

**COUNCIL**

**11TH SEPTEMBER 2019**

**UNANSWERED QUESTIONS LETTER**

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**Democratic & Central Services**

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Date: 15 October 2019

To: All Members of Council

Dear Councillor

**COUNCIL MEETING – 11<sup>TH</sup> SEPTEMBER 2019**

At the above meeting, the thirty minutes of Question Time expired with questions 9 to 36 unanswered. Council Procedure Rule 11.6 requires that each Member of Council is sent responses to such questions.

**Q9** Councillor A Blackburn - Can the Executive Member tell me week by week how many roads in Farnley & Wortley have had their bin collections missed during the last 8 weeks?

**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – The analysis we can provide to ward level is the “formal missed bins” performance monitoring statistics. These are bins reported as uncollected more than 48 hours after the scheduled collection date.

During the last 8 weeks just under 125,000 bins were emptied in the Farnley and Wortley ward. That includes black, green and brown.

The missed bins total was 240. This represents a successful collection rate of 99.81%.

This breaks down as follows:

	Black	Green	Brown	Weekly total
Week 1 - w/c 15.7.19	4	8	6	18
Week 2 - w/c 22.7.19	24	3	4	31
Week 3 - w/c 5.8.19	4	5	12	21
Week 4 - w/c 12.8.19	21	4	9	34
Week 5 - w/c 19.8.19	9	7	9	25
Week 6 - w/c 19.8.19	34		11	45
Week 7 - w/c 26.8.19	13	11	10	34
Week 8 - w/c 2.9.19	6	2	24	32
Totals	115	40	85	240

**Q10** Councillor S Hamilton - Will the Executive Member for Communities comment on the Conservative plan to raise the retirement age to 75?

**A** Councillor D Coupar (Executive Member for Communities) – Thank you Cllr Hamilton. “Chilling and immoral” is just one quote that has been used to describe the plan by the Conservatives to increase the retirement age to 75.

If pension age is increased to 75 by 2035 how many people will be affected in Leeds?

In 2035, there will be 158,550 people aged 65 and over in Leeds, making up 19% of the Leeds population.

There will be 8,331 people in Leeds who would have started getting a pension in 2035 if the pension age was 67 years. They will have to wait until 2043. These people are currently aged 51 and were born in 1968.

Of the 132,840 claimants aged 60+ in Leeds, 81,400 (61%) are only claiming State Pension (SP).

Just a few months ago we were debating the very matter of removing the free TV licence for Over 75s. There has already been multiple changes to benefits for this age bracket over recent months.

Simply raising the state pension age without additional support will leave many people further away from a secure later life.

To make an example of the situation – with this implemented, we could face the very idea that a 74 year old who could not find work would have to apply for unemployment benefits, they’d have to look at applying for Universal Credit; and we all know how well that has been panning out.

Supporting people to be in good quality work for as long they want is critical for their financial security now and into the future, as well as a vital opportunity to help them manage their health and improve their wellbeing.



The priority needs to remain on retraining generations of workers above the age of 50, supporting them in maintaining a job – not increasing the retirement age. As a Council we offer adult learning and support back into work programmes which I'm sure they could provide case studies for.

Driving up the pension age even further makes it worse - particularly for those groups who are statistically more likely to die in their late 60s or early 70s.

A report by the Institute for Fiscal Studies found that today's increasing state pension age has boosted government finances by £5.1 billion per year, whilst at the same time leaving 1.1 million women in their sixties worse off by an average of £32 per week.

This will undoubtedly have a bigger impact on lower-income households. The Institute for Fiscal Studies have further have estimated a knock-on effect of a 6.4 percentage point increase in the absolute income poverty rate of women aged between 60 and 62

A six year loss of income has resulted in some women losing as much as £40,000 in total.

As others have stated the principle of pension equality is a reasonable one, however we have a situation where women in their sixties are being effectively punished based on an accident of when they were born.

Many women have had their best laid plans disrupted by the pension equalisation process with little time to make alternative plans

I have been meeting recently with the Leeds WASPI to discuss their concerns and the impact this has had on the lives of women.

**Q11** Councillor M Robinson - Does the Executive Member agree with Brian Booth, West Yorkshire Police Federation Chairman, when he said about the Extinction Rebellion protests in July that "every penny that has been used on policing this event is a penny that could have been spent much better on local policing issues within West Yorkshire"?

**A** Councillor D Coupar (Executive Member for Communities) – The Policing of protest is a relatively complex legal issue and is further complicated by the need to consider the human right implications of all those involved and effected.

In any set of circumstances, prior to any Police action, we must consider everyone's human rights, both those protesting and those against any such protest.

The main articles to consider are:

- Article 2 Right to Life
- Article 8 Right to a Private and Family Life
- Article 9 Freedom of Thought Conscience and Religion
- Article 10 Freedom of Expression
- Article 11 Freedom of Assembly and Association
- Article 17 – Prohibition of abuse of rights



In our most recent circumstance Article 2 right to life was mitigated by closing roads to ensure the immediate safety of pedestrians in the road.

Article 8 Right to Private and Family Life, allows people to have free movement and to go about their day-to-day business without restriction. This may be effected by the protestor's actions, however this must be measured as to the nature of any impact it is causing. This is the basis for the police to consider whether to remove protestors or to leave them without police intervention.

Articles 9, 10 and 11 were exercised by the protestors but this was considered and balanced against other people's human rights as stated by Article 17. Article 17 states that a person cannot restrict and destroy other people's human rights whilst exercising or claiming their own rights.

In summary, the protest caused some minor disruption in an isolated areas of Leeds. This was continually reviewed and if it had reached a point where the rights of the protestors significantly impinge on the rights of the wider public then there would have been alternative Police intervention.

In terms of Police resources for the Policing of Protest, there is a finite number of Police resources and officers will mobilise across local neighbourhood policing areas, Leeds District, West Yorkshire and Nationally as needs dictate to manage developing issues – all through agreed mechanisms.

In this particular case to maintain core Policing services in Leeds and West Yorkshire, officers were mobilised from the North East Region for this protest mitigating any threat to the delivery of local policing services across the District. These resources were continually reviewed in the light of the developing intelligence and as the protest progressed resources were reduced through the week.

**Q12** Councillor C Campbell - Could the Executive Member for Highways (Climate Change, Transport and Sustainable Development) give the Council a start date for the installation of the 20mph scheme for the Ashfields in Otley?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) - Leeds City Council has a long-standing ambition to provide 20mph zones and speed limits in residential areas, as endorsed by Executive and Scrutiny Boards in recent years and in line with ambitions of the Best Council Plan to make Leeds a Child Friendly City, to improve Transport and Infrastructure and to improve Health & Wellbeing. These schemes are also an integral part of the Council's Safer Roads Action Plan and have been making a major contribution to reducing road casualties, which are at record low levels.

The scheme proposals for a 20 mph speed limit for the Ashfields in Otley are now well advanced. The required traffic order was approved some time ago ready for implementation and the contractor is preparing the programme for delivery in the autumn. Firm confirmation of a timeline and start date will be provided to ward Members and they will be kept informed of changes



**Q13** Councillor A Garthwaite - Can the Executive Member give an update on the greening of the city centre?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) - There are several programmes and projects in delivery and development that are directly and indirectly designed to green the city centre.

The Our Spaces Strategy issued for engagement in November last year set out a Vision for the creation of vibrant, inclusive world-class spaces which will be supported by 7 design principles of which 'greener future' identifies the requirement to create spaces that are resilient to climate change, with green environments having a cooling effect, sustainably managing surface water and absorbing carbon.

The strategy identifies over 40 projects linked either to the Leeds Public Transport Infrastructure Programme, the Our Spaces Strategy work programme (which includes Council led and developer led schemes such as City Park) and the Housing Infrastructure Bid submitted to Homes England earlier this year (the outcome of which as yet is unknown).

LPTiP will see significant highway infrastructure changes along The Headrow, Park Row, Infirmary Street, New Briggate, Vicar Lane, The Corn Exchange and Meadow Lane, reducing carriageway widths and releasing space for the creation of new public realm, cycle ways and tree planting. These schemes are progressing at pace and all have an ambition to provide new street trees along these corridors and gateways.

Linked to the LPTiP works, there are a number of schemes proposed for the creation of new spaces through the realignment and closure of roads. Cookridge Street has for the last 3 summers seen; the pop-up park used to provide temporary green space and a scheme for its permanent closure is being brought before Executive Board in September. The scheme will see the road turned in to a new public green space with trees, shrubs and grassed areas with seating, lighting and outdoor cafe space. It will be complete for March 2021. New Briggate will also see general traffic and buses removed with proposals for the addition of trees and seating. Together with the delivery of the new spaces at Quarry Hill (Playhouse Gardens) and Clay Pit Lane (Woodhouse Gardens), these 4 schemes combined provide one hectare of new and improved green space in the city centre. The Corn Exchange Gateway proposals involve a change of road alignment through Lower Call Lane and Lower Briggate and the closure of Call Lane through the Corn Exchange itself. These proposals provide the opportunity to extend the public realm from the entrance to the Corn Exchange across call lane up to the crossing into the pedestrian area of the city centre. The ambition is that this area is greened with trees, shrubs, grass and new seating with the design brief for the new space currently in development.

Meadow Lane is the Council's contribution to City Park which is being delivered by Vastint, who are working in partnership with the Council to bring forward over 3.5 hectares of new green space to be managed by LCC through a community interest company. The Meadow Lane proposals remove a large area of car parking and reduce the carriageway from 4 lanes down to 2 releasing a large area of land for the creation of new green space. Early design works for the highway alignment are moving forward and when finalised, design of the new park will come forward. The new park is connected back to the city centre by the proposed Sovereign square footbridge, a new 4.5m wide pedestrian and cycle bridge across the river Aire proposed for delivery in 2020.



Our Spaces will also consider our existing spaces and parks in the city centre to explore how these spaces can play a more proactive role in supporting the mitigation for climate change and providing increased biodiversity. The Our Spaces Strategy is currently being updated following the engagement and will be reported back to Executive Board later in the year.

In all subject to the outcome of HIF over 40 spaces will be created or improved in the city centre to promote Leeds as a walkable, green, inclusive, vibrant and attractive city centre.

**Q14** Councillor A Scopes - Can the Executive Member for Children and Families please comment on children and young people's mental health reaching crisis point?

**A** Councillor F Venner (Executive Member for Children and Families) – Children and young people's mental health is in crisis. In summer this year, councils up and down the country were seeing over 560 cases of children with mental health disorders every day – a figure up more than 50% in just three years. Figures show that there were 205,720 cases where a child was identified as having a mental health issue in 2017/18, compared with 133,600 in 2014/15 – which accounts for an increase of 54%.

An article published by the BBC revealed shocking figures that showed referrals to child mental health units from UK primary schools for pupils aged 11 and under have risen by nearly 50% - again, in just three years. This is evidence that mental and emotional health disorders among children and young people are on the rise – and I am saddened by the fact that services to support these vulnerable young people have been historically underfunded by the Conservative Government. This has left many services unable to meet the increased demand – simply due to a lack of resource.

Waiting times have also increased – and when we are seeing self-harm in seven and eight-year olds, and children struggling with online bullying and eating disorders before they attend secondary school – time is something that we simply do not have. These young people need support now.

Government may have pledged support for children and young people's mental health through the NHS Long Term Plan, which promises an extra £2.3 billion a year that will enable 345,000 more young people to have access to specialist mental health care by 2013/24 – but that is 5 years away. We need action – we need funding now.

By 2025, there will be a £3.1 billion funding gap in Children's Services nationally, and as a result of relentless Government cuts, local authorities up and down the country have stripped their services right back – with prevention and early intervention being the first to go. These are also the services that make a huge positive impact, and reduce the need for more costly interventions later down the line.

In Leeds, I am delighted that we have continued to invest in vital services to safeguard children and young people's mental health, including Future in Mind, the nationally recognised MindMate website and the fantastic work we do through the MindMate brand, and Kooth, to name a few.



I am also delighted that Leeds has been successful in a Trailblazer bid that will see the establishment of two new mental health support teams for pupils in further education and for those who are home educated. The city will also be delighted to welcome a new specialist psychiatric unit for children and young people experiencing mental health difficulties.

In Leeds, we have also significantly reduced waiting times for initial CAMHS support to 9 weeks, though we are committed to reduce waiting times further. Across the country, one in eight children aged 5 to 19 have a mental health difficulty, and estimates show that less than half of children aged 10 to 17 referred to CAMHS receive treatment. In Leeds, we recognise there is so much more to do to support vulnerable children and young people experiencing mental health issues. I call on the Government to provide the vital funding that is needed, now, to ensure bright, prosperous and happy futures for our youngest residents.

**Q15** Councillor B Anderson - Can the Leader of Council please advise whether or not she has responded to the recent letter from the Woodland Trust in respect of tree planting to help combat Climate Change?

**A** Councillor J Blake (Leader of Council) - A letter has been sent to the Woodland Trust by Councillor Lisa Mulherin in her role as Executive Member for Climate Change, Transport and Sustainable Development.

**Q16** Councillor S Golton - Can the Leader of the Council, as the West Yorkshire Combined Authority's representative on Transport for the North, confirm and explain the Combined Authority's preference for the Stourton Touchpoint junction proposal for HS2/Northern Powerhouse Rail connectivity?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) - The plans being prepared by Transport for the North for the Northern Powerhouse Rail proposals are a significant and major step to redressing the past imbalances in national transport infrastructure investment, something which the Council strongly supports. TfN's strategy included "touchpoints" with the proposed HS2 line to allow the maximum connectivity into the wider railway network.

The opportunity and benefits of the Stourton "touchpoint" are still to be fully understood and the present position is that we are awaiting further work and information from TfN who are working with HS2 Ltd and the Department for Transport. This work is continuing and the Council is therefore awaiting the results to help fully understand the possibilities of this proposal and any alternatives. This work will of course need to have due regard to outcomes of the current review of HS2 by Douglas Oakervee.

**Q17** Councillor M Harland - Could the Executive Member for Environment and Active Lifestyles please update Council on progress towards developing Flood Alleviation Schemes across Leeds?



**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – With nearly 30,000 homes and businesses at risk of flooding from river and surface water in areas across Leeds, reducing this risk is a council priority. We reduce flood risk to properties and businesses in a range of ways from the inspection and maintenance of assets and watercourses to ensuring new development is implemented in the right places and to the highest standards and by developing and implementing flood alleviation schemes.

Flood Alleviation Schemes are being developed and implemented across the city; some of these have been completed in recent years and are therefore already benefitting those communities affected. Over £50m has been invested in new flood defences in Leeds in the last few years with schemes offering improved flood protection to over 3000 residential and 500 businesses being completed in **Garforth** (Barley Hill, Glebelands, Lowther Road), **Kippax** (Ramsden Street), **Allerton Bywater** (Westfields FAS) and most notably **Woodlesford and the city centre as part of Leeds FAS1**.

**Leeds FAS2:**

Step 1 of Leeds FAS2 to deliver a 1 in 100-year standard of protection (plus climate change) in Kirkstall and a small area at Newlay is progressing with detailed design with a view of starting floodwall construction works towards the end of 2019. These works are fully funded and completion is expected in Autumn 2022. It remains the council's aspiration to provide the same area and also the FAS1 area with a 1 in 200-year standard of protection (Step 2). Design refinement of the Step 2 works, which include a flood storage area at Calverley and raised defences at both Woodhouse Grove School and Apperley Bridge in Bradford is ongoing. This information will allow us to go back to government once again with a further request for additional funding (above the £65 million already committed) to allow this step to progress. Other sources of funding are also being progressed. A planning application for the Step 2 works is due to be submitted in early 2020 to ensure the city council is ready to deliver the works as soon as is practically possible.

**Other flood alleviation schemes** are being progressed across the city all at a range of stages in their implementation. Schemes are being delivered along the Wyke Beck Catchment most notably at Killingbeck Meadows as part of a £4.5m programme to support housing growth, improve biodiversity and urban green space and reduce flood risk to properties particularly in the Dunhills in Halton Moor. Otley FAS is a £3.3m project that will reduce flood risk to 58 properties that were badly affected in the boxing day floods, this scheme will submit its business case and planning application later this month. Schemes in Garforth at Hawthorn Terrace and in Mickletown are in their final design stages and are hoping to be implemented later this year. Major catchment level studies are underway on the Lin Dyke (Garforth & Kippax), Wortley & Farnley Wood Beck and Wharfe catchments. Surface water flooding studies are due to start in Guiseley, Potternewton and Wetherby.

The pipeline of flood risk schemes will see major studies and projects brought forward in the Meanwood, Sheepscar and Oil Mill Beck (Horsforth/ Yeadon) catchments, with 22 schemes plus FAS2 representing over £120m of investment captured in the nationally managed pipeline programme.



**Q18** Councillor R Stephenson - Is the Executive Member for Environment able to confirm that no department or sub-contractor of the Council uses glyphosate-based products for weed killing purposes?

**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – This council uses glyphosate based herbicide in line with EU/UK regulatory approvals for the control of weeds which have recently been reviewed. The major use in Leeds is to control weeds growing on highway footpaths and around housing complexes. There are alternative less efficient control approaches available such as using liquefied petroleum gas (LPG) burners, steam or hot water/foam which both requiring the use of fossil fuels. These approaches require a significant increase in frequency of operation leading to more road travel across the city as they only remove/kill the top growth leading to weeds reappearing in a shorter timeframe. Scrubber brushes could also be attached to street cleaning equipment or intensive manual removal with hand tools could be employed, but these would damage hard surfaces leading to further weed growth thus increasing the frequency of repairs to surfaces that use excavated minerals and bitumen. Glyphosate is also used to control invasive weed species such as Japanese Knotweed, without which it would be difficult and significantly more expensive to treat and control.

**Q19** Councillor C Hall - Last year three Leeds schools were identified as in need of urgent structural attention. Benton Park, Wetherby High and Royds School in Rothwell.

It has already been announced that Benton Park is to be rebuilt. Can the lead member for Children's Services tell us where and how that funding was raised and update members as to progress identifying funds for work to Royds School and Wetherby High School?

**A** Councillor J Pryor (Executive Member for Learning, Skills and Employment) – The funding for Benton Park is being assembled from a combination of the Learning Places and Planned Maintenance Programmes, which reflects the need for additional school places whilst also addressing existing building condition issues. Funding streams will be primarily through the Basic Need Grant, council borrowing, Community Infrastructure Levy and School Condition funding. An approach has been made to central government for additional funding support, but they have declined to provide anything further.

With a School Condition Allocation of circa £6m per annum to maintain all school buildings in Leeds, there is no funding currently available for Royds and Wetherby. We continue to pursue all options to raise the necessary money, including lobbying government.

**Q20** Councillor C Anderson - Would the Executive member responsible for transport please advise what conversations they have had with First Bus in relation to the impact of the service changes in order to facilitate the reconfiguration of The Headrow and how this is affecting the services in the north of the city?



- A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) – The project at the Headrow is a key element of the Leeds Public Transport Investment Programme. This major investment will reshape and transform the bus passenger experience and the wider public realm of this key place at the heart of the city centre. However, significant traffic measures and planning has been necessary to facilitate a start on site.

Prior to the bus rerouting, the Connecting Leeds team working with the Council's delivery partner have worked very closely for some months with both First Bus and WYCA to develop the alternative bus route, the alternative bus stop locations, layout and infrastructure. This has been aligned to minimise passenger inconvenience to align with the September bus timetable changes to ensure information on the re-routing is as accurate and easy to understand as possible.

A communications programme is in place with WYCA and First to ensure that people know where their temporary bus stops are whilst works are happening. This has included outreach work with the public running up to and after the start of the works briefings with Leeds BID ambassadors and rangers and bus operators, considerable liaison with local businesses, outdoor signage in the area and digital promotion of the works.

The diversion measures are being monitored including the impacts on bus services and their reliability with contingency plans in place should congestion increase as a result of the diversion.

- Q21** Councillor C Hall - Leeds City Council declared a Climate Emergency in March. Given the need to have some objectives and results can the Chair of Climate Change and the member for environmental improvements say when Leeds City Council will start doorstep glass bottle collections given the evidence that they provide increased financial payback, are 25% more energy efficient and would enhance the reputation of the local authority with residents who are our major stakeholders?

- A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – The Council does currently provide a significant network of around 350 recycling bank sites across the City, providing an opportunity for the vast majority of residents to recycle glass.

We are interested in the potential further environmental gains from kerbside collections of glass and other materials and have commissioned studies to assess the expected costs and benefits of different kerbside recycling options. In light of our commitment to addressing climate change, it will also be essential that the materials we target first are those that will give us the greatest reductions in carbon emissions (with textiles and food more beneficial than glass from this important perspective).



Following the publication of its Resources and Waste Strategy for England in December, DEFRA has been consulting extensively on potential legislative changes relating to kerbside recycling collections, and on the possible introduction of a national deposit return scheme for drinks containers such as glass bottles. It is therefore essential that the Council awaits clarity from the Government as to what the requirements for collection services will be before proceeding, both from the point of view of service design, but also in order to secure the funding promised by Government to local authorities for implementing these policy changes.

Although the costs of disposing of glass are less if recycled rather than going in black bins, the costs of an additional city-wide kerbside collection service are significant, with the net cost an estimated additional £1.9m per annum.

Furthermore, the successful introduction of a deposit return scheme could result in there being limited glass remaining for collection at the kerbside, meaning that an investment in new kerbside collection services in advance of seeing the impact of such a scheme could prove very poor value for money.

**Q22** Councillor D Collins - Will the Executive Board Member for Environment and Active Lifestyles list the benefits to local communities of accessibility to playgrounds and commit to supporting the delivery of new play areas in Horsforth Ward?

**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – There are over 170 children’s playgrounds in Leeds provided by the council for children to access, and in 2019, Leeds Commitment to Children’s Play includes a reference ‘to increase opportunity to play’. Integrated facilities catering for all needs and abilities are important in developing local playgrounds. In the Horsforth ward there is over £180k greenspace planning gain funds available to spend on children’s play with further sums to come in due course, and I understand that officers are currently in discussion with local ward members on their improvement priorities.

**Q23** Councillor C Howley - Would the Executive member for Climate Change, Transport and Sustainable Development inform Council what lessons have been learned following highways contractors’ abysmal performance replacing road markings on roads resurfaced during the summer and how will these lessons be applied in the future?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) – The resurfacing work referred to by Cllr Howley is surface dressing, a widely used preventative treatment which helps prolong the life of a road at minimal cost.

The work is delivered via a West Yorkshire contract, which this year resulted in around 450,000 linear metres of lining having to be reinstated in West Yorkshire.

Surface dressing and white lining are both weather dependant and the wet summer this year has had a big impact on both programmes with around 6 weeks being lost to weather. Indeed, the weather in the month of July was described as a one-in-ten year events and resulted in a considerable amount of lost time.



The West Yorkshire authorities meet regularly with the contractor and will be meeting with them in November to review how this year went, the issues that delays in getting the lining reinstated have created and what can be done moving forward to prevent a repeat.

#### Background information

The surface dressing process involves spreading a bitumen emulsion followed by granite chippings which are allowed a couple of weeks to bed in before the site can be swept of any loose chippings and re-lined.

It is commonly used by most authorities to help slow deterioration, prevent pothole formation and improve skid resistance. At a cost of around £4-5/m<sup>2</sup> it represents good value for money.

The dressing process is very quick whilst the re-lining is a much more lengthy operation so it is usual for it to take much longer to complete the lining element. This was the first year the contractor has delivered the lining work in-house and along with the weather suffered an initial delay when new equipment bought for this purpose was held up in customs.

We have brought in some of our own crews to help move things along to get to a completion in the early autumn and this may be something we do next year, pending the outcome of the November *meeting*.

**Q24** Councillor B Flynn - Is the Executive Member for Children and Families content with safeguarding arrangements for children who are suspected of, or considered to be, at risk in out of office hours?

**A** Councillor F Venner (Executive Member for Children and Families) – The Children's Emergency Duty Team (EDT) provides an emergency children's social care response outside of office hours, 365 days a year, if a child safeguarding concern is referred to them by a practitioner or the police.

Members of the public or practitioners who are concerned that a child or young person is in danger or at immediate risk of harm are always advised to call the police on 999. This is because the police have the power to enter a property if they believe that a child is at risk; Children's Social Work Services do not have this right. Contacting the police in these circumstances prevents delays in attending to a child or young person that could be in danger. When the police attend, if they find that there is a need for a social work response to bring a child into care or to further assess a family situation, the police (who work closely with the EDT) request this and an appropriate response from EDT is mobilised. Likewise, if the EDT is alerted by a practitioner that a child is at immediate risk of harm they can ask the police to apply for Police Powers of Protection or an Emergency Protection Order.



**Q25** Councillor D Cohen - Bins, dog poo and potholes, these are some of the key issues that local residents come to their councillors about. They're not glamorous, but they matter. Can the executive member tell me how he is going to get the Refuse Collection for Black, Green and Brown Bins back to the reliable level that residents are entitled to expect, across the city and in my ward of Alwoodley in particular, because at the moment, with whole streets being missed all too often, it is nowhere near good enough?

**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – The service continues to empty black, green and brown bins to an overwhelming majority of households across the city as planned. I appreciate it can be frustrating if in the small proportion of households where a collection hasn't been made and especially for the small number of residents who experience a repeat of missed collections for a range of reasons. We know we can improve on this and have commissioned a significant review of the whole collection and support services, working with Members, staff and their representatives with one aim being an improvement in reliability of collections made on their due date. The relevant Scrutiny Board undertook an inquiry into waste management services last year and made 15 recommendations which are in the process of being implemented. The commencement of the service review was a key finding of the Scrutiny Board and a progress report on this and all other recommendations was well received in July.

It is intended that an update on the service review will be provided to each Community Committee or their Environmental Sub Group this autumn, before a further progress report to Scrutiny Board in January 2020.

Whilst this work will take some time to complete, it is important that the review is broad in scope if we are to successfully reshape the service to ensure improvements last well into the future. I look forward to the continuing oversight from Scrutiny Board to help us throughout the process.

**Q26** Councillor B Anderson - Can the Executive Member responsible for Planning and Climate Change advise if she is considering amending the CIL regulations to allow funding of Climate Change initiatives to meet the Council's Climate Change Emergency?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) – The Community Infrastructure Levy (CIL) Charging Schedule was introduced by the City Council on the 6th April 2015 and charging has been underway since then on all relevant developments. The current Regulation '123' list already includes projects that contribute to climate change initiatives including, Sustainable Transport Schemes, Flood Alleviation, public green space (& green infrastructure) and district heating networks. The Government recently announced the outcome of a review of CIL at a national level and on 1st September 2019, introduced amendments to the CIL Regulations, which give Local Authorities greater flexibility to deliver infrastructure required in their area. The changes include amending the CIL Regulations to simplify the process. This includes the removal of the Regulation 123 list and to be replaced by an Infrastructure Funding Statement (to be published by 31 December 2020).



**Q27** Councillor M Robinson - In view of significant local concern and the recent accident record at the Crossroads at Tarn Lane and Coal Road, will the Executive Member for Highways ensure that planned road safety improvement works to this junction are programmed as a matter of urgency?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) – This site is on the list of actions and sites for concern. Following previous investigations a scheme was developed and introduced in 2018 which provided additional advanced give way signs, the provision of slow marking and bars to slow approach speeds. The scheme has been monitored since completion and whilst some improvement to the road collision record has been apparent, more recently the previous pattern of collisions appears to be recurring.

Site meetings have taken place and, pending finalisation of a further scheme, additional warning signs have been provided and the site continues to be monitored. A further intervention at the site to provide a long-term solution is being progressed to address the driver “line of sight” issues at this location. Discussions aimed at implementing this are taking place with an adjacent landowner to achieve this by negotiation and the preparation of the necessary legal formalities is being taken forward as a priority.

**Q28** Councillor S Firth - Has the Leader of Council or Executive Member for Climate Change, Transport and Sustainable Development written to the new Prime Minister, Boris Johnson, to discuss his comments highlighting the lack of a mass transit system in Leeds, and will she commit to working with the government to develop options for a mass transit system in the city?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) – The Connecting Leeds programme of transport improvements through the Leeds Public Transport Investment Programme, the major investment programme of the West Yorkshire Transport Fund and access to other national grants and the major and continuing major investments in new trains on our railways are all making for a brighter transport future. But Leeds has much further to go in achieving the kind of public transport systems we aspire to as an international city. Following his recent public comments on this matter, the Leader has written to the Prime Minister to emphasise our continuing need for transport investments that match the scale, economy and population of our city and region and emphasised our desire to see national support for the development of an appropriate mass transit scheme in the city and region. We will of course work with the government to support and make the case for this investment to redress the historic dearth of investment in the North’s transport networks. This is urgently needed alongside the presently planned investments, the new pipeline of rail investments to finally provide the integrated and high quality public transport network our city needs.

**Q29** Councillor B Flynn - Is the Executive Member for Resources satisfied that the safeguarding arrangements for passengers using private hire vehicles in Leeds are adequate?



**A** Councillor J Lewis (Executive Member for Resources) – The safety of people travelling in taxi and private hire vehicles in Leeds is uppermost in the council’s approach to taxi and private hire licensing. The council has the main responsibility to ensure that, first, people travelling in taxi and private hire vehicles are safe, and second, that the wider travelling public are confident that, should they need to use a taxi or private hire vehicle, they will be safe. People who are vulnerable or at risk, and therefore fall within the scope of safeguarding in its’ broadest sense, are more likely to use taxi and private hire vehicles than the general public. In particular, we identify children travelling to and from school, women taking journeys on their own, people with disabilities, learning disabilities or mobility problems. Leeds also has a vibrant night time economy, with over 100,000 people regularly going out in Leeds city centre. All passengers place themselves into the care of taxi and private hire drivers, however these people are particularly vulnerable.

The council addresses the safety of passengers in a number of ways. The safety of passengers in taxi and private hire vehicles is a risk recorded in Communities and Environment directorate, and reviewed every six months.

- 1. Application of a fit and proper test to determine a person’s suitability to be a taxi or private hire driver, or a private hire operator.** People are not licensed to work as a driver or operator if the council is not satisfied that they are safe and suitable to hold a licence. This involves checks of driving history, an annual enhanced DBS check, right to work in the UK. The public can be confident that the driver of a Leeds licensed vehicle has been through a thorough background check. Where an allegation is made about a driver’s behaviour, the council reserves the right to suspend that driver’s licence until it is satisfied the driver is safe and suitable to work.
- 2. Rigorous driver training standards.** All new drivers in Leeds are required to attend and pass a range of driver training, including advanced driving standard, English/literacy, customer care, geographical knowledge, taxi law and standards, including equalities/disability. Importantly, since 2016, in addition to applicants, all existing licence holders have been required to attend safeguarding training, certificated by Leeds Safeguarding Children’s Board. Any licence holder who have failed or refused to attend the training have had their licences revoked. Going forward, the council is currently reviewing and refreshing its driver training modules, with a view to adding wheelchair training, and broadening safeguarding training about adults and other people who may be vulnerable/at risk.
- 3. Prioritising complaints and feedback.** The council promotes and encourages the general public to report concerns, whether or not they appear serious. The council has an ‘are you taxi aware?’ web page, <https://www.leeds.gov.uk/business/licensing/taxi-and-private-hire/licensing/are-you-taxi-aware>, and provides updates and advice to the travelling public, particularly at the start of the university term. The council also requires drivers and operators to report complaints and concerns about safety and safeguarding to the council. The overall level of complaints to the council has risen by over 150 over the past three years, and the increase has been mostly about driver conduct, suggesting that the public are reporting concerns about driver behaviour to the council. Complaints about alleged sexually inappropriate behaviour have fallen over that period. All complaints reported to the council are investigated, and often result in warnings to drivers, instructions for drivers to undertake additional training,



and in a comparatively small number of cases (63), drivers having their licences revoked.

4. **Safeguarding case conferences.** All safeguarding allegations reported to taxi and private hire licensing are assessed for action, and a safeguarding case conference approach used with Adults and Childrens safeguarding professionals. The majority of safeguarding allegations about driver behaviour relate to the transport of children to and from school.
5. **On street enforcement.** The council's taxi and private hire enforcement officers work a pattern of day shifts and night shifts, enabling them to balance investigating complaints, conducting daytime site visits of operator bases with inspecting vehicles on street and checking drivers' credentials. The enforcement officers inspect around 2000 vehicles a year on street, usually in and around the city centre, conduct several joint operations with West Yorkshire Police, and carry out more than 300 mystery shopping journeys a year to check driver compliance, particularly on plying for hire, and passengers with guide dogs or wheelchairs. In more than 90% of the mystery shopping exercises, the driver has demonstrated correct understanding of the law and regulations.
6. **Intelligence and partnership working.** The council works closely with West Yorkshire Police and neighbouring authorities. Taxi and private hire vehicles have always operated across local authority boundaries, particularly since the growth of app based private hire firms and the Deregulation Act 2015. Leeds is a regional destination for students, passengers using the airport, and for the busy night time economy. The council adds to and draws on police intelligence about people who may pose a risk to passengers. The council has also worked increasingly closely with neighbouring authorities in West Yorkshire and the City of York to share information about drivers who may pose a risk to passengers, conduct joint night time operations, and to align policies and enforcement activity more closely to address the risk which may be posed by drivers working predominantly in one authority but being licensed in another.

**Q30** Councillor B Anderson - Could the Executive Member responsible for refuse collection please advise why there are so many breakdowns in the service on a daily basis?

**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – The number of breakdowns is of course associated with the age of the fleet in use in waste management operations. There have been ongoing discussions for some time on the optimum replacement vehicles with considerations principally regarding fuel type and general compliance with aspects with the potential to affect air pollution in the city.

The fleet upgrade for Waste Collection Services has been given priority and will now see the replacement of 52% of the fleet (45 vehicles) by mid December 2019.

Four vehicles which are suitable for a trial electric retro fit have now been identified meaning 49 of the 86 vehicles will be operating as new. The new vehicles are ordered and are on a delivery program which started in June 2019 for completion in mid-December 2019.



The remaining 37 refuse vehicles are scheduled to be replaced over the next three years 17 of which are planned for 2020/21, 16 in 2021/22 and the remaining 4 in 2023/24 as part of a scheduled fleet replacement programme based on a number of factors including reliability, age and intelligence from regular monitoring of the vehicles performance.

**Q31** Councillor M Robinson - Does the Executive Member for Transport think it is acceptable for residents to be trapped in their own village due to congestion on the A64 and A58 after Leeds Fest this year?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) – Leeds Fest is a major cultural event, which many thousands of people from across the city participate in, alongside those from further afield. It is recognised that effective traffic regulation management and operations are essential to the smooth running of this event and safeguarding local communities; the traffic management arrangements for this year’s event follow experiences and feedback from previous year’s events. Officers work closely with the promoters and Highways England to ensure that the event passes off smoothly, with the minimum of inconvenience to residents and the wider general public on the strategic and local road network. It is of course not acceptable for residents to feel “trapped” in their homes. Early indications are that traffic this year was heavy as might be expected but was largely kept moving. Each year the traffic is monitored and the performance of the traffic management scheme is reviewed with learning for the future and these comments will be looked into during this year’s review including feedback on any specific local hotspots that ward members would like to provide.

**Q32** Councillor B Anderson - Can the Executive Member responsible for Environmental Enforcement please advise why he is not willing to bring forward a policy on enforcing no parking on grassed verges?

**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – Parking on verges and/or footways takes place for a variety of reasons often because of the historic layout of our narrow streets, towns and villages and the high levels of car ownership. In some instances, there are limited/ no alternatives and removing it may cause more problems than it would solve. Should it be deemed appropriate, there are a number of approaches available including the introduction of double or single yellow lines which can prohibit verge parking as the restriction can apply to the full extent of the highway; however, they can be costly and time consuming to implement because of the legal processes, public consultations, signing and lining and staff resources involved. It is important therefore that each case is considered carefully on its merits and the potential implications fully reviewed before any action is considered and any resources committed.

The Cleaner Neighbourhoods Team will undertake interventions in cases of sustained and irreparable damage to the verge where statements can be provided in relation to by who and when the damage was undertaken. These interventions are most likely to take the form of the perpetrator undertaking steps to reinstate the verge, as it is very rare that there is sufficient evidence as well as it being in the public interest to take a prosecution.



**Q33** Councillor B Flynn - Is the Executive Member for Health, Wellbeing and Adults satisfied that the Leeds Adult Safeguarding Board is effective in ensuring that Leeds is a safe place for everyone, particularly in preventing the neglect and abuse of our residents, notably in care homes?

**A** Councillor R Charlwood (Executive Member for Health, Wellbeing and Adults) - The Leeds Safeguarding Adults Board (LSAB) is a strategic and statutory partnership, which is independent of my portfolio responsibility, that brings together the statutory agencies (Leeds City Council, NHS Leeds Clinical Commissioning Group and West Yorkshire Police) with a range of other partners who have involvement in working with vulnerable adults. The LSAB sets the strategy for the city and ensures that there are a series of key actions in place that ensure partners work together effectively. These include the policies and procedures to ensure that a person-centred approach is taken in relation to the implementation of the Care Act 2014, which relates to safeguarding adults. These have recently been updated to reflect the voice of the adult.

The Board also sets standards of training for staff who work in agencies within the city and ensures that there is a performance management framework in place to enable the quality and performance of the various services in relation to safeguarding activity, as outlined in the legislation, to be maintained and improved. The LSAB provides an annual report and an annual plan (against a three year strategy) which is presented to the Council's Executive Board and Scrutiny Board (Adults, Health and Active Lifestyles). The role of the LSAB, and its Independent Chair, is to help and safeguard people with care and support needs. It does so by seeking assurances that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance, assuring itself that safeguarding practice is person-centred and outcome-focused. The annual report provides an update on the action plan and the work of the partners involved in meeting those aims. There are standards for the training of staff who work in care homes, and these standards are embedded into the commissioning frameworks that the CCG and Adults and Health Directorate use when commissioning and contracting care providers. The LSAB Chair is an independent role, recruited to and supported by the Chief Executive of the Council, and their role is to ensure partners are held to account for the quality of their safeguarding activity.

Much of the LSAB's activity is in relation to prevention of harm and abuse which it carries out through ensuring that there is awareness of safeguarding and how to respond, by working with citizens to inform them of the ways in which they can keep themselves safe and by ensuring that the Board hears the voice of adults who have been abused, to ensure that lessons are learned and prevention activities are in place. It works to raise awareness in communities and in services, both commissioned services and community based ones, so that people in the community and staff working in these services understand how to prevent and also raise concerns about abuse. When abuse and harm does happen, the Board has an oversight of the activities of the partners in responding to that abuse, working with the individual to help them stay safe and ensuring that lessons are learned. The LSAB also has a role in commissioning Serious Adults Reviews (which can be undertaken through a variety of formats) in those situations where there has been a failure by organisations to work together effectively or where there is a view that there will be useful learning from a specific situation. In these cases, the Board will commission an independent approach which could vary from the commissioning of a report with an independent author, to developing a 'lessons learned' event with partners involved. These lessons are then



shared with partners with the intentions of improving practice, making changes to policy and of course, hearing the voice of the affected adult(s).

People who live in care homes have by definition an assessed need for care and support and can be among the most vulnerable members of the community. There are many ways in which assurance is sought and gained in respect of the quality of their experience and safeguarding in care homes. The CCG and Adults and Health Directorate work together to ensure that there is a coherent and consistent approach to the commissioning of care homes and the wider support to care homes that is delivered through community services such as district nurses. The Council has also recently invested in a Care Quality Team which targets its work(s) with care homes, including care homes with nursing, where there have been concerns about the quality of care, to develop their service offer and ensure that staff have the training and support they need to provide safe and effective care. The Scrutiny Board (Adults, Health and Active Lifestyles) receives a regular report on the work of the team and the progress that is being made in the quality of homes as defined by the Care Quality Commission (CQC). The CQC also has a role in the regulation and inspection of care homes, among other regulated services. The LSAB has a clear interest in this work, ensuring that there is clear guidance through policies and procedures and setting the standards for the training of staff, as well as monitoring the performance of safeguarding activity - including that of situations which arise in care homes. A recent example has been to support our independent advocacy service, Advonet, to undertake some work with care homes to ensure that those residents who may not have families or carers nearby are able to have their voices heard.

We work hard, together with partners, to ensure that we have an effective Safeguarding Adults Board in Leeds, which this year delivered an innovative and citizen-centred approach to the policies and procedures it sets. The LSAB has also just commissioned Advonet, an independent advocacy organisation in Leeds, to work with the people who experience the safeguarding process to hear their voice. Advonet will feedback people's experiences to the Board, which has made a commitment to listening to people's lived experience and responding to it. This approach will ensure that the quality of safeguarding activity improves where it needs to and will provide assurance to the Board of the effectiveness of the safeguarding practice in place in Leeds.

- Q34** Councillor B Anderson - Can the Executive Member with responsibility for Housing please advise whether or not she supports Jeremy Corbyn's recent announcement set out in the press that he wants to introduce a Right to Buy policy in respect of tenants of private landlords?
- A** Councillor D Coupar (Executive Member for Communities) – I support current Labour Party housing policy and look forward to further detail of any new proposals such as this recent announcement so that I can consider it fully.
- Q35** Councillor B Anderson - Can the Executive Member with responsibility for our tree strategy please confirm whether the Council does or does not have a tree or woodland strategy or a policy for street tree management?



**A** Councillor M Rafique (Executive Member for Environment and Active Lifestyles) – The council has produced a comprehensive guidelines booklet for the management of council trees which is available in print and on the website. The Council's priority is to ensure that identified tree related risks are removed or reduced so that we can all safely enjoy the many benefits that a healthy and robust tree canopy cover bring to the city. The council is also working with the Woodland Trust on the Street Trees project to care and protect existing trees and look at opportunities for further appropriate planting. With regard to woodland management, the council has over many years received accreditation to the UK Woodland Assurance Standard (UKWAS) which is a rigorous, independent certification standard for verifying sustainable woodland management in the UK. In order to achieve this woodland management standard, the council has to demonstrate legal compliance, effective management planning and arboricultural operations with suitably trained and qualified staff, taking into consideration the woodland's natural, historical and cultural environment. The council woodlands are not just managed for the benefit of trees but an important factor relates to ensuring suitable access and recreational opportunity so that residents of Leeds can receive the benefit that this provides.

**Q36** Councillor B Anderson - Can the Executive Member responsible for Speed Indicator Devices please explain why there is a delay in approving the Council's policy?

**A** Councillor L Mulherin (Executive Member for Climate Change, Transport and Sustainable Development) – The use of Speed Indicator Devices (SIDs) has been very welcomed in many communities around the city and they make a valuable local contribution to road safety and driver awareness. The Highways and Transportation service has supported local communities through ward members, community committees and parish councils to purchase and install these signs. This has proved a popular local investment. Unfortunately this surge in popularity and the increased funds being directed towards these signs alongside the continuing investment in road safety engineering for casualty reduction at key road injury sites has stretched the capacity of the service. As a result a review is taking place into how funded requests for such signs can be met in the future in a timely and agreed manner. In the meantime I have asked officers to bring forward an action plan to address the backlog of schemes already approved and funded by local areas. This action plan will be communicated to those ward members affected in the near future.

Yours sincerely

**Kevin Tomkinson**  
**Principal Governance Officer**

