
SCRUTINY BOARD (SUSTAINABLE ECONOMY AND CULTURE)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Tuesday, 1st July, 2014 at 1.30 pm

(A pre-meeting will take place for ALL Members of the Board at 1.00 p.m.)

MEMBERSHIP

Councillors

- D Cohen - Alwoodley;
- P Wadsworth - Guiseley and Rawdon;
- R Harington - Gipton and Harehills;
- M Ingham - Burmantofts and Richmond Hill;
- J Chapman - Weetwood;
- A Castle - Harewood;
- K Groves (Chair) - Middleton Park;
- P Davey - City and Hunslet;
- A Hussain - Gipton and Harehills;
- S McKenna - Garforth and Swillington;
- B Selby - Killingbeck and Seacroft;

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

Agenda compiled by:
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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 style="padding-left: 40px;">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 style="text-align: center;">No exempt items have been identified.</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 - 15 APRIL 2014</p> <p>To confirm as a correct record the minutes of the meeting held on 15 April 2014</p>	1 - 4
7			<p>SCRUTINY BOARD TERMS OF REFERENCE</p> <p>To receive a report presenting the Board's Terms of Reference</p>	5 - 10
8			<p>CO-OPTED MEMBERS</p> <p>To consider a report on the appointment of co-opted members to Scrutiny Boards</p>	11 - 16
9			<p>2013/14 QUARTER 4 PERFORMANCE REPORT</p> <p>To consider a report summarising quarter 4 performance data relevant to the Scrutiny Board's portfolio</p>	17 - 26

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>SOURCES OF WORK</p> <p>To consider a report on potential sources of work for the Scrutiny Board</p>	27 - 46
11			<p>NATURAL RESOURCES & WASTE LOCAL PLAN: PUBLICATION & SUBMISSION OF POLICIES: MINERALS 13 & 14</p> <p>To contribute to consultation on revisions to minerals policies 13 and 14 in the Natural Resources and Waste Local Plan, as part of the council's budget and policy framework</p>	47 - 68
12			<p>DRAFT TERMS OF REFERENCE - SCRUTINY BOARD INQUIRY ON ASSET MANAGEMENT</p> <p>To approve the terms of reference for a proposed scrutiny inquiry on asset management</p>	69 - 74
13			<p>WORK SCHEDULE</p> <p>To consider the Board's work schedule for the forthcoming municipal year</p>	75 - 80
14			<p>DATE AND TIME OF NEXT MEETING</p> <p>Tuesday 22 July 2014 at 1.30pm (pre-meeting for all Board Members at 1.00pm)</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<p>THIRD PARTY RECORDING</p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	

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SCRUTINY BOARD (SUSTAINABLE ECONOMY AND CULTURE)

TUESDAY, 15TH APRIL, 2014

PRESENT: Councillor M Rafique in the Chair

Councillors P Wadsworth, R Harington,
M Ingham, J McKenna, A Castle, A Khan
and B Anderson

107 Late Items

There were no formal late items of business to consider. However the Chair agreed to accept the following items as supplementary information:

- Minutes of the meeting held on 1 April 2014 (agenda item 6) (Minute 110 refers)

108 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared at the meeting.

109 Apologies for Absence and Notification of Substitutes

Apologies for absence were received from Councillor Cohen, with Councillor Anderson in attendance as a substitute, and from Councillors Chapman, Lyons and Marjoram.

110 Minutes - 1 April 2014

RESOLVED – That the minutes of the meeting held on 1 April 2014 be confirmed as a correct record.

111 Scrutiny Inquiry - Cultural Organisations' Engagement with Communities

The Scrutiny Board conducted the second session of its inquiry on cultural organisations' engagement with communities. The main focus of the session was to hear evidence from arts organisations.

In attendance to address the Board and answer Members' queries were:

- Rebecca Walsh, Director of Education, Opera North
- Selina McGonagle, Director of Learning, Northern Ballet
- Keranjeet Kaur Virdee, Chief Executive, South Asian Arts UK
- Ian Rodley, Artistic Director, Dazl (Dance Action Zone Leeds)
- Pat Cochrane, Chief Executive, Cape UK
- Councillor Lucinda Yeadon, Executive Member, Leisure and Skills
- Cluny Macpherson, Chief Officer, Culture and Sport
- Matthew Sims, Head of Arts and Venues

Draft minutes to be approved at the meeting
to be held on Tuesday, 1st July, 2014

The representatives from each of the external organisations made brief introductory presentations on the work of their organisations in engaging communities.

The following issues were raised in discussion:

- the expectations from the Opera North In Harmony project and its potential extension
- the health aspect of DAZL's work
- the transferable skills that young people develop through their participation in the arts
- feedback generated from communities
- extending access for those living in pockets of deprivation in more affluent communities
- examples of work with older people and disabled people
- examples of inter-generational work
- the role of neighbourhood networks
- examples of work done by the West Yorkshire Playhouse
- evidence from school councils of the need for free activities
- possible sources of funding from councillors' MICE money and through Area Committee funding
- the availability and distribution of free tickets for some events
- the provision of resources for school staff to support cultural activity
- issues of transport and access, including access to the city centre
- capacity issues for the arts organisations, and discussion of how audit and mapping exercises can help them to work more closely together as well as identifying gaps in provision
- the potential role of the new library hubs
- keeping members informed of what is taking place in their areas
- the need for funding to support excellent performance as well as promoting community engagement, and how to strike the balance between these aspects
- that those with experience from elsewhere agreed that there was lots of good practice in Leeds and that the networking and joint working was a particular strength
- pride in the offer available in Leeds and a desire to make the most of the range of opportunities for everyone's benefit

The Chair thanked everyone for attending the meeting and for their contributions to the debate.

RESOLVED – That the issues raised by this session of the inquiry be noted.

(Councillor Wadsworth left the meeting at 11.40 am at the conclusion of this item.)

112 Tour de France

The Board considered a progress report on the preparations for the Tour de France Grand Depart in July.

In attendance to address the Board and answer Members' queries were:

- Councillor Lucinda Yeadon, Executive Member, Leisure and Skills
- Ed Mylan, Chief Officer Resources and Strategy
- Nicola Lockwood, Tour de France team

Members were provided with an update covering the following areas:

- Television coverage of the event
- Letters to residents and workshops for businesses
- Spectator hubs and estimated spectator demand
- Leeds highlights of the Yorkshire Festival
- Park and ride and park and cycle provision
- Centralised procurement and the refinement of each authority's requirements to control costs whilst ensuring a good, safe event
- The programme of roadworks
- City dressing
- The intention to provide an information pack for all councillors

The following issues were raised in discussion:

- The possibility of making some free tickets available for the Arena event for children and young people from disadvantaged communities
- Confirmation that the Area Committee Chairs group had received a presentation on the event, and had been invited to make any requests for local spectator hubs. In addition the team are maintaining an up to date list of planned community events
- It was also acknowledged that the nature of the event was such that many people would make their own arrangements with friends and family for viewing the race
- Endorsement of the proposed pack for members and a request to ensure members are informed of any events planned in their wards, including any updates once the pack has been issued

RESOLVED – That the progress in preparation for the Grand Depart and the proposals enclosed in the report be noted.

(The meeting finished at 12.10pm)

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Report author: Kate Arscott

Tel: 247 4189

Report of Head of Scrutiny and Member Development

Report to Sustainable Economy and Culture Scrutiny Board

Date: 1 July 2014

Subject: Scrutiny Board Terms of Reference

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input 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 presents the terms of reference for the Sustainable Economy and Culture Scrutiny Board for Members' information.

Recommendation

2. Members are requested to note the Scrutiny Board's terms of reference.

1.0 Purpose of this report

- 1.1 This report presents the terms of reference for the Sustainable Economy and Culture Scrutiny Board.

2.0 Background information

Scrutiny Board's terms of reference

- 2.1 The Annual Review of the Constitution more often than not identifies areas for amendment in relation to the Scrutiny Boards' terms of reference to ensure consistency in wording and provide procedural clarity.
- 2.2 On this occasion there have been no changes to the remit of this Scrutiny Board. The terms of reference are attached for Members' information (Appendix A).
- 2.3 The Board's terms of reference are related to the functions delegated to the Director of City Development and the Chief Planning Officer. In general terms, these cover the following areas:
 - The provision of strategic property and asset management services
 - Economic development and economic policy
 - Transport policy and transportation
 - Highway authority and road traffic authority services including highway design services
 - Car parking policy
 - Land drainage activities
 - The provision of architectural design related services
 - Area based regeneration
 - Libraries and record repositories
 - Museums and art galleries
 - Public entertainments, halls and venues
 - The arts and events
 - Sports facilities
 - Jobs and skills
 - Apprenticeships
 - Planning
 - Building control services
- 2.4 In terms of Executive Members, the Scrutiny Board's role encompasses the areas of responsibility assigned to the Executive Members for
 - Transport and Economy
 - Digital & Creative Technologies, Culture and Skills

- Neighbourhoods, Planning and Personnel in relation to planning and building control services
- Cleaner, Stronger & Safer Communities in relation to the cross-cutting champion role to deliver the city's low carbon agenda

2.5 Scrutiny Boards are authorised to review or scrutinise the performance of their relevant Partnership Board. In accordance with the Scrutiny Board Procedure Rules, Scrutiny Boards will also continue to act as 'critical friend' to their relevant Partnership Board, and consider and report on the following areas on an annual basis:

1. What contribution the Partnership Board is making to tackle poverty and inequality, and the progress being made against this?
2. How successfully the Board's partnership arrangements are working?
3. To what extent are significant benefits being seen from partnership working? How has partnership working ensured increased pace of change to address the issue in hand?

3.0 Corporate Considerations

Consultation and Engagement

3.1 The Council's Constitution was formally considered and approved by Council on 9 June 2014.

Equality and Diversity / Cohesion and Integration.

3.2 In line with the Scrutiny Board Procedure Rules, the Scrutiny Boards will continue to ensure through service review that equality and diversity/cohesion and integration issues are considered in decision making and policy formulation.

Council Policies and City Priorities

3.3 The terms of reference of the Scrutiny Boards continue to promote a strategic and outward looking Scrutiny function that focuses on the City Priorities. Scrutiny Boards will continue to review or scrutinise the performance of their relevant Strategic Partnership Board. In doing so, they will review outcomes, targets and priorities within the Business Plan and specific "Best City for...." priorities set out within the City Priority Plan.

Resources and Value for Money

3.4 This report has no specific resource and value for money implications.

Legal Implications, Access to Information and Call In

3.5 This report has no specific legal implications.

Risk Management

3.6 This report has no risk management implications.

4.0 Recommendation

4.1 Members are requested to note the Scrutiny Board's terms of reference.

5.0 Background documents¹

5.1 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.

Scrutiny Board (Sustainable Economy and Culture)

The Scrutiny Board (Sustainable Economy and Culture) is authorised to discharge the following overview and scrutiny functions¹:

1. to review or scrutinise decisions made or other action taken in connection with any council or executive function, or any matter which affects the authority's area or the inhabitants of that area;²
2. to review or scrutinise the performance of the Sustainable Economy and Culture Partnership Board;³
3. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
4. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy⁴ within the Budget and Policy Framework;⁵
5. to review or scrutinise executive decisions that have been Called In;
6. to review and scrutinise the exercise by risk management authorities⁶ of flood risk management functions⁷ which may affect the Leeds City Council area;⁸
7. to review outcomes, targets and priorities within the Council Business Plan and the Best City for business priorities within the City Priority Plan;
8. to receive requests for scrutiny and councillor calls for action and undertake any subsequent work; and
9. to make such reports and recommendations as it considers appropriate and to receive and monitor formal responses to any reports or recommendations made.

¹ In relation to functions delegated to the Director of City Development under the Officer Delegation Scheme (Council (non executive) Functions) and the Officer Delegation Scheme (Executive Functions) at paragraphs 1(a) to (c) and 2(a) to (o) and (q), and the Chief Planning Officer under the Officer Delegation Scheme (Council functions) at Section 2, and the Officer Delegation Scheme (Executive Functions) at paragraph (a) whether or not those functions are concurrently delegated to any other committee or officer.

² Including matters pertaining to outside bodies and partnerships to which the authority has made appointments.

³ relating to economic led regeneration. The Scrutiny Board has a duty to do this each municipal year – Scrutiny Board Procedure Rule 10.3

⁴ Namely the Development Plan Documents, Plans and alterations which together comprise the Development Plan, the Sustainable Economy and Culture City Priority Plan and the Local Flood Risk Management Strategy.

⁵ In accordance with Budget and Policy Framework Procedure Rules.

⁶ As defined by Section 6 Flood and Water Management Act 2010

⁷ As defined by Section 4 Flood and Water Management Act 2010

⁸ In accordance with Section 9FH Local Government Act 2000

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Report of Head of Scrutiny and Member Development

Report to Sustainable Economy and Culture Scrutiny Board

Date: 1 July 2014

Subject: Co-opted Members

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. For a number of years the Council's Constitution has made provision for the appointment of co-opted members to individual Scrutiny Boards.
2. This report provides guidance to the Scrutiny Board when considering the appointment of co-opted members. There are also some legislative arrangements in place for the appointment of specific co-opted members. Such cases are set out in Article 6 of the Council's Constitution and are also summarised within this report.

Recommendation

3. In line with the options outlined in this report, Members are asked to consider the appointment of co-opted members to the Scrutiny Board.

1 Purpose of this report

- 1.1 The purpose of this report is to seek the Scrutiny Board's formal consideration of the appointment of co-opted members to the Board.

2 Background information

- 2.1 For a number of years the Council's Constitution has made provision for the appointment of co-opted members to individual Scrutiny Boards. For those Scrutiny Boards where co-opted members have previously been appointed, such arrangements have tended to be reviewed on an annual basis, usually at the beginning of a new municipal year. However, the appointment of co-opted members has not always been routinely considered across all Scrutiny Boards.

3 Main issues

General arrangements for appointing co-opted members

- 3.1 It is widely recognised that, in the right circumstances, co-opted members can significantly aid the work of Scrutiny Boards. This is currently reflected in Article 6 (Scrutiny Boards) of the Council's Constitution, which outlines the options available to Scrutiny Boards in relation to appointing co-opted members.
- 3.2 In general terms Scrutiny Boards can appoint:
- Up to five non-voting co-opted members for a term of office that does not go beyond the next Annual Meeting of Council ; and/or,
 - Up to two non-voting co-opted members for a term of office that relates to the duration of a particular and specific scrutiny inquiry.
- 3.3 In the majority of cases the appointment of co-opted members is optional and is determined by the relevant Scrutiny Board. However, Article 6 makes it clear that co-option would normally only be appropriate where the co-opted member has some specialist skill or knowledge which would be of assistance to the Scrutiny Board. Particular issues to consider when seeking to appoint a co-opted member are set out later in the report.
- 3.4 There are also some legislative arrangements in place for the appointment of specific co-opted members. Such cases are also set out in Article 6 (Scrutiny Boards) of the Council's Constitution and are summarised below.

Arrangements for appointing specific co-opted members

Education Representatives

- 3.5 In addition to elected Members appointed by Council, the Local Government Act 2000 states that the relevant Scrutiny Board dealing with education matters shall include in its membership the following voting representatives in accordance with statutory requirements:

- One Church of England diocese representative¹
- One Roman Catholic diocese representative¹
- Three parent governor representatives²

3.6 The number and term of office of education representatives is fixed by full Council and set out in Article 6. Representatives of the Church of England and Roman Catholic dioceses are nominated by their diocese and parent governor representatives are elected. Such representatives are then notified to the Scrutiny Board and their appointment confirmed.

3.7 Where the Scrutiny Board deals with other non-educational matters the co-opted members may participate in any discussion but shall not be entitled to vote on those matters.

Crime and Disorder Committee

3.8 In accordance with the requirements of the Police and Justice Act 2006, the Council has designated the Scrutiny Board (Safer and Stronger Communities) to act as the Council's crime and disorder committee.

3.9 In its capacity as a crime and disorder committee, the Scrutiny Board (Safer and Stronger Communities) may co-opt additional members to serve on the Board, providing they are not an Executive Member.

3.10 The Scrutiny Board (Safer and Stronger Communities) may limit the co-opted member's participation to those matters where the Scrutiny Board is acting as the Council's crime and disorder committee.

3.11 Unless the Scrutiny Board (Safer and Stronger Communities) decides otherwise, any co-opted member shall not be entitled to vote and the Board may withdraw the co-opted membership at any time.

Issues to consider when seeking to appoint co-opted members

3.12 Currently, there is no overarching national guidance or criteria that should be considered when seeking to appoint co-opted members. As a result, there is a plethora of methods employed within Councils for the appointment of co-optees to Overview and Scrutiny Committees (Scrutiny Boards). For example, some Councils use "job descriptions", some carry out formal interviews and some advertise for co-optees in the local press, with individuals completing a simple application form which is then considered by Members.

3.13 The Constitution makes it clear that 'co-option would normally only be appropriate where the co-opted member has some specialist skill or knowledge, which would be of assistance to the Scrutiny Board'. In considering the appointment of co-opted members, Scrutiny Boards should be satisfied that a co-opted member can use their specialist skill or knowledge to add value to the work of the Scrutiny Board. However,

¹ Article 6 states this appointment shall be for a term of office that does not go beyond the next Annual Meeting of Council

² Article 6 states these appointments shall be for a four-year term of office

co-opted members should not be seen as a replacement for professional advice from officers.

- 3.14 Co-opted members should be considered as representatives of wider groups of people. However, when seeking external input into the Scrutiny Board's work, consideration should always be given to other alternative approaches, such as the role of expert witnesses or use of external research studies, to help achieve a balanced evidence base.
- 3.15 When considering the appointment of a standing co-opted member for a term of office, Scrutiny Boards should be mindful of any potential conflicts of interest that may arise during the course of the year in view of the Scrutiny Boards' wide ranging terms of reference. To help overcome this, Scrutiny Boards may wish to focus on the provision available to appoint up to two non-voting co-opted members for a term of office that relates to the duration of a particular and specific scrutiny inquiry.
- 3.16 Despite the lack of any national guidance, what is clear is that any process for appointing co-opted members should be open, effective and carried out in a manner which seeks to strengthen the work of Scrutiny Boards.

4.0 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 During 2010/11, the guidance surrounding co-opted members was discussed by the Scrutiny Chairs and it was agreed that individual Scrutiny Boards would consider the appointment of co-optees on an individual basis.

4.2 Equality and Diversity / Cohesion and Integration.

- 4.2.1 The process for appointing co-opted members should be open, effective and carried out in a manner which seeks to strengthen the work of the Scrutiny Board. In doing so, due regard should also be given to any potential equality issues in line with the Council's Equality and Diversity Scheme.

4.3 Council Policies and City Priorities

- 4.3.1 The Council's Scrutiny arrangements are one of the key parts of the Council's governance arrangements. Within the Council's Constitution, there is particular provision for the appointment of co-opted members to individual Scrutiny Boards, which this report seeks to summarise.

4.4 Resources and Value for Money

- 4.4.1 Where applicable, any incidental expenses paid to co-optees will be met within existing resources.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Where additional members are co-opted onto a Scrutiny Board, such members must comply with the provisions set out in the Member's Code of Conduct as detailed within the Council's Constitution.

4.6 Risk Management

4.6.1 As stated in paragraph 3.15 above, when Scrutiny Boards are considering the appointment of a standing co-opted member for a term of office, they should be mindful of any potential conflicts of interest that may arise during the course of the year in view of the Scrutiny Boards' wide ranging terms of reference.

5.0 Conclusions

5.1 For a number of years the Council's Constitution has made provision for the appointment of co-opted members to individual Scrutiny Boards. This report sets out the legislative arrangements in place for the appointment of specific co-opted members and also provides further guidance when seeking to appoint co-opted members.

6.0 Recommendation

6.1 In line with the options outlined in this report, Members are asked to consider the appointment of co-opted members to the Scrutiny Board.

7.0 Background documents³

7.1 None.

³ 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 author: Fiona McAnespie
Tel: 74767

Report of Director of City Development

Report to Sustainable Economy and Culture Scrutiny Board

Date: 1 July 2014

Subject: 2013/14 Quarter 4 Performance 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 a summary of performance against the strategic priorities for the council and city relevant to the Sustainable Economy and Culture Scrutiny Board, in line with the process agreed at the Board's meeting on 17 December 2013.

Recommendations

2. Members are recommended to
 - Note the Quarter 4 performance information and to consider if they wish to undertake further scrutiny work to support improvement over the coming year in any of these areas.

1. Purpose of this report

- 1.1 This report presents a summary of the quarter four performance data for 2013-14, and provides an update on progress in delivering the relevant priorities in the City Priority Plan 2011-15 and the Best Council Plan 2013 - 17.

2. Background information

- 2.1 Members will be aware that the delivery of the City Priority Plan is shared with partners across the city while the Best Council Plan sets out the Council's key objectives and priorities. This report provides an overview of the performance relating to both plans enabling the Scrutiny Board to consider and challenge the council's performance as well as seeking to influence partners' contributions through existing partnership arrangements.
- 2.2 This report has 2 appendices:
- Appendix 1 – 'Big Ideas' Progress Update (relating to the City Priority Plan)
 - Appendix 2 – Performance Summary (relating to the Best Council Plan)
- 2.3 Members will also be aware that the current Best Council Plan is under review, and from Quarter 2 2014 – 15 progress updates will reflect an amended set of priorities and measures.

3. Main issues

Quarter 4 Performance Summary

City Priority Plan

- 3.1 The attached update (Appendix 1) outlines progress against the 'Big Ideas' identified by the Sustainable Economy and Culture Board in line with the City Priority Plan. These derive from the three priorities aligned to the Board and their associated obsessions, shown in brackets:
- Drive the sustainable growth of the Leeds economy to support the creation of new jobs and skills (maximising job growth)
 - Promote low carbon businesses, buildings, energy generation and connectivity across the City (becoming a low carbon city)
 - Raise the profile of Leeds and its cultural opportunities (enjoying an active and creative city)
- 3.2 As part of the Board's ongoing review of its activity, it is continually reviewing the workstreams associated with its Big Ideas, in order to maximise its impact. This has already been done for the Low Carbon priority, where three specific areas of focus have been identified (District Heating; Domestic Energy Efficiency; Living Laboratory concept). Work is now progressing on the Maximising Job Growth priority and it is intended that the Performance Steering Group will review this prior to the presentation of a revised progress update at the next SEC Board meeting in September 2014.
- 3.3 Once approved by the Board, the progress update will be included in the Quarter 2 performance report to this Scrutiny Board.

Best Council Plan

- 3.4 Appendix 2 shows progress against the priorities relevant to the Sustainable Economy and Culture Scrutiny Board within the Best Council Plan.
- 3.5 The Board's attention is drawn to an improved rating from amber to green, relating to Leeds Let's Get Active, and to the nine amber ratings relating to:
1. Asset Management Plan adopted by March 2014
 2. Reduce the number of people killed or seriously injured
 3. Reduce the number of highways structures in need of essential repair
 4. Community Infrastructure Levy
 5. Development of a cycling legacy
 6. Submit a Cycle City Ambition Grant
 7. Develop a City Growth Deal
 8. Successful bid for technical assistance funding
 9. Establish Leeds City Region Green Deal Partnership
- 3.6 The Leeds Let's Get Active project has exceeded expectations and by the end of 2013/14, 21,952 people had signed up, 9,914 people had attended at least one free session and the total number of visits since the project started has been 51,470. The Community Programme has been redeveloped and, since Christmas, has seen an increase in the number of people attending. It is anticipated that further increases will be seen over the summer. Sport England has confirmed continued funding for 2014/15, based on the evidence presented of the impact so far, reflecting the success of the project, and validating its movement from 'amber' to 'green'.
- 3.7 A draft Asset Management Plan is now in production and will be submitted to Executive Board once completed. Priority in 2013/14 was given to holding locality workshops with services to ascertain their requirements and needs, and to identify how best revenue savings of £5m can be achieved over the next three years. The results of these workshops will be incorporated in the draft Plan.
- 3.8 The amber rating assigned to the indicator 'reduce the number of people killed or seriously injured' (KSI) reflects the fact that the year end result of 294 exceeds the target of 280. The result does, however, represent a 2% reduction on the 2012/13 result and is the lowest ever recorded. The failure to achieve the target for the year is due to an increase in motorcyclist and pedal cyclist casualties, reflecting the trend across West Yorkshire.
- For motorcyclists, the KSI figure for 2013 was 64, which was above the target of 50 for the year; this figure fluctuates from year to year, however, and has returned to the 2011 level – also 64. The overall direction of travel since 2007 represents a fall in deaths and serious injuries.
 - The number of KSI pedal cyclists almost doubled in 2013 due to the large increase in people taking up cycling over the last few years, and this pattern is seen across the country. As a result the Influencing Transport Behaviour team (ITB) are monitoring the rate in an internal risk register to ensure there is no disproportionate increase in the level

of casualties and KSIs due to the increasing popularity of cycling. To counter the increase in KSIs, ITB are making safe cycling education and training more widely available, and are working alongside the Transport Strategy team to increase the number of off-road cycle routes being available so that cyclists do not have to use busy/dangerous roads.

- 3.9 At the end of 2013/14, the percentage of highways structures in need of essential repair was 37.4%, an increase of 2.6% on the previous year's result. This is partially attributable to the fact that bridge maintenance has been underfunded for some years, and without intervention and investment highways structures deteriorate over time. Capital budget has been used to mitigate deterioration as far as possible, although this may not be reflected in the results as some spend will have been on strengthening structures which do not directly impact on the reported result.
- 3.10 Although good progress is being made overall with the Community Infrastructure Levy (CIL), an amber rating has been awarded to reflect the fact that the 'Winter 2013' milestone for examination was missed. This was primarily due to the Government's indicating that amended Regulations would be issued, delaying the process, and to the need for the CIL Examination to follow the Core Strategy Examination. The CIL Examination has now taken place, with the Examiner's report expected at the end of August, in line with the Core Strategy report.
- 3.11 Leeds' cycling legacy is being progressed in the context of the Cycle Yorkshire Strategy. Significant progress is being made in terms of auditing and the development of specific initiatives that support the development of cycling in the city (eg City Connect). The approach to the production of an holistic Legacy remains in development; it will build on the Cycle Yorkshire ambition and learn from the City Connect project's consultation exercise. An amber rating has been assigned at this stage, until Executive Board's consideration in June 2014 of a report setting out the complex nature of the challenge of developing a sustainable cross cutting legacy. The amber rating also reflects the funding issue from April 2015 onwards, as there has been no additional commitment to funding the Cycling Legacy from the Department for Transport beyond this date.
- 3.12 Progress is also being made with regards to the Cycle City Ambition Grant however, due to the delay in public consultation, this has impacted in the last quarter on the tender design stage and therefore is rated amber. Given that the budget is fixed, there remains uncertainty that the project can be fully delivered until all tenders have been arranged. There have also been delays in the delivery of preparing the towpaths on the route as part of the project.
- 3.13 After the work in preparing the Strategic Economic Plan no formal response on funding has yet been confirmed. It does seem increasingly likely that there will not be sufficient funding to support all of the Leeds City Region projects due to the £2bn national fund being oversubscribed. It is anticipated that the funding allocation will be announced in July.
- 3.14 It is likely that different funding vehicles will be used to deliver low-carbon technology funding projects, in preference to following the technical assistance funding route which was anticipated when the BCP was written. Accordingly, this measure has been rated as 'amber'. Success to date includes securing £5m of Leeds City Region (LCR) Green Deal Communities Capital Funding to support delivery of Green Deal Plans through a street by street approach, and £225k Department of Energy and Climate Change

funding for LCR Heat Mapping and Energy Master planning (Aire Valley and City Centre) projects.

- 3.15 All LCR authorities have gained approval from their Executive Board equivalents relating to the LCR Green Deal Partnership, and Leeds has agreed to become the anchor authority. An Invitation to Submit Outline Solutions documents was published on 14.10.13, the first set of Bidder Clarification Meetings have been held, and a date set for assessing the bids after 4th December 2014. It is likely that the requirement for consultation and subsequent legislative change will delay the date when any contract can be signed and the types and volumes of measures that will be installed will be significantly different. This is likely to mean that the value of the contract in the first three years to 2017 will be much lower than originally anticipated. At this stage, the measure has been allocated a 'prudent' amber.

4. Corporate considerations

4.1 Consultation and Engagement

This is an information report and as such does not need to be consulted on with the public. However all performance information is published on the council's and Leeds Initiative websites and is available to the public.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 This is an information, rather than a decision-making, report so demonstrating due regard is not necessary. However, it should be noted that the Sustainable Economy and Culture Board's remit has direct benefits to those living in the most deprived areas of the city, and those who fall within the protected characteristics.

4.3 Council policies and City Priorities

- 4.3.1 This report provides an update on progress in delivering the council and city priorities in line with the council's performance management framework.

4.4 Resources and value for money

- 4.4.1 There are no specific resource implications from this report.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 All performance information is publicly available and is published on the council website. This report is an information update providing Scrutiny with a summary of performance for the strategic priorities within its remit and as such is not subject to call in.

4.6 Risk Management

- 4.6.1 There is a comprehensive risk management process in the Council to monitor and manage key risks. This links closely with performance management.

5 Conclusions

- 5.1 This report provides a summary of performance against the strategic priorities for the council and city related to Sustainable Economy and Culture Scrutiny Board.

6 Recommendations

6.1 Members are recommended to:

- Note the Quarter 4 performance information and to consider if they wish to undertake further scrutiny work to support improvement over the coming year in any of these areas.

7.0 Background documents¹

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..

(Appendix 1) Progress Update for Sustainable Economy and Culture Board – September 2014

3 Obsessions

Maximising Job Growth

Test the potential for developing an international business conference and exhibition facility	<i>NF meeting L&P – update Sept</i>	G
Increase the leverage of the city's food and drink sector	<i>Under review</i>	A
Create new business training hubs to develop the skills required for the 21 st century	<i>Under review</i>	A
Develop a programme to help people of all ages improve their digital skills	<i>Under review</i>	A
Develop a new city-wide adult skills strategy, working with the city's further and higher education providers	<i>Agenda item Sept 2014</i>	G
Aspire to achieve zero youth unemployment in Leeds	<i>Progress item Sept 2014</i>	A
South Bank – opportunities for regeneration, City Park and preparations for HS2	<i>Progress updated 23rd May</i>	G
Exploratory work with Joseph Rowntree Foundation on 'more jobs, better jobs'	<i>Agenda item Sept 2014</i>	G

Becoming a Low Carbon City

District Heating	<i>Agenda item Dec</i>	A
Domestic Energy Efficiency	<i>Agenda item Dec</i>	A
Living Laboratory concept	<i>Potential Agenda item Sept 2014</i>	A

Enjoying an Active and Creative City

Position Leeds as the most active city in the UK	<i>To review Dec</i>	A
Create a lasting legacy from hosting the Tour De France Grand Depart 2014	<i>Agenda item for Dec 2014</i>	G
Test the city's appetite for competing against other UK cities for designation of European Capital of Culture 2023	<i>Ongoing public consultation</i>	G

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Appendix 2
Draft City Development Best Council Plan 2013-17 Performance Summary:
Year End 2013/14

Objective	Priority	Our Measures (PI = Performance Indicator)	Target/ Milestone	Quarter 1 Result	Quarter 2 Result (*cumulative)	Quarter 3 Result (*cumulative)	Year End 2013/14 (*cumulative)	Red/Amber/ Green	
Ensuring High Quality Public Services	Ensuring High Quality Public Services	PI: Significant reduction in the running costs of the asset base (compared to 2012/13)	<£41,457,704 (2012/13 result)	Reported annually			4.8% cost reduction		
		PI: Increase the number of buildings in good or excellent condition	84% Buildings (82% in 2012/13)	84% Buildings	84% * Buildings	85% * Buildings	85%* Buildings		
		PI: Reduce carbon footprint of our buildings (compared to 2012/13)	3% Reduction pa	Reported annually			Data under review		
	Development and implementation of Asset Rationalisation Plan	Asset Management Plan developed and approved	By March 2014						
		Ward Members engaged and involved throughout process	By March 2014						
	Quality highways assets, including carriageways and structures (e.g. tunnels and bridges)	PI: Reduce the numbers of people Killed or Seriously Injured (KSI) on the city's roads (reported Jan- Dec 2013)	<=280 People (300 in 2012/13)	70 People	127* People	208* People	294* People		
		PI: Maintain the percentage of roads assessed as in need of structural repair	5% (8% in 2012/13)	Reported annually			4% of roads		
		PI: Reduce the percentage of highways' structures in need of essential repair	34.5% (34.8% in 2012/13)	Reported annually			37.4% of structures		
	Promote sustainable and inclusive economic growth	Promote sustainable and inclusive economic growth	PI: Optimise the current amount of the business rates base level	% Growth to Equate to £5.28m	Reported annually			2.09% growth (£7.68m)	
PI: Optimise amount of New Homes Bonus secured (Reporting period: 01/10/12-30/09/13)			2,000 Homes (Band D equivalent)	Reported annually			1,997* Homes		
PI: Increased number of jobs in Leeds (10/11 - 09/12)			>2010/11 (397,300 jobs in 2010/11)	Reported annually			395,100 jobs		
PI: Increased percentage of working age population that is economically active			>67.5% (67.5% in 2012/13)	69.0%	68.8%	69.2%	68.2%		
PI: Maximise income from Capital receipts			£12m	£4,467k	£6,067k*	£9,633k*	£12.8m*		
Maximise employment opportunities for local residents		PI: 250 apprenticeship starts	250 Apprenticeship Starts	51 Starts	131* Starts	174* Starts	324* Starts		
		PI: 2700 residents supported into jobs	2,700 Residents	747 Residents	1,882* Residents	2,628* Residents	3,886* Residents		
		PI: 6000 people with improved skills	6,000 People	2,007 People	6,431* People	6,431* People	6,504* People		
Progressing key infrastructure projects including: Arena NGT Victoria Gate/John Lewis Leeds Station Flood Alleviation East Leeds Extension / Thorpe Park Aire Valley (inc South Bank) Kirkgate Market West Yorkshire Transport Fund		All projects on track to agreed timetables with milestone met							
Deliver Local Development Framework		Core Strategy	Core Strategy submitted April 2013; Examination Autumn 2013			Complete	Complete		
		Site Allocations	Site Allocations Issues and Options to Development Plan Panel April 2013 and Executive Board May 2013	Complete	Complete	Complete	Complete		
		Community Infrastructure Levy (CIL)	CIL Examination Winter 2013						
Develop a coherent approach to housing need		PI: 407 affordable homes provided	407 Homes	98 Homes	240* Homes	503* Homes	690* Homes		
		PI: 2200 new homes delivered	2200 Homes	518 Homes	1,134* Homes	1,594* Homes (amended since Q3)	2,235* Homes		
Enjoy an active and creative city where:		All cultural organisations feel they have a voice and influence over cultural direction; and	Establish an Elected Cultural Executive by October 2013	This has changed to: Initiate a city wide conversation to determine whether to bid to become Capital of Culture in 2023					
			Produce delivery plans for major events in 2013/15 including Tour de France, Rugby League World Cup and British Art Show 8						
		Inactive people have become active	Contribute to reduced health inequalities through Leeds Lets Get Active project						
			Development of a cycling legacy by March 2014						
Submit application for Cycle City Ambition Grant by April 2013		N/A							
City Growth Deal		Develop a City Growth Deal proposal by March 2014		This has changed to: Develop proposal Local Enterprise Partnership Strategic Economic Plan/Local Growth Fund funding					
Attract large scale external investment in low-carbon technologies to Leeds		Successful bid for technical assistance funding							
		Establish Leeds City Region Green Deal partnership							

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Report author: Kate Arscott

Tel: 247 4189

Report of Head of Scrutiny and Member Development

Report to Sustainable Economy and Culture Scrutiny Board

Date: 1 July 2014

Subject: Sources of work for the Scrutiny Board

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input 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. Scrutiny Boards are responsible for ensuring that items of scrutiny work come from a strategic approach as well as a need to challenge service performance and respond to issues of high public interest.
2. This report provides information and guidance on potential sources of work and areas of priority within the Board's terms of reference. In consultation with the relevant Director and Executive Board Members, the Scrutiny Board is requested to consider and confirm the areas of Scrutiny for the forthcoming municipal year.

Recommendation

3. Members are requested to use the attached information and the discussion with those present at the meeting to confirm the areas of Scrutiny for the forthcoming municipal year.

1.0 Purpose of this report

- 1.1 To assist the Scrutiny Board in effectively managing its workload for the forthcoming municipal year, this report provides information and guidance on potential sources of work and areas of priority within the Board's terms of reference.

2.0 Background information

- 2.1 Scrutiny Boards are responsible for ensuring that items of scrutiny work come from a strategic approach as well as a need to challenge service performance and respond to issues of high public interest.
- 2.2 The alignment of the Scrutiny Boards to the City Priorities continues to promote a more strategic and outward looking scrutiny function that focuses on the "Best City for..." priorities, as set out within the City Priority Plan 2011 to 2015. This city-wide partnership plan summarises the key outcomes and priorities to be delivered by the Council and its partners.

3.0 Main issues

Best Council Plan

- 3.1 A refresh of the Best Council Plan was agreed at Executive Board in March 2014, to reflect the progress made over the past year and the significant changes to the context in which the council is working, and to fully align it with the approved 2014/15 budget. The resulting 'Best Council Plan – Plan on a Page' is attached as Appendix 1.

City Priority Plan and alignment with the Strategic Partnership Board

- 3.2 As set out within its terms of reference, this Scrutiny Board is authorised to review or scrutinise the performance of the Sustainable Economy and Culture Partnership Board. In doing so, the Scrutiny Board will review outcomes, targets and priorities within the "Best City....for business" priorities, as set out within the City Priority Plan. These priorities are as follows:

- Drive the sustainable growth of the Leeds economy to support the creation of new jobs and new skills;
- Promote low carbon businesses, buildings, energy generation and connectivity across the city;
- Raise the profile of Leeds and its cultural opportunities.

In determining items of scrutiny work this year, the Scrutiny Board is encouraged to explore how it can add value to the work of the Partnership in delivering on the city priorities.

- 3.3 In line with the Scrutiny Board Procedure Rules, the Scrutiny Board will also continue to act as 'critical friend' to the Sustainable Economy and Culture Partnership Board through an annual assessment of how well the Partnership is working in practice.

Other sources of Scrutiny work

- 3.4 The Scrutiny Boards' terms of reference are also determined by reference to Directors' delegations. As such, Scrutiny Boards have always challenged service directorates across the full range of council activities and the Scrutiny Board may therefore undertake pieces of scrutiny work in line with its terms of reference, as considered appropriate.
- 3.5 During the course of the last year, each Scrutiny Board has redefined the performance management information that it receives in line with its own requirements. The Board's performance monitoring role can often lead to the identification of areas for more detailed scrutiny. The quarter 4 performance report for 2013/14 is included as a separate item on the agenda.
- 3.6 Other common sources of work include pre-decision scrutiny, requests for scrutiny and other corporate referrals. Also attached for Members' consideration are the latest Executive Board minutes (Appendix 2).
- 3.7 Scrutiny Boards have always sought to work in partnership with one another where appropriate, in particular in cross-cutting areas which span more than one Scrutiny Board's terms of reference. In setting the work programme for the coming year, the Board is encouraged to consider areas of work which may benefit from a partnership approach.
- 3.8 The Board is also required to be formally consulted during the development of key policies which form part of the council's budget and policy framework. It is anticipated that the Scrutiny Board will be asked to contribute to the development of three such documents over the coming year:
- Leeds Local Development Framework Site Allocations Plan
 - Aire Valley Area Action Plan
 - Initial budget proposals

Areas of Scrutiny work brought forward from the previous year

- 3.9 The Scrutiny Board has been carrying out an inquiry into the role of the Leeds Let's Get Active Scheme in promoting public health during 2013/14, and resolved to receive a further progress report in the autumn of 2014, once the scheme has been operating for a year. The Chairs of both the Children & Families and Health & Wellbeing & Adult Social Care Scrutiny Boards have been participating in this inquiry.
- 3.10 The Board received a number of reports throughout last year to monitor progress with the preparations for the Tour de France Grand Depart in Leeds in July 2014. The Board agreed in February 2014 that it wished to receive a report on the cycling legacy proposals in early 2014/15.
- 3.11 During the consideration of budget proposals for the 2014/15 financial year, the Board was made aware of a request from the Leader, via the Scrutiny Board (Resources and Council Services), that this Scrutiny Board carry out an inquiry into asset management. The Board provisionally accepted the request in February 2014, also agreeing that the Chair of the Resources and Council Services Scrutiny Board

would be invited to join the Board for this inquiry. Draft terms of reference for this inquiry appear as a separate item on the agenda.

3.12 In March 2014 the Board accepted a request from the '20's Plenty for Us' campaign group - following a deputation to full Council and supported by the Executive Board - for an inquiry into the introduction of 20mph speed limits across the city. Draft terms of reference will be brought to the next meeting of the Board.

3.13 Other areas of work identified last year were:

- Annual scrutiny of performance in relation to the Local Flood Risk Management Strategy, in line with the Board's statutory scrutiny function in regard to flood risk management issues
- Pre-decision scrutiny of proposals for apportionment of the Community Infrastructure Levy and prioritisation of spending (to include a representative from the Housing and Regeneration Scrutiny Board)
- Annual review of the delivery of employment and training opportunities using the council's planning and procurement powers
- A desire to undertake further scrutiny on the theme of employment, following on from the apprenticeship inquiry conducted in 2013/14.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 It is recognised that in order to enable Scrutiny to focus on strategic areas of priority, each Scrutiny Board needs to establish an early dialogue with the Director and Executive Board Members holding the relevant portfolios.

4.1.2 The Director of City Development and the Executive Members for Transport & Economy; Digital & Creative Technologies, Culture & Skills; Neighbourhoods, Planning & Personnel; and Cleaner, Stronger & Safer Communities have been invited to attend today's meeting to discuss priority areas of work with the Scrutiny Board.

4.2 Equality and Diversity / Cohesion and Integration.

4.2.1 The Scrutiny Board Procedure Rules state that, where appropriate, all terms of reference for work undertaken by 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'.

4.3 Council Policies and City Priorities

4.3.1 The terms of reference of the Scrutiny Boards promote a strategic and outward looking Scrutiny function that focuses on the City Priorities. This particular Scrutiny Board is authorised to review or scrutinise the performance of the Sustainable Economy and Culture Partnership Board. In doing so, the Scrutiny Board will review outcomes, targets and priorities within the Business Plan and "Best City....for business" priorities, as set out within the City Priority Plan.

4.4 Resources and Value for Money

4.4.1 Over the last few years of Scrutiny Board work, experience has shown that the process is more effective and adds greater value if the Board seeks to minimise the number of substantial inquiries running at one time and focus its resources on one key issue at a time.

4.4.2 Before deciding to undertake an inquiry, the Scrutiny Board is advised to consider the current workload of the Scrutiny Board and the available resources to carry out the work.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This report has no specific legal implications.

4.6 Risk Management

4.6.1 There are no risk management implications relevant to this report.

5.0 Conclusions

5.1 Scrutiny Boards are responsible for ensuring that items of scrutiny work come from a strategic approach as well as a need to challenge service performance and respond to issues of high public interest. This report provides information and guidance on potential sources of work and areas of priority within the Board's terms of reference. In consultation with the relevant Director and Executive Board Members, the Scrutiny Board is requested to consider and confirm the areas of Scrutiny for the forthcoming municipal year.

6.0 Recommendations

6.1 Members are requested to use the attached information and the discussion with those present at the meeting to confirm the areas of Scrutiny for the forthcoming municipal year.

7.0 Background papers¹

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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Our ambition and approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK: fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of **civic enterprise**, where the council becomes more enterprising, businesses and partners become more civic, and citizens become more actively engaged in the work of the city.

Our best council outcomes

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Make it easier for people to do business with us; and
- Achieve the savings and efficiencies required to continue to deliver frontline services.

Our best council objectives and priorities for 2013 to 2017

Supporting communities and tackling poverty – *involving people in shaping their city and tackling the challenges of poverty, deprivation and inequality*

With a focus on:

- Supporting healthy lifestyles and getting people active
- Tackling domestic violence and abuse
- Helping people out of financial hardship and into work
- Strengthening local accountability and being more responsive to the needs of local communities
- Providing accessible and integrated services

Promoting sustainable & inclusive economic growth – *improving the economic wellbeing of local people and businesses*

With a focus on:

- Meeting the skills needs of business to support growth
- Boosting the local economy
- Maximising housing growth to meet the needs of the city in line with the Core Strategy
- Providing a good and efficient transport and digital infrastructure
- Developing a low carbon, resilient energy infrastructure for the city
- Playing our full role within the combined authority and city region to make the most of devolution opportunities
- Maximising the impact of our cultural infrastructure

Building a child-friendly city – *improving outcomes for children and families.*

With a focus on:

- Ensuring the best start in life
- Reducing the number of looked after children
- Improving school attendance
- Reducing NEETs
- Raising educational standards
- Ensuring sufficiency of school places

Delivery of the Better Lives programme – *helping local people with care and support needs to enjoy better lives.*

With a focus on:

- Helping people to stay living at home
- Joining up health and social care services
- Providing choice by creating the right housing, care and support
- Promoting and supporting enterprise in the care market to increase capacity and choice

Dealing effectively with the city's waste – *minimising waste in a growing city.*

With a focus on:

- Ensuring a safe, efficient and reliable waste collection service
- Providing a long-term solution for disposing of our waste
- Increasing recycling and reducing the use of landfill

Becoming a more efficient and enterprising council – *improving our organisational design, developing our people and working with partners to effect change.*

With a focus on:

- Getting services right first time and improving customer satisfaction
- Improving how we're organised and making the best use of our assets
- Creating flexibility and the right capacity and skills in our workforce
- Becoming more enterprising
- Generating income for the council

Our values: underpinning all that we do

Working as a team for Leeds

Being open, honest and trusted

Working with communities

Treating people fairly

Spending money wisely

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EXECUTIVE BOARD

WEDNESDAY, 2ND APRIL, 2014

PRESENT: Councillor K Wakefield in the Chair

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

219 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix C to the report entitled, 'Design and Cost Report for the Leeds (River Aire) Flood Alleviation Scheme', referred to at Minute No. 225 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is therefore considered that the public interest in maintaining the content of Appendix C as exempt outweighs the public interest in disclosing the information. Appendix C is exempt as disclosing the cost estimate may affect the Council's ability to secure the best financial outcome through competition.
- (b) Appendices 1(a) and 1(b) to the report entitled 'Generating Income through Advertising', referred to at Minute No. 228 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information detailed within the appendices relates to the financial or business affairs of particular organisations and the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information relates to financial offers that the Council has received in response to a published invitation to bid for the opportunities in questions it is not in the public interest to disclose this information at this point in time. Also, it is considered that the release of such information would, or would be likely to prejudice the process under which the Council is seeking to award the two licences for billboard sites and city centre 6 sheet units. It is considered that whilst there may be a public interest in disclosure, this information will be publicly available upon award of the licences and consequently the public

Draft minutes to be approved at the meeting
to be held on Wednesday, 14th May, 2014

interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

220 Late Items

There were no formal late items submitted, however, Board Members had been provided with colour versions of further visuals associated with agenda item 10, 'Design and Cost Report for the Proposed Improvement and Refurbishment of Kirkgate Market' (Minute No. 227 refers).

221 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests made during the meeting, however, comments in respect of interests were made at later points in the meeting (Minute Nos. 226 and 229 refer respectively).

222 Minutes

RESOLVED – That the minutes of the previous meeting held on 5th March 2014 be approved as a correct record.

LEADER OF COUNCIL'S PORTFOLIO

223 Financial Health Monitoring 2013/2014: Month 11

The Deputy Chief Executive submitted a report presenting the Council's projected financial position for 2013/2014 after eleven months of the financial year. The report stated that current forecasts were that the Council's general fund budget would be underspent by £3.9million.

As part of the introduction to the report, the Deputy Chief Executive corrected a figure quoted in paragraph 2 of the 'Summary of Main Issues' section. It was also noted that the intention was not to submit a further monitoring report in respect of the Council's financial health until the June 2014 Board meeting, when the final outturn position would be presented for Members' consideration.

Members welcomed the actions being taken to ensure that the benefits from the Better Care Fund would be maximised.

In conclusion, the Chair thanked all officers concerned for their continued efforts which had led to the current financial position, after 11 months of the financial year.

RESOLVED – That the projected financial position of the authority after eleven months of the financial year be noted.

DEVELOPMENT AND THE ECONOMY

224 A6210/A657 Rodley Roundabout Improvement

The Director of City Development submitted a report detailing the total scheme costs of £3,475,000 for the Rodley Roundabout improvements initiative. In addition, the report sought authority to incur such expenditure and

also sought approval to invite tenders and to implement the proposed highway improvement works to the roundabout.

The Board welcomed the proposals to improve the A6120/A657 Rodley Roundabout, with specific reference being made to the benefit which would be gained from the provision of controlled pedestrian crossing facilities.

In highlighting the work which was also scheduled to take place to improve A65/A6012 Horsforth roundabout and also the A647/B6154 Thornbury Barracks junction, Members noted that the cumulative impact of such works would be monitored, and that every effort would be made to ensure that any disruption was minimised.

RESOLVED –

- (a) That the construction of the Council's scheme to fully signalise Rodley Roundabout with associated highway works, at an estimated cost of £3,475,000, be approved.
- (b) That approval be given to inject £3,475,000 into the City Development capital programme.
- (c) That authority be given to incur expenditure of £3,475,000 (comprising of works costs £3,202,375 and staff fee costs £272,625) funded from a Department for Transport Tranche 4 Local Pinch Point Fund Government grant of £2,432,000, a Local Transport Plan grant of £306,239, and a Private Developer section 106 receipt of £736,761.
- (d) That it be noted that the officer responsible for implementing these proposals is the Acting Head of Transport Policy and that the works would be procured through appropriate tender procedures and delivered in line with the dates identified in section 4.7 of the submitted report.
- (e) That it be noted that it is proposed to deliver the proposals contained within the submitted report with the already approved proposals for Horsforth Roundabout as a single contract.

225 Design and Cost Report for the Leeds (River Aire) Flood Alleviation Scheme

Further to Minute No. 74, 4th September 2013, the Director of City Development submitted a report providing an update on the progress of proposals to provide river flood defences for the city and provided the Board with an opportunity to agree a design freeze on the scheme. In addition, the report also sought approval to incur the necessary expenditure to implement the Leeds Flood Alleviation Scheme (LFAS) City Centre and Holbeck works.

The Board welcomed the proposals detailed within the submitted report, with reference being made to the innovative approach which had been taken towards the establishment of a flood defence system, which included the proposed development of movable weirs at Crown Point and Knostrop.

Members also welcomed the advanced flood mitigation works which began on site in Woodlesford in January 2014.

A Member highlighted the issue of home owners replacing gardens with impermeable surfaces, the potential impact that this may have in respect of local surface water levels and made enquiries into the actions being taken to monitor and address this issue. In response, officers undertook to incorporate this matter into the ongoing work which was being undertaken in respect of issues around surface water flooding, and it was noted that further information would be submitted to a future meeting of the Board.

Responding to an enquiry, the Board was provided with an update on the progress which had been made, together with the ongoing work which continued to take place in respect of the cleansing and maintenance of gullies.

The Board noted the timescales by which it was proposed the flood defence scheme for the city centre would be completed, and received assurances that there was nothing at this time to suggest that such timescales would not be met.

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

RESOLVED –

- (a) That the scheme as described within the submitted report be approved.
- (b) That the promotion of Leeds City Council unsupported borrowing of £4,540,000 from the Amber to the Green Capital Programme be approved.
- (c) That expenditure from the Capital Programme of £36,463,200 for the implementation of the Leeds Flood Alleviation Scheme works be authorised. This includes costs of £75,000 to be incurred to investigate any surface water flooding issues.
- (d) That approval be given for Leeds City Council to take responsibility for the maintenance and operation of all assets constructed as part of the Leeds (River Aire) Flood Alleviation Scheme, including the movable weirs, walls and terraces.
- (e) That authority be given to enter into a legal agreement with a third party in order to incorporate a hydropower turbine into the water course adjacent to the location of Knostrop Weir.
- (f) That the Director of City Development be authorised to negotiate and approve the detailed terms of the following:-

- (i) the acquisition of land required to facilitate the construction of the moveable weirs at Knostrop and Crown Point; and
 - (ii) the incorporation of a hydropower turbine adjacent to Knostrop Weir;
 - (iii) the licence to access property owned by the Canals & Rivers Trust and carry out works to remove a length of Knostrop Cut;
 - (iv) the acquisition of the remainder of the island at Knostrop Cut;
 - (v) any lease or other agreement required to facilitate the relocation of the Trans Pennine Trail at Knostrop Cut.
- (g) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of the resolutions, as detailed above.

226 Leeds City Centre Business Improvement District

Further to Minute No. 75, 4th September 2013, the Director of City Development submitted a report setting out the next steps for consideration by the Council following the completion of a detailed feasibility study regarding the potential establishment of a Leeds City Centre Business Improvement District (BID). In addition, the report presented the recommendations from the study and sought in principle support for a Leeds City Centre BID, subject to a full proposal being submitted by the private sector steering group.

Members welcomed the principle of a Leeds City Centre BID, and highlighted the vital importance of a vibrant and attractive city centre with a balanced offer of retail and leisure facilities.

Having placed emphasis upon the need to ensure that any BID threshold established did not discriminate against smaller businesses, the Board noted that the BID proposals recommended that occupiers of small premises with a rateable value below a threshold yet to be determined were exempted from a potential BID levy.

Responding to a Member's enquiry regarding those companies who may have a portfolio of several premises within a BID boundary, and whether the premises of such organisations could be aggregated for the purposes of any BID levy established, officers undertook to look further into this matter and report back to the Board accordingly.

RESOLVED –

- (a) That the principle of a Leeds City Centre BID, with the aim of improving and promoting Leeds City Centre as a leading European business location, be supported.
- (b) That agreement be given to consider the Council's support for the final bid boundary following the next phase of consultation.
- (c) That the principle of occupiers of small business units (below a certain rateable value yet to be determined) being exempted from paying additional rates be supported.

- (d) That in principle support be given for the Council to be a levy payer, subject to it being satisfied with the proposed BID boundary, business plan and levy rate.
- (e) That agreement be given to the continued partnership with the private sector in the development of a Leeds City Centre BID by approving joint funding of the next phase of work to consult further, develop a proposed BID business plan, run a campaign to encourage occupiers to vote for a BID, and hold a bid ballot in November 2014.
- (f) That approval be given to provide up to £150,000 of funding, recoverable from the BID in the event there is a 'YES' vote, to the Chamber of Commerce for the next phase of work up to the BID ballot, which is on the understanding that there will also be significant private sector contribution (if a BID is established, this funding will be repaid to the Council by the BID in its first year).
- (g) That the Chief Economic Development Officer be instructed to submit a further report to a future meeting of Executive Board (likely to be September 2014) in order to seek approval on the proposed BID business plan, and to progress to a BID ballot.
- (h) That the following be noted:-
 - i. The stages required to implement the decision, as outlined within section 4 of the submitted report;
 - ii. The proposed timescales for implementation, as outlined within section 4 of the submitted report; and
 - iii. That the Chief Economic Development Officer will be responsible for the implementation of the resolutions, as detailed above.

(During the consideration of this item, Councillor Wakefield and the Chief Executive brought the Board's attention to their respective memberships of the Leeds, York and North Yorkshire Chamber of Commerce)

227 Design and Cost report for the Proposed Improvement and Refurbishment of Kirkgate Market

Further to Minute No. 145, 18th December 2013, the Director of City Development submitted a report which sought approval of the RIBA Stage D design and cost proposals for the improvement and refurbishment of Kirkgate Market. The report also sought approval for the authority to spend £10,800,000 as the balance of the funding required to undertake the works. In addition, the report sought approval to the injection and authority to spend of £330,000 for the enhanced stall fit out of a number of identified units and the provision of financial assistance to relocating tenants. Furthermore, agreement was sought to provide the Director of City Development with the necessary authority, in consultation with the Executive Member for Development and the Economy, to take decisions that facilitate the improvement and refurbishment of Kirkgate Market. Finally, the report

provided an update on the progress in appointing a developer to undertake the redevelopment of the George Street frontage.

The Board welcomed the proposals detailed within the submitted report and highlighted the key part that the market would continue to play in the city centre's varied retail offer.

In response to a specific enquiry, officers emphasised that dialogue with traders would continue throughout the proposed refurbishment process, in order to provide them with information and reassurance wherever possible.

RESOLVED –

- (a) That the RIBA Stage D design and cost proposals for the proposed improvement and refurbishment of Kirkgate Market be approved.
- (b) That authority be given to the expenditure of £190,800 in respect of Kirkgate refurbishment feasibility costs.
- (c) That a further injection of £330,000 into the capital programme be approved for the purposes of stall refurbishment and financial assistance to relocating tenants.
- (d) That authority be given to spend £10,800,000 on the proposed improvement and refurbishment of Kirkgate Market and also £330,000 on stall refurbishment and financial assistance to relocating tenants.
- (e) That the Director of City Development, in consultation with the Executive Member for Development and the Economy, be authorised to take decisions that facilitate the works to improve and refurbish Kirkgate Market.
- (f) That the following be noted:-
 - The actions required to implement the resolutions, as detailed above;
 - The proposed timescales to progress the project as detailed in paragraph 3.2.1 of the submitted report;
 - That the Chief Economic Development Officer and the Market Manager will be responsible for the implementation of the resolutions.

228 Generating Income through Advertising

The Director of City Development submitted a report which invited the Board to award the preferred organisation with a licence, for a period of 10 years, for the purposes of operating the Council's billboard site portfolio, along with development of new sites as proposed, subject to the required planning consents being granted. In addition, the report also sought approval to progress the preferred organisation to a further stage of development in respect of installing, operating and maintaining a portfolio of 6 sheet advertising units within the city centre for a period of 15 years, subject to necessary planning consents being secured.

Draft minutes to be approved at the meeting
to be held on Wednesday, 14th May, 2014

Following consideration of Appendices 1(a) and 1(b) to the submitted report, designated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4 (3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the contents of the submitted report, together with the work undertaken to realise advertising opportunities that could potentially deliver a significant increase in income to the Council, be noted.
- (b) That, as per exempt Appendix 1(a), approval be given to the preferred organisation to manage under licence the Council's billboard site portfolio.
- (c) That, as per exempt Appendix 1(b), approval be given to the progression of the named organisation to a second stage of proposal refinement/development in respect of a city centre 6 sheet initiative.
- (d) That the Director of City Development be delegated the necessary authority to agree the final award of the city centre 6 sheet initiative.
- (e) That the following be noted:-
 - the stages required to implement the resolutions (above), as outlined within paragraphs 3.3.5 and 3.4.7 of the submitted report;
 - the proposed timescales for implementation of the resolutions, as outlined within paragraphs 3.3.5 and 3.4.7 of the submitted report; and
 - that the Head of Property Services will be responsible for the implementation of such matters.

229 Affordable Housing Growth and Investment through the Affordable Homes Programme

Further to Minute No. 179, 14th February 2014, the Director of City Development and the Director of Environment and Housing submitted a joint report providing an update on the delivery of affordable housing, particularly in the context of the Homes and Communities Agency's Affordable Homes Programme (AHP). In addition, the report presented an overview of how the Council had responded to the 2015-2018 Affordable Homes Programme from the Homes and Communities (HCA) and how the Council aimed to maximise development of affordable housing units throughout the programme. Furthermore, the report sought approval to dispose of the sites listed in Appendices 1 and 2 of the submitted report to Registered Providers (RPs) for affordable housing and to confirm the identification of the sites listed at Appendix 3 for the development of affordable housing, either wholly or in-part.

Draft minutes to be approved at the meeting
to be held on Wednesday, 14th May, 2014

Members welcomed the proposals detailed within the submitted report and the proactive approach being taken towards making sites available for investment and development. In addition, the following key points were raised during the consideration of this item:

- The importance of a mixed economy of housing provision in communities across the city;
- Emphasis was placed upon the need for the proposed provision of affordable housing to be delivered within a 5 year period as part of the Council's 5 year land supply;
- The quality standards required for any new housing provision in Leeds.

In conclusion, and responding to enquiries made during the discussion, it was agreed that reports be submitted to future Board meetings with regard to the quality standard required for new housing provision in Leeds and also in respect of the potential use of vacant sites within the EASEL area.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the sites as detailed at Appendix 1 and 2 to the submitted report be declared as surplus to the Council's requirements.
- (c) That the Director of City Development be delegated the necessary authority to dispose of those sites as listed at Appendix 1 to the submitted report on a less than best basis, subject to justification for such a transfer being evidenced by an RP via a Financial Viability Assessment of the proposed scheme being carried out by a third party.
- (d) That the Director of City Development be delegated the necessary authority to dispose of those sites as listed at Appendix 2 to the submitted report at a less than best consideration calculated at £1,000 per plot.
- (e) That the identification of those sites listed at Appendix 3 to the submitted report for medium term development for either council housing, disposal to RPs or in conjunction with a developer, be approved.
- (f) That the sites, as identified in Appendices 2 and 3 to the submitted report which are additional to those included within the Housing Investment Land Strategy, be approved.
- (g) That the necessary authority be delegated to the Director of City Development in order to identify further sites to support the delivery of affordable housing.

- (h) That in principle approval be given to the proposal for the Council to acquire privately owned land for the development of affordable housing.
- (i) That the following be noted:-
- The stages required to implement the resolutions above, as outlined within paragraphs 3.31 and 3.32 of the submitted report.
 - The proposed timescales for implementation of such matters, as outlined within paragraph 3.33 of the submitted report.
 - That the Chief Officer Asset Management and Regeneration will be responsible for the implementation of such resolutions.
- (j) That reports be submitted to future Board meetings with regard to the quality standard required for new housing provision in Leeds and also in respect of the potential use of vacant sites within the EASEL area.

(During the consideration of this item, Councillor A Carter brought the Board's attention to his position as a Director of a Housing Association)

230 Kippax Village Centre Improvements: 25-37 High Street, Kippax

The Director of City Development submitted a report providing context to, and proposing an approach towards the delivery of improvements to land and buildings at 25-37 High Street, Kippax, following discussions with Ward Members, Kippax Parish Council and Kippax Traders Association. In addition, the report also sought approval to progress the preparation of a development brief for the site and to negotiate with the owner. Furthermore, it also raised the possibility of using compulsory purchase powers to underpin the delivery of a suitable scheme.

The Board welcomed the proposals detailed within the submitted report and highlighted the vital role played by the outlying communities throughout the city.

RESOLVED –

- (a) That the principle of further development within Kippax village centre be approved.
- (b) That the preparation of a Development Brief for 25-37 High Street, Kippax, by the Director of City Development which will be presented to Executive Board for approval in the autumn and will support the procurement of a developer and outline the basis for redevelopment, be approved.
- (c) That the continuation of negotiations by the Director of City Development with the owner, be approved.
- (d) That the potential for the use of Compulsory Purchase powers in relation to 25-37 High Street, Kippax, be noted.

CHILDREN'S SERVICES

231 Determination of School Admissions Arrangements 2015

The Director of Children's submitted a report which sought approval of the Local Authority's Admissions Policy and admissions arrangements for entry in September 2015.

RESOLVED –

- (a) That the Admissions Policy for community and voluntary controlled schools for September 2015, be approved, and that it be noted that the officer responsible for the publication of the determined arrangements is the Capacity Planning and Sufficiency Lead, with the date for implementation (ie publication) being 1 May 2014.
- (b) That the Co-ordinated Scheme for admissions arrangements for entry in September 2015, be approved, and that it be noted that the officer responsible for this work is the Capacity Planning and Sufficiency Lead, with the date for implementation (ie determination of any revised policy) being 15 April 2014.

LEISURE AND SKILLS

232 Tour de France - Progress Report

Further to Minute No. 135, 18th December 2013, the Director of City Development submitted a report providing an update on the progress which had been made in respect of the planning for the Tour de France Grand Depart 2014 since the submission of the previous update report.

By way of an introduction to the report, the Executive Member for Leisure and Skills highlighted the communications exercises which had taken place with affected residents and businesses and also provided an update on the events which were scheduled to take place as part of Yorkshire's '100 Day Cultural Festival' programme.

Responding to a Member's enquiry, the Board received an update regarding the work being undertaken with a range of partners on the provision of infrastructure for the event, such as cyclists' parking, pedestrian and disabled access and also public transport.

Having briefly discussed the legacy from the event and the work being undertaken around this issue, it was noted that a report regarding legacy was scheduled to be submitted to the Board in May 2014.

In conclusion, emphasis was placed upon the importance of the all-party support for the event which continued to be provided.

RESOLVED – That the progress made in preparation for the Tour de France Grand Depart 2014, together with the proposals detailed within the submitted report, be noted.

DATE OF PUBLICATION: FRIDAY, 4TH APRIL 2014

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** FRIDAY, 11TH APRIL 2014 AT 5.00 P.M.

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 14th April 2014)

Draft minutes to be approved at the meeting
to be held on Wednesday, 14th May, 2014



Report author: Helen Miller

Tel: 2478132

Report of the Director of City Development

Report to Scrutiny Board (Sustainable Economy and Culture)

Date: 1 July 2014

Subject: Natural Resources & Waste Local Plan – Publication and Submission of Policies Minerals 13 and 14

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

Summary of main issues

1. The Natural Resources & Waste Local Plan was formally adopted by the Council on 16th January 2013 as part of the Local Development Framework (LDF). Subsequent to this, the Council received a High Court Challenge into a discreet part of the Plan, specifically policies Minerals 13 and 14 regarding the protection of rail sidings and / or canal wharves. The High Court found in favour of the claimants, however the Judge recognised the importance of the intent of the policies. Consequently, the Judge ordered that policies Minerals 13 and 14 be re-submitted to the Planning Inspectorate and be re-examined prior to their adoption.
2. The City Council commissioned a study to update the evidence base regarding the potential for the use of non-road based freight modes in Leeds (available from the report author). The study has been used to inform amendments to Policies Minerals 13 and 14. Based upon this new evidence, it is considered that the issues raised through the High Court Challenge have been addressed, through the revised policies. The revised Policies and explanatory text are included as an appendix to this Report. The next steps are to proceed to consultation on the revised Policies Minerals 13 and 14 for a 6 week period prior to submission of the updated Policies

to the Planning Inspectorate for re-examination as required under the Local Development Framework Regulations.

Recommendations

Members of Scrutiny Board are invited to consider the content of this report and to comment as appropriate. In accordance with the Executive Board recommendation comments from Scrutiny Board will be considered initially by the Chief Planning Officer in conjunction with the Executive Member for Neighbourhood Planning and Personnel. Executive Board have been asked to agree the following:

- i) That the revised Policies Minerals 13 and 14 of the Natural Resources and Waste Local Plan and supporting text are published for a six week consultation period and that the Chief Planning Officer is authorised to consider any representations received.
- ii) To note that the Head of Forward Planning and Implementation is responsible for these matters and the consultation will be in July / August 2014.
- iii) Subject to there being no new significant issues raised, the Executive Board recommend to Full Council that they approve the submission of the revised policies to the Secretary of State for independent examination.
- iv) If significant new issues are raised through the consultation or by Scrutiny Board Members, to authorise the Chief Planning Officer, in consultation with the Executive Member for Neighbourhood Planning and Personnel, to review the proposals and to take such additional steps as are necessary before seeking approval from Council for submission.

1.0 Purpose of this Report

- 1.1 Following the receipt of a study into the potential use of non-road based freight in Leeds, the City Council has made amendments to the wording of Policies Minerals 13 and 14 and the explanatory text, these are included in the attached Appendix, the former version of these policies and supporting text is also included at the back of Appendix 1 to enable an easy comparison of the changes. The next steps are for a six week consultation on the updated Policies Minerals 13 and 14. Providing no significant issues arise from the consultation, Full Council will then be asked to agree the re-submission of the Policies to the Secretary of State.
- 1.2 As well as containing specific planning policies and site allocations, the policies have an influencing role in supporting the City Council's wider strategic objectives for the environment. Policies Minerals 13 and 14 are relevant for the following Best Council Objective and Priority:
 - Providing a good and efficient transport and digital infrastructure. This reflects the Council's ambition to maximise the use of rail freight in the city and part of existing freight loading capacity.

2.0 Background Information

- 2.1 The National Planning Policy Framework requires local planning authorities to safeguard existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials. PPS10 requires local planning authorities to plan for the sustainable movement of waste.
- 2.2 Spatial Policy 8 of the Leeds Core Strategy (economic development priorities) recognises the need to support development at existing locations/sites for general industrial and warehouse use, particularly in locations which take full advantage of existing services, high levels of accessibility and infrastructure (including locations and sites accessible by rail and/or waterway).
Policy EC1 of the Leeds Core Strategy identifies freight storage/distribution opportunities as part of the overall employment land requirements, focusing on the following locations:
- along rail corridors, particularly in the Aire Valley
 - along the Aire and Calder navigation.
- 2.3 The Natural Resources & Waste Local Plan contains a range of planning policies relating to Minerals & Aggregates, Water Resources, Air Quality, Sustainable Energy Use and Waste, as part of an overall integrated approach, which seeks to minimise and manage the use of natural resources through the following:
- planning for sufficient minerals & aggregates supply (whilst managing environmental assets and amenity),
 - planning for a shift to non-road based freight,
 - planning for municipal, commercial and industrial waste activity, including site specific allocations, (whilst seeking to reduce waste raisings overall)
 - Seeking to reduce flood risk, through mitigation and adaptation, in taking into account the effects of climate change.
- 2.4 Following Submission in July 2011, the Examination in Public into the Plan took place from 15th November to 8th December 2011. The Inspector recommended a number of changes to the Plan to make it sound and these changes were agreed by Members in April 2012 and then the subject of a six week public consultation. Responses to the consultation were sent to the Inspector for his consideration. The Inspector confirmed that there were no new issues arising that would warrant a re-opening of the Examination Hearing. The Plan and the modifications were therefore considered to be 'sound' and were adopted by Full Council on 16th January 2013.
- 2.5 Following adoption, a High Court Challenge was then received, submitted jointly by two parties both of whom are landowners with land affected by policies Minerals 13 and 14 in the Plan. The two policies are concerned with the second key issue above, ie. planning for a shift to non-road based freight. The landowners sought an order to quash policies Minerals 13 and 14 in so far as they related to the sites in their ownership.

2.6 The Hearing took place on 20th and 21st August 2013 with judgement on 24th September 2013. There were three grounds to the claim, firstly that the policies had not been based on a robust evidence base, secondly that there was a lack of evidence that the policies were deliverable and therefore could result in the long term sterilisation of land and thirdly that the Council had failed to comply with the SEA Directive by not assessing alternative uses on the sites. The Judge found in favour of the claimant on the first two of the three grounds submitted, on the basis that the independent Inspector who had examined the Plan had acted 'irrationally because his report did not adequately explain his reasoning with regard to those matters'. The Judge found in favour of the Council on the third ground of claim. As an alternative to quashing the sites from the Plan, she ordered that policies Minerals 13 and 14 should be remitted back to the Planning Inspectorate for re-examination.

3.0 Main Issues

3.1 As a basis to address the issues raised, the Council commissioned a study into the potential for non-road based freight in Leeds. This evidence base is summarised in a Freight Topic Paper and has been used to inform updates to Policies Minerals 13 and 14. This has given an opportunity for officers to address the concerns that were raised by the Judge with regard to ensuring that the policies are founded on a robust and credible evidence base and modifications have been made to the policies to address the weakness identified. Specific changes are shown in Appendix 1 and include the following:

- the omission of a reference to the potential for a wharf at Bridgewater Road South,
- the identification of an area between Holbeck and Stourton as an Intermodal Freight Area, where uses that can make use of the rail and water freight opportunities are encouraged,
- the modification of the criteria in Minerals 14 so that only one of the criteria need be met rather than all of them (to make the policy fit for purpose),
- to improve clarity, the sites affected have been named and listed within the policy (Maps are included in Appendix 1).

For comparison purposes, the former version of the Policies and supporting text is also included at the back of Appendix 1.

3.2 The Council now needs to formally consult on revisions and submit the policies to the Secretary of State for independent examination. Sustainability appraisal work and consultation under the 'Duty to Co-operate' is progressing well and has not identified any new significant effects as the intent of the policies is the same.

4.0 Corporate Considerations

As noted above, the Natural Resources & Waste Local Plan forms part of the Local Development Framework and as such forms part of the Development Plan

for Leeds. Policies Minerals 13 and 14 cannot be considered to be part of the Adopted Plan until they have been re-examined and found sound.

4.1 Consultation and Engagement

- 4.1.1 The Natural Resources and Waste Local Plan has been subjected to a number of public consultation exercises as part of its preparation and as required by the LDF Regulations. The Independent Inspector who examined the Plan indicated that he was content with the public consultation that had been undertaken at that time. In commencing the work on revising Policies Minerals 13 and 14, the Council carried out a 'Call for Evidence' inviting all interested parties to provide us with their latest information regarding the use of rail and water freight. Responses were limited but positive including from Network Rail and the Canal and River Trust. D. B. Schenker did not respond and Towngate responded to reinforce the view that they expected the policies to be based on a robust evidence base. Further consultation for six weeks will take place on the amended policies prior to their submission to the Planning Inspectorate.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality Impact Assessment Screening was carried out on the Natural Resources and Waste Local Plan when it was submitted to the Secretary of State for Examination. This report has been updated in the light of further changes to the Plan but has not resulted in any material change to the EIA Screening conclusion.

4.3 Council Policies and City Priorities

- 4.3.1 The Natural Resources and Waste Local Plan Policy Minerals 13 protects sites for non-road based freight and therefore helps to further the Council's objectives for sustainable transport.

4.4 Resources and value for money

- 4.4.1 Policies Minerals 13 and 14 are being prepared within the context of the LDF Regulations, statutory requirements and within existing resources. There are no specific resource implications for the City Council arising from the consultation.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The Natural Resources and Waste Local Plan Policy Minerals 13 has potential to lead to a modal shift from road freight to rail and water freight and it therefore enables Leeds City Council to comply with the requirements of the European Air Quality Directive and thereby avoid penalties incurred for non-compliance. The final decision as to whether to submit the policies to the Secretary of State is being referred to Full Council, this report is being brought before this Scrutiny Board as part of the Budget and Policy Framework.

4.6 Risk Management

- 4.6.1 Policies Minerals 13 and 14 are being prepared in accordance with the LDF Regulations and therefore this reduces the risk of them being unsound. The Freight Study and Marine Aggregate Study help to ensure that the updates to the policies are founded on a robust and credible evidence base and therefore reduces the risk of the policies being found unsound. However, the extent to which an evidence base can be considered to be sufficient is subjective and it will be up to the Inspector to examine this issue. Even after examination by an independent Inspector there is a risk that someone could mount a High Court Challenge again however the Council has taken all necessary steps to reduce the risk.

5.0 Conclusion

- 5.1 Following an update to the evidence base regarding freight potential in Leeds, amendments have been made to Policies Minerals 13 and 14. A six week consultation is now required on the amended policies in accordance with the LDF Regulations. The City Council can then proceed to submit the policies for re-examination prior to their adoption.

6.0 Recommendations

Members of Scrutiny Board are invited to consider the content of this report and to comment as appropriate. In accordance with the Executive Board recommendation, comments from Scrutiny Board will be considered initially by the Chief Planning Officer in conjunction with the Executive Member for Neighbourhood Planning and Personnel. Executive Board have been asked to agree the following:

- i) That the revised Policies Minerals 13 and 14 of the Natural Resources and Waste Local Plan and supporting text are published for a six week consultation period and that the Chief Planning Officer is authorised to consider any representations received.
- ii) To note that the Head of Forward Planning and Implementation is responsible for these matters and the consultation will be in July / August 2014.
- iii) Subject to there being no new significant issues raised, the Executive Board recommend to Full Council that they approve the submission of the revised policies to the Secretary of State for independent examination.
- iv) If significant new issues are raised through the consultation or by Scrutiny Board members, to authorise the Chief Planning Officer, in consultation with the Executive Member for Neighbourhood Planning and Personnel, to review the proposals and to take such additional steps as are necessary before seeking approval from Council for submission.

7.0 Background documents¹

- 7.1 Although there are no formal background documents to this report, a substantial number of documents are available representing various stages in preparation of the Plan. These are available on the Natural Resources and Waste Local Plan web pages or by contacting Helen Miller on Leeds 2478132.

Appendices

- Appendix 1 Publication Draft of updated Policies Minerals 13 and 14

¹

[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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PUBLICATION DRAFT OF POLICIES MINERALS 13 AND 14

(To replace the current supporting text and policies which are shown after this section)

MOVEMENT OF MINERALS AND OTHER FREIGHT

- 3.33 This Plan aims to meet the local target for aggregate provision through safeguarding and allocation of sites. Leeds does not produce the right quality of aggregate needed for concrete-making and therefore will need to import aggregates from outside the District. In line with the strategic objective for a low carbon economy, Leeds aims to make the most of the opportunities in the District for the movement of freight by canal and rail. We propose to assist this by safeguarding existing sites that can be used for canal or rail-based freight purposes and allocating new sites where appropriate. This will help to ensure that important sites with freight potential are protected from pressure for other permanent uses and to encourage further investment in the canal and rail infrastructure. This will also help ensure we have sufficient sites for concrete batching and asphalt operations and that they are located in the industrial parts of the south-east of the District where their impact on the environment and housing is minimal. Supporting industries in this way helps to ensure their future survival by enabling them to operate more efficiently. Historically, Leeds had a strong basis in manufacturing and whilst the local economy has focused more recently on finance and law, by supporting manufacturing industry it helps to promote a strong, diverse economy.
- 3.34 The Freight Topic Paper 2014 includes a summary of existing and potential freight movements in and out of Leeds. Additionally, detailed evidence is presented in two studies, 'Potential for the use of Non-Road Freight Modes for West Yorkshire, April 2014' and the 'Marine Aggregate Report, 2013'. The Freight Study recognises that Leeds has a strong synergy with the Humber Ports and that the Stourton area offers genuine tri-modal freight development opportunities that would have much lower 'entry costs' than other similar schemes elsewhere in the country. This Plan aims to support these opportunities so that sites can be taken forward and actively marketed by interested commercial parties. The Marine Aggregate Study concludes that it is likely that in the medium to long-term land-won aggregate will be replaced by marine-won aggregate from the North Sea. This Plan needs to make provision for this in ensuring that marine-won aggregate can be transported into Leeds from the East Coast and Humber Ports using rail and /or canal.
- 3.35 The main focus of current rail freight activity is in the Stourton area where aggregate is brought to each of the mineral processing plants by rail. It is also the location of the Freightliner sidings which are one of the busiest rail container terminals in Britain. Over the plan period there is potential for further rail freight activity in that area and for aggregate to be conveyed onward to sites within a short distance of the rail sidings.
- 3.36 The Aire and Calder Navigation connects to the Humber Ports and has been identified by the Canal and River Trust as a Priority Freight Route. It has potential for greater use for freight movements. The focus of the following policies is to safeguard sites for unloading in order to protect the ability to use the canal for freight movement. The Canal and River Trust advise that freight activities can take on average two years to implement. To avoid sites being left vacant, temporary employment uses will be considered on protected wharf sites.

MINERALS 13: TRANSPORT MODES

1. The following existing rail sidings and wharves are safeguarded to protect them from development that would prejudice their long term availability for rail or canal freight.
Site 14 Canal wharf at Stourton
Site 15 Canal wharf at Old Mill lane, Hunslet
Site 16 Rail sidings at Pontefract Road, Stourton
Site 17 Rail sidings at Knowsthorpe Lane
Site 18 Canal wharf at Fleet lane, Woodlesford
2. Site 20 Skelton Grange Road, Stourton is allocated for provision of a new canal wharf and associated employment activities which will utilise movements of freight by canal.
3. Site 21 Bridgewater Road South is allocated for provision of new rail sidings and associated employment activities which will utilise movements of freight by rail.
Proposals are expected to incorporate suitable landscaping to protect views and amenity from nearby existing and proposed residential allocations to the north and the river/canal.
4. Short term / temporary uses which do not utilise rail or canal freight may also be accepted on sites 20 and 21 providing they do not prejudice the long term use of rail or canal for freight.
5. An Intermodal Freight Area is identified at Stourton where commercial activities that can make use of the rail and water freight opportunities are encouraged.
6. Site 19 Skelton Grange rail spur, provides rail access to the former power station site at Skelton Grange (site 200) and is safeguarded to preserve the future opportunity for rail freight.

3.37 There are limited opportunities for rail and wharf facilities in Leeds and it is important that the sites identified in this Plan have every opportunity to develop and flourish for these uses. Nevertheless the Council recognises that land should not be sterilised indefinitely if there is no reasonable prospect of the sites being used for such purposes. Applications for alternative uses on a safeguarded or allocated wharf or rail siding will be considered in terms of their benefits weighed against the loss of the non-road freight opportunity using the following criteria based policy:

MINERALS 14: CRITERIA FOR ASSESSING ALTERNATIVE DEVELOPMENT ON PROTECTED WHARVES AND RAIL SIDINGS

Canal wharves and rail sidings are protected from other development unless the applicant can demonstrate compliance with one of the following criteria:

1. The development is of a temporary nature and would not prejudice the longer term ability of the site to utilise movements of freight by canal or rail, or
2. The applicant is able to demonstrate that in the case of a safeguarded wharf/rail siding that an adequate replacement wharf/rail siding has been provided or
3. A sufficient supply of sites will remain in the district, readily available and of at least the same functional capability (including proximity to relevant economic centres), so as not to prejudice the objective of encouraging a shift from road freight, or
4. The applicant is able to conclusively demonstrate, through the provision of current and forecast marketing evidence, that the site is unlikely to ever be used for freight purposes.

PREVIOUS VERSION OF POLICIES MINERALS 13 AND 14 AND SUPPORTING TEXT

MOVEMENT OF MINERALS AND OTHER FREIGHT

- 3.33 Leeds will still need to import aggregates, so to minimise road use we need to improve the opportunity for the movement of freight by canal and rail. We propose to do this by safeguarding suitable sites for canal and rail-based freight purposes to ensure that they are protected from pressure for other uses and to encourage further investment in the canal and rail infrastructure. This will also help ensure we have sufficient sites for concrete batching and asphaltting operations and that they are located in the industrial south-east of the District where their impact on the environment and housing is minimal. Supporting industries in this way helps to ensure their future survival by enabling them to operate more efficiently. Historically, Leeds had a strong basis in manufacturing and whilst the local economy has focused more recently on finance and law, by supporting manufacturing industry it helps to promote a strong, diverse economy.
- 3.34 During the plan period there will be more pressure on the rail network with an expected growth of between 50 and 70% in passenger numbers. This means that some existing railway land at Holbeck is likely to be needed for stabling and moving trains around to free up capacity in the main Leeds City Interchange. Aggregate currently comes from Skipton and Derbyshire, road stone from South Wales and coal from Scotland. The main focus for further rail freight infrastructure is between Holbeck and Stourton. A minimum of 775 metres in length is needed for a fully functioning rail siding.
- 3.35 There is potential for greater use of the canal for freight movements but this has to be balanced with the pressure for leisure and recreation. Safeguarding sites means that planning permission will not be granted for permanent uses which would prejudice the use of the canal for freight. British Waterways advise that freight activities take on average two years to implement and so to avoid sites being left vacant, temporary employment uses will be considered.

MINERALS 13: TRANSPORT MODES

- 1. The Council supports in principle the creation of new sites for the development of non – road infrastructure associated with natural resource and waste facilities .**
- 2. Existing rail sidings and wharves are safeguarded to protect them from other development that would prejudice their long term availability for rail or canal freight. These sites are shown on the Policies Map.**
- 3. The site at Skelton Grange Road, Stourton is suitable for provision of a new canal wharf and the site at Bridgewater Road South is suitable for provision of new rail sidings and may be suitable for a canal wharf. These sites are shown on the Policies Map. These sites are allocated for employment activities which can utilise movements of freight by rail or canal. Temporary uses which do not utilise rail or canal freight will also be accepted providing they do not prejudice the long term use of rail or canal for freight. Proposals are expected to incorporate suitable landscaping to protect views from nearby residential properties and the river/canal.**
- 4. The Leeds to Castleford rail line between Holbeck and Stourton is identified as an area of search for an intermodal freight facility.**
- 5. The Skelton Grange rail spur, which provides rail access to the former power station site at Skelton Grange, is safeguarded to preserve the future opportunity for rail freight.**

3.36 There are limited opportunities for rail and wharf facilities in Leeds and it is important that the sites identified in this plan have every opportunity to develop and flourish for these uses. Nevertheless the Council recognises that land should not be sterilised indefinitely if there is no reasonable prospect of the sites being used for such purposes. It is therefore necessary to strike a balance between the policy objectives and making effective, efficient and sustainable use of land. To this end the Council will therefore undertake a review of the policy as part of its Authority Monitoring Report in the first such Report prepared after a period of 5yrs from the date of adoption. Given that there are only limited opportunities available it should not be assumed that lack of interest in the preceding 5 years will automatically result in the removal of the safeguarding policy from any or all of the sites in question. The Report will need to consider a range of issues including how circumstances have changed since adoption and forecasts of how the economy might change in light of sustainability issues. This will include the issue of viability and in this respect the redevelopment of safeguarded or proposed wharves/ rail sidings for other land uses will only be considered where it can be demonstrated that the wharf / rail siding is not likely to become viable or capable of being made viable for freight handling, or in the case of safeguarded wharves/ rail sidings where an adequate replacement wharf/ rail siding has been provided.

The following factors will be taken into account when considering viability:

- site size, shape, navigational access, road access, rail access (where possible), planning history, environmental impact and surrounding land use context, including existing uses, extant planning permissions and development plan allocations;
- geographical location, in terms of proximity and connections to existing and potential market areas and other freight-handling sites;
- the existing and potential contribution the site can make towards reducing road based freight movements;
- demand for the use of the site for waterborne/ rail-based freight having regard to marketing and other evidence.

3.37 Applications for alternative uses on a safeguarded or allocated wharf or rail siding will be considered in terms of their benefits weighted against the loss of the non-road freight opportunity using the following criteria based policy.

MINERALS 14: CRITERIA FOR ASSESSING ALTERNATIVE DEVELOPMENT ON PROTECTED WHARVES AND RAIL SIDINGS

Canal wharves and rail sidings are protected from other development unless the applicant can demonstrate compliance with the following criteria:

1. The development would not sterilise the longer term potential of the site for wharf or rail siding use, or
2. The applicant is able to demonstrate that in the case of a safeguarded wharf/rail siding that an adequate replacement wharf/rail siding has been provided or
3. The applicant is able to demonstrate that there are no suitable alternative sites for the proposed development, and
4. A sufficient supply of sites will remain in the district, readily available and of at least the same functional capability (including proximity to relevant economic centres), so as not to prejudice the objective of encouraging a shift from road freight, and
5. The applicant is able to conclusively demonstrate, including current and forecasted marketing evidence, that the site is unlikely to ever be appropriate for use as a freight interchange

Leeds City Council

Natural Resources and Waste DPD

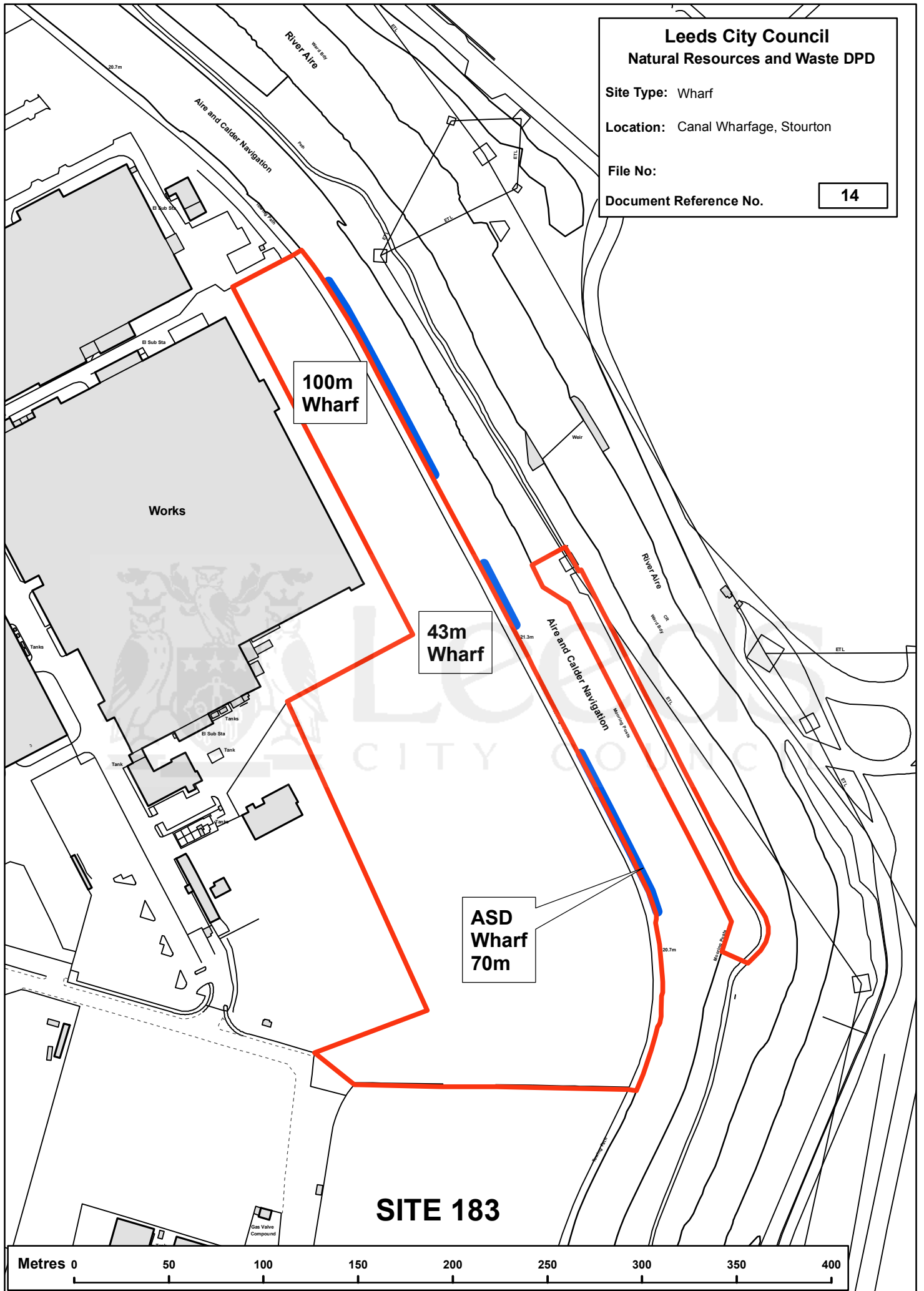
Site Type: Wharf

Location: Canal Wharfage, Stourton

File No:

Document Reference No.

14



**Leeds City Council
Natural Resources and Waste DPD**

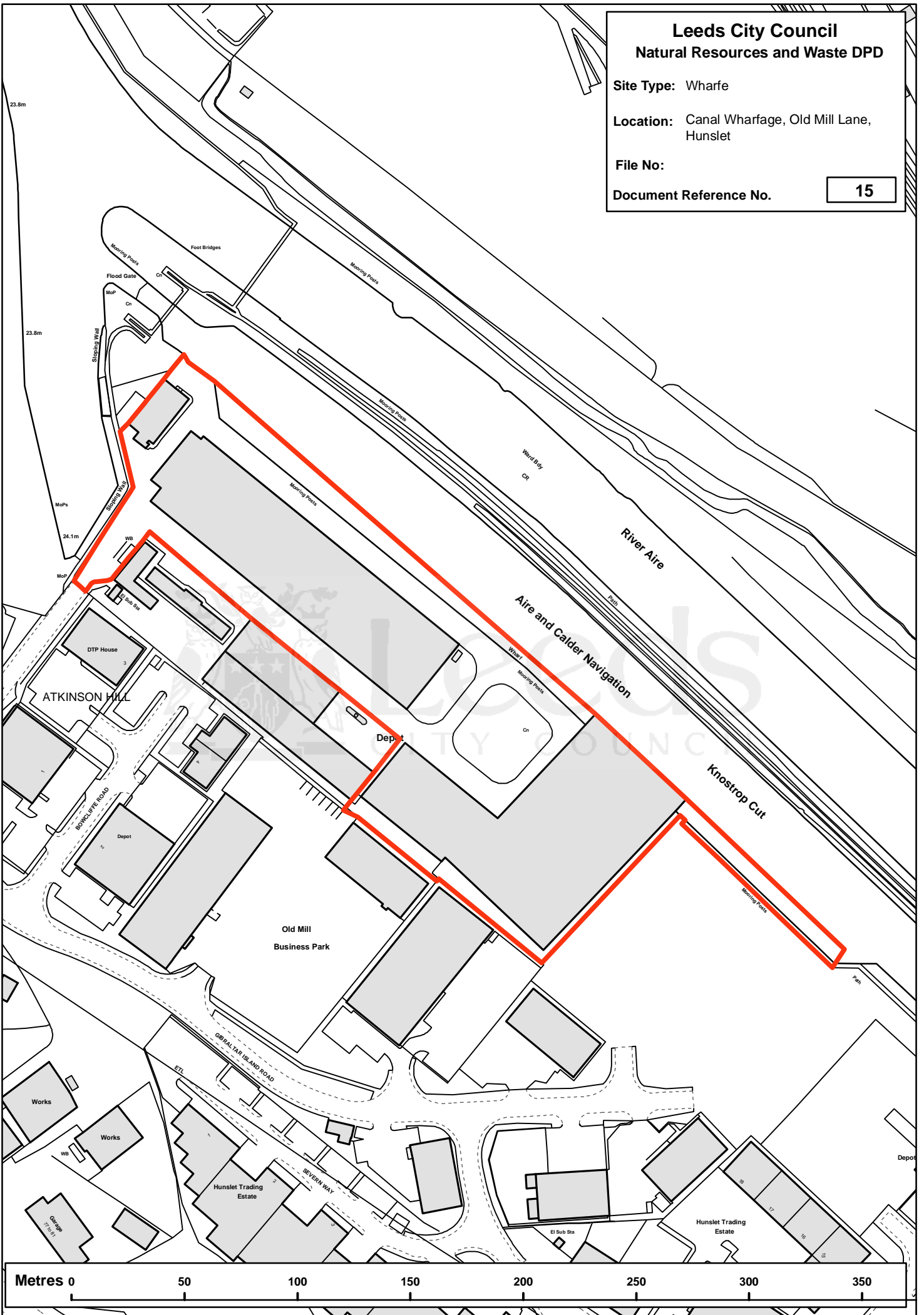
Site Type: Wharfe

Location: Canal Wharfage, Old Mill Lane,
Hunslet

File No:

Document Reference No.

15



**Leeds City Council
Natural Resources and Waste DPD**

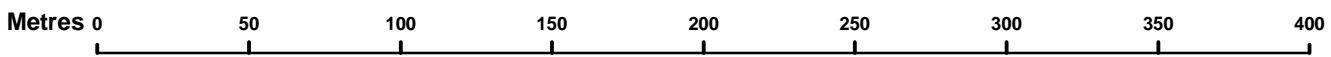
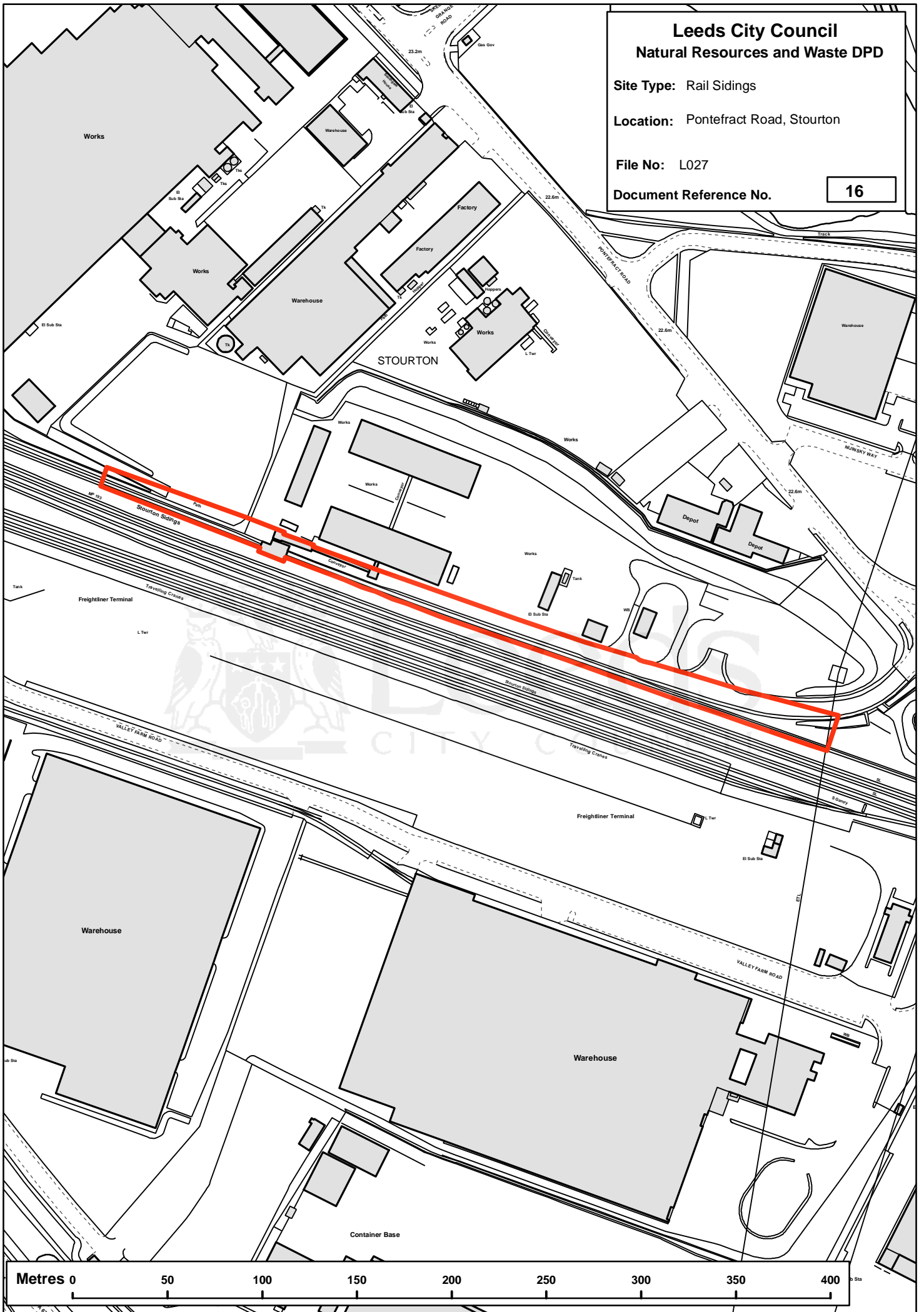
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Location: Pontefract Road, Stourton

File No: L027

Document Reference No.

16



**Leeds City Council
Natural Resources and Waste DPD**

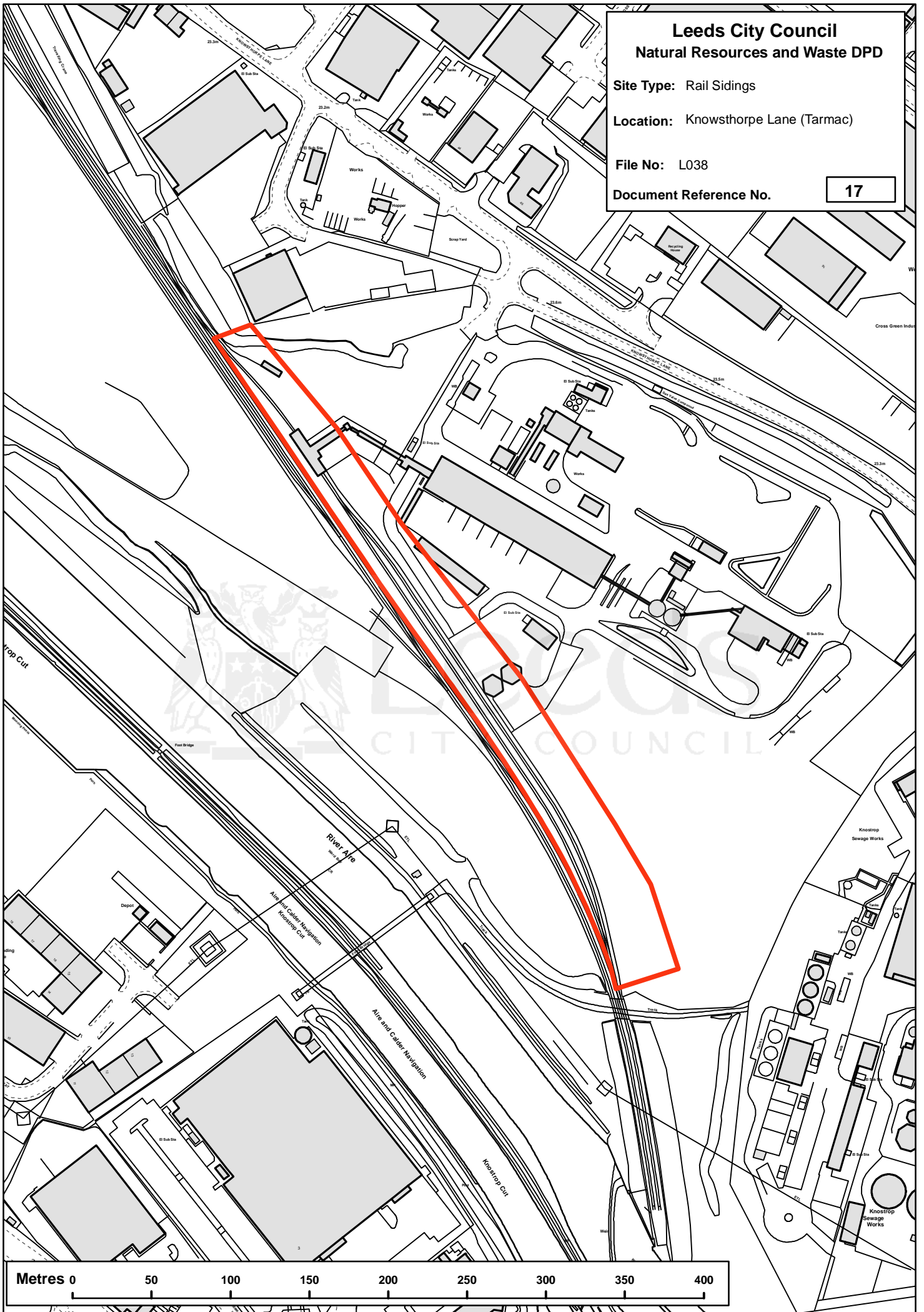
Site Type: Rail Sidings

Location: Knowsthorpe Lane (Tarmac)

File No: L038

Document Reference No.

17



Workings

Leeds City Council

Natural Resources and Waste DPD

Site Type: Wharf

Location: Fleet Lane, Woodlesford

File No:

Document Reference No.

18

Track

Def

Jetty

Depot

Fleet Cut

FLEET LANE

Depot

16.4m

Fleet Bridge

19.2m

River Aire

Track

Weir Path

Aire and Calder Navigation

14.9m

Path

FB

FB

Weir

Metres 0 50 100 150 200 250 300 350 400

**Leeds City Council
Natural Resources and Waste DPD**

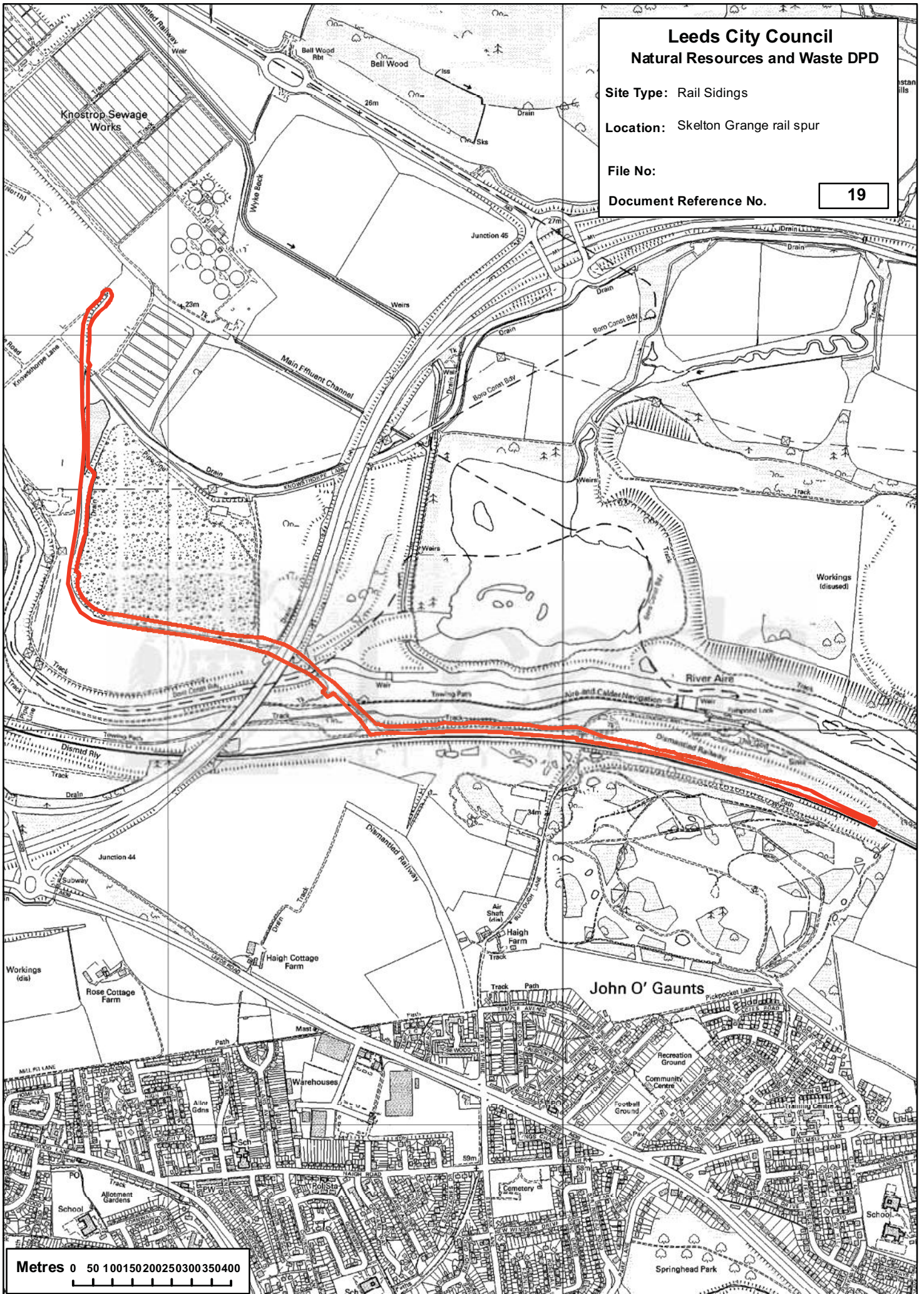
Site Type: Rail Sidings

Location: Skelton Grange rail spur

File No:

Document Reference No.

19



**Leeds City Council
Natural Resources and Waste DPD**

Site Type: Wharf

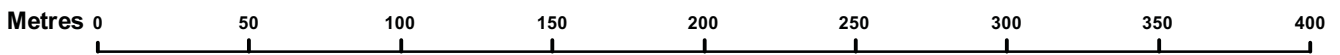
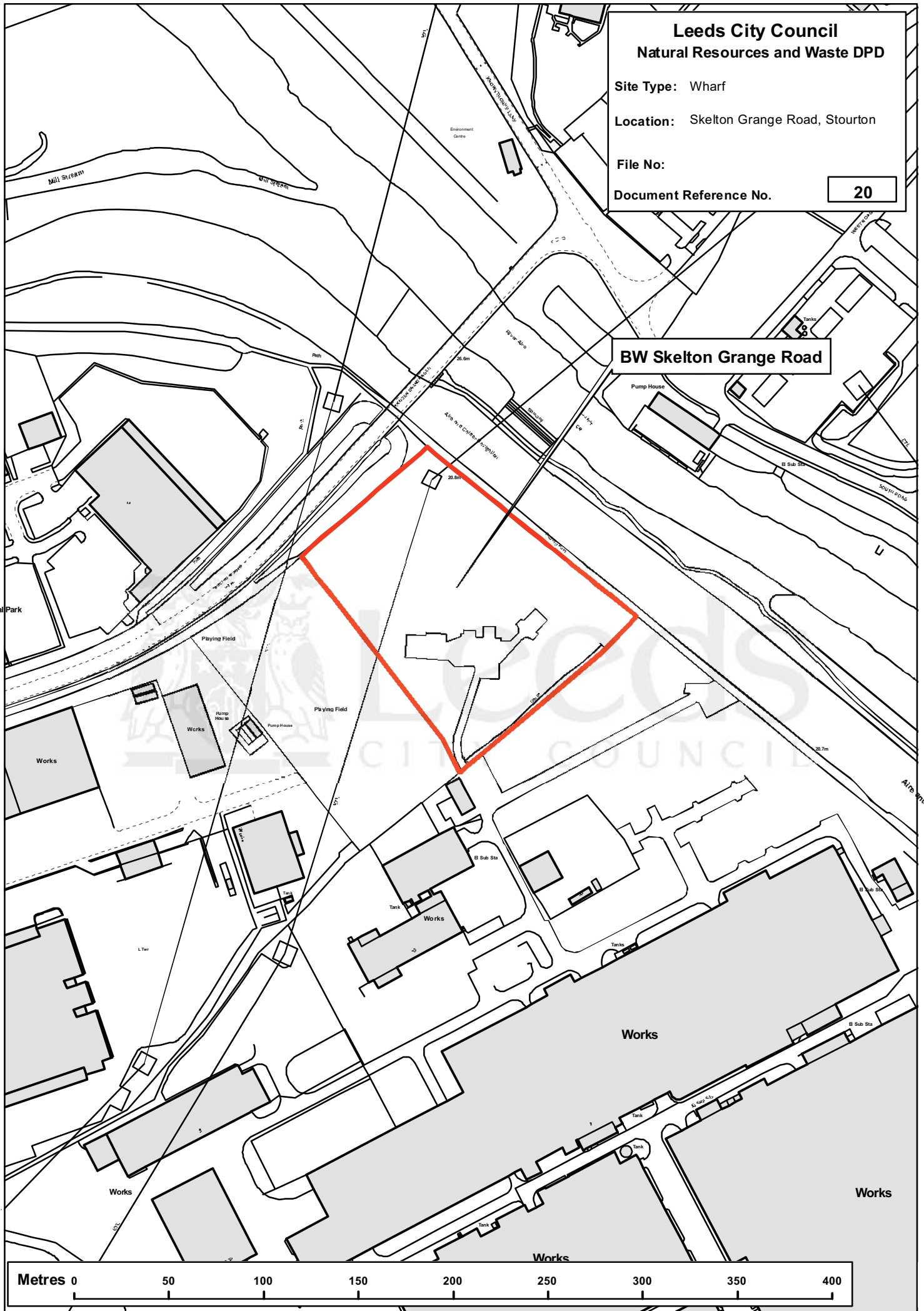
Location: Skelton Grange Road, Stourton

File No:

Document Reference No.

20

BW Skelton Grange Road



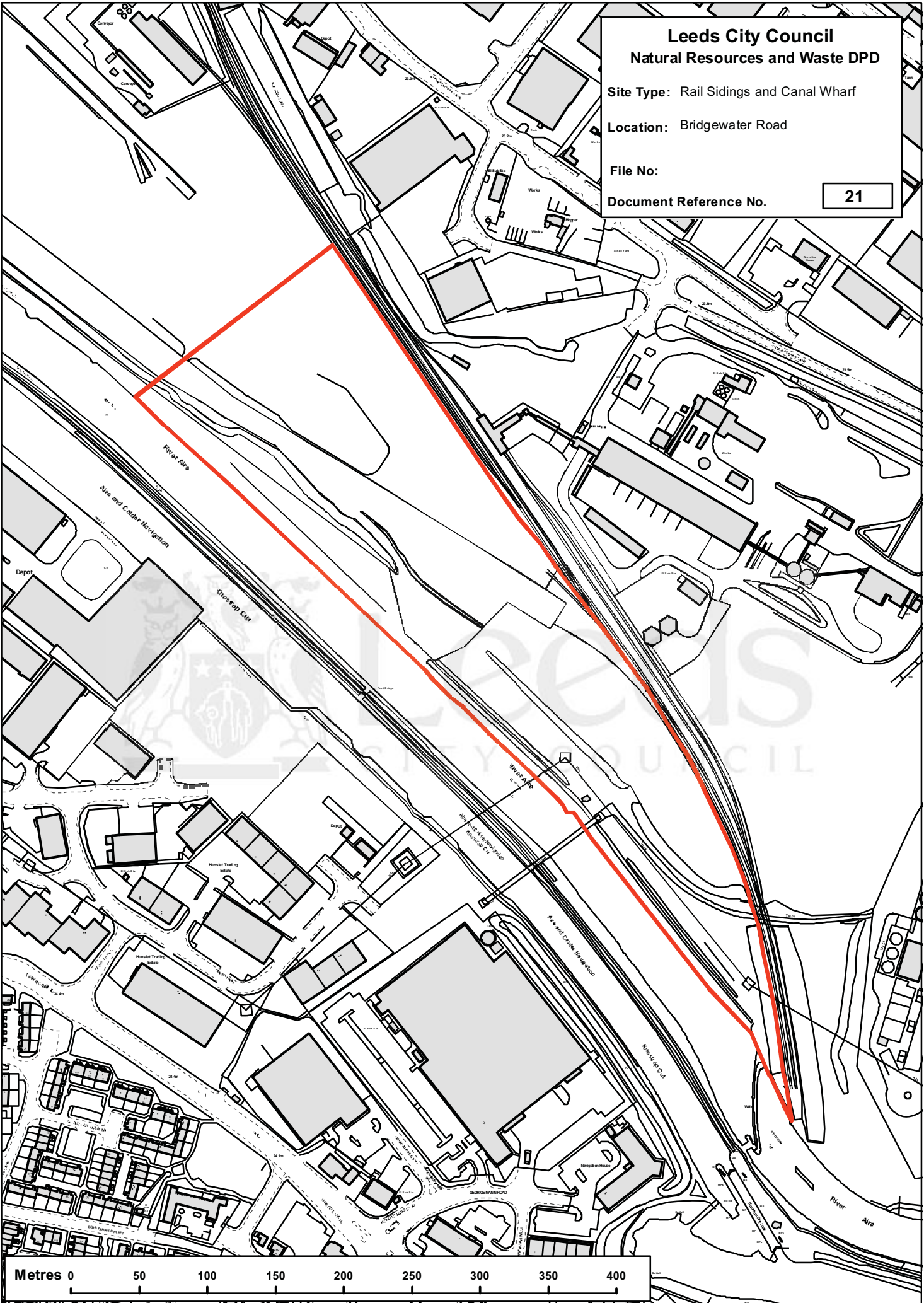
Leeds City Council
Natural Resources and Waste DPD

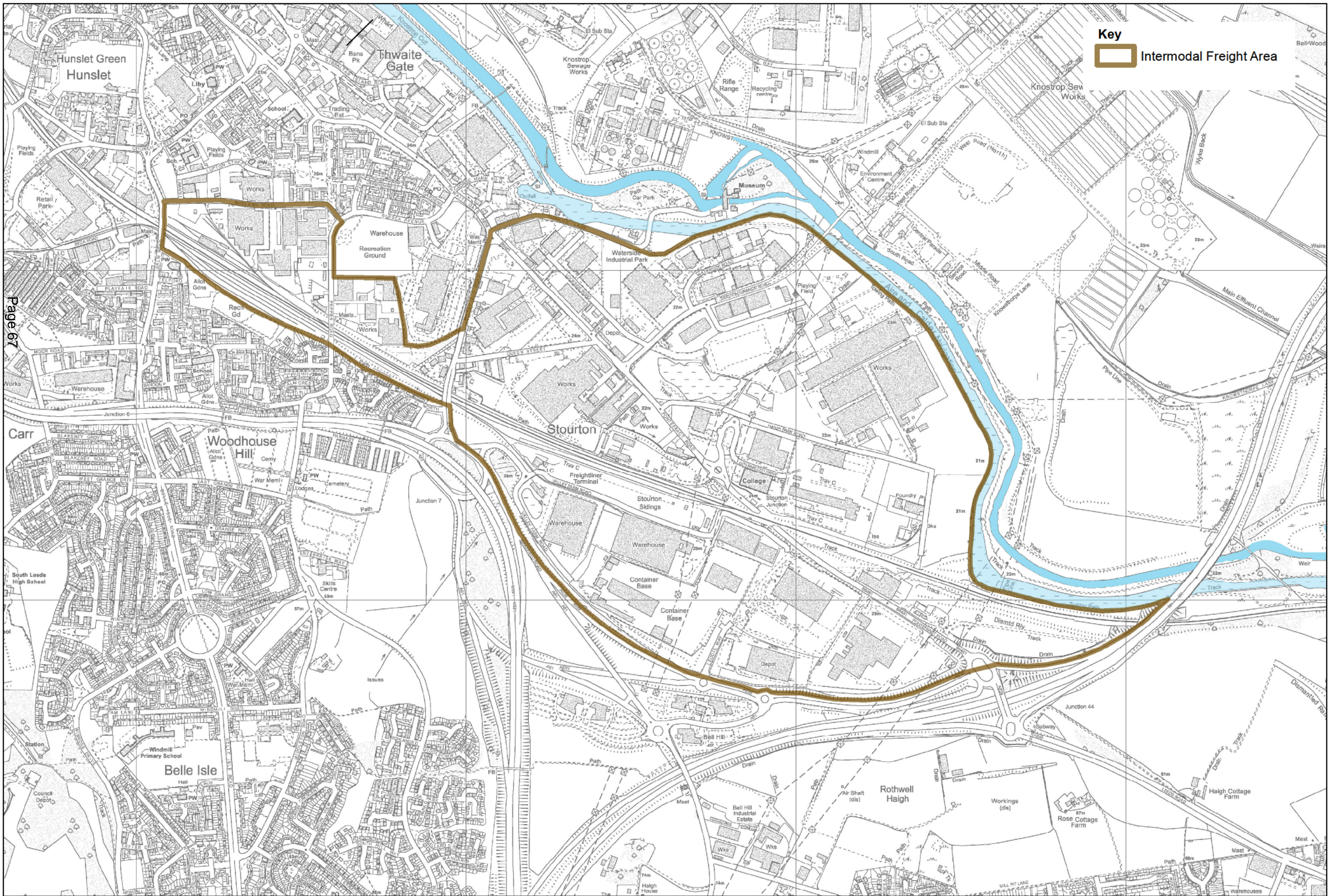
Site Type: Rail Sidings and Canal Wharf

Location: Bridgewater Road

File No:

Document Reference No. 21





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Report author: Kate Arscott
Tel: 247 4189

Report of Head of Scrutiny and Member Development

Report to Scrutiny Board (Sustainable Economy and Culture)

Date: 1 July 2014

Subject: Draft terms of reference – Scrutiny Board inquiry on Asset 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. During discussions on the budget proposals for 2014/15, the Leader of Council made a request via the Resources and Council Services Scrutiny Board for a scrutiny inquiry on asset management. Asset management falls within this Board's portfolio, and the Board provisionally agreed in February 2014 to include this as an inquiry for its work programme in 2014/15.
2. Draft terms of reference for the inquiry are attached at Appendix 1 for the Board's approval. The inquiry itself is scheduled to start at the Board's next meeting.

Views of the director and executive member

3. The Scrutiny Board Procedure Rules also require that, where a Scrutiny Board undertakes an Inquiry, the Scrutiny Board shall consult with any relevant Director and Executive Member on the terms of reference. These views will need to be taken into account in finalising the terms of reference.
4. Comments received have been incorporated into the draft terms of reference.

Recommendation

5. The Board is requested to agree the terms of reference for the inquiry.

Background papers¹

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)

ASSET MANAGEMENT INQUIRY

DRAFT TERMS OF REFERENCE

1.0 Introduction

- 1.1 The council's medium term financial strategy and the Best Council Plan both highlight the need for the council to reduce its property portfolio and the associated running costs significantly, in order to help achieve the financial savings required over the next few years.
- 1.2 During the annual consultation on the budget proposals for 2014/15, the Leader of the Council discussed asset management with the Resources and Council Services Scrutiny Board. Both parties concurred that the issue remains a challenge and it was agreed to ask the Sustainable Economy and Culture Scrutiny Board to look at it in greater detail.
- 1.3 The Sustainable Economy and Culture Scrutiny Board agreed in principle to take on the request, as an inquiry to be undertaken in the 2014/15 municipal year. It was also agreed that the Chair of the Resources and Council Services Scrutiny Board would be invited to participate in the inquiry due to the importance of this issue to the council's overall financial strategy.
- 1.4 In providing comments to the Executive Board on the budget proposals it was suggested by the Resources and Council Services Scrutiny Board that consideration ought to be given to all assets being owned by the corporate centre, with departments being the client. It was felt that such an approach may address both local ward members and officers holding on to 'sacred cows' for fear of difficult decisions and negative feedback.
- 1.5 The baseline for the inquiry will be the report to Executive Board on 17 July 2013 – Using our assets effectively to support the delivery of the Council's Business Plan and Financial Strategy [link to report](#).
- 1.6 This report identified annual revenue expenditure on assets of £41m (excluding schools and social housing) and categorised the council's strategic asset management role in the following terms:
 - Ensuring appropriate assets are provided to deliver the council's strategic priorities and that they are reviewed in line with service requirements and service change;
 - Using our assets to support regeneration and economic growth, often in partnership with other public bodies or the private sector; and
 - Using our assets as investments to create an income for the authority (either capital or revenue).

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 following areas:

- The progress being made against the Best Council Plan objective of making the best use of our assets;
- The development of a revised Asset Management Plan;
- The progress towards achievement of the £5m revenue savings target from asset running costs; and
- The outcomes of the government's One Public Estate pilot programme.

3.0 Desired Outcomes and Measures of Success

3.1 The decision to undertake this Inquiry has been based on the importance of this issue to the council's overall financial strategy.

3.2 It is important to consider how the Scrutiny Board will deem if 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.

3.3 Some potential initial measures of success are:

- Increased pace of progress with the asset rationalisation programme
- A reduction in the amount of office accommodation occupied by the council
- A reduction in the running cost of the council's asset base
- Evidence of partner and stakeholder participation in the asset rationalisation programme

4.0 Comments of the relevant Director and Executive Member

4.1 In line with Scrutiny Board Procedure Rule 12.1 where a Scrutiny Board undertakes an Inquiry the Scrutiny Board shall consult with any relevant Director and Executive Member on the terms of reference. Any comments will be reflected in the final terms of reference.

5.0 Timetable for the inquiry

5.1 The Inquiry will take place over two formal Scrutiny Board sessions.

6.0 Submission of evidence

6.1 Session one – 22 July 2014

- To receive evidence from the Executive Member and City Development officers about the asset management rationalisation programme, including details of the timetable, target savings, consultation, progress to date and future activity.

6.2 Session two – 9 September 2014

- To receive evidence from local Members and other departments about their contribution to the asset management rationalisation programme, including details of any good practice, opportunities or barriers that are emerging
- To receive evidence from third sector representatives about how they are being engaged in the rationalisation programme
- To receive evidence about the One Public Estate pilot programme, and the role of public sector partners in making better use of our assets

At the end of the second session the Board will consider how to proceed. This may involve commissioning further evidence; concluding the inquiry and producing a report with the Board's recommendations; or resolving to monitor the progress of the asset management rationalisation programme on a regular basis.

7.0 Witnesses

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

- Executive Member for Transport and Economy
- City Development officers
- Area Committee Chairs/Ward Members
- Other council departments (as building users)
- Third Sector representatives
- Public sector partners/One Public Estate pilot

8.0 Equality and Diversity / Cohesion and Integration

8.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve its ambition to be the best City in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.

8.2 Equality and diversity will be a consideration throughout the Scrutiny Inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.

8.3 The Scrutiny Board may engage and involve interested groups and individuals (both internal and external to the council) to inform recommendations.

8.4 Where an impact has been identified this will be reflected in the final inquiry report, post inquiry. Where a Scrutiny Board recommendation is agreed the individual, organisation or group responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

9.0 Post inquiry report monitoring arrangements

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

9.2 The monitoring will be undertaken by the Board. This will be done at regular intervals appropriate to the content of the recommendation.



Report author: Kate Arscott
Tel: 247 4189

Report of Head of Scrutiny and Member Development

Report to Sustainable Economy and Culture Scrutiny Board

Date: 1 July 2014

Subject: Work Schedule

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

1 Purpose of this report

1.1 The purpose of this report is to consider the Scrutiny Board’s work schedule for the forthcoming municipal year.

2 Main issues

2.1 Further to the discussions already held during today’s meeting, Members are now requested to translate the decisions made around the chosen topics for Scrutiny into a work schedule for the forthcoming municipal year.

2.2 A draft work schedule is attached. Already included within the draft work schedule are the traditional items of Scrutiny work. These involve performance monitoring, recommendation tracking and Budget and Policy Framework Plans.

3. Recommendations

3.1 Members are asked to prioritise the topics identified for Scrutiny and incorporate these into its work schedule for the forthcoming municipal year.

4. Background papers¹

4.1 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.

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DRAFT Scrutiny Board (Sustainable Economy and Culture) Work Schedule for 2014/2015 Municipal Year

Area of review	Schedule of meetings/visits during 2013/14		
	1 July	22 July	August
Asset Management	Terms of reference SB 1/7/14	Session One SB 22/7/14	
20 mph speed limits		Terms of reference SB 22/7/14	
Leeds Let's Get Active Scheme			
Tour de France Legacy		SB 22/7/14	
Requests for scrutiny			
Pre-decision Scrutiny			
Budget & Policy Framework Plans	Minerals Policies SB 1/7/14		
Recommendation Tracking			
Performance Monitoring	Quarter 4 performance report SB 1/7/14		

DRAFT Scrutiny Board (Sustainable Economy and Culture) Work Schedule for 2014/2015 Municipal Year

Area of review	Schedule of meetings/visits during 2013/14		
	September	October	November
Asset Management	Session Two SB 9/9/14		
20 mph speed limits		Session 1 SB 21/10/14	Session 2 SB 18/11/14
Leeds Let's Get Active Scheme			
Tour de France legacy			
Requests for scrutiny			
Pre-decision Scrutiny			
Budget & Policy Framework Plans			
Flood Risk Management			
Recommendation Tracking		Young People's engagement in culture SB 10/14	
Performance Monitoring		Quarter 1 performance report SB 10/14	

Key: SB – Scrutiny Board (Sustainable Economy and Culture) Meeting

WG – Working Group Meeting

DRAFT Scrutiny Board (Sustainable Economy and Culture) Work Schedule for 2014/2015 Municipal Year

Area of review	Schedule of meetings/visits during 2013/14		
	December	January	February
Asset Management			
20 mph speed limits			
Leeds Let's Get Active Scheme	Session Three SB 16/12/14		
Tour de France Legacy			
Requests for scrutiny			
Pre-decision Scrutiny			
Budget & Policy Framework Plans	Aire Valley Action Plan SB 16/12/14 (Date TBC)	Executive Board's initial budget proposals SB 13/1/15	Site Allocations DPD SB 17/2/15 (Date TBC)
Recommendation Tracking			
Performance Monitoring	Quarter 2 performance report SB 16/12/14		

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DRAFT Scrutiny Board (Sustainable Economy and Culture) Work Schedule for 2014/2015 Municipal Year

Area of review	Schedule of meetings/visits during 2013/14	
	March	April
Asset Management		
20 mph speed limits		
Leeds Let's Get Active Scheme		
Tour de France Legacy		
Requests for scrutiny		
Pre-decision Scrutiny		
Budget & Policy Framework Plans	Local Flood Risk Management Strategy Annual scrutiny review SB 17/3/15	
Annual review of Partnership		To undertake "critical friend" challenge 14/4/15
Recommendation Tracking		
Performance Monitoring	Quarter 3 performance report SB 17/3/15 Maximising Powers to Promote Influence and create Local Employment and Skills Opportunities SB 17/3/15	

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Unscheduled

Community Infrastructure Levy – apportionment of spending and spending priorities – (to include representative from Housing & Regeneration SB)

Key: SB – Scrutiny Board (Sustainable Economy and Culture) Meeting

WG – Working Group Meeting