

SCRUTINY BOARD (HOUSING AND REGENERATION)

TUESDAY, 30TH OCTOBER, 2012

PRESENT: Councillor J Procter in the Chair

Councillors D Collins, P Grahame,
R Grahame, M Harland, A Khan, S Lay,
D Nagle and G Wilkinson

Mr G Hall – Co-opted Member

43 Chair's Opening Remarks

The Chair welcomed everyone to the October meeting of the Scrutiny Board (Housing and Regeneration).

44 Declaration of Disclosable Pecuniary and Other Interests

The following other significant interests were declared at the meeting:-

- Councillor R Grahame in his capacity as a Director of East North East Homes ALMO (Agenda Item 8) (Minute 49 refers)
- Councillor R Grahame in his capacity as a Director of East North East Homes ALMO (Agenda Item 11) (Minute 52 refers)

45 Apologies for Absence

Apologies for absence were received on behalf of Councillors B Atha, J Cummins, M Iqbal and C Towler.

Notification had been received for Councillor A Khan to substitute for Councillor J Cummins; Councillor R Grahame to substitute for Councillor M Iqbal and Councillor M Harland to substitute for Councillor C Towler.

46 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 25th September 2012 be approved as a correct record.

47 Matters Arising from the Minutes

- a) Community Infrastructure Levy (CIL) – Progress on the Leeds Economic Viability Study (Minute 34 refers)

Mr G Hall referred to the above issue and in particular to the fact that the Council would have to publish a list (known as the Regulation 123 list) outlining the infrastructure projects or types that it intends to fund through Community Infrastructure Levy (CIL). It was noted that this issue would be discussed later in the meeting under a separate agenda item.

b) Bringing Forward Brownfield Sites – Information Requested (Minute 37 refers)

Mr G Hall referred to the above minute and to the fact that the Board had not received the clarification it had sought on the number of houses that could be built on the brownfield sites listed.

The Principal Scrutiny Adviser responded and agreed to circulate the information that had been requested by email to all Members of the Board.

48 SHLAA 2012 (Leeds' Strategic Housing Land Availability Assessment)

Referring to Minute 36 of the meeting held on 25th September 2012, the Head of Scrutiny and Member Development submitted a report with regards to SHLAA 2012 (Leeds' Strategic Housing Land Availability Assessment).

Appended to the report was a copy of a report entitled 'SHLAA 2012' which had been produced by the Director of City Development for the attention of the Board.

The report described the preparation of the SHLAA 2012 update and responded to a number of concerns raised by the Board as to the process and membership of the SHLAA..

The following representatives were in attendance and commented on and responded to Members' queries and comments:

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Councillor N Taggart, Chair of the SHLAA Partnership
- Mr Steve Speak, Deputy Chief Planning Officer, City Development

At the request of the Chair, Mr S Speak outlined the role and remit of the SHLAA Partnership.

Detailed discussions ensued on the contents of the report and appendices which included.

- Whether the SHLAA process was actually fit for purpose and in particular whether it had been robust enough to challenge sites listed in the SHLAA but classified as sites not achievable for *development*? As a consequence 8,000 units were not achievable for development and the Board stated that it would want to see the supporting papers which had led to this classification
- Concern as to whether the balance of membership on the SHLAA partnership was right between Elected Members/developers and the community?
- What the current status was of the SHLAA 2012 update in the light of the Board's concerns?

The Executive Member, Neighbourhoods, Planning and Support Services acknowledged the Board's concerns and stated that a review would be undertaken of the current membership of the SHLAA Partnership and whether the SHLAA Partnership was 'fit for purpose' in its current form. He confirmed that the review would also explore best practice. A report would be submitted to this Scrutiny Board for consideration once the review had been completed.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the positive intervention by the Executive Board Member Neighbourhoods, Planning and Support Services on this matter was welcomed.
- c) That a further report on the SHLAA Partnership be submitted to this Scrutiny Board for consideration once the review had been completed.
- d) To note that as a consequence of the review being undertaken the status of the current 2012 SHLAA update was not complete.

49 Update on Locality Approach to Private Sector Housing Regulation and Empty Homes

The Director of Environment and Neighbourhoods submitted a report on an update on the Locality Approach to Private Sector Housing Regulation and Empty Homes.

The following representatives were in attendance and responded to Members' queries and comments:

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Mr J Statham, Head of Housing Partnerships, Environment and Neighbourhoods

In his presentation of the report, Mr J Statham informed the meeting that there was a mistake in the report in so far as the implementation date should have referred to April 2013 and not 2012 as stated.

Detailed discussions ensued on the contents of the report.

In summary, specific reference was made to a number of issues including:

- Clarification of the location of a pilot that was underway within Burmantofts as referred to in 3.5 of the report
(The Head of Housing Partnerships responded and confirmed that the pilot was located at Nowell Mount)
- Clarification of the criteria/procedure for enforcement in relation to compulsory purchase orders regarding empty properties or properties in disrepair
- Clarification if the Council had any powers to enforce a private owner of a property which had been vacant for a long period to bring it back into use

- Clarification of the number of properties that could be brought back into use under the New Homes Bonus scheme
(The Head of Housing Partnerships responded and confirmed that approximately 3,200 properties per annum were not eligible for the New Homes Bonus which was now part of a performance indicator)
- Clarification of the number of empty properties that existed in the city
(The Head of Housing Partnerships responded and confirmed that approximately 15,000 properties were currently empty with the majority of those being within the private sector)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Board notes and welcomes the progress made against recommendation 1 from the Safer, Stronger Communities Scrutiny Board inquiry report into the Private Rented Sector (2012).

50 Non-Council Owned Brownfield Sites

Referring to Minute 37 of the meeting held on 25th September 2012, the Director of City Development submitted a report on progress in relation to Non-Council Owned Brownfield Sites.

Appended to the report was a copy of a document entitled 'Non-Council Owned Brownfield Sites' (Appendix 1 refers) for the information/comment of the meeting.

The following representatives were in attendance and responded to Members' queries and comments:

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Ms Christine Addison, Acting Chief Asset Management Officer, City Development
- Mr Adam Brannen, Programme Manager, City Development

Detailed discussion ensued on the contents of the report and appendices.

In summary, specific reference was made to a number of issues including:

- Clarification of the total number of non-Council owned Brownfield sites identified within the appendix
(The Programme Manager responded and informed the meeting that the total number was 19,500)
- Clarification of how many of these brownfield sites were included in the SHLAA
(The Programme Manager responded and informed the meeting that the department had tried to incorporate every site they were aware of apart from windfall sites)
- Clarification of the latest position with regards to the former library buildings on York Road and Mount St Mary's church

(The Acting Chief Asset Management Officer responded that the former library buildings on York Road had been discussed at the Scrutiny Board (Resources and Council Services). It was the general consensus of that meeting that a supermarket was needed in the York Road area)

- Clarification if the list of sites within the appendices were privately owned land or included Government and agency land. Particular reference was made to the Wharfedale Hospital site
(The Programme Manager responded and confirmed that the list referred to non-council owned land and included other agencies and government land where known. He confirmed that this list was evolving and could be added to on a regular basis as other sites became known)
- Clarification of how many sites would get built out of the 19,500 on the list
(The Programme Manager responded and informed the meeting that he was not in a position to speculate on the actual numbers)
- Clarification of how the Central Governments scheme on unlocking stalled brownfield sites was progressing
(The Programme Manager responded and made specific reference to ATLAS, the government initiative for Leeds which was one of the first cities to be offered support by the Homes and Community Agency's expert brokers who would spearhead a fresh drive to get stalled housing deals up and running and builders back on moth-balled sites. It was noted that the Chief Planning Officer had met with the ATLAS team)
- Clarification of what action the Council had taken on each site listed to proactively engage with owners and developers to help get as many of these stalled brownfield sites redeveloped for housing
- Clarification of the Kirkstall Forge Scheme
- The need for the Board to be supplied with details of the owners of non Brownfield sites where known
- The need for the Board to be supplied with details of the sites listed which were included in the SHLAA
- Clarification of the current position in relation to Shaftesbury Public House
(The Programme Manager agreed to investigate this issue and respond to the relevant Board Member)
- The need for the Acting Chief Asset Management Officer to go through the list of sites with a view to identifying the status of discussions and the prospect of future development and for this list to be circulated to all Members of Council
(The Acting Chief Asset Management Officer responded and agreed to undertake this area of work)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That a further report be submitted to the next meeting in November to include the following information:-

- details of the owners of non Brownfield sites where known
- which sites listed were included in the SHLAA
- what action the Council had taken on each site listed to proactively engage with owners and developers to help get as many of these stalled brownfield sites redeveloped for housing
- what progress had been made to date in relation to ATLAS, the government initiative for Leeds which was one of the first cities to be offered support by the Homes and Community Agency's expert brokers who would spearhead a fresh drive to get stalled housing deals up and running and builders back on moth-balled sites

51 Good practice guide to pre-application engagement

The Director of City Development submitted a report on the development of a good practice guide to pre-application engagement.

Appended to the report was a draft copy of a document entitled 'Good practice guide to pre-application engagement' for the information/comment of the meeting.

The following representatives were in attendance and responded to Members' queries and comments:

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Mr David Newbury, Area Planning Manager, City Development
- Ms Helen Cerroti, Development Project Manager, City Development

In her presentation, Ms H Cerroti informed the meeting that the guide was work in progress and that the Council was currently waiting for details of thresholds from the Government in relation to large scales of development.

Detailed discussion ensued on the contents of the report and appendices.

In summary, specific reference was made to a number of issues including:

- The need for a step by step guide that was more prescriptive and vigorous to assist developers
- Clarification if any training would be given to planning officers on the new areas of working
(The Development Project Manager responded and confirmed that training would be provided and a range of providers would be considered)
- The need to dispose of a telephone answering service within the Area Planning teams and to allow more one to one contact between officers and Elected Members)
(The Area Planning Manager responded and agreed to address this issue)
- The concerns expressed that Parish and Town Council's had not been consulted on the good practice guide and of the omission that there

was no reference to localism within the Neighbourhood Development Plans

- The need to acknowledge the importance of consulting with Elected Members and to ensure that all officers were suitably briefed in this area
(The Development Project Manager responded and made reference to the new protocol for City Plans Panel which would ensure that Elected Members would be better briefed on planning related issues, especially relevant to their ward)
- The view that there should be a mandatory requirement that communities were consulted on proposals relating to pre-planning applications. It was noted that the government had not progressed this proposal and it remained discretionary

The Executive Member, Neighbourhoods, Planning and Support Services informed the meeting that this guide was a 'living' document. He stressed that the authority could not force developers to consult but felt the development of a good practice guide for pre-application engagement was a positive approach.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the draft guide be received and noted.
- c) That a revised draft guide be submitted to the next meeting of the Scrutiny Board which encompasses a more prescriptive approach to providing clear guidance to developers as to the Council's expectations of effective community involvement at the pre-application stage of the planning process.

52 Recommendation Tracking on Housing Growth

The Head of Scrutiny and Member Development submitted a report on recommendation tracking on Housing Growth.

Appended to the report was a copy of the following documents for the information/comment of the meeting:-

- Recommendation tracking flowchart and classifications: Questions to be considered by Scrutiny Boards (Appendix 1 refers)
- Review of Housing Growth in Leeds (Appendix 2 refers)

The following representatives were in attendance and responded to Members' queries and comments:

- Mr S Speak, Deputy Chief Planning Officer, City Development
- Ms Maggie Gjessing, Housing Investment Manager, Environment and Neighbourhoods
- Mr Andrew Haigh, Regional Policy Team, Environment and Neighbourhoods

The Board's Principal Scrutiny Adviser informed the meeting that recommendations 4, 6 and 12 had been previously achieved and were not included within the report for consideration.

For the benefit of the meeting, the Chair went through each individual recommendation.

RESOLVED -

- a) That the contents of the report and appendices be noted.
- b) That the proposed category status of Appendix 2 of the report be dealt with as follows:-
 - Recommendation 1 change from category 4 to category 2
 - Recommendation 2 change from category 4 to category 2
 - Recommendation 3 change from category 4 to category 2
 - Recommendation 5 remains at category 4 and for the Principal Scrutiny Adviser to write to the Director of City Development seeking information on the take up of government incentives to progress brownfield sites in the city for redevelopment
 - Recommendation 7 remains at category 4
 - Recommendation 8 change from category 4 to category 2
 - Recommendation 9a change from a 4 to a category 2
 - Recommendation 9b change from category 3 to category 1
 - Recommendation 10 change from category 3 to category 4
 - Recommendation 11 remains at category 4 and that the Principal Scrutiny Adviser be requested to write to the Chief Planning Officer to identify why little or no progress had been made in establishing this working group
- c) That approval be given to those recommendations which no longer require monitoring in accordance with the report now submitted.

(Councillor D Nagle left the meeting at 12.25pm at the conclusion of the above item)

53 Community Infrastructure Levy - Establishment of a Working Group

The Head of Scrutiny and Member Development submitted a report on the establishment of a Community Infrastructure Levy Working Group.

Mr S Speak, Deputy Chief Planning Officer, City Development was in attendance and responded to Members' queries and comments.

The Chair referred to the Leeds Economic Viability Study being carried out by GVA Consultants and discussions held between himself, the Executive Board Member for Neighbourhoods, Planning and Support Services and appropriate officers concerning this study and proposals to establish this Working Group

In view of those discussions the Chair proposed that the Board agree the establishment of this Working Group but any meeting be postponed until such time that the consultants and officers had developed their position further and issues clarified.

Following a brief discussion, the Board agreed to the above proposal.

RESOLVED-

- a) That the contents of the report be noted.
- b) That approval be given to the establishment of a Community Infrastructure Levy Working Group but to postpone any meeting of the group until such time that officers and consultants had developed their position further and issues have been clarified which was likely to be early in the new year.

54 Population Projections

The Head of Scrutiny and Member Development submitted a report which included an update on the latest Census releases from ONS, the 2011 Mid-Year Estimates of Population, the Interim 2011-based Sub national Population Projections (SNPPs) and Conclusions and next steps.

Appended to the report was a copy of a document entitled 'Population Update: October 2012' for the information/comment of the meeting.

Mr S Speak, Deputy Chief Planning Officer, City Development was in attendance and responded to Members' queries and comments.

Detailed discussion ensued on the contents of the report and appendices.

In summary, specific reference was made to a number of issues including:

- Clarification as to why the Census figure in the 2011 Census update was significantly lower than previous estimates. It was stated that the problem with the ONS figures were that they are only trend based projections but the work the Council had undertaken using a variety of sources and material had helped the Council develop a base population figure
- Clarification as to whether the Council in any future appeals would use the GVA Consultants May 2011 figures or the current ONS projections *(The Deputy Chief Planning Officer responded that the ONS base date figures were widely out and suggested it would be better to stay with the GVA Consultants 2011 figures and the Strategic Housing Market Assessment (SHMA). Whilst the ONS figures showed a lower population of 750,700 as opposed to 755,580 in the SHMA this was marginal being only a 0.6% variance. If the ONS figure was carried forward you would need 88900 units by 2020/21 or 8,890 units a year and by extrapolating these figures on a pro rate basis to the life of the Core Strategy you would be 40,000 units short)*
- Clarification if detail of the figures could be broken down on a ward by ward showing ethnicity figures *(The Principal Scrutiny Adviser responded and agreed to provide this information to the relevant Board Member)*

RESOLVED-

- a) That the contents of the report and appendices be noted.

- b) That the Board notes the latest update on population projections issued by the Office for National Statistics in accordance with the report now submitted.

55 Work Schedule

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work programme for the current municipal year.

Appended to the report was a copy of the following documents for the information/comment of the meeting:

- Scrutiny Board (Housing and Regeneration) Work Schedule for 2012/2013 Municipal Year (Appendix 1 refers)
- Executive Board – Minutes of a Meeting held on 17th October 2012 (Appendix 2 refers)
- Forward Plan of Key Decisions – 1st October 2012-31st January 2013 (Appendix 3 refers)

The Principal Scrutiny Adviser, Scrutiny Support presented the report and responded to Members' queries and comments.

RESOLVED -

- a) That the contents of the report and appendices be noted.
- b) That the Executive Board minutes and Forward Plan be noted.
- c) That the work schedule be approved as now outlined.

56 Date and Time of Next Meeting

Tuesday 27th November 2012 at 10.00am in the Civic Hall, Leeds
(Pre-meeting for Board Members at 9.30am)

(The meeting concluded at 12.40pm)