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## SCRUTINY BOARD (INFRASTRUCTURE AND INVESTMENT)

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Wednesday, 19th July, 2017 at 10.30 am

*(A pre-meeting will take place for ALL Members of the Board at 10.00 a.m.)*

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### MEMBERSHIP

#### Councillors

- N Buckley - Alwoodley;
- C Campbell - Otley and Yeadon;
- N Dawson - Morley South;
- P Gruen - Cross Gates and Whinmoor;
- 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;

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

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**Principal Scrutiny Adviser:**  
**Sandra Pentelow**  
**Tel: (0113) 37 88655**

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. To consider whether or not to accept the officers recommendation in respect of the above information.</li> <li>3. If so, to formally pass the following resolution:-</li> </ol> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items have been identified.</b></p>	

3

### **LATE ITEMS**

To identify items which have been admitted to the agenda by the Chair for consideration.

(The special circumstances shall be specified in the minutes.)

4

### **DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS**

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.

5

### **APOLOGIES FOR ABSENCE**

To receive any apologies for absence and notification of substitutes.

6

### **MINUTES - 21 JUNE 2017**

1 - 4

To approve as a correct record the minutes of the meeting held on 21 June 2017.

7

### **GRENFELL TOWERS**

5 - 18

To consider the report of the Head of Governance and Scrutiny Support.

Executive Board Report – 17<sup>th</sup> July 2017 to follow.

8

### **DRAFT TERMS OF REFERENCE - SCRUTINY INQUIRY INTO SUSTAINABLE DEVELOPMENT**

19 - 24

To consider the report of the Head of Governance and Scrutiny Support which sets out the draft terms of reference for the Scrutiny Boards inquiry into Sustainable Development.

9

**DIRECTORS RESPONSE - SCRUTINY INQUIRY  
'ADVANCING BUS SERVICE PROVISION'**

25 -  
30

To consider the response of the Director of City Development and the Director of Transport Services (WYCA); this details their response to the recommendations made by the Scrutiny Board (City Development) following the inquiry into Advancing Bus Service Provision.

10

**WORK SCHEDULE**

31 -  
52

To consider the Scrutiny Board's work schedule for the 2017/18 municipal year.

11

**DATE AND TIME OF NEXT MEETING**

Wednesday 27 September 2017 at 10:30am

(pre-meeting for all Board Members at 10:00am)

**THIRD PARTY RECORDING**

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.

Use of Recordings by Third Parties – code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

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## SCRUTINY BOARD (INFRASTRUCTURE AND INVESTMENT)

WEDNESDAY, 21ST JUNE, 2017

**PRESENT:** Councillor P Truswell in the Chair

Councillors N Buckley, N Dawson,  
P Gruen, A Ogilvie, E Taylor, C Towler and  
P Wadsworth

### 1 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared at this meeting.

### 2 Apologies for Absence

Apologies for absence were submitted by Cllr C Campbell & Cllr D Ragan.

### 3 Minutes - Scrutiny Board (City Development) 17 May 2017

**RESOLVED** – That the minutes of the meeting held on 17 May 2017 be approved as a correct record.

### 4 Scrutiny Board Terms of Reference

The Head of Governance and Scrutiny Support submitted a report which presented the Board's terms of reference.

**RESOLVED** – That the Board's terms of reference be noted.

### 5 Co-Opted membership

The Head of Governance and Scrutiny Support submitted a report which sought the Board's formal consideration for the appointment of co-opted Members to the Board.

**RESOLVED-** The Board noted the options available in the report.

### 6 Sources of Work for the Scrutiny Board

The Head of Governance and Scrutiny Support submitted a report on potential sources of work and areas of priority within the Board's terms of reference.

The following information was appended to the report:

- Best Council Plan 2017/18

Draft minutes to be approved at the meeting  
to be held on Wednesday, 19th July, 2017

- Draft Scrutiny Board (Infrastructure & Investment) Work Schedule for 2017/18 Municipal Year
- Table of Scrutiny Major Areas of Work Relevant to Infrastructure and Investment

The following representatives were in attendance:

- Martin Farrington, Director of City Development
- James Rogers, Director of Communities and Environment
- Helen Freeman – Chief Officer, Environmental Action
- Gary Bartlett, Chief Highways Officer
- Tim Hill, Chief Planning Officer

The following sources of work were put forward by members of the scrutiny board for consideration:

- The issue of planning the development of communities within Leeds in regard to issues such as transport, leisure, green space, health provision and school places. Consideration of what constitutes sustainable development within Leeds in regard to issues such as transport, leisure, green space, health provision and school places. Questions were raised regarding the effective use of Section 106 and CIL monies and the potential to enforce the ‘Leeds Standard’ in both current and future developments. In this regard the Board were advised that support with the Core Strategy review would be welcomed.
- Request for Scrutiny submitted by Councillor M Robinson in relation to highway maintenance and repair.
- The continuation of Scrutiny in relation to the City’s transport strategy and activity surrounding the £173.5m fund received from government.
- City-wide congestion and its impact upon transport infrastructure and public transport.
- To ensure that corporate and policy framework duties are fulfilled and necessary recommendation tracking is reflected within the work programme. Specific reference made to the Flood Risk Management Plan and the Housing Mix, Digital Inclusion and Advancing Bus Service Provision Inquiries.

**RESOLVED-**

- a) That the board agree the Scrutiny request from Councillor M Robinson in relation to Highway maintenance as a single item within a future agenda.
- b) That authority be given to the Chair of the Scrutiny Board (Infrastructure & Investment), in conjunction with officers, to draw up a draft work programme.
- c) That draft terms of reference for an inquiry into building communities be drawn up for subsequent approval by the Scrutiny Board.

**7 Financial Health**



The Head of Governance and Scrutiny Support submitted a report which presented financial information relevant to Scrutiny Board (Infrastructure & Investment) considered at the Executive Board meeting held on 21 June 2017.

The following were in attendance:

- Martin Farrington, Director of City Development
- Jill Stuart, Principal Financial Manager
- Bhupinda Chana, Principal Financial Manager

The key areas for discussion were:

- The Board acknowledged the good financial health of the City Development directorate and its significant contribution towards the Council's financial position.
- Clarity was sought in relation to staffing savings made within the Planning service and the extent to which current vacancies are impacting the services' ability to sustain an increased work load. Concern was raised in regard to the potential loss of planning professionals within the local authority and potential recruitment/resource difficulties as a result of increasing pressures.
- The need to ensure that appropriate resources are made available to Building Control following recent events at Grenfell Tower, Kensington, and that there is full engagement with independent inspectors regarding the audit of high rise buildings. The board sought reassurance concerning the local authority's capability and capacity to react to emergencies in sufficient time.
- Clarity was sought in relation to the capitalisation of Highways works.

#### **RESOLVED-**

- a) That the board notes the financial report for 2017/18 and the outturn summary for the financial year 2016/17.
- b) That an update on the position on the resourcing of planning services be brought to the Scrutiny Board in December 2017

### **8 Performance Report for Scrutiny Board (Infrastructure and Investment)**

The Director of City Development submitted a report which provided a summary of performance information against the delivery of the Council's 2016/17 priorities within the Best Council Plan 2015-20.

The following information was appended to the report:

- Appendix 1: Best Council Plan (BCP) Performance Summary 2016/17
- Appendix 2: Best Council Plan (BCP) Performance Summary 2017/18

The following were in attendance:

-Martin Farrington, Director of City Development  
-James Rogers, Director of Communities and Environment

-Helen Freeman – Chief Officer, Environmental Action  
-Manjit McKenzie, Performance and Improvement Manager  
-Gary Bartlett, Chief Officer Highways & Transportation  
-Tim Hill, Chief Planning Officer

The key areas for discussion were:

- An introduction and overview of detail concerning key performance targets in relation to Housing Growth, KSI targets and access to employment by public transport.
- Clarity was sought in relation to cycling statistics presented within the report on page 96 of the agenda.
- The need to revisit information in relation to Housing Mix and Housing delivery figures. The board requested further detail regarding the number of housing sites with planning permission that had stalled delivery.
- The desire to receive a detailed report concerning Road Safety to be presented at a future meeting with particular consideration towards improving the safety of pedestrians and cyclists. The board was advised that a Road Safety Executive Group had been recently established with membership from police, fire and highways authorities and other relevant partners.
- The desire for Council officers and the transport authority to explore exercising powers under the newly constituted Bus Services Act 2017 without the appointment of an elected mayor.
- The need to ensure that benefits arising from the city's transport strategy and £173.5 million government investment are realised in a timely manner.

#### **RESOLVED-**

- a) That the report and appendices be noted.
- b) That a report regarding Road Safety as identified to be brought back to the board during the municipal year.
- c) That further information regarding housing sites with planning permission that are not being developed be provided to the Scrutiny Board as requested.

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

The next meeting of the Board will be the 19<sup>th</sup> July at 10:30am with a pre-meeting at 10am.

The meeting concluded at 11:00am.

**Report of Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Infrastructure and Investment)**

**Date: 19 July 2017**

**Subject: Grenfell Towers**

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 Following the recent tragedy at Grenfell Tower the Scrutiny Board (Infrastructure and Investment) at the meeting on the 21 June 2017 sought assurance regarding building control and the need for full engagement with independent inspectors regarding the audit of high rise buildings both residential and non-domestic.
- 2 A report is due to be presented to the Executive Board on the 17 July regarding the Leeds response to Grenfell Towers which will be shared with the Scrutiny Board once available. This will assist the Scrutiny Board in the deciding if further Scrutiny focus is required with regard to planning and/or building control, which are areas aligned with this Scrutiny Board. It is expected that the Scrutiny Boards Strategy and Resources, and Environment Housing and Communities will also be providing similar focus for areas within their remit.
- 3 On the 30<sup>th</sup> of June 2017 The Department for Communities and Local Government provided an explanatory note on safety checks and testing. This has been appended for the information of the Scrutiny Board.

## **Recommendations**

The Scrutiny Board (Infrastructure and Investment) is recommended:

- a) to note and consider the information provided with regard to the Grenfell Tower tragedy and identify if further Scrutiny work is required.
- b) determine when this will be added to the work programme of the Scrutiny Board (Infrastructure and Investment).

## **Background documents**

4 None used<sup>1</sup>

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

## **GOVERNMENT BUILDING SAFETY PROGRAMME – EXPLANATORY NOTE**

### **Summary**

- Government is acting to support owners and residents of high rise buildings to ensure fire safety in the light of the Grenfell Tower tragedy.
- Landlords are engaging in a checking and testing process for Aluminium Composite Material cladding.
- The testing process is identifying whether the filler material in Aluminium Composite Material submitted for testing is of a type that would meet the limited combustibility requirements of current Building Regulations guidance.
- Landlords have been given advice on the immediate steps they should take and we encourage them to follow that advice.
- We have set up an expert panel to advise us on other urgent steps we should take to improve fire safety and will be issuing more advice imminently to clarify further steps landlords could take to inform their decisions on the cladding systems they have in place, and on checking insulation and other components of typical wall construction.
- We are engaging landlords and industry to examine what more can be done to support necessary remedial work.

### **Introduction**

1. Immediately after the tragic fire at Grenfell Tower on 14 June, it was clear that the façade of that building had created risks to fire safety.
2. It was also clear that many local authorities and other landlords responsible for tower blocks were acting to check the fire safety of their buildings and reassure their tenants. The Government took immediate steps to conduct an audit of high-rise social housing tower blocks across the country, to ensure that any other similar risks were immediately identified and acted upon.
3. This note explains the checking and testing programme that has been set up and is now underway, and the wider steps that are being taken to ensure safety in all relevant buildings, in the light of the early test results. It explains:
  - i) The checking and testing process the Government has put in place to help landlords ensure the safety of residents and other occupants in high rise buildings and the actions landlords have been asked to follow.
  - ii) The immediate action that the Government has recommended to landlords and fire and rescue services in response to a test result.

iii) The further action that is underway to support landlords and councils including working with suppliers to replace cladding and other materials where that is necessary.

4. The Government has been in close contact with local government, housing associations, other public and private sector landlords, fire and rescue services and a number of fire and building safety experts to work through the implications arising from the Grenfell Tower fire for other high rise buildings. It is also engaging wider industry bodies and organisations on next steps and would welcome comments or suggestions on the elements contained in this note. These should be directed to [housingchecks@communities.gsi.gov.uk](mailto:housingchecks@communities.gsi.gov.uk).

#### **i) Checking and testing Aluminium Composite Material (ACM) cladding**

5. On Saturday 17th June, the Department for Communities and Local Government convened a group of technical experts to provide advice on the best immediate steps Government could take to help local authorities and other landlords address the fire safety concerns that tenants living in tower blocks similar to Grenfell Tower would undoubtedly have.

6. While it was too early for the full and exact reasons for the speed of the spread of the Grenfell Tower fire to be known, the experts agreed that, from the information available, additional tests should be undertaken urgently on Aluminium Composite Material cladding. On the advice of the experts, the Department wrote to local authority and housing association landlords on 18 June, asking them to

- identify all their residential tower blocks (properties over 18 metres in height<sup>1</sup>),
- identify those with aluminium type external cladding and inspect those to establish whether the panels were made of an Aluminium Composite Material, so that they could be submitted for testing through a process being established by the Department,
- provide a wider range of information about their tower blocks, and
- continue checking that they have robust fire assessments for their stock, drawing attention to the Local Government Association's comprehensive guidance, *Fire Safety in purpose-built blocks of flats*.

7. The Department wrote again to all social landlords on 19 June setting out the process they should follow to submit samples of ACM cladding to the Building Research Establishment for testing and the first samples were received and tested on Wednesday 22 June.

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<sup>1</sup> The height at which relevant and additional fire safety requirements are triggered in paragraph 12.7 of Building Regulations Fire Safety Approved Document B guidance.

8. The Department has also extended this checking and testing approach to residential tower blocks owned by private landlords and to tall buildings in the public sector, including hospitals and schools.

9. We are aware that there has been some uncertainty about and criticism of the tests being applied to ACM panels at the Building Research Establishment. By the end of Thursday 29 June, 100% of the panels that had been tested did not have the limited combustibility required to meet building regulations guidance. With such a high failure rate, Government, landlords, residents and others naturally want to be sure that the tests are right and accurate.

10. The test was designed and put in place on the advice of the expert group to provide a quick and reliable way to help landlords identify the type of ACM cladding present on their buildings in order to take appropriate action. Annex A to this note sets out in more detail the testing process and how it relates to fire safety and the Building Regulations.

11. In summary, the Building Regulations guidance sets a requirement for external walls on all buildings not to allow fire spread. And it identifies the use of combustible materials in a cladding system – insulation product, filler materials, etc - as a risk to fire spread in tall buildings. The Department's view, supported by expert and legal advice, is that external walls in a tower block can meet the Building Regulations requirement for resisting fire spread in two ways, set out in more detail in Annex A.

- The first is for each individual component of the wall (insulation, filler, etc) to be of limited combustibility, and to each meet set standards for this.
- The second is to ensure that all the combined elements of a wall, when tested as whole system, have sufficient fire spread resistance to meet a set standard.

12. The tests being conducted at BRE are testing only whether the core or filler of ACM panel samples being submitted are of a type that would fail the limited combustibility test for an individual element of a wall in a tall building (the first of the requirements summarised above). It is possible, therefore, that ACM panels that have a core material that is not of limited combustibility, might be safe if installed as part of a whole wall system that meets the second test described above. We are not aware of any such systems having passed the necessary tests but have asked a newly established expert advisory panel to look into this further.

13. We are also aware that some ACM panels are accredited as having a 'Class 0' rating for the surface. But that, in the Department's view, supported by expert advice, is a rating for the surface only and does not cover the limited combustibility requirement for the core or filler material within an ACM panel.

## **ii) Action landlords should take**

14. On 22 June, the Department wrote to all local authorities and housing associations with advice, drawn up by the group of experts we convened on 17 June, on the immediate steps they should take if it is assessed that they have buildings with ACM cladding of the type that would not meet limited combustibility requirements.

15. It includes engaging residents, seeking the support of the Local Fire and Rescue Service and undertaking urgent fire risk assessments, as well as checking physical fire safety measures (such as fire doors, smoke control systems and fire fighting facilities) and building construction components such as the integrity of walls that act to prevent fire spread and the safety of insulation and other materials in the façade of the building.

16. In particular, this advice also reflects emerging findings from the Grenfell Tower fire investigation in relation to the importance of fire doors and smoke extraction, accessibility to the base of tower blocks for fire fighting appliances, and checking insulation materials in the exterior facade.

17. We encourage all landlords with tower blocks with ACM cladding to act on this advice, repeated at Annex B of this note, to ensure the safety of residents.

## **iii) Further action underway**

18. Understandably, local authorities and other landlords want greater clarity on whether ACM panels on their tower blocks could be part of a wider, safe wall system despite having been identified as likely to fail the limited combustibility test for individual wall components. That is a matter which landlords should consider carefully, consulting the original specifications and designs for the cladding, the designers, engineers and contractors who carried out the work, and the building inspectors who certified it.

19. We want to support landlords in this position. So we have drawn together a panel of experts to advise us on further steps which could be taken to improve the safety of tower blocks in advance of further findings emerging from the Grenfell Tower fire investigation and the public inquiry. This panel of experts met for the first time on Thursday 29<sup>th</sup> June and agreed to consider urgently what further advice or testing could be provided to help landlords conclude whether cladding systems that included ACM panels could be regarded as sufficiently safe. We expect that further advice to be available next week to help landlords consider what further steps they should take.

20. Following its initial meeting on 29<sup>th</sup> June, the panel concluded that:



“The tests that are currently being conducted are a screening test to identify which ACM panels are of concern. It tests the filler – the core of the panel – to check if it is of limited combustibility (category 1) or not (category 2 or 3). This is in line with the requirement of the Building Regulations guidance. The filler is one element of the overall cladding system.

If the panel core fails the test we would expect the landlord to take the recommended interim fire safety measures issued on 22<sup>nd</sup> June.

Early next week the Expert Panel will consider whether these panels can be used safely as part of a wider building external wall system, and therefore could remain on a building under certain approved circumstances. If, in the meantime, a landlord chooses to take down and replace cladding, care should be taken to consider the impact that removal may have on the other wall elements, especially insulation, and therefore on the overall fire integrity of the building as well as other Building Regulation requirements.”

21. The expert panel have also been asked to consider whether there is any further practical advice or support that could be offered to landlords to help them check the fire safety of insulation and other materials in the façade of tower blocks.
22. In addition to the work of the expert panel, the Department is engaging further with landlords and industry to examine what further steps can be taken to facilitate remedial action necessary to improve the fire safety of tower blocks.
23. We will report progress with this work on a regular basis.

## **ALUMINIUM COMPOSITE MATERIAL CLADDING SCREENING TEST METHODOLOGY**

1. This note describes the methodology employed for the tests of Aluminium Composite Material (ACM) cladding panels currently being undertaken by the Building Research Establishment on behalf of the Department for Communities and Local Government.
2. The Department received advice from a group of experts that three types of ACM panels were on the market (each with a different core material), and likely to have been used in recent works, and that the core of only one of these would satisfy the definition for a material of limited combustibility<sup>2</sup>, as would be necessary to satisfy the guidance for high-rise buildings (over 18m in height) in Approved Document B (Fire Safety) guidance (ADB).
3. Limited combustibility is a term used in the UK and defined in table A7 of ADB against both national and European standards. ADB notes that, for the purpose of ADB, a material that is classified as A2 in the relevant European test standard, EN 13501-1 (or the national standards also set out in table A7), would also be acceptable as a material of limited combustibility. While the surface of a panel may be classified as Class 0, this does not address whether the filler material in the core of the panel meets the definition of limited combustibility.
4. The Building Research Establishment (BRE) was asked to develop a screening test to determine which type of Aluminium Composite Material had been used in the cladding. The screening test is not stricter than those set out in the Approved document. It will show whether the core of the sample provided has flame retardant properties and this provides a high degree of certainty as to the type of panel that has been screened.
5. The equipment and procedures used in the screening tests are based on the BS EN ISO 1716:2010<sup>3</sup> test standard. As the purpose of this testing was to quickly and reliably screen the core material within the panel, the full procedures set out in the BS EN ISO 1716:2010 test standard have not been followed as they are unnecessary to determine which type of panel has been submitted for the screening test. These screening tests should not be confused with a formal classification test against this standard.

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<sup>2</sup> Material of limited combustibility is defined in table A7 of Approved Document B. This allows for products to be tested using the procedures given in BS 476-11:1982 or classified A2 using the procedures given in BS EN 13501-1:2007.

<sup>3</sup> The BS EN ISO 1716:2010 test standard is one of the suite of standards set out in BS EN 13501-1:2007 used to classify the reaction to fire performance of construction products.

6. The result of the screening test indicates the performance achieved for the core material in terms of three categories which relate to the three types of ACM panel available:

- **Category 1** means that the result is in line with the definitions of materials of limited combustibility (defined in paragraph 3 above).
- **Category 2** means that the result does not achieve the definitions of category 1 but does have some limited flame retardant properties.
- **Category 3** means that the result does not achieve the definitions of materials of limited combustibility and has no flame retardant properties. Commonly, the core in this case comprises polyethylene without the addition of the flame retardants that enable achievement of the Category 2 result.

7. These categories were defined by calibrating the results of the screening test against samples of ACM filler with a known performance.

8. A specific report is being provided for the landlord for each sample tested, accompanied by advice on steps that may need to be taken. For material found to be in Categories 2 or 3, landlords have been requested to take action as set out in the advice note which the Department issued on 22 June, attached as Annex B to this document.

9. We are aware that some landlords have questioned whether an ACM panel's failure to meet the definitions for limited combustibility means in all cases that it is not compliant with the building regulations.

10. To ensure building regulations requirements have been met as regards external fire spread, Schedule 1 Section B4(1) of the Building Regulations 2010 requires that: "The external walls of the building shall adequately resist the spread of fire over the walls and from one building to another, having regard to the height, use and position of the building". Approved Document B (ADB) provides guidance on how to meet that requirement. For external wall construction, there are two ways under ADB to achieve this:

Option 1: Ensuring that each individual component of the wall meets the criteria for limited combustibility set out in the ADB paragraphs 12.5 to 12.9; or

Option 2: Ensuring the facade system has met the acceptance criteria in BR 135, in accordance with BS 8414.

11. To date we have not been provided with any evidence that the ACM panels in category 2 or 3 of the screening test have been shown to meet the BR135 Criteria. However, it may be possible for individual materials that do not meet the limited combustibility definitions to be used where they form part of a system that meets the requirements set out in Option 2 above. In order to determine if a specific cladding assembly meets the expected performance, building owners will need to seek

specialist advice from a competent professional who specialises in the fire performance of cladding assemblies.

## EMERGENCY FIRE SAFETY REVIEW

If it is determined that the insulation within Aluminium Composite Material (ACM)<sup>4</sup> is unlikely to be compliant with the requirements of the current Building Regulations guidance, it is essential that you **immediately** implement the following interim mitigating measures to ensure the safety of residents, pending replacement of the cladding.

### **Interim measures recommended by independent panel of experts**

Notify Fire and Rescue Service.

Inform your local fire and rescue service fire safety/protection department. Failure to do so may put fire-fighters as well as residents at risk. The fire and rescue service will carry out an urgent inspection with the 'responsible person' to ensure that they are identifying and introducing appropriate interim measures, as set out below. The fire service will carry out a further inspection once the interim measures have been completed:

- Check that the fire risk assessment has been carried out within the previous 12 months and that the recommendations within the action plan of the assessment have been completed; also, confirm that there have been no material changes (to the building, the fire safety measures or the occupancy) that could, potentially, undermine the validity of the fire risk assessment. If no fire risk assessment has been carried out, you must **immediately** arrange for a fire risk assessment to be carried out by a competent person (eg by a person who is listed on a register of fire risk assessors operated by a professional body or certification body, or, preferably, by a company that is certificated by a third party certification body, that is, itself, accredited by the United Kingdom Accreditation Service to operate the certification scheme). Guidance on choosing a competent assessor is here <http://www.cfoa.org.uk/19532>
- Engage with residents to ensure they fully understand the emergency fire procedures in the building, particularly the meaning of "stay put". Ensure that fire procedure notices are accurate.
- Check that, at ground level, or on any balconies, there are no combustible materials (eg storage of refuse) in the vicinity of the cladding. Ensure that there are measures to prevent combustible materials in such locations (eg by

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<sup>4</sup> For the avoidance of doubt; the core (filler) within an Aluminium Composite Material (ACM) is an "insulation material/product", "insulation product", and/or "filler material" as referred to in Paragraph 12.7 ("Insulation Materials/Products") in Section 12 "Construction of external walls" of Approved Document B (Fire safety) Volume 2 Buildings other than dwelling houses. (The important point to note is that Paragraph 12.7 does not just apply to thermal insulation within the wall construction, but applies to any element of the cladding system, including, therefore, the core of the ACM).

temporary barriers or instructions to residents). Instruct residents that they must not have any barbeques on any balcony.

- Check that all flat entrance doors, and doors that open onto escape corridors and stairways, are fire-resisting and effectively self-closing against any resistance of a latch (or, for example, in the case of plant rooms or cupboards, are kept locked shut.) For guidance on these doors, consult the Local Government Association guidance on fire safety in purpose-built blocks of flats - <https://www.local.gov.uk/fire-safety-purpose-built-flats> - but, in general, doors that were deemed to be fire-resisting at the time of construction of the block will be satisfactory. Replace any non-fire-resisting doors (such as non-fire-resisting upvc doors) immediately with doorsets (i.e. doors and frames) that are third party certificated as providing at least 30 minutes fire resistance.
- Check all walls that separate flats, plant and store rooms, etc from escape routes to ensure there are no obvious routes for fire or smoke spread (eg, holes where services, such as pipes and cables, pass through walls).
- Check that any smoke control systems, including associated fire detection systems, are operating correctly.
- Check all facilities provided for fire-fighters, including fire-fighting lifts and dry or wet rising mains. If you have **ANY** concerns you should contact your local fire and rescue service, who will, if they have not already done so, carry out an inspection to ensure functionality.
- Ensure that there is sufficient roadway access and hardstanding for firefighting vehicles attending incidents and to be set up to fight any fire externally.
- Check that insulation or other materials that form the façade meet all relevant standards.

If the building is protected by an automatic sprinkler system (or equivalent fire suppression system) you might not need to take any further interim measures before replacement of the cladding.

If the building is not protected by a suitable suppression system you must consider the need for interim measures. The measures adopted need to be based on an assessment of the risk by a competent person, but the following must, at least, be considered:

- Residents to be advised to ensure all smoke alarms are present and working in their flat; to report concerns about fire safety measures in the building (eg

presence of combustible materials in escape routes) to their landlord and, understand the purpose of any interim measures begin taken.

- Closure of car parks in which a vehicle fire could impinge on cladding.
- Provision of a temporary communal fire alarm system, comprising smoke detectors in circulation areas and plant rooms, and fire detectors (possibly heat detectors, rather than smoke detectors) in conjunction with fire alarm sounders in each flat. This will enable the entire block to be evacuated simultaneously in the event of fire. This option is unlikely to be suitable for tall blocks, in which a large number of people would need to use escape routes at the same time. The system may comprise a wireless system, using radio to link devices.
- Provision of a fire watch by appropriately trained patrolling security officers/wardens.
- In the case of the most serious risk, consideration must be given to moving all residents out of the block until satisfactory remedial work has been done.

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**Report of the Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Infrastructure and Investment)**

**Date: 19 July 2017**

**Subject: Draft Terms of Reference – Inquiry into Sustainable Development in Leeds**

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. Summary of Main Issues**

Leeds City Council has an ambition to be the best council in the UK, compassionate fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful. The Vision for Leeds 2011 – 2030 supports this ambition, stating that by 2030 all communities will be successful where local services, including shops and healthcare, are easy to access and meet people’s needs. It also states that local cultural and sporting activities are available to all and there are high quality buildings, places and green spaces, which are clean, looked after, and respect the city’s heritage, including buildings, parks and the history of our communities. The Best Council Plan 2017 – 2018 states that the Council wants everyone to live in good quality, affordable homes within clean and well cared for places.

At its meeting on the 21 of June 2017, Scrutiny Board (Infrastructure and Investment) considered their work programme for the 2017/18 municipal year. At this meeting the Board discussion the approach in Leeds to ‘sustainable development’ through the provision of structure that supports the physical and social needs of the people, now and in the future, who will ultimately, live, work and spend time in their community. The Scrutiny Board stressed the importance of designing and planning places that are supported sufficiently by transport, health and education infrastructure and services. The Board resolved that this would be the main scrutiny inquiry for 2017/18.

## 2. Recommendation

The Scrutiny Board (Infrastructure and Investment) is recommended to:

- a) note the information contained within this report, make further recommendation to update the terms of reference where necessary.
- b) agree the terms of reference for the inquiry or recommend that updated terms of reference be brought back to the meeting in September for agreement.
- c) note that the terms of reference may incorporate additional information during the inquiry should the Scrutiny Board identify any further scope for inquiry or request further witness or evidence.

DRAFT

## **1 Purpose of this report**

- 1.1 This report sets out the draft terms of reference for the Scrutiny Boards inquiry into Sustainable Development in Leeds.

### Terms of Reference

## **2. Scope of the Inquiry**

- 2.1 At its meeting on the 21 of June 2017, Scrutiny Board (Infrastructure and Investment) considered their work programme for the 2017/18 municipal year. At this meeting the Board discussion the approach in Leeds to 'sustainable development' through the provision of structure that supports the physical and social needs of the people, now and in the future, who will ultimately, live, work and spend time in their community. The Scrutiny Board stressed the importance of designing and planning places that are supported sufficiently by transport, health and education infrastructure and services. The Board resolved that this would be the main scrutiny inquiry for 2017/18.

- 2.2 The purpose of the inquiry is to make an assessment of and, where appropriate, make recommendations about the delivery of sustainable development in Leeds, and the extent to which the local authority can influence sustainable development.

The Board recognises that a number of key partners have involved in meeting the demand for physical and social structure in communities and have already expressed a desire to explore the strength of partnership and level of commitment in this regard.

The following areas are scheduled for discussion on the 19 July.

- The origins and definition of the term, "Sustainable Development".
- The definition of "Sustainable Development", as set out in the National Planning Policy Framework (NPPF)
- Against this framework and in relation to Planning, how the principles of Sustainable Development have been applied in Leeds through the development plan and development management decisions, and how its principles been translated into practice.
- In translating these principles, the key Policy issues that have emerged, which have skewed the delivery of Sustainable Development in its wider sense (such as the need to demonstrate a 5 year housing land supply and viability appraisals) and how have they been addressed.
- Sustainable Development principles operate at a variety of scales and impact upon places. In terms of 'local sustainability', Section 106 Agreements and the Community Infrastructure Levy (CIL) are tools to assist with the delivery of infrastructure to support regeneration and growth. The approach in Leeds and how effective is it being.

- 2.3 Additional guidance has been sought from the Head of Strategic Planning, City Development in order to develop the initial areas of focus for the inquiry.

### **3. Desired Outcomes and Measures of Success**

- 3.1 It is important to consider how the Scrutiny Board will deem if its inquiry has been successful in making a difference. Some measures of success may be obvious at the initial stages of an inquiry and can be included in these terms of reference. Other measures of success may become apparent as the inquiry progresses and discussions take place.
- 3.2 Following the inquiry the Scrutiny Board will publish its report which will identify clear desired outcomes. These will be reflected in the recommendations made. The director or organisation to whom the recommendations have been made will be responsible for monitoring the impact of each recommendation and for advising the Scrutiny Board accordingly as the board reviews progress.

### **4. Comments of the relevant Director and Executive Member**

- 4.1 In line with Scrutiny Board Procedure Rule 12.1 where a Scrutiny Board undertakes an Inquiry the Scrutiny Board shall consult with any relevant Director and Executive Member on the terms of reference.

### **5. Timetable for the inquiry**

- 5.1 It is anticipated that the inquiry will take place over a number of sessions from September 2017 to conclude on or before the meeting 20 December 2017. It is expected that the inquiry report will be agreed by the Scrutiny Board on the 21 March 2018. The length of the inquiry and range of evidence to be collected is however subject to change by agreement of the Board. Any changes may have an impact on the date that the inquiry report is completed and agreed by the Scrutiny Board.

### **6. Witnesses**

- 6.1 The following witnesses have been identified as possible contributors to the Inquiry:
- Leeds City Council Officers
  - Elected Members
  - Key Partners, Stakeholders and Community Organisations

### **7 Corporate Considerations**

#### **7.1 Consultation and Engagement**

The board may undertake consultation should it be deemed appropriate in order to conduct the inquiry or gather necessary evidence.

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

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

- 7.2.2 Equality and diversity will be a consideration throughout the Scrutiny Inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.
- 7.2.3 The Scrutiny Board may engage and involve interested groups and individuals (both internal and external to the council) to inform recommendations.
- 7.2.4 Where an impact has been identified this will be reflected in the final inquiry report, post inquiry. Where a Scrutiny Board recommendation is agreed the individual, organisation or group responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

### **7.3 Council Policies and City Priorities**

This inquiry will support objectives as defined in The Vision for Leeds 2011 – 2030 and the Best Council Plan 2015-20

### **7.4 Resources and Value for Money**

There is no resource or value for money implications relating to this report. At the conclusion of the inquiry any identified impact will be reported in the final inquiry report.

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

None

### **7.6 Risk Management**

There are no risk implications relating to this report. At the conclusion of the inquiry any identified risk will be reported in the final inquiry report.

## **8 Recommendations**

The Scrutiny Board (Infrastructure and Investment) is recommended to:

- a) note the information contained within this report, make further recommendation to update the terms of reference where necessary.
- b) agree the terms of reference for the inquiry or recommend that updated terms of reference be brought back to the meeting in September for agreement.
- c) note that the terms of reference may incorporate additional information during the inquiry should the Scrutiny Board identify any further scope for inquiry or request further witness or evidence.

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

None

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

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Report author: Andrew Hall (LCC) / Dave Pearson (WYCA)      Tel: 0113 37 87589

**Report of the Director of City Development and the Director of Transport Services (WYCA)**

**Report to Scrutiny Board (Infrastructure and Investment)**

**Date: 19 July 2017**

**Subject: RESPONSE TO SCRUTINY INQUIRY REPORT ON ADVANCING BUS SERVICE PROVISION**

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. An inquiry in to Advancing Bus Service Provision was undertaken by the Scrutiny Board (City Development) between January and October 2016. The scope of the inquiry and its findings were set out in the final report which was published in May 2017.
2. Bus services form an important part of the emerging transport strategy for Leeds and the Draft West Yorkshire Transport Strategy which includes the draft Bus Strategy for the wider sub-region. Since the completion of the inquiry sessions proposals for a Public Transport Investment Programme in Leeds have been prepared jointly by the City Council and West Yorkshire Combined Authority and were approved by the Government in April of this year when an allocation of £173.5 million funding was made to the city.
3. The recommendations of the inquiry sought action from the Council's Director of City Development and have been prepared with reference to the West Yorkshire Combined Authority's Director of Transport Services. This report represents their combined response.

**Recommendations**

4. The Scrutiny Board (Infrastructure and Investment) is requested to note the response to the recommendations based on their findings and to note the observations made below.

## **1 Purpose of this report**

- 1.1 This report sets out the formal response of the Director of City Development to the recommendations of Scrutiny Board (City Development) inquiry into Advancing Bus Service Provision.

## **2. Background information**

- 2.2 The scrutiny inquiry into advancing bus service provision was held between January and October 2016 and drew on evidence from City Council and the West Yorkshire Combined Authority (WYCA) members, officers and a range of third parties including bus operator representatives.

## **3. Main issues**

- 3.1 The Directorate have taken an overview of the recommendations of the inquiry and considers that they are generally reflective of the current position in terms of the services perspectives on bus services in the city and the needs for future service development in the city
- 3.2 As the major public transport carrier in the city bus services alongside those of rail have a key role in keeping the city moving as part of the balanced transport strategy that has been set out with the Transport Authority (WYCA) previously in the West Yorkshire Local Transport Plan now being updated with a new draft Transport Strategy and supporting bus strategy. WYCA undertook the extensive consultation on its proposed bus strategy in 2016 and will adopt a twenty year strategy later in 2017.
- 3.3 Most recently and in the light of the government decision to earmark £173.5 million for investment in public transport in the city a new Public Transport Investment Programme has been developed for the city. The key elements of which are investment in the bus services of the city through improved physical highway, passenger facilities and infrastructure alongside a package of investment by the bus operators with the aim of doubling bus use within the next ten years. This programme was approved by the Department for Transport on the 21 April.
- 3.4 Alongside this and through the Leeds Transport Conversation engagement which commenced in June 2016 work is proceeding on the further development of the emerging Leeds Transport Strategy to set out the long term vision for meeting the city's future transport needs.
- 3.5 Subsequent to the completion of the inquiry, the Bus Services Act has received Royal Assent. This legislation confers new powers on WYCA as the statutory transport authority for the region to enter into formal partnerships with bus operators. The exercise of these powers will be set out in secondary legislation and regulations expected to be published later in the year. The Act enables Mayoral authorities to progress franchising provisions. The extension of franchising powers to non-Mayoral authorities will be subject regulations made by



the Secretary of State; the Department for Transport has not yet given any timescale for consultation or adoption of such regulations.

3.6 In terms of the Board's recommendations the Directorate's response follows:

**Recommendation 1 – That the Director of Transport Services (WYCA) explores how existing legislation and powers recently provided in the Bus Services Act could be utilised:**

**a) To enhance the responsiveness and accountability of bus operators to local communities.**

**b) To open up the bus service market to new competitors and to promote competition in Leeds and the West Yorkshire region. The findings and conclusions are to be reported to the Scrutiny Board (City Development) in the first quarter of 2018.**

3.7 The Directorate support this recommendation and will work with WYCA to form a detailed understanding on the provisions and opportunities offered by the Bus Services Act and due course the anticipated secondary legislation and regulations yet to be published. It recognised as WYCA have advised that there is a breadth of other pertinent legislation and legal powers including those related to accountability and competition.

**Recommendation 2 – That Director of Transport Services (WYCA) provides a report, in the first quarter of 2018, to the Scrutiny Board (City Development) on how the key areas to address, raised in the AECOM report, will be or have been, resolved through the West Yorkshire Bus Strategy and West Yorkshire.**

3.8 The Directorate and WYCA support this recommendation. The AECOM report provides an analysis of the feedback obtained by WYCA during the consultation on its proposed bus strategy in 2016 and the authorities will work together to understand how the key areas of service quality and performance that have been identified can be addressed through joint collaborative working.

**Recommendation 3 – That the Director of City Development provides the Scrutiny Board (City Development), with a report at a future meeting which outlines the congestion alleviation plan for Leeds, including identification of areas of the City that requires priority measures, the measures due to be implemented city wide and timescales for implementation.**

3.9 The Directorate support this recommendation. It is noted that the transport strategies and planning for both Leeds and West Yorkshire will set out the approach to delivering a balanced and long term strategy for the city and city region. In the immediate future work including data collection and analysis that is now being done to shape the detailed plans for the Leeds Public Transport Investment Programme as approved by the Executive Board in June will inform the future reporting to the scrutiny board.

**Recommendation 4 – That the Director of Transport Services (WYCA) and ABOWY provide the Scrutiny Board (City Development) with an update, in the first quarter of 2018, regarding the research into the barriers to bus**

**travel for non-users, and the action to be taken to make bus travel a viable and more attractive mode of transport for non-users.**

- 3.10 The Directorate and WYCA support this recommendation for further collaborative work and reporting aimed at securing a better understanding of the propensity for the choice of bus travel and the measures that could make bus a mode of choice for a wider section of the travelling public. The importance of participation of all bus operators through ABOWY is recognised.

**Recommendation 5 – That Director of Transport Services (WYCA) and the Director of City Development, working in collaboration with Bus Operators, provide the Scrutiny Board (City Development) with an update at a future meeting on the implementation and impact of air quality improvement measures, outlined in the West Yorkshire Bus Strategy, Leeds Transport Strategy, and Bus 18 Programme objectives. (see recommendations 6,7&8).**

- 3.11 The Directorate support this recommendation noting the wider work underway within the city and with WYCA to address the air quality concerns arising from motor traffic, primarily diesel engines and the potential requirement for a Clean Air Zone. The informal Bus 18 partnership between ABOWY and WYCA includes a pledge by the bus industry to take action to address its impact on air quality within the region. Specific targets will be developed and agreed with the city's bus operators within the Leeds Public Transport Investment Programme.

**Recommendation 6 – With regard to the West Yorkshire Bus Strategy, that the Director of Transport Services (WYCA) provides the Scrutiny Board (City Development) with an update, in the first quarter of 2018, which identifies progress in the implementation and delivery of the proposals outlined in the bus strategy.**

- 3.12 The Directorate and WYCA support this recommendation.

**Recommendation 7 – With regard to the Bus 18 programme, that Director of Transport Services (WYCA), in collaboration with Bus Operators provides the Scrutiny Board (City Development) with an update in the first quarter of 2018, which identifies progress in the implementation of the pledges outlined in the programme. This report should also outline the impact and outcomes delivered by the Bus 18 programme.**

- 3.13 The Directorate support this recommendation noting that close working is taking place with WYCA in terms of the development of the Bus 18 programme and its relationship to the new additional investment being planned through the Leeds Public Transport Investment Programme. It will also be important to learn the lessons for the future from this shorter term programme as these materialise during 2018.

**Recommendation 8 – With regard to the investment in bus travel defined in the Leeds Transport Strategy, that the Director of City Development and Director of Transport Services (WYCA) provides the Scrutiny Board (City Development) with:**

- a) An update at a future meeting which identifies progress in the £180m investment in bus travel in Leeds.
- b) An update at a future meeting which identifies the outcomes that have been delivered through this investment and the impact of that investment.
- c) An overview of the delivery plan for bus priority measures across Leeds and how this complements the delivery of improvement plans specified by Bus Operators/ ABOWY.

3.14 The Directorate and WYCA support this recommendation noting that the combined figure for funding incorporating Department for Transport funding, Leeds City Council and WYCA contributions is £183 million. Complementary third party investments including from the bus operators, rail industry, planning and development is expected to ultimately achieve a final gross transport investment of circa £275 million from this programme.

**Recommendation 9 – That Director of Transport Services (WYCA) and the Director of City Development fully investigate the elements of the Bus Services Act regarding:**

- a) The implementation of partnership arrangements with robust governance and accountability provision.
- b) The requirements for gaining Secretary of State approval for the implementation of bus franchising in Leeds and West Yorkshire. The analysis, options and methodology for implementation to be reported in the first quarter of 2018 to the Scrutiny Board (City Development).

3.15 The Directorate support the principle of this recommendation noting as stated with respect to the Recommendation 1 response that a achieving full appreciation may be contingent on the further information that will be required from government to fully understand the options provided by the Bus Services Act. As stated in 3.5 above the requirements for gaining the Secretary of State’s approval for the implementation of bus franchising in the region may not be known by the first quarter of 2018.

**4. Corporate Considerations**

**4.1 Consultation and Engagement**

The final inquiry report is providing a resource and input to the ongoing development of the bus strategy and proposals for the city including the development of the Leeds Public Transport Investment Programme. It is also being taken into consideration by WYCA in terms of the finalisation of the bus and transport strategy for West Yorkshire.

**4.2 Equality and Diversity / Cohesion and Integration**

4.3 This report raises no issues for equality and diversity / cohesion and integration.

**4.4 Council policies and Best Council Plan**

4.5 These actions are supporting Best Council Plan priorities in relation to transport and connectivity and the ongoing development of the approach to bus services in the city.

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

4.7 There are no specific resource implications arising from this report. Future inputs to the scrutiny board will be provided from within the internal resources of the Council and WYCA.

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

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

#### 4.10 **Risk Management**

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

### 5. **Conclusions**

5.1 The Director of City Development welcomes the recommendations of the scrutiny board into advancing bus service provision in the city and believes these findings can contribute to the further development and monitoring of bus services and the associated transport and highway infrastructure in the city. The service will work alongside WYCA to bring forward the requested progress reports which will reflect development of the draft arrangements with bus operators which underpin the agreed Leeds Public Transport Investment Programme and also more widely the work WYCA in terms of the applications of the Bus Services Act.

5.2 The Director, Transport Services at WYCA has confirmed acceptance of the recommendations of the scrutiny board and will work closely with the Director of City Development in their execution.

### 6. **Recommendations**

6.1 The Scrutiny Board (Infrastructure and Investment) is requested to note the response to the recommendations based on their findings and to note the observations made above.

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

7.1 There are no background documents.

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

**Report of the Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Infrastructure and Investment)**

**Date: 19 July 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 21 June 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**<sup>1</sup> - None used

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

**Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year**

Schedule of meetings/visits during 2017/18			
Area of review	June	July	August
Inquiries		<b><u>Directors Response</u></b> Advancing Bus Service Provision  <b><u>Inquiry - Scoping and first session</u></b> Sustainable Development	
Annual work programme setting - Board initiated pieces of Scrutiny work (if applicable)	Consider potential areas of review		
Budget	Budget update		
Pre Decision Scrutiny			
Policy Review		Response to Grenfell Towers	
Recommendation Tracking			
Performance Monitoring	Performance Report		
Working Groups			

\*Prepared by S Pentelow

**Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year**

Schedule of meetings/visits during 2017/18			
Area of review	September	October	November
<b>Inquiries</b>	<u><b>Evidence Gathering –</b></u> Sustainable Development 2  <u><b>Agree Final Inquiry Report</b></u> Supertram, NGT and Beyond	<u><b>Evidence Gathering</b></u> Sustainable Development 3	<u><b>Evidence Gathering</b></u> Sustainable Development 4 - Final Session
<b>Pre Decision Scrutiny</b>			
<b>Policy Review</b>	Highways Maintenance - request for Scrutiny		
<b>Recommendation Tracking</b>			
<b>Performance Monitoring</b>			
<b>Working Groups</b>			

Page 34



## Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year

		Schedule of meetings/visits during 2017/18		
Area of review	December	January	February - Single item	
Inquiries	<p><b><u>Evidence Gathering</u></b> Sustainable Development 5 – If required</p> <p><b><u>Directors Response</u></b> Supertram, NGT and Beyond</p>			
Budget and Policy Framework	<p>Initial Budget Proposals 2018/19 and Budget Update (Budget and Policy Framework)</p> <p>Planning Services Resources</p>			
Pre Decision Scrutiny				
Policy Review				
Recommendation Tracking		Digital Inclusion	Advancing Bus Service Provision Inquiry – Comprehensive progress review (inc. WYCA)	
Performance Monitoring	Performance Report	KSI – Road Safety Review		
Working Groups				

Page 35

## Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year

Schedule of meetings/visits during 2017/18			
Area of review	March	April	May
<b>Inquiries</b>	<b><u>Agree Final Inquiry Report</u></b> Sustainable Development		
<b>Budget and Policy Framework</b>	Local Flood Risk Management Strategy Annual scrutiny review		
<b>Pre Decision Scrutiny</b>			
<b>Recommendation Tracking</b>	Housing Mix		
<b>Performance Monitoring</b>			
<b>Working Groups</b>			

Page 36

Potential unscheduled to be considered-

- Core Strategy Review (including Housing Target Update)– Potentially Dec onwards
- Transport investment update – Exec Board dates required. – to be confirmed in August
- Traffic Congestion , (same month and Transport investment)

Updated – July 2017 \*Prepared by S Pentelow

Key: SB – Scrutiny Board (Infrastructure and Investment) Meeting

WG – Working Group Meeting

## EXECUTIVE BOARD

WEDNESDAY, 21ST JUNE, 2017

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

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

**SUBSTITUTE MEMBER:** Councillor B Anderson

**APOLOGIES:** Councillor A Carter

### 1 **Substitute Member**

Under the provisions of Executive and Decision Making Procedure Rule 3.1.6, Councillor B Anderson was invited to attend the meeting on behalf of Councillor A Carter, who had submitted his apologies for absence from the meeting.

### 2 **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 6 to the report entitled, 'East Leeds Orbital Road: Land Assembly and Financing', referred to in Minute No. 19 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 particular people, and of the Council. It is therefore considered that the release of such information would, or would be likely to prejudice the Council's commercial interests in relation to potential transactions.

### 3 **Declaration of Disclosable Pecuniary Interests**

There were no declarations of Disclosable Pecuniary Interests made at the meeting.

### 4 **Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 19<sup>th</sup> April 2017 be approved as a correct record.

## **5 Chair's Opening Comments**

The Chair welcomed all in attendance to the meeting and reflected upon the number of significant events which had occurred since the previous Board meeting on 19<sup>th</sup> April 2017, including the General Election.

Specifically however, the Chair made reference to the atrocities which had occurred in London and Manchester in recent weeks, and also to the fire which had recently occurred at Grenfell Tower, London. On behalf of the Board, the Chair extended the Council's sympathies to all of those who had lost their lives and to all of those who had been affected by those terrible events.

With regard to the fire at Grenfell Tower, the Chair invited the Director of Resources and Housing to provide an update and also reassurance, as to the actions which the Council was taking in light of the Grenfell Tower fire.

The Board noted that checks had been undertaken on the cladding systems used in Leeds, with reassurance being provided that none of the systems used had been comparable to those at Grenfell Tower. It was also noted that as a precautionary measure, further testing would take place on the materials used in the city's high rise buildings. Reassurance was also provided on the 'compartmentation' system used in Leeds which had been established in order to contain fires within high rise buildings. Members also received an update on the installation of sprinkler systems which had occurred in a number of blocks in the city to date, and it was noted that this programme had prioritised those blocks which had been reserved for older residents. In light of the Grenfell Tower fire, emphasis was also placed upon the wish to continue to promote the importance of sprinkler systems in high rise buildings as a key fire safety measure on a national level.

Finally, the importance of the communication and engagement work with tenants was highlighted, and that this programme of engagement would continue.

Members welcomed the update and the reassurance provided, thanked the Executive Member for Communities for the lead which she had taken on such issues, and requested that Members be kept informed of developments in this area, as and when they occurred.

## **ENVIRONMENT AND SUSTAINABILITY**

### **6 Waste Depot Development**

The Director of Communities and Environment submitted a report outlining the current depot provision across the Council and the current operational and financial risks associated with this. The report also outlined the work that had been undertaken to develop options in order to mitigate such risks, including the costs, issues and benefits associated with these options, and which sought approval for capital funding in order to deliver a new depot for the use of Waste Management and other Council services.

In response to a Members' enquiries, the Board received assurances on the proposed development, specifically in respect of the service's efficiency levels and its impact upon carbon output levels. In addition, with regard to the issue of continuity of service, it was acknowledged that a robust continuity plan would be established as part of this development.

Responding to an enquiry, assurances were provided in terms of keeping Elected Members informed of developments as they occurred in this area.

**RESOLVED –**

- (a) That the contents of the submitted report, be noted;
- (b) That the injection of £4.01m of unsupported borrowing into the capital programme, in order to fund the development of a new operational depot on Newmarket Approach, be authorised;
- (c) That authorisation be given to begin the process to tender for the construction of a new operational depot, on the land off Newmarket Approach behind the Refuse and Energy Recovery Facility (RERF), subject to necessary consultation and Planning permission;
- (d) That it be noted that the Chief Officer, Waste Management, will be responsible for the implementation of such matters.

**CHILDREN AND FAMILIES**

**7 Outcome of consultation to change the age range of Hovingham Primary School from 3-11years to 2-11years.**

The Director of Children and Families submitted a report regarding the outcome of consultation on a proposal to change the age range of Hovingham Primary School from 3-11 years to 2-11 years, and which sought approval to publish a statutory notice in respect of this proposal.

**RESOLVED –**

- (a) That the publication of a Statutory Notice to lower the age limit of Hovingham Primary School from 3 to 2, changing the school's age range from 3-11 years to 2-11 years, be approved, which would enable the school to deliver free early education entitlement for eligible 2 year olds;
- (b) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Systems.

**8 Learning Places Programme - Capital Programme Update**

Further to Minute No. 127, 14<sup>th</sup> December 2016, the Director of Children and Families, the Director of Resources and Housing and the Director of City Development submitted a joint report presenting an update on the 3 year strategy for providing sufficient school places in the city, on the progress of the projects currently forming part of the Learning Places Programme, outlining the revised programme of governance arrangements and which sought relevant approvals in order to progress the programme.

The Board acknowledged the complexities of the challenges being tackled by the Programme, and in response to an enquiry, Members highlighted the need for the Council to continue to work in a cohesive cross-party manner in order to effectively address such challenges.

Also, the Board received further information on the actions which were being taken with the aim of ensuring that the planning process in this area operated as smoothly as possible, and discussed the process by which proposals were brought forward as part of the Learning Places Programme.

Members also considered the Community Infrastructure Levy (CIL), and how such monies could potentially be utilised to help address those issues being tackled by the Learning Places Programme, and it was noted that a report regarding CIL was scheduled to be submitted to the July meeting of the Board.

In conclusion, it was undertaken that should any specific Board Members require it, a briefing on such matters could be provided to them.

#### **RESOLVED –**

- (a) That the ‘authority to spend’ on the Learning Places Programme for the three schemes, as detailed in the submitted report, at a total value of £19.3m, be approved;
- (b) That approval be given for the balance of the programme capital risk fund to be reset from £6.13m to £10.771m, in order to facilitate effective risk management at programme level, with approval also being given on the ‘authority to spend’ on the increase of £4.641m;
- (c) That approval be given to the revision of the programme governance arrangements, which are proposed to maintain an appropriate level of check and challenge, which include:-
  - the delegation of the approval of design and cost reports for the schemes which form part of the programme, approved by Executive Board, to the Director of Children & Families, and that these approvals shall be subject to the agreement of the Director of City Development and the Director of Resources & Housing, in consultation with the appropriate Executive Member, and that these reports will be open to scrutiny by Members; and
  - the delegation of the management and use of the basic need risk capital fund to the Director of Children & Families, and that these decisions shall be subject to the agreement of the Director of City Development and the Director of Resources & Housing, in consultation with the appropriate Executive Member, and that decisions on these matters will be open to scrutiny by Members.

- (d) That the following be noted:-
- (i) The good progress made on this challenging programme of work, which is currently valued at £128.651m.
  - (ii) That the following benefits have been delivered from the Projects commissioned via the programme from 2014 onwards. These have been called off through either the YORbuild arrangements and/or in conjunction with the Leeds Local Education Partnership (LLEP). The programme has in total supported **72 new and existing apprentices and 102 people into employment**. These figures relate to employees of both main contractors and their supply chains. These schemes have also **recycled or reused 99% of the waste generated** during the construction process with **only 1% going to landfill**.
  - (iii) The projected funding deficit which currently stands at £71.20m based on Education Funding Agency rates, and that with this in mind, Executive Board support be given to the arrangement of a meeting between the Executive Member for Children's & Families and the Education Funding Agency.
  - (iv) That in the current reporting period there has been one request to access the programme capital risk fund for Bramley Primary School totalling £0.57m, which was approved in accordance with the Executive Board governance arrangements.
  - (v) That any savings made on applications on the programme capital risk fund are returned to the risk fund in order to support continued management of programme risks.

## **COMMUNITIES**

### **9 Illegal Money Lending Team Progress Report**

Further to Minute No. 23, 15<sup>th</sup> July 2015, the Director of Communities and Environment submitted a report which provided an update on the activities of the national Illegal Money Lending Team (IMLT) within Leeds, together with an updated action plan.

Members welcomed the submitted report, paid tribute to the vital work being undertaken in this area, and highlighted the need to ensure that such good work was communicated as effectively as possible.

**RESOLVED** – That the contents of the submitted report together with the Illegal Money Lending Team Action Plan, as set out within Appendix 1, be noted, and that the Director of Communities and Environment be requested to monitor the progress of the Illegal Money Lending Team against the plan, and prepare a further report in 12 months' time on the activities of the IMLT within Leeds.

## **ECONOMY AND CULTURE**

### **10 Graduate retention and mobility and its impact on the Leeds economy**

The Director of City Development submitted a report which presented the main findings from recent and current research in respect of graduate mobility to and from Leeds, and which outlined Leeds' response as a city.

Responding to a Members' enquiries, the Board received further detail on the actions being taken to engage with graduates in order to identify and understand the issues that were important to them in making a city an attractive place to live and work.

#### **RESOLVED –**

- (a) That the need for more graduates in Leeds to cope with an increasing demand for skilled jobs in the city, be noted;
- (b) That the Chief Officer (Economy and Regeneration) be authorised to roll out a programme of initiatives, as outlined in section 3.18 of the submitted report, in order to attract more graduates to the city and to increase retention of graduates from the city's Universities.

## **EMPLOYMENT, SKILLS AND OPPORTUNITY**

### **11 Delivering Social Value through Employment and Skills Obligations**

The Director of City Development submitted a report which provided a summary of the employment and skills obligations which had been delivered through the Council's procurement and planning activity from September 2012 to March 2017. The report also highlighted the learning which had taken place from the implementation of the employment and skills obligations and the review work which had been undertaken by the 'More Jobs, Better Jobs' Partnership. Additionally, the report recommended a revised approach towards the targeting of opportunities for priority groups.

Members welcomed the contents of the submitted report, specifically the proposal to revise the existing approach in order to target priority groups. Responding to an enquiry, the Board received further information on how associated data was collected and monitored, with it also being highlighted that a key aspect of the new approach was to make it as streamlined as possible for participating businesses.

#### **RESOLVED –**

- (a) That the success of the approach achieved to date in delivering social value via the application of employment and skills planning obligations and through contracts, be noted;
- (b) That the proposed revised approach towards targeting the priority groups, as set out within paragraph 3.6.2 of the submitted report be agreed, which will aim to ensure that this approach continues to deliver Council policy objectives for inclusive growth;



- (c) That it be noted that the officer responsible for the further development of the revised approach and its implementation is the Head of Employment Access and Growth.

## **RESOURCES AND STRATEGY**

### **12 Treasury Management Outturn Report 2016/17**

The Chief Officer (Financial Services) submitted a report which provided a final update on Treasury Management Strategy and operations for 2016/17.

**RESOLVED** – That the Treasury Management outturn position for 2016/17 be noted, together with the fact that treasury activity has remained within the treasury management strategy and policy framework.

### **13 Financial Performance - Outturn Financial year ended 31st March 2017**

The Chief Officer (Financial Services) submitted a report presenting the Council's financial outturn position for 2016/17 for both revenue and capital, and which also included details in respect of the Housing Revenue Account and spending on schools. The report also highlighted the position regarding other key financial health indicators including Council Tax and Business Rates collection statistics, sundry income, reserves and the prompt payment of creditors.

Members discussed the Council's final outturn position at the close of the 2016/17 financial year, considered the individual outturn position of several directorates, and discussed the proposed use of surpluses, as detailed within the submitted report.

#### **RESOLVED –**

- (a) That the outturn position for 2016/17 be noted, and that approval be given to the creation of earmarked reserves, as detailed in paragraphs 3.5 and 5.5 of the submitted report, and that authority to release such reserves be delegated to the Chief Officer (Financial Services).
- (b) That it be noted that the Chief Officer (Financial Services) will be responsible for the implementation of such actions, following the conclusion of the 'call in' period.

### **14 Financial Health Monitoring 2017/18 - Month 2 (May 2017)**

The Chief Officer (Financial Services) submitted a report presenting the Council's projected financial health position for 2017/18, as at month 2. The report reviewed the position of the budget and highlighted any potential key risks and variations after the first two months of the financial year.

The Board highlighted the importance of the transparent approach which was being taken towards the presentation of budgetary information, and discussed how the presentation of such information could help to identify where specific budgetary pressures existed.

**RESOLVED –**

- (a) That the projected financial position of the authority, as detailed within the submitted report, be noted;
- (b) That the injection of £14.702m of additional Better Care funding into the Adults and Health 2017/18 revenue budget, be approved, with the proposals in respect of the use of the grant being submitted to a forthcoming Leeds Health and Wellbeing Board, and subsequently reported to a future Executive Board. With it also being noted that the Director of Adults and Health has the responsibility for the implementation of the decision;
- (c) That the injection of £1.636m of Flexible Homelessness Grant into the Resources and Housing 2017/18 revenue budget, be approved, with it being noted that the Director of Resources and Housing is responsible for implementing decisions as to the use of the grant.

**15 Implementation of business rates relief measures announced at Spring Budget 2017, including the design of a local discount scheme**

The Chief Officer (Financial Services) submitted a report which sought approval to implement the proposed locally administered West Yorkshire discretionary discount scheme, which had been designed in liaison with the other West Yorkshire authorities. In addition, the report also sought approval to implement two national rate relief schemes, which had been introduced by Government.

**RESOLVED –**

- (a) That the proposed locally administered West Yorkshire business rate discount scheme, which is intended to provide targeted support to businesses affected by the 2017 business rates revaluation, be approved;
- (b) That approval be given to the use of any remaining government funds in order to support large businesses, to be considered on a case by case basis;
- (c) That formal approval be given to the implementation of the two national business rate relief schemes, as announced by Government, namely: support for small businesses losing Small Business Rate Relief and a £1,000 business rate discount for public houses with a rateable value of up to £100,000;
- (d) That following approval of the local and national schemes (as detailed in the resolutions above), the intention to implement the three schemes at the earliest opportunity be noted, together with the fact that reliefs awarded will be backdated to 1st April 2017;
- (e) That it be noted that implementation of the local and national schemes will be undertaken by the Business Rates Manager.

## **16 Leeds Cycling Starts Here (CSH) Strategy**

The Director of City Development submitted a report which provided an update on the progress made with regard to the promotion of cycling in the city, and which presented for the Board's endorsement the Leeds 'Cycling Starts Here' Strategy.

In acknowledging the progress which had been made in recent years in Leeds with regard to cycling, Members discussed the role of the proposed strategy and how it would be used as a starting point to make further progress in this area. The Board acknowledged the multifaceted nature of cycling and how this would need to be reflected by the strategy, and discussed the role to be played by Scrutiny in the Strategy's development.

### **RESOLVED –**

- (a) That the contribution of partners and stakeholders towards the production of the Leeds 'Cycling Starts Here' Strategy, be noted;
- (b) That the findings of the consultation process, as detailed within the submitted report, be noted;
- (c) That the Leeds 'Cycling Starts Here' Strategy be endorsed;
- (d) That the progress made on the Strategy and related matters be reported to Scrutiny Board annually;
- (e) That future updates on the 'Cycling Starts Here' Strategy be presented to Executive Board, as necessary;
- (f) That it be noted that the Chief Officers for Highways & Transportation and Culture & Sport will be responsible for the implementation of such matters.

## **REGENERATION, TRANSPORT AND PLANNING**

## **17 Leeds Public Transport Investment Programme**

The Director of City Development submitted a report which sought 'authority to spend' a total of up to £15.31m from the £173.5m funding which the Department for Transport had agreed in April 2017 for the Leeds Public Transport Investment Programme. Additionally, the report detailed the next steps for the delivery of the Programme.

Responding to a Member's enquiry, the Board received further information regarding when the proposed programme of works would need to be delivered by, together with further detail on the proposed new rail stations, and the current position with regard to Network Rail funding. The Board also noted that discussions were ongoing with bus companies, with Members highlighting the need for all residents of Leeds to benefit from improvements to bus transport, and not just those users of specific bus companies.

Responding to Members' comments regarding investment in different modes of transport, it was highlighted that the public transport network needed to become as seamless as possible, in order to ensure that the public benefit was maximised from the investment being made.

The Board discussed the cross-party working group, noted the comments made during the discussion, and reaffirmed the importance of cross-party working in this area.

Regarding the Council debate on public transport which had been scheduled for 17<sup>th</sup> May 2017, but had been subsequently cancelled following the Prime Minister's announcement to hold a General Election, it was highlighted that a comprehensive discussion on such matters was still a priority, and that further work and discussion on the scheduling of this would be undertaken.

**RESOLVED –**

- (a) That the Government approval of £173.5m funding towards public transport improvements in Leeds, together with the content of the related correspondence, as detailed at Appendix 1 to the submitted report, be noted;
- (b) That approval be given to inject the Department for Transport grant of up to £173.5m towards public transport improvements in Leeds, as set out within the contents of the approval letter (as appended to the submitted report), subject to the finalisation of a grant agreement with West Yorkshire Combined Authority (WYCA) in accordance with their assurance framework and those elements of the programme to be delivered directly by WYCA;
- (c) That expenditure of up to £15.31m from the £173.5m Government funding be approved in order to progress the Leeds Public Transport Improvement Programme, subject to finalising those elements to be directly delivered by WYCA;
- (d) That it be noted that officers will return to Executive Board in due course in order to seek approval to carry out detail design and construction on schemes as they are developed;
- (e) That negotiations with bus operators, developers and partners continue in order to leverage significant additional financial investments to support the Leeds Public Transport Investment Programme;
- (f) That the necessary authority be provided in order to enter into a Grant Agreement with the West Yorkshire Combined Authority for the expenditure of monies;
- (g) That it be noted that the Chief Officer (Highways and Transportation) is responsible for the delivery of the programme.

**18 Design and Cost Report - Claypit Lane/ Woodhouse Lane Junction and Public Realm Improvements**

The Director of City Development submitted a report which sought approval to carry out a major junction improvement at the Claypit Lane/Woodhouse Lane junction, and sought approval for the necessary 'Authority to Spend', in order to facilitate such improvements.

**RESOLVED –**

- (a) That 'authority to spend' £2.526m from existing Capital Scheme Nos. 32214 and 16256 for the proposed highway and public realm improvement works at the junction of Clay Pit Lane and Woodhouse Lane, as detailed within the submitted report, be approved;
- (b) That the actions required to implement the decision, together with the proposed timescale to progress the project, as detailed in paragraph 3.1 and 3.2 of the submitted report, be noted;
- (c) That it be noted that the Chief Officer (Highways and Transportation) will be responsible for the implementation of such matters.

**19 East Leeds Orbital Road - Land Assembly and Financing**

Further to Minute No. 149, 8<sup>th</sup> February 2017, the Director of City Development submitted a report which sought approval for the Council to make a Compulsory Purchase Order and related Side Roads Order in order to assemble the land necessary for the construction and adoption of the East Leeds Orbital Road (ELOR). The report also sought agreement to a financing package for the ELOR scheme, and presented an update on the work undertaken on this project to date.

In considering the report, further to the Wards highlighted within the submitted report, it was highlighted that Alwoodley Ward would also be affected by the initiative, specifically the advanced junctions work.

Responding to a Member's enquiry, it was confirmed that although there was no provision for a bus lane on the East Leeds Orbital Road itself, there were a number of public transport improvements proposed to be undertaken as part of the overall East Leeds Extension programme.

Following consideration of Appendix 6 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 Director of City Development be authorised to make the Leeds City Council (East Leeds Orbital Road) Compulsory Purchase Order 2017 ("the CPO") under sections 239, 240, 246, 249, 250 and 260 of the Highways Act 1980, the Acquisition of Land Act 1981 and all other enabling powers, as per the details set out in paragraphs 3.5 – 3.8 of

the submitted report, and the plan at Appendix 3 (subject to any final amendments the Director of City Development considers necessary);

- (b) That the Director of City Development be authorised to make the Leeds City Council (A6120 (East Leeds Orbital Road Classified Road) Side Roads and Other Works) Order 2017 ("the SRO") under sections 14 and 125 of the Highways Act 1980 and all other enabling powers, as per the details set out in paragraphs 3.5 – 3.8 of the submitted report and the plan at Appendix 4, (subject to any final amendments the Director of City Development considers necessary);
- (c) That the Director of City Development be authorised to take all necessary steps to proceed with, and secure confirmation of the CPO and SRO, including the service of all requisite notices on affected parties in connection with the making, confirmation and implementation of the CPO and SRO and making of agreements and undertakings with landowners and other affected parties necessary in order to secure removal of any objections made to the CPO and SRO (where such agreements and undertakings are appropriate), and subject to the confirmation of the CPO, the making of one or more general vesting declarations under the Compulsory Purchase (Vesting Declarations) Act 1981 or the service of Notice to Treat and Notice of Entry under the Compulsory Purchase Act 1965, and if necessary presenting the Council's case at any public inquiry or other proceedings;
- (d) That approval be given to the provisional financing package for the East Leeds Orbital Road, as set out within section 4.4 of the submitted report, and as detailed within exempt Appendix 6, and that approval be delegated to the Director of City Development: to enter into a funding agreement with the West Yorkshire Combined Authority for an initial grant from the West Yorkshire Transport Fund of £11.81m and to draw down the full amount of an £82.95m grant allocation; and also for the approval of a provisional borrowing requirement of £43.68m;
- (e) That approval be given for the Council to underwrite all land assembly costs and compensation costs arising from the making and implementation of the CPO and SRO in the event that these exceed the available WYTF grant available, and on the basis that such costs will be fully recoverable through roof tax payments, as set out in section 4 of the submitted report;
- (f) That approval be given for the scheme to be injected into the Council's Capital Programme, and subject to confirmation of the WYTF Grant, that 'Authority to Spend' be delegated to the Director of City Development, in consultation with the Chief Officer (Financial Services), to procure and let the construction contract or contracts for the East Leeds Transport Package;
- (g) That in the event that the Council will need to acquire additional land or interests in order to ensure that ELOR is delivered, the Director of City

Development, in consultation with the Chief Officer (Financial Services) and Executive Member for Regeneration, Transport and Planning be authorised to inject relevant schemes to the capital programme and be provided with the necessary delegated authority to agree 'authority to spend' for such schemes, with it also being noted that such additional costs will be recovered through the East Leeds Extension roof tax;

- (h) That approval be given for the estimated cost of land assembly for interests that include land outside the direct route of ELOR (as set out in exempt Appendix 6 to the submitted report), to be injected into the Capital Programme, and that the Director of City Development be authorised to agree appropriate terms and acquire such land or interests in land that may be necessary in order to enable the delivery of the ELOR scheme;
- (i) That it be agreed that the information as contained within Appendix 6 to the submitted report be treated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), and that the recommendations, as detailed within the exempt Appendix 6 (considered in private at the conclusion of the meeting), be approved.

## **20 City Centre Vehicle Access Management Scheme**

The Director of City Development submitted a report which sought authority to progress the detailed design and implementation of an automated vehicle access system to manage and control vehicular access within the pedestrianised core of Leeds city centre, together with an injection of £1,400,000 into the 2017/18 Capital Programme necessary to develop the scheme. In addition, the report also sought authority to progress the more detailed investigation and option appraisal for four measures at four other locations in the city centre where access by vehicles is prohibited or restricted.

### **RESOLVED –**

- (a) That the injection and expenditure of £1,400,000 into the 2017/18 Capital Budget be approved.
- (b) That the detailed design and implementation of an automated vehicle access system to control vehicle access within the central pedestrianised core of Leeds city centre, be authorised.
- (c) That the detailed evaluation of a manually operated access control system at four other key locations within the city centre, as identified in section 3.4.6 of the submitted report, where vehicle access is restricted, be authorised.
- (d) That approval be given for the invitation of tenders, and that subject to the tender sums being within the tendered budget, agreement be given to approve and authorise the award of the Contract to undertake the construction of the scheme;

- (e) That the Director of City Development be instructed to expedite the implementation of all reasonable measures in the most timely manner as possible, and that the necessary authority be delegated to the Director of City Development in order to approve, consult and implement such measures as should be identified at the four key locations identified in section 3.4.6 of the submitted report;
- (f) That it be noted that the Chief Officer (Highways & Transportation) will be responsible for the implementation of such matters.

**21 Approval for the Construction of a Flood Alleviation Scheme at Westfield, Allerton Bywater**

The Director of City Development submitted a report regarding the flooding issues which existed within the Westfield area in Allerton Bywater, with the report also seeking approval to implement the Westfield Flood Alleviation Scheme, and to give authority to incur expenditure on the proposed works.

In considering the submitted report, assurances were provided that the proposed scheme would not create negative impact in other areas, either upstream or downstream of this site.

**RESOLVED –**

- (a) That the implementation of Westfield Flood Alleviation scheme at Westfield , as shown within Appendix A to the submitted report (on drawing FRM/253271/001 rev B), be approved;
- (b) That authority be given to incur expenditure of £472,000 on the Westfield Flood Alleviation scheme, funded by Leeds City Council Capital resources (£177,000) and Environment Agency grant (£295,000);
- (c) That it be noted that the Chief Officer (Highways & Transportation) will be responsible for the delivery of the scheme.

**22 Street Lighting Energy Saving Programme**

The Director of City Development submitted a report which presented an update on the progress made with regard to street lighting energy saving, which explored options for further energy saving measures, and which sought approval to undertake public consultation on further energy saving measures.

In considering the submitted report, a Board Member highlighted his objection to the Street Lighting Energy Saving Programme, and in acknowledging the comments made, Members discussed the effect of the programme to date and the proposal to undertake public consultation regarding options for further energy saving measures.

With regard to the public consultation exercise which was proposed, it was suggested that a view from West Yorkshire Police and/or Safer Leeds regarding the street lighting energy saving programme could potentially be incorporated into such consultation.



**RESOLVED –**

- (a) That the progress of the selective part-night street lighting contribution towards energy savings, be noted;
- (b) That the proposal to undertake public consultation in order to explore options for further energy saving measures, be approved;
- (c) That it be noted that the Chief Officer (Highways and Transportation) will be 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)

**HEALTH, WELLBEING AND ADULTS**

**23 Leeds Commitment to Carers**

The Director of Adults and Health submitted a report which presented the 'Leeds Commitment to Carers', and which invited Leeds City Council to sign up to the commitment, requesting that each directorate undertook to complete its own commitment and action plan.

Further to the introduction provided by the Executive Member for 'Health, Wellbeing and Adults', Val Hewison, Chief Executive of the 'Carers Leeds' organisation was in attendance and provided the Board with an update and further information on the crucial role played by the many carers throughout the city, the range of support which needed to be provided to carers and the partnership and multi-agency approach which needed to be taken in order to do this.

Members welcomed the information provided, confirmed the Board's support for the Council to sign up to the 'Leeds Commitment to Carers', and requested that a further report be submitted to a future Board meeting which detailed the actions being taken by each directorate in response to the 'Commitment'.

**RESOLVED –**

- (a) That each directorate of Leeds City Council be requested to consider their contribution towards making Leeds the best city for carers, and for each directorate to complete a 'Leeds Commitment to Carers' action plan.
- (b) That approval be given for Leeds City Council as an organisation to sign up to the 'Leeds Commitment to Carers'.
- (c) That a further report be submitted to a future meeting of the Board which details the actions being taken by each directorate in response to the Council signing up to the 'Leeds Commitment to Carers'.

- 24 Adult Social Care Use of Resources Peer Challenge September 2016**  
The Director of Adults and Health submitted a report which presented the results from the recent Local Government Association (LGA) peer challenge of the Adult Social Care directorate's use of resources. In addition, the report outlined the actions being taken in response to the review.

Members welcomed the contents of the submitted report, with specific reference being made to the actions that the directorate was taking in response to the key messages arising from the review.

**RESOLVED** – That the contents of the submitted report be noted.

**DATE OF PUBLICATION:** FRIDAY, 23<sup>RD</sup> JUNE 2017

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5.00 P.M., FRIDAY, 30<sup>TH</sup> JUNE 2017