

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 5TH OCTOBER, 2010

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, J Elliott,
P Ewens, G Harper, J Jarosz, G Latty and
M Rafique

45 Chair's Opening Remarks

The Chair welcomed everyone to the October meeting of the Scrutiny Board (City Development). He particularly welcomed representatives from Friends of Leeds Kirkgate Market (Agenda Item 12) (Minute 55 refers).

He also informed the meeting that Ms Barbara Woroncow was unable to attend today's meeting due to being summoned for surgery a few weeks ago and that he had written on behalf of the Board sending her their good wishes.

46 Late Items

The Chair agreed to accept the following document as supplementary information:-

- Marketing Leeds Annual Report 2009 and Annual Review 2010 – Updated marketing activity plan for Marketing Leeds (Appendix 1 refers) (Agenda Item 7) (Minute 50 refers)

The updated document replaced Appendix 1 circulated with the papers as it was not available at the time of the agenda despatch, but was circulated by e mail and made available to the public on the Council's website prior to today's meeting.

47 Declaration of Interests

The following personal declarations of interest were made:-

- Councillor B Atha in his capacity as a trustee on the Leeds Grand Theatre Board; Northern Ballet Theatre and Middleton Equestrian Centre and also as Chair of Red Ladder Theatre Company (Agenda Item 11) (Minute 54 refers)
- Councillor J Procter in his capacity as Chair of the Leeds Grand Theatre Board and also as a trustee on Northern Ballet Theatre (Agenda Item 11) (Minute 54 refers)

48 Apologies for Absence and Notification of Substitutes

Apologies for absence were received on behalf of Councillors D Atkinson, R Pryke, M Robinson, S Smith and Barbara Woroncow (Co-opted Member).

Notification had been received for Councillor P Ewens to substitute for Councillor Smith.

49 **Minutes of the Previous Meetings**

RESOLVED-

- a) That the minutes of the Board meeting and Call-In meeting held on 7th September 2010 be confirmed as a correct record.
- b) That in relation to Minute 31, the Board's Principal Scrutiny Adviser forward details on the process and procedures for the management of Section 106 and 278 Agreements with developers to Councillor P Ewens in accordance with her request.

50 **Marketing Leeds Annual Report 2009 & Annual Review 2010**

The Head of Scrutiny and Member Development submitted a report on progress in relation to Marketing Leeds.

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

- Marketing Leeds – Annual Report 2009 – Report of the Assistant Chief Executive (Planning, Policy and Improvement) – Executive Board – 21st July 2010
- Updated Appendix 1 Marketing Leeds Activity Plan for 2010/11

A copy of the Marketing Leeds Annual Review 2010 booklet had also been circulated to Board Members with the papers for today's meeting for their information/comment.

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

Dirk Mischendahl, Marketing Leeds Board Member
James Rogers, Assistant Chief Executive (Planning, Policy and Improvement) and Marketing Leeds Board Member
Deborah Green, Chief Executive, Marketing Leeds

At the request of the Chair, the Assistant Chief Executive (Planning, Policy and Improvement) and the Chief Executive, Marketing Leeds briefly outlined the background issues (including financial details), together with key measurables and achievements in relation to Marketing Leeds.

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

- clarification of the relationship between Marketing Leeds and Leeds City Council
- details of the costs involved in producing the booklet 'Marketing Leeds Annual Review 2010' and the benefits accrued from this publication
(The Assistant Chief Executive responded that the cost was £7000 and commented that this was good value for money based on the numbers produced and its wide circulation)
- the opportunities to promote and market Leeds as an international city/capital city of the north

- the important role Marketing Leeds had in attracting people and businesses to invest in the city
- a perception that Leeds was not always 'punching- its- weight'
- concerns regarding the private hire taxi contract at Leeds Bradford International Airport
- the importance of promoting the city at major events and highlighting the excellent facilities available in Leeds
- the diversity of the Marketing Leeds Board
- assurances that Marketing Leeds was not promoting Leeds at the expense of Bradford
(The Chief Executive, Marketing Leeds responded and explained that this was not the case and that they welcomed opportunities to work closely with all our neighbouring Councils)
- clarification that tourism and conferencing was not in the remit of Marketing Leeds
- clarification of the success of Festive Leeds and whether Marketing Leeds promoted this event
(The Chief Executive Marketing Leeds stated that they did not lead on this event)
- to welcome the news that Leeds was now 23rd in the league table of 30 "leading cities for business' when it was not even listed in 1999
- in order to promote at least the geographical location of Leeds why it was not always shown on the BBC & ITV News weather map

RESOLVED - That the Marketing Leeds Annual report 2009 , the Annual Review 2010 in booklet form and the updated Marketing Leeds Activity Plan for 2010/11 be noted.

51 Recommendation Tracking - Inquiry to Review the methods by which Planning Applications are Publicised and Consultations Undertaken

The Head of Scrutiny and Member Development submitted a quarterly report on progress made in implementing the Board's recommendations.

Appended to the report was a copy of the following documents for the information/comment of the meeting:-

- Recommendations tracking flowchart and classifications: Questions to be considered by Scrutiny Boards (Appendix 1 refers)
- Recommendation Tracking – Progress Report (April 2010) (Appendix 2 refers)

The report also showed specific progress against recommendations arising from the Inquiry to review the methods by which planning applications are publicised and consultation undertaken.

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

Martin Sellens, Head of Planning Services, City Development
Helen Cerroti, Development Project Manager, City Development

The Board were informed that Phil Crabtree, Chief Planning Officer, City Development had conveyed his apologies for this item. Following a brief discussion on this issue, the Board requested the Principal Scrutiny Adviser to advise relevant Chief Officers of the importance of attending the meeting when invited to assist the Board with their scrutiny deliberations.

At the request of the Chair, the Head of Planning Services outlined the key issues within the report highlighting the progress made towards the thirteen recommendations.

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

- the concern expressed that more progress had not been made with regard to those recommendations which had achieved a 4 status category i.e. not achieved (progress made acceptable). It was acknowledged however that a number of the recommendations specified that completion was not due to be completed until March 2011 or 2012
- the concern expressed by a Member of the Board that she had not been involved with this inquiry and asked to see a copy of the full report
(The Principal Scrutiny Adviser responded and agreed to forward this final report to the Member concerned)
- the importance of continuing to support and develop Elected Members on planning issues

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That approval be given to those recommendations which no longer require monitoring to be removed from the schedule in accordance with the report now submitted.

52 Request for Scrutiny of the Strategic Housing Land Availability Assessment (SHLAA)

Referring to Minute 29 of the meeting held on 7th September 2010, the Head of Scrutiny and Member Development submitted a report on a request for scrutiny of the Strategic Housing Land Availability Assessment (SHLAA).

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

- Parish Council Representation on the Strategic Housing Land Availability Study – Report of the Head of Scrutiny and Member Development – Scrutiny Board (City Development) – 7th September 2010 (Appendix 1 refers)
- Request for Scrutiny – Strategic Housing Land Availability Assessment from Councillor G E Hall, Barwick-in-Elmet and Scholes Parish Council

–Scrutiny Board (City Development) – 7th September 2010 (Appendix 2 refers)

- Consultation on the Local Development Framework/Core Strategy and the Strategic Housing Land Availability Study Update – Report of the Director of City Development – Scrutiny Board (City Development) – 5th October 2010 (Appendix 3 refers)

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

Councillor G E Hall, Barwick –in-Elmet and Scholes Parish Council
Robin Coghlan, Team Leader Planning Policy, City Development

The Board were informed that Steve Speak, Deputy Planning Officer, City Development had conveyed his apologies for this item. The Board again requested the Principal Scrutiny Adviser to advise relevant officers of the importance of attending the meeting to assist the Board with their scrutiny deliberations.

Prior to discussing this issue, the Chair sought the initial views of Councillor G E Hall on whether or not he was in agreement with the Director of City Development's proposals for community engagement and for updating the Strategic Housing Land Availability Assessment in their latest report.

Councillor G E Hall responded and informed the meeting that, in principle, he was in agreement with the proposals outlined within the report, However he made specific reference to Sections 3.4, 4.1, 4.2, 4.5 and 4.6 in the report where further clarification of the proposals was sought from the Team Leader, Policy Team, City Development.

At the request of the Chair, Robin Coghlan, Team Leader Planning Policy, City Development responded to the individual points raised by Councillor G E Hall. It was reported that officers were still waiting for a steer from the Executive Board Member with portfolio responsibility for Development and Regeneration on this matter.

Following a brief discussion, the Chair enquired if Councillor G E Hall would be satisfied if the Board approved option (iii) as outlined in 4.5 of the report i.e. offer to request that the Strategic Housing Land Availability Assessment (SHLAA) Partnership extends membership to include Parish Council representation, or some other local community representation.

Councillor G E Hall responded and confirmed that he would welcome the Board's approval to this option, but stated that it was imperative that, if agreed, the option should be implemented by officers without delay.

RESOLVED-

- a) That the contents of the report and appendices be received and noted.
- b) To recommend to the Leeds' SHLAA Partnership that it extends its membership to include Parish Council representation, or some other

local community representation in accordance with option (iii) paragraph 4.5 of the Director of City Development's report.

- c) That in the circumstances no further action be taken with regard to Councillor G E Hall's request for scrutiny of the Strategic Housing Land Availability Assessment (SHLAA).

53 Cemeteries and Crematoria Horticultural Maintenance

The Director of City Development submitted a report on Cemeteries and Crematoria Horticultural Maintenance.

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

Richard Mond, Chief Recreation Officer, City Development
Sean Flesher, Head of Parks and Countryside, City Development
Phil Stephenson, Chief Superintendent, Lawnswood, City Development

The Head of Parks and Countryside introduced the report and provided the meeting with the relevant background information and main findings for horticultural maintenance of cemeteries and crematoria in Leeds.

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

- clarification of the numbers of Friends of Cemeteries Groups within the city
- clarification of the number and specific details of those Area Committees who employ cemetery maintenance staff through their own well-being budgets
- clarification of the department's protocol around the health and safety and maintenance issues in relation to headstones
- the need for the department to look ahead in relation to the future of burial provision, with specific reference to those requests identified by faith groups
- clarification of the areas covered in relation to "general grave maintenance" as outlined in Section 4.10 of the report
- to convey a message of thanks to the Chief Superintendent, Lawnswood and his staff for their efforts following recent damage caused to the Muslim section in Harehills cemetery. A Member also reported on the efforts to establish a Friends of Cemetery Group at Harehills to support the maintenance and security of the cemetery
- the importance of educating children at primary school age to respect cemeteries and the custom and practices for burial of whatever faith within the city
- the wish to establish a working group on this issue and undertake site visits to identify the horticultural maintenance problems that exist in our cemeteries and crematoria sites

RESOLVED-

- a) That the contents of the report be noted.

- b) That a working group be established to consider the pressure on the maintenance budget for cemeteries and crematoria and the flouting of grave conditions that had resulted in the enclosure of graves which incur additional maintenance costs.
- c) That the working group visit Lawnswood, Harehills and Hunslet and other cemeteries which maybe identified at a later date with a view to identifying the horticultural maintenance problems that exist.
- d) That the Board's Principal Scrutiny Adviser be requested to e mail Board Members with regards to formulating the membership of the working group which shall comprise of up to eight Members.
- e) That the working group's findings be reported to a future meeting of the Board for consideration.

(Councillor B Atha left the room at 11.30am during discussions of this item)

(Councillor P Ewens left the meeting at 12 noon at the conclusion of this item)

54 Grants to Culture and Sport Related Organisations

Referring to Minute 35 of the meeting held on 7th September 2010, a report of the Head of Scrutiny and Member Development was submitted outlining the grant process to cultural and sporting organisations in Leeds, the amount granted, the benefits to the city, the governance process and the in kind support.

Appended to the report was a copy of the following document for the information/comment of the meeting:-

'Grants to Culture and Sport Related Organisations – Report of the Chief Officer, Libraries, Arts and Heritage – Scrutiny Board (City Development) – 7th September 2010'

Catherine Blanshard, Chief Officer, Libraries, Arts and Heritage, City Development was in attendance and responded to Members' queries and comments.

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

- clarification of the total amount spent by the department on grants that are made to cultural and sport related organisations and the need to establish whether or not Council tax payers were getting value for money
(The Chief Officer, Libraries, Arts and Heritage responded and confirmed that the grants made to culture and sport related organisations was around £3.2 million per annum)
- the need to amend the table of grants to include spend within the department to support specific events; the representation the Council had on their management committees to protect the Council's interests and the need to focus on the value and benefit to the Council of giving such monies

- the need to review the payment the Council makes to West Yorkshire Grants and an assessment of whether the approach still gave value for money for the Council
- the view that a working group be established to consider this issue

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That a working group be established to consider the grants and any spend within the service budget to support certain grant funded events to all cultural and sporting organisations in Leeds; the benefits that accrue to the city from such payments; what representation, if any, the Council had on their management committees to protect its interests and review the payment the Council makes to West Yorkshire Grants and an assessment of whether the approach still gave value for money.
- c) That the Board's Principal Scrutiny Adviser be requested to e mail Board Members with regards to formulating the membership of the working group which shall comprise of up to eight Members.
- d) That the working groups findings be reported to a future meeting of the Board.

(Councillor B Atha rejoined the meeting at 12.05pm during discussions of the above item)

55 Kirkgate Market

Referring to Minute 36 of the meeting held on 7th September 2010, the Head of Scrutiny and Member Development submitted a report regarding the development of a draft market strategy for Kirkgate Market.

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

Martin Farington, Acting Director of City Development
 Paul Stephens, Chief Economic Development Officer, City Development
 Cath Follin, Head of City Centre and Markets, City Development

At the request of the Chair, the Acting Director of City Development, Chief Economic Development Officer and the Head of City Centre and Markets provided the Board with the following reasons as to why the development of a draft market strategy had not been completed in time for today's meeting:-

- that the outcome of an independent review of rents by the District Valuer for Kirkgate Market was still outstanding, but likely to be published within the next few weeks which would influence the developing strategy
- that further work was being undertaken with regard to the conditions survey at Kirkgate Market, the outcome of which would again help determine the options available to the Council
- that the post of Markets Manager was vacant, but shortlisting had taken place this week and hopefully an appointment would be made on 22nd October 2010 who could then contribute to the draft strategy

- the announcement by Hammerson Developers to start consultation on a £650m Eastgate scheme development would have an important impact and influence on a market strategy for the city

The Chair made reference to the receipt of an e mail received from the Friends of Kirkgate Market dated 4th October 2010 which raised a number of questions arising from the delay in presenting a draft market strategy to the Scrutiny Board.

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

- the general view expressed by the Board that the delay in producing a draft market strategy for Kirkgate Market was totally unacceptable
- the regret that the Board had not proceeded as planned with an inquiry on this matter in July 2010
- clarification of the current consultation arrangements with market traders
- clarification as why market traders were not directly involved within the process of drafting of the market strategy and the urgent need to rectify this anomaly
- the concerns expressed at the reduced footfall in the market and the need to act quickly to address this issue

RESOLVED-

- a) That the contents of the report, together with the comments made by the Acting Director of City Development, Chief Economic Development Officer and the Head of City Centre and Markets be noted.
- b) That a Scrutiny Inquiry be undertaken on Kirkgate Market and that the Board's Principal Scrutiny Adviser be requested to draw up formal terms of reference for consideration at the next meeting on 2nd November 2010.

(Councillors J Akthar and G Harper left the meeting at 12.40pm at the conclusion of this item)

56 City Development Directorate: 2010/11 Budget - Financial Position

Referring to Minute 33 of the meeting held on 7th September 2010, the Head of Scrutiny and Member Development submitted a report providing the Board with a financial position for the City Development Directorate at period 5.

Appended to the report was a copy of a document entitled 'City Development Directorate; 2010/11 Budget – Period 5 Report' for the information/comment of the meeting.

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

Martin Farrington, Acting Director of City Development
Ed Mylan, Chief Officer, Resources and Strategy, City Development
Simon Criddle, Head of Finance, City Development

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

- clarification of why there had been a significant reduction in planning application income of £221,000 between Period 4 and Period 5
- the need for the Board to be provided with actuals for July and August 2010 prior to the next meeting in November 2010
- that the Budget details submitted to the next Board meeting should give the September actuals and projections compared with the previous month
- clarification as why the restructuring exercise of the Planning Section had taken eighteen months to complete, together with specific details of the 16% reduction in the workforce
- clarification as to whom authorised the overspend in staffing in relation to Sports and Active Recreation Services

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Acting Director of City Development be requested provide the Board with actuals for July and August 2010 via the Board's Principal Scrutiny Adviser for circulation prior to the next meeting on 2nd November 2010.
- c) That the departmental budget report 2010/11 on variances against actuals and projections for month 6 compared with the previous month be submitted to the Board meeting on 2nd November 2010 for discussion.

57 Work Programme, Executive Board Minutes and Forward Plan of Key Decisions

The Head of Scrutiny and Member Development submitted a report providing Members with a copy of the Board's current Work Programme. The Executive Board minutes of 25th August 2010, together with the Forward Plan of Key Decisions for the period 1st October 2010 to 31st January 2011 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 25th August 2010, together with the Forward Plan of Key Decisions for the period 1st October 2010 to 31st January 2011 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to include the following items:-
 - Scrutiny Inquiry and terms of reference for Kirkgate Market (November 2010)
 - Formation of a Working Group in relation to Cemeteries and Crematoria Horticultural Maintenance
 - Formation of a Working Group in relation to Grants to Culture and Sport Related Organisations

58 Date and Time of Next Meeting

Tuesday 2nd November 2010 at 10.00am (Pre meeting for Board Members at 9.30am)

(The meeting concluded at 1.10pm)