7	0.0	60.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15958	000	000	QUEENSHILL AVEN - CRES- ROAD	Avoidance of future costs and Protecting our assets	01	49.7	0.0	49.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15959	000	000	QUEENSHILL AVENUE - ROAD - DRIVE	Avoidance of future costs and Protecting our assets	01	49.2	0.0	49.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15960	000	000	STAINBURN DRIVE -HARROGATE RD 43/41	Avoidance of future costs and Protecting our assets	01	58.1	0.0	58.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15961	000	000	STAINBURN DRIVE - 43/41 STAINBURN CRES	Avoidance of future costs and Protecting our assets	01	75.9	0.0	75.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15962	000	000	WENSLEY DRIVE-CARR MANOR RD 118/120	Avoidance of future costs and Protecting our assets	01	57.1	0.0	57.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15966	000	000	REEDSDALE AVENUE - GARDENS NO 10	Avoidance of future costs and Protecting our assets	01	14.3	0.0	14.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15967	000	000	REEDSDALE DRIVE - GARDENS NO 11	Avoidance of future costs and Protecting our assets	01	12.0	0.0	12.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15969	000	000	THE NOOKS -FINKLE LN - PARKWAY	Avoidance of future costs and Protecting our assets	01	61.0	0.0	61.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15970	000	000	TREEFIELD IND ESTATE CUL DE SAC ONLY	Avoidance of future costs and Protecting our assets	01	33.2	0.0	33.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15971	000	000	HOWLEY PK RD-SCOTCHMAN LN HOWL PK EAST	Avoidance of future costs and Protecting our assets	01	64.5	0.0	64.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15974	000	000	SIEGEN CLOSE-COMM AREA FRONT NO 39/53	Avoidance of future costs and Protecting our assets	01	22.5	0.0	22.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval

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15976	000	000	CAMBRIDGE DRIVE-ST CLAIRS RD-LISTERDYKE	Avoidance of future costs and Protecting our assets	01	£000, 38.2	£000, 0.0	£000, 38.2	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
15977	000	000	PETERHOUSE DRIVE-CAMBRIDGE DR END	Avoidance of future costs and Protecting our assets	01	11.5	0.0	11.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15978	000	000	SILVER LANE-HAW LANE-HIGH STREET	Avoidance of future costs and Protecting our assets	01	40.5	0.0	40.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15979	000	000	STATION RD-BURRAS LN-START OF SETTS	Avoidance of future costs and Protecting our assets	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15980	000	000	ACKWORTH CRES-WINDMILL LN-HARROG RD	Avoidance of future costs and Protecting our assets	01	12.4	0.0	12.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15982	000	000	HAWORTH LANE-KIRK LN- HAW LN	Avoidance of future costs and Protecting our assets	01	15.3	0.0	15.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15986	000	000	KINGS CLOSE-CAMBRIDGE DR END	Avoidance of future costs and Protecting our assets	01	4.3	0.0	4.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15987	000	000	TRINITY RISE-CAMBRIDGE DRIVE END	Avoidance of future costs and Protecting our assets	01	14.0	0.0	14.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15990	000	000	HAWTHORN CRES-HAW LN-MARSHALL ST	Avoidance of future costs and Protecting our assets	01	22.3	0.0	22.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15991	000	000	HAW LANE-CEMETERY-HAWTHORN RD	Avoidance of future costs and Protecting our assets	01	38.4	0.0	38.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15992	000	000	INGHAMS AV-WATERLOO RD-OWL COTES RD	Avoidance of future costs and Protecting our assets	01	130.4	0.0	130.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15994	000	000	LITTLEMOOR CR-STHYRD RS-LITMOOR RD	Avoidance of future costs and Protecting our assets	01	47.4	0.0	47.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15995	000	000	TYERSAL WALK - TYERSAL ROAD END	Avoidance of future costs and Protecting our assets	01	55.8	0.0	55.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15997	000	000	COMMERCIAL ST-MARSH ST-BUTCHER LN	Avoidance of future costs and Protecting our assets	01	25.8	0.0	25.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16003	000	000	BELLE VUE AVEN-HOLLIN PK MT-NORTH LANE	Avoidance of future costs and Protecting our assets	01	70.9	0.0	70.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16006	000	000	GLEDHOW WOOD CLOSE - GLEDHOW WD RD	Avoidance of future costs and Protecting our assets	01	56.4	0.0	56.4	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16007	000	000	ROMAN GARDENS - VALE AV - STREET LN	Avoidance of future costs and Protecting our assets	01	30.1	0.0	30.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval

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						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
16008	000	000	NORTH WAY - NORTH LANE END	Avoidance of future costs and Protecting our assets	01	13.7	0.0	13.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16009	000	000	NORMAN PLACE - NORTON RD- ROMAN AV	Avoidance of future costs and Protecting our assets	01	25.2	0.0	25.2	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16010	000	000	ROMAN PLACE -ROMAN TER- ROMAN VIEW	Avoidance of future costs and Protecting our assets	01	27.7	0.0	27.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16011	000	000	ARLINGTON GROVE-GIPTON WD ROAD END	Avoidance of future costs and Protecting our assets	01	38.0	0.0	38.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16012	000	000	ROMAN TERRACE- VALE AVEN- STREET LN	Avoidance of future costs and Protecting our assets	01	74.6	0.0	74.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16013	000	000	ROMAN TERR-WEST PK GR-VALE AVEN	Avoidance of future costs and Protecting our assets	01	10.3	0.0	10.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16014	000	000	INGLEDEW DRIVE-STREET LN-PARK CRES	Avoidance of future costs and Protecting our assets	01	43.6	0.0	43.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16015	000	000	GLEDHOW WD GROVE-LIDGETT WK- AVE	Avoidance of future costs and Protecting our assets	01	34.5	0.0	34.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16016	000	000	GLEDHOW WD GR-LIDGETT AV- GLED AV	Avoidance of future costs and Protecting our assets	01	21.0	0.0	21.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16017	000	000	PORTAGE CRES-OAK RD-PORTAGE AV	Avoidance of future costs and Protecting our assets	01	27.7	0.0	27.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16018	000	000	PORTAGE CRES-AVEN-BOLDMERE RD	Avoidance of future costs and Protecting our assets	01	22.9	0.0	22.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16019	000	000	PRIMROSE LANE B/N 161/163 SIDE NO201	Avoidance of future costs and Protecting our assets	01	31.0	0.0	31.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16020	000	000	PRIMROSE LANE-NO 216 B/N 161/163	Avoidance of future costs and Protecting our assets	01	41.0	0.0	41.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16021	000	000	AUSTHORPE GROVE-SELBY RD- BARROWBY LN	Avoidance of future costs and Protecting our assets	01	36.0	0.0	36.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16022	000	000	BARROWBY ROAD - SELBY ROAD END	Avoidance of future costs and Protecting our assets	01	10.0	0.0	10.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16023	000	000	MOOR AVENUE -OAK CRES - OAK ROAD	Avoidance of future costs and Protecting our assets	01	42.7	0.0	42.7	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16024	000	000	HOLLIN LANE-WREETWOOD AVEN- LANE	Avoidance of future costs and Protecting our assets	01	41.0	0.0	41.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval

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16025	000	000	CHURCHWOOD AVENUE-OTLEY ROAD END	Avoidance of future costs and Protecting our assets	01	£000, 116.0	£000, 0.0	£000, 116.0	£000, 0.0	£000, 0.0	£000, 0.0	£000, 0.0	0.0 Highways Maintenance works	Recommend approval
16026	000	000	IVESON RISE -APPROACH - DRIVE	Avoidance of future costs and Protecting our assets	01	115.6	0.0	115.6	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16027	000	000	IVESON LAWN - DRIVE END	Avoidance of future costs and Protecting our assets	01	16.5	0.0	16.5	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16028	000	000	VICTORIA STREET - WALTON RD-HIGH ST	Avoidance of future costs and Protecting our assets	01	38.0	0.0	38.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16029	000	000	THE VILLAGE -CHURCH CAUSE - DOWKEL LN	Avoidance of future costs and Protecting our assets	01	60.1	0.0	60.1	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16030	000	000	CHURCH HILL - VICARAGE LN-HIGH ST	Avoidance of future costs and Protecting our assets	01	16.9	0.0	16.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16031	000	000	TOWN HILL - HIGH ST-FRONT ST	Avoidance of future costs and Protecting our assets	01	71.3	0.0	71.3	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16032	000	000	HIGH STREET - ABERFORD RD - CHURCH HILL	Avoidance of future costs and Protecting our assets	01	38.9	0.0	38.9	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16033	000	000	PEAR TREE ACRE - THE VILLAGE END	Avoidance of future costs and Protecting our assets	01	8.8	0.0	8.8	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
16034	000	000	RIVER VEW - A659 HIGH STREET END	Avoidance of future costs and Protecting our assets	01	39.0	0.0	39.0	0.0	0.0	0.0	0.0	0.0 Highways Maintenance works	Recommend approval
15588	000	000	CITY CENTRE LEGIBILITY	Does not meet the specified review process criteria	01	100.0	0.0	0.0	100.0	0.0	0.0	0.0	0.0 Overall scheme is £1.2m; £450k has already been utilised for the first phase of signage works. The Yorkshire Forward(YF) funded element was utilised for this first phase of the works. The second stage works, are wholly Leeds funded and if not completed could be subject to funding clawback from YF. This £100k is required for essential signage to complete the first stage of the overall legibility programme. The balance of £650k is held on the red list.	Recommend approval
1368	000	000	CITY VARIETIES REFURBISHMENT PARENT	Protecting our assets	01	600.0	0.0	0.0	358.0	242.0	0.0	0.0	0.0 Balance of funding required for the City Varieties works see additional comments below	Recommend approval
1368	000	000	CITY VARIETIES REFURBISHMENT PARENT	Protecting our assets	52	338.0	0.0	125.0	213.0	0.0	0.0	0.0	0.0 Balance of unsupported borrowing to be allocated as remaining elements of the scheme are contractually committed	Recommend approval



Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
12028	000	000	PARKS NECK AND ARM VIBRATION MACHINES		01	£000, 600.0	£000, 0.0	£000, 0.0	£000, 300.0	£000, 300.0	£000, 0.0	£000, 0.0	Equipment replacement programme to comply with employee health and safety requirements	Recommend approval
12028	NEW	000	NECK AND ARM VIBRATION EQUIPMENT		01	300.0	0.0	300.0	0.0	0.0	0.0	0.0	Equipment replacement programme to comply with employee health and safety requirements	Recommend approval
12523	CGT	000	CHELSEA GARDENS 2009 & 2010 RELOCATION	Protecting our assets	01	126.1	0.0	126.1	0.0	0.0	0.0	0.0	Re-establishment costs of 2009 and 2010 gardens	Recommend approval
14236	CAL	008	WESTROYD PARK BOWLS CANOPY	WBI	01	3.5	0.0	3.5	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	CAL	008	WESTROYD PARK BOWLS CANOPY	WBI	15	3.5	0.0	3.5	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	FAR	003	POST HILL WETLAND PROJECT	WBI	01	3.2	0.0	3.2	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	FAR	003	POST HILL WETLAND PROJECT	WBI	15	3.2	0.0	3.2	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	GUI	003	GREENBOTTOM PARK FOOTPATH	WBI	01	4.8	0.0	4.8	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	GUI	006	HERITAGE NOTICE BOARDS (3 SITES)	WBI	01	7.0	0.0	7.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	HOR	002	HUNGER HILLS PARK FOOTPATHS	WBI	01	15.0	0.0	15.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	MON	008	INSTALLATION OF 3 VALLEY GATES	WBI	01	2.3	0.0	2.3	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14898	000	000	MIDDLETON PARK RESTORATION - HERITAGE LOTTERY FUND (HLF)	Protecting our assets	07	1385.4	0.0	0.0	1266.6	118.8	0.0	0.0	Lottery funded restoration scheme with minority elements of Wades Charity and Leeds funding	Recommend approval
14898	000	000	MIDDLETON PARK RESTORATION - HERITAGE LOTTERY FUND (HLF)	Protecting our assets	08	287.5	0.0	0.0	287.5	0.0	0.0	0.0	Wades charity contribution (from property sales)	Recommend approval
14898	000	000	MIDDLETON PARK RESTORATION - HERITAGE LOTTERY FUND (HLF)	Protecting our assets	01	125.0	0.0	57.7	6.2	61.1	0.0	0.0		Recommend approval
1358	000	000	CEMETERY EXTENSIONS - CITYWIDE	Environmental impacts	01	750.0	0.0	750.0	0.0	0.0	0.0	0.0	Funding to deliver additional short term (5 year solution) burial space city wide various cemeteries. This provides for a new 5 acre site assumed cost £350k. In addition £400k provided for feasibility work at other sites.	Recommend approval
1358	ELM	000	SITE INVEST WKS FR ELMETE CARAVAN SITE	Protecting our assets	01	21.5	12.6	8.9	0.0	0.0	0.0	0.0	Cemetery proposals - funding required for pre planning application works.	Recommend approval
14236	MOS	010	MORLEY WAR MEMORIAL WREATH RAIL	WBI	01	1.1	0.0	1.1	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14050	000	000	WATER SAFETY IN PARKS	Protecting our assets	01	346.1	0.0	346.1	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	AIB	AIREBOROUGH FP WATER SAFETY PHASE 4	Protecting our assets	01	31.4	0.0	31.4	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval

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						£000.	£000.	£000.	£000.	£000.	£000.	£000.		
14050	PH4	BOS	BOSTON SPA, KEARBY PHASE 4	Protecting our assets	01	7.5	0.0	7.5	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	BRE	BREARLY MARSH PHASE 4	Protecting our assets	01	4.2	0.0	4.2	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	COL	COLLINGHAM PHASE 4	Protecting our assets	01	1.5	0.0	1.5	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	HAR	HAREWOOD PATHS	Protecting our assets	01	14.7	0.0	14.7	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	LED	LEDSTON LUCK PHASE 4	Protecting our assets	01	4.1	0.0	4.1	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	NUN	NUNROYD PHASE 4	Protecting our assets	01	4.1	0.0	4.1	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	PU2	PUDSEY FP59 PHASE 4	Protecting our assets	01	18.3	0.0	18.3	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	PU3	PUDSEY FP 54 PHASE 4	Protecting our assets	01	19.5	0.0	19.5	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	PUD	PUDSEY FP60 PHASE 4	Protecting our assets	01	18.2	0.0	18.2	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	SWA	SWAINE WOODS PHASE 4	Protecting our assets	01	3.2	0.0	3.2	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	SYK	SYKES WOOD PHASE 4	Protecting our assets	01	33.4	0.0	33.4	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	WOO	WOODHALL LAKE PHASE 4	Protecting our assets	01	8.1	0.0	8.1	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
14050	PH4	YEA	YEADON TARN PHASE 4	Protecting our assets	01	16.2	0.0	16.2	0.0	0.0	0.0	0.0	Health & safety related work	Recommend approval
<b>CS Development Total</b>						<b>15909.5</b>	<b>206.3</b>	<b>10672.7</b>	<b>3808.6</b>	<b>1221.9</b>	<b>0.0</b>	<b>0.0</b>		
<b>Environment &amp; Neighbourhoods</b>														
12154	AND	000	ANDREWS STREET FARSELEY - TOWN & DISTRICT CENTRE (T&DC)	Protecting our assets	01	278.7	0.0	266.7	12.0	0.0	0.0	0.0	The works cover Highways / hard landscaping work plus the refurbishment of public conveniences. The works compliment other improvements that have taken place on Farsley Town St	Recommend approval
12154	AND	000	ANDREWS STREET FARSELEY - TOWN & DISTRICT CENTRE (T&DC)	Protecting our assets	03	7.0	0.0	7.0	0.0	0.0	0.0	0.0		
12154	ARM	000	TOWN & DISTRICT REGENERATION (T&DR) - ARMLEY TOWN CTRE IMPS	Protecting our assets	01	281.9	252.0	29.9	0.0	0.0	0.0	0.0	Balance relates to pending fees	Recommend approval
12154	ARM	THI	ARMLEY TOWNSCAPE HERITAGE INITIATIVE (THI) UNCOMMITTED GRANTS	Protecting our assets	01	253.0	10.5	42.5	94.8	94.8	10.4	0.0	Balance of Leeds funding to match Townscape Heritage Initiative(THI) grant funding	Recommend approval
12154	ARM	THI	ARMLEY TOWNSCAPE HERITAGE INITIATIVE (THI) UNCOMMITTED GRANTS	Protecting our assets	07	969.9	31.5	338.5	284.3	284.3	31.3	0.0		
12154	CHA	000	CHAPELTOWN TOWNSCAPE HERITAGE INITIATIVE (THI)	Protecting our assets	01	158.8	81.6	77.2	0.0	0.0	0.0	0.0	Balance on main scheme, Fees already charged to the main scheme.some of the funding still to be allocated.	Recommend approval

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						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
12154	CHA	THI	CHAPELTOWN TOWNSCAPE HERITAGE INITIATIVE (THI) UNCOMMITTED GRANTS	Protecting our assets	01	333.9	11.9	128.0	85.8	90.8	17.4	0.0	Leeds match funding from the TDC programme along with HLF grant for townscape improvements in Chapeltown	Recommend approval
12154	CHA	THI	CHAPELTOWN TOWNSCAPE HERITAGE INITIATIVE (THI) UNCOMMITTED GRANTS	Protecting our assets	07	802.0	29.3	313.0	210.2	222.2	27.3	0.0	HLF grant support for scheme	Recommend approval
12154	CHA	WAY	CHAPELTOWN WAY/MARKER ART FEATURE (THI)	Protecting our assets	01	5.7	0.0	5.7	0.0	0.0	0.0	0.0	expenditure already incurred	Recommend approval
12154	CRO	000	TOWN & DISTRICT REGENERATION (T&DR) - CROSS GATES	Protecting our assets	01	54.0	53.3	0.7	0.0	0.0	0.0	0.0	expenditure already incurred	Recommend approval
12154	WET	NAG	NAGS LANE HIGHWAYS IMPROVEMENTS	Protecting our assets	01	12.5	0.7	11.8	0.0	0.0	0.0	0.0	Remaining works to finalise the Wetherby Horsefair TDC scheme	Recommend approval
12154	WET	NAG	NAGS LANE HIGHWAYS IMPROVEMENTS	Protecting our assets	03	2.5	0.0	2.5	0.0	0.0	0.0	0.0		Recommend approval
15725	000	000	RICHMOND HILL COMMUNITY CENTRE REFURBISHMENT	Protecting our assets	01	150.0	0.0	150.0	0.0	0.0	0.0	0.0	Refurbishment works funded via a combination of earmarked capital receipt (Butterfield Manor sold 2009/10) and Adult Services grant.	Recommend approval
15725	000	000	RICHMOND HILL COMMUNITY CENTRE REFURBISHMENT	Protecting our assets	39	100.0	0.0	100.0	0.0	0.0	0.0	0.0		Recommend approval
16136	000	000	STANHOPE MEMORIAL HALL RENOVATIONS	Protecting our assets	01	75.0	0.0	75.0	0.0	0.0	0.0	0.0	Refurbishment and rationalisation of activities on one site funded from the projected sale of the Churwell site.	Recommend approval
1874	000	000	WEST OUTER AREA MANAGEMENT	Area Wellbeing allocation	01	74.8	0.0	74.8	0.0	0.0	0.0	0.0	Area Committee funding allocations	Recommend approval
1875	000	000	WEST INNER AREA MANAGEMENT	Area Wellbeing allocation	01	24.9	0.0	24.9	0.0	0.0	0.0	0.0	Area Committee schemes proceeding as per the usual approval procedures	Recommend approval
1875	000	000	WEST INNER AREA MANAGEMENT		37	3.5	0.0	3.5	0.0	0.0	0.0	0.0		Recommend approval
1876	000	000	NORTH WEST OUTER AREA MANAGEMENT	Area Wellbeing allocation	01	89.0	0.0	89.0	0.0	0.0	0.0	0.0	Area Committee schemes proceeding as per the usual approval procedures	Recommend approval
1876	000	000	NORTH WEST OUTER AREA MANAGEMENT		37	1.3	0.0	1.3	0.0	0.0	0.0	0.0		Recommend approval
1877	000	000	NORTH WEST INNER AREA MANAGEMENT	Area Wellbeing allocation	01	29.7	0.0	29.7	0.0	0.0	0.0	0.0	Area Committee schemes proceeding as per the usual approval procedures	Recommend approval
1877	000	000	NORTH WEST INNER AREA MANAGEMENT		37	2.1	0.0	2.1	0.0	0.0	0.0	0.0		Recommend approval

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						£000.	£000.	£000.	£000.	£000.	£000.	£000.		
1877	NWI	OZ4	WOODSLEY ROAD DISTRICT CENTRE IMPROVEMENT	Protecting our assets (Area Wellbeing allocation)	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	0.0 Area Committee funding allocations	Recommend approval
1878	000	000	NORTH EAST OUTER AREA MANAGMENT	Area Wellbeing allocation	01	35.8	0.0	35.8	0.0	0.0	0.0	0.0	0.0 Area Committee schemes proceeding as per the usual approval procedures	Recommend approval
1878	000	000	NORTH EAST OUTER AREA MANAGMENT		37	2.4	0.0	2.4	0.0	0.0	0.0	0.0		
1878	NEO	OF6	BOSTON SPA CHILDREN'S CENTRE	Adult and children's social care	01	105.0	0.0	105.0	0.0	0.0	0.0	0.0	0.0 Area Committee funding allocations	Recommend approval
1879	000	000	NORTH EAST INNER AREA MANAGMENT	Area Wellbeing allocation	01	3.1	0.0	3.1	0.0	0.0	0.0	0.0	0.0 Area Committee funding allocations	Recommend approval
1879	NEI	OE2	GLEDFLOW RISE TRAFFIC MANAGEMENT MEASURES	Protecting our assets (Area Wellbeing allocation)	01	5.0	0.0	5.0	0.0	0.0	0.0	0.0	0.0 Area Committee funding allocations	Recommend approval
1881	000	000	EAST INNER AREA MANAGMENT	Area Wellbeing allocation	01	31.1	0.0	31.1	0.0	0.0	0.0	0.0	0.0 Area Committee schemes proceeding as per the usual approval procedures	Recommend approval
1881	000	000	EAST INNER AREA MANAGMENT		37	10.4	0.0	10.4	0.0	0.0	0.0	0.0		
1882	000	000	SOUTH OUTER AREA MANAGMENT	Area Wellbeing allocation	01	139.6	0.0	139.6	0.0	0.0	0.0	0.0	0.0 Area Committee funding allocations	Recommend approval
1883	000	000	SOUTH INNER AREA MANAGMENT	Area Wellbeing allocation	01	91.1	0.0	91.1	0.0	0.0	0.0	0.0	0.0 Area Committee schemes proceeding as per the usual approval procedures	Recommend approval
1883	000	000	SOUTH INNER AREA MANAGMENT		37	17.6	0.0	17.6	0.0	0.0	0.0	0.0		
14236	WEE	OO3	RAYNEL SHOPPING IMPROVEMENTS	WBI	01	7.4	0.0	7.4	0.0	0.0	0.0	0.0	0.0 Ward Based Initiative scheme	Recommend approval
16196	000	000	FREE HOME INSULATION PROGRAMME	Environmental Impacts	01	650.0	0.0	650.0	650.0	0.0	0.0	0.0	0.0 Reduce carbon footprint, reduce fuel bills for households	Recommend approval
16196	000	000	FREE HOME INSULATION PROGRAMME		52	650.0	0.0	650.0	650.0	0.0	0.0	0.0		
98040	000	000	DISABLED FACILITIES GRANTS	Adult and children's social care	01	4500.0	0.0	4500.0	0.0	0.0	0.0	0.0	0.0 2010/11 Leeds element of overall £7m funding; significant element already committed.	Recommend approval
98040	000	000	DISABLED FACILITIES GRANTS	Adult and children's social care	22	2500.0	0.0	2500.0	0.0	0.0	0.0	0.0	0.0 Government grant towards overall scheme costs. Only 2010/11 funding confirmed at present. Forward years programmes included in the amber scheme list.	Recommend approval
14809	000	000	LEEDSWATCH CCTV IMPROVEMENTS	Protecting our assets	37	800.0	0.0	800.0	0.0	0.0	0.0	0.0	0.0 The scheme is seeking the replacement of the existing obsolete technology with latest standard digital technology. The scheme will be a partnership with Metro, and delivery plans and operational agreements between the parties are well advanced.	Recommend approval

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation	
12594	000	000	BIN REPLACEMENT PROGRAMME	Environmental impacts	37	£000, 2176.9	£000, 0.0	£000, 435.9	£000, 435.9	£000, 435.9	£000, 1305.1	£000, 0.0	Funding for the bin replacement programme.	Recommend approval	
12594	RIP	000	RECYCLING IMPROVEMENT PLAN - SORT	Environmental impacts	37	459.0	0.0	459.0	0.0	0.0	0.0	0.0	Funding required to complete the SORT programme rollout. The recycling strategy including this element was approved by Exec Board, December 2009. The SORT proposals require further specific financial approval.	Recommend approval	
99949	MNR	NRM	NOISE REDUCTION MEASURES	Protecting our assets	02	39.9	0.0	39.9	0.0	0.0	0.0	0.0	Funding required to install a noise reduction barrier at Milner Rd, Yeaton, Household Waste Site as agreed with local residents	Recommend approval	
<b>Environment &amp; Neighbourhoods Total</b>						<b>15974.5</b>	<b>470.8</b>	<b>10561.2</b>	<b>2423.0</b>	<b>1128.0</b>	<b>1391.5</b>	<b>0.0</b>			
<b>Central &amp; Corporate Functions</b>															
15965	000	000	SCS SOCIAL CARE SYSTEM	Invest to save, avoidance of future costs	01	1350.0	0.0	0.0	800.0	550.0	0.0	0.0	0.0	Represents the initial funding approved by Exec Board, June 2010, to cover changes to the existing system and preparatory work on the replacement proposals.	Recommend approval
14165	000	000	ESCR ACTUATE UPDATE	Invest to save, avoidance of future costs	01	99.8	24.0	75.8	0.0	0.0	0.0	0.0	0.0	IT Project Development works	Recommend approval
14288	EQP	000	SERVICE REQUEST MANAGEMENT - EQUIPMENT	Invest to save, avoidance of future costs	01	88.2	63.2	25.0	0.0	0.0	0.0	0.0	0.0	IT Project Development works - funding largely committed	Recommend approval
15615	DEV	000	MEMBERS CASE MANAGEMENT	Invest to save, avoidance of future costs	01	85.6	64.8	20.8	0.0	0.0	0.0	0.0	0.0	IT Project Development works - funding largely committed	Recommend approval
15698	000	000	ICE TECHNICAL DEVELOPMENT TRAINING	Invest to save, avoidance of future costs	01	100.0	0.0	100.0	0.0	0.0	0.0	0.0	0.0	IT Project Development works	Recommend approval
15699	DEV	000	PAYMENT CARD INDUSTRY STANDARDS	Invest to save, avoidance of future costs	01	198.3	78.7	119.6	0.0	0.0	0.0	0.0	0.0	IT Project Development works - essential changes to comply with national electronic payment requirements	Recommend approval
15719	DEV	000	E-SKILLS	Invest to save, avoidance of future costs	01	40.0	22.1	17.9	0.0	0.0	0.0	0.0	0.0	IT Project Development works	Recommend approval
15719	EQP	000	E-SKILLS	Invest to save, avoidance of future costs	01	90.0	6.1	83.9	0.0	0.0	0.0	0.0	0.0	IT Project Development works	Recommend approval
15728	000	000	FMS DEVELOPMENT - REVENUE PROJ + SAP	Invest to save, avoidance of future costs	01	60.0	22.3	37.7	0.0	0.0	0.0	0.0	0.0	IT Project Development works - covers the final element of the scheme.	Recommend approval
14236	MON	007	BERYL BURTON GARDENS	WBI	01	1.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	MOS	006	BERYL BURTON GARDENS	WBI	01	0.7	0.0	0.7	0.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/15	Comments	Recommendation
						£000.	£000.	£000.	£000.	£000.	£000.	£000.		
14236	WTH	OO2	BOSTON SPA PUBLIC CONVENIENCES	WBI	01	4.0	0.0	4.0	0.0	0.0	0.0	0.0	Ward Based Initiative scheme	Recommend approval
14236	WTH	OO2	BOSTON SPA PUBLIC CONVENIENCES	WBI	14	2.0	0.0	2.0	0.0	0.0	0.0	0.0		
14268	000	000	CORPORATE PROPERTY MANAGEMENT (AMP)	Protecting our assets	01	7659.3	0.0	1659.3	2000.0	2000.0	2000.0	0.0	0.0 Annual funding allocation provided for the maintenance of Council buildings (excludes schools and HRA properties)	Recommend approval
14268	CAL	000	CALVERLEY MECHANICS COMMUNITY CENTRE	Protecting our assets	01	40.0	0.0	40.0	0.0	0.0	0.0	0.0	0.0 Property Management/Mtce works	Recommend approval
14268	GOT	000	GOTTS PARK MANSION ROOF	Protecting our assets	01	15.0	0.0	15.0	0.0	0.0	0.0	0.0	0.0 Property Management/Mtce works	Recommend approval
14268	REG	000	1 REGINALD TERRACE - BACKLOG MAINTENANCE	Protecting our assets	01	20.0	0.0	20.0	0.0	0.0	0.0	0.0	0.0 Property Management/Mtce works	Recommend approval
14268	SPT	PDS	PUDSEY SPORTS CENTRE	Protecting our assets	01	10.0	0.0	10.0	0.0	0.0	0.0	0.0	0.0 Property Management/Mtce works	Recommend approval
14988	000	000	LEEDS INTERNATIONAL POOL DEMOLITION	Invest to save	01	139.0	0.0	139.0	0.0	0.0	0.0	0.0	0.0 Property Management/Mtce works	Recommend approval
15620	SPA	000	BOSTON SPA YOUTH CENTRE	Protecting our assets	01	38.2	0.0	38.2	0.0	0.0	0.0	0.0	0.0 Property Management/Mtce works	Recommend approval
316	000	000	ST.GEORGE HOUSE - PLATFORM LIFT	Protecting our assets	01	15.0	0.0	15.0	0.0	0.0	0.0	0.0	0.0 DDA compliance works	Recommend approval
13958	FAR	000	FARNLEY HALL DEPOT - ASSET MANAGEMENT PLAN (AMP) 0708	Protecting our assets	01	45.0	0.0	45.0	0.0	0.0	0.0	0.0	0.0 Health & Safety related electrical work	Recommend approval
13958	KIR	000	KIRKSTALL ABBEY - ASSET MANAGEMENT PLAN (AMP) 0708	Protecting our assets	01	25.0	0.0	25.0	0.0	0.0	0.0	0.0	0.0 Health & Safety related stonework improvements	Recommend approval
14268	CLB	000	REPLACE BOILERS CENTRAL LIBRARY	Protecting our assets	01	150.0	0.0	150.0	0.0	0.0	0.0	0.0	0.0 Health & safety related work	Recommend approval
14268	EAS	000	EAST LEEDS AIR HANDLING UNIT	Protecting our assets	01	50.0	0.0	50.0	0.0	0.0	0.0	0.0	0.0 Health & safety related work	Recommend approval
14268	EWO	000	CONTINUATION OF ELECTRICAL REMEDIAL WORKS	Protecting our assets	01	200.0	0.0	200.0	0.0	0.0	0.0	0.0	0.0 Health & safety related work	Recommend approval
14268	HCH	000	HEALY CROFT HOSTEL NEW PUMPS	Protecting our assets	01	10.8	0.0	10.8	0.0	0.0	0.0	0.0	0.0 Health & safety related work	Recommend approval
14197	000	000	FIRE RISK IN SOCIAL SERVICES BUILDINGS	Protecting our assets	01	1763.9	0.0	1763.9	0.0	0.0	0.0	0.0	0.0 Health & safety related work	Recommend approval
<b>Central &amp; Corporate Functions Total</b>						<b>12300.8</b>	<b>281.2</b>	<b>4669.6</b>	<b>2800.0</b>	<b>2550.0</b>	<b>2000.0</b>	<b>0.0</b>		
<b>Grand Total</b>						<b>135763.2</b>	<b>21845.7</b>	<b>51951.0</b>	<b>38496.5</b>	<b>14961.0</b>	<b>8509.0</b>	<b>0.0</b>		

## Uncommitted capital schemes - Amber

## Appendix B2

Recommended that a detailed business case for each capital scheme be submitted to Strategic Investment Board to consider if the scheme should progress

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/on £000,	Comments	Recommendation
<b>Adult Social Care</b>														
15989	000	000	TELECARE ADULT SOCIAL CARE PARENT	Improvements Adult or children's social care	01	2,100.0	0.0	0.0	700.0	700.0	700.0	0.0	This funding was injected at the February 2010 Capital Programme review. Consideration is required as to whether the stage 2 proposed works should proceed on the same basis as the approved stage 1 works that are currently progressing. The review process will enable any lessons learned from phase 1 to be built into the delivery process for the proposed phase 2 works.	Business case required
14291	LES	000	LCES EQUIPMENT STORE	Protecting our assets	37	150.0	0.0	150.0	0.0	0.0	0.0	0.0	The existing store is based on the Roundhay Road site which Adult Social Care are vacating; the current proposal is to relocate the store to the Roseville site. The timing and costings for the move are currently being progressed; it is expected that the £150k funding currently allocated will be fully utilised in completing the move.	Business case required
99811	000	000	ADAPTATIONS TO PRIVATE HOMES	Improvements Adult or children's social care	01	1,200.0	0.0	0.0	400.0	400.0	400.0	0.0	This is the annual allocation for minor adaptations work to the homes of people with identified mobility or other needs. This forward years funding is to be considered as part of the broader Adaptations Strategy review which includes Disabled Facilities Grants and ALMO adaptations funding.	Awaiting completion of Adaptations Strategy
<b>Adult Social Care Total</b>						<b>3,450.0</b>	<b>0.0</b>	<b>150.0</b>	<b>1,100.0</b>	<b>1,100.0</b>	<b>1,100.0</b>	<b>0.0</b>		
<b>Strategic Accounts</b>														

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/on £000,	Comments	Recommendation	
14201	BAL	000	NEW GENERATION TRANSPORT (NGT) & FLOOD ALLEVIATION	Protecting our assets	52	27,547.1	0.0	2,996.0	6,000.0	4,500.0	4,500.0	9,551.1	This funding has been allocated from the Strategic Development Fund (SDF) to cover the Council's current estimated contribution to New Generation Transport (NGT) if the Department for Transport (DfT) do eventually grant full funding approval. This funding allocation also provides for a contribution towards the Environment Agency's(EA) flood alleviation proposals. The flood alleviation contribution will be required if Leeds is sufficiently high up the EA's priority list to enable the proposals to proceed.	Strategic Investment decision required	
12154	CON	000	TOWN & DISTRICT CENTRES (TDC) PROGRAMME - CONTINGENCY FUND	Unknown yet	01	434.7	0.0	434.7	0.0	0.0	0.0	0.0	This funding represents the balance still to be allocated within the TDC programme. Some minimal funding is required to cover contractual claims and scheme variations but the balance is a potential saving or could be allocated to fund other projects.	Recommend delay or not to proceed	
14201	BTE	CEP	BUSINESS TRANSFORMATION PROGRAMME - CORE ENABLING PROJECTS		01	1,721.0	0.0	815.3	360.0	545.7	0.0	0.0	This is the parent scheme for the Business Transformation (BT) programme. The overall BT strategy was approved by Exec Board in December 2008. This funding is allocated to specific projects on the basis of approved business cases with the end purpose of delivering on the BT key objectives of improved business efficiency and service delivery.	Business case required	
14201	BTE	CEP	BUSINESS TRANSFORMATION PROGRAMME - CORE ENABLING PROJECTS		52	2,501.2	0.0	2,001.2	386.3	113.7	0.0	0.0			
14201	CEP	BIN	BUSINESS TRANSFORMATION PROGRAMME - BUSINESS INTELLIGENCE		52	188.3	188.3	0.0	0.0	0.0	0.0	0.0	0.0	Initial Scheme costs now almost entirely spent	Business case required
14201	CEP	BIN	BUSINESS TRANSFORMATION PROGRAMME - BUSINESS INTELLIGENCE		52	107.6	107.6	0.0	0.0	0.0	0.0	0.0	The business case produced in May 2010 requires further scrutiny, particularly in terms of the revenue implications, to ensure it is robust.	Business case required	



Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/on £000,	Comments	Recommendation
14201	CEP	MDM	BUSINESS TRANSFORMATION PROGRAMME - UNIVERSAL CUSTOMER MASTER INDEX (UCMI) MASTER DATA MANAGEMENT PH2		52	544.0	42.8	501.2	0.0	0.0	0.0	0.0	Building of a Customer master index (one version of the truth) linked to 11 key systems. Phase 1 already completed. The project will provide the core technology to support the following activities; establishing whether a customer is known to the authority, maintaining and managing a single point of the truth for specified data' enabling changes to this core customer data to be logged and uploaded to systems. maintaining consistency and data integrity. The main business case for phase 2 was considered but not fully approved in February 2010. Scheme costs, revenue implications and benefits need to be reconsidered.	Business case required
14201	CRT	PH2	BUSINESS TRANSFORMATION PROGRAMME - CUSTOMER RELATIONS PROG PHASE 2	Invest to save	52	903.1	312.0	591.1	0.0	0.0	0.0	0.0	This scheme has been approved at Exec Board January 2009. £240k of expenditure has already been committed in developing the scheme. Need to ensure business case is robust for remainder of investment.	Business case required
14201	WES	000	BUSINESS TRANSFORMATION PROGRAMME - WESTLAND ROAD CORPORATE RECORD MANAGEMENT(CRM) FACILITY		01	59.7	59.7	0.0	0.0	0.0	0.0	0.0	Exec Board approved the initial scheme proposals in January 2009. Additional cost issues have been identified and need to be addressed if the site is to become operational. The scheme is currently on hold pending further site / cost investigation. Consideration is being given to other document storage and retrieval facilities.	Business case required
14201	WES	000	BUSINESS TRANSFORMATION PROGRAMME - WESTLAND ROAD CORPORATE RECORD MANAGEMENT(CRM) FACILITY		52	997.0	134.2	862.8	0.0	0.0	0.0	0.0		
<b>Strategic Accounts Total</b>						<b>35,003.7</b>	<b>844.6</b>	<b>8,202.3</b>	<b>6,746.3</b>	<b>5,159.4</b>	<b>4,500.0</b>	<b>9,551.1</b>		
<b>Other Education Services Managed By E.L.</b>														
12089	000	000	COMBINED SECONDARIES PFI SCHEME	Protecting our assets	01	437.1	0.0	437.1	0.0	0.0	0.0	0.0	This funding relates to a scheme on the Oxton Way playing fields which is no longer going ahead. Education Leads are seeking to retain this funding to deal with other funding pressures (eg. additional primary places) in the wider Education Leeds programme.	Business case required

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/on £000,	Comments	Recommendation					
12137	000	000	BUILDING SCHOOL FOR THE FUTURE (BSF) WAVE 1 PHASE 1	Protecting our assets	01	1,433.8	0.0	456.0	977.8	0.0	0.0	0.0	This is the balance of funding required to fund 'compensation events'. It is proposed that any remaining LCC funding will be carried over to support authority costs in later BSF phases. A further £1.9m contingency element is included in the reserved programme and is currently unfunded. Education Leeds and PPPU have been requested to attempt to manage the overall BSF funding position without making a call on the reserved funding.	Business case required					
<b>Other Education Services Managed By E.L. Total</b>							<b>0.0</b>	<b>893.1</b>	<b>977.8</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>							
<b>City Development</b>																			
16042	000	000	WORLD CUP 2018 - BACK THE BID			200.0	26.6	173.4	0.0	0.0	0.0	0.0	Development costs associated with Leeds becoming a host city if the 2018 bid is successful. No significant costs will be incurred until it has been confirmed that host nation and host city status has been achieved.	Awaiting World Cup decision					
12154	OTL	CIV	OTLEY CIVIC CENTRE	Protecting our assets	01	683.0	28.3	28.3	406.0	220.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Otley Town Council have vacated the premises. There is currently some uncertainty regarding future use of the building and the Director of City Development is ascertaining its potential future use. The current indications are that it may be necessary to meet essential weathertight works in order to maintain the overall fabric of the building.	Business Case Required
16165	000	000	ASHFIELD WORKS COMPENSATION - UNCOMMITTED	Invest to save, avoiding future costs	01	118.3	-0.0	90.0	28.3	0.0	0.0	0.0	Estimated compensation payable to the remaining tenants when the site is eventually sold.	Business case required					
14204	000	000	TRAFFIC MANAGEMENT PROGRAMME	Avoidance of future costs and Protecting our assets	01	900.4	0.0	0.0	200.4	350.0	350.0	0.0	This represents the funding for future years programmes. It covers a variety of a minor schemes. Need to ascertain the level of funding required and how it is prioritised.	Business case required					
99853	000	000	EAST LEEDS LINK M1-A1 MOTORWAY LINK JUNCTION	Avoidance of future costs and Protecting our assets	01	659.0	0.0	0.0	659.0	0.0	0.0	0.0	Remaining funding to meet potential future land and noise compensation claims.	Business case required					

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/on £000,	Comments	Recommendation
14202	000	000	HIGHWAYS MAINTENANCE FUTURE YEARS	Avoidance of future costs and Protecting our assets	01	16,016.7	0.0	716.7	7,500.0	7,800.0	0.0	0.0	This represents the as yet unallocated balance of 2010/11 and the forward years allocation of funding. The end purpose is to clear the Highways backlog maintenance position but it should be noted that £3.3m has been identified and treated as reserved funding (in the red scheme list). The level of investment in backlog maintenance could impact on both the maintenance backlog and the likely level of insurance claims.	Needs consideration alongside revenue budget
13328	000	000	CITY CENTRE UPGRADE (CCU) PROGRAMME	Protecting our assets	37	275.0	0.0	275.0	0.0	0.0	0.0	0.0	This balance of funding is retained pending completion of the Lands Lane and Kirkgate & Bond St schemes. It would be used to cover any essential variations and contractual claims.	Business case required
15722	000	000	COMMERCIAL STREET	Protecting our assets	37	75.0	18.5	56.5	0.0	0.0	0.0	0.0	This balance of funding is retained after £1m of City Centre Upgrade funding has been moved to the Reserved programme. The Director of City Development will confirm the future requirement for this funding.	Business case required
12523	WCP	CON	WEST LEEDS COUNTRY PARK - UNCOMMITTED	Protecting our assets	01	95.3	0.0	95.3	0.0	0.0	0.0	0.0	Balance of funding for further works at the park. Previous proposals were considered by AMG and deemed not wholly capital expenditure.	Business case required
12552	000	000	GOLF COURSES - CAPITAL RECEIPT FUNDED EXPENDITURE	Invest to save	01	589.4	487.5	101.9	0.0	0.0	0.0	0.0	Relates to maintenance and repair work to Roundhay, Temple Newsam and Middleton Park and Goffs Park golf courses. Three of the sites have had some improvement work carried out; Goffs Park still to be completed.	Business case required
12564	DEP	000	ROUNDHAY DEPOT REPLACEMENT	Invest to save	01	149.0	13.2	135.8	0.0	0.0	0.0	0.0	In April 2005 Asset Management Group (now Board) agreed to fund Roundhay Depot replacement with capital receipts generated by the disposal of parks cottages / lodges, some currently used by Recreation. If these proposals were carried through they would deliver a fit for purpose depot for this key Recreation site.	Business case required
15760	000	000	FEARNVILLE LEISURE CENTRE - RENEWAL OF ASTROTURF	Protecting our assets	37	15.0	0.0	15.0	0.0	0.0	0.0	0.0	Clarification required from Sport as to the nature and current need for these works	Business case required

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/on £000,	Comments	Recommendation
1358	000	000	CEMETERY EXTENSIONS - CITYWIDE	Environmental impacts	01	1,355.0	0.0	605.0	750.0	0.0	0.0	0.0	Funding to deliver additional burial space (medium to long term strategy). A city wide solution is to be implemented involving various cemetery sites. £750k has been separately provided to cover immediate (5 yr timespan) requirements.	Business case required
<b>City Development Total</b>							<b>21,131.1</b>	<b>574.1</b>	<b>2,292.9</b>	<b>9,543.7</b>	<b>8,370.4</b>	<b>350.0</b>		
<b>Environment &amp; Neighbourhoods</b>														
12154	ARM	BRA	ARMLEY BRANCH ROAD	Protecting our assets	01	250.3	0.0	250.3	0.0	0.0	0.0	0.0	Town & District funding allocated to seek to acquire and subsequently fully refurbish 2 Branch Rd (Mike's Carpets) as part of the wider Armley Townscape Heritage Initiative. This acquisition is currently not progressing following rejection of the Council's offer to acquire the site.	Recommend delay or not to proceed
92469	000	000	GROUNDWORK LEEDS	Unknown? Landscaping works	01	303.1	0.0	75.0	75.0	75.0	78.1	0.0	Annual funding support for the organisation to deliver capital works that are complementary to landscape related works carried out by the Council. Groundwork also bring in other external funding to deliver an enhanced level of primarily landscaping works.	Business case required
98040	000	000	DISABLED FACILITIES GRANTS	Adult and children's social care	01	13,500.0	0.0	0.0	4,500.0	4,500.0	4,500.0	0.0	Leeds funding for 2011/12 onwards, to fund an overall £7m per annum programme. Adult Social Care and Environment & Neighbourhoods are currently devising an Adaptations Strategy to ensure these resources are deployed in the most effective and beneficial manner. There is client data to support the requirement for an annual programme of this scale. The 2010/11 funding is already being spent and is included as a 'Green - Recommended' schemes in this Appendix.	Awaiting completion of Adaptations Strategy

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost	Actuals to 31.03.2010	2010/11	2011/12	2012/13	2013/14	2014/on	Comments	Recommendation
						£000,	£000,	£000,	£000,	£000,	£000,	£000,		
98040	000	000	DISABLED FACILITIES GRANTS	Adult and children's social care	22	7,500.0	0.0	0.0	2,500.0	2,500.0	2,500.0	0.0	Government grant towards overall scheme costs. Only the 2010/11 funding is confirmed at present. Forward years funding could be subject to reduction as part of the Comprehensive Spending Review proposals with a consequent negative impact on the overall DFG programme the Council could deliver.	
16169	000	000	STRATEGIC REVIEW HOUSEHOLD WASTE SORTING SITE (HWSS) & BRING SITES	Environmental impacts	37	3,300.0	0.0	0.0	0.0	0.0	0.0	3,300.0	There was an in principle strategy report approved by Executive Board, 22/06/10. The current injection of funding is subject to detailed plans being developed and full business case approval.	Business case required
16169	000	000	STRATEGIC REVIEW HOUSEHOLD WASTE SORTING SITE (HWSS) & BRING SITES	Environmental impacts	22	500.0	0.0	0.0	0.0	0.0	0.0	500.0		
<b>Environment &amp; Neighbourhoods Total</b>						<b>25,353.4</b>	<b>0.0</b>	<b>325.3</b>	<b>7,075.0</b>	<b>7,075.0</b>	<b>7,078.1</b>	<b>3,800.0</b>		
<b>Childrens Services</b>														
15629	000	000	EASTMOOR SECURE UNIT REPLACEMENT	Adult and Children's social care	22	14,789.7	0.0	6,399.7	8,390.0	0.0	0.0	0.0	The Council has been advised of a £15m Department of Children, Schools & Families (DCSF) funding allocation subject to full business case approval. The Leeds funding will be financed via the income stream from the Department of Justice / other authorities for accommodating young people at the facility. The scheme is being progressed to the RIBA stage D design approval gateway by November 2010. The information received from the DCSF is that this is still a priority scheme but that the profiling / receipt of funding is subject to review as part of the wider Comprehensive Spending Review discussions.	Business case required
15629	000	000	EASTMOOR SECURE UNIT REPLACEMENT	Adult and Children's social care	37	3,129.7	-0.0	0.1	2,592.0	537.6	0.0	0.0		
<b>Childrens Services Total</b>						<b>17,919.4</b>	<b>-0.0</b>	<b>6,399.8</b>	<b>10,982.0</b>	<b>537.6</b>	<b>0.0</b>	<b>0.0</b>		
<b>Central &amp; Corporate Functions</b>														

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/on £000,	Comments	Recommendation
15965	000	000	SCS SOCIAL CARE SYSTEM	Invest to save, avoidance of future costs	01	3,408.1	0.0	0.0	1,903.1	1,210.0	295.0	0.0	This represents the balance of funding available to deliver a replacement system. Service requirements are currently being specified but the national agenda in terms of client data is also changing. The outcome of the current work looking at future reporting requirements is intended to be considered by Exec Board, December 2010.	Business case required
99827	000	000	PROJECT DEVELOPMENT	Invest to save, avoidance of future costs	01	9,147.4	-0.0	627.5	1,972.6	2,850.3	3,697.0	0.0	This scheme funds the salary costs of staff working on the development of new IT applications. The funding is currently allocated out to individual projects on the basis of business cases approved by Resources and Performance Board. Any savings can only be actioned by scaling back or redeploying staff resources.	Business case required
12090	000	000	IT DEVELOPMENTS EQUIPMENT FUND	Invest to save	01	2,262.1	0.0	182.1	1,025.0	680.0	375.0	0.0	Utilised to cover consultancy, licences and specific hardware costs for both business continuity and new application development purposes. This funding supports core infrastructure and applications being progressed by project development staff.	Business case required
12090	000	000	IT DEVELOPMENTS EQUIPMENT FUND	Invest to save	03	1,826.6	-0.0	826.6	0.0	500.0	500.0	0.0		
14268	ALC	000	AIREBOROUGH LEISURE CENTRE - FREE SWIM SCHEME	Protecting our assets	01	60.0	0.0	60.0	0.0	0.0	0.0	0.0	Following withdrawal of the 'Free Swim' grant that would have delivered a full refurbishment scheme, this funding may be required to cover any residual Health and Safety type works identified by Sport.	Business case required
15620	000	000	DEMOLITION & DILAPIDATIONS FUND	Avoidance of future costs	01	714.9	0.0	714.9	0.0	0.0	0.0	0.0	Funding allocation for meeting the demolition costs of surplus buildings prior to sale or site reuse. In most cases demolition is a more cost effective solution than leaving buildings empty until a site is sold because of the associated site security costs.	Business case required
<b>Central &amp; Corporate Functions Total</b>						<b>17,419.1</b>	<b>-0.0</b>	<b>2,411.1</b>	<b>4,900.7</b>	<b>5,240.3</b>	<b>4,867.0</b>	<b>0.0</b>		
<b>Grand Total</b>						<b>122,147.6</b>	<b>1,418.7</b>	<b>20,674.5</b>	<b>41,325.5</b>	<b>27,482.7</b>	<b>17,895.1</b>	<b>13,351.1</b>		

## Uncommitted capital schemes - Red

## Appendix B3

Recommended that the following capital schemes should be demoted to the Reserved Capital Programme

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000,	Actuals to 31.03.2010 £000,	2010/11 £000,	2011/12 £000,	2012/13 £000,	2013/14 £000,	2014/15 £000,	Comments	Recommendation
<b>Strategic Accounts</b>														
1890	000	000	LEEDS LIFT PARENT		01	44.8	0.0	44.8	0.0	0.0	0.0	0.0	Balance of funding provided for investment in the Leeds LIFT Company no longer required.	Recommend not to proceed
<b>Strategic Accounts Total</b>														
						<b>44.8</b>	<b>0.0</b>	<b>44.8</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>		
<b>City Development</b>														
15628	000	000	PURCHASE OF FORMER ST GREGORYS RC SCHOOL		01	155.0	0.0	155.0	0.0	0.0	0.0	0.0	The Council was originally required to purchase the site from the RC Diocese. However agreement has subsequently been reached for the Council to sell the site and re-imburse the RC Diocese from the eventual sale proceeds.	Recommend delay or not to proceed
28967	000	000	PRIVATE STREET WORKS		01	100.0	0.0	100.0	0.0	0.0	0.0	0.0	Three streets consulted on are progressing and have resulted in a £100k saving to the scheme.	Recommend funding deleted from the scheme
14202	000	000	HIGHWAYS MAINTENANCE FUTURE YRS	Avoidance of future costs and Protecting our assets	01	3300.0	0.0	1100.0	2200.0	0.0	0.0	0.0	Proposed savings achieved by reducing the Highways maintenance capital programme to £25m overall (2010/11 to 2012/13 inclusive)	Recommend funding deleted from the scheme
15588	000	000	CITY CENTRE LEGIBILITY	Does not meet the specified review process criteria	01	796.9	146.9	650.0	0.0	0.0	0.0	0.0	Overall scheme is £1.2m; £650k represents the second phase of works. The Yorkshire Forward(YF) funding was utilised for the first phase. The second stage works are wholly Leeds funded and do not have to proceed but the Council could be subject to funding clawback from YF. £100k is provided in the green programme to allow for completion of the remaining phase 1 works.	Recommend delay or not to proceed
637	BMX	BAL	IFYP - BMX, SKATEPARKS UNCOMMITTED	Does not meet the specified review process criteria	01	171.7	0.0	171.7	0.0	0.0	0.0	0.0	Overall programme at 7 sites. This funding relates to 4 BMX tracks, Teen shelters and skateparks at various locations that have still to be built.	Recommend delay or not to proceed
14995	000	000	PARKS DEVELOPMENTS		01	20.0	0.0	20.0	0.0	0.0	0.0	0.0	Balance on parent scheme relates to reduction in estimate of £20k for the Potternewton Park scheme. Will only be required if there is an overspend on the Potternewton scheme.	Recommend delay or not to proceed
15984	000	000	FREE SWIM POT 4 10/11 INJECTION		01	88.0	0.0	88.0	0.0	0.0	0.0	0.0	This represents the Leeds funding intended to match the 'Free Swim' funding that has been withdrawn. There may still be a requirement for some Health & Safety type works at Aireborough & Kirkstall Sports Centres.	Recommend delay or not to proceed
15730	000	000	AIREBOROUGH FREE SWIM POT 4 10/11		37	473.0	0.0	406.1	66.9	0.0	0.0	0.0	Unsupported borrowing intended to match fund Free Swim funding not required following the withdrawal of 'Free Swim' grant.	Recommend delay or not to proceed
15730	000	000	AIREBOROUGH FREE SWIM POT 4		01	30.0	9.1	20.9	0.0	0.0	0.0	0.0		

Scheme	Subscheme1	Subscheme2	Title	Review Process criteria applicable to the scheme	Res Code	Total Sch Cost £000.	Actuals to 31.03.2010 £000.	2010/11 £000.	2011/12 £000.	2012/13 £000.	2013/14 £000.	2014/15 £000.	Comments	Recommendation
15731	000	000	KIRKSTALL FREE SWIM POT 4 10/11 MODERN		01	282.0	9.4	111.0	128.0	33.6	0.0	0.0	This represents the Leeds funding intended to match the 'Free Swim' funding that has been withdrawn.	Recommend delay or not to proceed
<b>City Development Total</b>						<b>5416.6</b>	<b>165.4</b>	<b>1316.6</b>	<b>1634.1</b>	<b>2300.5</b>	<b>0.0</b>	<b>0.0</b>		
<b>Environment &amp; Neighbourhoods</b>														
14991	000	000	EASEL PH1 ACQUISITION INTERMEDIATE UNITS		01	1175.0	856.1	318.9	0.0	0.0	0.0	0.0	All acquisitions are now completed. The scheme is now finished other than for some residual legal costs, approx £10k. The remainder of the funding is a saving on this scheme.	Recommend delay or not to proceed
15876	000	000	AVIARYS ASBESTOS COMPENSATION	Avoidance of future costs	01	87.0	0.0	87.0	0.0	0.0	0.0	0.0	The department have confirmed that these costs have been met from other budgets and that this funding can be taken as a saving.	Recommend delay or not to proceed
99946	LIV	000	TRAVELLERS SITES	Protecting our assets	01	19.5	0.0	19.5	0.0	0.0	0.0	0.0	No government funding at present. This funding represents the required 25% local contribution.	Recommend delay or not to proceed
<b>Environment &amp; Neighbourhoods Total</b>						<b>1281.5</b>	<b>856.1</b>	<b>425.4</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>		
<b>Grand Total</b>						<b>6742.9</b>	<b>1021.5</b>	<b>1786.8</b>	<b>1634.1</b>	<b>2300.5</b>	<b>0.0</b>	<b>0.0</b>		



Originator: D Meeson

Tel: x74250

## Report of the Director of Resources

### Executive Board

Date: 3<sup>rd</sup> November 2010

Subject: Financial Health Monitoring 2010/11 – Half year Report

#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

### Executive Summary

1. The purpose of this report is to inform members of the financial health of the authority at the half year stage of the financial year in respect of the revenue budget and the housing revenue account.
2. The report identifies a number of pressures, particularly affecting income and demand led budgets. An overall overspend of £8.5m is projected at the half year stage compared to £3.6m at the end of the first quarter. Detailed directorate reports are included at Appendix 1.
3. Directorates have already developed and implemented a number of action plans but in light of the current projection, further options need to be articulated that will significantly reduce the funding gap by the year end.
4. Members are asked to note the projected financial position of the authority after six months of the financial year together with the impact on reserves should directorate spending not be maintained within approved estimates.
5. Members are also requested to approve budget adjustments as detailed in the report.

## **1. PURPOSE OF REPORT**

- 1.1 This report sets out for the Board the Council's financial health position for 2010/11 at the half year stage of the financial year. The report covers revenue expenditure and income projected to the year end. The report also highlights the position regarding other key financial indicators, including Council Tax collection and the payment of creditors.
- 1.2 A separate report on the Capital Programme can be found elsewhere on this agenda.

## **2. BACKGROUND INFORMATION**

- 2.1 Members will recall that the net budget<sup>1</sup> for the general fund was set at £569.3m, which was not supported by the use of any general fund reserves. As a result, the level of general fund reserves at 31<sup>st</sup> March 2011 were estimated to be £12.0m.
- 2.2. As reported to Corporate Governance and Audit Committee<sup>2</sup> in the 2009/10 Statement of Accounts report on 30<sup>th</sup> June 2010 the balance carried forward at 31<sup>st</sup> March 2010 was £16.0m. This figure could have changed if there were any significant events prior to the sign off of the accounts but there have been no variations to this position.
- 2.3 Budget Monitoring is a continuous process throughout the year, and this report reviews the position of the budget after six months and comments on the key issues impacting on the overall achievement of the budget for the current year.

## **3. MAIN ISSUES**

- 3.1 After six months of the financial year an overspend of £8.5m is projected as detailed in table 1.
- 3.2 As part of the budget monitoring process, action plans built into budgets have been reviewed and the above projections do assume the continuing delivery of action plans both corporately and within directorates.

Table 1

Directorate	Director	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
		Staffing	Other Expenditure	Income	Total (Under) Overspend	
		£000	£000	£000	£000	
Adult Social Care	Sandie Keene	(1,376)	9,696	494	8,813	7,442
Children's Services	Nigel Richardson	(1,088)	11,331	(3,254)	6,989	4,717
City Development	Martin Farrington	737	(3,480)	3,285	542	469
Environment & Neighbourhoods	Neil Evans	1,074	(3,224)	3,963	1,813	1,984
Resources	Alan Gay	(2,057)	1,236	(607)	(1,428)	(1,584)
Corporate Governance	Nicole Jackson	346	7	(545)	(192)	(308)
Planning, Policy and Improvement	James Rogers	120	(131)	(104)	(115)	(115)
<b>Total</b>		<b>(2,244)</b>	<b>15,434</b>	<b>3,231</b>	<b>16,421</b>	<b>12,605</b>

Corporate issues			
Rolled up interest		(600)	(600)
Capitalisation		(2,500)	(2,500)
Contingency Fund		(2,100)	(3,200)
Loss of LABGI grant		500	500
Use of balance sheet items		(3,200)	(3,200)
<b>Total</b>		<b>8,521</b>	<b>3,605</b>

3.3 Full details of directorate variations and proposed actions to help achieve a balanced budget are attached as Appendix 1. These variations reflect all approved virements to date. The main variations can be analysed as follows:

### 3.3.1 Staffing

The overall staffing budget is projected to underspend by £2.2m compared to £2.9m at the first quarter. This reflects the continued management of vacancies, overtime and the use of agency staff throughout the Council, partly offset by £0.5m reflecting the impact on the staffing budget of the in year reductions in grants. In some areas, services are managing workforce change and redesigning services to meet reduced demand. This particularly applies to City Development and Neighbourhoods and Housing.

### 3.3.2 Other Expenditure Variations

Other expenditure variations total £15.4m compared to £13m at the first quarter. Externally provided placements, both residential and with independent fostering agencies, continue to be a major pressure on the Children's Services budget and are projected to be £11.1m overspent at the end of the financial year, an increase of £3.1m. Within Adult Social Care, residential and nursing care placements have increased by £1.5m from the first quarter position and the service is forecast to be £4.8m above the budget. This trend is repeated in Domiciliary Care, projected to be £4.8m higher than budget, an increase of £0.5m. As reported in the first quarter, Service User contributions for home care and residential care is reduced by £0.7m. In addition, pressures on the Learning Disability pooled budget amounts to £0.8m.

### 3.3.3 Income

Income variations are broadly in line with the first quarter position. The main pressures being car parking £1.0m, recreation £0.7m, and architectural design services £0.4m. In addition, within Environment and Neighbourhoods, Yorkshire Forward has reduced its grant to the Jobs and Skills service £0.4m, and the Leeds Asylum service is to have the number of asylum seekers in the contract reduced, which coupled with the loss of the Hillside Induction contract amounts to a net cost of £0.6m.

### 3.3.4 Corporate Issues

The 2010/11 budget included a challenging savings target in respect of debt charges. As at month 6 £2.5m is still to be achieved, although it is anticipated that by pro-active treasury management this saving will be achieved.

The latest projection assumes additional capitalisation of £2.5m can be achieved at the year end, based on the levels achieved in 2009/10.

A general provision of £3.2m for unforeseen events was included in the contingency fund. It is now proposed to earmark £2.1m of this amount to reduce the impact of directorate pressures.

A detailed examination of balance sheets has resulted in £3.2m being made available to support in year budget pressures. This is one off funding and will have implications for future years, which will require addressing as part of the budget preparation for 2011/12. In addition, it is proposed to utilise the remaining Education Leeds operating surplus to offset the budget pressures in Children's services. Again this is one off.

3.3.5 It is important that budget pressures are addressed by directorates who are required to continue to develop and implement action plans to manage their pressures within available resources. It is imperative that these action plans are robust and will deliver a balanced budget by the year end.

3.3.6 The extent to which these action plans are not effective in containing spending within approved estimates will impact on the Council's reserves which will clearly have implications on the medium term financial plan assumptions going forward.

## 3.4 Budget Adjustments

3.4.1 Within Adults Social Care the directorate has identified a number of in-year underspends that are to be transferred to offset directorate pressures. Staffing savings within the budget of the Chief Officer Access & Inclusion amount to £1,400k and contract savings from the Chief Officer Strategic Commissioning total £650k. Of this £2,050k it is proposed that £1,050k is transferred to the independent sector domiciliary care budget and £1,000k to the residential and nursing care placements budget, both of which are the responsibility of the Chief Officer Access & Inclusion. These items require approval by Executive Board.

3.4.2 Within City Development, the directorate is proposing to make savings on the Highway maintenance budget of £1.25m, £0.842m from the Local Enterprise Growth initiative (LEGI) budget and £0.3m from the library book fund to reduce the projected impact of other pressures.

3.4.3 There are also a number of other in year underspends detailed in the directorate reports. It is proposed that these are used to offset overspends within the relevant directorates which, in accordance with the virement rules, do not require formal approval by Executive Board.

#### 4. Risks

4.1 The Council has prepared and maintained a financial risk register for a number of years. The register details the risk and consequences, existing controls to mitigate against the risk, the value in monetary terms of the risk, review dates and progress towards managing the risk within existing resources. The register is prepared before the start of each financial year and is monitored on a regular basis. Any significant changes will be reported to this Board as part of the financial health report.

4.2 After six months of the year there remain 13 risks which are high or very high. As shown in the table below there is 1 new risk, and 1 has moved from medium to high.

	Risk	Key Budget Impacted	Quarter 1			Quarter 2		
			P	I	Corporate Rating	P	I	Corporate Rating
↑	The increase in the Children's and Young Persons Social care externally provided residential placement budget (£2.1m) may not be sufficient to meet demand.	Children and Young People Social Care	4	5	Very High	5	5	Very High
↑	The increase in the fostering budget (£2.1m) may not be sufficient to meet demand. In addition, slippage on the budgeted action plan around recruiting additional in-house carers and reducing the use of externally provided Independent Fostering Agency placements may not be achieved.	Children and Young People Social Care	4	5	Very High	5	5	Very High
↑	Indicative weekly placement allocations Gatekeeping panels and weekly monitoring of their decisions Monthly monitoring of placement numbers in payment Performance monitoring of personalisation targets (Direct Payments and /Individual Budgets) Monthly budget monitoring and reporting	Access & Inclusion	4	4	Very High	5	4	Very High
<b>New Risk</b>	The price of fuel rises above the budgeted price per litre.	Streetscene Services	N/A			4	3	High
↑	Income from planning and building fees falls short of the budget assumptions. The budget in 2010/11 has been reduced by £1.1m. This assumes there will be some improvement in economic conditions from 2009/10. Further deterioration could have a significant impact on the income base. The combined budget is £5m, up to £0.75m is considered at risk.	Planning and sustainable Development	3	2	Medium	3	3	High

## **5 HOUSING REVENUE ACCOUNT (HRA)**

- 5.1 At the end of the half year the HRA is projecting a deficit of £45k.
- 5.2 Average void levels for the period are lower than budgeted, which if maintained will generate additional rental income of £2.3m. £1.8m of this will be paid over to the ALMOs as additional void incentive payments.
- 5.3 As detailed in the directorate report attached, it is proposed that a replacement Care Ring emergency alarm scheme is funded from HRA reserves at a cost of £733k in the current. This would leave projected reserves carried forward of £3.9m. Members of Executive Board are requested to give approval to the use of reserves for this purpose and the injection of this amount into the Capital Programme.

## **6. SCHOOLS**

- 6.1 School reserves stood at £17.1m as at 31st March 2010. This comprised overall surpluses of £12.4m in primary, £4.3m in secondary and £0.4m in Specialist Inclusive Learning Centres (SILCs). It should be noted that within these overall surpluses there were some individual schools with deficit balances. The average primary school balance was 6.2%, the average secondary school balance was 2.1% and the average SILC balance was 2.5% of the school budget. Excess individual school surpluses above specified limits were subject to claw back and redistribution to the other schools. These totalled £159k in 2009/10.
- 6.2 In line with the Leeds Scheme for Financing Schools, any school which had a deficit at the close of 2009/10 and were planning to set a deficit budget for 2010/11 are required to submit an action plan showing in detail how they intend to achieve a balanced budget position within three years. All of these action plans (11 schools) have now been submitted to Education Leeds and assessed for their viability with implementation monitored regularly. They were also submitted to the Director of Resources as per the approved policy.

## **7. OTHER FINANCIAL PERFORMANCE**

- 7.1 The level of council tax collected at the end of Sept 2010 is 55.89% of the debit for the year of £259.7m. This is marginally ahead of the same period last year, and on track to hit the target of 96.5%.
- 7.2 The collection of non-domestic rates for the first six months is 61.59% of the current net debit of £328.8m. The collection rate is 0.8% ahead of the rate at the end of the second quarter last year. This improvement is partially due to the impact of the additional Small Business Rate Relief, however the underlying trend indicates collection is again on track to hit the target of 97.8%.
- 7.3 In terms of Sundry income, the collection rate at the end of Sept is 93.83% of the amount due of £68.5m. The collection rate is ahead of the rate at the same point last year and on course to hit the yearly target of 97.0%.
- 7.4 The prompt payment result at the half year is 89.11% of undisputed processed within 30 days against a target of 92%. During the period 287,042 invoices were paid, of which 31,253 were paid after 30 days. Overall 92.3% of invoices are paid within 40 days and 100% of small suppliers are paid within 20 days.

## **8. RECOMMENDATION**

- 8.1 Members of the Executive Board are asked to note the projected financial position of the authority after six months of the financial year and request that directorates continue to develop and implement action plans which are robust and will deliver a balanced budget by the year end. Members are also asked to note the actions which Directorates are currently taking including using identified underspends to offset projected areas of overspend.
- 8.2 Members are also requested to approve the release of £733k from the Housing Revenue Account Reserve to fund the cost of a replacement Care Ring emergency alarm scheme and the injection of this amount into the Capital Programme.
- 8.3 Members are also requested to approve virements within Adult Social Care as detailed in paragraph 3.4. above.

### BACKGROUND

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<sup>1</sup> Revenue Budget and Council Tax 2010/11 – report to Executive Board 12<sup>th</sup> February 2010

<sup>2</sup> The Statement of Accounts 2009/10 – report to Corporate Governance and Audit Committee 30<sup>th</sup> June 2010

Reporting Period September 2010  
 Directorate Adults Social Care

Traffic Light	Service	Chief Officer	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
			Staffing £000	Other Expenditure £000	Income £000	Total (Under) Overspend £000	
A	Partnership & Organisational Development	Deputy Director-Partnership and Organisational Effectiveness	(56)	85	(3)	26	20
R	Access & Inclusion	Chief Officer Access and Inclusion	(1,568)	9,771	508	8,711	7,675
G	Strategic Commissioning	Deputy Director Strategic Commissioning	(210)	(689)	46	(854)	(51)
G	Resources	Chief Officer Resources & Strategy	(57)	27	0	(30)	(533)
R	Learning Disabilities Service	Chief Officer Learning Disabilities	515	502	(57)	960	332
<b>R</b>	<b>Total</b>		<b>(1,375)</b>	<b>9,696</b>	<b>494</b>	<b>8,813</b>	<b>7,443</b>



# ADULT SOCIAL CARE DIRECTORATE: 2010/11 BUDGET – PERIOD 6 REPORT

## 1.0 Introduction

This report sets out the financial position for the Adult Social Care directorate for Period 6.

Part of the context for the current position relates back to the 2009/10 outturn, which was £7.7m higher than the budget. The main variations related to community care packages, mainly for older people and people with learning disabilities.

The 2010/11 budget included additional resources for Adult Social Care of £4.5m. However, additional requirements significantly exceeded this increased funding, mainly reflecting the demographic pressures affecting older people's and learning disability services that impacted on the 2009/10 outturn. In order to fund them £18.4m of measures needed to be included within the 2010/11 budget for different ways of spending.

## 2.0 Overall Summary

The Period 6 position for the Adult Social Care Directorate is a projected overspend of £8.8m compared with the Net Managed Budget of £181.3m. This takes account of the following savings on target to be delivered by the year-end:

Budgeted spending realignment (£18.4m budget target)	£10.8m
Further in-year action plans & contingency actions	£4.1m
Savings that have avoided additional costs being incurred	£2.2m

In summary, the projected variance of £8.8m is made up of three main elements:

Slippage with budgeted action plans	£4.0m
Demand management issues	£7.1m
In-year savings & other variations (net)	(£2.3m)

## 3.0 Explanation of the Projected Overspend

The main projected variances are explained below:

- **Community Care Packages - £9.4m**

- Residential and Nursing Care Placements - £4.8m

- The 2009/10 outturn for placements was £64.8m. The 2010/11 budget was set at £59.4m, anticipating an accelerating downward trend and reflecting a number of planned actions. Some of these totaling £1.3m have been successfully delivered, for example managing inflation and making better use of in-house beds, although a shortfall of £0.7m is currently projected against these plans. However, based on six months of rigorous gatekeeping the total number of placements is projected to exceed the budget and thus anticipated demand management savings will not be achieved. This accounts for £4.1m of the projected overspend, but it is important to note that the projected outturn of £64.2m is £0.6m less than the 2009/10 outturn. With regard to managing demand, there are two significant factors that are outside the direct control of Adult Social Care:

- Activity levels within hospitals, which increased significantly in April 2009 and have remained at a similar level since. In addition, people are being placed in residential and nursing care direct from hospital without a further period for recovery and assessment, which is contrary to good practice guidelines. There have been 337 such placements between April and September. Work is underway with NHS Leeds to attempt to address these issues.
- When former self-funders reach the threshold for local authority funding the Council has a legal duty to begin paying for their continued placement. 53 such cases were taken on in the first six months of 2010/11.

The scrutiny at gatekeeping panels has confirmed that people are being placed appropriately and the average age of clients placed to date this year is 83 years.

#### Independent Sector Domiciliary Care - £4.8m

The 2010/11 budget was set anticipating an improvement in the take-up of work by the directly provided service, a reduced need for high cost packages through the impact of reablement and telecare and savings through contracting efficiencies. Accordingly, the 2010/11 budget was set at £4.4m less than the 2009/10 outturn. Some measures are succeeding with projected savings totaling £0.8m, mainly from telecare and contracting efficiencies. In addition, based on the increased productivity within the directly provided service since the start of the financial year, spend of £2.2m in the independent sector has been avoided. However, there has been slippage in delivering the budgeted reablement savings which reflects a lack of programme management capacity for this major piece of work until the start of the financial year and lessons learned from the early implementer areas necessitating full roll-out being rescheduled over a longer time period. This, together with some relatively minor slippage on other planned actions, accounts for £2.4m of the projected overspend. The remaining £2.4m reflects increased demand that has continued since the 2010/11 budget was set. Significant contributory factors outside the direct control of Adult Social Care are the hospital admission and discharge rates and the level of demand for care from people with eligible social care needs. Rigorous gatekeeping arrangements have been in place for the last six months, which has identified that the packages being approved are appropriate given the needs of customers and the average age of people approved to receive intensive care packages is 84 years.

#### Direct Payments & Personal Budgets – (£0.2m)

This expenditure reflects the extent to which customers choose to receive their services as a cash payment rather than through traditional services and the level of need being met by the care package. This expenditure is currently projected to be £0.2m lower than budgeted based on trends in spend over recent months.

- **Learning Disability Pooled Budget - £0.8m**  
The Council and NHS Leeds share the responsibility for the learning disability pooled budget on a 60:40 basis. The overall projection for the pooled budget is currently £1.3m higher than budgeted, of which the Council's share is £0.8m. The 2010/11 budget made provision for new care packages based on cases expected to transfer from children's to adult services and projected spend is in line with the budget. A further provision was made for new or increased care packages for other potential customers, for example those living with elderly

family carers whose increasing age and frailty means they can no longer provide care. The projected costs for these cases are higher than budgeted, with three complex cases approved at the start of the year amounting to £0.7m.

- **Staffing – (£1.4m)**

This reflects the careful management of vacancies, agency staff and overtime across services. This includes the impact of contingency actions being implemented by Chief Officers to mitigate the pressures within the community care budget.

- **Housing Benefit Income – (£0.3m)**

The 2010/11 budget reflected the planned transfer of some supported living properties from Adult Social Care to the management of the ALMOs. This was planned so that the management of the properties would be clearly separated from the provision of care and support services in line with Care Quality Commission requirements. Additional Housing Benefit income of £0.3m is projected as the transfer of these properties has not yet taken place. This additional income is partly offset by the running costs of the properties.

- **Service User Contributions - £0.7m**

This partly reflects the roll through into 2010/11 of the lower than budgeted home care income identified in the final quarter of 2009/10. It also reflects residential care income being below the budget as more beds than anticipated have been either unoccupied or occupied by transitional care cases which do not generate a customer contribution. There is excess capacity within the residential care sector in Leeds and recently some new purpose-built care homes with the most modern facilities have become operational, both of which have affected demand for beds in Council run homes.

The continued upward trend in care requirements remains a cause for concern. Whilst some allowance has been made in the projections for increased demands in future months, continued growth at the current rate will lead to an increase in the projection.

#### **4.0 Virements for Approval**

The directorate has identified a number of in-year underspends that are to be transferred to offset directorate pressures. Staffing savings within the budget of the Chief Officer Access & Inclusion amount to £1,400k and contract savings from the Chief Officer Strategic Commissioning total £650k. Of this £2,050k it is proposed that £1,050k is transferred to the independent sector domiciliary care budget and £1,000k to the residential and nursing care placements budget, both of which are the responsibility of the Chief Officer Access & Inclusion.

As part of the first quarter financial health report, the responsibilities of the former Chief Officer Support & Enablement were transferred to other Chief Officers. It has now been identified that the community support service for extra care housing schemes that was transferred to the Chief Officer Access & Inclusion is now the responsibility of the Chief Officer Older People & Learning Disability. The budget for this service is £340k.

When the 2010/11 budget was set £388k was held within the training budget for the Chief Officer Resources and Strategy pending service requirements being clarified. Approval is now sought to transfer £197k to the contribution to the Learning Disability

Pooled Budget (Chief Officer Older People & Learning Disability). Approval is sought to transfer £191k to the internal recharge income budget for the Quality and Performance Team (Deputy Director Strategic Commissioning) so that the budget properly reflects the recharge to Children's Services for this team no longer being required.

Reporting Period September 2010

Directorate Children's Services

Traffic Light	Service	Chief Officer	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
			Staffing £000	Other Expenditure £000	Income £000	Total (Under) Overspend £000	
G	Early Years	Chief Officer Early Years and Youth Services	(1,580)	(237)	(362)	(2,178)	(1,500)
R	Integrated Youth Support Service	Chief Officer Early Years and Youth Services	37	488	263	787	242
R	Children's Social Care	Chief Officer Children and Young People's Social Care	468	11,093	(722)	10,839	7,693
G	Youth Offending Service	Chief Officer Early Years and Youth Services	47	(79)	(579)	(611)	(69)
G	Dcs Unit	Deputy Director – Commissioning	(61)	65	(25)	(20)	251
G	Support Costs and Central Accounts	Deputy Director – Commissioning	0	1	(4)	(3)	0
G	Education Leads	Deputy Director – Commissioning	0	0	(1,825)	(1,825)	(1,900)
R	<b>Total</b>		<b>(1,088)</b>	<b>11,331</b>	<b>(3,254)</b>	<b>6,989</b>	<b>4,717</b>

## CHILDREN'S SERVICES: 2010/11 BUDGET – PERIOD 6 REPORT

### 1.0 Introduction

This report sets out the half-year financial position for Children's Services.

### 2.0 Overall Summary

The half-year position for Children's Services is a projected overspend of £7m. This projection recognises financial pressures in 2010/11 of around £22m which reflects increasing demand pressures and also the in-year reductions in grant funding, including the £5m reduction in Area Based Grant. These pressures are offset by £15m of budget action plans and savings/efficiencies across the Directorate, including the delivery of the Children's Services integration budget action plan, utilising balance sheet reserves, the grant/funding reductions strategies as well as the Children's Centre sustainability programme.

### 3.0 Explanation of the projected over/underspend

3.1 Within the overall Children's Services budget the individual service position is;

	<b>Period 6 Over/(under) £m</b>	<b>Period 3 Over/(under) £m</b>
DCS Unit & Central	-	0.2
Children & Young People's Social Care	10.8	7.7
Youth Service & Youth Offending Service	0.3	0.2
Early Years	(2.2)	(1.5)
Education	(1.9)	(1.9)
<b>Total – Children's Services</b>	<b>7.0</b>	<b>4.7</b>

### 3.2 Summary of key issues

3.2.1 The main financial pressure in Children's Services, continues to be in the externally provided residential and fostering budgets. At present, the forecast impact in 2010/11 of the current placements, less revised action plan savings, is **£11.14**.

	<b>Latest Budget £m</b>	<b>Forecast Outturn (P6) £m</b>	<b>Forecast Variation (P6) £m</b>	<b>Movement from P5 Adv/(fav) £m</b>
1) General Residential Placements				
Gross Cost	5.82	12.08	6.26	0.30
Income from Health	(0.59)	(0.60)	(0.01)	0.00
Income from Education	(0.30)	(0.28)	0.02	0.00
<b>Total</b>	<b>4.93</b>	<b>11.20</b>	<b>6.27</b>	<b>0.30</b>
2) Other Residential Placements				
<b>Gross Cost</b>	<b>1.27</b>	<b>1.86</b>	<b>0.59</b>	0.06
3) Independent Sector Fostering Agencies				
Gross Cost	2.09	7.03	4.94	(0.04)
Less: Budget Savings Plan	0.00	(0.66)	(0.66)	0.24
<b>Total</b>	<b>2.09</b>	<b>6.37</b>	<b>4.29</b>	<b>0.20</b>
4) Grand Total				
Gross Cost	9.18	20.97	11.79	0.32
Budget Savings Plan	0.00	(0.66)	(0.66)	0.24
Income from Health	(0.59)	(0.60)	(0.01)	0.00
Income from Education	(0.30)	(0.28)	0.02	0.00
<b>Total</b>	<b>8.29</b>	<b>19.43</b>	<b>11.14</b>	<b>0.56</b>

3.2.2 The half-year financial projections recognise the growth in the number of looked after children and specifically the continuing growth in the number of externally provided residential and fostering placements. At the end of September, there were 80

children & young people in externally provided residential placements (48 budgeted for) and 168 children & young people in placements with Independent Fostering Agencies (44 budgeted for). Recognising the current growth trend around new placements, the financial projections include a £1m provision for new placements to the end of March 2011. In addition, it should be noted that the projections also include budget action plans around securing contributions from partners (£0.5m) and £0.66m around placements with Independent Fostering Agencies. The pressures on the external placement budgets are partly offset by projected savings of £1.2m on the in-house allowances & fees budgets, which reflects the changing mix of placements.

- 3.2.3 Other budget pressures in Children & Young People's Social Care include a £0.4m pressure on the cost of legal advice/fees, and also a £0.3m pressure on client transport which is mitigated by a budget action plan of £150k around procurement efficiencies and a review of journeys for Looked after Children.
- 3.2.4 In Early Years, the £2.2m forecast underspend is largely being generated across the staffing budgets and in particular across the Early Years managed Children's Centres. In recognition of the £2.49m in-year reduction in Area Based Grant funding across Leeds Children's Fund, Connexions, Positive Activities and Engage, the service is currently implementing the in-year variations to contracts in respect of Sure Start and Leeds Children's Fund. In addition, the service is managing in-year reductions in the Nursery Education Pathfinder Grant (£0.15m), the Buddying grant (£0.18m) and Playbuilder grant (£20k).
- 3.2.5 Across the Integrated Youth Support Service (including the Youth Offending Service), we are anticipating an overspend of £0.3m. This forecast recognises the strategy to manage the £2.49m in-year reduction in Area Based Grant funding across Leeds Children's Fund, Connexions, Positive Activities and Engage. Following Executive Board approval, the service is currently implementing the agreed strategy which includes action to review and reduce contracts & funding agreements across both in-house and externally provided services. This strategy seeks to prioritise remaining funding towards targeted and specialist provision although recognising that the Council still has a statutory responsibility for universal advice & guidance. In addition, the forecast overspend recognises the slippage on the implementation of the budget action plan in respect of the Community Use of Schools and also a budget action plan to utilise a £0.5m Youth Offending Service earmarked reserve.
- 3.2.6 The forecast balanced position on the DCS & Central budgets reflects that the £1.25m integration & commissioning budget action plan savings will be delivered in full in 2010/11. Against, this £1.25m target, we have actioned £0.4m of savings and the remaining balance will be delivered through in-year savings and efficiencies across Education Leeds.
- 3.2.7 The £1.9m forecast underspend on the Education budgets relates wholly to the budget action plan proposal to utilise the remaining Education Leeds operating surplus to offset the budget pressures elsewhere in Children's Services. In addition, as per para 3.2.6, Education Leeds are projecting in-year savings and efficiencies of £0.8m which will be used to deliver part of the budget action plan target around integration and transformation of Children's Services.
- 3.2.8 Work is continuing across Children's Services to identify further opportunities to reduce the £7m forecast overspend. This work includes maintaining the current restrictions on staffing recruitment and also continuing to limit spend to those items which are essential.

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Directorate City Development

Traffic Light	Service	Chief Officer	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
			Staffing £000	Other Expenditure £000	Income £000	Total (Under) Overspend £000	
G	Economic Services	Chief Economic Development Officer	(89)	(591)	(137)	(817)	(1,080)
R	Asset Management	Chief Officer Asset Management	205	(435)	613	383	567
G	Highways and Transportation	Chief Officer Highways and Transportation	(550)	(1,669)	(17)	(2,237)	(1,881)
G	Libraries, Arts and Heritage	Chief Libraries, Arts and Heritage Officer	(216)	(199)	174	(241)	(30)
R	Recreation	Chief Recreation Officer	729	(496)	838	1,072	873
G	Resources and Strategy	Chief Officer Resources and Strategy	1	(214)	113	(101)	(70)
R	Planning and Sustainable Development	Chief Planning and Sustainable Development Officer	657	124	1,702	2,482	2,088
<b>R</b>	<b>Total</b>		<b>737</b>	<b>(3,480)</b>	<b>3,285</b>	<b>542</b>	<b>469</b>



## CITY DEVELOPMENT DIRECTORATE: 2010/11 BUDGET – PERIOD 6 REPORT

### 1.0 Introduction

This report sets out the financial position for City Development Directorate for Period 6.

### 2.0 Overall Summary

The Period 6 position for City Development Directorate is a projected overspend of £544k. This is a reduction of £434k on the position reported for Period 5 and is mainly due to a reduction in the projected overspend on staffing across the directorate.

### 3.0 Explanation of the Projected Overspend

The main reason for the overall projected overspend is a shortfall in income. The shortfall in income across the directorate is forecast to be £3.3m. The income shortfall includes the abolition of the Housing and Planning Delivery Grant (HPDG) and Free Swimming grants with a net impact of approximately £1m.

An overspend on staffing is forecast in some areas where not all the assumed savings have been fully realised and some overspends on running costs where budget actions have yet to be achieved. The major budget variations can be summarised as follows:

	£000s
<u>Major Budget Pressures:</u>	
Building Fees shortfall	414
Planning Fees shortfall	709
Architectural Design Services net income shortfall	413
Recreation income	839
Net Staffing	737
Loss of HPDG	<u>900</u>
	4,012
Offset proposals:	
Contingency release requests	(1,016)
Highway maintenance	(1,250)
Library book fund	(300)
LEGI underspend (Legacy programme)	(842)
Net other variations	<u>( 60)</u>
<b>Total</b>	<b>544</b>

### Income

Period 6 has seen an improvement in both planning and building fee income. The actual shortfall in planning fees at Period 6 is £327k and £231k for building fees. The year end projected shortfall is £709k for planning fees and £414k for building fees. The service has recently experienced an increase in minor and major planning applications and this has now started being reflected in the income figures. There is

provision in central contingency of £400k for shortfalls in planning and building fee income.

Architectural Design Services has been experiencing reducing workloads for some time and a consultation exercise on the future direction of this service is now being carried out. Overall a net income shortfall of £413k is forecast for the year. This is an improvement on the Period 5 position and is mainly due to a reduction in service costs. The service is also continuing to work on an action plan to deal with the budget position, this includes managing staffing downwards to an appropriate level.

A number of income targets across Recreation Services are unlikely to be met. Some of the shortfall in income will be offset by reduced expenditure.

The announcement of in year cuts to various grants included the abolition of the Housing and Planning Delivery Grant. The directorate had budgeted to receive £900k in 2010/11. The loss of this grant has increased significantly the forecast overspend for Planning and Sustainable Development services. The government grant for the Free Swimming scheme has also been withdrawn from 31.7.10. Although charges will be re-instated there will still be a net shortfall in income in 2010/11.

## **Staffing**

The 2010/11 budget includes challenging saving targets for staffing. All services have been progressing Early Leaver cases and a number of restructures have been taking place in the directorate. The forecast overspend on staffing is £737k which is a reduction on the Period 5 position and reflects the ongoing work across the directorate to actively manage staffing.

Most services are forecast to achieve the target savings. The three services where this is not the case are Planning Services , Parks and Countryside and Sport and Active Recreation. Restructures are being progressed in all three services with the Parks and Countryside structure now approved.

Measures to actively manage staffing will continue to be pursued and all requests for post releases are presented to the City Development Directorate management team. Approvals to fill posts are mostly on a temporary basis, and then only front line posts, where they are required to keep the service open, generate income, or health and safety.

## **Operational Budgets**

Some operational budget overspends are due to delays in the implementation of actions, the Executive Board decision to extend by four months the opening of South Leeds Sport Centre, cost an estimated additional £130k. There will be an overspend of £40k on the Business Support Scheme administered by Economic Development due to additional commitments against the scheme. Other budget pressures include additional expenditure of £235k on planning appeals in Planning and Sustainable Development.

Within the Local Enterprise Growth Initiative programme some schemes have been delayed and it is proposed to utilise the unspent revenue balance of £842k to offset in year directorate pressures although the approval of the Legacy programme means that funding will be required in 2011/12 and 2012/13 for the Legacy Programme.

The projection now includes a number of savings proposals including a reduction in the library book fund of £300k.

The Period 6 projection also incorporates other proposed actions including savings on highway maintenance of £1.25m although the maintenance budget has also been enhanced this year by the receipt of an additional £774k from the 'pot hole' grant. This additional funding will be fully spent on eligible schemes in line with the terms and conditions of the grant. The service is also looking at options for other savings which would reduce the actual saving required on the maintenance budget.

### **Recommendations**

Members of the Executive Board are asked to approve the proposed savings of £1.25m from the highway maintenance budget, £0.842m from the LEGL budget and £0.3m from the library book fund.

Directorate	Traffic Light	Service	Chief Officer	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
				Staffing £000	Other Expenditure £000	Income £000	Total (Under) Overspend £000	
	G	Safer Leeds Drugs Team	Chief Community Safety Officer	(10)	10	0	0	0
	R	Street Scene Environmental Services	Chief Environmental Services Officer	197	903	(161)	938	682
	R	Health and Environmental Action	Chief Environmental Services Officer	460	90	(343)	206	84
	R	Car Parking Services	Chief Environmental Services Officer	(238)	(118)	1,143	786	785
	G	Community Safety	Chief Community Safety Officer	105	87	(170)	22	108
	G	Safer Leeds Partnership	Chief Community Safety Officer	0	0	0	0	(167)
	R	Regeneration	Chief Regeneration Officer	540	(4)	(155)	381	515
	R	Jobs & Skills	Chief Regeneration Officer	520	109	47	677	525
	G	Community Centres	Chief Regeneration Officer	0	(112)	(88)	(200)	(205)
	G	Housing Services	Director of Environment and Neighbourhoods	(117)	(3,861)	3,856	(122)	346
	G	General Fund Support Services	Chief Officer Resources and Strategy	(53)	2	0	(51)	(66)
	G	Waste Management	Chief Environmental Services Officer	(330)	(329)	(165)	(824)	(624)
	R	<b>Total</b>		<b>1,074</b>	<b>(3,224)</b>	<b>3,963</b>	<b>1,813</b>	<b>1,984</b>

## **ENVIRONMENT AND NEIGHBOURHOODS : 2010/11 BUDGET – PERIOD 6 REPORT**

### **1.0 Introduction**

This report sets out the financial position for Environment and Neighbourhoods Directorate for Period 6.

### **2.0 Overall Summary**

The period 6 position for Environment and Neighbourhoods Directorate projects an overspend of £1.8m made up of £1.1m on Environment Services, and £0.7m on Neighbourhoods and Housing Services. This projection reflects actions identified to address the in year reductions in both Area Based grant and LPSA2 reward grant.

### **3.0 Explanation of the Projected Overspend**

Neighbourhoods and Housing Services are projecting an overall variation of £0.7m. This position reflects the impact of reductions in Area Based grant, and LPSA2 grant (£1.3m) being addressed through a combination of the utilisation of other funding sources and the identification of efficiency savings. A variance of £0.1m in terms of grant retraction arrangements is reflected in the Directorate's projected outturn position.

Staffing variations of £1.0m largely reflect a combination of grant fallout in 2010/11, the costs associated with staff who are currently in managing workforce change and further work to redesign the Jobs and Skills service to support Council priorities.

Income reductions of £0.4m largely relate to a reduction in the level of grant receivable in the Jobs and Skills service.

The Leeds Asylum Service has received notification from the Regional Migration Team that UK Borders & Immigration Agency (UKBIA) will reduce the number of asylum seekers in the current contract. As a result of this, income is forecast to reduce by £1.4m which is partially offset by savings on running costs of £0.9m. Further, UKBIA have also terminated the Hillside Induction Contract from 1<sup>st</sup> October, half year effect of this is a net loss of income of £0.2m.

These pressures are partially offset by the identification of expenditure which is more appropriate to charge to the Housing Revenue Account (£0.5m), whilst a review of all items of expenditure has targeted further savings of £0.3m across all services.

Through a combination of identified efficiencies, combined with a higher level of voids with the subsequent reduction in payments to providers, an underspend of £0.7m on the Supporting People grant is projected.

Within Environmental Services an overspend of £1.1m is forecast.

Staffing projections (excluding the effects of grant fallout) across the Division indicate a saving of £0.9m will be achieved.

The delivery of the Streetscene Change Programme has been impacted upon by the fact that the process for the delivery of the identified efficiency savings has proved to be complex and this is has resulted in a variation of £0.7m when compared to the

targeted level of saving. However as a result of this, the full year savings are now anticipated to increase to £2.4m from the £2m originally projected.

Ongoing increased fuel prices across Streetscene are estimated at £0.3m and increased repairs on vehicles £0.31, mainly due to landfill damage.

The loss of £1.12m LPSA2 grant which has been partially offset by a retraction of resources utilized, leaves a budget pressure of £0.5m.

Car parking income is projected to be £1.1m lower than the budget and this is largely as a result of reduced patronage of car parks and a reduction in the number of parking offences. The implementation of bus lane enforcement in the City Centre is now scheduled for January 2011.

After a review of all running costs across the division, including landfill, savings of £0.8m have been identified. Additional income of £0.1m is estimated from the increased price of recycled scrap metal and glass.

### **Housing Revenue Account (HRA)**

At the end of Period 6 the HRA is projecting a deficit of £45k.

#### Key variances - Income

£2.3m of additional rental income is projected from dwellings and miscellaneous properties. This additional income is as a result of void levels being lower than budgeted and the decline in Right to Buy (RTB) sales. Of the increased income it is projected that £1.8m will be paid over to the ALMOs as additional void incentive payments.

Housing Subsidy payments have been reduced by £1m to reflect a reduction in interest rates. This will be offset by a reduction in capital charges to the HRA.

#### Key Variances - Expenditure

There are projected savings of £276k on salaries and wages, primarily due to posts being held vacant and a number of additional officers taking early retirement at the end of March 2010.

There is a projected overspend of £1,055k on supplies and services. The key reasons for this are as follows: -

- (a) an increase in pass through costs in relation to the Swarcliffe PFI scheme (£210k). These costs will be primarily funded from the PFI Sinking Fund.
- (b) CCTV and Community Centre costs being identified as more appropriate to charge to the HRA (£500k)
- (c) additional costs in relation to the Lifetime Homes PFI (£269k)

Payments to the ALMOs are projected to increase by £1.8m due to the ALMOs receiving incentive payments as a result of void levels being 1.1% less than budgeted.

At Quarter 2 a review of the contribution to the bad debt provision indicated a need to increase the provision by £49k. This is as a result of an increase in Former Tenant and leaseholder arrears.

#### Use of HRA reserves to fund replacement CareRing equipment

Across the Leeds ALMOs the Care Ring emergency alarm scheme provides a safety net for vulnerable older residents living in sheltered accommodation. The equipment is old (in some cases over 30 years old) and in need of replacement with new digital equipment which is compatible with wider telecare equipment. The current equipment does not meet the functionality in terms of fire alarms as recommended by the Fire Service. The Audit Commission inspections of the Leeds ALMOs all highlighted the need for modernisation of the equipment. Additionally equipment is situated in warden's own accommodation despite the accommodation no longer being a tied or service tenancy. Across the city there are 113 schemes which are in need of replacement.

The total cost for replacement (which includes removal of the old equipment, installation of new and the cost of the kit itself) is £733k. It is proposed that the replacement programme operates over two phases: the first phase being the replacement of the equipment in the homes of retired wardens or void properties and those schemes where the equipment remains in the warden's home. It is proposed to utilise HRA reserves to fund this expenditure and a Design Cost report seeking authority to spend will be submitted in the future.

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Directorate	Resources	Service	Chief Officer	(Under) / Over Spend for the current period			First Quarter (Under)/Over Spend	
				Staffing	Other Expenditure	Income		Total (Under) Overspend
Traffic Light				£000	£000	£000	£000	
G	Financial Management	Chief Officer Financial Management		(55)	6	(21)	(71)	1
G	Business Support Centre	Chief Officer Financial Management		(106)	94	(92)	(105)	(105)
G	Financial Development	Chief Officer Financial Development		(77)	30	(75)	(122)	(84)
R	Cost of Collection	Chief Revenues and Benefits Officer		0	0	178	178	(14)
R	Revenue Services	Chief Revenues and Benefits Officer		64	45	12	121	177
G	Benefits Service	Chief Revenues and Benefits Officer		(186)	(78)	27	(236)	(193)
G	Student Support	Chief Revenues and Benefits Officer		(113)	(13)	0	(126)	(121)
G	Housing Benefit	Chief Revenues and Benefits Officer		0	575	(797)	(222)	(248)
G	Information Technology	Chief ICT Officer		(832)	553	271	(8)	(121)
G	Human Resources	Chief Officer HR		(427)	255	58	(113)	(117)
G	Audit & Risk	Chief Officer Audit and Risk		(322)	(9)	6	(325)	(325)
R	Support Services and Directorate	Chief Officer Resources and Strategy		89	14	0	103	115
G	Public Private Partnership Unit	Chief Officer PPPU		(224)	(35)	225	(34)	80
G	Corporate Property Management	Chief Officer CPM		(318)	(105)	195	(227)	(97)
G	Commercial Services	Chief Officer Commercial Services		(242)	182	41	(18)	(31)
G	Commercial Services Trading	Chief Officer Commercial Services		690	(279)	(634)	(222)	(500)
<b>G</b>	<b>Total</b>			<b>(2,057)</b>	<b>1,236</b>	<b>(607)</b>	<b>(1,428)</b>	<b>(1,584)</b>



Reporting Period September 2010

Directorate	Service	Chief Officer	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
			Staffing £000	Other Expenditure £000	Income £000	Total (Under) Overspend £000	
G	Legal, Licensing and Registration	Chief Legal Services Officer	228	222	(655)	(204)	(350)
G	Democratic Services	Chief Democratic Services Officer	27	(28)	7	6	40
G	Procurement	Chief Procurement Officer	369	322	(684)	7	2
<b>G</b>	<b>Total</b>		<b>625</b>	<b>516</b>	<b>(1,333)</b>	<b>(192)</b>	<b>(308)</b>

Reporting Period September 2010

Directorate Planning, Policy and Improvement

Traffic Light	Service	Chief Officer	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
			Staffing £000	Other Expenditure £000	Income £000	Total (Under) Overspend £000	
G	Executive Support	Assistant Chief Executive	0	0	0	0	10
A	Customer Services	Chief Officer Customer Services	71	(133)	89	27	(10)
G	Leeds Initiative & Partnerships	Chief Officer LIP	213	17	(260)	(30)	(90)
G	Business Transformation	Chief Officer Business Transformation	(115)	130	(16)	0	154
G	PPI Management & Support	Assistant Chief Executive	(49)	(146)	83	(112)	(178)
<b>G</b>	<b>Total</b>		<b>120</b>	<b>(132)</b>	<b>(104)</b>	<b>(115)</b>	<b>(115)</b>

## **CENTRAL AND CORPORATE FUNCTIONS: 2010/11 BUDGET – MONTH 6 REPORT**

### **1.0 Introduction**

This report sets out the financial position for Central and Corporate Functions for period 6 of 2010/11.

### **2.0 Overall Summary**

The savings proposals agreed by CLT and LMT in July have now been incorporated in the year end projections which shows an overall underspend of £1.7m.

### **3.0 Explanation of the projected underspend**

#### **3.1 Resources (£1,428k underspend)**

The main contributor to the forecast underspend is savings on staffing budgets amounting to £2.2m. This reflects the tight control on release of vacancies that has been in place since mid 2009/10.

Following on from last year's (year end) review of bad debt provision in respect of housing benefit overpayments, a saving of £200k is forecast in 2010/11.

Corporate ICT are currently projecting pay savings of £832k, however the time recording system indicates that there will be a shortfall in the level of capitalisation of time spent on ICT developments due to the lower staffing levels. A pressure of £300k has been included in the month 5 projections.

As reported last month, a shortfall in the budgeted savings from the conversion of Direct Exchange Lines to the Council's network of £348k is still predicted.

The number of summons for non-payment of Council Tax and NNDR has fallen in the first quarter compared to last year and the assumptions made in the budget. The projected full year impact is £150k. However, the reduction is partly due to 'improved targeting' meaning that a higher percentage of debt is collected prior to the instigation of formal recovery action.

The outcome of a National Non Domestic Rates (NNDR) revaluation of the Leonardo Building has resulted in a windfall of £133k in the current year.

Commercial Services and Corporate Property Management have identified savings totaling £750k that will be passed through to internal clients. Also, Public Private Partnership Unit (PPPU) charges to clients are projected to be £281k less than the Original Estimate. Please note an element of the overall pay savings of £2m are passed directly through to clients in the form of reduced charges.

In addition an amount of £177k will be brought into the revenue account from the 'PPPU staff retention' reserve as this will no longer be required. This is a one-off gain.

### **3.2 Planning, Policy and Improvement (£115k underspend)**

As per last month, an overall underspend of £115k is still projected. The savings plan to achieve this assumes:

- Reduction of 'About Leeds' from 4 to 2 editions, stop residents survey follow up, BT and Yellow Pages ads and other consultation work (£109k)
- Customer Services, £143k, mainly staffing savings
- Reduction in 'grant' to Marketing Leeds (£50k)
- Leeds Initiative and Partnership running costs (£30k)

### **3.3 Corporate Governance (£192k underspend)**

The position is unchanged from month 5.

The Procurement Unit and Democratic Services are largely on-line to come within budget.

Legal, Licensing and Registration are projecting an underspend of £204k which represents the in-year savings action plan offset by the Government's direction to cease the charge for 'personal' property searches. The impact of this change, implemented on 18.8.10, as well as the scrapping of the HIP's packs and also the general dip in the housing market has resulted in a £128k pressure in the Local Land Charges budget.

Originator: Susan Holden

Tel: 51863

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## Report of the Assistant Chief Executive (Corporate Governance)

### Executive Board

Date: 3rd November 2010

Subject: Licensing Act 2003 Statement of Licensing Policy

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#### Electoral Wards Affected:

All

#### Specific Implications For:

Ethnic minorities

Women

Disabled people

Eligible for Call In

Not Eligible for Call In  
(Council decision)



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### Executive Summary

This report provides members of the Executive Board with a revised draft Licensing Act 2003 Statement of Licensing Policy and the result of the public consultation.

Executive Board are asked to consider the revised draft and refer the matter to full Council, who will consider the approval of the Licensing Act 2003 Statement of Licensing Policy in November 2010.

## **1.0 Purpose of This Report**

- 1.1 The purpose of this report is to inform Members of the Executive Board of a review and public consultation of the Licensing Act 2003 Statement of Licensing Policy 2011 to 2013 (attached at **Appendix 1**). The Final Consultation Report is attached at **Appendix 2**.

## **2.0 Background Information**

- 2.1 The Licensing Act 2003 came into force in 2005 and brought the licensing of sale of alcohol, regulated entertainment and late night refreshment into one system. Leeds City Council became the licensing authority for premises in the Leeds area and the system is administered and enforced by Entertainment Licensing. As part of the Licensing Act 2003 there is a requirement placed on licensing authorities to develop a statement of licensing policy which describes the principles the council will use when determining licences under the Act.
- 2.2 The Licensing Authority carries out its functions of the Act with a view to promoting the four licensing objectives which are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance; and
  - The protection of children from harm
- 2.3 The first Statement of Licensing Policy 2005 - 2007 was adopted in January 2005 and was reviewed in 2007 for the period 2008-2010. The council is required to review the policy on a three yearly basis and it is due for review again this year.
- 2.4 Under the provisions of the Licensing Act, the approval of the Council's Statement of Licensing Policy is a function of the full Council, and not a function of the Executive. The function may not be delegated to officers or to the Licensing Committee established under the 2003 Act. As this is a full Council function this report is not eligible for call in.

## **3.0 Main Issues**

- 3.1 The consultation methodology is described in the Final Consultation Report attached at Appendix 2.
- 3.2 The public consultation took place between 12th July and 1st October. The council received 5 responses via the web form and 5 written responses. The full text of the responses are contained in the Final Consultation Report. This report also details the amendments proposed in response to the comments.
- 3.3 A revised draft Statement of Licensing Policy 2011 to 2013 is attached at Appendix 1.

3.4 Approval of the policy is a matter reserved to full Council and it is for Executive Board to decide, at this meeting, to refer the revised policy to full Council on their 17<sup>th</sup> November meeting for formal adoption of the Policy.

#### **4.0 Implications for Council Policy and Governance**

4.1 The council is required to have a licensing policy under the provisions of the Licensing Act 2003 and to review it at least every three years. Under regulations issued by the Secretary of State, the revised policy must be approved no later than the 7 January 2011.

4.2 It is a requirement that members of the Licensing Committee have regard to the council's policy when making decisions under the Licensing Act 2003.

#### **5.0 Legal and Resource Implications**

5.1 As identified in the report there is a requirement under the Licensing Act 2003 to revise and approve a policy on or before 7 January 2011.

5.2 Approving a policy which is not consistent with the promotion of the licensing objectives, the evidence gathered, or which fails to take into account the views of the residents and businesses of Leeds (including the licensing trade) may result in a challenge to the policy and/or licensing decisions on grounds that the policy is unlawful.

5.3 The costs of revising the policy are covered within the budget of Entertainment Licensing.

#### **6.0 Conclusions**

6.1 That Members should consider the proposed responses to the consultation and the evidence gathered at Appendix 2. Members should consider whether to recommend the revised policy at Appendix 1 for approval at Council.

#### **7.0 Recommendations**

7.1 Members are requested to:

7.2 Consider the responses to the consultation carried out and the Final Consultation Report at **Appendix 2**, and endorse the proposed responses to the consultation exercise and recommend to full Council that these be approved as the Council's response to matters raised in consultation;

7.3 Note the revised draft Statement of Licensing Policy set out at **Appendix 1**, and recommend to full Council that this be approved as the final Policy under the Licensing Act 2003.

#### **Appendices**

Appendix 1 Licensing Act 2003 Statement of Licensing Policy  
Appendix 2 Final Consultation Report

**Background papers**

Licensing Act 2003

DCMS Guidance issued under Section 182 of the Licensing Act 2003



# Statement of Licensing Policy 2011 - 2013

Licensing Act 2003

**Further copies of this document can be obtained from:**

Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR

Tel: 0113 247 4095  
Fax: 0113 224 3885

Email: [entertainment.licensing@leeds.gov.uk](mailto:entertainment.licensing@leeds.gov.uk)  
Web: [www.leeds.gov.uk/licensing](http://www.leeds.gov.uk/licensing)

**Version History**

Redraft	SH	17/08/09
First Draft	SH	17/03/10
Public consultation draft	SH	05/07/10
Final draft	SH	04/10/10

**Please note:**

The information contained within this document can be made available in different languages and formats including Braille, large print and audio cassette.

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## Executive Summary

The Licensing Act 2003 obtained Royal Assent 2005 and came into effect in 2005.

Under Section 5 of the Licensing Act 2003 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31<sup>st</sup> January 2005.

Any decision taken by the Council in regard to determination of licences, certificates and notifications should aim to promote the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance; and
- The protection of children from harm

The policy covers the licensable activities as specified in the Act which are:

- Sale by retail of alcohol or supply of alcohol on behalf of a club
- Regulated entertainment
- Late night refreshment

The policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Additionally the council has regard for a number of other local strategies such as Vision for Leeds and the Leeds Community Safety Strategy. Full detail can be found on page 10.

The policy includes five special policies which seek to limit the cumulative effect of licensed premises in certain areas. Details, including the specific criteria relating to the policies can be found on pages 18 to 26.

The council has the ability to grant licences for premises and certificates for club premises. It also grants personal licences and accepts temporary event notices. Where relevant the council consults with the responsible authorities as described in the Act. Local people, known as interested parties and members of the council are able to have their say and their opinion heard.

Enforcement of the legislation is a requirement of the Act that is undertaken by the council. The policy describes the council's enforcement principles and the principles underpinning the right of review.

The policy has two appendices, detailing the contact details of the responsible authorities and providing further reading.

## Section 1 The purpose of the licensing policy

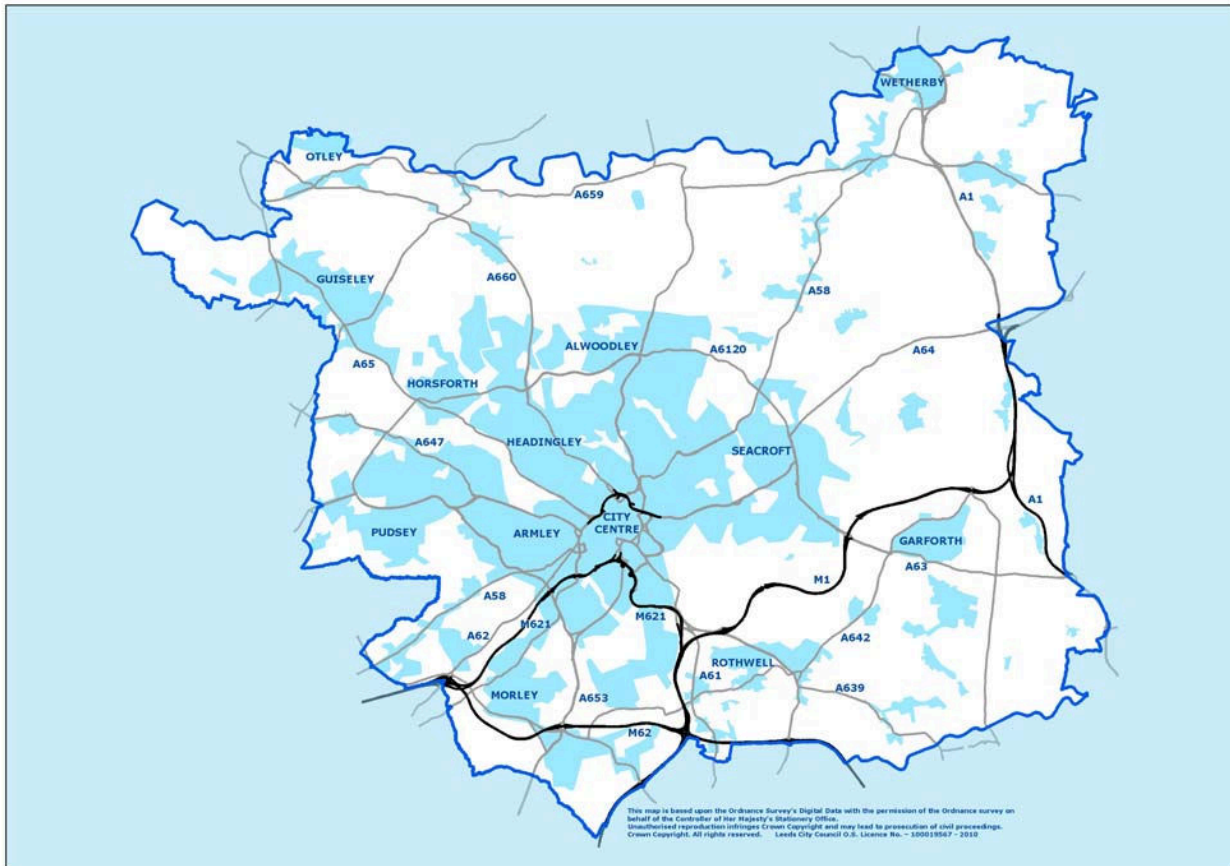
- 1.1 This policy is prepared under Section 5 of the Licensing Act 2003 and was approved by Leeds City Council as Licensing Authority in December 2007. It will be reviewed no later than December 2010. Unless otherwise stated any references to the council are to the Leeds Licensing Authority.
- 1.2 In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
- Representatives of local business
  - Local residents and their representatives
  - Parish and town councils
  - Local members of parliament
  - Representatives of existing licence holders including
    - The British Beer and Pub Association
    - Licensing solicitors
  - The responsible authorities namely;
    - West Yorkshire Police
    - West Yorkshire Fire and Rescue Service
    - Leeds City Council – Health and Environmental Action Service
    - Leeds City Council – Children and Young People Social Care
    - Leeds City Council – City Development
    - West Yorkshire Trading Standards
  - Leeds Primary Care Trusts
  - Charitable organisations that deal with the social impact of drugs
  - Other charitable organisations including Mencap and Victim Support Leeds
- 1.3 This policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 1.4 The council will carry out its functions under the Licensing Act 2003 with a view to promoting the 4 licensing objectives namely:
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- 1.5 The council adopts the overall approach of encouraging the responsible promotion of licensed activities. However, in the interests of all its residents, it will not tolerate irresponsible licensed activity. Following relevant representations the council will impose conditions where necessary to promote the licensing objectives and/or use effective enforcement to address premises where there are problems, in partnership with key agencies such as:
- West Yorkshire Police,
  - West Yorkshire Fire and Rescue Service,
  - Health and Safety Executive,
  - Crime and Disorder Reduction Partnerships,
  - Primary Care Trusts in the district,
  - West Yorkshire Trading Standards.

- 1.6 This policy is concerned with the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events. The conditions that the council attaches to the various licences will focus on matters that are within the control of individual applicants and others in possession of relevant authorisations. These matters will centre upon the premises that are being used for licensable activities and the vicinity of those premises. Whether or not matters are within the vicinity of premises is a question of fact, which will depend upon the particular circumstances of the case.
- 1.7 The council is aware however that government guidance suggests that the prevention of public nuisance could include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the Licensing Act 2003) in the vicinity of licensed premises. See further guidance on 'vicinity' at paragraph 8.8 to 8.9.
- 1.8 The council will monitor the effect of this policy throughout the period it covers through licensing liaison meetings with representatives of licence holders such as PubWatch meetings and also by way of regular meetings with the responsible authorities.

## Section 2 The scope of the licensing policy

- 2.1 This Policy covers licensable activities within the Leeds District as defined by the Licensing Act 2003. These are:
- The retail sale of alcohol
  - The supply of alcohol by or on behalf of a club, or to the order of a member of the club
  - The provision of regulated entertainment
  - The provision of late night refreshment
- 2.2 Advice on whether a licence is required for premises or an event can be obtained from the Entertainment Licensing Section of Leeds City Council, contact details are set out in Appendix 1.
- 2.3 Throughout this Policy the wording will refer to 'applicants' for licences. However it should be noted that the principles set out within this policy apply equally to new applications, applicants for variations and consideration of any request to review a licence.
- 2.4 The scheme of the Licensing Act is that applicants should make applications and assess what matters, if any, need to be included within the operating schedule to address the licensing objectives. If an application is lawfully made and no relevant representations are received then the council must grant the application. Only if relevant representations are made will the council's discretion be engaged.
- 2.5 This policy seeks to provide advice to applicants about the approach they should take to making applications and the view the council is likely to take on certain key issues where representations have been made.

## Section 3 The Leeds district



- 3.1 Leeds City Council has sought to establish Leeds as a major European City and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within 30 minutes drive of the City Centre.
- 3.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 715,000 (taken from the 2001 census). It includes the City Centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with their very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 3.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the city coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes have many benefits including the creation of a vibrant 24-hour city.
- 3.4 Leeds has strong artistic and sporting traditions and has the best attended outdoor events in the country. The success of arts and heritage organisations including the Grand Theatre, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackeray Medical Museum. The city also boasts a wealth of community based sports heritage and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.
- 3.5 Leeds is a city with many cultures, languages, races and faiths. A wide range of minority groups including Black Caribbean, Indian, Pakistani, Irish and Chinese as well as many other smaller communities make up almost 11% of the city population.



3.6 The Vision for Leeds 2004 - 2020 published by the Leeds Initiative, as the city's strategic partnership group, indicates that Leeds is now one of Britain's most successful cities. It boasts:

- A thriving economy
- A vibrant City Centre
- A leading centre of learning, knowledge and research
- A recognised regional capital
- A positive image
- A reputation for environmental excellence
- A wide range of cultural facilities
- A rich mix of cultures and communities

3.7 The Vision for Leeds 2004-2020 has three main aims:

- Going up a league as a City - making Leeds an internationally competitive City - The best place in the country to live, work and learn, with a high quality of life for everyone.
- Narrowing the gap between the most disadvantaged people and communities and the rest of the city.
- Developing Leeds' role as the regional capital contributing to the national economy as a competitive European city, supporting and supported by a region that is becoming increasingly prosperous.

3.8 This licensing policy seeks to promote the licensing objectives within the overall context of the three aims set out in Vision for Leeds 2004-2020.

## Section 4 Integrating other guidance, policies, objectives and strategies

- 4.1 In preparing this licensing policy the council has had regard to, and sought to integrate the licensing policy with, the following strategies:
- Vision for Leeds 2004 to 2020
  - Leeds Community Safety Strategy 2005 to 2008
  - Leeds Unitary Development Plan
  - The Local Development Framework including the Leeds City Centre Area Action Plan
  - Leeds City Centre Strategic Plan 2006 to 2010
  - Leeds Alcohol Strategy 2007 – 2010
  - The Home Office Tackling Violent Crime Programme
  - Leeds City Council – Anti-Social Behaviour Statement
  - Leeds City Council – Environmental enforcement policies.
- 4.2 The council (through its Licensing Committee) may, from time to time, receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in Section 6 and the overriding need to promote the four licensing objectives it may have regard to them when making licensing decisions.
- 4.3 The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy. This may include recommendations to amend the licensing policy itself.

## Section 5 Cultural activities in Leeds

- 5.1 Leeds City Council (in common with other local authorities) is a major provider of facilities for public recreation. The Council has a tradition of promoting a wide range of cultural activity for the benefit of the city and district.
- 5.2 Leeds Town Hall is the dedicated public concert hall/performance area in Leeds and the Carriageworks Theatre is dedicated to amateur performance and public use for Leeds. Millennium Square in the city centre is used for public events and entertainment such as the Christmas market and 'Icecube' (a temporary ice rink). The parks at Roundhay, Woodhouse Moor, Potternewton and Middleton are in use for community organised gatherings fairs and carnivals and Temple Newsam Park is the venue for council promoted public events attracting upwards of fifty thousand people.
- 5.3 Commercially promoted events take place in a variety of locations throughout the district.
- 5.4 Within local communities, groups and associations use church and village halls and community centres for social and fund raising activities. Within the district there are 120 church/village halls and schools licensed for regulated entertainment and or the sale or supply of alcohol.
- 5.5 Leeds has a long established reputation for the encouragement of community and diverse cultural events and public entertainment as an essential aid to community involvement and an increasing sense of common identity.
- 5.6 It is expressly recognised that live music, dancing and theatre have an important role to play in cultural and community life. The council encourages a variety of forms of live music and entertainment including singing and dancing, music and carnival events such as children's entertainment, juggling and mime.
- 5.7 Nothing in this Policy is intended to prevent or deter organisers from seeking licences for such events and the council will monitor the impact of the Licensing Policy to ensure that the Policy does not unnecessarily deter or prevent cultural and community events. Applicants are however encouraged to make early contact with the council to advise of any such events in line with the provisions of paragraphs 6.36 to 6.46.

## Section 6 General principles

- 6.1 In determining a licensing application the overriding principle will be that each application will be determined on its own merit, having regard to the need to promote the four licensing objectives and taking into account this licensing policy and the guidance issued under Section 182 by the Secretary of State. Where it is necessary to depart from the guidance or this Policy the council will give clear and cogent reasons for doing so.
- 6.2 Nothing in this Policy will undermine any person's right to apply for a variety of permissions under the Act.
- 6.3 Applicants are reminded of the Government's National Alcohol Harm Reduction Strategy. Matters set out in the strategy may be relevant to general licensing principles and to one or more of the licensing objectives.

### Human Rights

- 6.4 The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a Convention right. The council will have particular regard to the following relevant provisions of the European Convention on Human Rights:
- Article 6 that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
  - Article 8 that everyone has the right to respect for his home and private life.
  - Article 1 of the first protocol that every person is entitled to the peaceful enjoyment of his or her possessions, including for example a licence.

### Impact of Licensed Activity

- 6.5 Where no representations are made the council will grant a licence subject to conditions consistent with the operating schedule.
- 6.6 When determining any application where relevant representations are made, the council will consider it in the light of the four licensing objectives and in order to support a number of other key aims and purposes as set out in Section 4. The requirement to promote the licensing objectives will be the paramount consideration. The council will focus upon the impact of the activities taking place on members of the public, living, working or engaged in normal activity in the vicinity of the premises. See further guidance on 'vicinity' at paragraph 8.8 to 8.9.
- 6.7 Where relevant representations are made the following factors will normally be taken into account when the council is looking at the impact of the activities concerned:
- the style of operation, the numbers of customers and customer profile likely to attend the premises;
  - the location of the premises and the proximity of noise sensitive properties
  - the proposed hours of operation;
  - the transport arrangements for customers attending or leaving the premises and any possible impact on local residents or businesses;
  - the adequacy and impact of car parking on local residents or businesses;
  - any proposed methods for the dispersal of customers
  - the scope for mitigating any impact;
  - how often the activity occurs;

and, in considering any application for a variation, where a relevant representation has been received, the council may take into account, in addition to the above matters, any evidence:

- of past demonstrable adverse impact from the activity especially on local residents or businesses;
- that, if adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact.

Other relevant matters may be considered as the individual case dictates.

## **Licensing Hours**

- 6.8 The government recommends that in some circumstances, flexible licensing hours with regards to the sale of alcohol are important to ensure that the concentration of customers leaving premises simultaneously are reduced. The intention behind this is to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which currently lead to disorder and disturbance. Providing the customers with greater choice and flexibility is an important consideration in the development of a thriving and safe evening and night-time economy in Leeds.
- 6.9 However any licensable activity does have the potential to impact adversely on the surrounding area due to disturbance or crime and disorder. Customers may be noisy when leaving, leave litter or use on-street car parking. The impact of these activities can be particularly intrusive at night when ambient noise levels are much lower.
- 6.10 The council supports the development of a wide ranging and culturally diverse night-time economy where this can be achieved whilst promoting the four licensing objectives and without compromising the ability to resource local services associated with the night-time economy such as street cleansing.
- 6.11 Under the Act there are no permitted hours for the sale of alcohol. Applicants are able to suggest in their operating schedule the hours they wish to open and to apply to vary their existing licences if they wish to open beyond their current permitted hours.
- 6.12 However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives will be paramount considerations at all times.
- 6.13 If relevant representations are made the council will only grant the hours of use proposed where the operating schedule and any risk assessment adequately demonstrates that:
- the potential effect on crime and disorder is not significant
  - the agreed operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on local residents and businesses
  - appropriate transport facilities are available, or the applicant has made suitable arrangements to transport customers away from the venue.
- 6.14 Restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it necessary for the promotion of the licensing objectives to do so.
- 6.15 As a general rule shops stores and supermarkets will be permitted the off sale of alcohol during such hours as they are normally open for trade provided that there is no adverse impact upon the promotion of the licensing objectives as a result.

## **Drinking up time**

- 6.16 The traditional 'drinking up time' was not carried over into the Licensing Act 2003. However the hours during which applicants are licensed to sell or supply alcohol and the opening hours need not be identical and therefore applicants of premises licensed for the on-sale of alcohol are recommended to consider a drinking up/cooling down period during which music volume may be reduced, customers may consume their drinks and make arrangements for transport from the premises. The council considers that a 30 minute drinking up time will assist in the gradual dispersal of customers and consequently reduce impact on the area.
- 6.17 Where relevant representations are made the council will consider imposing a condition on drinking up time where such a condition is necessary in order to promote the licensing objectives in any individual case.

## **Excessive Consumption of Alcohol/Binge Drinking**

- 6.18 The council is acutely aware of the link between the supply of alcohol, that is subject to certain promotions and the possibility of resultant incidents of alcohol related crime and disorder and implications for public safety, public nuisance and the risk of harm to children.
- 6.19 The council also recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an indirect impact on public health.
- 6.20 The British Beer and Pub Association states that a promotion is irresponsible where it encourages or incites individuals to drink to excess, behave in an anti-social manner or fuels drunkenness. The council as Licensing Authority will use the powers contained within the Licensing Act to ensure operators' promotional activities do not undermine the licensing objectives.
- 6.21 From April 2010 new mandatory conditions came into effect which:
- Ban irresponsible promotions;
  - Ban the dispensing of alcohol directly into the mouth; and
  - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.22 The legislation makes it clear that an irresponsible promotion is one that is "carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children".
- 6.23 As a consequence any on-trade premises which participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council's "Leeds Responsible Authority Liaison and Joint Enforcement Protocol - Licensing Act 2003" which is available from the Leeds City Council website.
- 6.24 The council expects applicants to consider the issues relating to the irresponsible drinks promotions when completing risk assessments or operating schedules.

## **Conditions**

- 6.25 The council may only impose conditions where relevant representations are made following an application to grant or vary a licence or where a review request is being considered.
- 6.26 The council recognises that the only conditions that should be imposed on a licence are those which are necessary and proportionate to the promotion of the licensing objectives. There may be circumstances where existing legislation and regulations already effectively promote the licensing objectives and no additional conditions are required.

- 6.27 Where conditions are imposed they will be tailored to the individual style and characteristics of the premises and events concerned. Standardised conditions will not be imposed, but where appropriate the council will draw upon the model pool of conditions issued by the Department for Culture Media and Sport in annex D of the guidance issued by the Secretary of State under s182 of the Act. The council may also impose conditions other than those referred to in the annexes in circumstances where this is necessary to properly promote the four licensing objectives.
- 6.28 Applicants are strongly encouraged to make early contact with the appropriate responsible authorities to discuss proposed conditions in advance of the submission of their application to the council. Further details can be found in Section 12 and Appendix 1.

## **Planning**

- 6.29 The use of premises for the sale or provision of alcohol, provision of entertainment or late night refreshment or indoor sports is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.
- 6.30 In general, all premises which are the subject of an application, should have the benefit of planning permission, or be deemed permitted development. The onus will be on the applicant to demonstrate that planning permission has been granted or that the premises have the benefit of permitted development rights. Failure to do so may result in representations and the licence being refused or granted subject to conditions which take account of the planning permissions in existence.
- 6.31 In addition, all new developments and premises which have been subject to structural alterations since 1994 will have building control approval in the form of a Building Regulations Completion Certificate. The onus will be on the applicant to demonstrate that any structural alterations have been approved by building control. Failure to do so may result in representations and the licence being refused or granted subject to conditions.
- 6.32 Where relevant representations are received, any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct. It will take into account what the impact of granting the application will be on the four licensing objectives.

## **Staff Training**

- 6.33 The council recommends that all persons employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Similarly persons employed at on-licensed premises should be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all staff involved in managing or supervising the premises.
- 6.34 It is also recommended that persons employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety, and if appropriate have the necessary CRB checks.
- 6.35 All persons employed on licensed premises should be provided with in-house training on basic public safety and the housekeeping arrangements relative to those premises.

## **Local, national and international occasions**

- 6.36 It should be possible for applicants for premises licences and club premises certificates to anticipate special occasions which occur regularly each year, for example bank holidays, and to incorporate appropriate opening hours for these occasions in their operating schedules.
- 6.37 Additional occasions for which extensions may be required may be covered by a Temporary Event Notice (certain restrictions apply - see section 11).

## **Special Events in the Open Air or in Temporary Structures**

- 6.38 The promotion and the organisation of live musical and similar entertainment in the open air or in temporary structures like marquees etc. can provide opportunities for community involvement and civic pride and can attract visitors to the district.
- 6.39 However, the success of such events by way of contribution to the council's cultural and tourist strategies, depends upon the quality, levels of safety, consideration for the rights of people who live or work in the vicinity, and the standard of provision of facilities for those coming to enjoy the event.
- 6.40 The Licensing Policy applies to all such events. However in recognition of the special factors that are relevant, particularly with respect to major open air events such as a pop festival or events like the Leeds Mela, the council has established a Multi-Agency Forum to assist organisers in co-ordinating such events. The Multi-Agency Forum is made up of various council departments who have an interest in or legislative role relevant to such events, together with representatives of the various emergency services.
- 6.41 Members of the Multi-Agency Forum are notified about all proposals to hold such events and where necessary a special meeting will be organised in order to consider any issues that will require to be addressed and to open up lines of communication with organisers.
- 6.42 A useful document which organisers are recommended to obtain is 'The Event Safety Guide' (known as the purple guide), published by the Health & Safety Executive. Details as to where this publication may be obtained are set out at Appendix 2.
- 6.43 General guidance on the planning of such events is available to organisers but it is important to appreciate that substantial notice should be given so that proper preparations and precautions can be put in place for the event. This is so even if the event is proposed under a Temporary Event Notice as detailed in Section 11.

## **Commercial and Non-commercial or Community Applicants**

- 6.44 Whilst this policy is aimed at all licensable activities under the Licensing Act 2003 it should be noted that the council sees a distinction between large or permanent activities, such as those proposed by commercial operators and small or temporary activities such as those which might be proposed by cultural or community groups.
- 6.45 Where events are proposed by cultural or community groups, it is recognised that those groups may not have the same skill or expertise or access to professional advice. Such groups may seek assistance and guidance from the council by contacting the council's Entertainment Licensing Section.
- 6.46 Whatever the nature of the applicant and activity proposed, the overriding matter is that the council will consider the individual merits of the application and act so as to promote the licensing objectives.



## **Other Regulatory Regimes**

- 6.47 The licensing policy is not intended to be the primary mechanism for the general control of nuisance, anti social behaviour and environmental crime but nonetheless is a key aspect of such control and the licensing policy and licensing decisions are intended to be part of an holistic approach to the delivery of the council plan and the management of the evening and night time economy of the Leeds district.
- 6.48 In preparing this policy the council has sought to avoid unnecessary duplication of existing legislation and regulatory regimes. However on occasions it has been necessary to set out some of the detail in this policy for ease of understanding. Nothing in this policy is intended to revoke or replace the need for applicants to act in accordance with legal requirements. Commercial and non commercial or community applicants alike are recommended to seek proper advice to ensure that the activities they propose are within the boundaries set by existing legislation and regulations.

## Section 7 Cumulative Impact Policy

- 7.1 Cumulative impact means the potential impact on the promotion of the licensing objectives where there are a significant number of licensed premises concentrated in one area.
- 7.2 The licensing policy is not the only means of addressing such problems. Other controls include:
- planning controls
  - CCTV
  - provision of transport facilities including Taxi Ranks
  - Alcohol Disorder Zones
  - Designated Public Places Orders
  - police powers
  - closure powers
  - positive measures to create safer, cleaner and greener spaces.
  - Street Wardens/Street Angels, Taxi Marshals
- 7.3 The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. Any policy adopted from time to time on the cumulative impact of licensed premises will impose restrictions only to the extent that they are justified by the available evidence having regard to the guidance issued by the Secretary of State.

### Applications

- 7.4 A cumulative impact policy creates a rebuttable presumption that applications within the cumulative impact areas for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received.
- 7.5 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.
- 7.6 To assist this process applicants are encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued under section 182 of the Act.
- 7.7 Despite the presumption against grant, responsible authorities and interested parties will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy. For example, if no representation is received, the application must be granted subject to any conditions that are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003. Responsible authorities and interested parties can make written representation referring to information which had been before the council when it developed its statement of licensing policy.
- 7.8 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the

licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

- 7.9 Any relevant representation of support from partner agencies such as area committees, local ward members, responsible authorities, residents association etc, will be taken into consideration by the council when making its determination.

### **Cumulative Impact Policies**

- 7.10 The council has applied a cumulative impact policy to five areas of the Leeds district:

- the city centre (Area 1)
- Headingley/Hyde Park (Area 2)
- Woodhouse (Area 3)
- Chapel Allerton (Area 4)
- Horsforth (Area 5)

- 7.11 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

- 7.12 A summary of the evidence of the problems being experienced in these areas is included in this policy. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

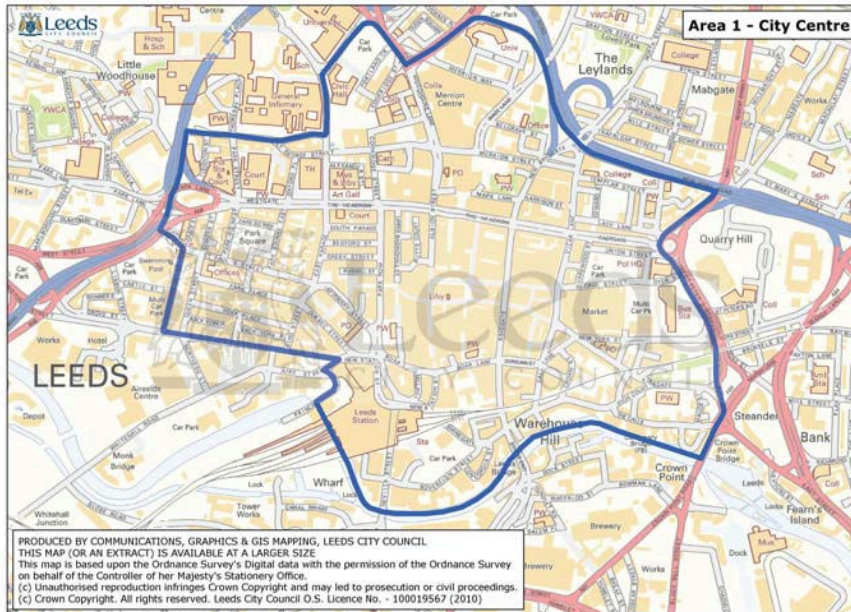
- 7.13 The council consulted on the draft policies as part of the wider consultation on the council's revised draft licensing policy. The consultation was carried out with:

- The responsible authorities
- Licensees and those representing licensees
- Local residents and businesses
- Those representing local residents and businesses.

- 7.14 The council is also aware that the police have concerns related to the concentration of premises in the localities of Pudsey, Armley and Guiseley. The council, in conjunction with the responsible authorities, will be keeping these areas under review during the life of the policy in case it becomes necessary to instigate formal cumulative impact investigation. Applicants wishing to apply for new licences or variations in these areas should note this paragraph and tailor their operating schedules accordingly.

## Area 1 – City Centre

7.15 Area 1 as defined on the map relates to the city centre as defined within the blue boundary.



7.16 In the five years since the cumulative impact policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:

1. Call Lane, Boar Lane and the area behind the Corn Exchange
2. Woodhouse Lane, Merrion Way and Wade Lane
3. The east end of The Headrow and New Briggate

7.17 Other areas of concern include the Eastgate area and Briggate.

7.18 The council has noticed an increase in applications for premises licences in the Park Square area. It is feasible that this is due to displacement from the East Parade/Greek Street/Park Row part of the cumulative impact policy.

7.19 On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots and the Park Square area.

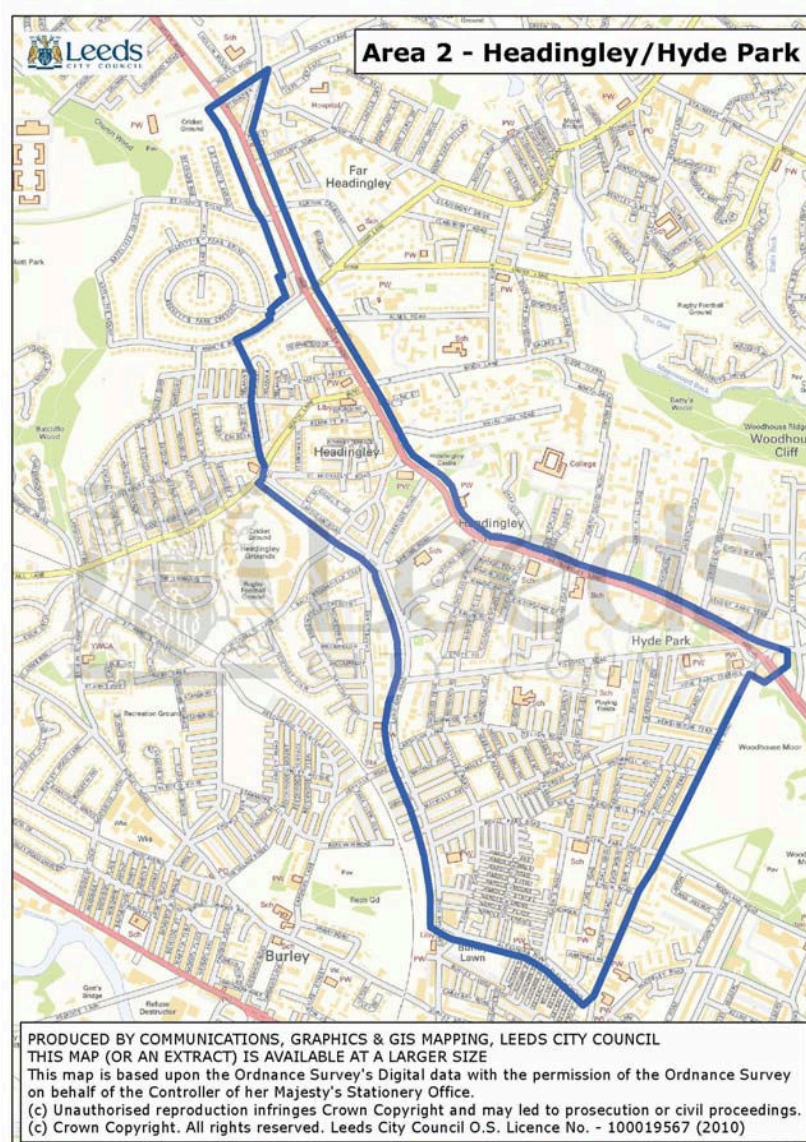
7.20 In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

7.21 The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led licensed premises can contribute to crime and disorder in the area, not just those that are classified as "high volume vertical drinking" establishments.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

## Area 2 – Headingley/Hyde Park

7.22 Area 2 relates to the Headingley and Hyde Park districts of Leeds as defined within the blue boundary. It also includes premises on both sides of the boundary roads.



7.23 The Headingley cumulative impact policy was put in place in 2005 and has worked well in ensuring that the adverse effect of an accumulation of licensed premises in Headingley has not increased.

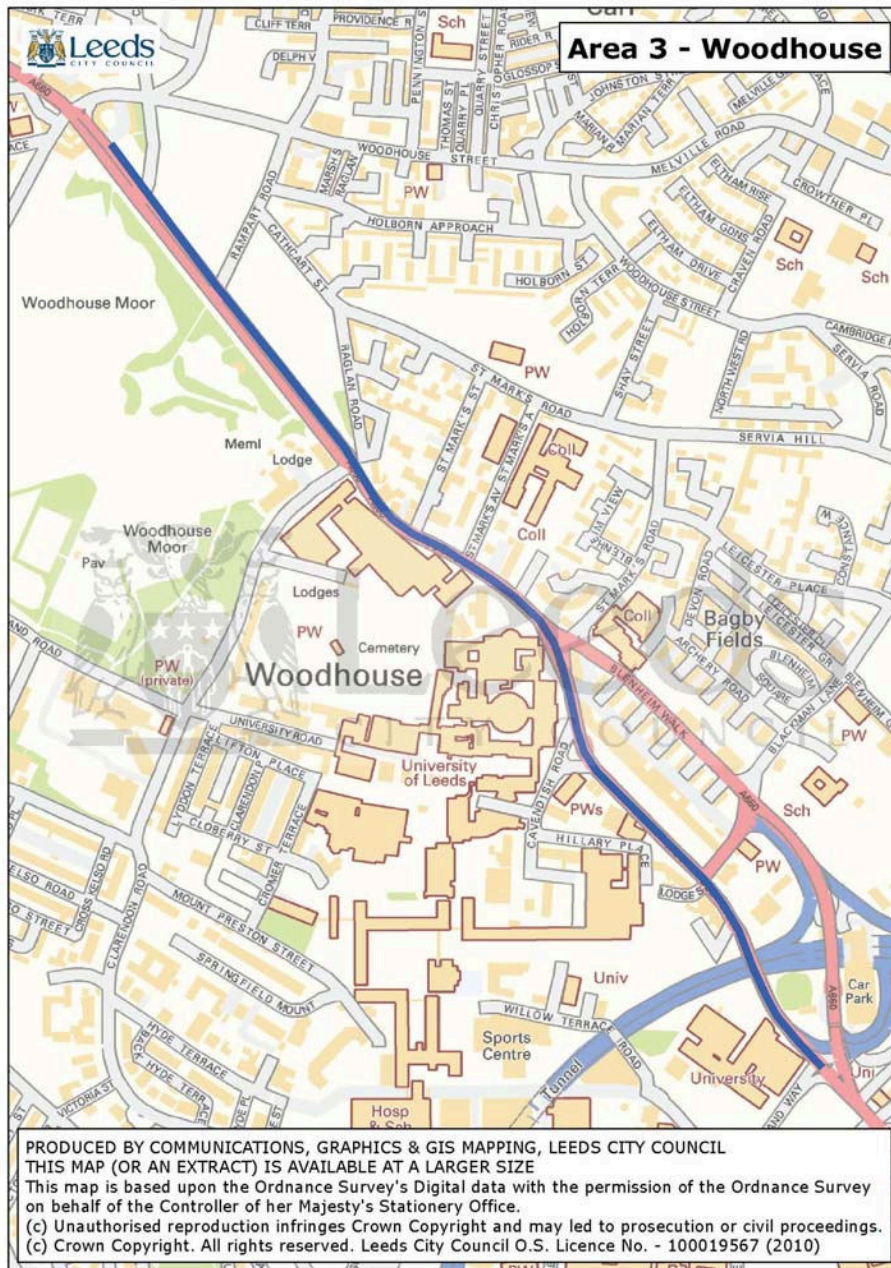
7.24 There have been ongoing problems, both public nuisance and anti-social behaviour in the Hyde Park area which can be attributed to licensed premises. For this reason the geographical area of the CIP has been increased to include the problem areas.

7.25 There is some evidence that the lengthening of the opening hours of premises has had an impact on the area. For this reason the scope of the policy has been increased to include variation applications.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

**Area 3 – Woodhouse**

7.26 Area 3 as defined on the map relates to the arterial road (the A660) linking Area 1 (City Centre) and Area 2 (Headingley/Hyde Park District).



7.27 When the council approved its first statement of licensing policy it contained a cumulative impact policy for the area shown above. At that time the council had concerns that by adopting policies in respect of areas 1 and 2 that there could be a tendency to displace either the crime and disorder or public nuisance impact into Area 3. The council was also mindful of police representations from West Yorkshire Police that also backed up this concern.

7.28 The most recent evidence and public consultation responses gathered in respect of Area 3 shows that the A660 corridor still experiences a greater proportion of alcohol related crime and antisocial behaviour than the rest of the Hyde Park/Woodhouse area. The police attribute this trend to the high concentration of licensed venues in the area. There are also worrying signs that displacement of problems may be taking place as evidenced by the strong responses received during the consultation process about public nuisance problems and alcohol fuelled anti social behaviour and criminal damage.

7.29 It appears that the proximity of the Headingley area and its significant concentration of venues coupled with the growing number of premises licensed into the early hours of the morning to the north of the city centre and along the A660 corridor is causing problems related to the licensing objectives. The evidence suggests that there is likely to be movements of inebriated people who may have a tendency to loud and disorderly behaviour late at night, either travelling into the city centre from Headingley, or travelling out of the city centre towards Headingley. The council takes the view that the existing policy should be retained as follows to ensure that these problems are not allowed to worsen.

It is the council's policy in respect of Area 3 that, on receipt of relevant representations, necessary conditions will be applied to all premises licences in the area to ensure that the problems experienced in Areas 1 and 2 are not displaced into Area 3.

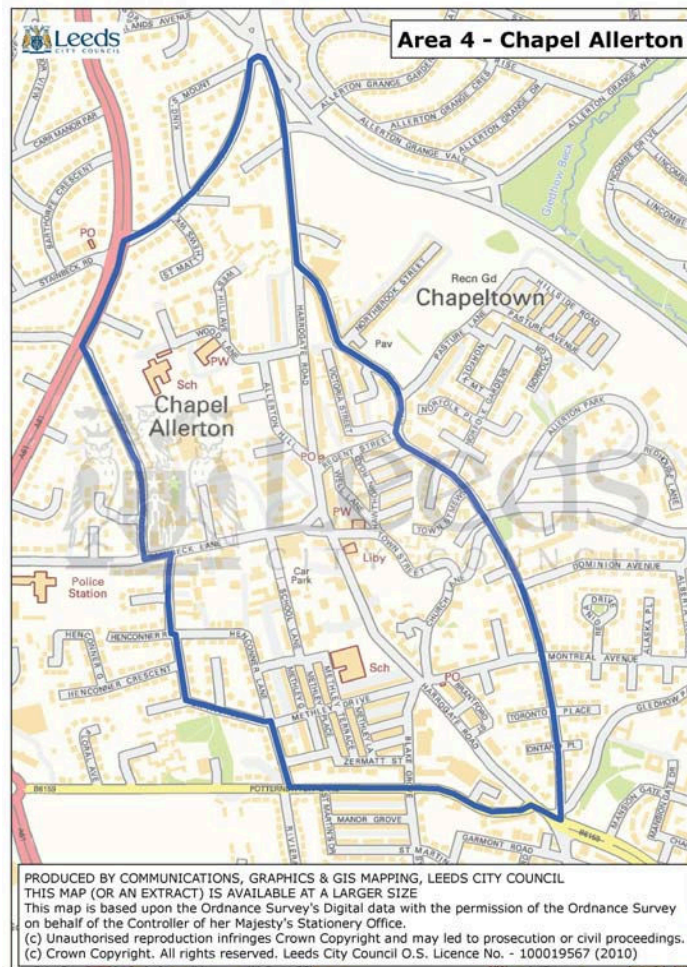
Such conditions might include (but are not limited to):

- Restriction of hours
- Restriction of capacity

Or the Authority may refuse to grant the licence or variation sought due to the impact on the licensing objectives.

#### Area 4 – Chapel Allerton

7.30 Area 4 relates to the Chapel Allerton district of Leeds as defined within the blue boundary.

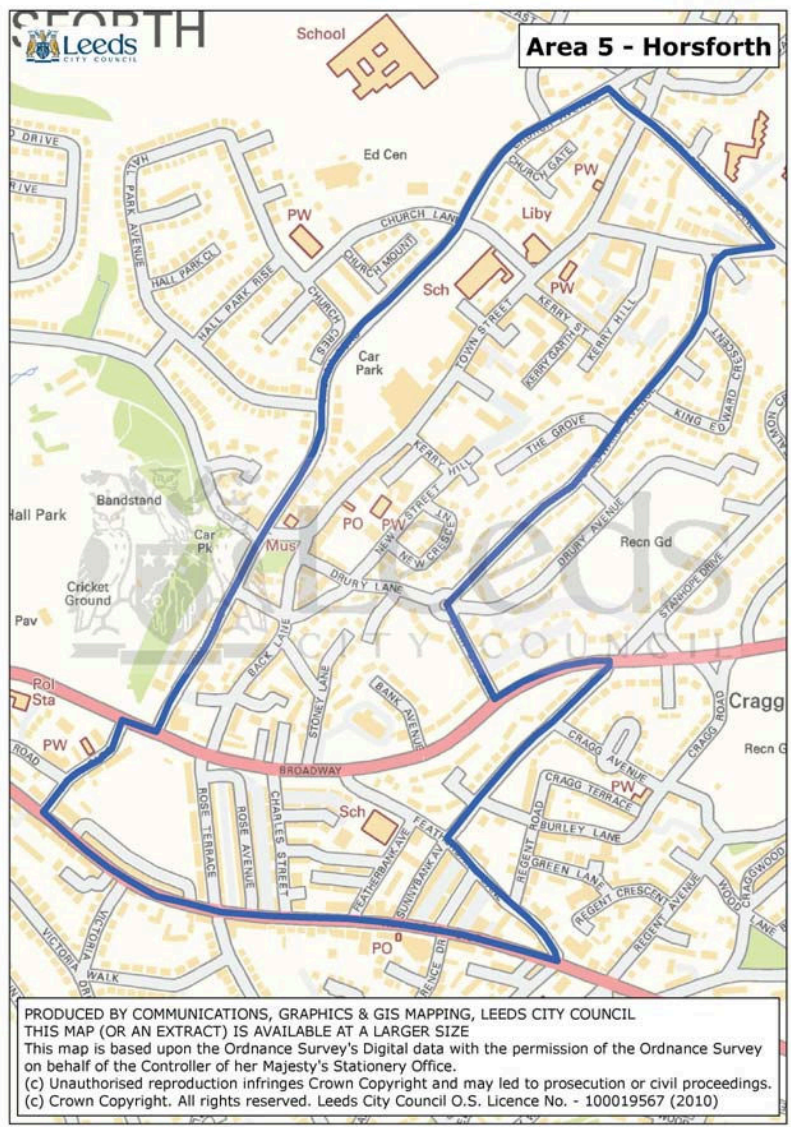


- 7.31 The Chapel Allerton CIP has performed well in the four years since its inclusion in the Statement of Licensing Policy. However, over the past four years residents of Chapel Allerton have noticed an increase in the amount of takeaway litter. There is also a concern relating to premises applying to vary their licence to increase the licensed area of their premises. In some cases this includes altering conditions to allow the use of the outside area to facilitate smokers following the smoking ban. This has a knock on effect on nuisance issues.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

**Area 5 - Horsforth**

- 7.32 Area 5 relates to the Horsforth district of Leeds centred on Town Street. It includes all areas inside the blue boundary, but also the premises on the south side of New Road Side.





- 7.33 Since the adoption of the Horsforth CIP the council has recognised that the accumulation of licensed premises along New Road Side has contributed to public nuisance in that area, especially as it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. As a consequence this area has been included in the cumulative impact area for Horsforth.
- 7.34 Horsforth has also experienced creep in licensed hours in the area. The council has noted that although it received no new applications for premises licences it did receive 8 variations in the same time period.
- 7.35 Concern has been expressed by residents about the litter nuisance and public nuisance caused by takeaway premises. The council has received a number of complaints relating to litter and odour nuisance that can be related to takeaway premises.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 5 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

### Applications

- 8.1 Applications must be made to the council in the form prescribed by Regulations. Guidance is available to applicants setting out the detail of the process.

### The Licensing Committee

- 8.2 The council has appointed a licensing committee of 15 Councillors. Licensing functions will often be delegated to a licensing sub committee of 3 Councillors or, in appropriate cases to officers of the council.
- 8.3 Councillors will have regard to the Leeds City Council Code of Conduct for Members and guidance issued by the Standards Board for England. Where a Councillor who is a member of the Licensing Committee or Sub Committee has a prejudicial interest in the application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision making process in respect of that application. Members will not hear applications from within their own ward to avoid any appearance of bias.
- 8.4 A Licensing Sub Committee may refer an application to another Sub Committee or to the Licensing Committee where it is unable to deal with the application because of the number of members unable to vote on the matter in question.
- 8.5 The Licensing Committee will refer an application to the council where it is unable to deal with the application because of the number of members unable to vote on the matter in question.

### Representations and 'vicinity'

- 8.6 Representations may be made by a responsible authority or interested party (as defined by the Licensing Act 2003). The council has agreed protocols with responsible authorities and issued guidance to interested parties making representations, setting out the detail of the process. Copies of guidance notes are available on the council website or by contacting the Entertainment Licensing Section.
- 8.7 Members of the public who wish to submit a representation in regards to a licence application need to be aware that their personal details will be made available to the applicant. If they are not happy for this to occur then they should contact a local representative such as a ward/parish or town councillor or any other locally recognised body or association about submitting the representation on their behalf. The council has prepared detailed guidance on the procedure for this, which can be accessed on the council website or by contacting the Entertainment Licensing Section.
- 8.8 Where a representation is received which is not from a responsible authority the council will in the first instance make a judgement on whether it is relevant. This will involve determining whether the representation has been made by an interested party and whether or not for example, the individual resides or is involved in business "in the vicinity" of the premises concerned.
- 8.9 In making its decision on the question of vicinity the council will consider whether the individuals residence or business is likely to be directly affected by disorder and disturbance occurring or potentially occurring on those premises or immediately outside the premises.

8.10 `Relevant representations' are representations:

- about the likely effect of the premises licence on the promotion of the licensing objectives;
- are made by an interested party or a responsible authority, have not been withdrawn and, in the case of representations made by an interested party they are not in the opinion of the council, frivolous or vexatious.

8.11 Where relevant representations are made about an application the council will hold a hearing to consider them unless the council, the applicant and everyone who has made representations agree that the hearing is not necessary. Applicants and those making representations should seek, in advance of any hearing, to try to reach agreement or to narrow the areas in dispute, particularly where both are professionally represented.

8.12 Where hearings are required as a result of relevant representations, the council may extend the time limits involved in calling hearings in order to allow the parties to negotiate suitable conditions to be added to the operating schedule and avoid the need for a hearing. Such an extension of time is considered to be in the public interest.

### **Reasons for Decisions**

8.13 Every decision made by the Licensing Committee, Sub Committee or officers shall be accompanied by clear reasons for the decision.

## Section 9 Premises licences and club premises certificates (including variations)

- 9.1 An application for, or variation of a premises licence or club premises certificate must be in the form specified by regulations. The requisite fee and the required floor plan to the scale and format as prescribed by the regulations must accompany the application. The applicant for a new licence or variation of an existing licence is also required to give notice and to advertise the application in accordance with the relevant regulations.

### Operating Schedules

- 9.2 Operating schedules are the key to ensuring that the four licensing objectives are promoted. An operating schedule should include enough information to enable any responsible authority or interested party to assess whether the steps to be taken to promote the licensing objectives are satisfactory.
- 9.3 The council expects individual applicants to complete the operating schedule in a manner that is specific to the application being made in respect of those premises and the licensable activity to be carried on there rather than in general or standard terms. Information should be given to demonstrate how the individual application proposes to address and promote the licensing objectives. Applicants are referred to paragraphs 9.5 to 9.9 below which contain information on carrying out a risk assessment.
- 9.4 Any application or operating schedule not completed in accordance with the Act and the regulations may be returned to the applicant unprocessed with a request to complete the forms correctly before the application is accepted by council.

### Risk assessments

- 9.5 The council recommends that applicants complete a risk assessment of their business in order to understand what steps are required to complete the operating schedule in a manner which enables the council and Responsible Authorities and Interested Parties to assess how they will seek to promote the licensing objectives.
- 9.6 The council is aware that any risk assessment will vary according to the nature of the business. It is for applicants to decide what is appropriate in each case. To assist applicants in completing their operating schedules the council has devised a risk assessment proforma and suggested wording for conditions. A copy may be obtained from the Entertainment Licensing Section. A special risk assessment proforma designed for outdoor events and broadly based on the 'Purple Guide' (see useful reading in Appendix 2) is also available.
- 9.7 The risk assessment contains many of the key factors which the responsible authorities will be expecting applicants to meet in order to fulfil the licensing objectives. The contents are not exhaustive but the risk assessment approach will reduce the possibilities of adverse representations.
- 9.8 It is recognised that some areas of the risk assessment may duplicate issues which applicants have previously addressed in order to satisfy other legislation. Where this does occur the Operating Schedule may cross reference to such alternative documents.
- 9.9 The council recognises that it cannot insist on a risk assessment. However an applicant who decides not to complete or provide a risk assessment may face additional representations and the expense of hearings as a result. If a risk assessment is not completed then applicants will need to demonstrate how these matters have been addressed through the operating schedule provided.

## **Registered Clubs - Club Premises Certificate**

- 9.10 The Act recognises that premises to which public access is restricted and where alcohol is supplied other than for profit, give rise to different issues for licensing law than those presented by commercial enterprises selling direct to the public. For this reason qualifying clubs may apply for a Club Premises Certificate as an alternative to a premises licence.
- 9.11 A Designated Premises Supervisor and Personal Licence Holders are not required where a Club Premises Certificate is in force. However, an applicant for a Club Premises Certificate is still required to act in a manner which promotes the licensing objectives. An application for a Club Premises Certificate must be in the form prescribed by regulations.
- 9.12 Any qualifying club may choose to obtain a Premises Licence if it decides that it wishes to offer its facilities commercially for use by the public, including the sale of alcohol. Any individual on behalf of the club may also provide Temporary Events Notices (certain restrictions apply - refer to section 11). The council has issued guidance to clubs on applying for a Club Premises Certificate.

## **Community Halls**

- 9.13 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc) Order 2009 amends the Licensing Act 2003 to allow management committees of community premises to make an application for a premises licence or to vary an existing premises licence which includes an application to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder.
- 9.14 The council has issued guidance to community premises on this process which can be accessed on the council's website.

## **Minor Variations**

- 9.15 It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives.
- 9.16 The council has issued guidance on this process which can be accessed on the council's website.
- 9.17 The DCMS has also provided guidance which can be accessed on their website at <http://www.culture.gov.uk>

### Personal Licence

- 10.1 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a Personal Licence. The Act does not require the presence of a Personal Licence holder at all material times but if any sales are made when a Personal Licence Holder is not present, then they must have been authorised by somebody who holds a Personal Licence. Regardless of whether a Personal Licence holder is present or not he will not be able to escape responsibility for the actions of those he authorises to make such sales. The council recommends that authorisations for the sale of alcohol be made in writing to ensure that those authorised are clear what their legal responsibilities are. Any premises at which alcohol is sold or supplied may employ one or more Personal Licence holders. This paragraph should be read in conjunction with paragraphs 10.7 to 10.9 on the role of the 'Designated Premises Supervisor'.
- 10.2 The council recognises it has no discretion regarding the granting of personal licences where
- the applicant is 18 or over,
  - possesses a licensing qualification,
  - has not had a licence forfeited in the last five years and
  - has not been convicted of a relevant offence.
- 10.3 An application for a personal licence to sell alcohol must be made in the form specified in government guidance or regulations. The application form must be accompanied by the requisite fee. The applicant should also be able to produce evidence of the relevant qualifications.
- 10.4 Applicants should produce a Criminal Record Bureau certificate along with the application form. The certificate must be current and comply with the regulations on personal licence applications. Applicants are also expected to make a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or a similar offence.
- 10.5 Where the application discloses relevant unspent convictions the council will notify the police of that application and the convictions. The police may make objection on the grounds of crime and disorder. If an objection is lodged a hearing must be held.
- 10.6 The council will, at such a hearing, consider carefully whether the grant of the licence will compromise the promotion of the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The council will normally refuse the application unless there are exceptional and compelling circumstances which justify granting it.

### Designated Premises Supervisor

- 10.7 An applicant for a Premises Licence which includes the sale and supply of alcohol must nominate a Designated Premises Supervisor (DPS). That person will normally have been given day to day responsibility for running the premises. The DPS will also be in possession of a Personal Licence. The Act does not require the presence of the DPS at all material times.
- 10.8 The DPS will be readily identifiable on the premises as a person in a position of authority. No sale or supply of alcohol may be made at a time when no DPS has been specified on the licence or at a time when the DPS does not hold a Personal Licence.
- 10.9 This section should be read in conjunction with paragraphs 10.1 to 10.6 about the 'Personal Licence'.

## Section 11 Temporary event notices

11.1 Temporary event notices are subject to various limitations. These are concerned with:

- duration - they are limited to events lasting for up to 96 hours and to a total of 15 days in one year, at the same premises or any part of the same premises;
- scale – they cannot involve the presence of more than 499 people at any one time;
- use of the same premises – the same premises cannot be used more than 12 times in a single period of 12 months;
- the number of notices given by one individual within a given period of time (a personal licence holder is limited to 50 notices in one year, and an ordinary person to five notices in a similar period)

Unless the event proposed falls within these criteria, a premises licence will be required.

11.2 The most important aspect of the system of temporary event notices is that no permission is required for these events from the council. In general, only the police may intervene to prevent such an event or modify the arrangements for such an event. The council will only intervene itself if the limits on the number of notices that may be given in various circumstances would be exceeded.

11.3 Many premises users giving temporary event notices will not have commercial backgrounds or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, all of which may stage public events to raise funds, at which licensable activities will take place. The council will ensure that local guidance about the temporary permitted activities is clear and understandable and will strive to keep the arrangements manageable and user-friendly for such groups.

11.4 Ten working days is the minimum possible notice that must be given (excluding the day of the event itself). The council would encourage notice providers to give the earliest possible notice of events likely to take place. This is particularly relevant to events which are to take place in the open air or in a temporary structure. In these cases applicants are referred to paragraphs 6.37 to 6.42 for details of how assistance with the planning of events can be provided through multi agency forum meetings.

11.5 The council will provide local advice about proper respect for the concerns of local residents; of other legislative requirements regarding health and safety, noise pollution, the building of temporary structures, or other necessary permissions, and of the powers to close down events with no notice on grounds of disorder, the likelihood of disorder or noise emanating from the premises.

### Police intervention

11.6 The Act provides that in exceptional circumstances, the police may issue an objection notice because they believe the event would undermine the crime prevention objective set out in the Act. The police must issue any objection notice within two working days of being notified, but they can subsequently withdraw the notice. The issuing of such an objection notice requires the consideration of the objection by the council at a hearing.

11.7 The council may only consider the objective of the prevention of crime and disorder at such a hearing.

11.8 The ability of police to serve such a notice is a further reason why event organisers are strongly encouraged by the council not to rely on giving the minimum amount of notice and to contact their local police at the earliest possible opportunity about their proposals.

## **Additional limitations**

11.9 The council, on receiving temporary event notices, will also check that the requirements of the Act as to duration and numbers of notices are met. For these purposes, a notice is treated as being from the same premises user if an associate gives it.

11.10 The Act defines an associate as being:

- the spouse of that person;
- a child, parent, grandchild, grandparent, brother or sister of that person or their spouse; or
- an agent or employee of that person or their spouse.

11.11 A person living with another person as his or her husband or wife is treated for these purposes as his or her spouse.



## Section 12 Promotion of the licensing objectives

12.1 The council will carry out its functions under the Licensing Act 2003 with a view to promoting four licensing objectives. These are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each objective is of equal importance, and the four objectives will be paramount considerations for the council at all times.

12.2 It is for the applicant to decide what, if any, measures to suggest in its operating schedule in order to address any potential concerns that might arise in the promotion of the licensing objectives. Applicants are reminded that measures proposed in the Operating Schedules will be converted into conditions on their licence.

12.3 The council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.

12.4 Applicants are reminded that responsible authorities or interested parties may make representations if they feel that the applicant's proposals do not adequately promote the licensing objectives. An applicant who proposes no measures to promote the licensing objectives may therefore face more representations than an applicant who risk assesses their operation and proposes necessary and proportionate measures.

12.5 The council recommends early consultation with responsible authorities. Many responsible authorities have produced guidance which applicants can take into account when assessing whether they need to include any measures in their application to promote the licensing objectives. In addition, many responsible authorities would be prepared to discuss matters on site with an applicant with a view to reaching agreement on measures to be proposed. Contact details for the responsible authorities can be found at Appendix 1 of this Policy. Guidance issued by the responsible authorities can be found on the council's website, [www.leeds.gov.uk/licensing](http://www.leeds.gov.uk/licensing) or by contacting the Entertainment Licensing Section. Applicants should also read paragraphs 9.5 – 9.9 regarding risk assessments.

### Crime and Disorder

12.6 Under the Crime and Disorder Act 1998, the council must exercise its functions, having regard to the likely effect on Crime and Disorder in its area, and must do all it can to prevent Crime and Disorder.

12.7 Where its discretion is engaged, the council will seek to promote the licensing objective of preventing crime and disorder in a manner which supports the Leeds Community Safety Strategy, and any local crime reduction strategy.

12.8 There are many steps an applicant may take to prevent crime and disorder. The council will look to the Police for the main source of advice on these matters. In accordance with paragraph 2.16 of the Secretary of State's Guidance, Police views on matters relating to crime and disorder will be given considerable weight.

12.9 If relevant representations are made, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave.

12.10 Conditions will be targeted on deterrence and the prevention of crime and disorder.

The council may consider:

- The need for and location of CCTV cameras.
- The need for door supervision.
- The need for a text or radio pager system allowing communication between premises and with the Police.
- Conditions setting capacity limits where this is necessary to prevent overcrowding likely to lead to disorder and violence.
- Membership of a recognised pub watch or similar scheme.

12.11 Crime and disorder conditions will not seek to control adult entertainment involving striptease and lap dancing, which will be governed by laws in relation to indecency and obscenity. However, conditions for such adult entertainment may be imposed for reasons of public safety, or the protection of children from harm.

### **Public Safety**

12.12 The public safety objective is concerned with the physical state of people using the premises, and not with public health. Public safety includes safety of performers appearing at any premises.

12.13 On 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. The council will not seek to impose fire safety conditions as conditions on licences where the Order applies.

12.14 Capacity limits will only be imposed where necessary for the promotion of public safety or for reasons of crime and disorder. Capacity limits will not be imposed as a condition of the licence on fire safety grounds.

12.15 Applicants are advised to consult with the Environmental Health, Health and Safety Team, who can offer advice as to appropriate measures to be included in risk assessments, and potentially in operating schedules.

12.16 On receipt of relevant representations the council will have regard to the views of the Health and Safety Team.

12.17 Conditions requiring possession of certificates on the safety or satisfactory nature of equipment or fixtures on premises will not normally be imposed as those are dealt with by other legislation.

12.18 However, if it is considered necessary in light of the evidence on each individual case, conditions may be imposed requiring checks on the equipment to be conducted at specified intervals, and evidence of the checks to be retained.

12.19 Conditions may also seek to require equipment of particular standards to be maintained on premises.

12.20 Special considerations will apply to night clubs and similar venues. Applicants are encouraged to consider the Safer Clubbing Guide published by the Home Office and DCMS, which gives advice on these issues.

12.21 Special events in the open air or temporary structures raise particular issues. Applicants are referred to paragraphs 6.37 to 6.42 of this document where guidance on holding these types of event is given.

## **Public Nuisance**

- 12.22 In considering the promotion of this licensing objective, applicants need to focus on the impact of licensable activities on persons living and working in the vicinity to the extent that those impacts are disproportionate and unreasonable.
- 12.23 Issues will mainly concern noise nuisance, light pollution, noxious smells and litter. These include issues arising from the implementation of the smoking ban where customers may now be more inclined to use external areas of premises.
- 12.24 Public nuisance in this context is not narrowly defined and can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting the whole community.
- 12.25 Where applicants are completing operating schedules the council encourages them to have regard to the location of the proposed or actual premises, and in particular whether proposals may have a disproportionate impact in dense residential areas or near to sensitive premises such as nursing homes, old people's accommodation, hospitals, hospices or places of worship.
- 12.26 Applicants are recommended to consult Environmental Health Services for advice on measures that may need to be incorporated into an operating schedule.
- 12.27 If relevant representations are made, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave. The council considers that patrons who are using external smoking areas or shelters are there as a direct result of the licensed premises and are within the control of the licensee.
- 12.28 The council will consider whether issues relating to public nuisance can be dealt with by necessary and appropriate conditions. These conditions will normally focus on the more sensitive periods, for example, noise from premises in the late evening or early morning when residents may be attempting to sleep.
- 12.29 When considering such matters, the council will have regard to representations made by Environmental Health Services, and by local residents.
- 12.30 The council may consider the following matters:
- Whether doors and windows are kept closed after a particular time.
  - Whether other noise control measures such as acoustic curtains or other speaker mounts are required.
  - The fact that lighting outside the premises may help to prevent crime and disorder, but may give rise to light pollution for neighbours.
  - Signs placed at the exit to buildings can encourage patrons to be quiet until they leave the area, and to respect the rights of residents.
  - The size and location of smoking areas and any facilities provided may encourage patrons to use the external areas more extensively than for just smoking and returning to the inside of the premises
  - Provision of litter bins in the vicinity of premises serving hot food after 11pm.
  - Display of contact details or a direct telephone link to a private hire/taxi firm.
- 12.31 The council recognises that it is necessary to balance the rights of local residents businesses and others with those wishing to provide licensable activities, and those who wish to use such facilities.

12.32 Ultimately if it is necessary for the prevention of public nuisance where conditions do not adequately address the issues an application can be refused.

### **Protection of children from harm**

12.33 The protection of children from harm includes protection from physical and psychological harm.

12.34 The council notes that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed unless there is good reason to restrict entry or exclude children completely.

12.35 Issues about access of children to premises may give rise to concern:

- where adult entertainment is provided;
- where there have been convictions of the current management for serving alcohol to minors;
- where the premises have a reputation for allowing under-age drinking;
- where requirements of proof of age is not the norm;
- where premises have a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where the supply of alcohol consumption on the premises is the exclusive or primary purpose of the services provided.

12.36 Such situations can be identified through a risk assessment of the operation. In these circumstances, applicants are advised to consider offering appropriate conditions through their operating schedule.

12.37 In addition, licensees may identify that the access of children to particular parts of the premises poses more risk than others, and seek only to exclude children from areas of highest risk.

12.38 On receipt of relevant representations, the council will consider whether conditions are necessary. If conditions are necessary these may include.

- limitations on the hours when children will be present;
- limitation upon the presence of children of certain ages when specified activities are taking place;
- limits on the parts of the premises to which children may have access;
- age limitations;
- limitations or exclusions only when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under the age of 18 when any licensable activities are taking place.

12.39 In such cases, representations by the Safeguarding Children Board and the Police will be given considerable weight where they address issues regarding the admission of children.

12.40 It is mandatory for premises who sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25/Check 25 type schemes and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.

12.41 No condition will be imposed by the council requiring the admission of children to any licensed premises.

## Section 13 Enforcement and reviews

- 13.1 The Licensing Act contains stringent safeguards to ensure that the council, and responsible authorities, are able to deal with premises that wilfully and persistently undermine the licensing objectives. The council and responsible authorities are committed to encouraging a thriving day time and evening licensed economy but will not tolerate those premises whose activities infringe upon the quality of life for local residents and businesses.
- 13.2 The council has established a multi agency enforcement protocol which sets out the framework for the risk based enforcement of the Licensing Act 2003 following the principles of better regulation advocated by the Better Regulation Executive. The protocol allows for carrying out of inspections with the police, the fire authority and other relevant agencies.
- 13.3 The enforcement protocol's mission statement is to protect the public, interested parties and the environment from harm caused as a result of activities made licensable by virtue of the Licensing Act 2003.

### Prosecution of breaches

- 13.4 In accordance with the enforcement protocol, the council adopts a multi-agency approach to the prosecution of offences under the Licensing Act.
- 13.5 Consideration will be given to the appropriate powers that should be used to address a problem where other agencies such as the police, fire authority, environmental protection and trading standards also have their own powers.
- 13.6 The council has adopted the principles of the Hampton Report in its enforcement concordat. Formal enforcement will be a last resort and proportionate to the degree of risk. To this end the key principles of consistency, transparency and proportionality will be maintained.
- 13.7 The council has a zero tolerance to anti social behaviour and environmental crime.

### Reviews of Licences

- 13.8 The council recognises that the ability of an interested party, the police and other responsible authorities to apply for a review of a premises licence, is an incentive to effective self regulation.
- 13.9 On receipt of a relevant request to carry out a review the council has a range of options available to it under the Act. These include:
- To modify the conditions of the licence including imposing new conditions, altering existing conditions or removing conditions (permanently or temporarily)
  - To exclude a licensable activity from the scope of the licence (permanently or temporarily)
  - To remove the Designated Premises Supervisor
  - To suspend the licence for a period not exceeding three months
  - To revoke the licence
- 13.10 The council will seek to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.
- 13.11 The council has agreed protocols with responsible authorities and published guidance on the review process for interested parties.
- 13.12 Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the council must carry out a review of the licence.

- 13.13 Where a Magistrates Court makes a Closure Order under part 1 of the Anti Social Behaviour Act 2003 (on grounds of the use, supply or production of Class A drugs associated with disorder or serious nuisance) the police will usually ask the council to carry out a review of the licence
- 13.14 Where a closure order has been made under part 6 of the Anti Social Behaviour Act 2003 (on grounds of noise) the council's Environmental Health section will normally request a review of the licence.

### **Matters to be considered**

- 13.15 When considering a review request or the possibility of enforcement action the council will take into account all relevant circumstances but will view the following matters particularly seriously:
- use of the premises for criminal activities such as the supply of drugs or money laundering
  - failure to promptly respond to a warning properly given by a responsible authority
  - previous convictions for licensing offences
  - previous failure to comply with licence conditions.

### **The Violent Crime Reduction Act 2006**

- 13.16 The Violent Crime Reduction Act 2006 has amended parts of the Licensing Act 2003 and now expands police and council powers to deal with problem premises in a more expedient manner.
- 13.17 A new power to carry out summary reviews in serious cases of crime and disorder is brought in at section 53A of the Licensing Act 2003. Where a review application is accompanied by a certificate issued by a senior police officer, the Licensing Authority is required within 48 hours to consider whether it is necessary to take any interim steps pending the completion of the review process. This may include the immediate suspension of the premises licence.

## Appendix 1 – Contact Information

### Leeds City Council Licensing Section

Entertainment Licensing  
Civic Hall  
Leeds  
LS1 1UR

Telephone: 0113 247 4095  
Fax: 0113 224 3885  
Email: [entertainment.licensing@leeds.gov.uk](mailto:entertainment.licensing@leeds.gov.uk)  
Website: [www.leeds.gov.uk/licensing](http://www.leeds.gov.uk/licensing)

### Responsible Authorities

<p><b>West Yorkshire Police</b> Robert Patterson Leeds District Licensing Officer Millgarth Police Station Leeds LS2 7HX T: 0113 241 4023 <a href="mailto:bob.patterson@westyorkshire.pnn.police.uk">bob.patterson@westyorkshire.pnn.police.uk</a></p>	<p><b>West Yorkshire Fire and Rescue Service</b> Leeds Fire Station Kirkstall Road Leeds LS3 1NF T: 0845 155 0595 <a href="mailto:Leeds.district@westyorksfire.gov.uk">Leeds.district@westyorksfire.gov.uk</a></p>
<p><b>Leeds City Council City Development Department</b> Leeds City Council Planning and Development Services The Leonardo Building 2 Rossington Street Leeds LS2 8HD T: 0113 247 8000</p>	<p><b>Leeds City Council Health and Environmental Action Service</b> Millshaw Office Millshaw Park Way Churwell Leeds LS11 0LS T: 0113 222 4406 <a href="mailto:Env.health@leeds.gov.uk">Env.health@leeds.gov.uk</a></p>
<p><b>West Yorkshire Trading Standards</b> Licensing Team PO Box 5 Nepshaw Lane South Morley Leeds LS27 0QP T: 0113 253 0241 <a href="http://www.ts.wyjs.org.uk">www.ts.wyjs.org.uk</a></p>	<p><b>Children and Young People Social Care</b> Safeguarding &amp; Reviewing 4<sup>th</sup> Floor East Merrion House 110 Merrion Centre LS2 8QB</p>
<p><b>Health and Safety Executive</b> Marshalls Mill Marshall Street Leeds LS11 9YJ Tel: 0113 283 4200</p>	<p><b>Leeds City Council Health &amp; Safety Team</b> Health and Environmental Action Service Millshaw Office Millshaw Park Way Churwell Leeds LS11 0LS T: 0113 247 7791 <a href="mailto:Env.health@leeds.gov.uk">Env.health@leeds.gov.uk</a></p>

## Appendix 2 – Further Reading and Useful Information

- The Licensing Act 2003
- Guidance issued under section 182 of the Licensing Act 2003 available on the DCMS Website at [www.culture.gov.uk](http://www.culture.gov.uk)
- The Event Safety Guide – A guide to health safety and welfare at music and similar events (HSE 1999) (“The Purple Guide”) ISBN 0 7176 2453 6 (due to be updated in 2010)
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804
- The Guide to Safety at Sports Grounds (The Stationery Office, 1997)(“The Green Guide ”) ISBN 0 11 300095 2
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained through [www.streetartsnetwork.org](http://www.streetartsnetwork.org)
- The Portman group website at [www.portman-group.org.uk](http://www.portman-group.org.uk)
- The British Beer and Pub Association at [www.beerandpub.com](http://www.beerandpub.com)
- The Alcohol Harm Reduction Strategy for England, March 2004. To check availability of hard copies of the report, please contact the Strategy Unit:  
[strategy@cabinet-office.x.gsi.gov.uk](mailto:strategy@cabinet-office.x.gsi.gov.uk), t: 020 7276 1881. [www.strategy.gov.uk](http://www.strategy.gov.uk)
- Government website aimed at tackling anti-social behaviour [www.together.gov.uk](http://www.together.gov.uk)
- Safer clubbing guide available at [www.drugs.gov.uk](http://www.drugs.gov.uk)





**Produced by  
Entertainment Licensing  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR  
Tel: 0113 247 4095  
Fax: 0113 224 3885  
Email: [entertainment.licensing@leeds.gov.uk](mailto:entertainment.licensing@leeds.gov.uk)  
Web: [www.leeds.gov.uk/licensing](http://www.leeds.gov.uk/licensing)**

# Final Consultation Report

Statement of Licensing Policy  
2011 – 2013

Licensing Act 2003

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## Executive Summary

This report details the findings of the public consultation on Leeds City Council's Licensing Act 2003 Statement of Licensing Policy.

A review was undertaken on the existing policy and three minor amendments were proposed relating to minor variations, community halls and age verification policies.

A more detailed review of Section 7 – Cumulative Impact Areas was undertaken with involvement with ward members, West Yorkshire Police, Crime and Disorder Reduction Partnership and the responsible authorities. Statistics relating to antisocial behaviour, rowdy behaviour and nuisance were gathered which informed proposed changes to the CIPs.

The public consultation will take place between 12<sup>th</sup> July and 1<sup>st</sup> October which was a twelve week consultation period. Officers analysed the consultation responses and produced a final draft which will be presented to Executive Board and full Council in November.

The final Statement of Licensing Policy must be published by 7<sup>th</sup> January 2011.

## Introduction

The Licensing Act 2003 came into force in 2005 and brought the licensing of sale of alcohol, regulated entertainment and late night refreshment into one system. Leeds City Council became the licensing authority for premises in the Leeds area and the system is administered by the council's entertainment licensing section.

As part of the Licensing Act 2003 there is a requirement placed on licensing authorities to develop a statement of licensing policy which describes the principles the council will use when determining licences under the Act.

### Background

We developed and consulted upon the Leeds City Council Statement of Licensing Policy in 2005 and reviewed it in 2007 for the period 2008-2010. We are required to review the policy on a three yearly basis and it is due for review again this year.

An initial review determined that the policy only required minor amendments to reflect recent changes within the Licensing Act 2003. These amendments were made and a draft policy was distributed to the responsible authorities. No comments have been received on these minor changes.

In 2007 the council made a commitment to thoroughly review the cumulative impact policies (CIPs) that affect the city centre, Headingley, Hyde Park, Chapel Allerton and Horsforth at the next review of the policy in 2010. This review was started in February 2010 and involved consultation with ward members, West Yorkshire Police and Leeds City Council's City Development Department. The concerns of the residents were taken into consideration (via the relevant ward members) as well as statistics provided by West Yorkshire Police and Leeds City Council's Health and Environment Action Service.

The five existing CIPs were scrutinised and amendments were agreed which generally increased the areas involved and, in some cases, increased the scope to include other premises which have created an adverse impact on those areas.

The Council presented these changes in a public consultation.

### Purpose of the Statement of Licensing Policy

The purpose of the policy is to set out the principles upon which the licensing authority will exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the Licensing Authority will refer to the policy when making decisions.

### Purpose of the consultation

It is a requirement of the Licensing Act 2003 that licensing authorities consult with people affected by the policy. Specifically the Act states:

Before determining its policy for a three year period, a licensing authority must consult –

- (a) the chief officer of police for the licensing authority's area,
- (b) the fire authority for that area,
- (c) such persons as the licensing authority considers to be representative of holders of premises licence issued by that authority

- (d) such persons as the licensing authority considers to be representative of holders of club premises certificate issued by that authority,
- (e) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- (f) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

### **Consultation Methodology**

In order to meet the requirements of the Act the council has undertaken the following steps:

1. Undertook an officer review of the policy, made a number of amendments and resolved to thoroughly review the CIPs to ensure they are still relevant and proportional regarding the issues experienced in those areas.
2. Held a series of meetings with the relevant ward members, officers from West Yorkshire Police, officers from City Development, including local planning officers, forward planning and regeneration and the Crime and Disorder Reduction Partnership.
3. Scrutinised crime figures relating to rowdy behaviour, anti-social behaviour and violent crime.
4. Scrutinised Environmental Health nuisance figures relating to noise nuisance and littering.
5. Examined data relating to the number of new and variation applications.

This work produced a first draft of the revised policy which was sent to all the responsible authorities for comment. It was also sent to the ward members who were involved in the review. This consultation took place between 9<sup>th</sup> and 30<sup>th</sup> June. The council did not receive any comments.

The public consultation ran from 12<sup>th</sup> July to 1<sup>st</sup> October 2010. This consultation included:

- A postal consultation to the trade, support groups, religious groups, ward members and local MPs.
- A press release
- Copies of the policy and the public consultation report placed in libraries, one stop shops and leisure centres for the public to access along with postage paid envelopes and a short questionnaire.
- A webpage on the Leeds City Council website which provided the consultation documents and online questionnaire.
- Public meetings in Horsforth, Chapel Allerton and Headingley to discuss the changes to the CIPs.
- Attendance at PubWatch meetings in Headingley to consult with the trade directly.

## Change Document

After an officer review of the policy, we added three paragraphs which reflect changes in the law.

### Community Halls

- 9.13 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc) Order 2009 amends the Licensing Act 2003 to allow management committees of community premises to make an application for a premises licence or to vary an existing premises licence which includes an application to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder.
- 9.14 The council has issued guidance to community premises on this process which can be accessed on the council's website.

### Minor Variations

- 9.15 It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives.
- 9.16 The council has issued guidance on this process which can be accessed on the council's website.
- 9.17 The DCMS has also provided guidance which can be accessed on their website at <http://www.culture.gov.uk>

### Age Verification Policy

- 12.40 It is mandatory for premises who sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25/Check 25 type schemes and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.

## Section 7 – Cumulative Impact Policies

We reviewed the introductory section which explains what a cumulative impact policy is. We wanted to provide some clarity about what cumulative impact policies are. This section also gives advice to applicants on how applying for a licence for a premises may need to be different is that premises is in a cumulative impact area.

Deleted:

- 7.3 The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. Any policy adopted from time to time on the cumulative impact of licensed premises will impose restrictions only to the extent that they are justified by the available evidence having regard to the Guidance issued by the Secretary of State.



Added:

- 7.4 A cumulative impact policy creates a rebuttable presumption that applications within the cumulative impact areas for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received.
- 7.5 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.
- 7.6 To assist this process applicants are encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued under section 182 of the Act.
- 7.7 Despite the presumption against grant, responsible authorities and interested parties will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy. For example, if no representation is received, the application must be granted subject to any conditions that are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003. Responsible authorities and interested parties can make written representation referring to information which had been before the council when it developed its statement of licensing policy.
- 7.8 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

Deleted:

- 7.4 The council is applying a special cumulative impact policy to five areas of the Leeds district. Namely the city centre (Area 1), Headingley (Area 2), and also to the A660 corridor (Area 3) which runs through the Hyde Park/Woodhouse area joining the city centre policy with the Headingley policy. In addition the council is also applying a special cumulative impact policy to a defined area of Chapel Allerton (Area 4) and to Horsforth (Area 5).

Added:

- 7.9 The council has applied a cumulative impact policy to five areas of the Leeds district:
- the city centre (Area 1)
  - Headingley (Area 2)
  - Hyde Park/Woodhouse (Area 3)

- Chapel Allerton (Area 4)
- Horsforth (Area 5)

Deleted

7.5 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas are, and in respect of areas 1 to 4, which were identified in the council's previous statement of Licensing Policy, continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

Added

7.11 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

Deleted

7.6 A summary of the evidence of the problems being experienced in these areas is given in the cumulative impact policy below. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

Added

7.12 A summary of the evidence of the problems being experienced in these areas is provided at Appendix 3. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

After consulting with ward councillors, West Yorkshire Police, Health and Environmental Action Service, City Development and the Crime and Disorder Reduction Partnership, the council has made changes to the cumulative impact policies in the city centre, Headingley, Chapel Allerton and Horsforth.

These policies, which seek to reduce the impact of licensed premises on specific areas, have been extended to include surrounding areas which the evidence shows are suffering from the accumulation of certain types of premises. The scope of several CIPs has been extended to include other types of premises and the wording of the policies has been simplified to remove ambiguity.

## **Area 1 – City Centre**

### Summary of proposed changes

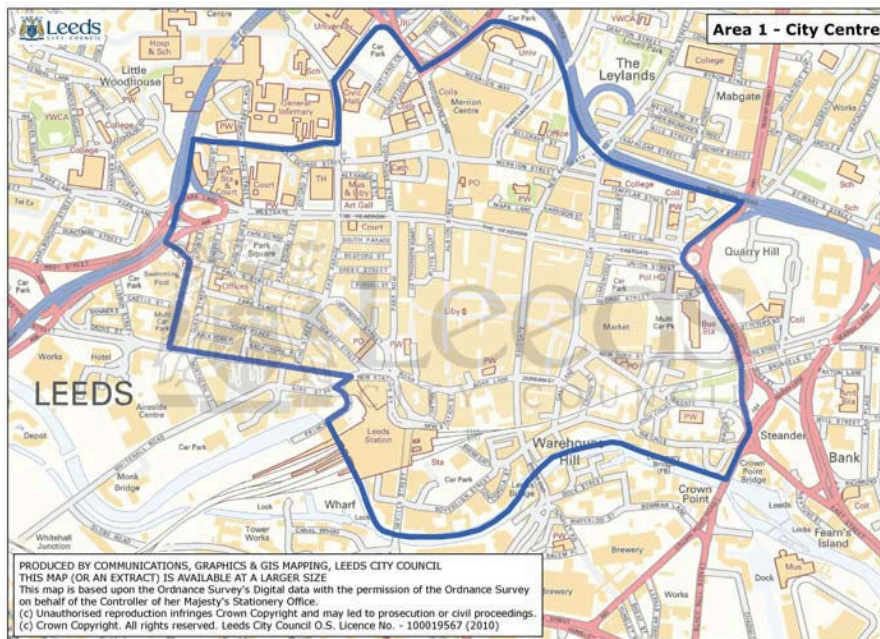
1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.

2. Increase the scope of the policy to include all premises licensed for the sale of alcohol and remove the restriction that the CIP only applies to late night vertical drinking establishments.
3. Clarify that all applications (new and variation) are included within the scope of the CIP.

Proposed Text

Area 1 as defined on the map relates to the city centre.

Fig 1



In the five years since the cumulative impact policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:

1. Call Lane, Boar Lane and the area behind the Corn Exchange
2. Woodhouse Lane, Merrion Way and Wade Lane
3. The east end of The Headrow and New Briggate

Other areas of concern include the Eastgate area and Briggate.

The council has noticed an increase in applications for premises licences in the Park Square area. It is feasible that this is due to displacement from the East Parade/Greek Street/Park Row part of the cumulative impact policy.

On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots and the Park Square area.

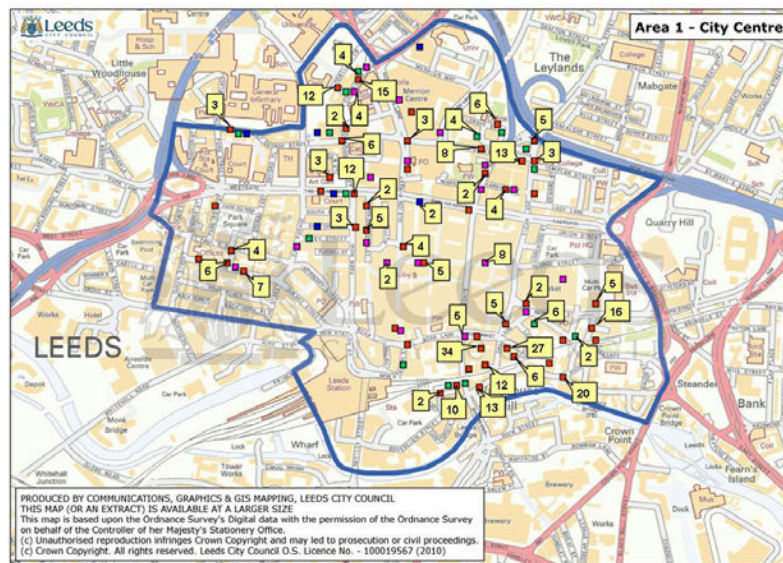
In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led licensed premises can contribute to crime and disorder in the area, not just those that are classified as "high volume vertical drinking" establishments.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

## Evidence

Fig 2



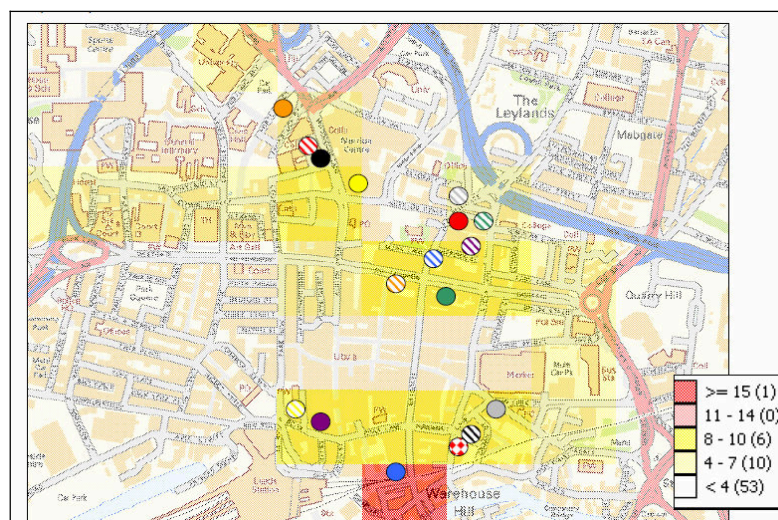
**Nuisance reports in Area 1 (2005 – 2010)**

Fig 2 shows the number and location of nuisance reports received by Leeds City Council, relevant to licensed premises in Area 1 since 2005.

Police analysis has shown the following key findings relating to serious crime in Area 1:

- 94% of serious violent offences have been committed in the night-time economy (NTE) period.
- 63% of offences committed in the NTE are affected by alcohol
- 20% of offences committed in the NTE are committed within licensed premises
- Between 2008 and 2009 incidents have increased by 26 equating to a 32% rise.

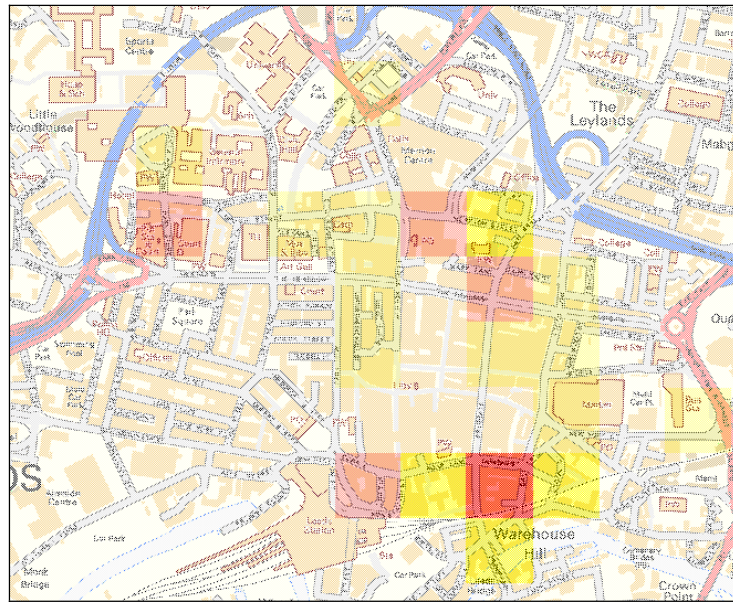
Fig 3



**Serious Violent Crime hot-spots**

Fig 3 shows density of serious violent crime offences in Area 1. The coloured dots are licensed premises however, have not been identified individually by name.

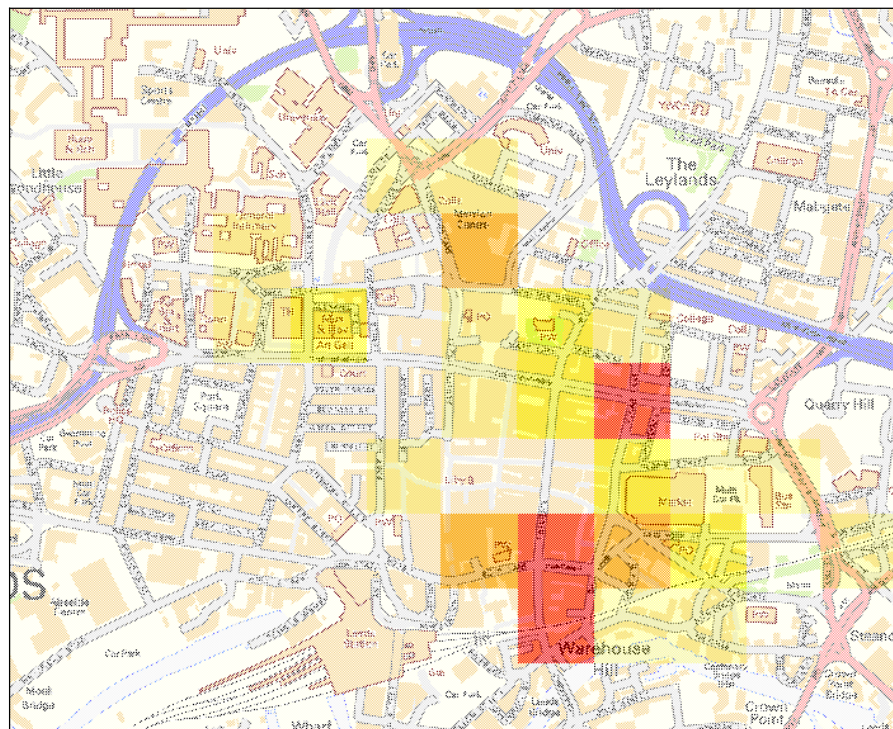
Fig 4



**Assault hot-spots**

Fig 4 shows density of assault offences in Area 1.

**Fig 5**



**Anti-Social Behaviour hot-spots**

Fig 5 shows density of anti-social behaviour offences in Area 1.

The current CIP for Area 1 (Licensing Act 2003 Statement of Licensing Policy 2008-2010) does not cover large parts of the city centre which currently suffer from nuisance and crime attributable to licensed premises.

NB: The key findings and maps relating to crime in Area 1 have been extracted from a restricted report from West Yorkshire Police. If you wish to view a full copy of this

report, please contact the Entertainment Licensing Section of Leeds City Council, and we will liaise with West Yorkshire Police and advise whether it can be released in full.

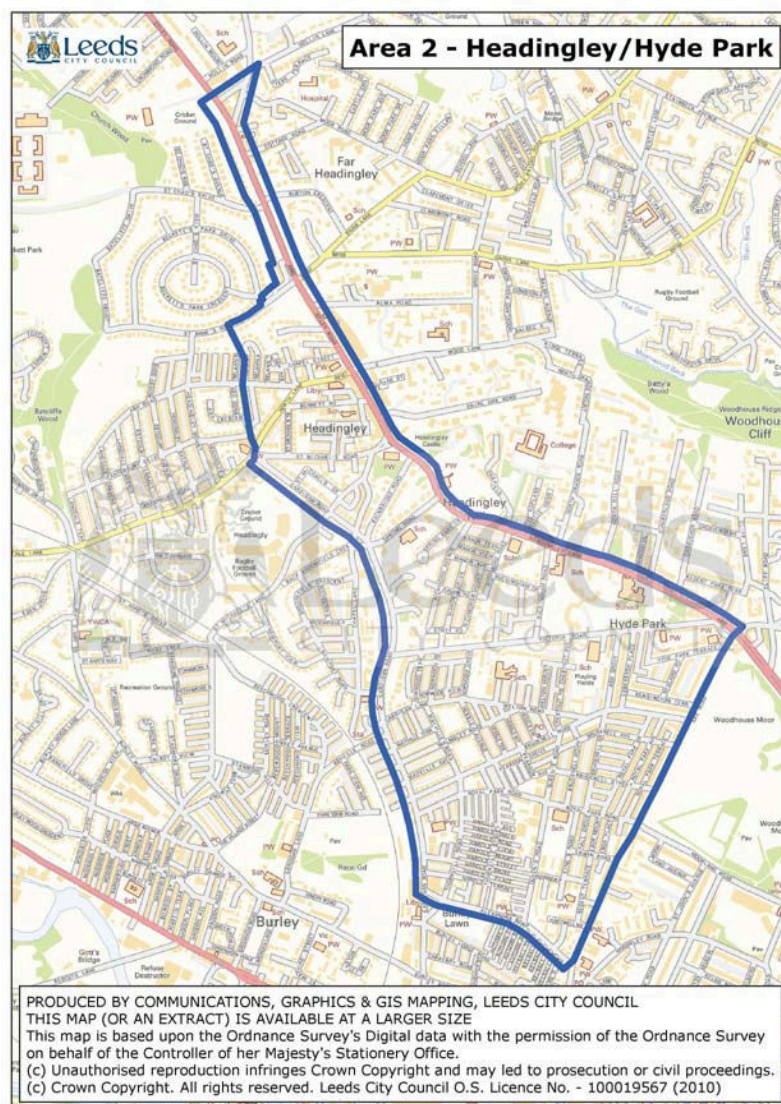
## Area 2 – Headingley/Hyde Park

### Summary of proposed changes

1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.
2. Increase the area to include the Hyde Park area.
3. Include variation applications within the scope of the CIP.
4. Change of name to reflect the increased area.

### Proposed Text

Area 2 relates to the Headingley district of Leeds.



The Headingley cumulative impact policy was put in place in 2005 and has worked well in ensuring that the adverse effect of an accumulation of licensed premises in Headingley has not increased.

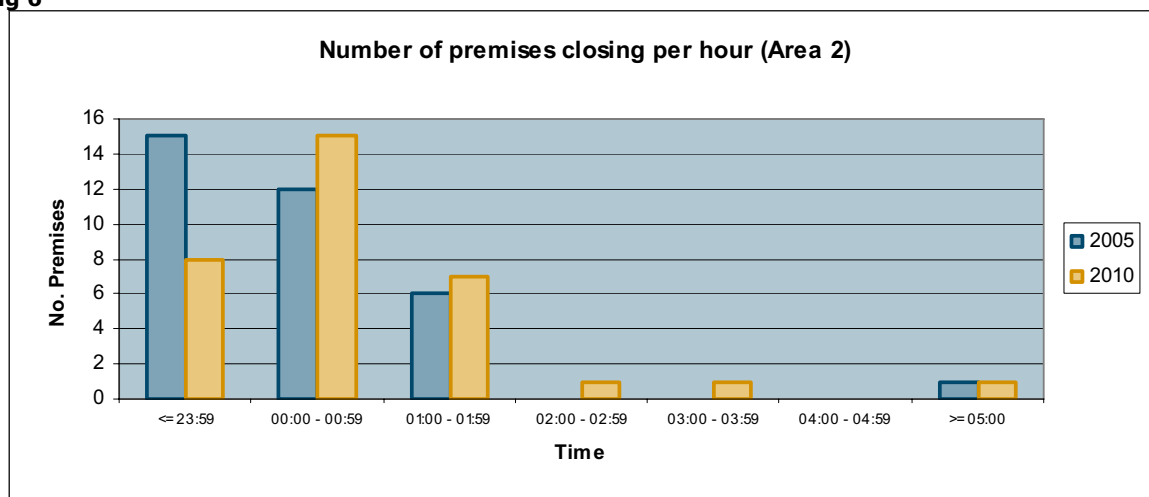
There have been ongoing problems, both public nuisance and anti-social behaviour in the Hyde Park area which can be attributed to licensed premises. For this reason the geographical area of the CIP has been increased to include the problem areas.

There is some evidence that the lengthening of the opening hours of premises has had an impact on the area. For this reason the scope of the policy has been increased to include variation applications.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

**Fig 6**



As Fig 6 shows, there has been a gradual 'creep' over the past 5 years with respect to the latest terminal hour for premises in Area 2.

Since 2005, there has been a 44% decrease in premises closing prior to midnight and a 33% increase in the number of premises closing after midnight, distributed between midnight and 5am. The net result is that, in effect, 7 more premises are closing after midnight than in 2005.

This correlates with residents concerns that some premises are very slowly increasing their hours by small increments.

**Fig 7**



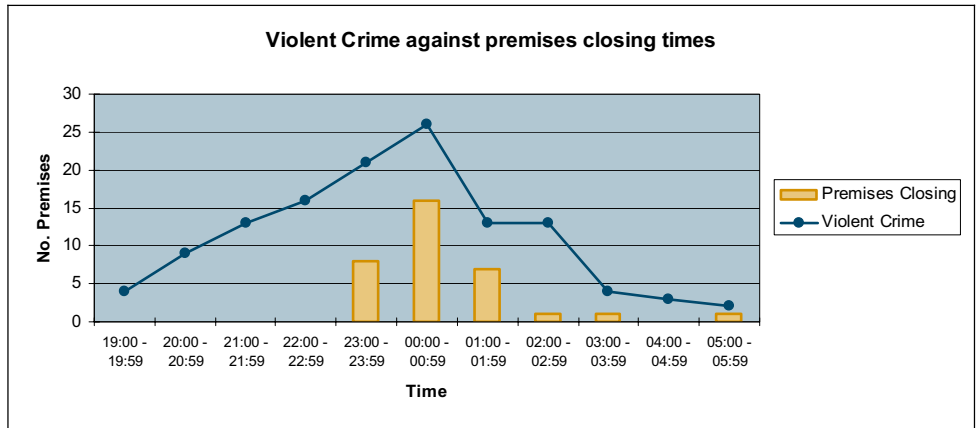
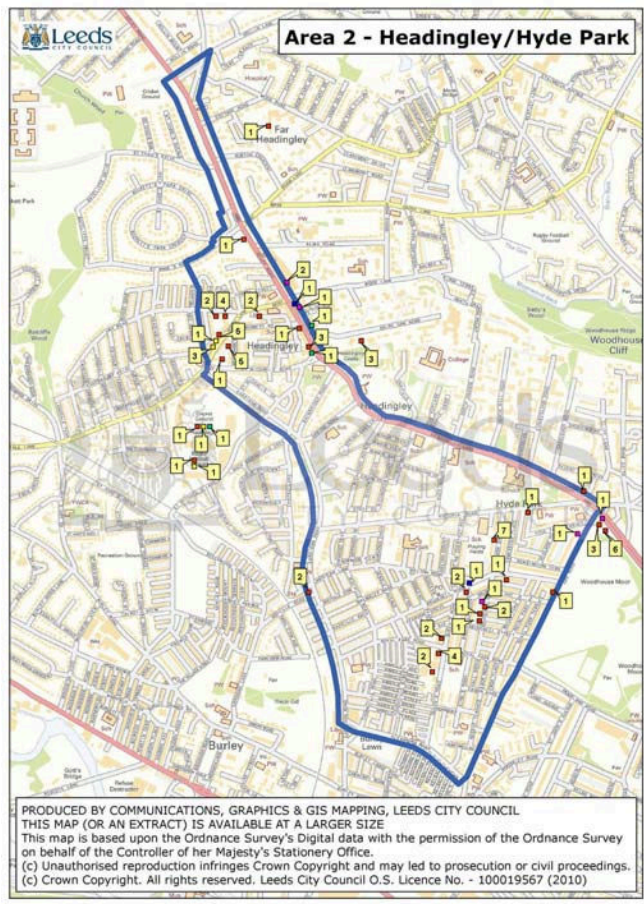


Fig 7 shows the number of violent crimes in the period between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010, compared to the total number of premises closing per 1-hour time slot on any given day of the week (as at 1<sup>st</sup> May 2010).

Although it would be difficult to attribute the violent crime incidents directly to licensed premises (with customers being outside the control of the premises management after closing), the peak times for violent crime incidents corresponds tightly to the volume of premises closing.

Taking this information in conjunction with that from Fig 6 above, it would be reasonable to assume that should the gradual creep experienced in Headingley so far continue, the violent crime would creep accordingly.

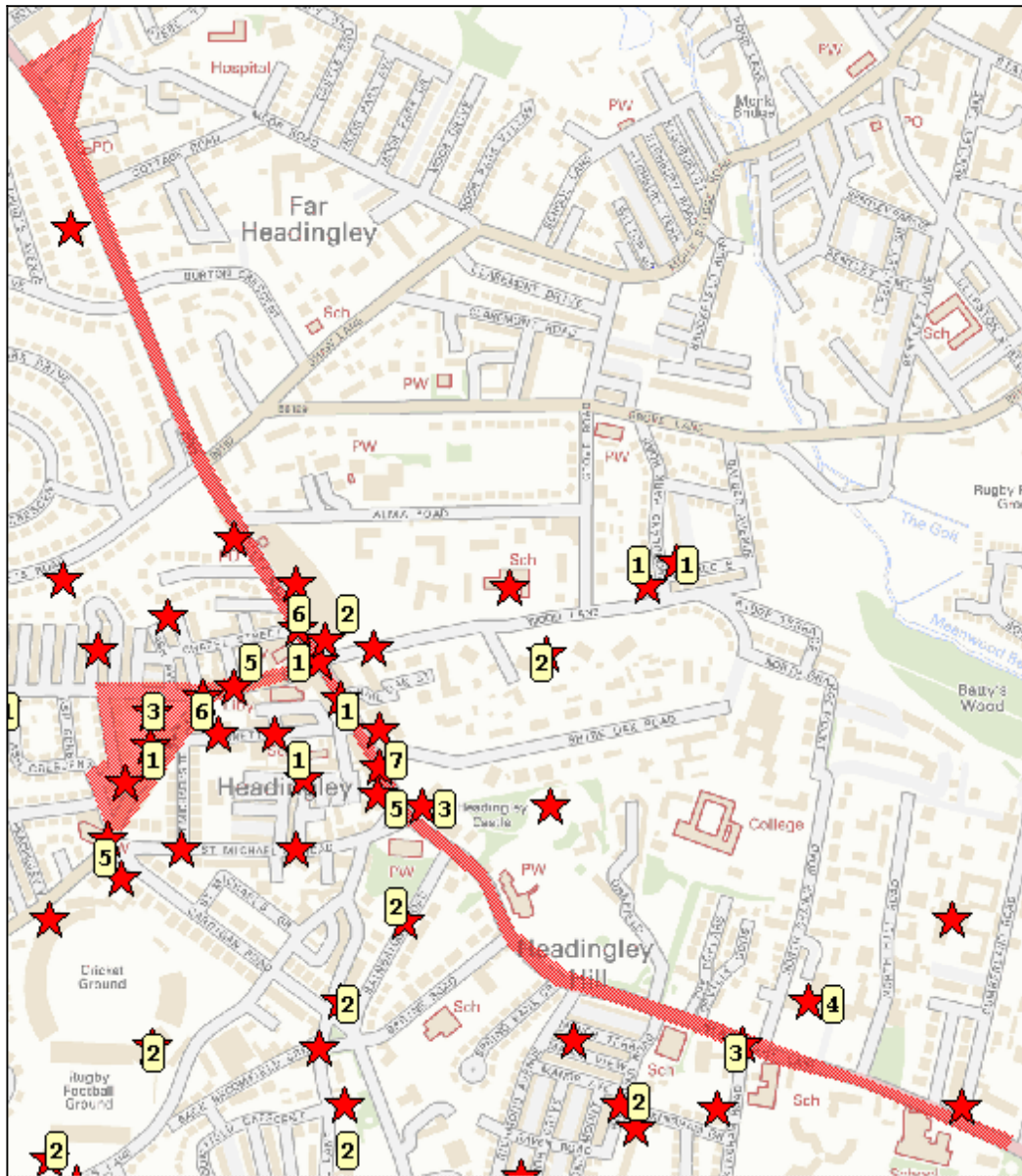
Fig 8



Nuisance reports in Area 2 (2005 – 2010)

Fig 8 shows nuisance reports received by Leeds City Council, relevant to licensed premises since 2005.

Fig 9



Violent Crime Offences (2009/10)

The above map shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

Fig 10

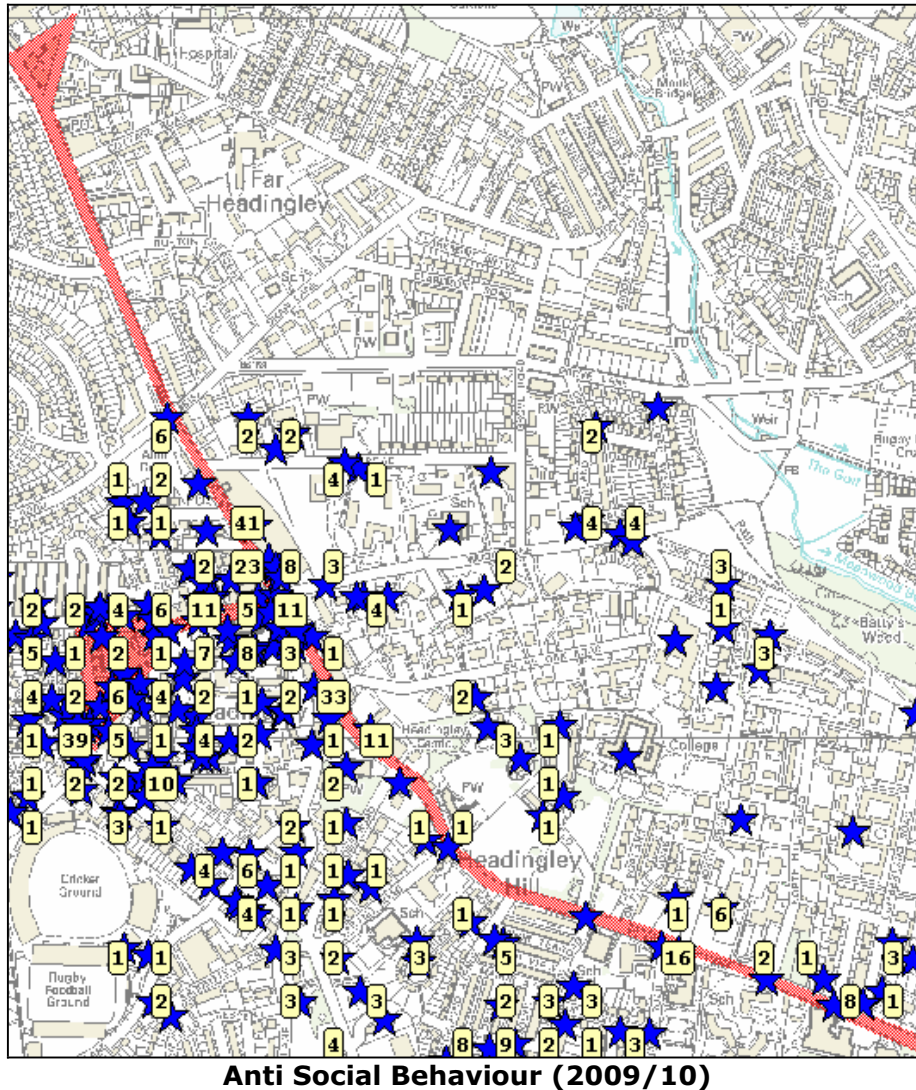


Fig 10 shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

As demonstrated above, the current focus of the CIP is around the central part of Area 2, and this continues to be a problem with respect to nuisance. Also, the area around Brudenell Grove & Hyde Park Corner has proven to be a problem spot for public nuisance and anti social behaviour, which correlates with residents concerns about this particular part of Area 2.

### Area 3 – Woodhouse

There has been no change made to Area 3, other than a reduction in length so that it fits between Area 1 and 2, and a name change to remove the reference to Hyde Park (which now forms part of Area 2).

### Area 4 – Chapel Allerton

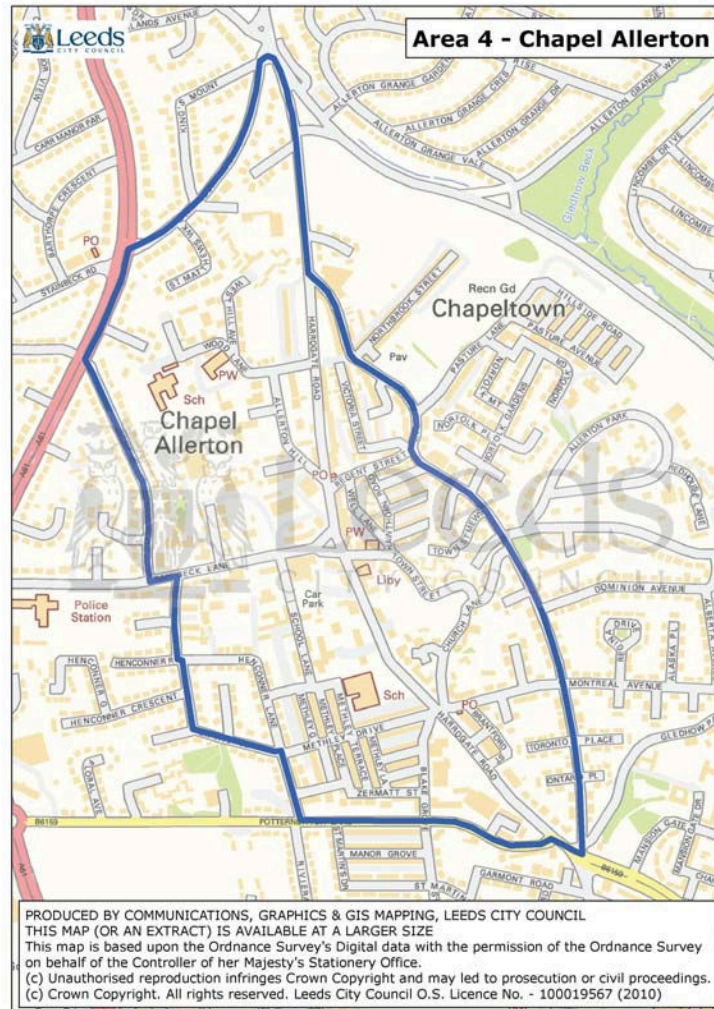
#### Summary of proposed changes

1. Add takeaways and variation applications within the scope of the CIP

Proposed Text

Area 4 relates to the Chapel Allerton district of Leeds.

**Fig 11**



The Chapel Allerton CIP has performed well in the four years since its inclusion in the Statement of Licensing Policy. However, over the past four years residents of Chapel Allerton have noticed an increase in the amount of takeaway litter. There is also a concern relating to premises applying to vary their licence to increase the licensed area of their premises. In some cases this includes altering conditions to allow the use of the outside area to facilitate smokers following the smoking ban. This has a knock on effect on nuisance issues.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

## Evidence

Fig 12

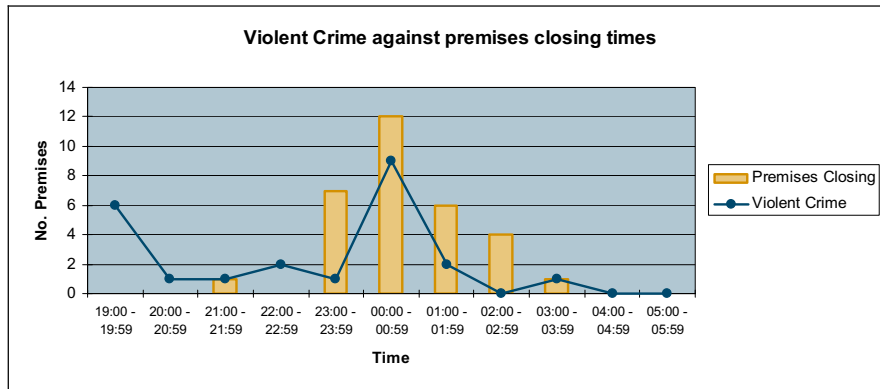
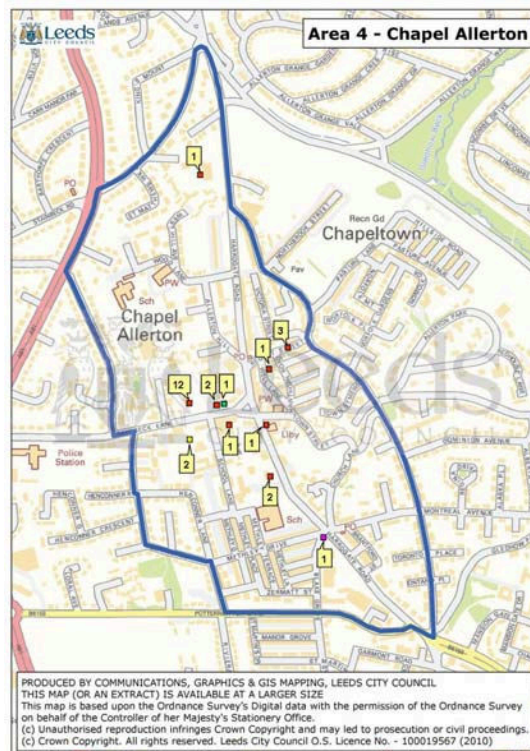


Fig 12 shows the number of violent crimes in the period between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010, compared to the total number of premises closing per 1-hour time slot on any given day of the week (as at 1<sup>st</sup> May 2010).

As with the comments against the same analysis for Area 2, it is difficult to attribute the violent crime directly to premises which have no control over customers once they have closed.

Although not as closely matched as the figures for Area 2, the above would still suggest that violent crime numbers are affected by the number of premises which close at a given time. Should the number of premises increase, or existing premises extend their hours, it would be expected that the violent crime would react accordingly.

Fig 13



**Nuisance reports in Area 4 (2005 – 2010)**

Fig 13 shows the number and location of nuisance complaints received by Leeds City Council relevant to licensed premises in Area 4 since 2005.

**Fig 14**

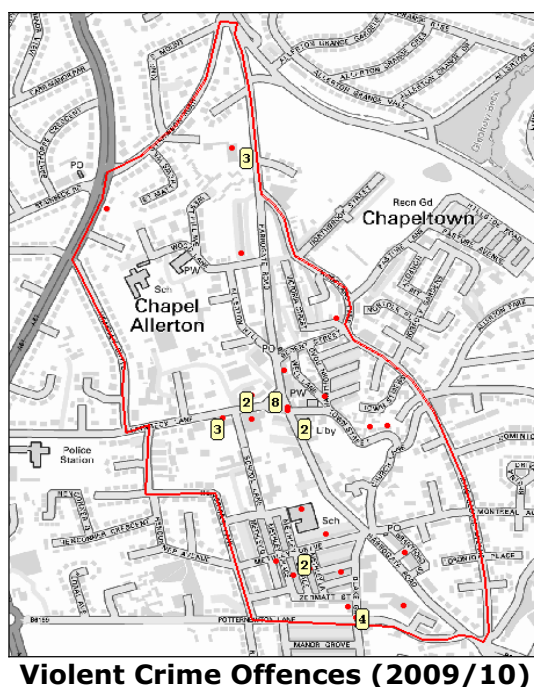


Fig 14 shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

**Fig 15**

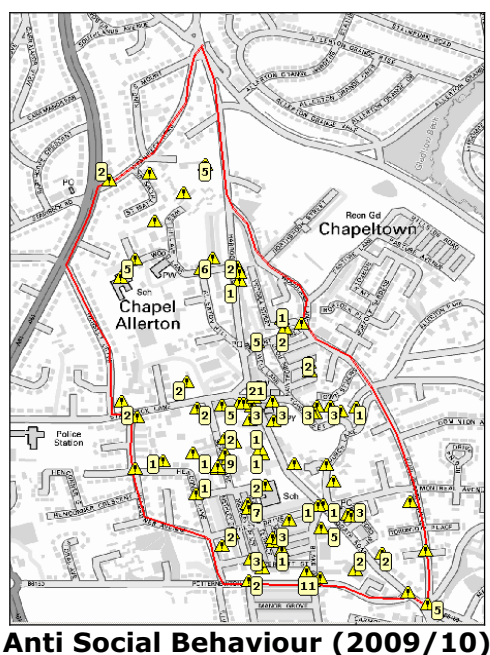


Fig 15 shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

As can be seen from the above three maps of Area 4, there is a clear concentration of nuisance and violent crime problems around the locations dominated by licensed premises, while anti social behaviour is prevalent in the entire of Area 4 – although still with a clear concentration in numbers around licensed premises.

Residents have raised concerns about premises making slight variations to their premises licences, which while individually seem relatively minor, collectively have a large impact on the area. Following further analysis, it has been found that since 2005 there has been 11 variations in Area 4, these can be summarised as follows:

- 4 applications to extend hours
- 3 applications to allow or alter activities in external areas following the introduction of the smoking ban
- 2 applications to increase structural size
- 1 application to remove redundant licence conditions

## Area 5 - Horsforth

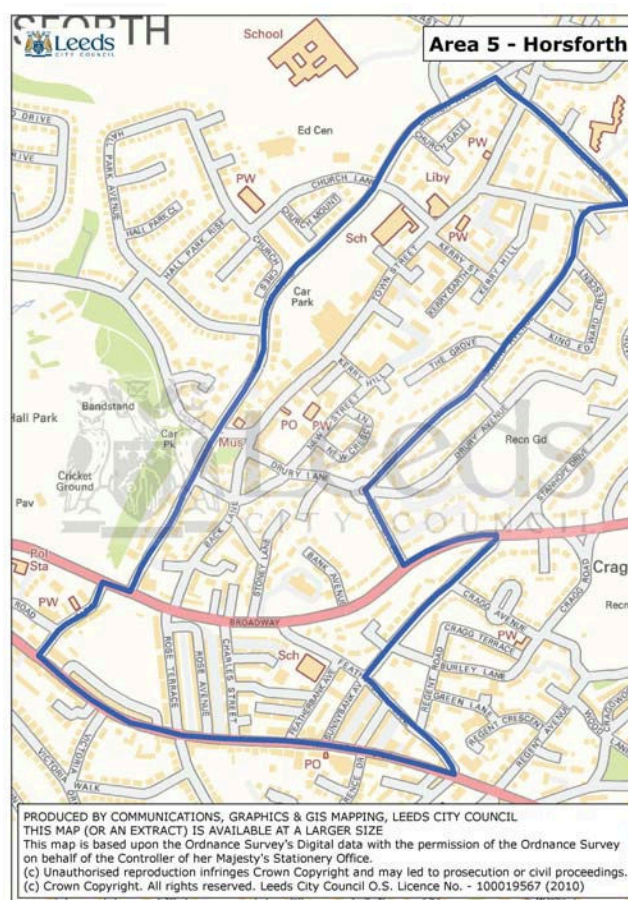
### Summary of proposed changes

1. Increase geographical area to include New Road Side
2. Add takeaways and variation applications within the scope of the CIP

### Proposed Text

Area 5 relates to the Horsforth district of Leeds centred on Town Street. It includes all areas inside the green boundary, but also the premises on the south side of New Road Side.

**Fig 16**



Since the adoption of the Horsforth CIP the council has recognised that the accumulation of licensed premises along New Road Side has contributed to public nuisance in that area, especially as it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. As a consequence this area has been included in the cumulative impact area for Horsforth.

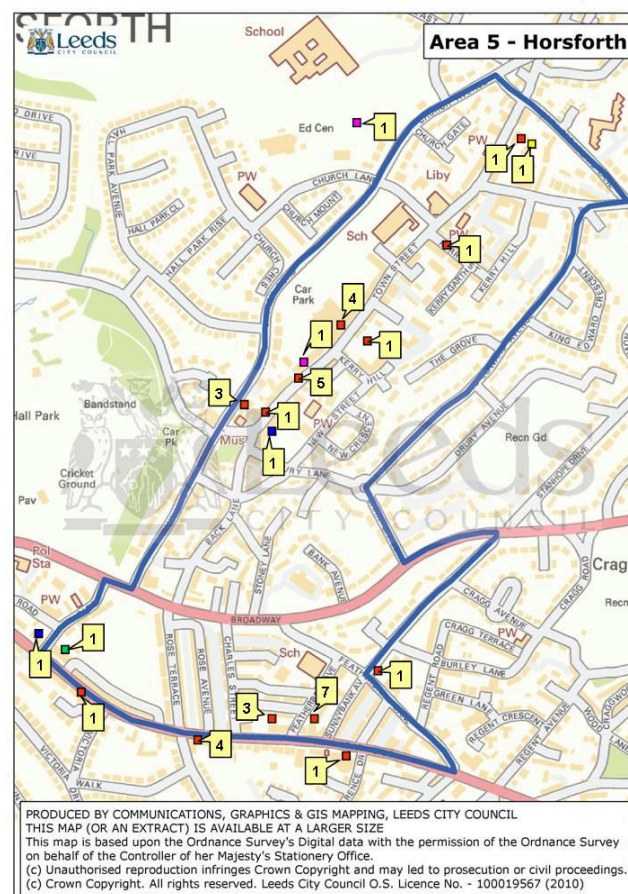
Horsforth has also experienced creep in licensed hours in the area. The council has noted that although it received no new applications for premises licences it did receive 8 variations in the same time period.

Concern has been expressed by residents about the litter nuisance and public nuisance caused by takeaway premises. The council has received a number of complaints relating to litter and odour nuisance that can be related to takeaway premises.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 5 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

## Evidence

**Fig 17**

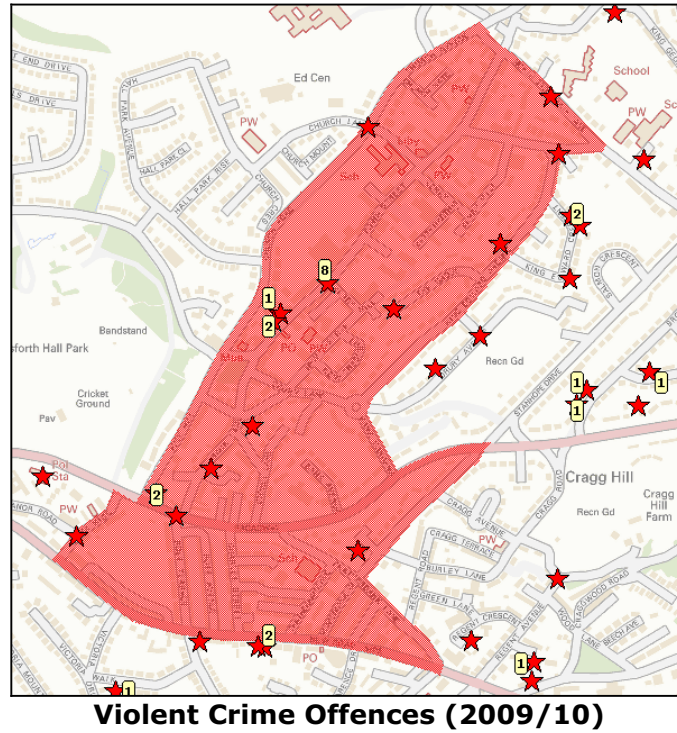


**Nuisance Reports in Area 5 (2005 – 2010)**

The above map shows the number and location of nuisance complaints received by Leeds City Council relevant to licensed premises in Area 4 since 2005.

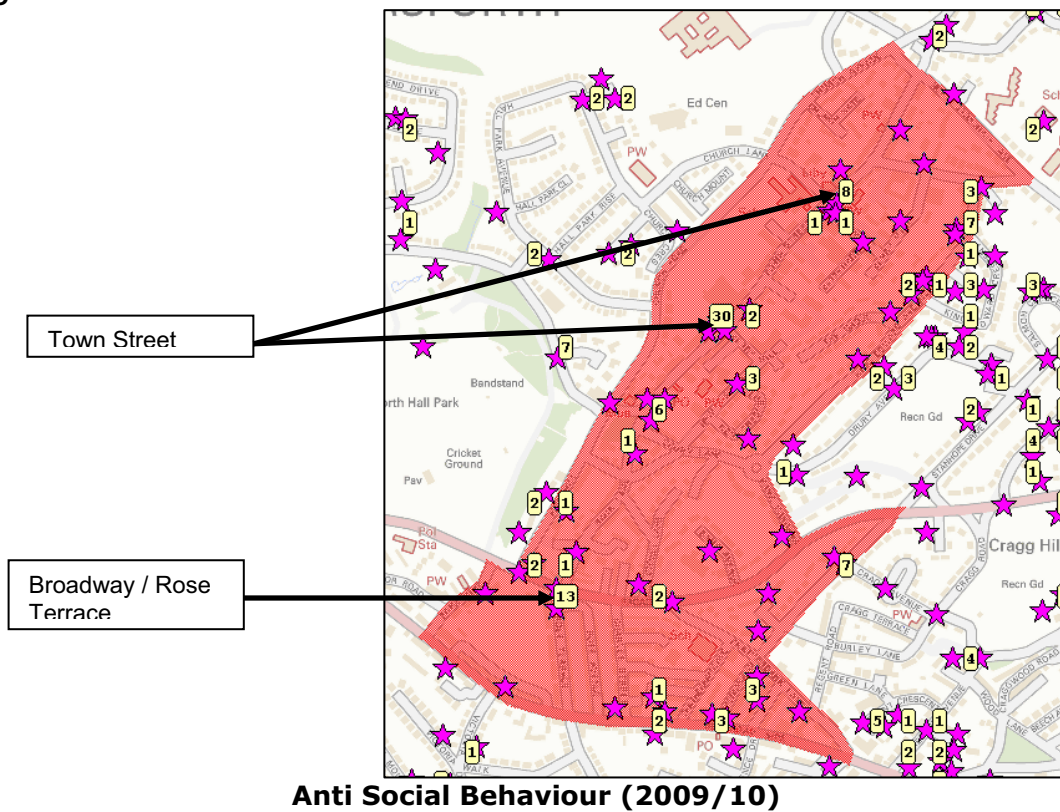


**Fig 18**



The above map shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

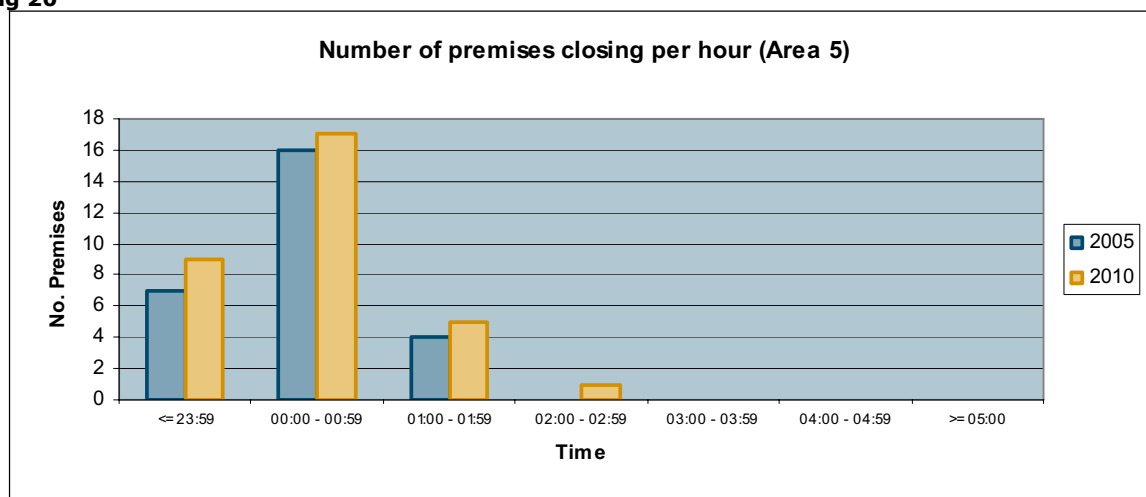
**Fig 19**



The above map shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1<sup>st</sup> May 2009 and 30<sup>th</sup> April 2010.

As can be seen from the above maps, there is a concentration of nuisance reports, anti-social behaviour and violent crime in the areas dominated by licensed premises. The concentration is less pronounced with violent crime however, is still apparent in the area around Town Street.

**Fig 20**



As Fig 20 shows, there has been a very slight and gradual increase over the past 5 years with respect to the number of premises and latest terminal hour for premises in Area 5.

In real terms the numbers are very small and can be summarised as – 2 extra premises which close prior to midnight, and 1 extra premises each for the three following 1 hour time slots. Unlike Area 2, these are not premises which have, in effect, moved their hours later, but rather extra premises on top of what already existed.

While the actual numbers are small, this is to be expected as Area 5 is geographically a small area, where one premises can make a large difference.

Even with reduced numbers, the pattern of increased numbers of premises opening later is evident. Overall, Area 5 now has three more premises open beyond midnight than it did in 2005 (15% increase) – echoing the concerns of local residents that premises are very slowly increasing their hours by small increments.

NB: The above analysis includes the proposed area around New Road Side, as this is an area of concern for residents, and also is the focus of a good proportion of the nuisance complaints.

### **Final Changes**

During a final review of the policy at the end of the consultation, there were a small number of minor changes identified.

### **Excessive Consumption of Alcohol/Binge Drinking**

It was noted that the section on Drinks Promotions is now out of date due to the introduction of new mandatory conditions in the Act. Therefore the section 6.18 to 6.24 was replaced with the following and subsequent paragraphs renumbered:

- 6.18 The council is acutely aware of the link between the supply of alcohol, that is subject to certain promotions and the possibility of resultant incidents of alcohol

related crime and disorder and implications for public safety, public nuisance and the risk of harm to children.

- 6.19 The council also recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an indirect impact on public health.
- 6.20 The British Beer and Pub Association states that a promotion is irresponsible where it encourages or incites individuals to drink to excess, behave in an anti-social manner or fuels drunkenness. The council as Licensing Authority will use the powers contained within the Licensing Act to ensure operators' promotional activities do not undermine the licensing objectives.
- 6.21 From April 2010 new mandatory conditions came into effect which:
- Ban irresponsible promotions;
  - Ban the dispensing of alcohol directly into the mouth; and
  - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.22 The legislation makes it clear that an irresponsible promotion is one that is "carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children".
- 6.23 As a consequence any premises which participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council's "Leeds Responsible Authority Liaison and Joint Enforcement Protocol - Licensing Act 2003" which is available from the Leeds City Council website.
- 6.24 The council expects applicants to consider the issues relating to the irresponsible drinks promotions when completing risk assessments or operating schedules.

### **Area 3 – Woodhouse**

The following paragraph was removed as it refers to the work undertaken for the previous policy.

- 7.28 The most recent evidence and public consultation responses gathered in respect of Area 3 shows that the A660 corridor still experiences a greater proportion of alcohol related crime and antisocial behaviour than the rest of the Hyde Park/Woodhouse area. The police attribute this trend to the high concentration of licensed venues in the area. There are also worrying signs that displacement of problems may be taking place as evidenced by the strong responses received during the consultation process about public nuisance problems and alcohol fuelled anti social behaviour and criminal damage.

Minor typographical errors were corrected, including altering the wording on the CIP policy slightly to provide consistency with the rest of the report, i.e. "their application would not impact on the cumulative impact of such licensed premises" to "their application would not add to the cumulative impact of such licensed premises".

## Consultation Responses

### Questionnaire Responses

#### Statement of Licensing Policy - Main Body

After an officer review of the policy we added three new paragraphs as detailed on page 6 of the Public Consultation Report (note: the changes can be found on pages 6,7 & 8 of this report).

Question 1 - Do you have any comments to make about the addition of these three paragraphs.

1. Good and are better.
2. No.
3. It is good that some flexibility can be built in to allow community and church venues to hold functions with occasional licences without undue restriction and complexity. We feel that the ability to vary and review licences quickly and cheaply is beneficial as long as the necessary controls are observed. An age verification policy and its enforcement is also essential.
4. Useful - adds further clarity.
5. We support the changes regarding Community Halls and Age verification but object to the proposals to widen the scope of minor variations - we feel that the last is a "back door" way of extending licences and should be very strongly controlled, with appropriate opportunity being given for representations to be made by local people and interest groups.
6. Age verification certainly needs to be as unambiguous as possible. If regulations are simplified for communities and related bodies then the changes are sensible.
7. I think they are very sensible...
8. I think you mean under 25
9. No, they seem sensible
10. Pleased about community halls especially as this is problematic having one named person. The management committees will be in favour of this I should think.
11. The North Hyde Park Neighbourhood Association has no comment on the first two additions and welcomes the third.

**Comments:** Regarding response no. 5. the change relating to Minor Variations explains the new secondary legislation that came into effect in 2009 and allows premises to make an application to change terms on their licence which will not adversely impact on the four licensing objectives. Any application made under the minor variation process which affects the licensing objectives is rejected as not being within scope of this process. However applicants must still advertise the application by way of a site notice, and this allows members of the public to make comments on the application should they wish to.

**Action:** None

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## Section 7 - Cumulative Impact Policies

We have reviewed the introduction to the section on Cumulative Impact Policies (Page 6 of the Public Consultation Report and detailed in page 6 of this report). We wanted to provide some clarity about what cumulative impact policies are. Starting at the bottom of page 6 of the Public Consultation Report (titled Section 7 – Cumulative Impact Policies) we have listed each of the paragraphs we have deleted and those that have been added. If this isn't easy to understand you might like to look at this section in the draft policy.

Question 2 - Do you have any comments to make about the new wording?

1. It is better.
2. No.
3. The new wording in 7.9, 7.11 and 7.12 is good because it gives greater clarity. The new wording in 7.4 - 7.8 does give a fuller explanation of the aims and objectives of the process and the responsibility of the applicant and interested parties.
4. 7.9 Area 2 should be "Headingley /Hyde Park", Area 3 should be "Woodhouse Corridor".
5. We support the new wording but the key is the application of the policies which are discussed here.
6. No comment
7. No
8. No comment
9. Overall we welcome the new wording, particularly the first paragraph (7.4)
10. Page 6 of the document doesn't provide any information on changes so I can't answer this.

**Comments:** None

**Action:** Change applied to policy

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The council has made a number of changes to the Cumulative Impact Policies (CIPs). These policies seek to reduce the impact of licensed premises on specific areas.

### Area 1 – City Centre

This CIP area has been increased to move away from specifying streets to a boundary around the city. This now includes the three crime hotspots in the city plus an area which has seen increased growth over the last 5 years. A map of the area can be seen on page 9 of the Public Consultation Report.

Question 3 - Do you think moving away from specifying streets to a boundary type area is the right thing to do and why?

1. This is better to have a boundary.
2. Yes - easier to understand.
3. This is very sensible as it makes the scope of the CIP simpler to operate for all parties, removing the possibility of loopholes.
4. No comment.
5. Agreed as this brings buildings, yards, "smoking areas" and back streets within the scope of the Act.
6. Yes. The change means that the consequences of anti-social and related behaviour that spills over to side streets and more secluded corners can be contained within the terms of CIP.
7. We have no comments on this section
8. Yes - avoids the risk of problems simply moving to neighbouring streets which are not in the CIP
9. Yes, because it should be easier to prevent future problems in areas which are over populated with bars.
10. Yes. People don't particularly stick to one street when drinking. It doesn't mean that some streets are safe and others not. More that an entire area has problems and needs help.
11. Yes. Consumption of alcohol on public streets, especially in the city centre should be illegal and strict penalties enforced.

**Comments:** None

**Action:** Change applied to policy

The scope of the city centre CIP has been increased to include all premises licensed for the sale of alcohol and remove the restriction that the CIP only applies to late night vertical drinking establishments. The new wording can be found on page 10 of the Public Consultation Report (or page 10 of this report).

Question 4 - Do you agree with this change?

1. Yes because you now include food establishments open after 11pm.
2. Yes.
3. Yes, absolutely. It removes doubt and uncertainty over vague definitions and arbitrary opinion.
4. Yes.
5. Agreed.

6. Definitely. Despite many locations being designated as a "public place" there is plenty of evidence of drinking on the streets at night - with consequent damage, litter etc.
7. No comment.
8. We welcome this change.
9. Yes
10. Yes
11. Yes

**Comments:** None

**Action:** Change applied to policy

---

The previous CIP only referred to "applications" and left it unclear if both brand new applications and applications to vary an existing licence were included. The CIP wording now includes a reference to new and variation applications.

Question 5 - Do you agree with this change and do you have any comments?

1. Yes because it now includes applications to vary an existing licence.
2. Yes. Variation to a licence can be dealt with without time and effort spent on ground already covered.
3. Once again, this is a victory for clarity, simplicity and removes argument and loopholes. It also helps to prevent a "creeping" licensing laxity using variation.
4. Yes.
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.
6. Insofar that variations can make significant additional pressures (particularly extending the hours of potential nuisance) it is important to be able to distinguish the further encroachment by stealth.
7. Agree.
8. We agree with this change.
9. Yes.
10. Yes, makes it clearer.

**Comments:** None

**Action:** Change applied to policy

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## Area 2 – Headingley/Hyde Park

The CIP has been changed to move away from defining the area by named streets, and move towards defining the area by a boundary line. It has been increased to include the Hyde Park area. A map of the new area can be found on page 13 of the Public Consultation Report.

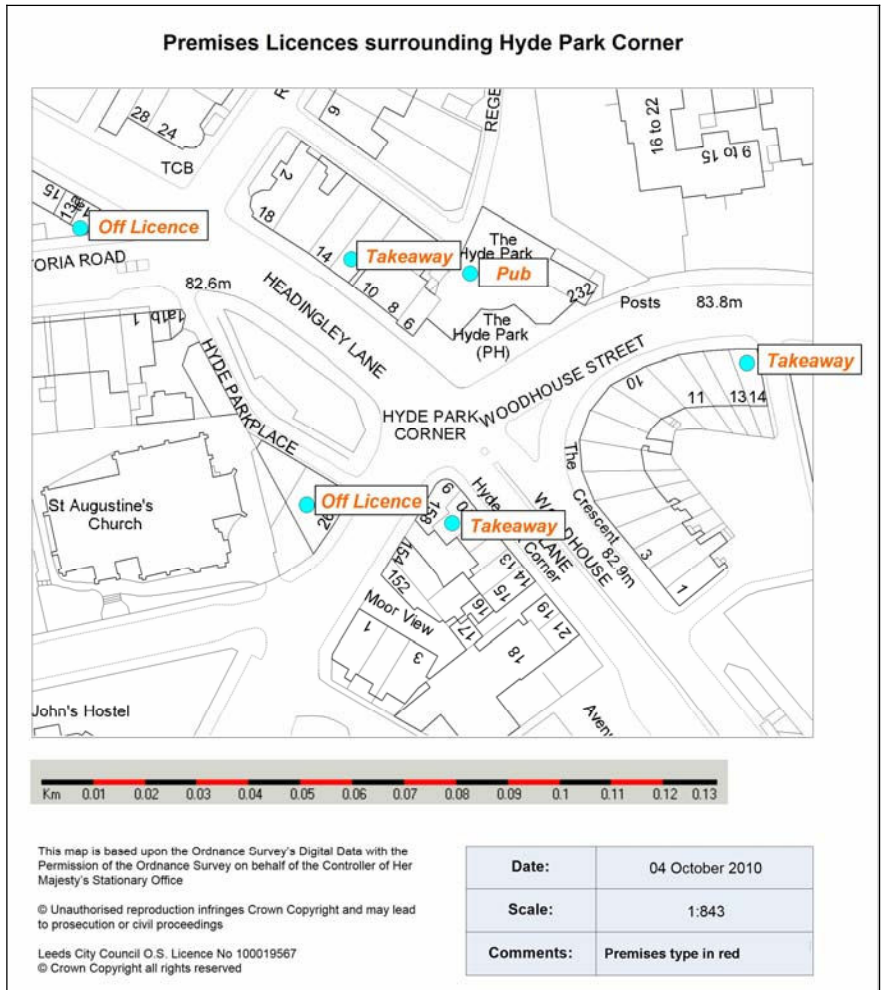
### Question 6 - Do you agree with this change and why?

1. Yes because it is an area issue.
2. Yes it should not have been excluded in the first place.
3. Yes, the evidence provided suggests that the problems associated with Headingley are also present in the Hyde Park area, and so the same controls should exist. Again an area boundary makes things simpler.
4. No. The Crescent, the Old Post Office and 9-14 Hyde Park Corner have not been included. Fig 8 (Page 15, Public Consultation Report) shows 10 nuisance reports (2005-2010) in the excluded area. It is illogical not to include these - if only to be fair to those that are. It is one coherent area and should be treated so.
5. Agreed as this brings buildings, yards, "smoking areas" and back streets within the scope of the Act. We welcome this change. However we believe that the defined area should include streets north of Headingley Lane and particularly that it should encompass the whole area round Hyde Park Corner where there are retail premises, restaurants and bars. This would include part of Woodhouse Street, The Crescent, part of Hyde Park Road and part of Woodhouse Lane.
6. As 3 above
7. Yes otherwise the bars will dominate and other commercial activity may decline.
8. Yes, it is clearer and easier to enforce. My only concern is whether areas north of Headingley Lane should also be included to minimise the risk of proposals for new licences in this area.
9. Yes, I've been through the area at time and have felt unsafe.

**Comments:** Comments regarding Hyde Park Corner were also made at the public meeting held in Headingley. Hyde Park Corner is currently included in the Woodhouse CIP, but it is recognised that the wording of that CIP is not appropriate to the problems experienced in this small area.

In the area north of Headingley Lane, there are no licensed premises (except for the University), and therefore it would not be appropriate to include it in a cumulative impact policy. However it is recognised that there are problems with public nuisance in this area. Licensed premises in the Headingley CIP area may be contributing to the public nuisance.





**Action:** The map of the area (above) shows the area described in the comments. This area will be included in the Headingley/Hyde Park CIP and excluded from the Woodhouse Lane CIP.

The scope of the CIP has been increased to include applications made to vary an existing licence, as well as new applications. It includes applications from premises seeking late night refreshment, such as takeaways and late opening restaurants.

Question 7 - Do you agree with this change and do you have any further comments?

1. Yes.
2. Yes - control of nuisance.
3. Agree with this change.
4. Yes.
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.

6. There is a massive impact from every type of activity involving eating, drinking and entertainment so it is logical to include variations which constitute further encroachment on local communities.
7. Very strongly - these premises often seek both to extend opening hours and to get round current restrictions to the detriment of local residents and it is important that the CIP is extended to include them
8. We strongly support this change.
9. Yes, agree with the change.
10. Yes, no further comments.

**Comments:** None

**Action:** Change applied to policy

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### **Area 3 – Woodhouse Corridor**

During the consultation with ward members and the official bodies (i.e. the police etc), there were no comments made about the Woodhouse Corridor CIP. This CIP was originally included in the policy as it bridged the gap between the city centre CIP and the Headingley CIP. Therefore no changes have been made other than to alter the name and to reduce the size to fit between Areas 1 and 2.

#### Question 8 - Do you have any comments to make about the Woodhouse Corridor CIP?

1. No comment
2. No
3. No comment
4. No
5. Agreed.
6. There seems to be an implication that the various premises on Woodhouse Lane between Clarendon Road and the inner ring road do not have a significant consequence in the context of CIP.
7. No comments
8. No

**Comments:** None

**Action:** Change applied to policy

---

## **Area 4 – Chapel Allerton**

The geographical area covered by the Chapel Allerton CIP hasn't been changed, however the scope of the CIP has been altered to include takeaway premises and applications to vary existing licences. Details can be found on page 18 of the Public Consultation Report.

### Question 9 - Do you agree with this change and do you have any comments?

1. This is good policy - the new proposals
2. Yes
3. We welcome the inclusion of variations to licences as this will help to prevent creeping licensing laxity. The inclusion of takeaway premises is agreed. These can be a source of litter and, as they increasingly request late night opening, perpetuate noise and nuisance.
4. Yes
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.
6. It seems logical that the same terms apply to this area as others.
7. Agree with the change, no further comments
8. I'd include all areas of the city!
9. We have no comments.

**Comments:** None

**Action:** Change applied to policy

---

## **Area 5 - Horsforth**

The Horsforth CIP has been amended to include New Road Side. It was recognised that this area should have been included in the original CIP. Not only have there been a number of nuisance complaints relating to licensed premises in the area but it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. A map can be found on page 23 of the Public Consultation Report.

### Question 10 - Do you agree with this change?

1. Yes
2. Yes
3. Yes, agreed.
4. Yes
5. Agreed.

6. Yes
7. We have no comments.
8. Yes.
9. Yes

**Comments:** None

**Action:** Change applied to policy

---

The scope of the CIP has been increased to include takeaways and applications to vary existing licences.

Question 11 - Do you agree with this change?

1. Yes
2. Yes
3. Yes, as takeaways, especially those with late opening hours go hand in hand with late night drinking establishments.
4. Yes
5. Agreed - it is essential that variations should be subjected to the full test against CIP Parameters.
6. Yes
7. We have no comments.
8. Yes
9. Yes

**Comments:** None

**Action:** Change applied to policy

---

Question 12 - Any other general comments

1. The area of Street Lane, Roundhay, must be watched - the various food/licensed premises and possible more so the issues this brings.
2. No comment
3. It is unfortunate that we all have to go to all this trouble and expense to control, monitor and police, when (apart from the city centre where there is some justification) the root cause of most of the problems is drinking licences which go beyond midnight in areas which are principally residential/suburban shopping centres i.e. Headingley, Chapel Allerton and Horsforth.

4. A helpful step forward, but please include the whole of Hyde Park Corner in Area 2.
5. Further to the publication of the draft Statement of Licensing Policy 2011-13 and associated documents, the Leeds Civic Trust has considered the content and wishes to make the following comments:
  - we support the Licensing Objectives as set out under the Act:
    - the prevention of Crime and Disorder
    - Public Safety
    - the Prevention of Public Nuisance
    - the Protection of Children from Harm
  - we welcome the various changes to the boundaries of the Cumulative Impact Policy areas and the definition of premises to be included (eg 'high volume vertical drinking establishments')
  - we note that in the outer areas, the representations made by local people ensure that a large proportion of applications are refused and those that are granted subject to conditions are generally well monitored (by the local community and/or City Council officers)
  - however, we note that almost no applications get refused in the City Centre (only 3 refusals in 6 years) which is likely to be due to the lack of concerned people to object – it seems that an application will almost always be given permission, unless a hearing is triggered by at least one objection from an "interested party" as defined by the Act
  - as this is usually limited to a person living or owning a business nearby, even when there are multiple concerns from, say, the Police, environmental health and neighbours, these will not prevent an application being granted – potential issues will be dealt with by adding "conditions" to the license
  - conditions may be appropriate if there was a strong regime of inspection but we understand that premises may be visited only once every 3 to 5 years – as Leeds has 2,700 licensed premises and only 7 enforcement officers, the system is inadequate
  - we are concerned over the application of Section 19 Notices and Summary Reviews – we understand that there have been only 4 of these since 2007 and only one has resulted in the surrender of the license
  - while the Police can issue "Closure Notices", we understand that they have done so only once in the last two years – how is it that all the newspaper reports of repeated drugs and sexual offences in Leeds clubs have not resulted in closures?
  - we also have concerns over the application of "Variation Applications" and "Temporary Event Notices" as these can allow 24 hour street parties or overnight events in city centre bars – it seems that no permission is required from the Council, only the Police can intervene to prevent such an event (which they rarely do) and even immediate neighbours cannot comment (even if they manage to find out about an application in advance), so allowing badly behaved bar or club managers to make life a misery for nearby occupiers with almost no risk to their business.

We appreciate that much of the difficulty with licenses is due to the Act, something which is beyond the scope of this consultation. However, in making representations to government and if the localism agenda allows more local flexibility, we believe that there should be no presumption for the granting of a license, as at present. The position should be reversed. Applicants should have to demonstrate that their proposal will make a positive contribution to the licensing objectives and that it will generally enhance the area. In our view, yet another bar in a CIP area is very rarely

likely to help the licensing objectives in that area and licensing lawyers who argue that for their clients are being disingenuous. There should be a licence hearing in every case, where all concerns are examined, not only when triggered by a "representation". The present system is weighted too much in favour of the applicant. We also feel that "Minor Variations" are a relaxation which would be almost impossible for neighbours to monitor, or object to.

Turning back to the issue of licensing in the City, we accept that a lively night life is desirable and an important part of the success of the night time economy. However, there do appear to be too many licensed premises, especially in the city centre, which has led to lack of adequate control and bad behaviour – the area has become a no-go zone for many residents and this could impact upon other initiatives to enhance the cultural offer eg the Arena.

Leeds Civic Trust also has concerns about noise nuisance near current or future residential property – this will continue to be an issue as we continue to encourage city centre living. Unfortunately, the drinking culture in Britain is such that the two uses are not compatible in most locations. In practice, nearness to residential accommodation is not a reason to refuse an application but just to condition some sound proofing – that is generally an inadequate answer as most noise comes from outside licensed premises.

To summarise, we generally support the policy review but are concerned that, on its own, this will make very little difference to the position in the city centre. However, we do feel that, particularly with regard to the city centre, more licenses should be refused, that conditions attached should be stronger and (most importantly) there should be more inspection and enforcement. It should not be up to the public to know about and enforce licence conditions, although a comprehensive information system should be provided for those that are interested.

6. I'd include all areas of the city and all premises, to be honest.
7. Leeds has a massive problem with alcohol, especially in the city centre. There is no need for new/additional licensing of premises for sale of alcohol. Sale to minors is currently commonplace and will only be addressed if strict penalties (such as heavy fines and withdrawal of licence, as in USA) are enforced. The police must be supported in dealing with persons drunk and disorderly and heavier penalties should be applied in order to discourage nuisance drinking. Consumption of alcohol in the public streets should be made illegal and this should be enforced.
8. No
9. We generally welcome the tightening up of the current policy, its extension in our Association's area and the greater clarity on premises and applications to which it applies. We believe the policy is generally beneficial to local residents and wish to see it properly and effectively implemented and enforced.

**Comment:** Regarding comment no. 5 please see the response made to Letter 5 below.

In general the above comments deal with concerns that are outside of the scope of this policy. However the licensing authority does recognise there are concerns about alcohol related anti-social behaviour, underage sales and late night sale of alcohol. The council's enforcement team have a clear policy on licence breaches and take a clear and proportional response to specific issues as they are raised by members of the public and partner agencies. The council works closely with West Yorkshire Police and the other responsible authorities to ensure a consistent approach.

**Action:** No further action taken.

**Other comments via email or post, not submitted via a questionnaire:**

Letter 1 - member of the public

I note the draft Statement of Licensing Policy 2011-2013 says on page 4 that:

"Any decision taken by the Council in regard to determination of licences, certificates and notifications should aim to promote the licensing objective which are

- \* Crime and disorder
- \* Public nuisance
- \* Public safety
- \* Protection of children from harm"

This reads as though promoting crime and disorder, and promoting public nuisance are objectives of the policy! May I suggest that it would be better to say that the objectives of the policy are "preventing crime and disorder" and "preventing public nuisance"

**Response:** Agreed - Change wording to reflect this and the wording in the Licensing Act 2003.

**Action:** Wording changed.

Letter 2 - Parish Council response

The only comment the xxx Parish Council would make is that it would wish to be given notice of, and the opportunity to respond to, any application relating to premises within or close to the Parish boundary.

Currently I receive notice electronically of all licensing applications received by the Authority, and I appreciate this, even though the vast majority are of little relevance. It does mean that I should pick up any application that is relevant, but if it possible to require that the Parish Council is given notice of those applications that are relevant, that should ensure no application is missed.

When determining licensing policy for Leeds, it is important to bear in mind that Leeds is a cosmopolitan mix of urban and rural locations, each of them with their own characteristics. A common policy, of one size fits all, is not appropriate. The Policy should be determined for a particular area.

**Response:**

The Licensing Authority is aware of the difficulties that parish councils face, especially in relation to making responses to licence applications as parish councils are not specifically described as interested parties. Parish councils can respond to licence applications but only as a body representing those living in the area which must mean the initial approach must come from a person living in the vicinity of the premises. Parish councils are not able to respond in their own capacity. It would require a change in primary legislation to change this situation which is outside of the scope of the Licensing Authority.

The Licensing Authority advises parish councils of all licence applications at the same time as it advises ward members and other interested persons who are included on the circulation list, such as residents associations etc. It would be time consuming and impractical to only advise parish councils of premises in and near their areas taking into consideration the number of applications that are received.

The licensing authority does appreciate the diverse nature of the communities in Leeds and this is reflected in the policy. In particular, areas which experience the cumulative impact of licensed premises are dealt with separately with their own cumulative impact policies. However it would be impractical to produce a separate policy for each area based on geography, culture or demographics.

No action required.

#### Letter 3 - Ward Member

In reference to Chapel Allerton - this has been reasonably successful but there is still too much litter and noise but this would have been worse without the policy. Can takeaways be included as they cause the majority of the litter?

**Response:** Takeaways have now been included.

**Action:** None

#### Letter 4 - Local resident

I cannot attend the event but would like to submit the following comments, as though I live at West Park the Headingley area is effectively my local shopping and entertainment area.

- 1) Please do not throw the baby out with the bath-water, as I believe that it is the student 'watering holes' that are problematical. For instance there is now a good restaurant/café scene in the area, from Headingley through Far Headingley and up to West Park, and I would hate to lose them and any future openings stopped due to tightening of licensing restricting this kind of trade. Particularly I would think it a great shame if those places with street café licences, where the main intention is to eat and drink with the emphasis on eat, are restricted due to no fault of their own, as they add colour and a balance to the drink to excess boozing monoculture promoted by the student pubs.
- 2) The one pub in the area, Arcadia, that is more to the taste of locals, usually older and more sensible, and caters accordingly with good beer, food and a lack of loud music, as above, shouldn't be caught up in a necessary clamp down on boozing and nuisance as they do not contribute to the problem.
- 3) Per the so called student pubs, not only do they contribute to noise nuisance and the rubbish problem when their customers have been into the takeaways, there is also the ongoing problem of the hire cars touting for trade, specifically outside The Box, The Skyrack and The Original Oak. Not only is this a nuisance and a potential danger on an evening, this is also a problem on weekend afternoons and many times public transport is impeded in its progress through the area.
- 4) I'm not sure if you can do anything regarding this point but I believe that another contributory factor to the problems in the area arising from student drunkenness is the Sainsbury's supermarkets selling cheap booze at all hours. Therefore, while I'm not sure you can restrict the hours of trade selling drink, a lot of the time students are going in getting the cheap booze and then appearing later back in Headingley well and truly sloshed and then 'topping' it up at the pub, and some responsibility should be born by Sainsbury's.

Thank you for this opportunity to make my views known.

**Response:** The CIP is not an automatic refusal of all licence applications. It presumes refusal but only in cases where there have been objections. As such any premises which are well managed and do not add to the cumulative impact of licensed premises in the



area would either be supported by a good case made by the applicant, or not receive representations.

The banning of selling alcohol cheaply is outside of the scope of this policy, however the Licensing Authority is aware of the issues of "pre-loading". It supports the banning of below costs sales and/or minimum pricing of alcohol but recognises this is a matter for the government to address.

**Action:** None

#### Letter 5 - Parish Council

Our response is similar to the response from Leeds Civic Trust, as consideration of the Statement of Licensing Policy 2011-13 was done in co-operation between the two bodies.

Further to the publication of the draft Statement of Licensing Policy 2011-13 and associated documents, xxx Parish Council has considered the content and wishes to make the following comments:

- we support the Licensing Objectives as set out under the Act:
  - the prevention of Crime and Disorder
  - Public Safety
  - the Prevention of Public Nuisance
  - the Protection of Children from Harm
- we welcome the various changes to the boundaries of the Cumulative Impact Policy areas and the definition of premises to be included (eg the removal of references to "high volume vertical drinking establishments")
- we note that in the outer areas, the representations made by local people ensure that a large proportion of applications are refused and those that are granted subject to conditions are generally well monitored (by the local community and/or City Council officers)
- however, we note that almost no applications get refused in the City Centre (only 3 refusals in 6 years) which is likely to be due to the lack of concerned people to object – it seems that an application will almost always be given permission, unless a hearing is triggered by at least one objection from an "interested party" as defined by the Act
- as this is usually limited to a person living or owning a business nearby, even when there are multiple concerns from, say, the Police, environmental health and neighbours, these will not prevent an application being granted – potential issues will be dealt with by adding "conditions" to the license
- "conditions" may be appropriate if there was a strong regime of inspection but we understand that premises may be visited only once every 3 to 5 years. We accept that some inspections are made, but we consider that, as Leeds has 2,700 licensed premises and only 7 enforcement officers, the system is inadequate.
- we are concerned over the application of Section 19 Notices and Summary Reviews – we understand that there have been only 4 of these since 2007 and only one has resulted in the surrender of the license
- while the Police can issue "Closure Notices", we understand that they have done so only once in the last two years – how is it that all the newspaper reports of repeated drugs and sexual offences in Leeds clubs have not resulted in closures?
- we also have concerns over the application of "Variation Applications" which can gradually cause greatly extended hours of operation, and "Temporary Event

Notices” as these can allow 24 hour street parties or overnight events in city centre bars – it seems that no permission is required from the Council, only the Police can intervene to prevent such an event (which we understand they rarely do) and even immediate neighbours cannot comment (even if they manage to find out about an application in advance), so allowing badly behaved bar or club managers to make life a misery for nearby occupiers with almost no risk to their business.

We appreciate that much of the difficulty with licenses is due to the Act, something which is beyond the scope of this consultation. However, in making representations to government, and if the localism agenda allows more local flexibility, we believe that there should be no presumption for the granting of a license, as at present. The position should be reversed. Applicants should have to demonstrate that their proposal will make a positive contribution to the licensing objectives and that it will generally enhance the area. In our view, yet another bar in a CIP area can never really help the licensing objectives in that area and licensing lawyers who argue that for their clients are being disingenuous. There should be a licence hearing in every case, where all concerns are examined, not only when triggered by a “representation”. The present system is weighted too much in favour of the applicant. We also feel that “Minor Variations” are a relaxation which would be almost impossible for neighbours to monitor, or object to.

We accept that a lively night life is desirable and an important part of the success of the night time economy. However, there do appear to be too many licensed premises, especially in the city centre, which has led to lack of adequate control and bad behaviour – the area has become a no-go zone for many residents and this could impact upon other initiatives to enhance the cultural offer, such as the Arena.

xxx Parish Council also has concerns about noise nuisance near current or future residential property. Unfortunately, the drinking culture in Britain is such that the two uses are not compatible in most locations. In practice, nearness to residential accommodation is not a reason to refuse an application but just to condition some sound proofing – that is generally an inadequate answer as most noise comes from outside licensed premises.

To summarise, we generally support the policy review but are concerned that, on its own, this will make very little difference to the position in the city centre. However, we do feel that, particularly with regard to the city centre, more licenses should be refused, that conditions attached should be stronger and (most importantly) there should be more inspection and enforcement. It should not be up to the public to know about and enforce licence conditions, although a comprehensive information system should be provided for those that are interested.

### **Response:**

It is recognised that there have only been three refusals of licence applications in the City Centre CIP. However this is because representations were received from responsible authorities who were able to agree to measures being added to the licence to mitigate the cumulative impact of this application on the area. Therefore applications were granted with conditions rather than refused.

It is correct that applications which receive representations from interested parties (persons living in the vicinity) are more likely to go to a hearing as, in our experience, interested parties are less likely to negotiate with applicants to come to a mutually agreeable compromise.

All premises in Leeds are subject to a risk based inspection programme. Dependant on the risk rating system the next scheduled inspection may occur between 6 months and 5

years. Premises that elicit complaints are inspected outside of this programme as part of the complaint investigation.

Section 19 notices are an effective tool to ensure compliance with licence conditions and have been used widely by the authority. These have proved effective, finding resolution to a number of ongoing problems, without resorting to the expensive option of closures and prosecutions.

We recognise the Parish Council's concern relating to temporary event notices, which were intended to be a low cost, low bureaucratic way for community groups to hold occasional events (no more than 12 per year). However other legislation exists to control public nuisance and changing the temporary event notice system would require a change to primary legislation - this is outside of the scope of this policy.

The City Centre CIP has been put in place to address many of the concerns expressed above. We do appreciate the views of the Parish Council. However most of the points made are outside of the scope of this policy and would require a change in primary legislation.

**Action:** None.

## Annex A – List of consultees

West Yorkshire Police  
West Yorkshire Fire and Rescue Service  
Leeds City Council Environmental Health Services  
Leeds City Council Health & Safety Team  
Leeds Safeguarding Children Board  
Leeds City Council Development Department  
West Yorkshire Trading Standards

Admiral Taverns  
Asda Stores Limited  
Costcutters Supermakets Group Ltd  
Enterprise Inns  
Greene King Brewing & Retailing Ltd.  
Laurel Pub Company Ltd  
Leeds Co-operative Society Ltd  
Mitchells & Butler Leisure Retail Ltd  
Morrisons  
One Stop Stores Ltd  
Orchid Pub Company  
Punch Taverns  
Sainsburys  
Spirit Group  
Tadcaster Pub Company Ltd  
Tesco Stores Ltd  
JD Wetherspoon Plc  
Wharfedale Taverns Limited  
Whitbread Group PLC

A Halsalls & Co Solicitors  
Anthony Collins Solicitors  
Barber Titleys Solicitors  
Batleys Limited  
Berwin Leighton Paisner Solicitors  
Blacks Solicitors  
Bond Pearce Solicitors  
Brabners Chaffe Street Solicitors  
Burton Burton & Ho  
Cobbetts Solicitors  
Dickenson Dees Solicitors  
DLA Piper Rudnick Gray Cary Solicitors  
DWF Solicitors  
Elmhirst Solicitors  
Essence Consultants  
Ford & Warren Solicitors  
Fraser Brown Solicitors  
Freemans Solicitors  
Gamestec Leisure Ltd  
Gill Turner Tucker Solicitors  
Godloves Solicitors  
Gordons Solicitors  
Halliwells Solicitors

Hardys & Ansons Plc  
Hart & Co Solicitors  
Henry Hyams Solicitors  
Howard Cohen & Co Solicitors  
Inncourt Licensing Consultants  
Joelson Wilson & Co Solicitors  
John Cordingley Consultancy  
John Gaunt & Partners  
Jones & Company Solicitors  
Kuit Steinart Levy Solicitors  
Last Cawthra Feather Solicitors  
LesterAldridge Solicitors  
Levi & Co. Solicitors  
Licence Trade Consultants  
Licensing Legal Licensing Solicitors  
Luptonfawcett Solicitors  
McCombie & Co Solicitors  
McCormicks Solicitors  
Mitchells & Butlers  
Mr John T Burton  
Popleston Allen Solicitors  
Ricksons Solicitors  
Rollits Solicitors  
Roscoes Solicitors  
T L T Solicitors  
Trethowans Solicitors  
United Co-operatives  
Walker Morris Solicitors  
Wells Connor & Co Solicitors  
Winckworth Sherwood  
Winston Solicitors  
Zermansky & Partners Solicitors

BACTA (British Amusement Catering Trade Association)  
British Beer and Pub Association  
British Institute of Innkeepers  
Federation of Small Business  
Leeds City Licensing Association

Alcoholics Anonymous  
Alcohol and Drugs Service  
Leeds Addiction Unit  
Leeds Chamber of Commerce & Industry  
Mencap  
Victim Support Leeds

Leeds North East PCT  
Leeds North West PCT  
Leeds West PCT  
Leeds East PCT  
Leeds South PCT

Leeds West MP  
Leeds Central MP  
Leeds North West MP  
MP for Elmet  
MP for Morley and Rothwell  
MP for Leeds North East  
MP for Leeds East  
MP for Pudsey

Aberford & District Parish/Town Council  
Allerton Bywater Parish/Town Council  
Arthington Parish/Town Council  
Bardsey cum Rigton Parish/Town Council  
Barwick in Elmet and Scholes  
Parish/Town Council  
Boston Spa Parish/Town Council  
Bramham cum Oglethorpe Parish/Town  
Council  
Bramhope & Carlton Parish/Town Council  
Clifford Parish/Town Council  
Collingham with Linton Parish/Town  
Council

Drighlington Parish/Town Council  
East Keswick Parish/Town Council  
Gildersome Parish/Town Council  
Great & Little Preston Parish/Town  
Council  
Harewood Parish/Town Council  
Horsforth Town Council  
Kippax Parish/Town Council  
Ledsham Parish/Town Council  
Ledston Parish/Town Council  
Micklefield Parish/Town Council  
Morley Town Council  
Otley & Yeadon Parish/Town Council  
Pool Parish/Town Council  
Scarcroft Parish/Town Council  
Shadwell Parish/Town Council  
Swillington Parish/Town Council  
Thorner Parish/Town Council  
Thorp Arch Parish/Town Council  
Walton Parish/Town Council  
Wetherby Town Council

## Annex B – BRE Code of Practice on Consultation

The consultation is being conducted in line with the BRE Code of Practice on Written Consultation. The consultation criteria are listed below. More information can be found at: <http://www.berr.gov.uk/files/file47158.pdf>

### The Consultation Criteria

#### 1) When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

#### 2) Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

#### 3) Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

#### 4) Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

#### 5) The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

#### 6) Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

#### 7) Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any questions or complaints about the process of consultation on this paper, please contact Susan Holden, Principal Project Officer, Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR.



Originator: P N Marrington

Tel: 39 51151

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**Report of the Chief Democratic Services Officer**

**Executive Board**

**Date: 3<sup>rd</sup> November 2010**

**Subject: Scrutiny Board Recommendations**

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**Electoral Wards Affected:**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

1. Responses to Scrutiny Board reports and recommendations are no longer required to be approved by Executive Board. Instead, Executive Board will receive a report from the Scrutiny Support Unit summarising all responses to Scrutiny recommendations agreed by the Director, in consultation with the relevant Executive Member, since the last Executive Board meeting.
2. Where there is a difference of opinion between Scrutiny and the Director/Executive Member, or where recommendations are directed specifically at Executive Board, a more detailed narrative will be given and Executive Board will be asked to pronounce on the matter.
3. This report lists those Scrutiny Board recommendations which have been agreed by the relevant Director, in consultation with the appropriate Executive Board. There are no recommendations where agreement cannot be reached.
4. Executive Board is asked to note the agreed recommendations.

## **1.0 Purpose Of This Report**

- 1.1 This report provides a summary of responses to Scrutiny Board recommendations received since the last Executive Board meeting.

## **2.0 Background Information**

- 2.1 Responses to Scrutiny Board reports and recommendations are no longer required to be approved by Executive Board. Instead, Executive Board will receive a report from the Scrutiny Support Unit summarising all responses to Scrutiny recommendations agreed by the Director/Executive Member since the last Executive Board meeting. This report will include, if required, a more detailed narrative around any recommendations where there is a difference of opinion between Scrutiny and the Director/Executive Member.
- 2.2 Where there is a difference of opinion between Scrutiny and the Director/Executive Member or where recommendations are directed specifically at Executive Board, Executive Board will be asked to pronounce on the matter.

## **3.0 Main Issues**

- 3.1 Since the 13<sup>th</sup> October 2010 Executive Board meeting, responses have been received to the following Scrutiny Board report:

Scrutiny Board (Health) - Promoting Good Public Health: the role of the Council and its Partners.

- 3.2 The recommendations arising from this report are shown in Appendix 1
- 3.3 There are no recommendations where there is disagreement between the Scrutiny Board and Director/Executive Member.

## **4.0 Implications For Council Policy And Governance**

- 4.1 There are no policy implications arising from Scrutiny's recommendations. There are no governance implications.

## **5.0 Legal And Resource Implications**

- 5.1 There are no resource implications arising from the Scrutiny recommendations.

## **6.0 Conclusions**

- 6.1 Scrutiny Board (Health) has received responses to recommendations made in its final report; Promoting Good Public Health: the role of the Council and its Partners. These have been agreed by the relevant Director in conjunction with the relevant Executive Board member and are listed in Appendix 1.

## **7.0 Recommendations**

- 7.1 That the Executive Board notes the responses to Scrutiny Board recommendations.

## **8.0 Background Papers**

- 8.1 Scrutiny Board (Health) - Final Inquiry Report - Promoting Good Public Health: the role of the Council and its Partners.



## Scrutiny Board Final Reports, Recommendations and Responses

<p><b>Scrutiny Board (Health) Promoting Good Public Health: the role of the Council and its Partners.</b></p>
<p><u>Recommendation One</u></p> <p>That the Head of Scrutiny and Member Development continues to work with the membership of the Scrutiny Board (Health), or its successor body, to ensure that future public health issues in Leeds, particularly where there are significant health inequalities, are incorporated into the annual work programme from June 2010/11.</p> <p><b>Agreed</b></p>
<p><u>Recommendation Two:</u></p> <p>That, by December 2010, in collaboration with the Director of Public Health, the Director of Adult Social Services (as the lead for Health):</p> <p>(a) Makes an assessment of the extent to which all NICE public health guidance and recommendations (as they relate to local authorities) have been disseminated and used to inform the delivery of services, either directly or through appropriate policies, across the Council.</p> <p>(b) Designs and implements a robust assurance process to ensure the appropriate distribution and consideration of any future NICE guidance, appropriate to the Council.</p> <p><b>Agreed</b></p>
<p><u>Recommendation Three:</u></p> <p>That, by September 2010, the Director of Public Health works collaboratively to ensure an agreed Sexual Health Strategy is in place and signed up to by all key partners.</p> <p><b>Agreed</b></p>
<p><u>Recommendation Four:</u></p> <p>That, as soon as practicable, the Director of Children's Services writes to the appropriate Minister and Government Department in an attempt secure a national direction for the delivery of consistent and high quality Sex and Relationship Education (SRE) in local schools.</p> <p><b>Agreed</b></p>
<p><u>Recommendation Five:</u></p> <p>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.</p> <p><b>Agreed</b></p>
<p><u>Recommendation Six:</u></p> <p>That the Director of Public Health, in conjunction with other Chief Officers, actively identifies and assesses best practice examples from across the country, aimed at limiting or reducing the number of fast-food outlets across the City and improving access to good quality food: In this regard, a progress report be provided to the Scrutiny Board (Health) by January 2011.</p> <p><b>Agreed</b></p>
<p><u>Recommendation Seven</u></p> <p>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 consideration within the licensing application process.</p> <p><b>Agreed</b></p>

Recommendation Eight

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.

**Agreed**

Recommendation Nine

That, in finalising the arrangements and terms of a joint Director of Public Health (DPH) appointment, the Council's Chief Executive consider the issues raised in this report, specifically in terms of ensuring the full and active role of the DPH – both as a member of the Corporate Leadership Team and within decision-making across the Council in general.

**Agreed**

Recommendation Ten

That, under the direction of Executive Board, the Assistant Chief Executive (Corporate Governance) review current decision-making guidance and pro-forma, with a view to ensuring appropriate consideration of public health implications within all decisions by December 2010.

**Agreed**

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**Report of the Director of City Development**

**To Executive Board**

**Date: 3<sup>rd</sup> November 2010**

**Subject: DEPUTATION TO COUNCIL, 21 APRIL 2010  
SUPPORT FOR THE PROVISION OF A MINI-ROUNDBOUT AT THE A661,  
SPOFFORTH HILL AND LINTON ROAD, WETHERBY**

<b>Electoral Wards Affected:</b>  Wetherby
--

<b>Specific Implications For:</b>
Equality and Diversity <input type="checkbox"/>
Community Cohesion <input type="checkbox"/>
Narrowing the Gap <input type="checkbox"/>

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

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**Executive Summary**

A deputation from Wetherby Town Council to Council on the 21 April 2010 requested the provision of a mini-roundabout at the junction of A661, Spofforth Hill and Linton Road. This report responds to that request and identifies the current funding situation.

**1.0 Purpose of this Report**

1.1 This report provides information relating to the deputation received by Council at the April 2010 meeting.

**2.0 Background Information**

2.1 A deputation from the Wetherby Town Council was heard by the 21 April 2010 meeting of Council. The subject was to seek support for the provision of a mini-roundabout at the junction of the A661, Spofforth Hill and Linton Road. A copy of the deputation is attached as Appendix 1.

2.2 The deputation expressed the view that one of their great concerns is traffic management, as getting into and out of Wetherby town, plus parking, can be very difficult.

2.3 The deputation stated that the A661/Linton Road junction is a particular concern as this is the main road to Harrogate from Wetherby and is used by Harrogate traffic

as a short cut from the A1 Motorway. Furthermore, the problems do not make Wetherby a 'visitor friendly town.'

- 2.4 The deputation stated the benefits of a mini-roundabout and associated traffic orders which were as follows:-
- Vehicles coming from Linton Road would have easier and safer access to the A661,
  - Speeding Traffic coming down Spofforth Hill (which has long been a problem) will be curtailed dramatically,
  - Parked traffic could be restricted so that a clearer flow of traffic can take place and it should also meet the police requirement by acting as a Speed Regulator which is currently undertaken by the parked vehicles.
- 2.5 The proposal to introduce a mini-roundabout was first included in the Wetherby Traffic Management Plan in 2001 and reviewed in the public exhibition in 2006. The outcome of the 2006 exhibition was that with just a few changes, the public supported the proposed Wetherby Traffic Management Plan (WTM). The overall plan was approved by the, then, Joint Highways Technical Board in 2007.
- 2.6 The cost of the proposed mini-roundabout, detailed on Drawing no. HDC-713038 – 01B – GA, and associated work was estimated at £67,000. Benefits included a reduction in speed of traffic on Spofforth Hill, improved pedestrian crossing facilities and improved access to the A661 from Linton Road. The mini-roundabout proposal received the support of Ward Members, Emergency Services, Metro (WYPTE) and Leeds City Council officers.
- 2.7 A number of the elements of the overall Traffic Management Plan are now built and delivering benefits to Wetherby. These were funded from the Section 106 monies available at that time. Other elements of the WTM Plan, such as Linton Road mini-roundabout, are awaiting alternative funding.
- 3.0 Main Issues**
- 3.1 Following receipt of the deputation a review of the original proposal has been undertaken by officers with the aim of reducing the cost of the proposed mini-roundabout.
- 3.2 The revised estimated cost following a review of the rates for the scheme and removal of a raised area shown in Drawing No. HDC-713038 – 01B – GA, is £55,000. This comprises £36,000 for civils works, £10,000 for street lighting and £9,000 staff costs.
- 3.3 While benefits in terms of accident reduction and reduction in speed of vehicles cannot be quantified it is accepted that the provision of the mini-roundabout would cause all vehicles to slow down for the feature, provide improved informal crossings for pedestrians and improve traffic circulation. Considering all these issues it is considered that Highways and Transportation would be able to support the proposal with a 50% financial contribution in the current financial year.
- 3.4 To progress the scheme to detailed design and construction therefore requires a further £27,500 to be funded from other sources.
- 3.5 Wetherby Town Council have indicated they will provide funding to the value of £25,000. Written confirmation of this is awaited.
- 3.6 In view of this offer, Highways and Transportation will increase its contribution by £2,500. to cover the shortfall. Page 196

#### **4.0 Implications for Council Policy and Governance**

4.1 This report does not raise any specific implications for Council policy and Governance.

#### **5.0 Legal and Resource Implications**

5.1 This report has no specific legal and resource implications.

#### **6.0 Risk Assessments**

6.1 No risks, other than those normally associated with the funding and delivering of schemes on the public highway are associated with the scheme.

#### **7.0 Conclusions**

7.1 The principle of introducing a mini-roundabout at this junction and the benefits to be obtained have received considerable support. However the benefits are not sufficient for the proposal to have received priority for full funding within the 2010-11 Highways and Transportation programme. The review has identified a number of potential cost savings compared to the original estimate, and the revised estimated cost is £55,000. An allocation of £30k of this funding; comprising £20k from Highway Maintenance, £5k from Integrated Transport and £5k from Traffic Capital, is available from within Highways & Transportation budgets for 2010/11, leaving a further £25k to be found locally.

#### **8.0 Recommendations**

8.1 Members of the Executive Board are requested to:

- note the contents of the report,
- support in principle, the provision of a mini-roundabout at the A661 Spofforth Hill/Linton Road,
- support the provision of £30k of the scheme costs from Highways and Transportation budgets
- agree that the scheme should be injected into the programme subject to the remaining verbally agreed £25k of the costs coming from local funding being confirmed in writing.

**Appendix 1** - Deputation to Leeds City Council from the Wetherby Town Council seeking support to the provision of a mini-roundabout at the junction of A661, Spofforth Hill and Linton Road.

**Appendix 2** – proposed mini-roundabout plan

**Background Papers** - None

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DEPUTATION TWO  
WETHERBY TOWN COUNCIL

THE LORD MAYOR: Good afternoon and welcome to today's Council meeting. Please make your speech now to the Council, which should not be longer than five minutes, and please begin by introducing the people in your deputation.

MR CHAPMAN: I am Harry Chapman, Town Councillor of Wetherby. We have Barbara Ball, who is the Town Clerk of Wetherby.

My Lord Mayor and Leeds Councillors, hello and thanks for inviting a Wetherby Town Councillor to your meeting.

Fellow Councillors, Wetherby is looking for your support.

Wetherby is a Market Town that is struggling in providing the right environment to ensure that visitors, tourists and its own population visit the town shops and spend money. I appreciate we are not alone with this problem. Shops are closing due to lack of business and we are looking for a way to reverse this cycle.

We have had various changes over the last few years affecting the town, especially the upgrading of the A1 and the access to changes to the town that followed.

One of our great concerns is traffic management - as getting into and out of our town plus parking when there - can be very difficult.

I could spend a lot of time talking about the various problems but the one I am looking for your support on is to put a mini roundabout at the junction of the A661 and Linton Road. The A661 is the main road the Harrogate from Wetherby and is used by Harrogate traffic as a short cut from the A1 Motorway.

At the moment we allow parked cars on this road at a very narrow point on its exit to the town on the Harrogate side and near this proposed roundabout. This restricts the road as it narrows to one lane of traffic and so stops vehicles speeding but also means that we have traffic back up right through the town to the bridge over the river Wharfe. I am sure you will appreciate this not helping to make Wetherby what we want it to be - a visitor friendly town. We have a Traffic Order for this area pending but it has not gone ahead due to lack of funding.

We feel that if the roundabout was built it would help several ways:-

- Parked traffic could now be restricted so that a clearer flow of traffic can take place and it should also meet the police requirement by acting as a Speed Regulator which is currently undertaken by the parked vehicles.
- Vehicles coming from Linton Road would have easier and safer access to the A661.
- Speeding Traffic coming down Spofforth Hill, we have had lots of complaints, should be curtailed dramatically as they would have to slow down for the traffic island.

Leeds Traffic Management Team agree with the idea of a the mini roundabout but say that it cannot be done at present due to lack of funds. The costings I have seen suggest it will

cost approx £70,000, which does sound an awful lot to me for what is involved. I am sure it will actually cost less than this when fully funded.

This matter has been going on since 2001 when Leeds came up with a traffic plan and presented it to the people of Wetherby. It was voted on and was put into “The Leeds Traffic Plan for Wetherby”

In 2006 there was a traffic management exhibition at Wetherby Town Hall. 2007 the traffic plan was approved by the Highways Board. 2007 to 2010 – nothing has been actioned. Thank you for your time and I hope you will be supporting us. (*Applause*)

THE LORD MAYOR: Councillor Bentley?

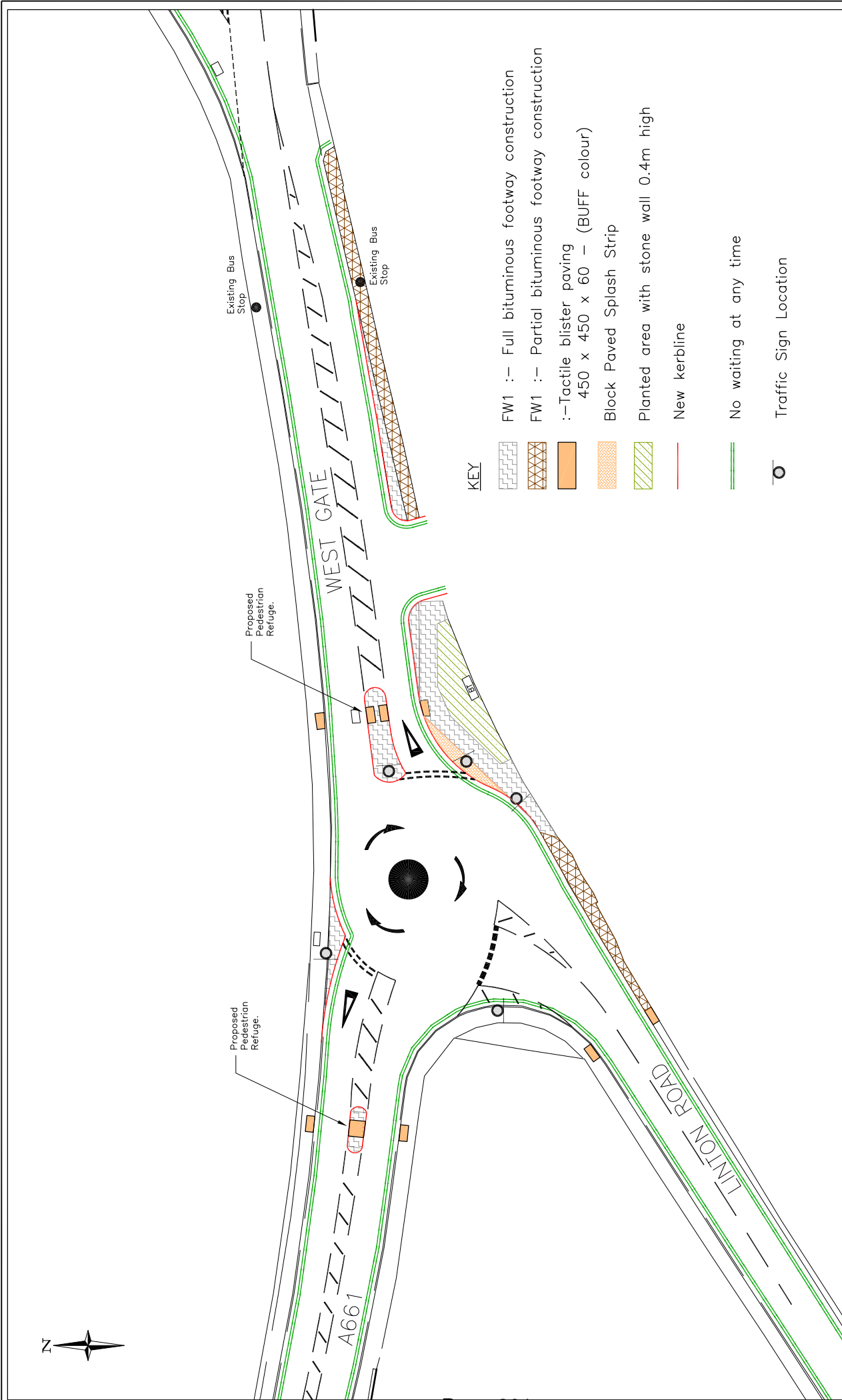
COUNCILLOR BENTLEY: Thank you, Lord Mayor. I move that the matter be referred to the Executive Board for consideration.

COUNCILLOR GRUEN: I second that, Lord Mayor.

THE LORD MAYOR: Could we take a vote on that, please? (*A vote was taken*)  
This is CARRIED.

Thank you for attending and for what you have said. You will be kept informed of the consideration which your comments will receive. Good afternoon.





- KEY**
- FW1 :- Full bituminous footway construction
  - FW1 :- Partial bituminous footway construction
  - :- Tactile blister paving 450 x 60 - (BUFF colour)
  - Block Paved Splash Strip
  - Planted area with stone wall 0.4m high
  - New kerblines
  - No waiting at any time
  - Traffic Sign Location

<p><b>WETHERBY TRAFFIC MANAGEMENT PLAN</b>  <b>PROPOSED MINI ROUNDABOUT PACKAGE</b>  <b>A661 / LINTON ROAD JUNCTION MINI-ROUNDABOUT</b></p>	<p>AMENDMENTS</p> <p>FIRST APPROVED</p> <p>A. SIGN LOCATIONS ADDED</p> <p>B. STREET NAMES ADDED</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>DATE</th> <th>DATE</th> <th>DATE</th> <th>DATE</th> </tr> <tr> <td>08/07</td> <td>08/07</td> <td>08/07</td> <td>08/07</td> </tr> <tr> <td>TD</td> <td>TD</td> <td>TD</td> <td>TD</td> </tr> </table>	DATE	DATE	DATE	DATE	08/07	08/07	08/07	08/07	TD	TD	TD	TD	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>DATE</th> <th>DATE</th> <th>DATE</th> <th>DATE</th> </tr> <tr> <td>08/07</td> <td>08/07</td> <td>08/07</td> <td>08/07</td> </tr> <tr> <td>TD</td> <td>TD</td> <td>TD</td> <td>TD</td> </tr> </table>	DATE	DATE	DATE	DATE	08/07	08/07	08/07	08/07	TD	TD	TD	TD	<p>SCALE</p> <p style="text-align: center; font-size: 1.2em;">1:250</p> <p style="text-align: right;">SHEET SIZE A2</p>	<p>DRAWING NUMBER:</p> <p>HDC-713038-01B-GA</p> <p>DATE: September 2007</p>
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Originator: Carol  
Cunningham

Tel: 2478017

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**Report of the Chief Planning Officer**

**Executive Board**

**Date: 3 November 2010**

**Subject: Planning Permission at Throstle Nest Villa, New Road Side, Horsforth**

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**Electoral Wards Affected:**

**Horsforth**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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**EXECUTIVE SUMMARY**

This report provides the Executive Board with information regarding the deputation to Council by Mr Senior and Mr and Mrs Boucher in relation to planning permission for a residential conversion at Throstle Nest Villa.

The report highlights the main issues in relation to the planning application and how these were addressed.

The report responds to the highway concerns detailed in the deputation and looks at the alternative proposals made by Mr Senior and Mr and Mrs Boucher.

The report concludes that highway matters were carefully considered when the application was determined, and, regrettably the alternative solution is not practical.

## **1.0 Purpose Of This Report**

- 1.1 The purpose of this report is to provide the Executive Board with a response to the Deputation to Council made by Mr Senior, Mr and Mrs Boucher. The deputation highlighted concerns regarding the granting of planning permission at Throstle Nest Villa. This report sets out the background to the planning application and subsequent planning permission.

## **2.0 Background Information**

- 2.1 A planning application for residential development was submitted to the Council on 18<sup>th</sup> August 2009. The original scheme was for a change of use of an existing residential property to form 7 two bedroomed flats and 3 houses. The property is currently 12 bedsits and 4 one bed flats. Negotiations during the processing of the application reduced the scheme down to 6 two bedroomed flats and one 3 bed house and one 4 bed house. These were all conversions of existing buildings and involve no new building on site. An existing outbuilding was to be demolished to be used for the amenity space for the proposed flats. Appendix one shows a site plan of the property as existing with appendix two showing the proposed site plan.
- 2.2 There is an existing shared access for Throstle Nest Villa and Throstle Nest Grange from New Road Side. This access splits the garden for Throstle Nest Grange in two. There is also an unused access from the site onto Newlay Wood Crescent to the South. There are 16 beds which currently use the access off New Road Side and the proposed development is for 16 beds to use the same access. The three bedroomed property will have sole use of the access off Newlay Wood Crescent
- 2.3 There were 5 letters of objections to the proposed scheme with a number of objections from Mr Senior but none from Mr and Mrs Boucher. Councillor Cleasby and Councillor Townsley objected to the original proposal. Councillor Townsley withdrew his objection to the revised scheme. Highways were consulted on the original scheme. The highway officer undertook a site visit and initially requested revised plans due to the parking layout having car parking spaces that were substandard and the plan needed to show the proposed access to New Road Side. Highways were reconsulted on the revised plans and raised no objections.
- 2.4 The scheme was granted planning permission under delegated powers on 17<sup>th</sup> November 2009.

## **3.0 Main Issues**

- 3.1 Of interest to this deputation is the impact of the development on the highway network. A highway officer visited the site and in considering the application from the highway point of view looked at the following.
- a) does the access meet current standards
  - b) does the proposed development represent a material increase in use of the access which would make it reasonable to require improvements or an alternative.
- 3.2 a) The access drive is approximately 35 metres long and measures between 3.1 and 3.5m wide. The drive does not allow for two-way passing along its length so vehicles have to reverse back down the drive into the main part of the site or wait on New Road Side to allow vehicles to pass. This is not an ideal situation. Two -way

passing at the entrance is desirable where access drives are shared but this is not available here. However, despite the angle of approach of the driveway to New Road Side, all manoeuvres into and out of the drive can be made because of the wide width of New Road Side adjacent to the site. The access does not however, meet current design standards.

- 3.3 b) The existing property, Throstle Nest Villa, was a large house which had been subdivided into 4 one bedroom flats and 12 bedsits. All of these existing residential units were accessed from the existing access off New Road Side. The scheme granted planning permission was for 1x 3 bedroom house, 1 x 4 bedroom house and 6 x 2 bedroom flats. This equates to 8 separate dwellings and 19 bedrooms. As part of the permission the 3 bedroom house will have a separate (existing) driveway served from Newlay Wood Crescent. This means that 7 residential units with 16 bedrooms will be served from the existing vehicular access from New Road Side. This results in no material increase in relation to vehicular or pedestrian use of the property. In addition, visibility from the vehicular access meets current design standards (2.4m x 90m) and visibility of pedestrians from the driveway meets current standards (2m x 2m).
- 3.4 Following the submission of the Deputation to the Council by Mr Senior and Mr and Mrs Boucher, Officers have looked again at the basis of the decision to determine whether all the relevant information was properly considered and the conclusion drawn from that information was correct.
- 3.5 The injury accident data for New Road Side and Newlay Wood Crescent in the vicinity of the site, shows 3 accidents in the last 5 year period but none of them involved pedestrians and none of them related to the use of the existing access road.
- 3.6 The proposed scheme also provides a pedestrian access from the site onto the footway on New Road Side via a number of steps. While not all pedestrians will be in a position to use this access this does provide an alternative pedestrian route to the access road.
- 3.7 Turning to the access from Newlay Wood Crescent. This is an existing access, albeit it wasn't used to access the flat/bedsits. However, this access does not require planning permission to be brought back into use. The approved scheme proposes to use this access to serve one dwelling house is not considered to cause any significant highway safety issues. As visitor parking is provided on the new access drive this will reduce any use of kerb side parking on Newlay Wood Crescent by visitors to this single dwelling.
- 3.8 Despite the fact that the access off New Road Side does not meet current layout standards, due to the lack of material increase for the proposed use, there are no significant highway safety issues which arise.
- 3.9 The applicant has the benefit of planning permission and could implement the consent subject to discharging the conditions attached to the approval. Two of these conditions need to be discharged before development commences and these relate to boundary treatment and bin stores.
- 3.10 The deputation requests that the Council considers a new access to the development shown as access 'C' on their submitted plans. This is the existing pedestrian access to New Road Side. We have looked at this proposal carefully. However, there are a number of concerns with this alternative. The site is located in

a Conservation Area and the proposed access would require the removal of two mature trees and a section of stone wall. Both the trees and the stone wall are important features within the Conservation Area and the removal of the trees and part of the stone wall would have a detrimental impact on the Conservation Area. The access would allow for two way traffic within the site but the visibility along New Road Side would not be an improvement on the existing access to New Road Side.

- 3.11 There is a change in levels from New Road Side and the site and a new access would involve the construction of new retaining walls which could also have a detrimental impact on its appearance. This access proposal is not therefore, considered to provide a viable alternative.
- 3.12 It should also be appreciated that planning permission has already been granted and the period for challenging the permission has now passed. The Council has no powers to change this permission or to change the proposed access for the development. As a consequence the Council is unable to help further.
- 3.12 The use of the access off New Road Side through the curtilage of Throstle Nest Grange is a civil matter between the owners of both Throstle Nest Grange and Throstle Nest Villa and regrettably is a matter that the Council has no power to get involved in.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 There are no immediate implications for Council Policy and Governance.

#### **5.0 Legal And Resource Implications**

- 5.1 There are no legal and resource implications related to this deputation.

#### **6.0 Conclusions**

- 6.1 In conclusion, further to the deputation to Full Council, officers have re-examined the background to the planning permission and the specific proposals outlined by Mr Senior and Mr & Mrs Boucher. Having taken a fresh look at the matters raised, it is evident that the access arrangements to Throstle Nest Villa have been long-standing and have not fundamentally changed as a consequence of the planning permission. The Council has no powers to reverse its planning decision and primarily it would appear that the main issues relate to the rights of access to Throstle Nest Villa and Throstle Nest Grange which are matters of private land ownership. Notwithstanding this point officers have taken full consideration of the alternative access proposal put forward in the deputation. However, due to a number of factors including the removal of mature trees, officers would not recommend it for consideration by the owners of Throstle Nest Villa, who ultimately would have to agree to promote this option.

#### **7.0 Recommendations**

- 7.1 Members are requested to note response to the deputation.

#### **Background Papers**

Planning application number 09/03303

DEPUTATION TWO – LOCAL RESIDENTS, THROSTLE NEST VILLA,  
HORSFORTH

THE LORD MAYOR: Good afternoon, ladies and gentlemen, and welcome to today's Council meeting. Please now make your speech to Council, which should not be longer than five minutes, and please begin by introducing your deputation.

MR M BOUCHER: Lord Mayor, Members of Council, may I thank you for the opportunity to present to you today. My name is Martin Boucher and I am presenting on behalf of concerned local residents. I am accompanied by my neighbour Mr Andy Senior and by my wife Mrs Julie Boucher.

As local residents were are concerned that Leeds Planning Services has given insufficient consideration to the impact on highway safety in granting planning permission for the change of the use of Throstle Nest Villa to form six two bedroom flats and two houses (please see document 1).

Our concerns relate to the existing access on to New Road Side Horsforth that I shall refer to as Access A, and a proposed new access road onto Newlay Wood Crescent that I shall refer to as Access B.

Access A (see document 2) is a narrow single-track driveway extending from Throstle Nest Villa through the gardens of Throstle Nest Grange, emerging on to New Road Side at an approximately 45 degree angle, north west. A high retaining stone wall, approximately six feet high, obscures the driveway from both directions and overhanging trees on both sides of New Road Side reduce the ambient light. This is particularly a problem for pedestrians coming down New Road Side, as the driveway is not visible until a few feet away (please see the photographs in document 4). This causes an unseen danger especially to young children, the partially sighted, parents pushing prams and people walking their dogs on leads to the nearby woods and river walks.

There have been a number of instances of "near-misses", with cars emerging too swiftly from the driveway and not stopping until they reach the kerb. Police records confirm a cyclist was recently hit and injured by an exiting vehicle.

The driveway is too narrow for passing vehicles, so if other vehicles are exiting at the same time, vehicles entering have to back up blind across the pavement on to New Road Side. This is very dangerous. Furthermore the driveway is also the only pedestrian access for the residents of and visitors to Throstle Nest Grange and the police have been notified of a number of incidents of vehicles from Throstle Nest Villa being driven too fast for safety along such a narrow driveway.

We believe that the proposed development of Throstle Nest Villa will lead to an increase in the traffic using the driveway and we are very concerned about the consequent increased danger to pedestrians and cyclists in particular, at the exit on to New Road Side.

Access B (see document 2) is a proposed new access road to be built at the rear of Throstle Nest Villa emerging on to Newlay Wood Crescent. At present there is no such access from the Villa and we are concerned about the increased danger to highway safety that this new access road will cause.

In July 2008 West Yorkshire Police issued a letter (see document 3) to residents of Newlay Wood Crescent following complaints about the number of vehicles parked at the roadside and obstructing pavements. We believe the introduction of another driveway for villa residents and visitors will exacerbate what is already a serious problem.

The proposed access road between the boundaries of two other properties is too narrow for emergency vehicles and confronting vehicles will have to back out with difficulty on to Newlay Wood Crescent causing danger.

We ask that you please refer the matter back to the Chief Planning Officer to consider a new separate dedicated access from Throstle Nest Villa on to New Road Side – Access C (see document 2). This will obviate the need for Access B and will reduce the danger from the present Access A driveway.

Thank you very much. *(Applause)*

THE LORD MAYOR: Thank you, Martin, for addressing the Council today. Can I now call on Councillor Gruen, please.

COUNCILLOR GRUEN: Lord Mayor, thank you. I move that the matter of the deputation be referred to the Executive Board for consideration.

COUNCILLOR LOBLEY: I second, my Lord Mayor.

THE LORD MAYOR: Can I call for the vote from member, please? *(A vote was taken)* CARRIED.

Thank you for attending today and for what you have said. You will be kept informed of the consideration which your comments will receive. Good afternoon.  
*(Applause)*

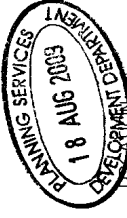


NOTES:

This drawing is copyright and shall not be reproduced without permission of owner. Do not scale from this drawing, use figured dimensions only. It is the Contractors responsibility to check all dimensions on site. It is the Contractors responsibility to ensure compliance with the Building Regulations. This drawing is to be read in conjunction with all Structural Engineers drawings. This drawing is to be read in conjunction with all other relevant drawings and schedules pertinent to the project.

EXISTING MATERIALS

Roof	grey slate tiles
Walls	natural pitch faced stone
Windows	timber (cream)
Sills & Heads	natural stone
Rainwater Goods	cast iron / uPVC (black)



THROSTLE NEST VILLA  
NEW ROAD SIDE, HORSFORTH  
WEST YORKSHIRE, LS18 4LS

PROJECT:

RESIDENTIAL  
CONVERSION

DRAWING TITLE:

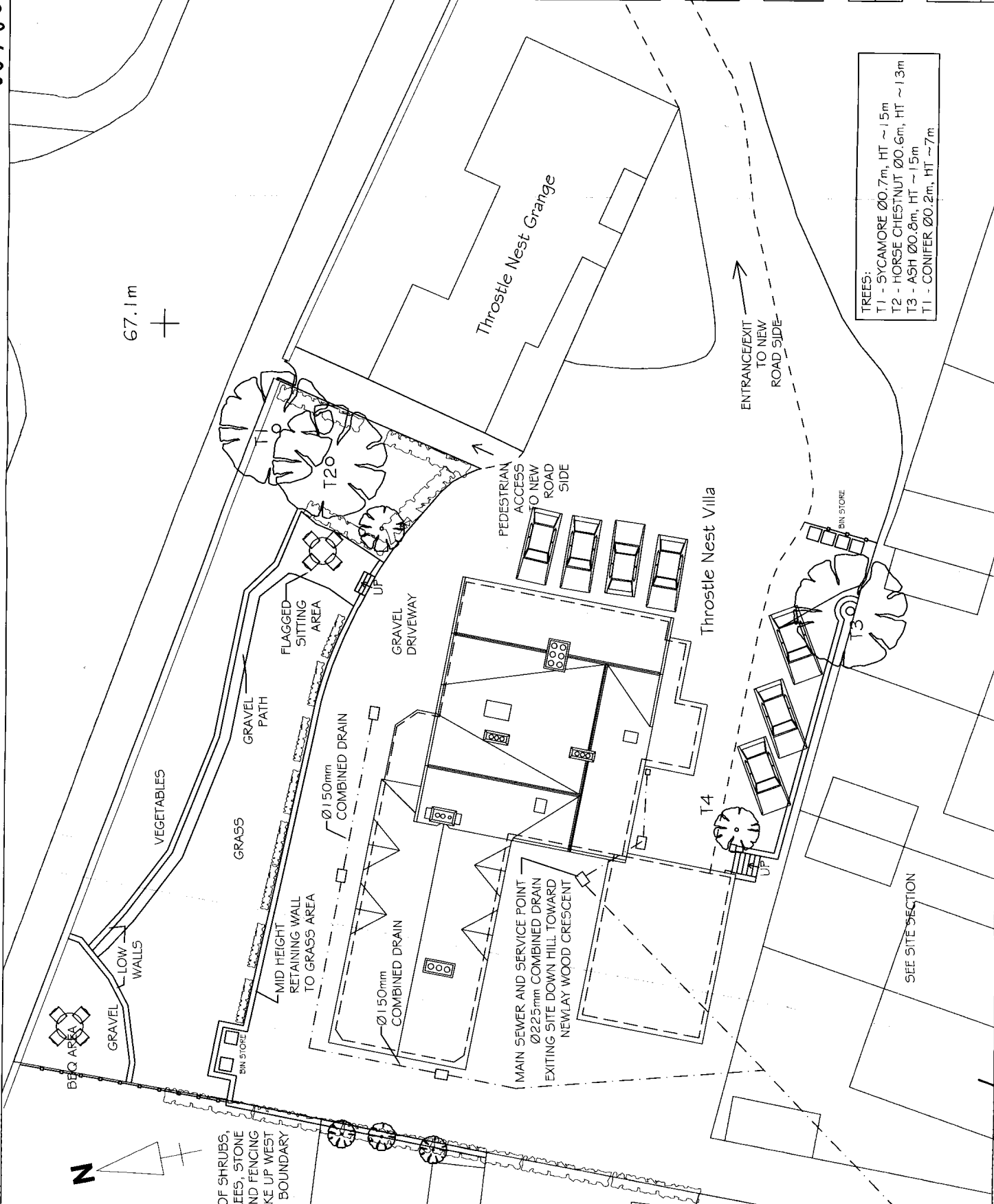
EXISTING SITE PLAN

SCALE: 1:200 @A3 DRAWN: NL

DATE: JULY 2009 CHECKED:

DRAWING N°:

TNV 02

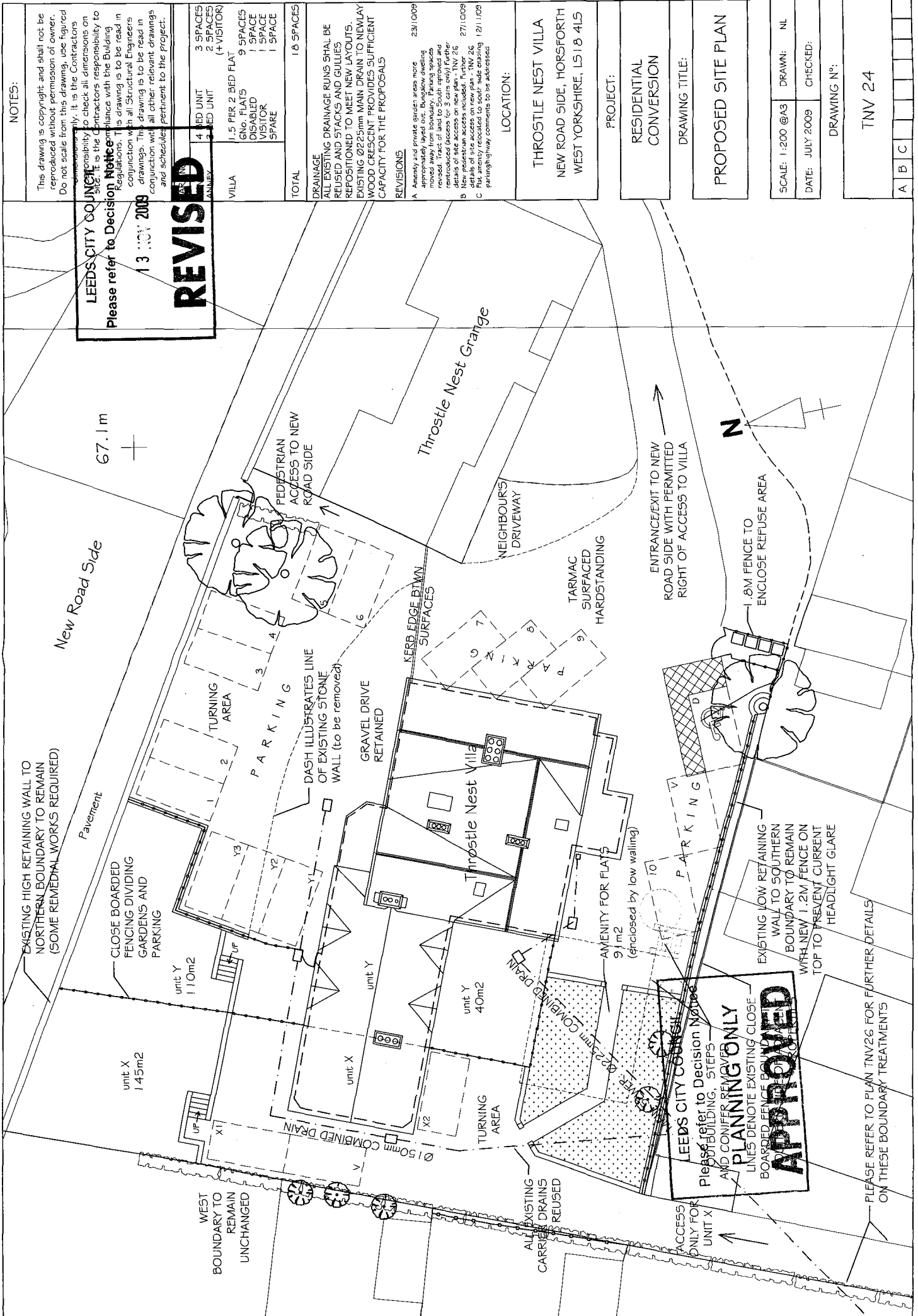


67.1m  
+

TREES:  
T1 - SYCAMORE Ø0.7m, HT ~1.5m  
T2 - HORSE CHESTNUT Ø0.6m, HT ~1.3m  
T3 - ASH Ø0.8m, HT ~1.5m  
T4 - CONIFER Ø0.2m, HT ~7m

SEE SITE SECTION

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**LEEDS CITY COUNCIL**  
 Please refer to Decision Notice  
 13 NOV 2009  
**REVISED**

**LEEDS CITY COUNCIL**  
 Please refer to Decision Notice  
 AND CONSIDER REVERSED  
**PLANNING ONLY**  
 LINES DENOTE EXISTING CLOSE  
 BOARDED LEVELS BOUNDARY  
**APPROVED**

**NOTES:**  
 This drawing is copyright and shall not be reproduced without permission of owner. Do not scale from this drawing, use figured dimensions only. It is the Contractors responsibility to check all dimensions on site. It is the Contractors responsibility to ensure compliance with the Building Regulations. It is drawing is to be read in conjunction with all Structural Engineers drawings. This drawing is to be read in conjunction with all other relevant drawings and schedules pertinent to the project.

ANNEX	4 BED UNIT	3 SPACES
VILLA	1.5 PER 2 BED FLAT	2 SPACES (+VISITOR)
	DISABLED VISITOR SPACE	9 SPACES
	STAKE	1 SPACE
<b>TOTAL</b>		<b>18 SPACES</b>

**DRAINAGE**  
 ALL EXISTING DRAINAGE RUNS SHALL BE REUSED AND STACKS AND GULLIES REPOSITIONED TO MEET NEW LAYOUTS. EXISTING Ø225mm MAIN DRAIN TO NEWLAY WOOD CRESCENT PROVIDES SUFFICIENT CAPACITY FOR THE PROPOSALS

**REVISIONS**  
 A Amenity and private garden areas made more visible from boundary. Parking spaces repositioned (access for 3 cars only) further details of site access on new plan - TNV 26  
 B New pedestrian access included on new plan - TNV 26  
 C First amenity relocated to south side entrance parking/entryway comments to be addressed: 1/21/10/09

**LOCATION:**  
 THROSTLE NEST VILLA  
 NEW ROAD SIDE, HORSFORTH  
 WEST YORKSHIRE, LS18 4LS

**PROJECT:**  
 RESIDENTIAL  
 CONVERSION

**DRAWING TITLE:**  
 PROPOSED SITE PLAN

SCALE: 1:200 @A3  
 DRAWN: NL  
 DATE: JULY 2009  
 CHECKED:  
 DRAWING N°:  
 TNV 24

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Originator: David Feeney

Tel: 2474539

**Report of the Director of City Development**

**Executive Board**

**Date: 3 November 2010**

**Subject: Natural Resources & Waste Development Plan Document – Publication Draft**

**Electoral Wards Affected:**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**EXECUTIVE SUMMARY**

1. The Natural Resources & Waste Development Plan Document (DPD) is one of a number of planning documents currently being prepared as part of the Local Development Framework (LDF). The preparation of this document has been driven by the requirements of national planning guidance (PPS10), the implications of European Waste Management Directives and the City Council’s commitments to managing environmental resources and tackling climate change. Central to these requirements also, is the need for local authorities to develop an overall strategy for waste management (aligned to the Council’s own municipal waste strategy) and to identify specific sites to manage, municipal, commercial and industrial waste.
2. Following extensive periods of consultation (Issues & Alternative Options and ‘Policy Position’ document), Executive Board is requested to consider the “Publication Draft” document, to be subject to a further formal 6 week period of consultation (LDF, Reg. 28). Following consideration of representations received, the City Council may then proceed to the formal Submission of the DPD (LDF, Reg. 30) to the Secretary of State for Independent Examination.

## **1.0 Purpose of this Report**

- 1.1 Following consideration by the Development Plan Panel (12<sup>th</sup> October), Executive Board is requested to consider the Natural Resources & Waste Development Plan Document (DPD) – Publication draft, for (Local Development Framework, Reg. 28) public consultation. Following further consultation at this stage and consideration of representations, the City Council may then proceed to formal Submission of the document to the Secretary of State for Independent Examination.

## **2.0 Background Information**

- 2.1 Within the context of national guidance (PPS10), European Directives and a range of City Council strategies (including municipal waste and climate change), the Natural Resources and Waste DPD has been in production since 2007. Following early technical work and stakeholder engagement, wider public consultation on an Issues & Alternative Options document took place in May – June 2008. This was subsequently followed by a further 6 week period of public consultation (18 January – 1 March 2010) on a 'Policy Position' document. Following the preparation of technical work and supporting material (including Sustainability Appraisal, Resources Flow Analysis, waste research & site requirements reports and reports of public consultation), a "Publication" DPD has now been prepared. The focus of this is to provide planning policy guidance and site specific allocations for natural resources (including minerals) and waste.
- 2.2 The Natural Resources & Waste DPD publication draft plus summary and inset maps is included with Members' agenda papers and can also be obtained from the named clerk on the front of the agenda. The background papers listed at the end of the report can be obtained from Helen Miller on 24 78132.

## **3.0 Main Issues**

- 3.1 The Natural Resources & Waste DPD Publication draft contains a range of planning policies for Land Use, Minerals & Aggregates, Water Resources, Air Quality, Sustainable Energy Use and Waste, as part of an overall integrated approach, which seeks to minimise and manage the use of natural resources. As well as containing specific planning policies and site allocations, it is also envisaged that the document will have an influencing role in supporting the City Council's wider strategic objectives for the environment.
- 3.2 Within this overall context, a number of key issues have emerged, which are addressed through the document. These include:
- planning for minerals & aggregates supply (whilst managing environmental assets and amenity),
  - planning for municipal, commercial and industrial waste activity, including site specific allocations, (whilst seeking to reduce waste arisings overall)
  - seeking to reduce flood risk, through mitigation and adaptation, in taking into account the effects of climate change.
- 3.3 Following public consultation on Issues & Alternative Options (May – June 2008), and a 'Policy Position' (January – March 2010) there has been a strong measure of support for the overall strategy and policy approach of the DPD. However, representations have been received regarding the designation of particular sites for minerals and aggregates (and the need to be more explicit about the identification of

coal deposits). Concerns have been expressed also regarding site specific allocations for strategic waste management facilities. The sites that are allocated for strategic waste management are Former Skelton Grange Power Station Site, Land within Knostrop Sewage Treatment Works and Former Wholesale Markets Site, Cross Green Industrial Estate.

- 3.4 In seeking to address these issues and concerns, the Publication draft provides a strategic planning, policy and site allocation context for subsequent proposals and initiatives. In response to specific concerns raised in respect of minerals and waste issues noted above, the Publication draft:
- focuses upon minimizing the impact of necessary minerals working by 'safeguarding' *existing* sites where necessary and by carefully managing the extent of any future expansion,
  - acknowledges the presence and broad location of coal deposits across the district (and its management through 'criteria based' planning policies), with the extent of coal deposits subsequently identified in supporting technical material,
  - provides a planning framework for municipal, commercial and industrial waste (including amenity and locational considerations), whilst supporting overall waste reduction as a priority. In particular, sites are allocated for strategic waste management facilities.

### 3.5 Minor Amendment Since Development Plan Panel

Information has been received since the Publication DPD was considered by Development Plan Panel which has resulted in the need for a minor amendment to the policy on large scale wind energy generation (ENERGY 1). Under the Habitats Regulations, development is not permitted which would have a negative impact on the Hawksworth Moor Special Protection Area. A sentence has been added to the policy to clarify this point.

## 4.0 **Implications for Council Policy and Governance**

- 4.1 As noted above, the Natural Resources & Waste DPD, forms part of the Local Development Framework and once adopted will form part of the Development Plan for Leeds. Following completion of the six week period of consultation on the Publication draft (and consideration of representations received), Executive Board will need to receive a further report to recommend to Full Council the formal Submission of the DPD for Independent Examination (LDF, Reg.30).

## 5.0 **Legal and Resource Implications**

- 5.1 The DPD is being prepared within the context of the LDF Regulations, statutory requirements and within existing resources. There are no specific resource implications for the City Council arising from the planning policies and allocations.

## 6.0 **Conclusions**

- 6.1 The preparation of the Natural Resources and Waste DPD has been through several phases. The Publication draft is a key step in moving the process through to independent examination and final adoption.

## **7.0 Recommendations**

- 7.1 The Executive Board is requested to consider the recommendation of the Development Plan Panel, namely that it approves the Natural Resources & Waste DPD together with the sustainability appraisal report and other relevant supporting documents for the purposes of publication & public participation.

## **Appendices**

Natural Resources & Waste DPD – Publication draft

Summary map

Inset map

## **Background Papers**

Map Book

Sustainability Appraisal

Topic Papers (Waste, Minerals & Energy)

Natural Resources & Waste DPD Issues & Alternative Options & 'Policy Position' documents (and supporting technical papers & Reports of Consultation)





Originator: Chris Coulson  
Tel: 2474459

**The Appendix of this report is Exempt/Confidential under Access to Information Procedure Rules 10.4 ( 3 )**

**Report of : The Acting Director of City Development**

**To : Executive Board:**

**Date: 3 November 2010**

**Subject: DESIGN AND COST REPORT – PROPOSED LEEDS ARENA  
CAPITAL SCHEME NUMBER : 13307/COM/000**

**Electoral Wards Affected:**

**CITY & HUNSLET**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

## Executive Summary

Leeds has long held an ambition to deliver a multi purpose arena in the city that maximises the social, economic and cultural benefits that such a facility will deliver and, will help Leeds to go up a league as a city, enabling it to regularly host world class entertainment that will enhance Leeds' national and international profile.

In November 2008, the City Council decided to take on the role of developer itself in response to the worsening economic conditions that were having a significant impact on the development market. In taking on the challenge, the Council recognised that it had to manage the risk of delivering the scheme within the design and cost parameters set and, to deliver this an experienced team was established to develop the scheme proposals. The scheme has now been developed to RIBA Stage D+ and fits within the design and cost parameters previously agreed by Executive Board.

The report details progress made to date on the project, recommends a design and cost freeze for the proposed arena development and, seeks approval to incur expenditure of £61.199 million from existing budget provision and to let the contract to build the arena, subject to the tender sum for the building works being within the budget available for the scheme.

## **1.0 Purpose of This Report**

- 1.1 The purpose of this report is to seek Executive Board's approval to:
- (i) The progress made in pursuing the development of the arena at Clay Pit Lane.
  - (ii) Authorise design and cost freeze at RIBA Stage D+ for the proposed development of the arena.
  - (iii) Subject to the tender sum for the arena building works being within the project budget, to authorise the letting of the building contract and the incurring of expenditure of £61.199 million from existing budget provision (Capital Scheme No. 13307/COM/000) on the proposed development of the Leeds arena.
- 1.2 The Appendix to this report is confidential as it details the cost estimate for constructing the arena based on the RIBA Stage D+ design and specifications and reviews the funding strategy for the development of the building. It is considered that the public interest in maintaining this information as exempt outweighs the public interest in disclosing the information, as disclosure would prejudice the outcome of the procurement process for the appointment of the contractor to undertake the building works contract, as the contractor could structure their tender to match the Council's cost estimate and hence the Council may not achieve full value for money in terms of the cost to the Council of developing the arena.

## **2.0 Background Information**

- 2.1 Leeds has long held an ambition to deliver a multi purpose arena in the city that maximises the social, economic and cultural benefits that such a facility will deliver and will help Leeds to go up a league as a city and enable it to regularly host world class entertainment that will enhance its national and international profile.
- 2.2 The City Council's Executive Board at its meeting on 5 November 2008, resolved that the developer procurement competition for the proposed arena should be terminated without the award of a contract and, at the same meeting and as a consequence of the decision to terminate the developer competition, the Executive Board also determined that the Council would lead the delivery of the proposed arena itself with Clay Pit Lane as the preferred site.
- 2.3 At the November 2008 meeting of the Executive Board, Members also approved the injection of £65.05m into the Capital Programme to provide the balance of funding required to deliver an arena at Clay Pit Lane. In total, the estimated £80.5m outturn cost of developing the arena (inclusive of build cost, inflation, fees, land acquisition, opportunity costs and contingency) would be financed by a combination of commercial revenue generated by the project itself, with the remainder being funded by the City Council and Yorkshire Forward.
- 2.4 The City Council subsequently acquired the balance of the Clay Pit Lane site from Leeds Metropolitan University and, retained the Strategic Design Alliance (SDA) supported by Populous (formerly HOK Sport) to provide a multi-disciplinary design service to develop the design proposals for the arena. In addition to the appointment of the SDA, the Council also retained Davis Langdon to act as both cost consultant/employers agent for the duration of the project and latterly as project manager to the conclusion of RIBA Stage E, Ove Arup and Partners as planning

agent and technical monitor, Turner and Townsend as Construction Design Management Co-ordinator and IPW Ltd to provide strategic business advice on the project.

- 2.5 In February 2009, Executive Board considered a report on the procurement options available for the appointment of the contractor to construct the arena. The procurement options ranged from a design, build and operate contract where the control and risk rests primarily with the contractor, to design and build, through to a traditional contractor approach, where control and risk remains primarily with the Council as client for the development. The Executive Board resolved to authorise the Director of City Development under the Council's scheme of delegation to determine the preferred form of construction contractor procurement. Subsequently, the Director of City Development authorised the project team to proceed with a two stage design and build contractor procurement approach.
- 2.6 Given the nature of the proposed works and that the estimated value of the construction contract was in excess of the threshold where European Procurement regulations require the contract to be advertised, a notice was placed in the Official Journal of the European Union in August 2009, inviting companies to express an interest in the contract by submitting a Pre-Qualification Questionnaire (PQQ). An analysis of the returned PQQ's was undertaken and a short list of companies was invited to tender for the construction contract.
- 2.7 Tenders were invited based on a two stage design and build approach, with the first stage tender being based on the builders' fixed costs for pre-construction services, design fees, preliminaries, design development risk and sub-contractor performance risk. In due course, the second stage tender from the preferred contractor will confirm the cost of constructing the project based on tenders received for individual packages of work, which have been tendered to an agreed list of sub-contractors, with all the costs being brought together to define the contract sum, which is the point at which the contract is awarded, subject to it being within the budget available. Once the contract is concluded (under a design and build approach), the vast majority of design and construction risks are transferred to the contractor.
- 2.8 The first stage tender submissions were received in February 2010 and following detailed analysis by the Council's client project team and Davis Langdon, BAM Construction (BAM) was selected by the Arena Project Board as the preferred participating contractor to work with the Council during the second stage tender period to develop the arena design. Executive Board at its meeting in April 2010 endorsed the selection of BAM as the preferred contractor and Bovis as the reserve contractor for the building works contract.
- 2.9 Members of Executive Board should note that as part of the first stage tender the short-listed companies had to provide an indicative Employment, Skills and Business Engagement Plan, which set out a programme of activity to ensure economic and social benefits were realised during the construction phase of the project. BAM submitted a strategy for local employment, training and education that on the whole largely met or exceeded the social, economic and employment targets set by the Council for the construction project, which will be a contractual commitment the company will have to deliver. Once the preferred contractor is appointed, the Council will work with the contractor to encourage the involvement of the third sector and specialist employment organisations to endeavour to secure apprenticeship roles for individuals from socio-economic groups who may traditionally be excluded from such opportunities. As well as providing over 500 construction jobs at the peak

of the building works, BAM committed to achieve a range of social and economic deliverables which may be summarised as follows:

- 60 new apprenticeships initiated by the project.
- 102 progression into employment opportunities for local residents through job centre plus or equivalent schemes, with 20% targeted at residents in Wards nearest the site.
- 110 local construction jobs safeguarded.
- 48 people weeks equivalent of work experience for 16 – 17 year olds.
- 96 people weeks equivalent of work experience for 18 + years.
- Safeguarding 30 existing apprenticeship positions.
- 5 business events to be held for potential sub contractors.
- 22 Leeds based businesses to be engaged on the project.
- 22 School/College visits to the site and 11 workshops to be held.
- 2 university led research projects to be undertaken

2.10 Once complete, it is projected that the venue will attract at least 1 million visitors per annum to the city, providing in the region of 330 new, full time equivalent job opportunities, many for local residents and will benefit the city's economy by in excess of £25m per annum. In addition, it is considered that the development of the arena will act as the catalyst for the regeneration of the northern quarter of the city centre and, it is increasingly apparent that adjacent landowners are now endeavouring to bring forward proposals to take advantage of the economic opportunities arising from the development of the arena, which will further enhance both the quality and diversity of the area and the linkages between the city centre and Little London.

### **3.0 Main Issues**

#### **(i) Building Overview**

3.1 The Leeds arena will be a multi purpose venue capable of seating 12,300 spectators and with a maximum capacity of 13,500 spectators when configured for maximum standing space. The facility will have a flexibility of design, facilities, seating arrangements and rigging to accommodate a range of events from music and family entertainment to sporting events. Plans showing the general internal arrangement of the building will be on display at the meeting.

3.2 In line with the evolving entertainment focussed market, SMG the proposed operator of the venue has stipulated that a contemporary and innovative internal layout is required, with the intention being to heighten the customer experience with all seats facing the performance area.

3.3 The arena bowl will be a fan or theatre style configuration, with all seats facing the performance area having unobstructed sightlines to 'up stage centre'. The lower

bowl will accommodate around 7,000 seats, including around 900 floor seats, with 15 rows of retractable seating at stage level to create a large clear standing area. The upper bowl will accommodate around 5,300 seats. In a fan or theatre style configuration spectators will be much closer to the stage area, with the seats at the rear of the auditorium being approximately 70 metres from the stage, compared with 90-110 metres in more traditional bowl venues such as the Odyssey Arena Belfast, or the London O2 Arena. The operator of the venue also benefits from the fact that in an end stage configuration the fan style arena does not have redundant seats behind the stage, whilst performers benefit in that they are closer to the audience.

- 3.4 Front of house, the venue will incorporate 24 executive suites, (each with an average capacity for 12 guests), an arena restaurant seating 100 guests and two hospitality lounges for 150 guests each all at ground floor level. The venue will have over 100 concession, merchandise and retail points of sale. The proposed design of the arena offers the potential to operate the arena restaurant outside of event hours, well located to the public realm and providing an active, lively frontage with the adjacent piazza space.
- 3.5 It is proposed to accommodate 110 disabled seats and 110 helper seats when the arena is in a fully seated configuration for 12,300 spectators. The disabled seats are distributed throughout the arena bowl to provide a range of viewing options. In addition, each executive suite can accommodate disabled spectators and helpers. A Changing Places toilet will be provided in the entrance level of the arena.
- 3.6 Vertical circulation through the public areas of the building will be achieved by a combination of stairs, escalators and lifts.
- 3.7 Back of house facilities to support SMG's proposed programme of events includes for example office space, staff rooms and meeting rooms. Dressing rooms will be contained in a separate access controlled zone close to the stage access points, whilst the backstage area also includes provision for associated ancillary space i.e. crew kitchen and dining area, press room, first aid facilities and staff locker rooms and toilets, maintenance workshop and warehouse area.
- 3.8 The venue will have a covered, enclosed loading/service area to the rear of the stage with gated secure access and storage. It will provide secure access to the arena floor and will allow the loading/unloading of three articulated goods vehicles simultaneously via the loading dock. It will be capable of meeting the access requirements of the emergency services at all times, with additional vehicle access direct to the event floor area.
- 3.9 Members of the Executive Board may recall that in July 2009, the Board agreed a number of key project objectives, one of which in relation to sustainability was 'having regard to the budget available, to ensure that the Leeds arena delivers an outcome that sets a new benchmark for the sustainable performance of arenas in the UK'. Against this background, the project's approach to sustainability has been holistic, encompassing the wider social and economic impact of the development as well as the sustainability benefits of the design.
- 3.10 In order to identify the sustainable performance benchmark to be achieved, a review was undertaken of the Liverpool Echo arena project, the most recent UK benchmark for arena development in order to determine a baseline for sustainability performance for the proposed Leeds arena. The review was based on the BREEAM assessment undertaken for the Liverpool arena and other publicly available

information. The Liverpool arena scored a BREEAM rating of 58% (very good) under the BREEAM 2005 methodology. The target for the proposed Leeds arena is to improve on this score and the current BREEAM assessment indicates a score of 62.5% is on schedule to be achieved. The key sustainable features to be included in the design of the arena are:

- The building will obtain at least 10% of its base load energy requirement for the permanent systems from low and zero carbon sources, primarily in the form of air source heat pumps. This system will provide 31% of the building's heat load.
- The building will include a rainwater harvesting system to provide 50% of the flushing demand.
- Materials with a high green rating will be specified where technically feasible for the building and landscaping. Materials will be responsibly sourced for example FSC timber.
- Natural daylight and passive ventilation measures will be prioritised in the concourse area and offices.
- The building will include a green sedum roof over the service yard.

3.11 In summary, the internal design of the building will provide for a venue capable of seating up to 12,300 viewing spectators, increasing to a licensed capacity of around 13,500 when the flat floor and retractable seating have been removed to allow for spectator standing. However, with flexibility of design, rigging and seating arrangement the venue will be capable of hosting events as small as 1,500 spectators.

#### (ii) **The Arena Building (External)**

3.12 The design of the arena building has been driven by both its function to provide an acoustically excellent performance venue, benefiting from excellent sight lines to the stage and to respond to the parameters of the Clay Pit Lane site, seeking to knit together what is currently a relatively disparate urban landscape. Under the guidance of the Civic Architect (as the design champion for the project), the design philosophy has sought to promote a distinctive frontal elevation that endeavours to capture the feeling of fun and excitement of arena events and a building that has regard to and facilitates linkages with the surrounding urban environment.

3.13 The western elevation of the arena provides the 'front door' for the majority of visitors to the venue, providing a sense of arrival and excitement in advance of arena events. To the north and south of the western elevation there are external staircases which provide access and egress to the higher levels of the building. These are secondary access points, with the central section of the western elevation providing the main entrance/egress point for visitors. The western façade also provides the main activity space and gathering point for arena visitors, with the concourse restaurant and arena lounge located at ground floor level underneath a series of colonnades.

3.14 The western façade acts as the main focal point for the arena and provides glimpses from the outside into the arena bowl. Similarly, the elements of glazing built into the façade provide views out onto the surrounding area and, in particular, the new public piazza, created to the west of the arena building, fronting onto Clay Pit Lane. The

western façade's glazing has developed as a feature lens consisting of cellular glazing units to create a kaleidoscope effect. The intention is that the 'lens' can respond to the changing content of the arena and the associated dynamic of the event goer, with feature lighting and colour to mirror the 'mood' of events within the building to provide a very distinctive design that will set Leeds Arena apart from its comparators.

- 3.15 The southern elevation lies immediately adjacent to Brunswick Terrace. It is proposed that the central section of Brunswick Terrace will be closed to vehicles and will be incorporated into the arena design as part of the overall public realm provision. It will provide an attractive, usable pedestrian space responding to the setting of the arena building and will provide the opportunity to accommodate disabled mini bus drop off/collection spaces to serve the arena.
- 3.16 Responding to the creation of this new public space, the southern elevation provides a high level of activity with the main staff functions and event backstage areas being clustered at the lower levels of the building.
- 3.17 To the east of the arena auditorium is the fully enclosed service yard, which provides areas for loading and unloading of event and servicing vehicles. The service yard is totally enclosed and will be covered with a 'green roof'. The access and egress for vehicles is to the north of the service yard onto a new service road which runs along the northern edge of the site. The new service road provides access from and egress onto Wade Lane and from there onto the wider highway network. To the rear of the auditorium, mechanical plant (providing ventilation and cooling for events) is covered by a light box which provides additional opportunity for signage and lighting of the building.
- 3.18 The northern elevation of the building provides the main opportunities for servicing of the arena. The new service road also provides the opportunity to create a pedestrian link from Clay Pit Lane to Wade Lane, a taxi drop off/waiting area, disabled car parking provision close to the arena entrance and a means of servicing one of the development plots fronting onto Clay Pit Lane.

(iii) **Landscaping**

- 3.19 The landscaping approach has been influenced by the desire to promote a sense of anticipation and strong sense of arrival before an arena event, combined with the need to cater for large volumes of pedestrians that need to have free movement to and from the building with minimal obstruction. Accordingly, the placement and arrangement of landscape features has been used to contribute in directing pedestrians and will seek to provide clean and distinct focal points for people to meet and orientate themselves prior to and after an event.
- 3.20 The main landscaped area proposed for the arena site involves the creation of the new public piazza (fronting onto Clay Pit Lane) which will include additional tree planting and the creation of informal seating areas to provide a welcoming entrance and arrival point. The closure of Brunswick Terrace to vehicles and the creation of a pedestrian environment as an extension of the public piazza will be designed to accommodate increased pedestrian movement following an arena event.
- 3.21 Temporary landscaping is proposed to the two development plots fronting onto Clay Pit Lane. Existing trees are retained where possible, whilst temporary works will incorporate turfing, ornamental shrub planting and wild flower areas.

- 3.22 Additional landscaping is proposed along the new pedestrian footway linking Clay Pit Lane and Wade Lane. A single avenue of trees is proposed to form a buffer between the pedestrian route and the vehicular service road.
- 3.23 Street furniture will be chosen and designed to add to the sense of place, but will be robust and durable, allowing for the inclusion of integrated anti skate and anti social behaviour measures. The scheme will be designed to encourage people to use and inhabit the public realm.
- 3.24 The landscaping proposals have had regard to the security measures required around the boundary of the site to restrict and divert unwanted access. Hostile Vehicle Mitigation measures have been incorporated into the design proposals through a series of physical structures in the form of walls and bollards, that prevent unauthorised vehicle movement but allow for pedestrian flow.
- 3.25 A new signalled controlled pedestrian crossing on Clay Pit Lane is proposed to replace the existing crossing close to Providence Place. The crossing will be positioned at the western edge of the piazza and will be designed to enable high volumes of pedestrians to cross Clay Pit Lane in a safe manner.
- 3.26 Plans, drawings, images and a model of the arena development will be on display at the meeting.

(iv) **Planning Consent**

- 3.27 In March 2010, outline planning consent subject to conditions was granted for the layout of a new access road and pedestrian footpath and the construction of a multi use arena with ancillary restaurants, bars, retail units and provision of new public realm. The permission included full details of access, with details of layout, scale, appearance and landscaping reserved for future determination.
- 3.28 In reserving elements of the proposed development for future determination, the outline application also set out specific principles and parameters to provide information on the likely scale, massing and bulk of the arena, as well as identifying the extent of the new public realm. In particular, the outline consent specified the minimum/maximum parameters in relation to the height, width and depth of the arena building, the broad location of the building on site and the area for the new public open space and areas for future landscaping as part of the reserved matters submission.
- 3.29 The reserved matters planning application was submitted to the Local Planning Authority (LPA) at the beginning of September 2010, providing full details of layout, scale and appearance of the arena building as well as details of the landscaping proposals. In addition a wind tunnel assessment incorporating details of any necessary mitigation measures and energy statement setting out the approach to securing at least 10% of the development's base load energy from decentralised and renewable or low carbon energy sources was submitted.
- 3.30 It is envisaged that the Council's Plans Panel (City Centre) will consider the reserved matters application at its meeting on 12 November 2010. Separately, the Council's arena project team, BAM and SMG will submit information to the LPA sufficient to secure discharge of all pre-commencement planning conditions by mid December 2010.



(v) **Contractor Appointment**

- 3.31 Paragraphs 2.5 to 2.8 inclusive above summarise the selection of BAM as the preferred participating contractor and Bovis as the reserve contractor for the arena building works. Since April 2010, BAM and their retained design team (Populous, Arup and Whitelaw Turkington) have worked with the Council's project team to develop the design proposals to secure reserved matters consent and is currently tendering individual work packages with a view to submitting its second stage tender and contractor's proposals on 23 December 2010 and, then reaching financial close and contract award in early February 2011.

(vi) **Enabling Works**

- 3.32 Subsequent to the selection of BAM as the preferred participating contractor for the arena development, the Council's arena project team determined that a package of enabling works that it was originally envisaged that the City Council would undertake directly itself (in order to maintain the overall development programme) should be undertaken by BAM as the preferred contractor. Accordingly, BAM has been instructed to proceed with a package of works in advance of the contract award date which may be summarised as follows:

- Abandonment/Diversion of utility services within the arena site boundary.
- Diversion of existing Yorkshire Water Sewer.
- Excavation to formation level for the new service access road and turning circle.
- Installation of foundations adjacent to the line of the new service road where impacted by the proposed foul drainage network installation.
- Removal of Japanese Knotweed in a controlled manner from the site.
- Erection of hoardings around the site.

- 3.33 At the time of report preparation, it is envisaged that the enabling works will be complete by the end of October 2010. An update on the progress of the works will be available at the meeting.

(vii) **SMG Agreement for Lease/Lease**

- 3.34 In parallel with the development of the design and cost proposals for the arena, the City Council has completed an Agreement for Lease and Lease with SMG Europe, the proposed operator of the arena, who will take a 25 year full repairing and insuring lease of the venue at practical completion of the base build, providing a guaranteed rental income plus additional advertising and naming rights revenue to the City Council.
- 3.35 Prior to the City Council entering into a contract with BAM to build the arena, the City Council will need to be satisfied that the four (4) conditions precedent have been discharged, sufficient to allow the Agreement for Lease with SMG to become unconditional. The conditions precedent are;

- i) Acceptable ground conditions on the development site.

- ii) No onerous planning conditions.
- iii) Securing a provisional licencing statement.
- iv) The Council securing funding from Yorkshire Forward sufficient to allow the scheme to proceed.

3.36 At the time of report preparation, it is envisaged that the conditions precedent will have been discharged by the end of December 2010, sufficient to agree financial close and contract award in early February 2011. An update on progress in discharging the conditions precedent will be provided to Members at the meeting.

(viii) **Programme**

3.37 The strategic development programme for the arena is as follows:

- |   |                       |
|---|-----------------------|
| ▪ Commence enabling works                                     | 6 September 2010      |
| ▪ Complete enabling works                                     | 31 October 2010       |
| ▪ Secure reserved matters consent                             | 12 November 2010      |
| ▪ Secure premises licence                                     | Mid November 2010     |
| ▪ Discharge pre-commencement planning conditions              | 15 December 2010      |
| ▪ BAM submits second stage tender and contractor's proposals. | 23 December 2010      |
| ▪ Agreement for Lease/Lease unconditional.                    | 31 December 2010      |
| ▪ Appoint contractor.   | 2 February 2011       |
| ▪ Start on site.  | 14 February 2011      |
| ▪ Practical completion.                                       | November 2012         |
| ▪ Arena opens.  | January/February 2013 |

3.38 In considering the strategic development programme Members should note that completion of the base build is currently projected to be delayed by around six weeks. However, the intention is to recover time during on-going design and construction works, with the base build still forecast for practical completion in November 2012, though the arena will only open in late 2012 or early 2013 allowing time for SMG to complete its fit out works. In order to maintain the current programme there will continue to be a need for a timely and disciplined approach to the project.

(ix) **Consultations**

3.39 The Arena Project Board has been consulted and supports the recommendations contained in the report.

3.40 Yorkshire Forward and SMG who are both represented on the Arena Project Board have been fully consulted and are supportive of the recommendations detailed in the report.

3.41 In terms of the detailed design of the arena, consultation has continued or been undertaken with the Leeds Independent Disability Council, the Civic Trust, CABA, owners/occupiers of neighbouring buildings, Little London Forum and Leeds Property Forum/Leeds Chamber of Commerce. In addition, an animation showcasing the arena design has been placed on the [www.leeds.gov.uk/arena](http://www.leeds.gov.uk/arena) website and an exhibition has been on display at a range of well visited locations in the city centre.

#### 4.0 Implications for Council Policy and Governance

- 4.1 The Leeds Strategic Plan 2008/2011 seeks to facilitate the delivery of cultural schemes of major significance. The delivery of the Leeds arena is central to delivering that improvement priority.

## **5.0 Legal and Resource Implications**

- 5.1 Details of the estimated cost of developing the arena inclusive of associated public realm works based on the Stage D+ design proposals and specifications and the proposed funding strategy for the delivery of the arena are detailed in the Appendix to the report, the contents of which are Exempt/confidential under Access to Information Procedure Rules 10.4(3), as disclosure of such information at this time may prejudice the Council's funding strategy for the development and its ability to finalise the contract sum and contract agreement with the preferred contractor for the construction of the arena.

## **6.0 Risk Assessment**

- 6.1 Given the scale and complexity of the arena project there remains the potential for cost increases to incur both during on-going design development and construction on site. Whilst the arena proposals have been developed to RIBA Stage D+ with an associated cost plan, some elements of cost risk still remain particularly with respect to the cost of the proposed façade/envelope treatment of the building and the off-site highway works that are required by the LPA, as the potential scope and scale of such works has yet to be fully defined. Whilst the risk cannot be completely removed, the approach undertaken to date in securing outline planning consent and developing the scheme proposals to RIBA Stage D+ has sought to provide a good degree of cost certainty by 'closing down' the principal off-site risks and developing a clearer understanding of the major planning requirements for the proposed development. Members of the Executive Board should note that once the contract is concluded with the contractor, the vast majority of the remaining design and construction risks are transferred to the contractor. However, Executive Board should note that if the second stage tender submission comes in above the budget provision, then a value engineering exercise would be undertaken to bring the costs back within the budget available.
- 6.2 There is a risk that the Council will continue to incur design fees to develop the scheme proposals for the development of the arena at Clay Pit Lane, only for the Council to fail to achieve financial close with BAM as the preferred participating contractor for the building works, because the contractor seeks to use their status as sole bidder in the second stage tender to their commercial advantage. This risk may be mitigated in two ways. Firstly, the terms of the preferred contractor's appointment for the second stage have been robustly defined and agreed during the first stage and secondly, Members of Executive Board will recall that a reserve contractor has been selected who has continued to monitor the project and who will be able to 'step up' to the role of preferred contractor should the need arise, without significant delay to the project.
- 6.3 There is a risk that the project will fail to secure reserved matters consent and licensing consent by the planned date to allow the works to start on site as programmed. This risk is being mitigated by holding detailed discussions with officers from the LPA to ensure all outstanding issues are fully addressed and that full and detailed discussions have been held with the responsible authorities prior to

the submission of the licencing application.

- 6.4 There is a risk that the Council and its preferred contractor may fail to secure all consents required for road closure and prohibition orders and traffic regulation orders sufficient to allow the works to proceed as currently designed and as programmed. The risk is being mitigated by the Council and the preferred contractor holding discussions with adjacent neighbours to show how the development may proceed without affecting their business activities.

## **7.0 Conclusion**

- 7.1 The development of a multi purpose arena has been a long-standing ambition of the city and many of its stakeholders. The city is now close to achieving its ambition with significant progress made and the scheme now at the design freeze stage. The scheme is currently on time and on budget and is set to deliver a distinctive international venue in the city that will bring significant jobs and skills benefits during the construction phase. Once completed, the scheme will be a major boost to the night time economy of Leeds and will contribute to the delivery of a key priority in the Council's Strategic Plan, namely to encourage investment in and the development of high quality facilities of national and international significance.

## **8.0 Recommendations**

- 8.1 Executive Board is recommended to:

- i) Note the progress made in pursuing the development of the arena at Clay Pit Lane.
- ii) Approve design and cost freeze at RIBA Stage D+ for the proposed development of the arena at Clay Pit Lane.
- iii) Subject to the tender sum being within the project budget, to authorise the letting of the contract to the preferred participating contractor (or the reserve contractor should the need arise) and the incurring of expenditure of £61.199 million from existing budget provision (Capital Scheme No. 13307/COM/000) on the proposed development of the Leeds arena at Clay Pit Lane.

## **Background Papers**

1. Executive Board Report, 5 November 2008.
2. Executive Board Report, 13 February 2009.
3. Executive Board Report, 7 April 2010.
4. OJEU Notice, Contractor Appointment, August 2009.

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Originator:  
Stacey Campbell  
Tel: 2243470

**Report of the Director of Environment and Neighbourhoods**

**Executive Board**

**Date: 3<sup>rd</sup> November 2010**

**Subject: Dog Control Orders**

**Electoral Wards Affected:**  
ALL

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**EXECUTIVE SUMMARY**

The purpose of this report is to consider the outcome of consultation on the dog control order implementation process and seek approval to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 as Phase 1 of the project (with effect from 1 January 2011) and to set the level of fixed penalty notices issued under those orders.

This proposal was initiated following a recommendation contained within a Scrutiny Board review of dog fouling and the dog warden service in the city in 2008/9. This report outlines the possible adoption of the powers in a two phase process, both phases of which have gone to public consultation. This paper outlines the results of the consultation and seeks a decision on the implementation of a number of Orders under Phase 1.

The proposed Phase 1 Orders for approval would control the number of dogs being taken for a walk at any one time; the exclusion of dogs from prescribed places, namely children's playgrounds; and the ability for an authorised officer to instruct an owner to place a dog on a lead if it is causing a nuisance.

## 1.0 Purpose Of This Report

- 1.1 The purpose of this report is to consider the outcome of the consultation on the Dog Control Order implementation process and seek approval to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 as Phase 1 of the project with effect from 1 January 2011 and to set the level of fixed penalty notices issued under those orders.

## 2.0 Background Information

- 2.1 During 2008/2009, Environment and Neighbourhoods Scrutiny Board conducted a review on the enforcement of dog fouling. The board issued a statement in February 2009 setting out its conclusions and recommendations. One of the recommendations stipulated exploring the use of additional Dog Control Orders in the city.

- 2.2 Dog Control Orders are available under Section 55(1) of the Clean Neighbourhoods & Environment Act 2005, which states:-

“A primary or secondary authority may in accordance with this Chapter make an order providing for an offence or offences relating to the control of dogs in respect of any land in its area to which this Chapter applies.”

Leeds City Council is a primary authority for this purpose.

At present, Leeds has one Dog Control Order in place which relates to dog fouling. Currently, where a person is found committing an offence of not removing dog fouling forthwith, they will be issued with a fixed penalty notice as an opportunity to discharge liability for the offence. If they fail to pay the fixed penalty, the Council will proceed to prosecute for the offence. Such an offence carries a maximum fine of up to £1000. The fixed penalty charge for dog fouling is £75, which is discounted to £50 for early payment.

During 2009/10, the Service received 684 complaints about dog fouling in the City. 96 fixed penalty notices were issued for dog fouling.

Dog Control Orders apply to any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment).

- 2.3 There are a number of additional Control Orders that can be created under Section 55 of the Act. These are:-

2.3.1 **Dog on Lead** (requiring a dog is kept on a lead at all times, in specified places).

2.3.2 **Dog on Lead by Direction** (creating an offence of not putting a dog on a lead when directed by an authorised officer).

2.3.3 **Dog Exclusion** (creating an offence of permitting a dog to enter land from which it is excluded).

2.3.4 **Dog Specified Maximum** (creating an offence of taking more than a specified number of dogs on to land).

- 2.4 A multi-agency Project Board was set up to consider the options for adopting Dog Control Orders and to develop an action plan for progressing the Orders. The Board is made up of representatives from Health and Environmental Action Service (dog wardens), Legal Services, Environmental Services (Streetscene), Parks and Countryside, Education Leeds and Strategic Landlord (on behalf of the ALMO's).



- 2.5 The Project Board originally timetabled the project for delivery in 2011/12 given the potential scope and impact of some of the orders and the need for extensive public consultation. Following a request by Scrutiny Board for a quicker outcome, it was agreed that Dog Control Orders could be implemented via a two stage process in order to facilitate early delivery of some aspects of the project. Phase 1 of the project includes the following proposals:-
- 2.5.1 **Dog Specified Maximum** – The Council is proposing to limit the number of dogs walked by an individual to 6. Dog walking in numbers of this kind is normally done by commercial dog walking companies. This proposal is to ensure that dog walkers have full control of the dogs they walk and ensure they can pick up any faeces. This order would apply to all of the city. The National Association of Registered Petsitters (NARP) guidelines recommend a limit of four dogs. The DEFRA national guidance advises six dogs.
- 2.5.2 **Dog on Leads By Direction Order** - This order will allow authorised Council staff to more effectively deal with complaints about dogs which are not being kept under proper control. Such an order will be underpinned by staff guidance stipulating the circumstances when a direction would be given, for example if a dog was causing a nuisance or annoyance. This order would apply to all of the city.
- 2.5.3 **Dog Exclusion Orders**- This order would allow the Council to legally exclude dogs from prescribed areas. In phase one, these areas are designated identifiable children's play areas in parks. Such an Order would reduce dog fouling and nuisance in these areas and they would have significant impact if approved. The city-wide schedule listing all of these areas is attached as Appendix 1.
- 2.6 All of these orders are enforceable in the following way- the order creates an offence which is prosecuted through the magistrates courts, with a maximum fine of £1000. There is an opportunity to discharge the offence through payment of a fixed penalty notice (FPN) to the Council (also see 3.7). In the majority of circumstances, the fixed penalty will always be offered as a first option. Whilst there is no appeal against an FPN, the Services does receive and respond to written enquiries as if they were appeals. The enforcement of these orders will be carried out by staff that are authorised appropriately by the council and if possible, staff employed by secondary authorities.
- 2.7 Scrutiny Board have accepted a timescale for phase one implementation as winter 2010/11. Implementation is dependant upon the decision to adopt the Orders proposed in this report.
- 2.8 Phase two activities will then be proposed for decision and possible implementation in summer 2011. Issues which will be consulted upon in phase 2 can be seen in paragraph 6.1. The project has been split into two phases as more time is required to identify the land due to the large number of areas that could potentially be affected by such proposals, including issues such as land not having obvious boundaries. Proposals are not being considered for such orders to be applied to entire plots of land such as entire parks or open grassed land.
- 2.9 An Equality Impact Assessment of the project is subject to completion in October 2010. A copy is attached as Appendix 2.

### 3 Main Issues

- 3.1 Prior to introducing any Dog Control Orders, the Council must undertake a minimum 6 week consultation process and advertise its intentions in the local media. The Council published its intention in the Yorkshire Post on 21<sup>st</sup> May 2010. To facilitate the consultation process, a website was developed ([www.leeds.gov.uk/dogs](http://www.leeds.gov.uk/dogs)) which contained information on the proposals and an online survey for responses to the consultation. Hard copies of the survey were also distributed upon request. The website was promoted through the media and a poster/leaflet campaign. Articles have been published in the local media on 5<sup>th</sup> July, 7<sup>th</sup> July, 16<sup>th</sup> August and 18<sup>th</sup> August 2010. Television interviews with “Look North” and “Calendar” have been undertaken. The consultation ran for 14 weeks to allow for as many responses as possible to be received.
- 3.2 A report has also been submitted to all the Area Committees for discussion. All the committees supported the proposals with the exception of Outer North East, who expressed reservations about the consultation process. The Parish and Town Councils have also been contacted during the consultation period.
- 3.3 The total number of responses to the consultation was 1779. 7 formal responses have been received from Bramham, Shadwell, Gildersome, Micklefield, Clifford, Thorner and Scarcroft Parish Councils. A formal response has also been written by the Dogs Trust and consultation also took place with Leeds Local Access Forum.
- 3.4 The following questions were asked in the consultation questionnaire and the response, in percentages, are listed alongside:-

Consultation Question	% Responses In Agreement	
What area of Leeds do you live in? (Breakdown available by ward)	5% do not live in Leeds	
Are you a Dog owner?	72%	
Do you agree with the order to limit the number of dogs a person can walk at a time?	74%	
If so, what do you think is the maximum number of dogs one person could safely walk to keep control and be able to clean up after them?	<b>Number</b>	<b>%</b>
	One	3%
	Two	20%
	Three	20%
	Four	25%
	Five	4%
	Six	15%
	Seven	1%
	Eight	5%
More	8%	
Do you agree with the Order that allows the banning of dogs from specified areas?	64%	
Dogs on Leads Order - Would you agree with this Order across the whole of Leeds?	28%	
Dogs on Leads Order - Would you agree with this Order in certain areas, such as playgrounds or ornamental gardens?	80%	
Dogs on Leads by Direction Order – Would you agree with this order to make it an offence not to put your dog on a lead when directed to by an	74%	

- 3.5 To summarise the consultation results, it is pleasing that 95% of the consultation respondents are residents of Leeds with a good spread of responses both from people who own and do not own dogs. The majority of respondents agree with the proposal to limit the number of dogs one person can walk. Therefore, it is proposed to introduce an Order limiting the number of dogs that can be walked by an individual to 6, in line with national guidance. Officers consider that this will address the main problems caused by multiple dog walking in Leeds as most issues encountered relate to individuals walking more than 6 dogs. Few problems have been recorded for individuals walking between 4 and 6 dogs.
- 3.6 Again, the majority of respondents are in agreement with Dog Exclusion Orders on specified areas. In phase 1, the specified areas are children's play areas. 80% of respondents are in agreement with a Dogs on Leads (at all times) Order in certain areas but not for such an Order to apply on a city wide basis. As the majority are in agreement with such an Order on specified areas, this gives a mandate to progress to phase two of the project.
- 3.7 If the Orders were to be adopted by the Council, failure to comply with the Order becomes a criminal offence. Where a person is found committing an offence, the Council may prosecute them. Such an offence carries a maximum fine of up to £1000 and the Council would apply for costs to be paid. The person would be offered the opportunity to avoid prosecution if they accepted a fixed penalty notice. It is proposed to set the fixed penalty level to £75 in line with current rates for existing Dog Control Order for dog fouling. An early payment discount to £50 would also be offered.
- 3.8 No statistics are available for the dog population of Leeds, as the information is not recorded. National figures estimate that 31% of households are dog owners.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 The adoption of these Orders would provide better tools for Council staff to ensure that dog ownership within the city is conducted responsibly without causing nuisance, distress or health hazards. They will equip Council staff with greater tools to tackle dog fouling in problem areas and promote responsible dog ownership within the City. The dog wardens would act as the main co-ordination hub for enforcement, but they are not by any means the only resource able to undertake this work. Indeed, to focus solely or even mainly on the dog wardens being the force behind enforcement would be to take an unnecessarily limited approach. The need for other Council staff working outdoors across the city to fully support this work will be a vital contribution to keeping parks and open land free from nuisance issues involving dogs. This should include the issuing of fixed penalty notices and the provision of statements for follow-up action by dog wardens. There is an agreement that Parkswatch staff will contribute to enforcing this legislation, although there is the need to address job descriptions, pay and grading issues and training before they can be authorised to issue fixed penalty notices. This will add approx. another 10 staff to the existing dog warden team of 5 and other Environmental Action Service staff, which will amount to a total of approx 90 staff.
- 4.2 Members of the public can report concerns via Contact Leeds, or electronically to the service via email. This information can be collated and the intelligence used to

allocate resources. It is anticipated that most responsible dog owners will comply with the new Orders.

4.3 Offences will be dealt with in accordance with the Council’s Enforcement Policy. A competency and training package will be developed for the Council staff undertaking enforcement of the Orders. Such staff will initially include Dog Wardens and other staff from Health and Environmental Action Service including Technical Officers and Environmental Health Officers.

## 5.0 Legal And Resource Implications

5.1 The adoption of this new legislation for the City is an executive function on a city wide basis.

5.2 For the Orders to be enforceable, the public need to be well informed of their obligations under the Orders. There are several ways of doing this, with signage being the most direct. There are resource and financial implications identified around signage for the Orders. Each sign has an approximate cost of £11. The precise level of signage required is yet to be determined and a balance needs to be found between too much signage and too little. A budget for signs has not yet been identified but such costs can be offset by any fixed penalty income received. No enforcement action would take place until the appropriate signage is in place.

5.3 If the Orders proposed are approved there will be an additional resource implication in that the Orders must be advertised in the local paper. The approximate cost of this will be £900 which will be met from existing budget.

## 6.0 Conclusions

6.1 The proposals for the Orders will provide a strategic approach to responsible dog ownership and will form part of the Council’s overall Dog Strategy. The strategy is being drawn up in response to another of Scrutiny Board’s recommendations. Dog Control Orders can help tackle the problems created by irresponsible dog ownership, such as dog fouling and stray dogs. The Dog Strategy will incorporate the following:-

Order	Issue which it will help address	Phase 1 or 2
Dog on Leads Order	Reduction in Stray and Roaming Dogs	2
	Tackling dangerous dogs	
Dog Exclusion Orders	Reduction in dog fouling – improving public health and reducing nuisance	1 & 2
	Nuisance dogs in sensitive areas	
Dogs on leads by direction	Tackling nuisance dogs	1
	Nuisance dogs in sensitive areas	
Number of dogs walked	Reduce nuisance through fouling	1
	Reduce nuisance from “pack” animals	

Other aspects of the strategy will refer to:

- Reduction in Council costs & improved efficiency in using existing resources – any fixed penalty notice income will support the service.

- Promoting responsible dog ownership – reduction in strays and improved animal health.
- Encourage Microchipping – allowing dogs to be re-united with owners as soon as possible.
- Education and Enforcement.
- Partnership Working.

## **7 Recommendations**

- 7.1 Members are asked to consider and approve the proposals for Dog Control Orders contained within this report and approve the project's progression to Phase 2.
- 7.2 In particular, Members are asked to make Dog Control Orders in the prescribed form as follows:-
- 7.2.1 Limit the number of dogs which can be walked by a person to 6;
- 7.2.2 Exclude dogs from the prescribed areas listed within this report;
- 7.2.3 Introduce the 'dogs on leads by direction' Order.

## **8 Background Papers**

19<sup>th</sup> February 2009: Statement of Scrutiny Board (Environment and Neighbourhoods): Enforcement of Dog Fouling

DEFRA Guidance

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Number	Playground Name	Location	Wedge	Ward
1	Shadwell POS Playground	Shadwell Lane/Osprey Grove	East North East	Alwoodley
2	King Lane Playground	Crag Lane	East North East	Alwoodley
3	Cranmer Bank Playground	Cranmer Bank Recreation Ground	East North East	Alwoodley
4	East End Park Playground	East End Park	East North East	Burmantofts & Richmond Hill
5	Oxton Way Playground	Ebors POS	East North East	Burmantofts & Richmond Hill
6	Torre Pocket Park Playground	Torre Pocket Park	East North East	Burmantofts & Richmond Hill
7	Saxton Gardens Playground	Saxton Gardens (Railway St)	East North East	Burmantofts & Richmond Hill
8	Lindsey Gardens		East North East	Burmantofts & Richmond Hill
9	Potternewton Park Playground	Potternewton Park	East North East	Chapel Allerton
10	Scott Hall Grove	Potternewton Playing Fields	East North East	Chapel Allerton
11	Chapel Allerton Playground	Chapel Allerton Park	East North East	Chapel Allerton
12	Beckhill Play Area	Beckhill Grove	East North East	Chapel Allerton
13	Norma Hutchinson Park Playground	Buslingthorpe Recreation Grd	East North East	Chapel Allerton
14	Reginald Terrace Playground	Reginald Terrace	East North East	Chapel Allerton
15	Harehills Park Playground	Harehills Park	East North East	Gipton & Harehills
16	Banstead Park Playground - Senior	Banstead Park	East North East	Gipton & Harehills
17	Banstead Park Playground - Toddler	Banstead Park	East North East	Gipton & Harehills
18	Hovingham Avenue Playground	Hovingham Avenue POS	East North East	Gipton & Harehills
19	Gipton Square	Gipton Square	East North East	Gipton & Harehills
20	Conways Gia		East North East	Gipton & Harehills
21	Lotherton Hall Playground	Lotherton Hall Estate	East North East	Harewood
22	Barwick In Elmete Playground	Barwick Pos	East North East	Harewood
23	Holywell Lane Playground	Holywell Lane Park	East North East	Harewood
24	Scholes Playground		East North East	Harewood
25	Meanwood Park Playground	Meanwood Park	East North East	Moortown
26	Meanwood Park Hospital	Meanwood Hospital POS	East North East	Moortown
27	Roundhay Park Playground	Roundhay Park	East North East	Roundhay
28	The Bumps Playground	The Bumps	East North East	Roundhay
29	Chandos Gardens Playground	Chandos Gardens	East North East	Roundhay
30	Deepdale Playground	Deepdale Community Centre	East North East	Wetherby
31	Heritage Village	Heritage Village POS	South East	Ardley & Robin Hood
32	Ouzlewell Green Playground	Ouzlewell Green P.O.S	South East	Ardley & Robin Hood
33	Sharpe Lane Rec Playground	Sharpe Lane Rec, Jarvis Walk	South East	Ardley & Robin Hood
34	Moor Knoll Lane Playground	Moor Knoll Lane	South East	Ardley & Robin Hood
35	Nottingham Close	Thorpe Lower Lane POS	South East	Ardley & Robin Hood

36	Lofthouse Rec Playground	Lofthouse Recreation Ground	South East	Ardley & Robin Hood
37	Railway Terrace POS	Railway Terrace POS	South East	Ardley & Robin Hood
38	Forest Ridge Playground		South East	Ardley & Robin Hood
39	Cross Flatts Park Playground	Cross Flatts Park	South East	Beeston & Holbeck
40	Cross Flatts Park Jnr Playground	Cross Flatts Park	South East	Beeston & Holbeck
41	Eiland Road/Beggars Hill Playground	Beggars Hill	South East	Beeston & Holbeck
42	Holbeck Moor Playground	Holbeck Moor	South East	Beeston & Holbeck
43	Hunslet Moor Playground	Hunslet Moor	South East	City & Hunslet
44	Hunslet Lake Playground	Hunslet Lake	South East	City & Hunslet
45	Pepper Road Playground	Pepper Road Recreation Ground	South East	City & Hunslet
46	Church Street Playground	Grove Road Recreation (Hunslet)	South East	City & Hunslet
47	Trentham Street Play Area	Trentham Street POS	South East	City & Hunslet
48	Duncombe Street		South East	City & Hunslet
49	Tunstall Road Playground		South East	City & Hunslet
50	Manston Park Playground	Manston Park	South East	City & Hunslet
51	Glebelands Rec Playground	Glebelands Rec, Ninelands Lane	South East	Cross Gates & Whinmoor
52	Glencoe Kippax	Glencoe Estate	South East	Garforth & Swillington
53	Barley Hill Rec Playground	BarleyHill Park	South East	Garforth & Swillington
54	Firfields Playground	Firfield POS	South East	Garforth & Swillington
55	Allerton Bywater Playground	Allerton Bywater Sports Ground	South East	Garforth & Swillington
56	Junction Rec Playground	Barnsdale Road POS	South East	Kippax & Methley
57	Saville Road Playground	Saville Road Recreation Ground	South East	Kippax & Methley
58	Vandicourt Playground	Cliffe Terrace	South East	Kippax & Methley
59	Blands Rec Playground	Blands Recreation Ground	South East	Kippax & Methley
60	Brigshaw Rec Playground	Brigshaw Recreation Ground	South East	Kippax & Methley
61	Park Lane Playground	Park Lane Recreation Ground	South East	Kippax & Methley
62	Coney Moor Playground	Coney Moor Recreation Ground	South East	Kippax & Methley
63	Park Avenue Playground		South East	Kippax & Methley
64	Millenium Village Playground		South East	Kippax & Methley
65	Middleton Park Playground		South East	Kippax & Methley
66	Middleton Way	Middleton Park	South East	Middleton Park
67	Windmill Road Rec Playground	Ring Road Middleton	South East	Middleton Park
68	Cranmore Rise	Windmill Road Rec.	South East	Middleton Park
69	Chunwell Park Playground	Craymore Rise	South East	Middleton Park
70	Drighlington Rec Playground	Chunwell Park	South East	Morley North
71	Gildersome Park Playground	Drighlington Moor Park	South East	Morley North
72	Millbeck Approach	Gildersome Park	South East	Morley North
73	Wide Lane	Magpie Lane	South East	Morley South
		Magpie Lane	South East	Morley South



74	Dartmouth Park Playground	Dartmouth Park	South East	Morley South
75	Scatcherd Park Playground	Scatcherd Park	South East	Morley South
76	Hembrigg Park Playground	Hembrigg Recreation	South East	Morley South
77	Hesketh Rec Playground	Hesketh Recreation Ground	South East	Morley South
78	Springhead Park Playground	Springhead Park	South East	Rothwell
79	John O Gaunts Com Centre Playground	John O'Gaunts Recreation	South East	Rothwell
80	Lawrence Villa Playground	Woodlesford Park	South East	Rothwell
81	Queens Street Playground	Carlton Rec. Shayfields	South East	Rothwell
82	Baines Terrace Playground	Baines Terrace POS	South East	Rothwell
83	Home Farm	Temple Newsam Estate	South East	Temple Newsam
84	Temple Newsam Playground	Temple Newsam Estate	South East	Temple Newsam
85	Neville Road Playground	Neville Road POS	South East	Temple Newsam
86	Holt Lane Playground	Holt Lane POS	West North West	Adel & Wharfedale
87	Cookridge Lane Playground		West North West	Adel & Wharfedale
88	Armley Park Playground	Armley Park	West North West	Armley
89	Lay Lane Playground	Lay Lane	West North West	Armley
90	Bramley Falls Wood Playground	Bramley Falls Wood Park	West North West	Bramley & Stanningley
91	Bramley Park Playground	Bramley Park	West North West	Bramley & Stanningley
92	Stanningley Park Playground	Stanningley Park	West North West	Bramley & Stanningley
93	Rodley Rec Playground	Rodley Park Recreation Ground	West North West	Bramley & Stanningley
94	Farfields Rec Playground	Farfield Recreation Ground	West North West	Calverley & Farsley
95	Victoria Park Playground	Calverley Park (Victoria Park)	West North West	Calverley & Farsley
96	Brookfield Gardens Playground	Brookfield Recreation Ground	West North West	Calverley & Farsley
97	Farsley Rec Playground	Farsley Recreation Ground	West North West	Calverley & Farsley
98	Hainsworth Park Playground	Hainsworth Park	West North West	Calverley & Farsley
99	Chatsworth Rec Playground	Chatsworth Recreation Ground	West North West	Calverley & Farsley
100	Farnley Hall Playground	Farnley Hall Park	West North West	Farnley & Wortley
101	Western Flatts Park Playground	Western Flatts Cliff Park	West North West	Farnley & Wortley
102	New Wortley Rec Playground	New Wortley Recreation Ground	West North West	Farnley & Wortley
103	Low Moorside Playground		West North West	Farnley & Wortley
104	Micklefield Park Playground	Micklefield Park, Rawdon	West North West	Guisey & Rawdon
105	Kirk Lane Park Playground	Kirk Lane Park	West North West	Guisey & Rawdon
106	Nethermoor Park, Guiseley	Nethermoor Park, Guiseley	West North West	Guisey & Rawdon
107	Horsforth Hall Playground	Horsforth Hall Park	West North West	Horsforth
108	Hippo Horsforth Playground	Horsforth Hall Park	West North West	Horsforth
109	Layton Avenue Playground	Layton Avenue (Jubilee Hall)	West North West	Horsforth
110	Little Moor Playground	Woodhouse Moor Park	West North West	Hyde Park & Woodhouse

111	Woodhouse Moor Playground	Woodhouse Moor Park	West North West	Hyde Park & Woodhouse
112	Tennant Hall Playground - Senior	Tennant Hall POS	West North West	Hyde Park & Woodhouse
113	Tennant Hall Playground - Junior	Tennant Hall POS	West North West	Hyde Park & Woodhouse
114	Burley Lodge Playground	Burley Lodge	West North West	Hyde Park & Woodhouse
115	Oatland Drive Playground	Oatland Drive POS	West North West	Hyde Park & Woodhouse
116	Benson Court Playground	Benson Court	West North West	Hyde Park & Woodhouse
117	Kirkstall Abbey Playground	Kirkstall Abbey Estate	West North West	Hyde Park & Woodhouse
118	Cragside Rec Playground	Cragside Recreation Ground	West North West	Kirkstall
119	Burley Park Playground	Burley Park	West North West	Kirkstall
120	Wolseley Road Playground	Rising Sun POS	West North West	Kirkstall
121	Sandford Road Playground	Sandford Road	West North West	Kirkstall
122	Tarnfield Park Playground	Tarnfield Park, Yeadon	West North West	Otley & Yeadon
123	Wharfemeadows Park Playground	Wharfemeadows Park, Otley	West North West	Otley & Yeadon
124	Riverdale Road Playground	Garnetts Field	West North West	Otley & Yeadon
125	Grove Hill Playground	Grove Hill Park, Otley	West North West	Otley & Yeadon
126	Weston Drive Park	Weston Drive Rec	West North West	Otley & Yeadon
127	Newall Playground	Newall Playground POS	West North West	Otley & Yeadon
128	Wellcroft	Wellcroft	West North West	Otley & Yeadon
129	Caxton Road Playground	Caxton Road	West North West	Otley & Yeadon
130	Marshall Street Playground	Hawthorn Crescent POS	West North West	Otley & Yeadon
131	Henshaw Oval Playground	Henshaw Oval POS	West North West	Otley & Yeadon
132	Queens Park Playground	Queens Park, Pudsey	West North West	Pudsey
133	Pudsey Park Playground	Pudsey Park	West North West	Pudsey
134	Tyersal Park Playground	Tyersal Park	West North West	Pudsey
135	Earlswood Chase	Camberley Way POS	West North West	Pudsey
136	Beckett Park Playground	Becketts Park	West North West	Weetwood
137	Silk Mills Playground	Silk Mill Bank	West North West	Weetwood
138	Springfield Mill Park	Arkwright Walk, Churwel	South East	Morley North

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration. In all appropriate instances we will need to carry out an equality, diversity, cohesion and integration impact assessment.

<b>Directorate: Environment and Neighbourhoods</b>	<b>Service area: Dog Wardens</b>
<b>Lead person: Stacey Campbell</b>	<b>Contact number: 395 1765</b>
<b>Date of the equality, diversity, cohesion and integration impact assessment: 21 October 2010</b>	

**1. Title: Dog Control Orders phase 1**

Is this a:

Strategy   
  Policy   
  Service   
  Function   
  Other

Is this:

New/ proposed   
  Already exists and is being reviewed   
  Is changing

(Please tick one of the above)

**2. Members of the assessment team:**

<b>Name</b>	<b>Organisation</b>	<b>Role on assessment team e.g. service user, manager of service, specialist</b>
Stacey Campbell	Leeds City Council	Manager of service
Abigail Sandham	Leeds City Council	Supervisor of service
Sandy Rutherford	Leeds City Council	specialist

**3. Summary of strategy, policy, service or function that was assessed:**

The Council currently enforces dog fouling under dog control orders implemented under the Clean Neighbourhoods and Environment Act 2005. Additional DCO's will allow further powers to enhance and promote responsible dog ownership. This will result in an enhanced service for members of the public.

Dog Control Orders are designed to tackle particular issues which are of concern to the general public. Dog exclusion orders reduce nuisance dogs in sensitive areas and dog fouling – improving public health and reducing nuisance. Similarly the limit on the amounts of dogs walked reduces nuisance and fouling. Nuisance dogs can also be tackled by

allowing officers to direct a person to put a dog on a lead, especially in sensitive areas. A general dog on leads order can be used to tackle problems with stray, roaming and dangerous dogs.

Phase 1 of implementation consists of excluding dogs from children's play areas; limiting the number of dogs walked on a lead at a time by any one individual to 6; and allowing designated officers to direct a person to keep a dog on a lead. Options for further orders will look at exclusion zones such as sports pitches but will be the subject of future consultation and a separate equality impact assessment before any specific proposals are introduced.

**4. Scope of the equality, diversity, cohesion and integration impact assessment**  
(complete - 4a. if you are assessing a strategy, policy or plan and 4b. if you are assessing a service, function or event)

**4a. Strategy, policy or plan**

(please tick the appropriate box below)

The vision and themes, objectives or outcomes	<input type="checkbox"/>
The vision and themes, objectives or outcomes and the supporting guidance	<input type="checkbox"/>
A specific section within the strategy, policy or plan	<input type="checkbox"/>
<b>Please provide detail:</b>	

**4b. Service, function, event**

please tick the appropriate box below

The whole service (including service provision and employment)	<input type="checkbox"/>
A specific part of the service (including service provision or employment or a specific section of the service)	<input checked="" type="checkbox"/>
Procuring of a service (by contract or grant) (please see equality assurance in procurement)	<input type="checkbox"/>

**Please provide detail:** The equality impact assessment looks at the proposals for phase 1 implementation of Leeds City Council's response to dog control orders. Dog control orders derive from an adoption of legislation and allow the authority new enforcement powers.

## 5. Fact finding – what do we already know

Dog fouling is an issue with many members of the public. The Council receives high volumes of complaints about irresponsible dog ownership across the City.

Consultation was carried out between end of May and end of August 2010. 1779 responses were received. 95% of respondents lived in Leeds and 72% were dog owners. The consultation was online however written copies could be sent out if requested. The consultation was started with a statutory notification in the press, there were a number of press releases and TV interviews to both publicise the consultation and to address rumours that began to circulate over our proposals. The consultation was based on the powers under the act and the conclusions have been used to inform the proposals in phase 1. The table below details the responses received from the consultation.

Do you agree with the order to limit the number of dogs a person can walk at a time?	74%	
If so, what do you think is the maximum number of dogs one person could safely walk to keep control and be able to clean up after them?	<b>Number</b>	<b>%</b>
	One	3%
	Two	20%
	Three	20%
	Four	25%
	Five	4%
	Six	15%
	Seven	1%
	Eight	5%
More	8%	
Do you agree with the Order that allows the banning of dogs from specified areas?	64%	
Dogs on Leads Order - Would you agree with this Order across the whole of Leeds?	28%	
Dogs on Leads Order - Would you agree with this Order in certain areas, such as playgrounds or ornamental gardens?	80%	
Dogs on Leads by Direction Order – Would you agree with this order to make it an offence not to put your dog on a lead when directed to by an authorised officer?	74%	

From this it can be seen that the majority of people who respond agree with the phase 1 proposals, banning dogs from specified areas (64%) and dogs on Leads by direction (74%), walking six dogs or less at a time (87%).

### **Are there any gaps in equality and diversity information**

**Please provide detail:** The consultation did not ask for any personal information except whether a person was a dog owner and whether a resident of Leeds.

**Action required:** Consultation was general and led to the specific proposals in phase 1. Any future proposals would be the subject of similar consultation.

**6. Wider involvement – have you involved groups of people who are most likely to be affected or interested**

Yes

No

**Please provide detail:**

A project board was formed consisting of the West Yorkshire Police, ALMOs, Education Leeds, and various services within Leeds City Council including health and environmental action service, parks and countryside, street cleansing, press office and legal services. Other interested parties, highways services, gypsy and traveller's service and British Waterways, were not required to be regular members of the board but were circulated minutes of all board meetings and could therefore comment on any specific proposals or items discussed by the board.

The Leeds Local Access Forum was consulted over any issues arising in open access land. No particular issues were raised. Parish Councils and area committees were also consulted as they are able to reflect the views of the local communities.

Executive Board will approve any specific proposals before they are implemented.

**Action required:** The project board will continue to meet during implementation of any proposals. The same parties will be involved in any discussions related to any further proposals.

**7. Who may be affected by this activity?**

please tick all relevant equality characteristics, stakeholders and barriers that apply to your strategy, policy, service or function

**Equality characteristics**

Age

Carers

Disability

Gender reassignment

Race

Religion or Belief

Sex (male or female)

Sexual orientation

Other

(for example – social class, income, unemployment, residential location or family background, education or skills level)

**Please specify:** Dog owners and those who walk dogs.

<b>Stakeholders</b>		
<input checked="" type="checkbox"/> Services users	<input checked="" type="checkbox"/> Employees	<input type="checkbox"/> Trade Unions
<input checked="" type="checkbox"/> Partners	<input checked="" type="checkbox"/> Members	<input type="checkbox"/> Suppliers
<input type="checkbox"/> Other please specify		
<b>Potential barriers.</b>		
<input checked="" type="checkbox"/> Built environment	<input checked="" type="checkbox"/> Location of premises and services	
<input checked="" type="checkbox"/> Information and communication	<input checked="" type="checkbox"/> Customer care	
<input type="checkbox"/> Timing	<input type="checkbox"/> Stereotypes and assumptions	
<input checked="" type="checkbox"/> Cost	<input checked="" type="checkbox"/> Consultation and involvement	
<input type="checkbox"/> specific barriers to the strategy, policy, services or function		
<p><b>Please specify</b> Members receive a high volume of complaints about dog fouling. Scrutiny board reviewed dog related issues and recommended the service looked at the new powers and how they could be implemented in Leeds.</p>		

<p><b>8. Positive and negative impact</b> Think about what you are assessing (scope), the fact finding information, the potential positive and negative impact on equality characteristics, stakeholders and the effect of the barriers</p>
<p><b>8a. Positive impact:</b></p> <ul style="list-style-type: none"> <li>• Reduction in infections amongst children, particularly young children, from soil contaminated with micro-organisms from dog faeces.</li> <li>• Improvement in the amenity value of children's playgrounds.</li> <li>• Reduction in runners, cyclists and horse riders being chased by dogs.</li> <li>• Reduction in the number of members of the general public coming into contact with dog faeces. This is a particular issue for disabled people and parents with pushchairs or prams who may not be able to see or avoid the dog faeces.</li> <li>• Street cleanliness will improve throughout the city as dog fouling reduces, which will increase community cohesion between dog owners and the rest of the public and reduce anti-social behaviour and other crimes.</li> <li>• Costs of street cleansing will reduce as dog fouling reduces.</li> <li>• Overall control of dogs in public areas.</li> </ul>

<b>Action required:</b>
<ul style="list-style-type: none"> <li>• Exclusion of dogs from children’s playgrounds.</li> <li>• Direction of dog owners to put their dog on a lead when causing a nuisance.</li> <li>• Promotion of responsible dog ownership.</li> <li>• Fair enforcement of scheme to ensure benefits of the orders are realised.</li> <li>• Look at other areas such as sports pitches and school fields where particular issues arise to see if an exclusion order is the best method of tackling issues.</li> </ul>

<b>8b. Negative impact:</b>
<ul style="list-style-type: none"> <li>• Many disabled people have assistance dogs to help them go to places and an exclusion for an assistance dog would effectively be an exclusion for the person.</li> <li>• Some disabled people may not be able to pick up dog faeces and therefore become liable for fines.</li> <li>• Some people, particularly non-residents of Leeds may be unaware that the orders have been introduced.</li> <li>• A £75 fine for offences is proposed, the same as currently for littering and dog fouling. This will affect perpetrators on a low income more. People under 18 have lower incomes.</li> <li>• Dog walkers will not be able to walk more than six dogs at a time this may affect ability to run their business.</li> <li>• Dog owners will no longer be able to take their dogs into children’s playgrounds.</li> <li>• Dog owners will be required to put their dog on a lead when directed. Dogs may not return to an owner directly when called.</li> <li>• Dog owners may not agree that the behaviour of their dog constitutes a nuisance.</li> <li>• Consultation announcement led to untrue rumours such as all dogs banned from the whole of Roundhay Park which alarmed many dog owners.</li> <li>• People unaware of which areas were being consulted on.</li> </ul>

<b>Action required:</b>
<ul style="list-style-type: none"> <li>• The legislation specifically exempts assistance dogs from exclusion areas, meaning that they and their owners can enter the zones.</li> <li>• The legislation specifically exempts all people with assistance dogs who because of their disability can not be expected to spot or pick up dog faeces, for example blind people or people in wheelchairs, to be exempt from dog fouling offences. The enforcement policy will take into account non-assistance dogs.</li> <li>• Signage at children’s playgrounds will explain that dogs are no longer allowed. Planned communications before and during implementation.</li> <li>• Currently there is an early payment discount for fixed penalties for littering and dog fouling and people on low incomes can defer payment for up to 8 weeks to allow them to save the money to pay the fine. A youth reparation scheme is currently in existence, where under 18’s can carry out community work in lieu of payment.</li> <li>• The walking multiple dogs order has proposed limited the number to six as specified in the DEFRA guidance.</li> <li>• Signage will go up and open space will still be left available for dogs.</li> <li>• Customer care training is given to all dog wardens. Protocols for when to direct people to put their dog on a lead, how long to give them to comply etc will be developed and all Council staff authorised to enforce the orders will be trained on these.</li> </ul>



- A clear policy will be developed and published on the internet allowing people to understand what qualifies as nuisance behaviour.
- Press releases throughout consultation and implementation of proposals to alleviate concerns of dog owners raised by the rumours.
- Maps of areas affected by proposals in phase 1 published online and available to view in Council buildings.

**9. Will this activity promote strong and positive relationships between the groups/communities identified?**

Yes

No

**Please provide detail:** Promotion of responsible dog ownership will improve relations between dog owners and other members of the public. This will particularly affect communities who have problems with dog fouling. Fair enforcement which leads to a reduction in dog fouling and nuisance behaviour by dogs will improve relations between residents and the council.

**Action required:** Fair enforcement of the restrictions. Good communication of the restrictions the reasons why they are being done and why there are important.

**10. Does this activity bring groups/communities into increased contact with each other (e.g. in schools, neighbourhood, workplace)?**

Yes

No

**Please provide detail:**

**Action required:**

**11. Could this activity be perceived as benefiting one group at the expense of another?**

Yes

No

**Please provide detail:** Responsible dog owners/walkers may feel that they are being unfairly penalised due to the actions of an irresponsible minority. Parents of children who take their dog with them to the playground will no longer be able to do so and they may feel that this is because of other parents anti-dog attitudes. Professional dog walkers who regularly walk several dogs at once may feel that the limitation to walking six dogs may adversely affect their ability to carry out a business.

**Action required:** Particular emphasis on the schemes promotion of responsible dog ownership and confirmation that most dog owners are responsible. Good communication of the restrictions the reasons why they are being done and why there are important. Introduce dog strategy for the whole of the council looking at wider issues.

**12. Equality, diversity, cohesion and integration action plan**

(insert all your actions from your assessment here, set timescales, measures and identify a lead person for each action)

Action	Timescale	Measure	Lead person
Communication throughout the run up to and implementation of the orders should promote responsible dog ownership, the reasons for the restrictions and the importance of the issues.	In month before and during implementation of orders. Ongoing to include up to date web information.	Number of compliments to service Nature of complaints / appeals against issue of fixed penalty notice. Performance monitoring of requests for service. Analysis of proactive and reactive work.	Stacey Campbell
Level of fine and conditions, including early payment discount, deferred payment, and youth reparations.	November 2010	Nature of complaints / appeals against issue of fixed penalty notice. Performance monitoring of requests for service. Analysis of proactive and reactive work.	Stacey Campbell
Introduce dog strategy for the whole of the council looking at wider issues.	Service strategy in place. Council wide strategy to be developed 2011/12.	Development and approval of strategy.	Stacey Campbell
Develop policy and protocols on when to give a direction to a member of the public to place a dog on a lead. Train dog wardens and any other authorised Council staff in these.	Before implementation of orders	Number and nature of complaints / appeals about issue of fixed penalty notice.	Stacey Campbell

**13. Governance, ownership and approval**

State here who has approved the actions and outcomes from the equality, diversity, cohesion and integration impact assessment

Name	Job Title	Date
Graham Wilson	Head of Environmental Action and Parking	25.10.10

**14. Monitoring progress for equality, diversity, cohesion and integration actions** (please tick)

As part of Service Planning performance monitoring

As part of Project monitoring

Update report will be agreed and provided to the

Dog Control Order Project Board

Other (please specify)

**15. Publishing**

<b>Date sent to Equality Team</b>	<b>4th November 2010</b>
<b>Date published</b>	



Originator: John Statham

Tel: x43233

**Report of the Director of Environment and Neighbourhoods**

**Executive Board            3<sup>rd</sup> November 2010**

**Subject:                      The Future of Council Housing**

<p><b>Electoral Wards Affected:</b></p>   <p><input type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
<p>Eligible for Call In <input type="checkbox"/></p>	<p>Not Eligible for Call In (Details contained in the report) <input type="checkbox"/></p>

**EXECUTIVE SUMMARY**

This report sets out the outcomes of the review into the future of council housing. The report shows the context within which the review was undertaken and assesses the future investment need of the city. Different options were appraised as to how that investment need might be met, concluding that none of the options offer a complete solution to the ongoing investment need. Nevertheless, there are opportunities to generate significant efficiencies and improve delivery. The report proposes continuing with the three ALMO model but introducing some key reforms in order to tackle weaknesses within the current model. The first key reform proposed is the creation of a Strategic Governance Board which will ensure that there are single decisions taken on key strategic matters affecting all ALMO's. This Board will also act as a formal link back into the Council for the ALMOs, so that they can be better connected to the development of policy and strategy within the Council. The second key reform is to create a Shared Service Centre for back office services. This will offer significant efficiencies as well as creating better skilled teams within the various disciplines. The report assesses these reforms against the option of a reduction to a single ALMO and concludes that a three ALMO model with the reforms is the preferred option.

The report also outlines proposals to change the manner in which the ALMOs provision for FRS17 is dealt with to bring that process in to line with other Council owned companies, with the effect of releasing resources to meet investment needs.

## **1.0 Purpose Of This Report**

1.1 The purpose of this report is to:

- inform the Executive Board of the conclusion of the Future of Council Housing Review;
- make recommendations on a preferred model;
- make recommendations on key reforms.

## **2.0 Background Information**

- 2.1 Leeds established six ALMOs in 2003 and submitted a bid to the government for £450m additional investment credits to enable the council housing in Leeds to reach the government's decent homes standard. By late 2004 all six had achieved a two star status with the Audit Commission and were eligible to draw down the money.
- 2.2 Since 2003 the ALMOs have been delivering programmes of capital works and are on target to meet the government's decent homes target by the end of 2010. By the end of 2010/11 around £825m will have been spent making Council housing decent.
- 2.3 In 2006 Leeds reviewed the number of ALMOs in the city and reduced them to three. The main drivers for the change were financial viability and reducing stock numbers. That review established three financially viable ALMOs that would be able to complete the decency programme by the end of 2010/11. Now that the decency investment programme is coming to a close the Council has undertaken another options appraisal to identify a suitable model for the future of council housing in the city and this paper sets out the findings and recommendations.

## **3.0.0 Context for the Review**

### **3.1.0 Localism and Customer Aspirations**

- 3.1.1 In 2002, when the Council took the decision to set up ALMOs in the city, the project was entitled "Going Local". This meant having local based delivery organisations which would better meet customer need and aspirations. In 2006, when the Council took the decision to reduce the number of ALMOs, the project was about "Staying Local". This was achieved by setting up area panels beneath the ALMO management boards to feed in customer aspirations and to oversee elements of service delivery. The localisation of service delivery has been a success, with customer engagement levels far in excess of where they were prior to ALMOs. In looking at the future of council housing in the city it is essential that the advances made in relation to tenant engagement and influence are retained.
- 3.1.2 Customers' aspirations for the service have grown with the increased responsiveness of locality based service delivery. Customers have seen huge investment in their properties and improvements in the delivery of services to their homes. As a result of this they aspire for continuous improvement in service delivery and a continuity of engagement in decision making. This aspiration is in line with the Council's core values.

### **3.2.0 Impact of the Proposed HRA Reforms.**

- 3.2.1 The previous government consulted local authorities on the reform of council housing finance. Their preferred option was the introduction of a self financing HRA, whereby the HRA subsidy system is dismantled, and the national HRA debt is redistributed amongst local authorities based on their ability to service the debt.
- 3.2.2 The Executive Board welcomed the proposals, which would bring an end to the current subsidy system, whereby rental income is pooled and then re-distributed nationally on an annual basis. Not only does the current system lack transparency but the nature of the annual funding arrangements means that councils cannot have any certainty as to the impact of subsidy over the forthcoming or future years. The self financing model proposed

at the time would give authorities more control and certainty over funding, allowing the development of medium term financial plans to support robust asset management plans, which in turn will support effective works planning and procurement.

- 3.2.3 In responding to the consultation the government debt settlement figure at the time was modelled into the 30 year HRA business plan for the Authority. Whilst further work is required to refine the business plan, the inside subsidy and the self financing position have been compared and this shows that over the life of the plan the proposed system would bring significant financial benefit to the HRA, enabling greater capital investment. The new government has pledged to end the existing system and has announced it will introduce HRA reform. However, it is not clear at this stage whether or not this will be the same scheme as that proposed by the previous government. The government has indicated it will outline more details shortly.

### 3.3.0 Investment Requirements

- 3.3.1 The Decent Homes programme will have delivered around £825m of investment into council housing in Leeds by 31<sup>st</sup> March 2011. This is an unprecedented level of investment. At the peak of the decent homes programme, the annual investment was £170m. The Council stock will move from a position whereby 45% of houses met the government's decent homes standard, to 95% of the stock meeting the standard at 31<sup>st</sup> March 2011.
- 3.3.2 A full 30 year investment plan has been developed from April 2011. The plan assessed investment need against three standards – minimum decent homes work, decent homes plus (incorporating additional environmental works and some additional tenant aspirations) and a Leeds regenerations standard (equivalent to a PFI standard). A comparison of the investment required and the projected available resources over 30 years is summarised in the table below:

	Minimum Standard	Decency plus	Leeds Regeneration Standard
Investment Need	£2,343m	£3,366m	£4,350m
Resources Available	£1,602m	£1,599m	£1,599m
<b>Resource Gap</b>	<b>£741m</b>	<b>£1,767m</b>	<b>£2,751m</b>
Borrowing cost to cover gap	£327m	£1,099m	£2,035m
Average Annual Revenue Cost	£10.9m	£36.6m	£67.8m

- 3.3.3 This table shows that, based on expected resources and without any reform to the HRA funding mechanisms, there will be a shortfall of £741m in resources to maintain the decent homes standard over the 30 year period. If the Council is to meet the aspirations of its tenants for higher standards, then the resourcing gap increases to £1.767bn for decency plus and £2.751bn for a regeneration standard.
- 3.3.4 After 2010/11, government support to achieve the decent homes programme comes to an end, and thereafter capital resources for major repairs and improvements will fall significantly. HRA Capital expenditure will, under the current arrangements, be funded from the usable proportion of Right to Buy (RTB) receipts, the Major Repairs Allowance, and revenue contributions to support capital outlay (RCCO). Subject to the further announcement, capital resources will reduce to approximately £40m per annum.
- 3.3.5 As a minimum the Council will meet its statutory obligations, such as Fire Safety prevention, and adaptations. It will aim to maintain the decent homes standard across the housing portfolio. There remain particular urgent pressures to find solutions for Sheltered Housing, its non traditional and pre 1919 stock.

### 3.4.0 Financial Sustainability

- 3.4.1 Following the successful inspection of the Leeds ALMOs in 2003 and 2004, the Council has drawn down funding under round 2 of the decency programme, which came in the form of Supplementary Credit Approval (SCA), based on an 8% interest rate for borrowing. The Council's actual consolidated rate of interest on borrowing is 4.6%, and it has therefore benefited from approximately £14m annual windfall funding which has been used by the ALMO's to supplement their management fee.
- 3.4.2 From 2011/12, the support for the borrowing will be commuted into the Council's Capital Financing Requirement, funded at 4.6%, and therefore the windfall funding will cease. Without the additional funding all three ALMO Business Plans are projecting in year operating deficits, before the utilisation of resources.
- 3.4.3 The table below identifies projected cash balances of the ALMO's for the next three years to 2012/13 as per their current business plans:

#### ALMO Cash Balances 2009/10 to 2012/13

Organisation	AVH £000	ENEHL £000	WNWHL £000	TOTAL £000
Cash Reserves at 31/3/2010	6,035	11,368	14,352	31,755
SCA windfall (ends 2010/11)	<u>4,001</u>	<u>4,453</u>	<u>5,054</u>	<u>13,508</u>
	<u>10,036</u>	<u>15,821</u>	<u>19,406</u>	<u>45,263</u>
In year projected surplus / (deficits):				
2010/11				
2011/12	(1,618)	(2,853)	(2,565)	(7,036)
2012/13	(1,768)	(2,184)	(2,203)	(6,155)
	<u>(1,950)</u>	<u>(2,327)</u>	<u>(2,570)</u>	<u>(6,847)</u>
	<u>(5,336)</u>	<u>(7,364)</u>	<u>(7,338)</u>	<u>(20,038)</u>
Planned expenditure (as per ALMO Business Plans)	(811)	(1,793)	(4,100)	(6,704)
<b>Sub Total</b>	<b>3,889</b>	<b>6,664</b>	<b>7,968</b>	<b>18,521</b>
Less minimum balance of £1m per ALMO	(1,000)	(1,000)	(1,000)	(3,000)
<b>Total – cash reserves at 31/3/2013</b>	<b>2,889</b>	<b>5,664</b>	<b>6,968</b>	<b>15,521</b>

- 3.4.4 The table identifies that the ALMO's are currently working with in year operational deficits, which amounts to £20m over the three year period. The ALMO's cash reserves at 31<sup>st</sup> March 2010 amount to £31.7m, and if utilised over the three year period as per the business plans, to fund the structured deficits and one off planned expenditure, would reduce those cash reserves to £15.5m at the end of 2012/13.
- 3.4.5 The Council requires that all ALMO's provide appropriate provision within their balance sheet to address the calculated FRS17 liability which requires an organisation to account for retirement benefits when it is committed to them, even if the actual payment is at some point in the future. Between March 2009 and March 2010, the ALMOs FRS17 liability



increased from £11.15m to £35.24m. The table below shows that when this liability is compared to the overall level of cash reserves held at 31<sup>st</sup> March, 2010, there is an overall deficit of £3.49m.

#### **ALMO cash reserves and FRS17 liability at 31.3.2010**

<b>Organisation</b>	<b>Cash Reserves @ 31.3.2010 £000</b>	<b>FRS17 Liability @ 31.3.2010 £000</b>	<b>Net Reserves after FRS17 Liability £000</b>	<b>Memo:FRS17 Liability @ 31.3.2009 £000</b>
<b>AVH</b>	6,035	(9,048)	(3,013)	(2,920)
<b>ENEHL</b>	11,368	(19,510)	(8,142)	(4,733)
<b>WNWHL</b>	14,352	(6,686)	7,666	(3,498)
<b>Total</b>	<b>31,755</b>	<b>(35,244)</b>	<b>(3,489)</b>	<b>(11,151)</b>

3.4.6 Additionally, the HRA business plan shows that by 2016/17 the HRA will be operating with reserves below the recommended level and that by 2019/20 the HRA will have no reserves.

3.4.7 These calculations do not factor in any impact of the autumn public expenditure announcements or potential changes to the HRA subsidy system. The management agreement with the ALMO's, which was extended as part of the last review, comes to an end in 2012. There will need to be a clear direction of travel regarding financial sustainability before any decision regarding further extensions can be made.

## **4.0 Governance**

4.01 The current governance arrangements provide for three ALMO Management Boards which are able to take independent decisions on matters delegated to them from the Council within the terms of the existing management agreements and the constitutions of the ALMOs. Below the ALMO Board are a number of Area Panels. The ALMO Boards delegate some responsibilities and resources to these Panels and receive feedback from the Panels on preferences for the future direction of services.

4.0.2 There are no formal arrangements to provide the ALMOs with connectivity into the Council so that they can participate in the development of strategies and policies. Equally there are no formal arrangements by which the ALMOs can work collectively or with other locally based service providers from the Council. An example of this is the lack of formal arrangements for locality working with Area Management.

4.0.3 These arrangements lead to a best endeavours approach to engagement with the Council's strategic vision and plans and its locally based service providers, thereby losing the opportunity to influence and play a key role in the creation of improved, strong, healthy communities. Independent decision making at ALMO Board level, without the overarching Council strategy and priorities, can lead to tensions between city aspirations and local decisions.

### **4.2.0 Strengths and Weaknesses of the current model**

4.2.1 All three ALMOs have achieved a two star and promising prospects status under the Audit Commission's inspection regime. The reports, together with the findings of other internal inspection reports and ALMO performance information have been used to develop further an overview of the strengths and weaknesses of the existing ALMO model.

4.2.2 The key current strengths can be summarised as follows:

- The arrangements enable the housing organisations to concentrate on their delivery role and the Council to take a strategic lead.

- The adoption of the ALMO model has enabled significant investment in the Council's housing stock and the delivery of the government's decent homes standard
- ALMOs are responsive to local issues
- There is an increased involvement of tenants in the decisions of the business
- Overall performance has improved since 2002
- Service standards have been agreed with tenants
- Environmental standards on estates have improved
- Tenant satisfaction is increasing

4.2.3 The key weaknesses can be summarised as follows:

- There is significant duplication across the three organisations especially in back office functions
- Service standards and service priorities vary across the city
- Contract Management/Asset Management and Investment planning are under developed
- Overall governance and associated controls have not always been fully effective
- Tension exists between city aspirations and local aspirations
- Resources are spread thinly across three ALMOs
- Performance varies across the city
- There is a lack of joint working to reduce costs or deliver services more effectively

4.2.4 Even though the Audit Commission will no longer regulate ALMOs, the focus of the review has been to build further on the identified strengths and address the weaknesses.

## **5.0 Options Assessment**

### **5.0.1 Option Appraisal**

5.0.2 It is within the context outlined above that the investigation into the options for future investment needs for council housing in Leeds, as requested by the Executive Board has been undertaken. The review considered four options with a view to recommending the most feasible option that offers the best value for money to deliver the long term vision for council housing. The options are:

1. Return the management of the stock to the Council
2. Transfer the ownership of the stock to a Housing Association, created for the purpose of the transfer
3. A mixed approach that could involve ALMOs, PFI, transfer and return to the Council parts of the stock.
4. The continuation of an ALMO model

### **5.1.0 The Process**

5.1.1 An initial option assessment has been made against the four options. Each option was tested against the following criteria:

- the strategic fit to both the city wide and local objectives
- governance arrangements
- capacity to deliver strong services
- financial viability from both revenue and capital perspectives.

5.1.2 The work identified that the mixed approach was not really an option for the future management of council housing but more an approach to leveraging into the city further investment.

- 5.1.3 Leeds currently delivers its housing management service through a small scale mixed approach. The city has three ALMOs, one TMO, one PFI and bids for two further PFI schemes. The intention is to continue to develop this as part of the 30 year Investment Plan, whereby the Council will continue to make best use of any funding opportunities that present themselves.
- 5.1.4 PFI will not deliver a solution for the whole stock but could continue to provide investment in parts of the city, subject to CLG providing funding for further bidding rounds. Therefore, PFI could and will form part of mixed approach to securing additional investment.
- 5.1.5 Whilst this option will not resolve the shortfall in capital funding identified in the 30 year investment plan, the Council will continue to explore new funding opportunities as they arise.
- 5.1.6 The findings for the other options are summarised below.

## **5.2.0 Option 1 - Return the Management of the Stock to the Council**

- 5.2.1 Under this option the Council would terminate the existing contractual arrangements and take the Council House Management Service back in-house. There are examples, mostly in London, of where management of the stock has been returned to the Local Authority. However, it is important to note that most of those decisions do not appear to have been taken following any objective options appraisal.
- 5.2.2 A fully costed option appraisal has not been undertaken for this option. A return to centralised management within the Council was not part of the previous government's thinking and does not fit with the current government's approach and is therefore unlikely to place the Authority well in relation to future opportunities. That said the benefits of this option are that savings could be made through the reduction in senior management positions and an alignment with Council objectives.
- 5.2.3 The disadvantages of this option are that the benefits of operating single purpose organisations responsive to localities, with a clear focus on tenants and accountable for delegated functions would be put at significant risk. Conversely, the day to day management of the housing stock would divert energy from the Council's strategic capacity to address housing and regeneration needs across all tenures.
- 5.2.4 In addition to the above disadvantages, the initial consultation that has been undertaken has shown that there is little demand for a return to delivery within the Council.
- 5.2.5 This option will not resolve the shortfall in capital funding identified in the 30 year investment plan

## **5.3.0 Option 2 - Full/Partial Stock transfer**

- 5.3.1 Housing stock transfer to a registered social landlord is a well established process that has previously delivered the highest level of investment when compared to the other available options.
- 5.3.2 The value, or purchase price, of the housing stock is known as the tenanted market valuation (TMV) which is based upon 30 year projections of income from rents and service charges, together with spending on management, services, repairs, major works and improvements. These projections are then discounted to their net present values, reflecting the value of money over time, to give the final valuation.
- 5.3.3 Transfer of the Leeds stock is not a viable option for Leeds because the TMV is negative. The Council would need to achieve a net capital receipt of £823m to enable its housing debt to be redeemed. The appraisal of this option shows that based on decent homes valuations, the TMV has a £2.074m negative value. This would require a substantial dowry from the

government for a whole stock transfer to succeed, as the investment and management cost over 30 years cannot be funded from rental income generated.

- 5.3.4 This view, that stock transfer is not a viable option, is supported by the following:
- CLG funding for stock transfer dowries, known as gap funding, is no longer available and whole stock transfer would be unaffordable without it
  - CLG grant for councils to repay the HRA debt is likely to be less generous in the future, particularly if the self financing proposals are implemented.

5.3.5 Partial transfer could provide a solution for some of the Council's housing stock but it should be noted that we believe the TMVs at individual ALMO level are also negative and would require dowries.

5.3.6 Additional disadvantages are that the Council would lose strategic control over the use of the stock and would not be able to exercise any influence in the governance of the transferred organisation to ensure that policies and strategies match council priorities.

#### **5.4.0 Option 4 - The Continuation of the ALMO Model**

5.4.1 The ALMO model has delivered significant benefits to the city. The local focus brought about by management boards with tenant directors based in the locality has enabled decisions to be taken that directly benefit the locality. As a result of this, satisfaction with services has increased significantly. The ALMO model has enabled the funding and delivery of the decent homes programme.

5.4.2 Tenants satisfaction has increased with the ALMO model as they feel it is more responsive to their needs than was the case when the service was managed centrally. The Area Panels provide even more connection with communities. Paragraph 4.2.2 describes the strengths of the current ALMO model in delivering these improvements, particularly in relation to locality management and responsiveness.

5.4.3 The model does provide a strategic fit for the Council and does have the capacity to deliver services, with each ALMO rated as a good performer by the previous regulator, the Audit Commission. However, there are tensions around governance where the Council may favour a single approach to an issue and the ALMO Boards prefer local solutions. In addition the current ALMO model needs to find efficiencies to balance budgets. Like the other options the ALMO model will not resolve the shortfall in capital funding identified in the 30 year investment plan.

#### **5.5.0 Conclusion of the Appraisal**

5.5.1 The assessment of the options recommended by the Executive Board has concluded that no future model offers a solution to the investment gap identified in the 30 year investment plan. There may be a solution, should the reform of the HRA take place, and once there is greater clarity on this a further funding review will be necessary.

5.5.2 Of all the options, the ALMO model offers the Council the best strategic fit with its own corporate and local strategies. Should HRA reform take place it will offer the opportunity for bridging the investment gap. However, the assessment has identified key weaknesses in the current model in respect of governance arrangements and future financial viability. These issues would need to be resolved by reforming the ALMO model in order to ensure sustainability.

#### **6.0.0 The Three ALMO Model**

6.0.1 The continuation of the three ALMO model offers numerous advantages. With no disruption to front line service delivery, there would be continuity of service for the tenant and there should be no reduction in performance levels, avoiding the risk of a dip in performance and the additional cost to recover such a position.

6.0.2 The retention of the three ALMO model is particularly advantageous to the Council as it develops its strategies around locality working. There would be an existing organisation within localities that is recognised and which could easily participate in Council plans and take on the delivery of certain services where this is identified as beneficial. However, it is not recommended that the current model is pursued without accompanying major reforms. Proposed reforms, to make a three ALMO mode workable, are set out below.

### **6.1.0 A Strategic Governance Board**

6.1.1 A significant weakness in the current arrangements is the lack of a co-ordinated approach to the delivery of the services delegated to them amongst the ALMOs. This independent approach has in part been driven by the inspection regime of the Audit Commission. This has been particularly evidenced by the lack of a joined up approach to asset management and investment planning, the development of service standards, multiple Service Level Agreements with Council services, contract procurement and the management and terms and conditions of employees. The abolition of the current inspection regime offers a different approach with less emphasis on the ALMO's standing alone.

6.1.2 Another significant weakness has been the lack of an overall strategic approach in the delivery of services by the ALMOs. Much of this has been due to there not being any formal arrangements linking the ALMOs with the Council's strategic arrangements, nor with other delivery structures such as Area Management. The result of this has been patchy engagement that has relied on best endeavours of individuals. Any future model needs to address this issue.

6.1.3 It is proposed to establish a new Strategic Governance Board. The Board would not take on any existing powers currently placed with the Executive Board, nor would it directly manage local delivery of services. It is proposed that the Board would meet to agree key high level strategies to ensure that there are joint approaches across the ALMOs on key issues. The ALMO Boards would remain responsible for the decisions relating to local service delivery. However, in so doing it would be expected that the Chairs of the Boards and their Chief Executives would work together to ensure that there was greater standardisation in the delivery of those services.

6.1.4 This Board would also offer a formal arrangement through which the ALMOs would be able to meet with the Council to discuss the development of key Council strategies such as the Housing Strategy.

6.1.5 This arrangement would better align the delivery of services but still allow the ALMOs to retain a locality focus concentrating on delivering a high quality service under agreed terms. In so doing this would remove the tension that has often existed between city aspirations and local independence. The independence would remain in the delivery but it would be in the context of agreed city wide objectives.

6.1.6 An example of how this would work is in Investment Planning. Given that resources are to reduce, it will be important that a city wide investment plan is developed that is based on good quality asset management information that allows the informed prioritisation of need in order to make best use of resources to maintain the asset condition. The new Strategic Governance Board will receive the intelligence and make a strategic decision on the distribution of resource across the city, based on the need identified from the data, rather than the formulaic approach operated at present. The ALMO Boards would then have responsibility for ensuring that the various programmes are delivered and that asset management systems are continuously updated with the results of those programmes. The Executive Board would continue to agree and monitor the capital programmes as it does now.

6.1.7 A further example of the work that the new Strategic Governance Board would oversee is the harmonisation of terms and conditions. Since the creation of the ALMOs in 2003 there has been a move away from the terms and conditions as operated at the time by the Council and with which the staff were TUPE transferred. The changes made have not been uniform

across the ALMOs and have not always mirrored those changes introduced by the Council. The impact has been that a range of terms and conditions now exist which adds to the complexity of management arrangements and does not assist with the movement of staff between ALMOs or between ALMOs and the Council. The Board would also be charged with negotiating single service level agreements with the Council, ensuring best practice across the city.

- 6.1.8 The reform, to create the Strategic Governance Board, will require changes to the current management agreements and constitutions of the ALMOs. The management agreements and constitutions will need to be re worked in such a way that they make clear those responsibilities and functions that will be held jointly and those which will be solely for the individual ALMO. In addition, clear and precise terms of reference will need to be developed to ensure that its purpose is clearly understood and that decision making is transparent and can be tested against the terms of reference.
- 6.1.9 The creation of this Board would also be accompanied by the making of more formal arrangements between the ALMOs and Area Management, local partnerships and the emerging locality working arrangements. In addition, it will be expected that the ALMO Chief Executives and the Council's Strategic Landlord will work more closely together to ensure that services are better aligned. Some of this work has already started with a more formal connection between the ALMOs and Area Management Committees.

## **6.2.0 A Shared Services Centre (SSC)**

- 6.2.1 A significant weakness of the existing model is the duplication of functions and processes across the ALMOs and the Council, which leads to inefficient use of resources. Under the current arrangements, the ALMOs each have their own back office functions which include, for example, HR, Finance, Governance Support and Asset Management. This has in part been developed in response to the approach of the Audit Commission in the regulation the ALMOs and their insistence that each organisation is independent of each other and the Council, leading to the duplication of services across the three companies.
- 6.2.2 The Council also provides services from within the Strategic Landlord Group because they are not capable of being split amongst more than one ALMO. Examples of this are the administration of the advertising process in Choice Based Lettings and the procurement and administration of capital contracts. This split in processes is also inefficient and wasteful of resources.
- 6.2.3 A solution which would make better use of resources, and would unify processes, is to centralise these types of services within a Shared Services Centre. This would enable a single back office function to be created, which in addition could, where appropriate, take on services paid for by the HRA currently provided by the Department. A list of services which are proposed to be delivered from the SSC is set out below. It is proposed that the strategic service centre is managed by a nominated Chief Executive and is accountable to the strategic body.

Shared Service Centre Proposal

<b>Corporate Support</b>	<b>Operational Support</b>	<b>Asset Management Support</b>
Finance	Choice Based Lettings	Procurement
HR	Paralegal (possible secondment only)	Contract Administration
ICT	Leasehold management	Commercial Asset Management
Service and Performance Standards	Disrepair	HRA assets – small land / gardens, misc prop leases
Governance		Technical Monitoring
Marketing		Contract Compliance
Procurement		Contract Management
Housing Applications Support Team (Strategic Role around Systems to remain at Leeds City Council)		Investment Planning

- 6.2.4 An illustration of the advantages is in the area of asset management, procurement, contract administration, contract compliance and investment planning. There is evidence of weakness in the current arrangements in these areas, a major factor being that resources with the necessary skills and expertise are spread too thinly between the ALMOs and the Council, resulting in these vital functions being under developed and not as effective as they could be. A unified group within the SSC could develop a single approach to procurement, provide a skilled unit to administer revenue repairs and capital contracts, maximise the resources for scheme delivery and provide expertise in asset management and investment planning.
- 6.2.5 The estimated recurring savings from the creation of a SSC are £1.6m per annum. This saving can be achieved by the reduction of 8 senior management posts, as a result of the removal of the duplication of support services, equating to £500k per annum, with a further 41 posts saved in both operational and corporate support posts, providing the balance. Further savings are anticipated through the subsequent process reviews. One of the key areas for savings is efficiencies generated from procurement. It is estimated that with a consistent approach to quality and cost across the city, for example within repairs and maintenance contract management, the model should be able to deliver efficiencies of around 2.5% per annum over and above those that could be achieved by the ALMOs acting separately. On this basis this would deliver an efficiency of £3m over 2011/12 and 2012/13 on the new contracts currently in procurement and due to commence on 1<sup>st</sup> April 2011.
- 6.2.6 The Council also has a management agreement with a Tenant Management Organisation (TMO). Whilst the terms of this arrangement are different to those with the ALMOs, once the SSC is established, the TMO will be invited to explore the benefits this new approach can offer them.
- 6.2.7 The benefits of this model can be summarised as follows:
- The model retains a clear local focus
  - Service is responsive to community needs
  - Tenants remain influential in the decision making process
  - Continuity of service delivery
  - The Strategic Governance Board will remove the city versus local tension
  - Supports the Council's vision of locality working
  - Offers savings of £1.6m from the creation of the SSC

## **7.0 One ALMO Model with a SSC**

7.0.1 The option to develop a single ALMO solution has a number of attractions. Arguably the model allows both objectives of strategic overview and efficiency to be achieved with greater clarity. The creation of a single board would deal simply with the issues the Strategic Board under the previous option are designed to deal with. Similarly the move towards a single organisation, under a single Chief Executive, would enable efficiencies to be delivered through a centralisation of functions.

7.0.2 In addition to the savings offered through the centralisation of support functions, the model would reduce the existing number of JNC posts by 8 in total. 2 Chief Executive posts would be lost along with 6 senior management posts. In effect this would remove two of the 3 ALMO senior management teams. This would create a saving of £664k. However, these savings are likely to be offset in part by a need to strengthen local management as a result of the enlarged organisation. This cost is estimated at £214k, resulting in a net saving of £450k. It is estimated that together with the centralisation of support function this option would save around £2.05m.

7.0.3 Although these are powerful arguments in favour, there are, nevertheless, considerable disadvantages to pursuing the single ALMO option. A move to a one ALMO model would involve significant upheaval to the current delivery arrangements and would risk a dip in service delivery as experienced after the 2006/7 review, which took the number of ALMOs from six to three. A third major reorganisation in 8 years will in itself be costly. A shift to a single ALMO would almost certainly alienate the many Board members and tenants who have contributed to the ALMOs over the years and undermine attempts at future engagement. Tenants may also view this move as similar to going back to the Council, with decision making becoming centralised and therefore remote and unresponsive to their needs in their localities. In order to overcome this it is likely that the role of Area Panels would need to be strengthened in order to retain a local focus, which in itself could lead to complicated governance. The remoteness of decision making could also make ALMO engagement in the Council's move to locality working more complex.

7.0.4 The benefits of this model can be summarised as follows:

- A single Board
- City wide standards
- Offers savings of £2.05m
- A single relationship with the Council
- Could retain a local focus through strengthened Area Panels

7.0.6 The risks associated with this model can be summarized as follows:

- Board becomes remote
- Tenants see this option as removing local focus
- High set up costs and risk of a performance dip in front line services during change
- The size of the organisation risks it becoming unresponsive to local needs
- It would be by far the largest ALMO in the country.
- Strengthened role for Area Panels could lead to tensions with the Board

## **8.0 Conclusion**

8.0.1 Neither of the models will deliver the shortfall in capital funding identified in the 30 year investment plan. However, both models are capable of improving on the key weaknesses identified in the operation of the current model. In determining whether a three ALMO model



or a single ALMO model is best, a judgement has to be made as to the benefits of taking additional savings with the single ALMO, against the benefits of continuity and localism offered by three.

- 8.0.2 The single ALMO model can deliver additional savings of £450k per annum through the reduction in senior management. However, against that Executive Board has to weigh the risks of a single Board becoming remote and tenants' concerns that the organisation no longer responds to local needs. The model would not offer the best support to the Council's strategy of locality working. The reform would cause upheaval which would be costly to implement, may damage service in the short to medium term and undermine the considerable efforts of tenants and boards who operate the current model.
- 8.0.3 It is when considering these issues that on balance it is felt that the three ALMO model is the best option, as it offers stability of service and retention of a locality focus. Tenants will have no concerns about their involvement in decision making. It is important, however, that the reforms proposed are made to rectify the key weaknesses with the current model and deliver annual savings of £1.6m.
- 8.0.4 Subject to agreement on the model, it is proposed to make some minor changes to the ALMO boundaries, so that they align with the ward boundary changes which were made in 2004. This will assist ward Members and locality working arrangements.

## **9.0 Consultation**

- 9.0.1 Consultation commenced with two events for all ALMO Board members at which they were invited to identify the strengths and weaknesses of the current ALMO model and make suggestions as to how to make improvements. The outcomes from these events were fed in to the context of the review. More specifically four core "business principles" were agreed. They were that any changes should be capable of:
- Sustaining and improving the recent capital investment
  - Meeting tenants aspirations for the quality of service delivery
  - Staying Local
  - Maintaining and increasing tenant empowerment and involvement
- 9.0.2 A project board was set up that comprised of the ALMO Chairs, one other ALMO Board member, BITMO Chair, ALMO Chief Executives and BITMO Chief Executive. This Board was chaired by the Chief Housing Services Officer. The role of the Board was to make decisions as the project moved forward so as to ensure that the ALMOs were fully engaged with the process.
- 9.0.3 Latterly, officers have visited the three Boards for a final discussion on the proposals contained within this report. Specific feedback has been received as follows

### **ENE**

- The Board are supportive of the proposals to retain three ALMOs with the proposed reforms
- The approach is seen as the best way to continue to improve performance and services to tenants
- The Board would welcome further dialogue on the development of the reforms

### **WNW**

- Whilst the Board has not made a formal recommendation, the general opinion of the Board was that a three ALMO option with the proposed reforms was the preferred option.

- The Board would welcome the opportunity of a continued dialogue on the development of the new model
- The Board supports the Council to drive further value for money efficiencies and consistent services to achieve excellent standards of service
- The Board is extremely keen to retain a strong locality focus and for this to continue through maintenance of local governance arrangements
- The Board felt it essential that tenants are consulted on any major changes connected to the review.

## **AVH**

- The Board are supportive of the proposals to retain three ALMOs with the proposed reforms
- The Board viewed the proposals as an opportunity for the ALMOs and the Council to work together in a more collaborative manner
- The Board were keen to see clear terms of reference for the Strategic Governance Board to ensure that there were transparent evidence based decisions

## **10.0 Financial Reforms**

- 10.1 The requirement that the ALMO's earmark sufficient reserves to cash back the FRS17 liability is premised on the possibility that at some point in the future the Council's housing stock, following an option appraisal, could be transferred to another Registered Social Landlord (RSL). Such an organisation would be unwilling to take on the FRS17 liability unless there was a corresponding transfer of resources equivalent to the liability. Therefore, if there were insufficient resources available in ALMO reserves to meet the accumulated net pension liabilities when Council housing stock transferred, then the Council, acting as guarantor, would be required to fund the difference.
- 10.2 The effect of this requirement to make provision has seen the need to tie up £31.5m of cash reserves. The reforms proposed below allow for this money to be released so that it can be used to sustain the ALMO business plans over the next three years and allow the Council to determine how to allocate the remaining resources in line with strategic priorities.
- 10.3 The previous Government's recent consultation paper on the reform of the HRA suggests that overhanging debt will be left with an Authority after the transfer of its housing stock, making the transfer of housing stock not financially viable, as the Council would be left having to resource residual housing debt but without a revenue stream to fund this. Therefore the requirement to completely cash back the net pension liability in ALMOs is less of a requirement since transfer of the housing stock to an RSL is not a financially viable option at the present time.
- 10.4 The 2009/2010 cash position has been projected forward to March 2013 i.e. the end of the current contract between the ALMOs and the Council for the management of the Council's housing stock. This projected position is summarised in the table below.

Organisation	Cash Reserves @ 31.3.2010*	Projected Cash Reserves @ 31.3 2013	Projected Cash Reserves @ 31.3.2013 (net of FRS17 Liability)
	£000	£000	£000
AVHL	5,035	2,889	(6,159)
ENEHL	10,368	5,664	(13,846)
WNWHL	13,352	6,968	282
<b>Total</b>	<b>28,755</b>	<b>15,521</b>	<b>(19,723)</b>

\* NB - cash reserves in the table above are net of the £1m working balance that the Council requires each ALMO to retain.

As the table above shows, it is projected that cash reserves held by the ALMOs will have reduced by £13.234m from 31<sup>st</sup> March 2010 to 31<sup>st</sup> March 2013 (i.e. from £28.755 m to £15.521m). This takes into account the projected surpluses, deficits and commitments for the use of resources as identified in the ALMOs latest Business Plans.

- 10.5 Given this, it is considered appropriate that the Council acts as guarantor to the ALMOs net pension liabilities held within the West Yorkshire Pension Fund. This effectively means that if the ALMOs are not able to continue to pay the required contributions to the pension fund then the Council would be liable for any shortfall. This would be consistent with the approach taken on other Council companies such as Education Leeds and the Grand Theatre. It is also consistent with the approach taken by other Local Authorities with ALMOs. As a consequence of this guarantee, the ALMOs would no longer be required to set aside their reserves to cover future pension liabilities. Under this guarantee, the ALMO reserves would be sufficient to meet their identified business requirements as reflected in their current Business Plans, and allow the balance of ALMO cash reserves to be transferred to the Housing Revenue Account (HRA) to reflect the fact that the HRA (i.e. the Council) is taking on the responsibility for guaranteeing the FRS17 liability.
- 10.6 Whilst the ALMO business plans show significant deficits between now and 2013 they will remain sustainable until 2013 with the use of usable cash reserves made available. This allows the recurring savings to be generated from the delivery model proposals contained in this report, together with existing cashable efficiency plans already identified by the ALMO's to be generated over the period to April 2013, to achieve financial sustainability from annual resources.
- 10.7 Following the outcome of decisions relating to the reform of the HRA, it will be necessary to review the funding arrangements for the ALMOs and the TMO in the light of the reform and an assessment of needs.

## 11.0 Implications For Council Policy And Governance

- 11.1 The creation of a Strategic Governance Board will make a difference to current governance arrangements. The Strategic Governance Board will have responsibility for setting the strategic framework within which the ALMOs will operate. The ALMO Boards will continue to manage decisions within their areas but in accordance with the strategic decisions.
- 11.2 The creation of the Strategic Governance Board will not affect the Council's Executive Board in relation to the delegated responsibilities to the ALMOs.
- 11.3 There have been initial discussions with the Council's legal services department and these will continue as the Strategic Board is established.

## **12.0 Legal And Resource Implications**

- 12.1 A key lesson learnt from the move from six to three ALMOs was that the project implementation needs to be carefully planned and phased so as to see a smooth transition and to offset dips in performance.
- 12.2 It is proposed to begin this process after the decision of the Executive Board with a phased implementation from 1<sup>st</sup> April 2011.

## **13.0 Conclusions**

- 13.1 The appraisal of organisational options to deliver future investment need in the city's housing stock has concluded that none of the appraised solutions can deliver the required investment. HRA reform may assist the city in meeting its investment need but the detail of the proposals still has to be made clear.
- 13.2 Given this position, the appraisal has concentrated on the arrangements most likely to deliver the best services to tenants and which align with the Council's broad objectives. It is recommended that the 3 ALMO model should remain subject to the implementation of key reforms, notably the introduction of a Strategic Governance Board and a Shared Service Centre. These reforms will tackle some of the key weaknesses of the current model by improving the strategic decision making and bringing about efficiencies and consistent processes in the back office and support functions without affecting front line services.

## **14.0 Recommendations**

- 14.1 The Executive Board is asked to agree the following recommendations:
- 14.2 to support the continuation of the three ALMO model
- 14.3 to agree the establishment of the Strategic Governance Board and a Shared Services Centre as set out in this report.
- 14.4 to agree to revisions of the Management Agreements and constitutions of the ALMOs to reflect the role of the Strategic Board.
- 14.5 to phase the implementation from 1<sup>st</sup> April 2011, with work beginning immediately on the change programme.
- 14.6 to agree to the proposals for the future arrangements of the provision of FRS17 in relation to the ALMOs.
- 14.7 to transfer ALMO cash reserves not identified to be used to sustain their business plans to the HRA.
- 14.8 to require the Director of Environment and Neighbourhoods, together with the ALMO Chief Executives, to bring a report back to the March 2011 Executive Board, outlining progress towards implementation of the above recommendations and the savings both achieved and planned.

## **Background Papers**

Executive Board Report – January 2009



**Report of the Director of Adult Social Services**

**Executive Board**

**Date: 3 November 2010**

**Subject: Deputation to Council – Unison Leeds Community Health Regarding NHS Leeds and Social Enterprise.**

**Electoral Wards Affected:**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**EXECUTIVE SUMMARY**

**1.0 Purpose of This Report.**

This report is a response to the deputation to Council by representatives of UNISON Community Health regarding an expression of interest by NHS Leeds Community Healthcare’s (the provider arm of NHS Leeds) request to become a social enterprise. The report provides some context for the issue highlighted in the deputation, and explains what influence the city council can bring to the decision making process. The report responds to the deputation request that the Executive Board consider whether or not to make a formal referral to the Health Scrutiny Board on this matter.

**2.0 Background Information.**

In early 2009 the government confirmed that separating PCT commissioning functions from the provision of services was a priority and a timetable was set for the completion of this task by 1 April 2011. In some parts of the country community health services were already provided or hosted by other NHS organisations. However, in Leeds and in the majority of others areas, community health services remained the responsibility of the primary care trust. In some areas community services are provided by Care Trusts but these are few in number and very different types of organisation.

- 2.1 A national programme called Transforming Community Services was launched and it is this work programme that has been examining the options for the provision of community services.
- 2.2 In June 2010 the new government issued an update to the Operating Framework for the NHS 2010/11, which updated policy and priorities for the NHS. This document confirmed that the separation of commissioning and provider functions remained a priority. It also outlined the criteria to be used in evaluating options:
- a preferred option must have been tested with GP commissioners and local authorities;
  - final proposals should be consistent with the aims of the forthcoming NHS strategy in strengthening the delivery of public health services and health services for children;
  - proposals should consider the implications for choice and competition;
  - proposals should consider a wide range of options, including the development and delivery of Community Foundation Trusts and Social Enterprises;
  - there has been effective engagement of staff and their representatives when considering the options.
- 2.3 Prior to the publication of the revision to the Operating Framework for the NHS, the option of a community foundation trust was limited to eight pilots and the previous government had encouraged the social enterprise option. If an expression of interest in becoming a social enterprise had been made, then the PCT was obliged to develop the business case for that option and could not pursue any other option until a social enterprise had been discounted.
- 2.4 A report presented to the NHS Leeds Board on the 29 September 2010 confirmed the current position. The business case for a social enterprise is still being developed. Progress towards the business case was reviewed by the commissioner's assessment panel on the 7 September and the panel agreed that further work was required on the financial models, including examining financial options for the future of children's community health services, and that further engagement work should commence with staff, trade unions, GPs, the local authority and the Director of Public Health. The Board agreed at the meeting in September that 'the application for Community Foundation Trust status was the preferred option for Leeds Community Healthcare'.

### **3.0 Main Issues.**

#### **3.1 Options for Leeds Community Healthcare.**

The Department of Health continues to actively promote social enterprise as one option for the future delivery of health care. A quote from the Department's website states 'The Government's White Paper 'Equity and Excellence: Liberating the NHS' sets out the opportunity for NHS staff to transform their organisations into employee-led social enterprises that they themselves control, freeing them to use their front-line expertise to structure services around what really works for patients. The benefits of this approach will be seen in high productivity, greater innovation, better care and greater job satisfaction'.

The government is also maintaining 'the right to request', so that those staff groups working with their local communities, who are interested in forming a social enterprise do not have their wishes overruled.

- 3.2 From a patient and public perspective, services that are well integrated and provide holistic care and support to children and families for example, are highly valued. In many cases they can be more effective and efficient than services that are delivered around organisational boundaries. Whilst some change is inevitable, as the present government has endorsed the policy of the previous government in this respect, the opportunity to improve services for patients should not be lost. This needs to be undertaken with consultation and involvement of patients, the public, health service staff and partners. The NHS Leeds Board's agreement to move to wider engagement on these issues is welcomed.
- 3.3 The services provided by Leeds Community Health Services have strategic significance to Adult Social Services, Children's Services and a number of services within the Environment and Neighbourhoods directorate. Some services are already fully integrated for example, children's mental health services, Joint Care Management for older people and the Leeds Equipment Service. There are many other services that could benefit from further integration and joint delivery. The Leader of the Council has agreed with the Corporate Leadership Team to actively support the Foundation Trust option as this has the potential to develop a business case which will further the integration of health and care services across adults and children's services and improve place based productivity.
- 3.4 The Council understands that a delegation from NHS Leeds will be meeting with senior officials from the Department of Health to discuss their expression of interest in Foundation Trust status for community health services. This meeting is scheduled for the 1 November. To ensure that the Council's position was formally communicated to NHS Leeds, the Leader of the Council has written to the Chair and Chief Executive of NHS Leeds (Appendix 1), setting out the Council's support for Foundation Trust status with service delivery and governance arrangements that reflect the commitment to service integration of health and social care.

#### **Health Scrutiny and the role of Leeds City Council's Scrutiny Board (Health).**

- 3.5 Health Overview and Scrutiny Committees have a statutory role in scrutinising any significant change (or development) in the organisation and delivery of local health services. A local protocol has been agreed with NHS organisations in the city, which assist in identifying changes that fall within the statutory consultation procedure and includes agreement for early notification and consultation with the board. A small working group of the Board meets for this purpose.
- 3.6 In the case of community health services, where the Secretary of State has made public an assurance test, the Scrutiny Board will want to consider how those criteria have been applied in the local circumstances.
- 3.7 With two options being developed simultaneously, currently there are no firm proposals to consider and the local involvement and engagement activity is at a relatively early stage. However, given the requirement to involve the Scrutiny Board (Health) in any plans to change the organisation of local health services, consideration by the Scrutiny Board (Health) is inevitable. Indeed, arrangements are being made for the Board to consider these issues at its meeting on 23 November 2010.

#### **4.0 Implications for Council Policy and Governance.**

4.1 At this stage there are no immediate policy or governance issues for the Council. When formal proposals are made the Council will have an opportunity to consider a formal response.

#### **5.0 Legal And Resource Implications**

5.1 There are no specific legal or resource implications at this time. In the event of any further consideration of this matter within the Council, all relevant implications will be highlighted appropriately.

#### **6.0 Conclusions**

6.1 The deputation to Council has been pre-empted by a change in government policy and a re-consideration of those policy issues by the NHS Leeds Board. The Health Scrutiny Board plays a statutory role in the formal consultation stage associated with substantial service change proposals. While details of any formal consultation are still to be finalised, arrangements are currently being made for the Scrutiny Board (Health) to consider the issues raised by the deputation to Council, at its meeting on the 23 November 2010.

#### **7.0 Recommendations.**

The Executive Board is asked:

- to note the response to the Unison Leeds Community Health delegation to Council, and
- take no further action regarding the request that the Executive Board refer this matter to Health Scrutiny on the grounds that arrangements are in place for the Scrutiny Board (Health) to consider plans for the re-organisation of community health services in Leeds at its meeting on 23 November 2010.
- to note that the Leader of the Council has written to NHS Leeds confirming the Council's support for Foundation Trust status for Leeds Community Healthcare based upon the integration of health and social care services.

#### **Background documents referred to in this report:**

Revision to the NHS Operating Framework - Department of Health June 2010

Report on Transforming Community Services Update – NHS Leeds Board 29 September 2010



**Councillor Keith Wakefield  
Leader of Leeds City Council**

Civic Hall  
Leeds  
LS1 1UR

Email [keith.wakefield@leeds.gov.uk](mailto:keith.wakefield@leeds.gov.uk)

Linda Pollard  
Chair  
NHS Leeds  
North West House  
West Park Ring Rd  
Leeds  
LS16 6GQ

Civic Tel 0113 247 4444  
Civic Fax 0113 247 4046

Our ref KW/SJ/POLLARD  
Date 22 October 2010

Dear Linda

Re: Leeds Community Health Services: Foundation Trust Status.

Over the last couple of months I have had a number of conversations with officers regarding the implications of the NHS white paper, the opportunities for both organisations to improve the efficiency and quality of services by closer working and the implications of the national programme to transform community health services. Our shared commitment to work more closely together across a wide ranging agenda is most welcome and fully supported by the City Council

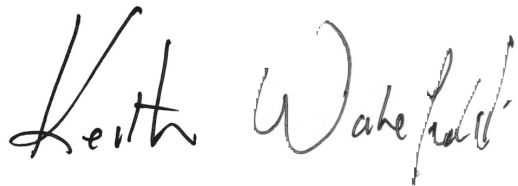
As you may be aware, in September the Council meeting received a deputation by Unison regarding the future arrangements for Leeds community health services. A response to the deputation has been prepared for the Executive Board meeting on the 3<sup>rd</sup> November in which we state unequivocal support for the Foundation Trust option. Whilst the report notes the points made by the Unison delegation, our conclusions are based on consideration of how our respective services need to work together differently in the future.

We have well established and effective integrated services in some areas; joint care management, CAMHS and the joint equipment service are good examples. However, I am sure we would both acknowledge that much more can be achieved through integrating health, social care and other council services where it will produce better outcomes for people and deliver a more productive service.

It is our understanding that the Foundation Trust model has flexibility within it to develop a business case based on integration of service delivery across our organisations and a governance structure that reflects shared benefits and risks. The City Council is committed to pursuing this opportunity, as we know it is unlikely to arise again. We do understand the challenges, as a number of local authorities in this region have travelled this journey already, but believe this is the right direction for the city and the people who need our services.

I understand that the Department of Health has invited a team from NHS Leeds to meet with them on the 1<sup>st</sup> November and that you expect to hear whether or not the Foundation Trust option can proceed shortly after that meeting. I hope you will have the opportunity to draw the Minister's attention to the views of Leeds City Council on this matter, by copying this letter and assure him of our commitment to working with you on the Foundation Trust business case over the coming months.

Yours sincerely

A handwritten signature in black ink that reads "Keith Wakefield". The signature is written in a cursive style with a large initial 'K' and 'W'.

**Councillor Keith Wakefield**  
**Leader of the Council**

cc: John Lawlor, Chief Executive, NHS Leeds

### DEPUTATION THREE – UNISON LEEDS COMMUNITY HEALTH

THE LORD MAYOR: Good afternoon, ladies and gentlemen, and welcome to today's Council meeting. Please now make your speech to Council, which should not be longer than five minutes, and please begin by introducing the people in your deputation.

MR D SYMS: Lord Mayor, Council Members. To my right I have Brian Wheeler, Unison Regional Officer; to my left I have Anne Szczepanska, Unison Health Safety and Welfare Officer; next to Anne is Paul Bullivant, Health and Safety Representative. My name is David Syms, I am the Branch Secretary for Unison Leeds Community Health Branch.

We are here today to speak to you about NHS Leeds proposal, to transfer Leeds Community Health Services into a Social Enterprise, which is a business run for profit but instead of a portion of the profits being spent on shareholder dividends they should be spent the "social causes or objectives". We have a number of significant concerns which we believe you will share and we ask you to refer to the Council's Scrutiny Committee and proposed changes to the provision of NHS services for the population of Leeds. UNISON considers that there has been a lack of meaningful consultation with the trade unions, staff and the people of Leeds in relation to the rush to become a Social Enterprise.

The Government requirement in regard to the setting up of a Social Enterprise is that the staff, in this case of NHS Leeds have the 'right to request' the formation of a Social Enterprise. NHS Leeds decided, with our support, to consult staff over whether or not they want to become an Social Enterprise and held a ballot in August of 2009 for staff to have a chance to have their voice as to whether to become a Community Foundation Trust or a Social Enterprise. A total of 1373 staff voted with 1335 in favour of a Community Foundation Trust - that represents 97% of the vote; 3% or 38 people voted for Social Enterprise. Our view, supported by this evidence, is that staff do not want to work in a Social Enterprise; they want to work in the NHS.

In December 2009 the Department of Health announced that they were not going to create any new Community Foundation Trusts. However that position has changed and new NHS Community Foundation Trusts are being agreed.

In the interim, NHS Leeds began to pursue the option of becoming a Social Enterprise. It is our view that NHS Leeds has not given proper consideration to the other NHS options that were/are open to them.

It is our view that while the NHS Leeds has held what it calls consultation meetings across the city, these meetings do not constitute meaningful consultation with staff. As the meetings were designed to promote the advantages, as seen by NHS Leeds, of social enterprise, in our view it would appear that they have not seriously pursued other NHS options which would keep Leeds Community Health Services within the NHS, subject to rigorous governance arrangements and under public control.

If the move to a Social Enterprise happens it is the start of the break up and privatisation of the whole NHS. If the decision to become a Social Enterprise goes ahead, then it is the beginning of the end for the NHS not only in Leeds but the whole county.

I have worked in the NHS for many years and as a member of staff, a union activist and a resident of Leeds I do not want my NHS services to be privatised.

On the 6<sup>th</sup> September 2010, at a meeting of the Transforming Community Services Advisory Board, it was announced that Leeds had been provisionally approved in the second wave of Community Foundation Trusts. We are waiting for the Department of Health to confirm this.

On the 9<sup>th</sup> September 2010 NHS Leeds sent out the following in an e-mail to all staff.

“As you are aware we are pursuing all avenues to become a stand-alone community based organisation. We continue to work on our ‘Right to Request’ social enterprise application but have also been waiting to hear if it was possible to reconsider the Community Foundation Trust option”.

Our concern is that while NHS Leeds continues to pursue a Social Enterprise, they may well miss the opportunity to become a Community Foundation Trust, given the now tight time scales.

Is this what residents of Leeds want for their families and friends? I respectfully submit that it is not. What the people of Leeds want is high quality, efficient and effective local NHS Community Health Services to tend to their Community Health needs, not a private business run for profit, albeit with a social conscience.

If the Social Enterprise bid continues and is successful, then no political party will in the future be in a position to undo or indeed influence in a significant way what is happening to our Community Health Care in Leeds, so we ask you again to refer NHS Leeds proposal to pursue the transfer of services to a Social Enterprise to the Council’s Health and Social Care Scrutiny Commission. Thank you. (*Applause*)

THE LORD MAYOR: Thank you, David, for your speech to Council today. Can I now call on Councillor Gruen, please.

COUNCILLOR GRUEN: Lord Mayor, I have great pleasure in asking Council to refer this matter to the Executive Board for consideration, please.

COUNCILLOR LOBLEY: I second, my Lord Mayor.

THE LORD MAYOR: (*A vote was taken*) CARRIED. Thank you for attending Council today and for what you have said. You will be kept informed of the consideration which your comments will receive. Good afternoon to you, ladies and gentlemen. Thank you. (*Applause*)



**Report of: Director of Adult Social Services**

**Executive Board**

**Date: 3rd November 2010**

**Subject: Transforming day opportunities for adults with learning disabilities**

**Electoral Wards Affected:**  
All wards with particular reference to Horsforth, Wetherby and Ardsley & Robin Hood

Ward Members consulted (referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In (Details contained in the report)

**EXECUTIVE SUMMARY**

This report invites Executive Board to consider a proposal to accelerate the process of the transformation of day services for adults with learning disabilities which is already well underway in the south of the city.

Building upon the success of the modernisation of accommodation based services for adults with learning disabilities through the Independent Living Project, the board is asked to approve the implementation of the programme to modernise day services for adults with learning disabilities. This transformation programme will prioritise the delivery of services to those with the most complex needs and those who live at home with family carers.

This report sets out how council provided learning disability day services need to be transformed in the years ahead, building on both the earlier detailed stakeholder consultation which has taken place and the clear direction set by national policy, notably Valuing People Now and Putting People First. The outcomes being sought fully complement the three adult social care priorities in relation to:

- personalisation,
- enabling people to live healthy and fulfilling lives,
- efficiency, effectiveness and quality.

The vision is to ensure that adults with learning disabilities are provided with every opportunity to benefit from engaging in the life of the city from an asset base that is appropriate to their needs and, wherever possible, co-located with other non-learning disabled citizens of Leeds. The programme will see an investment into the existing community bases and investment ultimately into 3 existing centres to ensure that they are able to meet the needs of people with the most complex needs.

The plan to accelerate this transformation programme would help deliver a more personalised service and reduce expenditure by refocusing resources that are currently tied to buildings, whilst prioritising and protecting the service provided to those people living with family carers. The plan will maintain the level of day service for those adults with learning disabilities who live with family carers and improve the facilities where the services are delivered. It will redirect resources for adults who live in staffed accommodation to support them to spend more of their day time accessing their local community from their home rather than going full time to a day centre.

This plan would enable the overall city wide volume of the in-house day service provision to be reduced and for the service to be delivered from four, ultimately three principal locations and a range of satellite community bases. This in turn would enable a rationalisation of building usage and could lead to a further two services (Horsforth and Wetherby Fulfilling Lives Services) to become surplus to requirements over and above the previously approved plan for West Ardsley.

This programme will deliver the vision through the provision of a range of support, services, spaces and buildings that are responsive and proportionate to the level of both the current customer base and the longer term requirements to meet demographic demand.

This model has been successfully developed in the South of the city in relation to Moor End with the development of community bases at John Charles Sport Centre, Hillside and Technorth (for those former Moor End customers whose families live in Leeds 7 and 8) and the engagement of voluntary and community organizations in delivering services in the heart of the community. The principles of delivering services within community bases and in a more inclusive setting is inherent within the strategy and we will continue to explore how we work with other directorates to establish multiple use of community centres. This report seeks to establish a continuation of the progress agreed in the Executive Board report of January 2009.

## **1.0 Purpose Of This Report**

- 1.1 The purpose of this report is to seek Executive Board approval to accelerate the programme agreed in January 2009 to transform the delivery of day services to adults with learning disabilities by adult social care in Leeds.

## **2.0 Background Information**

- 2.1 The provision of day care provided by the in-house provider to adults with learning disabilities is not, in itself, a statutory duty of the local authority.
- 2.2 Adults with learning disabilities have their needs met through the day time hours via a number of different services including in employment, in education, in third sector provision, from their accommodation base and in Council day services. Of the 2500 adults with learning disabilities in the city who are eligible and known to the Council – 848 attend 7 large day service bases across the city and a number of smaller bases in shared community buildings managed by adult social care. Increasingly these services are focusing their attention on meeting the needs of customers with the most complex needs in response to demographic trends.
- 2.3 Following the closure of Moor End in 2010, the remaining large service bases are:

Horsforth Fulfilling Lives – West North West

West Ardsley Fulfilling Lives – South South East

Rothwell Fulfilling Lives – South South East

Potternewton Fulfilling Lives – East North East

Ramshead Wood Fulfilling Lives - East North East

Wetherby Fulfilling Lives – East North East

2.4 These services deliver two main functions, namely:

- the direct provision of services to the adults with learning disabilities who use them; and
- a respite function to the carers of those customers who live with family carers.

2.5 Executive Board approved a report in January 2009 which set out how council provided learning disability day services would be transformed in the years ahead. The overall strategy has continued to be the delivery of more personalised services to customers with increasing emphasis on delivering support and services in settings shared with other citizens of Leeds.

2.6 The asset strategy continues the one council approach and is based on investing into spaces in existing council community buildings such as sports centres, libraries and community centres with a view to being able to declare some of the large segregated day centres surplus to requirements.

2.7 Approval in January 2009 was given to this strategy with a view to start implementation in the south of the city in the first instance, concentrating on Moor End in 2010 followed by West Ardsley in 2011.

2.8 The service at Moor End has successfully been replaced as part of the day service transformation programme through a combination of newly commissioned voluntary sector provision and continued support from adult social care staff delivered from three new small community bases. This process has been successful in delivering more varied and personalised outcomes for customers and has had full customer and carer involvement in the process (see Appendix 1). Moor End Day centre will be declared surplus to requirements on the 24th October 2010.

2.9 Feedback to date from the customers at Moor End who are in the process of moving to alternative provision has been extremely positive. One group of customers in particular are now advocating for these changes to be made available to their peers across the city.

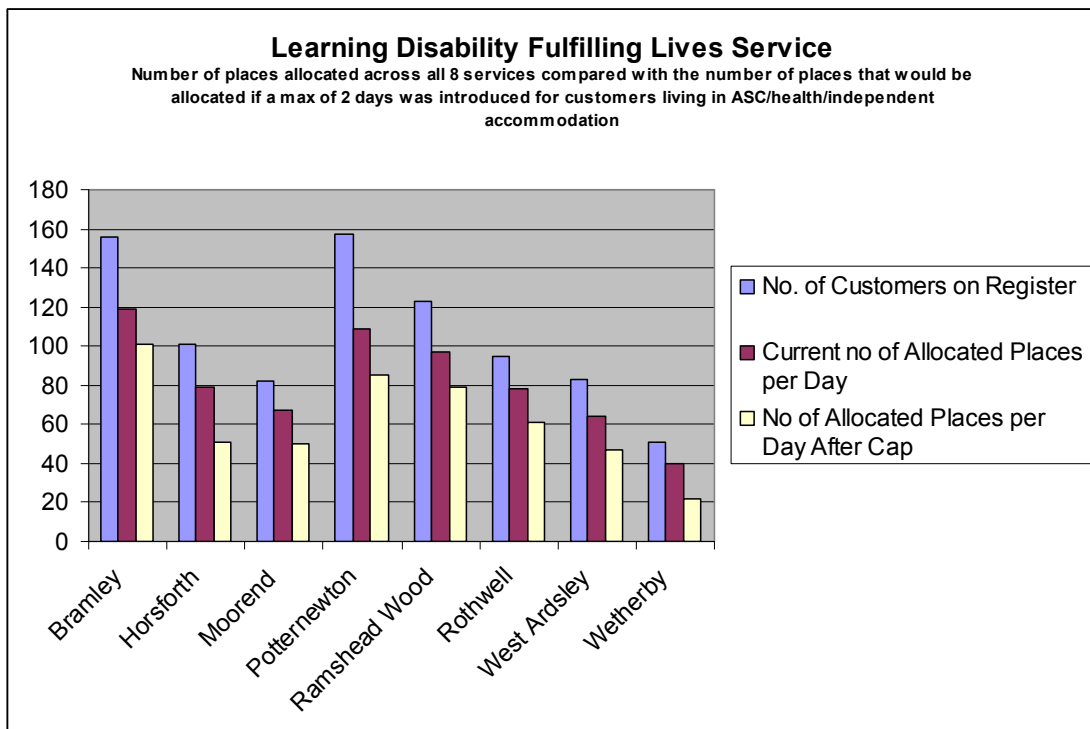
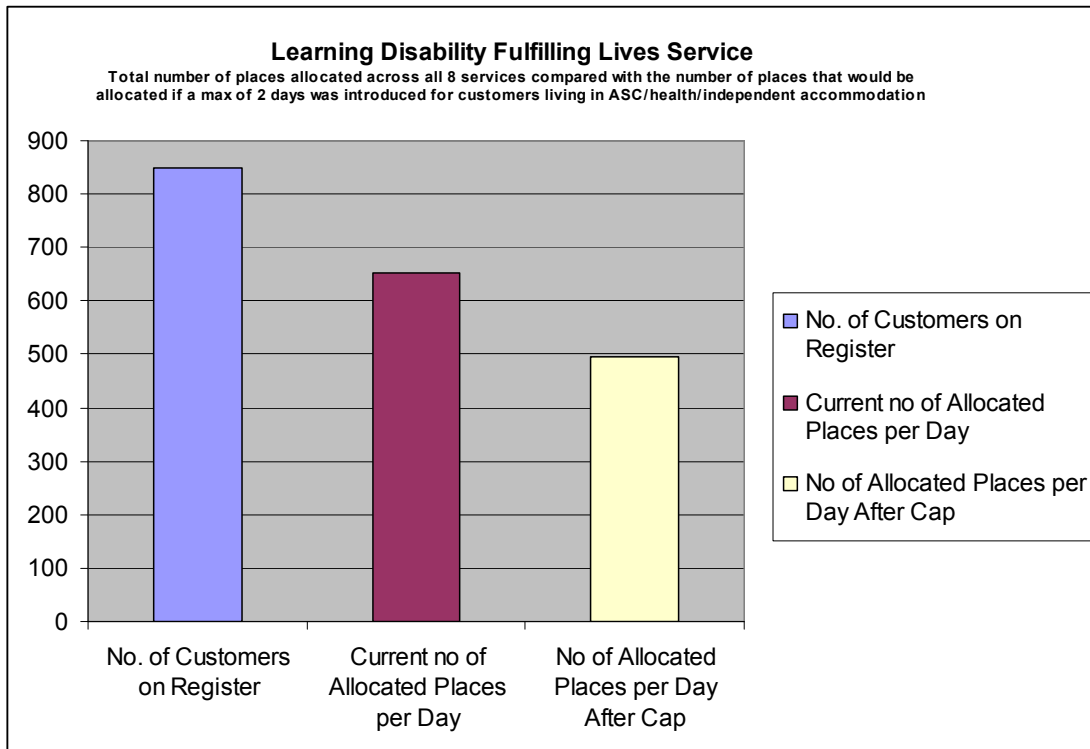
### **3.0 Main Issues**

3.1 In January 2009 the Executive Board of the Council approved plans to modernise day services for adults with learning disabilities. This plan approved the development of smaller inclusive bases in community settings and the development of the third sector through a market engagement process through an injection of pump priming capital and revenue funding respectively. Given the demographic trends which indicate an increasing level of customers with profound and multiple disabilities reaching adulthood, there is a need to ensure that both the services and the asset base is able to respond flexibly to those customers with the most complex needs.

- 3.2 The future of building based day services provided by the Local Authority will increasingly focus on those service users who have a range of complex needs, either in relation to behaviour or profound and multiple disabilities. The service needs to be able to respond to support these people who live with family carers as day services provide a respite function for families and allows service users to have time away from the family environment. We will work alongside health partners to do this. For the larger number of service users we support whose needs are less complex; we will develop a range of community provision working from small bases in partnership with colleagues from the independent and voluntary sector. This is in line with Council principles around working co-operatively with other organisations to make best use of community facilities at the heart of local communities. The growth in personal budgets and self directed supports leads us to anticipate that more services will be provided through this route in coming years.
- 3.3 Our services currently have 848 customers on their registers though have an average allocated daily attendance of 654. The number of attendees has fallen over the years as people have been encouraged to attain more personalised outcomes and this has led to a comparable reduction in staffing over time. Of the customers who attend the services, 49% live at home with family carers and 51% live in accommodation based services with 24 hour support provided either by adult social care or other providers in the city.
- 3.4 Leeds is unusual in that it provides day service places to people who live in 24 hour accommodation. It is the national norm that people who are in staffed accommodation should receive a package of day time support from their accommodation provider who can arrange this in a number of ways.
- 3.5 A number of different options have been explored as to how the level of service could be reduced in an attempt to provide efficiencies for the council, whilst maintaining services at their current level for those customers who live at home with family carers.
- 3.6 The proposal to Executive Board is the introduction of a revision of day time support arrangements with those people living in 24 hour accommodation having the majority of their day time support provided by their accommodation providers; there will be an opportunity for them to attend a day centre up to two days a week should they choose to do so. This option is being put forward rather than the option to completely stop attendance for those who live in accommodation based services altogether as it provides an opportunity for customers to continue to maintain their relationships with peers and builds in safeguards for customers in respect of coming into contact with more than one service.
- 3.7 This measure would enable overall capacity of the in-house day service provision to be reduced. This in turn would enable a rationalisation of building usage and could lead to a further two services to become surplus to requirements over and above the plans already in place to replace West Ardsley.
- 3.8 The future direction of day services will be to maintain a number of large day centres in order to provide a service within a building for those people with the most complex needs who may require intensive health interventions and thus require a suitable environment. We envisage that for the majority of people with a learning disability, services will be provided in partnership with community organisations from small bases to enable people to access a variety of bespoke and mainstream activities.



3.9 The charts below show the overall impact that this change to service provision would have on daily attendance and the impact it would have at each of the centres. This would result in a net reduction of 157 places each day across the service.



3.10 Horsforth and Wetherby have been identified as most suitable for replacement due to the poor state of the buildings and have the lowest attendance of all the remaining day services. This decision is also in line with the outcomes from the city wide consultations held in 2007 where the recommendation from stakeholders was to replace these buildings with smaller bases in more socially inclusive environments. We will identify new sites in both Wetherby and Horsforth in community buildings in order to provide a day service from these bases.

- 3.11 This would leave us with four existing centres; we anticipate that once the reconfiguration of services has begun we will review attendance at the centres and identify a fourth centre in the east of the city for re-provision; this will be either Potternewton or Ramshead Wood depending on the demand for these services at the time. We will aim to take this decision in the early part of 2012 as we will then be in a more informed position to assess the capacity and demand for a day centre and determine the size and design of the building.
- 3.12 The downsizing of the in-house provision would lead to a proportionate downsizing of the staffing requirements to deliver the service. A proportion of the current fulfilling lives service staffing resource would need to be transferred to the supported living service to support customers on days they would have normally attended day services. The Council's Early Leavers Initiative (ELI) could be used as an opportunity to deliver any overall reduction in workforce in order to ensure that the council does not have a surplus of care staff.
- 3.13 There are a number of wider system issues that need to be borne in mind – including the need to resource accommodation based services to adequately to meet the increased demand on their services should customers spend less time in day services. Many of the accommodation services in the independent sector were procured on the basis that a 5 day per week day care package would be provided to those customers outside the accommodation base. Within adult social care accommodation based services delivered through the recent Independent Living Project has dispersed customers to achieve more personalised outcomes but in doing so has reduced the ability to achieve economies of scale – should more of their day time service be delivered from their own home. Thus part of the delivery plan is to transfer staffing resources from day centres to supporting people from their accommodation base where people live in staffed accommodation based support services.

#### **4.0 Capital considerations**

- 4.1 The overall asset strategy for this stage of the project is to disinvest in three large segregated buildings and invest into a range of community buildings which will enable adults with learning disabilities to take an active part in community life alongside non disabled citizens.
- 4.2 A further strand of the strategy is a city wide investment into a network of Changing Places that will enable some of the most physically dependent people in the city to have access to toilets during the day and therefore open up their ability to engage in the life of the city. A number of schemes continue to be developed both in the south area and across the city.
- 4.3 The approval in January 2009 included an allowance in the capital programme of £2.1M to deliver the asset strategy in the south of the city alone. However, by taking the one council approach to maximize use of existing council buildings and investing in them to make them accessible expenditure and commitments to date have only reached £434K falling significantly short of the £2.1m set aside in the capital programme.
- 4.4 Investment will need to be made into 3 of the remaining centres to ensure that the asset base can meet the physical requirements of those customers with the most complex needs.

- 4.5 Given the work underway in the south of the city and on the Changing Places programme, evidence would suggest that the whole of the Changing Place programme and the delivery of smaller community bases could be made from the £2.1M within the capital programme. However, a further £2.M will be required to upgrade the remaining centres subject to further feasibility work. It will be necessary to ensure that they are fit for purpose to meet the needs of an ever more complex population of adults with learning disabilities.
- 4.6 Approval is already in place for the re-provision of West Ardsley centre. Horsforth and Wetherby have been identified as most suitable for replacement due to the poor state of the buildings (including backlog maintenance liabilities) and that have the lowest attendance of all the remaining day services.
- 4.7 Further new sites will need to be identified as we move on to the re-provision of West Ardsley, Horsforth and Wetherby Fulfilling Lives Centres. The project team are undertaking site visits exploring the potential of council/community run buildings throughout the city looking at accessibility and opportunity for meaningful community integration.
- 4.8 It is estimated that city wide we will need to secure a total of a further seven new small bases in existing community buildings to supplement the capacity at the remaining centres and complete the day service transformation programme. Each of these bases will cater for around fifteen people each day. Rothwell Sports Centre and the new Headingley community centre have already been identified. Further bases still need to be identified in Middleton, Morley, Wetherby and Horsforth or Yeadon.
- 4.9 The need for satellite community bases has been determined by predicted customer numbers and in some cases the need to retain adult social care presence in a geographical area. Particular emphasis will be made to ensure that locality community bases are developed in areas such as Wetherby, based on the local consultation that has taken place with customers and their family carers.
- 4.10 A proportion of the existing capital budget for the programme will need to be invested into three of the four remaining Fulfilling Lives centres. This will involve the provision of the highest quality equipment and adaptations to ensure that each centre is adequately equipped to meet the needs of customers with the most complex needs and profound disabilities.
- 4.11 The delivery of the programme will also leave the sites of West Ardsley, Horsforth and Wetherby surplus to requirements of adult social care. In 2007 land valuations of these sites was between £5.1M and £6.4M. It is noted that these valuations may need to be revised down to reflect current market conditions, however, should Members agree to proceed with the potential for significant capital receipts remains, which in part will be required to re-invest in service improvements to manage the decant arrangements inherent in this report. Subject to further feasibility, it is anticipated that £2.0M will need to be made available to ensure that the day centres that remain are refurbished to the standards to ensure they are fit for purpose over the long term and have the equipment available to meet the needs of people with complex needs.

## **5.0 Project Delivery**

- 5.1 The aim would be to deliver this change programme within the financial year ending March 2012. The aim is to declare each of the three centres involved surplus to requirements by the following dates :

31<sup>st</sup> July 2011 Wetherby  
30<sup>th</sup> September 2011 Horsforth  
30<sup>th</sup> November 2011 West Ardsley

A review of centres in the East of the city will be undertaken in early 2012 to determine if we are able to re-provide either Potternewton or Ramshead Wood. This decision will take into account the current and projected demand for the service.

The order of the timetable has been developed on the basis of the logistics of delivering this programme in a sequence that has least impact on customers.

- 5.2 Learning Disability Services has a small dedicated transformation resource which has built up extensive experience of successfully delivering major complex business change projects through the Independent Living Project and the re-provision of Windlesford Green hostel and Moor End Fulfilling Lives service
- 5.3 The transformation team has established the close working partnerships with colleagues from other departments such as Corporate Property Management and Legal Services necessary to deliver relevant parts of the programme. It has an established record of success having worked successfully to deliver the Independent Living Project which was well received by service users, family carers and staff and has the necessary experience to manage a complex project such as this.
- 5.4 The project will be delivered using Delivering Successful Change methodology and will be quality assured by the Council's Project Assurance Unit. The day service transformation programme has a strong and well established governance structure in place via the Fulfilling Lives Project Board.
- 5.5 The project has a communication strategy which will ensure ongoing stakeholder consultation and involvement throughout the process.
- 5.6 The primary aim of the project will be to deliver a positive outcome for each individual and their carers. All customers affected by these changes will be involved in a person centred planning process with a care manager from the planning team to ensure their individual needs are identified and continue to be met. These planning processes have been developed and refined during the previous change projects in learning disability services mentioned above. They have ensured people have been actively consulted and involved in the changes thus making them a positive experience for the majority of customers.

## **6.0 Implications For Council Policy And Governance**

- 6.1 The Executive Board of the council has already approved a plan to modernise day services for adults with learning disabilities based on a lengthy consultation process. The recommendations based in this report would roll that plan out across each of the three council areas and would introduce a redesign of the service leading to those living in supported accommodation receiving their day support in their accommodation service.

Whilst this change would not constitute a change of written policy – it would constitute a change in established custom and practice.

- 6.2 In advance of Executive Board, we will consult with local ward members in Ardsley and Robin Hood, Horsforth and Wetherby around these proposals. If the report is

agreed, we will undertake a wide consultation exercise with service users, their family carers and staff around the alternatives that will be available either in the day services or around the development of community bases for future use. We are meeting with providers of accommodation based services to engage them in developing alternative provision for service users within their service areas.

## 7.0 Legal Implications

- 7.1 The provision of in-house day services is not a statutory duty of the Council and therefore there are no explicit legal risks associated with providing for customers needs in a different manner. However, a recent legal case (R vs. Worcester Council) did conclude that the closure of day centres without first identifying how the assessed needs of individuals could be met elsewhere was flawed. A review of the care options to meet customer needs would be undertaken to ensure that this issue is addressed. There will therefore be a resource requirement to undertake reviews and reassessments of people's needs from a care management perspective.
- 7.2 An Equality Impact Assessment has been completed. This proposal should not disproportionately affect minority groups within the City and we are mindful of the need to ensure new community bases reflect the needs of ethnic minority groups within Leeds alongside those of disabled people and their family carers.

## 8.0 Resource Implications

- 8.1 The estimated capital receipt from the three sites is between £5.1M and £6.4M when valued in 2007. However, it is anticipated that £2M will need to be reinvested into the remaining centres to make them fit for long term use.
- 8.2 These three sites also have backlog maintenance liabilities of £868K which will not be incurred by implementing this plan.

Capital Receipt and Building Related Revenue Savings For 3 Proposed Sites					
Centre	Valuation Lowest		Valuation Highest		Backlog Maintenance
Wetherby	£1,100,000		£1,300,000		£105,000
Horsforth	£2,325,000		£2,900,000		£460,000
West Ardsley	£1,700,000		£2,225,000		£303,000
<b>Total</b>	<b>£5,125,000</b>		<b>£6,425,000</b>		<b>£868,000</b>

- 8.3 The position in relation to any savings that may be generated to ASC revenue budgets is more complex as resources will need to be redirected from day service to accommodation based services. Any reduction in attendance at day services will increase the amount of time that customers spend at home. Of the people who live in accommodation based services roughly half live in services managed by ASC and half with other providers. A proportion of the efficiencies produced through the reduction in hours in the fulfilling lives service will need to be redirected to the Supported Living Service. There will be other non-staffing costs and savings summarized in the table below:

	<b>Cost £k</b>
Reduction in day services staffing	764
Increase in staffing in LCC accommodation bases	-511
Increase in staffing in 3 <sup>rd</sup> sector accommodation bases	-511
Management efficiencies	111
Transport efficiencies	539
Building efficiencies	200
<b>Total saving</b>	<b>£592</b>

#### **8.4. Impact on Staffing Costs**

- 8.4.1 If the first three centres were to close and be replaced by services run from seven area bases and the remaining four Fulfilling Lives Centres, we would allow us to reduce the staff by 1,272 hours a week and a saving of approximately £750, 000 per year.
- 8.4.2 However, we would need to increase the staffing in both the in-house supported accommodation service and the private/independent sector (who provide support to approximately 50% of the customers who would be affected). The table above demonstrates that the overall saving would equate to £595,000 per year.

#### **8.5 Impact on Non-Staffing Costs**

- 8.5.1 The proposals would result in a reduction in day centre attendance of 157 people each day (approx 75% of total places). It is estimated that this would generate transport savings in excess of £500,000 per annum (20% of the total transport budget). Further work will be undertaken in this area to confirm the estimated impact.
- 8.5.2 The closure of three centres would lead to cashable savings of £295K per annum on the non staffing running costs of those establishments. The cost of running the smaller replacement bases is estimated at £95K representing a net efficiency of £200K.

#### **8.6 Overall Position**

- 8.6.1 The net effect of the closure of the three sites is a reduction of 14 FTE and a transfer of approximately 23 FTE from Fulfilling Lives into frontline Supported Living Services. It is anticipated that this overall reduction in posts could be managed through post vacancies.
- 8.6.2 The overall saving that would be generated after allowing for increased payments to third party providers and accounting for transport and building related savings is expected to be £592,000 per year.
- 8.7 The estimated savings of £592,000 would not be achieved as a full year effect until 2012/13. However, there will be a part year budget saving in 2011/12 estimated to be approximately £200,000.

#### **9.0 Conclusions**

- 9.1 Officers have been requested to identify areas of service delivery that could be provided differently in order to reduce expenditure on non statutory services. The provision of day services to adults with learning disabilities is one such area. A

modernisation programme has been approved by Executive Board and is being delivered within the agreed parameters from January 2009. This proposal now looks to accelerate that process through the implementation of a specific measure that would reduce the daily attendance within centres.

9.2 This measure is:

Change the pattern of service provision for people who live in accommodation based services to provision of services from their accommodation base and attendance, should it be required, on up to two days a week basis from a day service.

This would reduce the daily allocated attendance across the eight centres from 653 per day to 496 per day.

9.3 The introduction of this measure would still safeguard the level of service to customers who live with family carers and redirect staffing resources from day centres to accommodation based services for those customers who live in accommodation based services.

9.4 Given the particular data relating to each of the current services two further services (Horsforth and Wetherby) could be made surplus to requirements through and implementation of the above measure and the transfer of remaining customers to the other local services. Given that Moor End closed in October 2010 and agreement is already in place to close West Ardsley by 2011; the acceptance of these proposals would see a reduction of local authority day service provision from 8 to 4, ultimately 3 in short period of time.

9.5 Every effort will be made to ensure that the process is person centred and the individual day care needs of all customers and carers continue to be met.

9.6 The project will be delivered by the end of the 2012 financial year through a structured Delivering Successful Change project management approach. This will involve a comprehensive communication plan to ensure ongoing stakeholder consultation and involvement throughout the process.

9.7 The project involves disinvestment in three large day centres *in 2011* and reinvestment in more personalised support and smaller buildings bases in socially inclusive environments. As such it is in line with the clear direction set by national policy, notably Valuing People Now and Putting People First. The proposal will also result in the significant upgrades to facilities for the most profoundly disabled customers in the four day centres which will remain at the end of this process.

9.8 The plan will ensure that the city has a service model and an asset base that can meet both the present and future demands.

9.9 The plan would generate full year revenue savings of £592,000 from 2012/13. The estimated 2011/12 part year saving would be £200,000 for the year.

9.10 The plan would prevent a backlog maintenance liability of £868K being incurred

9.11 The plan would release assets valued at between £5.1M and £6.4M when valued in 2007 of which £2.0M will be required for reinvestment.

## **10.0 Recommendations**

- 10.1 The Board are asked to note the contents of this report and the progress made so far in the day services transformation programme.
- 10.2 The Board are asked to approve the proposal to re-design the pattern of service provision to a maximum of two days per week for those who live in accommodation based services.
- 10.3. The Board are asked to note the asset implications of this plan which will make more efficient use of council assets across directorates and will, in time, lead to Horsforth and Wetherby Fulfilling Lives centres becoming surplus to requirements, in addition to West Ardsley centre, by the end of 2011. We will review both Potternewton and Ramshead Wood in early 2012 and will determine which day centre could be re-provided once current and future need has been determined.

## **11.0 Background documents referred to in this report**

Transforming day opportunities form people with learning disabilities - Executive Board Report 14 January 2009

Valuing People Now: From progress to Transformation (DH) 04 Dec 2007

Day Services Modernisation : Equality Impact Assessment October 2010



**Alan's story**

Alan attended Moor End day centre for many years but has now taken full advantage of some of the many new opportunities open to the adults with learning disabilities as a result of the modernisation programme.

He now attends the new service base at Hillside in Beeston two days each week, where he has become involved in the community radio station. He attends Drama, Literacy and Tai Chi classes run by Leeds Health for All's "As One" project in Holbeck. He is also the co-chair of the stakeholder involvement group and works as a receptionist one day each week for Leeds People First at their "Leep 1" project. Asked how he felt about his very busy new timetable Alan said "I'm loving it all" and that he wished as part of his role with People First "to tell people in other centres about how good the changes have been".

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## Report of the Director of Adult Social Care

### Executive Board

Date: 3 November 2010

### Subject: Domiciliary Care Strategy and Reablement

<p><b>Electoral Wards Affected: All</b></p>    <p><input type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
<p>Eligible for Call In <input checked="" type="checkbox"/></p>	<p>Not Eligible for Call In (Details contained in the report) <input type="checkbox"/></p>

## EXECUTIVE SUMMARY

1. This report provides Executive Board with information about the direction of travel with regard to domiciliary care and the Community Support Service (CSS). It describes the significant progress that has already been made in terms of realising efficiencies and setting up reablement services, which has been achieved through close working with staff and the Trade Unions. However, it also highlights the evidence that further improvements can be made, so that the CSS is comparable with the most efficient providers of homecare, and able to meet the challenge of increased customer choice in how they arrange and receive social care support.
  
2. The personalisation agenda, with its focus on improving choice and control and increasing independence, is transforming the way adult social care is delivered, not least as the number of individuals purchasing their own care from a range of service providers increases month on month. The impact of this is particularly evident in terms of homecare services, which are a key element of community-based support packages for many of Adult Social Care's service users.
  
3. The total domiciliary care budget is in excess of £33 million, made up of local authority provision and contracted provision from the independent sector. This paper heralds major service improvements and sets the direction for the future delivery and management of homecare services in Leeds. These improvements will ensure the most effective provision possible, which also represents the best value for money.

4. This paper follows on from two reports presented to Executive Board in May and October 2005, which set out the commissioning strategy for homecare services. These identified three key drivers influencing the future strategic direction for homecare services in the city. First of these was the growing importance of personal care services in enabling people with high levels of need to remain at home, together with an emerging emphasis on prevention services. Secondly, the need for continuing development of integrated services with local health care providers was noted; and finally, the requirement to ensure value for money in securing the level and type of service required. In light of those drivers, and following large scale consultation, a commissioning strategy was developed and approved by Executive Board in October 2005. This outlined the main routes for the delivery of homecare services in Leeds, which are detailed in paragraph 2.2. The principles approved at that time continue to guide Leeds' approach to delivering homecare services.
5. Since then, developments at both the national and local levels have emphasised the need for a broader approach to the provision of services, including increased investment in prevention and early intervention services to promote independence and reduce the demand for long-term health and social care services. Many other local authorities have achieved this through establishing reablement services. Reablement is best defined as an approach which helps people do things for themselves rather than having things done for them<sup>1</sup>. This recognises that sometimes people need some short-term, intensive help to live more independently in their own homes and communities, for example following a stay in hospital. Therefore reablement typically consists of a service, or range of services, offered in short programmes by trained staff to help people regain or maintain their independence. There is a growing body of research demonstrating the effectiveness of this approach.
6. Leeds' Adult Social Care (ASC) is now in the process of creating a large scale, citywide reablement service, and this report provides Members with information as to plans and timescales for implementation. This service will be drawn from within the existing Community Support Service, and will be part of our core business going forward. In order to implement this, and given the increasingly challenging financial climate, it has been necessary to undertake a broader review of the current directly provided homecare service in Leeds. These developments are currently the subject of a Scrutiny inquiry, three sessions of which will have been held by the time Executive Board meets to consider this paper; details of this inquiry are provided later in the report.
7. Members are asked to note the proposals outlined in this report to build on the progress made so far in improving the productivity and effectiveness of this service, including the establishment of a formal partnership agreement with the Commercial Services' Division of the Resources Directorate of the Council for the future management and provision of elements of the current service. In addition, Members are asked to note the growing evidence nationally, regionally and locally that local authorities are best placed to provide early intervention and prevention services in-house, whilst long-term care is increasingly commissioned from the independent sector or directly purchased by the individual through the use of a personal budget. A further report, produced by ASC and Commercial Services, will be brought to Executive Board in July 2011 recommending the future strategic direction of the service, including options for the future provision of the long-term community support service.

## **1.0 Purpose Of This Report**

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<sup>1</sup> CSED (2009a) Prospective Longitudinal Study, Interim Report 1: The Short-term Outcomes and Costs of Reablement Services, October 2009.

- 1.1 This report provides Members with information regarding homecare services in Leeds, and plans to further develop these in line with the commissioning strategy approved by Executive Board in 2005, as well as national and local developments since that time, so that Adult Social Care is able to respond to the increasingly challenging financial climate, whilst continuing to provide high quality front line services.
- 1.2 The report details plans to develop reablement services, which will promote independence, ensuring service users can remain in the community and reduce their need for long-term health and social care services. It also asks Members to note the implications of this for the remainder of the directly provided homecare service, as well as the intention to bring a further report to Executive Board in July regarding the future strategic direction of the service.

## **2.0 Background Information**

- 2.1 A report was presented to Executive Board in May 2005 regarding homecare services in Leeds. This outlined the increasing pressures on the service, expressed in year on year increases in the number of hours of care provided, as well as the key drivers shaping the future of homecare services. In this context, large scale consultation events were held about the future commissioning of homecare, enabling a commissioning strategy to be developed; this was approved by Executive Board in October 2005.
- 2.2 The strategy outlined three main routes for the delivery of homecare services in Leeds. The first relates to short-term, intensive care, provided directly by the Local Authority, to help people recover from illness and be as independent as possible. The second relates to longer-term maintenance and support, likely to be less intensive, which independent sector providers are well placed to provide. The third route for delivery is through personal budgets, whereby service users purchase all or part of their care directly.
- 2.3 The principles and routes for delivery approved at that time remain relevant and continue to guide Leeds' approach to the provision of homecare services. However, national and local thinking has continued to develop over the last few years. In terms of national policy, the emphasis on short-term intensive support and prevention services has been reinforced, as is evident in a number of key documents, such as the green papers 'Independence, Wellbeing and Choice' and 'Shaping the Future of Care Together', as well as Putting People First.
- 2.4 The key driver for homecare, as expressed in the above policy documents, is now to promote independence, ensuring people can continue to live at home and care for themselves as far as possible. This represents a shift in emphasis away from local authorities providing traditional task based and long term services, towards modern outcome-focused services, such as reablement, which enable people to regain or maintain their independence. The importance of personalised services is also emphasised, so that people can exercise choice and control, and live their lives in the way they want, doing things themselves rather than having things 'done to them'.
- 2.5 In addition to these policy drivers, the financial climate has required all local authorities to review service provision, considering what services they provide, why and whether things could be done differently or by other organisations. The October Comprehensive Spending Review has increased the pressure on authorities to ensure they continue to be able to deliver their core business while delivering significant savings and efficiencies. In terms of homecare, this will exacerbate existing budget pressures on the service: the

requirement for homecare has already meant the budget has had to increase from £25 million in 2005 to £33 million in 2010 due to greater demand.

- 2.6 It is recognised that significant work has already been undertaken in Leeds to ensure services are provided in a personalised manner, with an emphasis on prevention and early intervention, in line with the commissioning strategy approved in 2005. However, further improvement and development is required if the Service is to meet the challenges ahead. This has been recognised by Adult Social Care Scrutiny Board, which is currently conducting an inquiry focusing on:

*“the current provision of Domiciliary Care and the requirement for modernisation to meet customer demand whilst providing a quality service to those who receive homecare... [as well as] the development of the reablement service, the benefits this will bring and how this service is and will be delivered”<sup>2</sup>.*

- 2.7 Scrutiny Board is reviewing detailed evidence on topics including value for money, reablement, equipment and technology, working with partners and future commissioning. Its findings will be reported back to Executive Board and will inform future work in this area as well as the July 2011 report which will contain recommendations on the future strategic direction and provision of the service.

### **3 Main Issues**

- 3.1 This section outlines plans to develop a large-scale reablement service; it also provides information about other drivers for change and the future of the remainder of the local authority service in light of the development of reablement, the personalisation agenda, and the financial climate.

#### Development of Reablement Services

- 3.2 Reablement services have quickly come to be seen as a cornerstone of preventative service initiatives: a CSED<sup>3</sup> questionnaire in 2008 showed that 80% of authorities with social services responsibilities were either in the process of establishing a reablement scheme or enhancing and extending an existing one<sup>4</sup>. Leeds’ ASC is therefore able to learn from national leaders, who are further down the line, as we put our service in place

- 3.3 The benefits of reablement are well established nationally. CSED studies have found:
- Significant short-term improvements in social care outcomes, for example getting outdoors, being able to transfer from the bed to the chair, and washing and bathing
  - Reduced dependency levels, particularly in activities such as getting outdoors and personal care.
  - Significant improvement in perceived quality of life
  - Significant impact on health-related quality of life, particularly with regard to mobility, self-care, pain/discomfort and anxiety/depression
  - Significant short term improvement in perceived health, with around a third of users reporting that their health had improved.

As a result of these improved outcomes, in many cases people have reduced (or no) need for long term homecare or residential care following reablement. These services can therefore mitigate the demographic and financial pressures and risks associated with increased demand for homecare and ensure a sustainable model for the future.

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<sup>2</sup> Adult Social Care Scrutiny Board: Draft Terms of Reference – Inquiry into the Future Provision of Domiciliary Care and Reablement Services, paragraph 2.1

<sup>3</sup> Care Services Efficiency Delivery programme. CSED was established by the Department of Health in 2004 to help councils identify and develop more efficient ways of delivering adult social care.

<sup>4</sup> CSED (2008) Homecare Re-ablement: CSSR Scheme Update Version, May 2008,

- 3.4 The Leeds' Reablement Service model will incorporate a group of complementary services through which people can be 'reabled', including:
- Assistive Technology (AT) Services - providing equipment<sup>5</sup>, alarms and adaptations that help people live more independently. This includes telecare: specialised equipment which uses telecommunications technology to provide remote care and monitoring of vulnerable people, allowing them to remain living in their own homes<sup>6</sup>...
  - The Community Support Service (CSS) Skills for Independent Living (SkILs) Team is a team that will be created to support people to develop and practice personal, domestic and social skills of daily living in their homes, so that they build confidence and achieve maximum independence. This includes practicing skills in personal care<sup>7</sup>, nutritional care, domestic activities and tasks<sup>8</sup>, taking prescribed medication, mobility in the home<sup>9</sup>, communication skills<sup>10</sup> and home-based social activities<sup>11</sup>.
  - The Outreach Service – providing support for service users in community settings so planned day activities fit with individual preferences and circumstances within local networks. This can include providing opportunities for service users to meet other people in local venues such as cafes and community centres, to build friendships, maximise independence and promote social inclusion.
- 3.5 Some of Leeds' reablement services are well established, like many of our Assistive Technology Services; others are new, like the CSS SkILs team. We will bring old and new together, providing a coherent and coordinated reablement service for all adults in Leeds who are eligible for help from Adult Social Care and suitable to take part in a reablement programme.
- 3.6 In order to develop our plans, and test the model in Leeds, an Early Implementer (EI) in the West/ North West of the city has been running since May 10th 2010, focusing on new referrals into ASC in the areas covered<sup>12</sup>. Early results show that a significant proportion of service users assessed at point of entry could benefit from reablement and/ or do not require long-term homecare. From the 77 completed reablement assessments since the EI started<sup>13</sup>, evidence shows:
- 26% of cases required no further action or were signposted to other services
  - 21% were provided with Assistive Technology only
  - 47% were provided with CSS SkILs reablement<sup>14</sup>
  - 1% were provided with Outreach
  - 5% were referred to long term care.
- 3.7 Over this period, a total of 37 service users have received reablement from the new CSS SkILs team, with 26 service users having completed their reablement packages. CSS SkILs team users received an average of between 4 and 6 hours of reablement per week, with an average length of reablement period of just over 5 weeks. Of those service users who have completed their CSS SkILs team reablement packages:
- 6 service users required long-term home care
  - 14 service users no longer required services

<sup>5</sup> Such as commodes, bed raisers and hoists.

<sup>6</sup> Such as smoke detectors, flood detectors, fall sensors, medication dispensers and wandering alerts.

<sup>7</sup> Such as personal hygiene, bathing continence promotion

<sup>8</sup> Such as cooking and cleaning

<sup>9</sup> Such as getting in and out of bed/ a chair

<sup>10</sup> Such as using the telephone

<sup>11</sup> Such as using the internet

<sup>12</sup> The weekly panel considering requests for long-term support is also diverting appropriate new requests through to the Early Implementer.

<sup>13</sup> 197 referrals for reablement assessment have been received in total

<sup>14</sup> A proportion of this figure also received AT as part of the overall reablement package.

- 6 service users are currently being assessed for long-term support.
- 3.8 In terms of the financial impact of reablement, analysis of evidence to date has shown:
- Based on cases where reablement has completed, the average cost of a CSS SkILs Team package is £319
  - The average additional cost of an AT package is £62.<sup>15</sup>
  - On average, for a service user who without CSS SkILs team reablement (only<sup>16</sup>) would have otherwise received a home care package<sup>17</sup>, the indicative average whole year saving comes to £3,301.50 per person
  - Where an average AT package is added to the CSS SkILs team reablement package, the indicative average whole year saving comes to £3,989 per person.
- 3.9 It should be noted that 'savings' in this context refers to expenditure which would otherwise have been incurred by providing long-term services and support. As these are new service users, who had no previous support in place, these are efficiencies not cashable savings. On the basis of available national evidence, it is probable that cashable savings will be realised if reablement is offered to existing service users.
- 3.10 To test all possible pathways into reablement, we launched a second Early Implementer in East/North East in September 2010, taking in people discharged from Leeds' Teaching Hospitals Trust, and will be extending this second EI to South in October 2010, so that the reablement service has a presence in all three management wedges. This will significantly increase the referral rate and the proportion of mid to high need cases coming through the system. It will also provide robust data with which to make long term projections regarding service user outcomes and potential financial efficiencies, feeding in to our service planning work
- 3.11 We are also developing a roll out plan so that a fully operational, city wide service is in place for April 2011. The new SkILs Team will be resourced using staff from the existing CSS service, who will be released as the new service is rolled out across the city. Further work is required to definitively determine the exact size and number of staff that will be required to deliver reablement as part of this team, but current estimates suggest between 73 and 137 full-time equivalents will be needed, including those already working in the Early Implementer team.
- 3.12 Based on national, regional and local learning, providing a reablement service model in Leeds will deliver significant improvements and benefits, in terms of:
- Targeted, early intervention, so services are offered to users earlier in their care pathway than under the existing model, before a point of crisis, and preventing premature admissions to hospital, residential and nursing care
  - Holistic needs assessment, emphasising what service users *can* do, as well as where they need support.
  - Time limited intervention – Service users will receive short term intensive support of generally up to six weeks
  - Person-centred rather than task orientated approach, with services customised to cater to individual circumstances
  - Reduced long term support needs
  - Closer working with family and carers to design individual reablement programmes,

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<sup>15</sup> One-off unit cost.

<sup>16</sup> *Inter alia*, did not require other reablement services such as AT or Outreach.

<sup>17</sup> Based on an average of 4.9 hours home care provided per week at a cost of £14.50 per hour = £71.00 home care per week.



Service user case studies are provided in Appendix I, which provide a snapshot of the way that reablement services in Leeds are already helping to deliver these benefits.

### Financial Context

- 3.13 As noted above, one of the benefits of reablement is that it can reduce or eliminate the need for individuals to receive long term home or residential care. It can therefore mitigate the financial pressures on social care services, ensuring they are sustainable for the future. This is critical at the present time, as budgetary pressures on the service, ASC and LCC as a whole are increasing.
- 3.14 It is well established that the current financial climate is resulting in significant challenges for local authorities. The October spending review has further increased this pressure, with substantial cuts in funding announced. Authorities will all need to ensure they are focusing on core business and delivering significant savings and efficiencies through introducing new service models and ways of working.
- 3.15 Significant improvements have already been made in the directly provided Community Support Service through close working with staff and Trade Unions. The service has become more efficient, particularly as a result of an increased focus on attendance management, in terms of supporting people to return to work following a period of ill health. However, further improvements can be made as regards flexibility and productivity. The intention is now to restructure the service, ensuring teams are located in the areas they are needed, and more flexible rotas and working patterns are introduced. Work is also ongoing to introduce appropriate IT systems to support the service, for example in terms of electronic rostering. This will improve our ability to respond to customer demand and provide a service when and where customers want and need it.

### The Directly Provided Local Authority Community Support Service

- 3.16 In order that high quality long-term homecare, as well as new reablement services, can be provided to all users who need them, a fundamental review of the current in-house service is required. This review needs to deliver a financially sustainable model for the future, as well as taking into account the impact of personalisation. Self-directed support has now gone live in Leeds, and more and more people are choosing to receive a personal budget and buy their care directly. Over time, this will result in a decrease in demand for in-house community support service provision, as service users are unlikely to choose to purchase more expensive services with their budget.
- 3.17 The in-house community support service currently employs 1043 employees (equivalent to 739 full time workers). These are divided into different teams, as follows:

<b>Services</b>	<b>Number of Staff</b>	<b>Contracted hours</b>
Mental Health – Reablement	36.5	1145.3
Mental Health – Long-term	36.5	1072.0
Generic – Reablement	11.00	295.00
Generic – Long-term	835.0	21261
Evening & Night Services	5	157.5
Extracare housing	93.0	2526.7
Management and Administrator resource (excluding supervisors)	26	892.5

- 3.18 As noted above, a new CSS SkILs team is being created to deliver homecare reablement, using current CSS staff, who will be released as the new service is rolled out across the city. Further work is required to definitively determine the exact size and number of staff that will be required to deliver reablement as part of this team, but current estimates suggest between 73 and 137 full-time equivalents will be needed, including those already working in the Early Implementer team.
- 3.19 In addition, a programme of voluntary early retirement and voluntary severance in the service has started, in line with the corporate initiative to reduce the overall number of staff employed in the service. Expressions of interest have been sought from staff: to date 267 have indicated their interest in VER and VS. The intention is to move ahead with this as quickly as possible, whilst ensuring the quality of the statutory regulated service is maintained and continuity of service to individuals is ensured.
- 3.20 VER and VS could reduce the size of the overall service by up to 25% of staff. In addition, staff across Adult Social Care are being asked to express interest in VER/VS through the corporate initiative. This may create opportunities for homecare staff to be redeployed to other service areas, leading to further potential downsizing of the Community Support Service. Once these changes have taken place, it is also essential that the remainder of the long-term service is structured in such a way as to maximise efficiency and meet the needs of service users in the most effective way.
- 3.21 ASC will continue this programme of work to build on the improvements already made throughout 2010-11, by working with staff and Trade Unions, and from now will also be supported by Commercial Services in implementing these service improvements. Commercial Services have the necessary skills and experience in this regard, having already taken on a number of other services and achieved significant improvements in efficiency terms. The Commercial Services division employs approximately 3,000 staff, and generates approximately £80m revenue a year. Within this it operates a wide range of tendered contracts including Passenger Transport and Care Catering both of which are provided to Adult Social Care. Commercial Services has a long track record of open and constructive employee engagement and with Trades Unions.
- 3.22 Given this, from 2011 the intention is to establish a formal partnership arrangement with Commercial Services enabling the Resources Directorate to undertake the operational management of the long-term generic service, together with other elements as appropriate (excluding reablement, which will remain as ASC core business), under the Chief Officer Commercial Services. Working in partnership in this manner will allow further improvements to be delivered, whilst the options for future partnership development and service changes are considered in more detail.
- 3.23 In considering the future strategic direction of the service, it is suggested that provision of long-term community support will not form part of the future role of ASC, which will focus instead on providing reablement and specialist rapid response services for people in crisis, where the local authority can offer added value due to the skills and experience of staff in these services. Indeed, the majority of other local authorities have outsourced much of their long-term homecare already, as noted in a recent report from the NHS Information Centre:

*The number of contact hours provided directly by CASSRs (councils with adult social services responsibilities) has fallen by 9 per cent in the last year, continuing the downward trend. CASSRs now directly provide 19 per cent of total contact hours, compared with 22 per cent in 2007-08 and 33 per cent in 2003-04. Correspondingly, the number of contact hours provided by the independent sector (private and voluntary sectors) increased by 11 per cent between 2007-08 and 2008-09. 81 per*

cent of all contact hours were provided by the independent sector in 2008-09, compared to 78 per cent in 2007-08 and 67 per cent in 2003-04.<sup>18</sup>

- 3.24 The most recent data regarding Leeds' ASC provision shows that, in 2009/10:
- In terms of the total number of service users, 38% (2,154 people) received homecare services from the directly provided service; the remaining 62% (3,494 people) received services from the independent sector
  - In terms of the actual number of homecare hours delivered, 36% of these (875,940 hours) were delivered by the directly provided service; the remaining 64% (1,557,116 hours) were delivered by the independent sector,
- 3.25 This is in contrast to provision in other core cities. The most recent data available from the NHS Information Centre, which relates to 2008/09, shows the split of provision in these authorities as follows:

Local Authority	Provided by the Council	Provided by the Independent Sector
Sheffield	709,030 (30%)	1,642,200 (70%)
Bristol	298,845 (25%)	912,390 (75%)
Nottingham	286,830 (24%)	915,980 (76%)
Birmingham	877,550 (19%)	3,645,150 (81%)
Manchester	555,620 (15%)	3,068,885 (85%)
Liverpool	360,670 (13%)	2,365,325 (87%)
Newcastle	272,625 (12%)	1,954,945 (88%)
Leeds (2009/10 data) <sup>19</sup>	875,940 (36%)	1,557,116 (64%)

- 3.26 The potential benefits of commissioning long-term generic homecare from the independent sector, rather than providing it in-house, are clear from a financial perspective. The independent sector in Leeds has also already proven that it is able to deliver good quality and flexible long-term homecare, delivering the majority of this support to service users in Leeds at the present time. Therefore, it is proposed that consideration is now given to an approach which will enable LCC to develop a strategic direction for the service, including options, plans and timescales regarding the commissioning of these services in the future. A further report will be provided by ASC and Commercial Services which develops options, including the recommended size of the in-house service and ways for achieving this. Consideration will be given to every option, including further VER/ VS, redeployment, the establishment of a social enterprise or co-operative and increased use of the independent sector. In the prevailing financial climate, value for money considerations will be important. An evaluation of options will be presented to Executive Board in July 2011.

## 4 Implications For Council Policy And Governance

- 4.1 The council policy with regard to the provision of homecare is contained within the reports presented to Executive Board in May and October 2005, and the proposals in this report are consistent with the strategic direction and routes for provision of service contained therein. In addition, they are in line with key national policy documents, such as the green papers 'Independence, Wellbeing and Choice' and 'Shaping the Future of Care Together', as well as Putting People First. The approach to providing early intervention and prevention services has already been adopted by the majority of local authorities in England.

<sup>18</sup> Community Care Statistics 2008-09. Social Services Activity Report, England, Published April 2010.

<sup>19</sup> 2009/10 figures are provided for Leeds, as inaccuracies in 2008/09 recording systems resulted in data that is not robust for statistical comparison. 2009/10 figures for core cities are not available yet.

- 4.2 The proposals contained within this report have no implications for council governance, and can be managed within the existing constitution. Precedents are established, and will be followed, as regard to the establishment of a formal internal partnership to manage the long-term generic service within Commercial Services, (as previously accomplished in relation to both Transport and Community Meals services).
- 4.3 Adult Social Care Scrutiny Board is currently partway through an inquiry focusing on domiciliary care and the development of reablement services, as noted in section 2. The inquiry has reviewed information about the current situation in Leeds as regards domiciliary care, including current methods of service provision, analysis of local demand in the short and long-term, and potential resource implications. The working group has also reviewed detailed information on reablement services, including evidence about outcomes for service users, development of systems and processes, and timescales for implementation. Members were positive about the benefits the reablement service will offer people in Leeds, and supportive of plans to further develop and roll-out services across the city. Future sessions will consider the implications for the long-term directly provided homecare service; the outcomes of the inquiry will inform future plans for this service, and the further report that will be presented to Executive Board in July 2011.

## **5 Legal And Resource Implications**

- 5.1 An equality impact assessment is underway focusing on the development of the reablement service, and advice will be sought from subject matter experts as to whether any others are required.
- 5.2 There are no legal implications resulting from the proposals in this report; all staff will remain as LCC employees during the partnership with Commercial Services. If Executive Board agree the proposed future strategy, of commissioning long-term homecare from the independent sector, any legal or resource implications arising from this will be fully detailed in the July 2011 report.
- 5.3 In terms of resources, the proposals contained within this paper seek to ensure that homecare services can be provided in the most efficient and effective way possible, so that LCC can do more for less. This will be achieved in the first instance through the implementation of reablement, which will promote the independence of service users and reduce demand for long-term social care and health services, as well as a reduction in the size of the current long-term service through a programme of VER/VS.

## **6 Conclusions and Recommendations**

- 6.1 Members of the Executive Board are asked to note the content of this report, in terms of:
- the plans and timescales for establishing a reablement service
  - the proposals to further improve productivity and restructure the long-term in house homecare service
  - the proposals to establish a partnership with Commercial Services for the future management of the long-term service.
- 6.2 Members are also asked to note that a further report will be jointly produced by ASC and Commercial Services in July 2011, recommending the future strategic direction of the service, including options for the future provision of the long-term community support service.

**Background documents referred to in this report:**

- Department of Health's Green Paper - Independence, Wellbeing and Choice (2005)
- Putting People First – The Vision and Commitment to the transformation of Adult Social Care (2007)
- Department of Health's Green Paper - Shaping the Future of Care Together (2009)
- CSED Prospective Longitudinal Study, Interim Report 1: The Short-term Outcomes and Costs of Re-ablement Services (2009)
- CSED Homecare Re-ablement: CSSR Scheme Update Version (2008)
- CSED Retrospective Longitudinal Study: Homecare Reablement (2007)
- Community Care Statistics 2008-09. Social Services Activity Report, England (2010)

The following case studies provide a snapshot of the way that reablement services in Leeds are helping people live more independently in their own homes and local communities.

### **Jessie's story**

Jessie, 84, is a widow and lives alone in Guiseley. She is a proud, independent woman, used to being able to take care of herself. Jessie's shins are very fragile after she burnt them in front of a gas fire. She has a long-standing heart condition and sometimes loses her balance.

Before taking part in the reablement pilot, Jessie was frail and isolated. She was unable to have a bath, had difficulty getting in and out of bed and any activity left her breathless. She was unable to cook, apart from warming meals in her microwave, had poor mobility and was unable to leave the house.

After a period in hospital, Jessie moved into a sheltered bungalow and her OT recommended that she take part in the reablement pilot. Reablement staff supported Jessie with personal care, and helped her get used to her walk-in shower and her new kitchen. A trolley was provided which she was able to use to carry meals from the kitchen to her living room. Jessie was supported by equipment to help her in and out of bed, and a perching stool (equipment that helps people remain in a semi-standing position so they can more easily prepare meals, use hand basins etc).

She also had outreach training and is very pleased that she is now able to get out more easily. "I like to go out every day," Jessie says. "I don't like sitting in. I do my shopping on my own – I value my independence. Sometimes I go to events and birthday parties, or little socials they hold here at the scheme each week. The staff have all been very good. They told me exactly what to expect right from the start. They understand that I want to be independent, and they've shown me how to use electrical appliances like the washer and cooker, because those aren't really my thing. They gave me some typed instructions for the cooker which have been very helpful as a reminder. I'm think I'm going to ask for some for the washing machine too!"

Jessie's OT, Jo Simpson, says that Jessie is now managing so well, the service has been reduced. "Jessie is now fully independent in making meals, getting in and out of bed and bathing. Being able to have a shower rather than a bath has especially made a huge difference for her. She's doing a lot more in the kitchen, and has more energy now that she doesn't have to use the stairs several times a day. Her mobility is much improved and she has really gained in confidence. It's been a pleasure to see such a transformation."

## Peter H's story

Peter H lives in LS21. He has dementia and before reablement, he was unable to carry out very basic tasks such as getting dressed or undressed. He found it particularly difficult to shave, wash himself or get in or out of the bath. His main carer had been his disabled wife, Sylvia, but the couple moved to Leeds from the Wirral so they could be nearer to family who could help with some caring responsibilities.

Peter found it very difficult to cope with his deteriorating abilities, and his family became anxious on his behalf.

During reablement it was found that, although his memory problems were so severe that he was unable to carry out many basic tasks, he was actually able to perform many of these activities with reminders and prompting. Peter's son-in-law said:

"The biggest change brought about by reablement was the increase in Peter's self respect – being able to get back to doing some of the things he used to do, with prompting. This gave him – and his family – back some hope that progress was possible.

"The reablement team were extremely friendly and supportive. They took the time to find out about Peter and his disabled wife. They offered very professional advice about assistive technology such as a lift-chair for the bath, safety rails for the bed etc so we could arrange these through the OT. They spent quality time to ensure he was fully assessed and his needs met. We had previously had a care package provided on the Wirral with very little assessment. There was a constant change of staff, which wasn't helpful given Peter's memory problems. We never knew what time they would arrive even though we had agreed times. This caused constant anxiety for Peter's carer/wife. Leeds' assessment team and long-term team have been very supportive, reliable, professional and knowledgeable. If this hadn't been the case, in all probability Peter would have ended up in residential care."

"I am employed as a Performance and Quality Officer with the Probation Service and could not speak more highly of the quality of service and dedication of staff in Leeds."

## Mrs Parker's story

Mrs Parker lived with her husband who was her main carer. She had cancer, and had a very limited prognosis. Mrs Parker needed various pieces of moving and handling equipment, so they slept in separate bedrooms. She was at risk of falling out of bed, having done so in the past, and Mr Parker was unable to sleep properly at night as he was afraid she would fall and hurt herself. As a result, he was very tired all the time, and eventually became unable to carry on caring for his wife.

Mrs Parker found she was able to use a bed sensor with a carer alert, which would let Mr Parker know if she fell out of bed. This improved their lives no end. Mrs Parker no longer felt like a burden to her husband, and Mr Parker was able to get a good night's sleep which greatly reduced his stress.

Mrs Parker has now passed away. Her husband has made a formal compliment about the service which improved their quality of life during her final days.

## Pauline B's story: "At last I'm feeling more me!"

Pauline B is 83 and lives alone in Yeadon, with her dog Pepper. In May 2010 Pauline developed severe pain following a back injury. Even strong painkillers couldn't help. Her condition deteriorated rapidly, and she lost all motivation.

After a short period of specialist support from the reablement team, and the installation of some equipment in her home including grab rails and smoke alarms, the change in Pauline's condition and mood has been remarkable. She is now able to live independently, apart from receiving assistance to shower twice a week – but she is keen to get to the point where she is doing even this for herself. Pauline and her family are delighted by the difference this has made.

Pauline takes up the story: "After I hurt my back I couldn't do most things. I felt absolutely terrible. I didn't want anyone near me. I looked horrible and lost almost two stone in weight. I wasn't eating – in fact, the thought of food made me feel sick. I couldn't leave the house. My family were all very worried about me and I was worried too.

I've been very lucky with the people who have come to help. They helped me get my confidence back to do things for myself, and helped me sort out my medication. They were very good, very patient. It wasn't a case of doing things for me, just a case of encouraging me. They were quite firm about getting me to do more things for myself, and they did right: now I can do much more.

I couldn't have managed without their help. In fact, my daughter felt I was going to need to go into a nursing home. And I was thinking, what else can I do? I felt resigned to it. But they said, 'Don't think like that. We can help you get your independence back.' It made all the difference.

I try to do my own washing now, apart from the sheets – my daughter-in-law will be helping me with those. I can make all my own food now. I can do bacon and eggs and tomato. And I can feed my dog, Pepper. I still can't quite manage the shower – the staff are helping me get my confidence back with that. I've had grab-rails installed, and the non-slip surface. I can't do cleaning, but I pay my daughter's friend to help with that.

Now I feel much better, and I want to start doing things again. For example, today I feel like reading the newspaper. I haven't wanted to for a long time. I always liked to do the puzzles. And I'm looking forward to getting out of the house – I've been stuck inside for so long! I want to go out on my scooter, with my little dog. At last I'm feeling more *me*."

Pauline's daughter, Julie, says: "The difference in my mother is amazing. Mum had lost all her confidence in doing anything, including her own personal care. She wasn't eating and her pills were all over the place. "She had regular help with food preparation and personal hygiene and is now doing these again for herself. The staff have all been fantastic. I can't thank them enough for the sympathetic but firm way they handled Mum. Now, she has started to live again."