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## SCRUTINY BOARD (REGENERATION)

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Meeting to be held in the Civic Hall, Leeds on  
Tuesday, 27th September, 2011 at 10.00 am

A pre-meeting will take place for ALL Members of the Board  
in a Committee Room at 9.30 am

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### MEMBERSHIP

#### Councillors

- B Atha - Kirkstall;
- D Collins - Horsforth;
- P Ewens - Hyde Park and  
Woodhouse;
- J Harper - Armley;
- G Hussain - Roundhay;
- M Iqbal - City and Hunslet;
- K Mitchell - Temple Newsam;
- T Murray - Garforth and  
Swillington;
- J Procter (Chair) - Wetherby;
- R Pryke - Burmantofts and  
Richmond Hill;
- G Wilkinson - Wetherby;

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*Please note: Certain or all items on this agenda may be recorded*

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**Agenda compiled by:**  
**Stuart Robinson**  
**Governance Services**  
**Civic Hall**  
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**Principal Scrutiny Adviser:**  
**Richard Mills**  
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# A G E N D A

Item No	Ward/Equal Opportunities	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, notice of an appeal must be received in writing by the Head of Governance 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 the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p><b>No exempt items or information have been identified on the agenda</b></p>	

3

### **LATE ITEMS**

To identify items which have been admitted to the agenda by the Chair for consideration.

(The special circumstances shall be specified in the minutes.)

4

### **DECLARATIONS OF INTEREST**

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.

5

### **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

To receive any apologies for absence and notification of substitutes

6

### **MINUTES OF THE PREVIOUS MEETING**

1 - 4

To confirm as a correct record, the minutes of the meeting held on 28<sup>th</sup> June 2011.

7

### **CO-OPTION TO THE BOARD**

5 - 6

To consider a report by the Head of Scrutiny and Member Development which seeks the Board's formal consideration for the co-option of Mr G Hall on this Scrutiny Board

(Report attached)

8

### **INQUIRY TO CONSIDER AFFORDABLE HOUSING BY PRIVATE DEVELOPERS - DRAFT TERMS OF REFERENCE**

7 - 14

To consider a report of the Head of Scrutiny and Member Development on the draft terms of reference in relation to the Board's Inquiry to consider Affordable Housing by Private Developers.

(Report attached)

9

**RECOMMENDATION TRACKING**

15 -  
46

To consider a report of the Head of Scrutiny and Member Development on progress made in responding to the recommendations arising from the previous Scrutiny Inquiry into the future of Kirkgate Market.

(Report attached)

10

**WORK SCHEDULE**

47 -  
76

To consider a report of the Head of Scrutiny and Member Development on the Board's work schedule for the remainder of the year.

(Report attached)

11

**DATE AND TIME OF NEXT MEETING**

Monday 31<sup>st</sup> October 2011 at 10.00am in the Civic Hall, Leeds (Pre meeting for Board Members at 9.30am)

# Agenda Item 6

## SCRUTINY BOARD (REGENERATION)

TUESDAY, 28TH JUNE, 2011

**PRESENT:** Councillor J Procter in the Chair

Councillors B Atha, D Collins, J Harper,  
K Mitchell, T Murray and G Wilkinson

### 1 **Declarations of Interest**

There were no declarations of interest.

### 2 **Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted on behalf of Councillors A Hussain and M Iqbal.

### 3 **Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the former Scrutiny Board (City Development) held on 17 May 2011 be confirmed as a correct record.

### 4 **Changes to the Council's Constitution in relation to Scrutiny**

The report of the Head of Scrutiny and Member Development provided the Board with information on recent amendments to the Council's Constitution, as agreed by Council on 26 May 2011, which directly related to and/or impacted on the work of Scrutiny Boards. The more significant amendments made to the Council's Constitution in relation to the Overview and Scrutiny function were summarised in the report.

Members attention was brought to the Board's terms of reference, particularly the following three areas:

- Green space – promotion, protection, management
- Housing growth challenge both in terms of brownfield and Greenfield development, private and affordable
- Condition of private sector housing

In response to a question regarding listed buildings and conservation areas, it was reported that this would fall under the remit of the Scrutiny Board (Sustainable Economy and Culture)

**RESOLVED** – That the amendments to the Council's Constitution as outlined in the report, be noted.

## **5 Sources of work and areas of priority for the Scrutiny Board**

To assist the Board in effectively managing its workload for the forthcoming Municipal Year, the report of the Head of Scrutiny and Member Development provided information and guidance on potential sources of work and areas of priority within the terms of reference. Copies of the terms of reference along with recent Executive Board minutes and a copy of the Council's Forward Plan were appended to the report.

The following Officers were in attendance for this item:

- Neil Evans – Director of Neighbourhoods and Housing
- Martin Farrington – Acting Director of Development
- David Feeney – Head of Planning and Economic Policy
- Martin Dean – Head of Leeds Initiative and International Partnerships

Members attention was brought to the draft City Priority Plan detailed in the report and the relevant section of the plan that was pertinent to the Board. It was also highlighted that the five strategic partnership boards were now aligned with the Council's revised scrutiny arrangements.

Members were reminded of discussion at the pre-meeting in relation to Housing Growth and the Core Strategy and proposals to conduct an Inquiry into this. Due to the timescales involved, a report was due to Executive Board in September, it was agreed to conduct this Inquiry through a series of Working Group meetings and report back to the Board. The Working Group would be open to all Members of the Board.

Further potential areas of work highlighted for the Board included the following:

- Affordable housing
- Population forecasting
- Condition of private sector rented housing
- Changes to the Housing Revenue Account
- Greenspace quality

### **RESOLVED –**

- (1) That the report be noted.
- (2) That Terms of Reference for the proposed Inquiry into Housing Growth and the Core Strategy be drafted and submitted to the Working Group for approval.

## **6 Work Schedule**

A report of the Head of Scrutiny and Member Development gave opportunity for consideration of the Board's work schedule for the forthcoming Municipal Year. A draft work schedule was appended to the report.

**RESOLVED** – That the Board’s work schedule be amended to reflect the agreed areas of work.

## **7 Co-opted Members**

The report of the Head of Scrutiny and Member Development sought the Board’s formal consideration for the appoint of co-opted members. Reference was made to the provision in the Council’s Constitution for the appointment of co-opted members.

Members were informed of the arrangements for appointing co-opted Members and it was suggested that Mr George Hall, previously of Barwick in Elmet & Scholes Parish Council be co-opted for the term of the proposed Inquiry into Housing Growth and the Core Strategy due to his previous involvement with the Strategic Housing Land Availability Assessment Partnership.

**RESOLVED** – That Mr George Hall be appointed as a co-opted member to the Board for the proposed Inquiry into Housing Growth and the Core Strategy.

## **8 Date and Time of Meetings for 2011/12 Municipal Year**

Wednesday, 17<sup>th</sup> August 2011  
Tuesday, 27<sup>th</sup> September 2011  
Monday, 31<sup>st</sup> October 2011  
Tuesday 29<sup>th</sup> November 2011  
Monday, 19<sup>th</sup> December 2011  
Tuesday, 17<sup>th</sup> January 2012  
Tuesday, 28<sup>th</sup> February 2012  
Tuesday, 27<sup>th</sup> March 2012  
Tuesday, 24<sup>th</sup> April 2012

All meetings to commence at 10.00 a.m. in the Civic Hall. Pre-meeting for all Board Members at 9.30 a.m.

Members would be contacted regarding dates and times of working group meetings.

**The meeting concluded at 10:25 a.m.**

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## Report of Head of Scrutiny and Member Development

### Report to Scrutiny Board (Regeneration)

**Date: 27<sup>th</sup> September 2011**

**Subject: Co-option to the Board**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Summary of main issues

1. The Scrutiny Board (Regeneration) co-opted Mr G Hall for its inquiry on housing growth. This inquiry has now been completed and a draft report and recommendations is to be considered later this morning. During the course of this inquiry Mr Hall has attended several working group sessions and taken part in the delegation to meet the Chief Planner at the DCLG in London on 15<sup>th</sup> September 2011. His knowledge and expertise on these issues particularly with regard to the Strategic Housing Land Availability Assessment (SHLAA) has been invaluable.
2. The Board has agreed to undertake an inquiry on Affordable Homes and private developers. The terms of reference for this inquiry which are to be considered later this morning propose that Mr Hall be appointed to the Board for this inquiry.
3. It is now proposed that Mr G Hall be co-opted to the Board until the AGM in May 2012.

### Council's Constitution

4. Article 6 of the Council's Constitution, which relates to scrutiny, outlines provision to allow the appointment of additional co-opted members to each of the Scrutiny Boards.
5. Such provision entitles each Scrutiny Board to appoint:

- (i) Up to five non-voting co-opted members<sup>1</sup>, for a term of office which does not go beyond the next Annual Meeting of the Council; and/or,
- (ii) Up to two non-voting co-opted members<sup>1</sup>, for a term of office which relates to a particular Scrutiny Inquiry.

### **Recommendations**

- 6. The Board is asked to consider approving the co-option of Mr G Hall to this Scrutiny Board without voting rights for a term of office which does not go beyond the next Annual Meeting of the Council in 2012.

### **Background documents**

- 7. Council's Constitution

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<sup>1</sup> *Co-option would normally only be appropriate where the co-optee has some specialist skill or knowledge which would be of assistance to the Board in its general operation or as part of a specific Scrutiny Inquiry.*

**Report of Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Regeneration)**

**Date: 27<sup>th</sup> September 2011**

**Subject: Inquiry to consider Affordable Housing by Private Developers – Draft Terms of Reference**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary of main issues**

1. Scrutiny Board (Regeneration) during its inquiry on housing growth identified a specific issue concerning affordable housing provision by developers. Members agreed that it should undertake an investigation and requested that draft terms of reference on this issue be prepared for consideration by the Board.

**Draft Terms of Reference**

- 2 A copy of the draft terms of reference are attached for Members consideration. Members may wish to refer to the timetable in paragraph 5.1 to identify specific dates for the five sessions proposed.

**Consultation**

- 3 The Scrutiny Board Procedure Rules and Guidance Notes require that, before embarking on an inquiry, the Board seeks and considers the views of the relevant Director/s and Executive Member/s. These views will need to be taken into account in finalising the terms of reference.
- 4 The Executive Board Members with portfolio responsibility for Development and Economy and Neighbourhoods Housing and Regeneration together with the relevant Directors have been invited to submit their views and any that are received will be reported to the Board.

### **Recommendation**

- 5 The Board is requested to agree the terms of reference for this inquiry which includes the Co-option of Mr G Hall to this inquiry and the establishment of a working group comprising all Members of the Board to undertake this work

### **Background documents**

6. None used

## **Scrutiny Board (Regeneration)**

### **Working Group**

#### **Inquiry to consider Affordable Housing by Private Developers**

##### **Terms of Reference**

### **1.0 Introduction**

- 1.1 The Scrutiny Board (Regeneration) at the request of the Executive Board on 22<sup>nd</sup> June 2011 undertook an inquiry to consider the population and household projection information that will underpin the Core Strategy; including the land banking practices of developers. It is anticipated that the Board's final report and recommendations will be completed in September 2011 and that the Executive Board will consider the Scrutiny Board proposals in October 2011.
- 1.2 It was quickly identified during the Board's inquiry on housing growth that there was a second specific piece of work that needed to be undertaken. This was to review the current position with regard to the provision of affordable housing by private developers. This at a time of turbulent economic change and financial uncertainty.
- 1.3 Scrutiny Board (Regeneration) is asked to establish a Working Group comprising of all Members of the Board to undertake this inquiry.
- 1.4 Scrutiny Board (Regeneration) is asked to co-opt Mr George Hall; former Parish Councillor Barwick-in-Elmet & Scholes Parish Council as a Member of the Scrutiny Board and of the Working Group established for the period of this inquiry, without voting rights.
- 1.5 The context of and drivers for the inquiry are:
  - That this matter is included in the City Priority Plan and the Scrutiny Board's terms of reference agreed by full Council.
  - That over recent years whilst the authority has achieved relatively high levels of affordable housing delivery, with over 400 units delivered per annum between 2008 and 2010 this should be compared with very high levels of need identified over this period – 1,889 affordable houses needed annually according to the 2007 SHMA report.
  - The fact that between 2001 and 2010 a total of approximately 29,500 new units have been delivered which equates to just under 3,000 units per annum but completion rates over the last two years have reduced significantly and a consequential reduction in the provision of affordable housing. The RSS target for Leeds is to provide 77,400 new homes over the period 2008 – 2026 (net of clearance replacement) which equates to an annual average rate of 4,300 dwellings.
  - Provision of new accommodation has been skewed towards the city centre with this sub area accommodating almost 30% of all new dwellings since 2001. In terms of stock types of property delivered this skewing of supply to the city

centre has had a marked impact with 70% of new stock being flatted or apartment schemes.

- Of the current stock of 319,400 dwellings just over 20% is classified as social or affordable housing with the remainder split between owner occupation or private rental.
- Developers tend to take a short term view irrespective of the differing needs within the cities 11 sub areas.
- It is evident from the private sector house condition survey 2007 that stock condition remains an issue across the city particularly the private rented sector where 81,800 dwellings ;33% of total private stock can be classified as non-decent.
- Announcement by the Government's Affordable Homes Programme that Yorkshire is set to benefit from a minimum of 800 new affordable homes over the next four years from a number of registered providers.

## **2.0 The Scope of this Inquiry**

### **2.1 The scope of this inquiry is to review & report**

- After examining the Council's planning policies for securing affordable housing from market housing developments.
- On whether there are barriers that prevent affordable homes from being provided through market housing developments.
- On how the stock and quality of affordable homes are maintained and how and who sets the rent or price of a property.
- On whether the provision of affordable dwellings could be provided across each sub region of the city on a more equitable basis instead of relying on market forces which can skew provision to one area e.g. the city centre.
- On whether the Council's approach is robust enough in examining the financial viability of developments to require affordable homes to be provided.
- Consider affordable housing from the perspective of the City Region.

## **3.0 Comments of the Relevant Directors and Executive Board Members**

3.1 The relevant Directors and appropriate Executive Board Members have been requested to comment on these terms of reference and these will be reported to Members of the Scrutiny Board (Regeneration) Working Group at its first meeting.

## **4.0 Timetable for the Inquiry**

4.1 The inquiry will take place over at least five sessions of the Working Group with a view to issuing a final report to Executive Board in January 2012.

## **5.0 Key Issues and Questions**

5.1 There are a number of key issues and questions including:

What are the affordable housing requirements in each Sub Region of the city and what is the unmet demand?

How can affordable housing be provided more equitably across all 11 sub regions of the city?

What actions, if any, can the Council and our partners take to influence market forces and encourage developers to meet social housing need in areas of most need?

What are the views of developers in the provision of social housing?

Could affordable housing be provided differently in the future?

### **Submission of Evidence**

5.1 There will be at least five evidence gathering sessions and further meetings will be scheduled as required:

#### **Session One – Date and Time to be Confirmed**

The purpose of this session is to consider:

- and approve the draft terms of reference for this inquiry.
- a report from the Director of City Development on the Council's planning policies for securing affordable housing from market housing developments.
- a background paper from the Environment and Neighbourhoods Directorate on affordable housing including a definition of what it is, whether there are barriers that prevent affordable homes from being provided through market housing developments and the demand in each of the 11 sub regions of the city.
- and discuss the key issues as appropriate.
- and hear from Martin Sellens, Christine Addison, Acting Chief Asset Management Officer and Maggie Gjessing, Housing Investment Manager.
- and confirm witnesses to attend the next meeting of the Working Group.

#### **Session Two – Date and Time to be Confirmed**

The purpose of this session is to consider:

- any information requested from the last session.
- a paper from the Director of Environment and Neighbourhoods Directorate on how the stock and quality of affordable homes are maintained and how and who sets the rent or price of a property.

- and discuss the key issues as appropriate.
- and hear from Christine Addison, Acting Chief Asset Management Officer and Maggie Gjessing, Housing Investment Manager.
- and confirm witnesses to attend the next meeting of the Working Group.

### **Session Three – Date and Time to be Confirmed**

The purpose of this session is to consider:

- any information requested from the last session.
- whether the Council’s approach is robust enough in examining the financial viability of developments to require affordable homes to be provided.
- and hear from developers and a representative from the housing finance sector.
- and confirm witnesses to attend the next meeting of the Working Group.

### **Session Four – Date and Time to be Confirmed**

- any information requested from the last session.
- hear from representatives of the City Region Partnership as to how the provision of affordable housing is being met across the region and initiatives being taken to meet demand on a more equitable basis.

### **Session Five – Date and Time to be Confirmed**

- to consider the Board’s final report and recommendations.

## **7.0 Witnesses**

7.1 The following witnesses have been identified as possible contributors to the Inquiry:

- Chair of the City Priority Board
- Officers from Environment & Neighbourhoods Directorate as necessary e.g, Megan Gjessing on affordable housing delivery issues and Megan Godsell on affordable housing policy
- Officers from City Development Directorate as necessary e.g. Steve Speak, Deputy Chief Planning Officer, Robin Coghlan on Planning Policy issues and David Feeney on overall Core Strategy, Martin Sellens, Head of Planning Services
- Representative from City Region Unit
- Representative from housing finance sector (i.e. mortgage finance).
- Developers.

## **8.0 Background Material**

8.1 Planning context



National Requirements for planning & Development plans to plan for housing & delivery

- PPS 12: Local Spatial Planning
- PP3S 3: 5 year supply requirements, defining a target – need & demand issues etc.
- National guidance re. Strategic Housing Land Availability Assessments (SHLAA) & Strategic Housing Market Assessment (SHMA)
- Current economic position
- Changes to national policy & emerge of proposals to incentivise housing growth (e.g. New Homes Bonus)
- Leeds Interim Affordable Housing Policy 2011

## 8.2 Housing monitoring information

- LDF Housing Land monitor & Annual Monitoring Report nb. 2010 AMR latest version (including: housing trajectory, net additional dwellings, stock of planning permissions, windfall position, 5 year supply position, new & converted dwellings on PDL, Affordable Housing delivery)
- SHLAA
- SHMA

## 9.0 Monitoring Arrangements

9.1 Following the completion of the scrutiny inquiry and the publication of the final inquiry report and recommendations, the implementation of the agreed recommendations will be monitored.

9.2 The final inquiry report will include information on the detailed arrangements for monitoring the implementation of the Board's recommendations.

## 10.0 Measures of success

10.1 It is important to consider how the Board will deem whether its inquiry has been successful in making a difference to local people. Some measures of success may be obvious at the initial stages of an inquiry and can be included in these terms of reference. Other measures of success may become apparent as the inquiry progresses and discussions take place.

10.2 The Board will look to publish practical recommendations.

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## Report of the Head of Scrutiny and Member Development

### Report to Scrutiny Board (Regeneration)

**Date: 27<sup>th</sup> September 2011**

### **Subject: Recommendation Tracking**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### **Summary of main issues**

1. This report sets out the progress made in responding to the recommendations arising from the previous Scrutiny Inquiry into the future of Kirkgate Market.
2. The Scrutiny recommendation tracking system allows the Scrutiny Board to monitor progress and identify completed recommendations; those progressing to plan; and those where there is either an obstacle or progress is not adequate. The Board will then be able to take further action as appropriate.

### **Recommendations**

3. Members are asked to:
  - Agree those recommendations which no longer require monitoring;
  - Identify any recommendations where progress is unsatisfactory and determine the action the Board wishes to take as a result.

## **1 Purpose of this report**

- 1.1 This report sets out the progress made in responding to the recommendations arising from the previous Scrutiny Inquiry into the future of Kirkgate Market.

## **2 Background information**

- 2.1 Following its Inquiry into the future of Kirkgate Market, the former City Development Scrutiny Board published its final report and recommendations on 18<sup>th</sup> May 2011 . In accordance with the Scrutiny Procedure Rules a formal response as to the progress made in implementing those recommendations is now required.
- 2.2 The Scrutiny recommendation tracking system allows the Board to monitor progress and identify completed recommendations; those progressing to plan; and those where there is either an obstacle or progress is not adequate. The Board will then be able to take further action as appropriate.

## **3 Main issues**

- 3.1 A standard set of criteria has been produced to enable the Board to assess progress. These are presented in the form of a flow chart at Appendix 1. The questions in the flow chart should help to decide whether a recommendation has been completed, and if not whether further action is required.
- 3.2 To assist Members with this task, the Principal Scrutiny Adviser has given a draft status for each recommendation. The Board is asked to confirm whether these assessments are appropriate and to change them where they are not. Details of progress against each recommendation is set out within the table at Appendix 2.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Where internal or external consultation processes have been undertaken with regard to responding to the Scrutiny Board's recommendations, details of any such consultation will be referenced against the relevant recommendation within the table at Appendix 2.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Where consideration has been given to the impact on equality areas, as defined in the Council's Equality and Diversity Scheme, this will be referenced against the relevant recommendation within the table at Appendix 2.

### **4.3 Council Policies and City Priorities**

- 4.3.1 This section is not relevant to this report.

### **4.4 Resources and Value for Money**

- 4.4.1 Details of any significant resource and financial implications linked to the Scrutiny recommendations will be referenced against the relevant recommendation within the table at Appendix 2.

## **4.5 Legal Implications, Access to Information and Call In**

4.5.1 This report does not contain any exempt or confidential information.

## **4.6 Risk Management**

4.6.1 This section is not relevant to this report.

## **5 Conclusions**

5.1 The Scrutiny recommendation tracking system allows the Board to monitor progress and identify completed recommendations. Progress in responding to those recommendations arising from the Scrutiny Inquiry into Integrated Offender Management is detailed within the table at Appendix 2 for Members' consideration.

## **6 Recommendations**

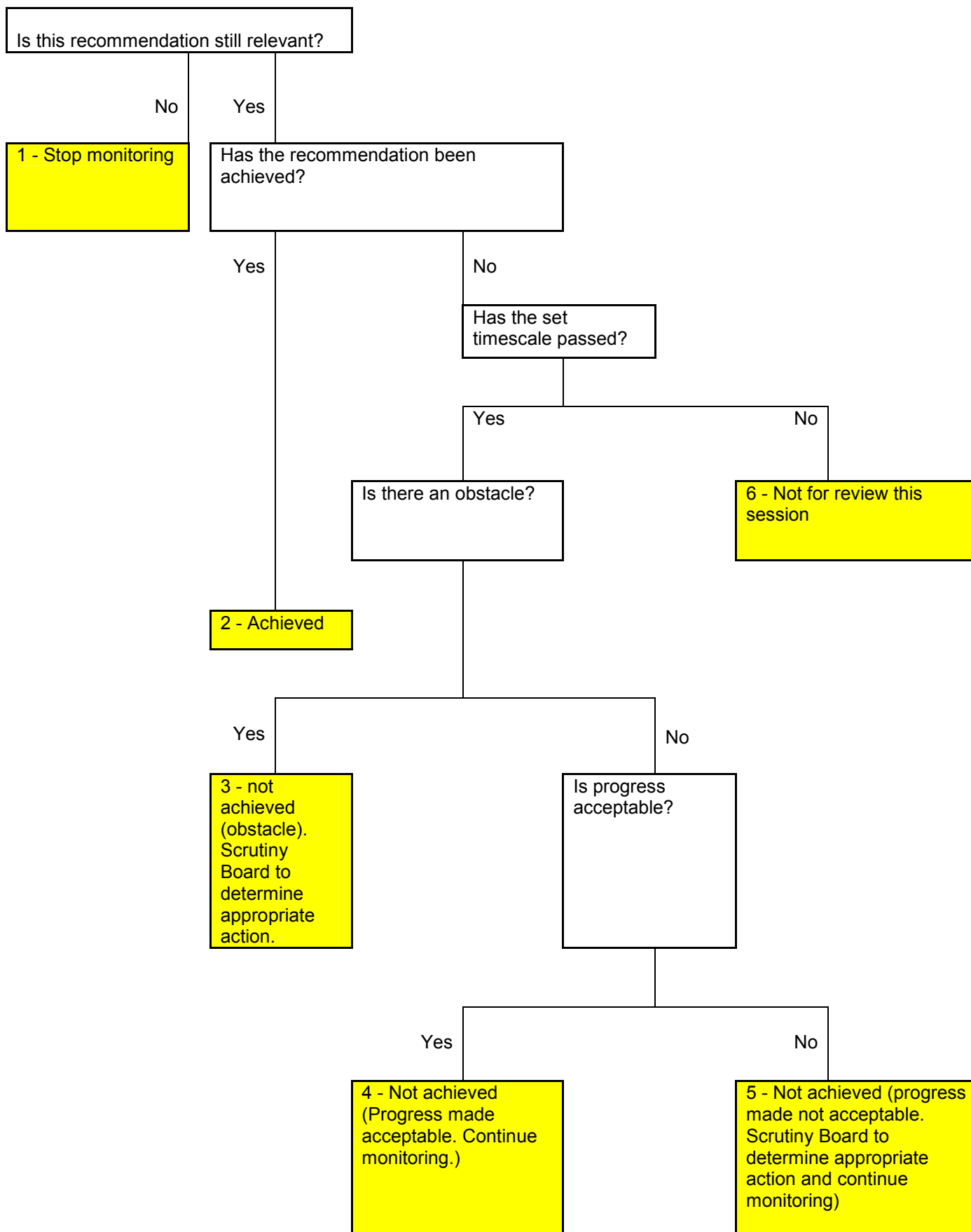
7.1 Members are asked to:

- Agree those recommendations which no longer require monitoring;
- Identify any recommendations where progress is unsatisfactory and determine the action the Board wishes to take as a result.

## **7 Background documents**

7.1 The Future of Kirkgate Market – Scrutiny Inquiry Report May 2011.

**Recommendation tracking flowchart and classifications:**  
**Questions to be Considered by Scrutiny Boards**



**Inquiry into Integrated Offender Management**

Categories

- 1 - Stop monitoring
- 2 - Achieved
- 3 - Not achieved (Obstacle)
- 4 - Not achieved (Progress made acceptable. Continue monitoring)
- 5 - Not achieved (Progress made not acceptable. Continue monitoring)
- 6 - Not for review this session

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<b>Recommendation for monitoring</b>	<b>Evidence of progress and contextual information</b>	<b>Status</b> (categories 1 – 6) (to be completed by Scrutiny)	<b>Complete</b>
<p><b>Recommendation 1</b>  <b>That the Safer Leeds Partnership Executive ensures that the Leeds IOM Operational Guidelines for the Rehabilitation and Resettlement strand of IOM provides sufficient clarity about the structures and lines of accountability within the Leeds IOM Hub and are widely disseminated amongst all partners</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>Operational guidelines for IOM will be managed and monitored by the newly formed Reducing Re-offending Board that reports direct to safer Leeds Executive . The Board integrates the previous IOM Strategic Group and the Intensive Alternatives to Custody Group.</p> <p><b>Current position:</b></p>		

<p><b>Recommendation 2</b>  <b>That the Director of Environment and Neighbourhoods leads on ensuring that particular attention is given to improving the connectivity of employability support services for offenders as part of the Leeds Works and Skills Plan</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>Works and Skills is a key section of the Leeds Reducing Re-offending delivery Plan 2011 – 2014 which is to be presented to the Safer Leeds Executive at the January 2011 meeting . The links between Education, Training and Employment are clearly made and work is underway to further strengthen these ties.</p> <p><b>Current position:</b></p>		
<p><b>Recommendation 3</b>  <b>That the West Yorkshire Crown Prosecution Service :</b></p> <p><b>(i) Incorporates procedures within the West Yorkshire Charging Scheme which ensures that Duty Prosecutors double check whether an individual is a Prolific or Priority Offender and part of an Integrated Offender Management cohort at the point of providing pre-charge advice</b></p> <p><b>(ii) Liaises with CPS Direct to consider the feasibility of adopting similar procedures as part of the out-of-hours charging service</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>Neil Moloney, Head of Leeds Probation, will liaise with Neil Franklin, Chief Crown Prosecutor, to progress this and will report back in 6 months time</p> <p><b>Current position:</b></p>		



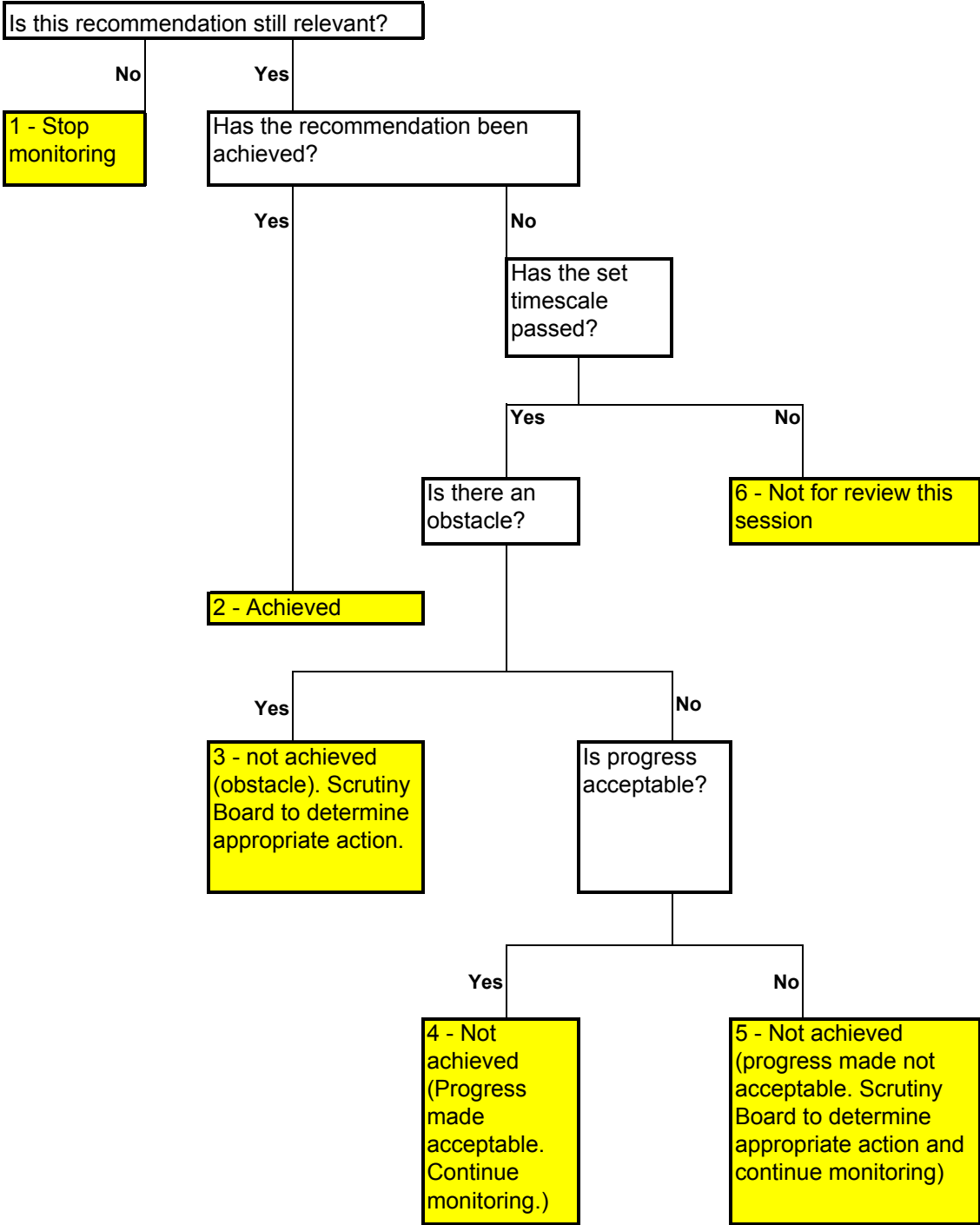
<p><b>Recommendation 4</b></p> <p>(i) <b>That the Leeds Strategic IOM Board and the West Yorkshire Crown Prosecution Service work together to explore and develop appropriate mechanisms for ensuring that a consistent approach towards PPO cases is being adopted by the regional charging team, with particular focus on how evidence and advice provided by the Police, Probation Service and Offender Managers/Case Workers is used in the public interest.</b></p> <p>(ii) <b>That the Safer Leeds Partnership conducts a progress review over the next 12 months and shares its findings with the Scrutiny Board</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>Interim reports in relation to the Scrutiny Board's recommendations have been included in the Safer Leeds Executive programme of work for 2011-12.</p> <p><b>Current position:</b></p>		
<p><b>Recommendation 5</b></p> <p><b>That the Leeds Strategic IOM Board and the West Yorkshire Criminal Justice Board give consideration to the development of having a local dedicated IOM Court in order to best utilise partnership resources.</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>A scoping review will be commenced to look at the viability of a dedicated IOM Court in Leeds similar to the currently established Domestic Violence and Drugs Courts. The resource and training implications for magistrates will be closely assessed when compared with the current volume of work experienced by the Leeds Courts.</p> <p><b>Current position:</b></p>		

<p><b>Recommendation 6</b>  <b>That the Chief Crown Prosecutor for the West Yorkshire Crown Prosecution Service considers how they can be more proactively involved in the development of policy and process for integrated management in Leeds.</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>Neil Moloney, Head of Leeds Probation, will liaise with Neil Franklin, Chief Crown Prosecutor, to progress this and will report back in 6 months time</p> <p><b>Current position:</b></p>		
<p><b>Recommendation 7</b>  <b>That the Director of Environment and Neighbourhoods seeks to ensure that the Deter Young Offenders Scheme within the Leeds Youth Offending Service remains a priority in terms of local authority funding and continues to champion the scheme amongst the criminal justice and other partner agencies in his capacity as Chair of the Safer Leeds Partnership Executive</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>The Leeds DYOS Scheme is currently funded through Police and other direct grants. The local authority has not been required to contribute to this scheme. The importance of the scheme is seen as a priority and the Director of Environment and Neighbourhoods will continue to champion it across the city.</p> <p><b>Current position:</b></p>		
<p><b>Recommendation 8</b>  <b>That the Leeds Offender Health and Social Care Partnership Board effectively feeds into the work of the new Alcohol Management Board in reviewing progress on the 2008 – 2020 Leeds Alcohol Harm Strategy and agreeing a revised action plan for 2010 – 2013</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>The issues raised by the Scrutiny Board will be included in the January agenda of the Leeds Offender Health and Social Care Partnership Board to ensure progress is made in reviewing progress on alcohol treatment services for the city.</p> <p><b>Current position:</b></p>		

<p><b>Recommendation 9</b></p> <p><b>That the Safer Leeds Partnership Executive ensures that the performance framework linked to the Partnership's future plans/strategies for reducing re-offending includes clear measurements on the effectiveness of offender management</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>A major piece of work is currently underway to evaluate the economic viability of DIP/IOM procedures . The Home Office together with Hallam University and Manchester Metropolitan University are engaging with Leeds to develop a up to date break even analysis of the scheme's cost effectiveness.</p> <p><b>Current position:</b></p>		
<p><b>Recommendation 10</b></p> <p><b>That the Safer Leeds Partnership Executive leads on developing existing communication frameworks to help further raise the profile of offender management amongst local communities. In particular, attention should be given to better publicising how the IOM approach has helped to benefit local communities.</b></p> <p><b>That a progress report is brought back to Scrutiny within 6 months</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>It was agreed by the Board in January that an update report would be submitted to Scrutiny during 2011/12.</p> <p><b>Current position:</b></p>		
<p><b>Recommendation 11</b></p> <p><b>That the Safer Leeds Partnership Executive ensures that appropriate information sharing mechanisms are put in place to enable local intelligence about prolific and other priority offenders to be shared effectively with Ward Councillors</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>West Yorkshire Police Superintendent of Community Safety will discuss the implications of information sharing arrangements in relation to criminal intelligence with the Director of Environments and Neighbourhoods to agree a way forward in relation to this recommendation.</p>		

	<b>Current position:</b>		
<p><b>Recommendation 12</b>  <b>That the Chair of Safer Leeds Partnership Executive reports back to Scrutiny with details of the evaluation conducted by the Ministry of Justice and Home Office on the six IOM pioneer areas and includes the response of the Safer Leeds Partnership Executive to this evaluation.</b></p>	<p><b>Formal Response (received January 2011)</b></p> <p>The Ministry of Justice and the Home Office have withdrawn the Sheffield Hallam review into the IOM pioneer areas from the public domain and as a consequence it will not be available for dissemination by the partners. It will, however, be seen from the response contained in Recommendation 9 above that Leeds is benefiting from some of the work undertaken in that review.</p> <p><b>Current position:</b></p>		

**Recommendation tracking flowchart and classifications:**  
**Questions to be Considered by Scrutiny Boards**



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Recommendation	Response (no change to original response)	Update (Further information)
<p><b>Recommendation 1</b> That in developing a draft strategy for Kirkgate Market; and noting the critical success factors for retail markets referred to in paragraph 15; we would support the management and operation of Kirkgate Market remaining with the Council but with a strengthened role for traders and business representatives through the establishment of a Management Committee for the market, to be chaired by a market trader. This would replace the current Markets Forum which was recently established.</p>		<p><b>Update.</b> Executive Board have agreed to transfer Kirkgate market to an arms-length company and have instructed officers to further investigate what form this should take. The structure of the company will need to ensure both the increased investment required and deliver the faster decision making processes required by a commercial operation. The management team of any future company that ran the market would continue to hold regular meetings with tenants and their representatives. In the interim the Markets Forum will remain in place.</p> <p><b>Proposed Category Status: 4</b></p>
<p><b>Recommendation 2</b> That the Executive Board consider commissioning further work to establish the viability and cost effectiveness of reducing the size of Kirkgate Market, which utilises the space more effectively and refurbishes the buildings which are retained to a higher standard than is currently the case before committing to undertaking the imminent and essential work that is required.</p>		<p><b>Update</b> Executive Board agreed that further work should be commissioned to establish the optimum size for Kirkgate market. In the interim works some imminent and essential maintenance works are being undertaken.</p> <p><b>Proposed Category Status: 4</b></p>
<p><b>Recommendation 3</b> That the Executive Board consider “ring fencing” a percentage of rental income each year for refurbishment and upkeep of Kirkgate Market (in addition to the usual maintenance costs) and that a list of work be identified and prioritised with market traders through the Management Committee to be financed from these funds each financial year.</p>	<p><b>Response</b> Officers are currently assessing the feasibility of utilising a much increased percentage of the rental income each year for the maintenance and promotion of the Market. It is already current practice to consult tenant representatives on any discretionary expenditure. The level of funds recycled will need to be considered carefully in the context of the Council’s financial position.</p>	<p><b>Update</b> This position remains unchanged at the time of writing.</p> <p><b>Proposed Category Status: 5</b></p>

<p><b>Recommendation 4</b> That the Acting Director of City Development consider either an alternative rent charging structure for Kirkgate Market or undertake a thorough review of the discounts and rents available in Kirkgate Market with a view to simplifying and making more transparent the discounts offered and which recognises traders who have operated in Kirkgate Market for many years.</p>	<p><b>Response</b> With regard to making rental levels more transparent the Council must decide whether it wishes Kirkgate Market to operate as a commercial business keeping, as other retail landlords do, details of rental negotiations confidential, or be completely open about rental levels, thereby limiting commercial flexibility. At present existing traders who are in difficulties and request assistance are offered a range of alternative schemes. With respect to new tenants and existing tenants taking on additional stalls, markets management needs to have the flexibility to offer terms and conditions which reflect a range of factors such as the level of investment by the incoming tenant; the lead-in time of refurbishments; the length of lease and whether the goods or services helps to achieve the best mix. However these agreements are confidential and officers strongly recommended to Executive Board that they remain so. It is perhaps worth emphasising that it is not in the long term interests of the market to allow any such arrangements to result in unfair competition which drove existing tenants out of the market – the overall aims of our lettings policy are to reduce voids and improve the range and quality of goods and services. Executive Board did not agree to any change in the current arrangements by the Markets Service.</p>	<p><b>Update</b> The ‘10%’ scheme has been discontinued and those on the scheme are now being phased up to full rent. From 1 August to 30 November tenants pay 25%; from 1 Dec to 31 Jan 2012 50%, 1 Feb to 30 April 75%, and full rent from 1 May 2012. There are 20 stalls occupied under the scheme; to date only 1 has given notice to surrender their stall. Of those benefiting from the scheme, at the time of take-up 7 were new start-ups; 4 had been trading 1 year or less; 5 for up to 5 years, and 4 for over 5 years.</p> <p><b>Proposed Category Status: 1</b></p>
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<p><b>Recommendation 5</b> That the Acting Director of City Development:</p> <p>(i) undertake a review of the staffing costs which are allocated to the Service Charges for Kirkgate Market to identify if any savings could be made in this area.</p> <p>(ii) introduce electronic access to the Service Charge accounts income and expenditure for market traders rather than manual copies which are held in the Markets Office.</p>		<p><b>Update (i).</b> A four week time recording exercise was undertaken during June and July to give a more accurate snapshot of how staff were actually allocating their time. The results of this are currently being fed into the service charge calculation. Initial indications show that a higher percentage of time is service chargeable than had previously been allocated.</p> <p><b>Update (ii)</b> It has not proved possible to grant traders access to LCC finance system. Once this year's service charge is finalised, a pdf document will be produced monthly to show a financial position statement, plus a list of every invoice and charge included in that sum. Hard copies of each invoice are kept in a file available to traders, and updated monthly; however no requests to view these have been received to date.</p> <p><b>Proposed Category Status: 4</b></p>
<p><b>Recommendation 6</b> That the Acting Director of City Development undertake a review of the lettings policy for Kirkgate Market with traders; to ensure that it is fit for purpose and contributes to the development of a strategy that ensures Kirkgate Market is the best market in the UK for quality and for being a unique shopping experience.</p>		<p><b>Update:</b> A review of the lettings policy has been undertaken by the Markets management. The process for dealing with applications is set out in the flow chart attached which was formulated following input from trader representatives. A decision on whether to offer a tenancy is taken, by management, on an individual basis for each applicant, taking into account a range of factors including uniqueness and quality of product, level of investment, track record, differentiation and additionality to the product mix. New applications and changes to existing product ranges are advertised for 7 days to allow existing tenants to comment, and these comments are also taken into account when making the decision. Markets management do not propose any further changes to the lettings policy at this stage. A review of the rents charged in the market was done in 2010, by an independent body, the Valuation Office. This would normally be done every 3 years. There has been no increase in rents since the 2005 review.</p> <p><b>Proposed Category Status: 5</b></p>

<p><b>Recommendation 7</b> That the Acting Director of City Development work with the traders to:</p> <p>(i) adapt and make the changes necessary to win back footfall to Kirkgate Market by improving the overall shopping experience of customers which encourages them to spend more; and</p> <p>(ii) make a greater investment in promoting Kirkgate Market.</p>		<p><b>Update</b> Measures currently being undertaken to win back footfall are outlined below.</p> <ul style="list-style-type: none"> <li>• The new website at <a href="http://www.leedsmarkets.co.uk">www.leedsmarkets.co.uk</a> profiles traders free of charge, and includes details of offers and events, recipes etc;</li> <li>• Social media (Twitter, Facebook, Flickr, blogging) is proving particularly important as a means of communication with new target markets. For example @leedsmarkets has over 900 followers on Twitter, and bloggers regularly comment on the food offer;</li> <li>• Markets promotions are linked wherever possible with wider events and opportunities, and staff work closely with City Centre management. Some traders have participated in the Leeds Loves Food festival in both 2010 and July 2011, in last October's Leeds Loves Shopping week and in Festive Leeds as well as in a range of seasonal events and promotions in school holidays;</li> <li>• New opportunities for joint working with external partners are an important part of the awareness-raising campaign; for example traders are participating in Good Food Friday at the Corn Exchange; and students from Leeds Met University undertook feasibility work into a 'shop and drop' scheme to encourage early morning purchases from customers on the way to work. This scheme has now been implemented.</li> <li>• The markets actively encourage TV companies to use the market as a location where this gives a positive message, and the filming diary is extremely busy;</li> <li>• A newsletter for traders is produced monthly and regular management meetings are offered to tenant representatives to keep traders up to date with the latest news, developments and initiatives. Management also conduct regular one-to-one sessions with traders to share views and discuss opportunities;</li> <li>• Markets are working with an organization of national food promoters, Shelf Life, whose remit is to position Leeds Kirkgate market as the premier food destination in the</li> </ul>
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		<p>North in respect of quality and variety of food. Their campaign includes food demonstrations, links with food experts and chefs, a permanent presence in Kirkgate market and a range of events and promotions aimed at food connoisseurs;</p> <ul style="list-style-type: none"> <li>• The cost of additional space in front of stalls (Yellow Line areas) was reduced by 50% in 2010 and a new initiative allows traders who do not have a 'yellow line' to trial one free of charge for 3 months to see if it improves turnover;</li> <li>• The Local Enterprise Growth Initiative (LEGI) project 'How Bazaar' allows new artisans to market test their product at low risk in the market. Several of these have gone on to be successful businesses and although funding ends in Sept 2011, the ethos will continue through the Start Up Scheme, a joint initiative with the Leeds Chamber of Commerce and Enterprise Leeds.</li> <li>• Working with Friends of Kirkgate market to run events and tours;</li> <li>• Wednesday all day opening is supported with free car parking for Wednesday afternoon market customers and discussions are underway with NCP to introduce more incentive schemes.</li> </ul> <p>Initiatives are already having a positive impact on footfall which has steadily increased and is now (August 2011) +2% on the same period in 2010, which compares very favourably with the rest of Leeds city centre. Since the start of April 2011, however, footfall has exceeded the 2010 figure by as much as 8% on a week by week basis. Likewise, voids at the end of period 4 2011/12 represent 13.58% of all units (measured as stall days lost (SDL)).</p> <p>Some traders are beginning to invest more in promoting their businesses and the market, and some have recently invested significantly in upgrades and expansions. In some markets traders themselves collect a small levy to spend on promoting their market. The Markets Service would welcome this and are happy to facilitate.</p> <p><b>Proposed Category Status: 4</b></p>
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<p><b>Recommendation 8</b> That the Acting Director of City Development review this as part of developing a new strategy for the market which requires traders to operate to agreed standards which include a requirement to erect appropriate fascias with their correct name on it, display their goods attractively and keep their stall clean. This should be included in future tenancy agreements.</p>	<p><b>Response</b> It is already a requirement in tenancy agreements that traders operate to agreed standards which include a requirement to erect appropriate fascias with an appropriate name on it, display their goods attractively and keep their stall clean. However the legal enforcement of such requirements is difficult, time-consuming, costly and sometimes unsuccessful. Legislation may be introduced which would enable Markets Management to issue fixed penalty notices to traders who failed to comply with their tenancy agreements.</p> <p>In relation to changing the name on a fascia when a stall has been assigned to a new tenant, the name forms part of the goodwill/business equity at the time of assignment and can be important in retaining customers for that business, especially early on after assignment. What we aim to eliminate are poor quality or temporary signs so now, whenever tenants apply for a change to their lease, we insist on appropriate signage which complies with our guidelines as a condition of the variation.</p>	<p><b>Proposed Category Status: 1</b></p>
<p><b>Recommendation 9</b> That the Acting Director of City Development introduces appropriate performance indicators that enable the success of the new market strategy once implemented to be measured and that these be made available to the traders, Executive Board Member and relevant</p>		<p><b>Update.</b> Performance measures include measures of footfall, tenant turnover, occupancy levels, customer satisfaction and income generation have been identified. The first three are shared with trader representatives at regular meetings. All measures are reviewed quarterly by the management team, and individual teams review performance more regularly. The markets action plan is amended where required, to ensure targets are met. Information on visitor numbers, crime reduction,</p>

<p>Scrutiny Board on a regular basis.</p>		<p>new additions to the market, and customer satisfaction will shortly be displayed in the new information centre.</p> <p><b>Proposed Category Status: 1</b></p>
<p><b>Recommendation 10</b> That the Acting Director of City Development review the parking, loading and unloading arrangements as part of the strategy for the Market having regard to the Eastgate development including the possibility of identifying a dedicated area for traders transit vans that cannot be parked in the NCP market car park.</p>		<p><b>Update</b> Negotiations are currently underway with NCP management to realign charging policy for customers, and introduce incentives beneficial to the markets. Trader parking during and after completion of the Eastgate development is part of ongoing discussion with the developer, Hammerson.</p> <p><b>Proposed Category Status: 4</b></p>
<p><b>Recommendation 11</b> That the Acting Director of City Development ensures that officers keep traders appraised of progress with regard to the Eastgate Development and that the developers Hammersons and John Lewis are asked to meet with market trader representatives on a regular basis to explain their proposals and hear the traders concerns.</p>	<p><b>Response</b> Officers are already keeping traders appraised and will continue to do so through a variety of means; in addition public consultation events and two formal meetings between tenant representatives and Hammersons have been held and officers have asked Hammersons to maintain a proactive dialogue with Traders throughout the development process.</p>	<p><b>Proposed Category Status: 1</b></p>
<p><b>Recommendation 12</b> That the Acting Director of City Development provides a copy of the Market Strategy on publication to the relevant Scrutiny Board for consideration and comment.</p>		<p><b>Update</b> Actioned and attached.</p> <p><b>Proposed Category Status: 6</b></p>

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**DRAFT**  
**The Strategy for Kirkgate Market**

**July 2011**

## The Strategy for Kirkgate Market

### 1.0 Context

- 1.1 Kirkgate Market is the oldest and largest retail destination in Leeds. It has survived and prospered through World Wars, the Depression and even a major fire in 1975. It is a central feature in the retail landscape in the city, and its importance goes beyond the historic to include a significant impact on the economic life of the city.
- 1.2 **Kirkgate Market** covers both the indoor and outdoor market, and the shops on George St. It does not include the shops on Vicar Lane (Boots etc), nor the shops on New York St, nor the NCP car park.
- 1.3 Kirkgate Market provides:
- over 400 businesses offering a range of affordable goods and services to a wide range of customers;
  - direct employment for an estimated 2,000 people;
  - opportunities for new entrepreneurs to enter retail and catering;
  - a tourist destination.
- 1.4 However Kirkgate market is facing many challenges and pressures; this Strategy considers the future of the market within the context of the recession, the UK retail sector and public spending cuts. More detailed background information on Kirkgate Market, the importance of the market to the city centre and wider city, the national retail context, the current economic climate, how other markets have responded, the issues facing Kirkgate Market and options on how the Council could respond is set out in the paper 'Towards a Strategy for Kirkgate Market: the Evidence Base'.

### 2.0 Challenges

- 2.1 The challenges facing Kirkgate market are being faced by traditional markets across the UK and include price competition from larger retailers, rising customer expectations, a shrinking customer base and the need for substantial investment to meet those expectations and expand the customer base.
- 2.2 **Price competition.** The retail landscape has significantly changed in the last 10 years with the loss of Woolworths, Safeway, Dixons, Borders and Ainsley's and the emergence of new, often international, retailers. Many of the goods traditionally sold at markets are now available at discount prices at supermarkets and stores like Primark and TK Maxx. The share of non-food spending achieved by supermarkets has more than doubled over the last decade and is expected to continue to rise adding further pressure on other retailers. In the case of supermarkets and retail parks, this comes with the added convenience of free parking, 'pleasant' surroundings and card transaction availability.



- 2.3 A further pressure on 'value' shopping is the rise of internet shopping, from e-bay to Amazon; indeed many of the retailers who failed on the high street have been re-launched as online-only retailers, eg Zavvi and Dixons. Online retailers provide relatively low cost products with an easy returns facility.
- 2.3 Independents increasing face difficulties with obtaining stock at prices that can provide them with a realistic profit margin. The wholesale industry is shrinking as independents go out of business and chains by-pass them to deal direct with producers and importers. Increasingly independents cannot compete on price and convenience: instead they need to compete on customer service and the quality of their specialist products. If they cannot do that it is inevitable that more marginal independent traders/retailers will not be able to survive in the current economic climate – indeed some were struggling during the retail boom.
- 2.4 Not surprisingly perhaps, whilst there has been a gradual reduction in the number of traditional retail market traders nationally, there has been a steady growth in the success of specialist niche markets. From 1998-99 to 2003-04 there was a 250% increase in farmers' markets and a 233% increase in stalls, and shoppers visiting these events increased by 574% (Joseph Rowntree Foundation 2006) In the public consultation on Kirkgate Market undertaken in January 2011, around a fifth of respondents spontaneously mentioned that they want to see an improvement in quality and range of products. Both food and non-food niche products were also attractive to many. So Kirkgate Market needs to keep its excellent butchery, fish and game offer whilst increasing the proportion of delicatessen, ethnic and dairy lines as well as locally hand-made goods, specialist non-food lines and personal services.
- 2.5 **Customer expectations** have risen over recent years. Most consumers today expect clean, pleasant surroundings and excellent customer service. The expectation to be able to use debit/credit cards, to return goods without quibble and to try goods on before buying has become the norm. Not all traders on Kirkgate Market are able to meet these enhanced expectations.
- 2.6 Kirkgate Market buildings have not kept pace with customer expectations either – the market is too hot in summer, too cold in winter, it has a sloping floor and, due to its size and the proliferation of small 'stall' units, is not easy to navigate. The market now has extensive maintenance and capital investment requirements. The 1976/81 structures, erected as temporary buildings following the market fire in 1975, have now exceeded their fifteen to twenty year life expectancy. Water ingress through the roofs, for example, causes particular problems for traders and customers.
- 2.7 Both price competition and changing customer expectations is resulting in a **shrinking customer base** as our traditional customers are diminishing and are not being replaced quickly enough with new customers.
- 2.8 To turn this around brings us to possibly the greatest challenge the market faces: the need to secure **substantial investment**. This is required to help meet customer expectations by improving the fabric of the buildings, their heating and ventilation, some stalls and shop units, and customer facilities and to increase

the promotion of the market to new customers and tenants. Given the pressures on the Council's capital programme, investment needs to be found through prudential borrowing or private sector investment or both.

### 3.0 Consultation

- 3.1 Over the last couple of years there has been a growing national debate about the role and future of traditional markets. Locally the vitality, viability and condition of Kirkgate market has been the subject of recent media, public and Member discussion. Tenants have raised a number of issues which many of them believe are threatening the future of the market: the state of the buildings, the lack of investment in them, the limited marketing undertaken, rental and service charge levels, falling levels of footfall and the cost of adjacent car parking. Many people feel that these factors, combined with increased retail competition and changing customer expectations, are threatening the future of the market and the viability of many of its traders. In response to these concerns Members of the Development Scrutiny Board undertook an inquiry into Kirkgate Market and Executive Board instructed officers to undertake some public consultation on issues facing the Market.
- 3.2 In total nearly 1,000 people from Leeds Citizen's panel, customers at Kirkgate Market and traders completed a survey during January and February. Generally, respondents were positive, even passionate, about Kirkgate Market and the market is clearly seen as an intrinsic part of the city centre. It is also seen as offering an important space for new businesses to make a start in retail. However, there is also a clear recognition that the market needs to respond better to customer needs and that it will need to evolve to meet the changing requirements of the city's population.
- 3.3 One would expect existing customers to be fairly satisfied with opening hours, parking, access by public transport, customer service from traders etc or they wouldn't be shopping there; what is important to understand from the survey are the levels of dissatisfaction amongst those who rarely or never shop in the Market and how we can overcome the barriers to make them shop more frequently and spend longer in the market. The key findings are summarised below.
- **Opening hours** – for working respondents in particular opening times are incompatible with working in the city centre and using the market. Extending opening hours in the evening was seen as the most attractive, as this allows people to shop on the way home from work. There was also an appetite amongst some for Sunday opening.
  - **Temperature** – agreement that the current temperature provides a comfortable shopping experience all year round is relatively low however very substantial investment would be required to address this issue.
  - **Products** – around a fifth of respondents spontaneously mentioned that they want to see an improvement in quality and range of products and the introduction of more niche food and non-food products.
  - **Car parking** – this is clearly a barrier for many, especially amongst panel respondents who tended to be older than those who completed the

public survey. However it is not clear whether this is a barrier to shopping in the city centre or Kirkgate markets *per se*. The increase of 1,618 customer car parking spaces in the vicinity that the Eastgate development will bring will help to address this issue.

#### 4.0 Making Kirkgate Market more successful

##### 4.1 Kirkgate market has a number of **advantages**:

- an excellent location close to the retail heart of the city centre and adjacent to the bus station and a multi-storey car park;
- an excellent fresh food offer in butchery, fish and game that is largely unrivalled by other city centre food retailers;
- a strong daily outdoor market with a very wide range of goods and services;
- a loyal customer following;
- a large catchment area
- an iconic historic building providing a unique visitor experience..

4.2 Kirkgate Market has the potential to build on these advantages providing it addresses the issues outlined above. This strategy for the future of Kirkgate market faces up to the realities of the competitive pressures the market faces, the increased pressures on public sector funding and provides a way forward that will ensure that the market not only survives but thrives.

4.3 The changing retail landscape means that if Kirkgate market is to be more successful, in terms of tenants making more money, giving more potential independent entrepreneurs the opportunity to start a business, then it needs more customers to shop on the market, or for the current number of customers to spend more money or both.

4.4 For this to happen stallholders and the Council need to ensure that Kirkgate Market:

- sells what customers want to buy;
- is open when they want to shop,
- allows them to buy items in the way they want to (eg with debit cards, via the internet, with a guarantee and easy returns policy etc);
- provides an environment in which they wish to buy goods and services; and
- is constantly adapting to meet the ever evolving aspirations of retail customers and to beat the competition.

4.5 Kirkgate Market is not working as well as it could and needs to change. NABMA (The National Association of British Market Authorities) argues that authorities have two options to deal with struggling markets. They can either allow their markets to continue to decline or they can be decisive and bold. Those deciding to be bold may have to take a hit in terms of income – which is extremely difficult decision to make in the current climate – but the argument follows that authorities would at least be guaranteed an income for a period.

4.6 This is a critical moment for both the markets industry and specifically for Kirkgate Market. There clearly exists a long term opportunity but short term

challenges have to be carefully considered. Clarity and consensus is required on how the market can maximise opportunities and minimise the challenges surrounding its offer. This is not about marginal or incremental change but a more fundamental shift in the Council's approach.

## 5.0 Vision and objectives

5.1 Following the consultation and debate on Kirkgate Market, a vision and clear objectives for Kirkgate Market have evolved.

5.2 The Vision for the market is to be the best market in the UK:

- highly successful, profitable and sustainable;
- a centre of excellence for independent retailers and entrepreneurs;
- a top destination for residents and tourists.

5.2 Achieving this vision will enable Kirkgate Market to act as an important 'anchor' for the city centre, further enhance Leeds reputation for independent retail and leisure and help Leeds become the best city in the UK. The **objectives** to help realize this Vision are to:

- increase footfall
- increase new customers to the market
- increase frequency and duration of customers' visits
- increase income through new lets and business expansions
- increase the range of and value for money of goods and services
- reduce costs
- reduce the number of empty units
- reduce tenant turnover.

5.3 To address the issues Kirkgate Market faces and realise its Vision requires:

- a shorter chain of command with greater flexibility to ensure faster decision-making and implementation;
- significantly increased investment in the buildings and stalls, whilst keeping and enhancing the distinct character of the market;
- significantly increased marketing and promotion (eg a full programme of events all year round) so all Leeds residents know where it is and what its offer is. A visit to the market would be one of the top 5 'must dos' for any tourist;
- an improved overall offer on the market in terms of the range and quality of goods and services sold;
- an improved overall customer experience by ensuring the market is the optimum size, improving the 'legibility' of the market through signage, wayfinding and improved layout; and improving opening hours; customer service and customer satisfaction;
- better promotion of available units, flexible terms and better business support.

5.4 There are a number of important **principles** that underpin the future strategy for Kirkgate Market:

- Kirkgate Market continues as a market, where the majority of stall holders are independent businesses;
- Kirkgate Market always remains open during any improvements to provide continuity of business;
- the Council remains an influential shareholder and continues to receive revenue from the market;
- there continues to be both a daily market and an indoor market, ensuring affordability and choice for customers, and low risk opportunities for traders..

5.5 To achieve the vision and the Council's objectives, whilst being faithful to these principles, requires that we move to a more commercially orientated operation. This will require the Council to take a number of steps to prepare the market for this significant change.

### **6.0 Improve footfall and spend.**

6.1 In the short term it is vital that we continue to make whatever improvements we can so that the market is best placed to take advantage of more significant longer term changes. Both the Council and traders are taking steps to increase footfall by broadening the demographic of our customer base in order to increase business viability and transaction value. The Council is also reducing the number of empty units by continuing to support new and existing businesses through events and promotions and extending the product range on offer. The focus in 2011/12 is specifically on building our reputation for excellent food, attracting students and promoting our offer to city centre dwellers. Successful initiatives to date include the following:

- The new website at [www.leedsmarkets.co.uk](http://www.leedsmarkets.co.uk) profiles traders free of charge, and includes details of offers and events, recipes etc;
- Social media (Twitter, Facebook, Flickr, blogging) is proving particularly important as a means of communication with new target markets. For example @leedsmarkets has over 900 followers on Twitter, and bloggers regularly comment on the food offer;
- Markets promotions are linked wherever possible with wider events and opportunities, and staff work closely with City Centre management. Some traders have participated in the Leeds Loves Food festival in July 2010, and are actively involved in this year's event; also in the October's Leeds Loves Shopping week and in Festive Leeds as well as in a range of seasonal events and promotions in school holidays;
- New opportunities for joint working with external partners are an important part of the awareness-raising campaign; for example traders are participating in Good Food Friday at the Corn Exchange; and students from Leeds Met University have advised on the feasibility work into a 'box scheme'. A 'shop and drop' scheme to encourage early morning purchases from customers on the way to work will be available from July 2011;
- The markets actively encourage TV companies, local film producers and media students to use the market as a location where this gives a positive message, and the filming diary is extremely busy;

- A newsletter for traders is produced monthly, supported by a text alert service, and regular management meetings are offered to tenant representatives to keep traders up to date with the latest news, developments and initiatives. Management also conduct regular one-to-one sessions with traders to share views and discuss opportunities;
- Markets are working with an organization of national food promoters, Shelf Life@The Source to help position Leeds Kirkgate market as the 'Foodie Destination of the North' in respect of quality and variety of food. Their campaign includes food demonstrations, links with food experts and chefs, a permanent presence in Kirkgate market and a range of events and promotions aimed at food connoisseurs;
- The cost of additional space in front of stalls (Yellow Line areas) was reduced by 50% in 2010 and a new initiative allows traders who do not have a 'yellow line' to trial one free of charge for 3 months to see if it improves turnover;
- The Local Enterprise Growth Initiative (LEGI) project 'How Bazaar' allows new artisans to market test their product at low risk in the market. Several of these have gone on to be successful businesses and the project has now engaged with other organisations in the city to extend this initiative;
- The Markets Service is working with local interest group, Friends of Kirkgate Market, to run events and promote the market;
- Wednesday all day opening is supported with free car parking for Wednesday afternoon market customers and the popular Asian Bazaar market.

6.2 These initiatives are already having a positive impact on footfall which has been steady at around -3% on 2010 figures, which compares favourably with the rest of Leeds city centre. Since the start of April 2011, however, weekly footfall has *exceeded* the footfall for the same week in 2010 by as much as 8% - 11% on occasion.

### **7.0 Determine the optimum size for the market**

7.1 Kirkgate Market is the largest in the country. Although vacancy rates across the whole of the market are about 14%, there are areas in the market where they are much higher and given retailing trends, this situation is unlikely to improve. Greater competition for stalls and lower vacancy rates would increase control over the quality of offer and add to the vibrancy of the market, as would concentrating footfall into a smaller area. The extensive consultation undertaken in 2008 on proposals to redevelop the market did involve a reduction in the size of the market and bringing the outdoor market into a covered area. The proposals received widespread support from both tenants and the public. More recently a Council Scrutiny Board recommended that the size of the market be reduced.

7.2 As explained above, a major challenge facing Kirkgate Market is extensive maintenance and capital investment requirements. The 1976/81 structures, erected as temporary buildings following the market fire in 1975, have now exceeded their fifteen to twenty year life expectancy and urgent works are required. However the permanent structures of the 1875 and 1904 halls are in reasonable repair although essential works are still needed to protect their long term future.

7.3 £200,000 has been set aside in the Council's 2011/12 Capital Programme budget for undertaking some of the imminent and essential works to the buildings which comprise the Kirkgate indoor market. An estimate of the total cost of these works, based upon the findings of a 2010 condition survey, is £1.7m. The most pressing repair issue is the leaking roofs of the 1976 and 1981 halls.

7.4 Recent estimates from roofing contractors set the cost of stripping back and resurfacing the roofs at over £800,000, assuming the relevant market halls are closed during the works. It would cost over £1m to undertake the work while the market remained open. These estimates increase the cost of imminent and essential works to between £2.1m and £2.3m.

7.5 Therefore the sensible option is to use the £200,000 to carry out repairs needed on the 1904 and 1875 halls, whilst the Council determines the optimum size for the market.

## **8.0 Move from a local authority operation to an arms-length business.**

8.1 **Management and Ownership Models.** Markets are unique in retail and wholesale trading terms in that they are still predominantly managed by the public sector; 669 (60%) of traditional markets are run by the public sector, although 321 (29%) are now run by the private sector (The Retail Markets Alliance 2010).

8.2 The common forms of market management in the UK are local authority run markets; privately operated markets; and markets run in some form of partnership such as a joint venture, or contracted out operational management. Other options for local authorities are to run their markets as an arms-length company or to transfer the market to a Trust or social enterprise or share management between a number of local authorities.

8.3 Some local authorities have already made a fundamental shift in the ownership and management of their markets. Glasgow City Council has created an arms-length organization, in the form of a Limited Liability Partnership, to run its wholesale and retail markets, while Liverpool City Council has formed a partnership with Geraud Markets UK Ltd to create Geraud Markets Liverpool Limited which works in partnership with Liverpool City Council to develop, expand and invest in Liverpool's markets, running over 1,200 regular market days and over 100 Speciality Event Market days each year. Other authorities have sold their markets to private operators like Town & Country Markets Limited which runs Morley market here in Leeds and Spitalfields market in east London.

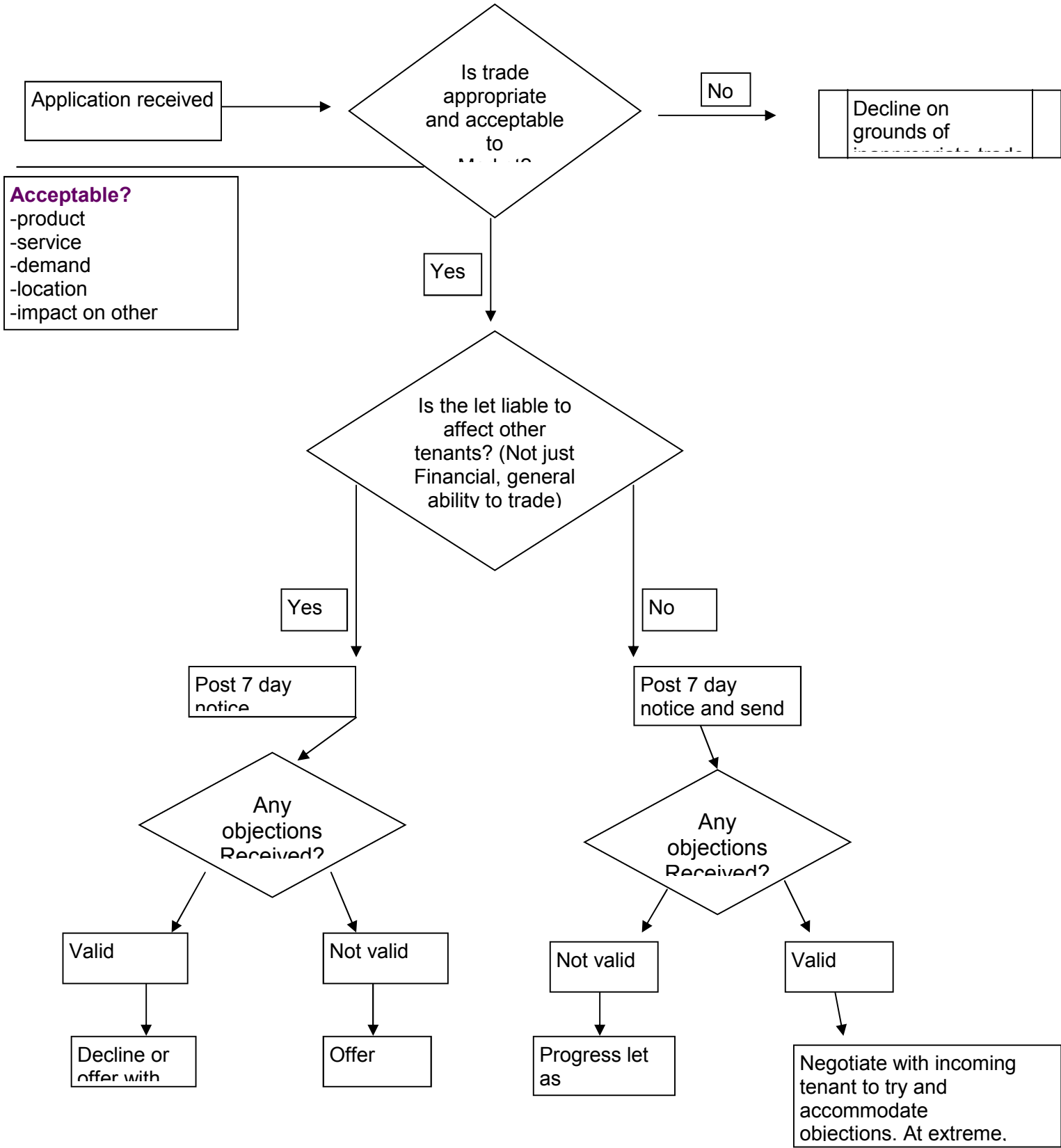
8.4 **For Kirkgate market** the preferred model of ownership and management is some form of arms-length business possibly in the form of a Limited Liability Partnership. Which type of arms-length company will best meet the Council's Vision for the Market needs further detailed investigation and analysis.

**9.0 Conclusions**

9.1 It is envisaged that the Council will be in a position to decide which form of arms-length company will best secure the future of Kirkgate market and how quickly this can be achieved in the next few months. In the interim the Council will continue to undertake activities as outlined in section 6.0 above to drive up footfall, extend the customer base, reduce voids and improve the overall offer as well as take steps to ensure the market is the optimum size as these are essential steps to ensure Kirkgate Market really does become the best retail market in the UK.



# Letting Process actual



**Acceptable?**  
 -product  
 -service  
 -demand  
 -location  
 -impact on other

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Report author: Richard Mills  
Tel: 24 74557

**Report of Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Regeneration)**

**Date: 27<sup>th</sup> September 2011**

**Subject: Work Schedule**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary of main issues**

1. A draft work schedule is attached as appendix 1. The work schedule has been provisionally completed pending on going discussions with the Board. The work schedule will be subject to change throughout the municipal year.
2. Also attached as appendix 2 and 3 respectively are the minutes of Executive Board 7<sup>th</sup> September 2011 and the Council's current Forward Plan relating to this Board's portfolio.
3. In July, the Board identified a number of areas of review to be undertaken this municipal year. The Board undertook an inquiry on Housing Growth at the request of the Executive Board and the Working Group comprising all Members of the Board met on several occasions in August and early September to undertake this work.

**Recommendations**

5. Members are asked to:
  - a) Consider the draft work schedule and make amendments as appropriate.
  - b) Note the Executive Board minutes and Forward Plan

**Background documents**

6. None used

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**Scrutiny Board (Regeneration) Work Schedule for 2011/2012 Municipal Year Appendix 1**

	<b>Schedule of meetings/visits during 2011/12</b>		
<b>Area of review</b>	<b>June</b>	<b>August</b>	<b>September</b>
<b>Green space – promotion, protection, management</b>			Consider potential scope of review SB 28/06/11 @ 10am
<b>Housing growth challenge both in terms of brownfield &amp; Greenfield development, private and affordable</b>	Consider potential scope of review SB 28/06/11 @ 10am	Agreed terms of reference for an Inquiry on Housing Growth  Working Groups met 6 <sup>th</sup> and 13 <sup>th</sup> July, 11 <sup>th</sup> and 17 <sup>th</sup> August and 15 <sup>th</sup> September 2011	Consider draft final report and recommendations Housing Growth
<b>Provision of Affordable Housing by Developers</b>			Consider draft Terms of Reference on affordable Housing by developers
<b>Board initiated piece of Scrutiny work (if applicable)</b>			
<b>Budget &amp; Policy Framework</b>	To consider any areas for scrutiny	To consider any areas for scrutiny	
<b>Recommendation Tracking</b>	None this session	Not this session	To consider progress in implementing Scrutiny Board recommendations following publication of its report on Kirkgate Market in May 2011
<b>Performance Monitoring</b>	None this session	None this session	None this session

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**Scrutiny Board (Regeneration) Work Schedule for 2011/2012 Municipal Year Appendix 1**

Area of review	Schedule of meetings/visits during 2011/12		
	October	November	December
<b>Green space – promotion, protection, management</b>			
<b>Housing growth challenge both in terms of brownfield and Greenfield development, private and affordable</b>			
<b>Condition of private sector housing</b>			
<b>Board initiated piece of Scrutiny work (if applicable)</b>			
<b>Budget &amp; Policy Framework Plans</b>			
<b>Recommendation Tracking</b>	To consider progress in implementing Worklessness recommendations following a report in May 2010		
<b>Performance Monitoring</b>	Quarter 2 performance report SB 10/10/11 @ 10 am	None this session	Quarter 3 performance report SB 19/12/11 @ 10 am

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**Scrutiny Board (Regeneration) Work Schedule for 2011/2012 Municipal Year Appendix 1**

Area of review	Schedule of meetings/visits during 2011/12		
	January 2012	February 2012	March 2012
Green space – promotion, protection, management			
Housing growth challenge both in terms of brownfield and Greenfield development, private and affordable			
Condition of private sector housing			
Board initiated piece of Scrutiny work (if applicable)			
Budget & Policy Framework Plans			
Recommendation Tracking			
Performance Monitoring	None this session	None this session	Quarter 4 performance report SB 27/03/12 @ 10 am

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Key: SB – Scrutiny Board (Safer and Stronger Communities) Meeting

WG – Working Group Meeting

**Scrutiny Board (Regeneration) Work Schedule for 2011/2012 Municipal Year    Appendix 1**

**Schedule of meetings/visits during 2011/12**

<b>Area of review</b>	<b>April 2012</b>	<b>May 2012</b>
<b>Green space – promotion, protection, management</b>		
<b>Housing growth challenge both in terms of brownfield and Greenfield development, private and affordable</b>		
<b>Condition of private sector housing</b>		
<b>Board initiated piece of Scrutiny work (if applicable)</b>		
<b>Budget &amp; Policy Framework Plans</b>		
<b>Recommendation Tracking</b>		
<b>Performance Monitoring</b>	None this session	None this session

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Key: SB – Scrutiny Board (Safer and Stronger Communities) Meeting

WG – Working Group Meeting



## EXECUTIVE BOARD

WEDNESDAY, 7TH SEPTEMBER, 2011

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

Councillors J Blake, A Carter, M Dobson,  
R Finnigan, S Golton, P Gruen, R Lewis,  
A Ogilvie and L Yeadon

**60 Exempt Information - Possible Exclusion of the Press and Public  
RESOLVED** – That the public be excluded from the meeting during the consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix 1 and Annex 1 to the report referred to in Minute No. 66 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the publication of the documentation could prejudice the City Council's commercial interests as, Appendix 1, and the Final Business Case include matters where final negotiations on the contract are not yet complete, and these negotiations are confidential between the City Council, the LEP and the E4L Consortium. In addition, both the Appendix and the Final Business Case contain sensitive commercial information supplied to the City Council by E4L. In such circumstances it is considered that the public interest in not disclosing this commercial information outweighs the interests of disclosure.
- (b) Appendix 2 to the report referred to in Minute No. 68 under the terms of Access to Information Procedure Rule 10.4(5) on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. In addition, Appendix 3 to the report referred to in the same minute is designated as exempt under Access to Information Procedure Rule 10.4 (3) on the grounds that it contains financial information relating to individual homes. The information in both appendices is exempt if, and for so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (c) Appendix 1 to the report referred to in Minute No. 73 under the terms of Access to Information Procedure Rule 10.4 (3) on the grounds that it contains information relating to the financial or business affairs of any person or company (including the authority holding that information) which may result in prejudicial trading of that company. It is considered not to be in the public interest to release such

Draft minutes to be approved at the meeting  
to be held on Wednesday, 12th October, 2011

information at this time, as this would compromise the Council's position.

- (d) Appendix 1 to the report referred to in Minute No. 79 under the terms of Access to Information Procedure Rule 10.4(2) and 10.4(3), as it contains information, which if disclosed to the public would, or would be likely to lead to the identification of an individual or individuals. In addition to the fact that the terms of the disposals are subject to further negotiation and publication may prejudice those negotiations and the commercial confidentiality of financial information held by the Council and Unipol. In addition, Appendix 2 to the report referred to in the same minute is designated as exempt under Access to Information Procedure Rule 10.4 (3) on the grounds that it contains information relating to the financial or business affairs of the Council and of Unipol, which, if disclosed to the public, would, or would be likely to prejudice the commercial interests of the Council and Unipol.
- (e) Supplementary information tabled at the meeting in relation to Minute No. 83, under the terms of Access to Information Procedure Rule 10.4(1) and (2) on the grounds that it contains details of personal correspondence between a member of the public and Council officers and it is not considered to be in the public interest to share such personal details.

## **61 Late Items**

There were no late items as such, however, it was noted that the following supplementary information had been circulated to Board Members following the despatch of the agenda:

- (a) A Statement by the Scrutiny Board (Health and Wellbeing and Adult Social Care) which accompanied the report entitled, 'Better Lives for Older People: Future Options for Long Term Residential and Day Care Services' (Minute No. 67 refers).
- (b) Additional correspondence which was designated as exempt under the terms of Access to Information Procedure Rule 10.4(1) and (2), accompanying the report entitled, 'Public Reports of the Local Government Ombudsman regarding Complaints' (Minute No. 83 refers).

## **62 Declaration of Interests**

Councillors Gruen and Finnigan both declared personal interests in the item entitled, 'E-ACT Leeds East Academy Final Business Case', due to being members of Plans Panel (East), as the Panel was scheduled to formally consider the matter of full planning approval for the development later in the year (Minute No. 84 refers).

The Chief Executive declared a personal interest in the item entitled, 'Building Intelligence Capacity for the City and the City Region', due to being a former employee of Yorkshire Forward (Minute No. 70 refers).

**63 Minutes**

**RESOLVED** – That the minutes of the meeting held on 27<sup>th</sup> July 2011 be approved as a correct record.

**ADULT HEALTH AND SOCIAL CARE**

**64 Deputation to Council: TENFOLD, The Leeds Learning Disability Forum regarding People with Learning Disabilities who live in Leeds**

The Director of Adult Social Services submitted a report responding to the deputation to Council on the 13<sup>th</sup> July 2011 from Tenfold, the Leeds Voluntary Sector Learning Disabilities Forum, regarding people with learning disabilities living in Leeds and also in respect of the ‘Council Takeover Day’ which the group undertook in January 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED -**

- (a) That the positive impact that the ‘Council Takeover Day’ had on people with learning disabilities living in Leeds be noted.
- (b) That agreement be given to support a similar event to be held in the autumn of 2011 and thereafter on an annual basis.

**65 Transforming day opportunities for adults with learning disabilities**

Further to Minute No. 113, 3<sup>rd</sup> November 2010, the Director of Adult Social Services submitted a report outlining the progress made to date in respect of the day services transformation and changing places programme, whilst also seeking approval to implement the next phase of activity. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Having received reassurances in response to the enquiries which had been raised during the course of the discussion, Members emphasised their support for the proposals detailed within the report.

**RESOLVED -**

- (a) That the contents of the submitted report, together with the progress which has been made to date in the day services transformation and changing places programme, be noted.
- (b) That in relation to West North West Leeds, approval be given to the proposals which will by June 2012 lead to Horsforth Fulfilling Lives Centre becoming surplus to requirements through the creation of new community fulfilling lives service bases and the refurbishment of Bramley Fulfilling Lives centre, as detailed within the submitted report.
- (c) That in relation to Wetherby, the Board’s endorsement be given to further work being undertaken in Wetherby in order to develop a proposal in consultation with stakeholders, with this proposal forming the basis of a further report to Executive Board in due course.

- (d) That in relation to South South East Leeds, the proposed investment into the Rothwell Fulfilling Lives West building be noted, which will allow Adult Social Care to complete the transformation of services in the South and by April 2013 lead to West Ardsley Fulfilling Lives Centre and Rothwell Fulfilling Lives East building becoming surplus to requirements.
- (e) That an injection of £1,332,000 into the capital programme be approved to facilitate the delivery of the remaining asset requirements within the strategy, funded by the ring-fencing of future capital receipts, as identified within the submitted report.

**66 Leeds Holt Park Wellbeing Centre Project - Submission of the Final Business Case and Execution of the Contract for the new Holt Park Wellbeing Centre**

Further to Minute No. 15, 22<sup>nd</sup> June 2010, the Director of City Development and the Director of Adult Social Services submitted a joint report providing an update on the progress of the procurement via the Local Education Partnership (LEP) of the Holt Park Wellbeing Centre. In addition, the report sought confirmation and approval of the final scope of the project, the maximum affordability position for the City Council and the process which would facilitate the project's Commercial and Financial Close. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members received reassurance in respect of the provision of dedicated accommodation for young people as part of the proposed development.

The Director of Adult Social Services highlighted that there were several minor drafting errors within the report's recommendations which would be corrected via the formal minutes of the meeting.

Following consideration of Appendix 1 and Annex 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting it was

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That the final scope of the Holt Park Wellbeing Centre Project (Project), as set out within the submitted report be confirmed and noted.
- (c) That the financial implications for the Council of entering into the Project be approved, and that agreement be given to the maximum affordability ceiling for the Leeds City Council contribution in relation to the PFI of £484,000 in the first full year of service commencement (2014/15), as set out within exempt Appendix 1 of the submitted report, but subject to resolution (e) below, should the SWAP rate exceed 5.00%.

- (d) (Noting that financial close cannot take place until and unless the Government confirms the availability of PFI Credits and the FBC approval), that approval be given to the arrangements to Financial Close and the implementation of the Project to include (but not by way of limitation) the award/entry into a PFI Project Agreement to a special purpose company to be established under terms agreed between the City Council and the Leeds Local Education Partnership (LEP), and
- in connection therewith, confirmation be given to the arrangements at paragraph 4.8.5 of the submitted report, and that (for the avoidance of doubt) the necessary authority be delegated for the functions, as set out at Part 3 section 3E of the Constitution (Officer Delegation Scheme (Executive Functions)) in relation to Public Private Partnerships/Private Finance Initiative and other Major Property and Infrastructure Related projects, to be exercised in relation to this Project by the Director of City Development (or delegee) in consultation with the Director of Adult Social Services (or delegee).
- (e) That the necessary authority be delegated to the Director of City Development or his nominee to approve the completion of the project should the SWAP rate exceed 5.00% but be less than 5.50% at the time of Financial Close to a maximum affordability ceiling of £484,000 for the Leeds City Council contribution in 2014/15 terms.
- (f) That the existing Holt Park Leisure Centre site be injected into the capital receipts programme for disposal.

## **67 Better Lives for Older People: Future Options for Long Term Residential and Day Care Services**

The Director of Adult Social Services submitted a report on the extensive consultation exercise that had been undertaken in relation to proposals regarding a number of residential care homes and day centres for older people. The report advised of the outcomes from the consultation exercise and detailed a number of recommendations for either closure or retention of each unit. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Following the introduction of the report, a detailed discussion ensued, with several specific enquiries and suggestions being made regarding a number of homes affected by the proposals. In summary, the main points of discussion were as follows:-

- Concerns were raised in respect of the caveats which accompanied some of the proposals, specifically with regard to NHS funding arrangements, with a request that Board Members were kept informed of any developments which occurred in respect of such NHS funding arrangements.
- Clarification was sought on the provision of independent sector beds in respect of specific homes and the criteria used to generate the data, as detailed within the report

- Emphasis was placed upon the need for residents to be allocated accommodation of their choice, prior to their movement and upon the need for residential and day care services provision to be based upon a mixed economy model and not solely via the private sector.
- Members discussed the proposed Community Asset Transfer of one of the homes in question and highlighted the role of Ward Members in this process, acknowledged the varying standard of provision which currently existed in the city and emphasised the need to ensure that the level of care for all was raised throughout Leeds.

Responses and assurances were provided to those representations which had been received following the publication of the agenda papers and also to those concerns which had been raised by Members during the discussion. It was emphasised that residents would be allocated accommodation of their choice prior to their movement, that the standards of care for all needed to be raised across the city and that all actions taken in respect of the proposals would be in line with the 'Care Guarantee', as appended to the report.

Copies of the documents accompanying the submitted report, namely, the Consultation Report and the Equality Impact Assessment, which framed the recommendations within the report, had been included within the agenda papers, whilst a statement of the Scrutiny Board (Health and Wellbeing and Adult Social Care) responding to the proposals contained within the report was tabled at the meeting for Members' consideration.

#### **RESOLVED -**

- (a) That the very extensive and wide ranging consultation exercise undertaken be noted, and that all contributors be thanked for their thoughtful and helpful comments which have informed the recommended outcomes.
- (b) That the commitment and process which will be followed to ensure all people affected by the adoption of the recommendations are provided with comprehensive care planning and support in identifying appropriate alternative provision, be noted.
- (c) That the proposals in respect of day care services be agreed, namely:
  - To retain as specialist services Middlecross, Apna, Springfield, Calverlands, Laurel Bank, The Green, Frederick Hurdle and Wykebeck
  - To decommission Spring Gardens, Firthfields, Rose Farm and Lincolnfields.
- (d) That the proposals in respect of specialist residential care homes be agreed, namely:
  - To retain as specialist dementia units, Middlecross, Siegen Manor and The Green
  - To recommission Richmond House as a specialist residential intermediate care home (in partnership with the NHS)

- To recommission Harry Booth House as a specialist nursing/residential intermediate care home commencing operation in April 2012 (in partnership with the NHS)
  - To set aside consideration of Amberton Court as a specialist care unit pending further work with the NHS and consideration of its long term future alongside other Local Authority residential care facilities not specifically covered in this report
- (e) That the implementation of proposals for the long term residential care homes be agreed, namely:
- To decommission Westholme, Kirkland House and Grange Court
  - To agree the decommissioning of Spring Gardens and Knowle Manor at a future date and on completion of new build Residential Care facilities in Otley and Morley respectively
  - To agree the decommissioning of Dolphin Manor at a future date through either the transfer of ownership to a community interest company (subject to satisfactory business evaluation and due diligence test) or on completion of new build residential care facilities in Rothwell
- (f) That discussions be commenced immediately with the company planning to build residential home facilities in Otley to bring forward the development at the earliest opportunity.
- (g) That approval be given to the proposals to identify land in Morley and Rothwell and that approval also be given to work with officers in City Development to advertise for residential/nursing care development at the earliest opportunity.
- (h) That approval be given to the immediate commencement of dialogue with interested community groups and stakeholders with regard to future building use.
- (i) That approval be given to proposals to bring forward further options in relation to the remaining six day centres and eight residential homes.
- (j) That approval be given to the ongoing review of remaining facilities, with such a review being undertaken with City Development and Environment and Neighbourhoods colleagues, in order to ensure that the choice of local housing, care and support options for older people are expanded.
- (k) That as part of this process, officers be authorised to take appropriate steps to secure appropriate partners to exploit development opportunities for the remaining facilities.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on decisions taken above, whilst Councillor A Carter emphasised that he was in agreement with

the resolutions, subject to the caveats he raised during the course of the discussion)

**68 Adult Social Services Procurement Efficiencies 2011/12 Care Home Fees**

The Director of Adult Social Services submitted a report providing information on the current position in achieving procurement efficiency targets in respect of fees paid to Leeds independent sector residential and nursing care homes, detailing issues that had arisen since the original budget setting process for 2011/12 was concluded, and recommending ways forward in seeking to progress efficiency, service modernisation and quality in the sector. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members received information regarding the circumstances which had led to the current position.

Following consideration of Appendix 2 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(5) and Appendix 3 of the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), both of which were considered in private at the conclusion of the meeting it was

**RESOLVED -**

- (a) That the difficulties in achieving the targeted procurement efficiencies in fees paid to independent sector providers to support publicly funded residents of residential and nursing care homes for older people in Leeds be noted.
- (b) That the immediate commencement of a negotiated implementation of a revised temporary fee structure for publicly funded residents taking up placements in Leeds homes from October 1<sup>st</sup> this year be approved.
- (c) That the content of exempt Appendix 3 to the submitted report be noted, which sets out the indicative level of temporary fees that will be negotiated with Independent sector providers following the adoption of resolution (b) above.
- (d) That the inflationary payment standstill, initiated in April 2010, be confirmed.
- (e) That the establishment by the Director of Adult Social Services of an advisory board to include representatives of all groups with a direct interest in commissioning, providing and receiving sustainable high quality care for older people, be approved.
- (f) That the advisory board membership, as referred to in resolution (e) above, be agreed with the Executive Lead Member for Adult Social Services.



- (g) That approval be given to the negotiation of the terms of reference for the board established at resolutions (e) and (f) above, which will include:-
- (i) that the Board be given the primary remit of bringing forward a long term sustainable fee settlement framework which incorporates the development of a quality framework linked to the fee settlement;
  - (ii) whilst also including proposals to deal with the issue of sector inflation against a background of reducing Council funding in the medium term, to ensure that any equality issues arising out of its work are assessed and addressed; and
  - (iii) to examine, with reference to best practice examples elsewhere in the country, the means by which quality standards could be embedded within the overall fee settlement framework.

**69 Shadow Health and Wellbeing Board for Leeds**

The Director of Adult Social Services submitted a report providing an update on the changes to the NHS following the publication of *Equity and Excellence: Liberating the NHS* and, in particular, outlining the progress made to establish a shadow Health and Wellbeing Board for Leeds. In addition, the report also highlighted the development of the Joint Strategic Needs Assessment (JSNA) since 2010 and the emerging themes, whilst outlining the future central role of the JSNA within the new Health and Wellbeing Boards and Joint Health and Wellbeing Strategy. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Executive Member for Adult Health and Social Care clarified that in respect of the proposed membership for the Shadow Board, this would include the opposition group Leaders, or their representatives.

**RESOLVED -**

- (a) That the progress which has been made in developing a shadow Health and Wellbeing Board for Leeds be noted.
- (b) That the recent clarification of public health functions to be transferred to the Local Authority be noted along with the intention to submit further reports on issues and implications once further information is known.
- (c) That the progress which has been made in delivering the work programme identified in the first JSNA report in April 2009 be noted along with the implications of the new role of the JSNA as central to the new commissioning structures.
- (d) That it be noted that a further update on the JSNA will be published in the autumn as part of the State of the City report.
- (e) That the ongoing refinement of the priorities and indicators within the City Priority Plan, following NHS Leeds Board, partnership and scrutiny contributions, be agreed.

## **RESOURCES AND CORPORATE FUNCTIONS**

### **70 Building intelligence capacity for the city and city region**

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report outlining the rationale underpinning the proposal to transfer Yorkshire Forward's Chief Economists Unit to the Council, detailing the actions being taken to secure an appropriate operating and funding model, whilst seeking formal agreement to transfer the Chief Economists Unit to the Council from 1st November 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Emphasis was placed both upon the importance of possessing high quality intelligence in order to inform the Council's strategic and operational planning and also upon the opportunities that this initiative would offer the Council and others.

In response to Members' comments that this initiative needed to be self financing, assurances were received that it was anticipated that this would be the case and that a further report would be submitted to the Board in March 2012, in respect of such matters.

#### **RESOLVED -**

- (a) That the rationale underpinning the proposal to transfer Yorkshire Forward's Chief Economists Unit to the Council be noted.
- (b) That the actions being taken to secure an appropriate operating and funding model which will fully mitigate the financial impact on the Council be noted.
- (c) That the transfer of the Chief Economists Unit to the Council, subject to satisfactory consultation with the trade unions, effective from 1st November 2011, be formally agreed.
- (d) That a further report be submitted to the Board in March 2012 in respect of the initiative.

### **71 Financial Health Monitoring 2011/12 - Month 4**

The Director of Resources submitted a report setting out the authority's projected financial health position, after four months of the 2011/2012 financial year. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Board received an update in respect of income generation from events and in response to a specific enquiry, officers undertook to provide the Member in question with a breakdown of the financial details regarding the projected shortfall in respect of car parking income.

Enquiries were made regarding the Council's attempts to recruit greater numbers of foster carers in Leeds and it was proposed that a further report was submitted to the Board on this matter in due course.

**RESOLVED –**

- (a) That the projected financial position of the authority after four months of the 2011/12 financial year be noted.
- (b) That the release of £800,000 from Housing Revenue Account reserves be approved in order to fund the remaining acquisition and demolition costs as outlined in paragraph 3.4 of the submitted report.
- (c) That approval be given to the budget adjustments, as detailed within paragraph 3.5 of the submitted report.
- (d) That a report be submitted to the Board in due course, regarding the Council's attempts to recruit greater numbers of foster carers in Leeds.

**72 Sex Establishment Statement of Licensing Policy**

The Director of Resources submitted a report presenting the Sex Establishment Statement of Licensing Policy for the purposes of formal adoption, ready for the start of the transitional period on 1st October 2011, whilst also presenting the related Working Group report for approval as the Council's response to the public consultation on the draft Statement of Licensing Policy. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Copies of the Sex Establishment Statement of Licensing Policy, together with the report of the Working Group had been circulated to Board Members for their consideration.

**RESOLVED –**

- (a) That the report of the Working Group be endorsed as the Council's response to the public consultation on the draft Statement of Licensing Policy.
- (b) That the Sex Establishment Statement of Licensing Policy be approved.

**DEVELOPMENT AND THE ECONOMY**

**73 Design & Cost Report for Re-location of the UTMC (Urban Traffic Management Control) Service and the Provision of Upgraded and New UTMC Infrastructure**

The Director of Resources and the Director of City Development submitted a joint report seeking approval of a funded injection into the Capital Programme and the related authority to spend, in respect of the move and upgrade of the Urban Traffic Management Control (UTMC) Unit. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Following consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting it was

**RESOLVED -**

- (a) That an injection into the capital programme of £2,321,000 be approved, of which £716,000 is allocated from the Changing the Workplace Programme, £244,200 is contributed by Calderdale Council, with the balance of £1,360,800 being the subject of a prudential borrowing business case, and funded by annual revenue savings accruing from the project.
- (b) That authority to spend the amount of £2,480,000 on the relocation of UTMC and provision of upgraded and new UTMC infrastructure be approved.
- (c) That by giving the authority to spend as detailed at resolution (b) above, it be noted that the Board are committing £716,000 to complete the UTMC relocation, in advance of the formal consideration of the Changing the Workplace business case later in the year.

**74 Deputation to Council: Carr Manor Road Safety Group regarding Road Safety Issues in the Carr Manor Area**

The Director of City Development submitted a report in response to the deputation to Council on 13<sup>th</sup> July 2011 from Carr Manor Road Safety Group regarding road safety issues in the Carr Manor area. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED –**

- (a) That the concerns of the local residents, as raised within the deputation to Council on the 13<sup>th</sup> July 2011 be acknowledged and recognised.
- (b) That it be noted that the approval of the proposal for additional primary provision does not presuppose the outcome of the planning application.
- (c) That as part of any planning application submission for new primary provision, road safety issues of concern be addressed as part of the transport statement

**75 Approval to the Submission of a Best and Final Bid for Funding of the A58M Inner Ring Road Highway Structures Essential Maintenance Scheme**

The Director of City Development submitted a report seeking approval for the submission of the Best and Final Bid for the A58M Leeds Inner Ring Road Highways Structures Essential Maintenance Scheme to the Department for Transport by 9th September 2011, whilst also seeking agreement on the level of local contributions needed to ensure that the scheme had the best possible chance of securing government funding. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Draft minutes to be approved at the meeting  
to be held on Wednesday, 12th October, 2011

**RESOLVED –**

- (a) That the submission of the Best and Final Bid for the A58M Inner Ring Road Highways Structures Essential Maintenance Scheme to the Department for Transport by 9<sup>th</sup> September 2011 be approved.
- (b) That the local contribution to the scheme of £3,000,000 be agreed and that approval be given to the injection of this funding into the Inner Ring Road scheme within the approved capital programme.

(The matters referred to in this minute, were not eligible for Call In due to the external deadline set by the Department for Transport for the submission of Best and Final Bids, which if not met, would have negative implications upon the funding of the scheme)

**76 Informal City Centre Commuter Car Parking Policy**

The Director of City Development submitted a report seeking approval to introduce an informal interim policy to deal with commuter car parking sites in the city centre. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members discussed the process and the timescales by which the informal interim policy had been developed, in addition to the level of cap on spaces which had been proposed.

**RESOLVED -**

- (a) That the City Centre Commuter Car Parking Policy, as set out within Appendix A to the submitted report be approved as a material consideration in planning decisions.
- (b) That as a temporary policy, officers be requested to monitor the impact of the policy in the context of public transport improvements and development in the city centre.

**NEIGHBOURHOODS, HOUSING AND REGENERATION**

**77 Deputation to Council: Lingfields and Fir Trees Residents Group regarding Resources in the Moor Allerton Area with Particular Reference to the Open House Community Centre**

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report in response to the deputation to Council on 13<sup>th</sup> July 2011 from the Lingfields and Fir Trees Residents Group regarding resources in the Moor Allerton area with particular reference to the Open House Community Centre. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

It was noted that local Ward Members had been involved in the drafting of the report and that further consultation would be had with them in due course.

**RESOLVED -**

- (a) That the Area Leader, East North East Leeds, in consultation with the relevant Ward Members, develop an interim package to ensure the continued operation of the Open House community centre until end of March 2012.
- (b) That the options for the future, long term management arrangements for the Open House community centre be explored, involving and including a consultation with local residents.

**78 Developing a Locality Approach between Leeds City Council Services and Police Community Safety Officers (PCSOs)**

The Director of Environment and Neighbourhoods submitted a report providing an overview of the progress which was being made to develop more joined-up working arrangements between locality based City Council services and Police Community Safety Officers (PCSOs). In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Superintendent Simon Whitehead, Chief Officer Leeds Community Safety, was in attendance at the meeting to respond to Members' enquiries.

Members highlighted the vital role played by PCSOs in respect of combating crime of all levels and regarding information gathering, whilst also emphasising the role played by PCSOs in other areas such as the children's agenda. In addition, the superintendent stressed the vital nature of the cross partnership approach which was needed to effectively combat crime in the city.

In response to Members' enquiries, the Executive Member for Neighbourhoods, Housing and Regeneration undertook to progress the formalisation of the joint protocols between the Council and West Yorkshire Police in respect of PCSOs.

**RESOLVED -**

- (a) That the progress which has been made to develop more joined up working within localities between Leeds City Council services and Police Community Safety Officers be noted.
- (b) That a report be tailored for each Area Committee on Police Community Safety Officers and the proposed areas of closer working for local environmental priorities.

**79 Proposal to lease and sell miscellaneous Council properties to Unipol Student Homes**

The Director of Environment and Neighbourhoods submitted a report presenting a proposal for Unipol Student Homes to lease 73 Council properties and purchase 15 of such properties from the Council over a 4 year period. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Following consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rules 10.4(2) and 10.4(3), and consideration of Appendix 2, designated as exempt under Access to Information Procedure Rule 10.4(3), both of which were considered in private at the conclusion of the meeting, it was

**RESOLVED -**

- (a) That the granting of a 21 year lease at less than best consideration for 73 properties to Unipol be approved.
- (b) That the sale of 15 of the properties referred to in resolution (a) to Unipol Student Homes on an individual market value basis over the next 4 years be approved, the first of such properties has been declared surplus by the Director of Environments & Neighbourhoods.
- (c) That approval be given for the Director of Environments and Neighbourhoods to authorise future surplus declarations for those properties identified to be sold, through the Delegated Decision process.

**80 Employment and Skills**

The Director of Environment and Neighbourhoods submitted a report providing an update on current claimant rates for out of work benefits, detailing the progress achieved under current programmes to support priority groups back into employment, summarising the Government's revised delivery framework of employment support activity and the resultant changes required in local provision. In addition, the report also identified key initiatives proposed to be taken forward by the Council in partnership with others in response to business needs, whilst also supporting recovery and growth and maximising opportunities for local people to secure employment. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members emphasised the need for a partnership approach to be taken between participating companies, agencies and the Council, in order to ensure that the apprenticeship opportunities provided were in line with demand.

**RESOLVED -**

- (a) That the activity undertaken to date to support local people to improve their skills and secure employment be noted.
- (b) That in principle support be given to the proposals to develop an Apprenticeship Training Agency and further develop the Retail Academy in order to provide a national centre of excellence, subject to the consideration of further detailed feasibility and delivery plans.

## **CHILDREN'S SERVICES**

### **81 Recent Examination Results**

Following the high levels of attainment which had been achieved in the examination results over the summer, the Executive Member for Children's Services paid tribute to and congratulated all of the students and staff involved.

### **82 Primary Basic Need Programme - Outcome of statutory notices for the expansion of primary provision in 2012**

Further to Minute No.226, 18<sup>th</sup> May 2011, the Director of Children's Services submitted a report detailing the outcomes arising from the publication of the statutory notices regarding the expansion of primary provision in 2012 and sought a final decision on the proposal in respect of Roundhay School Technology and Language College. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** - That the age range of Roundhay School Technology and Language College be changed from 11-18 to 4-18 years, with a reception admission limit of 60, and with the expansion of the school's capacity using land off Elmete Lane for the primary provision.

### **83 Public reports of the local government ombudsman regarding complaints**

The Director of Children's Services submitted a report providing details of a recent finding of maladministration with injustice in three reports issued by the Local Government Ombudsman. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In presenting the report, the Chair and the Board conveyed their unreserved apologies for the service which the children involved and their families had received. In addition, tribute was paid to the families for their resilience and determination throughout the process. The Director of Children's Services also took the opportunity to outline the actions which had been and continued to be taken to ensure that such instances of maladministration did not occur again.

Following consideration of the supplementary information tabled at the meeting, designated as exempt under Access to Information Procedure Rule 10.4(1) and (2), which was considered in private at the conclusion of the meeting it was

#### **RESOLVED –**

- (a) That the contents of the covering report along with the three Ombudsman reports be noted.
- (b) That the actions taken by the Council to remedy the issues raised be noted.



**84 E-ACT Leeds East Academy Final Business Case**

Further to Minute No. 12, 22<sup>nd</sup> June 2011, the Director of Children's Services submitted a report presenting the Final Business Case for the E-ACT Leeds East Academy for the purposes of approval and submission to the Partnerships for Schools. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** - That the submission of the Final Business Case to the Partnerships for Schools (PfS) for E-ACT Leeds East Academy (BSF Wave 1, Phase 5) be approved.

**LEISURE**

**85 Scrutiny Board Recommendations - Cemeteries & Crematoria Horticultural Maintenance**

Further to Minute No. 232, 18<sup>th</sup> May 2011, the Director of City Development submitted a report further considering the recommendations arising from the former Scrutiny Board (City Development) inquiry into 'Cemeteries and Crematoria Horticultural Maintenance' and detailing proposals in response to the recommendations made, with particular reference to recommendation 2 of the inquiry report. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** - That the report be withdrawn from the agenda, with a further report being submitted for consideration in due course.

**DATE OF PUBLICATION:** 9<sup>TH</sup> SEPTEMBER 2011

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 16<sup>TH</sup> SEPTEMBER 2011 (5.00 P.M.)

(Scrutiny support will notify Directors of any items called in by 12.00 p.m. on 19<sup>th</sup> September 2011)

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**FORWARD PLAN OF KEY DECISIONS  
(relating to Regeneration Scrutiny Board)**

1 September 2011 – 31 December 2011

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area To approve the Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area and Management Plan as non-statutory planning guidance	Chief Planning Officer	1/9/11	Ongoing consultation with local community, Ward Members and other bodies	DDN Report	philip.ward@leeds.gov.uk
Morley Conservation Area To amalgamate and extend the Morley Town Centre and Morley Dartmouth Park Conservation Area into the Morley Conservation Area and adopt the Morley Conservation Area Appraisal and Management Plan as non-statutory planning guidance	Chief Planning Officer	1/9/11	Ongoing consultation since May 2008 with the local community, Ward Members, Morley Town Council and Other bodies	Report and Morley Conservation Area Appraisal and Management Plan	Director of City Development phil.ward@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Yeadon Conservation Area To approve the Yeadon Conservation Area and Management Plan as non-statutory planning guidance.	Chief Planning Officer	1/9/11	Ongoing consultation with local community, Ward Members, and other bodies	DDN Report	Chief Planning Officer phil.ward@leeds.gov.uk
Adult Learning Award of contract(s) following a procurement exercise, to deliver Adult Learning provision from September 2011.	Director of Environment and Neighbourhoods	1/9/11	Consultation with Executive Member and strategic internal and external partners including Job Centre Plus, Skills Funding Agency and Post 16 learning providers.	Report summarising outcome of procurement exercise and DDN.	Sue Wynne sue.wynne@leeds.gov.uk
Restructure of Employment and Skills To approve the new structure to realign activity and respond to funding reductions	Director of Environment and Neighbourhoods	1/9/11	Trade Union Consultation between the period of 25 <sup>th</sup> July to 8 <sup>th</sup> Aug 2011	Delegated Decision Report and Appendices	sue.wynne@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>A58M Leeds Inner Ring Road Highway Structures Essential Maintenance Scheme - Major Scheme Business Case</p> <p>Approval of the 'Best and Final Bid' submission to DfT for funding to carry out essential, safety critical maintenance works to Woodhouse Tunnel, Lovell Park Road Bridge and New York Road Viaduct on the A58(M) Leeds Inner Ring Road.</p>	<p>Executive Board (Portfolio: Development and the Economy)</p>	<p>7/9/11</p>	<p>Proposed consultation: Leeds City Region Local Enterprise Partnership; West Yorkshire Integrated Transport Authority; Elected members; Business Community; Leeds University; Leeds NHS Trust/Leeds General Infirmary; Highways Agency; LCC Internal Stakeholders; General public; Emergency services, Statutory Undertakers; Bus companies/Metro</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>carolyn.walters@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>City Centre Commuter Car Parking Policy To approve policy to regularise use of a limited number of car parking spaces on cleared sites in and around the city centre for commuter car parking subject to provision of physical improvements</p>	<p>Executive Board (Portfolio: Development and the Economy)</p>	<p>7/9/11</p>	<p>5 weeks of public consultation between 31 March and 6 May 2011</p>	<p>The report to be issued to the decision maker along with the agenda for the meeting</p>	<p>robin.coghlan@leeds.gov.uk</p>

