

SCRUTINY BOARD (HOUSING AND REGENERATION)

TUESDAY, 26TH JUNE, 2012

PRESENT: Councillor J Procter in the Chair

Councillors D Collins, J Cummins,
P Grahame, M Iqbal, S Lay, V Morgan,
D Nagle and C Towler

Mr G Hall – Co-opted Member

1 **Chair's Opening Remarks**

The Chair welcomed everyone to the June meeting of the Scrutiny Board (Housing and Regeneration) meeting.

He particularly welcomed Councillors J Cummins, S Lay, D Nagle and C Towler as newly elected Members on the Council.

2 **Declaration of Interests**

Councillor V Morgan made a general personal declaration of interest in her capacity as a Member on the ALMO Inner East Area Panel.

3 **Apologies for Absence**

Apologies for absence were received on behalf of Councillor G Wilkinson.

4 **Co-opted Members**

The Head of Scrutiny and Member Development submitted a report on the options available with regards to the appointment of co-opted members to the Scrutiny Board.

Richard Mills, Principal Scrutiny Adviser, Scrutiny Support presented the report and responded to Members' queries and comments.

Discussion ensued on the contents of the report and on the nomination put forward for co-option.

The Chair invited Members to submit to the Principal Scrutiny Adviser any further nominations for co-option they would like to make for consideration of the Board.

RESOLVED –

- a) That the contents of the report be noted.
- b) That Mr G Hall be appointed as a Co-opted Member to the Board for 2012/13 without voting rights.

(Mr G Hall joined the meeting at 10.15am)

- 5 Minutes of the Scrutiny Board (Regeneration) Meeting - 17th May 2012**
RESOLVED – That the minutes of the former Scrutiny Board (Regeneration) meeting held on 17th May 2012 be approved as a correct record.

6 Matters Arising from the Minutes

- a) The Leeds Community Infrastructure Levy – Update on Timetable (Minute 97 refers)

Mr G Hall referred to the availability of an ‘idiots’ guide on the Community Infrastructure Levy.

The Board’s Principal Scrutiny Adviser responded and reminded Members that the Department for Communities and Local Government briefing note on the Communities Infrastructure Levy (CIL) which had been provided at the beginning of the inquiries on Housing Growth and Affordable Housing by Private Developers gave a good explanation and guide on the proposals. This had been re-circulated following the Board’s request and discussion with the Deputy Chief Planning Officer.

The Chair stated that the DCLG briefing note and the way Leeds was moving forward on this was at variance and asked the Deputy Chief Planning Officer for his comments and an up date on where we were with this.

7 Changes to the Council's Constitution in relation to Scrutiny

The Head of Scrutiny and Member Development submitted a report on the changes to the Council’s Constitution in relation to Scrutiny.

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

- Scrutiny Board (Housing and Regeneration) – Council Committees’ Terms of Reference (Appendix 1 refers)

Richard Mills, Principal Scrutiny Adviser, Scrutiny Support presented the report and responded to Members’ queries and comments.

Discussion ensued on the contents of the report and appendices.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Board notes the amendments to the Council’s Constitution relating to scrutiny procedure rules in accordance with the report now submitted.

8 Equality Improvement Priorities 2011-2015

The Assistant Chief Executive (Customer Access and Performance) submitted a report on the new Equality Improvement Priorities and revised Equality and Diversity Policy.

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

- The Equality Improvement Priorities 2011 – 2015 (Appendix 1 refers)
- Equality and Diversity Policy 2011-2015 (Appendix 2 refers)

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

- Lelir Yeung, Head of Equality, Customer Access and Performance
- Mr G Turnbull, Senior Policy and Performance Officer, Customer Access and Performance

Discussion ensued on the contents of the report and appendices.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the equality outcomes in performance reports relevant to this Board be noted.

9 2011/12 Quarter 4 Performance Report

The Assistant Chief Executive (Customer Access and Performance) submitted a report summarising the quarter 4 performance data relevant to the Scrutiny Board for 2011/12.

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

- Appendix 1a – Performance Reports for the 3 City Priority Plan
- Appendix 1b – Directorate Priorities and Indicators
- Appendix 2 – Proposed changes to the Council Business Plan

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

- Martin Farrington, Director of City Development (also representing the Director of Environment and Neighbourhoods)
- Phil Crabtree, Chief Planning Officer, City Development
- Ms Liz Cook, Chief Officer, Statutory Housing, Environment and Neighbourhoods Directorate
- Paul Maney, Head of Strategic Planning, Policy and Performance, City Development

The Board noted that Councillor P Gruen, Executive Board Member and Neil Evens, Director of Environment and Neighbourhoods had conveyed their apologies for this item.

The Chair invited comments from Board Members on the performance data contained in the report and appendices.

Discussions also ensued on a number of general issues relating to the remit and role of the new Housing and Regeneration Scrutiny Board.

The Director of City Development referred specifically to three issues. The first being his wish to review the performance indicator on how the Council monitors, develops and protects the green character of the city. This was currently measured by the number of parks that had green flag status. This does not relate in any way to promoting brown field sites for housing development. The Directors would like to bring forward a new indicator that was about the percentage of new housing that takes place on brown field sites as opposed to green field sites. The Director also referred to and highlighted the reasons for the missed targets in relation to the number of houses enhanced by energy efficiency measures and the delivery of large planning applications.

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

- Accreditation system for our parks and the need for a separate performance indicator on the percentage of new housing that takes place on brownfield sites. Reference was made during these discussions to the Red Hall playing fields
- Clarification if Section 106 monies stay in the ward where developments take place
(The Director of City Development responded and confirmed that Section 106 agreements were levied on the specific planning application and therefore this income was spent locally)
- Reference was made to the number of empty properties in the city. The Chair responded and congratulated the Environment and Neighbourhood directorate for reducing the number of void Council houses to around 1% of the total stock available. The problem now related specifically to the number of private properties which were empty and reference was made to the report of the Scrutiny Board (Safer and Stronger Communities) which was published in April 2012 on this matter and to the work currently being undertaken to bring more private empty properties back in to use. It was agreed that the Board's Principal Scrutiny Adviser circulate a copy of this report to all Members of the Board for their information
- The view that there were a number of Council houses which were designated as offices and that these ought to be brought back in to the housing stock wherever possible
- Clarification as to the definition of Protected Areas of Search (PAS) It was explained for the benefit of new Members that certain land on the periphery of urban areas which were not allocated for development in the Plan but which were not considered appropriate either for inclusion in the Green Belt. These areas were designated 'Protected Areas of Search'. They acted as areas to help protect green belt from development by being contingency areas to be considered for potential development. Reference was made to the need for planning officers to address the inspectors concerns at recent inquiries in relation to the

conditions for PAS sites that sustainability appraisals had not been undertaken

(The Chief Planning Officer responded and confirmed that a sustainability appraisal would be undertaken on all PAS sites before including them in the Council's Core Strategy site allocation processes)

- Reference to the success of 'Wrap up Leeds' (home insulation scheme)
- Clarification was sought on what independent assessments were undertaken on the 5 year land supply and suitability of specific sites
(The Chief Planning Officer explained that the government guidance that had to be met was that the housing land must be available, suitable and achievable for development. It was this third condition that was preventing a number of brownfield sites in the current climate from being developed. The first two conditions may be met but the third was determined by a consortium of a variety of people from the development industry. The Chief Planning Officer agreed to circulate details of this consortium to the Board)
- Concern was expressed that some staff in the planning enquiry team answering calls from the public were not even aware of major planning applications being brought forward and were therefore unable to provide even the basic information
(The Chief Planning Officer responded and explained his expectations on this issue and who should be able to respond)
- Concern that Ward Members were not being consulted regarding Section 106 agreements and Wetherby Ward and the North East quadrant of the city were given as examples. The Chair asked the Chief Planning Officer to submit a report on this issue to the Board's next meeting in July 2012. The Chief Planning Officer also agreed to check on and report back to the Board as to whether the Council could require rather than encourage developers to submit their Section 106 agreement with their planning application. It was noted that Draft Heads of Terms had been submitted as part of the applications and formed part of the pre-application presentation to the East Plans Panel
- Concern that issues raised by the former (Regeneration) Scrutiny Board on 27th March 2012 under the Quarter 3 performance report had not been reported back and the Board's Principal Scrutiny Adviser agreed to confirm the position and report back any outstanding issues to this Board in July 2012
- The need for a protocol /guidance note to be developed quickly which sets out the expectations of the Council on developers consulting with Ward Members, the community, Parish Councils and Neighbourhood Forums at an early stage in the planning process

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That this Board notes the quarter 4 performance information and the issues which had been highlighted.

(Councillor M Iqbal joined the meeting at 10.55am during discussions of the above item)

10 Sources of Work for the Scrutiny Board

The Head of Scrutiny and Member Development submitted a report on potential sources of work for the Scrutiny Board.

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

- Leeds Housing and Regeneration Board – Brief for Scrutiny Board (Housing and Regeneration) (Appendix 1 refers)
- Executive Board – Minutes of a meeting held on 16th May 2012 (Appendix 2 refers)
- Forward Plan of Key Decisions for Scrutiny Board – Housing and Regeneration – 1st June 2012 – 30th September 2012 (Appendix 3 refers)

A copy of the minutes of the meeting of the Leeds Housing and Regeneration Board held on 12th June 2012 were also circulated for the information/comment of the meeting.

Richard Mills, Principal Scrutiny Adviser, Scrutiny Support presented the report and responded to Members' queries and comments.

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

- Martin Farrington, Director of City Development (also representing the Director of Environment and Neighbourhoods)
- Phil Crabtree, Chief Planning Officer, City Development
- Ms Liz Cook, Chief Officer, Statutory Housing, Environment and Neighbourhoods Directorate
- Maggie Gjessing, Housing Investment Manager, Environment and Neighbourhoods

For the benefit of the meeting, the Chair invited officers to have an input in relation to their own preferred sources of work for the Scrutiny Board.

In summary, the following sources of work were put forward for consideration/discussion:-

- Participation in the consultation being undertaken into the development of the Tenure Strategy for the City
- How the Council can bring forward Brownfield sites for redevelopment

In discussing the above items, the Board agreed to incorporate both topics within their work schedule.

Board Members then put forward the following items for potential sources of work which had been raised under the performance report:-

- Engagement with Elected Members in developing Section 106 agreements
- Review of Council houses currently being used as offices with a view to them being brought back in to the Council housing stock wherever possible. This review to include the Directorate's approach to the disposal of property in general. An example was given of a Section 106 agreement relating to Seacroft Green, Manor House
- Position statement on the housing revenue and housing general accounts
- Position statement on the regeneration schemes for EASEL etc in East West South Leeds
- Development of a protocol /guidance note to be developed which sets out the expectations of the Council on developers in consulting with Ward Members, the community, Parish Councils and Neighbourhood Forums at an early stage in the planning process

In conclusion, the Chair thanked officers and Board Members for their contributions for the sources of work and areas of priority.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the above issues be discussed as part of the Board's work schedule for the forthcoming Municipal Year (Minute11 refers).

11 Work Schedule

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work programme for the current municipal year.

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

- Draft Scrutiny Board (Housing and Regeneration) Work Schedule for 2012/2013 Municipal Year

Richard Mills, Principal Scrutiny Adviser, Scrutiny Support presented the report and responded to Members' queries and comments.

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

- Martin Farrington, Director of City Development (also representing the Director of Environment and Neighbourhoods)
- Phil Cook, Chief Planning Officer, City Development
- Ms Liz Cook, Chief Officer, Statutory Housing and, Environment and Neighbourhoods Directorate

- Maggie Gjessing, Housing Investment Manger, Environment and Neighbourhoods

Detailed discussion ensued on the contents of the report.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the topics identified for Scrutiny under minutes 9 & 10 above be incorporated into the Board's work schedule for the coming year and prioritised in consultation with the Chair of the Board. .
- c) That Board's Principal Scrutiny Adviser be requested to circulate the link to the West Yorkshire Observatory which provided Ward Member profiles for all the Leeds City Council wards and other West Yorkshire Councils.

12 Date and Time of Next Meeting

*Tuesday 24th July 2012 at 10.00am in the Civic Hall, Leeds
(Pre-meeting for Board Members at 9.30am)

Post Meeting Note

* The original date of 24th July 2012 had been cancelled and Members of the Board would be consulted on a revised date

(The meeting concluded at 12.25pm)