

SCRUTINY BOARD (SAFER AND STRONGER COMMUNITIES)

MONDAY, 14TH JANUARY, 2013

PRESENT: Councillor B Anderson in the Chair

Councillors A Blackburn, P Davey,
R Grahame, M Harland, G Hyde, S Lay,
K Mitchell and N Walshaw

59 Late Items

The following late information was admitted to the Agenda;

- Agenda Item 10 – Initial Budget Proposals – Draft Comments of the Scrutiny Board. Further information including observations of the Working Group held on 8 January 2013 and comments made at the Board's December meeting.

60 Declarations of Interest

Councillor A Blackburn declared an interest in Agenda Item 10 – Initial Budget Proposals – Draft Comments of the Scrutiny Board due to her position on the Wade's Trust.

61 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted on behalf of Councillors N Buckley and P Harrand.

62 Minutes - 10 December 2012

RESOLVED – That the minutes of the meeting held on 10 December 2012 be confirmed as a correct record.

63 Request for Scrutiny

The report of the Head of Scrutiny and Member Development presented a request for Scrutiny that had been received from Mr David Rudge. The request related to the use of Section 106 funding for the development of new parks in Leeds and the ability to maintain any new parks in addition to those already requiring maintenance.

The following were in attendance for this item:

- Sean Flesher, Chief Officer, Parks and Countryside
- David Feeney, Head of Forward Planning and Implementation, City Development
- Mr David Rudge

Mr Rudge addressed the Board with the reasons for his request for Scrutiny. These included the following:

- General concern about the use of Section 106 funding, but particularly in relation to the development of new parks and green spaces.
- The long term sustainability of any new green space developments once the Section 106 funding has ceased.
- It was not felt that the process of negotiation in line with Section 106 agreements was open and transparent.
- It was felt that funding received from Section 106 should be used across all Council services.
- That communities need to be more involved in determining the use of Section 106 funding.

Dave Feeney, Head of Forward Planning and Implementation, addressed the meeting. He highlighted the following issues:

- Reference was made to existing planning policy documents, including the Unitary Development Plan, which currently provides the framework for all new developments and is used for making decisions regarding planning applications. Greenspace was regarded as an integral land use for the city, which needed to be planned for alongside other uses and development proposals.
- The Core Strategy, is currently in production and will eventually supersede a number of UDP policies, also addresses greenspace development.
- Section 106 agreements and maintenance – these were complex but were always made with developers usually for a minimum of 10 years.
- There are mechanisms for determining how such funding is spent, which involves Ward Members and community groups – it is an open and transparent process.
- The Core Strategy is planning for a housing requirement of 70,000 dwellings in Leeds by 2028 and greenspace provision needs to be integral to future growth.
- By 2014 the City Council will need to have a Community Infrastructure Levy charging schedule in place, which would replace some Section 106 agreements.

In response to Members comments and questions, the following issues were discussed:

- The Community Infrastructure Levy (CIL) would supersede some elements of Section 106 by 2014. A report was due to be considered by Development Plans Panel and the February meeting of the Executive Board. Following that there would be opportunity for wider public consultation.
- That the consideration of long term maintenance issues should feature more within the provisions of CIL.

- That whilst existing planning policies and procedures are designed to be open and transparent, there is a need communicate these better to the public. A periodic schedule of Section 106 funded improvements was published and Elected Members were regularly notified of this. The information was also publicly available as were details of unspent Section 106 monies.

The Chair thanked Mr Rudge for his attendance and concluded that whilst the Board will not be pursuing his request for Scrutiny, it has raised a need to ensure that the Council's planning policies are communicated effectively to the public.

RESOLVED – That the report be noted.

64 Review of the new Grounds Maintenance Contract - Formal Response

The report of the Head of Scrutiny and Member Development presented the formal response to the recommendations arising from the Board's review of the grounds maintenance contract.

Sean Flesher, Chief Officer, Parks and Country side and Simon Frosdick, Business Development Manager, Parks and Countryside were in attendance for this item.

The following issues were discussed:

- Maintenance of orphan land – where ownership of land was unclear, Parks and countryside would maintain it if it was adjacent to areas that were currently under their maintenance. All areas of orphan land would be evaluated as to whether it would be more appropriate for the contractors to maintain.
- Engagement with Parish and Town Councils and others who could be involved.

RESOLVED – That the report be noted.

65 Recommendation tracking - Phase 2 Dog Control Orders

The report of the Head of Scrutiny and Member Development informed the Board of progress made in responding to the recommendations arising from the previous scrutiny review of the phase 2 Dog Control Orders project.

Gill Marshall, Section Head, Legal, Licensing & Registration and Tom Smith, Locality Manager (South and Outer East Leeds) were in attendance for this item.

The following issues were discussed:

- That recommendations and progress as outlined in the report be agreed.

- It was understood that signage should have been in place in all areas that were subject to Dog Control Orders. Members were asked to report of any areas that did not have any signage.
- The draft Anti-Social Behaviour bill – This was currently the subject of pre-legislative scrutiny and was being discussed by a Select Committee. This scrutiny would end in March 2013 and it was anticipated that the legislation would come into force mid to late 2014. This would replace the current legislation relating to Dog Control Orders.
- Members agreed that further consideration of the draft Bill and its potential impact needs to be undertaken by the Scrutiny Board.

RESOLVED – That the report be noted.

66 Initial 2013/14 Budget Proposals - Draft Comments of the Scrutiny Board

The report of the Head of Scrutiny and Member Development presented the Board's draft observations and recommendations in relation to the initial 2013/14 budget proposals.

Neil Evans, Director of Environment and Neighbourhoods, was in attendance for this item.

In response to Members comments and questions, the following issues were discussed:

- The budget for 2013/14 for Environment and Neighbourhoods would be approximately £88 million. This was a reduction on £89 million the previous year.
- There are forecast to be 1852.02 Full time equivalent staff in the directorate in March 2013 compared to 1827.17 in March 2012. This was primarily due to the employment of permanent staff in place of agency staff within the refuse collection service.
- Reference was made to recommendation 4 within the Scrutiny Board's draft summary of observations and recommendations. Clarification was given that unused Bowling Greens were not being maintained to the same level of high standard normally required, as was previously reported. The Board therefore agreed that recommendation 4 was no longer relevant.

RESOLVED – That the report summarising the Scrutiny Board's observations and recommendations in relation to the initial 2013/14 budget proposals be approved subject to the removal of recommendation 4.

67 Work Schedule

The report of the Head of Scrutiny and Member Development presented the Board's draft Work Schedule and recent Executive Board minutes.

The following issues were discussed in relation to the Board's Work Schedule:

Draft minutes to be approved at the meeting
to be held on Monday, 11th February, 2013

- Mark Burns-Williamson, the newly elected Police and Crime Commissioner had been invited to a future Board meeting. A response had not yet been received.
- The draft Anti-Social Behaviour bill – that this will be put into the Board's work schedule for consideration
- Income generation – the Executive Member for Neighbourhoods, Planning and Support Services made a request for the Board to undertake a piece of work which explores opportunities for income generation within its specific portfolio. The Board agreed to commence this work in March 2013.

RESOLVED – That the report be noted.

68 Date and Time of Next Meeting

Monday, 11 February 2013 at 10.00 a.m. (pre-meeting for all Board Members at 9.30 a.m.)