

Proceedings of the Meeting of the Leeds City Council held
Civic Hall, Leeds on Wednesday, 14th November, 2012

PRESENT: The Lord Mayor Councillor Ann Castle in the Chair

WARD

ADEL & WHARFEDALE

Barry John Anderson
John Leslie Carter
Clive Fox

ALWOODLEY

Neil Alan Buckley
Dan Cohen
Peter Mervyn Harrand

ARDSLEY & ROBIN HOOD

Karen Renshaw
Jack Dunn
Lisa Mulherin

ARMLEY

Alison Natalie Kay Lowe
James McKenna
Janet Harper

BEESTON & HOLBECK

Angela Gabriel
Adam Ogilvie
David Congreve

BRAMLEY & STANNINGLEY

Caroline Gruen
Ted Hanley
Neil Taggart

BURMANTOFTS & RICHMOND HILL

Maureen Ingham
Asghar Khan
Ron Grahame

WARD

CALVERLEY & FARSLEY

Andrew Carter
Joseph William Marjoram
Rod Wood

CHAPEL ALLERTON

Eileen Taylor
Mohammed Rafique
Jane Dowson

CITY & HUNSLET

Elizabeth Nash
Patrick Davey
Mohammed Iqbal

CROSS GATES & WHINMOOR

Pauleen Grahame
Peter John Gruen

FARNLEY & WORTLEY

David Blackburn
Ann Blackburn
John Hamilton Hardy

GARFORTH & SWILLINGTON

Andrea McKenna
Mark Dobson
Thomas Murray

GIPTON & HAREHILLS

Roger Harington
Arif Hussain
Kamila Maqsood

GUISELEY & RAWDON

Graham Latty
Paul Wadsworth

HAREWOOD

Rachael Procter
Matthew James Robinson

HEADINGLEY

Janette Walker
Neil Walshaw
Martin Hamilton

HORSFORTH

Christopher Townsley
Dawn Collins
Brian Cleasby

HYDE PARK & WOODHOUSE

Christine Denise Towler
Gerry Harper
Javaid Akhtar

KILLINGBECK & SEACROFT

Graham Hyde
Veronica Morgan
Brian Michael Selby

KIPPAX & METHLEY

Mary Elizabeth Harland
James Lewis
Keith Ivor Wakefield

KIRKSTALL

Lucinda Joy Yeadon
John Anthony Illingworth
Bernard Peter Atha

MIDDLETON PARK

Paul Anthony Truswell
Judith Blake
Kim Groves

MOORTOWN

Alex Sobel
Rebecca Charlwood
Sharon Hamilton

MORLEY NORTH

Robert Finnigan
Robert William Gettings
Thomas Leadley

MORLEY SOUTH

Judith Elliott
Neil Dawson
Shirley Varley

OTLEY & YEADON

Sandy Edward Charles Lay
Colin Campbell
Ryk Downes

PUDSEY

Josephine Patricia Jarosz
Richard Alwyn Lewis
Mick Coulson

ROTHWELL

David Nagle
Karen Bruce
Barry Stewart Golton

ROUNDHAY

Bill Urry
Christine Macniven
Ghulam Hussain

TEMPLE NEWSAM

Judith Cummins
Katherine Mitchell
Michael Lyons

WEETWOOD

Jonathan Bentley
Susan Bentley
Judith Mara Chapman

WETHERBY

Gerald Wilkinson
Alan James Lamb
John Michael Procter

50 Announcements

- a) The Lord Mayor congratulated the following on their recent successes in the RHS Britain in Bloom Awards 2012:-
- Leeds in Bloom, who won Gold in the Large City category.
 - St George's Crypt, joint winners of the Young People's Award.
 - Kippax Leeds, Urban Community Gold and a joint category winner.
 - Pat Sammy from Kippax who won a discretionary award as a Community Champion.
- b) The Lord Mayor congratulated the Leeds Rhinos on winning the Super League Grand Final 2012.
- c) The Lord Mayor reminded Members that the State of the City Council meeting on Wednesday, 28th November 2012 would commence at 1.00 pm.

51 Minutes

It was moved by Councillor J Lewis, seconded by Councillor G Latty and

RESOLVED – That the minutes of the meetings held on 12th September 2012 be approved.

52 Declarations of Interest

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

Following an invitation to declare further individual interests, declarations in accordance with the Council's Members' Code of Conduct were made as follows:-

- a) Councillor R Grahame declared 'other' interests in minutes 62 of this meeting as follows:-
- Minute 30 (SB - Resources & Council Svcs) – In his capacity as a Member of GMB Union
 - Minute 97 (Executive Board) – In his capacity as a Member of ENE ALMO Board
- b) Councillor Cleasby declared 'other' interests in minute 54 of this meeting as his daughter is an allotment holder.

53 Communications

The Chief Executive informed Council that a response had been received from Edward Timpson MP the Parliamentary Under Secretary of State for Children and Families in response to the resolution of Council at its September meeting regarding the School Sports and Olympic Legacy. The response had previously been circulated to all Members of Council.

54 Deputations

Four deputations were admitted to the meeting and addressed Council, as follows:-

- 1) Leeds and District Gardeners' Federation regarding growing your own food in Leeds and the costs to the Council of the allotment model.
- 2) Leeds residents regarding payday loan companies and their effect on residents of Leeds.
- 3) Leeds University Union, Leeds Trinity Students' Union and Leeds Metropolitan Students' Union regarding the Council's support for current and future students of Leeds in 3 areas, education, employment and empowerment.
- 4) Morley Town Council regarding quality bus contract.

RESOLVED – That the subject matter in respect of deputations (1), (2) and (3) be referred to the Executive Board for consideration and the subject matter in respect of deputation (4) be referred to West Yorkshire Integrated Transport Authority for consideration.

55 Report on Appointments

It was moved by Councillor J Lewis, seconded by Councillor G Latty and

RESOLVED – That the report of the City Solicitor on appointments be approved, namely that

Councillor Walshaw replace Councillor A Khan on Member Management Committee.

56 Late Item - Leeds Award

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

RESOLVED – That Council agree , in the light of the seriousness of current allegations;

- a) To rescind the Leeds Award granted to Jimmy Savile in 2008
- b) That the previous resolution of Council, made following Jimmy Savile's death in 2011 be not progressed.

57 Report on Attendance at Council Meetings

It was moved by Councillor J Lewis, seconded by Councillor Lowe and

RESOLVED – That Council note the possible absence of Councillor Armitage from meetings of Full Council for a period of six months from the date of this meeting.

58 Recommendations of General Purposes Committee regarding the Review of Council Meetings.

It was moved by Councillor J Lewis, seconded by Councillor Wakefield, and

RESOLVED – That the recommendations of the General Purposes Committee, as presented by the report of the City Solicitor, with regard to the review of Council meetings and the new Council Procedure Rules be approved.

59 Recommendations of the Executive Board regarding the Gambling Act 2005 Statement of Licensing Policy

It was moved by Councillor Wakefield, seconded by Councillor P Gruen and

RESOLVED – That the recommendations of the Executive Board as presented by the report of the Chief Officer Democratic and Central Services, that the Gambling

Act 2005 Statement of Licensing Policy 2010-2012 be approved as the new policy to have effect from 31st January 2013.

60 Recommendations of the Executive Board regarding the LDF Core Strategy - Submission to the Secretary of State for Independent Examination and Pre-Submission Changes

It was moved by Councillor P Gruen, seconded by Councillor Wakefield that the recommendations of the Executive Board as presented by the report of the Director of City Development, with regard to the LDF Core Strategy – Submission to the Secretary of State for independent examination and pre-submission changes, be approved.

An amendment was moved by Councillor Campbell, seconded by Councillor Leadley to add at end of recommendation 1, on page 2 of the ‘LDF Core Strategy – Pre-submission Changes for Consultation’ report, the following:-

“subject to the deletion of the words ‘in conjunction with Community Infrastructure Levy’ on page 58 of the report, at the end of the top paragraph.”

During summing up on the matter Councillor Gruen also advised Council that a reference was also made to Community Infrastructure Levy in criteria iv) of the pre-submission changes to Policy H5 and if they were to accept the amendment, then for consistency, it was recommended that reference to Community Infrastructure Levy in iv) should also be omitted:

The amendment in the name of Councillor Campbell and the subsequent reference to criteria iv) of the pre-submission changes to Policy H5 also being omitted was carried, and upon being put as the substantive motion, it was

RESOLVED – That the following recommendations of the Executive Board, as presented by the report of the Director of City Development with regard to the LDF Core Strategy – Submission to the Secretary of State for independent examination and pre-submission changes, be approved subject to the deletion of the words ‘in conjunction with Community Infrastructure Levy’ on page 58 of the report, at the end of the top paragraph and for consistency, the reference to Community Infrastructure Levy in criteria iv) of the pre-submission changes to Policy H5 should also be omitted.

- A. That the pre-submission changes to the Publication Draft of the Core Strategy be approved.
- B. That the Publication Draft Core Strategy and the sustainability report be approved for the purposes of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 .
- C. That approval be given to a further period for representations to be provided on the pre-submission changes, and that any further representations received be submitted to the Secretary of State at the time the Publication Draft is submitted for independent examination.

61 Questions

Q1 Councillor Wood to the Executive Member (Neighbourhoods, Planning and Support Services):-

Given the importance of the Little London, Beeston Hill and Holbeck PFI scheme, and the numerous changes to the scope and finances considered by Executive Board over the last year, would the Executive Member care to

comment on the finances and affordability of the scheme, and indicate whether it is on course to be delivered on time and on budget?

The Executive Member (Neighbourhoods, Planning and Support Services) replied.

Q2 Councillor J Bentley to the Executive Member (Development and the Economy):-

Could the Executive Board Member for Development and the Economy inform Council whether the West Park Centre is safe?

The Executive Member (Development and the Economy) replied.

Q3 Councillor Towler to the Leader of Council:-

Does the Leader of the Council agree with Birmingham City Council that the scale of future financial challenges will change the landscape of local government nationally?

The Leader of Council replied.

Q4 Councillor D Blackburn to the Executive Member (Environment):-

Bearing in mind that the Wrap-Up Leeds scheme has now reached its end, could the Executive Member tell me how many properties have benefited from work under the scheme?

The Executive Member (Environment) replied.

Q5 Councillor Harington to the Executive Member (Leisure and Skills):-

Does the Executive Member for Leisure & Skills share my enthusiasm and excitement about the potential of Leeds being able to play its part in a regional stage of the 2014 Tour de France, and does he agree that this will bring massive benefits to the city?

The Executive Member (Leisure and Skills) replied.

Q6 Councillor G Wilkinson to the Executive Member (Children's Services):-

Will the Executive Board Member for Children's Services please tell me why I was the only Opposition Group Member to be interviewed by the consultant engaged to look into the provision of Youth Services in Leeds?

The Executive Member (Children's Services) replied.

Q7 Councillor Golton to the Leader of Council :-

Does the Leader of Council agree with the Secretary of State for Communities and Local Government's drive for transparency?

The Leader of Council replied.

Q8 Councillor Maqsood to the Executive Member (Adult Social Care):-

Can the Executive Member for Adult Social Care provide an update on work with private sector partners in the city to improve corporate social responsibility?

The Executive Member (Adult Social Care) replied.

Q9 Councillor R Finnigan to the Executive Member (Leisure and Skills):-

Is the Executive Member for Leisure and Skills aware of any bogus event which was attached to the Morley Literature Festival and which may have involved the city Council's library service as an unwitting and innocent accomplice.

The Executive Member (Leisure and Skills) replied.

At the conclusion of question time, the following questions remained unanswered and it was noted that, under the provisions of Council Procedure Rule 11.6, written answers would be sent to each Member of Council:-

Q10 Councillor M Harland to the Executive Member (Environment).

Q11 Councillor Robinson to the Executive Member (Adult Social Care).

Q12 Councillor Lay to the Executive Member (Neighbourhoods, Planning and Support Services).

Q13 Councillor Ingham to the Executive Member (Neighbourhoods, Planning and Support Services).

Q14 Councillor Charlwood to the Executive Member (Children's Services).

Q15 Councillor Lamb to the Executive Member (Children's Services).

Q16 Councillor Downes to the Executive Member (Neighbourhoods, Planning and Support Services).

Q17 Councillor Dunn to the Executive Member (South (Outer) Area Committee Chair).

Q18 Councillor Iqbal to the Executive Member (Development and the Economy).

Q19 Councillor Anderson to the Executive Member (Neighbourhoods, Planning and Support Services).

Q20 Councillor S Bentley to the Executive Member (Children's Services).

Q21 Councillor Anderson to the Executive Member (Development and the Economy).

Q22 Councillor Anderson to the Executive Member (Development and the Economy).

Q23 Councillor Anderson to the Executive Member (Development and the Economy).

Q24 Councillor Anderson to the Executive Member (Development and the Economy).

- Q25 Councillor J Blake to the Executive Member (Children's Services).
- Q26 Councillor Anderson to the Executive Member (Environment).
- Q27 Councillor Anderson to the Executive Member (Neighbourhoods, Planning and Support Services).
- Q28 Councillor Marjoram to the Executive Member (Neighbourhoods, Planning and Support Services).

62 Minutes

It was moved by Councillor Wakefield, seconded by Councillor J Lewis that the minutes be received in accordance with Council Procedure Rule 2.2(i).

Council Procedure Rule 4, providing for the winding up of business, was applied prior to all notified comments on the minutes having been debated.

63 Back Bench Community Concerns

During discussion on this item, it was moved by Councillor G Latty, seconded by Councillor Lamb, that Leave of Council be given to allow the introduction of a sixth Community Concern in the name of Councillor Wadsworth.

- 1) Councillor Cleasby – The impact of housing development and the SHLAA on communities in Horsforth Ward.

Councillor Taggart responded.

- 2) Councillor Harland – The impact of flooding on residents in Kippax and Methley, and Kirkstall.

Councillor R Lewis responded.

- 3) Councillor Hardy – Expressing concern regarding the potential impact of a reduction in police numbers on Farnley and Wortley.

Councillor P Gruen responded.

- 4) Councillor Leadley – The need to ensure high quality and well informed decision making at Plans Panels.

Councillor J Harper responded.

- 5) Councillor Buckley – To discuss the vital need for a new medical centre in Alwoodley. Such a centre would bring widespread benefits to the health and wellbeing of residents in Alwoodley as well as in neighbouring wards.

We would particularly like to call on officers to conclude their work regarding the location of the centre and ownership of the land, in order to ensure that the project can progress through the planning process and take advantage of the time-limited funding opportunities that are available.

Councillor Mulherin responded.

- 6) Councillor Wadsworth – Housing and Highways concerns in the Guiseley and Rawdon Ward.

Councillor Taggart responded.

During the consideration of Community Concerns, the meeting was suspended at 5.00 pm and resumed at 5.25 pm.

64 White Paper Motion (in the name of Councillor Lamb) - Private Service Companies

It was moved by Councillor Lamb, seconded by Councillor G Latty that this Council notes with strong concern recent examples of senior Leeds City Council staff being paid via private service companies and commits to bringing this practice to an immediate end.

This Council believes that the recent Government consultation, 'Taxation of Controlling Persons', sets a clear approach to this issue and further believes that both morally and in the interest of fairness the Council should fully support the proposals in the consultation.

This Council commits to developing a clear policy that will create a strong framework for the future appointment of all senior members of staff and further commits to developing this as quickly as possible and through the submission of a report to the Executive Board.

Council further requests that the Scrutiny Board for Resources and Council Services monitors this issue as part of their ongoing work programme.

An amendment was moved by Councillor Wakefield, seconded by Councillor Groves that this Council notes with strong concern recent examples of senior Leeds City Council staff being paid via private service companies and commits to bringing this practice to an immediate end.

Delete the second paragraph and replace with the following 3 paragraphs:-

'This Council welcomes in principle many of the proposals which are included in the recent 'Taxation of Controlling Persons' consultation. Council further acknowledges that this issue affects all aspects of the public sector and notes with concern that 2,400 staff have been identified as being paid off the pay-roll within the Civil Service.

Council recognises the positive steps that have already been taken within Leeds City Council to end this practice, and notes that by the end of November the number of people being paid this way will have been completely reduced from 5 to 0.

Given the complexity of implications arising from new legislation, Council requests that officers seek clarity as to whether better enforcement of IR35 legislation could be a quicker and more cost effective way of achieving transparency in relation to the taxation arrangements for controlling persons.'

Retain the final two paragraphs:-

'This Council underlines its commitment to continuing work on a policy to further strengthen the framework when appointing senior members of staff. Council resolves to bring a report to the Executive Board as soon as possible outlining the details.

Council further requests that the Scrutiny Board for Resources and Council Services monitors this issue as part of their ongoing work programme.'

Motion would read:-

That this Council notes with strong concern recent examples of senior Leeds City Council staff being paid via private service companies and commits to bringing this practice to an immediate end.

This Council welcomes in principle many of the proposals which are included in the recent 'Taxation of Controlling Persons' consultation. Council further acknowledges that this issue affects all aspects of the public sector and notes with concern that 2,400 staff have been identified as being paid off the pay-roll within the Civil Service.

Council recognises the positive steps that have already been taken within Leeds City Council to end this practice, and notes that by the end of November the number of people being paid this way will have been completely reduced from 5 to 0.

Given the complexity of implications arising from new legislation, Council requests that officers seek clarity as to whether better enforcement of IR35 legislation could be a quicker and more cost effective way of achieving transparency in relation to the taxation arrangements for controlling persons.'

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Council further requests that the Scrutiny Board for Resources and Council Services monitors this issue as part of their ongoing work programme.'

The amendment in the name of Councillor Wakefield was carried, and upon being put as the substantive motion, it was

RESOLVED – That this Council notes with strong concern recent examples of senior Leeds City Council staff being paid via private service companies and commits to bringing this practice to an immediate end.

This Council welcomes in principle many of the proposals which are included in the recent 'Taxation of Controlling Persons' consultation. Council further acknowledges that this issue affects all aspects of the public sector and notes with concern that 2,400 staff have been identified as being paid off the pay-roll within the Civil Service.

Council recognises the positive steps that have already been taken within Leeds City Council to end this practice, and notes that by the end of November the number of people being paid this way will have been completely reduced from 5 to 0.

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'This Council underlines its commitment to continuing work on a policy to further strengthen the framework when appointing senior members of staff. Council

resolves to bring a report to the Executive Board as soon as possible outlining the details.

Council further requests that the Scrutiny Board for Resources and Council Services monitors this issue as part of their ongoing work programme.

65 White Paper Motion (in the name of Councillor P Gruen) - Planning Permissions

It was moved by Councillor P Gruen, seconded by Councillor A Carter and

RESOLVED – That this Council believes that decisions regarding development should reflect the aspirations, policies and ambitions of this city and the views of local people. Council therefore believes that locally elected representatives rather than national government are best placed to make decisions about the sustainability of proposed developments.

This Council expresses particular concern about the proposals to allow some rear garden extensions to go ahead without planning permission for a 3 year period and commits, once the precise details of the Government's proposals are clear, to explore the feasibility, costs and benefits of using article 4 powers to ensure that planning permission will continue to be required for those extensions in Leeds which have significant implications for neighbours and local areas.

In order to ensure strong decision making and democratic accountability locally this Council also opposes the proposals to:-

- Give the Planning Inspectorate additional powers so that local agreements between Councils and developers about affordable housing allocations could be overridden;
- Allow developers to immediately appeal to the Planning Inspectorate when they disagree with local agreements regarding the allocation of affordable housing in their applications;
- Take planning powers away from local authorities in instances where The Secretary of State for Communities and Local Government regards the decision to be 'nationally significant' or if decision making is seen to be too slow.

Council requests that the Chief Executive writes to The Secretary of State for Communities and Local Government and all local MPs outlining Council's opposition to the plans.

66 White Paper Motion (in the name of Councillor S Golton) - Lettings Policy

It was moved by Councillor Golton, seconded by Councillor M Hamilton that this Council has grave concerns about the potential impact of government reforms to housing benefit and recognises its responsibility to act to protect the welfare of affected residents in Leeds.

Council also notes that the housing waiting list currently stands at 27,000, that no Council housing was built between 1980 and 2008 whilst more than 28,000 properties were sold off under the right to buy.

However, Council also notes that the current lettings policy, whilst aiming to provide fairness and transparency, often limits the ability of tenants to move home and therefore affects housing supply.

Council believes it is unfair that some families should suffer overcrowding at the same time that others are unable to move to a smaller property that better suits their needs due to a lack of priority.

Given the current volume of tenants wishing to move and the lack of available properties, Council calls on the Executive Member for Neighbourhoods, Planning and Support Services to reform current lettings policy, allowing appropriate prioritisation for tenants who wish to move to a smaller home to be implemented by local housing offices. This will help free up suitable housing for overcrowded families and mitigate the impact to tenants of reforms to the benefit system.

Council further calls for the Exec Member to review such arrangements after a suitable period to assess their effectiveness at achieving the specified objective.

An amendment was moved by Councillor Gruen, seconded by Councillor Congreve, that this Council has grave concerns about the potential impact of Government reforms to housing benefit and recognises its responsibility to act to protect the welfare of affected residents in Leeds.

Delete all after 'residents in Leeds' and replace with:-

Council recognises that if these reforms are given the go-ahead, some of the most vulnerable people in the city will be hit the hardest by these changes.

Furthermore, Council also acknowledges the enormous challenge this authority faces through its lettings policy in tackling a housing waiting list that currently stands at 27,000. Council reiterates its aspiration to deliver more social and affordable housing in the city.

Whilst this Council welcomes a range of positive changes which have already been made to the lettings policy by the current administration, council also underlines its continuing commitment given the severity of the housing situation and complexity of many issues, to see where further improvements could potentially be made to the system.

A revised draft lettings policy, which responds to this and other challenges, will be presented to the Executive Board in December (advertised on the forward plan in August 2012). It is proposed that an all party working group is created to inform and oversee the consultation process before formal adoption.

A second amendment was moved by Councillor Anderson, seconded by Councillor Lamb to delete all after 'affected residents in Leeds' and replace with:-

'Council notes the historically high numbers on the Social Housing Register in Leeds and in particular those residents of Leeds who are in need of a home due to homelessness, or their current housing needs are assessed as not being adequate by the Housing Options team, or they are ex members of Her Majesty's Armed Forces.

Council believes that imaginative solutions need to be brought forward by the administration, including identifying potential sources of funding, to provide additional housing in various parts of the city to meet these needs. Any new housing should be on Brownfield sites, throughout the city.

This Council further acknowledges the work done by the previous administration in freeing up family housing through the successful Under Occupation Scheme.

This Council calls for the Executive Board Member to bring a report to Executive Board outlining the options available in addressing this issue in both the short and long term.'

Motion would read:-

'This Council has grave concerns about the potential impact of Government reforms to housing benefit and recognises its responsibility to act to protect the welfare of affected residents in Leeds.

Council notes the historically high numbers on the Social Housing Register in Leeds and in particular those residents of Leeds who are in need of a home due to homelessness, or their current housing needs are assessed as not being adequate by the Housing Options team, or they are ex members of Her Majesty's Armed Forces.

Council believes that imaginative solutions need to be brought forward by the administration, including identifying potential sources of funding, to provide additional housing in various parts of the city to meet these needs. Any new housing should be on Brownfield sites, throughout the city.

This Council further acknowledges the work done by the previous administration in freeing up family housing through the successful Under Occupation Scheme.

This Council calls for the Executive Board Member to bring a report to Executive Board outlining the options available in addressing this issue in both the short and long term.'

The amendment in the name of Councillor Gruen was carried, and upon being put as the substantive motion, it was

RESOLVED – That this Council has grave concerns about the potential impact of Government reforms to housing benefit and recognises its responsibility to act to protect the welfare of affected residents in Leeds.

Council recognises that if these reforms are given the go-ahead, some of the most vulnerable people in the city will be hit the hardest by these changes.

Furthermore, Council also acknowledges the enormous challenge this authority faces through its lettings policy in tackling a housing waiting list that currently stands at 27,000. Council reiterates its aspiration to deliver more social and affordable housing in the city.

Whilst this Council welcomes a range of positive changes which have already been made to the lettings policy by the current administration, council also underlines its continuing commitment given the severity of the housing situation and complexity of many issues, to see where further improvements could potentially be made to the system.

A revised draft lettings policy, which responds to this and other challenges, will be presented to the Executive Board in December (advertised on the forward plan in

August 2012). It is proposed that an all party working group is created to inform and oversee the consultation process before formal adoption.

Council rose at 7.30 pm.