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## SCRUTINY BOARD (ENVIRONMENT AND HOUSING)

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Tuesday, 8th December, 2015 at 1.30 pm

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

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### MEMBERSHIP

#### Councillors

- J Bentley - Weetwood;
- D Collins - Horsforth;
- A Gabriel - Beeston and Holbeck;
- P Grahame - Cross Gates and Whinmoor;
- M Iqbal - City and Hunslet;
- A Khan - Burmantofts and Richmond Hill;
- M Lyons - Temple Newsam;
- J Procter (Chair) - Wetherby;
- J Pryor - Headingley;
- K Ritchie - Bramley and Stanningley;
- G Wilkinson - Wetherby;

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

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**Agenda compiled by:**  
**Guy Close**  
**Scrutiny Support Unit**  
**Tel: 39 50878**

**Principal Scrutiny Adviser:**  
**Angela Brogden**  
**Tel: 24 74553**

# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items have been identified.</b></p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></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><b>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</b></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><b>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</b></p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p><b>MINUTES - 17 NOVEMBER 2015</b></p> <p>To confirm as a correct record, the minutes of the meeting held on 17 November 2015.</p>	1 - 6
7			<p><b>PECKFIELD LANDFILL SITE - RECOMMENDATION TRACKING</b></p> <p>To receive a report from the Head of Scrutiny and Member Development presenting a progress update on the implementation of the recommendations arising from the previous Scrutiny Inquiry into Peckfield Landfill Site.</p>	7 - 80
8			<p><b>HOUSING RELATED MATTERS</b></p> <p>To receive a report from the Director of Environment and Housing presenting an update on a series of summaries of housing issues that were presented to the Board in September 2015 and including additional information.</p>	81 - 100

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>WORK SCHEDULE</b></p> <p>To consider the Board’s work schedule for the forthcoming municipal year.</p>	101 - 128
10			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Tuesday, 12 January 2016 at 1.30 pm (pre-meeting for all Board Members at 1.00 pm)</p> <p><b>THIRD PARTY RECORDING</b></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 on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>	

## SCRUTINY BOARD (ENVIRONMENT AND HOUSING)

TUESDAY, 17TH NOVEMBER, 2015

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

Councillors J Bentley, D Collins, A Gabriel,  
P Grahame, M Iqbal, A Khan, M Lyons,  
J Pryor, K Ritchie and G Wilkinson

### **39 Late Items**

There were no late items.

### **40 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items, although the Chair advised that there may be a requirement for aspects of agenda item 7, Peckfield Landfill Site, to be considered in private session. It was advised that if this was the case then the relevant provisions were to be made clear to the Board.

### **41 Declaration of Disclosable Pecuniary Interests**

There were no disclosable pecuniary interests declared to the meeting.

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

There were no apologies for absence.

### **43 Minutes - 13 October 2015**

**RESOLVED** – That the minutes of the meeting held on 13 October 2015 be approved as a correct record.

### **44 Matters arising from the minutes**

#### **Minute No. 39 – Community Safety Related Matters – Prostitution**

The Board requested an update regarding progress made in providing practical support to the Holbeck area, particularly the need for more street cleansing support. The Director of Environment and Housing advised that a twice weekly clean-up of the private estate was commencing in the next couple of weeks.

#### **Minute No. 39 – Community Safety Related Matters – Police Community Support Officers (PCSOs)**

A point of clarification was made in reference to the proposed percentage increase in the Council's contribution to fund PCSOs (from 21% to 50%) stating that this did not imply an increase in funding.

#### **45 Peckfield Landfill Site**

The Head of Scrutiny and Member Development submitted a report which presented an update following the previous Scrutiny Inquiry into Peckfield Landfill Site.

The following information was appended to the report:

- Scrutiny Inquiry Final report, Peckfield Landfill Site (20 April 2015)
- Background information provided by City Development directorate
- An update on work at Peckfield Landfill Site submitted by the Environment Agency.

The following were in attendance:

- Councillor Mark Dobson, Executive Member (Environmental Protection and Community Safety)
- Councillor Mary Harland, Ward Member for Kippax and Methley
- Councillor James Lewis, Ward Member for Kippax and Methley
- Neil Evans, Director of Environment and Housing
- Caroline Allen, Head of Service, Legal Services
- Steve Speak, Deputy Chief Planning Officer
- Andrew Lingham, Waste Management, Environment and Housing
- Clive Saul, Minerals, Waste and Renewable Energy Planning Manager (Acting)
- Emma Hargreaves, Minerals Enforcement Officer.

The Chair explained that the Board would be formally tracking the recommendations arising from the Scrutiny Inquiry into Peckfield Landfill Site at its December meeting. It was noted that whilst the Environment Agency was unable to provide a representative to attend today's meeting, there would be a representative in December to address any further queries.

The Board received a brief presentation on the role of the Waste Planning Authority in relation to the planning and regulation of Peckfield Landfill Site.

The key areas of discussion were:

- Clarification sought whether the site operator was on target to complete landfill of the site by 2020. The Board was advised that no issues had been reported by the site operator with regards meeting this target.
- Confirmation that LCC no longer disposed its waste at the site.
- A general overview of local residents' concerns; whether work was still on schedule; concern that parts of the site had been closed off and then re-opened; and concern that the site operator could withdraw from the site and the subsequent need for restoration work. However, it was

highlighted by the Ward Members that the number of resident complaints had reduced.

- Clarification sought about the types of waste being disposed at the site and where it was coming from. This was to be pursued with the Environment Agency in December.
- A suggestion that the originator of the request for scrutiny, Ms Carolyn Walker, also be invited to attend the Board's December meeting.
- Clarification that there was a requirement for the site operator to ensure that the site was being progressively restored.
- Confirmation that the Environment Agency had secured a restoration bond for the site. Clarification of the exact figure was to be confirmed by the Environment Agency at the December Board meeting.

**RESOLVED –**

- (a) That the report and appendices be noted.
- (b) That the originator of the request for Scrutiny, Ms Carolyn Walker, be invited to attend in December when the Board will be formally tracking the recommendations arising from the Scrutiny Inquiry into Peckfield Landfill Site.

**46 Effective Housing Management and Lettings Policies**

The Chief Officer (Housing Management) submitted a report which presented proposed new approaches to housing management and key principles for local lettings policies.

The following information was appended to the report:

- List of local lettings policies.

The following were in attendance:

- Councillor Debra Coupar, Executive Member (Communities)
- Neil Evans, Director of Environment and Housing
- Mandy Sawyer, Head of Neighbourhood Services
- Kathryn Bramall, Housing Manager.

The key areas of discussion were:

- The Board discussed issues surrounding the behaviour of tenants and asked the department to provide clear guidance for all managers about taking past anti-social behaviour into account. The Board also requested some examples of cases to illustrate how this works in practice.
- The Council's responsibility to support tenants with different and sometimes challenging needs, the need for early intervention and signposting tenants to the right agencies. It was noted that a review of housing related support was due to be undertaken.
- A suggestion that issues arising from estate walkabouts are also factored into the tenancy management process.

- The Board welcomed the proposed delivery of pre-tenancy training and suggested that such training could also be extended to existing tenants where appropriate.
- The challenges in ensuring the right balance of housing provision across the city, particularly in terms of an increased demand for the younger population.
- It was highlighted that the report to Executive Board was now being scheduled for February 2016. It was therefore agreed that a further update would be brought back to Scrutiny for consideration in January 2016.

#### **RESOLVED –**

- (a) That the report be noted.
- (b) That the above issues raised by the Scrutiny Board are taken forward and where appropriate inform the new approaches to housing management and lettings policies.
- (c) That a further report on this matter is brought back to the Scrutiny Board in January 2016 for consideration.

(Councillor A Gabriel left the meeting at 3.10pm, during the consideration of this item.)

#### **47 Waste Strategy related matters**

The Director of Environment and Housing submitted a report which provided an overview of key issues and challenges in the following areas:

- The City's Waste Strategy
- Recycling (including addressing low participation rates in existing alternate weekly collection (AWC) areas and viable options for non-AWC areas across the city)
- Managing waste in high waste properties.

The following were in attendance:

- Councillor Mark Dobson, Executive Member (Environmental Protection and Community Safety)
- Councillor Debra Coupar, Executive Member (Communities)
- Neil Evans, Director of Environment and Housing
- Andrew Lingham, Head of Service (Waste Strategy and Information).

The key areas of discussion were:

- Clarification that financial pressures had resulted in the Council now proposing a revised target to recycle 50% of household waste by 2020, with the longer-term target to exceed 60% remaining unchanged;
- Development of education and awareness initiatives to ensure a more consistent approach to household recycling across the city.
- Greater enforcement of contaminated waste.



- Confirmation that low take-up of household recycling in some areas had resulted in different approaches being applied.
- Confirmation that the Veolia Recycling and Energy Recovery Facility RERF was now in the commissioning phase and that full service commencement is anticipated to be in March 2016. Emphasis was also made in using the RERF Visitor Centre to develop an effective educational programme.

**RESOLVED** – That the report be noted.

(Councillor G Wilkinson left the meeting at 4.20pm, Councillor M Lyons at 4.25pm and Councillor K Ritchie at 4.40pm, during the consideration of this item.)

#### **48 Performance Update**

The Director of Environment and Housing submitted a report which provided a summary of performance against the strategic priorities for the council and city and other performance areas relevant to the Board.

The following information was appended to the report:

- Environment and Housing Performance Information, September 2015 (Housing)
- Environment and Housing Performance Information , September 2015 (Community Safety, Waste and Environment)

The following were in attendance:

- Councillor Debra Coupar, Executive Member (Communities)
- Neil Evans, Director of Environment and Housing
- Andrew Lingham, Waste Management, Environment and Housing.

The key areas of discussion were:

- Particular emphasis was made around improving performance around rent collection rates. Linked to this, the Board requested that future reports also provide a breakdown of performance rates linked to the different payment methods used by tenants.
- Concern about the increase in tenants' arrears and clarification regarding how much of this was due to technical arrears.
- Concern regarding the % of housing repairs completed on target and the need for further improvements in this area.

**RESOLVED** – That the report and appendices be noted.

(Councillor P Grahame left the meeting at 4.50pm and Councillor A Khan at 4.55pm, during the consideration of this item.)

#### **49 Work Schedule**

The Head of Scrutiny and Member Development submitted a report which invited Members to consider the Board's work schedule for the 2015/16 municipal year.

The Board briefly discussed arrangements for the December Board meeting. As part of the housing themed report from the directorate, the Board requested that this report also included further information surrounding housing repairs. In particular, to include further detail on how performance figures are compiled and the mechanisms/improvement plans in place to drive performance up to the 99% target figure.

In reference to the Board's February meeting, which is themed around Environmental matters, the Chair also suggested that the Board may wish to undertake a visit to the Veolia Recycling and Energy Recovery Facility.

The Chair also highlighted the forthcoming working group meeting on PCSOs which was scheduled to take place on Tuesday, 24 November 2015 at 3.00pm.

**RESOLVED** – That the work schedule be approved.

#### **50 Date and Time of Next Meeting**

Tuesday, 8 December 2015 at 1.30pm (pre-meeting for all Board Members at 1.00pm)

(The meeting concluded at 5.07pm)

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

**Report to Scrutiny Board (Environment and Housing)**

**Date: 8<sup>th</sup> December 2015**

**Subject: Peckfield Landfill Site– Tracking of Scrutiny recommendations**

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

**1.0 Purpose of this report**

1.1 This report sets out the progress made in responding to the recommendations arising from the previous Scrutiny inquiry regarding Peckfield Landfill Site.

**2.0 Background information**

2.1 Last year, the former Safer and Stronger Communities Scrutiny Board responded to a public request for Scrutiny in relation to the Peckfield landfill site near Micklefield. The Board agreed to undertake an inquiry to consider the ongoing issues linked to the operation of this site and the role of the Council and the Environment Agency in this regard.

2.2 The inquiry concluded in March 2015 and a report setting out the Scrutiny Board's findings and recommendations was published April 2015. This report is available via the Council's website ([click here for inquiry report](#)).

2.3 It now falls within the remit of the Environment and Housing Scrutiny Board to continue to track the recommendations arising from this inquiry.

**3.0 Main issues**

3.1 The Scrutiny recommendation tracking system allows the Scrutiny Board to consider the position status of its recommendations in terms of their on-going relevance and the progress made in implementing the recommendations based on a standard set of criteria. The Board will then be able to take further action as appropriate.

3.2 This standard set of criteria is presented in the form of a flow chart at Appendix 1. The questions in the flow chart should help to decide whether a recommendation has

been completed, and if not whether further action is required. Details of progress against each of these recommendations are set out within the table at Appendix 2.

#### **4.0 Recommendations**

4.1 Members are asked to:

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

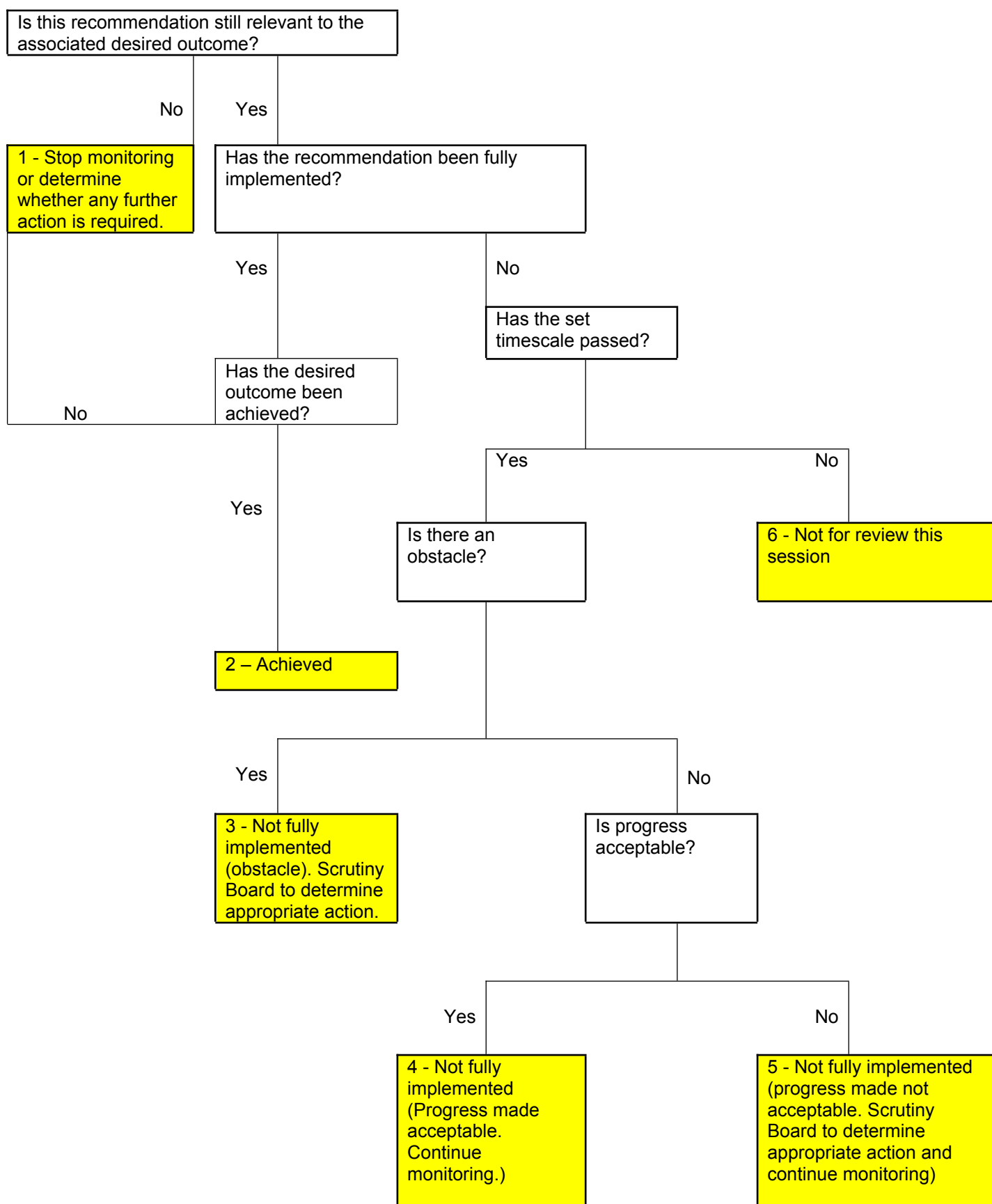
#### **5.0 Background documents<sup>1</sup>**

5.1 None.

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

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



Position Status Categories

- 1 - Stop monitoring or determine whether any further action is required
- 2 - Achieved
- 3 - Not fully implemented (Obstacle)
- 4 - Not fully implemented (Progress made acceptable. Continue monitoring)
- 5 - Not fully implemented (Progress made not acceptable. Continue monitoring)
- 6 - Not for review this session

**Desired Outcome – A well-managed site**

**Recommendation 1** – That the operator gives a commitment to proactively manage the site to minimise odours and litter escape and that the operator agrees an operating protocol with the liaison committee. As a minimum we would expect the operator to include;

- Notification of pending weather conditions and actions proposed to manage adverse weather
- Odour control standards
- A schedule of meetings of the liaison committee
- Regular reviews of the effectiveness of current equipment used, e.g. litter nets
- Regular joint reviews with the Environment Agency and the liaison committee of the actions taken to mitigate litter and odour issues on site

**Current position:**Response from Caird Peckfield:

The site is regulated by rules and standards set out in its Environmental Permit, a regulatory and legally binding document that is produced and enforced by the Environment Agency. The company also has a management system including set procedures and operational plans that have been submitted to, reviewed, and approved by, the Environment Agency. This management system, or operational plan, includes measures and procedures pertaining to all aspects of site management and associated activities. These procedures and standards cover all aspects of the day to day and long term operation of the site and already include such items as “odour control standards” and provision for periodic review of both procedures and infrastructure. We have stated that, if deemed useful and/or necessary, we would be more than willing to make aspects of the site’s management system and operational controls available for members of the Liaison committee to view and/or discuss in more detail as and when desired.

Response from the Environment Agency:

The Environment Agency attend the liaison meeting arranged by CPL, we make regular visits to the site and continue to monitor and review all activities to ensure they are in compliance with their permit conditions.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome – Strong written agreements relating to site management**

**Recommendation 2** – That Planning officers revisit the 'Memorandum on the operation of Liaison Committees for mineral working, waste management and energy sites' to see if it can be strengthened to ensure greater commitment from operators.

That the liaison Committee be consulted on any proposed changes, prior to it being adopted by the Council's Plans Panel.

**Current position:**

Response from Caird Peckfield:

With regard recommendation 2, and in particular the issue of ensuring "greater commitment from the operator", we feel it pertinent to note that, since overtaking management of the site, a Caird Peckfield representative has attended each and every scheduled Liaison Committee meeting to date. Indeed, shortly after the start of our tenure on site, the frequency of the meetings was increased so as to provide more opportunities for greater communication between ourselves as the operator and the residents and other relevant parties - a measure we readily and happily agreed to. We feel that the liaison committee meetings have been extremely useful in providing a platform for concerns of the local residents to be heard and discussed, as well as providing ourselves with the opportunity to explain/outline some of the activities and proposals for our management of the site to the interested parties.

Response from Minerals & Waste Planning Team:

As outlined at the 17 November meeting, officers have liaised with the ward member and Chair of the liaison committee, Councillor Harland, on potential changes to the memorandum. The changes are in the process of being discussed with Councillor Harland and legal services to ensure that the memorandum covers all the appropriate points. The memorandum will then be presented to the next available liaison committee.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome – Strong pro-active communication/community engagement from Caird Peckfield**

**Recommendation 3** – That the operator does not rely on the Environment Agency for its community engagement activities and that proactive and timely communications is the norm in its relationship with the residents of Micklefield.

The operator is expected to produce a community consultation strategy to be agreed with the Peckfield Landfill Community Liaison Committee.

**Current position:**

Response from Caird Peckfield:

At the early stages of our tenure at the site, a strategy for communicating site issues to the local residents was developed, a contactable website created and a newsletter produced. However, this was poorly received with issues cited relating to how the newsletter should be distributed and who it should be distributed to, as interest from the wider local community seemed very limited. It was decided then that by discussing the issues with those local residents present at the liaison committee, this information could then be easier disseminated by those attendees to interested/affected parties via the local parish council meetings. In addition to this, and after discussions amongst all parties at the liaison committee, the EA then took the decision to appoint an officer specifically to role of community liaison. As the minutes of November 2013's liaison committee meeting confirm: "Robin Bispham (EA) encouraged feedback to Claire Dickinson (EA Officer). CD confirmed hers as a new role with a remit to communicate with residents; she welcomed dialogue with the community around how frequently they would like to be communicated with and what form this communication should take. CD's role would provide consistent contact point for residents concerns and she was looking to set up a residents meeting mid to late November." We were clearly then of the understanding that the lines for communication of site issues and activities had been agreed and finalised and did not see this as "relying on the EA for its community engagement activities" at all. However, in response to more recent discussions at the liaison committee, but prior to any actions or undertakings by the Scrutiny Inquiry, we have now taken the step of creating an additional web-based community engagement platform in order to update interested residents about more short term issues, such as updates on site closures in relation to adverse weather conditions etc. This has taken the form of a public Facebook page with links to the Micklefield Community Facebook page. So far, the updates via this medium have been well received. We will continue to look further into how community consultation and engagement can be achieved and maintained in order to ensure full transparency and availability to local residents of all necessary information relating to the site and its associated activities.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*



## Desired Outcome – Readily accessible Caird Peckfield representatives

**Recommendation 4** – That an 'Out of Hours Protocol' be drawn up by the operator to be agreed with the Peckfield Landfill Community Liaison Committee. The approved Protocol should be clearly communicated to the residents of Micklefield.

### **Current position:**

#### Response from Caird Peckfield:

In relation to out of hours complaints, an “out of hours protocol” was one of the first suggestions brought by ourselves to the liaison committee upon taking over management of the site. However, discussions at the committee meeting came to the conclusion that this idea was not something the committee deemed to be necessary. As the minutes of the June 2013 committee meeting state: “Craig Wood (EA) responded that he would be in favour of all complaints going through the Environment Agency in the first instance. Subsequent discussion around the table supported this idea. Cllr Harland asked whether the Environment Agency Incident Hotline number (0800 807060) could be communicated to the Parish Councils. It was agreed to drop the out of hours reporting system, in favour of the EA acting as a central point, via the incident hotline.”

However, emergency contact numbers are provided on the site identification board located at the main entrance – a site permit requirement. These emergency numbers used to go through to the on site security who, if they cannot deal with the call themselves, have the authority to contact site management representatives for further advice or to arrange necessary actions. In response to discussions during the recent Scrutiny Inquiry, we have now amended this protocol so that the initial call is directed to a centralised control office rather than the on site security guard as previously. The control office will then make the decision as to whether the issue can be dealt with by the on site security officer or whether site management will need to be contacted, and redirect the call as necessary. By adding this amendment to the protocol, we are confident that a more efficient and effective handling of out of hours queries or complaints has been achieved. Provision was also made for publicising the out of hours contact numbers on the new Facebook page, as a more immediate way for residents to locate the contact details if they are required. This has been, seemingly, well received.

#### Response from the Environment Agency:

The Environment Agency has an agreed protocol for passing any odour, noise, dust or litter reports we receive to CPL out of hours.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome – Readily accessible Environment Agency representative**

**Recommendation 5** – That the Environment Agency publishes the name and contact details of their officer responsible for regulation of the Peckfield Landfill site.

**Current position:**

Response from the Environment Agency:

We do not publish EA officer names and numbers to enable direct contact.

Reporters always need to make their incident reports via our 24 hour incident hotline so that they are logged properly and with all the relevant information. The EA newsletter which goes out with Parish Council updates also directs residents to the Micklefield email in box (details below), where questions can be asked of our engagement lead. Extract from the newsletter:

*How you can help us*

*We run a 24-hour incident hotline. You can use this number to tell us if the site is causing a nuisance. Our hotline number is **0800 807060**. In order to gather reliable evidence we need reports to be timely and accurate. The officer taking the lead on our engagement with the community is **Claire Dickinson**. You can contact Claire by emailing **micklefield@environment-agency.gov.uk** or through our Customer Service number **03708 506506**.*

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome – Clear Restoration and Aftercare Scheme**

**Recommendation 6** – That Planning officers ensure an acceptable Aftercare Scheme is in place for the landfill site.

That Planning Officers ensure that the landfill site is restored in a timely manner.

That residents be advised of the approved Aftercare Scheme.

**Current position:**

Response from Minerals & Waste Planning Team:

A comprehensive aftercare scheme for the site was approved on 27 August 2015. Officers reported the progressive nature of the restoration of the operation at the 17 November meeting. Capping and restoration are discussed at the formal monitoring visits undertaken by the Council. A significant area of the landfill within cell 7 and part of cell 8 was inspected during September and this area has now been soiled and grass seeded. The liaison committee will be advised of the approved aftercare scheme at its next meeting.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome – Collaborative working between LCC Planning and the Environment Agency**

**Recommendation 7** – That Planning officers and Environment Agency officers build on their good relationship and consider how collaborative working can be extended to ensure better outcomes in relation to the Peckfield Landfill site and future landfill sites. This to include an agreed protocol on formal consultation in respect of planning applications and environmental permits for waste disposal.

**Current position:**

Response from the Environment Agency:

The EA and LCC Planning and other LA departments continue to forge a strong relationship, working collaboratively on many waste sites.

We have not set up a locally agreed protocol on formal consultation in respect of planning applications and applications for environmental permits as we already have an agreed External Consultation Checklist.

The guidance informs Local Planning Authorities (LPAs) of the types of planning consultations where the Environment Agency would like to be consulted. It describes the categories of development that could potentially impact on the environment and includes those for which we are listed as a statutory consultee in the Development Management Procedure Order 2015 (DMPO) and current Government planning policy.

This enables local EA Environment Management teams (regulatory officers) and Sustainable Places (SP) teams (planning liaison) to maintain contact with all LPAs in relation to development that includes the storage, transfer, process, treatment, and/or use of refuse or waste.

To supplement this guidance our SP team are in daily contact with LCC planners with regard to all aspects of land use, including landfill. Within SP there are three officers that work regularly on LCC consultation and should partners wish to facilitate a further consultation on any waste issue then this is possible through our existing collaborative working practices.

Response from Minerals & Waste Planning Team:

Minerals & Waste planning officers maintain a close and collaborative working relationship with colleagues in the Environment Agency and meet regularly to discuss waste sites and issues within Leeds.

The Environment Agency is consulted on all major waste planning applications in line with their published criteria and the Council is consulted on Environmental Permit applications for waste sites within Leeds.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

## Desired Outcome – Assurances of health and water quality

**Recommendation 8** – That the Environment Agency commission ground water testing in the site area and the testing of the Pit Lane Pond.

### Current position:

#### Response from the Environment Agency:

On the 26 February 2015 the Environment Agency undertook an audit of routine groundwater sampling, during this audit it became apparent that some procedural aspects were not undertaken in line with CPLs own Operating Procedure, known as Groundwater Management and Monitoring, PEC 2.3.40. Non-compliance scores were recorded against the permit and a number of recommendations were made to ensure that groundwater sampling was undertaken in accordance with the procedure. This was discussed briefly at the scrutiny meeting in April to assure members that all aspects of the landfills activities were being monitored.

The Environment Agency does not undertake groundwater testing unless it considers there to be a specific need or environmental risk that must be addressed immediately. As part of the ongoing monitoring of the site on the 31 July 2015 a further audit of routine groundwater sampling was undertaken, the purpose of this audit was to assess whether the recommendations made in the audit undertaken on the 26 February 2015 had been addressed.

As part of CPLs procedure groundwater quality was monitored in groundwater boreholes numbered GW1 to GW7. These consist of up gradient, down gradient and peripheral boreholes, details of which are also outlined in section 6.2.3 of the sites Hydrogeological Risk Assessment. As part of the process the inlet to the balancing pond is also analysed as groundwater, as this is an ideal indicator of contamination, as it consists of groundwater pumped from the sub-cell groundwater drainage blanket.

The full GC/MS screen conducted on the quarterly samples does not reveal any dangerous substances in groundwater, which gives reassurance that landfill leachate is not impacting upon groundwater at Peckfield Landfill Site. This audit confirmed that the site is now undertaking groundwater monitoring in accordance with the agreed Operational Procedure.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

## Desired Outcome – Assurances over the health consequences of Landfill Sites

**Recommendation 9** – That a health study led by Public Health is outlined, scoped and costed by all relevant parties. This to include data collection from all GPs in the area used by local residents.

### **Current position:**

The Office of the Director of Public Health at Leeds City Council and Public Health England (PHE) have worked together to investigate concerns raised by Micklefield residents about the possible health impact of the Peckfield landfill site. Health data has been analysed from a range of sources including local GPs relating to conditions that affect the lungs, the heart, the brain, the weight of newborn babies, congenital abnormalities and some cancers. These health conditions reflect the concerns raised by the residents of Micklefield and are those most likely to be associated with a landfill site such as Peckfield.

A report summarising the findings has been produced (*this is attached as appendix 3*). The data presented in this report show no evidence of more ill health in the people living in Micklefield than would be expected. None of the health data shows higher levels of disease, low birth weight babies, congenital abnormalities (birth defects), deaths or hospital admissions in Micklefield compared to other nearby similar areas. The data are reassuring in that they do not find any evidence of an increase in health problems that could be attributed to the Peckfield landfill site.

In addition to the above investigation PHE have conducted a further literature search around the health impact of landfill sites including the mental health impact of odours (*this is attached as appendix 4*). This builds upon a study, “the Impact on Health of Emissions from Landfill Sites published in 2011, by PHE’s predecessor body, the Health Protection Agency (HPA). The study concluded that a well-managed landfill site does not pose a significant risk to human health. The latest review of the literature by PHE did not identify any studies looking specifically at mental health issues arising from odours related to operational landfill sites.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*



## **Peckfield Landfill Site**

# **Public Health Report – Summary of Analysis of Local Health Data 2015**

## **Executive Summary**

Leeds City Council, the Environment Agency and Public Health England have been working together to look at concerns raised by Micklefield residents about the possible health impact of the Peckfield landfill site on local residents.

The health information summarised in this report relates to conditions that affect the lungs, the heart, the brain, the weight of newborn babies, congenital abnormalities and some cancers. These health conditions reflect the concerns raised by the residents of Micklefield and are those most likely to be associated with a landfill site such as Peckfield.

The data presented in this report show no evidence of more ill health in the people living in Micklefield than would be expected. None of the health data shows higher levels of disease, low birth weight babies, congenital abnormalities (birth defects), deaths or hospital admissions in Micklefield compared to other nearby similar areas. The data are reassuring in that they do not find any evidence of an increase in health problems that could be attributed to the Peckfield landfill site.

## **Purpose of Report**

To summarise the health data collected by Public Health England and the Office of the Director of Public Health at Leeds City Council relating to the level / number of health conditions in the Micklefield area near the Peckfield landfill site.

## **Background**

In October 2013 Leeds City Council (LCC) and Public Health England received enquiries from residents living in the Micklefield area raising concerns about the possible health effects of the Peckfield landfill site in particular congenital abnormalities (birth defects) and endocrine (hormone) disorders.

In response, Leeds City Council, the Environment Agency and Public Health England have been working together to look at these concerns. Several meetings between these agencies and representatives of the local residents have also taken place to share information and discuss these issues further.

Data on diseases that might potentially be associated with the chemicals found at, or emitted from, landfill sites, and specific health concerns raised by residents were collected and presented at the residents' meeting on 20 February 2014. At this meeting residents identified that some local people were registered with a GP practice outside of the Leeds area that was not included in the original data collection. The data from this practice has now been added to the Leeds GP practice data in order to present the complete analysis.

## **Health Data Used**

Health data regarding the following health issues were examined and are presented in this report:

- Level of Chronic Obstructive Pulmonary Disease (COPD) (commonly known as Chronic Bronchitis), asthma and Coronary Heart Disease (CHD) (Source: GP Data)
- Number of low birth weight babies. (Source: Office of National Statistics Data)
- Number of hospital admissions for cardio vascular (heart) disease and respiratory (lung) disease. (Source: Hospital Episode statistics data)
- Number of deaths from all causes, cancer, cardio vascular (heart) disease and respiratory (lung) disease. (Source: Office of National Statistics Data)
- Number and rate of hospital admissions for congenital abnormalities (birth defects) (Source: Health and Social Care Information Centre)
- Risk of liver, bladder and brain cancers and leukaemia . (Source: Small Area Health Statistics Unit)

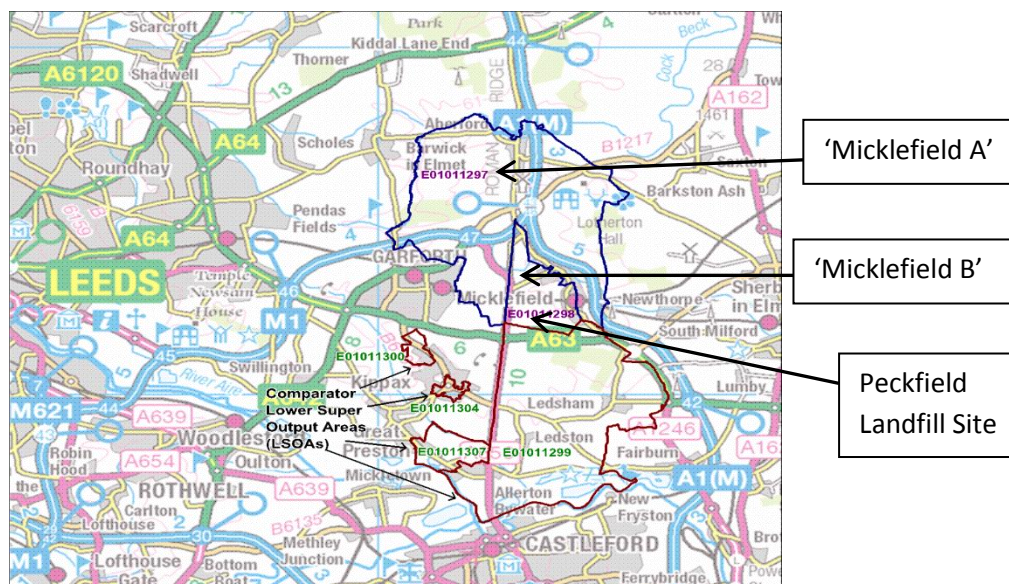


## About the Analysis

Lower Super Output Areas (LSOAs) are geographical areas, based on postcodes, where about 1500 people live. These areas are used in the UK national census.

Data relating to the level of health conditions in the two Lower Super Output Areas (LSOAs) that cover Micklefield were used in this analysis (see Fig. 1). These data were compared to those of four similar nearby LSOAs. The map below illustrates the LSOAs included in the analysis:

Figure 1 – The Lower Super Output Areas analysed in these data sets



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**Availability of data:** All the data used in this analysis have been made available to public health from various public sector sources. The data in this report relates to the period up to the 30<sup>th</sup> September 2014.

**Data quality:** All the data relies on the accuracy of those individuals and organisations reporting and collecting the data. Therefore, occasionally human variation may influence the quality of the data e.g. despite national guidelines for the diagnosis of asthma different doctors will interpret them slightly differently resulting in variations in the recording of the levels of asthma.

**Statistics:** In this report, graphs are used to show differences in health data between areas. Although the height of the columns on the graphs may look different, statistics experts can judge if two values are truly different by comparing what are called “confidence intervals” (sometimes known as error bars) of the numbers. These confidence intervals are represented on the graphs in this report like this:



If the confidence intervals for two areas **overlap** in values on the graph, we **cannot** be sure there is a true difference between them. The larger the population on which the calculation is based the more reliable that calculation will be and the narrower the error bars will be. So for Leeds, Yorkshire and Humber and England because the population numbers are high the error bars are narrow, for lower super output areas the population numbers are lower and the error bars are wider.

**Small numbers:** Some health conditions are rare. When looking at a population of only 1-2,000 people there will be very few who have that condition. Therefore, it is extremely difficult to draw reliable conclusions from these small numbers. The cancer data in this analysis falls into this category.

**Time periods:** It is difficult to find out how long residents have lived in the Micklefield area. Exposure to environmental chemicals is usually required for long periods at high enough levels to cause health problems. The timescales over which the landfill site may have produced various chemicals is also hard to measure precisely.

**Exposure assessment:** In order for any chemical to cause health problems, a person must come into contact with it, e.g. by breathing, eating, or drinking the substance or by skin contact. Many chemicals have the potential to cause adverse health effects, but this is dependent on the amount a person is exposed to and the length of time they are exposed, both of which are difficult to measure accurately.

**Toxicity information:** The relationship between exposure to odour and health is not completely understood; however, many chemicals can be smelt below concentrations which cause health effects.

**Cause and Effect:** Linking a possible environmental exposure (such as to a chemical or biological agent) to a health effect is very complex. This is because many diseases have a number of potential causes. Therefore identifying the contribution of a possible chemical exposure as opposed to other potential causes such as lifestyle (smoking, alcohol, diet etc.),

occupational exposure and genetic factors and conclusively linking this to a health effect over different time scales is extremely difficult.

## Results

Data in this section of the report is from GP information systems. This includes the practice outside Leeds identified by residents.

NHS Leeds South and East Clinical Commissioning Group (CCG) is the group of 43 practices that work together to design services locally. This is used in this report as a helpful local comparison.

The general health of people living in more deprived areas is worse than the general health of people living in less deprived areas. This is the case globally, across the UK and in West Yorkshire. This is because factors such as living conditions, employment and lifestyle factors all contribute to worse health in more deprived areas.

IMD 2010 is a deprivation score calculated for each LSOA based on multiple indicators of deprivation, the higher the score the more deprived an area. From the table below it can be seen that Micklefield A is the least deprived area and Micklefield B is the most deprived.

**Table 1: Deprivation Scores for Micklefield and comparable LSOAs**

Area (LSOA Code)	Deprivation Score (IMD 2010)
NHS Leeds South and East CCG	...
Micklefield A (E01011297)	13.76
Micklefield B (E01011298)	32.62
Comparator Area B1 (E01011299)	21.85
Comparator Area B2 (E01011300)	23.06
Comparator Area B3 (E01011304)	22.45
Comparator Area B4 (E01011307)	26.94

The following graphs show the data regarding the different levels of disease in these areas. Different health conditions are shown in each section that follows.

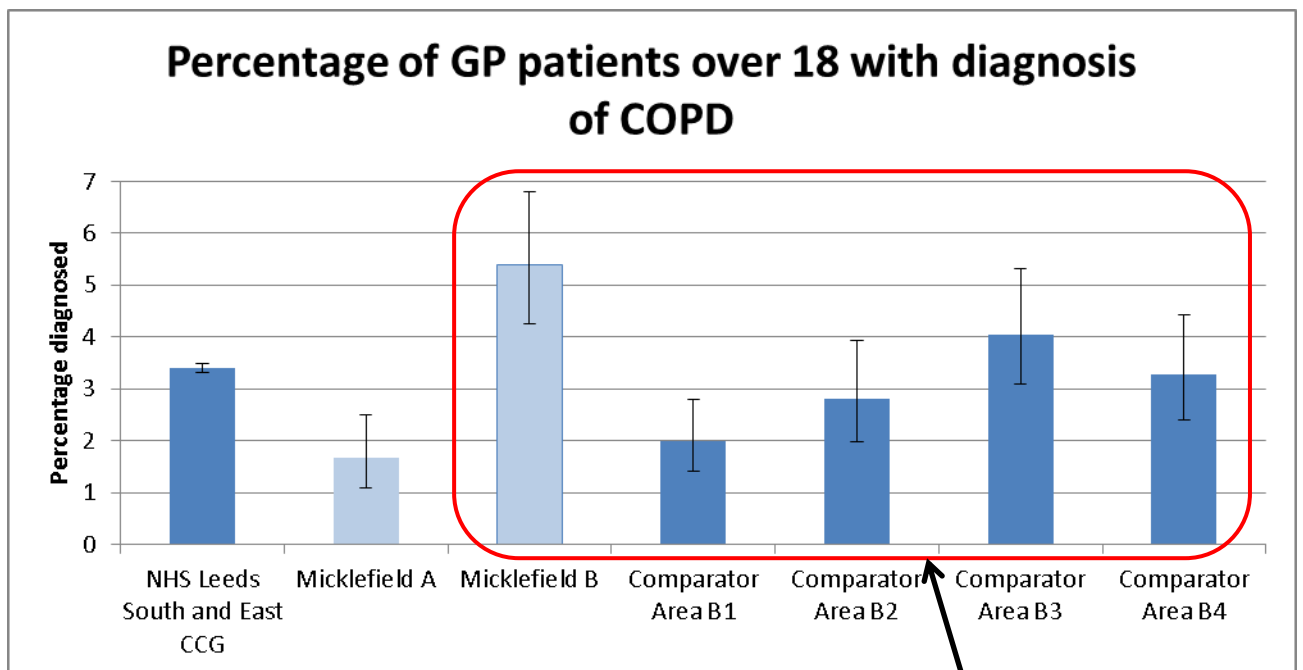


**Percentage of the Population with Chronic Obstructive Pulmonary Disease (COPD – chronic bronchitis lung disease)**

**Question** – Are more adults diagnosed with COPD in Micklefield than in other areas?

**Answer** – No, this graph shows there is not a meaningful difference.

**Graph 1**



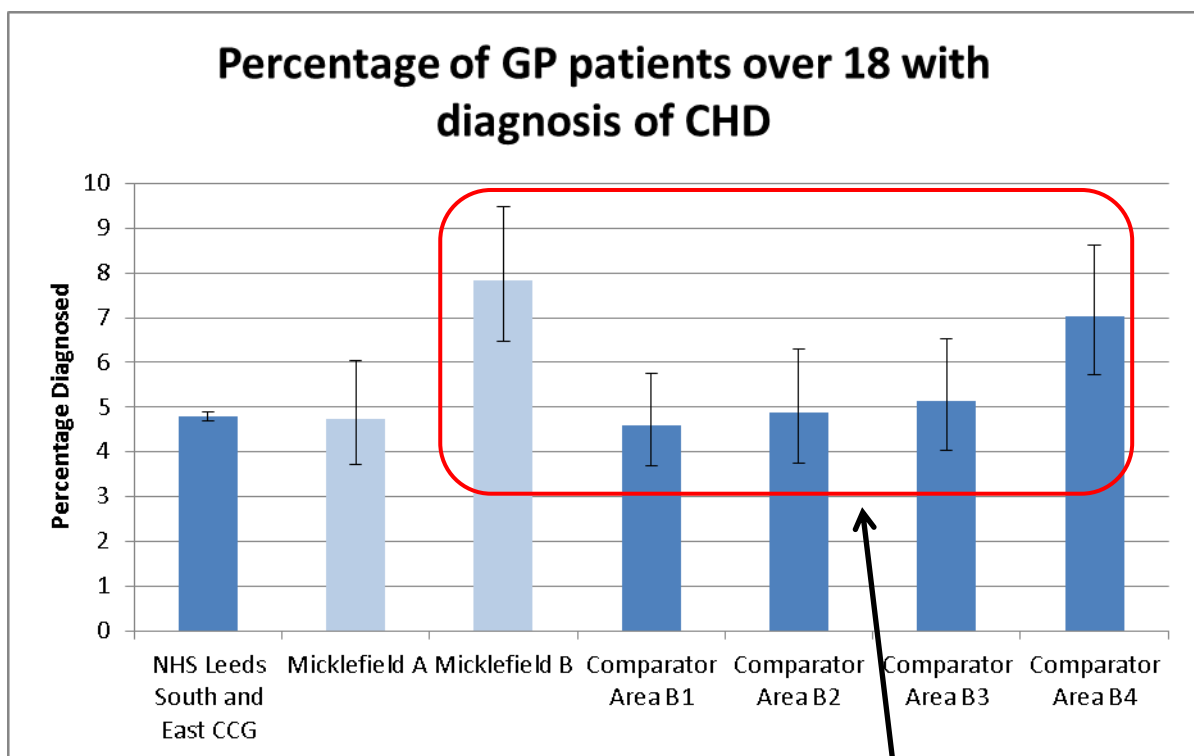
**The level in Micklefield B is higher, but the error bars cross with other areas (B3 and B4) and so we cannot be sure there is a true difference**

## Prevalence of Coronary Heart Disease (CHD)

**Question** – Are more adults diagnosed with CHD in Micklefield than in other areas?

**Answer** – No, this graph shows there is not a meaningful difference.

### Graph 2



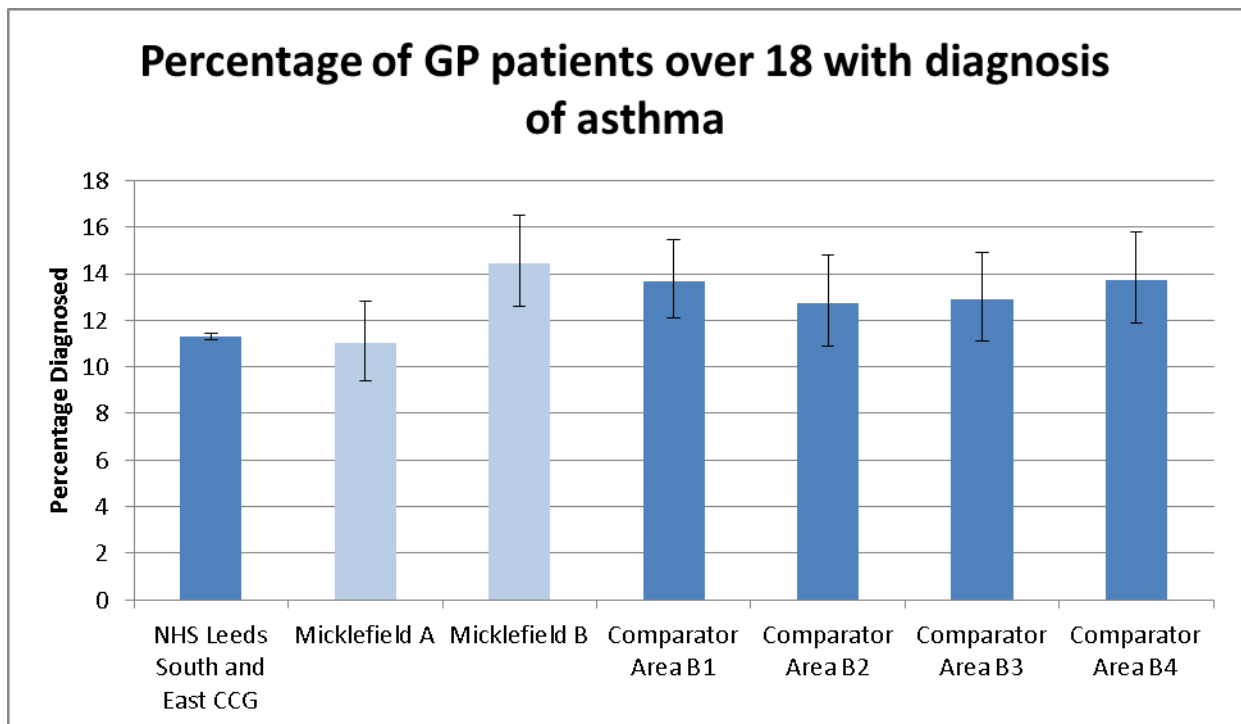
The level in Micklefield B is higher, but the error bars cross with other areas (B3 and B4) and so we cannot be sure there is a true difference

## Prevalence of Asthma – Over 18s

**Question** – Are more adults diagnosed with asthma in Micklefield than in other areas?

**Answer** – No, this data shows there is not a meaningful difference.

### Graph 3

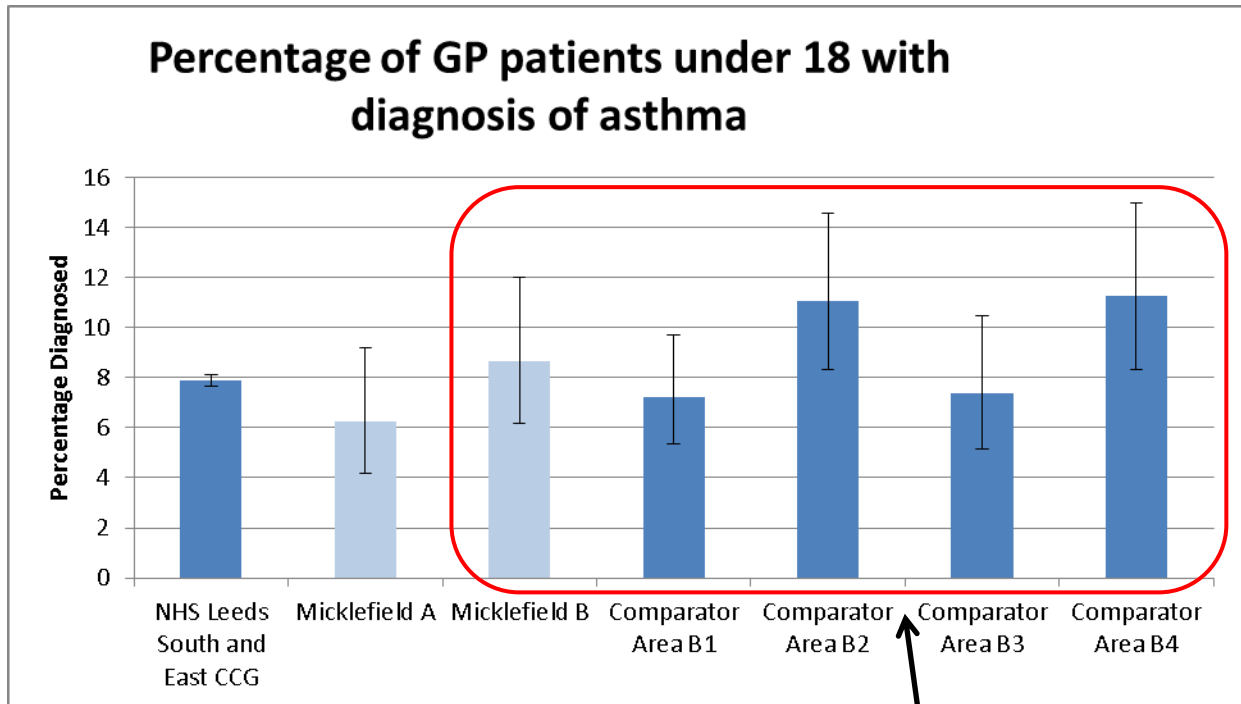


## Prevalence of Asthma – Under 18s

**Question** – Are more young people diagnosed with asthma in Micklefield than in other areas?

**Answer** – No, this graph shows there is not a meaningful difference.

**Graph 4**



The level in Micklefield B is lower than two areas, but the error bars cross with other areas and so we cannot be sure there is a true difference

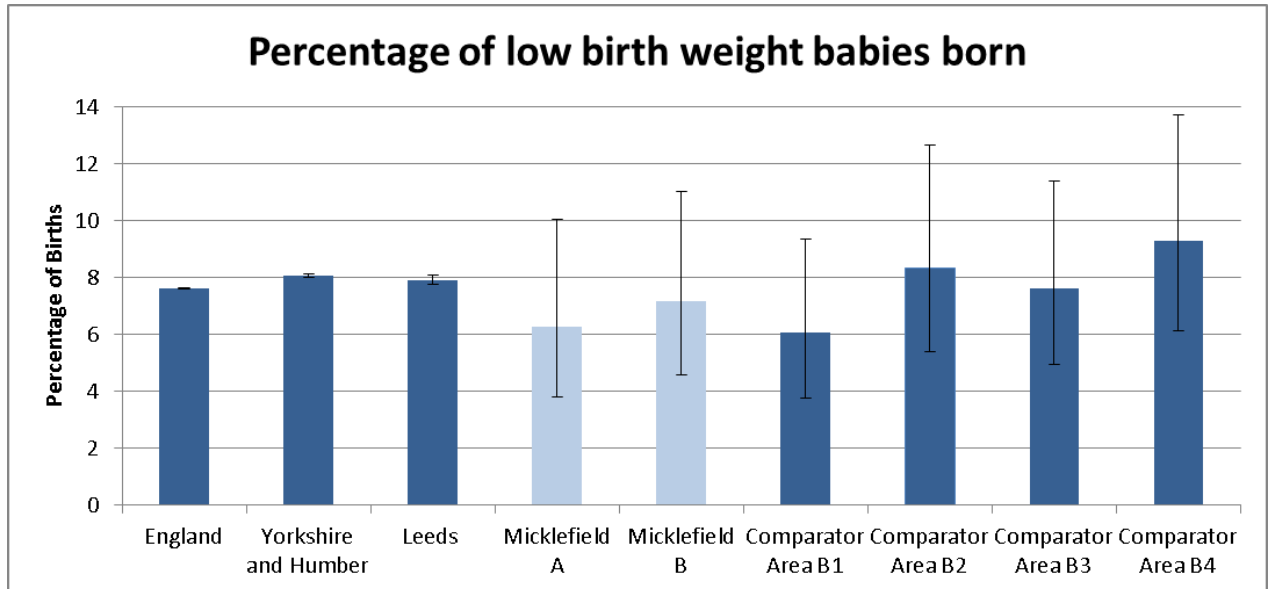


## Low Birth Weight Babies

**Question** – Are more underweight babies born in Micklefield than elsewhere?

**Answer** – No, this data shows there is not a meaningful difference.

### Graph 5



### Notes

Low birth weight (LBW) = Babies with a birth weight less than 2500g (5lb 8oz)

Data shown is babies with LBW as a percentage of all births between 2001 and 2012

## Congenital Abnormalities in Babies

As the absolute numbers of babies born with birth defects is not recorded, the next best measure of congenital abnormalities is to look at hospital admissions for these conditions. This will only include the more severe cases that require hospital admission but enable some comparison between areas.

**Question** – Are more babies with congenital abnormalities treated in Micklefield than elsewhere?

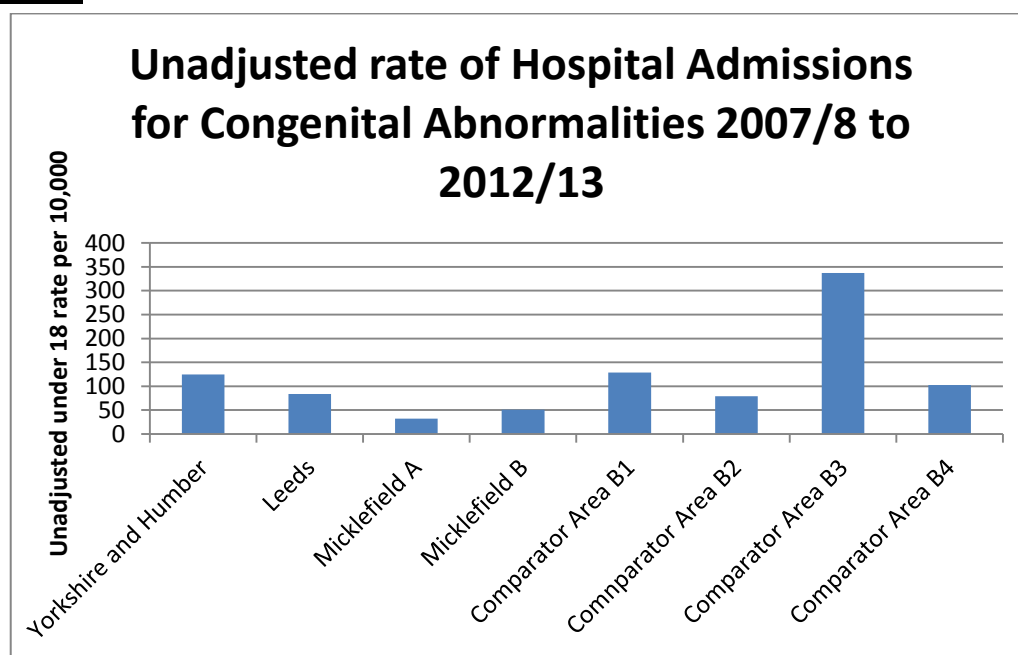
**Answer** – No, this data shows there is not a meaningful difference.

**Table 2 - Number and unadjusted rate of hospital admissions from 2007/08 to 2012/13**

Primary and secondary diagnosis	Area	No. of admissions	Unadjusted* under 18 rate per 10,000
Q00-Q99 Congenital malformations, deformations and chromosomal abnormalities	Yorkshire and Humber	84422	124.90
	Leeds	7720	83.99
	Micklefield A	7	31.93
	Micklefield B	10	51.20
	Comparator Area B1	34	128.50
	Comparator Area B2	18	79.19
	Comparator Area B3	72	336.76
	Comparator Area B4	21	102.49

\* Differences in the populations such as age and gender have not been taken into account in calculating these rates.

### Graph 6



## Hospital Admissions

This section uses national data collected from NHS hospitals to calculate the number of people being admitted to hospital from different geographical areas. As each area has different sized populations this section shows hospital admissions as an age standardised rate per 100,000 people. This means densely populated areas can still be compared with sparsely populated areas as it estimates the number of admissions if all areas had exactly 100,000 people living in them.

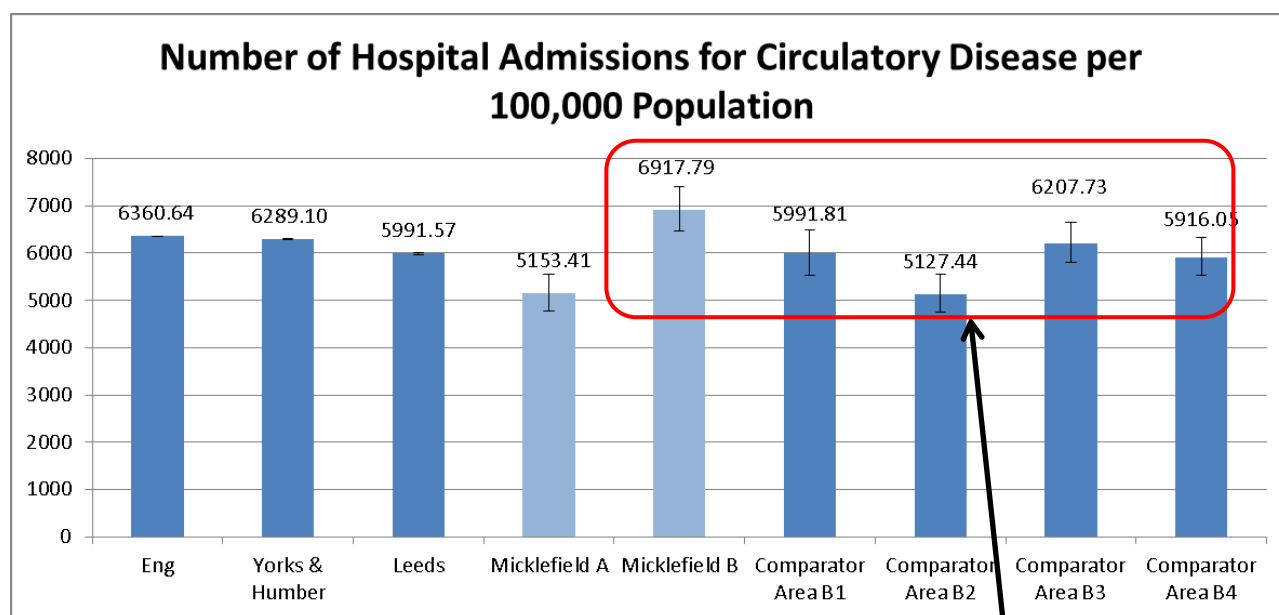
This data also takes into account the fact that some areas have more older people living in them than other areas (age standardised). This is important because older people are more likely to be admitted to hospital than younger people.

## Circulatory Disease (e.g. stroke and heart attacks)

**Question** – Do more people get admitted to hospital for health problems like stroke and heart attacks from Micklefield than from other areas?

**Answer** – No, this data shows there is not a meaningful difference. One of the Micklefield areas seems to have more admissions but this is not meaningfully higher than other similar areas because the error bars overlap (see note on ‘Statistics’ on page 3).

### Graph 7



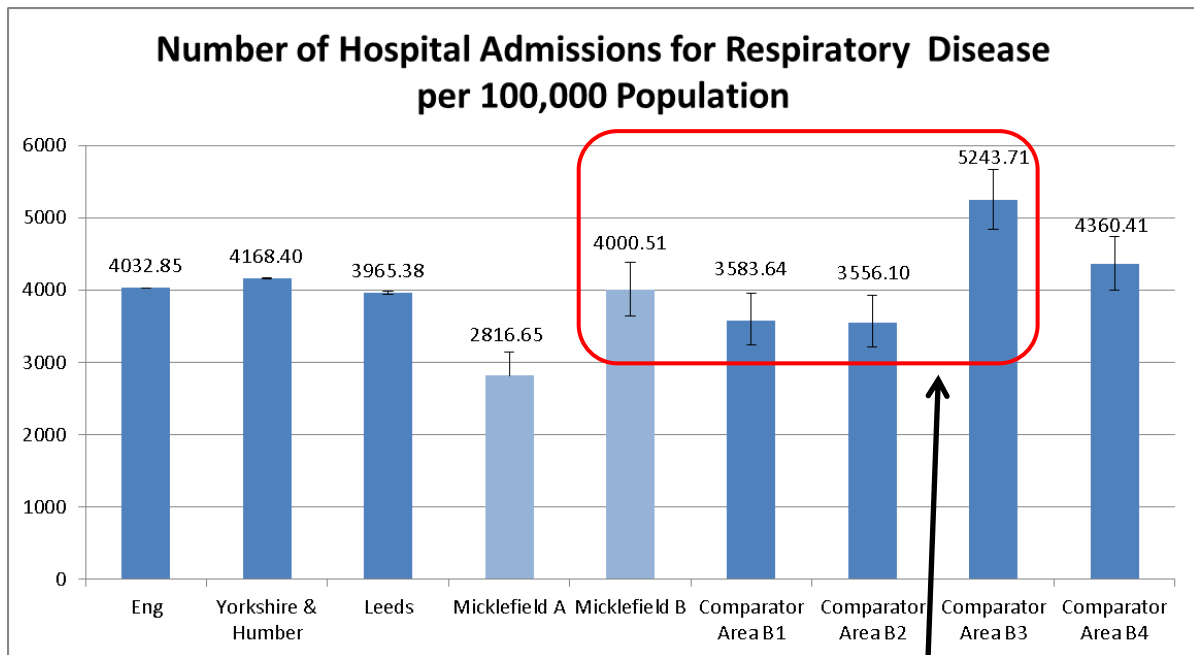
The level in Micklefield B is higher, but the error bars cross with other areas and so we cannot be sure there is a true difference

## Hospital Admissions – Respiratory (lung) Diseases

**Question** – Do more people get admitted to hospital for breathing difficulties from Micklefield than from other areas?

**Answer** – No, this data shows there is not a meaningful difference.

### Graph 8



**There are significantly higher rates of hospital admissions from lung disease in Comparator Area B3 compared with Micklefield B. The error bars do not cross.**

## Death Rates

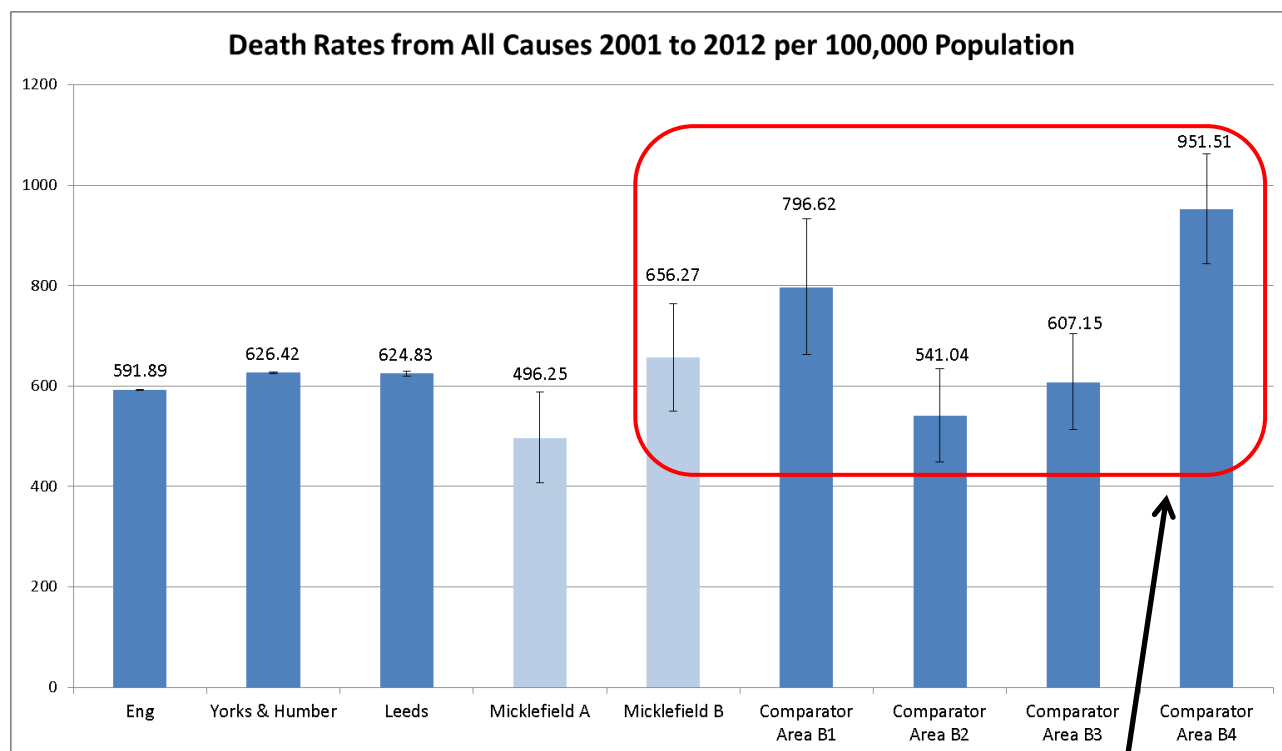
This section uses data about people dying and what health conditions led to their death. The same type of data is presented here as for hospital admissions, in that it is a rate per 100,000 population and has been age standardised (see glossary for the explanation).

### Overall Death rates

**Question** – Do more people die in Micklefield than other areas?

**Answer** – No, this data shows there is not a meaningful difference.

### Graph 9



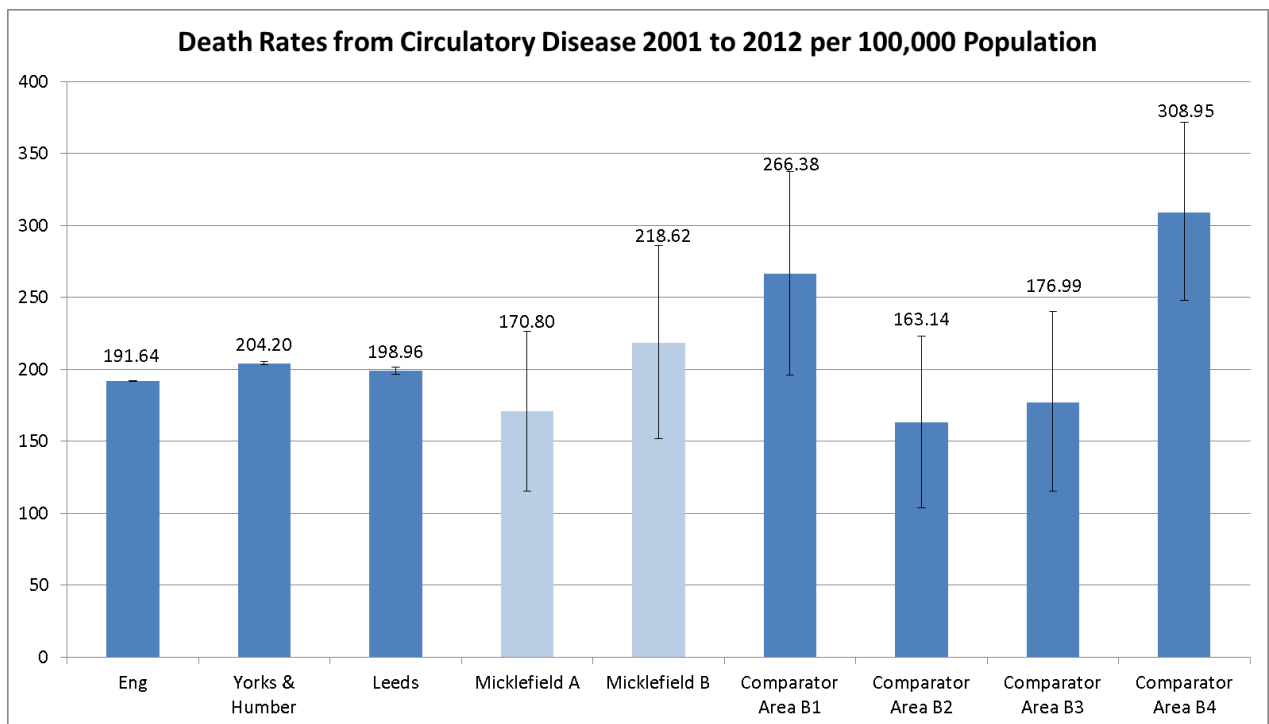
**There are significantly higher rates of deaths from all causes in Comparator Area B4 compared with Micklefield B. The error bars do not cross.**

## Death rates – Circulatory Diseases (stroke and heart attack)

**Question** – Do more people die from stroke and heart attacks in Micklefield than in other areas?

**Answer** – No, this data shows there is not a meaningful difference.

### **Graph 10**

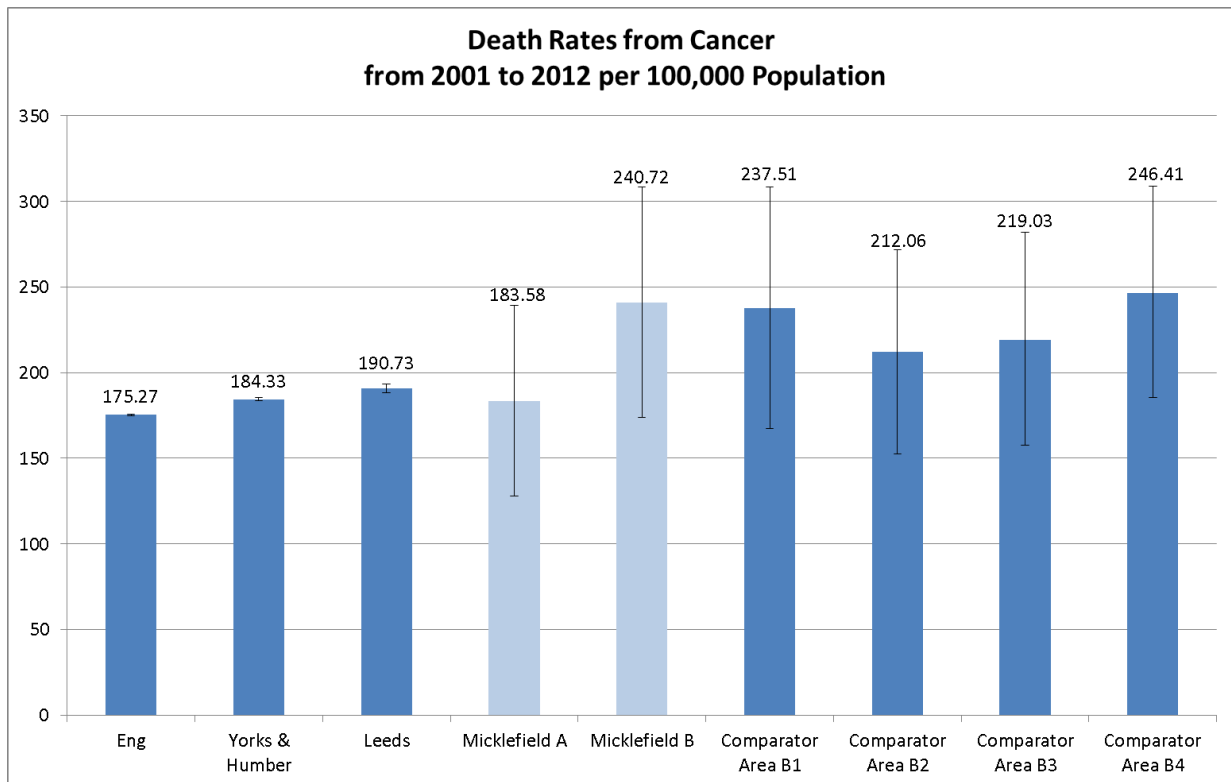


## Death rates – Cancer

**Question** – Do more people die from cancer in Micklefield than in other areas?

**Answer** – No, this data shows there is not a meaningful difference.

**Graph 11**

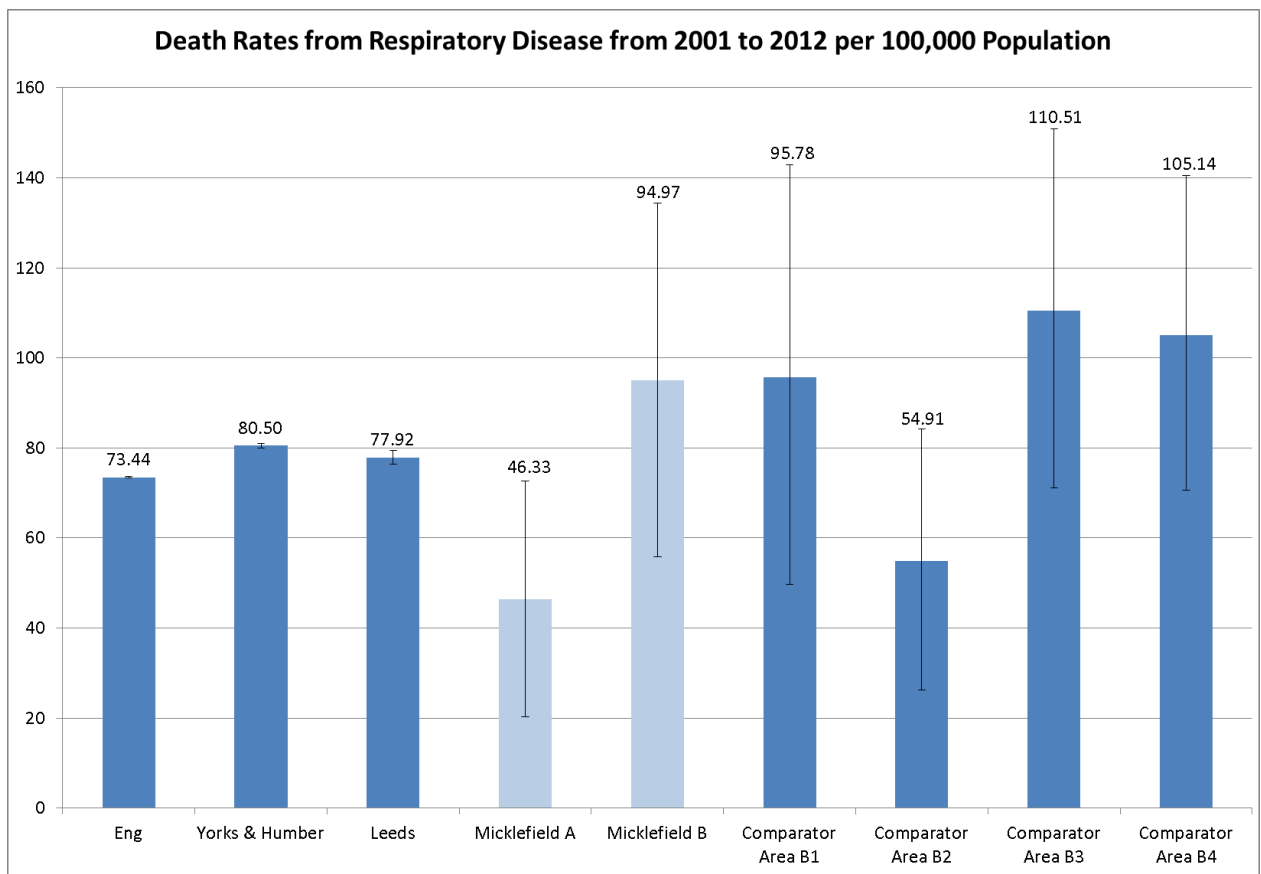


## Death rates – Respiratory (lung) disease

**Question** – Do more people die from diseases of the lungs in Micklefield than in other areas?

**Answer** – No, this data shows there is not a meaningful difference.

### Graph 12





## Cancer Data – Risk of disease

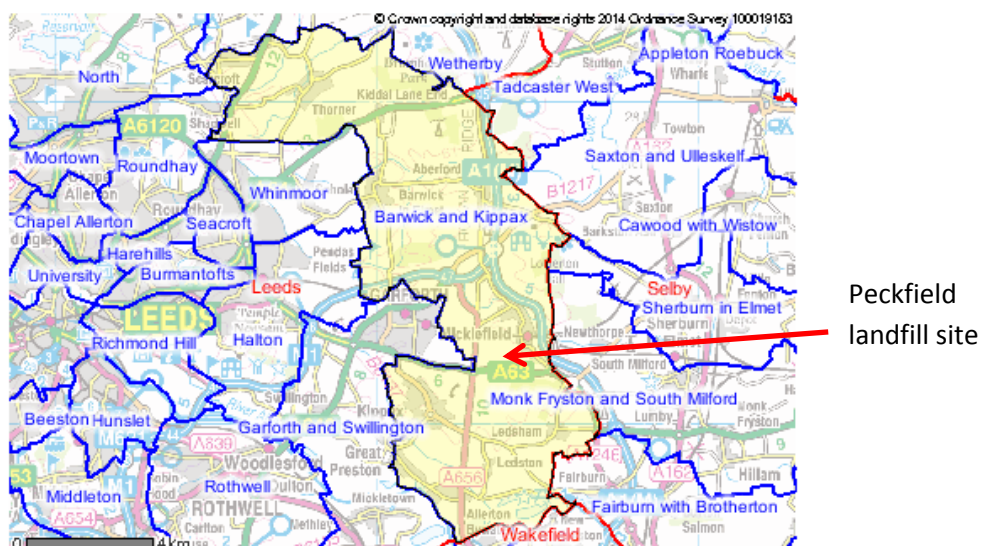
The Environment and Health Atlas for England and Wales is an independent publication produced by the Small Area Health Statistics Unit (SAHSU), an academic unit funded by the Medical Research Council and Public Health England.

The atlas provides maps of the geographical variations for a range of health conditions at a small-area scale (census wards). The maps have been developed as a resource for those working in public health and public health policy and for the general public to better understand the geographic distribution of environmental factors and disease.

The data reported below were taken from the publicly available website at <http://www.envhealthatlas.co.uk/homepage/gotoatlas.html>

Data for liver, bladder and brain cancers as well as leukaemia were analysed for this report. The geographical area used was larger than the previous analyses above due to these rare conditions having very small numbers of cases. The data analysed was based on the Barwick and Kippax census ward (see Fig. 2) which includes Micklefield and the Peckfield site. Census wards are areas defined by the Office of National Statistics for the collection of census data (differ slightly from electoral wards). They are a mid-level administrative unit and are frequently used in spatial epidemiological studies. They have an average population of 6,000 residents.

**Figure 2 – The Barwick and Kippax census ward used in this cancer data analysis**



Source: Office for National Statistics at <https://neighbourhood.statistics.gov.uk/dissemination/LeadAreaMetadata.do?a=7&b=561617&c=Barwick+and+Kippax&d=14&g=382164&i=1001x1003&m=0&r=1&s=1444831410016&enc=1&areald=561617>

The data for bladder cancer, brain cancer and leukaemia covers the period from 1985 to 2009. The data for liver cancer is from 1996 to 2009. The data presented is relative risks of disease. The relative risk is the risk of disease in an area (ward) relative to the average risk of disease in England and Wales. It helps to show if there is greater risk of the disease in one

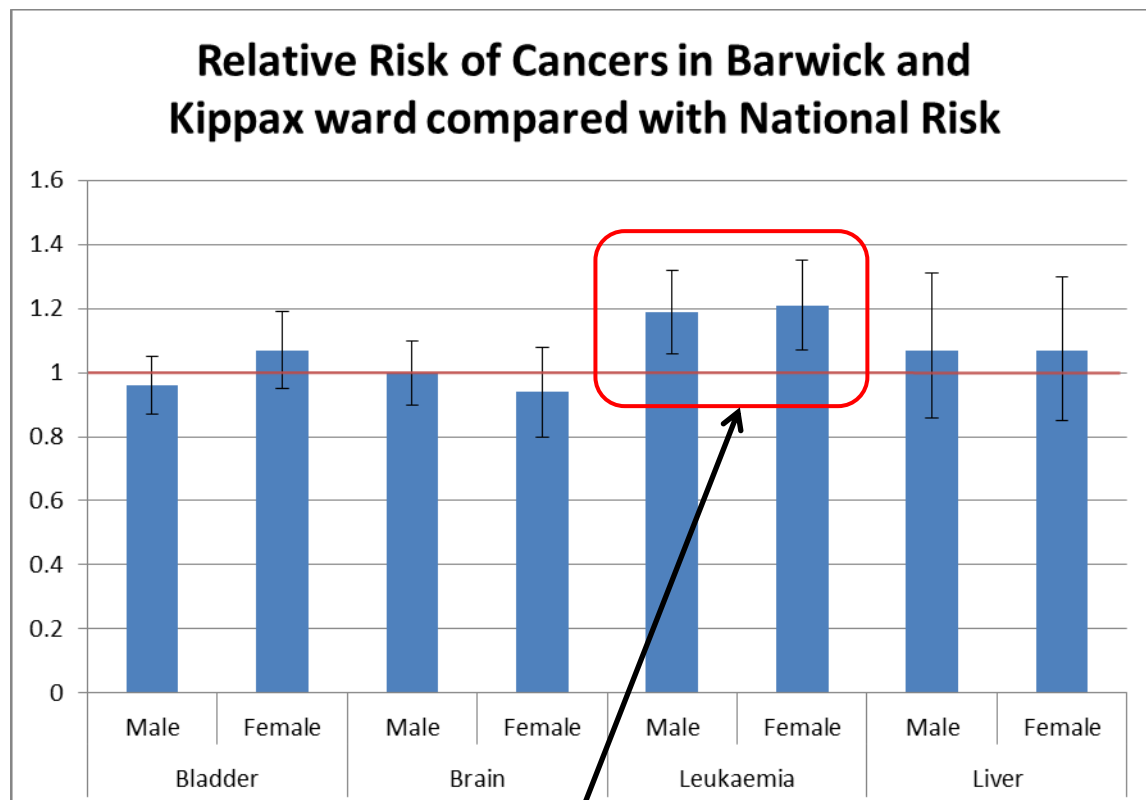
area than the average risk for England and Wales. If the relative risk is one, then the risk is similar for an area, relative to the risk in England and Wales. If the risk is below one it is lower risk and if it is above one it is higher than the average risk in England and Wales. Confidence intervals are used to indicate if the risks are truly different or not.

Further information for these data set can be found at <http://www.envhealthatlas.co.uk/homepage/faq.html>

**Table 3 – Relative Risk of various cancers by sex in Barwick and Kippax ward compared with the average risk for England and Wales**

Cancer Type	Sex	Relative Risk	Confidence Interval
Bladder	Male	0.96	(0.87-1.05)
	Female	1.07	(0.95-1.19)
Brain	Male	1.00	(0.90-1.10)
	Female	0.94	(0.80-1.08)
Leukaemia	Male	1.19	(1.06-1.32)
	Female	1.21	(1.07-1.35)
Liver	Male	1.07	(0.86-1.31)
	Female	1.07	(0.85-1.30)

**Graph 13**

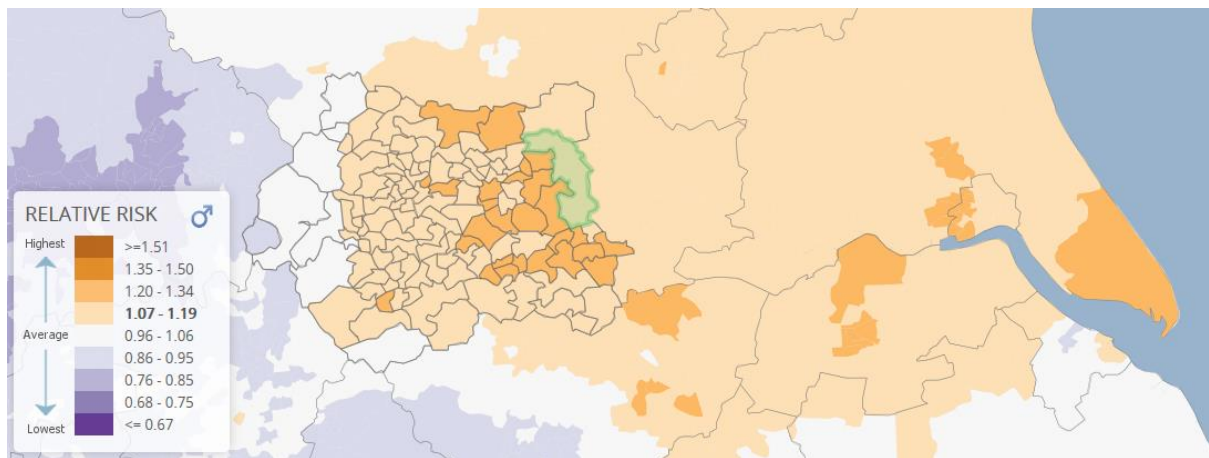


**These confidence intervals do not cross 1 and so indicate there is a statistical difference of relative risk of leukaemia**

Where the risk is greater than the value '1' and the confidence interval is completely above the value '1' (eg for Leukaemia in Graph 13) this indicates a statistically significant risk in Barwick and Kippax compared with the average risk across England and Wales.

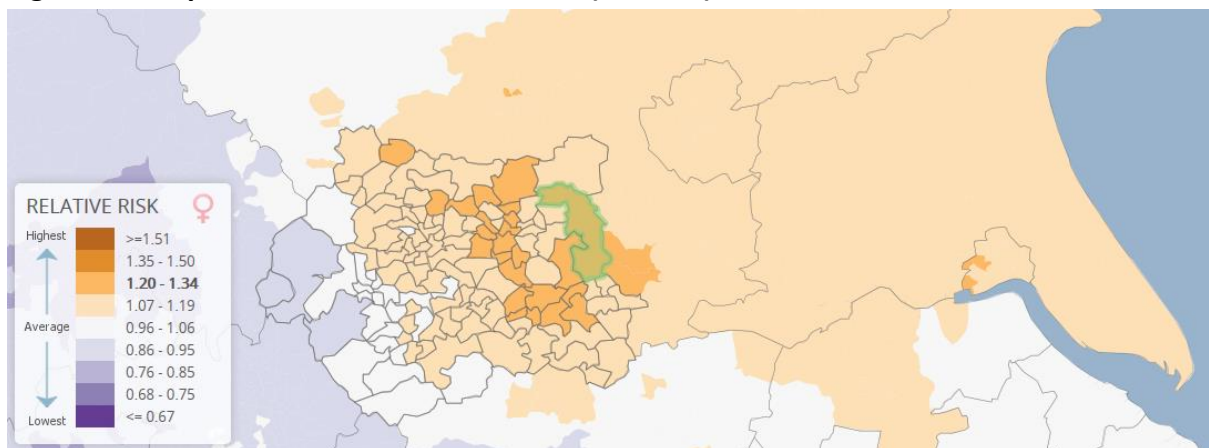
This increased risk of leukaemia in Barwick and Kippax ward compared to the national average is common across Yorkshire and the Humber. For men there are even higher risks in many other neighbouring wards (see Fig. 3). For women there are similar higher risks in many other wards in the Leeds area (see Fig. 4). Therefore, this raised risk of leukaemia is not suggestive of more cases in Micklefield than other areas.

**Figure 3 – Map of relative risk of leukaemia (males) across Yorkshire and the Humber**



Source: Small Area Statistics Unit (<http://www.envhealthatlas.co.uk/eha/Leukaemia/>)

**Figure 4 – Map of relative risk of leukaemia (females) across Yorkshire and the Humber**



Source: Small Area Statistics Unit (<http://www.envhealthatlas.co.uk/eha/Leukaemia/>)

As the confidence intervals cross the value '1' for all other types of cancer these data show there is no meaningful difference between Barwick and Kippax ward and the national average for brain, bladder and liver cancer.

## **Conclusion**

This report has summarised all the health data that has been analysed by Public Health England and Leeds City Council Office of the Director of Public Health regarding the Peckfield Landfill site. The health conditions included in this analysis were cardiovascular disease (heart), respiratory disease (lung - including asthma) and relevant cancers, as well as babies with low birth weight or congenital abnormalities.

The data presented show no evidence of more ill health in the people who live in Micklefield than would be expected. None of the health data shows higher levels of disease, low birth weight babies, congenital abnormalities, deaths or hospital admissions in Micklefield compared to other nearby similar areas. The data presented in this report are reassuring in that they show no evidence of an increase in health problems that could be attributed to the Peckfield landfill site.

**Dr Mike Gent**  
**Consultant in Communicable Disease**  
**Control**  
**Public Health England Yorkshire and the**  
**Humber**

**Anna Frearson**  
**Consultant in Public Health (Healthy Living**  
**and Health Improvement)**  
**The Office of the Director of Public Health,**  
**Leeds City Council**

## Glossary of Terms

**Age Standardised Rate (ASR):** this data takes into account the fact that some areas have more older people living in them than other areas, but allows us to still compare them to each other. This is important because older people are more likely to be admitted to hospital than younger people.

**Asthma:** a common long-term condition that can cause coughing, wheezing, chest tightness and breathlessness.

**Cancer:** a condition where cells in a specific part of the body grow and reproduce uncontrollably. The cancerous cells can invade and destroy surrounding healthy tissue, including organs.

**Cardio vascular disease (CVD):** a general term that describes a disease of the heart or blood vessels.

**Census wards:** areas defined by the Office of National Statistics for the collection of census data with on average 6,000 residents (these areas differ slightly from electoral wards)

**Chronic Obstructive Pulmonary Disease (COPD):** a collection of lung diseases including chronic bronchitis, emphysema and chronic obstructive airways disease. People with COPD have difficulties breathing, primarily due to the narrowing of their airways.

**Circulatory Diseases:** (another term for cardiovascular disease) common examples include strokes, mini-strokes and heart attacks.

**Clinical Commissioning Group (CCG):** formed in 2013, a group of GP practices that work together to design health services for a local population.

**Confidence Interval:** used in statistics when there is uncertainty in the data. It indicates the range of values that the true value in the population is likely to fall within, given the data we have. Sometimes called error bars.

**Congenital abnormalities:** health conditions that are present in babies at birth having developed while in the mother's womb.

**Coronary Heart Disease (CHD):** a type of cardiovascular disease that occurs when the flow of oxygen-rich blood to your heart is blocked or reduced by a build-up of fatty material

(atheroma) in the coronary arteries. (The coronary arteries are the two major blood vessels that supply your heart with blood.)

**Deprivation:** the damaging lack of material benefits considered to be basic necessities in a society.

**Environment Agency:** A UK Government agency that protects and improves the environment and makes it a better place for people and wildlife.

**European Standardised Population:** an artificial population structure – originally published in 1976 – that is used in the weighting of mortality or incidence data to produce age-standardised rates (ASRs). Produced by Eurostat, the statistical institute of the European Union.

**Index of Multiple Deprivation (IMD):** a UK government qualitative study of deprived areas in English local councils. It incorporates seven aspects of deprivation - income, employment, health deprivation and disability, education skills and training, barriers to housing and services, crime and the living environment.

**Leukaemia (lymphoid and myeloid):** Leukaemia is a cancer of the white blood cells. Leukaemia is classified according to the type of white blood cells affected by cancer. Lymphoid refers to the lymphocytes, which are white blood cells mostly used by the body to fight viral infections. Myeloid refers to the myeloid white blood cells which fight bacterial infections, defend the body against parasites and prevent the spread of tissue damage.

**Low birth weight babies (LBW):** Babies with a birth weight less than 2500g (5lb 8oz).

**Lower Super Output Areas (LSOAs)** - a geography of small areas covering the whole country for the collection and publication of small area statistics. They are used in a lot of national statistics produced by Government agencies. LSOAs have an average of roughly 1,500 residents and 650 households. They fit within MSOAs boundaries.

**Middle Super Output Areas (MSOAs):** a geography of small areas covering the whole country for the collection and publication of small area statistics. They are used in a lot of national statistics produced by Government agencies. MSOAs have a minimum size of 5,000 residents and 2,000 households. They fit within local authority boundaries.

**Public Health England:** a Government agency linked to the Department of Health. It works to protect and improve the nation's health and wellbeing, and reduce health inequalities. It has regional offices across the country.

**Respiratory Disease:** a general term that describes a disease of the lungs and parts of the body that help with breathing.

**Standardised rate per 100,000 people:** an estimate of the number of times something happens (like an admission to hospital) if all areas had exactly 100,000 people living in them. This means densely populated areas can still be compared with sparsely populated areas.

**Toxicity:** the degree to which a substance can harm humans or animals.

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# Impact on Health of Emissions from Landfill Sites

Advice from the Health Protection Agency





# Impact on Health of Emissions from Landfill Sites

Advice from the Health Protection Agency

Documents of the Health Protection Agency  
Radiation, Chemical and Environmental Hazards  
July 2011



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# Impact on Health of Emissions from Landfill Sites

Advice from the Health Protection Agency

Prepared by Y Macklin, A Kibble and F Pollitt





# Summary

Most waste in the UK has traditionally been disposed of to landfill sites. These can generate considerable public concern about the health effects of emissions and there have been suggested links to a range of health effects including cancer and birth defects. The Health Protection Agency (HPA) recognises that the practice of disposing of waste materials to landfill can present a pollution risk and a potential health risk. However, modern landfills are subject to strict regulatory control which requires sites to be designed and operated such that there is no significant impact on the environment or human health. An assessment of the health risks posed by landfill sites and other forms of waste management was published by the Department for Environment, Food and Rural Affairs in 2004, incorporating a review of the assessment by the Royal Society. The HPA has now carried out a review of more recent research into the suggested links between emissions from landfill sites and effects on health. This review encompasses the results of a number of epidemiological studies, detailed monitoring results from a major project funded by the Environment Agency, and advice sought from the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment. The HPA concludes that there has been no new evidence to change the previous advice that living close to a well-managed landfill site does not pose a significant risk to human health.

It is important that research continues to inform the risk of exposure from UK landfill sites. This should include the development of more sensitive sampling and analytical methods for pollutants detected around landfill sites and, ideally, surveys of pollutant concentrations around more sites. It would also be valuable if more complete toxicological data were available for some of these pollutants. Detailed site-specific risk assessment should remain an important part of the permitting and management process.

The HPA is aware that concerns about the health effects of landfill sites often stem from historic sites. However, it is not possible to provide definitive advice regarding historic or closed landfill sites which pre-dated waste management regulation in the UK, due to the large variability in wastes which entered these sites, and the variability in their design and operation when open. Where landfills are the subject of local concern, site-specific monitoring and/or modelling is needed to aid any risk assessment and address any uncertainty about the nature of any emissions.

The role of the HPA is to provide expert advice on public health matters to government, stakeholders and the public.



# 1 Introduction

The Health Protection Agency (HPA) provides expert advice on the public health risks of chemicals, radiation and infectious diseases to government and a range of other stakeholders including members of the public. In England and Wales, the Environment Agency (EA) is the main regulator of emissions from active landfill sites and closed sites with permits\*. Historic sites which no longer have a permit are the responsibility of the landowner or the local authority. The use of landfills for waste disposal in the UK is decreasing, with government policy encouraging the recycling, recovery and re-use of waste. In 2006, 69 million tonnes of waste went to landfill compared to 47 million tonnes in 2009 in England and Wales (EA, 2009). Modern landfills are subject to strict controls which require sites to be designed and operated such that there is no significant impact on the environment or human health. The Environmental Permitting Regulations 2010 are the main piece of legislation relating to the control of emissions from landfills in England and Wales and set strict criteria on emissions and the management of a site (GB Parliament, 2010). Historic landfills are managed under the Environmental Protection Act 1990, Part 2A (GB Parliament, 1990).

The European Landfill Directive was adopted in 1999 and introduced three classes of landfill (EC, 1999):

- a** landfills for inert waste only,
- b** landfills for non-hazardous waste,
- c** landfills for hazardous waste.

There are now strict restrictions on the types of waste that each class of landfill can accept and the practice of co-disposal of different waste types is no longer permitted. Various materials are now banned from landfill including all liquid wastes, corrosive, explosive or flammable waste, hospital and clinical infectious waste, whole used tyres (since 2003) and shredded tyres (from 2006). Waste going to landfill is also required to be pre-treated (including sorting) to encourage recovery and recycling. In addition, there are now requirements to ensure that waste entering landfill meets the relevant waste acceptance criteria for the class of landfill. The aim of these criteria is to reduce the amount of waste going to landfill and to ensure that waste in landfill does not degrade or release contaminants into leachate which might be harmful to the environment. These restrictions serve to reduce the potential of modern landfills to contaminate the local environment.

The comparative impacts on health of different methods of waste management were considered in a report prepared for the Department for Environment, Food and Rural Affairs (Defra, 2004). This work was

\* In Scotland, landfills are regulated by the Scottish Environment Protection Agency (SEPA) and in Northern Ireland by the Department of Environment (DOENI).

co-authored by the University of Birmingham and independent consultant Enviros and involved recognised experts in the field of air pollution and waste management. The report, which was reviewed by the Royal Society, concluded that there was no consistent evidence that people living close to landfill sites suffered worse health than people living further away from such sites. The report recommended that further work should be undertaken to show whether a causal connection between landfill sites and human health is plausible, especially in relation to adverse birth outcomes.

Since 2001, the EA has undertaken a considerable amount of research on potential routes of exposure around landfill sites (EA, 2001, 2003, 2010a–c). Between 2002 and 2009 the EA monitored concentrations of airborne chemicals, dusts and micro-organisms at the boundaries of four landfill sites selected to be typical of UK sites accepting municipal waste. The sites were selected on the basis of conformance criteria specified by the EA, which included the sites being operationally open, having a local population within close proximity, groundwater within 10 m, surface water within 50 m and landfill gas utilisation or flaring in place. The aim of the work was to provide information in relation to the potential risks to public health that may arise from landfill emissions.

The first set of data was collected at the boundaries of two municipal waste landfill sites between 2002 and 2005 (EA, 2010a,b). All potential exposure pathways were considered and over 60 chemicals or chemical groups were monitored. This study included a detailed survey of emissions to air and considered continuous monitoring of several compounds over a 22-month period and over 1200 site boundary measurements of potential contaminants of concern. Measurements were made at different times of the day and took into account the prevailing meteorological conditions. A second, subsequent study was undertaken in 2009 to improve on this dataset of substances (EA, 2010c). In this second study, fewer measurements were taken but with greater analytical sensitivity.

The chemicals monitored were chosen on the basis of both known toxicity and because they are the principal ones expected to be emitted from landfill sites. Table 1 lists the chemicals and other substances which were measured. Measured concentrations were compared to specific health criteria values (HCV)\* derived for the project. In the first study, for a few chemicals, the concentrations detected were close to the detection limits used, raising questions about the reliability of these results. The second study employed lower detection limits. Unless otherwise stated, exposure data cited in this report have been taken from these monitoring studies.

Despite such an intensive monitoring programme, it is important to appreciate that the design and composition of waste material within landfills will vary considerably from site to site. This variability makes it extremely difficult to predict what chemicals and other substances may be emitted into the local environment from any specific site. Where landfills are subject to local concern, site-specific monitoring and/or modelling is needed to aid any risk assessment and address any uncertainty in the nature of any emissions.

\* Health Criteria Value (HCV) is a generic term used to describe a benchmark level of exposure to a chemical derived from available toxicity data for the purposes of safeguarding human health (eg a tolerable daily intake).

**TABLE 1 Chemicals and other substances measured in the Environment Agency landfill exposure study (EA, 2010a,b)**

1,1-dichloroethane	Chromium	Moulds
1,1,1-trichloroethane	Chrysene	Naphthalene
1,2-dichloroethane	Cobalt	Nickel
1,2-dichloroethene	Copper	Nitrogen dioxide
1,3-butadiene	Dibenzo(ah)anthracene	Nitromethane
2-butanone	Dichlorobenzene	Particulate matter, PM <sub>10</sub>
2-ethyl-1-hexanol	Dichlorodifluoromethane	Penicillia
2-methylfuran	Dichlorofluoromethane	Phenanthrene
Acenaphthene	Dichloromethane	Polychlorinated biphenyls (PCBs)
Acenaphthylene	Dimethyl disulphide	Polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans (PCDDs and PCDFs)
Anthracene	Dimethyl sulphide	Pyrene
Antimony	Endotoxins	Stibine
Arsenic	Entrobacteriaceae	Styrene
Arsine	Ethylbenzene	Sulphur dioxide
Aspergillus fumigatus	Ethyl mercaptan	alpha-terpinene
Benzene	Fluoranthene	Tetrachloroethene
Benzo(a)anthracene	Fluorene	Thallium
Benzo(a)pyrene	Fibres	Thermophilic bacteria
Benzo(b/k)fluoranthene	Formaldehyde	Thermophilic fungi
Benzo(ghi)perylene	Fungi and yeasts	Tin
Cadmium	Gram-negative bacteria	Toluene
Carbon disulphide	Hydrogen sulphide	Trichloroethene
Chlorobenzene	Indeno(123-cd)pyrene	Trimethylbenzene
Chlorodifluoromethane	Lead	Vanadium
Chloroethane	Manganese	Yeasts
Chloroethene	Mercury	m- and p-Xylene
Chloroform	Mesophilic aerobes	o-Xylene
Chloromethane	Methyl mercaptan	

The advice in this report has considered published research from the EA on the level of exposure to emissions from landfill sites, published peer-reviewed epidemiological studies and statements from the government's independent advisory committee, the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) (COT, 2001, 2010). The HPA notes that data on the composition of closed or historic landfill sites, which pre-dated modern waste management regulations in the UK, are extremely limited due to the large variability in wastes which entered these sites and differences in their design and operation when open. This inherent variability is recognised within this advice.

## 2 Landfill Emissions

The main sources of emissions from landfill sites are as follows:

- a** the waste materials as they are brought onto site, normally in heavy goods vehicles,
- b** emissions from this transport and any heavy plant used on site,
- c** waste blown by the wind as it is tipped or deposited at the landfill site,
- d** dust generated from the surface of the landfill and when waste is tipped or unloaded,
- e** the waste materials which have previously been deposited in the landfill site,
- f** any gas generated as the waste breaks down, which is not collected and treated,
- g** any plant used to burn landfill gas, including gas flares or engines,
- h** any leachate produced as the waste breaks down,
- i** the discharges from any processes used to treat the leachate.

Modern landfills are lined and capped, which restricts emissions and makes it less likely that chemicals, gases, dusts, etc, will come into contact with the local population. Under the European Landfill Directive and the Environment Permitting Regulations the site operators are required to control all emissions from landfill sites. This involves risk assessments to look at both typical and atypical operations to ensure that emissions to air and the wider environment from landfill sites are controlled to be within required limits and so minimise the impact on human health and the environment. Where necessary, controls will be put in place to ensure the environment and health are adequately protected.

Landfill gas is the principal component of emissions to air from landfill sites. It is an end-product of the anaerobic process of degradation of biodegradable wastes once the waste has been deposited to landfill. The composition of the gas varies according to the type of waste and the phase of degradation of the waste, but typically it contains a large proportion of methane (around 65% by volume) and carbon dioxide (around 35% by volume). Small amounts (around 1% in total) of a range of trace components such as organic gases or vapours are also present (EA, 2002).

Table 2 summarises the main potential pathways for exposure of local people to emissions from landfill sites. Where exposure does occur, it is most likely to occur by inhalation of airborne emissions or dusts. Exposure through drinking water contaminated with leachate from landfill sites is considered less likely due to operational controls and the strict regulation and monitoring of drinking water supplies. Airborne pollutants can also be released from the combustion of landfill gas by gas engines or flares. If a landfill gas collection and control system is in place and operating efficiently, exposures to fugitive (uncontrolled) emissions away from a landfill site should be kept to a minimum. Proper regulation and post-closure monitoring should ensure that emissions are minimised and any exposure is low.

**TABLE 2 Summary of potentially significant pathways for exposure of local people (adapted from EA, 2010a)**

<b>Hazard</b>	<b>Source</b>	<b>Medium of exposure</b>
Acid gases	Flare/engine emissions	Inhalation exposure
Toxic organic micropollutants	Flare/engine emissions	Inhalation or ingestion exposure
Organics (including volatile organic compounds and other gases)	Flare/engine emissions	Inhalation exposure
Organics (including volatile organic compounds and other gases)	Leachate/surface water runoff	Inhalation or ingestion exposure
Bulk gases (ie methane), volatile organic compounds and other gases	Landfill gas	Inhalation exposure
Particulates, metals and toxic organic micropollutants	Tipping	Inhalation or ingestion exposure
Particulates, metals and toxic organic micropollutants	Waste in vehicles	Ingestion exposure
Bioaerosols	Tipping	Inhalation exposure
Bioaerosols	Waste in vehicles	Inhalation exposure

It has been suggested that landfills account for between 10 and 25% of all odour complaints to local authorities (Defra, 2004). Potential odour sources at landfill sites include leachate, landfill gas and odour from newly deposited materials. In some cases landfill odours have been detected over 1 km away and over half of the complaints made about landfills relate to odour (Defra, 2004).

## 2.1 Acid gases

Acid gases may be emitted from landfill gas flares and engines as a result of the landfill gas combustion process. Examples of acid gases which can be emitted are nitrogen dioxide, sulphur dioxide and halides, such as hydrogen chloride and hydrogen fluoride. Emissions from landfill sites can contribute to existing background levels of these pollutants in the local area. This is especially important for nitrogen dioxide and sulphur dioxide which can be produced in significant quantities from many other industrial and transport sources and therefore any additional contribution from landfill sites could have an impact on local air quality.

At high concentrations, nitrogen dioxide (NO<sub>2</sub>) acts as an irritant of the airways and exposure can produce inflammation and bronchoconstriction (narrowing of the lungs) and can affect the immune cells in the lungs, increasing susceptibility to respiratory infections. Asthmatics are most susceptible, although high levels of NO<sub>2</sub> may also produce effects on the lung function of non-asthmatics.



Measurements from the boundaries of landfill sites indicate that emissions of NO<sub>2</sub>, from flares or engines, even when combined with background levels, were below relevant health-based ambient air quality standards (EA, 2010a). As a result, emissions of NO<sub>2</sub> from active well-managed landfill sites should not significantly impact local air quality and consequently the health of those living close to a landfill site. Proper control of emissions and strict regulation of landfill sites should ensure that emissions do not result in an exceedance of ambient Air Quality Objectives as set out in the UK Air Quality Strategy (Defra, 2007).

Sulphur dioxide (SO<sub>2</sub>) can also have an irritant effect on the airways and can cause bronchoconstriction. Asthmatics, children and the elderly are particularly sensitive and the concentration required to produce an effect in asthmatic individuals would typically be far less than that required for non-asthmatic individuals. High concentrations of SO<sub>2</sub> may trigger asthma attacks. However, asthmatic individuals will vary considerably in their response to SO<sub>2</sub>. Regulation of landfill sites and pollution control measures should limit SO<sub>2</sub> emissions. Monitoring data from the boundary of landfill sites suggest that SO<sub>2</sub> concentrations were comparable to those found at many other urban and rural locations in the UK and typically below health-based standards (EA, 2010a). Therefore, providing the site is properly managed and regulated, it is unlikely that emissions from landfill sites will significantly affect local air quality.

Landfill gas combustion may produce small amounts of halides, but these are not routinely monitored. Therefore data on halides such as hydrogen chloride and hydrogen fluoride are very limited. High concentrations of hydrogen chloride and hydrogen fluoride are an irritant to the mucous membranes and can cause irritation to the eye, nose and throat and airways due to dissolution in body fluids to form acidic solutions. Halides such as hydrogen chloride have a high solubility and are readily deposited in the nose and upper respiratory tract where the main effects tend to be observed (EPAQS, 2009). It is also thought that halides may stimulate the irritant receptors associated with nerve endings in the airways, which can cause cough, chest tightness, breathlessness and bronchoconstriction. The HPA is not aware of any reports that halides from landfill gas combustion have caused health problems.

## 2.2 Toxic organic micropollutants

The term ‘toxic organic micropollutants’ (TOMPs) includes polychlorinated dibenzo-para-dioxins and polychlorinated dibenzofurans (PCDDs and PCDFs) (collectively termed ‘dioxins’) and polycyclic aromatic hydrocarbons (PAHs). These compounds are all ubiquitous in the environment and are therefore not just associated with landfill sites.

### 2.2.1 Dioxins (PCDDs and PCDFs)

The presence of chlorine-containing substances in landfill gas may give rise to the formation of dioxins through the combustion process. The COT has recommended a tolerable daily intake (TDI) for dioxins, which is the amount that can be ingested daily over a lifetime without appreciable health risk (COT, 2001). This TDI is based on a detailed consideration of the extensive toxicity data on the best-studied dioxin, 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD), but may be used to assess the toxicity of mixtures of dioxins and dioxin-like polychlorinated biphenyls (PCBs) by use of Toxic Equivalency Factors (TEFs), which allow concentrations of the less toxic compounds to be expressed as an overall equivalent concentration

of TCDD. These toxicity-weighted concentrations are then summed to give a single concentration expressed as a Toxic Equivalent (TEQ). The system of TEFs used in the UK and a number of other countries is that recommended by the World Health Organization (WHO), and the resulting overall concentrations are referred to as WHO-TEQs (van den Berg et al, 2006).

The TDI for dioxins of 2 picograms (pg) WHO-TEQ per kilogram (kg) bodyweight per day is based on the most sensitive effect of TCDD on laboratory animals, namely, adverse effects on the developing foetus resulting from exposure *in utero*. As a result, this TDI will protect against the risks of other adverse effects including cancer. The advice of the sister committees to the COT, the Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (COC) and the Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment (COM), informed the conclusion that dioxins do not directly damage genetic material and that evidence on biological mechanisms suggests that a threshold-based risk assessment is appropriate.

Data for two landfill sites show median concentrations of dioxins in air at the boundaries of the sites to be 19 femtograms (fg) WHO-TEQ m<sup>-3</sup> and 15 fg WHO-TEQ m<sup>-3</sup>, respectively (EA, 2010a). To place these results into context, a typical UK rural background concentration was estimated to be 10 fg WHO-TEQ m<sup>-3</sup>, and a typical urban background level was estimated to be 40 fg WHO-TEQ m<sup>-3</sup> (Defra, 2004). Monitoring by the EA did result in a report of a single high level concentration of 1839 fg WHO-TEQ m<sup>-3</sup> at one site, but no evidence was found of any unusual activity at the site which could have given rise to the high reading. Furthermore, dioxins in soils nearby were found to be low and within the normal UK range, suggesting that this single high value was not representative of emissions from the site.

The EA 'Dioxin Risk and Exposure Assessment Model' (DREAM) was used to estimate the total exposure to dioxins around these landfill sites including dietary exposure. The results indicated that the estimated intake from eating locally grown produce was comparable to background levels and well below the TDI of 2 pg WHO-TEQ per kg bodyweight per day (Food Standards Agency, FSA, 2003; COT, 2010).

### 2.2.2 Polycyclic aromatic hydrocarbons (PAHs)

Polycyclic aromatic hydrocarbons (PAHs) are a large group of structurally similar chemicals which are ubiquitous in the environment as both gases and associated particulates. They are emitted from landfills as a product of the combustion of landfill gas. Studies in humans and experimental animals have found an association between exposures to mixtures of certain PAHs and tumours of the lung, skin and possibly other sites in the body. Certain PAH compounds are considered to have potential genotoxic carcinogenic properties\* and these are the main compounds of concern in relation to landfill emissions. The only PAH which has been tested in detail in health studies is benzo(a)pyrene (BaP).

\* Genotoxic carcinogens induce cancer by a mechanism that involves the compound itself, or a metabolite, reacting directly with the genetic material of cells (DNA), producing a mutation. This process is called mutagenicity. It is theoretically possible that one 'hit' on DNA may produce a mutation that can eventually develop into a tumour. The assumption is thus made for genotoxic carcinogens that they do not have a threshold and that any exposure is associated with an increase in risk, albeit this may be very small.

Polycyclic aromatic hydrocarbons are not routinely measured from landfill gas combustion systems. The EA has monitored six carcinogenic PAHs commonly found as air pollutants at the boundaries of two landfill sites and found that the 50th percentile concentrations were either below or only slightly above the Air Quality Standard of  $0.25 \text{ ng m}^{-3}$  BaP recommended by the Expert Panel on Air Quality Standards as an annual average for PAH compounds (EPAQS, 1999). It was concluded that the concentrations measured were not a major cause for concern (COT, 2010).

## 2.3 Other gases

Landfills also emit other gases, including:

- a methane ( $\text{CH}_4$ ) and carbon dioxide ( $\text{CO}_2$ ), as a result of surface and lateral landfill gas emissions and as a result of combustion of landfill gas engines and flares,
- b volatile organic compounds (VOCs), which are a trace component of landfill gases and are also emitted from landfill gas engines and flares.

### 2.3.1 Methane ( $\text{CH}_4$ ) and carbon dioxide ( $\text{CO}_2$ )

The health effects of exposure to methane and carbon dioxide are well known. Both are colourless, odourless gases which act as asphyxiants. Carbon dioxide is non-flammable and, at low concentrations or low levels of exposure, it increases the depth and rate of respiration, blood pressure and pulse (HPA, 2010). At increasing concentrations, a depressive phase develops which can culminate in cardiorespiratory failure. Concentrations above 6% by volume can give rise to headache, dizziness, mental confusion, palpitations, increased blood pressure, difficulty breathing and central nervous system depression. Humans cannot breathe air containing more than 10% carbon dioxide without losing consciousness.

In contrast to carbon dioxide, methane is a flammable gas which is explosive in air at concentrations between 5 and 15% by volume. Inhalation can cause nausea, vomiting, headache and loss of coordination. At very high concentrations it may cause coma and death due to respiratory arrest (HPA, 2009a).

Emissions of both methane and carbon dioxide from landfill sites should be controlled through a landfill gas management system based around capping and gas flares and/or engines. Therefore concentrations should not be high enough to cause significant health effects unless the gases are allowed to build up in confined spaces such as sewers and basements.

### 2.3.2 Volatile organic compounds (VOCs) and other gaseous compounds

Landfill gases include trace gases such as VOCs and gaseous compounds such as arsine and stibine, which typically make up approximately 1% of raw landfill gas. The composition of trace gases is dependent on the type of waste in landfill but includes groups such as halogenated hydrocarbons and aromatic hydrocarbons. The percentage of fugitive (uncontrolled) gas escaping will depend primarily on the overall collection efficiency on-site, which is dependent on the collection system, the site dimensions, the

engineering design of the site (lining and capping) and the volume of gas generated. If a landfill gas collection and control system is in place and operating efficiently, exposures to fugitive emissions away from a landfill site should be minimal. VOCs may also be generated by landfill gas engines (eg crankcase emissions) and landfill flares. A study reported that landfill gas engines were effective at destroying VOCs with a typical efficiency of 96 to 99.9% (Gillett et al, 2002).

The EA monitored a large number of VOCs and other gases at the boundary of typical landfill sites (EA, 2010a,c). The VOCs were selected on the basis of their toxicity and odour potential. The overwhelming majority of the VOCs and other gases measured were well below (<1%) the relevant HCV. A number of VOCs and other gases were present in higher concentrations, including compounds such as chloroethene, 1,2-dichloroethane, dimethyl sulphide, dimethyl disulphide, formaldehyde, methyl mercaptan, styrene, toluene and stibine. However, the health risks associated with stibine are difficult to quantify owing to the lack of data on the amount of stibine emitted from landfill sites. Current analytical methods of monitoring stibine are not especially sensitive.

Arsine was also detected in the first EA study at levels in excess of the HCV. However, the levels detected were close to the detection limit and it is not clear how reliable they were. No arsine was detected in the second study, which used lower detection limits but, as the detection limit was lower than the HCV at only one site, it is not possible to say whether the levels were above or below the HCV at the other site (EA, 2010c). Arsine is a colourless gas with a mild, garlic odour which is expected to be converted in humans to arsenic (although the extent of conversion is unclear). While arsine is acutely toxic, measured concentrations are unlikely to present a risk to health. However, given the risks associated with chronic exposure to arsenic (inorganic arsenic is a known human carcinogen which acts through a genotoxic mechanism), research on arsine metabolism in a suitable species and further monitoring data are needed.

The COT noted that, although there were limited toxicity data on some of the chemicals from which to formulate health advice, the levels of the VOCs and other gases found at the boundaries of the sites were unlikely to give rise to significant adverse health effects (both acute and chronic) (COT, 2010). The HPA agrees with this view and therefore, provided the landfill is well regulated and managed, emissions of VOCs at landfill sites are unlikely to pose a significant risk to health.

### 2.3.3 Hydrogen sulphide (H<sub>2</sub>S)

Hydrogen sulphide (H<sub>2</sub>S) is a colourless, flammable gas with a characteristic odour of rotten eggs. It is produced in landfill sites when high sulphate bearing materials (such as gypsum and plasterboard) are mixed with biodegradable waste. The composition of the waste material and the design and management of the site will determine the amount of H<sub>2</sub>S produced and concentrations in landfill gas can vary considerably. The landfilling of biodegradable waste materials with high sulphur content has been prohibited in England and Wales since July 2005 (EA, 2008). At low concentrations, H<sub>2</sub>S may result in irritation to the mucous membranes of the eye and respiratory tract. Exposure to high concentrations results in depression of the central nervous system, loss of consciousness and respiratory paralysis (HPA, 2009b). Other health effects have been reported, although data on the effects in humans following

repeated exposure are limited and difficult to interpret because of co-exposure to other chemicals. Odour complaints may also be associated with H<sub>2</sub>S.

The levels of H<sub>2</sub>S associated with landfill sites have been assessed (EA, 2010a). The World Health Organization recommends an air quality guideline for H<sub>2</sub>S of 150 µg m<sup>-3</sup> over a 24-hour averaging period (WHO, 2000). Owing to the odorous properties of H<sub>2</sub>S, the WHO also recommends a value of 7 µg m<sup>-3</sup>, with a 30-minute averaging period to avoid substantial complaints about sensory annoyance. Monitoring data from the EA indicated that H<sub>2</sub>S concentrations, measured over a 15-minute monitoring period, occasionally exceeded the WHO sensory-based recommended level but were below levels associated with toxic effects. This indicates that there is the potential for odours to affect nearby residents and enforces the need for odour control at landfill sites.

## 2.4 Particulates

Landfilling activities have the potential to produce both fine and coarse particulates, the make-up of which will depend on the activities undertaken on-site and the types of waste being handled.

Landfilling activities with the potential to generate particulates include:

- a** movement of waste on- and off-site,
- b** handling storage and processing of waste,
- c** plant traffic both on- and off-site,
- d** plant used to burn landfill gas, including gas flares or engines,
- e** dust generated from the surface of the landfill.

Exposure to particles that can enter the respiratory system is known to be associated with a range of adverse effects on health. Particles of greater than 10 µm in diameter (particulate matter, PM<sub>10</sub>) are unlikely to penetrate beyond the nose and larynx but, as the diameter of particles falls, the likelihood of their entering the lungs and being deposited in the airways increases. Particles of less than about 2.5 µm diameter (PM<sub>2.5</sub>) are referred to as 'fine' particles and are deposited relatively efficiently in the deeper parts of the lung – for example, in the alveolar spaces. Particles between 2.5 and 10 µm in diameter are referred to as comprising the 'coarse' fraction of PM<sub>10</sub>. These particles may also have effects on health. Dust emitted from landfill sites will include particles which fall into both the PM<sub>10</sub> and PM<sub>2.5</sub> categories. People with pre-existing lung and heart disease, the elderly and children are particularly sensitive to particulate air pollution.

Dusts from landfill sites can become airborne and move off site by a number of mechanisms. The amount of dust lifted from the surface of the landfill is dependent upon the speed of the wind, the condition of the surface and the size of the dust particles. Emissions of dust as a result of wind-blow can be significantly reduced if the surface is wet. Where dust generation has been assessed as an issue the operator should employ dust suppression measures such as surface wetting to combat the effects of wind-blow.

The distance travelled by dust emissions will depend on the particle size and on the wind speed and turbulence. Smaller dust particles will stay airborne for longer and disperse over a wider area. Strong and turbulent winds will also keep larger particles airborne for longer. Data reported from quarries indicated that the coarser dust particles ( $>30\ \mu\text{m}$ ) are mainly deposited within 100 m of the source, intermediate particles (10–30  $\mu\text{m}$ ) between 250 and 500 m, while fine particles ( $<10\ \mu\text{m}$ ) can travel up to 1 km (DoE, 1995a,b). Ultrafine particles ( $<2.5\ \mu\text{m}$ ) would be expected to travel considerably further.

Environmental permits for landfill sites require that dusts must be adequately controlled using, for example, dust suppression measures, so as not to have an adverse impact on public health. Furthermore, monitoring for particulates would be required by the environmental permit where justified by a risk assessment. For nuisance dust issues then the regulator will set a nuisance criterion level along with action and trigger levels to ensure that there is minimal impact on the local population (EA, 2004).

Levels of  $\text{PM}_{10}$  measured at the boundary of landfill sites are comparable to those encountered in many parts of the UK (EA, 2010a) and should not impact local air quality significantly. Even when added to the existing background  $\text{PM}_{10}$ , exceedances of the UK Air Quality Objective are not anticipated.

## 2.5 Metal compounds

Particulates emitted from landfills may also contain metals such as arsenic, cadmium, chromium, cobalt, copper, lead and manganese. Monitoring of metal compounds at the boundary of landfill sites indicated that the 50th percentile concentrations of metals were well below the relevant health guideline level (EA, 2010a,c). However, the COT noted that the maximum concentration of total chromium exceeded the appropriate HCV of  $2.5\ \text{ng m}^{-3}$ , although the 50th percentile concentrations were well below this value and were lower than the typical urban background concentration of chromium (COT, 2010). The HCV used reflects the risk from hexavalent chromium ( $\text{Cr(VI)}$ ) and the EA study was not able to provide information on the speciation of chromium. It would be expected that the highly reducing environment within a landfill site would favour the formation of the less toxic trivalent form ( $\text{Cr(III)}$ ). As a result, it is difficult to judge whether concentrations of total chromium at the boundary of these landfill sites present a significant risk to health. The HPA recommends that better techniques need be developed to measure  $\text{Cr(VI)}$  in air around landfill sites for use in future assessments.

## 2.6 Odours

Odours are frequently a key issue for landfill sites, especially those receiving biodegradable waste. Odours are typically associated with activities such as the handling of odorous wastes and the covering of biodegradable wastes or with the presence of trace components in landfill gas or leachates.

Odorous emissions are often accompanied by reports of ill-health from communities (Steinheider, 1999). Individuals may report a wide range of non-specific health symptoms, attributing these to odour exposure, including nausea, headaches, drowsiness, fatigue and respiratory problems. Health symptoms reported in association with odorous emissions can arise at olfactory detectable concentrations well below the levels associated with toxic effects or thresholds for mucous membrane irritation. Individual responses

to odours are highly variable and are influenced by many factors including sensitivity, age and prior exposure to the odour. Psychological and social factors, in addition to an individual's level of concern about the potential harm to their health, will also play an important role in an individual's response. There are published studies that show strong correlation between perceived odour annoyance and subjective symptoms (Dalton et al, 1997; Dalton, 2003).

The EA measured a number of chemicals capable of causing odour problems at the boundaries of landfill sites. Methyl mercaptan, dimethyl sulphide and dimethyl disulphide are foul-smelling chemicals with low odour thresholds\*. Air monitoring data indicated that concentrations of these chemicals at the boundary of these study sites did occasionally exceed the relevant odour threshold, although they were well below levels associated with toxic effects. However, the presence of detectable odours may cause annoyance among the local population, possibly leading to stress and anxiety. Some people may experience symptoms such as nausea or dizziness as a reaction to the odours even when the concentrations of these chemicals are insufficient to be directly harmful to health. Members of the public should consult their family doctor if they are concerned about any effects on their health from exposure to odours.

Since odours can have a detrimental impact on health, any potential odorous activities should be well regulated through the environmental permit. All landfill sites should have robust on-site plans to manage and reduce odours and any emissions should be the subject of a comprehensive risk assessment process. This should include evaluation of the key substances emitted in order to assess their toxicological and odour potential and, if necessary, off-site modelling and/or monitoring to predict the impact of these emissions on local communities. The HPA expects that landfill sites should be managed in such a way to ensure that odours do not materially affect local residents and if problems do occur, or are likely to occur, that appropriate actions are taken to prevent or minimise odours. The HPA will continue to work with the Environment Agency and other key partners, such as primary care trusts and local health boards, to minimise the potential health impact of odours.

## 2.7 Leachate

The nature of landfill leachate is a function of waste types, solubility, the state of decomposition and degradation. Rainfall input can serve to dilute and flush contaminants in addition to assisting in the degradation process by wetting the wastes. A wide range of substances may potentially be present in leachate, some of which are potentially harmful to human health. There is a considerable body of evidence on the constituents of landfill leachate, and the EA has undertaken a significant amount of research and identified those substances found in more than 5% of samples of landfill leachate (EA, 2001, 2003, 2010a). These substances are listed in Table 3.

Modern landfills are subject to risk assessments under the Environmental Permitting Regulations which require sites to be designed and operated such that there is no significant impact on groundwater. The majority of leachate in a modern landfill is discharged following treatment in an on-site process, and/or at

\* Published odour detection threshold values for individual chemicals are based on the concentration at which half of a test group can just detect the odour.

**TABLE 3 Priority substances in landfill leachate (taken from EA, 2010a)**

Aniline	Fluoride	Organotin compounds
Arsenic	Mecoprop	Pentachlorophenol
Biphenyl	Methyl chlorophenoxy acetic acid	Phenols
Cyanide	Methyl tertiary butyl ether	Phosphorus
Di(2-ethyl hexyl) phthalate	Naphthalene	Polycyclic aromatic hydrocarbons
Dichloromethane	Nitrogen	Toluene
Ethylbenzene	Nonylphenol	Xylenes

an off-site sewage works. Modern landfill liners should also be very effective in containing leachate and very little leachate will be released via the landfill lining system to land or groundwater. Leachate stored or treated at a landfill site can become low in oxygen, resulting in the generation of odorous compounds such as sulphides. This can result in odour from tanks used to store leachate. This is likely to contribute to odour complaints associated with landfill sites.

As part of the monitoring of landfill sites by the EA, the possible effects of leachate on human health, via groundwater, were examined (EA, 2010a). The concentrations of substances released from landfill were based on either measured concentrations or estimated concentrations from a leachate quality database, together with calculated dilution rates. Analysis of leachate quality was undertaken for the priority substances in landfill leachate identified by earlier research (EA, 2003). The estimated exposure concentrations were assessed against widely used benchmarks for groundwater and drinking water quality to establish the significance of the estimated exposure concentrations. It was concluded that releases to groundwater are unlikely to pose a significant risk of adverse effects on health. Any risk is further reduced since most people receive their water from a public water supply usually some distance from a landfill site and unlikely to be at risk of leachate contamination. Furthermore, public water supplies are subject to strict regulation and monitoring which further reduces the likelihood of exposure.

Historic landfills are not regulated by current permit conditions, either because they ceased operations before controls were introduced, or the permit has been surrendered or otherwise disowned by the operator. These landfill sites often have no leachate treatment systems or engineered lining within the landfill to contain the leachate within the boundary of the site. The local authority has responsibilities for potentially contaminated land under Part 2A of the Environmental Protection Act 1990. Many of these historic landfills were sited and operated on the principle that the leachate generated slowly migrates into the underlying geology and, in doing so, any compounds within the leachate are attenuated through chemical, physical, biological and microbiological processes. These are known as ‘dilute and disperse landfills’. Post-site monitoring and monitoring of groundwater should ensure that such sites do not pose a significant risk to human health.



## 2.8 Bioaerosols

The handling and processing of compostable organic waste material at landfill sites can generate an aerosol of micro-organisms (including pathogens and allergens such as bacteria, fungi and microbial toxins) suspended in air, termed a bioaerosol.

Most work on bioaerosols has been associated with commercial composting sites where waste material is enclosed within buildings or outdoors in open windrows\*. Bioaerosols can also be emitted from domestic composting.

There is considerable uncertainty about health risks from bioaerosols, both to staff working at the composting site and to local residents living nearby. Health risks may include respiratory effects, infectious diseases, bacterial intoxications† and allergic reactions. The possible effects of bioaerosol exposure are difficult to assess because the mixture of organisms in compost is diverse, the methods for examining are not standardised, the exposure is difficult to estimate and epidemiological studies can be difficult to establish and interpret. In addition, within the general population there are people who may be more susceptible to bioaerosol-associated disease (eg people with a compromised immune system).

Data on bioaerosol levels on or around landfill sites are very limited. Monitoring at the boundaries of landfill sites provided results showing elevated levels of some micro-organisms (mainly fungi, moulds and mesophilic aerobes) which could possibly cause mild transient effects such as runny nose, throat irritation, cough and sneeze, and exacerbation of asthma in people living nearby (EA, 2010a). While the most likely source for these observed levels of bioaerosols was considered to be the handling of biodegradable wastes, local agricultural activities will also produce bioaerosols and would therefore have contributed to local concentrations.

Management of risks from bioaerosols at composting sites has focused on ensuring that operations are sufficiently far away from housing and businesses to limit bioaerosol exposures. Current evidence suggests that communities further than 250 m away from the site are unlikely to be exposed to harmful levels as the bioaerosol will disperse and concentrations will reduce to background levels over this distance. The amount of bioaerosol emitted from landfill sites should be far less than from a commercial composting facility which will handle significantly more biodegradable material. Activities to control dusts will further reduce the potential for any bioaerosol to be generated. However, the HPA would expect the risks from bioaerosols to be assessed as part of the permitting and regulation of landfill sites.

\* Windrows are rows of composting material.

† Exposure (usually ingestion) of the toxin produced by the bacteria.

# 3 Epidemiological Studies: Landfills and Health Outcomes

## 3.1 Introduction

There have been a number of epidemiological studies which have investigated whether there is a higher than usual incidence of adverse health events, such as cancer or congenital anomalies\*, in populations living near landfill sites. In general, these studies have used routinely collected data to compare the incidence of an adverse health outcome in the population living around a landfill site, or around a number of landfill sites, to the incidence in a reference area, such as the rest of the region or country. This type of epidemiological study is usually termed an ecological study.

There are a number of methodological problems with this type of study (COT, 2001). Such a study can only explore whether there is an association between potential exposures and the health effect under investigation. It cannot say whether or not the landfill site(s) caused the adverse health outcome (ie whether the association is 'causal'). There is no assessment of whether the study population is actually subject to harmful exposures. It is assumed that those living near to the landfill site are 'exposed' and those living further away are 'unexposed'. A further limitation is that this type of study can only make adjustments for other differences between the exposed and reference populations, such as socioeconomic deprivation, on a group level and not on an individual level. Also, they cannot adjust explicitly for confounders such as family history of disease, or lifestyle factors such as smoking, use of medicines and occupation, which might themselves be associated with the health outcomes being studied and which are unlikely to be completely accounted for by adjusting for deprivation alone. Therefore, there is a possibility that differences in the incidence of health outcome between the study and reference populations are due to one or more of these factors, and not to the landfill site(s). There may also be limitations in some of the health statistics datasets used in the study (COT, 2001).

## 3.2 Birth outcomes

In August 1998, a study of the incidence of congenital anomalies near hazardous waste landfill sites in Europe (the EUROHAZCON study) was published in *The Lancet* (Dolk et al, 1998). This study investigated pregnancy outcomes in women living within 7 km of 21 hazardous waste landfill sites in five countries, including the UK. Overall, it found a higher incidence of non-chromosomal congenital anomalies – specifically, neural tube defects and anomalies of the great arteries and veins – in babies whose mothers lived close to a landfill site than in babies of those mothers who lived further away. The authors concluded that there was a need for further investigation to determine whether landfill sites contribute to the risk of

\* Anomalies that are not caused by a defect of the chromosomes.

these birth defects. This study was well conducted but there were a number of difficulties in interpreting the results, including inadequate estimates of exposure, variability between landfill sites, and the inability of the study to take account of other factors which might influence the outcome, such as socioeconomic status and ethnic group.

In response to the concerns raised, a number of government bodies commissioned the Small Area Health Statistics Unit (SAHSU) at Imperial College to carry out a large study of the incidence of birth outcomes around landfill sites in England, Scotland and Wales. The study also investigated the incidence of certain cancers (see below). SAHSU was provided by the Environment Agency with data on the location of landfill sites for use in this study, which indicated that there was a total of 19,196 known, open or closed landfill sites in England, Scotland and Wales and that most of the population lived within a few kilometres of a site. The study found a small increase in congenital anomalies in populations living close to landfill sites, but the increase (1% higher than the reference population for all sites but 7% around hazardous waste sites) was much smaller than had been reported in the EUROHAZCON study. With respect to specific anomalies, an increased incidence close to the sites was seen for neural tube defects, hypospadias/epispadias (defects of the penis) and abdominal wall defects. An increased risk of low birth weight was also seen in the study population (Elliott et al, 2001). The COT considered this study and noted that the findings for birth outcomes were not consistent, and that the study provided no evidence that the rates of anomalies increased after sites had opened (COT, 2001). The COT reiterated the limitations of ecological studies stated above and also noted that this study may have had problems of data quality, both in the landfill data and in some of the health statistics datasets used.

Results from subsequent EUROHAZCON studies have been reported. In January 2002, Vrijheid et al (2002a) reported an increased incidence of birth defects due to chromosomal congenital anomalies (a category which includes Down syndrome) in babies whose mothers lived close to a hazardous waste landfill site. However, this study was of the same design as the first study and, therefore, subject to the same difficulties in interpretation as noted above. In November 2002, a further study by the same group found 'little evidence' for a relationship between the risk of congenital anomaly and a rough measure of the 'hazard potential' of landfill sites as judged by an expert panel (Vrijheid et al, 2002b). In 2004, the group investigated the risk of low birth weight near the ten EUROHAZCON sites in England and found a small, non-statistically significant increase in the risk of low birth weight within 3 km of the sites (Morgan et al, 2004).

Palmer et al (2005) investigated whether the opening of new landfills in Wales was associated with increased rates of congenital anomalies in nearby residents by comparing rates before and after sites opened. Data on anomalies for the period 1983 to 1997 were obtained from the Office for National Statistics and, for the period 1998 through 2000, from the newly established Wales Congenital Register and Information Service (CARIS) which has substantially increased reporting rates, producing more reliable data. The study found that, for the 20 sites that opened from 1983 through 1997, there was a 39% increase in the rate of anomalies in populations living close to the sites after they opened. For sites that opened between 1998 and 2000, since no data on anomalies were available from CARIS for the period before the landfills opened, only the rates after opening could be studied. Using these data, the authors found no increased risk of congenital anomalies in populations living close to the 20 landfill sites studied in this period compared to expected rates. They concluded that it was difficult to draw

conclusions about the findings because of the lack of data on individual exposures and on socioeconomic and lifestyle factors.

SAHSU has carried out a number of further studies on landfill sites, including a study in Scotland which found no excess risk of adverse birth outcomes in populations living near hazardous waste landfill sites (Morris et al, 2003) and another which found no increased risk of Down syndrome in babies born to mothers living near 6,829 landfill sites in England and Wales (Jarup et al, 2007). A further study investigated the risk of congenital anomalies in relation to the geographical density of landfill sites across England. For hazardous waste sites, it found small increased risks for specific anomalies in the areas with the greatest density of landfill sites but there were no excess risks in relation to sites handling non-hazardous or unknown waste types (Elliot et al, 2009). The HPA agrees with the views of the COT in that this study does not give grounds for any specific concerns or recommendations relating to the health of pregnant women or those wishing to start a family who live in the vicinity of a landfill site (COT, 2010).

### 3.3 Cancer

The 2001 SAHSU study investigated the incidence of certain cancers as well as birth outcomes and found no excess risk of cancer in the population living close to landfill sites (Jarup et al, 2002). The cancers studied – leukaemias and cancers of the liver, bladder and brain – were selected either to test hypotheses arising from previous studies of cancer around landfill sites or on the basis of the established human carcinogenicity of certain chemicals known to be present in them.

Other epidemiological studies of the association between cancer and landfill sites have been reviewed recently by Porta et al (2009), although it should be noted that some of the sites in the papers included in this review might be better described as uncontrolled or poorly managed waste dumps rather than controlled landfill sites. The authors concluded that there was inadequate evidence of an increased risk of cancer for communities in the proximity of landfills.

### 3.4 Other effects

Although most epidemiological studies have investigated rates of adverse birth outcomes or cancer around landfill sites, some have considered other effects. Vrijheid (2000) reviewed the health effects of residence near hazardous waste sites and noted an increased prevalence of self-reported health symptoms such as fatigue, sleepiness and headaches in ten of the reviewed papers. These papers largely studied populations living near to or on old and poorly controlled waste dumps with clear evidence of odour and leakage of noxious chemicals rather than controlled landfill sites. Where specific landfill sites were studied, it is not clear how far the results are applicable to landfill sites in general.

As previously discussed, ecological studies have a number of limitations and risk estimates derived from such studies are typically small. Therefore, it is not possible to discriminate effects due to confounders and bias from those which might be causally associated with the hazard under investigation and there is little value in undertaking further studies of this type on landfills (COT, 2010).

## 4 Recommendations for Future Research

The HPA has considered exposure data from sites chosen to be typical of modern landfill sites. However, emissions from individual sites will undoubtedly vary due to a range of factors such as the composition of the waste, the age and design of the landfill, pollution abatement measures, the underlying geology and the location of the site. As a result, the HPA believes that it is important that research continues to increase the evidence base around landfill sites.

It is clear from this review that some further research is needed to improve toxicological and exposure assessments around landfill sites. Future research should consider further surveys of pollutant concentrations around more sites and the development of more sensitive sampling and analytical methods for pollutants detected at low concentrations, particularly for those chemicals where the detection limits in the studies considered were below health criteria values. This would include compounds such as arsine and hexavalent chromium.

There is also a need for more complete toxicological data for some of these pollutants, as indicated in the Environment Agency exposure studies (EA, 2010a–c) and the second COT statement on landfill sites (COT, 2010).

Odours can have a detrimental impact on health and this review notes that a number of chemicals capable of causing odour problems have been measured at the boundaries of landfill sites. Further research is needed to improve assessments of the impact that odours can have on the health of local residents.

The exposure data considered in this report have been taken from work around active landfill sites. More research is needed to assess the potential impact of emissions from closed landfill sites.

The HPA will be exploring research opportunities to improve knowledge of exposures to chemicals released from landfill sites and their toxicological impact.

## 5 Conclusions

The disposal of waste materials to landfill can undoubtedly present a pollution risk and a potential health hazard. Improvements in landfill design and management, restrictions in the types of waste that can be handled, and environmental legislation designed to minimise pollution should all ensure that there is no significant risk to the health of the local population.

The evidence base on the potential of exposure to emissions from landfill sites in the UK is limited due to the inherent variability in the composition of waste. It can be argued that all landfill sites are different. Intensive research has been carried out by the Environment Agency, which measured 60 chemicals or groups of chemicals at the boundaries of four landfill sites between 2002 and 2009. The results for this large dataset are reassuring and suggest that exposure to chemicals and other substances are typically low, comparable to existing background levels of pollution, and unlikely to present a significant risk to health.

While these sites were chosen to be typical of modern landfill sites, emissions from individual sites will vary and it is important that such research continues to improve assessment of the risk of exposure from UK landfill sites. The HPA will be exploring research opportunities to improve knowledge of exposures to chemicals released from landfill sites and their toxicological impact.

After considering the current information on landfill sites, including the results of a number of epidemiological studies, the detailed monitoring study by the EA and advice sought from the COT, the HPA concludes that a well-managed modern landfill site does not pose a significant risk to human health. This view remains consistent with the research sponsored by Defra in 2004, which was reviewed by the Royal Society. The HPA will continue to work with primary care trusts, local health boards and the regulator to ensure that individual landfill sites do not contribute significantly to ill-health. Detailed site-specific risk assessment should remain an important part of the permitting and management process.

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**Health Protection Agency**

2nd Floor  
151 Buckingham Palace Road  
London  
SW1W 9SZ  
[www.hpa.org.uk](http://www.hpa.org.uk)

**Centre for Radiation, Chemical and Environmental Hazards**

Chilton  
Didcot  
Oxfordshire  
OX11 0RQ  
T: +44(0)1235 831600  
F: +44(0)1235 833891  
E: [ChiltonInformationOffice@hpa.org.uk](mailto:ChiltonInformationOffice@hpa.org.uk)

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Report author: Liz Cook  
Tel: 0113 2475080

**Report of Director of Environment and Housing**

**Report to Environment & Housing Scrutiny Board**

**Date: 8<sup>th</sup> December 2015**

**Subject: Housing Theme – Update**

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 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 type="checkbox"/> No

**Summary of main issues**

This report provides an update on a series of summaries of housing issues that were presented to the Board in September 2015.

- The HRA growth programme with a focus on HRA council house programme & use of RTB receipts
- Progress with the Empty Homes Strategy
- Standards within the Private Rented Sector
- Estate Management arrangements
- Local Lettings Policy
- Enforcement of tenancy agreements
- Briefings on housing management forums
- Temporary accommodation
- Update on Responsive Repairs and Maintenance

The report also includes a summary position of the implications of the Housing & Planning Bill 2015

## **Recommendations**

Scrutiny Board is requested to note the content of this report and identify areas for further investigation.

### **1. Purpose of this report**

The report covers areas of housing policy / activity highlighted by the Board and sets out the context, current position and the key challenges or next steps.

### **2. Main Issues**

Summaries are shown in Appendix One.

### **3. Corporate Considerations**

#### **Consultation and Engagement**

Consultation and engagement is embedded within the individual policy / areas of activity.

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

An equality impact assessment is not required at this stage as this report is primarily an information report.

#### **Council policies and City Priorities**

Housing policy and activities contribute to making *Leeds the best city to Live*.

#### **Resources and value for money**

Individual evaluations are undertaken within the individual policy / areas of activity

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

This report does not contain any exempt or confidential information.

#### **Risk Management**

Risk management is embedded within the individual policy / areas of activity.

### **4. Conclusions**

The report covers a range of policy areas demonstrating the breadth and complexity of activity.

### **5. Recommendations**

Scrutiny Board is requested to note the contents of this report, and highlight any areas for further investigation.

### **6. Background documents<sup>1</sup>**

None

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<sup>1</sup> 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.

### Council House Growth Programme – December update

Below is an update on the Council House Growth Programme following the report provided to Scrutiny in September. The Programme is funded through the Housing Revenue Account (HRA) and has attracted grant contributions from the Homes and Communities Agency and the Department of Health.

The programme to date includes sites in a variety of locations, listed below and will deliver over 900 units. The programme is a combination of new build contracts procured by the council, the acquisition of new properties from private sector developers and the purchase of long term empty homes.

Site	no	type	Status
<u>New build</u>			
Beeston Hill and Holbeck and Little London PFI	388	2,3 & 4bhf	On site and handing over
East Park Road, East End Park	32	1 & 2bf	On site
Extra Care at Yeadon	45	Extra Care apts	On site
Former Squinting Cat pub, Swarcliffe	18	1 & 2bf	On site
Broadlea, Bramley	24	2&3 bh	Jointly procured and contract due to be awarded shortly
The Garnets, Beeston	25	2&3 bh	
Whinmoor Pub site, Swarcliffe	22	2&3 bh	
Beech Walk / Mount, Gipton	27	2b bungalows / 2 & 3bh	Feasibility
Mistress Lane, Armley	28	2bf / 2 & 3bh	Feasibility
Barncroft, Seacroft	16	Tbc	Feasibility
Rosemont, Bramhope	10	1 & 2bf	Feasibility
Brooklands, Seacroft	20	Tbc	Wider site out to procurement
Middleton site(s)	58	Tbc	Wider site out to procurement
Westerton Walk, Tingley	45	Extra Care apts	Funding bid
<u>Private Sector Acquisitions</u>			
Thorn Walk, Gipton	23	2 & 3bh	Handed over
former Lord Cardigan Pub, Bramley	8	2bh	Expected to start on site December
<u>Empty Homes Programme</u>			
Empty properties plus conversion of 2 former community centres (Bramley & Seacroft)	20		Completed
Properties to be identified	100		Acquisitions to be identified, 45 properties have been surveyed and valued; 16 have had offers accepted and are in the conveyancing process to date.

The mix of property types on each site and across the programme as a whole is informed by demand information drawn from the Leeds Homes Register. There is an ongoing process of identifying sites to commit the remainder of the programme.

#### Right To Buy (RTB) Replacement Programme

- Five firm proposals in place to provide 56 units, which will commit £1.6m RTB grant, with total scheme costs of £5.8m;
- Two further proposals are under development to deliver 77 units, which would commit £2.4m grant funding, with total scheme costs of £16.8m;
- There is also a future scheme pipeline to deliver a further 32 units, potentially utilising £1.2m grant, with total scheme costs of £4.2m.

In addition to receipts being used as part of the council housing new build, this means that the receipts are committed (and therefore not at risk of repayment) to quarter 4 of 2017-2018.



## Progress with the Empty Homes Strategy

Returning long term empty homes into occupation has been a priority for the Council and remains one in the 2015/16 Best Council Plan and is part of the Housing Growth targets, which include a net reduction in long term empty homes of 400 per annum to 2017.

The September report to the Board reported that the number of long term empty properties for which the Council has powers to tackle, that is to say excluding second homes and homes belonging to residents in care homes, had reduced from 6,721 in March 2010 to 4,532 at March 2015. This figure has further reduced during the year to 3,592 at 31<sup>st</sup> October 2015. This represents a reduction of 940 in the year to date. Figures fluctuate throughout the year, so the latest figure is not likely to be so low in March next year. A figure of 4000 is estimated.

Some of the key reasons for this reduction are:

- Improved joint working between the Council Tax inspection service and the Empty property Team which has led to greater sharing of information resulting from both teams inspection regimes.
- 100% Council Tax is charged on all homes from the moment they become empty rather than provide a six months exemption
- 150% Council Tax is charged on all empty homes which have been unoccupied for more than 2 years
- Prioritising all long term empty homes to determine the appropriate routes for action
- The targeting of empty homes, as well as poor quality accommodation by intervening in small neighbourhood areas. This is known as the Leeds Neighbourhood Approach. This has seen 22 long term empty properties brought back into use in Holbeck in the first two quarters of 2015/16. Work is continuing on 48 further empties
- The partnership with Leeds Empties, a social enterprise, to provide free independent help and advice to empty home owners via their Empty Homes Doctor service has seen 84 long term empty properties brought back into use in the first two quarters of 2015/16. A further 40 are in the pipeline and they are currently in discussions with a further 88 owners.
- Work is underway on the 2015/18 HCA and HRA £9m programme to buy back 100 long term empty properties. Initially former council houses that were bought under the RTB scheme but are now long term empty properties are being targeted. To date the Council has bought 3 properties and has agreement for a further 15, which are currently in conveyancing. A further 11 properties are in negotiation for a purchase price.

## **Standards with the Private Sector Housing**

### **The Housing and Planning Bill**

The government has published the Housing and Planning Bill 2015 setting out its proposals to boost home ownership, boost the supply of housing and improve standards in the private rented sector. The Bill has received its first reading in the House of Commons which is the first stage of its legislative process. The contents of this Bill are, therefore, still potentially open to change as the Bill moves through the legislative process. There is a full briefing attached to this report to Scrutiny but this note concentrates on those proposals that affect the regulation of the private rented sector.

The private rented sector regulatory proposals in the Bill are the government's response to its consultation paper of August 2015 entitled "Tackling Rogue Landlords and Improving Standards in the Private Rented Sector. The Bill proposes a package of measures to help tackle rogue landlords in the private rented sector. They are:

- Enable Local Authorities to apply for a banning order to prevent a particular landlord/letting agent/ managing agent from continuing to operate when they have committed certain offences which will be set out in regulations. The order will be made by application to a First Tier Tribunal and will last for at least six months
- Enable Local Authorities to fine any landlord/letting agent/managing agent who continues to operate whilst banned and that the fine may not exceed £5,000. The Secretary of State will, in regulations, prescribe how any fines may be used
- Enable the Secretary of State to establish a national database of rogue landlords and letting agents which will be maintained by Local Authorities. Any landlords/letting agent/managing agent subject to a banning order must be entered onto the database and removed at the end of the order. The Secretary of state will publish guidance on the criteria to which Local Authorities must have regard when deciding whether to include a person in the database and for how long their entry must remain.
- Enable tenants or Local Authorities to apply for a rent repayment order where a landlord has committed certain offences. An application will be made to a First Tier Tribunal and if successful the tenant or Local Authority may be repaid up to a maximum of twelve months' rent

There is nothing as yet specified as to who will manage the properties of a banned person. In the consultation paper DCLG suggested this could be done by Local Authorities by amending the provisions for a Management Order. This could become an administrative difficulty if bans are not for long periods.

The offences for a Rent Repayment Order are set out in the Bill as offences under the Criminal Law Act 1977, Protection from Eviction Act 1977 and the Housing Act 2204. These cover violent entry to the property, illegal eviction of harassment, failure to comply with an improvement notice, failure to comply with a prohibition order, the control or management of an unlicensed HMO or house.

In the consultation on Rogue Landlords and improving Conditions in the Private Rented Sector we lobbied for checks in advance of paying Housing Benefit. Whilst the measure in the Bill is welcome, the emphasis should have been on not paying in the first place as this would have the effect of ensuring properties are fit for purpose before a landlord can receive payments from the public purse.

## **Update - Tenant Scrutiny Inquiry – Environment of Estates**

### **Introduction**

At its meeting on 1 July 2015, the Tenant Scrutiny Board considered its work programme for the 2015/16 municipal year. It was agreed that the Board's first piece of work should be on the environment of estates.

The Board chose this topic as there was a strong belief that good housing and the welfare of tenants was not just about decent buildings but the 'whole environment' in which tenants lived. It was acknowledged that often the reputation of an area was determined by factors other than the state of the house. These included landscaping, greenspace and gardens etc.

### **Scope of the Inquiry**

The purpose of the Inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:

- Current policies
- Tenant involvement
- Co-ordination of services and agencies
- Developing and delivering standards
- Performance measuring
- Customer satisfaction

### **Timetable for the Inquiry**

The Inquiry commenced in September 2015, and a final report will be published on completion of the Inquiry, which is expected to be March 2016.

At October's meeting the Board invited Senior Managers from Housing Leeds, Waste, Localities and Parks & Countryside, the purpose of which was to obtain a strategic overview of managing environmental standards.

During October the Board undertook a number of joint inspections with Housing Officers in the following areas; Armley, Bramley, Moortown and City and Holbeck. The purpose of the joint inspections was to understand from an operational perspective how estate inspections are undertaken and how items identified for action are processed.

Following the joint estate inspections the Board invited Dave Longthorpe, Jude Wray, Housing Officers and Team Leaders to provide feedback on the Board's observations of their inspections and to ask questions on a range of issues identified. Jude Wray, Housing Manager, and Lead Officer on the city wide process review, advised that work was in progress and that arrangements had been made to consult with residents on the process review. The Board enquired if they were able to contribute toward the process review, Peter Marrington, Head of Service, Democratic Services confirmed this was appropriate as part of the Inquiry.

A communication has been sent to all Ward Members, to seek their views on estate standards and walkabouts

Partnership Working – All council teams that contribute to the estates being kept clean and tidy,( Housing, Localities , Parks, Waste Services and Civic Enterprise Leeds) have come together at Team leader level at city wide events to forge closer working relationships , develop and implement shared local Estate Improvement Plans and jointly problem solve local estate management issues. Further problem solving events are planned for the new year. Senior Leadership Team members from each service meet on a regular basis to agree strategic development of the shared service.

Work is also ongoing between services as part of the High Rise Project to review waste management in high rise blocks. Development is ongoing of a pilot scheme in Lincoln Green to provide a bulky waste collection service, improve recycling and reduce fly tipping in and around blocks.

## **Community Lettings Policies**

A detailed paper was presented to November's Scrutiny Board on proposals to strengthen housing management and lettings policies and procedures in order to achieve sustainable tenancies and communities. Proposals included changes to the lettings policy - implementing a separate transfer list for current tenants and moving more towards a needs based approach for assessing eligibility for sheltered housing. Proposals also included a review of local lettings policies, to introduce community lettings policies which sought to simplify age related policies and place greater focus on tenancy records. To support the lettings policies it is also proposed that tenancy management procedures are strengthened to support the effective management of tenancies, with some new practices being implemented, e.g. pre-tenancy training, case conferencing.

The Board were supportive of the principles outlined in the paper and asked that more detailed policy proposals are developed and presented to Scrutiny Board in January 16, prior to being presented to Executive Board in February 2016. In particular, the Board asked officers to consider how lettings and tenancy management could be strengthened to managed tenants who have perpetrated anti social behaviour, including use of pre-tenancy training and probationary tenancies.

## **Estate Management – Enforcement of Tenancy Agreements**

Over the last 18 months the service has been working to harmonise policies and procedures relating to tenancy management and most significant policies are now harmonised so that there is a consistent approach being undertaken to tenancy management and tenancy enforcement. Training has been ongoing for staff over the last year to ensure that staff are operating within new procedures, and this training will continue over the coming year.

The service has recently developed a new Housing Leeds Tenants Handbook, which will be given to all new tenants as they sign up for a property. The handbook has put a significant emphasis on outlining tenants' rights and responsibilities in managing their tenancies, and providing clear information that is useful to tenants moving into their new home. Tenant groups have been consulted in developing the handbook. A proposed programme of pre-tenancy training has been developed which links back to the key areas of the Tenants Handbook. This training will be delivered initially to tenants as a pilot as part of an enhanced housing management and support pilot to the Clydes and Wortleys scheme, and then rolled out following completion and evaluation of the pilot.

Housing Leeds is currently working with Environmental Action to consider options for providing support to vulnerable tenants to maintain their gardens. A proposal will be available in early 2016.

## **Update on Leeds Housing SLA Forums November 2015**

### Leeds Housing Forum

- The last meeting was held on the 10<sup>th</sup> November 2015 at the Civic Hall with 17 attendees (5 apologies)
- The theme of the meeting was Housing Quality and members discussed the Housing Standards Review and the Housing and Planning Bill.
- Jonathan Lindh from LEDA and George Munson from LCC attended the event as guest speakers on the issues of super-insulation and energy efficiency initiatives in Leeds City Council.
- The next meeting is due to take place on the 12<sup>th</sup> January at the Civic Hall and the agenda will focus on independent living.

### Homelessness Forum

- The last meeting was held on the 13<sup>th</sup> October 2015 at Pudsey with 32 attendees (1 apology).
- Forum members participated in workshop discussions to inform the development of the new Homelessness Strategy which is currently being reviewed
- Lively discussions were had during workshop sessions which centered around four key themes: Rough Sleeping, Prevention, Temporary Accommodation and Partnering Arrangements.
- An outcome paper has been produced and circulated to members.
- The next meeting will be held on the 15<sup>th</sup> December 2015 and will focus on the ongoing review of the homelessness strategy.

### Housing Management Forum

- The last meeting was held on the 29<sup>th</sup> September 2015 at the Unity Homes and Enterprise, Chapeltown with 15 attendees (6 apologies).
- Members discussed action being taken to prepare for the roll out of Universal Credit in Leeds.
- Currently, members are being contacted to request feedback on the work programme for next year to ensure that partner's priorities are represented in agenda items.
- The next meeting is due to be held at the end of January/ early February.

### Private Rented Sector Forum

- The last meeting was on 28 October and at the Civic Hall with 14 attendees (7 apologies).
- Members discussed new legislation on smoke and carbon monoxide detection; the Housing & Planning Bill and future policy direction for the PRS and tackling empty homes.
- The next meeting will be held in January.

## **Temporary Accommodation**

There were 92 households in emergency temporary accommodation on 31 October 2015. The comparable figure for the end of May 2015 was 148 placements – a reduction of 38%. The reduction in placements is largely a result of the phased closure of the LEAP scheme (contract capacity of 50 Leeds Federated HA managed properties) with the occupants being permanently re-housed without needing to put other households into alternative temporary accommodation: LEAP placements have been reduced from 38 to 4 between May and October. There has also been a reduction in other scheme placements: notably Re-Connect (contract capacity of 37 Connect Housing managed properties) which has been reduced from 35 to 23 placements between May and October. The reduction in placements is a result of the continuing focus on homeless prevention at Leeds Housing Options and improvements in re-housing work. The latter action has been assisted by the closer working between Leeds Housing Options and other parts of Housing Leeds in respect of identifying suitable lettings and void turnaround. The closure of the LEAP scheme means 50 social housing tenancies can be let to people to end housing need rather than as a temporary option.

The Leeds figure of 92 placements can be compared to the figure for the average authority which is 2.4 per thousand household and on a Leeds population this would be 945 households in temporary accommodation placed in Leeds. (as at 30 June 2015).



The Housing and Planning Bill introduces some far reaching requirements which will impact on the delivery of housing growth, in addition to the management of council housing and the management of standards within the private sector.

Clause	Details
<i>Reforms to the planning system</i>	<p>This provides powers to the Secretary of State (SOS) to intervene in the local and neighbourhood plan making process.</p> <ol style="list-style-type: none"> <li>1. Under the Permission in Principle and local registers of land clauses, a new duty to keep a <u>register of brownfield land</u> within a local authority's area.</li> <li>2. This will tie in with a system of allowing the SOS to grant planning <u>Permission in Principle</u> for housing on sites identified in the register (in addition to those identified through Development Plan Documents and Neighbourhood Plans).</li> <li>3. The Bill also allows for "<u>Nationally Significant Infrastructure Project</u>" with an element of housing to apply for development consent to SOS rather than having to seek separate planning permission.</li> <li>4. There will be a power for the SOS to tackle under-performing planning authorities, allowing planning applications for non-major development to be decided by the Planning Inspectorate where the local planning authority has a record of "very poor performance". The Bill amends the special measures performance regime to include major and "non-major" development. The Bill will require councils to report to committee a list of financial benefits if a development is carried out.</li> <li>5. There are also additional powers in connection to Compulsory Purchase which allows the Secretary of State to delegate decisions to a planning inspector in certain circumstances.</li> </ol>
<i>Starter Homes</i>	<ol style="list-style-type: none"> <li>1. The Bill puts a duty on planning authorities to promote the supply of Starter Homes to be sold at a discount of 20% of the market value for first-time buyers under 40.</li> <li>2. Requires Starter Homes to be delivered on site in <u>lieu of traditional s106 provision</u>. Govt. have not indicated the proportion and may require different requirements on different types of scheme and in different areas.</li> <li>3. Developers will be able to offer a cash payment in lieu of on site provision</li> </ol>
<i>Self/custom build</i>	<ol style="list-style-type: none"> <li>1. This requires local authorities to keep a <u>register of people seeking to acquire land to build or commission their own home</u>.</li> <li>2. The Bill specifically requires local authorities to grant "<u>sufficient suitable development permission</u>" of <u>serviced plots</u> of land to meet the demand based on this register.</li> </ol>
<i>Right to Buy for housing association tenants</i>	<p>The Bill does not include a legislative obligation for associations to sell their homes under an extension of the RTB. However, there are a number of draft clauses in the Bill that will enable them to do this</p> <ol style="list-style-type: none"> <li>1. Grants will be paid by government to associations to compensate them for selling homes at a discount.</li> <li>2. This includes requiring councils to make payments to the govt. calculated on the basis of an authority's "high value" social housing stock with the expectation that this stock will be sold as it becomes vacant.</li> <li>3. The Bill also provides powers for the Secretary of State to reduce regulatory control over private registered providers of social housing.</li> </ol>
<i>Sale of high value vacant local authority homes</i>	<p>The intention of the Government is to encourage more efficient use by local authorities of their housing stock through the sale of their high value housing to support an increase in home ownership and the supply of more housing.</p> <ol style="list-style-type: none"> <li>1. The Bill will enable the Government to set out a definition of 'high</li> </ol>

	<p>value' homes and <u>will create a duty on local authorities to sell homes that meet this definition when they become vacant.</u></p> <p>2. Government can estimate the amount of money it would expect an authority to receive and pay this amount to the Treasury.</p>
<i>Assisting local authorities' private sector enforcement work</i>	<p>1. Tackling 'rogue' landlords in the private rented sector including through banning orders against private landlords; "clearer" repossession routes for landlords of properties abandoned by tenants and enabling rent repayment by landlords where they have contravened orders etc.</p> <p>2. Creation of a <u>national database of rogue landlords/letting agents</u>, which will be maintained by local authorities</p> <p>3. Development of a Lead Enforcement Authority for Estate Agents. The Government will enable the Secretary of State to appoint an authority in the future.</p>
<i>High Income Social Tenants - Mandatory Rents</i>	<p>1. The Bill requires <u>higher rents for high income social tenants</u> with a household income of £30,000 (o/s London) to pay a market rent as opposed to a social rent – this policy is referred to as 'pay to stay.</p> <p>2. The government will set out details of how increased rents will be calculated at a later date and have included some consultation questions on tapers in relation to income and housing benefit eligibility.</p> <p>3. The Bill will require local authorities to return any additional rental income generated by the policy to the Treasury.</p>

## Responsive Repairs and Maintenance

Within Leeds there are a number of building contractors delivering both revenue and capital work across the City. The main two contractors in Leeds are Mears and Leeds Building Services who deliver the responsive repairs contracts, which includes voids works and some elements of capital improvements to assist the delivery of our investment strategy.

Mears covers the West and South areas of the City and Leeds Building Services (realignment of Construction Services from the former ALMO at ENEHL and Property Maintenance which was located within CEL) covers the East area of the City.

### Mears PLC

Morrison Facilities Management Services (MFS) were awarded the Responsive Repairs contract in April 2011. Due to a number of previous performance issues, that are well documented, the overall performance of MFS was being challenged on a regular basis.

During 2011/12 and 2012/13 a series of formal Performance Improvement Plans were implemented as part of the contract management process and were led by senior officers within the Council.

In November 2012, Morrison's were bought out by Mears with a formal novation agreement transferring the contract from Morrison's to Mears.

Since the transfer of the business to Mears there has been a much better working relationship, with a significant improvement in their overall performance since 2012. There was a significant improvement in 2012 since the introduction of Mears with further incremental improvements over the last two years.

There are a range of over 20 different performance measures that are contained within the contracts that are used to monitor overall performance and calculate any overall performance penalties.

The following are three performance figures to show the level of performance that is monitored on a regular basis. These figures show an incremental improvement that has taken place within the Mears contract since 2012.

#### RR1 – Repair First Time

This is where a repair is started and finished on the same day.

RR1 – Repair First Time						
	Historic Year End Performance				2015/16 (Qtr 1&2)	Target
	2011/12	2012/13	2013/14	2014/15		
Morrison /Mears West	71.25%	89.82%	87.90%	86.72%	87.81%	90%
Morrison/ Mears South	69.50%	88.07%	86.33%	87.06%	89.20%	90%

## RR2 – Repairs Completed Within Target

For emergency repairs the target is 24hrs. For priority repairs the target is 3 days. For general repairs the target is 28 days and for planned work the target is 60days

RR2 – Repairs completed within target						
	Historic Year End Performance				2015/16 (Qtr 1&2)	Target
	2011/12	2012/13	2013/14	2014/15		
Morrison /Mears West	79.84%	86.80%	95.05%	98.00%	98.44%	99%
Morrison/ Mears South	83.16%	82.20%	95.64%	97.65%	98.42%	99%

## RR3 – Appointments made and kept.

Has the contractor attended on the date and time that has been agreed with the customer when the repair has been ordered.

RR3 – Appointments made and kept						
	Historic Year End Performance				2015/16 (Qtr 1&2)	Target
	2011/12	2012/13	2013/14	2014/15		
Morrison /Mears West	73.08%	93.89	N/A	98.22%	97.11%	99%
Morrison/ Mears South	77.68%	82.20%	N/A	97.44%	96.28%	99%

Council Officers have worked very hard over the past 3 years in partnership with Mears to improve performance. Both organisations continue to work collectively and have dedicated a lot of resources into service improvement.

This work has included:

- Reviewing the Performance Indicators on how Housing Leeds measures Mears to ensure that they are accurate and detailed;
- A series of workshops where each work-stream (repairs, voids, planned works) is analysed so that service improvements can be identified and lessons learnt from failures;
- Developing operational manuals to describe the service and deliver training to all front line staff in both Mears and LBS to ensure contract compliance and consistent performance;
- Regular performance meetings between Housing Leeds and Mears to review activity and develop further improvement;
- Annual Service Improvement Conference – attended by over 100 staff from both Housing Leeds and Mears. There have been two conferences to date engaging both staff and operatives, focusing on compliance and values. The next conference will be held in April 2016.

## Performance Deductions

The Mears contract has a performance penalty framework that deducts money if the contractor does not meet specific performance targets.

When the contract was initially awarded in 2011 the performance deduction framework worked on a very complex formula and worked on an incremental deduction criteria for each individual performance measure.

Following the contract novation to Mears, they approached LCC to ask for a review of the formula as the incremental method used was very complex, time consuming and created a lot of resource required from both parties to validate the statistics.

It was jointly agreed to change the penalty calculation to a straight forward measure of failure/acceptance to simplify the process.

There are a total of 17 performance measures that form part of the penalty framework with each indicator carrying a separate weighting.

The performance measures and the individual weightings are attached as appendix 1.

Any subsequent penalty deductions are calculated each month using performance data against each of these 17 performance indicators.

Where an individual performance indicator fails the performance measure the weighting is applied and the appropriate deductions applied up to a maximum value of 3% of the monthly accounts.

As an example (these figure are for illustrative purposes only); if the monthly accounts pay Mears £1m then £30k is the sum that is used to apply deductions based on the indicators and weighting identified in appendix 1.

In addition to the above if at any time a single performance indicator fall more than 10% below the target a formal 'Improvement Notice' will be serviced on the contractor which will require them to produce an 'Improvement Plan' which will last for four months and will be vigorously managed on a weekly basis to ensure performance improvements are made.

In 2013/14 the performance incentive clauses in the Mears contract made deductions of £457k. In 2014/15, Leeds has assessed deductions of £162k and is currently part of our ongoing contract negotiations.

Any performance deductions that are applied as part of the contract are re-invested into the service through additional investment into the stock. In 2013/14 the additional income was invested in a central heating boiler replacement programme.

A full review of all performance indicators is being developed to be introduced across all contracts from April 2016 and will place greater emphasis on customer satisfaction, whilst retaining knowledge on how the service is undertaken on the ground.

A further report outlining the details of any changes to the existing performance framework will be presented to Housing Advisory Board and can also be presented to Scrutiny Board as required.

### **Leeds Building Services (LBS)**

LBS undertake repairs and improvements work to Council properties in the East of the City. Performance in the East is currently below that in the West and South. Property and Contracts is working with LBS to develop and implement a Performance Improvement Plan.

An Action Plan, running until the end of December 2015, is in place to address some of the immediate issues with LBS performance.

The action plan will cover the following;

- Ensure that performance is reported in the same way as Mears in South and West;
- Engage regular meeting take place with staff in LBS to understand any issues of poor service delivery.
- Implement a formal performance management framework within LBS.

Staff from Property and Contracts have visited Kirklees, St Ledger and Wakefield and have been in contact with Hull and A1 Bassetlaw, who operate an internal DLO so that we can facilitate a regular meeting to share best practice across the region.

In areas of poor performance additional support is provided from Property and Contracts to ensure that we can collectively improve levels of customer satisfaction.

The service realignment of Construction Services and Property Maintenance will allow for a more effective deployment of resources, across all trades, by reducing duplication and increased productivity.

On conclusion of this exercise a report will be presented to Housing Advisory Board and an update provided to Scrutiny Board if required.

## Mears Term Service Contract KPIs and weightings

Section	KPI	Weighting
Contract Management	CM1: Production of a Health and Safety report	5.00%
	CM2: Statutory inspections and maintenance carried out in compliance with regulations.	5.00%
	CM4: Delivery of added value objectives.	5.00%
Responsive Repairs	RR1: Right First Time.	8.00%
	RR2: Percentage of all repairs completed within timescale.	6.00%
	RR3: Percentage of appointments kept.	6.00%
	RR5: Avoidance of Repeat Contact	6.00%
	RR6: Overall Contractor satisfaction with Repairs Services.	9.00%
Managing Empty Properties	EP1a: Void Repair turnaround time (no Asbestos).	10.00%
	EP1b: Void Repair turnaround time (Asbestos).	10.00%
	EP2: Percentage of properties that meet the required Lettings Standard	15.00%
Environmental	E1: Reduction in waste to landfill.	2.00%
	E2: Carbon Footprint reduction targets	3.00%
Adaptations	A1: Adaptations: Right First Time - minor adaptations.	3.00%
	A2: Percentage of all adaptations within timescale - minor adaptations.	3.00%
	A3: Percentage of appointments kept - minor adaptations.	3.00%
	A5a: Overall Customer satisfaction - minor adaptations.	1.00%
	<b>Total %</b>	<b>100.00%</b>

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

**Report to Scrutiny Board (Environment and Housing)**

**Date: 8 December 2015**

**Subject: Work Schedule**

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

**Summary of main issues**

1. The Board's work schedule is attached as appendix 1. This will be subject to change throughout the municipal year.
2. Also attached at appendix 2 and 3 are the minutes of the Executive Board meeting held on 18<sup>th</sup> November 2015 and the minutes of the Tenant Scrutiny Board meeting held on 4<sup>th</sup> November 2015.

**Recommendation**

3. Members are asked to consider the work schedule and make amendments as appropriate.

**Background documents<sup>1</sup>**

4. None used

<sup>1</sup> 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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## Scrutiny Board (Environment and Housing) Work Schedule for 2015/2016 Municipal Year

Schedule of meetings/visits during 2015/16			
	June	July	August
		Refreshed Safer Leeds Strategy 2015-2016 SB 21/07/15 @ 1.30 pm	
<b>General Briefings</b>	Scrutiny Board Terms of Reference and Sources of Work SB 30/06/15 @ 1.30 pm  Crime and Disorder Scrutiny in Leeds SB 30/06/15 @ 1.30 pm	Director of Environment and Housing Officer Delegations SB 21/07/15 @ 1.30 pm	
<b>Budget and Policy Framework/Pre-decision Scrutiny</b>			
<b>Recommendation Tracking</b>			
<b>Performance Monitoring</b>		General performance update SB 21/07/15 @ 1.30 pm	

## Scrutiny Board (Environment and Housing) Work Schedule for 2015/2016 Municipal Year

Schedule of meetings/visits during 2015/16		
September	October	November
Housing Theme	Community Safety Theme	Environment Theme
<p>To consider the following matters:</p> <ul style="list-style-type: none"> <li>• The HRA growth programme with a focus on HRA council house programme and use of Right To Buy receipts.</li> <li>• Progress with the Empty Homes Strategy.</li> <li>• Standards within the Private Rented Sector.</li> <li>• Estate Management arrangements.</li> <li>• Local Lettings Policy.</li> <li>• Enforcement of tenancy agreements.</li> <li>• Briefings on housing management forums.</li> <li>• Temporary accommodation.</li> </ul> <p>SB 15/09/15 @ 1.30 pm</p>	<p>To consider the following matters:</p> <ul style="list-style-type: none"> <li>• The role of Police Community Support Officers within the context of new integrated partnership working models, particularly within localities, and future budget pressures.</li> <li>• Improving understanding of the significance of safeguarding issues linked to human trafficking, to help develop an effective multi-agency response.</li> <li>• Tackling prostitution in Leeds from a multi-sector perspective.</li> <li>• Understanding the scope of the city's powers in response to tackling legal highs.</li> <li>• The role and funding of LeedsWatch</li> </ul> <p>SB 13/10/15 @ 1.30 pm</p>	<p>To consider the following matters:</p> <ul style="list-style-type: none"> <li>• Recycling – addressing low participation rates in existing AWC areas and viable options for non-AWC areas across the city.</li> <li>• The city's Waste Strategy.</li> <li>• Managing waste in high rise properties.</li> </ul> <p>SB 17/11/15 @ 1.30 pm</p>
<b>General Briefings</b>		
<b>Budget and Policy Framework/Pre-decision Scrutiny</b>		<p>Leeds Lettings Policy proposals SB 17/11/15 @ 1.30 pm</p> <p>Provision of PCSOs in Leeds WG 24/11/15 @ 3 pm</p>
<b>Recommendation Tracking</b>	Tackling Domestic Violence SB 13/10/15 @ 1.30 pm	Peckfield Landfill Site SB 17/11/15 @ 1.30 pm
<b>Performance Monitoring</b>		General performance update SB 17/11/15 @ 1.30 pm

## Scrutiny Board (Environment and Housing) Work Schedule for 2015/2016 Municipal Year

Schedule of meetings/visits during 2015/16			
	December	January	February
	Housing Theme	Community Safety Theme	Environment Theme
	<p>To consider the following matters:</p> <ul style="list-style-type: none"> <li>• The HRA growth programme with a focus on HRA council house programme and use of Right To Buy receipts.</li> <li>• Progress with the Empty Homes Strategy.</li> <li>• Standards within the Private Rented Sector.</li> <li>• Estate Management arrangements.</li> <li>• Local Lettings Policy.</li> <li>• Enforcement of tenancy agreements.</li> <li>• Briefings on housing management forums.</li> <li>• Temporary accommodation.</li> <li>• Potential implications of the West Yorkshire Combined Authority role and Devolution Agenda on local housing decision-making.</li> <li>• Responsive repairs and maintenance.</li> </ul> <p>SB 8/12/15 @ 1.30 pm</p>	<p>To consider the following matters: <i>(these are subject to change)</i></p> <ul style="list-style-type: none"> <li>• The role of Police Community Support Officers within the context of new integrated partnership working models, particularly within localities, and future budget pressures.</li> <li>• Improving understanding of the significance of safeguarding issues linked to human trafficking, to help develop an effective multi-agency response.</li> <li>• Tackling prostitution in Leeds from a multi-sector perspective.</li> <li>• Understanding the scope of the city's powers in response to tackling legal highs.</li> </ul> <p>SB 12/01/16 @ 1.30 pm</p>	<p>To consider the following matters: <i>(these are subject to change)</i></p> <ul style="list-style-type: none"> <li>• Recycling – addressing low participation rates in existing AWC areas and exploring viable options for non-AWC areas across the city.</li> <li>• The city's Waste Strategy.</li> <li>• Managing waste in high rise properties.</li> </ul> <p>SB 02/02/16 @ 1.30 pm</p>
<b>General Briefings</b>			
<b>Budget and Policy Framework/Pre-decision Scrutiny</b>	<p>Provision of PCSOs in Leeds WG 9/12/15 @ 10 am</p>	<p>Initial budget proposals 2016-2017 SB 12/01/16 @ 1.30 pm</p> <p>Leeds Lettings Policy proposals - update SB 12/01/16 @ 1.30 pm</p>	
<b>Recommendation Tracking</b>	<p>Peckfield Landfill Site – continued SB 8/12/15 @ 1.30 pm</p>		
<b>Performance Monitoring</b>			<p>General performance update SB 02/02/16 @ 1.30 pm</p>

## Scrutiny Board (Environment and Housing) Work Schedule for 2015/2016 Municipal Year

Schedule of meetings/visits during 2015/16		
March	April	May (tbc)
Housing Theme	Environment Theme	
<p>To consider the following matters: <i>(these are subject to change)</i></p> <ul style="list-style-type: none"> <li>• The HRA growth programme with a focus on HRA council house programme and use of Right To Buy receipts.</li> <li>• Progress with the Empty Homes Strategy</li> <li>• Standards within the Private Rented Sector</li> <li>• Estate Management arrangements</li> <li>• Local Lettings Policy</li> <li>• Enforcement of tenancy agreements</li> <li>• Briefings on housing management forums</li> <li>• Temporary accommodation</li> <li>• Potential implications of the West Yorkshire Combined Authority role and Devolution Agenda on local housing decision-making.</li> <li>• Responsive repairs and maintenance.</li> </ul> <p>SB 22/03/16 @ 1.30 pm</p>	<p>To consider the following matters: <i>(these are subject to change)</i></p> <ul style="list-style-type: none"> <li>• Recycling – addressing low participation rates in existing AWC areas and exploring viable options for non-AWC areas across the city.</li> <li>• The city's Waste Strategy.</li> <li>• Managing waste in high rise properties.</li> </ul> <p>SB 12/04/16 @ 1.30 pm</p>	
<b>General Briefings</b>		General performance update SB 12/04/16 @ 1.30 pm
<b>Budget and Policy Framework/Pre-decision Scrutiny</b>		
<b>Recommendation Tracking</b>		
<b>Performance monitoring</b>		

## EXECUTIVE BOARD

WEDNESDAY, 18TH NOVEMBER, 2015

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

Councillors A Carter, D Coupar, M Dobson,  
S Golton, J Lewis, R Lewis, L Mulherin,  
M Rafique and L Yeadon

**76 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 1 to the report entitled, 'South Bank Regeneration', referred to in Minute No. 81 is designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information contained within the submitted appendix relates to the financial or business affairs of any particular person (including the authority holding that information). It is considered that the public interest in maintaining the content of appendix 1 as exempt outweighs the public interest in disclosing the information.
- (b) Appendix 4 to the report entitled, 'Design and Cost Report for the Acquisition of Tribeca House, Deacon House and Unit 2 Killingbeck Court for Council Accommodation', referred to in Minute No. 87 is designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information within the appendix relates to the financial or business affairs of a particular of a particular person 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 a financial offer that the Council has submitted to purchase the property in a one to one negotiation 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 Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may

Draft minutes to be approved at the meeting  
to be held on Wednesday, 16th December, 2015

prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

**77 Late Items**

There were no late items as such, however, prior to the meeting, Board Members were provided with correspondence for their consideration which had been received from interested parties in respect of agenda item 7 entitled, 'South Bank Regeneration' (Minute No. 81 refers).

**78 Declaration of Disclosable Pecuniary Interests**

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

- In relation to the agenda item entitled, 'Capital Programme Quarter 2 Update 2015-19', Councillor Yeadon drew the Board's attention to her position on the Leeds Grand Theatre and Opera House Board of Management (Minute No. 82 refers); and
- In relation to the agenda item entitled, 'Learning Disability Day Service Modernisation', Councillor Golton drew the Board's attention to his position as Board Member of Aspire Community Benefit Society Limited (Minute No. 90 refers).

**79 Minutes**

**RESOLVED** - That the minutes of the previous meeting held on 21<sup>st</sup> October 2015 be approved as a correct record.

**ENVIRONMENTAL PROTECTION AND COMMUNITY SAFETY**

**80 Recycling Strategy Review**

Further to Minute No. 144, 14<sup>th</sup> December 2011, the Director of Environment and Housing submitted a report providing an update on the Council's recycling strategy and which sought approval to revise the Council's household waste recycling targets in the light of current financial pressures and market related factors, and to bring them in line with current EU and national targets. In addition, the report also set out a strategy for ensuring a continued improvement in recycling performance through maximising existing services and infrastructure and also by increasing resident participation.

Members discussed the Council's current policy by which approximately 80% of households received the alternate weekly recycling collection service and the criteria used to identify which areas received this service. The Board also considered how the proposed revisions to the recycling targets compared to the performance of other Core Cities, together with the EU and national target.

Discussion was also had on the innovative approaches currently being taken to improve recycling rates, and what further initiatives could be potentially



developed, especially in those areas which currently did not receive alternate weekly collections, and it was requested that a further report on such matters be submitted to a future Executive Board.

**RESOLVED –**

- (a) That the contents of the submitted report and the current context in relation to recycling performance, be noted;
- (b) That a revised target to recycle 50% of household waste by 2020 be approved, with the longer-term target to exceed 60% remaining unchanged;
- (c) That the medium-term strategy, as outlined in section 3.2 of the submitted report be approved, which will focus upon maximising existing capacity and infrastructure, and be supported by an effective programme of communications, engagement, enforcement and service improvement, but with the acknowledgement that there will be a requirement for residents to participate fully if the revised target is to be achieved;
- (d) That approval be given to the expansion of recycling collections provision on an 'opt in' basis (in accordance with the Ash Road, Headingley pilot as outlined in 3.2.21 of the submitted report) in areas of the city where there is persistently poor recycling participation;
- (e) That approval be given to the removal of excess bins from the kerbside where households have more than the number for which they are eligible, as set out within the policy agreed by Executive Board in January 2014;
- (f) That a further report be submitted to a future Executive Board which provides information on the innovative approaches and bespoke solutions which have been and could potentially be undertaken across the city, with the aim of further improving recycling rates in Leeds.

(Under the provisions of Council Procedure Rule 16.5, Councillor S Golton required it to be recorded that he abstained from voting on the matters referred to within this minute)

**ECONOMY AND CULTURE**

**81 South Bank Regeneration**

Further to Minute No. 19, 15<sup>th</sup> July 2015, the Director of City Development submitted a report which sought the Council's support for a major inward investment opportunity for the city. Specifically, this was to support Burberry's initial proposals to relocate their UK manufacturing operations to Leeds South Bank. In addition, the report also set out the policy principles by which the Council would work with Burberry in order to secure the restoration and long term sustainable use of Temple Works as part of further plans for future phases of development.

Prior to the meeting, Board Members had been provided with correspondence which had been received from interested parties regarding the submitted report. In considering this, Members were notified of a specific proposal within the correspondence which related to the suggested expansion of the Holbeck Urban Village Supplementary Planning Document (SPD).

The Board welcomed the investment into the South Bank by Burberry and highlighted the significance of the company's proposals, both in economic terms and with regard to the regeneration opportunities it presented.

With regard to consultation, it was highlighted that all relevant parties would be consulted as part of the proposed development of a Planning Guidance document in respect of the Temple Works area.

Responding to specific enquiries, assurances were provided that appropriate housing provision in the South Bank area still remained a priority, whilst the Board was also informed of the actions being taken to work with Burberry and Leeds City Region (LCR) partners in order to support those businesses and organisations within the LCR affected by the proposals.

In conclusion, it was requested that the Board continue to be updated on the development of the matters arising within the submitted report.

Following consideration of Appendix 1 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** – That the following be agreed:-

- (a) The Council's support for Burberry's proposals to relocate a significant part of its UK manufacturing operations to Leeds South Bank, as detailed within the submitted report;
- (b) The Council's support for Burberry's initial proposals to restore Temple Works and land neighbouring Temple Works as part of future phases of development;
- (c) The policy principles, as set out in section 5 of the submitted report, and the commercial terms, as detailed within exempt appendix 1, as a basis by which the Council will seek to help to secure the delivery of this inward investment opportunity, and produce legal documents for agreement with Burberry;
- (d) That the Director of City Development, in accordance with resolutions a), b) and c) above:
  - a. produces and negotiates legal agreements with Burberry for the disposal of Council assets at Bath Road, Sweet Street

and Leodis Court, and where necessary develops a vacant possession strategy for these assets.

- b. produces and negotiates a grant agreement with Burberry setting out the terms by which the Council will provide a restoration grant to help to restore Temple Works.
  - c. produces and negotiates a grant agreement to a cap of £750,000 for the provision of new public open space at the front of Temple Works and allocates £560,000 of moneys held in the Holbeck Urban Village Public Realm fund for this provision.
  - d. commences close working with city region partners on how to mitigate any potential adverse implications, and develops proposals to maximise the economic and employment benefits across the city region.
  - e. submits a report to Executive Board by June 2016 providing an update on progress and seeking approval to enter into legal agreements once negotiated and finalised, and, if required, approval to make a Compulsory Purchase Order to ensure that the land assembly required to deliver Burberry's scheme can be fulfilled.
- (e) That the Chief Planning Officer prepares a bespoke and updated Planning Guidance document for Temple Works and surrounding sites to guide the development proposals in this area and for this to be submitted to Executive Board by March 2016 as a basis for public consultation.
- (f) That the Council's land at Bath Road, Leodis Court and Sweet Street be appropriated for the purposes of the Town and Country Planning Act 1990, as to facilitate Burberry's proposals and the proper planning of the area.

## **82 Capital Programme Quarter 2 Update 2015-19**

The Deputy Chief Executive submitted a report providing an update on the Council's Capital Programme position as at period 6, the end of September 2015. The report included appendices on the Capital Programme funding statement at period 6, an Annual Programmes statement, a Major Programmes and other schemes statement, together with the latest Capital Receipts Incentive Scheme injection. In addition, the report also included an analysis of the impact any changes in capital resources may have on the cost of borrowing within the revenue budget as a key control of capital investment, and sought some specific approvals in relation to funding injections.

Responding to a specific enquiry, it was confirmed that the capital expenditure proposals detailed within the Future for Social and Emotional Mental Health (SEMH) Education Provision report, which was found elsewhere on the

Board's agenda, were not included within the submitted report. However, if such proposals were approved by the Board, it was noted that such matters would be included within a future report.

#### **RESOLVED –**

- (a) That the latest position, as at period 6 on the General Fund and HRA capital programmes, be noted;
- (b) That the net increase in the General Fund and Housing Revenue Account (HRA) Capital Programme 2015-2019 of £63.1m since Quarter 1 be noted, and that it also be noted that the majority of these injections £40.15m relate to the inclusion of annual programmes in 2018-19, as shown in Appendix B to the submitted report;
- (c) That it be noted that the borrowing required to fund the Capital Programme in 2015-16 has reduced by a further £3.3m since the Quarter 1 update. That it also be noted that the Capital Programme remains affordable within the approved debt budget for 2015-16, and that further work is underway through regular capital programme reviews to ensure that future debt costs are maintained within the overall Medium Term Financial strategy;
- (d) That the following injections into the capital programme be approved:-
  - (i) £40.15m, to reflect the roll forward of annual programmes into 2018-19, as set out in Appendix B to the submitted report;
  - (ii) £1.5m for works to adopt 32 highways not included within the Little London Beeston Hill and Holbeck PFI scheme;
  - (iii) £500.0k for bridges structures to address priority works within the 2016-17 programme;
  - (iv) £221.0k for a contribution towards proposed disabled access works to the Grand Theatre in 2015-16;
  - (v) £207.2k in relation to Capital Receipts to be utilised by Ward Councillors under the Capital Receipts Incentive Scheme (CRIS), as detailed at Appendix D to the submitted report.
- (e) That it be noted that the above resolutions to inject funding will be implemented by the Chief Officer (Financial Services).

#### **RESOURCES AND STRATEGY**

##### **83 Open Data: Realising the Potential of an untapped resource**

The Deputy Chief Executive submitted a report which provided information on the drivers for publishing Council, non-personally sensitive data and recommended a particular strategic and policy approach which would facilitate the publication of such data. In addition, the report also provided an update on the progress and achievements made in this area to date.

Members welcomed the submitted report and highlighted the cutting edge work that was being undertaken in this field across the city's public and private sectors. The Board noted the high profile recognition which Leeds had

received as a result of such work and highlighted the need for the significant progress made in this area to continue and be built upon.

Responding to an enquiry, the Board was provided with an update on the work of the Open Data Academy.

**RESOLVED –**

- (a) That approval be given to the Council adopting an ‘open by default’ approach towards proactively publishing all of its non-personal datasets;
- (b) That the ‘Leeds: The Data City’ manifesto, as detailed at Appendix 1 to the submitted report, be endorsed as the direction of travel for the Council and one which will be promoted across the city;
- (c) That approval be given to the setting of targets for all services to publish open data on Leeds Data Mill;
- (d) That support be given to the Council working across all sectors in order to get them to open their data for the benefit of the city as a whole.

**84 Financial Health Monitoring 2015/16 - Month 6**

The Deputy Chief Executive submitted a report on the Council’s projected financial health after six months of the 2015/16 financial year.

With regard to Children’s Services and the issue of external placements, it was requested that further discussions be held with Group Leaders on this matter, in order to enable greater cross-party working.

Furthermore, the Board received an update on the current position regarding the in-year reduction in the 2015/16 Public Health grant funding.

**RESOLVED –** That the projected financial position of the Authority for 2015/16, be noted.

**85 Treasury Management Strategy Update 2015/16**

The Deputy Chief Executive submitted a report presenting a review and update of the Council’s Treasury Management Strategy for the period 2015/16.

**RESOLVED –**

- (a) That the update on the Council’s Treasury Management borrowing and investment strategy for 2015/16, be noted;
- (b) That the changes to investment criteria methodology, as outlined in paragraph 3.4 of the submitted report, be noted.

## **REGENERATION, TRANSPORT AND PLANNING**

### **86 Regeneration Progress in East Leeds**

The Director of City Development submitted a report which provided an overview of the Council's positive and proactive enabling activity to progress regeneration in the urban areas of East Leeds, which focussed upon the role of new housing developments in providing the investment required to deliver sustainable neighbourhood improvements. In addition, the report also set out the principles and primary proposals within the Neighbourhood Framework for Killingbeck and Seacroft and sought approval of this document. Furthermore, the report also invited the Board to note the intention to accept a Local Growth Fund loan from the West Yorkshire Combined Authority, to be injected into the Capital Programme in order to support the Brownfield Land Programme.

In considering this report, emphasis was placed upon the importance of the neighbourhood planning process being equally accessible to all communities, regardless of size and location.

In welcoming the contents of the submitted report, a Member highlighted the need for such matters to now be progressed as swiftly as possible.

#### **RESOLVED –**

- (a) That the progress made in bringing forward new housing development in East Leeds, be noted;
- (b) That it be noted that the Council has secured a Local Growth Fund loan to support the development of brownfield sites in East Leeds and also that the Deputy Chief Executive can approve that the Council enters into the loan agreement under existing delegations;
- (c) That the preparation of the Killingbeck and Seacroft Neighbourhood Framework be noted;
- (d) That the development principles and approach included within the framework, as summarised within paragraphs 3.23 - 3.40 of the submitted report, be agreed;
- (e) That approval be given for the Director of City Development to make future changes to the Framework in order to ensure consistency with the Site Allocations Plan upon its adoption.

### **87 Design and Cost Report for the Acquisition of Tribeca House, Deacon House and Unit 2 Killingbeck Court for Council Accommodation**

The Director of City Development submitted a report presenting the updated position on work to generate revenue savings from the Council's asset portfolio, through the Asset Review Programme which formed part of the Council's Asset Management Plan 2014-17. In addition, the report also sought approval to the acquisition of three properties to achieve revenue savings and

also to support the delivery of three key corporate programmes: Asset Review, Integrated Health & Social Care and Community Hubs.

Following the consideration of Appendix 4 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, specifically the progress made to deliver revenue savings through asset rationalisation, be noted;
- (b) That the acquisition of Tribeca House, on the terms identified in exempt Appendix 4 to the submitted report, be approved;
- (c) That the acquisition of the long lease interest in Deacon House, on the terms identified in exempt Appendix 4 to the submitted report, be approved, which will provide the Council with the unencumbered freehold interest in the site;
- (d) That the acquisition of Unit 2, Killingbeck Court, on the terms identified in exempt Appendix 4 to the submitted report, be approved;
- (e) That the necessary authority be delegated to the Director of City Development to agree the final detailed terms for the acquisitions;
- (f) That the injection into the Capital Programme of the sums (as identified in exempt Appendix 4 to the submitted report), be approved and that authority also be given to spend the monies as required;
- (g) That the ring fencing of the capital receipt from the sale of the Seacroft Library site be approved in order to contribute towards the acquisition cost of Deacon House;
- (h) That it be noted that the Head of Asset Management is responsible for the implementation of the Asset Review Programme and the proposed acquisitions.

**HEALTH, WELLBEING AND ADULTS**

**88 White Paper Response - Cycling Facility Development in Leeds**

The Director of City Development submitted a report presenting the response to a White Paper Motion considered by Council on 8<sup>th</sup> July 2015 and which provided details on the progress made in respect of the development of cycling facilities in Leeds and the aim of encouraging more people to take up cycling, with reference to how the Council was working collaboratively with its partners in order to ensure that the successes of world class sporting events which had been held in the city continued to be built upon.

Responding to a Member's enquiries, the Board was advised of the criteria used to identify the 3 locations for the city's cycling hubs and also received an update on the factors which would need to be taken into consideration in respect of any proposals to develop an outdoor velodrome in the future. Furthermore, responding to a specific question regarding the route of the north-south cycle superhighway, officers undertook to provide the Member in question with details of the route, together with a further briefing, if required.

**RESOLVED –**

- (a) That the contents of the submitted report be noted;
- (b) That a report regarding the 'Cycling Starts Here' strategy be submitted to a future meeting of Executive Board.

**89 Developing the range of choices in the older people's housing market: Older People's Housing Prospectus**

Further to Minute No. 173, 18<sup>th</sup> March 2015, the Director of City Development and the Director of Adult Social Services submitted a joint report providing an approach towards older people's housing, which included a prospectus to be published and which encouraged a new supply of specialist accommodation.

A Member emphasised the need to ensure that the Council was robust in ensuring that the development of any sites declared surplus to requirements were utilised for older people's specialist accommodation. In response, Members were assured that any offers which were received for those sites detailed within the submitted report would be referred to Executive Board for determination.

The Board received further specific details regarding the Windlesford Green site and also, responding to an enquiry, Members noted the actions which would be taken to ensure that any proposals which were progressed would be consistent with the local community's requirements.

**RESOLVED –**

- (a) That the content of the Older People's Housing Prospectus, as attached at Appendices 1 and 2 to the submitted report be approved, and that following the graphic design process, the formal publication of the document in Autumn 2015 be supported;
- (b) That the sites listed at section 3.12 of the submitted report be declared surplus to Council requirements and that the identified sites be approved for the purposes of marketing for disposal, with a preference that such sites be developed for the purposes of older people's specialist accommodation;
- (c) That the necessary authority be delegated to the Director of City Development to identify further sites to support the delivery of older people's specialist accommodation provision;



- (d) That it be noted that any offers received for the sites listed at section 3.12 of the submitted report will be referred to Executive Board for consideration.

**90 Learning Disability Day Service Modernisation**

The Director of Adult Social Services submitted a report providing an update on the outcomes and achievements to date of the Learning Disability Day Service Modernisation Project and presenting information on how the final phase of the programme would be delivered. The report also sought authority to incur expenditure of £870.0k for the refurbishment of Potternewton Fulfilling Lives Centre, to be funded from within the current Capital Programme

Responding to an enquiry, the Board received further information on the process by which a property would be placed into void management, and if appropriate, how a property would then be put forward for disposal. Officers then undertook to provide the Member in question with a further briefing on such matters, if required.

**RESOLVED –**

- (a) That the achievements to date of the Learning Disability Day Service Modernisation Project be noted, which to date had positively transformed day opportunities for over 560 adults with learning disabilities in the city;
- (b) That the plan to complete the Learning Disability Day Service Modernisation Project in the East North East of the city, which is in accordance with the Better Lives Strategy, be noted. It also be noted that the plan will create three new bases at Wetherby, Cross Gates and Richmond Hill in addition to the refurbishment of Potternewton Fulfilling Lives Centre. In turn this will allow both Wetherby and Ramshead Wood day centre sites to be released by Adult Social Care and put into void management.
- (c) That as part of this plan, the proposal to refurbish the existing Potternewton Fulfilling Lives Centre be agreed and that authority be given to spend a total of £870.0k for this development, which has been identified and transferred from existing resources within the current Capital Programme.
- (d) That it be noted that it is intended for the scheme, as described in section 3.5 of the submitted report, will be started and completed between February and September 2016 and that the lead officer responsible for the implementation of such matters is the Director of Adult Social Services.

**91 Safeguarding Adults Board Annual Report 2014/15 and Business Plan 2015/16**

Further to Minute No. 60, 17<sup>th</sup> September 2014, the Director of Adult Social Services submitted a report introducing the eighth and last annual report of the previous Leeds Safeguarding Adults Board, prior to its re-constitution as a

statutory board under the Care Act 2014. In addition, the report provided an update on the work, going forward, of the new statutory Leeds Safeguarding Adults Board.

The Board welcomed Richard Jones, Independent Chair of the Leeds Safeguarding Adults Board, who was in attendance in order to introduce himself and set out his initial priorities for the role.

In terms of Executive Board receiving further, interim updates on the work of the Safeguarding Board, it was highlighted that further consideration would be given to this matter in order to ensure that this was done in the most effective way.

Responding to an enquiry, officers undertook to provide all Executive Members with the Local Government Association led Peer Review of Safeguarding Adults in Leeds.

In addition, Members also received assurances on the comprehensive and co-ordinated work which was ongoing to safeguard those vulnerable individuals travelling via private hire taxi vehicles, with reference being made to the ongoing involvement of the Safeguarding Boards in such initiatives.

It was also noted that an update report regarding the issue of safeguarding in taxi and private hire licensing was scheduled to be submitted to the next meeting of the Board.

In conclusion, it was noted that regular update meetings would be scheduled between the Safeguarding Board Chair and the Chief Executive, and it was also noted that meetings would be arranged between the Chair and individual Group Leaders.

**RESOLVED** – That the contents of the submitted report, together with the appended 2014/15 annual report be noted and that the work programme of the Leeds Safeguarding Adults Board for 2015/16 be endorsed.

## **CHILDREN AND FAMILIES**

- 92 Leeds Safeguarding Children Board (LCSB) Annual Report (2014/15) Evaluating the Effectiveness of Safeguarding Arrangements in Leeds**  
Further to Minute No. 61, 17<sup>th</sup> September 2014, the Independent Chair of the Leeds Safeguarding Children Board (LSCB) submitted a report which introduced and presented the key issues from the LSCB Annual Report (2014/15).

The Board welcomed Mark Peel, Independent Chair of the Leeds Safeguarding Children Board, who was in attendance in order to introduce himself and set out his initial priorities for the role.

In terms of Executive Board receiving further, interim updates on the work of the Safeguarding Board, it was highlighted that further consideration would be

given to this matter in order to ensure that this was done in the most effective way.

In addition, Members also received assurances on the comprehensive and co-ordinated work which was ongoing to safeguard those vulnerable individuals travelling via private hire taxi vehicles, with reference being made to the ongoing involvement of the Safeguarding Boards in such initiatives.

It was also noted that an update report regarding the issue of safeguarding in taxi and private hire licensing was scheduled to be submitted to the next meeting of the Board.

In conclusion, it was noted that regular update meetings would be scheduled between the Safeguarding Board Chair and the Chief Executive, and it was also noted that meetings would be arranged between the Chair and individual Group Leaders.

**RESOLVED** – That the key issues from the LSCB Annual Report for 2014/15 be noted, specifically:

- The evaluation of the effectiveness of safeguarding arrangements in Leeds;
- The challenges identified for strategic bodies in 2015/16; and
- The implications for the work of Leeds City Council.

### **93 The Future for Social and Emotional Mental Health (SEMH) Education Provision in Leeds**

The Director of Children's Services submitted a report which sought permission to undertake consultation on the proposal to further develop social and emotional mental health (SEMH) education provision in Leeds. In addition, the report proposed to take steps to move the governance (cease to provide) of some existing providers to become part of an outstanding local Academy, which would enable the establishment of additional SEMH provision on sites in the east and in the south of the city as part of the conversion process with an outstanding preferred sponsor.

A request was made that the matters detailed within the submitted report were progressed as swiftly as possible, that liaison with the Department for Education continued to take place throughout this process and that the Board continued to be kept up to date as appropriate.

**RESOLVED** –

- (a) That the intention to convert the existing Behavioural, Emotional and Social Difficulties (BESD) Specialist Inclusive Learning Centre (SILC) into a 4 – 19 SEMH sponsored academy across one primary phase and three secondary phase sites, be noted;
- (b) That approval and permission be granted to consult upon changing (ceasing to provide) provision at North East SILC Oakwood site in order to become part of the new academy, from 31 August 2016;

- (c) That approval be given to establishing a new site in east Leeds for Social Emotional Mental Health (SEMH) as part of the converted BESD SILC academy from 2017;
- (d) That approval be given to establishing a new site in south Leeds for Social Emotional Mental Health (SEMH) as part of the converted BESD SILC academy from 2017;
- (e) That approval be given to proceed with the design development for the first two SEMH projects, with an acceptance of the associated design fees incurred;
- (f) That the capital expenditure required to create a world class provision within the city be approved in principle and subject to further reports being submitted to Executive Board, and that the savings, both in the revenue costs and social capital costs, of not having to provide for children with SEMH outside of the authority be acknowledged;
- (g) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning Systems, and that the scheme will be implemented by September 2017.

#### **94 Outcome of School Admission arrangements 2015**

The Director of Children's Services submitted a report providing statistical information on the annual admissions round for entry to Reception and year 7 for September 2015. In addition, the report considered the potential effect of the latest government consultation on changes to the admissions code, and also potential for changes within the Leeds City Council admissions policy.

In receiving the submitted report, the Chair acknowledged the extraordinary work being undertaken to continue to address the challenges being faced by the Council in this area.

**RESOLVED** – That the following be noted:-

- The numbers of applications for both phases of education; that the percentage of successful first preferences for secondary admissions was 83% and for Reception admissions was 85%;
- The percentage of parents receiving one of their top three preferences was 95% for secondary and 93% for primary;
- The percentage of parents getting none of their preferences and made an alternative offer instead was 4.5% in secondary (3.2% last year) and 5.5% in primary (5% last year);
- The expected contents of the government consultation on changes to the admissions code for 2016;
- That the officer responsible for such matters is the Admissions and Family Information Service Lead.

**95 Outcome of consultation to increase primary school places and establish Special Educational Needs provision at Carr Manor Community School**

The Director of Children's Services submitted a report presenting details of proposals submitted to meet the local authority's duty to ensure sufficiency of both school and Specialist Educational Needs (SEN) places. Specifically, this report described the outcome of the consultation regarding proposals to expand primary school provision and establish SEN provision at Carr Manor Community School and which also sought permission to publish a statutory notice in respect of these proposals.

**RESOLVED –**

- (a) That approval be given for the publication of a Statutory Notice to expand primary provision at Carr Manor Community School from a capacity of 210 pupils to 420 pupils, with an increase in the admission number from 30 to 60 with effect from September 2017, and also to establish provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 12 pupils (6 primary, 6 secondary) with effect from September 2017;
- (b) That it be noted that the responsible officers for the implementation of such matters are the Capacity Planning and Sufficiency Lead and the Head of Complex Needs.

**96 Outcome of consultation to increase primary school places in Pudsey/Swinnow**

Further to Minute No. 41, 23<sup>rd</sup> September 2015, the Director of Children's Services, the Deputy Chief Executive and the Director of City Development submitted a joint report presenting details of proposals submitted to meet the local authority's duty to ensure sufficiency of school places. Specifically, this report described the outcome of consultation regarding proposals to expand primary school provision at Greenside and which sought permission to publish a statutory notice in respect of these proposals.

**RESOLVED –**

- (a) That the publication of a Statutory Notice to expand Greenside Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2017, be approved;
- (b) That it be noted that the responsible officer for the implementation of such matters is the Capacity Planning and Sufficiency Lead.

**COMMUNITIES**

**97 Sheltered Housing Investment Strategy**

The Director of Environment and Housing submitted a report providing an update on the Council's investment strategy into older people's housing provision across the city, and which sought authorisation to commence a further phase of work in this area.

As part of the introduction to the report, the Board was asked to take into consideration the fact that introductory paragraph 5 of the submitted report should read £12.5m, and not £1.25m, as currently presented.

Responding to an enquiry, the Board received further information on the actions being taken to ensure that a co-ordinated approach was being taken to ensure the effective provision of sheltered housing across the city. In addition, where improvements to properties were proposed, Members emphasised the importance of prior consultation with those affected. Further to this, it was highlighted that a more resident focussed approach was now taken in terms of policies associated with sheltered housing.

**RESOLVED –**

- (a) That the contents of the submitted report be noted, subject to the correction outlined above;
- (b) That approval be given to commence a further phase of work, as identified under the 'Investment' section at paragraph 3.7 of the submitted report.

**98 Community Centre Review Update**

Further to Minute No. 106, 19<sup>th</sup> November 2014, the Assistant Chief Executive (Citizens and Communities) submitted a report providing an update on the review of ten Community Centres as previously reported to the Board. Specifically, the report provides information on the consultation undertaken, the actions that have been progressed on all ten Community Centres under review and details a specific proposal to move ahead with the closure of two centres, one being Gildersome Youth Club and the other being Kippax Youth Centre.

**RESOLVED –**

- (a) That the Assistant Chief Executive (Citizens and Communities) be requested to undertake the following actions:-
  - (i) effects the closure of Gildersome Youth Club, Street Lane, Gildersome and declares the property surplus to Council's requirement;
  - (ii) effects the closure of Kippax Youth Centre, known as the Kippax Cabin, Cross Hills, Kippax and declares the property surplus to Council's requirement ;
  - (iii) arranges the relocation of current users of Gildersome Youth Club and Kippax Youth Centre to appropriate local venues, and;
  - (iv) carries out the actions specified in the submitted report relating to the future running of the following community centres:
    - Bramley Community Centre, Waterloo Lane, Bramley
    - Fieldhead Youth and Adult Centre, Naburn Approach, Whinmoor
    - Lewisham Park Centre, Clough Street, Morley
    - Old Cockburn Sports Hall, Primrose Lane, Hunslet

- Meanwood Community Centre, Stainbeck Avenue, Meanwood
  - St Gabriel's Community Centre, Fall Lane, East Ardsley
  - Weston Lane Community Centre, Weston Ridge, Otley
  - Windmill Youth Centre, Marsh Street, Rothwell
- (b) That approval be given to the ring fencing of the required portion of the capital receipt from the sale of the Gildersome Youth Centre site to make improvements to Gildersome Meeting Hall, and that it be noted that the Director of City Development is responsible for the implementation of this resolution.

**DATE OF PUBLICATION:** FRIDAY, 20<sup>TH</sup> NOVEMBER 2015

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5.00PM, FRIDAY, 27<sup>TH</sup> NOVEMBER 2015

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 30<sup>th</sup> November 2015)

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## TENANT SCRUTINY BOARD

WEDNESDAY, 4TH NOVEMBER, 2015

**PRESENT:** John Gittos in the Chair

Sallie Bannatyne, Olga Gailite, Christine Gregory, Michael Healey, Maddy Hunter, Peter Middleton, Roderic Morgan and Jackie Worthington

### **29 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

### **30 Late Items**

There were no late items.

### **31 Apologies for Absence**

There were no apologies for absence.

### **32 Minutes - 7 October 2015**

**RESOLVED** – That the minutes of the meeting held on 7 October 2015 be approved as a correct record.

### **33 Chair's Update**

The Head of Scrutiny and Member Development submitted a report which provided the Chair of Tenant Scrutiny Board with an opportunity to update Board Members on some of the areas of work and activity since the October meeting.

The Board was advised that Housing Leeds had met with Mr Ilee following his request for scrutiny in relation to contractors working in sheltered accommodation. A number of recommendations for changes in practices had resulted from these discussions. The Board was advised that Mr Ilee would be written to by Housing Leeds and that he would be asked if that correspondence could be shared with the Board.

The Board was also advised that Guy Close would no longer be supporting the Board. The Board Members asked that their thanks be sent to Guy for his hard work over the past year.

Finally, Board members were provided with a written update on mobile working.

**RESOLVED** – That the above update be received.

### **34 Scrutiny Inquiry - Environment of Estates**

The Head of Scrutiny and member Development submitted a report which presented information as part of the Board's inquiry on the Environment of Estates.

The following information was appended to the report:

- Written reports produced by Board Members detailing their findings following recent estate walkabouts.

The following officers were in attendance:

- David Longthorpe – Head of Housing Management
- Judith Wray – Housing Manager
- Lynn Richards – Housing Manager
- Baldev Dass – Housing Manager
- Gloria Thompson – Housing Manager
- Rebecca Smith – Housing Manager
- Akhwan Ali – Housing Manager
- Ann Marie Carney – Housing Manger
- Sam Costigan – Housing Manager
- Peter Wajdner – Team Leader
- Christopher Capitano – Team Leader
- Sharon Guy – Housing Manager (Customer relations, Tenant Scrutiny, Tenant Involvement and Equality)
- Lee Ward – Neighbourhood Services Officer.

By way of introduction, the Chair reminded attending officers the reasons behind the Board's current inquiry and the desired outcomes. The Chair also outlined the draft timetable for completing the review.

An initial general discussion took place, focusing on the following areas:

- The current housing management structure and the role of individual post holders
- The current exercise being undertaken by Housing Leeds to 'harmonise' policy and procedures following the demise of ALMOs
- The acknowledgement that estate walkabouts had not yet been through that harmonisation process, and that this was a project being led by Judith Wray
- The need to include as part of this review of walkabouts a review of paperwork and associated processes, the way in which tenants are involved and how actions identified by walkabouts are progressed
- The need to involve tenants in this review

Following on from this general discussion, the Board discussed in turn the walkabouts undertaken by Board Members. Those who attended the walkabouts provided a verbal report and asked the appropriate housing officer specific questions in relation to that walkabout and estate. A number of common themes emerged from these discussions. Those being:

- The lack of tenant involvement in walkabouts
- The role of local ward members in the walkabouts
- A discussion on the best people to attend walkabouts. There was a general consensus that there would be no added value for a PCSO to attend, but a close relationship with housing officers was required. There was further consensus that whilst desirable, it was unrealistic to have a member of the locality team on the walkabouts due to limited resources. This therefore should be compensated by a close working relationship between the locality team and housing office.
- A general consensus that one of the biggest issues on estates was the management of waste and general issues around litter. A discussion took place on the pros and cons of communal waste areas. A discussion also took place on whether estates needed bespoke waste collection arrangements.
- The management of gardens and the understanding tenants have of their responsibilities under their tenancy agreement.
- Whether the (Middleton) model of tool banks could be rolled out to other areas to encourage good garden maintenance
- How owner occupiers on estates are integrated into the activities and community of estates
- The role of tenants in 'mapping'
- The use of tenant surgeries in some areas and where this model could be rolled out to other estates
- The general need for agencies to manage tenants expectations by being clear as to what services and be provided and in what time scales.

Concluding the discussion, the Chair outlined the next steps of the inquiry which would include, in December, a discussion with relevant local ward councillors and in January discussions with tenants.

#### **RESOLVED –**

- I. That the officers be thanked for their attendance and hospitality during the estate walkabouts
- II. That further information be received regarding the project to harmonise estate walkabouts
- III. That the next steps in the inquiry be noted.

**35 Date and Time of Next Meeting**

Wednesday, 2 December 2015 at 1.30pm  
(pre-meeting for all Board Members at 1.00pm)

(The meeting concluded at 4.05pm)