

SCRUTINY BOARD (INFRASTRUCTURE, INVESTMENT & INCLUSIVE GROWTH)

WEDNESDAY, 10TH JANUARY, 2024

PRESENT: Councillor A Marshall-Katung in the Chair

Councillors N Buckley, B Flynn, M Foster,
J Garvani, S Golton, S Hamilton, M Millar,
M Shahzad, N Sharpe and I Wilson

74 APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS

There were no appeals against refusals of inspection documents.

75 Exempt Information - Possible Exclusion of the Press and Public

There were no items excluded from the public domain.

76 Late Items

There were no late items.

77 Declarations of Interests

There were no declarations of interest.

78 Apologies for Absence and Notification of Substitutes

Apologies were received from Cllr S Lay (Cllr S Golton attended as a substitute).

Apologies were also noted on behalf of Christa Jolley in respect of item 7 and Emma Kamillo-Price in response of item 8.

79 Minutes - 8 December 2023

The Scrutiny Board approved the minutes of the meeting held on 8 December 2023.

80 Leeds Affordable Housing Growth Delivery Partnership Plan update

The Chair introduced the item, noting that the delivery of affordable housing has been a long-standing priority for members of the Scrutiny Board.

Following the publication of the Leeds Affordable Housing Growth Partnership Action Plan in January 2023, the Scrutiny Board requested an update of progress against the action plan in 12 months' time. The Chair noted that the

report presented to members sets out that progress over the last year and provides an indication of activity for the next year.

Those in attendance for this item were:

- **Cllr H Hayden** (Executive Member)
- **Cllr J Lennox** (Executive Member)
- **Martin Elliott** (Head of Strategic Planning)
- **Angela Barnicle** (Chief Officer, Asset Management & Regeneration)
- **Adam Brannen** (Head of Regeneration)
- **Tamsin Hart-Jones** (Assistant Director, Homes England)
- **Matthew Walker** (Chief Executive, Leeds Federated Housing Association)

Officers delivered a presentation, which began by setting out the context of household incomes and housing costs in Leeds. Members were advised of the current affordable housing need in Leeds and the affordable homes delivered between 2012/13 and 2022/23.

Pipeline projections for affordable housing delivery in Leeds between 2023 and 2027 were set out. Key challenges highlighted including the scale of demand for affordable housing, the number of homes lost through Right to Buy and increasing financial pressures due to rises in construction costs, inflation and interest rates.

Matthew Walker highlighted the strength of partnership working in Leeds, citing the recent development at Sugar Hill as an example of such work. He reiterated that the focus of Leeds Federated Housing Association is the people who need a home, rather than just the numbers of homes delivered.

Tamsin Hart-Jones set out the timeline for the development of a new strategic plan for Homes England, which will enable intervention focused on regeneration rather than housing supply in isolation. She highlighted the development of Points Cross on the South Bank in Leeds as a successful partnership effort to unlock housing growth.

Members sought clarification about the difference between social rent, affordable rent and submarket rent.

Noting the increased demand for social and affordable rented properties, members questioned how the Council can assure that it works with partners to secure the best social outcomes from projects, along with best value for money. Concern was expressed that partnership schemes may focus on maximising units on a site rather than maximising the affordability of units.

The Scrutiny Board was advised that officers seek to work with partners to maximise delivery within national financing frameworks, which can be complex. For example, Homes England funding cannot be blended with the proceeds of Right to Buy sales.

The Head of Strategic Planning advised members that the planning policy is informed by the evidence from the Strategic Housing Market Assessment (SHMA), which considers future housing need and compares available housing with income levels, as well as factoring in what can be delivered on individual sites and challenges around viability. It is a complex challenge to deliver an affordable housing mix on each site.

The SHMA is in the process of being updated based on 2021 census data and will be considered by Development Plans Panel in early 2024.

It was noted that the Council's priority is to provide affordable homes for those people in the lowest 25% of the income quartiles. The draft indications from the updated SHMA suggest a need for 53% of homes to be in the social rented sector with around 35% intermediate and the remainder affordable home ownership.

The process for using commuted sums to leverage funding from other sources was set out for the Scrutiny Board. Decisions focus on where available monies can be pooled and deployed to deliver best value. This model allows the delivery of social housing where partners would not otherwise be able to deliver those homes.

Matthew Walker reiterated that grants for building properties do not cover the cost of development so commuted sums can be used to make schemes viable. In response to member queries, he noted that registered providers often work across different geographical boundaries.

Additional issues raised by members included:

- The way in which affordable housing targets are set for individual sites.
- Emerging evidence of developers rephasing their sites to deliver more affordable housing at an earlier stage to meet demand.
- Affordable housing delivery targets and historic backlogs.
- How best to ensure there is local accountability regarding the types of properties delivered in communities.
- The priority given to the delivery of shared ownership homes.
- The provision of specialist housing e.g., for older people.

Officers outlined the future role of Leeds Local Plan 2040 in shaping the city's response to housing need in the city, including demand for specialist provision for older people. Members requested an update on Leeds Local Plan 2040 early in the new municipal year.

The Executive Member acknowledged the scale of affordable housing need and the complexity of accessing and combining funding to maximise

appropriate delivery. She highlighted the progress in delivery over recent years and thanked the team and the Council's partners for their agile approach to this issue.

The importance of all partners being able to work closely with Government on this agenda was also highlighted.

Further information was provided in relation to Homes England Strategic Partnerships.

RESOLVED –

Members agreed to:

- a) Note the progress made by the Council and its partners in the delivery of the Action Plan.
- b) Receive a further update on the Action Plan in January 2025 to set out activity for the next plan period 2025-28.
- c) Receive an update on the Leeds Local Plan in the next municipal year.

81 Performance Monitoring

In introducing this item, the Chair reminded members that all Scrutiny Boards consider regular updates on performance monitoring in June and January of each municipal year.

However, the Chair highlighted two issues that are not typical of those regular reports:

- a) The Scrutiny board is asked to consider a range of additional performance indicators that members may wish to include in future performance reports.
- b) There is an outline of the metrics being collated by the Office for Local Government since its launch last year. Three of the indicators relating to Adult Skills relate to the remit of this Scrutiny Board.

The Scrutiny Board agreed that detailed consideration should be given to the additional performance indicators in a separate meeting. The Principal Scrutiny Advisor was therefore asked to arrange a remote meeting at which members can discuss future performance reporting.

Those in attendance for this item were:

- **Cllr Hayden** (Executive Member)
- **Cllr Pryor** (Executive Member)
- **Martin Farrington** (Director, City Development)
- **Dave Feeney** (Chief Planning Officer)

- **Eve Roodhouse** (Chief Officer, Economy & Culture)
- **Gary Bartlett** (Chief Officer, Transportation & Highways)

Martin Farrington provided an overview of performance in relation to unemployment in Leeds. Members sought further information about the comparison in performance with other Core Cities.

It was noted that Leeds has a relatively strong economy and the diversity of businesses in the city provided a degree of resilience during the Covid-19 pandemic and subsequent recovery period. The strength of the employment and skills team service was highlighted, along with the partnership approach to supporting people into work.

It was, however, noted that unemployment figures have increased slightly in recent months and the employment and skills service is supporting eight organisations that are in the process of making redundancies.

In considering the number of business start-ups, members asked that officers explore whether greater differentiation of business type can be provided in the data for future meetings.

Members queried whether any correlation can be made between long-term reductions in unemployment figures and relatively static data in relation to business start-ups.

Members sought clarity about the impact of changing working patterns on the city post-pandemic. In response, the Scrutiny Board was advised that the way in which businesses use office spaces has changed since the pandemic and the use of office space continues to be monitored. There has been a strong return to the office on Tuesdays, Wednesdays and Thursdays, with footfall lower on Mondays and Fridays.

Working from home is allowing more inclusive working practices in a tight labour market. However, different sectors are also experiencing different challenges regarding establishing an optimum balance between enabling inclusive working and driving productivity.

Other matters explored by members included:

- The challenges and opportunities of working in partnership with banks in the context of delivering business support and advice for startups.
- The consistency of time frames reflected in performance data.
- The need to influence behaviour change to reduce the number of those killed and seriously injured on Leeds' roads.
- Regional activity since the launch of West Yorkshires' Vision Zero strategy.

- The impact of introducing average speed cameras on the city's ring road and the positive feedback from residents. Anecdotal evidence suggests excessive speeds are reducing at these sites - data will be provided to the Scrutiny Board during the next municipal year to assess the impact.
- The importance of wider enforcement activity in relation to driver speed.
- The impact of the pandemic on driver behaviour nationally.
- Members welcomed the work to improve Armley gyratory.
- City centre footfall increased over the Christmas period and was boosted by the Christmas market and skating sessions.
- The Office for Rail Regulation has confirmed that, over the last calendar year, Leeds was the busiest station in the north of England.

In relation to Planning Applications, the Chair noted that she has been asked to provide a point of clarification in relation to the text that appears in Appendix 1 under section 11. The first sentence under section 11 (Planning applications) should read: *Performance against major applications in time (that are the largest and often the most strategically important applications to the City) has dropped when compared with quarter 1 (92.5%) but the determination rate is an increase above the same period last year and is still significantly higher than the statutory determination targets."*

Dave Feeney confirmed that service reviews have been progressed over the last year in relation to planning (development management and strategic planning). This has included establishing new protocols, systems and ways of working to improve 'back office' performance and to streamline application processes. A pre application service has also been introduced to improve applications.

Reflecting on the new metrics that are being collated regionally by OfLog in relation to Adult Skills, it was recommended that further information is provided to the Scrutiny Board at a future meeting including the outcome of a recent adult skills Ofsted inspection.

RESOLVED –

Members agreed to:

- a) Note the performance information contained in Appendix 1 and the issues which have been highlighted.
- b) Convene a separate session to review potential additional data for future performance reports in more detail.
- c) Schedule an item on adult skills at a future Scrutiny Board meeting.

82 Initial Budget Proposals

Those in attendance for this item were:

- **Cllr Hayden** (Executive Member)
- **Cllr Pryor** (Executive Member)
- **Martin Farrington** (Director, City Development)
- **Dave Feeney** (Chief Planning Officer)
- **Eve Roodhouse** (Chief Officer, Economy & Culture)
- **Gary Bartlett** (Chief Officer, Transportation & Highways)
- **Jane Walne** (Chief Officer, Operations & Active Leeds)
- **Michael Everitt** (Head of Finance)

The Chair noted that the Executive Board's budget proposals were referred to Scrutiny for consideration and comment on 13 December.

Initial working groups were convened for all five Scrutiny Boards in December, so members could discuss the proposals relevant to their respective remits in detail.

The comments and conclusions of all the Scrutiny Boards will be summarised in a joint report that is submitted to the Executive Board in February.

When the Executive Board refers the final budget proposals to Council, its members will need to report how they have taken account of any recommendations made by the Scrutiny Boards.

Michael Everitt provided a summary of the key elements of the budget proposals so far as they relate to the remit of the Scrutiny Board. He reiterated the difference between Service Reviews and Business As Usual savings.

The Chair went on to summarise the issues discussed by the Scrutiny Board in December and invited additional comments and questions, with a view to also capturing those in the joint report to the Executive Board.

The main issues noted as having been discussed in December 2023 were:

- Future investment in the planning service to ensure the Council can meet new deadlines for accelerated decision making.
- Engagement with the Trade Unions about potential service redesign and staffing reductions.
- Members welcomed the innovative approach to securing external funding for services including business support.
- Assurance was sought about the level of risk in the directorate's budget proposals.

- Concern was expressed about staffing reductions, especially where service demand is high, and in income-generating services.
- Locality Buildings review
- The extension of arrangements for the West Yorkshire Investment Zone
- Service redesign
- Street lighting.
- Members also recommended the prioritisation framework is shared with members so we can understand the classification of services.

Comments in relation to Housing Advisory Panels were noted and will be provided to the Chair of the Environment, Housing and Communities Scrutiny Board ahead of the meeting on 25 January.

Clarity was sought about the way in which the Voluntary Leavers Scheme will be targeted within the Highways Service Review. It was further confirmed that any requests for early retirement will be considered on a case-by-case basis.

Members were advised that the service has an early indication of potential interest but staff have now been asked to reaffirm whether they wish to be considered for voluntary schemes. Those figures should be available in the coming weeks.

Clarity was sought as to the proportion of staff funded through external income and the degree of potential risk this poses for the work force. An update on this issue will be provided via the Scrutiny Chair.

It was noted that the proportion of civil engineering work associated with the Highways service, provides significant opportunities to recharge officer time to major projects. In Transportation services the capacity to re-charge time is more varied – for example, in the case of community-based work to deliver road safety training.

An overview was provided to members of the rationale behind a recent reallocation of funding to constituent authorities from West Yorkshire Combined Authority.

In response to a Board Member query, Cllr Hayden noted that two Leeds-Wakefield schemes that are being funded by West Yorkshire Combined Authority are currently proposed to be paused at OBC stage due to increased cost pressures.

Assurances were sought about the due diligence carried out on contracts relating to buildings that are being considered for disposal.

Angela Barnicle provided an update on due diligence that has been carried out in relation to contracts linked to Thwaites Mill.

RESOLVED –

Members agreed:

- a) To note the content of the report and appendices.
- b) The Principal Scrutiny Advisor will summarise the comments, conclusions and recommendations of the Scrutiny Board in the joint report to the Executive Board in line with the budget consultation process.

83 Pilot regarding the display of third party comments online, in respect of planning applications

Those in attendance for this item were:

- **Cllr Helen Hayden** (Executive Member)
- **Dave Feeney** (Chief Planning Officer)
- **Jonathan Carr** (Head of Development Management)
- **Helen Cerroti** (Team Leader)

The Chair introduced the item, noting that in June 2023 the Council began a 6-month pilot project to no longer publish third party comments on planning applications online.

The Executive Member asked that the Scrutiny Board consider the outcome of the pilot project after that six-month period. The 6-month pilot has now come to an end.

Key headlines from the pilot were shared with the Scrutiny Board including an increase in the number of comments on planning applications over the period, an increase in the number of comments made by neighbours, a reduction in data breaches, and an increase in staff capacity.

The Executive Member noted that there is no statutory requirement to publish third party comments online. She highlighted particular concern about the publication of comments online and the risk of accidental breaches of data protection legislation since the introduction of General Data Protection regulations (GDPR).

Members explored concerns about transparency and participation levels, as well as specific issues raised by parish and town councils.

The impact on staff of dealing with public comments that are abusive or offensive in nature was examined.

The Scrutiny Board was advised that improvements have been made to the

Public Access system, including the introduction of tick boxes to help members of the public identify the most common material planning considerations.

Members were further advised that in response to concerns raised by Town and Parish Councils and Neighbourhood Forums, changes have been made to the system to enable them to opt for their comments to be published online without intervention from staff.

The Chief Planning Officer highlighted that the number of representations received during the pilot period exceeded previous volumes. He also reassured members that the non-publication of third-party comments does not compromise decision making process. All comments will continue to be considered by the relevant planning officer and there have not been any changes to the way in which broader planning processes operate.

Concern was raised about whether the scale of the staffing capacity released was sufficient justification for the nonpublication of third-party comments given concerns about a perceived reduction in transparency.

In response, the Executive Member highlighted the current demands on the planning service and the benefit of maximising the capacity of trained planning officers. The Chief Planning Officer also noted the need for agility and flexibility within the service in the context of the new statutory requirements that will come into force in the near future.

It was suggested that some members of the public may feel more confident commenting on applications in the knowledge that they will not be identifiable by others.

The use of a pilot to test a sensitive change in practice was welcomed as a means to ensure members could assess the outcomes on the basis of evidence.

Reassurance was provided in response to concerns about Town and Parish Councils' access to training on the Public Access system. An update was provided on advice and support provided at a conference for Town and Parish councils.

Members queried whether additional training should be provided to staff in relation to GDPR requirements to limit the risk of data breaches.

Members considered the complexity of the planning system for members of the public and welcomed improvements to the Public Access system.

RESOLVED –

Members of the Scrutiny Board agreed to note the outcome of the pilot and the evaluation set out in the attached report.

Members supported a recommendation by majority vote that the publication of third-party comments on planning applications should not be resumed.

84 Work Schedule

RESOLVED –

Members considered the draft work schedule for 2023/24.

It was agreed that provisional dates for the next municipal year would be shared with Scrutiny Board members.

85 Date and Time of Next Meeting

The next meeting of the Scrutiny Board (Infrastructure, Investment and Inclusive Growth) will take place on **28 February 2024 at 10.30am**. There will be a pre-meeting for all members of the Scrutiny Board at **10.15am**.