



SCRUTINY BOARD (SUSTAINABLE ECONOMY AND CULTURE)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Tuesday, 23rd April, 2013 at 10.00 am

(A pre-meeting will take place for ALL Members of the Board at 9.30 a.m.)

MEMBERSHIP

Councillors

- M Rafique (Chair) - Chapel Allerton;
J Akhtar - Hyde Park and Woodhouse;
D Cohen - Alwoodley;
M Lyons - Temple Newsam;
P Wadsworth - Guiseley and Rawdon;
R Harington - Gipton and Harehills;
M Ingham - Burmantofts and Richmond Hill;
J McKenna - Armley;
B Urry - Roundhay;
J Chapman - Weetwood;
J Marjoram - Calverley and Farsley;

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

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</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 at least 24 hours before the meeting).</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</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>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p>No exempt items have been identified on this agenda.</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p>MINUTES - 3RD AND 9TH APRIL 2013</p> <p>To confirm as a correct record, the minutes of the meetings held on 3rd and 9th April 2013.</p> <p>(Copy of 9th April 2013 minutes to follow)</p>	1 - 4
7			<p>SCRUTINY INQUIRY - FLOOD RISK MANAGEMENT</p> <p>To receive and consider a report from the Head of Scrutiny and Member Development presenting information as part of the Board's inquiry into flood risk management.</p>	5 - 30
8			<p>RECOMMENDATION TRACKING</p> <p>To receive and consider a report from the Head of Scrutiny and Member Development requesting Members to confirm the status of recommendations from previous inquiries.</p>	31 - 40

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Agenda Item 6

SCRUTINY BOARD (SUSTAINABLE ECONOMY AND CULTURE)

WEDNESDAY, 3RD APRIL, 2013

PRESENT: Councillor M Rafique in the Chair

Councillors J Akhtar, D Cohen,
P Wadsworth, M Ingham, J McKenna,
B Urry, J Chapman, A Lamb, C Macniven
and N Walshaw

122 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

123 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

124 Late Items

There were no late items submitted to the agenda. However three pieces of supplementary information had been circulated in relation to Agenda Item 8 'Call In – Kirkgate Market Strategy'. The Supplementary Information was as follows:

- (a) Evidence submitted to Sustainable Economy and Culture Scrutiny Board regarding the Kirkgate Market Call In. 3rd April 2013;
- (b) Kirkgate Market Investment Case; and
- (c) Kirkgate Market Management Options Appraisal.

(Minute No. 128 refers).

125 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared to the meeting, however:-

In relation to the item entitled, 'Call In – Kirkgate Market Strategy', Councillor Lamb drew the Board's attention the fact that his business purchases produce from Kirkgate Market.

126 Apologies for Absence and Notification of Substitutes

Apologies for absence were received from Councillors M Lyons, R Harington and J Marjoram.

Also, in attendance was: Councillor C Macniven (as substitute for Councillor M Lyons); Councillor N Walshaw (as substitute for Councillor R Harington); and Councillor A Lamb (as substitute for Councillor J Marjoram).

127 Call In Decision - Briefing Paper

The Principal Scrutiny Officer informed Members of the Call In arrangements in accordance with the Council's Constitution and the options of action available to the Board. It was reported that the following options were available to the Board:

- Release the decision for implementation or; and
- Recommend that the decision be reconsidered.

128 Call In - Kirkgate Market Strategy

The report of the Head of Scrutiny and Member Development presented the background papers to a decision which had been Called In in accordance with the Council's Constitution. The decision was an Executive Board decision regarding the Kirkgate Market Strategy.

The Chair welcomed the following to the meeting:

- Councillor J Procter – Signatory to the Call In;
- Councillor B Anderson – Signatory to the Call In;
- Councillor R Lewis - Deputy Leader and Executive Board Member
- Councillor G Harper – Support Executive Member;
- Christine Addison – Acting Chief Asset Management Officer;
- Sue Burgess – Manager, Leeds Markets;
- Russell Stacher – representing Friends of Kirkgate Market; and
- Sarah Gonzalez – representing Friends of Kirkgate Market.

Councillors J Procter and B Anderson presented their arguments for calling in the decision. These included the following:

- The lack of stakeholder engagement in the planned changes to the market, specifically that consultation with market traders had not been sufficient and decisions on traders futures had been taken without their input;
- The lack of detail presented in the Executive Board report, particularly with regards to rents, compensation decanting and future numbers of traders;
- The lack of trader involvement in the evaluation process of the management options;
- Whether the Executive Board minute adequately reflected Members' wishes;
- Lack of detail in the Market Investment Case to underpin assumptions made;
- The failure of proposals to address the need for closer working between traders and management; and
- Concern over the effects of the changes to the market traders livelihoods.

Russell Stacher and Sarah Gonzalez outlined the importance of Kirkgate Market to Leeds and highlighted the value that can be achieved when shopping in the market. They questioned the viability of the market in terms of rents currently charged. They also considered that the loan of £12.3 million to fund changes to the market and the targets for its repayment were overly ambitious and suggested that this would require substantial rent increases which could cause hardship to traders. They questioned the methodology used in the Investment Case, and whether wider social and economic impacts had been properly considered.

Councillor R Lewis, Councillor G Harper and officers were invited to respond to the issues raised by Councillors Procter and Anderson and also to respond to questions raised by Members of the Scrutiny Board.

Specific discussion took place around the nature of the Executive Board report. It was stressed by Councillor Lewis and officers that the report presented to Executive Board set out a series of principles and that worked up options would need to go back to Executive Board at the appropriate time. This was the main reason for the lack of specific operational detail in a number of the areas raised by Councillors Procter and Anderson.

Other areas of discussion included:

- Consultation methods
- Management option appraisal
- Assignment rights of traders
- Relationships between management and traders
- Lettings policy
- Management experience and expertise
- Underlying causes of market decline
- The importance of the Market in terms of the City's retail offer and as a source of employment.

129 Outcome of Call In

Following a vote by Members present, it was:

RESOLVED

- (a) to release the decision for implementation; and
- (b) To make the following recommendations:
 - (i) That the right to assign leases be maintained for all new lease holders;
 - (ii) That under whatever alternative Leeds City Council management model is adopted the urgent need to address the perceived negative and sometimes confrontational nature of the relationship between management and traders; and
 - (iii) The need to reassess consultation methods and opportunities as the principles identified in the Executive Board report are progressed with the objective of ensuring greater 'buy in' and involvement of traders.

130 Date and Time of Next Meeting

10.00am Tuesday 9th April 2013. (A pre-meeting for Members will take place at 09:30am).

Report of Head of Scrutiny and Member Development

Report to Scrutiny Board (Sustainable Economy and Culture)

Date: 23 April 2013

Subject: Scrutiny Inquiry – Flood risk management

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. At its meeting in October 2012, the Scrutiny Board received a briefing on the statutory role of the local authority in relation to flood risk management, including the scrutiny role, as defined within the Flood and Water Management Act 2010. As a result of this briefing the Board decided that it would be appropriate to carry out an inquiry focusing on the work of the council and its partners to address flood risk in Leeds.
2. The attached terms of reference for the inquiry were agreed by the Board in November 2012 (Appendix 1).
3. The inquiry will take place at this meeting. The following reports from the Director of City Development and the Director of Environment and Neighbourhoods are attached providing evidence for the inquiry in line with the terms of reference:
 - Background report – Appendix 2
 - Outline of flood risk policies and procedures (Planning) – Appendix 3
 - Gully Cleaning and Maintenance – Appendix 4
4. Executive Members and officers from the relevant council services will be at the meeting to respond to members' questions and comments. A representative from the Garforth Flood Support Group has also been invited to attend the Board as an example of partnership working at a local level.
5. In line with the evidence required for the second session of the inquiry, representatives from Yorkshire Water and the Environment Agency will attend to discuss the role and contribution of these partners in managing flood risk in Leeds.

Recommendation

6. The board is requested to consider the issues raised by the inquiry.

Background documents¹

None used

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Scrutiny Board (Sustainable Economy and Culture)

Flood Risk Management

Terms of reference

1.0 Introduction

- 1.1 The Flood and Water Management Act 2010 requires all lead Local Flood Authorities to review and scrutinise the actions of Flood Risk Management Authorities that may affect their local area.
- 1.2 The Scrutiny Board (Sustainable Economy and Culture) has been designated as the relevant Scrutiny Board to undertake this statutory scrutiny function for Leeds.
- 1.3 The Scrutiny Board received briefings on the flood risk management function in March and October 2012. Arising from these briefings the Board decided to carry out some further in depth inquiry work with council services and partners.
- 1.4 It was agreed that this further work should focus on the following areas:
 - How well the relevant council services perform their respective roles;
 - The role of Yorkshire Water; and
 - The role of the Environment Agency
- 1.5 The authority is required to prepare a Local Flood Risk Management Strategy, which forms part of the council's budget and policy framework. If the draft strategy is at an appropriate stage of development, it will be considered by the Board as part of the inquiry in line with the budget and policy framework procedure rules.

2.0 Scope of the inquiry

- 2.1 The purpose of the Inquiry is to make an assessment of and, where appropriate, make recommendations on the work of the council and its partners to address flood risks in Leeds.
- 2.2 The Board hopes that its findings will provide a timely and positive contribution to the development of the city's flood risk management approach.

3.0 Comments of the relevant director and executive member

- 3.1 Scrutiny Board procedure rules require that the Board consults with the relevant Executive Member and Director on the terms of reference for its inquiries. Any views will be communicated to the Board.

4.0 Timetable for the inquiry

- 4.1 The inquiry will take place in spring 2013.
- 4.2 The inquiry will conclude with the publication of a formal report setting out the board's conclusions and recommendations.

5.0 Submission of evidence

5.1 Session One – Scrutiny Board meeting 23 April 2013

The evidence for this session will cover the role and contribution of the various relevant council services including the Flood Risk Management team, Highways, Planning and Neighbourhood Management/Locality Teams (with regard to gully maintenance) to managing flood risk in Leeds.

5.2 Session 2 – Scrutiny Board meeting 23 April 2013

The evidence for this session will cover the role and contribution of Yorkshire Water and the Environment Agency to managing flood risk in Leeds.

- 5.3 If the draft Local Flood Risk Management Strategy is at an appropriate stage of development, it will be considered by the Board as part of the inquiry.
- 5.4 The inquiry will be supported by officers from City Development Directorate and Environment and Neighbourhoods. Yorkshire Water and the Environment Agency will also be invited to participate.

6.0 Equality, Diversity and Cohesion and Integration Issues

- 6.1 Where appropriate, all terms of reference for work undertaken by the Scrutiny Boards will include
To review how and to what effect consideration has been given to the impact of a service or policy on all equality areas, as set out in the council's Equality and Diversity scheme, and on the council's Cohesion and Integration Priorities and Delivery Plan.
- 6.2 This inquiry is not specifically related to any of the council's Equality Improvement Priorities.

7.0 Monitoring Arrangements

- 7.1 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.

- 7.2 The final inquiry report will include information on the detailed arrangements for monitoring the implementation of recommendations.

8.0 Measures of success

- 8.1 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.
- 8.2 The Board will look to publish practical recommendations.

Report of Flood Risk Manager**Report to Scrutiny Board – Sustainable Economy and Culture****Date: 23 April 2013****Subject: Inquiry into Flood Risk Management – Background Report**

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. This report provides background information for the inquiry into Flood Risk Management.
2. It provides information on the common sources of flooding and services' response to flood incidents together with information on the Flood & Water Management Act 2010 (F&WM Act 2010).

Recommendations

3. Members of the Board are recommended to note the contents of this report and give due consideration to the information provided within the context of the scrutiny inquiry.

1 Purpose of this report

- 1.1 This report provides background information for the inquiry into Flood Risk Management. It provides information on the common sources of flooding and services' response to flood incidents together with information on the F&WM Act 2010.
- 1.2 This report does not specifically consider the Leeds Flood Alleviation Scheme which is being developed as a major capital project in its own right and may be subject to separate scrutiny arrangements.

2 Background information

- 2.1 Leeds has suffered from a series of floods over the last 12 years, which have caused substantial damage and hardship to communities across the District.
- 2.2 Following a series of serious floods around 2005 the Council decided to invest additional resources in Flood Risk Management (FRM), and to Cleansing for increased levels of gully emptying and street sweeping.

The FRM team undertakes:

- The role as Lead Local Flood Authority (LLFA) for Leeds City Council.
- Implementation of the LLFA duties under the Flood and Water management Act 2010.
- Development of strategies for Flood Risk Management.
- The mitigation of flood risk due to the impact of development, through the planning system.
- Inspection, maintenance and repair of watercourses.
- Inspection and Maintenance of the Local Authority owned pumping Stations.
- Reservoir Supervision and inspections.
- Design, procurement and implementation of Flood Alleviation Schemes.
- Records of the Local Authority drainage system
- Maintaining strong and close links with the Environment Agency, Yorkshire Water, other key partners, and Risk Management Authorities.

- 2.3 Around the time that this was being implemented there were major floods across the country, during the summer of 2007. The results of this were devastating in many communities and the Government set up the Pitt Review into flooding. This came up with 93 recommendations, eventually leading to the F&WM Act 2010.

3 Main issues

3.1 Sources of Flooding

- Designated Main Rivers – the powers to deal with this rest with the Environment Agency; these tend to result in the largest scale floods and can have the greatest impact on homes and businesses. Projects are usually undertaken by the Environment Agency with input from the Local Lead Flood Authority (LLFA) such as Leeds.

There are currently some new issues at the old St. Aiden's opencast site adjacent to the River Aire. The flooding here affects homeowners and highways infrastructure. Flood Risk Management is working closely with the Environment Agency in seeking a resolution to this.

Flood Risk Management also work closely with the Peace and Emergency Planning Team to ensure that when flooding occurs, or is forecast, that designated Flood Wardens are advised and appropriate sandbag distribution takes place. Emergency call-out procedures are in place for the FRM Contractors.

- Ordinary Watercourses – the powers to deal with this rest with the Local Authority. Generally these have less impact than river flood events – however they are a major source of flood risk and it is essential that preventative measures are taken to alleviate the risks. These watercourses form an extensive network within the city and can be both open channels or culverted, the capacity of which may be insufficient to accommodate water flows during heavy rainfall resulting in flooding. The main water courses within the Leeds boundary are maintained through the FRM team by a dedicated Contractor.

95 blockage 'hot spots' have been identified on the basis of detailed flooding records and the amount of debris that tends to accumulate at each one. Each 'hot spot' has been given a risk ranking, in terms of the required clearance frequency. In addition to this work, FRM have also provided individual 'Property Protection' to over 70 homes at significant risk of flooding.

- Surface Water run-off from open spaces – one of the most difficult flood issues to deal with due to the complexity of drainage law and as the 'general right' for run-off from higher ground to enter lower land. This includes boundary ditches which overflow and ditches adjacent to the highway. The Lead Local Flood Authority does have permissive powers to take action, but as these incidents are nearly always private disputes between landowners, this is rarely, if ever, undertaken.

When the ground is saturated (as in recent years) this is one of the most commonly reported form of flooding, and can be as high as 80% of the reported incidents. One of the largest landowners in the area is Leeds City Council - recreation fields, open spaces and parklands. FRM have provided advice and solutions for some of the major problems relating to these areas.

- Highway Flooding – the responsibility for draining the highway rests with the Highway Authority. Clearly the drainage infrastructure is not able to deal with every eventuality and therefore there are occasions where flooding of the highway and surrounding area occurs. This also is a very commonly reported form of flooding, which is usually via the Leeds City Council Call Centre hotline. It is significant as it can occur very quickly following a rainstorm, is very visible and therefore immediately apparent to the public. This can account for 90% of the reported forms of flooding that FRM deal with.
- Sewers – the majority of sewers are adopted by the Water and Sewerage Company (WASC) but some are private. There are three types of sewers: Foul - that should just take the foul water from inside properties and from commercial effluents; Surface Water - that take flows from roofs, yards,

drives, highways and other developed areas where rainfall lands; and Combined - which transport flows from both foul and surface water. We are concerned here with the flooding caused by rainfall, which can result in flooding of properties either because of excessive rainfall or because of blockage of the system.

Sewage flooding is highly obnoxious due to the content and the threat to human health. Yorkshire Water, or the private owner, is responsible for rectifying flooding from this source. They have threshold targets set by OFWAT to reduce the amount and frequency of flooding. Leeds Flood Risk Management always notify Yorkshire Water of reported sewage flooding, but will also respond and investigate if it is considered an emergency (out of hours) or there is an immediate threat to human health.

3.2 *The Flood and Water Management Act 2010*

3.2.1 Under the new Act the Council is now the Lead Local Flood Authority (LLFA) with the lead regarding surface water and groundwater flooding, as well as ordinary watercourses. It also included the following additional duties :

- Develop a Local Strategy for Flood Risk Management.
- Investigate local flood issues – publishing those for key floods.
- Maintain a register of structures and features that have an impact on flood risk.
- Designate third party assets – that are key to flood risk management.
- Approval of works on Ordinary Watercourses – previously an EA role.
- Set up Scrutiny of the way all Agencies are dealing with flood risk issues.

3.2.2 Roles of the Flood Risk Management Agencies:

- The Environment Agency (EA) – provides an overall control of flood risk, with a lead regarding Main Rivers and managing Grants for flood alleviation schemes. They have prepared a National Flood Risk Strategy, which has been adopted by Government. Locally the works of the EA in flood risk management are directed by the Yorkshire Regional Flood & Coastal Committee – Leeds City Council's representative on this committee is currently the Executive Member for Development & the Economy.
- Yorkshire Water – are responsible for flooding from their sewer network.
- LCC as Local Highway Authority – the draining of the highway network and issues with their systems.
- Highways Agency – The draining of motorways and issues with their systems.
- Internal Drainage Board – the maintenance of nominated watercourses within their boundary and any flood alleviation systems, such as pumping stations. Within Leeds District there is only one IDB and that is Ainsty IDB, which covers small areas in the north east of the District – around Wetherby and Thorp Arch.

- The LLFA – for Leeds CC that is FRM – see duties above. FRM also continues to carry out its ongoing roles that include commenting on Planning Applications, maintenance of Council watercourses & flood hot spots, inspection of watercourse and implementation of flood alleviation schemes.

Now, more than ever before, the above organisations need to work in partnership to address the flood issues we all face. Therefore a number of working groups have been set up to move various issues forward and to ensure the partnership arrangements are robust, these include:

- The West Yorkshire Flood Risk Partnership – that looks at a strategy for all 5 of the districts in West Yorkshire and includes representatives from the Environment Agency; Yorkshire Water and the Regional Flood & Coastal Committee
- Leeds Planning & Flood Forum – that examines how planning and flood risk work and brings together Leeds officers from Planning, Development Control, Emergency Planning and Flood Risk Management, together with representatives from the EA & YW.
- Leeds Flood Technical Forum – where detailed flood issues are discussed between representative from Flood Risk Management, Highways, YW and the EA.
- West Yorkshire Land Drainage Officers – a forum where the various officers meet to discuss where land drainage and flood risk are going - this is attended by representatives from the surrounding authorities, YW & the EA.
- Yorkshire & Humber Learning & Action Alliance – a loose grouping of various interested parties involved in Flood Risk Management, where knowledge can be exchanged and working groups are set up to attack new issues that arise.

3.2.3 The SuDS Regulations:

Included within the Act were Sustainable Drainage Regulations that would require the LLFAs to set up an approval body to consider the implication of all development on the drainage regime – as yet this hasn't been enacted but is expected to be brought in from April 2014. The main issues around this are:

- That no development would be allowed to commence without the approval of the SuDS Approval Body (SAB) – to be set up by the LLFAs, fees will be charged for this process.
- The drainage proposals for all development would have to take account of Sustainable Drainage principles – where impacts of quantity and quality are considered.
- The SAB would sit alongside the Planning and Building Control processes, its decisions would relate to National Standards.
- Once the development is completed the SAB must adopt the SuDS and maintain it – DEFRA are currently looking at the funding of this process.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.4 This report is part of a series of consultations and engagements with a number of bodies and the public on how Leeds CC should approach the risk of flooding we face.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An Equality, Diversity, Cohesion & Integration Screening exercise has been undertaken as part of developing initial proposals for a draft Local Flood Risk Strategy. No positive or negative impacts were identified, and the screening determined that a formal Equality Impact Assessment was not required at this time.

4.3 Council policies and City Priorities

4.3.1 The approach to flood risk management is in keeping with Council Policies and City Priorities, to reduce the risk of flooding to various communities, industrial premises and the environment.

4.4 Resources and value for money

4.4.1 There are resources issues for the Council in ensuring that flood risk is managed effectively.

4.4.2 Legal Implications, Access to Information and Call In

4.4.1 The Council has statutory obligations regarding flood risk.

4.5 Risk Management

4.5.1 There are risks to the public from flooding and also risk to the Council from how we deal with these issues. This scrutiny inquiry will assist in ensuring the Council is managing risk associated with flooding correctly.

5 Conclusions

5.1 Flooding is a significant risk for the city and the consequences of flooding can be catastrophic for individuals and for communities. It is important that all the flood risk agencies work effectively in partnership in order to mitigate and manage the risks. New legislation (F&WM Act 2010) places more emphasis on agencies working together effectively to manage flood risk and it specifically allocates new statutory duties to the Council as Lead Local Flood Authority, including the duty to produce a Local Flood Risk Strategy that is subject to consultation and scrutiny.

6 Recommendations

6.1 Members of the Board are recommended to note the contents of this report and give due consideration to the information provided within the context of the scrutiny inquiry.

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Report of : Director of City Development
Report to : Scrutiny Board (Sustainable Economy and Culture)
Date: 23 April 2013
Subject: Outline of flood risk policies and procedures

Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. This report responds to the request from Scrutiny Board (Sustainable Economy and Culture) to provide a detailed explanation of how flood risk is taken into account in the development process in Leeds.

Recommendation

2. Scrutiny Board are requested to note the information contained within this report.

1 Purpose of this Report

- a. The purpose of this report is to provide a detailed explanation of how flood risk is taken into account in Plan-Making and in Development Management in Leeds. It gives some context on Government advice to planners in the National Planning Policy Framework and on the local flood risk policies that have been adopted by the Council. It goes on to explain the internal processes that are used to put the policies into practice.

2 National Planning Context

- 2.1 In England, the National Planning Policy Framework (NPPF) issued in March 2012 has replaced Planning Policy Statement 25 'Development and Flood Risk'. However, the policy principles remain unchanged, supporting Technical Guidance has been issued and the associated Practice Guide remains in place until the Government chooses to replace it.
- 2.2 Paragraphs 93 to 94 and 99 to 104 of the NPPF provide policy guidance relating to flood risk. The essential message is to **avoid** development in flood risk areas and where it cannot be avoided (because many towns and cities are located on rivers) then it is important not to increase **vulnerability** to the risks of flooding. This means making sure that development is safe, that inappropriate uses, such as residential, are directed away from the most risky areas and that development does not make flooding worse elsewhere.
- 2.3 The NPPF requires that the preparation of Local Plans is informed by a Strategic Flood Risk Assessment. In Leeds the Strategic Flood Risk Assessment was prepared in November 2007 and is discussed further in section 3.0 below. The Strategic Flood Risk Assessment should be used to enable a sequential, risk-based approach to the location of development so that new development is steered to areas with the lowest flood risk probability. This is called the Flood Risk Sequential Test. It is used at the plan-making level and also at the planning application level where applicants for development in flood risk areas are required to demonstrate that there are no other reasonably available sites, in an area with a lower probability of flooding, that could accommodate the development.
- 2.4 Providing the Sequential Test is passed, an Exception Test may also be required. The Technical Guidance to the NPPF explains when the Exception Test needs to be applied. The Technical Guidance explains the different flood risk probability zones, with Zone 1 being low probability and Zone 3a being high probability. It defines which uses are appropriate in different flood zones. Uses are classified according to their 'vulnerability', with residential development classed as 'more vulnerable' and shops and offices classed as 'less vulnerable'. Planners are expected to ensure that the vulnerability of the proposed development is compatible with the flood zone. For example, highly vulnerable uses are not compatible (or appropriate) in flood zone 3a. In some cases the uses may be incompatible but can be allocated or permitted providing the Exception Test is passed.
- 2.5 In order to pass the Exception Test the proposed development must:
- demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by the Strategic Flood Risk Assessment; and
 - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 2.6 At all levels of development planning, the decision-making process should be informed by Flood Risk Assessments. This is the Strategic Flood Risk Assessment at the plan-making level and it is the site specific flood risk assessment at the planning application level.

- 2.7 The Government has recognised that there has been an increase in flood risk caused by the paving over of driveways. In October 2008 the General Permitted Development Rights Order was updated so that planning permission is now required to lay impermeable driveways between a building and the highway. This encourages people to use porous surfacing and has given the Council some leverage to be able to get flood risk management benefits, eg soakaways, provided on private drives.

3 Local policies

- 3.1 The Planning and Compulsory Purchase Act 2004 brought in a new system of plan-making under the Local Development Framework (LDF). This is a suite of policy documents rather than one big Plan. As such policies in the adopted Unitary Development Plan (Review 2006) are gradually being replaced by documents being prepared as part of the Leeds Local Development Framework.
- 3.2 The Core Strategy will be the principal over-arching document in the LDF and the other policy documents should be in conformity with it. In Leeds the Core Strategy has been through successive rounds of public consultation and is now at a point where it is ready for Submission to the Secretary of State for independent examination by an Inspector appointed by him. The Core Strategy includes the following flood risk policy:

POLICY EN5: MANAGING FLOOD RISK

The Council will manage and mitigate flood risk by:

- (i) Avoiding development in flood risk areas by applying the sequential approach and where this is not possible by mitigating measures, in line with the NPPF, both in the allocation of sites for development and in the determination of planning applications.
- (ii) Protecting areas of functional floodplain as shown on the Leeds SFRA from development (except for water compatible uses and essential infrastructure).
- (iii) Requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate.
- (iv) Reducing the speed and volume of surface water run-off as part of new build developments.
- (v) Making space for flood water in high flood risk areas.
- (vi) Reducing the residual risks within Areas of Rapid Inundation.
- (vii) Encouraging the removal of existing culverting where practicable and appropriate.
- (viii) The development of the Leeds Flood Alleviation Scheme.

- 3.3 Detailed flood risk policies are included within the Natural Resources and Waste Development Plan Document (DPD), which has been examined and found to be 'sound' and was adopted by the Council on 16th January 2013. The flood risk policies in this Plan were prepared through a special forum that was set up with the Environment Agency, Yorkshire Water and colleagues in the Council's Flood Risk Management, Forward Planning and Development Management sections. This meant that the policies had a very high level of consensus and went through the examination process unchallenged.

- 3.4 The flood risk policies in the Natural Resources and Waste DPD include policies on water efficiency and protection of water quality. They also ensure that we make space for water by protecting areas of functional floodplain (as defined in the Leeds Strategic Flood Risk Assessment) from development. Policy Water 4 in the Plan seeks to ensure that for all developments (commensurate with the scale and impact of the proposals) there is consideration of the effect of the development on flood risk, both on and off site. This means that where it is clear that there is unlikely to be any flood risk to the site and no possibility of impact on others, then a simple statement to that effect may be all that is required but where there is the potential for flood risk to the site or to others then a Flood Risk Assessment (FRA) is required. An FRA is also required for any site which has to pass the Exceptions Test as required by the NPPF.
- 3.5 The Local Plan policies take forward the provisions of the NPPF in requiring developers to pass the Sequential Test. In order to do this they need to provide a report with the planning application that demonstrates that there are no other reasonably available sites in a lower risk flood zone which could accommodate the development. The Sequential Test should be informed by the Leeds Strategic Flood Risk Assessment (SFRA) as this document not only shows the flood zones across the District but also provides a further sub-division of Zone 3a high probability into Zone 3a(i) and Zone 3a(ii). This is important for Leeds because the Council would not wish to abandon large parts of the urban area that are affected by potential flooding from the Rivers Aire and Wharfe. The refinement of Zone 3a provided by the SFRA gives a developer the opportunity to place uses within a site so that the open space and less vulnerable uses are in the more risky parts of the site and the more vulnerable uses are in the least risky parts of the site.
- 3.6 As well as managing the effects of river flooding, we also have to manage the effects of flooding from surface water run-off. With climate change it is expected that there will be more extreme weather events. Smaller watercourses and drains are more susceptible than the large river systems to flash flooding caused by localised intense rainfall. The Local Plan therefore requires all developments to ensure that there is no increase in the rate of surface water run-off. On previously developed sites peak flow rates must be reduced by at least 30%. The Council has operated this requirement for some time through the Minimum Development Control Standards for Flood Risk provided by the Flood Risk Management Section of the Council. Additionally, Supplementary Planning Guidance SPG22, Sustainable Urban Drainage, June 2004, provides advice to developers on how to comply with this requirement.

4 Other Relevant Flood Risk Documents

- 4.1 Plans prepared by the Environment Agency also have implications for flood risk and development. The Environment Agency has its own tier of plans for flood risk management. At the strategic level there are the Catchment Flood Management Plans (CFMPs) for the River Aire, River Calder and River Ouse (which covers the River Wharfe) and at the local level there are the Flood Risk Management Strategies. The CFMPs give an overview of the flood risk across each river catchment. They recommend ways of managing those risks now and over the next 50-100 years including recommendations for the most appropriate land uses. The Forward Planning section of the Council worked with the Environment Agency to ensure some alignment between these plans and our own spatial planning for growth.

- 4.2 The Water Framework Directive (WFD) is a substantial piece of European legislation that aims to achieve 'good ecological and chemical status' in surface waters and 'good chemical and quantitative status' in groundwaters by 2015. It introduces a system of regional River Basin Management Plans across England and Wales. Leeds comes under the Humber Basin River Management Plan, December 2009. Objectives of the WFD include water protection, improvement and sustainable use achieved by partnership working with many people and organisations. Leeds contributes to achieving these objectives through the water policies in the Natural Resources and Waste DPD.

5 Flood Risk and Development in Practice

- 5.1 Significant schemes are often subject to pre application discussions and the potential impact on flood risk is normally identified at this stage and the documents which will need to be submitted at planning application stage. This could include a sequential test and flood risk assessment as well as a detailed drainage strategy. Liaison with other agencies including the Environment Agency, Yorkshire Water and the Flood Risk Management section of the Council often takes place at this stage.
- 5.2 When an application is submitted validation checks are carried out to ensure all the required information in accordance with our validation criteria have been submitted. The application is then advertised, local people are notified and consultees informed about the submission. The Flood Risk Management section of the Council, Yorkshire Water and the Environment Agency are regular consultees on major applications and all are normally involved in drainage and flood risk issues. Any issues arising from local people in representations regarding flooding are normally referred onto consultees for comment.
- 5.3 A critical part of the application process is the assessment of the application by officers. Major and sensitive schemes will often be referred to Plans Panel for decision and flood risk will be one of the issues which will be considered. Decisions have to be made which are in accordance with the Development Plan unless material considerations indicate otherwise. The policy framework identified in this report in relation to the NPPF, the adopted policies of the UDP and the recently adopted policies of the Natural Resources and Waste DPD form the backdrop against which flooding issues are judged. Whilst flooding is just one issue and a complex scheme may raise many issues which need to be balanced and weighed in reaching a decision it is true to say that the impact of flooding is important and significant effort is often put in to find solutions on difficult or problematic sites.
- 5.4 The Environment Agency play a key role in the process as they are a Statutory Consultee and have powers to request the Secretary of State to call in an application for determination if their advice is not being followed. This power is rarely used however as agencies work together cooperatively and positively to address issues and bring forward sustainable development in the right locations and where it is safe to live and work.
- 5.6 On the approval of applications conditions are often imposed to cover the drainage details, the implementation of drainage improvements recommended in flood risk assessments and the level at which schemes can be built if they are in a flood risk zone. Conditions are then discharged as schemes progress working together with consultees. If conditions are not discharged properly or development is not proceeding in accordance with approved details then a range of enforcement powers are available for the Council to take.

- 5.7 Co-operative working between the relevant agencies dealing with flood risk has resulted in an up to date set of planning conditions which have been agreed and implemented in the last year.
- 5.8 Experience from development on the ground has also led to improvements being introduced. Problems experienced at a Greenfield housing site in Garforth have led to the introduction of a new planning condition to control interim drainage measures which may be needed in the development of a site before the main infrastructure is put in place.

6 Next Steps

- 6.1 The Forward Planning section will be submitting the Core Strategy to the Secretary of State at the end of April. It will then be the subject of an Examination in Public by an independent Inspector. Following that the Council aims to adopt the Core Strategy by the end of 2013. The Core Strategy will steer growth in the district over the next 16 years. Although the amount of growth that Leeds has to accommodate is significant, the Core Strategy has been prepared to take account of flood risk through the application of the Sequential Test. This means that, as far as possible, new development is largely planned to avoid the highest flood risk areas but with regard to the need to factor in other sustainability issues such as making the best use of brownfield land, reducing the need to travel by private car, ensuring that centres are vibrant and to minimize the need to take green belt land for development. Inevitably, these issues mean that some development will unavoidably be in areas with some flood risk and in these cases it is about ensuring resilience and safety as far as possible.
- 6.2 The Council is advancing a Flood Alleviation Scheme for the River Aire as it flows through the heart of Leeds and has received some significant Central Government money towards the first phase. The first phase of the scheme will provide a defence to the 1 in 75 year standard and consists of movable weirs and the removal of the Knostrop Cut. Planning and Listed Building applications for this first phase were considered by Members at the City Plans Panel meeting on 17th January 2013 when Members resolved to defer and delegate approval to the Chief Planning Officer following referral to the Secretary of State. The second phase of the scheme will be achieved through construction of hard defences and upstream storage / land management initiatives, such as woodland creation. Once the scheme is complete the Council could consider updating its Strategic Flood Risk Assessment to re-draw the flood zones to take account of the defences. If this is not done, the current flood zones will remain, meaning that there will be policy hurdles to overcome for developments even though they are now protected by the Flood Alleviation Scheme.
- 6.3 Funding of the complete Scheme remains an issue for the Council. One possible source of some funding could be secured through the introduction of the Community Infrastructure Levy (CIL). The Council has to produce a 'Regulation 123 list' before the next round of formal public consultation on the CIL (anticipated Autumn 2013), which sets out broadly what the Council intends to spend the CIL on. It is currently assumed that the FAS would be on the R123 List as it is clearly a strategic item of infrastructure. However, the apportioning of the CIL revenue both between projects and between strategic / local projects has not yet been decided. Consultation is due soon on the draft CIL charges but it is already clear that in the current market conditions CIL revenues will only generate a small element of overall infrastructure funding needed to support substantial future growth in the city .

- 6.4 Section 106 contributions will continue to be collected, as at present, for anything which is required in relation to a specific site in order to make it acceptable in planning terms.

7 Consultation and Engagement

- 7.1 This report provides background information only and therefore has not been subject to consultation.

8 Equality and Diversity / Cohesion and Integration

- 8.1 There are no direct issues arising from this report.

9 Council Policies and City Priorities

- 9.1 The Leeds Flood Alleviation Scheme is a priority project in the Council Business Plan 2011 to 2015. The Vision for Leeds 2011 to 2030 recognises that tackling climate change is a major challenge for Leeds and states that by 2030 Leeds will be a city that has adapted to changing weather patterns.

10 Resources and Value for Money

- 10.1 This report has no direct resource implications.

11 Legal Implications, Access to Information and Call In

- 11.1 There are no legal obligations associated with this report.

12 Risk Management

- 12.1 There are no risk management issues with this report.

13 Conclusions

- 13.1 This report describes the national and local policies that are in place to ensure that the flood risk implications of development are fully considered. It goes on to explain how the policies are applied in practice by planners through the development management process.

14 Recommendation

- 14.1 Members are asked to note and comment on the contents of this report.

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Report of: Chief Officer Environmental Action, Head of Engineering Service

Report to: Scrutiny Board (Sustainable Economy and Culture)

Date: 23rd April 2013

Subject: Briefing note: Flood Risk Management: Gully Cleaning & maintenance

1. Background

- 1.1 Maintenance and cleansing of the road drainage system has its part in minimising the accumulation of water on roads and pavements both for safety and to prevent accelerated deterioration of the road surface and increased maintenance costs. It is also important to maintain and clean the whole drainage system to ensure that it works as intended and to prevent inadequate systems in one area overloading systems in lower areas.
- 1.2 The total number of gullies in the city is approximately 140,900. These are installed, maintained and repaired by Highways & Transportation in City Development and cleansed by Locality Teams in Environment & Neighbourhoods.
- 1.3 There has been a focus on the maintenance of road drainage systems in Leeds for a number of years. The floods in Leeds of 2004 and 2005 prompted the creation of the corporate Water Asset Management Group with funding allocated to complete a number of projects. The projects included establishing a full inventory of road gullies and combined kerb drainage systems between 2006 and 2010. The gully cleansing work was further enhanced through this funding and in 2011, five gully tankers were on the road, each crewed by two people. These vehicles / crews were allocated a programme of work with a theoretical cleansing frequency of once every nine months. In reality, this was never achieved due to vacancies and absences in the team.

2. Current Service delivery: Gully Cleansing

- 2.1 Whilst gullies are currently serviced by services across two Directorates, there has been an improvement in co-ordination and information sharing in recent years. This has enabled the information on the stock to directly inform the programme of cleansing. The delegation of this work to Area Committees in 2011 has also increased the direct influence of local ward Members to the programme of work to deal with very local hot spots.
- 2.2 The cleansing service now operates with one dedicated gully tanker per locality area with another two operating in the city centre and on city wide hot spots which need servicing more frequently. These latter hot spot gullies are attended to every 3 months and a programme is in place to deal with the standard gullies elsewhere, which make up the vast majority across the city.

2.3 The frequency of gully cleansing across the three localities currently varies from 9 months to 18 months. This frequency can occasionally be disrupted by the need to provide support or responses to road incidents which can often result in tankers being out of service for a whole day. Another reason for disruption to programmed cleansing is through responding to flooding on key routes which has recently become more frequent. The service in locality teams operates on a cyclical ward by ward basis with gullies being serviced 7 days a week across two shifts. In all locality areas, there is an element of the 7 day working week set-aside for reactive work of usually 1 day. Currently the frequency is largely determined by sheer capacity to get round the 141,000 gullies in the city. The introduction of metered hydrants two years ago has also had an adverse effect on the amount of down-time for gully tankers - it can now take up to 2 hours to re-fill a tanker. We are not yet fully using the recycled water held on the tankers as opposed to fresh water to rinse and jet, which takes time to draw-off.

3. Highways Operations

3.1 Highways Inspectors report all gullies that appear not to be working properly during their routine safety inspections to the Locality Teams. Inspections are carried out monthly on main roads and between quarterly and annually on side roads. Blocked gullies are reported to Locality Teams for cleansing. Where gullies cannot be cleaned by routine operations they are referred to the Highway Maintenance team for a specialist contractor to be sent to clear blockages.

4. 'Blocked' gullies: Service Demand

4.1 The reports of blocked gullies received since last summer are shown below. This includes problems where a blockage is the assumed cause of localised flooding, only to discover that the gully is in fact defective or simply unable to cope with the quantity of water present. The figures below should be seen in the context of having experienced record levels of rainfall and surface water run-off in 2012.

West / North West: 316 or 12 /wk

South South East: 336 or 14 per week

East / North East: 413 or 17 per week

City Centre / City Wide: 73 or 3 per week

An out of hours wet weather response service is in place and was called out 36 times in the last six months.

5. Current Issues

5.1 Communications & feedback loops

5.1.1 The current feedback of intelligence from gully crews on gullies found to be defective is not completely reliable. Some forms and processes are not standardised and are largely paper based.

5.1.2 The recent delegation and accountability of gully cleansing services to area committees has acted as a driver for more regular communication on referrals back to highways from cleansing for issues such as 'collapsed gullies'. The scrutiny from area committees and increased locality focus of the cleansing service has also triggered improved dialogue and communication with highways teams on issues such as repair time-scales for gully work etc. An electronic process for the referral of gully work from Cleansing to Highways is being investigated but challenges remain in terms of different IT management systems in the two services. More influence is expected from ward members on local capital works - Highways are now regularly attending area committee environmental services sub-groups across the city and the next round of area committee environmental service level agreements will be produced from July 2013. Local task groups are also in operation in each locality bringing highways and cleansing officer and crews together to problem solve and action plan issues with gully cleansing and maintenance.

5.2 Cleaning 'Kerb Drainage Blocks' & Channels etc

5.2.1 The cleaning of these drainage systems is complex and time consuming. They are often located on high speed roads (see below). Usually a drain of this type consists of a channel and gully pots at set intervals. These blocks are currently not included on ward cleansing schedules and there is currently no planned maintenance schedule for kerb drainage blocks in the city - the gullies are usually cleansed reactively at the request of highways. As a result of low levels of planned maintenance over recent years there is a significant built-up of silt in these drains across the city which will need to be cleared on a programmed basis. Work is now underway with highways in each locality to include these drains on ward schedules and agree cleansing frequencies to manage the back-log.

5.2.2 It takes a vast amount of water to service these drainage channels (about 40 minutes of work and the tanker is empty) and there is a considerable amount of ancillary work required to clean up when using the jetting method which sprays detritus all over the roadway. The time taken to service the blocks in this way is far greater compared with servicing regular gullies and performance can be just 200 metres in a day.

5.3 Traffic Management issues

5.3.1 All roads need some form of traffic management whilst cleansing work is undertaken and this varies greatly from having adequate signage on gully tankers warning of its slow speed right up to full lane closures of primary routes across Leeds. Compliance with the relevant safety code and restrictions to avoid major traffic disruption can significantly increase costs. The interpretation of safety practice on this issue varies and is being reviewed to allow work to be undertaken safely but efficiently. Full use is not always made of road closures, particularly when there is the potential for interruptions to the work which was the original reason for the closure.

5.3.2 There has been a back-log of cleansing gullies on arterial routes and central reservations on dual-carriageways due to the need for specific training and traffic management arrangements to work on these stretches of road. All gully cleansing staff and supervisors have now been trained on safe working practices on such routes and how to undertake necessary risk assessments to undertaken gully cleansing on these routes safely.

5.3.3 Work has been undertaken as part of the Council's Grounds Maintenance contract to identify sensitive locations with respect to carrying out work safely whilst causing the minimum of disruption to the travelling public. A joint group is to be established between Highways Services and the Locality teams to review this information and establish suitable traffic management proposals and collaborative working opportunities for the cleansing operations.

5.3.4 Information about planned road works and the proposed traffic management is readily available and this has been used to utilise proposed road closures to undertake cleansing operations particularly on the Inner Ring Road. Further work is required to ensure all possible opportunities are realised.

5.4 Productivity

5.4.1 There is a greater understanding required of the realistic levels of productivity which is obviously influenced by the condition of the gullies, the frequency of cleanse, adherence to correct health & safety practice and down time on travel for example. A realistic programme of activity needs to be drawn up and well managed thereafter.

5.5 Highway Planning

5.5.1 Relationships need to develop with Highways planners so that appropriate consideration can be given to cleansing factors when at the design stage of a highways project.

Report of Head of Scrutiny and Member Development

Report to Scrutiny Board (Sustainable Economy and Culture)

Date: 23 April 2013

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 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. Each Scrutiny Board receives regular reports on any recommendations from previous inquiries which have not yet been completed.
2. This 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. 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 should help to decide whether a recommendation has been completed, and if not whether further action is required.
4. Attached as Appendix 2 is a report on a number of outstanding recommendations from the board's inquiry report on young people's engagement in cultural, sporting and recreational activities.
5. For each recommendation, a progress update is provided in the table accompanying the report. To assist board members, the Principal Scrutiny Adviser has proposed 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.
6. In deciding whether to undertake any further work, members will need to consider the balance of the board's work programme.

Next Steps

7. Further recommendation tracking reports will be presented to the Scrutiny Board in the new municipal year and will cover the remaining outstanding recommendations from the board's inquiries, enabling the board to judge progress against outstanding recommendations.

Recommendations

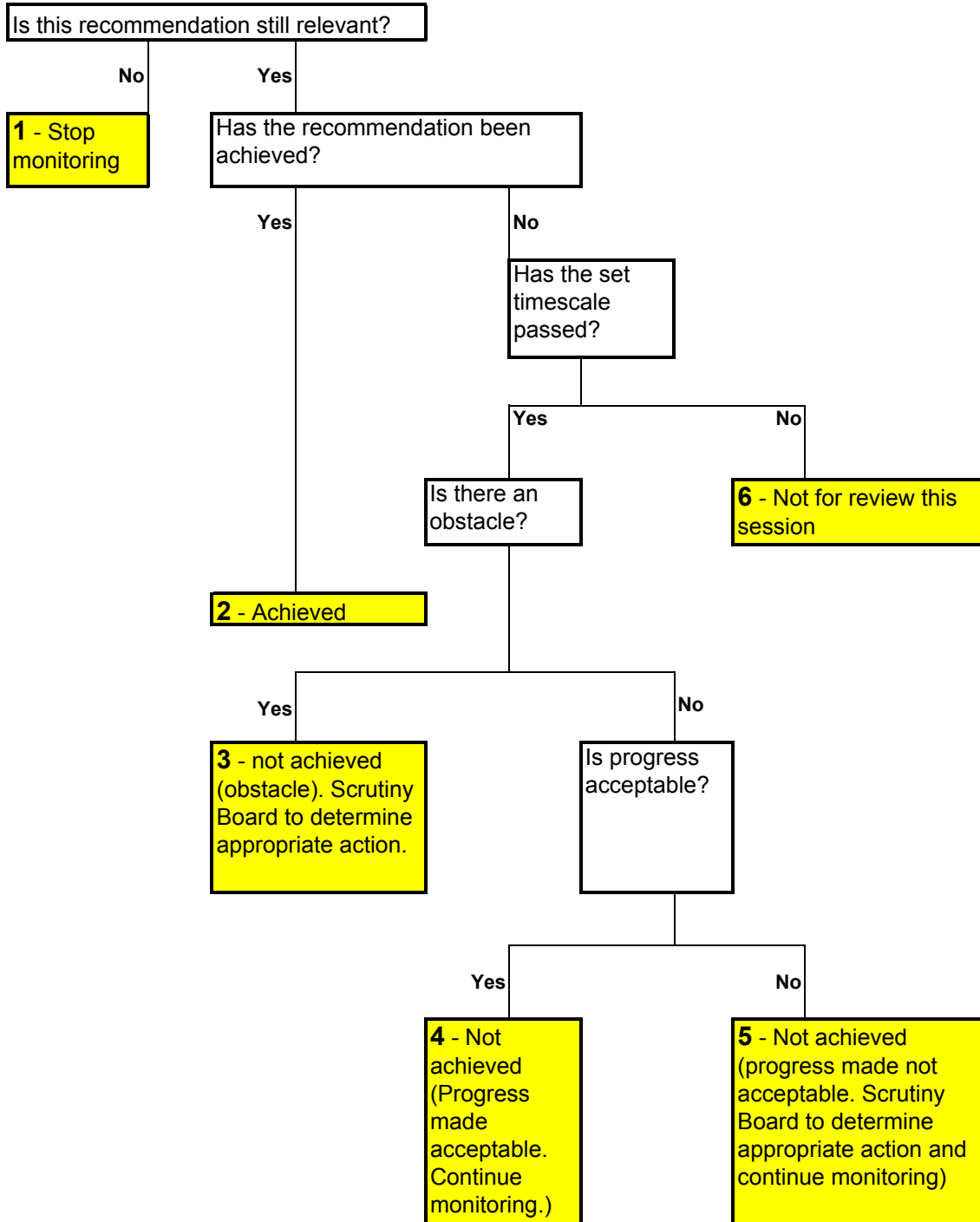
9. Members are asked to:
 - Agree those recommendations which no longer require monitoring;
 - Identify any recommendations where progress is unsatisfactory and determine the action the board wishes to take as a result.

Background documents¹

None used

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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



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Engagement of young people in cultural, sporting and recreational activities

Report published April 2012

Last update February 2013

	Recommendation	Stage	Complete
3	<p>That the Director of city Development and the Director of Children’s Services implement a system of accurate data collection and management which will identify the engagement and take up of Breeze programmes by young people and enable service provision to be targeted. Progress to be reported back to the Scrutiny Board in February 2013.</p>		
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 35</p>	<p><u>April 2013 update</u> A system is being trailed this summer in a range of venues. It will collect data that will enable elected members and event organisers to measure take up of their activity by young people. It will show numbers, age range, gender and map where young people have come from to attend the event. It will only use de personalised data so no individual can be identified. The system will test a variety of collection devices in different type of venues from non council run, indoor council venues and out door venues to identify which are the most robust and reliable technical approaches.</p> <p>To be tested and refined over summer 2013</p> <p><i>Director’s Response (Received July 2012)</i> As part of the work on the cards outlined in Recommendation 2, the data collection the system offers is being rationalised and agreed between the two directorates. City Development is also developing economic and social impact information as part of its grant schemes. This will include a wide range of activity for young people and so is relevant to both directorates who are working together to develop robust measures for the Children’s Services Indicator ‘having fun growing up’ and the City Development Indicator ‘engaging more people in cultural activity’. While progress could be reported in February, it is recommended to delay until April/May when a further report could be provided including data for activities for the whole of the 2012/13 financial year.</p>	<p style="text-align: center;">4 (not achieved – progress made acceptable)</p>	

Engagement of young people in cultural, sporting and recreational activities

Report published April 2012

Last update February 2013

	Recommendation	Stage	Complete
4	<p>That the Director of City Development and the director of Children’s Services works in collaboration with Area Managers to introduce a published co-ordinated programme of events for distribution to all children and young people on a cluster basis and made available through schools and public buildings in the area.</p>		
	<p><u>April 2013 update</u> All clusters will have activity programmes and all but two (Beeston, Holbeck, Cottingley and Middleton) will produce a printed booklet. These two clusters in Inner South meanwhile have decided to produce a directory of activity providers that will be disseminated via schools to families in the area. Schools will also contact targeted groups of young people directly with an offer of summer activities.</p> <p><i>Director’s Response (Received July 2012)</i> Progress has already been made with two areas agreeing to produce printed brochures for the Summer 2012 programme. All activities across the city will again be available on the Breezeleeds website. Further work will be carried out with Area Managers.</p>	<p>2 (Achieved)</p>	

Engagement of young people in cultural, sporting and recreational activities

Report published April 2012

Last update February 2013

	Recommendation	Stage	Complete
6	<p>That the Director of Children’s Services and the Director of City Development conduct a service review of the culture, recreation and sports offer to young people with a view to providing the best possible co-ordinated and integrated service to the young people of Leeds. The progress of this element of the Youth Offer review is to be reported back to the Scrutiny Board September 2012.</p>		
	<p><u>April 2013 update</u></p> <p>Executive Board considered and agreed the Youth Review at their meeting on 13 March 2013. As a result £250,000 to £500,000 will be allocated to Area Committees for spending on activities for young people. The work of both directorates in Arts and Sports have been combined to give a single point of contact for areas and clusters.</p> <p><i>Director’s Response (Received July 2012)</i> <i>The culture, recreation and sports offer is a fundamental part of the Youth Review. Currently provision is being mapped and brought together in a coherent package for young people, parents and carers and youth workers. Progress on work will be report at the September Scrutiny Board.</i></p> <p><u>October 2012 update (summary)</u> <i>The Youth Offer Review is currently underway and in the last few months has undertaken significant consultation with elected members, young people, voluntary organisations and service providers within the council. Early in the process young people identified the value to them of sport and culture and their support for Breeze. They have made a number of proposals to build on the current offer to make it more focused and relevant to them. Emerging findings from the review include the proposition that funding should be released to Area Committees in their roles as community champions to stimulate the design and delivery of a ‘places to go, things to do programme’.</i></p> <p><i>Capacity from Children’s Services and City Development would be identified to work with the Council’s Area Leadership teams to support Area Committees in the assessment of need and the design and evaluation of programmes. It is anticipated that a similar approach would be taken identifying the city centre as a locality with specific needs working through the city centre partnership for young people.</i></p> <p><i>Information collected to describe the current offer would be used to underpin planning and to ascertain the most meaningful ways in which this can be publicised and kept up to date for services users. Proposals which include the above are being drafted for consideration by the Council’s Executive Board.</i></p>	<p>2 (Achieved)</p>	

	Recommendation	Stage	Complete
8	<p>That the Director of City Development, before September 2012, engages with clubs, organisations, voluntary and community groups across the city to promote the benefits of the Breeze Culture Network and increase membership.</p>		
	<p><u>April 2013 update</u> Progress continues to attract more and more organisations and individual practitioners to signed up to the Breeze Network.</p> <p>All schools are members of the network making it much easier to commission work.</p> <p>We are working with other council funding schemes to ensure that they are signed up to the Breeze Culture Network and are inputting their activities which are open to young people. This ensures these activities then appear on the the Breeze Web site so young people can see them and get involved.</p> <p>Work is also ongoing with West Yorkshire Sport to link their data base to enable access to information on local sporting clubs.</p> <p>Discussions are currently taking place between the Council and Cape UK who are interested in investing in the Breeze Culture Network to broaden its reach to include organisations across the region. CapeUK is the bridging organisation between Arts Council Yorkshire and communities in the Yorkshire and Humber region</p> <p><i><u>Director's Response (Received July 2012)</u></i></p> <p><i>Significant progress has been made with clubs and organisations in the last few months and many are registered on the Culture Network and Leeds Inspired sites so there is greater access to their activity. The family hub also holds a lot of their information for parents and carers. Due to the volume of groups this work will be ongoing.</i></p>	<p>2 (Achieved)</p>	

	Recommendation	Stage	Complete
9	<p>That the Director of City Development and the Director of Children’s Services report back to the Scrutiny board in February 2013 on the progress of seeking sponsorship opportunities and the projected budget position for Breeze in 2013/14.</p>		
	<p><u>April 2013 update</u> Sponsorship has proved very hard to achieve with only modest income from Ikea and B&Q and discussions on social media development with Sky.</p> <p>More success has been achieved through funding bids including £57,000 capital for 2013-14 from the Short Breaks fund to refurbish and refresh the Breeze inflatable equipment and event infrastructure.. We have also been successful in bids to support specific activities at Breeze on Tour including health initiatives through NHS funding and financial literacy from the Illegal Money Laundering team at Birmingham Council. We will however continue to approach businesses for sponsorship and in kind support. Budget for Breeze On Tour has been reduced by £50,000 as part of the overall Council reductions.</p> <p><i><u>Director’s Response (Received July 2012)</u></i></p> <p><i>Work has been ongoing to seek sponsorship and a detailed sponsorship pack produced. It is a challenging market and currently only small scale sponsorship has been attracted. However this enabled significant activity to progress. The February 2013 Scrutiny Board will include a summary to date.</i></p>	<p>4 (not achieved – progress made acceptable)</p>	

Engagement of young people in cultural, sporting and recreational activities

Report published April 2012

Last update February 2013

	Recommendation	Stage	Complete
10	<p>That the Director of City Development undertakes an audit by March 2013 of organisations who are in receipt of cultural or sporting grants from Leeds City Council to assess if appropriate efforts are made to remove barriers for children and young people, whilst making positive steps to engage and inspire.</p>		
	<p><u>April 2013 update</u> The full end of year data has not been received to give total audience figures but in terms of programmes for children and young people, education programmes with schools and out of school activities, all organisations in receipt of a Council grant met their commitments.</p> <p>The work of Sport and Culture to break down barriers and use activity to tackle health inequalities was the subject of the Scrutiny Board in April and there is significant work here. Grants have also been sought to carry out specific pieces of work such as Northern Ballet would commissioned two of its young dancers to produce Ugly Duckling to introduce dance to under fives. They took it on tour to Chapeltown, Armley and Bramley as well as performing it in the City Centre. This was so groundbreaking it was shown on CBeebies at Easter.</p> <p><i><u>Director's Response (Received July 2012)</u></i> All organisations in receipt of cultural grants will have to report on their target audiences and how they accessed their activities. 2012/13 will be the first year of implementation and this is an area which will take time to develop. The organisations are due to report in April at year end and so it is anticipated providing a report to scrutiny April/May rather than March.</p>	<p>2 (Achieved)</p>	