

# Public Document Pack

Supplementary Information – Council Meeting 11<sup>th</sup> November 2015

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Councillors

**Legal & Democratic Services**

Governance Services

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Our Ref:

Your Ref:

9 November 2015

Dear Councillor

**COUNCIL – 11th NOVEMBER 2015**

Please find attached for your attention minutes that were not available when the agenda was despatched.

I would also like to draw to your attention a typographical error on page 226 (Item 11) in 3.5 – follow should read as fallow.

Please attach these papers to your agenda for the meeting.

Many thanks.

Yours sincerely

**Kevin Tomkinson**  
Principal Governance Officer





## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 22ND OCTOBER, 2015**

**PRESENT:** Councillor C Gruen in the Chair

Councillors J Akhtar, B Anderson,  
J Bentley, A Castle, M Coulson,  
R Finnigan, J Heselwood, E Nash, A Smart  
and C Towler

### **48 Late Items**

The Chair admitted the following late item to the agenda:

- Application 15/02901/OT – Outline application for residential development of up to 27 dwellings at Horsforth Campus, Calverley Lane, Horsforth

The report was late to allow for a revised traffic impact assessment.

### **49 Declarations of Disclosable Pecuniary Interests**

Councillor J Heselwood declared a disclosable pecuniary interest with regards to Application 15/02901/OT – Outline application for residential development of up to 27 dwellings at Horsforth Campus, Calverley Lane, Horsforth due to her employment at Leeds City College.

### **50 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor R Wood. Councillor B Anderson was in attendance as substitute.

### **51 Minutes - 17 September 2015**

**RESOLVED** – That the minutes of the meeting held on 17 September 2015 be confirmed as a correct record.

### **52 Application 15/03928/OT - 36 Town Street, Carlton**

The report of the Chief Planning Officer presented an application for a link detached house with two garages, to consider matters of access and layout only.

Site plans and photographs were displayed and referred to throughout the discussion on this application.

Further issues highlighted in relation to the application included the following:

- The application had been referred to Plans Panel as it was made on behalf of an Elected Member.
- Old outbuildings currently on the site would be demolished.
- Access arrangements were shown.
- The proposals would mean the re-location of the bus stop outside the property.
- Letters of representation had been received regarding the relocation of the bus stop and boundary planting.
- The application was recommended for approval.

During further discussion on the application it was felt that the proposals would offer an improvement to the current street scene.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report.

**53 Application 15/03297/FU - Costcutter Supermarket, Lowry Road, West Ardsley**

The report of the Chief Planning Officer presented an application for the change of use from a supermarket (A1) to church and community centre (D1) at Lowry Road, West Ardsley.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this application.

Further issues highlighted in relation to the application included the following:

- Access arrangements including pedestrian access.
- Hours of operation applied for were from 10.00 a.m. to 10.00 p.m. every day of the week.
- The church had a congregation of 25 to 30 and it was also planned to use the premises for community use.
- Representations received had shown concerns regarding traffic, noise, parking and ant-social behaviour at the site.
- It was not anticipated that the intensity of the use of the site would increase.
- It was felt that there was sufficient car parking at the site.
- The application was recommended for approval.

A local resident addressed the Panel with concerns regarding the application. These included the following:

- Car parking spaces – the nursery owned the car park and the rights for use could be withdrawn. This would lead to parking on Heatherdale Road which could be dangerous.

- The loss of a retail facility was damaging to the area and people without access to cars.
- Losing the option for a retail facility would also see the loss of employment opportunities.
- The church attracted a congregation from outside the area and this would lead to an increase in traffic.
- In response to questions from Members the following was discussed:
  - The shop opening hours were 8.00 a.m. to 9.00 p.m.
  - The parent company of the nursery held the rights for car parking and the applicant had no formal rights.
  - It would be preferred to have another retail unit at the site.

The applicant addressed the Panel. Issues highlighted included the following:

- The church wanted to serve the needs of the community and would welcome opportunity to discuss this with local residents.
- There had been discussions with the nursery regarding the proposals and it was hoped the church and nursery would be able to work together.
- The opening hours would not be fully utilised as applied for but gave an option for flexibility.
- The church wanted to engage young people and address concerns relating to anti-social behaviour.
- The church had 25 regularly attending members and 16 of these came from 4 families. It was not felt that this would cause any problems with traffic or parking.
- In response to questions from Members, the following was discussed:
  - The church wanted to engage with the community and use the premises for things such as youth groups, coffee mornings and mums and tots groups.
  - The applicant had not yet consulted the local community.

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

- Potential use of the service area for car parking.
- Clarification of parking rights – the nursery currently had 5 spaces exclusively for their use.
- It was not felt that a retail use would be viable due to the location of the building and the lack of passing trade.

## **RESOLVED**

### **54 Application 14/01904/FU - Moorside Building Supplies, 37-39 King Street, Drighlington**

The report of the Chief Planning Officer presented an application for the demolition of Moorside Building Supplies and the erection of residential development for 42 dwellings on land at 37-39 King Street, Drighlington.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on the application.

Further issues highlighted in relation to the application included the following:

- The site was in a predominantly residential area.
- The site was mainly greenfield with a PAS site to the rear.
- The original application was for 47 dwellings, this had since been reduced to 42.
- The design of the site would allow access to the PAS site.
- The proposals would include open space and landscaping.
- Dwellings at the entrance to the site would be made from natural stone.
- It was recommended to defer and delegate the application for approval.

In response to comments and questions from Members, the following was discussed:

- Members would like to have seen a clearer layout of the site. This had been requested from the applicant.
- The site had never been part of the PAS site.
- In response to concerns regarding the use of greenfield land, it was reported that this would be necessary to meet the 5 year housing plan.
- Concerns over sustainability, particularly transport, health and school provision – it was reported that there were good public transport links to Leeds and Wakefield and that there would be a contribution to education through the Community Infrastructure Levy. It was recognised that there was very limited school availability in the area.
- Future of the 37 King Street building – the applicant had been asked to consider retaining this.
- Drainage – concern as to whether the proposals and costs would provide adequate drainage.
- The need for more affordable housing and whether the site could be 100% affordable housing.
- A request for further information regarding school provision and the calculations for demand for school places.

**RESOLVED** – That the application be deferred for further clarification on the following:

- Request for 100% affordable housing.
- Inclusion of schools formula illustrating how many school places would be required by the development.
- Further details of drainage solutions.
- Sustainability credentials of the site.
- Improved quality plans for presentation.

**55 Application 14/07087/FU - St Ann's Mills, Commercial Road, Kirkstall**

The report of the Chief Planning Officer presented an application for the retrospective change of use of land and buildings from B2 to B8 with 48 storage containers.

Site plans and photographs were displayed and referred to throughout the discussion on this application.

Further issues highlighted in relation to the application included the following:

- The application had previously been considered by Panel where it had been deferred subject to the expiry of the consultation period and no new significant material consideration raised either through that process or by the Environment Agency. There was also an issue relating to land ownership.
- There had not been any objection from the Environment Agency and further representations had not raised any fresh concerns.
- The containers at the site would be moved further into the site and there would no longer be any containers overhanging the Goit.
- There would be a condition relating to the landscaping at the site.

Further to discussion with Members it was agreed to include an additional condition to paint the containers adjacent to the Goit.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report with the following additional condition:

- To ensure containers adjacent to the Goit are painted 'Leaf Green'.

**56 Applications 15/02489/FU & 15/02490/LI - Elinor Lupton Centre, Headingley Lane, Leeds**

The report of the Chief Planning Officer presented an application for the change of use of education facility (D1 use) to A4 public house, external alterations and creation of outdoor areas to the front of the building and car parking to the rear and accompanying Listed Building Application at the former Elinor Lupton Centre, Richmond Road, Headingley.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

Further issues highlighted in relation to the application included the following:

- The building was Grade II listed and fell within the Headingley Conservation Area.
- The area was predominantly residential.
- Access arrangements for deliveries to the site were explained. These included arrangements should the New Generation Transport Scheme (NGT) be implemented.

- Hours of operation and deliveries.
- Highways issues both with and without the NGT.
- The building was in need of restoration.
- Members were asked to carefully consider the balance between the need to restore and re-use a listed building and the potential impact on local amenity and breach of policy. It had been recommended to defer the application to the Chief Planning Officer for approval.

A local Ward Member addressed the Panel with objections and concerns regarding the application. These included the following:

- The proposals were contrary to both national and local planning policy.
- The area was a quiet residential neighbourhood away from the town centre.
- The proposals would generate an increase in HGV and LGV traffic.
- The clientele would involve a high number of students on the Otley run and create disturbance to residents.
- The building was in a Cumulative Impact Area.
- Further to questions from Members the following was discussed:
  - An additional public house would increase the numbers of people accessing the area and increase anti social behaviour.
  - Leeds Music Hub had expressed an interest in the use of the building and this would be a preferable option.

The applicant's representative addressed the Panel. The following issues were highlighted:

- There had been extensive negotiations with Planning Officers and public consultation in the development of the proposals.
- The building had been empty since 2008 and was beginning to deteriorate.
- The building required £3 million of investment and the applicant was willing to do this.
- The proposals would create employment for up to 50 people.
- The plans were sympathetic and would restore the heritage of the building.
- Further to concerns regarding the potential impact on residential amenity the original proposals had been amended following public consultation. There would also be responsible management practices and the company received very few complaints regarding their other premises.
- Further to questions from Members, the following was discussed:
  - Security arrangements would include door staff and CCTV.
  - The applicant would contribute to improvements to the local highways infrastructure.
  - Early opening hours had been requested due to the breakfast trade not for the sale of alcohol.
  - The applicant was looking to create a family atmosphere for food and drink.

- This would be a long term proposition which was reflected by the applicants willing to invest in the property.

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

- The proposals would have a negative impact on a residential area.
- The proposals were the only realistic option to restore a decaying building.
- Concern that the proposals overlooked residential properties and were nearby to a residential home.
- This was a quiet area and local residents should be considered.
- Concern regarding the ongoing deterioration of the building.
- Concerns with parking and other highways issues.

Members voted against the officer recommendation to defer and delegate the application to the Chief Planning Officer for approval and discussed reasons for refusal.

## **RESOLVED**

- (1) That the listed building consent for application 15/02490/LI be granted subject to the conditions outlined in the report.
- (2) That application 15/02389/FU be refused – draft reason below subject to consideration by Legal Services:

The proposed development would by reason of its out of centre location, sited midway between Headingley Town Centre and Hyde Park Corner on a popular and well known route used by students and others for drinking and entertainment result in a serious loss of residential amenity to nearby residents. The harm would arise from the comings and goings associated with a large capacity public house venue, including late night noise and disturbance caused by people on foot and in their cars and taxis arriving and departing in a predominantly residential area. This harm to residential amenity outweighs the considerable weight afforded to the re-use and restoration of the listed building and the economic benefits of the proposed use. As such the proposal is contrary to Saved Unitary Development Plan (Review 2006) policy GP5 and guidance in the National Planning Policy Framework paragraph 17 detailing Core Principles which includes always seeking a good standard of amenity for all existing and future occupants of land and buildings.

### **57 Application 15/01313/FU - Unit 4, Westfield Mills, Kirk Lane, Yeadon**

The report of the Chief Planning Officer presented an application for the demolition of an existing retail unit (use class A1) and construction of foodstore (use class A1) with parking, landscaping and associated works at Westfield Mills, Kirk Lane, Yeadon.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this application.

Further issues highlighted in relation to the application included the following:

- The site was within the town centre and conservation area.
- Existing buildings would be demolished.
- There would be removal of 13 trees to improve access arrangements. There would be a further 25 trees planted and a landscaped buffer zone.
- With regard to the demolition of the remaining part of the Westfield Mills building it was reported that the historic and visual importance had been diminished with previous development and demolition would only cause low level harm.
- Materials from the mill building would be used for a boundary wall.
- The application was recommended for approval.

The Panel heard from a local resident and a representative of the Airebrough Civic Society. Issues raised included the following:

- Concerns regarding highways and opening hours.
- 10.00 p.m. was too late. The current operators of the site finished at 8.00 p.m. and the Morrisons store in the town centre closed at 9.00 p.m.
- Customers would drive to the store and there would be an increased risk of accidents and to pedestrians.
- Concern regarding the loss of a possible building.
- A request that more of the stone from the mill building be used as part of any new building – it was reported that there would not be enough to do this.
- The impact of another large food store on other traders within the town centre.

The applicant's representative addressed the Panel. The following issues were highlighted:

- It would not be feasible to use the current building.
- Amenity and highway measures had been thoroughly discussed and there would be a contribution for highway improvements.
- The application had received considerable public support.
- The provision of a new store would give increased food and shopping choice and would provide up to 50 new local jobs.
- In response to questions from Members the following was discussed:
  - All the applicant's stores elsewhere opened till 10.00 p.m. and some were closer to residential properties.

- The applicant wanted to remain open till 10.00 p.m. as staff would still be present. This was to provide a later service for customers.

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

- The nearby Morrisons store did not have a condition restricting hours of operation.
- The proposals were felt to be appropriate for a town centre location and there was a 50 metre distance between the delivery bay and residential properties.
- The applicant had provided traffic surveys of similar stores and it was felt that this one would have sufficient capacity.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report and that condition 16 be amended to read 6 hours opening between 1000 hours and 1800 hours on a Sunday.

#### **58 Application 15/04285/FU - Billing Dam, Billing View, Rawdon**

The report of the Chief Planning Officer presented an application for the erection of a dwelling with angling facility, car parking and retaining wall at Billing Dam Fishery, Billing Dam, Billing View, Rawdon.

Site plans and photographs were displayed and referred to throughout the discussion on this application.

Further issues highlighted in relation to the application included the following:

- The application had been referred to the Panel at the request of a Local Ward Councillor.
- The proposals would involve a dwelling with attached angling and visitor centre. This would help to manage and safeguard the site.
- The applicant had not demonstrated special circumstances to allow development on greenbelt land.
- It was recommended that the application be refused.

The applicant and his representative addressed the Panel. The following issues were highlighted:

- The proposals would provide a first class educational facility not just for angling but for conservation as well.
- Freshwater lakes were a target for theft of fish. It cost £50,000 to stock the lake with fish and insurance was not available. The proposals would give a 24 hour presence and a level of security.

- It was requested that the application be deferred so that further discussion could be held regarding design.
- In response to questions from Members, the following was discussed:
  - The lake was not currently used for angling.
  - The applicant would be the head coach at the proposed centre.
  - It was felt that parking was sufficient and there would not be a problem with access to and from the site.
  - The site had previously been used by other angling clubs and had been a working fishery for over 50 years.

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

- Members broadly supported the proposals and the business opportunity created.
- Members were advised that a key element was whether the development on greenbelt land was appropriate. Design issues could be discussed in further detail.

**RESOLVED** – That the application be deferred to allow the applicant to submit further information to substantiate special circumstances.

## **59 Application 15/02901/OT - Horsforth Campus, Calverley Lane, Horsforth**

The report of the Chief Planning Officer presented an outline application for a residential development of up to 72 dwellings at Horsforth Campus, Calverley Lane, Horsforth.

Site plans and photographs were displayed and referred to throughout the discussion on the application.

Further issues highlighted in relation to the application included the following:

- A position statement was given at the last meeting. There had been a revision to the indicative layout and an increase in the number of dwellings from 66 to 72.
- The site was within the greenbelt and was already developed.
- School provision in the area.
- There would be up to 25 affordable housing units on the site.
- Traffic assessment – it was not considered that the proposals would significantly add to congestion at peak times.
- There would be a condition for maintenance of the adjoining sports pitches and grassed areas.
- The application was recommended for approval subject to conditions and a Section 106 agreement.

A local Ward Councillor addressed the Panel with objections to the application. These included the following:

- The site had a long history of educational provision and could continue to be used for this purpose.
- The current buildings could be used to provide secondary or 6<sup>th</sup> form education of which there was a shortage in the area.
- The proposals were in dispute with the Site Allocation process.
- There was opposition to the development of housing on the site.
- It was requested that the application be deferred to allow Asset Management to find a different solution.

The applicant addressed the Panel. Issues highlighted included the following:

- As part of the Leeds City College estate rationalisation it had been decided to dispense with this site.
- The Horsforth college site was due to close in July 2016.
- There had been some opposition to the proposals during public consultation but the proposals had been relatively well received.
- There had been extensive dialogue with Children's Services and it had been concluded that there was not a demand for the use of the site from their perspective.

The Panel heard representations from Children's Services. Issues highlighted included the following:

- According to data numbers for primary provision were currently at a high rate and it was suggested that this could decrease. It was factored in that there would be uplift in development and it was considered that there needed to be another half form entry for primary provision in the Horsforth area.
- With regards to secondary provision, it was reported that Horsforth School was oversubscribed though there were places available in other schools in the area. Expansion possibilities had been discussed with Horsforth School.

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

- Concern that the site was isolated and not suitable for housing.
- Further to concern that the site should be kept for education provision, it was reported that granting outline planning permission for this application did not necessarily mean that the site could still be used for education.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report.

(Councillor J Heselwood withdrew from the meeting during the discussion and voting on this item)

**60 Application 15/04256/FU - Acanthus Golf Centre, Thorpe Lane, Tingley**

The report of the Chief Planning Officer presented a position statement for the development of a garden centre with outdoor sales area, service area, car parking and landscaping at land at Acanthus Golf Centre, Thorpe Lane, Tingley.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on the application.

Further issues highlighted in relation to the application included the following:

- Plans of the proposed garden centre building and materials to be used were shown.
- The site was a brownfield site within the greenbelt.
- The proposals had the support of local Ward Councillors.
- There would be an equal split between outdoor and indoor sales.
- There would be a subsequent application for wind turbines at the site.

Further to questions detailed in the report, Members were in support of the proposals and indicated that when a full application was received that it should be deferred and delegated to the Chief Planning Officer for approval. There was some concern regarding the sale of non-gardening related products such as furniture and clothing and the impact this may have on other shopping centres.

**RESOLVED** – That the report be noted.

**61 Date and Time of Next Meeting**

Thursday, 19 November 2015 at 1.30 p.m.

## **SCRUTINY BOARD (ADULT SOCIAL SERVICES, PUBLIC HEALTH, NHS)**

**TUESDAY, 20TH OCTOBER, 2015**

**PRESENT:** Councillor P Gruen in the Chair

Councillors B Anderson, C Anderson,  
P Grahame, A Hussain, G Hussain, S Lay,  
C Macniven, B Selby, A Smart and  
S Varley

### **37 Late Items**

There were no additional late items, however the following details were provided as supplementary information:

- Minutes - 8 September 2015 – comments from the Care Quality Commission (minute 40 refers)
- Draft Health and Wellbeing Board minutes (30 September 2015) (minute 42 refers)
- CQC Inspection Outcomes (updated schedule) (minute 45 refers)
- Air Quality Scrutiny Inquiry (minute 46 refers)
- Public Health 2015/16 Budget – Update (minute 47 refers)

The above details were not available at the time of agenda despatch, but were pertinent to the areas under discussion at the meeting and accepted by the Scrutiny Board.

### **38 Declaration of Disclosable Pecuniary Interests**

There were no disclosable pecuniary interests declared at the meeting.

### **39 Apologies for Absence and Notification of Substitutes**

The following apologies and notification of substitutes were provided at the meeting:

- Cllr Billy Flynn – Cllr Barry Anderson attending as a substitute
- Cllr Eileen Taylor – Cllr Pauleen Grahame attending as a substitute
- Mr Richard Taylor – HealthWatch Leeds

### **40 Minutes - 8 September 2015**

The draft minutes from the previous meeting held on 8 September 2015 were presented for consideration.

Draft minutes to be approved at the meeting  
to be held on Tuesday, 24th November, 2015

The Principal Scrutiny Adviser drew the Board's attention to comments submitted by the Care Quality Commission (CQC) in reference to Minute 33 (specifically Waterloo Manor Independent Hospital) and the initial response provided. Following a short discussion, members of the Board agreed the draft minutes accurately reflected the significant issues raised and discussed at the meeting.

**RESOLVED –**

That the minutes of the Scrutiny Board (Adult Social Services, Public Health, NHS) meeting held on 8 September 2015, be approved as an accurate and correct record.

**41 Minutes of Executive Board - 23 September 2015**

The draft minutes of the Executive Board meeting held on 23 September 2015 were presented to the Scrutiny Board for consideration.

**RESOLVED –**

The draft minutes of the Executive Board meeting held on 23 September 2015 were noted.

**42 Minutes of Health and Wellbeing Board - 30 September 2015**

The draft minutes of the Health and Wellbeing Board meeting held on 30 September 2015 were presented to the Scrutiny Board for consideration.

**RESOLVED –**

The draft minutes of the Health and Wellbeing Board meeting held on 30 September 2015 were noted.

**43 Chair's Update**

The Chair provided a verbal update on some of the scrutiny activity since the previous Board meeting and not otherwise included elsewhere on the agenda. The update included:

- Consideration of the impact of further budgetary savings identified by NHS Trust Development Authority / Monitor for NHS provider Trusts.
- Recent Care Quality Commission activity relating to Leeds and York Partnership Foundation Trust and services provided at Bootham Park Hospital in York.
- Matters discussed at the recent Health Service Developments working group.

Members of the Board received the update and highlighted a number of points, including:

- The importance of keeping local ward members informed about proposed service changes and associated engagement and consultation activity.
- The quality and consistency of patient engagement and consultation.
- The extent of proposed changes to and/or mergers of local GP practices
- The need to consider the consultation and health impact assessment outcomes associated with the Children's Epilepsy Surgery Service review (discussed at the recent Health Service Developments working group).

Councillor Pauleen Grahame queried progress in relation to Windmill Health Centre and the Chair agreed to seek a progress update outside of the meeting.

#### **RESOLVED –**

To note the update provided by the Chair, along with the proposed actions.

*NB Cllr S Lay joined the meeting at 2:30pm during consideration of this item.*

#### **44 Request for Scrutiny - Tobacco Investments**

The Head of Scrutiny and Member Development submitted a report that introduced a request for scrutiny for the Board's consideration.

The request had been submitted by Councillor Matthew Robinson and related to the City Council's investment, via the West Yorkshire Pension Fund, in tobacco companies and its spending on smoking prevention.

Those present for the discussion were:

- Cllr Matthew Robinson (Ward Member for Harewood)
- Cllr Mulherin (Executive Board Member for Health, Wellbeing and Adults)

Councillor Robinson introduced and summarised the request for scrutiny presented as part of the agenda papers.

Councillor Mulherin commented on the matters previously discussed at the September 2015 full Council meeting and the actions taken as Chair of Leeds' Health and Wellbeing Board.

The Board considered the request for scrutiny and the main points discussed included:

- The investment decision-making processes for the West Yorkshire Pension Authority and the Council's role in such processes.
- The wider issues associated with ethical/ moral investments.
- The potential role of the West Yorkshire Joint Health Overview and Scrutiny Committee currently being established.
- The role/ involvement of other Council Scrutiny Boards, in particular Scrutiny Board (Strategy and Resources) in examining wider issues around pension fund investments.

In summarising the discussion, the Chair outlined that the Scrutiny Board was in favour of taking some action that was likely to involve the West Yorkshire Joint Health Overview and Scrutiny Committee and the Scrutiny Board (Strategy and Resources). This would necessarily include some further discussions and advice on the most appropriate way forward.

The Chair proposed to take the matter forward and provide an update to the Scrutiny Board at a future meeting.

On conclusion of the discussion, the Chair thanked Cllr Robinson for his attendance and contribution to the discussion.

#### **RESOLVED –**

To note the request for scrutiny received and agree the actions proposed by the Chair.

### **45 Care Quality Commission (CQC) Inspection Outcomes**

The Head of Scrutiny and Member Development submitted a report that provided details of recently reported Care Quality Commission inspection outcomes for health and social care providers across Leeds.

The Principal Scrutiny Adviser provided an updated schedule of inspection outcomes was presented at the meeting to provide additional inspection outcomes reported since production of the agenda.

The Scrutiny Board considered and discussed the information presented and raised a number of points, including:

- The details presented showed some improvement compared to previous reports, however 50% of the organisations inspected were rated as 'requires improvement': a position which members of the Scrutiny board cannot be satisfied with.
- The information presented showed only the headline judgements, and future reports could usefully provide more detail against the inspection areas.
- The Scrutiny Board could usefully seek assurance from commissioners regarding the actions taken on receipt of inspection outcomes, including the role of any quality surveillance groups within the City.

- The possibility of undertaking some joint work with HealthWatch Leeds around 'enter and view'.
- Local Member involvement in GP Patient Groups.

The Executive Member for Health, Wellbeing and Adults was invited to comment and recognised the concerns raised by the Board. It was suggested that the Care Quality Commission be invited to a future meeting to discuss matters in more detail.

## **RESOLVED –**

- (a) To note the report and the outcomes of the inspections presented.
- (b) To seek details of the quality assurance processes among service commissioners in Leeds, in particular Adult Social Services.
- (c) To invite the Care Quality Commission to the next meeting of the Scrutiny Board to discuss issues around quality of services in Leeds in more detail.
- (d) On behalf of the Scrutiny Board, that the Chair of the Scrutiny Board discuss the possibility of undertaking some joint work with HealthWatch Leeds around 'enter and view', and report the outcome to a future meeting.

## **46 Air Quality - Scrutiny Inquiry**

The Head of Scrutiny and Member Development submitted a report confirming that Air Quality had been identified as a specific area for more detailed consideration during 2015/16. The report confirmed that as part of the initial guidance in scoping the Board's inquiry, the following matters were identified as possible considerations (along with supporting data, where appropriate):

- Air quality across the City, including particular hot spots
- How Leeds compares to other areas – West Yorkshire; Core Cities; Other comparator groups
- Impact of poor air quality on the City – health, environmental, financial etc.
- Details of main causes of poor air quality
- How to improve air quality – including a cost / benefit analysis of the improvement actions
- A summary of air quality legislation – what responsibilities the Council has; any enforcement powers available and if/how these are used.
- Details of any guidance/ good practice (e.g. NICE guidance) and how the Council performs against the guidance.

Appended to the report was the Executive Board report due to be considered at the meeting on 21 October 2015.

The following representatives were in attendance for the discussion:

- Polly Cook (Executive Programme Manager) – Projects, Programmes, & Procurement Unit, Leeds City Council
- Andrew Hall (Head of Transportation) – City Development, Leeds City Council
- Cllr Mulherin (Executive Board Member for Health, Wellbeing and Adults)
- Ian Cameron (Director of Public Health) – Public Health, Leeds City Council

The Executive Programme Manager and Head of Transportation addressed the Scrutiny Board and provided the context and background to the Executive Board report due to be considered the following day.

The Director of Public Health confirmed the Executive Board report was a joint report and included details of the associated health impacts of poor air quality. Air quality remained a significant issue for the Council and it represented another health inequality issue across the City.

The Executive Board Member for Health, Wellbeing and Adults outlined some key areas of work across the Council to help address air quality issues, including creating the infrastructure to encourage walking and cycling and ensure health considerations have a better connection to future developments.

The Chair addressed the Board and made the following comments:

- The issue was not purely a city-centre issue and it was important to look across the whole of the City.
- It was important to recognise that air quality in areas of Leeds was not sufficiently good and that was not a satisfactory position.
- To make improvements, action needed to be taken and while some actions may not be easy; some steps would be easier on the way to improvement.
- Referencing the banning of smoking in public places, it should be recognised that the 'impossible' can become 'possible'.

The Chair then opened the matter for broader consideration and questions from members of the Scrutiny Board. A number of comments were made during the discussion with those present at the meeting, including:

- Welcoming the thrust and ambitions of the Council's efforts and joint work with the Combined Authority, but recognising the resources needed to achieve many of the aims and objectives were subject to successful bids to Government.
- Partnership working with some partners appeared better developed than with others.
- The role of trade associations, such as the Road Haulage Association bus companies and Taxi and Hackney Carriage associations.
- The role of school travel plans in helping to address issues of poor air quality.

- The need to improve the rigor by which development proposals are assessed in terms of impacts.
- Improvements needed to air quality monitoring to map impacts across the City.
- DEFRA appeared to be encouraging funding bids from Leeds in order to help address the predicted level of non-compliance with air quality standards.
- The need to balance the impacts between developing brownfield site and greenbelt areas of the City.
- While recognising the need to plan for future improvements, it should be recognised that some improvement is needed immediately and strong leadership was needed.

Following conclusion of the discussion, the Chair invited the Principal Scrutiny Adviser to outline some proposed next steps, which included:

- Reviewing the information presented and identifying any additional or supplementary details that may be required.
- Seeking the input from other witnesses or stakeholder identified at the meeting, such as the Road Haulage Association, the Combined Authority and others.

At the conclusion of the discussion, the Chair thanked those present for their contribution to the meeting.

#### **RESOLVED –**

To note the information presented to the meeting and agree the next steps outlined at the meeting.

*NB Following conclusion of the discussion on the item, Cllr P Grahame and Cllr A Hussain left the meeting.*

*The meeting was then adjourned at 3:55pm and recommenced at 4:05pm*

#### **47 Public Health 2015/16 Budget - update**

The Head of Scrutiny and Member Development submitted a report to introduce a further update from the Director of Public Health regarding the Public Health budget for 2015/16 (i.e. the current year).

Appended was the Financial Health Monitoring report presented to the Executive Board at its meeting on 23 September 2015. This detailed some of the proposed actions to meet the in-year budget reduction, once formally announced.

The following were in attendance for the discussion:

- Cllr Mulherin (Executive Board Member for Health, Wellbeing and Adults)
- Ian Cameron (Director of Public Health) – Public Health, Leeds City Council

The Executive Board Member for Health, Wellbeing and Adults addressed the Scrutiny Board and provided the background and context for the discussion. The Director for Public Health outlined that a formal announcement from the Department of Health had still not been made; therefore the level of the budget reduction remained unconfirmed.

It was suggested that the reason for the delay in the Department of Health's announcement was due to the overall level of responses to the consultation; the possible threat of judicial review; and the different formula for reductions proposed by Manchester.

Members of the Scrutiny Board considered and discussed the information presented and raised a number of matters, including:

- The inadequacy of the Department of Health proposals and its associated consultation process.
- Confirmation that concern had been expressed by Councillor Nash regarding the continuation of the 'Skyline Service' in Leeds that provided support to those suffering from HIV.
- The Council faced some very significant challenges and unpalatable, difficult decisions implementing the proposed budget reductions.
- Addition savings of £600,000 would still need to be made to meet the anticipated level of budget reduction. Members queried how this would be achieved.
- Concern that it had not been confirmed whether or not the reduction would be a 'one-off' or recurrent for future years.

In addressing the Scrutiny Board and responding to the comments and concerns expressed by members, the Executive Board Member for Health, Wellbeing and Adults and Director of Public Health made the following comments:

- Confirmation that this represented a very significant and unexpected in-year challenge, with £600,000 still to be identified.
- The Council was committed to support work around 'Best Start', including the Family Nurse Partnership, Health Visitors and Children's Centres.
- In identifying potential reductions the approach had been to seek to minimise the impact of the people of Leeds and on areas where activity had been planned but not yet implemented.
- A number of contracts, including that held by the Skyline Service, were due to end in March 2016 and it was necessary and standard practice to review contracts and the services they provide.

In summarising the discussion, the Chair expressed a view that the Council as a whole should look to shoulder some of the burden of this unexpected in-year challenge. It was also important for the Council to ensure its message to the public and service providers was that the reductions were necessary to meet the Department of Health in-year demands.

#### **RESOLVED –**

- a) That the details presented in the report and highlighted at the meeting be noted.
- b) That, the Director of Public Health continues to keep the Scrutiny Board updated on developments as work progresses, including how the savings are to be achieved.

#### **48 Director of Public Health Annual Report (2014-15)**

The Head of Scrutiny and Member Development submitted a report that introduced the 2014/15 Annual Report from the Director of Public Health presented to the Executive Board at its meeting on 23 September 2015. It also presented the progress against the recommendations from the 2013 Annual Report presented to the Health and Wellbeing Board at its meeting on 30 September.

The following were in attendance for consideration of this item:

- Ian Cameron (Director of Public Health) – Public Health, Leeds City Council
- Cllr Mulherin (Executive Board Member for Health, Wellbeing and Adults)

The Director of Public Health addressed the Scrutiny Board and outlined the main elements of the report and recommendations under the themes of:

- Health planning and urban design
- Engaging local communities

The Scrutiny Board considered and discussed the report presented and raised a number of matters, including:

- Issues of special planning for existing communities and how this could have a positive impact on health inequalities.
- The ongoing work to embed the work of Public Health across the different areas of the Council.
- Questions around how the recommendations would be taken forward by the responsible organisation subsequently monitored and reported.
- Requests for an update / response at an appropriate time from responsible individuals / organisation, including the Clinical Commissioning Groups, the Chief Planning Officer and Leader of Council

**RESOLVED –**

That the Director of Public Health Annual Report 2014/15, be noted.

**49 Annual Report of the Health Protection Board**

The Head of Scrutiny and Member Development submitted a report that introduced the first Annual Report of the Health Protection Board. The Annual Report had previously been submitted and presented to the Health and Wellbeing Board at its meeting on 30 September 2015.

**RESOLVED –**

That the first Annual Report of the Health Protection Board as presented, be noted.

**50 Progress on Implementation of the Care Act 2014**

The Director of Adult Social Services submitted a report that outlined the Council's progress against the requirements of the Care Act 2014.

Those in attendance for this item were:

- Shona McFarlane (Chief Officer (Access and Care Delivery)) – Adult Social Services, Leeds Council

In introducing the item and outlining the report, the Chief Officer (Access and Care Delivery) confirmed that the Council's focus had been on achieving compliance with the first phase of Care reforms detailed in the Care Act 2014, and in so-doing there had been a strengthening of the Council's partnership arrangements.

It was outlined that Phase 2 of the Act, which provided for the Care Cap and Care Account and was due to be implemented in March 2016, would have resulted in some significant changes, including a cap on care costs of £72,000. However, it was confirmed that earlier in the summer, the Government had announced a delay on implementing the cap on costs until 2020.

Members discussed the details presented and queried the level of Council resources assigned to preparing for Phase 2 implementation ahead of the Government announcement. The Chief Officer (Access and Care Delivery) confirmed there were no details of any specifically identifiable expenditure in this regard.

**RESOLVED –**

That the progress report as presented and outlined at the meeting, be noted.

## **51 Future Provision of Homecare - update**

The Head of Scrutiny and Member Development submitted a report that detailed the work of the Scrutiny Board in the previous municipal year (2015/16) in relation to the future external provision of home care services.

Appended to the report was the statement of the former Scrutiny Board and an update from the Director of Adult Social Services outlining progress and detailing how the Scrutiny Board comments had been taken into account.

In attendance for the item were:

- Shona McFarlane (Chief Officer (Access and Care Delivery)) – Adult Social Services, Leeds Council
- Michelle Atkinson (Older People Commissioning Manager) – Adult Social Services, Leeds Council
- Mark Phillott (Head of Contracts, Bus Development and Markets Management) – Adult Social Services, Leeds Council

In introducing the item, the Older People Commissioning Manager confirmed that good progress continued to be made, and particularly highlighted the extensive work undertaken with service users around service quality standards. An update was provided in the following areas:

- Quality Standards and Outcome Based Commissioning
- Flexible and Responsive Services
- Compliance and Monitoring
- Safeguarding
- The Ethical Care Charter
- Locality based Services
- Contract Type and Pricing

The Older People Commissioning Manager also drew the Board's attention to an error in the written update, regarding the number of providers that had expressed an interest in being considered to be part of the future framework arrangements. The actual number was 26 and not 254 as detailed in the briefing note.

Specific assurance of progress against the Scrutiny Board's previous recommendations was also provided.

At the conclusion of the discussion, the Chair thanked those in attendance for their contribution to the discussion.

**RESOLVED –**

To note the information presented and to record the Scrutiny Board's satisfaction with progress to date.

**52 Proposed West Yorkshire Joint Health Overview and Scrutiny Committee - membership nomination**

The Head of Scrutiny and Member Development submitted a report seeking membership nominations for the proposed West Yorkshire Joint Health Overview and Scrutiny Committee.

The Principal Scrutiny Adviser introduced the report and confirmed that, at its meeting on 19 October 2015, General Purposes Committee had agreed to make recommendations to full Council regarding the establishment of the West Yorkshire Joint Health Overview and Scrutiny Committee detailed in the report.

The Scrutiny Board was asked to consider nominating two members from within its current membership to serve on the proposed West Yorkshire Joint Health Overview and Scrutiny Committee.

The Scrutiny Board discussed the report and its associated nominations.

**RESOLVED –**

That the following members be presented to full Council as the Scrutiny Board's nominations for the proposed West Yorkshire Joint Health Overview and Scrutiny Committee:

- (a) Councillor Peter Gruen (as Chair of the Scrutiny Board); and,
- (b) Councillor Billy Flynn

**53 Work Schedule - October 2015**

The Principal Scrutiny Adviser provided a report that introduced an updated work schedule for the remainder of the municipal year.

The Chair advised the Board that the updated work schedule reflected the Board's previous discussions while taking account of necessary issues associated with scheduling items for the remainder of the municipal year.

The Board briefly discussed and agreed to consider further aspects of its inquiry into Air Quality through a working group arrangement that would subsequently report to the full Board.

**RESOLVED –**

- (a) That, subject to any on-going scheduling decisions, the Board's work schedule as presented be agreed.

- (b) To establish a working group (open to all members of the Board) to take forward and consider further matters associated with the Air Quality inquiry.

**54 Date and Time of Next Meeting**

Tuesday, 24 November 2015 at 2:00pm (pre-meeting at 1:30pm)

(The meeting concluded at 5:15pm)

