

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 8TH JUNE, 2010

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, Harper,
R Pryke, M Rafique, M Coulson, G Latty,
Hardy and M Robinson

8 Declaration of Interests

There were no declarations of interest made.

9 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Atkinson, Elliott, Jarosz and Smith. Councillors Hardy and Coulson acted as substitutes on behalf of Councillors Atkinson and Elliott respectively.

10 Call-In of Decision - Briefing Paper

The report of the Head of Scrutiny and Member Development advised the Scrutiny Board on the procedural aspects of a 'Called-In' decision and also outlined the options available for consideration.

RESOLVED – That the report be noted.

11 Call-In - Review of Delegated Decision No D36872 - Greenspace Funds

The report of the Head of Scrutiny and Member Development referred to the Call-In to review the Delegated Decision No. D36872 of the Deputy Chief Planning Officer. The decision was to release £201,654 from retained balances for Greenspace improvements in the area which that funding was generated.

Phil Crabtree, Chief Planning Officer and Richard Mond, Chief Recreation Officer were present for this item.

It was reported that a Call-In of the decision had been submitted by Members of the Liberal Democrat and subsequently accepted. Councillor Colin Campbell was present at the meeting to support the Call-In request. Councillor Geoff Driver was also present to represent himself and colleagues from the Labour Group who had also requested that the decision be called-in.

Councillors Campbell and Driver raised the following concerns regarding the delegated decision:

- It took away Elected Members' control over the spending of Section 106 monies.
- It was felt that these monies had already been earmarked for other projects.
- Concern that monies could be used for core spending and general maintenance.
- The decision was against the principal of Section 106 with respect to local choice, compensation and community empowerment.
- It removed opportunity for Elected Members to influence local priority spending.

In response to the concerns, it was reported that the delegated decision only affected residual sums left in the accounts up to a value of £10,000 and where the principal amounts had already been spent.. Assurances were given that these sums would continue to be spent in accordance with the conditions stipulated in the Section 106 agreements and that they could not be used for routine general maintenance.. Elected Members would be consulted on the identification of locations and works to be done. Clearly some amounts available would be too small on there own to enable a scheme to be developed and this would require discussion with ward members to identify other funding sources or the amalgamation of residual sums within a ward or wards with Members approval.

Further discussion included the following:

- Lack of consultation/engagement with Elected Members on Section 106 monies and how and where they should be spent and allegations that some monies were allocated without consultation.
- Concern that 106 monies were spent outside wards where the monies originated – how to define localities?
- The timescales involved between receiving the money and spending it – it was reported that more recent awards of section 106 monies did have timescales applied to them whereas earlier awards did not.
- Circulation and provision of information to Elected Members
- Concern that unspent Section 106 monies could be reclaimed by developers – it was reported that Leeds City Council had not had any money reclaimed.
- Concern that Section 106 monies would be used for core spending priorities.

RESOLVED – That the report and discussion be noted.

(Councillor Pryke left the meeting at 12.10 p.m. during the discussion on this item).

12 Outcome of Call-In

The Board was asked to make a decision following the discussion on the review of the called in decision – Delegated Decision No. D36872 – Greenspace Funds.

RESOLVED – That this decision be referred back and that it be retaken with the following information included within the supporting report:

- Additional detail which sets out the process applied in spending these residual sums and
- Clarity that Ward Members will be consulted in expenditure of these residual sums.

The meeting concluded at 12.25 p.m.