



Democratic & Central Services

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Our Ref: A61/kjt/quest

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Dear Councillor

COUNCIL MEETING – 11th September 2013

At the above meeting, the thirty minutes of Question Time expired with questions 1 and 11 to 29 unanswered. Council Procedure Rule 11.6 requires that each Member of Council is sent responses to such questions.

Q1 Councillor Andrew Carter - Will the Executive Board Member for City Development inform Council of all the costs associated with the survey carried out with residents on "residents only parking schemes?"

A Members will be aware that before the council engages on substantive changes to our service we need to ensure that we consult fully and properly to enable the feedback we receive to be considered as part of any decision made. On that basis the Council has consulted more than 4,000 people about the proposed changes.

The cost of undertaking the survey relating to charging for the residents parking scheme was £12,095.

This included:

- Focus Groups £240
- Control Groups £270
- Survey Printing £1,661
- Survey Mail out £3,255
- QA Research analysis £6,669

The survey included the production and distribution of 10,507 survey packs, of which 4030 were returned and processed.

Q11 Councillor Brian Cleasby - With modern cars designed to minimise the risk of personal injury, why does Leeds City Council continue to determine whether a road can be designated as a 'length for concern' or a 'site for concern' based only on the number of injury accidents that have taken place at that location?

A In 2012 there were 15 fatalities, 288 serious injuries and 2445 slight injuries on Leeds roads. Comparisons between 2007 and 2012 shows the number of casualties has reduced by 19%, with a 55% reduction in fatalities and a 15% reduction in serious injuries. Whilst pleased with this downward trend, there is a concern that the reduction is now flat lining; we continue to explore innovative ways of identifying sites and areas to continue the downward trend.

The council has a statutory duty under the 1988 Road Traffic Act Section 39 to carry out studies into accidents arising out of the use of vehicles on roads within their area, and must, in the light of those studies, take such measures as appear to the authority to be appropriate to prevent such accidents.

The 'sites and lengths for concern' studies are based on the casualty data for the previous 5 years as recorded by the police when responding to incidents. Damage only accidents are not recorded by the police. Given the finite resources available to the council, using the 'sites and lengths for concern' enables the council to identify the causes of the collisions, the solutions that are likely to have the greatest impact in terms of casualty reduction and to prioritise interventions.

The treatment of 'sites and lengths for concern' is part of a wider evidence led package of schemes and initiatives undertaken by the council within our statutory duty to improve road safety. To support the infrastructure improvements the council provides safety education and training in schools, and promotes safer road use through community events and local media campaigns.

In addition to the above, there is a limited budget within Traffic Engineering that facilitates low cost, locally important schemes to be considered. These schemes are not dependent on a history of collisions. The budget is oversubscribed each year.

Q12 Councillor Katherine Mitchell - Can the Executive Member for Leisure and Skills outline how we are working to narrow the gap between skills requirement and skills of the local workforce to help maximise the economic potential of our city?

A To narrow the gap between skills requirement and skills of the local workforce to help maximise the economic potential of our city, we are implementing a range of measures including:

Working with Business

- **Employment and Skills Obligations**

Employment and training opportunities on new developments through S106 Planning Agreements and through obligations on contractors delivering goods and services to the Council has enabled 1,140 local people to access jobs and 131 young people to access apprenticeships to date largely during the construction phase of the contract. Increasingly work is also taking place with end users with SMG working with the Employment and Skills service to recruit 300 local people to jobs at the First Direct Arena and Primark have recruited to 573 posts to their new store in Trinity Leeds following a local recruitment drive where 1,200 local people attended over 3 days .

- **Employment Leeds (ERDF Funded)**

The Employment Leeds team works with business customers to deliver tailored employability programmes and job brokerage supported by access to the Jobshops customer base and supporting business to create apprenticeships. The team has engaged with 352 businesses in 2012/13 to broker over 585 people into work and supported 106 businesses to create and recruit to 552 apprenticeships. Over 1,426 local people have attended 47 recruitment events organised through Employment Leeds for local businesses.

- **Leeds Apprenticeship Training Agency (City Deal)**

The Council has established with the College the ATA to support SME businesses take on apprentices by matching young people, who are job ready with local businesses who want to skill and grow their workforce. Currently there are 69 businesses offering 103 jobs, 12 apprentices have started and 39 vacancies are currently being advertised.

- **Sector Support**

We established a jobshop and learning centre at The Point in White Rose Shopping Centre with our partners Land Securities, Leeds City College and the Department for Work and Pensions.

We have been successful in securing £810,300 funding from the Heritage Lottery Fund to work with local training providers, procurement officers and SME businesses in the construction sector to increase the level of specialist heritage construction skills.

- **Leeds and Partners**

The Employment and Skills service supports Leeds and Partners with its inward investment enquiries with information on the skills of the local workforce.

- **Skills Plan**

The Economic Growth Strategy Action Plan is currently being developed and provides the strategic framework for a revised collaborative City approach to skills.

Q13 Councillor Roger Harington - Can the Executive Member for Development and the Economy provide an update on the success of the Cycle Ambition Bid for the city?

A In February the Department for Transport (DfT) announced the Cycle City Ambition Grant - identified for the authorities in the first and second wave of the City Deal process and the National Parks. The Guidance obliged bidding authorities to highlight health and regeneration benefits within the bid, and cross boundary schemes were encouraged. Bids were to be submitted by April 30th.

The West Yorkshire Integrated Transport Authority submitted a bid on behalf of Leeds and Bradford – ‘Highway To Health’ - of £29.2 million, of which the DfT contribution was £18.1 million. On August 12th the DfT announced that West Yorkshire bid had been successful.

The ‘Highway to Health’ Programme will be led by the Integrated Transport Authority and has been assigned into 6 projects :-

- Cycling Super Highway (Lead Authority Leeds City Council)
- Leeds City Centre (Routes & Cycle Parking) ((Lead Authority Leeds City Council)
- Canal Towpath (Lead Bradford City Council
- Leeds 20mph Schemes (Lead Authority Leeds City Council)
- Bradford 20mph Schemes (Lead Bradford City Council)
- Promotion & Education Organisation (Lead ITA)

A new team has been assembled with staff from Highways and Transportation’s strategic partner Mouchel and existing Leeds staff, which will be in place to begin work in the first week of October. The initial focus will be on the Cycling Super Highway and the Leeds City Centre elements with work beginning on the 20mph schemes in the New Year.

In the meantime Officers are gathering all the information required to enable the team to make an efficient start. This is an exciting project and a major boost for cycling in the city but the delayed announcement means that it is also a very challenging project in terms of delivery; the Department for Transport’s contribution of £18m needs to be spent by September 2015.

Q14 Councillor Barry Anderson - Will the Executive Member for Environmental Services please advise of the steps his department has taken to provide additional provision due to Lawnswood Cemetery being full to new burials unless the plot has already been purchased?

A Leeds is a statutory burial and cremation authority. The Parks and Countryside service is responsible for the management of 3 crematoria, 23 cemeteries and 25 closed churchyards. It is one of the largest burial authorities in the country, dealing with approximately 5,200 cremations and approximately 900 burials per annum.

A report to Executive Board in December 2008, highlighted that the Council had 8,485 new graves available across the city (not including existing family graves), broken down as follows:

Area	Number of Graves
East North East	1,080
West North West	4,289
South South East	3,116
Total	8,485

It can be observed that the West North West area had the highest level of supply, with the East North East area the least available. Since 2008 the Council has extended cemeteries at Harehills, Garforth and Kippax and recently opening a new cemetery at Whinmoor – the first new cemetery in the city since 1937.

The report in 2008 also identified a number of burial site options as set out in the following table:

Site	Size (Acres)
Extension to Horsforth Cemetery	2.3
Extension to Farnley Cemetery	up to 5.0
Extension to Lofthouse Cemetery	up to 3.1
East Moor Tile Lane	up to 5.0
Priesthorpe Lane	up to 5.0
Haigh Farm, Rothwell	3.4
Elmete Caravan Park	up to 5.0
Alwoodley Gates	3.0
Total	Up to 31.8

Investigations have begun with a view to the possibility of extending both Horsforth and Farnley cemeteries and planning approval has now been granted for a new cemetery at Elmete (the former caravan park close to Roundhay Park). In 2013/14, £362k has been identified in the Council capital programme to address long term burial provision needs.

The number of cremations continues to outweigh the number of burials in the city by around 6 to 1. It should also be noted that Executive Board approved expenditure of £2.9 million in August 2010 to fund mercury abatement works across the city. Works were approved for Rawdon Crematorium in June 2011 which were completed in August 2012, and more recently, in June 2013 Executive Board approved works planned for Cottingley Crematorium.

To note in addition: Cemeteries at Yeadon, Guiseley and Otley are still available to receive new burials with family graves only at Lawnswood, Farnley and Horsforth

Q15 Councillor Chris Townsley - What implications does the recent legal ruling on Barnet Council's residents' parking scheme have on his own plan to introduce charging for residents' parking permits in Leeds?

A The legal implications have been reviewed in light of the recent High Court ruling against the London Borough of Barnet.

The judge in the Barnet case stated that *"the authority has discretion to set charges to reflect its parking policies. It is not restricted to levying a charge only to cover the base cost of running the schemes."*

The key point here is that charging may be justified provided it is aimed at the fulfilment of the statutory purposes (identified in section 122 of the Road Traffic Regulation Act).

The legal case has confirmed that budgeting for a modest surplus was permissible, provided this related to the lawful objective for which the charge was being levied as opposed to an intention to fund other transport projects. Accordingly any charge that is applied will be within the guidance of the Act. A report to Executive Board will be submitted later in the year.

Q16 Councillor Matthew Robinson - Would the Executive Member care to comment on the clean-up operation at this year's Leeds Festival, both locally and in the city centre, as well as the transport plan for commuters, and will he commit to working alongside ward members to ensure a better service in the future?

A I think this gives a good opportunity to say how well the services worked together to clean-up the roads and (in the city centre) street furniture and buildings. The Locality Team ensured all local gullies were cleared and running before the festival started. The subsequent clean-up started the morning of Bank Holiday Monday right up to last Friday (on A64). It involved gulley tankers, a JCB, road sweepers and people using pressure lances to get rid of the baked-on mud. The need to remove the mud by last Friday's heavy rain was paramount to avoid slippery road surfaces and we managed to do that.

This year's conditions were unprecedented in terms of the timing and sheer amount of rainfall and the exiting of the site by festival goers. We will be having a direct input to the review of the licence conditions for 2014, a discussion that will commence before Christmas.

As part of that review the Event Management Plan will be updated and I will expect to see improvements in the bad weather contingency plans. Particularly in relation to how the organiser would reduce the amount of mud taken off site and then deal promptly with what does get deposited in the highway. These issues were discussed at a special meeting of the Licencing Committee yesterday, chaired by Councillor Charlwood, and I am pleased to hear that local ward members were invited and took part in the discussion at that meeting with the event organiser also present. The Locality Manager will ensure that local ward members are consulted and able to input into the revisions to the Plan.

At that meeting the transport plan was also discussed and the consensus was that it is fit for purpose.

We are in discussions with the license operator regarding costs for this year.

Q17 Councillor Sue Bentley - How much money has the Council collected in S106 monies for educational purposes over the last five years, broken down into year by year amounts?

A The Education contributions received from S106 Agreements are guided by the Education Supplementary Planning Guidance (SPG) and are collected to provide for places in primary and secondary schools based on the number of

houses proposed. Therefore the sums collected each year reflect the number of new houses completed from developments.

In financial year 2008/09, £121,712 was collected. In 2009/10 and 2010/11 no Education contributions were collected (none were due). In 2011/12, £54,500 was received. In 2012/13, £1,242,801 and in 2013/14, to date, we have received £203,963.

Q18 Councillor Barry Anderson - Can the Executive Member for Environmental Services please advise me of the number of occasions scratch or Agency crews have been used to collect refuse in my Ward and on how many of those occasions the routes were not completed?

A Within the Adel and Wharfedale ward, having sampled a period over August and September 2013, scratch refuse crews, with a full complement of driver and loaders new to a route, were required on 5 occasions out of 30. On one occasion, in this period, the full route was not completed by 45 minutes.

The service uses a combination of staff working on a shift based rota system, overtime and agency to deliver the service on a daily basis. Over the past few years the service has actively reduced the reliance on agency staff by engaging more full time refuse collectors and drivers with the generation of an internal pool of staff who are deployed as required across the service.

In 2011/12 the service spent £1.4m on Agency staff. This reduced to £793k last year and we project Agency spend will reduce by a further £100k in this financial year.

The service proactively crews those frontline staff familiar with a regular route. The need for cover increases during peak holiday periods and is dependent on often unforeseen circumstances, such as sickness absence of other crew members.

Scratch crews are a final resort. Scratch crews are provided with the same information as regular crews but due to the current nature of paper based task sheets and round maps, and the loss of intimate knowledge of local area, there can be a higher risk of missed collections occurring, that the electronic in-cab system currently being developed looks to mitigate. This is why the Council is investing heavily in new technology.

Q19 Councillor Barry Anderson - Can the Leader of Council confirm that all relevant Business Continuity Plans have now been implemented throughout the city and that no reports will be getting submitted to any Council committees highlighting that there are still gaps?

A There are 14 critical services with Business Continuity Plans still in development requiring completion by the agreed deadline of 30 September 2013.

Q20 Councillor Barry Anderson - Can the Leader of Council confirm what action he proposes to take to ensure that all Departments respond to enquiries from elected members within the 10-day timeframe?

A Council Officers take responding to Members queries very seriously and we are confident that in most cases queries are answered well within the 10 day timescale. We are not aware of any general problem in this respect, but if there are specific issues which are causing Cllr Anderson concerns, we would of course look into these if he can supply the details.

Q21 Councillor Barry Anderson - Can the Executive Member with responsibility for Environmental Services inform me when he intends to introduce a policy on parking on grass verges and when he undertake to ensure that elected members are fully consulted on this policy?

A This topic was the subject of a similar question in November 2012. The detailed response provided at that time is not re-produced here but can be re-issued as appropriate. Furthermore, from discussions with officers Cllr Anderson will be aware that there is a citywide By-Law covering this issue.

In the By-laws for the Good Rule and Governance of the City of Leeds which came into effect in February 1984: -

10 Preservation of road margins etc –

(1) No person shall without lawful authority drive or place a vehicle (other than a heavy commercial vehicle, as defined by section 36A of the Road Traffic Act 1972) or cause a vehicle to be driven or placed, upon any road margin to which this byelaw applies.

(2) This byelaw applies to any road margin which is:

- (i) in or beside a public road other than a trunk road vested in the Secretary of State;
- (ii) laid or sown with grass or planted with trees, shrubs or plants, and maintained constantly in good order for ornamental purposes; and
- (iii) indicated to be a margin to which this byelaw applies by means of notices conspicuously displayed on or near the said margin by the Council.

Enforcement would not be through Parking Services as they need to refer to a traffic order on the fixed penalty notice and, therefore a summons though the magistrates court would be required. To sign the Bye-Law appropriately could be grossly expensive over a city with approximately 5,000 kilometres of footway. There is no guidance on how the signing should be provided; should it be every 60metres as per a traffic order; on every lighting column or one on each side of a street. Too few signs could lead to motorists being unaware of the bye-law but too many would add to the level of street clutter.

For what may be a localised problem this may seem a heavy handed approach. However, in areas of Leeds where there are yellow line waiting restrictions it is an offence to park on the road, footway and/or verge (where provided). Yellow line waiting restrictions cover, not only the length for which

they are marked, but usually from the centre of the road to the back of the footway. This is enforced through the Council's Parking Enforcement Service.

The Council has for a long time had the necessary powers to introduce parking restrictions only on verges and/or footways, while not restricting parking on the road.

As with parking on the carriageway, parking on the footway or verge can be dealt with through promotion of a traffic order and enforced appropriately. This could target locations where there is an identifiable problem made known to officers. As part of any TRO process there is a requirement for consultation with frontage properties which will be affected. Particularly in residential areas a traffic order on footway and/or verge may not receive local support. Also, using the prioritisation process for Traffic Engineering funding, it is unlikely that such requests would receive a high priority and, therefore, such work would require alternate local funding.

Q22 Councillor Barry Anderson - Can the Executive Member for Development and Economy advise me how long he feels it is appropriate to wait for measures to be introduced once they have been agreed by Highways Officers?

A Once full approval has been secured for schemes to be implemented, every effort is made to complete them at the earliest opportunity. The time taken will be dependent on a number of factors including any legislative or procurement processes to follow, the manufacture of the appropriate materials e.g. signs, the availability of an appropriate contractor to carry out the works, other emerging higher priority work and of course, the weather. Approximate dates for the start and completion of works on site can be made available but they will be subject to possible change because of the factors highlighted above.

Q23 Councillor Dan Cohen - Will the Executive Board Member for Development and Economy inform Council as to how many days per week the Markets Manager is currently spending working at Kirkgate Market?

A The Markets Manager spends four days a week working at Kirkgate Market, and one day a week working from home. She also regularly undertakes work at weekends and evenings when special events or consultations are being held, for which she does not get paid overtime.

In the period June to early September, the Markets Manager took on some of the duties of the Head of City Centre Manager who was absent from work for several weeks with a broken foot. This included overseeing our city centre management plans and operations for the first events at the First Direct Arena, which have been a tremendous success.

Q24 Councillor Barry Anderson - Can the Executive Member with for Neighbourhoods, Planning and Support Services advise me if he is satisfied that the Planning Enforcement Service will be adequately resourced to meet the challenges particularly from the major house builders in the coming months and years when his officers authorise the record levels of housing development planned for the city, particularly bearing in mind the sensitive

green field and green belt sites that his administration are proposing to authorise building on?

- A** Leeds gives priority to ensuring it has an effective enforcement service when budget pressures have been significant. This is borne out by recent figures in relation to formal action where Leeds has served more formal notices than comparable core cities, demonstrating its commitment to proactive enforcement.

New house building within the district can give rise to significant complaints from neighbouring residents, particularly in relation to construction plans , phasing , levels and access issues as well as checks that the design and layout is in accordance with the approved plans and all appropriate conditions have been discharged.

These investigations can be extensive and time consuming and lead to enforcement action.

Staffing levels and the effectiveness of the Compliance Service are critical . This includes reviewing procedures and processes to ensure that the correct resources are targeted in an appropriate way having due regard to the likely future pressures and challenges of large and complex city. It will remain a priority within Planning Services as a vital supporting role to the development management function.

- Q25** Councillor Barry Anderson - Is the Executive Member with responsibility for NGT satisfied that his officers are listening to the views and concerns of the public and elected members on potential issues with NGT so that if it is implemented the potential negative effect of some of the problems being brought to the attention of officers have been mitigated against and not just ignored?

- A** Metro and Leeds City Council ('The Promoters') have undertaken extensive consultation throughout the definition and development of the NGT scheme to date. This has helped to inform the development of the scheme, and to ensure that those who have a view on the proposals have had an opportunity to express those views.

Through the implementation of a comprehensive programme of consultation and engagement, a wide range of stakeholders were contacted in the early stages of the development of the scheme.

While consultation has taken place throughout all stages of the project, the main periods of formal public consultation activities can be summarised as follows:

2008 – Feasibility stage;
2009 – Development of business case; and
2012/3 – Development of Transport and Works Act Order submission.

In terms of the most recent consultation activities, since late 2012, approximately 52,000 leaflets have been distributed to properties along the proposed route, 26 public drop-in sessions/public meetings have been held and have been attended by over 1,100 people. In addition over 500 people have submitted feedback on the proposals.

In addition to public consultation there has also been significant consultation with a wide range of stakeholder and interest groups throughout the life of the project. This includes:

- Politicians;
- Affected landowners;
- Residents Associations;
- Businesses;
- Disability groups;
- Environmental bodies;
- Transport Interests; and
- Statutory consultees.

As a result of the feedback that has been received through the consultation process, a significant number of changes have been made to the scheme design to ensure that where possible the scheme meets stakeholder expectations.

The Promoters recognise that while a significant amount of consultation has been undertaken to date, there will continue to be extensive consultation as the project moves forward and is developed in the future.

Q26 Councillor Barry Anderson - Does the Executive Member with responsibilities for Highways issues share my concerns that there are significant problems in the understanding and interpretation of Highways-related planning issues and the views and concerns of elected members and these subsequently lead to significant problems for the operational parts of highways having to pick up and resolve problems once developments have taken place despite those issues having been raised previously by elected members?

A Ward members are consulted through an automated system on any planning application that Highways and Transportation (H+T) are consulted on by the Planning Authority. Via this system, Members are invited to highlight to H+T any particular concerns they have on highways related issues. This enables the Members' views to be taken into account by the officer dealing with the application.

It should be noted that Transport Development Services officers who coordinate responses on behalf of the Highway Authority to Planning do not act in isolation from the rest of the Highways and Transportation Service when assessing planning applications, but consult colleagues within other teams appropriate to the development being considered, such as Traffic, UTMC, cycling and walking, school travel etc.

Wherever possible highway improvements are identified that mitigate the impact of the development based on knowledge of existing problems on the network and Members' concerns, but can only address issues that may be made worse by the development. A development only has to mitigate against the problems it will cause and be proportionate to the scale of development to be acceptable in planning terms; hence not all existing problems can be dealt with through developments and other budgets will still have to be used to address residual problems in an area.

Q27 Councillor Barry Anderson - Can the Executive Member for Neighbourhoods, Planning and Support Services please advise Council when Infrastructure Audits are going to be carried out throughout the city so that the Council are fully aware of the infrastructure needs to meet the demands of the potential housing developments that will be set out in the Council's Development Plan?

A Consideration of infrastructure issues is an integral part of the Development Plan process. The Core Strategy is supported by an Infrastructure Delivery Plan, which provides a strategic framework for the delivery of Infrastructure across the District and a basis upon which the City Council can coordinate and bid for infrastructure funding. In support of the Core Strategy, work has commenced on the preparation of a Site Allocations Plan. In preparing this plan, on going consultation is being undertaken with a wide range of infrastructure providers (including Children's Services and the Environment Agency) regarding the suitability of sites for development and the need for infrastructure provision which might be necessary in order to make sites suitable. Policies of the Core Strategy (and Site Allocations proposals, once agreed) set out infrastructure requirements arising from new development.

Q28 Councillor Barry Anderson - Can the Executive Member with responsibility for the Council's Parking Permits Policy confirm that he now agrees that introducing a charge for parking permits would be self-defeating and would lead to residents in a number of parking zones withdrawing their support for a scheme in the area?

A A full report on the possible introduction of a charge for Residents Parking Permits and the survey recently conducted will be presented to the Executive Board later in the year. Should the Council decide to implement payments for a Residents Parking Scheme then careful consideration will need to be given to the financial and operational benefits that accrue, balanced against the potential for some residents to wish to withdraw from the scheme. The Executive Board report will give full consideration to this.

Q29 Councillor Matthew Robinson - Would the Executive Member with responsibility for highways commit to supporting Harewood Ward members in their efforts to impose an HGV ban on the A659, owing to the negative impact that large lorries are having on the villages of Collingham and Harewood?

A We receive many requests to restrict Heavy Goods Vehicles (HGV) from certain roads and areas in order to protect and enhance local communities and the environment. They can be imposed for structural reasons, to protect a bridge for example, or for environmental reasons, as suggested here.

A number of factors need to be taken into account when considering such requests, including the current status and function of the road, the number/percentage of HGVs using the routes of concern (the recommended intervention level is 10%), the number of collisions involving HGVs, the requirement to have an 'except for access' exemption to permit HGV access to local farms, local shops, businesses, residential properties for deliveries/removals etc, the likelihood of compliance by HGV drivers, the availability of a suitable alternative route for displaced traffic, including, where appropriate, agreement from adjoining authorities if the HGV diversion routes cross boundaries (in this instance NYCC) the presence of convenient but undesirable local routes that may be used instead (in this instance possibly

through Bardsey and Wike) and the ease and likely level of police enforcement.

Increasing the distance HGV's travel will also have impacts upon the environment, fuel consumption, drivers hours and ultimately the cost of goods.

A Traffic Regulation Order is required to impose an HGV ban, which can be a costly and time consuming process.

The first step would be to carry out a traffic survey to determine the percentage of HGVs using the routes.

Yours sincerely

Kevin Tomkinson
Principal Governance Officer