



SCRUTINY BOARD (CITY DEVELOPMENT)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Wednesday, 22nd March, 2017 at 10.00 am

(A pre-meeting will take place for ALL Members of the Board at 9.45 a.m.)

MEMBERSHIP

Councillors

- N Buckley - Alwoodley;
- P Davey - City and Hunslet;
- G Latty - Guiseley and Rawdon;
- S Lay - Otley and Yeadon;
- A Ogilvie - Beeston and Holbeck;
- D Ragan - Burmantofts and Richmond Hill;
- E Taylor - Chapel Allerton;
- C Towler - Hyde Park and Woodhouse;
- P Truswell (Chair) - Middleton Park;
- P Wadsworth - Guiseley and Rawdon;
- J Walker - Cross Gates and Whinmoor;

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

Principal Scrutiny Adviser:
Sandra Pentelow
Tel: 24 74792

Produced on Recycled Paper

A G E N D A

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

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p>MINUTES - 15 FEBRUARY 2017</p> <p>To confirm as a correct record, the minutes of the meeting held on 15 February 2017.</p>	1 - 4
7			<p>TRANSPORT FOR LEEDS - SUPERTRAM, NGT AND BEYOND</p> <p>To receive the report of the Head of Governance Services and Scrutiny Support to support the next session of the scrutiny inquiry.</p>	5 - 24
8			<p>FLOOD RISK MANAGEMENT STRATEGY</p> <p>To consider a report of the Director of City Development which facilitates scrutiny of flood risk management functions as required by sections 4 & 6 of the Flood and Water Management Act 2010.</p>	25 - 48

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>WORK SCHEDULE</p> <p>To agree the Board's work schedule for the remainder of the municipal year.</p>	49 - 76
10			<p>DATE AND TIME OF NEXT MEETING</p> <p>Wednesday, 26 April 2017 at 10:30am (pre-meeting for all Board Members at 10:00am)</p> <p>THIRD PARTY RECORDING</p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	

Item No	Ward/Equal Opportunities	Item Not Open		Page No

This page is intentionally left blank

SCRUTINY BOARD (CITY DEVELOPMENT)

WEDNESDAY, 15TH FEBRUARY, 2017

PRESENT: Councillor P Truswell in the Chair

Councillors B Anderson, B Flynn,
M Harland, S Lay, A Ogilvie, D Ragan,
E Taylor, C Towler, P Wadsworth and
J Walker

52 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared at the meeting.

53 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Cllr D Cohen, Cllr P Davey & Cllr G Latty. Cllr D Cohen was substituted by Cllr B Anderson. Cllr P Davey was substituted by Cllr M Harland. Cllr G Latty was substituted by Cllr B Flynn.

54 Minutes - 18 January 2017

RESOLVED – That the minutes of the meeting held on 18th January 2017 be approved as a correct record.

55 Scrutiny Inquiry - Transport for Leeds, Supertram, NGT and Beyond

The Board received the report of the Head of Governance Services and Scrutiny Support to support the next session of the scrutiny inquiry.

The following information was appended to the reports:

- Appendix 1 – Bob Collins (DfT), Confirmation of attendance letter
- Appendix 2 – Correspondence provided by DfT
- Appendix 3 – Executive Board Report- Transport Conversation update and Leeds Public Transport Investment Programme.

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

- Gary Bartlett, Chief Highways Officer
- Cllr Richard Lewis, Executive Board Member
- Dave Haskins, West Yorkshire Combined Authority
- Andrew Wheeler, West Yorkshire Combined Authority
- Bob Collins, Department for Transport

The key areas for discussion were:

- Clarity regarding the separation of DfT funding approval processes from TWAO planning processes.
- Examples of other Major Transport Schemes that have not progressed past the Public Inquiry stage.
- Advice submitted by the DfT regarding the removal of the Eastern leg of the NGT scheme.
- Clarity surrounding a pause in DfT correspondence between July 2007 and March 2010 as evidenced within Appendix 2.
- Clarity regarding lessons learnt by DfT in relation to the NGT scheme.
- Observations sought regarding the current Leeds Transport Strategy and its progress.
- Clarity sought regarding the Promoter's preparation for the Public Inquiry.

RESOLVED – The Scrutiny Board:

- a) Noted the information contained within the report of the Head of Governance Services and Scrutiny Support
- b) Considered the written and verbal information provided by the visiting representatives.

56 Powering up the Leeds Economy through Digital Inclusion - Tracking of scrutiny recommendations and desired outcomes

The Head of Governance and Scrutiny Support and the Chief Digital and Information Officer submitted a report which set out the progress made in responding to the recommendations arising from the scrutiny inquiry Powering up the Leeds Economy through Digital Inclusion.

The following information was appended to the report:

- Appendix 1- Recommendation tracking flowchart and classifications
- Appendix 2- An update on progress in relation to Powering up the Leeds Economy through Digital Inclusion
- Appendix 3- The 100% Digital Leeds Board Draft Terms of Reference

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

- Richard Hart, Deputy Head of Service (Citizens and Communities)
- Jason Tutin, Digital & Learning Development Manager
- Councillor James Lewis, Executive Member for Resources & Strategy

The key areas of discussion were:

- Progress made in responding to the recommendations arising from the scrutiny inquiry 'Powering up the Leeds Economy through Digital Inclusion'.

- Detail regarding mechanisms in place to increase Digital Inclusion in areas which lack sufficient infrastructure.
- The need for 'Leeds' based research to be collated in relation to Digital Inclusion in order to reduce reliance upon national data.
- Clarity regarding the progress of the 6G Internexus Ltd pilot at Cottingley Towers. Intention to gather market responses before end of March 2017.
- Clarity regarding digital support available for micro-businesses within Leeds.
- The desire to deliver 5-6 Digital Inclusion events across the city which promote/encourage digital growth and increase understanding of local digital barriers. The Board suggested working with Area Teams/Community Committees.
- The opportunity to increase outreach of Digital Inclusion survey to 30,000+ responses per year through inclusion in library services, job shop registrations, adult learning courses enrolment and annual housing survey.
- Clarity regarding Digital Inclusion mechanisms in place to support BME groups and address language barriers across the city.
- Commitment to improve the digital skills of council staff in order to increase advocates for Digital Inclusion. Clarity sought regarding current progress and resources in place to support this commitment.
- The need for digital capabilities to be included within relevant job descriptions and discussions to be held with unions regarding the potential for additional working responsibilities.
- Clarity sought surrounding plans for upcoming Tablet lending Scheme pilot in relation to geographic location and potential cohort.
- Clarity sought regarding the resources available to support prospective '100% Digital Leeds' Board, chaired by Cllr James Lewis.

The status of recommendations were agreed as follows:

- Recommendation 1 – Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 2 – Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 3 – Not fully implemented (Obstacle). Plan in place to resolve therefore Board will continue monitoring.
- Recommendation 4– Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 5 – Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 6– Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 7– Not fully implemented (Progress made acceptable. Continue monitoring).

- Recommendation 8– Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 9– Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 10– Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 11 – Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 12 – Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 13 – Not fully implemented (Progress made acceptable. Continue monitoring).
- Recommendation 14 – Not fully implemented (Progress made acceptable. Continue monitoring).

RESOLVED –

- (a) The Scrutiny Board noted the contents of the report of Head of Governance and Scrutiny Support and the Chief Digital and Information Officer and the verbal information presented.
- (b) The recommendation statuses above were approved.

57 Work Schedule

The Head of Governance Services and Scrutiny Support submitted a report which detailed the Scrutiny Board’ draft work programme for the current municipal year.

Sandra Pentelow, Principal Scrutiny Officer was in attendance to respond to members questions.

The draft Scrutiny Board (City Development) work schedule for 2016/17 was appended to the report.

RESOLVED – The Scrutiny Board noted the content of the report and agreed the work programme.

58 Date and Time of Next Meeting

Wednesday 22 March 2017 at 10:00 am (pre-meeting for all Board Members at 9:45 am)

The meeting concluded at 12:30pm



Report author: Sandra Pentelow
Tel: 0113 2474792

Report of the Head of Governance Services and Scrutiny Support

Report to Scrutiny Board (City Development)

Date: 22 March 2017

Subject: Transport for Leeds - Supertram, NGT and Beyond

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

Summary of Main Issues

1. At its meeting on the 15th of June 2016, the Scrutiny Board considered a request for Scrutiny from Cllr Judith Blake, Leader of Leeds City Council, which asked for consideration of the role of the Council, the West Yorkshire Combined Authority/METRO and the city's public transport operators in relation to the decisions for both NGT and Supertram.

2. Terms of reference for this inquiry were agreed by the Scrutiny Board at the September 2016 when it was determined that the purpose of the inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:
 - To identify strengths and weaknesses of the Supertram and NGT schemes, what lessons can be learnt, and how learning can be applied to future transport schemes and projects.
 - The developing transport strategy, short, medium and long terms options, maximising beneficial impact, and how options could be financed, planned and delivered.
 - Meeting the needs and aspirations of communities and stakeholders through engagement and involvement in the shaping and delivery of transport schemes and projects.

Inquiry Session March 2017

3. Cllr Andrew Carter and Cllr Ryk Downes have agreed to attend this session to support the inquiry. Cllr Andrew Carter was joint Leader of Leeds City Council and Executive Board Member for City Development from 2004 until May 2010. Cllr Carter is an Executive Board member as the leader of the largest opposition group. Cllr Ryk Downes was the Chair or Deputy Chair of the West Yorkshire Integrated Transport Authority (Metro) from 2006 until 2011.

Background

4. Reports presented to the Scrutiny Board in 20th July 2016 and 7th September 2016 provided background information regarding the development of NGT from 2005 until 2015. This information is outlined below (paragraphs 5 to 20).
5. Following the cancellation of Supertram in 2005, WYCA and Leeds City Council were directed by the Secretary of State for Transport to develop a “top of the range bus system”.
6. Discussions then took place with the DfT on the development of revised transport proposals for the City. The premise of which, as agreed with the DfT, was to develop proposals for the three former Supertram corridors. It was envisaged that further proposals would be developed for a wider network over time. At the same time the wider transport needs were being considered by the City through the Leeds City Transport Vision.
7. The DfT commissioned consultants Atkins in August 2005 to examine the potential of a high quality bus alternative to Supertram. This culminated in a report which concluded that a “Bus Rapid Transit” (BRT) option has the potential to offer a lower cost and value alternative to the Supertram proposal.” The Promoters were concerned about the lack of robust evidence for the conclusions set out in the report and expressed their concerns in a letter to the DfT in October 2005.
8. These initial BRT proposals developed into the NGT scheme with significant engagement with the DfT and consisted of three routes to North, South and East Leeds, including a loop round the city centre, and linking key trip generators including the city’s hospitals and universities. The scheme included enhanced cycling facilities and park and ride sites and a significant degree of priority over general traffic in order to deliver high levels of reliability across the network. Electrically powered trolleybuses were proposed to operate the system
9. An Initial Business Case was presented to the DfT in March 2007 which included an option appraisal on the vehicle type. This document was not a formal part of the government approval process but the Promoters chose to submit their emerging proposals for initial feedback at the earliest opportunity given the experience on Supertram.
10. Following significant engagement with the DfT on the development of the scheme the Major Scheme Business Case (MSBC) for the project was submitted to the DfT at the end of October 2009. This included a comparison with the “next best alternative to NGT” of a high quality diesel electric bus on the same route as NGT and a low cost alternative.

11. After a prolonged period of analysis and scrutiny by the DfT, the Secretary of State announced on the 22nd March 2010 that Programme Entry Approval had been granted but only for the North and South Routes. The DfT indicated that they didn't believe the East Route would offer value for money. They did not accept the argument that this route was necessary for social/regeneration reasons and the importance in serving St James' Hospital. The DfT did however support the extension of the North Route to serve Holt Park. The DfT also concluded that compared with the alternatives NGT was the optimum economic option.
12. The revised scheme therefore comprised the North Route from Holt Park to the city centre and the South Route serving Hunslet and Stourton. Major park and ride sites were to be provided at Stourton and Bodington.
13. The Programme Entry Approval included in principle DfT funding of £235m towards the £254m project. Under this arrangement the DfT would have funded all of the construction costs and a proportion of the development costs.
14. On 6th May 2010 the administration of Leeds City Council came under Labour control. On the 10th June 2010, the incoming Coalition Government announced that all major transport schemes were to be reconsidered as part of the wider Comprehensive Spending Review (CSR) process. As a result, development activity on NGT was paused pending the outcome of the CSR and confirmation of funding from the DfT.
15. Subsequently the DfT requested promoters to submit Best and Final Bids (BAFB) by Autumn 2011. These bids were to consist of the Promoters' final proposals in terms of the revised scope and cost of the scheme, the amount of Government contribution required and the economic case for the scheme.
16. In May 2011 Executive Board gave approval to submit a Best and Final Bid (BAFB) to the Department for Transport (DfT). The report to the Board detailed the increased costs mainly due to inflation resulting from the pause in project development, and the value engineering made on the project to bring costs down. This resulted in a revised scheme of £244m. The BAFB approved by Executive Board consisted of an increased local contribution to £57.1m in line with DfT aspirations.
17. In July 2012 the Department for Transport announced that NGT had been re-awarded Programme Entry status with a maximum contribution from the DfT of £173.5m towards the increased estimated scheme cost of £250.6m.
18. This was reported to Executive Board in October 2012 where the funding gap between the £173.5m and the previously approved £57.1m was acknowledged. The Board also gave approval to spend £1.2m of the £57.1m to progress the scheme to enable the submission of a TWAO application.
19. The TWAO and associated applications for NGT were submitted to the Secretary of State for Transport on 19 September 2013.
20. The DfT announced on the 12th May 2016 that the TWAO application had not been granted. However the DfT still awarded the £173m to Leeds for public transport projects in the City.

Timeline Summary

Milestone	Dates
Submit Programme Entry	Oct 2009
Programme Entry Approval	March 2010
Political Administration Change of Leeds City Council	May 2010
Project paused by DfT	June 2010
Programme Entry confirmed	July 2012
Submit TWAO	Sept 2013
TWAO Decision	May 2016

A more detailed timeline summary previously provided to the Scrutiny Board is also attached as appendix a

Aspects for further consideration

21. During previous sessions of this inquiry the Scrutiny Board has considered a number of aspects which require further clarity and could be explored during this session.

- The alternative comparator schemes considered and the why NGT was selected.
- Stakeholder challenge regarding the appropriateness and suitability of the NGT scheme in the initial stages. (November 16)
- Stakeholder challenge regarding the findings at public inquiry and if they should have been self-evident to those involved in the project during the initial phases. (November 16)
- Views about project viability, finances, environmental impact, economic impact, benefits NGT could have brought to the City.
- Views about why the scheme was unsuccessful and what lessons can be drawn from it and applied to future major projects and schemes.
- Community engagement in the initial stages of the project.
- Views about the impact of the scheme's 'project pause' in 2010.
- For future potential schemes, views about the use of over-head wire technologies and technologies which could impact less favourably on vehicle emissions.

The letter from Martin Woods which outlines the summary of inspector's recommendations and findings is attached as appendix b

Recommendations

22. The Scrutiny Board (City Development) is recommended to:

- a) Note the information provided in this report and associated appendices.
- b) Note the verbal information provided by attendees.
- c) Make recommendations as deemed necessary.

Appendix a – NGT Project Timeline

1993	<ul style="list-style-type: none"> • Supertram gains parliamentary approval
2001	<ul style="list-style-type: none"> • DfT Approval given full network approval
November 2005	<ul style="list-style-type: none"> • The Secretary of State for Transport (Alistair Darling) cancelled the Supertram proposals. • The Government stated that 90% of the benefits of a tram could be delivered by a bus-based scheme at 50% of the cost. • The Promoters were therefore encouraged to develop a "top of the range rapid bus system" as a "showcase" for the rest of the country and were told that "the money would be there for the right proposals"
2006 to 2007	<ul style="list-style-type: none"> • DfT told the Promoters that there was no funding earmarked for NGT and that they would need to compete for funds through the Regional Funding Allocation process. • DfT also asked the Promoters to reconsider whether the NGT routes were the right routes in Leeds for a rapid transit system. This is despite all the technical work and evidence associated with Supertram. • The Promoters therefore had to undertake a significant piece of technical work to provide further evidence to the DfT that these were the right routes. The DfT then fully signed this off.
April 2007	<ul style="list-style-type: none"> • An 'Initial Business Case' for NGT was submitted to the DfT. This was not a formal part of the DfT's major scheme process, but the Promoters wanted early clarification from the DfT that the proposals were on the right track before committing significant expenditure to the project. • The feedback from the DfT was generally supportive of the proposals and the Promoters took account of the comments they made.
June 2007	<ul style="list-style-type: none"> • An initial funding allocation of £150 million was earmarked for NGT through the RFA process.
Aug 2007-2009	<ul style="list-style-type: none"> • Throughout this period there was significant engagement with the DfT on the development of the scheme. • DfT indicated that they didn't believe the East Route would offer value for money. They did not accept the argument that this route was necessary for social/regeneration reasons and due to its importance in serving St James' Hospital.
July 2008	<ul style="list-style-type: none"> • Executive Board approved of £2.316m towards scheme development
January 2009	<ul style="list-style-type: none"> • A further £98.8 million was allocated to NGT through the RFA process.
January to October 2009	<ul style="list-style-type: none"> • The Promoters continued to liaise closely with the DfT on the development of the Major Scheme Business Case for NGT to ensure a 'no surprises' approach when they received the submission. This would then enable a quick decision on the submission from the DfT.

	<ul style="list-style-type: none"> • DfT officials at the time indicated that NGT was their No.1 priority major scheme.
October 2009	<ul style="list-style-type: none"> • The Major Scheme Business Case for NGT was submitted. DfT had indicated that they would make a decision on this by the end of 2010.
November 2009	<ul style="list-style-type: none"> • Gateway Review (Business Justification) undertaken by Local Partnerships. Key findings included: <ul style="list-style-type: none"> ◦ There is strong support across the full range of stakeholders with solid political backing from all parties. ◦ All the key building blocks for effective project delivery are in place and attention given to a number of small areas will increase the already good prospects of successful delivery.
March 2010	<ul style="list-style-type: none"> • 5 months later NGT was eventually awarded Programme Entry Approval but only for the North and South Routes. No funding for the East Route to St James' Hospital or the full city centre Loop. • DfT agreed to fund £235m of the £254m total scheme cost. • DfT also agreed to fund the proposed Holt Park Extension.
June 2010	<ul style="list-style-type: none"> • The New Coalition Government suspended the Major Schemes process as part of the Comprehensive Spending Review (CSR). NGT was therefore put on hold.
July 2010	<ul style="list-style-type: none"> • Transport Minister Norman Baker visited Leeds and met with senior politicians to discuss NGT. He outlined the need for the Promoters to further reduce scheme costs and for an increase in the local funding contribution.
September 2010	<ul style="list-style-type: none"> • The NGT Promoters put forward a revised funding offer to increase the local contribution to 20% (£50m) and reduce the Government's contribution to around £200m.
December 2010	<ul style="list-style-type: none"> • NGT was not prioritised through the Comprehensive Spending Review (CSR) and was placed into DfT's newly created 'Development Group' which contains 43 schemes competing for a share of a £600m funding pot. Decisions on which schemes could proceed would not be made until the end of 2011. • The Promoters asked the DfT to treat NGT separately and provide an early decision, since the delay to the scheme now meant it would not need any Government funding during the CSR period.
March 2011	<ul style="list-style-type: none"> • The Secretary of State for Transport visited Leeds and met with the NGT Promoters. He encouraged the Promoters to further increase their local funding offer.
May 2011	<ul style="list-style-type: none"> • Executive Board approved the submission of a Best and Final Bid (BAFB) increasing the local contribution to £57.1m
June 2011	<ul style="list-style-type: none"> • The Secretary of State confirmed that NGT would not be treated separately (6 months after the Promoters raised this request). Therefore a decision will not be made until the end of 2011.

June 2011	<ul style="list-style-type: none"> The NGT Best and Final Funding Bid was submitted. This put forward an increased local funding contribution of around 23% (57m). This has been approved by both the LCC Executive Board and the ITA Executive Board.
December 2011	<ul style="list-style-type: none"> NGT not approved by DfT in current round of major scheme approvals (which included Kirkstall Forge and Apperley Bridge Rail Stations). DfT requested further detail.
March 2012	<ul style="list-style-type: none"> Following discussions with DfT including a detailed review of the modelling and appraisal work, a further bid was put forward for NGT.
July 2012	<ul style="list-style-type: none"> DfT granted NGT Programme Entry status, at a cost of £250m with a DfT contribution of £173.5m. This represented a shift in local contribution requirement from the 2010 approved bid from 10% to around 30%
October 2012	<ul style="list-style-type: none"> Executive Board approved £1.2m to progress the scheme towards the TWAO submission
Jan 2013	<ul style="list-style-type: none"> Gateway 1 Review held
March 2013	<ul style="list-style-type: none"> Executive Board approved expenditure of £19.2m to progress the scheme to the construction phase.
July 2013	<ul style="list-style-type: none"> Full Council approve the submission of the TWAO
September 2013	<ul style="list-style-type: none"> Transport and Works Act Order submitted
November 2013	<ul style="list-style-type: none"> Full Council confirm their approval of the submission of the TWAO
January 2014	<ul style="list-style-type: none"> Local Partnerships undertook a Gateway Review on the NGT project. The key finding was <ul style="list-style-type: none"> Successful delivery appears probable however constant attention will be needed to ensure risks do not materialise into major issues threatening delivery.
April 2014	<ul style="list-style-type: none"> NGT Public Inquiry commences. Based on other similar inquiries, an inquiry length of 8-10 weeks (30-40 sitting days) was anticipated.
October 2014	<ul style="list-style-type: none"> NGT Public Inquiry finishes having sat for 72 days. Additional length attributed to a combination of sustained objection by FWY, a core of local objections plus an Inspector who was keen to ensure that all viewpoints were aired.
July 2015	<ul style="list-style-type: none"> Notification that the Inspector's report was submitted to DfT for consideration. DfT guidance indicates a 6 month timescale for making decisions on TWAO submissions, though notes that larger/more complex schemes may take longer.
May 2016	<ul style="list-style-type: none"> NGT cancelled by Secretary of State Transport

This page is intentionally left blank



Department for Transport

Bircham Dyson Bell
Solicitors and Parliamentary Agents
50 Broadway
London
SW1H 0BL

Martin Woods
Head of the TWA Orders Unit
Department for Transport
Zone 1/14-18
Great Minster House
33 Horseferry Road
London SW1P 4DR

Enquiries: 020 7944 3293

Our ref: TWA/13/APP/04
Your ref: Y059072

Web Site: www.gov.uk/dft/twa

12 May 2016

Dear Sirs,

TRANSPORT AND WORKS ACT 1992: APPLICATION FOR THE PROPOSED LEEDS TROLLEY VEHICLE SYSTEM ORDER AND DEEMED PLANNING PERMISSION

1. I am directed by the Secretary of State for Transport ("the Secretary of State") to say that consideration has been given to the report of the Inspector, Martin Whitehead LLB BSc (Hons) MICE, who held a public local inquiry between 29 April 2014 and 31 October 2014 into the application made by your clients Leeds City Council and the West Yorkshire Combined Authority ("the applicants") for—

- a) the Leeds Trolley Vehicle System Order ("the Order") to be made under sections 1, 3 and 5 of the Transport and Works Act 1992 ("the TWA"); and
- b) a direction as to deemed planning permission for the development provided for in the Order, to be given under section 90(2A) of the Town and Country Planning Act 1990 ("the planning direction").

2. The Order would authorise the applicants to construct and operate a trolley vehicle system between Leeds City Centre and Stourton via Belle Isle in the south and between the City Centre and Holt Park via Headingley in the north, with associated park and ride sites near to the M621 (at Stourton) and the Leeds Outer Ring Road (at Bodington). The proposed system, known as the Leeds New Generation Transport scheme, is referred to in this letter as "the NGT scheme".

3. Enclosed with this letter is a copy of the Inspector's report. His conclusions on this application are set out in section 9 of the report and his recommendations are in section 10.

Summary of Inspector's recommendations

4. The Inspector recommended that the Order not be made and that the planning direction not be given.

Summary of Secretary of State's decision

5. For the reasons given in this letter, **the Secretary of State has decided not to make the Order and not to give the planning direction.** In separate letters being issued today, the Secretary of State for Communities and Local Government has decided not to give the various listed building and conservation area consents required for implementation of the NGT scheme.

Secretary of State's consideration

6. Careful consideration has been given to all the arguments put forward by, or on the behalf of, the parties. The Secretary of State's consideration of the main issues in the Inspector's report is set out in the following paragraphs. All paragraph references, unless otherwise stated, are to the Inspector's report ("IR"). With regard to the legal submissions considered by the Inspector at IR 3.1-57, the Secretary of State considers it is unnecessary for him to come to a view on the implications of Competition Law for the operation of the NGT scheme or of State Aid rules for the funding of the scheme given his decision not to authorise it. In other respects, he agrees with the Inspector's conclusions on the legal submissions in relation to the disclosure of legal advice (IR 3.58-69), conservation of biodiversity (IR 3.70-83) and the legality of the appropriation of public open space (IR 3.84-101) for the reasons given by the Inspector.

7. In coming to his decision on this application the Secretary of State has, like the Inspector, considered whether in the light of all the evidence, the public benefits of the NGT scheme would outweigh the harm that it would be likely to cause so as to justify making the TWA Order and giving the planning direction. In doing so he has taken into account, among other things, the decision of the Department for Transport ("DfT") on 19 July 2012 to confirm Programme Entry funding approval for the NGT scheme. He notes, however, that the decision to allocate funding for the scheme was based specifically on an assessment of the value for money, affordability and deliverability of the scheme and did not involve consideration of its wider planning merits. The funding decision was, furthermore, conditional on any necessary statutory powers for the scheme being obtained and was made without prejudice to this decision whether to authorise the scheme for planning purposes.

Need, aims and objectives for the NGT scheme

8. The Inspector accepted that there was a strong need to improve public transport in Leeds to attract a modal shift, including along the NGT scheme corridor much of which was congested during peak times. He was similarly satisfied that the applicants had identified appropriate aims and objectives for the NGT scheme which were based on relevant planning, economic and transport policies and were directed at ensuring continued economic growth and prosperity for Leeds. He was not, however, convinced that the NGT scheme would be a cost-effective way of meeting that need or was the best way to meet those objectives (IR 9.4-6, 9.19).

9. With regard to the objectives of supporting the sustainable growth of Leeds and its economy, the Inspector said that the NGT scheme would deliver improvements on a relatively small part of the Leeds transport network and could result in poorer public transport services in other parts of the City. He found little evidence to show that the

scheme would serve the areas of Leeds that were most deprived, or improve connectivity between the City Centre and areas of highest unemployment, or improve access to regeneration areas. Since many areas of development and existing employment, commercial and leisure facilities were already well connected, the Inspector was not convinced that the scheme would make a significant contribution to facilitating future employment and population growth (IR 9.6-10, 9.13).

10. As for improving the efficiency of the City's transport networks, the Inspector said that, although the NGT scheme would be likely to provide a quicker alternative to existing bus services, the applicants had not shown that it would result in any significant improvements in congestion or any increase in active modes of transport such as cycling (IR 9.11). As regards emissions of CO₂ and other greenhouse gases, the Inspector said that these were predicted to increase overall taking into account the generation of electric power and increased waiting times for other vehicles due to junction priority being given to trolley vehicles. In relation to the scheme's quality of life objectives, the Inspector found that it would harm the built and natural environment as a result of the introduction of overhead wires and additional street clutter, and the loss of trees and green spaces. He said also that the scheme would not significantly improve access to jobs because of the fewer stops provided, the limited locations it would serve and the relatively poor integration with other public transport (IR 9.14-16).

11. The Secretary of State agrees with the Inspector that there is a pressing need to improve public transport provision in Leeds in order to address the problems caused by congestion and to support sustainable growth. However, on the basis of the evidence submitted to the inquiry, he shares the Inspector's concerns about the extent to which the NGT scheme would achieve the objectives that have been set for it. He agrees with the Inspector that the applicants have not demonstrated that the scheme would meet key objectives of supporting significant economic growth, reducing congestion and greenhouse gas emissions, or enhancing the quality of life in the area it would serve.

Justification for the NGT scheme

12. With regard to the anticipated transportation benefits of the NGT scheme, the Inspector said that as the trolley vehicles would share significant sections of the route with other traffic, they could be vulnerable to congestion and other delays making journey times less reliable than predicted by the applicants (IR 9.24-25, 9.34). He considered that the likely high proportion of people having to stand in peak times would be a deterrent to passengers; and noted that surveys indicated a strong preference for new double-decker buses over articulated vehicles or trolleybuses (IR 9.12, 9.28-29).

13. The Inspector found that the design of the scheme would do little to make the route more attractive for cyclists and that it would result in insufficient improvements in pedestrian facilities and safety to encourage walking. He considered that the NGT scheme would not be fully integrated with other public transport as trolley vehicles would not use the same stops as buses and would not access the bus station; and since the scheme would abstract patronage from existing buses it would compromise the commercial sustainability and efficient use of the existing network of services (IR 9.30-32, 9.35).

14. The Inspector identified various concerns about the reliability of the data used and assumptions made by the applicants in forecasting the scale of the NGT scheme's

transportation and socio-economic benefits, which he considered had not been adequately tested. For example, he had very little confidence in the method used by the applicants to make patronage forecasts for the scheme based on the Stated Preference survey results; he considered that the demand for the proposed park and ride sites had been over-estimated; and he was unconvinced that over-head wiring should be regarded as a positive feature that could influence investment decisions in the area by its appearance of permanence. The Inspector concluded that the justification for the scheme was not as strong as claimed by the applicants. (IR 9.36-51).

15. The Secretary of State agrees with the Inspector that, on the basis of the evidence examined at the inquiry, the ability of the NGT scheme to deliver the level of transportation and socio-economic benefits that the applicants have predicted has not been substantiated. For the purposes of assessing the overall merits of the scheme, he considers that the likely improvements to park and ride provision, shorter journey times and better punctuality need to be weighed against the less convenient journeys by car, possible reductions in bus service frequencies in areas that would not be served by the NGT scheme, and the environmental harm which the scheme would cause.

Main alternative options considered

16. With regard to the assessment of alternative options in the Business Case Review submitted to the inquiry, the Inspector considered that the applicants had not properly taken into account evidence that other forms of technology were progressing, while trolley vehicle technology had not been widely adopted in recent years; nor had they given significant weight to the environmental harm caused by over-head wiring compared with other modes of propulsion (IR 9.52-54). He considered that, since the cancellation of the Supertram scheme in 2005 and in the more recent re-examination of options, the applicants had not fully examined whether there were more suitable corridors for a rapid transit system to meet the scheme's objectives, nor whether better or more cost-effective ways to improve public transport were now available taking into account, for example, the higher infrastructure costs of trolley vehicles or issues concerning integration (IR 9.56-60).

17. The Secretary of State shares the Inspector's concerns that the various assessments of alternative options in terms of modes and technology have not convincingly demonstrated that the applicants' proposals represent the most appropriate means of meeting the objectives set for the scheme. While recognising that no detailed alternative set of proposals has been put forward, like the Inspector he considers that with the latest advances in bus propulsion technology many of the environmental and performance benefits claimed for the NGT scheme could be achieved by measures which involved less environmental harm and at lower cost.

Consistency with national and local planning, transport and environmental policies

18. The Inspector accepted that significant weight should be attached to support for the NGT scheme in the Urban Development Plan and the recently adopted Core Strategy for Leeds; and that the scheme would support some of the National Planning Policy Framework ("NPPF") objectives. He noted, however, that while the Core Strategy was subject to an examination by a planning Inspector there was nothing to show that the merits of a trolley vehicle system, or whether the policy objectives could potentially be met by other public transport measures, had been examined. The Inspector considered that the policy

support for the NGT scheme at national and local level had to be weighed against the harm which the scheme would cause to heritage assets, green space and biodiversity which contravened other national and local policies (IR 9.61-68).

19. The Secretary of State agrees with the Inspector's assessment of the policies that are relevant to this decision. He agrees that in deciding this application, it is necessary to come to a conclusion on whether or not the policies which support the scheme should prevail over those which do not.

Impacts on the public, businesses and the environment

20. The Inspector considered that with mitigation there would not be any significant problems from noise, dust, vibration or disturbance during construction or operation of the scheme. He was, however, concerned that although trolley vehicles would provide a carbon efficient means of transport per journey which was better than a hybrid bus, the impact of the scheme in operation on overall air quality including carbon emissions would be negative due to the impact on other traffic and the use of grid electricity (IR 9.69–77).

21. As regards landscape, townscape and visual amenity, the Inspector found that the NGT scheme would result in significant harm to much of the route, particularly where it would be in or near to conservation areas, listed buildings, substantial areas of public open space and vegetation. This would be as a result of the loss of trees and open space and an increase in street clutter. He considered that any beneficial impacts on the character and appearance of areas to the south of the route would not compensate for the severe harm to the character and appearance of conservation areas and listed buildings in the north. While the design and precise location of the over-head line equipment were unknown at this stage, he noted that it would be more extensive than for trams and considered that it was likely to have an adverse effect on the character and appearance of buildings and their setting (IR 9.79-87).

22. The Inspector considered that construction of the NGT scheme would have significant effects on land use over a long period of time due to disruption from road closures, diversions, construction traffic, noise and construction compounds in areas where there were high levels of commercial, educational and leisure activity. He concluded that the viability of some businesses was likely to be harmed by implementation of the scheme. He noted also that there would be a reduction in the overall area of open space as a result of the scheme, some of which he considered was difficult to justify against the likely benefits of the scheme (IR 9.88-100, 126-127).

23. The Secretary of State agrees with the Inspector's assessment of these impacts which will need to be weighed in the balance against the benefits of the NGT scheme.

Impact of the NGT scheme on public transport and other traffic

24. The Inspector considered that the need for separate NGT stops from other bus stops would make it less convenient for people to use public transport and that some bus journeys would be slower as a result of the scheme. Since the NGT scheme was predicted to take much of its patronage from existing bus services, he considered that this could result in a reduction in bus services in the corridor and elsewhere; but that if bus operators competed with NGT, this could threaten the viability of the NGT scheme. He concluded that while

there could be some benefits for existing bus services as a result of the scheme, these would be offset by the likely harm due to competition and changes to the location of bus stops (IR 9.104-110).

25. The Inspector noted that the level of congestion would not be improved by the NGT scheme, with some junctions having greater queue lengths and an increase in the overall distance travelled annually by cars. He had concerns about the accuracy of the modelling used to predict the overall effect of the scheme on traffic at junctions and to predict the use of the park and ride sites. He considered also that the reduction of parking and other traffic restrictions along the NGT corridor could affect the viability of businesses (IR 9.111-9.115, 9.126-127).

26. The Inspector found that the effects of the scheme on pedestrians would be mixed, with some improved facilities. However, he had concerns about the parts of the route that would be shared with pedestrians which would result in either trolley vehicles not being able to travel at their design speeds or else a risk to pedestrian safety. He considered also that cycling facilities had not been one of the main priorities in designing the scheme and that some design standards had been compromised in favour of motor vehicles and trolley vehicles, putting the safety of cyclists at risk (IR 9.118-119).

27. Overall, the Inspector considered that there was a significant level of uncertainty about the full effect on road safety of implementing the NGT scheme given the considerable number of changes that were proposed. He was unconvinced that the A660 corridor was particularly suitable for articulated vehicles and considered that the scale of standing by passengers on the trolley vehicles would be a safety concern. He concluded that the benefits to other road users would be very limited and that the modelling used was not able to forecast accurately the full extent of any likely harm (IR 9.120-125).

28. The Secretary of State agrees with the Inspector that, on the basis of the evidence submitted to the inquiry, there are several aspects where the likely effects of implementing the NGT scheme on users of the public highway are uncertain and possibly harmful. Taking into account the range and nature of the risks identified, he is not persuaded that the overall effect of the scheme on traffic and public transport would be beneficial.

Mitigation measures

29. The Inspector considered that, pending the results of further survey work, the effectiveness of the proposed compensation and mitigation measures in relation to ecological impacts could not be fully determined, although he did not see any valid reason why licences in respect of European Protected Species would not be granted by Natural England (IR 9.129-131). In other respects, the Inspector accepted that the applicants were proposing tried and tested methods for mitigating construction impacts, but limited details were available to assess accurately their likely effectiveness. As for mitigation of the scheme's operational effects, he considered that the loss of trees, green space and the impact on the historic environment would not be adequately mitigated (9.132-137).

30. While the Secretary of State considers that it was not unreasonable for the applicants to leave some design details of proposed mitigation measures to be finalised at a later stage, he agrees with the Inspector that as a result some of the operational mitigation measures had not been proven to be feasible or effective. He agrees, further, that a number

of significant adverse environmental impacts arising from the operation of the NGT scheme would be likely to remain after mitigation, particularly in relation to impacts on heritage assets and the loss of mature trees and open space along the route.

Adequacy of the Environmental Statement

31. The Inspector considered that, although the Environmental Statement ("ES") submitted with the application was inadequate, with the addition of further information provided by the applicants to the inquiry, the relevant legal requirements had been met (IR 9.138-144). The Secretary of State is similarly satisfied that the requirement to carry out an environmental impact assessment of the NGT scheme has been fulfilled by the totality of the environmental information submitted as part of the application and during its consideration. He accordingly considers that he has sufficient environmental information for the purposes of making this decision and confirms that, in reaching his decision, he has complied with the requirements of paragraphs (a) to (c) of section 14(3A) of the TWA relating to the consideration of the ES.

Whether the NGT scheme is reasonably capable of attracting the necessary funding

32. The Inspector said that, as regards Government funding for the NGT scheme, he had not examined whether the DfT's decision to grant Programme Entry was right, but had looked at the basis on which the applicant's Business Case had been put together to justify the level of funding that had been sought. While recognising that, in preparing the Business Case Review, the applicants had relied on inputs from the Leeds Transport Model ("LTM"), as requested by DfT, and from other sources used for the Programme Entry Business Case, the Inspector had a number of concerns about the robustness of their forecasts. He considered, for example, that the Business Case should have included a monetised estimate for construction phase impacts which in his view were likely to be significant. He said that very little evidence had been provided to prove the reliability of the LTM in forecasting demand, and considered that reliance on the Stated Preference research was a weakness in the evidence supporting the applicants' forecasts of patronage. He considered further that the assumed journey times were optimistic and that insufficient evidence had been provided to substantiate them (IR 9.155-165).

33. As for the element of local funding required to construct the NGT scheme, the Inspector considered that this was by no means certain to be made available, particularly if the costs of the scheme escalated. In this respect, he considered that insufficient detail had been given to verify the applicants' cost estimates and to provide assurance that they were unlikely to be exceeded (IR 9.166-170).

34. With regard to the operation of the NGT scheme, the Inspector said that he had not been given any comparative figures to show that the sums allowed for the costs of running the system were realistic. As for passenger revenue, he was concerned about the way in which the methods of calculating patronage had been applied and the extent to which the assumptions had been tested to ensure the robustness of the predictions. In particular, he considered that the effects of a number of factors such as the quality of vehicles and stops and the level of competition from other public transport providers could have significant effects on the patronage forecasts with serious consequences for the revenue generated (IR 9.171-178).

35. While noting the applicants' assurances as to the availability of funding and the strong Benefit Cost Ratio for the NGT scheme in the Business Case Review, the Inspector considered that some of the assumptions underlying its funding bid were optimistic. He noted also that it would be the responsibility of the applicants to fund any increases in the scheme costs, and that some of this funding would need to be secured by borrowing from a commercial borrower. Given his concerns that the costs of the scheme could escalate and that insufficient revenue would be generated, the Inspector concluded that there was a realistic possibility that the scheme would not attract the necessary funding to maintain it, even with the commitment that had been made to fund its construction should the Order be made (IR 9.179-182).

36. The Secretary of State accepts that, regardless of the decision in 2012 to grant Programme Entry for the NGT scheme, the Inspector's concerns about the reliability of the forecasts in the Business Case Review would have required careful consideration before a final decision on funding was made if, in other respects, the case for authorising the scheme had been favourable. He notes, however, that despite these concerns the Inspector did not conclude that the scheme was unlikely to secure the funding required for its construction, which as regards the element of Government funding would have depended on future assessments by DfT of the value for money of the scheme in accordance with relevant guidance.

37. The Secretary of State notes that the Inspector's concern was particularly focussed on the longer-term operational viability of the scheme, should the costs of the scheme escalate and the forecasts of patronage not be realised in practice. The result of this could be that revenue would not meet the running costs of the system, including repayment of the prudential borrowing which would have been required as part of the funding package for constructing the system. The Secretary of State agrees that, on the basis of the evidence submitted to the inquiry, there is a significant degree of uncertainty about whether the scheme would be operationally viable, in part due to factors beyond the control of the applicants such as competition from other bus operators. While this risk might not have prevented the applicants from securing funding for construction of the NGT scheme, he considers that in his overall assessment of the public benefits of the scheme, the uncertainties over its future viability are a relevant consideration.

Justification for compulsory acquisition powers

38. The Inspector was satisfied that the Order (if made) would authorise the acquisition of no more land than would be necessary to implement the scheme; that the applicants had a clear idea of how the land would be used; that budgetary provision had been put in place; and that no land would be acquired ahead of time. However, he considered that a compelling case in the public interest had not been demonstrated for the NGT scheme, since the evidence did not provide strong enough support for implementing the scheme taking into account the extent of its likely transportation and socio-economic benefits. He was also not convinced that cheaper options requiring less compulsory acquisition of interests in land would not be more effective in addressing the aims and objectives of the scheme. He therefore concluded that the proposed compulsory acquisition powers were not justified having regard to the policy on compulsory purchase in ODPM Circular 06/2004 (IR 9.183-188).

39. The Secretary of State agrees with the Inspector that on the basis of the evidence submitted to the inquiry the compulsory acquisition powers applied for are not justified.

Alternative options suggested by the objectors

40. The Inspector noted that none of the alternatives that had been suggested by objectors had been fully developed or costed and that some of the options such as tram or underground were more expensive than the NGT scheme, or their feasibility had not been demonstrated. The Inspector considered that, if implemented, the alternative proposals advanced at the inquiry by First West Yorkshire would introduce modern hybrid buses which, combined with improved bus stops, signal prioritisation and segregated bus lanes, could offer a noticeable improvement in the quality of public transport and greater flexibility than the proposed NGT scheme, at lower cost and less environmental harm. He noted further that, as an interim solution, existing bus services could be improved with a quality partnership scheme (IR 9.195-196).

41. The Secretary of State agrees with the Inspector that there are alternative options which may be capable of addressing the aims and objectives that were set for the NGT scheme. However, he considers that it is for the applicants in the first instance to assess the merits of those options in the light of his decision not to authorise the NGT scheme.

Post-inquiry correspondence

42. Since the close of the inquiry, the Secretary of State has received further representations from a number of objectors who appeared at the inquiry. He considers that nothing in those representations constitutes new evidence which needs to be referred to other inquiry parties before he decides this application, nor do the representations lead him to differ from the conclusions that he has reached on the basis of the Inspector's report.

Secretary of State's overall conclusions and decision

43. The Secretary of State accepts that the NGT scheme would be likely to address to some extent the need for public transport improvements in Leeds, for example, as a result of quicker journeys, better punctuality and an increase in Park and Ride provision; and that it would provide some support for sustainable economic development. He accepts also that there was significant policy support for the principle of the NGT scheme and the Park and Ride sites at the local level, and that the scheme would support some of the NPPF policy objectives.

44. The Secretary of State has weighed against those benefits the likely adverse impacts of the scheme identified by the Inspector and has had regard to a number of areas of concern and uncertainty which the Inspector considered had not been adequately resolved on the basis of the evidence submitted to the inquiry. In terms of the scheme's likely adverse impacts the Secretary of State has, in particular, taken into account the harm to heritage assets some of which would be substantial; the loss of trees and open space; the harm to the landscape, townscape and visual amenity; the overall negative impact on air quality and greenhouse gas emissions; the likely effects of the scheme on the provision of bus services; and the extent to which the heritage and environmental harm would conflict with local and national planning policies.

45. As for the unresolved areas of concern and uncertainty, the Secretary of State shares the Inspector's views on a range of matters where either the benefits claimed for the NGT scheme have not been adequately demonstrated, or where the likely impacts of the scheme remain uncertain. He has had regard, in particular, to the doubts about the extent to which the scheme would improve accessibility and connectivity and thus support growth; concerns about the relatively poor integration of the scheme with the rest of the public transport network; the uncertain effects of the scheme on road safety; the possible harm to local businesses as a result of implementing the scheme; the reliability of the forecasts in the applicants' Business Case Review in relation to the costs of the scheme and the likely level of patronage; and the risk that the scheme would not be operationally viable.

46. Weighing all these considerations together, the Secretary of State agrees with the Inspector that the Order is not justified and that a compelling case in the public interest has not been made for giving the powers required to implement the scheme. As regards planning policy considerations he considers similarly that, taking into account the scale of the harm identified by the Inspector and the uncertain level of benefits which the scheme would deliver, the policies which it would contravene should prevail over those which support provision of the NGT scheme.

47. The Secretary of State has accordingly decided that the Order should not be made and the planning direction should not be given.

Notice under section 14 of the TWA

48. This letter constitutes the Secretary of State's notice of his determination not to make the Order, for the purposes of section 14(1)(a) and section 14(2) of the TWA. Your clients are required to publish newspaper notices of the determination in accordance with section 14(4) of the TWA.

Challenge to decisions

49. The circumstances in which the Secretary of State's decisions may be challenged are set out in the note attached at the Annex to this letter.

Distribution

50. Copies of this letter are being sent to those who appeared at the inquiry and to all statutory objectors whose objections were referred to the inquiry under section 11(3) of the TWA but who did not appear.

Yours faithfully,

Martin Woods

CHALLENGES TO THE DECISION NOT TO MAKE THE TWA ORDER OR TO GIVE DEEMED PLANNING PERMISSION

There is no statutory right to challenge the validity of the Secretary of State's decision not to make the Leeds Trolley Vehicle System Order and not to give the associated direction as to deemed planning permission. Any person who is aggrieved by this decision may, however, seek permission of the High Court to challenge the decision by judicial review.

A person who thinks they have grounds for challenging the decision not to make the Order is advised to seek legal advice before taking action.

This page is intentionally left blank

Report of the Director of City Development

Report to Scrutiny Board – City Development

Date: 22nd March 2017

Subject: Local Flood Risk Management Strategy

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. Under the Flood & Water Management Act 2010, Leeds City Council as the Lead Local Flood Authority is required to have a Local Flood Risk Management Strategy.
2. The Strategy for Leeds was adopted by Full Council on 26th March 2014.
3. At their meeting on 21st January 2014 the Scrutiny Board (Sustainable Economy and Culture) considered the Council's draft Local Flood Risk Management Strategy and it was agreed that they would review the Strategy on an annual basis.
4. The Scrutiny Board (City Development) last reviewed the Strategy on 30th March 2016. Storm Eva was discussed as part of that review further information has come to light since then so has been included for further review.
5. This past year and a half Leeds suffered a number of flooding events the most significant being Storm Eva at the end of 2015 bringing an extreme flooding event. With 4712 properties flooded or affected by the flooding and also causing major infrastructure damage such as to Linton Road Bridge as reported in the recently published Section 19 report for the event.
6. This report examines the implementation of the Strategy over the last 12 months and provides a summary of the measures that are set out for the years ahead.

Recommendations

7. That the Board reviews the progress made with regard to the Strategy and makes comments.

1 Purpose of this report

- 1.1 Allow for the scrutiny of the Council's Flood Risk Management Strategy.

2 Background information

- 2.1 Following major floods during 2007, Government set up the Pitt Review to look into the way flood risk management agencies dealt with such a major event. This review came up with 93 recommendations, which Government accepted.
- 2.2 A number of these recommendations needed legislation to give the agencies the powers or duties necessary and hence the introduction of the Flood & Water Management Act 2010 (F&WMA). One of these duties was for all Lead Local Flood Authorities (Leeds City Council for this area) to prepare a Local Flood Risk Management Strategy (LFRMS).
- 2.3 Following Scrutiny Board (Sustainable Economy and Culture) review of the draft Strategy, on 21st January 2014, it was adopted by the Full Council on 26th March 2014.
- 2.4 The Strategy was last reviewed by Scrutiny Board (City Development) on 30th March 2016.

3 Main issues

3.1 Leeds Local Flood Risk Management Strategy

The Strategy is intended to outline the approach the Council and other agencies will take with regard to flood risk management. The Strategy contains:

- a. The Objectives for managing flood risk.
- b. The measures proposed to achieve those objectives.
- c. Timeframe for any measures.
- d. Costs and benefits of the measures and how they are to be funded.

The specific measures are contained in Appendix C of the Strategy, which is to be updated regularly to ensure it is reactive to latest priorities.

Progress against priority measures identified in Appendix C of the Strategy for 2016 is included in Appendix 1.

Other actions that have been taken and continue to be taken are

- Ongoing maintenance of watercourses and flood alleviation features
- Partnership working with other key agencies
- Close working with Flood Groups – increase awareness of flood risk
- Develop and maintain a comprehensive Register of flood risk features
- Manage flood risk generally

- Investigate flooding events – where necessary producing a Section 19 Report – most notable the recently published Storm Eva Section 19 Report
- Promote sustainable development – particularly with regard to Sustainable Drainage Systems (SuDS)
- Support Planning with determining the impact of development on flood risk and securing contributions from developers to support the delivery flood risk management measures.

3.2 South East Leeds Flooding in August 2015

In the report considered by Scrutiny Board (Sustainable Economy and Culture) last year it was noted that the South East of the District had been suffering a disproportionate impact from flooding over a number of years and that during heavy rain on 8th August 2014 in excess of 100 properties were internally flooded. Unfortunately the same area was affected again with a similar event during heavy rainfall on 22nd August 2015.

A Section 19 (of the Flood and Water Management Act 2010) Report examining the cause of the flood and its impact in August 2014 was published in 2015 and found the rainfall overwhelmed all drainage systems in the area.

Assessments of work that could potentially be done to reduce the risk of flooding continue, some schemes have been delivered and further schemes identified and have been added to the specific measures contained in Appendix C of the Strategy.

3.3 Flooding Across Leeds in Winter 2015

Storm Eva on December 25th/26th caused widespread flooding across all of Leeds with 4712 properties flooded or affected by the flooding (2826 internally flooded) from the rivers Aire, Calder and Wharfe coming out of their course and affected surface water systems. This was following storms in November and early December which also caused flooding across Leeds.

The cause and scale of the flooding is not thought to be due to the size of storm Eva, or it having the heaviest rainfall, but was from the accumulation of continual wet weather from November being the third wettest month on record and December being the wettest month on record (since 1910) in the north of England to make the ground wet and impermeable.

The full impact of the Storm Eva flooding has been quantified in the recently published Section 19 report, particularly the potential long term reputational impact and the hard felt commercial damage to Leeds. Of the 4712 properties some businesses still indicate they will not reopen or move away from Leeds, some homes are still to be reoccupied.

Following a meeting in January 2016 of the Leader of Council and the Leeds MPs with the Secretary of State for Environment, Food and Rural Affairs, a commitment was made by the then Secretary of State to fund the feasibility study and subsequent works for the next phase of the Leeds (River Aire) Flood Alleviation Scheme. Funds were announced by the Chancellor in the March 2016 budget to

support the development of this scheme totally £35m this spending review period (to 2021) with further funds being made available after this to complete the scheme. This would aim to provide Kirkstall the same level of protection as the scheme in City Centre which is currently under construction, but on track to complete in Summer 2017. Work has now started on the feasibility and modelling work for Phase 2, which is looking across the whole catchment upstream of Leeds for ways to reduce flooding impacts in the city.

Impacts across the Wharfe catchment in Leeds have also been well documented and £2m of funding to better protect properties in Otley was announced as part of the Autumn 2016 statement in November. Further clarification is being sought on how this can be utilised and a target completion date has been indicated as 2021. Work on modelling and initial feasibility studies for Otley and a number of communities along the Wharfe being led by Leeds City Council has started, supported by a catchment flood partnership including the EA and a number of other organisations.

Damage to infrastructure such as roads, structures, paths, flood alleviation assets and Canal and Rivers Trust (CRT) assets are estimated to have cost around £9m. Linton Road Bridge being the single largest asset affected in Leeds. Temporary stabilisation work was completed at the end of 2016, the main works to fully reopen the bridge to its 40T limit are due to complete in summer 2017 with the total cost likely to be £4.1m. Repairs and additional works to stabilise phase 1 of the Flood alleviation scheme in the city centre along with associated CRT assets have seen additional costs of £3.8m which was secured from the EA/ Defra recovery fund, further funds from CRT have also been added to complete the work.

Community engagement events have taken place in affected areas with councillors, officers and relevant partners. To date engagement events or flood investigation visits have taken place in all areas of the city that were affected. There was also a three day event organised by the Flood Advisory Service together with the Garforth Flood Support Group held in central Leeds.

Leeds City Council as the lead Local Flood Authority has recently published a Section 19 report into the causes and impact of Storm Eva. Further assessments and investigations are now underway to update the measures in the Local Flood Risk Management Strategy that can be taken to reduce the impacts of flooding, some measures have been identified and have been added to the specific measures contained in Appendix C of the Strategy. A copy of the Executive Board Report that accompanied the Section 19 full report¹ can be found in Appendix 3¹.

3.4 Flood across Leeds in 2016

2016 has thankfully been a comparatively quiet year in terms of flooding incidents in the city given how dry the weather has been in contrast to 2015. Having said this 492 flooding incidents were reported and investigated during 2016 which is still close to the average across the last decade (1857 in 2015). A number of these were as a result of Storm Eva hitting very late in 2015, however it also shows that the city is still very vulnerable to a wide range of flooding impacts with surface water impacts continuing to be seen across the city.

¹ Full Storm Eva Section 19 Report found at <http://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=102&MId=7527&Ver=4>

Storm Angus, the first officially named storm of 2016 didn't hit Leeds until the 21st November and although its impacts were hardly felt in the rivers across the city there were widespread impacts on properties and infrastructure. A number of properties, roads and businesses were again badly affected, in some cases this has led to repair work and also investigations that have led to improvements being made to local drainage alongside Yorkshire Water.

Once again the Garforth area was affected with largely completed flood alleviation works at Glebelands playing field close to the flooding hotspot of Ninelands lane was tested and provided valuable flood storage for the area. A number of other recently completed schemes in the area were also tested and provided valuable protection.

3.5 Proposed and recently completed Capital Works on Flood Alleviation

Appendix C – The List of Measures in the Strategy (included as Appendix 2 in this report) has been updated on the progress made and includes new priorities already identified following the flooding events in 2015 and the investigations that took place during 2016.

Also these Measures are being used to form the Medium Term Programme, for bids to the Environment Agency for Grant in Aid and Local Levy funding. The Environment Agency administer a 6-year flood risk investment programme on behalf of Defra, over the current six years to 2021 this has an estimated value of £2.9bn nationally across all sources of funding. Within Yorkshire this figure is around £568m, and across Leeds this is around £65m. Some of these schemes are led by the EA themselves, however in Leeds the city council are leading the majority of the investment as indicated in our List of Measures.

In 2015 Leeds included £1m in the Council's Capital Programme to be spent over three years in the bidding process as partnership/match funding to secure financial support and to deliver flood mitigation works that would not be eligible for other funding. This continues to prove an extremely useful way to maximise the councils ability to be flexible in how it delivers schemes and has attracted match and partnership funding that would not otherwise have been available.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 A wide consultation was carried out for the adoption of the Strategy. Further local consultation will be undertaken on individual schemes.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An EDCI screening has been completed and indicated that an Equality Impact Assessment is not required for what is being proposed.

It should be noted that by carrying out flood alleviation works the Council will be ensuring the safety of the local community and particularly those residents that have children and members of the families that have a disability, where these benefits will be greater – as currently these individuals may struggle to get to safety if flooding occurred.

4.3 Council policies and City Priorities

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

4.4 Resources and value for money

4.4.1 The implementation of the LFRMs will potentially have an impact in the Council's budgets but the Strategy will ensure that any expenditure is prioritised. Furthermore it will allow stronger cases to be built for future Grant applications

4.5 Legal Implications, Access to Information and Call In

4.5.1 The F&WM Act places a requirement on Leeds to prepare and manage the LFRMs.

4.5.2 The Act requires Scrutiny of the Council's activities in this area

4.6 Risk Management

4.6.1 The Strategy allows the Council to prioritise its work on Flood Risk, leading to reduced overall risk of flooding.

5 Conclusions

5.1 Flood Risk is a key threat to the wellbeing of the residents across Leeds and in order to ensure action is taken it is important that Council continues a proactive approach to mitigating the impact of flooding.

5.2 There has been good progress in the delivery of projects identified in the Strategy in 2014. However priorities will need to be reviewed following the evaluation of the exceptional flooding events in 2015 and subsequent Section 19 report.

5.3 The allocation of a Capital budget in 2015 is already helping in achieving the proposed aims set down in the Strategy by securing match funding for works to be delivered this year and in to the future.

6 Recommendations

6.1 That the Board reviews the progress made with regard to the Strategy and make comments.

7 Background documents²

7.1 None

² 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.

8 Appendices

8.1 Appendix 1 - Progress on LFRMS Appendix C (2016)

8.2 Appendix 2 – Updated version LFRMS Appendix C (i) Measures (2017)

8.3 Appendix 3 - Storm Eva Flood Investigation Section 19 Report, Executive Board
8th Feb 2017

This page is intentionally left blank

**APPENDIX 1
PROGRESS ON LOCAL FRM STRATEGY APPENDIX C (2015)**

ID	Priority/ Current Phase	Scheduled Phase Completion	Measure	Progress	Comment
S2	Construction Stage	2015 (2016 extra works)	Ramsden Street, Kippax, Flood Alleviation Scheme	Completed	The works were substantially completed during 2015 with additional drainage works done in 2016.
S3	Design/ Construction Stage	2017	Leeds City Flood Alleviation Scheme, River Aire Phase 1	Design completed Construction ongoing	Works in the City Centre started in Summer 2015 with programmed completion Summer 2017. The scheme is progressing very well, despite the damage inflicted by Storm Eva.
S5	Design Stage	2017	Barnsdale Road Property Level Protection Scheme, Allerton Bywater	On-hold	Design work largely complete, scheme on hold due to change in property ownership, their proposed changes to the property have yet to be finalised
S6	Design Stage	2017	Pit Lane Flood Alleviation Scheme, Mickletown	Ongoing	Flood bank currently being designed and planning submitted, protects against both surface water and river flooding, developer contribution involved
S9	Feasibility	2018	Lower Mickletown Flood Alleviation Scheme, Mickletown	Ongoing	Scheme to protect Lower Mickletown currently being reviewed using the outputs from the latest model of the Lower River Aire, the delivery of this model has been delayed
S8	Feasibility	2017	Cotton Mill Beck Culvert, Valley Road, Morley	Assessment and initial report completed	Investigation works have discovered that the culvert needs replacing, but presence of services on site mean this issue has been passed back to

					Network Rail who are working with WYCA to resolve, discussions ongoing
S13	Design	2017	Wakefield Road Flood Alleviation Scheme	Ongoing	Restricted culvert and surface water flow. Install new culvert and widen highway ditch, design being reviewed in line with the findings from the Lin Dyke study
S15	Feasibility	2017	Killingbeck Meadows Flood Alleviation Scheme, Halton/ Seacroft	Ongoing	Accelerated scheme due to combining the benefits of releasing development sites and providing green infrastructure improvements to a Local Nature reserve as well as providing flood risk reduction, this scheme has received planning permission this may become a registered reservoir
S17	Feasibility	2018	Wortley Beck Flood Alleviation Scheme - Assessment	Ongoing	This study is progressing jointly with the EA and has suffered major delays with the modelling work.
S29	Design/ Construction	2018	Queen Street Culvert	Outline design completed	Works will commence following treatment of Japanese knotweed, this is a 3 year programme due to complete in 2018
S30	Feasibility Stage	2018	Wyke Beck Catchment Assessment	Ongoing	Feasibility study work ongoing taking a catchment wide approach linking housing and commercial site developments and urban green infrastructure with flood risk
S31	Feasibility Stage	2018	Lin Dyke Catchment Assessment – Upper and Middle catchments	Ongoing	Some works identified and entered onto the schedule as individual schemes already.
S32	Construction	2017	Hawthorn Terrace Flood Alleviation Scheme	Ongoing	Main works complete with further works needed to fully

					complete the scheme
S34	Design/ Construction	2017	Glebelands Recreation Ground	Complete	Main works are complete, just snagging works to finish, scheme was tested during Storm Angus (Nov 16)
S35	Design/ Construction	2017	Westfields, Allerton Bywater	Ongoing	Final design work underway and legal access arrangements being finalised, business in for approval with the EA at present , Exec Board approval needed
S36	Design	2017	Barley Hill Recreation Ground (Phase 2)	Ongoing	Part of Lin Dyke Study area, construction planned for summer 2017
S37	Feasibility	2018	Leeds Flood Alleviation Scheme Phase 2, River Aire City Centre to Upper Catchment	Ongoing	Phase 2 of the Leeds FAS, looking at solutions across the whole catchment upstream of Leeds that will reduce flood risk to the city along the river Aire. Modelling and feasibility work is underway with a business being developed by the end of 2017, with a view to moving in to more detailed design in 2018 with construction starting late 2018
S38	Feasibility	2018	Otley Flood Alleviation Study	Ongoing	Study underway to develop solutions to protect 50 properties from flooding, funding announced in the Autumn Statement linked to wider catchment partnership work and Wharfedale Flooded communities study
S39	Feasibility	2018	Wharfedale Flooded Communities Study	Ongoing	Linked to wider catchment partnership work and Otley Flood Alleviation Study,

					initial modelling work currently being assessed
--	--	--	--	--	---

ID	Priority/ Current Phase	Scheduled phase Completion Date	Measure	PF % Score	Whole Scheme Estimated Cost	Location (if applicable)	Category	Relevant Objective from LFRMS	Progress/Comments (reference other sources of information)	Benefits/ Outcome	Costs/ Resource Implications	Lead Organisation	Support Organisation	Measure Owner	Last Updated	Costs	
SCHEMES & FEASIBILITY STUDIES																	
1	S3	Construction	2017	Leeds Flood Alleviation Scheme Phase 1, River Aire City Centre	100.0%	£50.6m	River Aire - City Centre	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Phase 1 of the Leeds FAS is underway, this covers the central section of the River Aire where it passes through the City. Initial works have been completed in Woodlesford and the main works are due to complete during Summer 2017, the scheme is progressing well	Reduce flood risk from River Aire	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Highways Design	01/03/2017	£50.6m
2	S37	Feasibility	2018	Leeds Flood Alleviation Scheme Phase 2, River Aire City Centre to Upper Catchment	7.0%	£64.5m	River Aire - City Centre to Upper Catchment	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Phase 2 of the Leeds FAS, looking at solutions across the whole catchment upstream of Leeds that will reduce flood risk to the city along the river Aire. Modelling and feasibility work is underway with a business being developed by the end of 2017, with a view to moving in to more detailed design in 2018 with construction starting late 2018	Reduce flood risk from River Aire	Staff time and capital resource	Environment Agency	Leeds City Council	LCC Flood Risk Management	01/03/2017	£64.5m
3	S5	Design - On Hold	2017	Barnsdale Road Property Level Protection Scheme	TBC	TBC	Allerton Bywater	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Surface water flooding to properties. Install property level protection measures - flood barriers and doors to reduce flood risk to residential properties on Barnsdale Road. Funding has now been made available from Local Levy. This is currently on hold due to changes in the ownership of the properties involved to allow time to link with their plans for the properties	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	
4	S32	Construction	2017	Hawthorn Terrace Flood Alleviation Scheme	TBC	£80k	West Garforth	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Outline scheme design has been completed and local levy funding secured to progress the detailed design and construction, with the main construction work now complete but further works are still to be delivered to fully complete the scheme	Reduced risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£80k
5	S33	Design/ Construction	2017	Improvements to surface water drainage outfalls	N/A	TBC	City wide	4. Asset management and maintenance	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Identify improvements to improve discharge of surface water from flooding hot spots	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	YWA	LCC Flood Risk Management	01/03/2017	
6	S31	Feasibility	2018	Lin Dyke Catchment Assessment - Upper and Middle catchments	TBC	£1.25m	Garforth & Kippax	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Continuation of work included in Section 19 Report, regarding flooding of the SE Leeds area in August 2014 and 2015, design works are continuing to be progressed as schemes are identified	Reduced risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£1.25m
7	S34	Design/ Construction	2017	Glebelands Recreation Ground	100.0%	£90k	Garforth	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Surface water storage at the head of the Lin Dyke watercourse. Planning approval granted. LCC capital funding secured, works now complete just final snagging works to complete. This scheme was tested during Storm Angus (Nov16) and performed well.	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Parks and Countryside	01/03/2017	£1.25m
8	S36	Design	2017	Barley Hill Recreation Ground (Phase 2)	TBC	£80k	West Garforth	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Provide surface water storage at a tributary to the Lin Dyke watercourse, detailed design due to start and construction planned for summer 17, final design considerations are being done alongside Lin Dyke Study	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Parks and Countryside	01/03/2017	
9	S13	Design	2017	Wakefield Road Flood Alleviation Scheme	102.0%	£190k	West Garforth	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Restricted culvert and surface water flow. Install new culvert and widen highway ditch, design being reviewed in line with the findings from the Lin Dyke study	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£190k
10	S5	Design/ Construction	2017	Westfields, Allerton Bywater	205.0%	£495k	Allerton Bywater	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Existing culvert hasn't sufficient capacity for storm events, detailed design and business case nearly complete, Exec Board approval needed, construction planned for summer 2017	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£495k
11	S30	Feasibility	2018	Wyke Beck Catchment Assessment	n/a	£50k (study)	Communities along Wyke Beck	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Continuation of work carried out by both LCC & EA within the Durhills, this has now progressed in to a catchment wide approach bringing together the EA and many departments across LCC, resulting in an initial stage bid to the LEP for ESIF funding to complete various schemes including Killingbeck meadows.	Reduced risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£50k (study)
12	S15	Feasibility	2017	Killingbeck Meadows Flood Alleviation Scheme	TBC	£1.6m	Halton Moor	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Flooding to residential and commercial areas from Wyke Beck. Accelerated scheme due to combining the benefits of releasing development sites (11 housing sites and land within the Enterprise Zone and providing green infrastructure improvements to a Local Nature reserve as well as providing flood risk reduction, this scheme has received planning permission this may become a registered flood storage area under the Reservoirs Act.	The risk of flooding will be managed	Staff time and capital resource	Environment Agency	Leeds City Council	Environment Agency	04/08/2015	
13	S6	Design	2017	Mickletown (Pit Lane) Flood Embankment	153.0%	£400k	Mickletown	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Assessment of a proposed setback bank is being Carried out, funding from FCRM GIA and Developer Contribution. Being taken forward separately from larger scheme - Lower Mickletown Road Flood Embankment.	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£400k
14	S9	Feasibility	2017	Lower Mickletown Road Flood Embankment	138.0%	£1.1m	Mickletown	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Construction of larger flood embankment along Lower Mickletown Road to protect properties from flooding. Being taken forward separately from Mickletown (Pit Lane) Flood Embankment as is substantially larger scheme. New model information only recently developed scheme proposal to be assessed in line with that	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£1.1m
15	S29	Design/ construction	2018	Queen Street Culvert	N/A	TBC	Allerton Bywater	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Outline design completed. Japanese knotweed treatment taking place this is a 3 year programme due to complete in 2018	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	
16	S17	Feasibility	2018	Wortley Beck Flood Alleviation Scheme	111.0%	£1.1m	Wortley Beck	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Flooding to residential area and outer ring road. Work in partnership with the EA to develop a detailed flood alleviation scheme that integrates with all sources of flooding. This measure is listed in the Aire Catchment Flood Risk Management Plan.	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	Environment Agency	20/08/2013	£1.1m
17	S38	Feasibility	2018	Otley Flood Alleviation Study	n/a	£90k	Otley	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Study underway to identify solutions to protect 50 properties from flooding, funding announced in the Autumn Statement linked to wider catchment partnership work and Wharfedale Flooded communities study	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£90k
18	S39	Feasibility	2018	Wharfedale Flooded Communities Study	n/a	£90k	Collingham, Linton, Wetherby, Thorp Arch	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Linked to wider catchment partnership work and Otley Flood Alleviation Study, initial modelling work currently being assessed	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£90k
19	S8	Feasibility	2017	Cotton Mill Beck Culvert, Valley Road	139.0%	£525k	Morley	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Culverted watercourse surcharges causing flooding to Morley Rail Station and the Transpennine railway - scheme being scoped. Investigation works have discovered that the culvert needs replacing, but presence of services on site mean this issue has been passed back to Network Rail who are working with WYCA to resolve, discussions ongoing	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£525k
20	S10	MEDIUM	2018	Thorner Beck Flood Alleviation Scheme	101.0%	£150k	Thorner	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Restricted capacity of existing culverts causing overland flooding. Improve Culvert capacity. Local levy funding secured	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£150k
21	S11	MEDIUM	2018	Victoria Road Surface Water Flood Alleviation Scheme	100.0%	£250k	Guseley	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Surface water flooding to properties. Install attenuation and pumping station to remove flood water to adjacent culverted watercourse.	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£250k
22	S12	MEDIUM	2018	Potternewton Surface Water Flood Alleviation Scheme	152.8%	£250k	Potternewton	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Surface water flooding. Install attenuation and pumping station to remove flood water to adjacent culverted watercourse. Local levy funding secured	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	01/03/2017	£250k
23	S16	MEDIUM	2019	Farnley Wood Beck Flood Alleviation Scheme	104.0%	£500k	Cottingley	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Flood risk to residential areas, long term issue - scheme being scoped, developer contribution secured	Reduce flood risk from Farnley Wood Beck	Staff time and capital resource	Environment Agency	Leeds City Council	Environment Agency	20/08/2013	£500k
24	S14	LOW	2019	Carry out flood warning feasibility studies for Wortley Beck and Meanwood Beck and implement findings.	n/a	£10k	Wortley Beck and Meanwood Beck	1. Flood awareness, response and recovery	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	This measure is listed in the Aire Catchment Flood Risk Management Plan	Establish the potential for advanced warning of flooding. Develop more accurate flood warnings for tributaries of the River Aire which will result in reduction of economic damages and improve community safety.	EA staff time and capital resource	Environment Agency	Leeds City Council	Environment Agency	20/08/2013	£10k
25	S18	LOW	2020	Sheepsca: evaluate the condition of formal and informal flood defences along the Sheepsca Beck which were recently breached to identify potential remedial works required.	TBC		Sheepsca	4. Asset management and maintenance	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Evaluate flood defence improvement works required.	Helps ensure that problems or new works are identified to prevent recurrence of flooding.	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	20/08/2013	
26	S19	LOW	2020	Develop and implement feasibility studies for fluvial flood alleviation schemes to improve the standard of protection along Meanwood Beck, Bagley Beck and Farnley Wood Beck - integrating with all sources of flooding.	TBC		Meanwood Beck, Bagley Beck & Farnley Wood Beck	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	This measure is listed in the Aire Catchment Flood Risk Management Plan for the Leeds Policy Unit - to be progressed by 2030.	Helps ensure that areas with proven flood risk are provided with an appropriate flood defence scheme at the earliest possible opportunity and that the Council supports the EA in developing any flood alleviation scheme in the longer-term.	Staff time and capital resource	Environment Agency	Leeds City Council & Yorkshire Water Services	Environment Agency	20/08/2013	
27	S21	Ongoing	-	LCC Significant Maintenance	-		Across the District	4. Asset management and maintenance	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Continuation of regular maintenance of Watercourses and Hot-Spots	Reduced risk of flooding	Staff time and revenue resource	Leeds City Council	Yorkshire Water Services & Environment Agency	LCC Flood Risk Management	27/01/2015	
COMPLETED SCHEMES AND FEASIBILITY STUDIES - SINCE 2011																	
1	S2	Completed	2015	Ramsden Street, Kippax, Flood Alleviation Scheme - (Local Levy & FDGIA)		£305k	Kippax	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Completed	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	04/08/2015	£305k
2	S1	Completed	2014	Lowther Road, Garforth - Culvert Improvements		£220k	Garforth	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Completed	Improve flood resistance and resilience of properties	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	27/01/2015	£220k
3	S4	Completed	2014	Wellhouse Drive Flood Alleviation Scheme			Gledhow	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Completed	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	27/01/2015	
4	S7	Completed	2014	Culvert Headwall Repair Scheme - (Local Levy)			Otley	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Completed	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	27/01/2015	
5	S28	Completed	2013	Oakdene, Watercourse Improvements			Swillington	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Completed	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	05/07/2013	
6	S27	Completed	2012	Barley Hill Recreation Ground - (Local Levy)			West Garforth	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Completed	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Parks and Countryside	05/07/2013	

7	S22	Completed	2011	Flood Alleviation Scheme - Leeds Road (Allerton Bywater) pumping station (local levy)			Allerton Bywater	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Completed	Reduce risk of flooding	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	04/07/2012	
8	S23	Completed	2011	Newton Road property protection and resilience scheme			Newton Road, Potternewton	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Installed	Improve flood resistance and resilience of properties	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	04/07/2012	
9	S24	Completed	2011	Lower Wortley - property protection and resilience scheme			Lower Wortley	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Installed	Improve flood resistance and resilience of properties	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	04/07/2012	
10	S25	Completed	2011	Church Lane, Bardsey - property protection and resilience scheme			Bardsey	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Installed	Improve flood resistance and resilience of properties	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	04/07/2012	
11	S26	Completed	2011	Dean Park Drive, Drighlington - property protection and resilience scheme			Drighlington	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	Scheme Installed	Improve flood resistance and resilience of properties	Staff time and capital resource	Leeds City Council	Environment Agency	LCC Flood Risk Management	04/07/2012	
12	S20	Superseded	2020	Investigate the interaction between the Leeds and Liverpool Canal and the River Aire.	TBC	£10k	River Aire and Liverpool Canal	3. Studies, schemes, assessments and plans	6. Improve understanding of local flood risk and seek to decrease local flood risk through implementation of affordable, high quality measures to alleviate flooding where practicable.	This study should identify the potential for managing this interaction to ensure that flood risk is managed effectively. This measure is listed in the Aire Aire Catchment Flood Risk Management Plan for the Leeds Policy Unit - to be progressed by 2030. - this has now been included in the scope of Phase 2 of the Leeds Flood Alleviation Scheme	Investigate this relationship to improve knowledge of the risk of flooding posed by the Leeds & Liverpool canal	EA staff time and capital resource	Environment Agency	Canal & River Trust	Environment Agency	01/03/2017	£10k

Report of Director of City Development

Report to Executive Board

Date: 8th February 2017

Subject: Storm Eva Flood Investigation Section 19 Report

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" 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 checked="" type="checkbox"/> No

Summary of main issues

1. On 26 to 27 December 2015 Storm Eva caused unprecedented flooding, having a significant impact on residents, communities, business and infrastructure across the district.
2. Under the Flood & Water Management Act 2010, Section 19 there is a requirement for Lead Local Flood Authorities to carry out investigations on the flooding and publish the results.
3. The council's Flood Risk Management section were out in attendance during the flood event and have since carried out investigations into the flooding incident and have produced the Storm Eva Flood Investigation Section 19 Report looking at the areas affected, the main causes and the responsible Risk Management Authorities concerned.

Recommendations

4. Executive Board is recommended to:
 - i) approve the Storm Eva Flood Investigation Section 19 Report;
 - ii) agree a copy of the approved Section 19 report is sent to the Secretary of State for DEFRA, drawing particular attention to the recommendations; and

- iii) note the Chief Officer Highways and Transportation will be responsible for actioning recommendation (ii) above.

1 Purpose of this report

- 1.1 The purpose of this report is to provide information with regard to the flooding that occurred during Storm Eva in December 2015 and give approval for the Storm Eva Flood Investigation Section 19 Report to be published.

2 Background information

- 2.1 On 26 to 27 December 2015 Storm Eva caused unprecedented flooding across the whole district of Leeds, having a significant impact on residents, communities, business and on infrastructure.
- 2.2 Members are asked to note the content of the report but in addition also be aware that in taking into account the numbers of properties impacted during Storm Eva it was important to properly collate and report numbers based on the criteria set out in two separate pieces of guidance. One set out by DCLG with reference to helping people and businesses recover and the other set-out by DEFRA under Section 19 of the Flood and Water Management Act designed to capture the nature and extent of a flood event. This report has been compiled based on the DEFRA guidance, as this is the principal guidance for the collation of S19 reports.
- 2.3 This has resulted in the total number of properties reported to central Government under the terms of the DCLG EVA scheme as flooded and flood affected (including severely) in Leeds to be 3368, with these figures being finalised as of June 2016. However, within this report (following the DEFRA guidance) once finalised in late September 2016, the figure for all flooding (internal and external) incidents reported across the metropolitan district of Leeds stands at 4712.
- 2.4 The event led to widespread disruption and flooding of major transport links and affected critical infrastructure including:
- Closure of the A65 Kirkstall Road a major route into the city centre;
 - Structural damage and closure of Linton Bridge linking Collingham to Linton and Wetherby;
 - Closure of Network Rail, Airedale Line at Kirkstall;
 - Northern Power Grid electricity sub-stations at Kirkstall with the electricity supply to 27,000 properties being temporarily disrupted from 20:11 hours on the evening of 26 December 2015;
 - Information Technology, communications and data centres.
- 2.5 During the immediate aftermath many communities with volunteers from across the country supported those affected and helped in the recovery process.

2.6 The Council by working together with these local communities, volunteers, and partners, responded to a range of recovery actions in affected areas using a citywide Strategic Recovery Plan. Most actions from the strategic recovery plan, which has been reported to Executive Board previously, are now completed and the focus will now be on the development of long term infrastructure projects.

3 Main issues

3.1 Flood & Water Management Act 2010 Section 19 Report

3.1.1 The Flood & Water Management Act 2010, under Section 19, requires the Lead Local Flood Authorities:

(1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:

- (a) which risk management authorities have relevant flood risk management functions, and
- (b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

(2) Where an authority carries out an investigation under subsection (1) it must:

- (a) publish the results of its investigation, and
- (b) notify any relevant risk management authorities.

3.1.2 The scope of the report include:

- Background information on the location
- A summary of the event
- Consideration of the likely causes
- An indication of the roles and responsibilities of each risk management authority and action taken or proposed
- Recommendations arising from the investigation

3.1.3 The Section 19 report at Appendix 1 focuses on the flooding that occurred in the Leeds district on the 25 to 29 of December from the Rivers Aire, Calder and the Wharfe using a range of data collected from affected residents, site visits, surveys of the area, and data collected by other stakeholders and river and rainfall telemetry during the flood event. It identifies the flow routes and the causes of the flooding where sometimes informal flood defences and even formalised flood defences on occasion were overtopped or bypassed.

3.1.4 In preparing the Section 19 report, members of the Council Review Team have examined evidence from thousands of reported incidents. The team has also attended a number of community meetings and visited many parts of the district

affected by the flooding, spoke to people involved and witnessed damage to homes and businesses to further inform the report's findings.

3.2 Section 19 Report Findings

- 3.2.1 Prior to the 26 to 29 December 2015 flood event, the River Aire, Calder and Wharfe catchments had already experienced a number of heavy and prolonged periods of rainfall throughout November and December 2015 leading to saturated catchments and periodic flooding.
- 3.2.2 Further heavy rainfall over the Christmas period falling on this already saturated ground led to almost instant run off, and therefore rapid river rise with many river level stations reaching their highest levels ever recorded.
- 3.2.3 The flow in the River Aire in Armley on the 27 December 2015 was the highest ever recorded, resulting in flood levels in some locations that were approximately 1.2m higher than that recorded during the Great Leeds Flood of 1886 as set on a plaque at Armley Mills.
- 3.2.4 Storm Eva resulted in a fluvial event that has been estimated to be in excess of a 0.5% (1 in 200) Annual Exceedance Probability (AEP) event.
- 3.2.5 This phenomenon resulted in widespread fluvial flooding from Main Rivers which overtopped due to channel capacity being exceeded. The flooding was exacerbated in all cases by high river levels surcharging conventional surface water drainage systems, preventing free discharge from the surface water network and consequently backing up through road gullies, manhole chambers, private drainage systems and such like.
- 3.2.6 The Flood Risk Managing Authority responsible for Main Rivers is the Environment Agency.
- 3.2.7 The Environment Agency working in partnership with the Met Office issued by the evening of 26 December 2015 a total of nine Severe Flood Warnings. The effect of a saturated catchment from previous storms and how it would impact on the severity and the speed of the flooding may not have been fully appreciated.
- 3.2.8 The Environment Agency had their emergency control room manned during and after the event and put measures in place to support immediate and long term recovery.
- 3.2.9 It is recognised that any solutions to mitigate flooding in the future has to be looked at catchment wide with measures that could vary from higher barriers to upstream water management. Leeds is working in partnership with the Environment Agency and other stakeholders to identify and support mitigation work across the Aire and Wharfe catchment areas.

3.3 River Aire Upper Catchment

- 3.3.1 The River Aire upper catchment covers the area upstream from Woodlesford to its source which includes the City Centre to Kirkstall.

- 3.3.2 The previous estimates by the Environment Agency were that over 4,500 residential and commercial properties were at risk, with approximately £400m of direct damage, if there were to be a major flood from the River Aire in Leeds. There were relevant reports to Executive Board between 2009 and 2014 on this matter with the Leeds (River Aire) Flood Alleviation Scheme report dated 10 February 2012 informing Members that the proposed £188m flood defence scheme, providing a 1 in 200 year standard of flood protection, would not be funded in the near future. The £188m scheme had previously been subject to significant preparatory work and had been included in the Environment Agency's work programme, subject to further discussions on funding.
- 3.3.3 In light of that, a phased approach had to be adopted and a report to Executive Board on 4 September 2013 proposed implementation of Phase 1 of the Leeds (River Aire) Flood Alleviation Scheme which had the aim of defending the City Centre against a 1 in 75 year flood event. The £45m scheme has since commenced development with advance mitigation works in Woodlesford having been completed and the main scheme in the city centre projected to complete in 2017.
- 3.3.4 Following a meeting of the Leader of Council and the Leeds MPs with the Secretary of State for Environment, Food and Rural Affairs, a commitment was received from the Secretary of State to fund the feasibility study for the next phase of the Leeds (River Aire) Flood Alleviation Scheme which aims to provide Kirkstall with the same level of protection as the Phase 1 scheme being constructed for the City Centre.
- 3.3.5 On 20 April 2016 Executive Board agreed that the Council would work with the Environment Agency and other partners and spend £3m to develop proposals in efforts to secure funding for an upstream flood alleviation scheme and programme of flood defence measures.
- 3.3.6 A contract was procured and awarded in September 2016 appointing BMM Joint Venture Ltd to undertake Feasibility and Preliminary Design.
- 3.3.7 The scope of the works includes looking at the whole catchment to look for schemes that could be delivered quickly, identify upstream storage options and to consider innovative solutions. The modelling work and option appraisals will take time and outline proposals is planned to be available in 12 months' time.
- 3.4 River Aire Lower Catchment and the River Calder**
- 3.4.1 The Environment Agency has commissioned a consultant to produce a model of the Lower Aire Catchment; that is the area downstream from St Aidan's including the confluence of the River Calder.
- 3.4.2 This model will identify the area at risk of flooding since the St Aidan's was commissioned. St Aidan's is a large area of former opencast and coal mining land area between Swillington and Methley located adjacent to the River Aire that provides storage during extreme river flows.
- 3.4.3 The new model will enable Leeds and the Environment Agency to identify the areas at most risk and which measures could potentially mitigate these risks.

3.4.4 Leeds have identified and are in the process of delivering a scheme in 2017 adjacent to Pit Lane in the Methely/Mickletown area which will increase the resilience from flooding for the majority of the properties that experienced internal flooding during Storm Eva.

3.5 **River Wharfe Catchment**

3.5.1 With Environment Agency support a Wharfe catchment partnership team has been established with representatives from Leeds City Council, City of Bradford Metropolitan District Council, North Yorkshire County Council, the Environment Agency, Yorkshire Water and the Yorkshire Dales Rivers Trust, the intention being the team will work collaboratively to look at whole catchment solutions.

3.5.2 The first phase of work to review the current documentation and data associated with the River Wharfe catchment and to recommend the scope for the subsequent stages is nearly complete.

3.5.3 A number of communities were affected along the River Wharfe throughout the Leeds district, meaning the next steps need to include securing funding to take forward the solutions identified from the above work.

3.5.4 The extreme river flows experienced in December 2015 caused the undermining of the support structures to Linton Bridge, which is a listed structure connecting the communities of Linton, Collingham and Wetherby. This resulted in 200mm of settlement closing the bridge to all traffic and pedestrians. Temporary stabilisation works are being undertaken and will be completed by Christmas, with the permanent repair and strengthening works following immediately in January 2017. These repairs will enable the bridge to be re-opened to its original 40T rating in the summer of 2017. The repair method has been developed with the support of Historic England which will retain the bridge's visual appearance. It is anticipated that the total cost associated with stabilising and repairing Linton Bridge will be approximately £4.1m.

3.6 **Watercourses and Surface Water Flooding**

3.6.1 Although Storm Eva caused fluvial flooding from Main Rivers it must be noted that other communities across the district were also affected by flooding during 2015 and the 2015/2016 winter by pluvial (surface water) flooding from either intense rainfall or ground that was saturated with very high water tables.

3.6.2 The council has supported a number of flood mitigation schemes over recent years, such as the recently completed Glebelands Storm Water Attenuation Scheme at Garforth and given approval to deliver the Killingbeck Meadows Natural Flood Management Scheme that not only benefits the local community by mitigating the risk of flooding, they also attenuate and delay the flow from the catchment to the main rivers.

3.7 **Summary**

3.7.1 Flooding is a natural process and according to the National Assessment of Flood Risk around one in six properties are at risk of flooding nationally. More than 5

million people live and work in 2.4 million properties that are at risk of flooding from rivers or the sea, one million of which are also at risk of surface water flooding. A further 2.8 million properties are susceptible to surface water flooding alone.

- 3.7.2 Whilst it will never be possible to fully prevent all flooding happening, tackling flooding is therefore more than just defending against floods. It means understanding the complex causes of flooding and taking co-ordinated action on every front in partnership with other agencies and stakeholders to reduce flood risk by optimising the benefit from every pound spent on flood risk management, given the premise that there will never be enough national funding to address every need.
- 3.7.3 The legal position regarding flooding is that it is not the Council's or the Environment Agency's responsibility or duty to protect private and commercial property against the risk of flooding. Notwithstanding this, the Council and the Environment Agency both recognise the fundamental importance of safeguarding the wider community, and, in doing so, the economic, social and healthy wellbeing of the people of Leeds.
- 3.7.4 It is therefore important that Leeds work closely with the Environment Agency and other stakeholders including community groups to identify and deliver measures that would mitigate the risk and impact of flooding.
- 3.7.5 The Government has recently published two reports; 'National Flood Resilience Review' and 'Future Flood Prevention'. The content and recommendations of these reports will need to be considered and reviewed with any actions we or other stakeholders bring forward to mitigate the risks from flooding.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Community engagement events have taken place across the district and liaison with community groups and flood groups will continue to take place.
- 4.1.2 Flood Risk Management officers have visited or engaged with a number of businesses and infrastructure stakeholders to gain information on how they were impacted by the flooding.
- 4.1.3 Specific proposals to further mitigate the risk of flooding and its impacts upon residents, businesses and communities have been and will continue to be discussed, subject to specific consultation and engagement arrangements.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The Equality and Diversity, Cohesion and Integration screening document has been completed to ensure due regard to equality issues and is attached for reference at Appendix 2. This has indicated that there would be no specific implications for equality groups.

4.2.2 It should be noted that by carrying out the flood management works the Council will be ensuring the safety of the local community and in particular more vulnerable residents such as those who are elderly or have a disability and may struggle to get to safety if flooding occurred.

4.3 **Council policies and Best Council Plan**

4.3.1 Under the council's renewed Best Council/Best City ambition Leeds aspires to be a compassionate city with a strong economy, supported by an efficient and enterprising local authority that works effectively with partners and communities. The response to December's flooding in Leeds was a testament to this compassion and joined-up working while the commercial effects highlight the importance of managing the risk of flooding for individual businesses affected (owners and employees) and the wider economy of Leeds.

4.4 **Resources and value for money**

4.4.1 The risk of flooding cannot be eliminated but measures can be taken to mitigate the impact and frequency of flooding but it is unlikely that there will be sufficient funding available to implement all measures. This Flood Investigation report will potentially enable stronger cases to be built for future funding by stressing the need for secured investment in flood alleviation schemes to help prevent a repeat of the devastation experienced in December 2015.

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

4.5.1 There are no specific legal implications arising from this report.

4.5.2 Under Section 19 of the Flood & Water Management Act 2010 there is a statutory requirement on the Council as the Lead Local Flood Authority to produce a report investigating the reasons for major flood events, and identified measures that could be taken by the appropriate Flood Risk Authority in order to mitigate such events in the future.

4.6 **Risk Management**

4.6.1 The council recognises that major flooding occurring in Leeds has a significant impact on homes, business, land and infrastructure and has identified this as a very high corporate risk. The Council as a Lead Local Flood Authority manages these risks through the Leeds Local Flood Risk Management Strategy that was adopted by Full Council on 26th March 2014 and reviewed at Scrutiny Board annually.

5 **Conclusions**

5.1 The Storm Eva Flood Investigation Section 19 Report (Appendix 1) has been produced following consultations with residents, businesses, infrastructure stakeholders and other flood agencies and gives a comprehensive view on the information that could be gathered. The results of these findings should be published in accordance with the Flood & Water Management Act 2010.

6 Recommendations

6.1 Executive Board is recommended to:

- i) approve the Storm Eva Flood Investigation Section 19 Report;
- ii) agree to a copy of the approved Section 19 report is sent to the Secretary of State for DEFRA, drawing particular attention to the recommendations; and
- iii) note the Chief Officer Highways and Transportation will be responsible for actioning recommendation ii) above.

7 Background Documents¹

7.1 None.

8 Appendices

8.1 Appendix 1: Storm Eva Flood Investigation Section 19 Report

8.2 Appendix 2: Equality and Diversity, Cohesion and Integration screening document

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

This page is intentionally left blank

Report of the Head of Governance Services and Scrutiny Support

Report to Scrutiny Board (City Development)

Date: 22 March 2017

Subject: Work Schedule

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

1 Purpose of this report

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

2 Main Issues

2.1 A draft work schedule is attached as appendix 1. The work programme has been provisionally completed pending on going discussions with the Board.

2.2 When considering the draft work programme effort should be undertaken to:

- Avoid duplication by having a full appreciation of any existing forums already having oversight of, or monitoring a particular issue
- Ensure any Scrutiny undertaken has clarity and focus of purpose and will add value and can be delivered within an agreed time frame.
- Avoid pure "information items" except where that information is being received as part of a policy/scrutiny review
- Seek advice about available resources and relevant timings taking into consideration the workload across the Scrutiny Boards and the type of Scrutiny taking place
- Build in sufficient flexibility to enable the consideration of urgent matters that may arise during the year

2.3 Also attached as appendix 2 is the minutes of Executive Board for 8 February 2017.

3. Recommendations

3.1 Members are asked to:

- a) Consider the draft work schedule and make amendments as appropriate.
- b) Note the Executive Board minutes

4. **Background papers**¹ - None used

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

Draft Scrutiny Board (City Development) Work Schedule for 2016/2017 Municipal Year

Schedule of meetings/visits during 2016/17			
Area of review	June	July	August
Inquiries		Formal Response – Powering Up The Leeds Economy Through Digital Inclusion Formal Response – Housing Mix Transport for Leeds - Scoping	
Annual work programme setting - Board initiated pieces of Scrutiny work (if applicable)	Consider potential areas of review		
Budget			
Pre Decision Scrutiny			
Policy Review			
Recommendation Tracking			
Performance Monitoring	Performance Report		
Working Groups			

Page 51

*Prepared by S Pentelow

Key: SB – Scrutiny Board (City Development) Meeting

WG – Working Group Meeting

Draft Scrutiny Board (City Development) Work Schedule for 2016/2017 Municipal Year

Schedule of meetings/visits during 2016/17

Area of review	September	October	November
Inquiries	<p>Agree scope of review for ** Transport for Leeds - Supertram, NGT and beyond</p> <p>Evidence Gathering 1) Transport for Leeds - Supertram, NGT and beyond</p>	<p>Evidence Gathering Bus Provision Inquiry - Inquiry Final Session</p>	<p>Evidence Gathering 2) Transport for Leeds - Supertram, NGT and beyond</p>
Pre Decision Scrutiny			
Policy Review			
Recommendation Tracking			
Performance Monitoring		KSI/ Road Safety - review	
Working Groups			

Page 52

* Prepared by S Pentelow

Draft Scrutiny Board (City Development) Work Schedule for 2016/2017 Municipal Year

Schedule of meetings/visits during 2016/17			
Area of review	December	January	February
Inquiries		<u>Evidence Gathering</u> Transport for Leeds - Supertram, NGT and beyond	<u>Evidence Gathering</u> Transport for Leeds - Supertram, NGT and beyond
Budget and Policy Framework	Initial Budget Proposals 2017/18 and Budget Update Site Allocation Plan		
Pre Decision Scrutiny			
Policy Review			
Recommendation Tracking			Digital Inclusion
Performance Monitoring	Performance Report		
Working Groups		Resources Scrutiny – Draft Best Council Plan – BPF	

Key: SB – Scrutiny Board (City Development) Meeting

WG – Working Group Meeting

Draft Scrutiny Board (City Development) Work Schedule for 2016/2017 Municipal Year

Area of review	Schedule of meetings/visits during 2016/17		
	March	April	May
Inquiries	<u>Evidence Gathering / Reports</u> Transport for Leeds - Supertram, NGT and beyond – Programmed Final Session	<u>Reports</u> Pre-meeting discussion on recommendations (if concluded March)	
Budget and Policy Framework	Local Flood Risk Management Strategy Annual scrutiny review		
Pre Decision Scrutiny			
Recommendation Tracking		Housing Mix	
Performance Monitoring		Employment data and update – ref Dec16 meeting.	
Working Groups			

Unscheduled -

- ECOC and the new city cultural strategy –. Pre-decision Scrutiny required in 2016 new municipal year before submission
- Leeds Let's Get Active
- Housing on Brownfield Land – 5 year land supply - TBC
- East Leeds Extension and Orbital Road Progress - TBC

Updated – March 2017 *Prepared by S Pentelow

Key: SB – Scrutiny Board (City Development) Meeting

WG – Working Group Meeting

EXECUTIVE BOARD

WEDNESDAY, 8TH FEBRUARY, 2017

PRESENT: Councillor J Lewis in the Chair

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

APOLOGIES: Councillor J Blake

131 Chair of the Meeting

In accordance with Executive and Decision Making Procedure Rule 3.1.5, in the absence of Councillor Blake who had submitted her apologies for absence from the meeting, Councillor J Lewis, as Deputy Leader, presided as Chair of the Board for the duration of the meeting.

132 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, 'Long Term Leases for Third Sector Affordable Housing Associations', referred to in Minute No. 144 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 it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). As this report relates to the granting of leases to 3rd sector affordable housing providers it is considered that the public interest in maintaining the content of Appendix 1 as exempt from publication outweighs the public interest in disclosing the information;
- (b) Appendix 1 to the report entitled, 'Design and Cost Report for the Acquisition of Unit 5, Landmark Court for Council Accommodation', referred to in Minute No. 146 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 it relates to the financial or business affairs of a particular of a 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

Draft minutes to be approved at the meeting
to be held on Wednesday, 22nd March, 2017

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 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 the 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;

- (c) Appendix 2 to the report entitled, 'Relocation of the Medical Needs Teaching Service from the Grafton Centre' referred to in Minute No.151 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 it relates to the financial or business affairs of the Council. It is considered that the release of such information would, or would be likely to prejudice the Council's commercial interests in relation to the potential future disposal of the site in question by prospective purchasers having access to information about the nature and level of consideration which may 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 any disposal transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

133 Late Items

No formal late items of business were added to the agenda, however, prior to the meeting, Members were in receipt of supplementary information to agenda item 17 (Leeds Site Allocations Plan Submission Draft Stage (Including Advertisement of Pre-Submission Changes to the Plan)) which sought the Board's approval to recommend that full Council agrees to provide the necessary authority to the independent inspector appointed to hold Public Examination in order to enable the Inspector to make modifications to the Submission Draft of the Aire Valley Leeds Area Action Plan.

In addition, regarding the same agenda item, prior to the meeting Members were also in receipt of an updated version of a plan concerning Site Reference: MX2-39 (5372) – Parlington Estate, Aberford (Phase 1) which formed part of appendix 2 to the submitted report. (Minute No. 148 refers).

In addition to this, Members were also in receipt of an addendum to agenda item 24 (Update on the Green Care Home), which updated paragraph 3.2 of the submitted report and provided Members with the latest position on this matter. (Minute No. 136 refers).

134 Declaration of Disclosable Pecuniary Interests

There were no declarations of interest made at the meeting.

135 Minutes

RESOLVED – That the minutes of the previous meeting held on 14th December 2016 be approved as a correct record.

HEALTH, WELLBEING AND ADULTS

136 Update on The Green care home

Further to Minute No. 99 of the Executive Board meeting held on 16th November 2016, and also further to Minute No. 68(b) of the Council meeting held on 11th January 2017, the Director of Adult Social Services submitted a report which provided an update regarding The Green residential care home, following a previous decision about its future as part of the Better Lives Phase Three review of services.

In receiving the submitted report, Board Members were also in receipt of an update on the current position in the form of an addendum to paragraph 3.2 of the submitted report. The update presented to Members notified the Board that further to the written commitment in principle, the Council had now received written confirmation that all three CCGs had committed to supporting up to 37 beds for intermediate / recovery services. It was intended that the 37 beds would be provided at The Green.

In presenting the report, the Executive Member paid tribute to all concerned for the extensive work which had been undertaken on this issue to date. In addition, emphasis was placed upon the high levels of demand for intermediate care in the city and how this proposal looked to maximise the use of resource in order to help to address such demands. Furthermore, it was noted that a transition plan for The Green would be submitted to the Board in due course, with it also being reiterated that individual residents of The Green, and their families, would be supported throughout any transition process.

In receiving and responding to concerns raised regarding the process by which the Council had reached the current position, the Board received reassurances: specifically noting that in terms of funding for the 37 bed provision, this had been secured as part of the wider NHS development of intermediate care beds and the Council and CCG intended to draw up a funding agreement for the service as part of the Better Care Fund arrangements. In addition, reassurance was also provided on next steps, the process by which any transition would be progressed and received further information on the associated timescales.

RESOLVED – That the contents of the submitted report, including the updated information provided to Board Members in the form of an addendum to paragraph 3.2 of the submitted report, be noted.

(Given that the substantive decisions taken on such matters were the subject of a previous Call In, the matters referred to within this minute were not eligible for Call In)

ECONOMY AND CULTURE

- 137 Leeds European Capital of Culture 2023 and Leeds Cultural Strategy**
Further to Minute No. 178, 18th March 2015, the Director of City Development submitted a report providing an update on the timescale of Leeds' bid to become European Capital of Culture 2023, and also providing details on the development of the new Culture Strategy for Leeds 2017-2030.

In addition, the Board also received a presentation from the Chief Officer and the Principal Officer (Culture and Sport) which accompanied the submitted report. In receiving the presentation, it was noted that a formal consultation exercise in respect of the proposed Culture Strategy was to be undertaken, following which the Strategy was scheduled to be submitted to the Board in June 2017 for consideration.

Responding to the presentation, the engagement process undertaken to date was welcomed, with Members highlighting the importance of continuing to liaise with children and young people and those groups representing them as part of the process to develop the strategy and the bid.

RESOLVED – That the contents of the submitted report, together with the accompanying presentation, be noted.

- 138 Revenue Budget Proposals and Capital Programme**
Further to Minute No.130, 14th December 2016, the Deputy Chief Executive submitted a report regarding the proposals for the City Council's Revenue Budget for 2017/2018 and the Leeds element of the Council Tax to be levied in 2017/2018.

The Board noted that the final Local Government Finance Settlement was still to be received from Government, and as such, the submitted reports were based upon the provisional Settlement, with Members discussing the implications of such matters when considering the overall budget setting process.

Members also highlighted the high level of demand which existed in respect of adult social care provision, and the limited resources available to meet such demands.

(A) Leeds City Council Revenue Budget and Council Tax 2017/2018

RESOLVED –

- (a) That Executive Board recommends to Council the adoption of the following:
- i. That the revenue budget for 2017/18 totalling £492.67m be approved.
This means that the Leeds element of the Council Tax for 2017/18 will

Draft minutes to be approved at the meeting to be held on Wednesday, 22nd March, 2017

increase by 1.99% plus the adult social care precept of 3%. This excludes the Police and Fire precepts which will be incorporated into the report to be submitted to Council on the 22nd February 2017;

- ii. That approval be given for grants totalling £75k to be allocated to parishes;
 - iii. That approval be given to the strategy at appendix 9 of the submitted report in respect of the flexible use of capital receipts;
 - iv. That, in respect of the Housing Revenue Account, Council be recommended to approve the budget with:
 - A reduction of 1% in dwelling rents in non-Private Finance Initiative areas.
 - An increase of 2% in dwelling rents in PFI areas.
 - A 5% increase in garage rents.
 - A 2% increase in district heating charges.
 - That service charges for multi-storey flats be increased by £2 per week.
 - That service charges for low/medium rise properties be increased by £1 per week.
 - That the charge for tenants who benefit from the sheltered support service currently paying £2 a week be increased to £4 per week.
- (b) That officers be authorised to begin consultations without delay on the proposals to introduce new fees and charges and increases to existing fees and charges;
- (c) That the Executive Board's thanks be extended to Scrutiny Boards for their comments, and in considering the specific recommendations made:
- i) The Board agrees that, during 2017/18, there should be further review of fees and charges, including revisiting the previous report and recommendations from Scrutiny Board (Strategy and Resources) in order to help ensure that the Council maximises its income streams;
 - ii) The Board agrees that, as part of the development of the 'Leeds £' approach, there should be a review of joint funding arrangements in order to help ensure a consistent and strategic approach that is fair and equitable to all partners involved;
 - iii) The Board agrees that, where any directorate is anticipating a significant budget overspend, support be given to the need for the section 151 Officer and the relevant Director to work closely and proactively with the relevant Scrutiny Board in order to provide suitable assurance that there is robust financial risk management and transition planning in place;
 - iv) The Board agrees that for all proposed budget savings, there is a clear narrative that explains how the savings will be achieved, including (but not limited to) service redesign and service commissioning/ decommissioning;

Draft minutes to be approved at the meeting to be held on Wednesday, 22nd March, 2017

- v) The Board notes the comments of the Scrutiny Board (Adult Social Services, Public Health, NHS) in respect of the Adult Social Care precept and the assurances provided through the submitted report on the justification and how the additional funding will be utilised.
- (d) That the update to the 2017/18 to 2019/20 medium-term financial strategy, and the intention to present a fully updated financial strategy to the Board at its meeting in July 2017, be noted.

(B) Capital Programme Update 2017 – 2020

The Deputy Chief Executive submitted a report setting out the proposed Capital Programme for the period 2017-2020.

RESOLVED –

- (a) That Executive Board recommends to Council:
 - (i) the approval of the Capital Programme for 2017-20 totalling £1,282.4m, including the revised projected position for 2016/17, as presented in Appendix F to the submitted report;
 - (ii) the approval of the revised Minimum Revenue Provision (MRP) policy for 2016/17, as set out in Appendix D to the submitted report.
- (b) That Executive Board approval be given to the list of land and property sites shown in Appendix B of the submitted report to be disposed of in order to generate capital receipts for use in accordance with the MRP policy;
- (c) That Executive Board approval be given to the following injections into the capital programme:
 - £116.2m, of annual programmes as set out in Appendix A(iii) of the submitted report to be funded by £37.2m LCC borrowing, £8.5m HRA Borrowing, £64.5m of HRA specific resources and £6.0m of general fund specific resources;
 - £20.3m, of pressures as set out in Appendix A(iii) to the submitted report funded by £14.3m of net borrowing and £6.0m of general fund specific resources.

(With it being noted that the above resolutions to inject funding of £136.5m will be implemented by the Chief Officer (Financial Services)).
- (d) That Executive Board approval be given to the delegation of the future injections and 'authority to spend' of the acquisition of strategic assets in support of the Council's financial strategy, to the Director of City Development and the Chief Finance Officer in consultation with the relevant Executive Board Member for Regeneration, Transport and Planning and Group Leaders of Executive Board.

(C) Treasury Management Strategy 2017/2018

The Deputy Chief Executive submitted a report setting out the Treasury Management Strategy for 2017/2018 and which provided an update on the implementation of the 2016/17 strategy.

RESOLVED –

- (a) That the Treasury Strategy for 2017/18, as set out in Section 3.3 of the submitted report be approved, and that the review of the 2016/17 strategy and operations, as set out in Sections 3.1 and 3.2, be noted;
- (b) That full Council be recommended to set the borrowing limits for 2016/17, 2017/18, 2018/19 and 2019/20 as detailed in Section 3.4 of the submitted report, and to note the changes to both the Operational Boundary and the Authorised limits;
- (c) That full Council be recommended to set the treasury management indicators for 2016/17, 2017/18, 2018/19 and 2019/20 as detailed in Section 3.5 of the submitted report;
- (d) That full Council be recommended to set investment limits for 2016/17, 2017/18, 2018/19 and 2019/20 as detailed in Section 3.6 of the submitted report;
- (e) That full Council be recommended to adopt the revised Treasury Management Policy Statement.

(The matters referred to in Minute Nos. 138(A)(a)(i)-(iv)(Revenue Budget and Council Tax); 138(B)(a)(i)-(ii)(Capital Programme) and 138(C)(b)-(e)(Treasury Management Strategy), given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton both required it to be recorded that they respectively abstained from voting on the decisions referred to within this minute)

RESOURCES AND STRATEGY

139 Best Council Plan 2017/18 Proposals

Further to Minute No. 120, 14th December 2016, the Deputy Chief Executive submitted a report which presented the Best Council Plan 2017/18 for consideration and approval that it be recommended for adoption by Council on 22nd February 2017.

Members discussed some key areas of performance and priority for the Council, how they were covered as part of the Best Council Plan and the actions being taken to monitor progress in such areas.

RESOLVED –

- (a) That full Council be recommended to adopt the Best Council Plan for 2017/18, as detailed at Annexe 1 to the submitted report;
- (b) That it be noted that further development and graphic design work will take place prior to the publication of the refreshed Best Council Plan 2017/18 at end March 2017.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In)

140 Financial Health Monitoring 2016/17 - Quarter 3 (Month 9)

The Deputy Chief Executive submitted a report which set out the Council's projected financial health position for 2016/17, as at month 9 of the financial year.

In considering the submitted report, Members received further information regarding proposals in respect of the Council's Minimum Revenue Provision (MRP) Policy with regard to debt repayment, noted the levels of income which had been received by the Council to date arising from the New Homes Bonus initiative, and also discussed the budgetary pressures within Children's Services.

RESOLVED – That the projected financial position of the authority, as at month 9 of the financial year, be noted.

141 Safeguarding the Integrity of the Elections Process

The Chief Executive submitted a report detailing the actions which had been taken to date by the Council's Electoral Services in response to the 50 recommendations contained within the "Securing the Ballot" paper published in August 2016. In addition, the report also identified any further actions which could be taken to ensure that the Council continued to develop the integrity of the election process in Leeds. The submission of the report was in response to a resolution of full Council on 14th September 2016 (Minute No. 44 of that meeting refers).

Members welcomed the contents of the submitted report.

RESOLVED –

- (a) That the contents of the submitted report, together with the comments of the Electoral Services Manager, as detailed within Appendix A to the submitted report, be noted;
- (b) That the Board be reassured that the Electoral Services Manager will ensure that the Electoral Services Section will continue to provide a high level of service to the electorate, delivering an accessible, transparent and secure election process for the people of Leeds.

REGENERATION, TRANSPORT AND PLANNING

142 Storm Eva Flood Investigation Section 19 Report

Further to Minute No. 86, 19th October 2016, the Director of City Development submitted a report which presented for the Board's approval the Storm Eva Flood Investigation Section 19 Report.

The Board welcomed the comprehensive piece of work which had been undertaken in compiling the 'Section 19' report. In addition, responding to Members' comments, the Board noted the ongoing work which continued in order to develop appropriate flood alleviation measures, and the joined up and multi-agency approach which was being taken on such work.

RESOLVED –

- (a) That the Storm Eva Flood Investigation Section 19 Report, as appended to the submitted report, be approved;
- (b) That agreement be given for a copy of the approved Section 19 report to be sent to the Secretary of State for the Department of the Environment, Food and Rural Affairs (DEFRA), drawing particular attention to the recommendations contained within it;
- (c) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of resolution (b) (above).

143 The Housing Growth and High Standards in all Sectors Breakthrough Project

The Director of City Development and the Director of Environment and Housing submitted a joint report providing an update on the 'Housing Growth and High Standards in all Sectors' Breakthrough Project, which aimed to deliver new housing through direct investment in new housing stock in the public and private sectors, bringing empty homes back into use and enabling delivery through a programme of intervention and support for housing associations, third sector partners and private sector land owners and developers.

In considering the report, Members noted the disparity which existed between the level of planning permissions which had been granted in Leeds and the number of new homes delivered. The Board also discussed the important role played by small and medium sized house builders in the delivery of new homes in Leeds, whilst also noting the discussions which were taking place with Government on the ways in which housing delivery in the city could be increased.

In discussing the provision of extra care housing and the significant demand which existed, it was noted that a report regarding extra care housing was scheduled to be submitted to the Board over the course of the next few months.

RESOLVED –

- (a) That the progress of the ‘Housing Growth and High Standards in all Sectors’ Breakthrough Project, be noted;
- (b) That the subsequent production of an Annual Report within a wider approach towards stakeholder engagement, be approved.

144 Long Term Leases for 3rd Sector Affordable Housing Organisations

The Director of City Development and the Director of Environment and Housing submitted a joint report which sought approval to the surrender of existing lease arrangements between the Council, GIPSIL, Canopy and Unity Housing Association, and which also sought approval to delegate authority to the Director of City Development in order to approve terms of new 99 year leases and nomination agreements for the 66 subject properties, at £1 per property per annum.

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 approved:-

- i) The surrender of existing lease arrangements, as listed in exempt Appendix 1 to the submitted report, between the Council, GIPSIL, Canopy and Unity Housing Association;
- ii) That the Council enters into new 99 year leases and nomination agreements for all 66 council owned properties, as listed within exempt Appendix 1 to the submitted report, with GIPSIL and Canopy, at Less Than Best consideration;
- iii) That the Council enters into nomination agreements on any new properties acquired by GIPSIL or Canopy;
- iv) That the necessary authority be delegated to the Director of City Development in order to approve the terms of the new leases at ‘Less than Best’ consideration, based on a peppercorn rent of £1 per annum per property.

145 Revised Leeds District Heating Network Local Development Order (Revised LDO 3)

Further to Minute No. 159, 9th March 2016, the Director of City Development submitted a report on proposals to adopt a revised Leeds District Heating Network Local Development Order (Revised LDO 3A) with the aim of supporting the development of district heating provision in the city.

Members highlighted the importance of the district heating initiative and its potentially significant contribution towards the cutting carbon agenda.

The Board received an update on the development of the business case for the district heating scheme, whilst also receiving further information on the practical procedures involved around the mitigation against disruption from any associated road works.

RESOLVED –

- (a) That the adoption of the Revised Leeds District Heating Network Local Development Order (Revised LDO 3A), as set out in Appendices 1 and 2 to the submitted report, be approved;
- (b) That approval be given for the Chief Planning Officer to submit a copy of the Leeds District Heating Network Local Development Order (Revised LDO 3A), together with the updated statement of reasons, to the Secretary of State for the Department of Communities and Local Government (DCLG), and that the relevant authority be provided to the Chief Planning Officer in order to make any minor modifications to the Order whilst being taken through that submission process.

146 Design and Cost Report for Acquisition of Unit 5 Landmark Court for Council Accommodation

The Director of City Development submitted a report which sought approval to the acquisition of Unit 5, Landmark Court, in order to deliver revenue savings to contribute towards the Council's Medium Term Financial Plan.

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 –

- (a) That the contents of the submitted report, and specifically the progress made to deliver revenue savings through asset rationalisation, be noted;
- (b) That the acquisition of Unit 5, Landmark Court, on the terms identified within exempt appendix 1 to the submitted report, be approved;
- (c) That the necessary authority be delegated to the Director of City Development in order to agree the final detailed terms for the acquisition;
- (d) That the injection of the sum, as identified within exempt Appendix 1, into the Capital Programme be approved, and that the relevant authority to spend the monies, as required, also be approved;
- (e) That it be noted that the Head of Land and Property is responsible for the implementation of such matters.

147 Core Strategy Selective Review

Further to Minute No. 65, 17th September 2014, the Director of City Development submitted a report which sought approval to commence the formal steps for a selective review of the Core Strategy, to agree the suggested scope of that review and also to commence the first regulatory stage of preparation.

A specific request was made for a further resolution to be agreed in order to ensure that a review of the employment growth projections used in the current Core Strategy (in relation to the Objectively Assessed Needs for Housing) was included within the Selective Review process.

The Board considered the challenges faced by the Local Authority in adapting to population growth across the city and the actions which were being taken by the Council in a bid to meet such challenges. Emphasis was also placed on the need to ensure that the Council fully contributed towards any consultation process associated with the Government's recently published housing White Paper.

Members discussed the objectives of the Selective Review, the timing of it, and highlighted the need for such a review process to be commenced at the earliest opportunity.

RESOLVED –

- (a) That approval be given to the initial scope of the Core Strategy Review, as follows:-
- (i) Update the housing requirement in Policy SP6, considering and making any necessary consequent revisions to other parts of the Plan and considering any implications for the spatial strategy;
 - (ii) Extend the plan period to 2033;
 - (iii) Update the wording for Policies EN1 and EN2, arising from the Government's withdrawal of the Code for Sustainable Homes in March 2015, which is currently set out in the document "Implementation of Core Strategy Policies EN1 and EN2" on Leeds City Council's website;
 - (iv) Update Affordable Housing Policy H5 in response to anticipated proposals in the forthcoming Housing White Paper and amend the policy as necessary in response to findings of the SHMA (Strategic Housing Market Assessment) and viability assessment of policy;
 - (v) Amend Greenspace Policy G4 as necessary in response to findings of viability assessment of the policy;
 - (vi) Respond to policy implementation issues, which have arisen through Plan delivery;
 - (vii) Incorporate the Housing Standards policy work into the Core Strategy Review instead of undertaking it in a separate development plan document;
 - (viii) That a review of the employment growth projections used in the current Core Strategy (in relation to the Objectively Assessed

Needs for Housing) be included as part of the Core Strategy Selective Review process.

- (b) That it be noted that the Head of Strategic Planning is responsible for the implementation of such matters.

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

148 Leeds Site Allocations Plan Submission Draft Stage (Including Advertisement of Pre-Submission Changes to the Plan)

Further to Minute No. 73, 21st September 2016, the Director of City Development submitted a report which sought approval to advertise a consolidated set of proposed pre-submission changes to the Site Allocations Plan (Publication Draft Site Allocations Plan and Revised Publication Draft for Outer North East HMCA). In addition, the report also sought Executive Board to recommend that full Council approves the Submission Draft Plan for submission to the Secretary of State for the purposes of independent examination.

Board Members were in receipt of supplementary information in the form of an addendum to the submitted cover report which sought the Board's approval to recommend that full Council provided the necessary authority to the independent inspector appointed to hold Public Examination to make modifications to the Submission Draft of the Aire Valley Leeds Area Action Plan. In addition, Members were also in receipt of an updated version of a plan concerning Site Reference: MX2-39 (5372) – Parlington Estate, Aberford (Phase 1) which formed part of appendix 2 to the submitted report.

Members discussed the level of land proposed to be allocated for development as part of this process within the green belt, discussed specific sites Meanwood (HG2-49) and Tingley (HG2-169), whilst also considering the associated timescales regarding the submission of the Site Allocations Plan, together with the relationship between the Site Allocations Plan and the Selective Review of the Core Strategy.

RESOLVED –

- (a) That the request from Development Plan Panel (10th January 2017) that Executive Board receive further information on two housing allocations at Weetwood (HG2-49) and Tingley (HG2-169) in light of the recent withdrawal by the Cricket and Rugby Clubs of their planning applications for housing development at Weetwood be noted, together with the information on such matters, as detailed within the submitted report. Also, having considered this information, and having considered the implications and risks of removing the sites at this stage with any necessary changes to the Pre-Submission Changes made, both sites remain within the Submission Draft Plan, as currently presented;

- (b) That the Board approves and recommends that full Council approves the pre-submission changes to the Publication Draft Site Allocations Plan, as set out in Appendix 1 to the submitted report;
- (c) That the Board approves and recommends that full Council approves the Submission Draft of the Site Allocations Plan (comprising the Publication Draft Plan, the Revised Publication Draft Plan for the Outer North East and the Pre-Submission Changes – together known as the “Submission Draft Plan”) for the purposes of Submission to the Secretary of State for independent examination, pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 as amended;
- (d) That the Board approves and recommends that full Council approves the Sustainability Appraisal Report, as detailed at Appendix 3 to the submitted report, in support of the Plan, for Submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 as amended;
- (e) That full Council be recommended to grant authority to the independent inspector appointed to hold the Public Examination, in order to make modifications to the Submission Draft Plan, pursuant to Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 as amended;
- (f) That agreement be given that a further period of advertisement on the pre-submission changes to the Publication Draft Site Allocations Plan is provided, and that any further comments received be submitted to the Secretary of State at the time the Submission Draft Plan is submitted for independent examination;
- (g) That agreement be given and that it be recommended to full Council that it delegates authority to the Chief Planning Officer, in consultation with the relevant Executive Member, to make any factual and other minor changes to the pre-submission changes, prior to advertisement;
- (h) That the necessary authority be delegated to the Chief Planning Officer, in consultation with the relevant Executive Member, to: a) approve the detail of any further technical documents and supporting evidence required to be submitted alongside the plan for consideration at Public Examination; b) continue discussions with key parties and suggest to the Inspector any edits and consequential changes necessary to be made to the Submission Draft Plan following Council approval up to and during the Examination; and c) prepare and give evidence in support of the Plan at Examination;
- (i) That full Council be recommended to grant authority to the independent inspector appointed to hold the Public Examination, in order to make modifications to the Submission Draft Aire Valley Leeds Area Action Plan, pursuant to Section 20 (7C) of the Planning and Compulsory Purchase Act 2004, as amended.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton both required it to be recorded that they respectively abstained from voting on the decisions referred to within this minute)

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In)

149 East Leeds Orbital Road (ELOR): Land Assembly and Procurement

Further to Minute No. 129, 10th February 2016, the Director of City Development submitted a report setting out the next steps in bringing forward housing development and related infrastructure in the East Leeds Extension, with particular reference to the procurement exercise now required to support the delivery of the East Leeds transport package and associated land assembly to secure the site for its delivery.

Members highlighted the importance of ensuring that the correct infrastructure was established as part of this initiative, whilst the Board also discussed the timing and process by which housing development would take place in this area.

RESOLVED –

- (a) That approval be given that the Chief Officer for Highways and Transportation commences procurement of the East Leeds transport package, as set out at paragraphs 3.2 – 3.4 of the submitted report, and that authority be given for the invitation of tenders for a single contract;
- (b) That approval be given for the Director of City Development to be authorised to acquire land by agreement for ELOR, in accordance with his existing delegated authority;
- (c) That approval be given for the Head of Land and Property to progress all work necessary in order to establish a case for compulsory purchase of land required for the ELOR scheme;
- (d) That approval, in principle, be given for the use of compulsory purchase powers for the acquisition of the land outlined in red on the draft map, as detailed at Appendix 3 to the submitted report, together with the making of an Side Roads Order (SRO) in order to facilitate the construction of ELOR, as set out within paragraphs 3.11 – 3.27 of the submitted report;
- (e) That approval be given for the Board to receive a further report at the earliest opportunity, which sets out the detailed case for the making of a Compulsory Purchase Order (CPO) for the acquisition of land and for the making of an SRO in order to facilitate the delivery of ELOR;
- (f) That it be noted that the Council's Red Hall site will be marketed for sale later in 2017 in order to support the Capital Receipts Programme.

150 Leeds City Centre Cycle Superhighway - City Connect 2 Proposals (Design and Cost)

The Director of City Development submitted a report which sought approval for the Leeds City Centre Cycle Superhighway (City Connect 2) proposals and also to gain authority to progress the delivery of the Phase 1 scheme at a total estimated cost of £6,497,000, to be funded by the West Yorkshire Combined Authority (WYCA) City Connect programme, with support from a Department for Transport grant.

The Board discussed the levels of usage of City Connect 1 and the lessons learned which would be taken forward into the proposed next phase of the initiative, whilst responding to an enquiry, Members received further information regarding the provision of funding for future elements of the scheme.

RESOLVED –

- (a) That the design and cost to implement Phase 1 of the City Connect 2 ambition (as set out in section 3.6 of the submitted report) be approved, and that authority be provided to incur expenditure of £6,497,000: comprising works costs of £4,634,000 and design/ supervision costs of £1,862,000, funded by the WYCA City Connect programme budget which is funded through a Department for Transport grant;
- (b) That the principle of the Leeds City Centre Cycle Superhighway (City Connect 2) ambition proposals, as set out in section 3.1 of the submitted report, be agreed, subject to further design and development;
- (c) That approval be granted for the invitation of tenders for works, as set out in resolution (a) (above), and that subject to the tender sums being within the tendered budget, approval and authorisation be given to the award of the Contract to undertake the construction of the scheme.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter required it to be recorded that he voted against the decisions referred to within this minute)

151 Relocation of the Medical Needs Teaching Service from the Grafton Centre

The Director of Children's Services and the Director of City Development submitted a joint report which sought approval to a programme of capital works at Queenswood Education Centre in order to enable the relocation of the Medical Needs Teaching Service from the Grafton Centre to the Queenswood Education Centre, with the subsequent disposal of the Grafton Centre site.

Following consideration of Appendix 2 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 be noted;
- (b) That capital works at Queenswood Education Centre be approved in order to enable the relocation of Medical Needs Teaching Service from the Grafton Centre and subsequent disposal of the site, as per the monetary values as detailed within exempt appendix 2 to the submitted report;
- (c) That the injection of funds into the Capital Programme, as outlined within exempt appendix 2 to the submitted report, be approved;
- (d) That it be noted that the authority to spend the capital budget at Queenswood Education Centre will be sought from the Director of City Development, in-line with the Council's scheme of delegation;
- (e) That it be noted that the Head of Asset Management is the officer responsible for the implementation of such matters.

HEALTH, WELLBEING AND ADULTS

152 Making Leeds the Best City to Grow Old In Annual Report

The Director of Public Health and the Director of Adult Social Services submitted a joint report providing an update on the 'Best City to Grow Old In' breakthrough project.

Responding to an enquiry, Members were provided with information on and examples of the actions being taken as part of this initiative to provide targeted support to vulnerable older people.

RESOLVED –

- (a) That the information presented within the Annual Report, as detailed at Appendix A to the submitted report, be noted;
- (b) That it be noted how the Breakthrough Project is a good example of cross directorate working which looks to maximise impact and outcomes on a key issue for the city.

153 Refresh of the Better Lives Strategy

The Director of Adult Social Services submitted a report presenting a refreshed and updated 'Better Lives Strategy' for the Board's consideration and comment.

RESOLVED –

- (a) That the refreshed 'Better Lives Strategy', as outlined within the submitted report, be noted;

- (b) That approval be given for the strategy to be the subject of a period of comment, feedback and consultation with a view to reporting back to Executive Board in July 2017 for final approval;
- (c) That it be noted that the Director of Adult Social Services is responsible for the implementation of such matters.

154 Better Lives, Better Living: Black and Minority Ethnic Older People's Day Services Review

The Director of Adult Social Services submitted a report which provided an update regarding the progress made in respect of the review of Black and Minority Ethnic (BME) Older People's Day Services. As such, the report provided details of the proposed new service model, future management of the service, proposed Partnership Board and the outcome of the extensive consultation which had taken place.

RESOLVED –

- (a) That the proposed new service model for future delivery of BME Older People's Day Services, which includes the following, be approved:
 - Adult Social Care continuing to manage the service, supported by a Partnership Board consisting of third sector, health partners, community organisations and service users and carers;
 - Retain Frederick Hurdle Day Centre as an expanded BME Older People's Communities Health and Wellbeing Hub and decommissioning of the Apna Day Centre building; and
 - Increased outreach work from the Health and Wellbeing Hub to older people from BME communities across the city.
- (b) That the use of prudential borrowing of £130,000 to fund the refurbishment of the Frederick Hurdle centre in order to enable it to deliver its enhanced role as a BME older people's communities health and wellbeing hub, be approved, and that the repayment costs will be met from the existing budgets of Apna day centre, with a delegated decision on such matters being submitted in due course;
- (c) That consultation be undertaken on changing the name of Frederick Hurdle Day Centre in order to support its enhanced role as a BME Older People's Communities Health and Wellbeing Hub for a wider range of BME communities in the city;
- (d) That it be noted that the lead officer responsible for the implementation of such matters is the Director of Adult Social Services.

155 A Break with Tradition: Transforming Short Breaks in Adult Social Care

The Director of Adult Social Services submitted a report highlighting that Adult Social Care was to enter into a 12 week period of formal consultation in order to support the transformation of short breaks provision in Leeds.

Members noted the key areas of the proposed consultation exercise. Also, responding to a Member's enquiry, officers undertook to provide the Member

in question with anonymised data regarding the number of registered carers and those in receipt of the short breaks service located within their local community.

The Board also discussed the ways in which the short breaks service could be used more creatively, in order to enable such provision to further meet the interests of individuals and maximise the benefit provided.

Also, it was suggested that a report could be submitted to a future cycle of Community Committees in respect of short breaks provision and the locality approach which could be taken.

RESOLVED –

- (a) That it be noted that Adult Social Care is to enter into a period of consultation in order to support the transformation of short breaks provision;
- (b) That a further report setting out the conclusions and recommendations from the consultation exercise be presented to a future Executive Board meeting.

CHILDREN AND FAMILIES

156 Outcome of Statutory Notice to increase learning places at Carr Manor Community School

Further to Minute No. 95, 19th October 2016, the Director of Children's Services submitted a report detailing the outcomes from the Statutory Notice regarding proposals to expand primary provision and establish Special Educational Needs (SEN) provision at Carr Manor Community School. In addition, the report also sought a final decision in respect of such proposals.

RESOLVED –

- (a) That the proposal to permanently 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 2018 be approved, and that approval also be given to the establishment of 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 2018;
- (b) That it be noted that the responsible officers for the implementation of such matters are the Head of Learning Systems and the Head of Complex Needs.

COMMUNITIES

157 Community Asset Transfer of Bramley Community Centre to Bramley Elderly Action

The Director of City Development and the Assistant Chief Executive (Citizens and Communities) submitted a joint report which sought approval for the Community Asset Transfer of Bramley Community Centre to Bramley Elderly Action by way of a 25 year lease.

RESOLVED –

- (a) That the community asset transfer of Bramley Community Centre to Bramley Elderly Action by way of a 25 year full repairing and insuring lease for a peppercorn consideration, be approved;
- (b) That the necessary authority required to finalise the terms of the disposal to Bramley Elderly Action be delegated to the Director of City Development;
- (c) That the necessary authority required to finalise the terms of any sub-lease to the Council from Bramley Elderly Action for Housing staff, (should such a sub-lease be required), be delegated to the Director of City Development;
- (d) That it be noted that the Chief Officer (Economy and Regeneration) will be responsible for ensuring the implementation of such matters, with it also being noted that it is expected that the transfer itself will take place by 1st June 2017.

ENVIRONMENT AND SUSTAINABILITY

158 Memorial Woodland

The Director of Environment and Housing submitted a report which outlined a proposal regarding a potential partnership agreement with a registered charity, 'Life for a Life' Memorial Forests, in order to create a memorial woodland at a site of just over 2 hectares adjacent to the Leeds-Liverpool canal near Kirkstall Abbey.

RESOLVED –

- (a) That support be given to enter into an agreement with 'Life for a Life' Memorial Forests with a view to establishing a 30 year lease on the land, as identified within paragraph 3.1 of the submitted report and for the purposes as described in the report;
- (b) That it be noted that the Chief Officer (Parks and Countryside) is responsible for the implementation of such an agreement, which is anticipated to be in place during 2017.

EMPLOYMENT, SKILLS AND OPPORTUNITY

159 The proposed Retail and Hospitality Skills Centre of Excellence

The Director of Children's Services submitted a report regarding the Council's ambition to create a Retail and Hospitality Skills Centre of Excellence, in partnership with the business community through the Leeds Business Improvement District (the Leeds BID).

Members welcomed the proposals detailed within the submitted report, and highlighted the key importance of the retail and hospitality sector to the regional and national economy.

RESOLVED –

- (a) That the decision to enter into partnership with the Leeds BID in order to create a Retail and Hospitality Skills Centre of Excellence be supported, and that approval be given to undertaking the initial stage of a business planning and sustainability study to be delivered by March 2017, with approval also being given to the commitment of the Council providing a maximum of £195,000 towards the project, subject to the outcomes of the study.
- (b) That it be noted that the officer responsible for the implementation of such matters is the Head of Employment Access and Growth.

DATE OF PUBLICATION: FRIDAY, 10TH FEBRUARY 2017

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 5.00 P.M. ON FRIDAY, 17TH FEBRUARY
2017

Draft minutes to be approved at the meeting
to be held on Wednesday, 22nd March, 2017

This page is intentionally left blank