

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 9TH MARCH, 2010

PRESENT: Councillor R Pryke in the Chair

Councillors S Armitage, C Beverley,
R Downes, M Lobley, T Murray,
D Schofield, S Smith, N Taggart and
G Wilkinson

98 Chair's Opening Remarks

The Chair welcomed everyone to the March meeting of the Scrutiny Board (City Development).

99 Late items

The Chair agreed to accept a copies of the following supplementary information:-

- Yorkshire Planning Aid – Witness Evidence to Leeds City Council Scrutiny Board's inquiry on publicising and consulting on planning applications (Agenda Item 7) (Minute 104 refers)
- A list of employment sites along the A65 Corridor 2010 and an article from Planning Review Leeds UDP – a special supplement of Leeds (Agenda Item 11) (Minute 105 refers)

The above documents were not available at the time of the agenda despatch.

100 Declaration of Interests

The following personal interests were declared:-

- Councillor R Downes in his capacity as Chair of the West Yorkshire Integrated Transport Authority (Agenda Items 7 and 9 refer) (Minutes 103 and 107 refer)
- Councillor T Murray in his capacity as a Member of Leeds Credit Union and as Chief Executive Officer for Learning Partnerships (Agenda Item 7 refers) (Minute 103 refers)
- Councillor M Lobley in his capacity as a Director of Leeds Renew who was involved contractually with the Leeds Arena development (Agenda Item 7 refers) (Minute 103 refers)

101 Apologies for Absence

Apologies for absence were received on behalf of Councillors R Harington and A Ogilvie.

102 Minutes of the Previous Meeting

RESOLVED - That the minutes of the previous meeting held on 9th February 2010 be approved as a correct record.

103 Performance Report - Quarter 3 2009/10

The Head of Policy and Performance submitted a report presenting an overview of performance against the priority outcomes relevant to the City Development Scrutiny Board, including an analysis of performance indicator results at the end of Quarter 3 so that the Board may understand and challenge current performance.

Appended to the report were copies of the following documents:-

- Any “tagged” action trackers from the Leeds Strategic Plan which were relevant to the Board. These trackers included progress in the delivery of key actions/activities, updated key performance indicator results and any relevant challenges and risks. They included an overall traffic light rating assigned by the Accountable Officer and agreed with the Accountable Director (Appendix 1 refers)
- Performance indicator report containing quarter 3 results for all performance indicator which can be reported in year from the Leeds Strategic Plan, National Performance Indicators set and any key local indicator which were relevant to the Board (Appendix 2 refers)
- Leeds Area Assessment/Leeds City Council Organisational Assessment dated 9th December 2009 (Appendix 3 refers)

The following representatives were in attendance and responded to Member’s queries and comments:-

Councillor A Carter, Leader of the Council
Paul Maney, Head of Strategic Planning, Policy and Performance, City Development

Prior to discussing the report, the Chair invited Board Members to put questions to Councillor Carter under his Executive Portfolio of Development and Regeneration.

In summary, reference was made to a number of items including:-

- the need for the Leeds Arena to be an iconic building that represents the city
(The Executive Member, Development and Regeneration responded and supported this view, but further commented that there were many other benefits emanating from this development including employment and additional income spend into the Leeds economy)
- the concerns expressed within the media that the site for the Leeds Arena was not accessible
(The Executive Member, Development and Regeneration responded and informed the meeting that following extensive consultation, the location of the site was the best option for inward investment for the city. It was envisaged that the arena would be accessed by the public using rail and bus links, as well as by car)

- the need for clarification of the number of major transport schemes in the pipeline and the likelihood of these proceeding in view of the current economic climate and the forthcoming General Election
(The Executive Member, Development and Regeneration responded, and made specific reference to two major schemes, namely the next phase of the A65 Quality Bus Initiative which had just received the go ahead from the DfT and a decision by the DfT on the New Generation Transport was expected by 31st March 2010. He emphasised that approval for both schemes would proceed at risk as each will carry a health warning that enables the Government to review its position at anytime)
- the concerns expressed about safety of pedestrians along the river in the south of the city (i.e. Clarence Dock area) in view of the fact that there have been 3 fatal drownings in three years in this area
(The Executive Member, Development and Regeneration responded, and confirmed that the Council did take this matter seriously and acknowledged its responsibilities in this regard but the situation was complicated by the fact that a number of walkways in this area were privately owned. He reported that discussions were ongoing with developers, owners and the Council to identify what in practical terms could be done to reduce the risks to pedestrians)
- the concerns expressed about the continuing high levels of unemployment within the city (in particular within Burmantofts and Richmond Hill ward) and whether or not the Council was in a position to lobby government for support in this area
(The Executive Member, Development and Regeneration responded and informed the meeting that the key to tackling unemployment within the city was to focus on progressing the regeneration programme. He outlined a number of successful apprenticeship schemes that the Council were involved in)
- the need for the Council to focus on transferable skills in an attempt to get people back into employment and to look at the merits of introducing a job guarantee model which would ensure that local people were successful in obtaining local jobs
(The Executive Member, Development and Regeneration responded and made reference to the Strategic Housing Partnership model introduced in Middleton which attempted to put more money into the local economy and to help those businesses which were struggling in the area)

The Chair thanked Councillor Carter for responses to the issues raised by the Board.

He then asked Councillor Carter and Paul Maney, Head of Strategic Planning, Policy and Performance to briefly introduce the key issues and ongoing concerns highlighted within the Quarter 3 2009/10 performance report.

The Head of Strategic Planning, Policy and Performance made reference to three main areas:-

- Comprehensive Area Assessment
- New indicator LKI 185 in relation to CO2 emissions from local authority operations which can be reported quarterly
- Economic recession and the recent effects caused by the adverse weather conditions were the main reasons for drops in performance

The Chair then asked the Board to raise any matters of clarification on the performance information.

In summary, specific reference was made to the following issues:-

- PI Ref LSP – TP1E – Increase the number of new customers on low incomes accessing credit union services – the concerns expressed that the target of 3,500 was not achievable and reference to a report of the Director of City Development going to a number of Area Committees seeking possible closure of a number of Credit Union offices
(The Executive Director, Development and Regeneration responded and outlined the current discussions being undertaken between the Council and the Credit Union around their on-going business affairs)
- a view expressed that the Credit Union targets should be wider around financial inclusion and include financial literacy training for those who were experiencing financial debt as a result of loan sharks
(The Executive Director, Development and Regeneration responded and supported this view. The Board noted that approximately 9 £ million in Leeds, a year, on interest was being paid on loans)
- Sufficiency of performance systems and the need even when a target was reached to include an explanation as to whether the position will be maintained in the next quarter and the factors that could affect it
(The Executive Director, Development and Regeneration responded and acknowledged that this would be good practice in other areas which were not performing. The Head of Strategic Planning, Policy and Performance referred to the 'direction of travel' arrows which was a way of helping to demonstrate this)
- the need to lobby government with the aim of supporting local businesses by offering business rate free periods on a city wide basis
(The Executive Director, Development and Regeneration responded and acknowledged that the timing was right to introduce this incentive and it was hoped that powers could be given to local Council's to do this. The Head of Strategic Planning, Policy and Performance referred to specific actions being taken to mitigate the effects of the recession including remodelling the support package available for start up businesses)

RESOLVED-

- a) That the content of the report and appendices be noted.
- b) That the Head of Strategic Planning, Policy and Performance be requested to consider those relevant issues raised by Board Members with a view to including them in future performance reports.

104 Session 2 Continued - Inquiry to Review the Method by which Planning Applications are Publicised and Community Involvement takes place

Referring to Minute 94 of the meeting held on 9th February 2010, the Head of Scrutiny and Member Development submitted a report in relation to Session 2 of the Board's inquiry to review the method by which planning applications were publicised and community involvement takes place.

The purpose of this extended session was to consider:-

- case studies involving selected residents groups, developers and Area Managers suggesting improvements to the current arrangements for publicising and involving people on planning applications, given the constraints identified in paragraph 1.4 of the terms of reference
- identify the strengths and weaknesses of the current arrangements and opportunities and barriers for improvement
- how this fits with current corporate consultation policy, processes and arrangements to facilitate more effective community consultation in neighbourhoods with regard to statutory requirements for timescale and scope

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- a) Terms of reference - Inquiry to review the method by which planning applications are publicised and community involvement takes place
- b) Report of the Chief Planning Officer –Inquiry to review the method by which planning applications are publicised and community involvement takes place which had been considered at the Board meeting in February 2010

A copy of the following document entitled 'Planning Aid – Witness Evidence to Leeds City Council Scrutiny Board investigating consultation procedures, meeting on 9th March 2010' was also circulated as Supplementary Information.

The following representatives were in attendance and responded to Members' queries and comments:-

- Martin Sellens, Head of Planning Services, City Development
- Helen Cerroti, Development Project Manager, City Development
- Councillor Janet Thornton, East Keswick Parish Council
- Tony Ray, Planning Consultant
- Jacqui Baines and James Rogers, Planning Aid

The Chair welcomed everyone to the meeting then allowed a short presentation from each witness on their personal experiences of the

processes and what they regarded as the main advantages and disadvantages of the present system and how it could be approved.

Jacqui Baines and James Rogers, Planning Aid

For the benefit of the meeting, Jacqui Baines gave a brief overview of Planning Aid.

Following this, she introduced her colleague, James Rogers, Planning Adviser to the meeting who referred to his paper entitled 'Planning Aid – Witness Evidence to Leeds City Council Scrutiny Board investigating consultation procedures, meeting on 9th March 2010'.

The evidence focused on the following themes:-

- Communication
- Procedures/Policies
- Quality of information and accessibility
- The roles of staff and Elected Members
- Quality Control

Tony Ray, Planning Consultant

At the request of the Chair, Mr Ray circulated a copy of a paper entitled 'Scrutiny Board (City Development) 09/03/10 – Review of Community Involvement in Development Management'.

The evidence focused on the following themes:-

- Context
- Information/Notification
- Consultation
- Engagement

Councillor Janet Thornton, East Keswick Parish Council

In summary, Councillor Janet Thornton raised the following issues as part of her evidence:-

- the need for the Council and Planning Officers to engage more with Parish Councils
- the need to improve the levels of communication and for all planning decisions to be sent to Parish Councils as a matter of routine
- to endorse the possible recommended improvements outlined in 7.5 of the report of the Chief Planning Officer
- to endorse and support the Planning Aids recommendations around appeals against a refusal with the aim of ensuring that up to date information and notifications were available to third parties about the procedures

- the need to focus on engagement with the aim of having planning officers in attendance at Parish Council meetings to give relevant advice on major planning applications
- the need to adhere to original methods of consultation as opposed to e mail and mobile phone lines of communication

The Board noted the written and verbal evidence submitted by the above witnesses and confirmed that this would be considered as part of the Board's Inquiry into this matter.

The Chair then sought comments from Board Members and those officers in attendance responded to the comments made.

In summary, specific reference was made to the following:-

- the need to congratulate the department on the further improvements to the online Public Access system
- the need to introduce a diagram to aid the explanation of the enforcement process/appeal mechanism to assist the public
- the need to ensure that all documents produced by the Leeds Planning Service use plain English unless there was a statutory requirement code and to incorporate this within covering letters appended to Secretary of State correspondence
- the need to recognise the important role of Community Planners, especially at the pre application stage
- the need for more dialogue between Planning and Town and Parish Council's and the Town and Parish Councils Charter
- the need to extend Community Planners particularly in disadvantaged areas or at least having dedicated officers within Development Management for defined neighbourhoods for each Area Management Committee
- clarification of Planning Aids role in providing advice and guidance (*Jacqui Baines, Planning Aid confirmed that they would respond to any requests where they could not afford other advice and met their eligibility criteria). They had a large number of volunteers who also worked for them as well as a small number of paid staff*)
- clarification of whether or not Planning Aid had the capacity for demand when assisting people with their planning enquiries (*Jacqui Baines, Planning Aid responded and informed the meeting that they had met all the demands placed upon them to date and encouraged people to get in touch. They also provided training sessions when requested*)
- clarification of approximately how many Planning Aid applications were from the Leeds area (*Jacqui Baines, Planning Aid responded and informed the meeting that approximately 380 general enquiries had been received of which 40 applications were from Leeds. Out of those 40 applications, 50% were eligible for assistance*)

- *the view that newspaper adverts had limited value and were not value for money*
- *that pre application meetings should be made more informal with question and answer sessions, displays and feedback*
- *that the development of a database of community interest groups was well supported*

In concluding, the Chair then invited the three witnesses to sum up and thanked them for their attendance and contribution to the meeting.

RESOLVED-

- a) That the contents of the report of the Chief Planning Officer and appendices be received and noted.
- b) That the case studies and witness statement be received and noted.
- c) That relevant issues identified at today's meeting be included in the Board's final report due to be considered at the next Board meeting in April.

(Councillor N Taggart joined the meeting at 11.00am during discussions of the above item)

105 Request for Scrutiny - Loss of Land Allocated for Employment

The Head of Scrutiny and Member Development submitted a report on a request for scrutiny concerning the loss of land allocated for employment.

Appended to the report was a copy of a request received for scrutiny from Councillor B Cleasby concerning the loss of land allocated for employment for the information/comment of the meeting.

In addition to the above, copies of the following documents were circulated by Councillor B Cleasby as Supplementary Information:-

- a list of Lost Employment Sites along the A65 Corridor 2010
- a copy of an article from Planning Review Leeds UDP – A Special Supplement of Leeds

The following representatives were in attendance:-

Councillor B Cleasby
Paul Gough, Team Leader, City Development

The Chair invited the above attendees to provide relevant background information and to highlight key issues in relation to the request for scrutiny and Board Members sought clarification on the points raised.

In summary, specific reference was made to the following issues:-

- clarification of the requirements of the Local Development Framework.
(Councillor Cleasby responded and referred to the fact that there was serious congestion on the A65 and accessing the Ring Road at

Horsforth was difficult. Despite this he had identified 25 sites in Guiseley, Yeadon, Rawdon, Horsforth and Kirkstall where redevelopment was a "reality" along the A65 with the inevitable increase in traffic congestion. He referred specifically the Clariant/Riverside Mills site where it was proposed to build 540 family homes and Kirkstall Forge site where 460 family homes, together with offices and a railway station had been approved. The Team Leader, City Development outlined the current progress around the Core Strategy and PPS 4 guidelines and confirmed that the department was committed to protecting existing jobs, where ever possible, and were concerned about the loss in jobs in certain areas of the city)

- the need to retain sites for small start up firms and to look at the re - development of brownfield sites, in depth, across the city in order to keep jobs in Leeds

(The Team Leader responded and informed the meeting that the department was committed to protecting existing jobs, wherever possible, and were equally concerned about the loss of any further jobs in Leeds. However, it was acknowledged that West and North West Leeds had suffered disproportionately from job losses in recent years as a result of company closures, rationalisations and relocations)

- the need to avoid any duplication in the work of the Development Plan Panel and this Scrutiny Board with regards to the Local Development Framework

(The Team Leader, City Development responded and outlined the work of the Infrastructure Delivery Plan)

The Chair then allowed Councillor B Cleasby to sum up prior to the Board making a formal resolution on the request for scrutiny.

RESOLVED –

- a) That the content of the report, appendices and supplementary information be noted.
- b) That the request for scrutiny from Councillor B Cleasby concerning the loss of land allocated for employment be deferred.
- c) That the Chair of the Development Plan Panel which is undertaking a review of the Local Development Framework be invited to attend the next Scrutiny Board meeting to discuss the issues raised by Councillor Cleasby.

(Councillor R Downes left the meeting at 11.45am at the conclusion of the above item)

106 Traffic Congestion "Pinch Points"

The Head of Scrutiny and Member Development submitted a report on the actions that have or can be taken to reduce traffic congestion caused by "Pinch Points" in the city.

Appended to the report was a copy of a document entitled 'Traffic Congestion – Key Locations – Report of the Director of City Development – Scrutiny Board – 16th December 2008' for the information/comment of the meeting.

The following representatives were in attendance and responded to Member's queries and comments:-

Gary Bartlett, Chief Highways and Transportation Officer, City Development
Andrew Hall, Transport Strategy Manager, City Development

In summary, specific reference was made to the following issues:-

- the need for the department to have a 'Plan B' in place to cover the next three to four years in relation to those major highway schemes in the pipeline i.e. Ring Road should there be no funding from the Department of Transport
(The Chief Highways and Transportation Officer responded and shared the Board's concerns about the economic future and the lack of funding from central government. He outlined the current and projected figures in relation to a number of major highways schemes. Specific reference was made to the Local Transport Plan Integrated Block, DfT funding in relation to the A65 Kirkstall Road Quality Bus Corridor Major Scheme and the on-going discussions in relation to New Generation Transport where a decision on this scheme was pending from the DfT. He informed the Board that the Government had approved the Quality Bus Initiative as at today's date which was welcomed by the Board. In addition to the above comments, the Transport Strategy Manager also commented on a number of new funding schemes with specific reference to the Urban Challenge Fund, Transport for Leeds, TiF and also made reference to the Outer Ring Road and the Horsforth Roundabout where a number of proposals were being considered)
- the need for the department to look at lower end cost schemes as well as having a Plan B in place
(The Transport Strategy Manager responded and made specific reference to the strategic finance proposals around a new Local Transport Plan which aimed to address the lower end cost schemes)
- the concern expressed that the existing arrangements in Leeds were not 'fit for purpose' and did not attempt to cover the wider picture
(The Chief Highways and Transportation Officer responded and commented on the current debates around the Leeds City Region where it was hoped that additional powers for more funds would be secured to sustain a long term investment package)
- the fact that the Council gets £8m a year from the Government for road safety and highway improvement schemes and that whilst the money for the next financial year was secure, there were concerns that from 2011 onwards this money could be cut by anything from 20% to 50%

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That further reports on this issue be submitted to the Board in the near future.

(Councillor C Beverley left the meeting at 12 noon during discussions of the above item)

107 Request for Scrutiny concerning A65 Quality Bus Initiative

The Head of Scrutiny and Member Development submitted a report on a request for scrutiny in relation to the A65 Quality Bus Initiative.

Appended to the report was a copy of a request received for scrutiny from Councillor J Illingworth concerning the A65 Quality Bus Initiative for the information/comment of the meeting.

The following representatives were in attendance:-

Councillor J Illingworth

Gary Bartlett, Chief Officer, Highways and Transportation Officer, City Development

Andrew Hall, Transport Strategy Manager, City Development

The Chair invited the above attendees to provide relevant background information and to highlight key issues in relation to the request for scrutiny and Board Members sought clarification on the points raised.

At the request of the Chair, the Chief Officer, Highways and Transportation reported on the specific outline details of the approval process for the Quality Bus Initiative received from the DfT as at today's date for the information/comment of the meeting. In addition to this, the Transport Strategy Manager provided the meeting with additional background information in relation to the Urban Development Corporation scheme introduced in 1992.

In summary, specific reference was made to the following issues:-

- the need for the Board to receive assurances that the A65 Quality Bus Initiative will not make congestion worse
(The Chief Officer, Highways and Transportation responded and confirmed that the primary objective of the scheme was to improve bus journey times whilst having a neutral impact, in terms of congestion, on general traffic movements)
- the need for the scheme to improve bus journey times
(The Transport Manager responded and informed the meeting that the that the scheme was specifically designed to improve bus journey times)
- the need for details of the traffic signal timings to be sent to Councillor Illingworth for his retention/information
(The Transport Manager responded and agreed to forward a copy to Councillor Illingworth)

The Chair then allowed Councillor J Illingworth to sum up prior to the Board making a formal resolution on the request for scrutiny.

RESOLVED –

Draft minutes to be approved at the meeting
to be held on Tuesday, 6th April, 2010

- a) That the content of the report and appendices be noted.
- b) That the request for scrutiny from Councillor J Illingworth concerning the A65 Quality Bus Initiative be refused.
- c) That a progress report on the A65 Quality Bus Initiative be submitted to this meeting in six months time which will give the Board the opportunity of assessing how the scheme was working.

(Councillor M Lobley left the meeting at 12.25pm during discussions of the above item)

108 Climate Change - Low Zero Carbon Technology Delivery and in our Estate

Referring to Minute 35 of the meeting held on 1st September 2009, the Director of City Development submitted a report on Climate Change with an emphasis on evaluating options for installing LZC (Low and Zero Carbon) energy as part of the corporate estate, with a focus on small medium and large scale projects.

Appended to the report was a copy of a document entitled 'Renewable Energy Technologies' (Appendix 1 refers) for the information/comment of the meeting.

The following officers were in attendance and responded to Members' queries and comments:-

Tom Knowland, Head of Sustainable Development, City Development
 Peter Lynes, Group Manager, City Development
 Jon Andrews, Emas Officer, City Development

In summary, specific reference was made to the following issues:-

- the concerns expressed that in relation to the process of feed-in tariffs, the amount being paid was too low
(The Group Manager responded that, in general, the industry perceived that the feed-in tariffs that HM Government had recently announced were in line with others in Europe, and may prove a positive incentive to LCC and others to consider installation of photovoltaic arrays more closely)
- clarification of the kinds of measures LCC were taking to reduce CO2 emissions in the operational estate
(The Group Manager responded and referred to LCC's actions in relation to Local Indicator NI185, regarding "CO2 emissions from local authority operations" as illustrating LCC's overall strategy. He outlined the potential to reduce emissions through changes to energy sources – "supply-side management", for instance in a possible Energy Services Company (ESCO) in the Civic Quarter producing District Heating from renewables. It was possible that there may be electricity generation and waste heat from the Residual Waste Management Scheme. While reducing Carbon emissions, supply side schemes were unlikely to generate real cash savings. "Demand-side management", on the other hand, through reducing LCC's overall energy take by improving

efficiency of use would yield real cash benefits from such investment, as well as ensuring that LCC may need less renewables into the future)

- clarification of the Council's current position in relation to renewable forms of energy
(The Group Manager responded and made specific reference to solar thermal items, photovoltaic arrays and wind turbines in schools, and the successful introduction of a 15Kw wind turbine at the John Charles Centre for Sports)
- the concern expressed that in relation to opportunities for large scale renewables, the figures outlined in Section 3.4 of the report were quite high and of the need for reports of this nature to be put in lay men's terms
(The Group Manager responded and outlined the scale of the figures quoted, in terms of the LCC's emissions from its operational estate)
- clarification of the timescales in relation to a report on this issue going to a meeting of the Executive Board
- the need for a further report to be submitted to this meeting in April on what the authority was doing in relation to addressing CO2 emissions in Council owned buildings

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That a further report on CO2 emissions in relation to Council owned buildings be submitted to the next Board meeting in April for consideration.

109 Work Programme

The Head of Scrutiny and Member Development submitted a report providing Members with a copy of the Board's current Work Programme. The Forward Plan of Key Decisions for the period 1st March 2010 to 30th June 2010 and the Executive Board Minutes of 12th February 2010 were also attached to the report.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the Executive Board minutes of 12th February 2010 and the Forward Plan of Key Decisions for the period 1st March 2010 to 30th June 2010 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to incorporate the issue of CO2 emissions in relation to Council owned buildings for consideration at the next meeting in April 2 010.

110 Date and Time of Next Meeting

Tuesday 6th April 2010 at 10am (Pre Meeting for Board Members at 9.30am)

(The meeting concluded at 12.55pm)