

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 8TH FEBRUARY, 2011

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, J Elliott,
G Harper, J Jarosz, V Kendall, M Rafique,
M Robinson and S Smith

B Woroncow (Co-optee)

104 Chair's Opening Remarks

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

In relation to Item 7 on the agenda 'Inquiry into Leeds Markets: Eastgate and Parking – Session 3', he informed the Board that a request had been received from the Friends of Kirkgate Market to take one or two photographs of the meeting during this item for their web site. The Board agreed to this request, but did not agree to any part of the meeting being filmed.

105 Late Items

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

- Inquiry into Leeds Markets: Eastgate and Parking – Session 3 – Appendix 1 (Minute 109 refers)
- Budget Information 2010/11 and Budget Proposals 2011/2012 – (i) Leeds City Council 2011/12 Budget Report – Directorate: City Development (ii) Revenue Budget and Council Tax 2011/12 (Minute 112 refers)

The documents were not available at the time of the agenda despatch, but made available on the Council's Internet site prior and after the meeting.

106 Declaration of Interests

The following personal interest was declared at the meeting:-

- Councillor J Procter in his capacity as Chair of the Leeds Grand Theatre Board and also as a trustee of Northern Ballet Theatre (Agenda Item 10) (Minute 112 refers)

107 Apologies for Absence and Notification of Substitutes

Apologies for absence were received on behalf of Councillors D Atkinson, M Lobley and R Pryke.

Notification had been received for Councillor V Kendall to substitute for Councillor M Lobley.

108 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 11th January 2011 be confirmed as a correct record.

109 Inquiry into Leeds Markets: Eastgate and Parking - Session 3

Referring to Minute 99 of the meeting held on 11th January 2011, the Head of Scrutiny and Member Development submitted a report on the third session of the Board's Inquiry to consider the Future of Kirkgate Market.

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

- Scrutiny Board (City Development) – Inquiry to Consider the future of Kirkgate Market – Terms of Reference (Appendix 1 refers)
- Inquiry into Leeds Markets: Eastgate and Parking – Report of the Acting Director, City Development (Appendix 2 refers)

A copy of 'Appendix A' referred to in the report of the Acting Director, City Development was also circulated.

In addition, the Board received a paper from John Perriton, Field Support Manager, National Market Traders Federation commenting on the Acting Director of City Development's report as he was unable to attend today's meeting. A paper from "Friends of Kirkgate Market" was also tabled as further evidence to the Board.

The following representatives/witnesses were in attendance and gave evidence to the Board and responded to Board Members' queries and comments:-

Martin Farrington, Acting Director of City Development
Cath Follin, Head of City Centre and Markets, City Development
Jo Williams, National Market Traders' Federation (NMTF) (Kirkgate Branch)
Liz Loughton, National Market Traders' Federation (NMTF) (Kirkgate Branch)
Michele Hocken, National Market Traders' Federation (NMTF) (Kirkgate Branch)
Lucky Singh, National Market Traders' Federation (NMTF) (Kirkgate Branch)
Sara Gonzalez, Friends of Kirkgate Market
Megan Waugh, Friends of Kirkgate Market
Chris Leonard, Friends of Kirkgate Market

The Chair informed the meeting that the evidence presented to today's Board meeting would be considered in two parts; firstly concerns from the National Market Traders' Federation (NMTF) (Kirkgate Branch) in support of their continuing concerns in relation to the future of Kirkgate Market and secondly to consider a report from the Acting Director of City Development in relation to parking and the Eastgate Development.

The Future of Kirkgate Market

At the request of the Chair, Jo Williams, National Market Traders' Federation (NMTF) Kirkgate Branch circulated a copy of a set of slides from a power point presentation entitled 'Items for discussion' for the information/comment of the meeting.

The document referred to the following issues:-

- The Future of Leeds Kirkgate Market
 - Management
 - Ownership
 - Plans
- Lettings
 - Current Position
 - Plans
- Rent and Service Charges
 - Accounts breakdown current position
 - Plans moving forward

Officers responded to the concerns expressed by representatives from NMTF on each of the issues identified which had been discussed in detail at the last Board meeting.

Arising from these discussions, it was reported that the Council's Administration had recently established a Markets Forum to be chaired by Councillor G Harper in his capacity as a Deputy Executive Member and that its first meeting would be held on 10th February 2011 with management and market trader representatives to discuss the proposed terms of reference for the Forum and the markets future.

The Chair expressed concern that this initiative was not helpful to the Board's inquiry and that the Board should have been advised of what was being proposed much earlier in the process.

Board Members then questioned officers and witnesses on the establishment of the Markets Forum and in particular:-

- the need for traders to be provided with at least an outline of a proposed market strategy given the length of time this had taken to date
(On behalf of the Board, the Chair agreed to convene an urgent meeting with the Leader of Council with a view to responding to market traders by 11th February on this issue)
- clarification of the remit of the Market Forum and whether or not market traders had been involved in preparing the terms of reference
(Councillor G Harper in his capacity as Deputy Executive Member confirmed that market traders had been involved with the Market Forum discussions and read out the proposed terms of reference)

for the information of the meeting. He also confirmed that the Market Forum would involve trader representation.

A number of market traders stated that whilst they had been consulted on this Market Forum sometime ago, they had not supported the proposal and considered that traders were underrepresented on it and that it would be unlikely that they would attend the meeting arranged for 10th February 2011)

The Chair asked about progress in providing details of the service charges to market traders.

The Head of City Centre and Markets responded and confirmed that all service charge invoices were now being placed in the Markets office for inspection.

A paper providing details of the make up of the service charges which had previously been provided to the market traders and the Chair were tabled for Members information.

It was agreed that an audited copy of the 2009/10 accounts in respect of service charges at the market would be provided to the traders.

Councillor B Atha raised his concerns that the breakdown figures omitted to show officer salaries and central charges and that it was essential for the Board to receive the complete figures from a business perspective. The Acting Director of City Development clarified that the salaries of the Head of City Centre and Markets and above do not form part of a service charge.

The Chair then invited further comments in response to the above issues from Jo Williams; Liz Laughton, Michelle Hocken and Lacky Singh from the National Market Traders' Federation (NMTF) Kirkgate Branch.

Arising from discussions, Councillor B Atha enquired if the Council provided long term lets in the market.

The Head of City Centre and Markets responded and confirmed that the Council did provide long term lets, but many businesses in the current climate did not want these and preferred short term flexible lets. She agreed to provide details on the type of leases approved in the last year for circulation to the Board and market traders.

In concluding discussions on the future of Kirkgate Market, the Chair invited comments from Sara Gonzalez, Friends of Kirkgate Market. In summary she briefly referred to the following issues:-

- the collection of a petition of 10,000 signatures seeking a commitment by the Council of a significant reduction in market rents, substantial investment over the next 5 years including full

repairs to the roof of the whole market and greater involvement and transparency in all aspects of markets management

(This petition was formally accepted by Councillor J Procter on behalf of the Board, and handed to the Board's Principal Scrutiny Adviser who took official receipt of the petitions)

- the fact that rent in Kirkgate Market was the highest in Northern England
- the need to ring fence income for reinvestment in the market
- the view that relationship between management and market traders needed to improve
- the need to recognise that Kirkgate Market was an important aspect of people's life and wellbeing

Parking Issues and the Eastgate Development

The Chair invited the Acting Director of City Development and the Head of City Centre and Markets to give a brief introduction on the following key points referred to within the Acting Director of City Development 's report :-

- Background Information on Eastgate Quarters
- Proposed Highway changes (Eastgate/George Street)
- Current and Future Customer Parking Provision
- Trader Parking Provision
- Current and Future Loading/Unloading
- Management and Ownership Models

Following this, the Chair then allowed Joe Williams, National Market Traders' Federation (NMTF) (Kirkgate Branch) and Michelle Hocken, National Market Traders' Federation (NMTF) (Kirkgate Branch) and Chris Leonard Friends of Kirkgate Market to comment on the issues raised.

A number of areas were commented upon and discussed by witnesses including:-

- the concern at the potential impact of the Eastgate Quarters development on customer car parking; vehicular access for traders' deliveries/loading and unloading and trader parking
- the 1,618 additional car parking spaces that would be provided as a consequence of the Eastgate redevelopment
- Section 106 planning obligations for this development
- the fact that a new planning application in outline form had still to be submitted by Hammersons
- trader parking provision and adequacy of the proposals for loading and unloading
- reference to the high car parking charges at NCP car parks which were outside the control of the Council
- adequacy of the proposed highways changes, estimated footfall and accuracy of bus journey times. It was reported that a traffic impact assessment would be undertaken in relation to the Eastgate

development that would consider a range of issues including bus journey times

- clarification as to what discussions had been held between the market traders and Hammersons with regards to the Eastgate Development
(The Acting Director of City Development responded and agreed to write to the developer on this issue)
- a requirement for the Eastgate development to be pedestrianised

In concluding, the Chair, on behalf of the Board, thanked officers and witnesses for their attendance and contribution to the Inquiry.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That at its meeting on 8th March 2011, the Acting Director of City Development be requested to submit a report setting out the management and ownership models that could be applied to the future operation of the market which had been previously reported to the Board and to verbally update on the outcome of his meeting with the market traders in order to inform Scrutiny's view on their preferred management model for Kirkgate Market.

(Councillors G Harper and S Smith left the meeting at 12 noon at the conclusion of this item)

- 110 Leeds Bradford International Airport: Transport Planning Obligations**
Referring to Minute 98 of the meeting held on 11th January 2011, the Head of Scrutiny and Member Development submitted a report on the transport planning obligations for Leeds Bradford International Airport.

Appended to the report was a copy of a document entitled 'Leeds Bradford International Airport; Transport Planning Obligations – Report of the Acting Director of City Development for the information/comment of the meeting.

In addition to the above documents, a copy of an e mail received from Tim McSharry, Head of Disability and Diversity, Access Committee for Leeds dated 7th February 2011 was circulated for the information/comment of the meeting.

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

Martin Farrington, Acting Director of City Development
Mike Darwin, Head of Highways Development Services, City Development
Gillian Macleod, Principal Highways Development Engineer
Planning Adviser from the White Young Green Group

The Board noted that due to other commitments, apologies had been received from John Parkin, Chief Executive of Leeds Bradford Airport and

Carl Lapworth, Director, Operations and Engineering, Leeds Bradford International Airport.

Mike Darwin, Head of Highways and Development Services, City Development highlighted the main issues within the department's report.

The Board Members commented on a number of issues including:-

- the definition of public transport by the Department for Transport
- concerns at how the recording of journeys by car and public transport to the airport had been interpreted. The Acting Director clarified how this was interpreted within the DfT Guidance
- the fact that the surface access strategy for Leeds Bradford International Airport would be reviewed in 2011 in accordance with agreed procedures and DfT guidelines
- a view that wider consultation particularly with Elected Members needs to be undertaken in developing the airport's next Surface Access Strategy
- Taxis and disability issues

The Chair informed the meeting that in view of concerns being expressed by the Hackney Carriage trade, he was prepared to take additional evidence from them at today's meeting.

Mike Utting, representing Leeds Taxi Owners Ltd, Streamline/Telecabs made reference to a number of issues including:-

- the fact that hackney carriages provide a public service
- that the loss of the taxi contract at the Leeds Bradford International Airport some years ago had created hackney carriage congestion in the city centre
- the need to offer the public using the airport choice between private hire and hackney carriages
- the suggestion that a hackney carriage rank could be provided on Whitehouse Lane with a commitment that his Associations would part fund this venture
- the lack of disabled taxis at the airport by the current operator

The Acting Director City Development stated that he remained to be convinced about the proposal for a hackney carriage rank on Whitehouse Lane.

The Chair thanked officers and representatives from the Leeds Taxi Owners Ltd, Streamline/Telecabs for their attendance and contribution to the meeting.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Board's Principal Scrutiny Adviser, in consultation with the Acting Director of City Development, be requested to submit a report

and recommendations on a Surface Access Strategy and proposals for a Hackney Carriage rank for consideration at a future meeting of the Board.

111 The State of the Roads in Leeds

Referring to Minute 102 of the meeting held on 11th January 2011, the Head of Scrutiny and Member Development submitted a report on the state of the roads in Leeds following the snow and extended period of cold weather earlier this winter.

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

Martin Farrington, Acting Director of City Development
Gary Bartlett, Chief Officer, Highways and Transportation, City Development
Helen Franklin, Acting Head, Highway Services, City Development

Board Members then questioned the above representatives and officers responded.

RESOLVED –

- a) That the contents of the report be noted.
- b) That no further scrutiny be undertaken on this issue.

(Councillor G Harper re-joined the meeting at 12.55pm during discussions of this item)

(Councillor J Akthar joined the meeting at 1.00pm during discussions of this item)

(Councillors J Elliott and M Rafique left the meeting at 1.00pm during discussions of this item)

112 Budget Information 2010/11 and Budget Proposals 2011/2012

Referring to Minute 100 of the meeting held on 11th January 2011, the Head of Scrutiny and Member Development submitted a report on budget information 2010/11 and budget proposals 2011/2012 with specific reference to the Temple Newsam estate and house and the events budget.

Appended to the report was a copy the Temple Newsam estate and house and events budget for the information/comment of the meeting.

A copy of the full revenue budget papers for 2011/12, together with the relevant budget papers for the City Development department were circulated as supplementary information. These were not considered at the meeting.

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

Councillor R Lewis, Executive Board Member, Development and Regeneration
Martin Farrington, Acting Director of City Development
Ed Mylan, Chief Officer, Resources and Strategy, City Development
Simon Criddle, Head of Finance, City Development

The Chief Officer, Resources and Strategy, City Development introduced the report.

Board Members then questioned the above representatives and commented on the specific proposals relevant to the Temple Newsam estate and house and the events budget.

Specific reference was made to the fact that the department was incurring unnecessary expenditure in relation to employing a person to staff the car park at Temple Newsam with a potential savings of £20k
(The Chief Officer, Resources and Strategy responded and informed the meeting that this post was established to protect cars from theft and vandalism and if the arrangement was not in place it could have a detrimental impact on wider usage of the facilities)

There was a discussion on the application of central charges in the accounts and reference to the profit and loss accounts for the Museum shops where currently there was only a stock take undertaken annually. The Chief Officer, Resources and Strategy reported that this would be rectified later this year with the installation of an electronic stock control system.

RESOLVED- That the contents of the report and appendices be noted.

- 113 City Development Directorate: 2010/11 Budget - Financial Position**
Referring to Minute 101 of the meeting held on 11th January 2011, the Head of Scrutiny and Member Development submitted a report providing the Board with a financial position for the City Development Directorate at period 9.

Appended to the report was a copy of a document entitled ' City Development Directorate; 2010/Budget – Period 9 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

Board Members then questioned the above representatives.

RESOLVED - That the contents of the report and appendices be noted.

114 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 5th January 2011, together with the Forward Plan of Key Decisions for the period 1st February 2011 to 31st May 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 5th January 2011, together with the Forward Plan of Key Decisions for the period 1st February 2011 to 31st May 2011 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme as follows:-
 - Leeds Bradford International Airport – New Surface Access Strategy
 - Leeds Athletic Club
- d) To request a review of the Council's legal costs (Scrutiny Board Central and Corporate).

115 Date and Time of Next Meeting

Tuesday 8th March 2011 at 10.00am (Pre meeting for Board Members at 9.30am)

(The meeting concluded at 1.45pm)