



EXECUTIVE BOARD

Meeting to be held in Civic Hall, Leeds on
Wednesday, 26th August, 2009 at 1.00 pm

Councillors

R Brett (Chair)
A Carter
J L Carter
S Golton
R Harker
P Harrand
J Procter
J Monaghan

MEMBERSHIP

K Wakefield
R Lewis *

R Finnigan

*non voting advisory member

CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

A G E N D A

Item No K=Key Decision	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.</p>	

Item No K=Key Decision	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>MINUTES</p> <p>To confirm as a correct record the minutes of the meeting held on 22nd July 2009.</p> <p><u>DEVELOPMENT AND REGENERATION</u></p>	1 - 16
6 K			<p>LEEDS (RIVER AIRE) FLOOD ALLEVIATION SCHEME</p> <p>To consider the report of the Director of City Development providing an update on the progress made in relation to the Leeds Flood Alleviation Scheme, outlining the feedback from the public consultation exercise, and presenting for approval the latest version of the Design Vision and Guide, along with a recommended approach to be adopted by the Environment Agency in designing a scheme for the River Aire.</p>	17 - 64

Item No K=Key Decision	Ward	Item Not Open		Page No
7 K			<p>THE AGENDA FOR IMPROVING ECONOMIC PERFORMANCE</p> <p>To consider the report of the Director of City Development presenting the draft agenda document for approval and submission for stakeholder consultation.</p>	65 - 108
8 K		10.4(3) (Appendices 1 and 2 only)	<p>LEEDS UNITED - THORP ARCH ACADEMY</p> <p>To consider the report of the Director of City Development on the history and current position of the Leeds United Thorp Arch Academy and on options for the Council to support the continuation of the facility.</p> <p>Appendices 1 and 2 to this report are designated as exempt under the terms of Access to Information Procedure Rule 10.4(3).</p>	109 - 124
9			<p>ADOPTION OF THE SUPPLEMENTARY PLANNING DOCUMENT OF THE STREET DESIGN GUIDE AND RESPONSE TO THE DEPUTATION OF THE NATIONAL FEDERATION OF THE BLIND</p> <p>To consider the report of the Director of City Development on the outcome of consultation on the Street Design Guide including further discussions following the attendance of the deputation to Council on 10th September 2008 on behalf of the National Federation of the Blind. The report presents the amended Street Design Guide and recommends its adoption as a Supplementary Planning Document.</p> <p><u>ENVIRONMENTAL SERVICES</u></p>	125 - 160

Item No K=Key Decision	Ward	Item Not Open		Page No
10			<p>RESPONSE TO THE YOUNG PEOPLE'S SCRUTINY FORUM INQUIRY ENTITLED, 'PROTECTING OUR ENVIRONMENT'</p> <p>To consider the joint report of the Director of City Development, the Director of Environment and Neighbourhoods and the Chief Executive of Education Leeds in response to the recommendations of the Young People's Scrutiny Forum inquiry into the protection of the environment.</p>	161 - 190
11			<p>RESPONSE TO THE ENVIRONMENT AND NEIGHBOURHOODS SCRUTINY BOARD INQUIRY INTO STREET CLEANING</p> <p>To consider the report of the Director of Environment and Neighbourhoods in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into street cleaning.</p> <p><u>NEIGHBOURHOODS AND HOUSING</u></p>	191 - 218
12			<p>RESPONSE TO THE ENVIRONMENT AND NEIGHBOURHOODS SCRUTINY BOARD INQUIRY INTO OLDER PEOPLE'S HOUSING</p> <p>To consider the report of the Director of Environment and Neighbourhoods in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into older people's housing.</p>	219 - 262

Item No K=Key Decision	Ward	Item Not Open		Page No
13			<p>RESPONSE TO THE ENVIRONMENT AND NEIGHBOURHOODS SCRUTINY BOARD INQUIRY INTO THE PRIVATE RENTED SECTOR</p> <p>To consider the report of the Director of Environment and Neighbourhoods in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into the private rented sector.</p>	263 - 302
14 K	Beeston and Holbeck;	10.4(3) (Appendices 1, 2 and 4 only)	<p>REGENERATION OF HOLBECK - PHASE 4</p> <p>To consider the report of the Director of Environment and Neighbourhoods outlining the options for regeneration of the Holbeck area and seeking approval of the acquisition and clearance of 20 properties within Holbeck by utilising £1.3m of this funding during 2009/11.</p> <p>Appendices 1, 2 and 4 to the report are designated as exempt under the terms of Access to Information Procedure Rule 10.4(3).</p>	303 - 322
15 K	Burmantofts and Richmond Hill;	10.4(3) (Appendices 1, 2 and 4 only)	<p>REGENERATION OF CROSS GREEN - PHASE 3</p> <p>To consider the report of the Director of Environment and Neighbourhoods outlining the options for regeneration of the Cross Green area and seeking approval of the acquisition and clearance of 14 street lined semi detached properties which were built in the early 1900s in Cross Green by utilising £1.1m of this funding during 2009/11.</p> <p>Appendices 1, 2 and 4 to the report are designated as exempt under the terms of Access to Information Procedure Rule 10.4(3).</p> <p><u>CHILDREN'S SERVICES</u></p>	323 - 340

Item No K=Key Decision	Ward	Item Not Open		Page No
16 K	Bramley and Stanningley;		<p>PROPOSAL TO CLOSE THE LEA MAINTAINED NURSERY AND CHANGE THE LOWER AGE LIMIT OF CHRIST THE KING CATHOLIC PRIMARY SCHOOL, BRAMLEY</p> <p>To consider the report of the Chief Executive of Education Leeds presenting the outcome of the statutory notice period and seeking approval to close the maintained nursery with effect from 31st August 2009.</p>	341 - 352
17 K	Adel and Wharfedale; Beeston and Holbeck; Horsforth; Killingbeck and Seacroft; Kirkstall; Weetwood;		<p>PLAYBUILDER INITIATIVE UPDATE</p> <p>To consider the report of the Director of Children's Services on the proposed locations of the six remaining playbuilder sites as recommended by the Strategic Play Partnership.</p>	353 - 356
18	Cross Gates and Whinmoor; Killingbeck and Seacroft;		<p>DESIGN AND COST REPORT - SEACROFT CHILDREN'S CENTRE ACCOMMODATION AND EXTENSION</p> <p>To consider the report of the Acting Chief Officer for Early Years and Integrated Youth Support Service regarding the costs and fees related to the proposed refurbishment and extension of the existing Seacroft Children's Centre.</p>	357 - 360
19			<p>RESPONSE TO THE CHILDREN'S SERVICES SCRUTINY BOARD INQUIRY INTO 'ENTERING THE EDUCATION SYSTEM'</p> <p>To consider the report of the Director of Children's Services in response to the recommendations of the Scrutiny Board (Children's Services) inquiry entitled, 'Education Standards - Entering the Education System'.</p> <p><u>LEISURE</u></p>	361 - 386

Item No K=Key Decision	Ward	Item Not Open		Page No
20	Hyde Park and Woodhouse;		<p>DEPUTATION TO COUNCIL - NORTH HYDE PARK RESIDENTS' ASSOCIATION, SOUTH HEADINGLEY COMMUNITY ASSOCIATION, AND FRIENDS OF WOODHOUSE MOOR REGARDING THE COUNCIL'S PROPOSAL TO ESTABLISH BARBEQUE AREAS ON WOODHOUSE MOOR</p> <p>To consider the report of the Director of City Development in response to the deputation to Council from North Hyde Park Residents' Association, South Headingley Community Association and the Friends of Woodhouse Moor organisation on 15th July 2009. the report also outlines the result of a recent consultation exercise with local residents and stakeholders and presents a proposed solution for the consideration of the Board.</p>	387 - 400
21 K			<p>VISION FOR COUNCIL LEISURE CENTRES</p> <p>To consider the report of the Director of City Development proposing a Vision for Leisure Centres following extensive public consultation and a review of Sport England's Facility Planning Model.</p> <p><u>ADULT HEALTH AND SOCIAL CARE</u></p>	401 - 424
22 K			<p>LEEDS - A CITY FOR ALL AGES: DEVELOPING A STRATEGIC APPROACH TO AGEING</p> <p>To consider the report of the Director of Adult Social Services outlining proposals for the development of a strategic response to the development of demographic change and the ageing society under the banner of "Leeds – a City for all ages".</p>	425 - 434

Item No K=Key Decision	Ward	Item Not Open		Page No
23			<p>RESPONSE TO THE ADULT SOCIAL CARE SCRUTINY BOARD INQUIRY INTO MAJOR ADAPTATIONS FOR DISABLED PEOPLE</p> <p>To consider the joint report of the Director of Adult Social Services and the Director of Environment and Neighbourhoods in response to the recommendations from the Scrutiny Board (Adult Social Care) inquiry into major adaptations for disabled people.</p> <p><u>CENTRAL AND CORPORATE</u></p>	435 - 460
24 K	Killingbeck and Seacroft;		<p>DESIGN AND COST REPORT: DEMOLITION OF EAST LEEDS FAMILY LEARNING CENTRE</p> <p>To consider the report of the Chief Officer (Corporate Property Management) on proposals regarding the demolition of the East Leeds Family Learning Centre.</p>	461 - 464
25			<p>FINANCIAL HEALTH MONITORING 2009/10 - FIRST QUARTER REPORT</p> <p>To consider the report of the Director of Resources presenting the Council's financial health position for 2009/10 after the first three months of the financial year.</p>	465 - 478

Item No K=Key Decision	Ward	Item Not Open		Page No
26		10.4(3) (Appendices 1 and 2 only)	<p data-bbox="675 255 1345 360">LOCAL TAXATION COLLECTION POLICY, BUSINESS RATE HARDSHIP RELIEF AND DISCRETIONARY RATE RELIEF GUIDANCE</p> <p data-bbox="675 405 1401 651">To consider the report of the Director of Resources on proposals regarding the categories and criteria used to write off outstanding Council Tax and Business Rates debts, the current guidelines used in respect of hardship relief and the current guidelines used in respect of discretionary rate relief.</p> <p data-bbox="675 696 1366 801">Appendices 1 and 2 to the report are designated as exempt under the terms of Access to Information Procedure Rule 10.4(3).</p>	479 - 492

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EXECUTIVE BOARD

WEDNESDAY, 22ND JULY, 2009

PRESENT: Councillor R Brett in the Chair

Councillors A Carter, J L Carter,
R Finnigan, S Golton, R Harker, P Harrand,
J Monaghan, J Procter and K Wakefield

Councillor R Lewis – Non-Voting Member

24 Exclusion of the Public

RESOLVED - That the public be excluded from the meeting during consideration of the following parts of the agenda designated exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- a) Appendices 1 and 2 to the report referred to in minute 34 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained in the appendices relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the disposal of the property/land referred to, then it is not in the public interest to disclose this information at this point in time. Also, it is considered that the release of the information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would be aware about the nature and level of consideration which may prove acceptable to the council. It is considered that whilst there may be a public interest in disclosure, much of the information will be publicly available from the Land Registry following completion of these transactions and, consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.
- b) Appendix 1 to the report referred to in minute 38 under the terms of Access to Information Procedure Rule 10.4(3) and 10.4(5) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because publication of this report could prejudice the City Council's commercial interests and the City Council's legal interests in maintaining legal professional privilege during legal proceedings.

- c) The appendix, plan 2 and plan 3 to the report referred to in minute 42 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as disclosure could be prejudicial to the commercial interests of the Council and other outside bodies.
- d) Appendix B to the report referred to in minute 59 under the terms of Access to Information Procedure Rule 10.4(3) and (4) on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as it relates to the financial and business affairs of the Council and that publication could be prejudicial to the Council's commercial interests and to negotiations with potential contractors.

25 Declaration of Interests

Councillor Wakefield declared a personal interest in the items entitled, 'Response to the City and Regional Partnerships Scrutiny Board Inquiry into Skills' and 'A Partnership Approach to the Planning, Funding and Delivery of 14 – 19(25) Provision in Leeds' due to being a governor of Leeds City College (Minutes 33 and 57 refer respectively).

Councillor Wakefield also declared a personal interest in the item entitled, 'Proposed Increases in Admission Limits for September 2010' due to being a governor of a primary school. (Minute 56 refers)

Councillor Finnigan declared a personal interest in the items entitled, 'Response to Council Deputation – 'Hands off our Homes Group', 'Response to Council Deputation – Woodbridge Tenants and Residents' Association', 'Lettings Policy' and 'ALMO Annual Reports 2008/09' due to being a Director of Aire Valley Homes (Minutes 49, 28, 50 and 51 refer respectively).

Councillor Harker declared a personal interest in the item entitled, 'Proposed Increases in Admission Limits for September 2010', due to being a governor of a primary school (Minute 56 refers).

Councillor Golton declared a personal interest in the item entitled, 'ALMO Annual Reports 2008/09' due to being a Director of Aire Valley Homes (Minute 51 refers).

Councillor A Carter declared a personal interest in the item entitled 'Marketing Leeds Annual Report 2009' due to being a Director of Marketing Leeds and a personal interest in the item entitled, 'Proposed Lease of Land at Pudsey Bus Station, Church Lane, Pudsey, LS28' due to being a Board member of the West Yorkshire Integrated Transport Authority (Minutes 35 and 36 refer respectively).

- 26 Minutes**
RESOLVED – That the minutes of the meeting held on 17th June 2009 be approved.

CENTRAL AND CORPORATE

- 27 The KPMG Scrutiny Review - May 2009**
The Chief Democratic Services Officer submitted a report summarising the key findings from KPMG's recent audit of the Council's Overview and Scrutiny arrangements and detailing management's formal response to the recommendations

Alison Ormston of KPMG attended the meeting and presented the audit report.

RESOLVED – That the assurances provided with regard to the Council's Overview and Scrutiny arrangements be noted, together with the intention that the key learning points will be progressed by officers through the Scrutiny Chairs' Advisory Group.

NEIGHBOURHOODS AND HOUSING

- 28 Response to Council Deputation - Woodbridge Tenants' and Residents' Association Regarding the Condition of the Properties on the Estate**
The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council from the Woodbridge Tenants' and Residents' Association on 22nd April 2009.

RESOLVED – That the agreed actions, following the attendance of the deputation at Council, be noted.

CENTRAL AND CORPORATE

- 29 Treasury Management Annual Report 2008/09**
The Director of Resources submitted a report providing a review of the treasury management strategy and operations for 2008/09.

RESOLVED -

- a) That the treasury management outturn position for 2008/09 be noted.
- b) That the recommendations of the CIPFA Treasury Management Panel Bulletin and the CLG Select Committee be referred to the Central and Corporate Functions Scrutiny Board and the Corporate Governance and Audit Committee for further consideration.
- c) That Council be recommended to approve the limits of fixed debt from 2009/10 onwards that are held in different periods as outlined in paragraph 3.3.4 of the submitted report.

- d) That Council be recommended to approve the upper limit on sums invested for periods longer than 364 days for 2009/10 as outlined in paragraph 3.3.6 of the submitted report.

(The matters referred to in parts (c) and (d) of this minute being matters reserved to Council were not eligible for Call In)

30 Capital Programme Update 2009 to 2013

The Director of Resources submitted a report providing an update on the capital programme position for 2009-2013 and seeking approval to allocate resources to specific schemes.

RESOLVED -

- a) That the £35,400,000 remaining balance of the Strategic Development Fund be allocated to New Generation Transport and Flood Alleviation projects.
- b) That the delegated decisions to release reserved schemes, as set out in Table 2 of the submitted report, be noted.
- c) That the proposals for the allocation of additional resources, as set out in Table 3 of the submitted report, be approved.
- d) That the injection of £125,000 to the capital programme for the food waste bin pilot, funded through unsupported borrowing, be approved.
- e) That a variation of £200,000 on the Housing Revenue Account ICT Phase 2 project, as outlined in section 3.3.4 of the submitted report, be approved.

(Under the provision of Council Procedure Rule 16.5, Councillor Wakefield required it to be recorded that he abstained from voting on this matter)

31 Leeds Strategic Plan and the Council Business Plan - Performance Reporting at Quarter Four 2008/09

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report presenting the quarter 4 performance report for the Leeds Strategic Plan and the Council Business Plan.

RESOLVED – That the contents of the report be noted.

32 Sustainable Communities Act

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report on a proposal to extend the Council's powers to deal with obstructive parking for formal submission to the Local Government Association as a recommended proposal for Government action.

RESOLVED – That approval be given for the submission of the proposal to extend the powers of Council employed civil enforcement officers to issue Penalty Charge Notices.

33 Response to the City and Regional Partnerships Scrutiny Board Inquiry into Skills

The Head of Scrutiny and Member Development submitted a report in response to the recommendations arising from the Scrutiny Board (City and Regional Partnerships) inquiry into skills.

RESOLVED – That the proposed responses to the Scrutiny Board (City and Regional Partnerships) recommendations, as contained in the submitted report, be approved.

DEVELOPMENT AND REGENERATION

34 Proposed Leeds Arena

The Director of City Development submitted a report on progress made in developing the scheme proposals for the arena, proposing that Clay Pit Lane be confirmed as the site for the proposed development and requesting that the Board reconfirms the scope, aims, objectives and outcomes of the project, in addition to presenting proposed Heads of Terms for a commercial agreement.

Following consideration of Appendices 1 and 2 to the report, designated as exempt under Access to Information Procedure Rule 10.4(3) which were considered in private at the conclusion of the meeting, it was

RESOLVED -

- a) That Clay Pit Lane be selected as the site for the proposed arena development.
- b) That the progress made in developing the scheme proposals be noted.
- c) That the scope, aims, objectives and outcomes of the project, as detailed in the submitted report, be reconfirmed.
- d) That the provisionally agreed Heads of Terms with SMG Europe Holdings Ltd for the Agreement for Lease and Lease of the arena be approved.
- e) That approval be given to the provisionally agreed Heads of Terms with the third party named in exempt appendix 2 of the report for the receipt of annual revenue payments to part finance the City Council's funding model for the capital cost of developing the arena.

(The matters referred to in this minute were not eligible for Call In as any delay in concluding such legal agreements may result in the parties to the

agreements seeking to renegotiate the terms of such agreements and, as such, could increase the cost to the Council of developing the arena).

35 Marketing Leeds - Annual Report 2009

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report providing an update on the work of Marketing Leeds and its contribution to the city's priorities.

Deborah Green of Marketing Leeds attended the meeting and presented the report.

RESOLVED – That the content of the report be noted.

36 Proposed Lease of Land at Pudsey Bus Station, Church Lane, Pudsey, LS28

The Chief Asset Management Officer submitted a report on the proposed disposal of the subject site to West Yorkshire Passenger Transport Executive by way of a long lease at less than best consideration, in order to facilitate the development of the new bus station.

RESOLVED – That approval be given for the disposal of the site, as identified on the plans attached to the submitted report, to the West Yorkshire Passenger Transport Executive, by way of a 99 year lease at less than best consideration.

37 West Leeds Gateway Area Action Plan - Pre-Submission Consultation

The Director of City Development submitted a report on the key objectives of the West Leeds Gateway Area Action Plan (AAP) and proposals to publish the Plan for the purposes of public participation and receipt of formal representations, between 5th October and 16th November 2009.

Members received an update on the informal guidance relating to several areas of the AAP which had been received from Government Office and the Planning Inspectorate.

RESOLVED –

- a) That the Director of City Development be authorised to revise the West Leeds Gateway Area Action Plan in line with the informal guidance received from Government Office and the Planning Inspectorate.
- b) That approval be given for the publication of the West Leeds Gateway Area Action Plan Development Plan Document for the purposes of public participation, and to formally invite representations on it between 5th October and 16th November 2009.

38 A639 Stourton Landslip

The Director of City Development submitted a report on the proposed scheme and expenditure required to overcome a stability problem on the A639 highway in the vicinity of the Leeds Valley Park roundabout.

Draft minutes to be approved at the meeting to be held on Wednesday, 26th August, 2009

Plan TS/299067/GA/01 was tabled at the meeting for Members' consideration.

Following consideration of Appendix 1 to the report, designated as exempt under Access to Information Procedure Rule 10.4(3) and (5) which was considered in private at the conclusion of this meeting, it was

RESOLVED -

- a) That authority be given for the design and implementation of the highway works, as shown on drawing TS/299067/GA/01, to overcome a stability problem on the A639 near Leeds Valley Park Roundabout resulting from a landslip.
- b) That approval be given to incur expenditure of £1,500,000 comprising £1,200,000 works and £300,000 staff costs in addition to the £518,100 fees previously approved and as detailed in the recommendation of the exempt appendix to the report.
- c) That the matter be progressed, as proposed in the recommendation contained in the exempt appendix to the report.

39 Route 163/166 Bus Accessibility Improvements

The Director of City Development submitted a report on the proposed accessibility improvements to the Arriva 163/166 Leeds to Castleford core bus route.

RESOLVED -

- a) That approval be given to the design and implementation of the accessibility work on the 163/166 core bus route to comply with the Disability Discrimination Act.
- b) That approval be given to the estimated expenditure of £726,000 to be funded from the Integrated Transport Scheme 99609 within the approved Capital Programme.

40 South Leeds Academy

The Chief Asset Management Officer submitted a report on proposed Heads of Terms for the leasehold disposal at nil consideration of South Leeds High School for the Academy scheme to South Leeds Academy Trust who are the Council's selected operator for an Academy at this school.

RESOLVED –

- a) That approval be given for the disposal of South Leeds High School for the proposed Academy on a 125 year lease at nil consideration and that the Director of City Development be authorised to agree the final terms as detailed at paragraph 3 of the submitted report.

- b) That a report be submitted to a future meeting of the Board with respect to matters concerning the transfer of assets to School Partnership Trust organisations.

41 Partnership for Regeneration Investment in Aire Valley, Leeds

The Director of City Development and the Director of Environment and Neighbourhoods submitted a joint report providing an update on the Aire Valley Leeds programme and outlining proposals regarding an opportunity which had arisen for a partnership with some of the key landowners in the area.

RESOLVED -

- a) That the approach by the Templegate Development Ltd joint venture partners be noted, together with the common benefits from joint working on the development potential for this large area of land in the Aire Valley Leeds regeneration area.
- b) That the Directors of City Development and Environment and Neighbourhoods be authorised, in liaison with the Assistant Chief Executive (Corporate Governance), to enter into the memorandum of understanding and create the Partnership for Regeneration Investment in Aire Valley Leeds on the terms described in the submitted report.

42 Elland Road Masterplan and World Cup 2018

The Director of City Development submitted a report providing an update on property matters at Elland Road and on proposals to assist in the regeneration of eighteen and a half hectares of brownfield land in that location.

Plan 3 to the report was circulated to Members prior to the meeting for consideration.

Following consideration of the appendix, plan 2 and plan 3 to the report, designated as exempt under Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

RESOLVED -

- a) That the recent developments concerning property matters at Elland Road, and the opportunity to kickstart the comprehensive regeneration on the site be noted.
- b) That the position regarding the acquisition of site I as set down in the exempt part of the submitted report be noted, and that the Director of City Development be instructed, in consultation with the Executive Member for Development and Regeneration and subject to site investigations, to conclude negotiations.

- c) That a 6 month period of exclusivity be granted to the company named in the exempt appendix of the submitted report, on the basis of the Heads of Terms detailed within that exempt appendix, in order that the company can build and operate an ice-rink at Elland Road.

ADULT HEALTH AND SOCIAL CARE

43 From Day Centres to Day Services: Responding to the Needs and Preferences of Older People

Further to minute 125 of the meeting held on 5th November 2008, the Director of Adult Social Services submitted a report on the next phase of the strategy concerned with modernising day opportunities for older people.

RESOLVED -

- a) That the positive implementation of actions agreed in 2008 to re-provide 4 centres be noted.
- b) That the positive opportunities to develop future services alongside officers in City Development and partners in the Voluntary Sector be noted.
- c) That the strategy for the development of specialist dementia and re-enablement services, as set out in Section 7 of the submitted report, be approved.
- d) That the proposed consultation concerning recommendations for change to the day services base in the city, including changed weekend opening, be approved.
- e) That a further report be brought to the Board in November 2009 on the outcome of the consultation and containing final recommendations for the delivery of the strategy.

(Under the provisions of Council Procedure Rule 16.5, Councillor Wakefield required it to be recorded that he voted against the decisions taken in this minute)

44 Neighbourhood Network Schemes Review - Future Vision and Way Forward

The Director of Adult Social Services submitted a report providing information and proposals for developing greater access to universal wellbeing support through Neighbourhood Network Schemes (NNS) and highlighting issues and proposed remedies.

RESOLVED -

- a) That approval be given for the adoption and application of the Neighbourhood Network Schemes' funding formula.

- b) That approval be given for a revised NNS service specification which sets out the long term vision for NNS and which incentivises collaborative models of working and organisation.
- c) That approval be given for Adult Social Services to identify the funding investment shortfall of £370,000 within the 2010/11 budget setting round for inclusion into the new contractual arrangements due to be let in that year.
- d) That in the light of advice provided by corporate colleagues, and as set out in paragraph 3.28 of the submitted report, the potential need for a contract extension for existing NN providers be noted, which would be managed through the delegated powers of the Director of Adult Social Services should this prove to be necessary.

45 Leeds Safeguarding Adult Partnership Board Report 2008/09 and Leeds Safeguarding Adult Policy 2009

The Director of Adult Social Services submitted a report presenting the Leeds Safeguarding Adults Partnership Board Annual Report for 2008/09, and proposing the adoption of the Safeguarding Adult Policy for Leeds 2009.

RESOLVED -

- a) That the safeguarding policy for Leeds, as attached to the submitted report, be approved for adoption.
- b) That the work undertaken in 2008/09 to renew Safeguarding Adults policy, systems, structures and governance arrangements in the city, as detailed within the submitted report, be noted.
- c) That the 2008/09 annual report, as attached to the submitted report, be noted.

46 Valuing People Now - Transfer of Commissioning Responsibilities from NHS Leeds to Leeds City Council

The Director of Adult Social Services submitted a report providing an update on the outcome of negotiations in relation to the transfer of the value of those elements of social care commissioning which are currently undertaken by NHS Leeds (Leeds PCT).

RESOLVED -

- a) That the principles on which the transfer negotiations have been conducted, as set out within the Executive Summary of the submitted report, be noted.
- b) That the Board notes the requirement to transfer remaining commissioning responsibility from NHS Leeds (Leeds PCT) to Leeds City Council from the commencement of the 2009/10 financial year in

the terms set out in section 6 of the submitted report for the continuing greater benefit of people with learning disabilities, specifically:-

- The element of £3,471,624 (at 08/09 prices) proposed for transfer which represents the value of the LPFT Supported Living Service and the social care services provided by Bradford District Care Trust.
 - The further element to transfer totaling £6.25m of social care activity which has been identified as already existing within the Pooled Budget.
- c) That the Director of Adult Social Services be authorised, in conjunction with the Director of Resources, to augment the S75 Pooled fund agreement to accommodate transfers of Capital in the terms set out at paragraphs 3.13 – 3.18 of the submitted report.

ENVIRONMENTAL SERVICES

47 Way Forward Review of Waste Collection Services

The Director of Environment and Neighbourhoods submitted a report outlining the issues surrounding improvements to waste collection services in Leeds, summarising the findings of both the Way Forward Review of Waste Collection Services, and the subsequent market sounding and packaging options appraisal work undertaken.

RESOLVED – That the process of market testing waste collection services be commenced.

(Under the provisions of Council Procedure Rule 16.5, Councillor Wakefield required it to be recorded that he voted against the decision taken in this minute)

48 Response to the Young People's Scrutiny Inquiry entitled 'Protecting Our Environment'

The Directors of City Development and Environment and Neighbourhoods and the Chief Executive of Education Leeds submitted a joint report in response to the recommendations from the Young People's Scrutiny Forum inquiry into the protection of the environment.

RESOLVED – That this report be deferred to a future meeting, in order to enable representatives of the Young People's Scrutiny Forum to attend.

NEIGHBOURHOODS AND HOUSING

49 Response to Council Deputation - 'Hands off our Homes Group' Regarding Their Campaign Against Vacant Housing in Leeds

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council from the 'Hands Off Our Homes' organisation on 22nd April 2009.

RESOLVED – That the response to the deputation, as contained in the submitted report, be approved.

50 Lettings Policy

The Director of Environment and Neighbourhoods submitted a report on proposals relating to the Council's Lettings Policy.

RESOLVED -

- a) That the proposals, as set out within the submitted report, be endorsed as part of a broader approach from application stage, through lettings, to tenancy management.
- b) That the Director of Environment and Neighbourhoods, together with the Council's Assistant Chief Executive (Corporate Governance), the ALMOs and BITMO, be requested to develop the proposals within the report into recommendations for change incorporated into a revised lettings policy and guidance.
- c) That the proposals be consulted upon with a view to a revised policy being prepared by January 2010.

51 ALMO Annual Reports 2008/09

The Director of Environment and Neighbourhoods submitted a report presenting the ALMO Annual Reports for 2008/09.

RESOLVED – That the content of the 2008/09 ALMO annual reports be noted.

52 Area Delivery Plans 2009/10

The Director of Environment and Neighbourhoods submitted a report providing an overview of the ten 2009/10 Area Delivery Plans for endorsement and reflecting upon the successes and achievements of area led work delivered across the Area Management structures throughout 2008/09.

RESOLVED – That the 2009/10 Area Delivery Plans produced by the Area Committees be endorsed.

53 Beeston Group Repair: Phase 6

The Director of Environment and Neighbourhoods submitted a report on phase 6 of the Beeston Group Repair initiative.

RESOLVED –

- a) That the injection into the Capital Programme of £149,000 from owner occupiers contributions be approved.
- b) That Scheme Expenditure to the amount of £1,640,000 be authorised.

- c) That officers be instructed to report back in the future on the progress of the scheme.

54 Response to the Environment and Neighbourhoods Scrutiny Board Inquiry into Asylum Seeker Case Resolution

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into asylum seeker case resolution.

RESOLVED – That the responses to the recommendations of the Scrutiny Board (Environment and Neighbourhoods), as contained in the submitted report, be approved.

55 Response to the City and Regional Partnerships Scrutiny Board Inquiry into the Role of the Voluntary, Community and Faith Sectors in Council Led Community Engagement

The Chief Democratic Services Officer submitted a report in response to the recommendations from the Scrutiny Board (City and Regional Partnerships) inquiry into the role of the Voluntary, Community and Faith Sectors in Council led community engagement, following the initial response which was considered by Executive Board on 13th May 2009 (minute 260).

RESOLVED -

- a) That it be noted that the Scrutiny Board (Adult Social Care) offered no additional comments to the earlier report.
- b) That the additional comments of the Scrutiny Board (Children's Services) be endorsed.
- c) That the approval of the responses from the Director of Environment and Neighbourhoods to the recommendations of the of the Scrutiny Board (City and Regional Partnerships) be confirmed.

CHILDREN'S SERVICES

56 Proposed Increases in Admission Limits for September 2010

Further to minute 15 of the meeting held on 17th June 2009, the Chief Executive of Education Leeds submitted a report presenting the outcome of the consultation process undertaken with schools proposing increased admission limits for 2010/11 and identifying the next steps in making provision from 2011/12 onwards.

RESOLVED -

- a) That the outcome of the ongoing discussions with individual schools be noted.
- b) That approval be given to increase the admission limit for the named primary schools within the submitted report for 2010/11.

Draft minutes to be approved at the meeting to be held on Wednesday, 26th August, 2009

- c) That a further report which identifies the next steps in making provision from 2011/12 onwards be brought to this Board.

(Under the provisions of Council Procedure Rule 16.5, Councillor Wakefield required it to be recorded that he abstained from voting on this matter)

57 A Partnership Approach to the Planning, Funding and Delivery of 14-19 (25) Provision in Leeds

The Chief Executive of Education Leeds submitted a report on the development of the 14 – 19 (25) provision in Leeds and the structures and arrangements that will form the basis for the future planning, and delivery of 14 – 19 (25) provision in Leeds.

RESOLVED -

- a) That the development of partnerships of post 14 providers be noted.
- b) That the implications for the partnership approach to the planning, funding and delivery of 14 – 19 (25) provision in Leeds be noted.
- c) That the 14 - 19 Statement of Priorities be received for approval every Autumn;
- d) That a further report be brought to this Board in December that will address the Local Authority's readiness to assume the responsibilities transferring from the Learning Skills Council.

58 Proposals for changes to Primary Provision in the Richmond Hill area

The Chief Executive of Education Leeds submitted a report on the outcome of the statutory notice published on the linked proposals concerning changes to primary provision in the Richmond Hill area.

RESOLVED – That approval be given to the linked proposals to:-

- a) Enlarge Richmond Hill Primary School by one form of entry;
- b) Establish community provision for children with a statement of special educational needs at the new Richmond Hill Primary School;
- c) Close Mount St Mary's Catholic Primary School.

59 Future of East Moor Secure Children's Home - Update

Further to minute 41 of the meeting held on 16th July 2008, the Director of Children's Services submitted a report on progress made to secure capital and revenue funding for the replacement of East Moor, on the outcome of the site option appraisal and on proposals for the replacement of the current provision with a purpose built, fit for purpose and future proof facility.

The Chair advised that a letter from Greg Mulholland MP relating to this matter had been received and circulated to Executive Board members prior to the meeting.

Following consideration of appendix B to the report, designated as exempt under Access to Information Procedure Rule 10.4(3) and (4) which was considered in private at the conclusion of the meeting, it was

RESOLVED -

- a) That the progress made since the July 2008 meeting be noted.
- b) That the Director of Children's Services enter into a contractual arrangement with the Department for Children, Schools and Families for the capital funding and Youth Justice Board for an extended occupancy contract to finance the re-building of a secure children's home in the city.
- c) That, despite the loss of a significant capital receipt, the service preference for a rebuild on the land adjacent to the existing Secure Children's Home be endorsed.
- d) That £18,100,000 be injected into the capital programme for the new build secure children's home. £15,000,000 to be funded through the grant from the Department for Children, Schools and Families and £3,100,000 through prudential borrowing to be repaid through the occupancy contract with the Youth Justice Board.

60 Scrutiny Board (Health) Inquiry into Improving Sexual Health amongst Young People

The Director of Children's Services submitted a report in response to the recommendations from the Scrutiny Board (Health) inquiry into improving sexual health amongst young people.

RESOLVED – That the proposed responses to the recommendations of Scrutiny Board (Health), as contained within the submitted report, be approved.

DATE OF PUBLICATION: 24th JULY 2009
LAST DATE FOR CALL IN: 31st JULY 2009

(Scrutiny Support will notify Directors of any items called in my 12:00 noon on 3rd August 2009.)

Draft minutes to be approved at the meeting to be held on Wednesday, 26th August, 2009

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Originator: Gary Bartlett

Tel: 0113 2475319

Report of City Development

Executive Board

Date: 26th August 2009

Subject: Leeds (River Aire) Flood Alleviation Scheme

Electoral Wards Affected:

 Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the re

EXECUTIVE SUMMARY

1. The following report updates the Executive Board on the progress of the scheme, provides feedback from the public consultations, seeks approval for the latest version of the Design Vision and Guide (DV&G) and approval for the Managed Adaptive approach to be adopted by the Environment Agency in designing a scheme for the River Aire.

1.0 Purpose of this Report

- 1.1 The purpose of the report is to agree a course of action to enable a letter to be sent to the Environment Agency (EA) confirming the Council's position on the scheme proposals. This will be taken into account by the EA at its National Review Group meeting set for early October 2009.

2.0 Background Information

- 2.1 In June 2007 and January 2008, the City came very close to experiencing major flooding. It has been estimated by the EA that over 4,500 residential and commercial properties are at risk and approximately £400 million of direct damage would be caused by a major flood from the River Aire in Leeds. Currently there are no formal flood defences along the River Aire.

- 2.2 The EA's latest proposals consider the River Aire over a 19km length from Newlay Bridge to Woodlesford. Previous proposals in 2007 were shelved because they did not meet strict criteria for funding.
- 2.3 The current proposals are based on a design that provides flood protection for a 1 in 200 year flood event, plus climate change plus freeboard, which is added to account for uncertainties.
- 2.4 At the 13th February meeting, Members agreed the following:-
- i. Approved the continuing development and refinement of the DV&G document and gave approval to participate in comprehensive public consultations, in conjunction with the Environment Agency, later in the year.
 - ii. Requested the Environment Agency to continue exploring the feasibility of a hybrid flood defence scheme for Leeds in order to lower the height of the raised flood defences in the City Centre.

3.0 Main Issues

- 3.1 Since February, the joint working with the EA has continued, culminating in the recent public consultations and the production of the latest version of the DV&G, being used to shape and influence the design of the flood defence scheme for the River Aire; sections of the latter are available at www.leeds.gov.uk/Housing/Planning/Planning_policy.aspx and a full, coloured hard copy is available from the clerk of the meeting.
- 3.2 The document has now been formally adopted by the EA, emphasising the excellent joint working that has taken place on this project. It is expected that the level of joint working, cooperation, financial support and consensus between the two authorities and other partner organisations will be material considerations in the EA's formal decision making process that will be initiated from October onwards.
- 3.3 The main changes to the document relate to the inclusion of case studies at pages 79-82, which provide examples of how flood defences could be incorporated into the existing landscape of the City.
- 3.4 The public consultations on the scheme proposals and the DV&G commenced on 8th May. A press launch and photo-call preceded the launch on 7th May and was attended by representatives from the EA and Leeds City Council, including Councillor Andrew Carter.
- 3.5 A briefing for LCC Councillors was held on 14th May in the East Room, Civic Hall.
- 3.6 Public exhibitions were held at the following venues:
- i) Leeds Town Hall: 27th – 30th May
 - ii) Swillington Social Club, Swillington: 4th – 6th June
 - iii) Milford Sports Centre, Kirkstall: 7th – 9th June
- 3.7 A telephone survey of 400 out of 8000 residents within the River Aire flood zone has also been conducted.

- 3.8 The formal public consultations concluded on 3rd July although a static display of the proposals will continue in the Central Library from 15th June until 11th September.
- 3.9 Over 300 people attended the exhibitions; the latter were staffed by representatives of the EA who explained the proposals and LCC staff who were there to outline LCC's current view of the scheme proposals and the principles behind the DV&G. According to the EA, this was a very good turnout bearing in mind the current status of the project (at preliminary design stage, not approved and unfunded).
- 3.10 The feedback gathered by the EA via the questionnaires and telephone survey is attached as Appendix A.
- 3.11 The scheme proposals were also debated at the Joint Plans Panel meeting on 1st July and at the subsequent 3 Area Plans Panel meetings. The main comments emerging from these meetings were as follows:
- The estimated scheme costs are significant but fully justifiable in light of the overall benefits to the people and businesses of Leeds.
 - Full consideration be given to the variety of options being considered especially those that reduce the heights of the defences.
 - The design and mitigation measures identified in the DV&G were welcomed.
 - Very careful design considerations needed at certain critical locations.
 - The cost of the River Aire scheme should not impact on other schemes, which are considered very important locally e.g. Wykebeck
 - Downstream impact of the scheme needs to be clearly understood and addressed.
 - The concern was expressed that this important scheme remains uncommitted and unfunded.
 - Significant concerns were expressed that the completion of such a scheme would increase the likelihood of development behind the defences.
- 3.12 In February, the Executive Board recommended to the EA that various alternative proposals including upstream storage facilities, different land management techniques and/or alleviation channels be investigated; the intention being that such measures should bring about a lowering of the height of the flood defences in the city centre.
- 3.13 The latest position is that the EA has examined these alternatives in line with the recommendations and identified 5 options in their Project Appraisal Report (PAR); the executive summary of this document is attached as Appendix B. The 5 options are listed below. The external funding referred to in each case relates to funding that would be required from third parties to support the core investment from the EA if the scheme gains approval. Third parties would therefore include the Council (para. 5.2 refers in Legal and Resources Section), other organisations and partners.

- A. 1 in 200 years plus precautionary climate change: Raised flood defences. Total scheme cost £145m. £0m external funding required.
- B. 1 in 200 years plus precautionary climate change: Upstream Storage. Total scheme cost £180m. £30-35m external funding required.
- C. 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £145m. Raised defences - £5-10m external funding required.
- D. 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £150m. Upstream Storage - £15-20m external funding required.
- E. 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £200m. Bypass Channel - £65m – 70m external funding required.

- 3.14 The main difference between the Precautionary and Managed Adaptive approaches is that under the Precautionary approach, the defences are constructed at the relevant (higher) height at the outset to take account of future climate change predictions. In some locations, accounting for the climate change element in the defence heights will be as much as 1metre. This will make a significant difference to the impact of the defences on the waterfront particularly in the city centre and the upstream reaches. The advantage of this precautionary approach is that, all things remaining the same, there should be no need to undertake further works, other than general maintenance in the foreseeable future.
- 3.15 Under the Managed Adaptive approach, an initial standard of protection at 1 in 200 year event level, without the element for climate change, is provided. Climate change is then managed by future interventions such as upstream storage, land management or by periodic “topping up” of defences say in 30, 40, 50, 60 or 70 years time.
- 3.16 It is important to note at this juncture that the external funding contribution needs to be made available to the EA at the outset of the scheme.
- 3.17 The EA has identified option A as their preferred option; this option complies with DEFRA guidance and the strict criteria for funding.
- 3.18 All the options were presented to the Steering Group on 13th July 2009. The Steering Group, comprising senior offices from the Council, British Waterways, Yorkshire Forward and Yorkshire Water, were requested to indicate their preferred way forward.
- 3.19 The Members of the Steering Group considered options B and E not to be financially viable in the current economic climate, there being very little scope for raising the level of external funding required at this time or in the near future (within 2-3 years).
- 3.20 Option A was noted as being the EA’s preferred option but there remained significant concerns about the impact this option would have on the Waterfront. Visibility of and accessibility to the Waterfront were seen as key issues. The full wall heights under the precautionary approach may significantly affect visibility, aesthetic qualities and access to the Waterfront, key issues which affect the regeneration and amenity value of the river corridor.

- 3.21 Options C and D emerged as the most likely options to be worthy of further detailed work, providing a high level of flood protection at the outset (1 in 200) yet providing a wholly flexible approach to dealing with climate change in the future.
- 3.22 Adopting the Managed Adaptive approach as highlighted in options C and D is in line with DEFRA's policy statement 'Appraisal of flood risk management and coastal erosion' recently published in June 2009. This new updated appraisal guidance sets out principles for sustainable management of flood and coastal erosion risk in England and brings with it a new emphasis on adaptive approaches to flood risk management.
- 3.23 Such an approach is also consistent with the EA's emerging Upper Aire Flood Risk Management Strategy which has recently been consulted upon and which recommends upstream storage facilities be used at Holden Park, Keighley.
- 3.24 Papers are being presented to the August meeting to ensure LCC can make definitive recommendations to the EA to enable them to report to their National Review Group (NRG) meeting on 6th and 7th October. At this stage, there is a desire to maintain the current momentum to ensure work progresses in accordance with the EA's programme.
- 3.25 The NRG will make recommendations for the Chief Executive of the EA to consider. Depending on the outcome, DEFRA / Treasury approval would be sought in 2010 with construction commencing on site in 2010/11. DEFRA / Treasury approval is required because the overall cost of the scheme is in excess of £100M.
- 3.26 Approval in principle by the Chief Executive does not guarantee funding or scheme implementation. A scheme for Leeds will have to compete with other areas for funding in the overall National Programme.
- 3.27 Subject to consideration of the above and approval to move forward after the NRG meeting in October, a lobbying campaign to highlight the importance and need for this scheme and to secure funding seems appropriate. Members are requested to comment on this proposal and to make suggestions how to progress such a campaign.

4.0 Implications for Council Policy and Governance

- 4.1 The construction of a Leeds FAS, after due process, would be in line with a number of Strategic Outcomes and Improvement Priorities contained within the Leeds Strategic Plan e.g. it supports the Environment theme through 'undertaking actions to improve our resilience to current and future climate change' as well as 'improving the quality and sustainability of the built and natural environment'; it supports the Enterprise and the Economy theme through 'investment in high quality infrastructure and physical assets, particularly in the City Centre'.

5.0 Legal and Resource Implications

- 5.1 The Design Vision and Guide document has been prepared by the Landscape Architecture Team from the Strategic Design Alliance and has cost approximately £130,000 to date, which is being funded from central contingencies. It is anticipated that the Landscape Team will need to be further engaged in the refinement of the document as it progresses through public consultations later in the year. Once finalised the DV&G will be a material consideration in the determination of planning applications. Consideration to developing a formal Supplementary Planning Document will be given at a later date.

- 5.2 The Council has provisionally indicated its willingness to make a contribution of £10m towards this scheme from its Capital Programme.
- 5.3 An external funding working group, again comprising representatives from the aforementioned Steering Group and the Business Community has been established to explore possible funding opportunities.
- 5.4 Significant building and engineering operations would be involved in constructing the proposed formal flood defences. The works will require the benefit of full planning permission and Listed Building Consent.

6.0 Conclusions

- 6.1 This is an important scheme for the City because of the long-term physical and reputational damage a major flood of the City Centre would have on the City; throughout the engagement process to date, there seems to be a general consensus that improved flood defences are required.
- 6.2 It is equally important however that the scheme not only delivers the level of flood protection required but also that the scheme delivers on the various strategies the Council has developed for the River Aire waterfront in recent years. The scheme provides an opportunity to secure significant enhancements to the River Aire Waterfront which must not be lost or prevented in the future. Nevertheless, balancing the need to achieve flood protection for the city whilst preserving access, visibility, and the architectural and landscape qualities of the Waterfront remains extremely challenging.

7.0 Recommendations

- 7.1 The Executive Board is requested to:
- 7.2 **NOTE** the progress on the Leeds (River Aire) Flood Alleviation Scheme and the comments received during the public consultations;
- 7.3 **APPROVE** the latest version of the Design Vision and Guide document and
- 7.4 **AGREE** that a Managed Adaptive approach to protecting Leeds from major flooding from the River Aire be adopted by the Environment Agency.

Background Papers

13TH February 2009 Executive Board report - Leeds City Council

August 2009 Project Appraisal Report – Environment Agency

Leeds (River Aire) flood alleviation scheme Report on the public consultation

Key findings:

Public event responses

- 75% agree or strongly agree that Leeds should have flood defences.
- 55% said the proposals were an acceptable way to protect Leeds.
- Of the 16% who disagreed, half wanted a combination of upstream storage and a by-pass channel.
- 63% of people agreed or strongly agreed that the outline designs fit in with the waterfront environment
- 60% felt the Design Vision should set the overall approach for defences
- Computer model was a critical tool to explain the scheme

Market research findings

- 76% agree or strongly agree that Leeds should have flood defences

Introduction

A flood alleviation scheme along a 19km stretch of the River Aire through the centre of Leeds will protect 4545 properties: 3,862 residential homes and almost 700 businesses. However, the implications of the scheme for the wider community, their representatives, public sector organisations, businesses and the local media meant that a widespread and on-going public awareness and consultation campaign was needed.

Background to the consultation

The need for flood defence measures in Leeds has been discussed publicly and raised in the media following recent floods in 2000, 2002, 2007 and 2008. An estimated cost of £100 million was quoted in the Yorkshire Post in January 2008.

Some consultation and awareness-raising has been carried out during 2008-9:

- Statutory consultees were asked for their views as part of the environmental impact assessment process in summer 2008. Initial views were mixed, with significant concerns about heights of raised defences. Leeds CC formally objected to the proposals.
- Environment Agency staff and consultant engineers have met with many businesses that will be affected by proposed construction works
- Leeds City Council planners and councillors have also been made aware of the emerging proposals.
- Leeds Central MP Hilary Benn has received two briefings during spring 2009.
- Government Office Yorkshire and Humber briefed 1 May 2009
- 6 MPs were briefed prior to the launch of the public consultation period.

The communications and consultation plan

The plan provided for targeted communications with the following audience groups:

- MPs, MEPs and councillors

- Landowners, tenants and businesses potentially directly affected by the proposals.
- All residential properties within the floodplain
- Statutory consultees including the Steering Group members
- Professional and community groups (eg Civic Trust, Aire Action Leeds, Chamber of Commerce and residents groups)
- Media – local and regional newspapers, radio and TV
- Market research with a statistically appropriate sample size of residents within the scheme protection zone.

The following communications methods were undertaken:

- Public drop in consultation sessions from 10am-7pm at Leeds Town Hall (May 27-30), attendance 158; Swillington Social Club (June 4-6) attendance 70; Milford Sports Club, Kirkstall (June 7-9) attendance 109. Total attendance at three events was 337
- Mailshot to 8,384 properties to promote the drop-in events
- Display at Leeds Central Library until Sept 11
- Display at the Leeds Waterfront Festival July 10-12
- Media launch with photocall jointly with Leeds City Council
- 4 press releases were distributed about the scheme and the consultation events between 7 May and 1 June. The distribution was:
 - TV: BBC Look North, Yorkshire TV Calendar
 - Radio: BBC Leeds, Aire FM, Real Radio
 - Newspapers: Yorkshire Post, Yorkshire Evening Post, Leeds Weekly News

A digest of news coverage is contained in appendix 1

- Presentations to 13 groups – *see appendix 2*
- 4 exhibition stands and 4 publications about the scheme with site specific information sheets covering Kirkstall-inner ring road, city centre, Royal Armouries-Woodlesford
- Website and email account for inquiries/comments – 901 hits recorded
- Feedback questionnaire – 135 completed forms received
- Computer model showing the current situation, area that would flood and the impact of the proposed defences
- Internal briefings for Environment Agency and Leeds City Council staff and consultants ahead of the consultation events
- Market research contract to secure interviews with 400 residents in the scheme protection zone.

Results of the consultation

NB for market research results, please see separate report.

1. Questionnaire results

135 questionnaires were returned but not everyone answered all questions.

Therefore, results are expressed as a percentage.

- 75% of respondees agreed or strongly agreed that Leeds should have flood defences. 11% were unsure and a further 14% disagreed or strongly disagreed
- 55% thought the proposals were an acceptable way to protect Leeds, 30% were undecided and 16% were against
- Of the 61 people who did not agree or were undecided, just over half - 54% - wanted to see a combination of upstream storage and a by-pass channel; 11% did not see a need for defences at all. There was some support for allowing properties to flood as they should never

have been built on a floodplain and those who flood should foot the bill. Other suggestions here were to promote sustainable urban drainage, particularly refusing permission for more hardstanding for cars in domestic properties. There was also concern that more/better defences would simply encourage more development in the floodplain

- 78% of people agreed or strongly agreed that additional public money should be spent to incorporate other benefits such as access and habitat improvements
- Of those disagreeing that public money should be used, the most popular alternative was that developers and/or business should foot the bill, followed by central government funding. There was one recommendation that MPs expenses should cover the cost!
- When asked what was the most important priority an overwhelming number wanted flood protection but riverside access and wildlife improvements were also important but there was less interest in achieving heritage or recreational opportunities
- 63% of people agreed or strongly agreed that the outline designs fit in with the waterfront environment, with 19% disagreeing and 19% undecided
- 107 people answered questions on the Design Vision with 60% of them agreeing it should set the overall design approach for defences and 80% agreed it should be the yardstick against which to assess detailed designs for planning permission.

A detailed breakdown of the questionnaire results is attached as appendix 3.

Results of the market research

Independents market research consultants, MR UK Ltd, based in Leeds, were commissioned to undertake research with a statistically valid sample of the residents at risk of flooding in Leeds. The sample size was 400 interviews carried out during June, following the public consultation events.

The key findings were:

- 76% agreed or strongly agreed that defences were needed to protect Leeds
- 8.5% disagreed and 11% were undecided
- 46% lived at ground level and are at direct risk of flooding
- 30% knew they were at risk but only 3.5% have flooded in the past
- 90% were not concerned that they were at flood risk
- 70% thought that extra public money should be spent over and above the amount that could be invested by the Environment Agency
- Well under half have flooding cover in their home insurance – 41%
- Respondents who have lived in their homes two years or less have a greater knowledge of their flood risk
- Just under 24% had children under 16
- 60% were in full or part-time employment and 18% were retired.

A copy of the full market research report is available and will be given to steering group members at the meeting on 13 July.

Other correspondence

Three letters were received from the Civic Trust (objecting), Aire Action Leeds (broadly supportive with some concerns on heights and maintaining access) and Brewery Wharf management company (supportive).

Hard copies of letters can be provided on request.

Appendix 1: Media coverage

Date	Publication	Page Number
21/01/09	Radio Aire	n/a
23/02/09	Yorkshire Evening Post (Online)	n/a
26/02/09	Yorkshire Evening Post (Online)	n/a
07/04/09	BBC Radio Leeds	n/a
10/04/09	Radio Aire	n/a
11/04/09	Yorkshire Evening Post (Online)	n/a
21/04/09	BBC Radio Leeds	n/a
06/05/09	BBC Radio Leeds	n/a
07/05/09	New Civil Engineer (Online)	n/a
07/05/09	BBC News Website	n/a
08/05/09	Yorkshire Evening Post	5
14/05/09	North Leeds Weekly News	10
21/05/09	Telegraph & Argus (Bradford)	26
22/05/09	Real Radio	n/a
26/05/09	BBC Radio Leeds	n/a
27/05/09	Yorkshire Evening Post	5
27/05/09	Yorkshire Post (Online)	n/a
27/05/09	BBC Radio Leeds	n/a
27/05/09	BBC Radio Leeds	n/a
02/06/09	Yorkshire Evening Post (Online)	n/a
02/06/09	Yorkshire Evening Post	8
02/06/09	Yorkshire Post	7
04/06/09	Yorkshire Evening Post	21
05/06/09	Yorkshire Evening Post	1 & 2
05/06/09	Yorkshire Evening Post (Wakefield)	1
05/06/09	Yorkshire Evening Post (Online)	n/a
09/06/09	BBC Radio Leeds	n/a
24/06/09	BBC Radio Leeds	n/a
24/06/09	BBC Look North	n/a
24/06/09	BBC Radio Leeds, Drivetime	n/a

Appendix 2: Groups and meetings attended by the Project Team

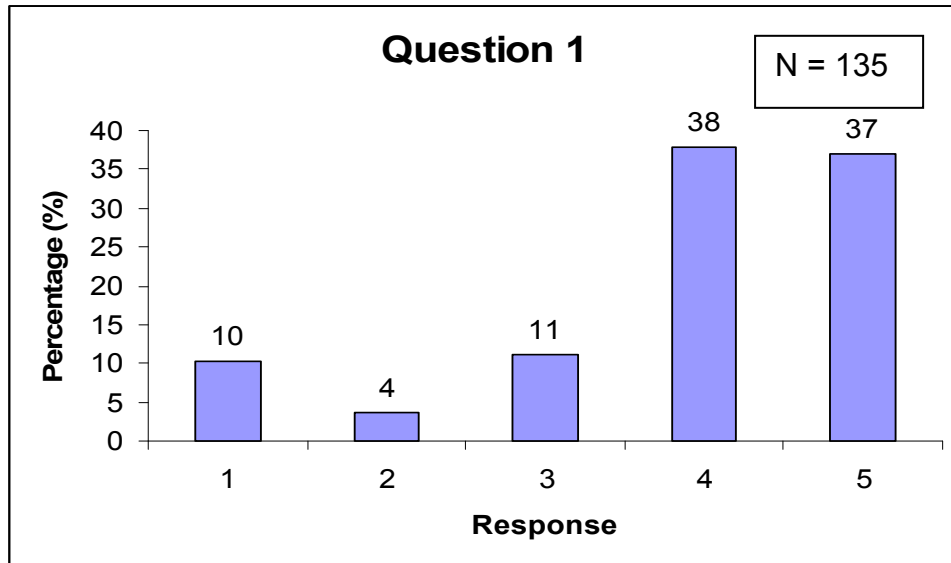
Date	Name of meeting	No. of attendees
02/10/08	Cumbria Floods – Looking Back	9
21/11/08	Holbeck Urban Developers' Forum	30
30/01/09	Aire Action Leeds: Annual Meeting	100
12/03/09	Presentation to Royal Armouries	Board of directors + 10
13/03/09	Holbeck Urban Developers' Forum	20
17/03/09	Presentation to Leeds Chamber of Commerce	100+
20/04/09	Presentation to Aire Action Leeds	20
01/05/09	Presentation to Government Office	7
10/06/09	Quality Places and Spaces - Leeds	15
13/05/09	Presentation to Leeds Property Forum	30
14/05/09	Presentation to Leeds City Council Members	7 members
28/05/09	Presentation to Leeds Forum for the Built Environment	30
1/06/09	Leeds City Council joint plans panel	27 councillors
2/0709	Leeds City Council plans panel East	
9/07/09	Leeds City Council plans panel west	
16/07/09	Leeds City Council plans panel city centre	

Appendix 3: Questionnaire results

The questionnaire asked people to rank on a scale of 1 to 5 where 1 is strongly disagree, 2 is disagree, 3 is unsure, 4 is agree and 5 is strongly agree.

Question 1:

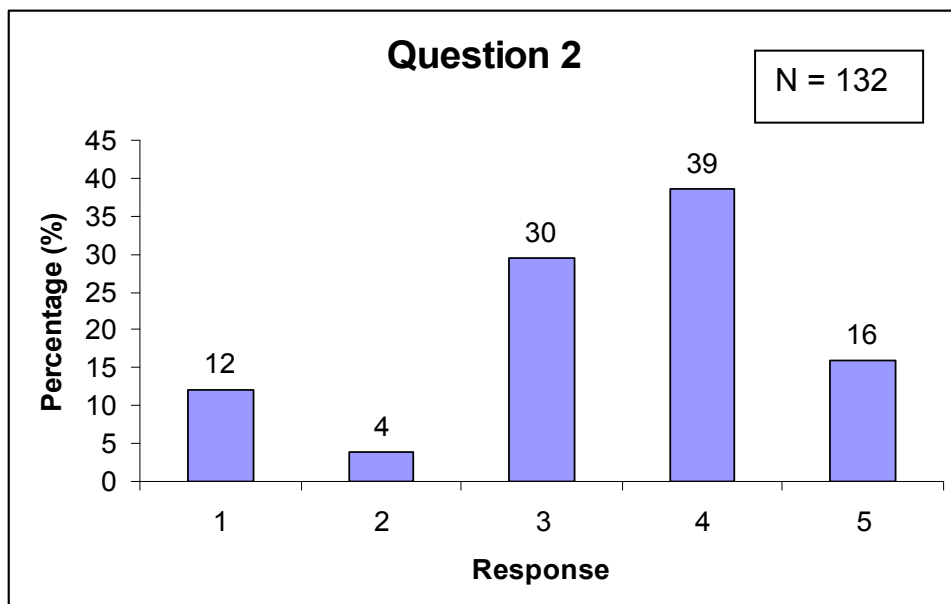
From Kirkstall, through Leeds city centre to Woodlesford there are currently no formal flood defences along the River Aire. Structures along the waterside were not built as flood defences so will not provide protection against a major flood. Do you think Leeds needs formal flood defences along the River Aire?



75% of people agreed or strongly agreed that Leeds needs formal flood defences along the River Aire.

Question 2:

You have seen our proposals and the options we investigated to get to this stage. Do you think our proposals are an acceptable way to protect Leeds from flooding from the River Aire?

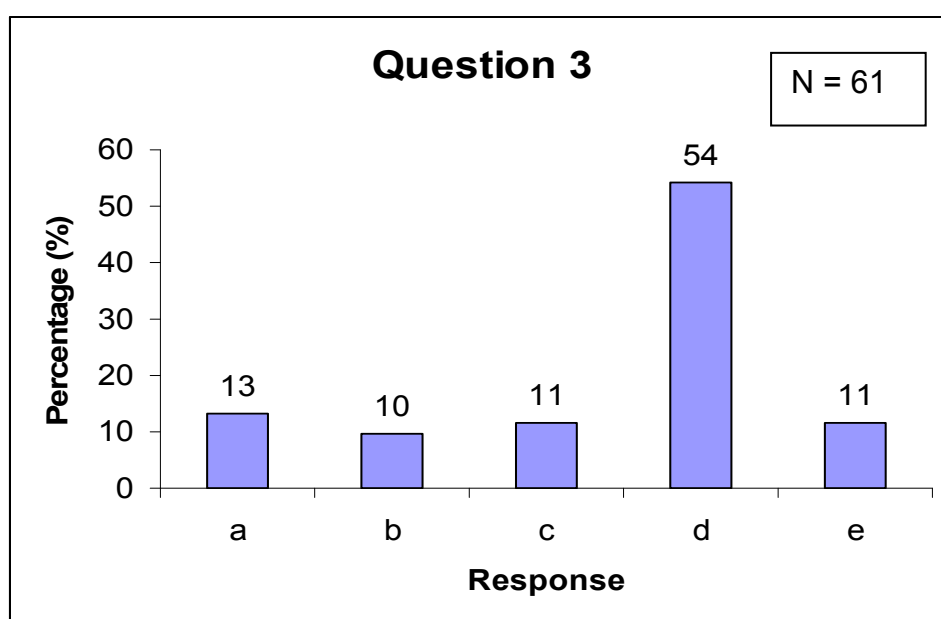


55% of people agreed or strongly agreed that the proposals are an acceptable way to protect Leeds from flooding from the River Aire.

Question 3:

If you don't think our proposed scheme is the most acceptable way to protect Leeds, what would you prefer to see? At this stage we think other ideas would still require raised defences through Leeds.

- a) Dams upstream of Leeds – 13%
- b) River Aire bypass channel – 10%
- c) No flood defence scheme – 11%
- d) A combination of the above – 54%
- e) Other – 11%



Various comments were received in relation to question 3; one opinion which seemed to be popular was that the flood plains need to be allowed to flood. Developing on this land was never popular in the first place and people are worried that defending these areas will attract further developers.

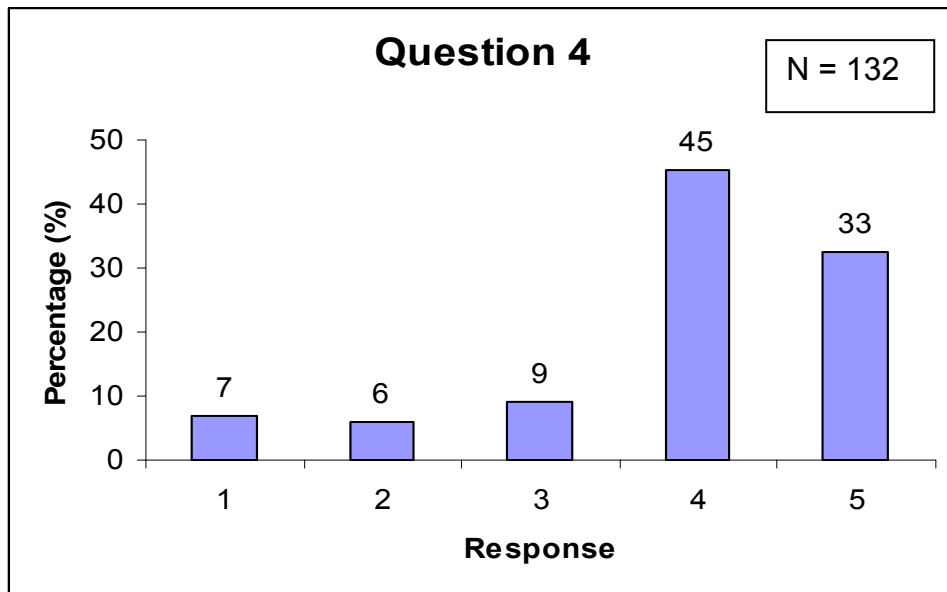
Other suggestions included planting trees, better river dredging and more water storage systems especially upstream, combined with sustainable urban drainage. These measure would reduce the flow of water and the need for high defences further downstream therefore being less intrusive.

Several responses questioned the relevance of this scheme when rising sea levels and climate change are taken into account. There were also several queries about plans for Allerton Bywater.

Question 4:

Flood defences are funded by taxpayers. Other improvements which could be incorporated into a flood defence scheme (e.g. new footpaths and riverside regeneration) would cost more and would have to be paid for through other sources

e.g. Leeds City Council. Would you agree that additional public money should be spent in this way?



78% of people agreed or strongly agreed that additional public money should be spent on the flood defence scheme.

Question 5:

If you would not be will to accept this, but still believe additional benefits should be gained, where do you think the money should come from?

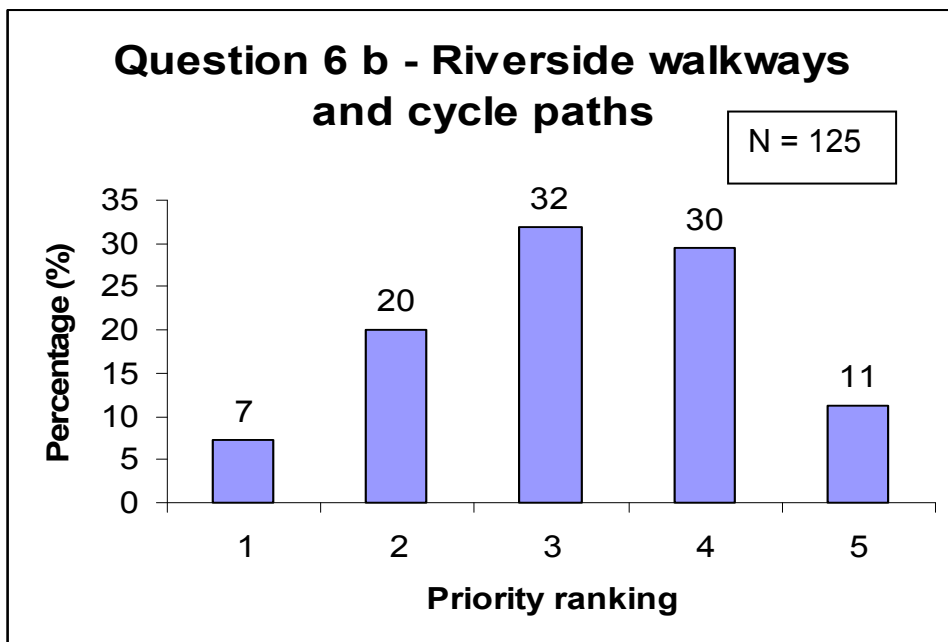
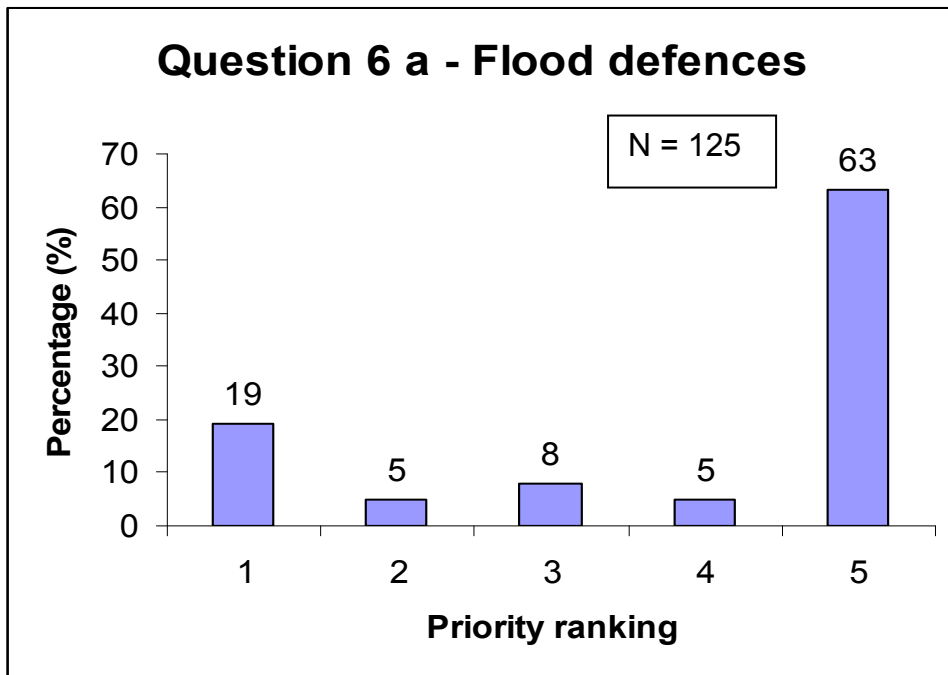
NB. 35 people answered the question, some chose more than one response

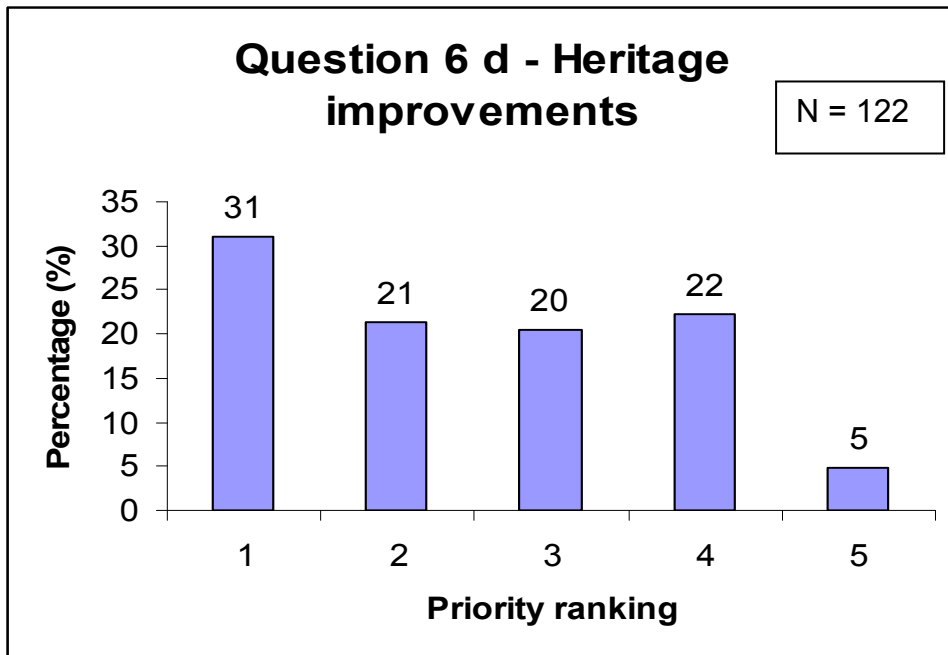
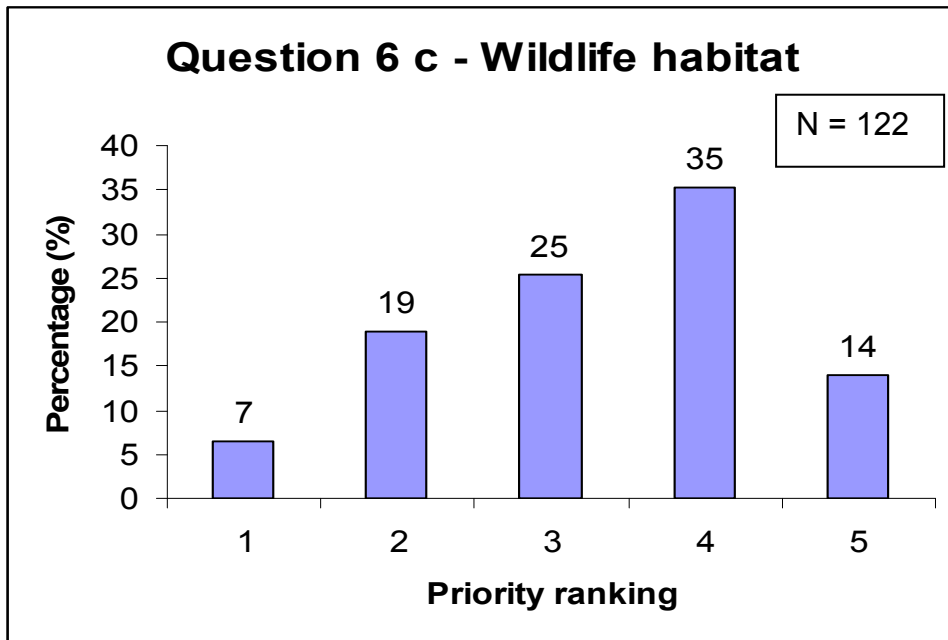
Developers/Local Businesses x 15	Central Government x 9
European Union x 4	Local Council Taxes x 3
Lottery funding x 3	Yorkshire Forward x 2
Charities x 2	Tourist Board x 1
MP's Expenses x 1	

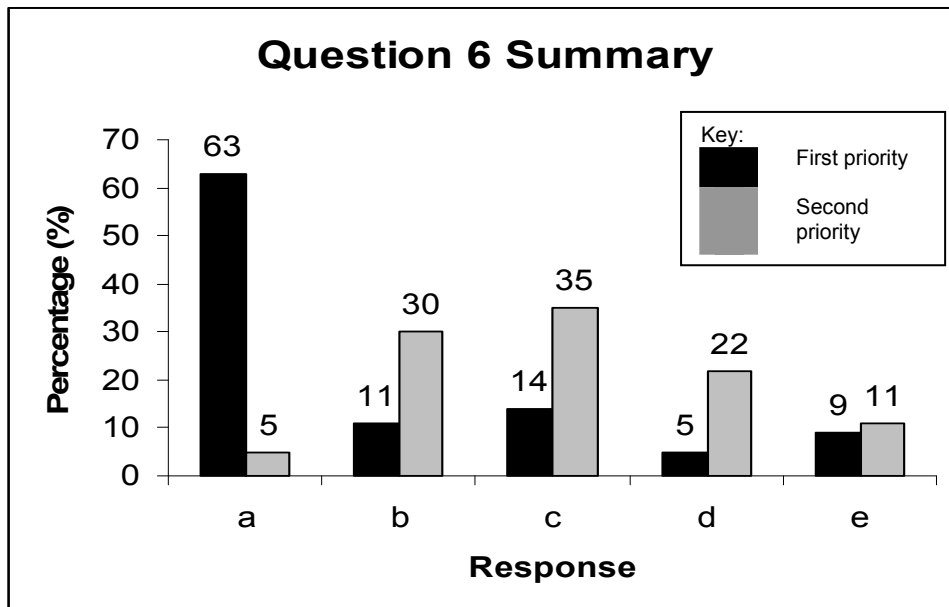
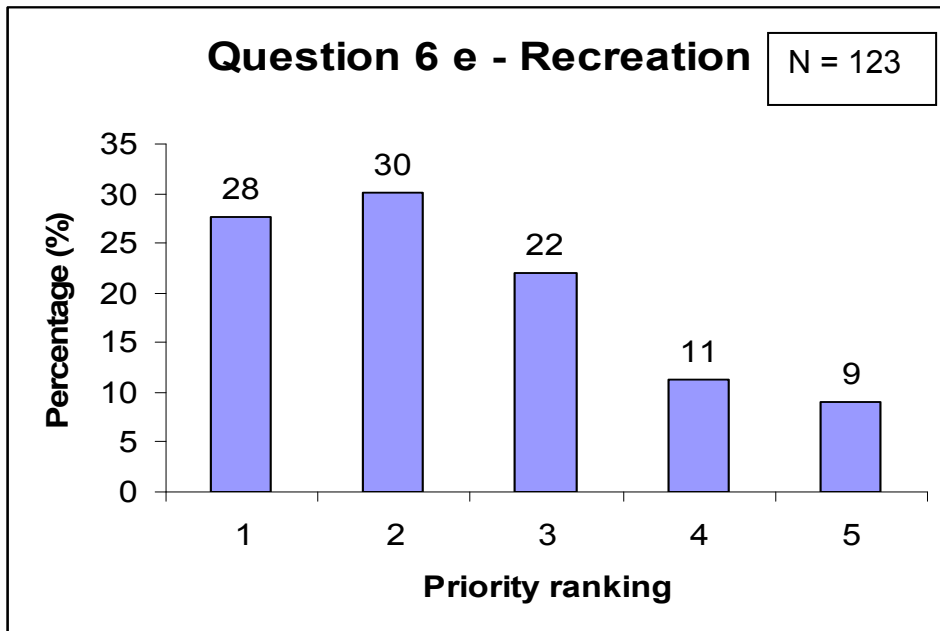
Question 6:

Public money can be spent to achieve a number of priorities. Please rank the priorities given to the right in order of importance to you (1 being the lower priority)

Rank by priority.



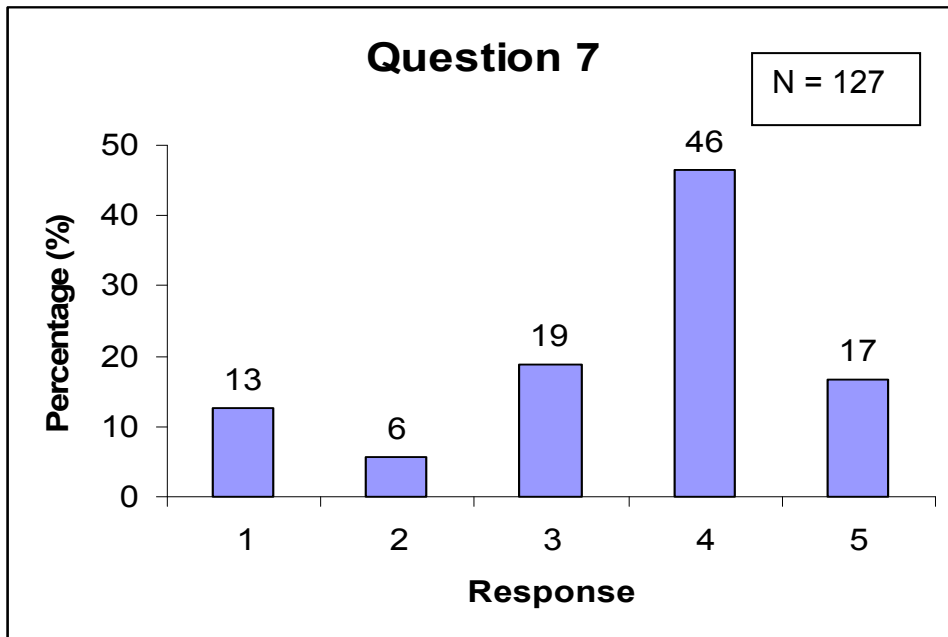




N.B. These figure do not add up to 100% because some respondents ranked more than one option as their top priority.

Question 7:

Detailed design work has not begun but you have seen some outline concepts of the Flood Alleviation Scheme. Do you agree that our outlined designs fit in with the waterfront environment? If you have other priorities, please use the space at the bottom of this table to tell us about them and how important they are to you.

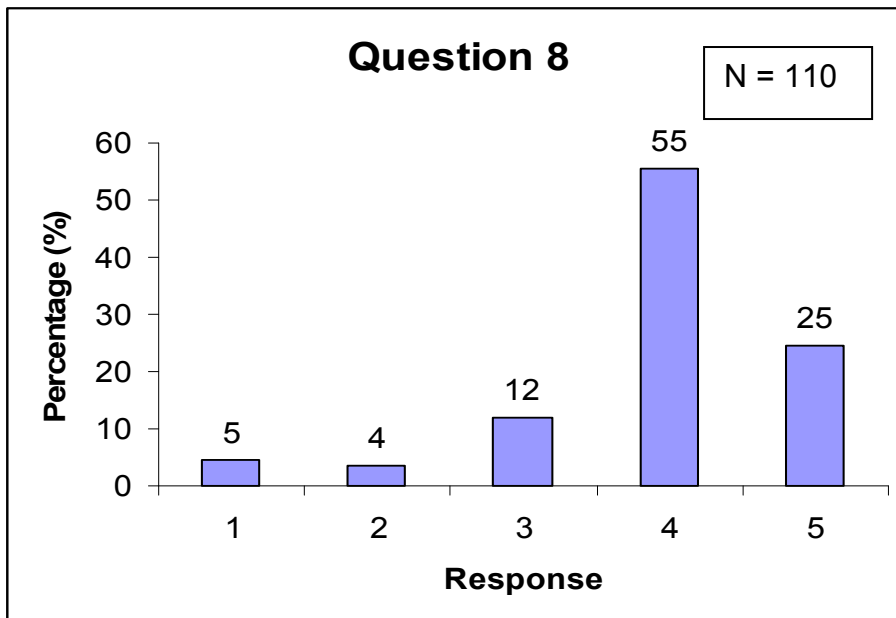


63% of people agree or strongly agree that the outlined designs fit in with the waterfront environment.

The following questions are to be answered if you saw the Design Guide document:

Question 8:

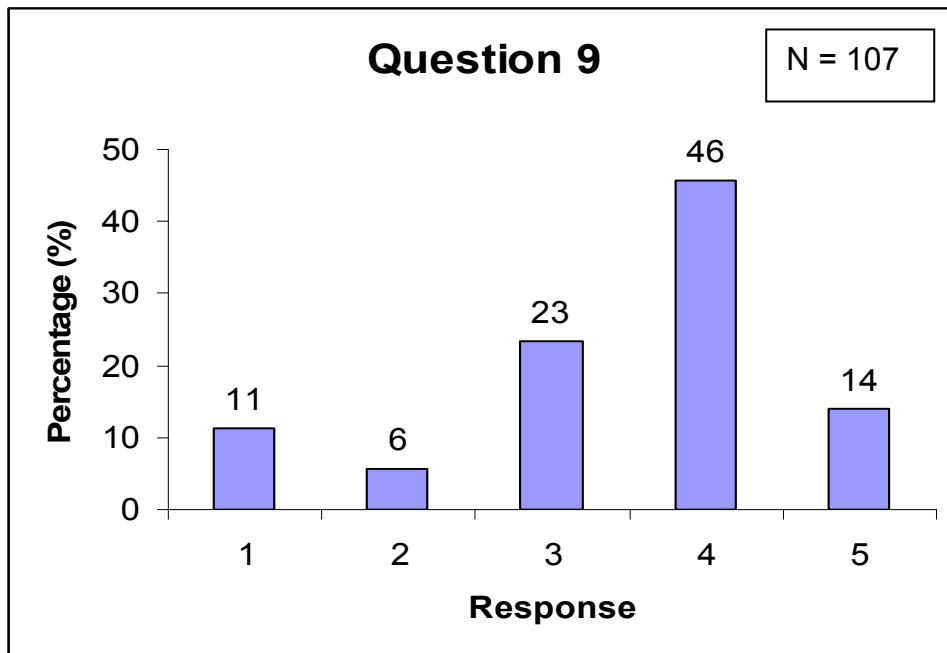
Do you think that the Design Vision is useful in helping you to judge our draft proposals?



80% of people agree or strongly agree that the Design Vision is useful in helping to judge the draft proposals.

Question 9:

The 'Design Guide and Vision' sets out an overall approach that any Flood Alleviation Scheme for Leeds (River Aire) would have to follow. How much do you agree with the approach set out in the Design Guide and Vision?



60% of people agree or strongly agree with the approach set out in the 'Design Guide and Vision'.

The Questionnaire

Give us your views – Leeds (River Aire) flood alleviation scheme

On a scale of 1 to 5 where 1 is strongly disagree, 2 is disagree, 3 is unsure, 4 is agree and 5 is strongly agree, please rate the following:

From Kirkstall, through Leeds city centre to Woodlesford there are currently no formal flood defences along the River Aire. Structures along the waterside were not built as flood defences so will not provide protection against a major flood. Do you think Leeds needs formal flood defences along the River Aire?	1	2	3	4	5
You have seen our proposals and the options we investigated to get to this stage. Do you think our proposals are an acceptable way to protect Leeds from flooding from the River Aire?	1	2	3	4	5
If you don't think our proposed scheme is the most acceptable way to protect Leeds, what would you prefer to see? At this stage we think other ideas would still require raised defences through Leeds	a) Dams upstream of Leeds b) River Aire bypass channel c) No flood defence scheme d) A combination of the above e) Other (please explain below)				
Flood defences are funded by taxpayers. Other improvements which could be incorporated into a flood defence scheme (e.g. new footpaths and riverside regeneration) would cost more and would have to be paid for through other sources e.g. Leeds City Council. Would you agree that additional public money should be spent in this way?	1	2	3	4	5
If you would not be will to accept this, but still believe additional benefits should be gained, where do you think the money should come from?					
	Rank by priority below				
Public money can be spent to achieve a number of priorities. Please rank the priorities given to the right in order of importance to you (1 being the lower priority)	a) Flood defences				
	b) Riverside walkways & cycle paths				
	c) Wildlife habitat				
	d) Heritage improvements				
	e) Recreation				

Detailed design work has not begun but you have seen some outline concepts of the Flood Alleviation Scheme. Do you agree that our outlined designs fit in with the waterfront environment? If you have other priorities, please use the space at the bottom of this table to tell us about them and how important they are to you.	1	2	3	4	5
The following questions are to be answered if you saw the Design Guide document:					
Do you think that the Design Vision is useful in helping you to judge our draft proposals?	1	2	3	4	5
The 'Design Guide and Vision' sets out an overall approach that any Flood Alleviation Scheme for Leeds (River Aire) would have to follow. How much do you agree with the approach set out in the Design Guide and Vision?	1	2	3	4	5

If you have any additional comments please use the space below to tell us:

Additional comments

Of the 135 questionnaires we received, 66 people provided additional comments.

Would be willing to be involved in further consultation.

How does this effect people living in Lower Aire/ Allerton Bywater? Are flood defences up to spec to handle additional flood levels?

Flood defences will introduce structures of what ever form to an environment not intended for such structures and thus such environment both visual/ environmental and use/ access. Perhaps the only acceptable solution is a combination of forestation and dams high up in valley. Plus building regulation to reduce/slow water run off lower down the valley. Dams must have a very good natural habitat to control flies, especially if average temperatures rise.

All this work is now being proposed to protect properties, developments built on the flood plain which should not have been built in the first place. These developments are an eyesore, encourage traffic and litter and I really don't feel upset if they are flooded. They should not have been built there then the flood plain would flood naturally and we would have no need for the proposed scheme. I fear it will encourage more building alongside the river if it is developed and so then this beautiful natural valley will be completely undervalued even more. Taxpayers should not be paying for this - owners of properties on flood plains who are worried about flooding should as they should never have been granted permission in the first place.

I think nature should be left to itself and that if this wall is built then it allows property developers to build houses on it - I feel strongly about this. It will also disrupt the local wildlife. Should leave the flood plain (up by the ring road) to do what it is there for.

No info from EA till going to Milford Club.

Protecting buildings that have been built on known flood sites in full knowledge is nonsensical and more care should have been taken to compensate at least by providing alternative wetlands and planting trees. There is plenty of scientific data providing information on using a varied approach egg planting trees, in land and water management. Anyone proposing something to the contrary has not done enough research. Overall the proposals are disappointing and lack an emotive inter-agency approach that could have been taken.

Think the event needed more publicity and should be more widely available - not just a couple of days - I only heard about the event on the morning Look North news

The data already available in other countries should be drawn upon in relation to ways to alleviate flooding via use of wetlands/ never building on flood plains/ planting of trees. Nature is the best teacher and to work in harmony with nature rather than against it is best solution. The madness of protecting buildings via more concrete - therefore leaving less earth for the water to be absorbed must stop at some point - why not now? More creative, imaginative, environmentally aware designs are needed.

How can you be sure your climate change predictions are correct?

Concern that flood defence wall will be unsightly and restrict view out over the river, will reduce property value, restrict light into buildings and affect waterfront environment/ atmosphere.

Use flood plains far more to manage water levels in the river.

All land is capable of absorbing flood water until people build on it. The more tarmaced driveways and vast supermarket buildings are constructed the less land there is to absorb water. Stop building! Get back to basics!

The defences should follow the higher ground along A65 and allow area bounded by the canal and mill race to act as a flood cell.

The part of this scheme that most concerns me is the possibility that high walls through Leeds City Centre could undo a lot of the good work of the last 20 years that has opened up and regenerated Leeds Waterfront. If 1 in 200 is the right standard for the scheme the urban design issues will be very challenging; possibly alternative options such as upstream storage should be re-examined to reduce wall heights if possible.

I feel the most important aspect is to provide more 'green' space and recreation (not shops and cinemas!) areas along the riverside.

What about Allerton Bywater? The river Aire floods the village every year, sometimes twice. If you improve the flood defences from Kirkstall to Woodlesford this will push even more flood water onto our village. The flood wash lands around our village can only take so much flood water. When will St Aidans spill-way be constructed? And the site open to the public?

Need more time to look into this.

Need to see details on what any wall would actually look like. Also if we do have a 200 yr flood, how long would it take to resolve and at what cost. Have you asserted this and evaluated the risk against the cost of the defences.

We need "education" to stop people concreting their gardens and more staff to 'police' gutters which are often blocked by grass etc.

Urban water front seems to lack trees.

I would need to see detailed plan for committing support or preparing any potential objections. The current proposals would be a major set back for the growth of this city.

Agree with the designs so long as they are not changed with the budget.

Despite potentially costing more I believe less intrusive method of flood alleviation would be more appropriate/ better in the long term (i.e. better water management further upstream).

Proposed scheme good - but need to ensure sufficient budget is in place to follow through and the defences are incorporated aesthetically well.

£100m is not enough.

Leeds is a major city without primal flood defences, any scheme is better than nothing. However the structures built for this scheme will affect the long term appearance of the riverside through Leeds. Steps taken to use more subtle structures to retain flood waters are a good idea however every means possible should be utilised to reduce the defence height including diversion channels and flood storage reservoirs. It is worth investing more now for long term benefits even if funds need to be raised from other sources including council tax.

The flood defence improvements should be used to achieve the objectives of the Water Framework Directive (i.e. good ecology in the River Aire). The consultation process for the WFD has revealed fish passage to be a major issue in Leeds (also see Leeds Council's Executive Board Report on fish passage dated 14th January 2009). The LFAS should be tied in with the Aire Valley Leeds AAP to provide a fish pass at Knostron Lock and other passes in the Kirkstall/Newlay area as a mitigation feature. Ultimately the LSAS could be seen as the project which returned salmon to Leeds following a 200 year absence.

Hurry up and get it done.

Keen to see the riverside area retained as an "open" facility. Leeds needs to make more of the riverside not hide it behind a wall.

More planting behind/ adjacent to walls e.g. planting within walls if possible. Not clear as to what is needed in tributaries - this will have a crucial effect on the rest of Leeds so full impact cannot be assessed. Flood Plain info seemed to be similarly restricted to that of the Aire and not its tributaries.

When will St Aidens Former Open Cast Site be used to take the flood water? What about Allerton Bywater flood alleviation?

Initially my concerns were the impact on the Lower Aire Valley of enhancing the protection to Leeds i.e. would this make things worse for far villages. I was reassured that this would not happen and that the planned St Aidan's scheme would be in place long before the Leeds scheme came into effect.

Continued prosperity of Leeds depends on enhancing its status as a city which is exciting and inspiring to live and work in. The accessibility, enjoyability and "wow-factor" of the waterfront are crucial parts of this and every effort is required to enhance them.

Concerns about Rodley.

The areas along the river - especially near the city centre - are underused. Flood defences could unlock their potential.

On viewing the design brief I noticed that nothing is proposed at the moment for higher up stream than Kirkstall Abbey. I feel it would be beneficial to have water storage higher up and was informed this had been considered at Rodley Nature Reserve, but the building of walls etc would prove too costly. So I guess it is up to the individual householder to provide their own flood defence and clean up the mess (sewage, sanitary towels etc). Another point I would like to raise is that of the debris in the river, we have had a tree on the weir at Newlay in Horsforth for months and months. The whole of the rootball is stuck fast in front of the weir with the branches down the weir. There are also other trees stuck both before the weir and after,

resulting in other debris collecting and blocking the flow. If such obstructions were removed the water could run freely and feel river management/ maintenance should be implemented. Surely dredging would also be beneficial, as we see people throwing large pieces of stone or bricks, branches etc from the Newlay Bridge.

If it is possible, more 'green' terraced approach to flood defences would be good. A lot of space in the city centre is hardstanding, it would be good if the river corridor and flood defences proposed could be 'greener'.

Very important that any defences are sensitively designed. Use flood plains and bypasses in preference to concrete.

Not very well advertised in city centre - difficult to find.

Just need to ensure the downstream effect of these defences (i.e. the fast channelling of the water) does not affect other communities. This is why I prefer some use of water storage (dams/ by pass channel) as well as raising the defences by the river.

Impressed with the plans and ideas but worried about when these proposals might actually be put into place. Ideas of creating more open recreational space in the centre of Leeds very welcome and vital for the future development of the city centre is a place for families to live as well as just singles. Need to use these ideas to create communality in the centre.

Excellent display and very helpful attendants.

Should plan for 100 minimum in protecting centre of city. Should employ other complementary options i.e. dams/ bypass channel/ permeable surfaces/planting as possible. Should achieve highest quality landscape/ land surface design possible to protective measures.

Much more publicity required, seemingly small efforts could help: e.g. cleaning drains out. This used to be done regularly!

Aesthetically pleasing, but fail to see how small breakwater/seating would impact in times of high tide levels.

Be sensitive to each specific location particularly with historical buildings. Give help for individual buildings. The presentation seems to promise this.

Great models and presentation.

We must keep pressing national government to stop all building on floor plains instead of building flood proof buildings there. These plains can be used to provide natural defences through reeds/trees/logs etc.

Our converted warehouse is a listed building. It was designed about 1900 for barges to unload and possibly enter the lower levels. Currently the Aire Bar enjoys a riverside terrace (we are two floors above) and a solution should be possible to retain the terrace and install glazed doors and windows to withstand exceptional floods; all as discussed today.

Difficult to prioritise above as people use waterways in different ways; possibly need a bit of all. Aesthetics are clearly very important.

To elevate this problem with a diverse approach because of old Victorian underground culverts that are not listed on many planes - But something has to be done.

Important to keep the continuity and integrity of the Trans Pennine Trail and the link to the Aire Valley Towpath Route, improving the standard of the route where possible. Encourage developers to fund parts of the scheme. I have concerns re funding from Leeds City Council Ratepayers.

It may seem pie in the sky at the moment, but with the growing interest in freight by water as a greener form of transport, don't prejudice future decisions by restructuring the Aire above Leeds in such a way as to prevent the extension of the Aire & Calder Navigation above Leeds (following the river rather than the heritage canal) I have to declare my interest as a freight barge operator.

More access to the riverside from Leeds City Centre down to Woodlesford requires as is the footbridge over canal and river at fishponds rock to connect Rothwell Millennium Park with Temple Newsham via Skelton Lake. It has been promised for years - planning permission has been granted.

Good luck!

More detail needs to be provided on the use of flood plains to disperse flood water.

Leeds city centre needs flood defences but my worry is where will the flood water flood to? Will it flood property downstream? I would prefer a detour channel because this idea would last longer, the water would have more space to go and a detour will take more water as I think flooding will get worse in years to come.

I would like to see improved access along the waterfront between Woodlesford and Horsforth. In terms of access improvements, priority should be given to ensuring that access is maintained adjacent to the river at all time and for them to be as wide as possible to ensure that they are safe routes.

Leeds centre and other urban areas plus site like Thwaite Mill are irreplaceable sites of built heritage (with natural environment to a lesser extent as it is robust and can resuscitate). More effort needed to reduce the problem.

I have concerns about the effect of the scheme on the lower Aire valley at Allerton Bywater. The model used for 1 in 100 year event needs revising as these events are occurring on a more frequent basis.

Robust flood protection is VITAL for the future prosperity and livelihood, life blood of people of Leeds and wider field. Doing nothing is NOT an option. Leeds has come too close to flooding too often. Must keep connectivity between river and communities. Needs a visionary approach. Need to find win/win solutions - protection, landscape, regeneration, recreation, and place for wildlife.

At the exhibition for the scheme I attended in Kirkstall a young woman explained the proposals to me with great clarity (for which I thank her immensely) There is little choice on offer - build or be damned seems to be the thing. As one person put it - we are where we are - but we only got where we are by adopting that attitude. Nowhere was there made mention of the

idea of clearing the floodplain, albeit gradually, this giving the river its life back. Without that option the river has (along with its wildlife) a future of diminishing, chipping away, until it becomes nothing but water. This is not a "Design Vision" - it is a scheme... and an expedient one at that. Design?... probably, Vision?...err...NO!

I feel strongly that flood plains should not be developed or used in any way other than for wildlife, and flooding if necessary. The building of flood defence walls would cause immense disruption, as large foundations have to be laid. The wall itself would cause a huge barrier to the free movement of existing wildlife, so that even in designated wildlife areas the habitat would be damaged irrevocably. The sums of money involved are too great to warrant protecting buildings/ developments which SHOULD NOT be there in the first place.

I do not think that Kirkstall is that bad at all where flooding is concerned. Also it would only encourage developers into this valley if they thought that there was going to be no flooding at all. Our valley just needs leaving alone.

The store water upstream plan would benefit farmland lower down the Aire than Leeds so it is a better option. Why not take the weirs out altogether except where fish/salmon ladders are already in place

Additional Comments on Question 3:

Accept nature and that pre industrial revolution large areas flooded. Let those areas flood. Also given in next 250 years sea level rise will render all such work futile

Properties and developments should not have been allowed in the place

Apart from railways which need standard protection ways of thinking how water can get absorbed rather than diverted would be far better

The gradual clearing of all riverside development thereby allowing the river to drain naturally along its floodplain obviating any building

Ways in which the water is absorbed rather than diverted. Less not more concrete.

Nature usually has the answer

Tackle climate change -active rather than passive

And a reduced height wall if necessary

Maximise use of flood plains above Leeds

Widen the canal and stop building on land

Rodley dam plus allow BHS and Morrison sites to flood. If necessary build defences along A65 from Abbey to St Ann's Mill to utilise the mill race and existing geography

Possibly also the proposed standard of protection could be reviewed to reduce impact of walls

What about Methley and Allerton Bywater flood defences, will we get them and when

More trees, chances to store water, pumps to control water etc. etc. etc.

What is the cost of the "do nothing" option

The land management/tree planting scheme looks good in the long term

And a flood defence scheme for the centre

More SOH engineering up/down stream

Better water management upstream which will be less intrusive, particularly further downstream

also should still focus on work upstream - at the source in Malham
Flood storage reservoirs
Plus better dredging of the river
What about lower down the Aire?
combined with lower defences
It is really important to have a combination
Complimentary options should be pursued
whatever works
Making space for a number of storage areas upstream of Leeds similar to those
around Lincoln
Flood plains above Leeds if possible to take the pressure off. Swillington bridge is a
bottle neck, you need to find a way to get all the water you have channelled together
into St Aidans
Plus surge tanks etc
combined with current raised defence proposal
Identify better storage facilities which can be pumped out levels fall
No mention of reducing quantities of water in uplands and sustainable urban drainage
reducing flows and need for such high defences
Catchments measure upstream storage "making as much space for water" in
developed areas

Further suggestions on question 5:

Developers in the area
Morrisons, Owners and Developers
Government
MP's Expenses
Yorkshire Forward/ Tourist Board
Businesses and Industry
Businesses. Enforce major planning process
Government
Government
Developers
Developers
Planning office
Lottery funding, industries with premises along the flood plain
Central Government
EU
Private businesses
Happy to contribute
Developers/ Local Businesses
Local Council Taxes
Riverside Business
Businesses and other enterprises within the flood risk area that will also benefit hugely
from the defences. Public donation schemes etc to hit commuters and RWB users as
well
s.106 contributions (planning)
Leeds rates to high now!

Government & EU
Yorkshire Forward/Heritage Lottery Fund.
Developers
Private support where relevant
Businesses aligning river
Private businesses
Treasury - incorporated in original scheme
Government/EU
Europe/Central Government
Government especially money 'claimed' back from E. C. 'Billions'
Lottery, charities (RSPB?)
'Portion pays' principal

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Leeds (River Aire) Flood Alleviation Scheme Executive Summary for Steering Group 13 July 2009

1.0 Purpose of Executive Summary

- 1.1 The purpose of this report is to seek views from the Leeds Flood Alleviation Scheme (FAS) Steering Group and subsequently Leeds City Council Executive Board on our preferred option and seek agreement on an approach to take the scheme forward.
- 1.2 We will be submitting the business case (Project Appraisal Report - PAR) for the Leeds Flood Alleviation Scheme on 24 August 2009 for presentation to our National Review Group (NRG) at the start of October 2009. This report provides an executive summary of the options considered and the rationale supporting our preferred option.

2.0 Introduction and Background

- 2.1 There are no formal flood defences along the River Aire in Leeds. The onset of flooding varies through the city, but can happen in an event with as low as a 1 in 5 year (20% annual chance event) flood. The city has been fortunate not to suffer any recent severe flooding comparable to that experienced in Sheffield and Doncaster in June 2007. In autumn 2000, the city was only centimetres away from major inundation. There have been further 'near misses' in 2002, 2004, 2007 and 2008.
- 2.2 The Aire catchment has a rapid response to rainfall.
- 2.3 In addition to flooding directly from the river, many recorded flood incidents are due to localised surface water.
- 2.4 The Leeds FAS extends over nineteen kilometres from Newlay at the upstream end, to Woodlesford at the downstream end. It passes through the central business district in Leeds city centre. A plan of the scheme is provided at the end of this summary.
- 2.5 The number of residential and non-residential properties affected by flooding during a 1 in 200 year (0.5%) flood is shown in Table 1. Around a third of the non-residential properties are offices, including Asda's headquarters and numerous large employers in the financial, legal and service sectors.

	Residential	Non-Residential (Commercial, Retail and Industrial)	Total
Directly	255	495	750
Indirectly	3607	188	3,795
Totals	3,862	683	4,545

Table 1: Number of Properties Currently at Risk from a 1 in 200 year (0.5% annual chance event) flood

- 2.6 There are many additional services which are severely affected if Leeds floods. These include major A roads, utility services and rail services to the whole of the north east. 140,000 passengers pass through Leeds station each day. In the 2000 floods Leeds station narrowly avoided closure.
- 2.7 We have used the mandatory Flood and Coastal Defence Project Appraisal Guidance (FCDAG) suite of documents (Defra 2001 and associated updates) to appraise the scheme.
- 2.8 We have carried out a high level environmental assessment to highlight any key impacts and actions that will be required.

3.0 Downstream Implications

3.1 Woodlesford

- 3.1.1 Leeds acts as one large flood cell with significant overland flow. The exception to this is the Woodlesford area. If the Leeds FAS is implemented the flood risk at Woodlesford would be increased due to higher river levels. We have included the provision of defences in the Woodlesford area to ensure that there is not a detrimental impact from these higher levels.

3.2 St Aidan's Wetland Nature Reserve (Former Open-cast Site)

- 3.2.1 The Leeds FAS has minimal effect on river levels at Lemonroyd weir (87 mm increase in a 200 year event, 54mm in a 100 year event and 50mm in a 50 year event). This is insignificant, and is within modelling tolerances. It will have an insignificant effect on the use of St Aidan's washland as a water holding area.
- 3.2.2 The Leeds FAS is not dependant on St Aidan's washland being completed and in use. The washland is being provided in connection with events that happened 20 years ago, not as a result of the Leeds scheme.
- 3.2.3 St Aidan's will store about 7 million cubic metres of water in a 100 year event on the River Aire. This will reduce levels immediately upstream of the inlet by 840mm, at Swillington Bridge by 100mm and at

Lemonroyd weir by 630mm. This will have benefits downstream in the event of flooding from the River Aire. The Leeds FAS will have insignificant effect on these benefits.

4 Options Considered

4.1 Raised Defences

- 4.1.1 Raised defences involve the construction of embankments or new flood defence walls. These will wherever possible be set back to maintain the waterfront as a public amenity area. Where it is not possible to construct flood walls due to buildings along the river edge, the buildings will be strengthened and used as part of the flood defence.
- 4.1.2 We identified this option as the preferred approach in our draft Upper Aire Flood Risk Management Strategy (FRMS). We have carried out a significant amount of work developing this option during the four year appraisal period. We have completed geotechnical, structural and environmental investigations, and site inspections. We have carried out extensive consultation including environmental scoping, individual landowner consultation, joint public consultation and key stakeholder consultation, including Leeds City Council, British Waterways and Yorkshire Water. We have used the results of this work to identify an outline form and alignment of the defences.
- 4.1.3 A Design Vision and Guide sub-group in 2008/9 identified a number of sensitive areas (Hotspot Sites) and developed outline designs to illustrate how the raised defences can be incorporated in the waterfront area. The group identified 14 sites and gave them green, amber or red status as the solutions for these sites were developed in more detail. 11 are now green or amber. With further discussion and detailed design we are comfortable that the remaining sites can be green, (Fearn's Wharf, Rose Wharf and Thwaite Mill).
- 4.1.4 The Strategic Design Alliance, in liaison with teams across City Development with input from the Environment Agency developed the Design Guide and Vision (The Vision). The Vision aims to analyse the existing river corridor environment, highlight important features and suggest how design can be used to mitigate the potential negative impact of defences and where possible highlight enhancement opportunities.

4.2 Upstream Storage

- 4.2.1 In our draft Upper Aire strategy we concluded that our preferred option was linear defences providing a 1 in 200 year event standard of protection. This is in accordance with Defra appraisal guidance. The strategy studied over 20 sites in the valley but concluded that few sites were available for storage of large volumes of flood water. However, recognising an aesthetic need to minimise the impact of raised

defences, we carried out further conceptual investigation of an upstream storage option. We considered storage at two locations; Holden Park (Keighley) and Rodley.

4.2.2 At Holden Park the approximate storage volume available is 6 million cubic metres. We would need to address a number of issues if this option is taken forward to detailed design including a trunk road, railway line, trunk sewer and associated environmental impacts.

4.2.3 We considered upstream storage at Rodley at a very conceptual level to enable a storage alternative to be considered. The approximate storage volume at Rodley is 1.5 to 2 million cubic metres. It would need a dam as part of the storage area. The dam height would be approximately 5m above the typical existing ground level. We would need to address a number of issues if this option is taken forward to detailed design.

4.2.4 These include consultation with landowners and assessment of the environmental impacts such as impact on landscape from a sizeable structure, impacts on the existing nature reserve, water quality issues and change of land use. We would also need to consider the impact on a Yorkshire Water sewage works and the Aire Valley railway line. We would only retain water during significant flood events and the volume retained would be that over and above the capacity of the channel downstream of the storage.

4.3 Arup Conceptual Options

4.3.1 Arup have suggested a number of alternatives that might lower the proposed flood defence heights through Leeds City. These comprise:

- Replacing Knowsthorpe weir with moveable gates;
- The addition of either an 18m or 28m wide bypass channel along Great Wilson Street / Hunslet Road;
- Connecting the river and canal together into a single wide channel upstream of Knowsthorpe weir;
- Localised re-profiling of the main channel upstream of Knowsthorpe weir to remove obvious high points in the river bed;
- Re-location of the floodwall downstream of Knowsthorpe weir to the landward side of the canal.

4.3.2 We asked Arup to carry out hydraulic modelling on our behalf to provide an indication of the potential benefits these options could deliver in terms of reduced wall heights. If we include one or more of these options in the FAS we will need to carry out a feasibility study including consideration of costs, buildability and environmental impacts. The reductions in water levels achieved appear in section 5.3.

4.4 Use of demountable or removable defences

Our policy is to avoid the use of demountable or removable defences wherever possible. This is due to problems deploying the defences, particularly where advance warning of a flood is limited. Extensive use is not planned, however their use will be considered further if necessary in particularly sensitive areas as part of the detailed design. This will be on a risk assessed basis.

5 Defence Heights

All the options above will require raised defences of varying heights. The following provides an indication of the reduction in wall heights that could be achieved using one or a combination of the options outlined above.

5.1 Raised Defences

5.1.1 Table 2 provides wall heights at specific locations for both a 1 in 100 year (1%) and 1 in 200 year (0.5%) flood with and without allowance for climate change.

Location	1:100	1:100 + Climate Change	1:200	1:200 + Climate Change
Asda	0.45	1	0.71	1.29
Brewery Wharf	0.78	1.26	1.01	1.52
Royal Armouries	1.67	2.08	1.87	2.29
Knowsthorpe Weir	0.39	0.65	0.52	0.77

Table 2: Wall Heights in metres for Varying Standards of Protection

5.1.2 Wall heights are all inclusive of freeboard (510mm). Freeboard is an allowance for tolerances including those in the modelling process. These include super elevation at bends and wave action. The freeboard required is calculated on a scheme by scheme basis. Provision of freeboard is not optional and we cannot consider its removal as a means for reducing wall height.

5.2 Upstream Storage

5.2.1 Upstream storage at either Rodley or Holden Park would reduce the flood levels downstream through Leeds as shown in Table 3 below for a 1 in 200 year (0.5%) flood including climate change. These are indicative heights.

Reduction	Rodley Storage	Holden Park (Keighley)
Minimum	0.11m	0.10 – 0.20m
Maximum	0.36m	0.40 – 0.60m
Average	0.24m	0.20 – 0.30m

Table 3: Reductions to Wall Heights using Upstream Storage

5.3 Arup Conceptual Options

5.3.1 Table 4 provides an indication of the potential reduction in the 1:200 year + climate change water level we could achieve if we construct one or more of the options listed in 4.3.1. Please note that these figures are based purely on water level without taking into account freeboard allowances for wall heights. We could only achieve reductions to wall heights through the central section of the scheme between Victoria Bridge and Knowsthorpe Weir.

Location	Change in Water Level (m) Compared to Baseline (1:200 year + cc)				
	Lowering of Knowsthorpe Weir	Lowering of Knowsthorpe Weir + 18m bypass Channel	Lowering of Knowsthorpe weir + 28m bypass channel	Lowering of Knowsthorpe weir + 28m bypass channel + local re-profiling of channel	Lowering of Knowsthorpe weir + 28m bypass channel + local re-profiling of channel + Merging of Canal and River
Asda	-0.1	-0.6	-0.7	-0.9	-1.1
Brewery Wharfe	-0.2	-0.5	-0.5	-0.8	-1.1
Armouries Museum	-0.2	-0.4	-0.4	-0.7	-1.7
Knowsthorpe Weir	-0.8	-0.8	-0.8	-0.8	-1.1

Table 4: Potential Water level reductions from Arup's Options compared with the 1:200 year + climate change water level

5.4 Climate Change

5.4.1 The current climate change guidance (Defra) suggests that over the next 100 years, river flows will increase by approximately 20%. This will result in an increase to the frequency and depth of flooding. The channel through Leeds is very narrow, as is the flood plain. As a result any increase in flows would have a significant affect on water levels.

5.4.2 For the Leeds FAS climate change will result in the current day 1 in 200 year (0.5%) flood becoming a 1 in 75 (2%) annual chance event in a 100 years time.

- 5.4.3 We can provide for the affects of climate change in two different ways. Precautionary, i.e we deal with it now based on predictions of water levels in the future, or through a managed adaptive approach, i.e. deal with it later through a range of options. The latter involves providing for the standard of protection required today and then increasing the capacity of the scheme at a future date.
- 5.4.4 Table 5 summarises the different options we have assessed for dealing with climate change.

Option	Climate Change Mitigation
Using Raised Defences	<p>Do it now - Precautionary approach: The initial standard of protection provided is equivalent to a 1 in 750 years (0.13%) annual chance event. This falls to a 1 in 200 years (0.5%) annual chance event at the end of the 100 year appraisal period.</p> <p>Do it later - Managed Adaptive approach: An initial standard of a 1 in 200 year (0.5%) annual chance event is provided. The height of the wall is then increased in the future, after 30, 40, 50, 60 or 70 years.</p>
Using Upstream Storage	<p>Holden Park</p> <p>Do it now - Precautionary approach: Holden Park storage is constructed at the start with raised defences. A standard of protection of 1 in 200 years (0.5%) annual chance event is provided at the end of the 100 year appraisal period*.</p> <p>Do it later - Managed Adaptive approach: raised defences are constructed to provide an initial standard of protection of 1 in 200 years (0.5%) annual chance event. Holden Park storage is then constructed after 30, 40, 50, 60 or 70 years.</p> <p>Rodley</p> <p>As Holden Park but constructing a storage area at Rodley instead of Holden Park</p>

Table 5: Options Assessed for dealing with Climate Change

* The appraisal period is the period over which the performance of the defences is considered.

5.5 Land Management

- 5.5.1 Current research indicates that there is no evidence to prove catchment scale land use and management is an effective tool to manage flood risk, (Research & Development Update: Review of the impact of land use and management on flooding. Environment Agency, 2008).
- 5.5.2 For large catchments, existing modelling studies suggest that a large extent of land-use or land management change is required to produce a relatively modest reduction or delay in downstream flood peaks.
- 5.5.3 We will continue to promote land management as an adaptive approach to build climate change resilience into catchments as part of

the implementation of the Aire Catchment Flood Management Plan (CFMP) and the Upper Aire Flood Risk Management Strategy.

6.0 Costs

6.1 Raised Defences

6.1.1 We have carried out extensive appraisal work as outlined in 4.1. This has enabled us to produce an outline for the most appropriate type and alignment of the defences at each location along the scheme. Working with a Framework contractor we have developed costs for these proposals.

6.1.2 In addition to the labour, plant and material elements associated with the physical defences the costs also include provision for overheads, design and further surveys, risk, compensation, environmental mitigation, consents and licences, work to existing bridges and the existing drainage network required as part of the scheme. This is not an exhaustive list. We have also developed costs for construction of a scheme with one metre lower defences. We have used this information to calculate costs for varying standards of protection.

6.1.3 Table 6 shows the costs and associated benefits for construction of a scheme with raised defences at varying standards of protection. The costs shown below do not take into account climate change as appraisal guidance requires that economic analysis is carried out in the first instance to establish the optimum standard of protection before considering the implications of climate change.

	Standard of Protection (1 in X years)			
	100	200	500	750
Cost (£M) *	125	140	145	150
Benefits (£M) *	295	380	440	450
Benefit Cost Ratio	2.4	2.7	3.1	3.0

Table 6: Costs for Raised Defences (excluding climate change) * figures rounded to the nearest £5m

6.1.4 It can be seen that as the standard of protection and benefit values rise the cost does not increase at the same rate. This is because the scheme is complicated with significant costs involved in establishment, design and foundation works. Reducing the wall by 1m would save approximately £6 million of labour, plant and material costs.

6.2 Upstream Storage

6.2.1 The estimated costs for provision of an upstream storage area at either Holden Park or Rodley are shown in Table 7. We have developed these costs based on a conceptual design and they are not to the same level of certainty as the raised defences costs. However, we

consider the costs to be of sufficient detail to enable economic analysis and comparisons.

Location	Cost (£m)
Holden Park	45 – 50
Rodley	45 – 50

Table 7: Upstream Storage Costs

6.2.2 Although the storage capacity of Rodley is smaller than Holden Park the costs are approximately equal due to the comparatively large dam required at Rodley.

6.3 Arup Conceptual Options

6.3.1 In the work carried out to date Arup have not included calculation of costs for their alternative suggestions. An initial review of the works that would be required to construct a bypass channel (18 or 28m wide) suggests costs would far exceed the additional £6 million that it would cost to provide the equivalent protection through increased wall heights. Therefore, for completion of our business case we cannot justify more detailed analysis of this alternative option. For this option to proceed, the requirements for planning policy, land take and infrastructure changes would probably only make it suitable as an adaptive approach to climate change if significant delays to construction of a flood defence scheme were to be avoided.

6.3.2 We do not expect the remaining options proposed by Arup (lowering of the weir, merging of the canal and river and re-profiling of the channel) will deliver a reduction in wall height of greater than 1m. However, as with the bypass channel, the cost of constructing these alternatives is estimated to be significantly in excess of a raised defence option therefore we have not progressed with a more detailed analysis at this stage. Approximate costs are shown in table 8, below. Please note that these costs are an initial guide only and do not include contaminated land remediation, supervision, demolition, land purchase/compensation or service diversions.

Option	Total (£million)
2.4km of 28m wide channel	24
New road bridges (2)	20
New Footbridges (6)	8
Fish belly lock gates	20
Total	72

Table 8 Costs of Arup alternatives

7.0 Results of public consultation

7.1 The scale of the Leeds FAS and the implications of the scheme on the community, their representatives, public sector organisations, businesses and the local media has led to the requirement for a wide spread and on-going public awareness and consultation campaign. The key findings from the public consultation (based on 135 returned questionnaires) carried out in May and June 2009, including public events in central Leeds, Swillington and Kirkstall are summarised below:

- 75% of respondees agree or strongly agree that Leeds should have flood defences.
- 55% thought the proposals were an acceptable way to protect Leeds.
- 54% wanted to see a combination of upstream storage and a by-pass channel.
- 63% of people agreed or strongly agreed that the outline designs fit in with the waterfront environment.
- 60% felt the Design Vision should set the overall design approach for defences.

8.0 Environmental Considerations

8.1 We have involved environmental specialists in the development of the preferred option. We carried out investigations to highlight potential impacts that will need to be eliminated, minimised, mitigated or compensated for. These investigations included:

- visual impact and heritage assessment (including access and recreation);
- archaeological desk top study and watching brief on the site investigation;
- ecological walk over survey and watching brief on site investigation;
- strategic ecological impact assessment;
- geo-technical investigation.

8.2 We have consulted key stakeholders and taken on board feedback to the Scoping Consultation Document in the development of the outline design. Landscape and access impacts have been a key issue. Particular focus on these issues during meetings with key stakeholders has helped us to develop workable outline designs. The key report in partnership with the Environment Agency – The Landscape Design Vision and Guide - documents key outcomes.

8.3 Along the scheme length there are no locations where existing riverside access to the river edge is blocked. We have set back

defences or raised ground levels to maintain existing footpaths and retain views and included improvement to access.

- 8.4 We fed the high level Environment Risk Management Plan into the costs for taking the Leeds FAS forward.
- 8.5 The FAS proposals can also bring some new benefits along the river; these appear in an outline enhancement list. We also identified opportunities to work with others during detailed design. Examples include riverside habitat planting improvements, improvements to cycleway surfacing, incorporation of public art, fish passes, new river crossings and the creation of 11ha of Biodiversity Action Plan habitat. We are investigating the possibility of introducing small hydro-power structures on weirs and solar or wind power on pumping stations. If feasible these would help to offset the carbon footprint of the scheme.

9.0 Selection of preferred Option Standard of Protection

- 9.1 Having collated the cost data, we carried out calculations to determine the most economic standard of protection (SOP). This process is called optimisation. During this process we consider not only the benefit cost ratio but also incremental benefit cost ratio between the different standards of protection. The appraisal process requires this to be carried out in advance of works to determine how climate change should be addressed.
- 9.2 As we identified that the upstream storage and Arup alternatives were significantly more costly, we carried out the optimisation process for the raised defences (walls) option.
- 9.3 Our analyses of how the scheme should take account of the impact of climate change concluded that the most economic solution is a precautionary approach achieved by providing raised defences at a height for 1:200 years with climate change.

10.0 Impact on British Waterways assets.

- 10.1 We have worked with British Waterways to identify impacts on their assets and develop appropriate solutions. Key areas for further development are; Granary Wharfe canal basin, Knostrop cut construction of defences between the river and canal and new flood gate, and potential requirement for flood gates at Thwaites Mill.

11.0 Impact on Yorkshire Water assets.

- 11.1 Following a meeting attended by ourselves and Yorkshire Water on the 22 June 2009 we concluded that:

- A 1:5 pluvial (surface water) and 1:200 fluvial (river) condition is a suitable basis for outline design of the scheme;
- We will continue to work closely with Yorkshire Water as the scheme develops to detailed design;
- Yorkshire Water were comfortable with the outputs from the outline design; subject to them incorporating the Asset Standard for Pumping Stations and that opportunities to reduce the number of pumping stations are looked at as the design progresses;
- Working with Yorkshire Water we will look at respective maintenance and construction programmes with a view to achieving efficiencies;
- Once built, Yorkshire Water would ultimately take over the operation and maintenance of the pumping stations subject to agreement of a commuted sum.

12.0 Impact on Leeds City Council assets.

12.1 We carried out an assessment on the bridges that would be affected by our preferred option. We costed these works, which include bridge strengthening works and jacking of bridges (predominantly footbridges the main exception being Gotts Bridge) to raise levels and these are included in the projected scheme costs.

12.2 LCC drainage department have been involved in the ongoing consultation on the surface water outline design in conjunction with Yorkshire Water. As noted in 11.1 further work will be carried out to identify opportunities for reducing the number of pumping stations.

12.3 Provision of defences on the River Aire will increase river levels on Holbeck. We are therefore developing a proposal for defences on this tributary. We have held discussions with the Holbeck Urban Village project team and have identified three potential options.

- Raised defences
- Culvert
- Culvert with dry weather flow

We are continuing to work with key stakeholders to review the environmental, technical and economic aspects of these three options. We have made an allowance within the PAR for costs associated with the highest cost solution at this time.

13.0 Benefit Cost Ratio and Outcome Measure Score.

13.1 The preferred option (1 in 200 year with precautionary climate change) has a benefit cost ratio of approximately 3.5. Under current arrangements the scheme will need to compete with other flood defence projects elsewhere in the country.

- 13.2 As part of this process we calculate an outcome measure (OM) score and this is used in prioritising the allocation of funding. The score is based on a number of factors including benefit cost ratio and contribution of the scheme to delivery of national targets, for example properties moved from a high to medium flood risk category. Scores are also relative to the present value cost of delivering the scheme.
- 13.3 The OM score for the preferred option is quite low. An increase in scheme costs and subsequent reduction in the OM score could impact on the schemes likelihood of receiving funding.

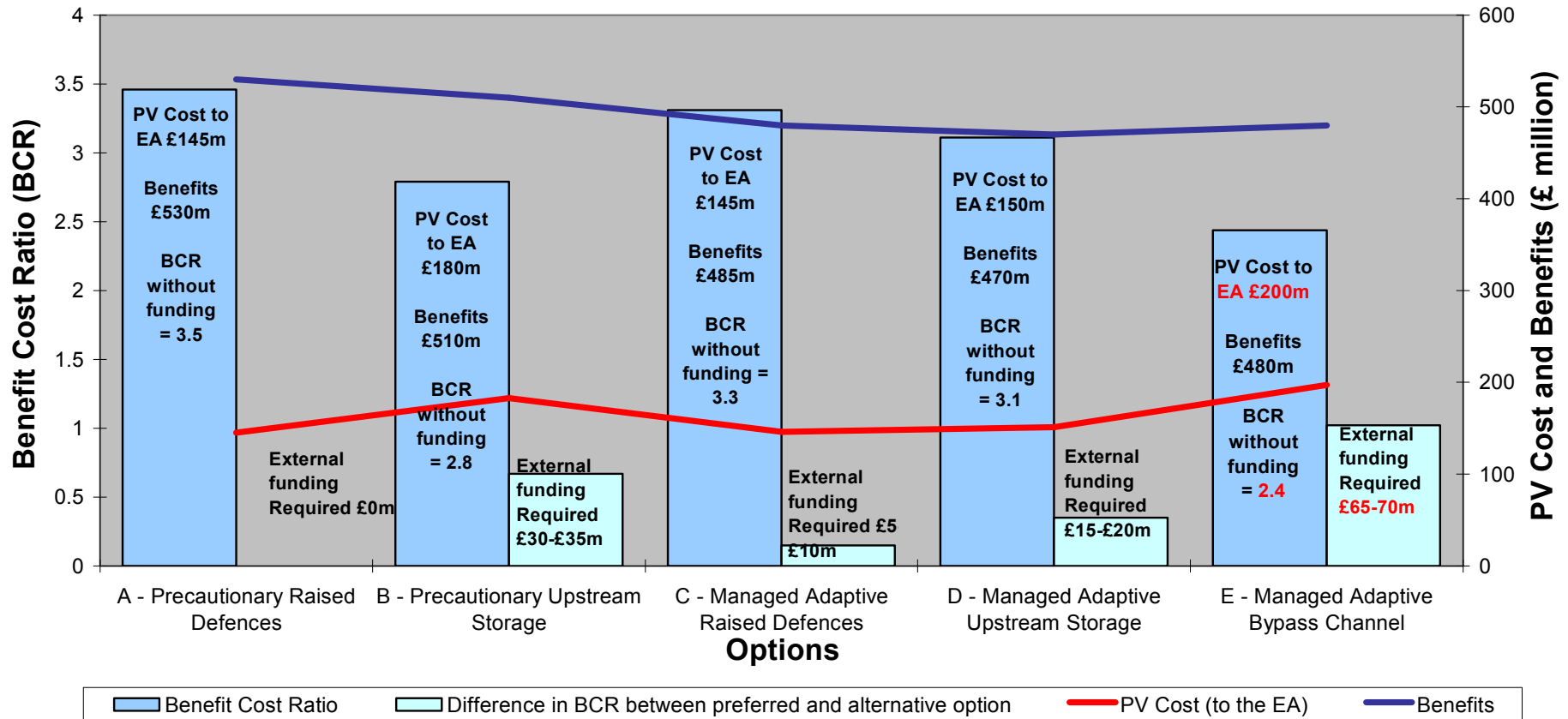
14.0 Confirmation of Our Preferred Option.

- 14.1 Our preferred option which would form the basis of an application for funding is the provision of a 1 in 200 year (0.5%) flood standard of protection with a precautionary approach to climate change. We would provide this standard using raised defences.
- 14.2 We suggest that we proceed with submission of the PAR with our preferred option as outlined above and a statement from LCC that they support the scheme with either our preferred option or an alternative option with a managed adaptive approach to climate change. We would also outline the concept of an alternative option. We envisage that an alternative scheme is one that would not necessarily provide the best value for money in accordance with appraisal guidance but is perceived to have additional benefits in terms of the wider regeneration and development plans for Leeds. Figure 1 illustrates some of these alternatives in relation to our preferred option
- 14.3 We would find it difficult to promote a 1 in 100 year standard of protection due to the significant reduction in benefit cost ratio.
- 14.4 To help achieve approval of the business case and subsequent funding of an alternative option, we need commitment from Leeds City Council that they would secure external funding at a level that would deliver an equivalent benefit cost ratio as our preferred option identified in accordance with appraisal guidance. Figure 2 illustrates the decision process for establishing a proposed standard of protection.

Figure 1: Environment Agency Preferred Option compared to Alternatives

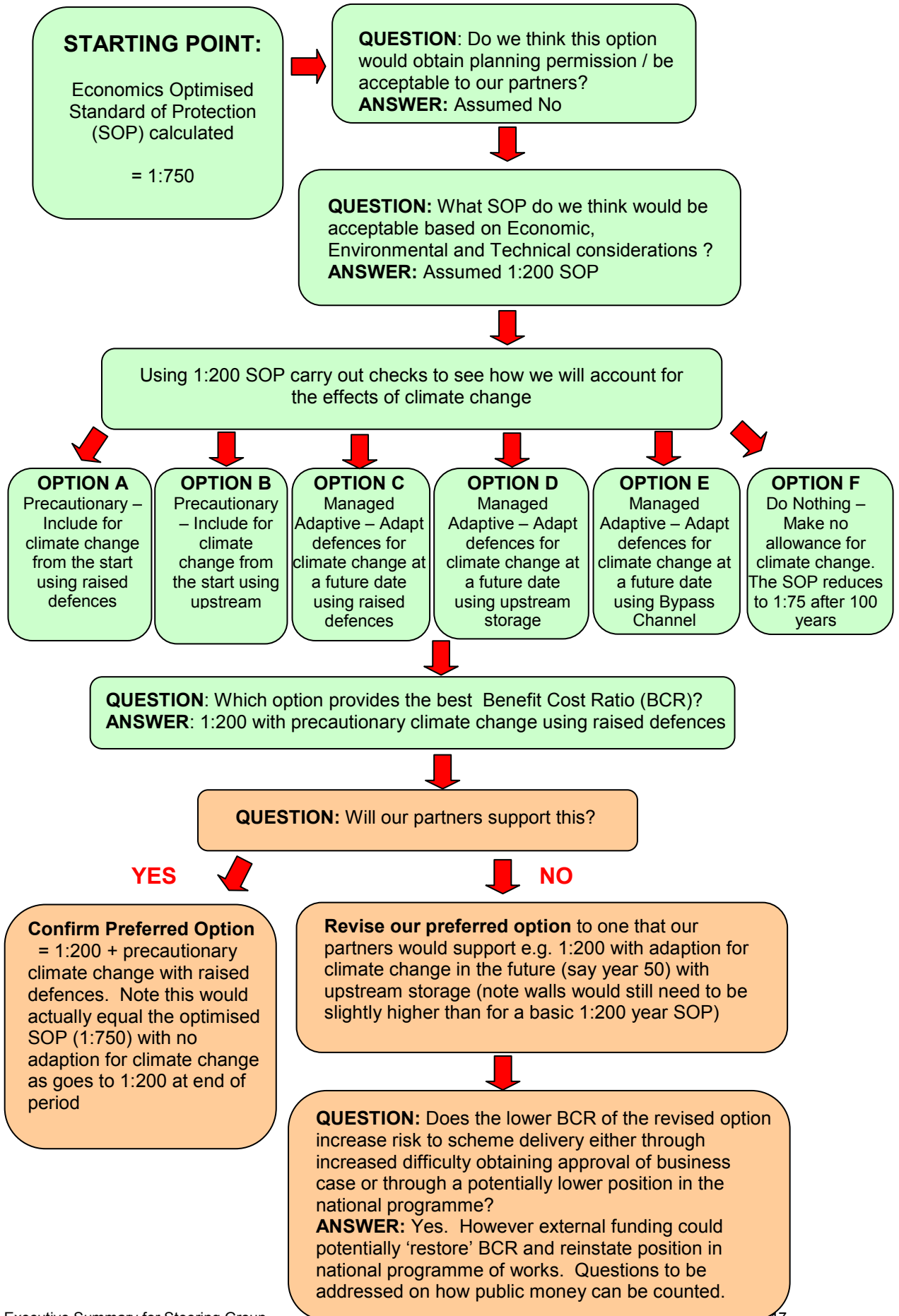
Figure 2: Decision Process for Leeds Flood Alleviation Scheme Standard of Protection

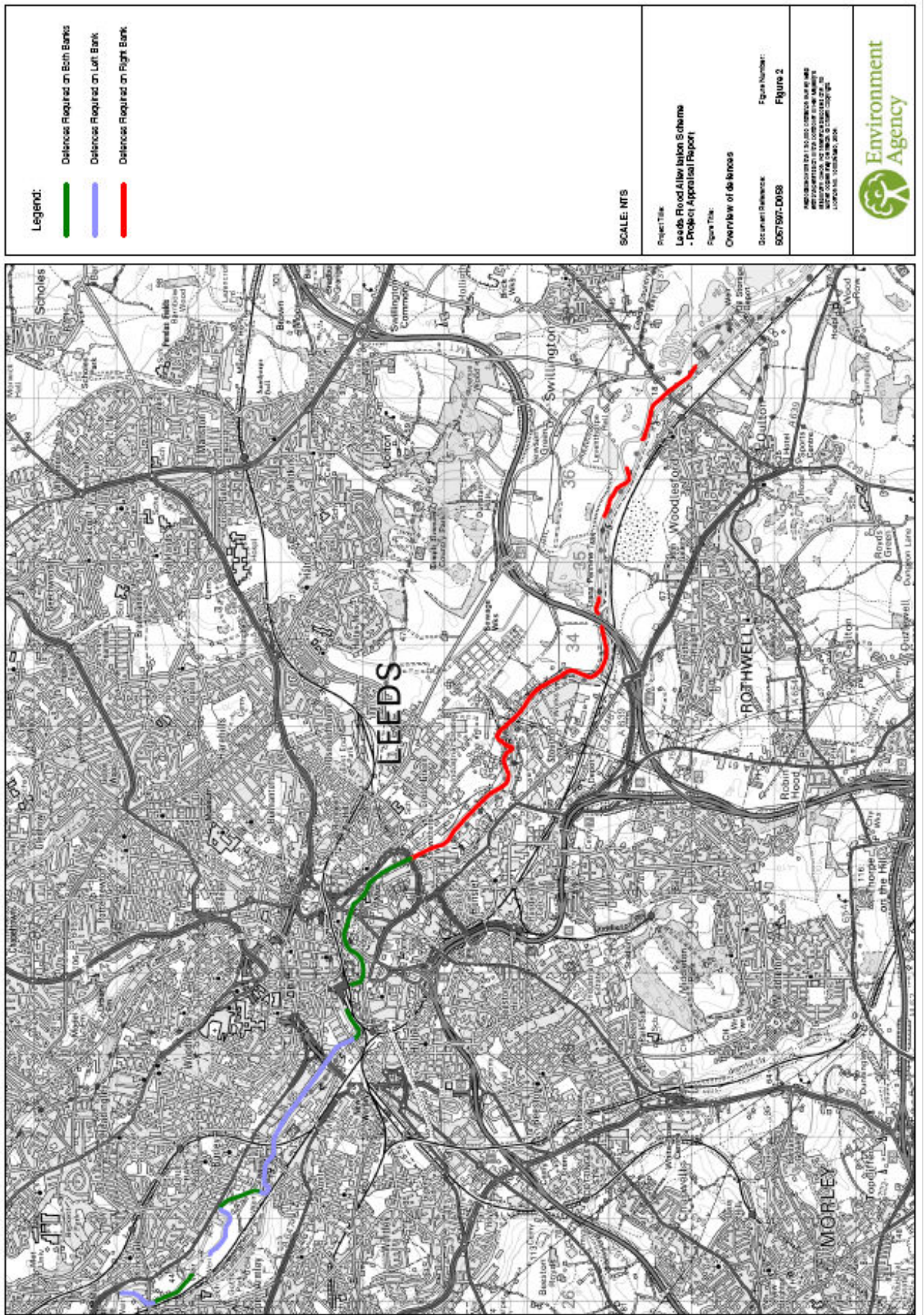
Comparison of Environment Agency Preferred Option with Alternative Options



Notes:

1. PV = Present Value
2. CC = Climate Change
3. Option E costs are based on a high level cost approximation.
4. External funding required is calculated as the contribution needed to achieve an equivalent Benefit Cost Ratio as the Environment Agency's preferred Option.





Notes:

1. We are currently carrying out an internal review of the PAR and therefore there may be changes to figures from those shown in this executive summary.
2. We have prepared this executive summary to address specific concerns and queries raised by the Steering Group. It is not the executive summary that we will submit as part of the PAR as this is required in a specific format with specific content and would have provided insufficient or in some instances inappropriate information. A copy of the executive summary submitted to NRG as part of the PAR would be available for information after the 24th August 2009.
3. The likelihood of a particular flood happening is best expressed as a chance or probability over a period of 1 year. For example, if there is a 1 in 100 chance of flooding in a given year, this can also be described as having a 1% chance of flood each year. As such, if a flood occurs, it does not mean that another flood will not occur for 99 years.
4. The Environment Agency / Arup report on the By-pass option is still in DRAFT status and has not been formally approved.
5. This Executive Summary will be issued in DRAFT format on the 7 July 2009 and will be presented at a meeting of the Steering Group on the 13 July 2009. We will issue a FINAL version following discussion of comments.

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Report of the Chief Economic Development Officer

Executive Board

Date: 26 August 2009

Subject: The Agenda For Improved Economic Performance

Electoral Wards Affected:

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for call in

Not eligible for call in (details contained in the report)

1.0 Purpose of this report

1.1 To gain approval from the Executive Board to go out to formal consultation with the draft "Agenda for Improved Economic Performance".

2.0 Background information

2.1 The current strategy was produced by the Leeds Initiative Leeds Economy Partnership and published in 1999. It was then expected to have a life of about 5 years. There have been many changes, both political and economic during this period and in early 2008 it was felt that it was the right time to carry out a review of the old strategy at that time. The current economic crisis has given added impetus to this work. Yorkshire Forward was keen to see new strategies produced for cities and has supported the new one for Bradford and the one being prepared for Sheffield.

2.2 To this end it was decided to begin working toward a new strategy to be launched in 2010. A sub group of the Economy and Skills partnership was formed to steer the process and consultation meetings were held around three specific themes of Great Place; Competitive Business; and Skills. These have fed into the process of writing the "Agenda for Improved Economic Performance".

2.3 Presentations on work undertaken have been made to Leeds Initiative Economy and Skills Partnership and council officer groups for guidance and comment. The draft for consultation that the Executive Board is being asked to approve today is the result therefore of considerable deliberation and comment.

3.0 Main issues

- 3.1 Early in the process it was concluded that the council and local strategic partnership already have enough strategies. Therefore what was needed was something that could tie these together, be more flexible and would be able to be continually renewed. The term “Agenda” was used and the document became known as “The Agenda for Improved Economic Performance”. The appendices to the agenda document are available on request (from the clerk named on the Executive Board agenda front.)
- 3.2 The purpose of the Agenda is to provide a shared vision and a common message for economic prosperity across the city; to help align resources and existing strategies and to prioritise the work that needs to be done in a time of limited resources and partnership working.
- 3.3 The review of the last strategy began in early 2008 and an initial scoping exercise was undertaken. Consultation forums with key stakeholders were held in October 2008 and the drafting of the document started in January 2009. If approved at Executive Board the formal consultation will begin towards the end of August and will last for 3months, finishing at the end of November. Any amendments will then be made before seeking final approval for launch of the document in January 2010.
- 3.4 Considerable debate has been taken on the proposed approach, especially with the onset of the recession half way through the process. However, it was concluded that despite the economic turbulence our three objectives; competitive businesses, great place and skilled people would still be vital for prosperity no matter how the economy is structured like after the recession.
- 3.5 Consideration was also given to the relationship between economic objectives and the city’s regeneration strategy and although regeneration is seen as an important factor, it is felt that the emphasis for this document needed to be around competitiveness, productivity, and growth to successfully contribute to the “Going Up A League” objective of the Vision for Leeds.
- 3.6 The focus of this agenda is therefore 'improved economic performance' which will result in increased prosperity. This must be sustainable – environmentally and socially, as well as in economic terms. In all that we do, therefore, the impact of our ecological footprint, our focus on ‘narrowing the gap’, building a more cohesive community and valuing our diversity, is crucial.
- 3.7 Our emphasis is on the competitiveness agenda and improving economic performance. Neighbourhood regeneration, tackling economic and social exclusion is important to the economy of the city and whilst this agenda focuses on economic competitiveness and productivity, it understands and recognises the many important factors that influence our economic development and how economic performance contributes to our Narrowing the Gap agenda.

- 3.8 Our Agenda has been developed in two parts, the first is the description and analysis of the economy (The Leeds story). There is then a second half which is the action/delivery plans, or what we actually intend to do.
- 3.9 The story has been kept as concise as possible:
- I. Where have we come from;
 - II. Where are we now;
 - III. Where do we want to be;
 - IV. And how can we get there.
- 3.10 Where we have come from: The history of Leeds tells how throughout its economic history Leeds has been a city of diversity, innovation, creativity and enterprise. A flexible city, capable of adapting to new economic challenges, whether these be global, national or local, and which has continued to thrive despite adversities.
- 3.11 Where we are now: Leeds at the beginning of the 21st Century has built upon the fortunes of its past to become one of the most successful economies in the UK, and to be recognised as the regional capital of Yorkshire and the Humber. Yet, this is not the full story, the City. There are still areas of disadvantage and ‘narrowing the gap’ between the haves and have nots must be as much a priority as ensuring the economy is successful. Despite recent successes, the economy is still not performing to it’s full potential compared to many other European cities. The chapter outlines our current strengths, weaknesses and opportunities.
- 3.12 Where we want to be: Our vision is of course the ‘Vision for Leeds’; “an internationally competitive European city at the heart of a prosperous region where everyone can enjoy a high quality of life”. However in delivering this, a vision is needed for the economy itself and the Agenda will aim to deliver a diverse, flexible, innovative, creative and entrepreneurial economy, which is our **Golden Thread**, and based on the values of sustainability and inclusivity. It will ensure that the city is well placed to adapt to any changes in the local, national and global economies and that we will be able to face new challenges and continue to prosper as a united city.
- 3.13 How can we get there: Economic prosperity has historically been driven by a combination of employment growth and productivity growth. For Leeds to be a successful economy of the future increasing current levels of productivity is essential. The Government identifies five drivers of productivity - Investment, Skills, Innovation, Entrepreneurship and Competition. These will provide the foundation for the three key objectives of this strategy; **Great Place, Skilled People, Competitive businesses**. The Agenda also sets out how the economy will be measured in the future and how it will be delivered through it’s action plans.
- 3.14 A full **sustainability appraisal** was carried out in July and the initial findings are included as Appendix 5. The appraisal aimed to ensure the document is considered sustainable in it’s widest sense and that it reflects the changes in the world economy and environmental concerns.
- 3.15 A full **consultation plan** is attached, this includes a programme of who will be consulted and how.

4.0 Implications for council policy and governance

4.1 The document will eventually be adopted as a formal council and Leeds Initiative policy.

5.0 Legal and resource implications

5.1 There are no legal implications, however there will be possible resource implications for the council and its partners and these will be developed further as the action plans are developed. Some projects have already been agreed and resources committed.

6.0 Conclusions

6.1 The economy is at the forefront of the public consciousness today and a new agenda setting out Leeds' approach to economic prosperity is critical to guide future priorities and help shape the Leeds economy.

6.2 If approved for consultation, it is expected that the formal strategy will be launched in early 2010 following approval by Full Council and the Leeds Initiative.

7.0 Recommendations

7.1 The Executive should make comments as they see fit on the approach to the "Agenda" and any changes they would like to see made and approve the document for a formal consultation process.

Background Papers

There are no background papers.

The Agenda

FOR IMPROVED ECONOMIC PERFORMANCE

THE GOLDEN THREAD

DIVERSITY
FLEXIBILITY
INNOVATION
CREATIVITY
ENTERPRISE

Our agenda....

... in changing economic times, is to maintain and improve our assets, develop our strengths, take advantage of new opportunities and tackle areas of under-performance so that we can improve the economic performance of the city.

What we want to be...

An innovation driven city, where diversity, inclusivity, excellence and high quality are the norm.
A sustainable city, resilient and adaptable to change – be it economic, social or environmental.

To achieve this we need...

Leeds to be a **great place** with **skilled people** and **competitive businesses**.

These therefore form the key themes of our agenda. Our economic success depends on competitive businesses, on creating a great place and on skilled people and these three factors are, of course, interdependent. For each of these key themes we have set out action plans to match our ambition and show how we will deliver progress in the future.

Pulling these themes together is the **'golden thread'** of diversity, flexibility, innovation, creativity and enterprise, which is both our USP and our vision. These are the strengths on which our economy depends.

We've got work to do...

- developing and promoting Leeds as a City of Enterprise
- making more of our key assets – innovation, global networks and flagship projects
- improving the employability of residents and connecting the skills agenda with the needs of employers
- creating the kinds of physical environments and connectivity between places to enable the economy to flourish in all areas of the city and the wider city region
- implementing the City Centre Vision and developing the potential of the 'rim' of neighbourhoods and communities surrounding the city centre

Our emphasis is on the competitiveness agenda and improving economic performance. Neighbourhood regeneration, tackling economic and social exclusion is important to the economy of the city and whilst this agenda focuses on economic competitiveness and productivity, it understands and recognises the many important factors that influence our economic development.

This agenda aims to ensure that all partners with a stake in improving the economic performance of the city work to a common set of priorities.

Contents

1. **Setting the scene – in difficult times...**
2. **Leeds: a history of diversity, innovation and enterprise**
3. **Leeds at the beginning of the 21st century**
4. **Leeds 2020 and beyond: a networked city at the heart of the city-region; the need for transformation**
5. **How do we get there – the drivers of productivity and of change**
6. **Our key objectives:**
 - a great place
 - skilled people
 - competitive businesses
7. **Delivering the agenda – implementation, monitoring and review**

Appendices

- 1) Action plans
- 2) Economic assessment
- 3) Performance measures
- 4) Policy context
- 5) Sustainability appraisal

I. Setting the scene – in difficult times

Leeds is one of the largest cities in the country and the regional capital for Yorkshire and the Humber. We have been an economic success story in recent years, building on an already thriving place to take advantage of economic opportunities and drive the city forward. Between 1996 and 2006, more jobs were created in Leeds than any other city in the country. This has taken place in a period of unprecedented national economic growth and our previous strategies, plans and partnerships have played an important role in the city's success.

The last economic strategy for Leeds was prepared in 1999 and was due for a review. However, as we have become all too painfully aware, the international economic environment has changed dramatically. What looked, initially, like a downturn quickly turned into a national and global economic recession, one of a different kind from those experienced in the previous 50 years. This document is being written at a time of economic turmoil in the UK and across much of the world. Few analysts feel able to judge the severity and the long term impact of the recession on our city: if anything, the recession emphasises that many events are outside our control and the importance of understanding what we can and cannot influence.^{1 2}

Above all, the changed environment and the uncertainties it brings demonstrate that now is not a time for inaction locally. We have therefore taken stock of the Leeds economy, our role in the region and the means at the collective disposal of the public, private and third sectors in Leeds. There are measures to be taken, for the short term and for the long term; in other words, an agenda of things to do.

The term 'agenda', rather than a 'strategy' or a 'five-year plan', is a deliberate choice. It conveys a shared set of concerns and priorities, an agenda that will be worked through by forum of key decision makers representing those organisations which have a stake in the economic well-being of Leeds. That forum is the Leeds Economy and Skills Partnership – an inclusive network of organisations drawn from across the public, private and third sectors.

Our work in developing this *Agenda for Improved Economic Performance* has led us to conclude that our broad approach over the past decades has been the right one. Current circumstances may well mean that our tactics and immediate priorities need to reflect the changed UK and world economy. But for our continued prosperity, and to share the success across communities and between rich and poor, we do need continued economic growth; not growth for growth's sake, but the right sort of growth to enable a better quality of life for all. 'Smart growth' is the fashionable term much used in the United States to describe this kind of growth; in the UK we might say 'sustainable growth'.

¹ Impact of the Recession, EKOSGEN and EDAW:AECOM, Yorkshire Cities 2008

² Index of Economic Resilience, EKOSGEN and EDAW:AECOM, Yorkshire Cities 2009

³ Communities and Local Government Economics Paper 1: A Framework for Intervention 2007

The essential and principle features of our approach have been to foster the conditions in which economic activity can flourish.³ The Leeds way of working is collective leadership and partnership, alert and ready to improvise, learning by doing, weighing up opportunities, guiding rather than directing. The alternative approach – trying to manage and control, predict and provide, pick ‘winning’ sectors or businesses, avoiding risks and never making mistakes – would be self-deluding, especially in today’s volatile economic environment. The size, shape and complexity of the Leeds economy and the nature of the economic linkages with places around us mean that we do not have the systems for precision engineering our economic destiny.

Step back from the news headlines of falling output, rising unemployment, company closures and all the other distressing indicators and we need to recognise that there is still a large and functioning economy here in Leeds. A drop in output of, say, 3% still means that 97% of the economy is still producing; a rise in total claimant unemployment obscures the monthly flows off the claimant count of people who find another job. Leeds has close to half a million jobs in the city but currently unemployment is rising steadily. After 16 years of consecutive growth, recent events have been profoundly shocking, heralding new economic and fiscal arrangements. But a sense of perspective is necessary: Leeds is still open for business.

The focus of this agenda is therefore ‘improved economic performance’ which will result in increased prosperity. This must be sustainable – environmentally and socially, as well as in economic terms. In all that we do, therefore, the impact of our ecological footprint, our focus on ‘narrowing the gap’, building a more cohesive community and valuing our diversity, is crucial.

Our economy must be resilient and able to respond quickly and effectively to the shocks and challenges which will undoubtedly come but which we cannot easily predict. We believe our strength will particularly come through our values of partnership working, diversity and a shared vision. Our vision is set out in the Vision for Leeds as: *“an internationally competitive European city at the heart of a prosperous region where everyone can enjoy a high quality of life.”*

Without a strong and successful economy we can not achieve this vision. We have had many successes and enjoyed considerable achievements over the past 20 years. But much remains to be done and the world is an increasingly competitive place. It is no longer good enough, for example, to have a skilled workforce, good infrastructure and productive businesses. These are attributes that more and more places across the globe share. Successful economies of the future will be about enterprise⁴, innovation^{5 6} and creativity⁷; about networks⁸ of business, people and places and partnership working. We believe this is where Leeds has a competitive advantage.

There is a story to tell about Leeds’ economic history, about our position at the beginning of the 21st century and our future. It is necessary to understand our strengths and weaknesses to ensure we are best placed to face the future.

³ Communities and Local Government Economics Paper 1: A Framework for Intervention 2007

⁴ Enterprise: Unlocking the UK’s Talent, HM Treasury 2008

⁵ Competing in the Global Economy: The Innovation Challenge, DTI Economics Paper No.7 2003

⁶ Innovation in Services, DTI Occasional Paper No.9 2007

⁷ The Rise of the Creative Class, R Florida, Basic Books 2002

⁸ Network Capital: An Expression of Social Capital in the Network Society, M Acevedo, Journal of Community Informatics Vol.3 2007

What follows is an overview of:

- **Where we have come from:** a reminder of our economic history
- **Where we are now:** a description of our economy at the beginning of the 21st century based on our economic assessment and our position at the heart of the Leeds city region.
- **Where we want to be:** our vision for the Leeds economy.
- **How we get there:** the drivers of economic growth, what our objectives are and an action plan to achieve these.

Through this document we want to develop a common message that will be taken and used by all our partners across the city. Based around our three key themes and the 'golden thread' we want our vision for the city to be shared by all the residents, entrepreneurs and investors who combine to make this city a great place to live, work and do business.

For improved economic performance and a resilient economy we need a diverse economy which is a **great place with skilled people and competitive businesses.**

These are the key themes of our agenda. They are bound together by the '**golden thread**' of diversity, flexibility, innovation, creativity and enterprise. It is this 'golden thread' that holds the economy together in its partnerships and networks and has led to a thriving city that has met every economic revolution head on and continued to grow.

Leeds is a city that has adapted to change and prospered. The 'golden thread' should continue to be our guiding light in the future. However there are also two other themes that our agenda must meet: those of **sustainability** and **inclusivity**. These have often been overlooked in the past but must now form a cornerstone of our future economy.

We face major challenges of global competition, resource constraints, climate change and demographic change. We cannot predict the future but we can be prepared by helping to shape an economy that is resilient and flexible and that can adapt to the changing needs of business and people.⁷ What you will read in this document is how we intend to do this by strengthening the 'golden thread' and ensuring Leeds continues to be a leading European city.

⁹ Complex Systems Thinking and New Urbanism, T Irene Sanders in New Urbanism and Beyond: Contemporary and Future Trends in Urban Design, Tigram Haas(ed) Rizzoli 2008

2. Leeds: a history of diversity, innovation, and enterprise

Throughout its economic history Leeds has been a city of diversity, innovation, creativity and enterprise. It has been able to adapt to new economic challenges, whether these have been global, national or local. And, despite times of adversity, it has continued to thrive.

Since the city's Charter was granted in 1207, adaptation and innovation have provided the means by which the city could prosper and expand to lead the region. Much of this was driven by its success in both the clustering and diversification of trades throughout the city.

Arguably the greatest transformation in the city's economic fortunes came as a result of the Industrial Revolution when the city expanded rapidly. Leeds had a population of just 30,000 at the beginning of the 19th century; by 1840 its population had reached more than 150,000. The city's growth was made possible by a series of major transport improvements: in 1704 the Aire became navigable to Leeds; the Leeds Liverpool canal, started in 1770, was finished in 1816; by 1848 Leeds had railways along all major routes.

Accounts from this time show a city convinced of its talents as a centre for enterprise and merchant venturing. Whilst Leeds owed much of its prosperity to the textile industry it was never exclusively a woollen town. By the early 1800s, Leeds was home to a wide range of manufacturing and engineering industries encouraged to locate in the city by good transport links and the supply of cheap coal from nearby collieries. At its peak in 1911, there were 102 collieries and 5,000 miners in Leeds, mainly centred around Middleton and Micklefield.

The early 1800s saw the real beginnings of leather working in Meanwood Valley and Kirkstall with eight leather fairs taking place each year. With improved access, small local tanneries declined in favour of larger all-stage processing works and Leeds became the most important centre for leather working outside London.

It was in fact the diversity of the Leeds manufacturing base that ensured that the city was protected from the worst of the later economic downturns that so heavily damaged many other towns in the UK, which had founded their wealth on a single industry. Alongside the city's industries, financial and legal practices flourished. The opening of an office of the Bank of England in Leeds in 1827 was further recognition of the city's economic importance and an endorsement of its position as the financial capital of the North.

As the numbers of banks grew, they moved from the Kirkgate area towards the current financial district, congregating in Park Row. In 1806 the Leeds Guide described Albion Street as: *“new and well built ... perhaps the pleasantest in the town ... the houses ... are remarkably well built and are chiefly inhabited by professional gentlemen as no retail shops are allowed.”* The area was the centre

of the legal services industry in Leeds before many lawyers moved their practices to Park Square, eventually spawning one of the largest financial and legal sectors outside of London.

Similarly, the service sector has been well served by the strength of retail in Leeds. Kirkgate Market provided the birthplace of Marks & Spencer 100 years ago. Through hard work, creative determination and innovation, the company came to dominate the high street. A key feature of this sector has been the strength of the city centre as the region's main commercial and administrative centre, with a quality of building environment to match this role. The legacy of this investment is still with us today as the city has some of the finest covered Victorian retail arcades in the country.

Leeds officially became a city in 1893. By the turn of the twentieth century, Leeds was being described as the 'city of a thousand trades' and was now the fourth largest city in England, having expanded its geographic reach in all directions from the city centre. It was recognised as having one of the most balanced and diverse economies within England. It was seen as a city keen to capitalise on its achievements with a new town hall, a civic hall, a court house and other public facilities providing powerful symbols of the city's position and prosperity.

The city also had numerous banks, a businessman's exchange, a chamber of commerce, several building societies, solicitors, accountants, insurers and the Leeds Stock Exchange. The town centre became a commercial centre for retailing and offices. Meanwhile, the hospitals established international reputations as major medical centres. Much of the progress made then provides the foundation for the modern city of Leeds.

Keen to be at the forefront in terms of innovation and learning, the city had also become a centre of study and teaching. The Yorkshire College of Science and the Medical School merged to form the University of Leeds in 1904. The then Leeds Corporation, keen to widen education opportunity further to help the city flourish established the Colleges of Technology, Art, Commerce and Education, later to be fused into Leeds Polytechnic. In 1992 this became Leeds Metropolitan University, the city's second major university. The universities are complimented by various further education institutions such as Leeds City College, the College of Art and the College of Building.

Since the end of the second world war and particularly since the fifties, employment in Leeds (as has happened nationally) shifted from manufacturing to service industries. Between 1951 and 1973, 37,000 jobs were lost in manufacturing whilst 32,000 were gained in the business and service sectors. In 1974, local government reorganisation increased the area of Leeds to 211 square miles and the population by 50%.

Throughout the 1980s and 1990s employment in manufacturing continued to decline, although productivity in the sector increased. At the same time employment grew in the service sector, particularly financial and business services, public administration and distribution, keeping overall employment levels in Leeds higher than national averages. Again, it demonstrated the city's ability to be flexible and adaptable throughout challenging economic times.

Leeds has a long history of media innovation, with the first motion picture film being shot in Leeds at Roundhay and on Leeds Bridge by Louis Le Prince. The first colour television studios in Europe arrived on Kirkstall Road in 1968 with Yorkshire Television helping to establish Leeds as the centre of the region's media industry. Like all others, this industry is subject to rapid change and the recent decision to close the studio reflects the constant pressure from global economic change. Notwithstanding the immediate difficulties this presents, the presence of YTV in Leeds, together with companies such as Freeserve, which revolutionised internet provision, has played an important role in the development of the city's burgeoning digital media industry.

In the final decade of the 20th century Leeds emerged as a well-connected, major financial centre, able to attract national and international organisations, with employment increasing in the sector by over two-thirds. At the same time Leeds has continued its long tradition of fostering a diverse economy, with strengths in healthcare, creative industries, leisure and retail. The physical transformation of the city centre, with massive investment in property, leisure and business has supported this growth.

Leeds has always been a city which has encouraged, nurtured and promoted enterprise. Even as the wool trade declined and the mills along the river fell into disuse, new ideas emerged to take their place and ensure that the city reinvented itself and maintained its position in global commerce. With its rich history, diverse economy, creative and enterprising people and cosmopolitan atmosphere, the city has never rested on past glories and has always been conscious of the dangers of becoming complacent.

These factors have enabled Leeds to develop into a city of regional, national and growing international importance. The *Agenda for Improved Economic Performance* aims to ensure the city retains and builds upon this position.

3. Leeds at the beginning of the 21st century

Leeds has built upon the fortunes of its past to become one of the most successful economies in the UK and is recognised as the regional capital of Yorkshire and the Humber. Yet this is not the full story: there are still areas of disadvantage and narrowing the gap between the 'haves' and 'have nots' must be as much a priority as ensuring the economy is successful. Despite recent successes, the economy is still not performing to its full potential compared to many other European cities.

The city's key assets and strengths are:

It's status as the regional capital

Leeds is the largest centre for employment in the region, accounting for a quarter of all jobs created in Yorkshire and the Humber over the last ten years and 42% of job growth within the city region. Long term projections suggest a continued growth in the economy, but the effects of the recession threaten a short term contraction.¹⁰ Leeds is also a major contributor to the Yorkshire and Humber economy, accounting for 20% of the region's Gross Value Added.

As the regional capital, Leeds is the centre for regional government, with the headquarters of regional development agency Yorkshire Forward and Government Office Yorkshire and Humber located in the city. The city is also a major centre for private business and for specialist services. There are 53 companies and public sector organisations based in the city which employ more than 500 people.

Leeds and the surrounding city region is the driving force within the regional economy. The Leeds city region brings together 11 local authorities – Barnsley, Bradford, Calderdale, Craven, Harrogate, Kirklees, Leeds, Selby, Wakefield, York, and North Yorkshire County Council – and is home to nearly two thirds of GVA, population and employment in the Yorkshire and Humber.

With a population close to three million, a resident workforce of 1.5m, over 100,000 businesses and an economy worth £46bn per year, the Leeds city region is also the largest of the eight Northern Way city regions and therefore a critical economic engine of the North. In terms of the national economy, the Leeds city region accounts for 5% of national GVA, making it a significant player in UK plc. Its status as such was recognised by national government when, along with Manchester, the Chancellor granted the Leeds city region 'forerunner' status, giving it greater autonomy and wider ranging powers over housing, regeneration and economic development. The growing recognition of the need to work across the city region is reflected in the merger of Leeds Chamber with York and North Yorkshire Chambers.

¹⁰ Twenty-first Century Leeds: Geographies of a Regional City, R. Unsworth and J. Stillwell (eds), University of Leeds 2004

The Leeds City Region 'Forerunner'

Chancellor Alistair Darling announced in his April 2009 budget speech that the Leeds City Region had become one of the Government's forerunner city regions.

The Challenge

The country faces a challenge in overcoming the impact of the global credit crisis and the associated economic downturn. The need for innovative solutions has come to the fore. Both at a national and international level, unprecedented action is being taken to restore confidence in the financial markets and the wider economy. However, action is also needed at the local and regional level where businesses operate and communities live their day to day lives.

For that reason, the Leeds City Region Partnership has welcomed forerunner status which will enable the partnership to develop a framework of innovative programmes to address the impact of the recent economic downturn.

The Plan

The Leeds City Region Forerunner Plan comprises a set of four proposals which will change the way local government operates, enabling city region authorities working with partners to accelerate the economic recovery and minimise the impact of the downturn. These proposals include devolved responsibilities and funding in the delivery of:

- housing and regeneration
- innovation support
- higher level skills provision

In addition, the partnership has proposed piloting innovative delivery mechanisms such as Accelerated Development Zones, which have the potential to unlock significant growth in major regeneration areas across the city region. These proposals have been welcomed by our partners, including Yorkshire Forward and the Homes and Communities Agency.

Leadership

The city region partnership will take forward new freedoms and flexibilities granted by central government, enabling it to provide the economic leadership needed to minimise the downturn and accelerate economic growth in the recovery. Through its pilot programme, the partnership will seek to gain:

- greater control over housing funding to enable fast-tracked delivery of key sustainable housing developments across the city region, in particular, the partnership is asking for city region control of funding to facilitate the development of urban eco-settlements proposed in the Aire Valley Leeds and the British Sugar site in York
- control over innovation funding to support businesses and entrepreneurs evolving through the downturn
- greater influence over skills funding to ensure that skills provision meets the needs of city region businesses
- the piloting of new mechanisms for financing infrastructure and regeneration, starting with a pilot of an Accelerated Development Zone in Aire Valley Leeds

A diverse economy

Leeds has one of the most diverse economies in the UK, with strengths in a range of sectors, including financial and business services, creative and digital industries, public services, healthcare, retail and manufacturing. In 2008, the city was the largest centre outside London for financial and business services, printing and construction, and the second largest for manufacturing, wholesale and retail distribution and personal services. Leeds is also the third largest city in the UK for the media industry.

The performance of the financial and business services sector since the early 1990s has been exceptional, with both employment and business stock increasing by 29% since 1998.¹¹ Despite the recession, the fundamentals of the sector in Leeds are considered to be intact. The city is also developing expertise in emerging sectors such as: digital industries; healthcare and medical; environmental goods and services; and the knowledge economy.

Within and across sectors, the business culture of Leeds has been to use networks and to form partnerships where there is a common interest in strengthening overall performance. This can be seen in the success of sector support organisations such as: Leeds Financial Services, Leeds Media and Leeds Property Forum.

Skills and innovation

Leeds is the second largest metropolitan district in England, with a population of 760,000. It acts as an employment magnet with approximately 443,600 people employed in Leeds and significant numbers of these drawn from outside the district. The city is therefore able to draw on relatively high levels of labour force skills and knowledge from within the city itself and from the wider region.

There is also a bank of knowledge, research and innovation in the city's two main universities and teaching hospitals. In terms of higher and further education, there are approximately 66,000 degree students, and Leeds is the second largest provider of further education in England.¹² Leeds NHS Trust is the largest in the UK, with St James's University Hospital being the largest teaching hospital in Europe. Research highlights Leeds as an area with a substantial R&D intensive concentration with a strong focus on medical research, business expertise and collaborative approaches.¹³

A thriving city centre

The city centre has seen a dramatic transformation over the past twenty years. Today, Leeds city centre is a thriving, multi-functional and accessible city centre which acts as place to work, live and relax. Over the past decade it has seen major property investment, totalling around £2.2bn. Schemes have varied, from mixed use to offices, housing and leisure, all of which have changed the landscape of the city centre and edged it closer to becoming an internationally recognised

¹¹ The Future of the Financial Services Industry in the Leeds City Region, Deloitte, Yorkshire Forward and LFSI 2009

¹² Impact of Higher Education Institutions in Yorkshire and the Humber, Yorkshire Universities 2008

¹³ Major Innovation Assets in the North of England, SQW, Northern Way 2008

destination. Uniquely, despite such large scale development, the city centre has successfully retained and adapted its extensive built Victorian and Edwardian heritage.

Critically the city centre is also a key component of the Leeds economy, accounting for nearly a third of the district's employment and attracting increasing numbers of commuters year on year. It is one of the UK's leading retail destinations because of its leading fashion and retail mix, complemented by commercial leisure and cultural facilities which round out a sophisticated offer.

In the current climate, the pace of physical investment by the private sector in the city centre has slowed down. Although some projects have been shelved, others are continuing over lengthened construction programmes and developers remain firmly committed to the flagship Trinity Leeds and Eastgate Quarters retail schemes. The momentum in Leeds is unlikely to be as adversely affected by the correction in property values compared to cities where investment started much later and had less time to get established.¹⁴

Major development and regeneration projects

In order to be successful Leeds must continue to adapt and develop. In recognition of this fact, the city continues to progress long term development and regeneration schemes. These include:

Aire Valley Leeds, one of the most significant areas (1,000 hectares) of new investment and employment opportunity in the Yorkshire and Humber region. The area also offers opportunities for residential and leisure development, linked particularly to the waterfront. Fully developed, the area has the potential to create up to 29,000 jobs.

Holbeck Urban Village, a new business and residential community, focused on creative and digital media. It is anticipated that the urban village will provide a vital link between the city centre and surrounding communities, complementing existing facilities, and providing new facilities where these are missing.

East and South East Leeds regeneration programme, which takes a housing market renewal-led approach to delivering physical, social and economic regeneration.

Leeds Bradford Corridor, where collaboration between the two cities has the potential to combine resources to deliver strategic employment and housing locations over the next ten to 15 years.

Quality of life

One of Leeds' great assets is its quality of life offer. Leeds is not just about its city centre: over two thirds of the Leeds district is open space, public parks, gardens and green belt. There are 28 town

¹⁴The Credit Crunch and Regeneration: Impact and Implications, M Parkinson, CLG 2009

and district centres, providing a wide range of shops, services, community facilities, residential areas of character and employment opportunities. The diversity of these settlements offers a full range of choices to suit different lifestyles and locational preferences.

The cultural, historical, and architectural heritage is well represented by the range of museums, theatres, stately homes and art galleries. The city's major tourist and visitor attractions include: the Royal Armouries, Thackray Museum, Henry Moore Institute, West Yorkshire Playhouse, Grand Theatre (home to Opera North) and Harewood House. A further attraction is the close proximity to four of England's National Parks (the Yorkshire Dales, North Yorkshire Moors, Peak and Lake Districts) and to popular visitor attractions like York, Harrogate and Saltaire.

The visitor economy is increasingly important to the city, with leisure tourism and business tourism supporting 18,938 full time equivalent jobs and worth over £1 billion to the Leeds economy. Tourism also has a key role to play in raising the profile of the city both within the UK and abroad, helping to attract business and investment to the city.

Areas for improvement ...

Despite these assets and sources of strength, there are areas in which Leeds under performs, and addressing these issues is a key concern to delivering the *Agenda for Improved Economic Performance*.

Becoming a competitive European city

In 2006 Leeds appeared for the first time in the prestigious Cushman & Wakefield list of the top 30 European business cities. The most recent survey named the city's office market as number one in Europe in terms of value for money and the city punches well above its weight against a number of other indicators. These include cost and availability of qualified staff, access to markets, quality of telecommunications and transport links with other cities. However, the Cushman & Wakefield report and other studies show that our economic performance still lags behind that of many other European cities. Statistics show that Leeds, like other English core cities, lags behind its European competitors in terms of innovation levels, education levels, connectivity and social cohesion.¹⁵

Skill levels

The city currently has relatively high adult skill levels and GCSE attainment amongst young people is improving. However, there continues to be a hard core of young people classified as 'Not in Employment, Education or Training'. The landscape of training and skills provision is complex to understand and to manage and it faces further institutional change. This is at a time when economic and social imperatives suggest there is greater need for re-skilling than up-skilling. Partnership-based approaches and flexibility to respond to needs will continue to be necessary to try to achieve coherence in this area.

¹⁵ State of the English Cities, M Parkinson (et al), ODPM 2006

Inequality

Although the position has recently improved relative to the rest of England, there is still extensive multiple deprivation in Leeds, much of which is concentrated in the inner city areas.¹⁶ Despite a long period of employment growth, there are still significant numbers of people unemployed and on Incapacity Benefit. Although both unemployment and benefit claimant figures had been on a downward trend since the mid 1990s, in recent years rates have started to increase and, with the current economic downturn, this trend is likely to continue.

There is also recognition that, for some people, employment is unlikely to provide them with adequate income. In 2008, it was estimated that approximately 18% of employed people in Leeds were on low incomes, an indicator of the levels of working poverty that exist in the city.

Improving enterprise levels

In 2007, Leeds had approximately 24,000 enterprises (VAT registered) making it the third largest employment centre in the UK. Despite this, the city's performance in terms of its enterprise stock, business start up and survival rates is below the national and regional averages:

- over the last decade Leeds has seen a business stock growth of 17%, which is below the national (21%) and regional averages (18%), although it is significantly higher than the Core Cities average of 14%
- Leeds has a business birth rate of 51 businesses per 10,000 resident adult population, again lower than the national average (61) and surpassed by seven other key employment centres.
- in terms of business survival rates, Leeds performs above both the national and regional average for businesses surviving after one year but performs significantly below both the national and regional averages for both three and five year survivals

Self employment rates in Leeds at 10.1% in 2008 are also lower than the regional (11.8%) and national (13%) averages. There is also recognition that these issues are exacerbated in the most deprived areas of the city where there are low start up levels, self employment rates and growth in business numbers. This was acknowledged by the government in 2007 when Leeds was awarded £15.6 million to improved enterprise levels in deprived areas through the Local Enterprise Growth Initiative.

Throughout its history, the prosperity and success of Leeds has been founded on its spirit of enterprise and this needs to be reignited if the city is to continue to thrive and prosper in the future. 'Sharing the Success', the four year Leeds LEGI programme, therefore involves investing over £5 million to create a series of enterprise centres in Harehills, Beeston, Seacroft, Middleton and Armley. This is complemented by enterprise awareness and intensive business support

¹⁶ Index of Multiple Deprivation, Communities and Local Government 2007

programmes within surrounding communities, low cost business loans, grants to stimulate business growth and enterprise learning programmes in schools.

Improving transport connectivity

The economic success that Leeds has enjoyed has come at a cost: as the economy grows, the transport infrastructure has come under pressure with ever-increasing numbers of commuters. In the morning and evening peak periods, the main routes to, from and around Leeds city centre are congested, extending the average journey time and making regular journeys unpredictable.

The road network is operating at or close to capacity. Meanwhile, substantial growth in rail commuting has resulted in many services being overcrowded. The challenge is to cater for accessibility, for the economic benefits to Leeds and to the city region, but doing so sustainably. Innovative approaches have been introduced and proposed and greater flexibility is sought to pursue new solutions.¹⁷

A considerable amount of work is being carried out to improve transport connectivity across the district. Metro and Leeds City Council are continuing to develop proposals for a bus based transit system known as New Generation Transport. This will initially involve three routes serving north, south and east Leeds. The potential for other NGT routes in the future is also being considered, including possible routes to Leeds Aire Valley and West Leeds. Other projects include the A65 Quality Bus Initiative, Leeds Bradford airport link road and the Leeds Rail Growth Package. Further work is also being carried out at the city region level through the new Integrated Transport Authority.

Economic statistics

A full economic assessment has been carried out to help shape the thinking and proposals included in the *Agenda for improved economic performance*. Some of the statistics used are included within the main body of the document but the full data is set out in **Appendix 2**. Some of the data predates the recession and has been included to show broader economic trends. However, where necessary and possible, more recent data is also included to illustrate the scale of the recession and its impact on the economy.

4. Leeds 2020 and beyond: a networked city at the heart of the city region

Leeds has had many successes and considerable achievements over the past 20 years, but much remains to be done. The world is an increasingly competitive place and successful economies in the future will rely more on enterprise, innovation and creativity, nurtured by networks and partnership working (of business, people and places). We believe that Leeds has a distinct competitive advantage in these areas. It is the thread that runs through our drive for improved economic performance, providing the key themes for the agenda.

Without a successful economy it will not be possible to achieve our Vision for Leeds as: *“an internationally competitive European city at the heart of a prosperous region where everyone can enjoy a high quality of life.”*

The Vision for Leeds has three aims:

- going up a league as a city
- narrowing the gap between the most disadvantaged people and communities and the rest of the city
- developing Leeds' role as the regional capital

To help deliver these aims the vision has key eight themes, one of which is 'Enterprise and Economy' and this provides the cornerstone of *Agenda for Improved Economic Performance*. The economy theme states: *“Leeds will be a competitive international city. It will contribute to the national economy and will support and be supported by an increasingly competitive region”*

Within this we will:

- have a varied economy
 - promote knowledge as a way of gaining comparative advantage
 - have an effective communications system connecting people, goods and ideas
 - have a recognised and distinctive European city centre
 - have an international image
 - develop Leeds' role as the regional capital
-

There are other aims that are critical to Leeds' ongoing economic prosperity, including:

- a well-connected transport system
- a healthy, skilled workforce
- cultural facilities of national and international importance

These are set out in the relevant sections of the Vision for Leeds and are taken into account in this agenda but are not duplicated here.

The Leeds Strategic Plan, covering the period 2008-11, is the delivery plan for the Vision for Leeds. It sets out strategic outcomes and key improvement priorities to be delivered against the eight key themes, either by the council on its own or in partnership with others. The outcomes and priorities specified for the Enterprise and Economy theme are:

What we want to see:

- increased entrepreneurship and innovation through effective support to achieve the full potential of people, business and the economy
- increased international competitiveness through marketing and investment in high quality infrastructure and physical assets, particularly in the city centre

What we will do to achieve this:

- increase innovation and entrepreneurial activity across the city
- facilitate the delivery of major developments in the city centre to enhance the economy and support local employment
- increase international communications, marketing and business support activities to promote the city and attract investment

The task of the *Agenda for Improved Economic Performance* is to give substance to the Vision for Leeds and to the outcomes and priorities of the Strategic Plan.

The vision for the Leeds economy

A **great place** with **skilled people** and **competitive businesses**, which is diverse, flexible, innovative, creative and entrepreneurial (**the 'golden thread'**), based on the values of **sustainability** and **inclusivity**; a city that is well placed to adapt to any changes in the local, national and global economies and that we will be able to face new challenges and continue to prosper as a united city. This resilience, already seen throughout our history, will mean that the economy can continue to deal with both short term issues, such as the recession and the long term questions posed by climate change.

5. How do we get there: the drivers of productivity and of change

Economic prosperity has historically been driven by a combination of employment growth and productivity growth. For Leeds to be a successful economy in the future, increasing current levels of productivity will be essential.

The government identifies five drivers of productivity: investment, skills, innovation, entrepreneurship and competition.¹⁸ These provide the foundation for the three key themes of this agenda:

1. competitive business
2. great place
3. skilled people

Its important to recognise that productivity drivers do not operate in isolation of one another. Numerous interconnections and interactions between different drivers exist. In order to harness the full potential of productivity drivers in the local area it is important to fully understand how they work well together.¹⁹

Competitive business: innovation, entrepreneurship and competition

Innovation comes in many forms relating to the invention and application of new technologies, products, production processes and services. It has been shown to bring about dynamic efficiency gains, positively affecting productivity levels in the long term. Specific, but only partial, indicators of increased innovation include the comparative share of jobs in high-tech sectors, levels of investment in R&D and levels of knowledge transfer between firms, industries and spatial areas.

Leeds' universities and teaching hospitals are key innovation assets for the city which need to exploit their potential and improve linkages with the private sector.

There is strong evidence that **entrepreneurship** is a key driver of productivity growth. Developing entrepreneurial skills enables businesses to innovate, seek new opportunities and resources and take calculated risks. The more entrepreneurial a locality, the more likely it will contain people willing to take risks in uncertain economic ventures, who are ready to grasp commercial opportunities and who therefore will introduce new products and processes to the market. These activities would result in higher productivity and growth.

¹⁸ Productivity in the UK 4: the local dimension, HM Treasury 2003

¹⁹ Devolving Decision – making 3 – meeting the regional economic challenge: the importance of cities to regional growth, HM Treasury 2007

Although Leeds has high business stock figures its business birth rates are well below the national average. Addressing this issue alongside improving skill levels will be a key priority within the competitive business theme.

Competition helps reduce slack in organisations and is crucial to the reorganisation of market structures by reallocating resources away from inefficient firms or declining sectors to more efficient firms and growing sectors. Ensuring that markets are competitive in regions and localities is essential in ensuring that firms have incentives to innovate, keep prices down and minimise their costs of production. An appropriately conducive regulatory framework is the government's main policy instrument for fostering conditions for fair and open competition.

Leeds City Council and its partners can contribute too, creating an environment which supports competitive businesses through policies and administrative processes which provide certainty, enabling businesses to operate and take decisions in the correct manner.

Great place: investment

Investment by businesses in plant, premises, equipment, technology etc is the fundamental explanation of productivity differentials. It is enabled by investment in infrastructure and the physical environment, both of which contribute towards the creation of great places.

Investment in infrastructure and physical developments will be key factors in the future economic performance of Leeds and the wider city region. Evidence from Leeds' economic performance of the last ten years supports the view that investing heavily in major development and investment projects creates increasing returns for local economies. Over the last decade £3.8bn was invested in major development projects in Leeds. Projects worth a further £1.3 billion are currently under construction and another £5.6 billion worth of investment is proposed.

Investment in cultural facilities and infrastructure is also important, ensuring that Leeds continues to offer an excellent quality of life and cultural experience that will, in turn, attract skilled people and businesses to help the economy thrive.

Skilled people: skills

Skills are a key determinant of economic prosperity. Investment in education and training contributes to a more skilled and productive workforce, with long term benefits for both localities and individual residents. Increasing skill levels can result in a permanent increase in economic growth for localities, as education and training can increase employability and labour productivity. For local residents, education and training have been shown to increase the individual's capacity to innovate and adapt to new technologies and to changed economic conditions.

Skills levels amongst the working age population in Leeds have continued to improve. However, they still lag behind the national average. This needs to be addressed in order to meet future employer demands and increase productivity.

Additional factors

There are three further productivity drivers which reflect the fact that successful future economies are as much about economic diversity, networks and partnerships. These three productivity drivers – sector mix, network capital and agglomeration – are principles which run through each of the key themes of this agenda and are important features of the economic geography of the Leeds city region.

Sector mix

Industries differ in terms of productivity levels and growth. Over-concentration and over-specialisation in specific sectors has historically left economies particularly vulnerable to economic shocks. Productivity growth over the longer term in local economies is intrinsically linked to a diverse and well balanced mix of sectors.²⁰

Throughout its history Leeds has retained a diverse sector mix which has protected its economy against the worst of the recessions. Retaining this economic diversity will be central to improving economic performance.

Network capital, or partnerships, will be paramount to successful future economies. In terms of productivity, there is good evidence that creating strong and enduring networks and partnerships reduces transaction costs and employee turnover. It also encourages entrepreneurship and co-investment; allows individuals, firms, industries and whole regions to benefit from advances in innovation. Moreover, it has been argued that building and maintaining strong networks is an effective tool for coping with economic slowdown, providing important channels of information sharing and providing partnership arrangements for cooperation and collective responses.

Leeds has a strong track record of partnership working and recognises that this must be further improved in order to deliver its agenda for improved economic performance.

Agglomeration, or clustering of firms and skilled workers, can be seen as one of the key drivers of economic growth in regions and localities. Successful clusters attract and retain high productivity firms and workers.²¹ The new economic geography of the city region and the effects of agglomeration will be key determinants of future economic growth.

²⁰ Cities, Regions and Competitiveness, Turok, Regional Studies Vol.38(9) 2004

²¹ Increasing Returns and Economic Geography, P Krugman, Journal of Political Economy Vol.99 1991

The economic geography of the Leeds city region

The Leeds city region brings together a partnership of eleven local authorities in recognition of the fact that markets, supply chains, labour force, housing and transport infrastructure transcend administrative boundaries. The *Agenda for Improved Economic Performance* will seek to complement the Leeds City Region Development Programme by delivering actions at the local level.²²

Drivers of change

The drivers and factors catalogued above are proper considerations in shaping the vision for the Leeds economy and the *Agenda for Improved Economic Performance*. They do and will interact with each other in complex, often unpredictable ways to which cities and their economies must inevitably adapt and, in doing so, create new opportunities and threats.

This means that the future economy of Leeds will not be a projection of trends from the present. Indeed, recent national and global financial events have illustrated how unpredictability and uncertainty are inevitable facts of life. Forecasts can highlight emerging trends, possibilities and drivers of change. They will not, however, spot the ‘wild cards’ such as epidemics, wars, natural disasters or the Eureka! moment of a new scientific discovery.

Work in the region on trends and scenarios to 2030 has been one example of ‘futures’ thinking.²³ From this, a set of critical issues facing the region were identified. These are shown in the diagram below.

Prepared before the full implications of the banking and finance crisis were known, these critical issues give insufficient prominence to the impact on investment finance, public expenditure and the



Source: Henley Centre HeadlightVision and Yorkshire Futures

²² Leeds City Region Forerunner Plan, Leeds City Region Partnership 2009

²³ The Future of Yorkshire Humber: Trends and Scenarios to 2030, Henley Centre HeadlightVision for and with Yorkshire Futures 2008

possible outcomes for business and physical development, and for public sector services over the medium term.

The study went on to think through implications for the Leeds city region. The main messages from the most plausible scenario were:

- a slowly diversifying economy
- inequalities persisting between a set of new knowledge workers and those with limited skills for the burgeoning service sector
- education gradually improving, higher level skills boosted by university growth
- rising congestion, the worst in the region
- strong case for transport eventually heard
- housing affordability more pronounced and polarised
- less exclusion but marked gaps in society on income, education and health

These are challenges to tackle, not predictions to accept as facts. The *Agenda for Improved Economic Performance* is not the only instrument to influence these possibilities, but it is a hugely important one, conditioned by the other drivers of change shown above but also a key lever on them too.

6. Our key objectives

Our task therefore is to maintain and improve our assets, develop our strengths and opportunities and tackle areas of under-performance so that the productivity drivers can combine effectively.

We will undertake this task and achieve our ambition through:

- a great place
- skilled people
- competitive businesses

We will be an **innovation** driven city, where **diversity, inclusivity, creativity**, excellence and high quality are the norm. We will not be known for only one thing. Instead, we will have a **sustainable** economy, adaptable and resilient to change – be it economic, social or environmental.

Our economic success depends on Leeds being a great place with skilled people, and competitive businesses and these are of course interdependent. For each of these key themes we will have action plans to match our ambition and show how we will deliver progress in the future.

However, each of these themes are very different and therefore need to be approached in a different manner; a one size fits all approach will not be appropriate. Different elements of the agenda and the corresponding objectives and action plans will be at different stages of development and this is reflected in what follows.

Many aspects of the life of the city and the activities of many different organisations impact on and are important to the economic development of Leeds. Education, housing, cultural facilities, the planning system all impact on our three objectives. But this document is not an education plan, a housing strategy or a spatial plan. It will need to influence these plans and strategies but its focus is on a vision for the economy and the drivers of productivity.

Great place

From our analysis and consultation with partners and stakeholders, the main conclusion is that:

Great places provide the best physical environments to enable the economic life of the city to flourish. Economic life is defined here in its widest sense and incorporates the following aspirations:

- a resilient, creative and entrepreneurial business sector
- an active, confident and expanding cultural sector
- a retail sector recognised regionally, nationally and internationally as one of the best
- a workforce with consistently increasing levels of skill
- a quality and quantity of residential choice in neighbourhoods which supports economic growth

Renaissance Framework and spatial planning

Supporting these aspirations will require continued and substantial investment in infrastructure and facilities over the next ten years. This investment should be coordinated through the mechanism of partnership and guided by the principles of the Renaissance Framework for Leeds to ensure developments contribute to strengthening the identity of Leeds as a great place to invest, do business, to work and to live.

The Renaissance Framework has been developed to understand and promote the principles that have shaped Leeds throughout its history and to further develop these as foundations for continued growth and expansion. These principles inform all discussions around development proposals and regeneration activity taking place in Leeds. They provide a framework for answering the following questions:

- how do proposed developments add to and enhance the city's distinctive skyline?
- do they add to and enhance the city's natural, historic and cultural assets such as the waterfront, its listed buildings, viaducts, green spaces and the network of covered Victorian shopping arcades?
- how do they connect with and help to re-connect different areas of the city and surrounding communities?
- are they sustainable in themselves and do they contribute to the sustainable development of the city as a whole?

- does regeneration and development activity contribute to the unique sense of place that distinguishes Leeds from other cities here in the UK and abroad?

These principles support the emerging spatial and thematic priorities described below which will, in the medium term, underpin accelerated growth of the city and, in the short term, support the city's resilience to recessionary pressures. Financing private sector physical investment is going to be difficult in the short term and, in future, may not be as easy as it was in the past. Progress on the priorities is likely to be slower than originally envisaged.

The Local Development Framework Core Strategy, which sets the framework for land use planning, is currently being prepared and will set out the key objectives for spatial planning for the city. This must also be set in the context of the Regional Spatial Strategy and together these form the regulatory system for planning and development.

Spatial priorities

The five spatial priorities are:

1. City Centre and Rim

- The city centre has a central role to play as an engine of growth and this is why the city centre features as both a physical or spatial priority and a priority theme in its own right
- Physically, the city centre and the surrounding rim of neighbourhoods and communities, provide the setting for the majority of employment, entertainment, higher education and even health-related activities. Issues of access, legibility, safety and attractiveness are key and significantly affect the competitiveness of the city's broader economic offer to the region and beyond.
- The success of the centre has over many years required a large scale transport infrastructure system to support it. Some of this infrastructure has served to disconnect the area adjacent to the city centre – the 'rim' – undermining its attractiveness as a place or places and producing lower levels of growth than might otherwise be achieved through a more integrated approach.
- The increasing pressure in the city to accommodate high levels of growth in both employment and housing could be delivered, at least in part, by utilising this under-used part of the city.

2. Aire Valley Leeds

- One of the most significant areas of new investment and employment opportunity in the Yorkshire and Humber region, this area has the potential to attract 1,000,000 sq m of employment space and create 29,000 new jobs over the next ten to 15 years, along with

significant levels of housing. Development of the area is vital to the future prosperity and growth of Leeds and the surrounding city region.

3. Holbeck Urban Village

- Holbeck Urban Village is a fast developing business and residential community in the area to the immediate south of the city centre. Originally the home of the industrial revolution in Leeds, the area features an extraordinary architectural legacy, including the distinctive Italianate towers of Tower Works and the Egyptian facade of Temple Works.
- These monuments to the city's industrial past are now being restored to their former glory with the multi-award-winning Round Foundry setting the tone for the regeneration of the area through its sensitive restoration of the network of courtyards and nineteenth century engineering workshops to create a unique residential and working environment.
- Work on the redevelopment of the canal basin at Granary Wharf by Isis Waterside Regeneration is almost complete and Yorkshire Forward have planning permission for the first phase of redevelopment work on the historic Tower Works site.
- Holbeck Urban Village is an exemplar regeneration programme, which aims to re-connect surrounding communities to the city centre, preserve and enhance the city's historic assets, reinvigorate the waterfront and set the highest standards in sustainable development.

4. Leeds Bradford Corridor

- This partnership combines the resources and expertise of the two cities to deliver the next generation of strategic employment and housing locations. A three year funding programme has already been agreed with £20m investment secured to fund housing development. The long term aims of the partnership are to revitalise neighbourhoods, provide employment opportunities, improve the environment and enhance transport links in this nine-mile corridor connecting the two city centres.

5. The Neighbourhoods

- Local economic development is key to strengthening local district and town centres which have such a critical role in place making in the neighbourhoods.
- District and town centres need continual investment and support from both public and private sectors to ensure they remain at the heart of strong and prosperous communities. Examples include Beeston Hill and Holbeck, where over £100m has been spent on regeneration schemes, and Armley, which forms a key gateway to the city and is also part of the Leeds Bradford Corridor.

Thematic priorities

The five thematic priorities are:

1. The City Centre

- As a place in its own right, the recently launched prospectus for Leeds City Centre 2020 identifies the following attributes as key to the future of the city centre as a major economic driver for Leeds and the wider city region: business friendly; sustainable; welcoming; cultural; a quality environment; well connected; legible and walkable; and liveable. The prospectus identifies key projects such as the Leeds Arena which will help deliver this vision for the city centre.

2. Transport

- Investment in transport should link spatially with areas of growth and also link significant individual transport hubs such as the airport or the central train station with significant new investments such as the arena and Headingley Stadium.
- Investment in multi-modal transport systems will be required with the development of the major new technologies such as New Generation Transport (NGT) through to the encouragement of walking and cycling as viable choices for local travel.

3. Culture and creativity

- Both sectors have proved their growth potential and their contribution to the creation of Leeds as a great place. However more needs to be done to consolidate recent and planned investment with the broader economic priorities of the city.
- Actions range from promotion and marketing of the city through to skills enhancement and the alleviation of worklessness through creativity and cultural activities.

4. Housing

- The city is planning major growth in the number of new houses to be built over the next ten to 15 years. This will require supporting services and facilities in the form of jobs and neighbourhood facilities.
- In addition to the provision of much needed investment, the new programmes of building will stimulate and support a diverse supply chain of new enterprise and existing businesses. It is essential that housing and employment growth opportunities are closely coordinated.

5. Partnership

- Key to connecting the delivery of both spatial and thematic priorities in the city will be the city's capacity and skills in utilising partnership networks. Networks and partnerships such as the Leeds Property Forum and Construction Leeds, as well as those already managed through the Leeds Initiative, will be critical to maximising the impact of individual investments.

Skilled people

From our analysis and consultation with partners and key stakeholders, the main conclusions are that:

- there is an opportunity to improve the connections between the skills agenda and inward investment / physical regeneration
- Leeds needs to improve the employability of its residents and connect this with the needs of employers
- when in employment, both employers and employees need to develop their skills base to secure competitive advantage in the long term
- the policy infrastructure remains in a state of flux and partnership working is essential in developing and implementing a successful strategy

In response to these four broad priorities, a number of aims and actions have been identified:

Inward investment and regeneration ²⁴

- use section 106 planning agreements to secure commitment to local employment objectives
- build partnerships between local authorities, employment agencies, FE and employers at the pre-development stage
- forecast all possible employment opportunities during planning, construction and post-development phases
- use targeted employment strategies to link training and employer demand
- ensure regeneration leaves a positive employment legacy by creating long-term opportunities, jobs with career prospects and ongoing support for employees

Employability

- raise the aspirations of 14-19 year olds by: providing information, advice and guidance; address barriers to learning; develop employability through building confidence, collaboration and creative skills
- improve the employability of graduates to attract and retain high skill workers in Leeds
- work with employers to encourage work experience for identified groups, including graduates, and opportunities for reflection and integrated action learning, which are central to improving employability.

²⁴ Recommendations of the All Party Urban Development Group

Continuous development (workforce development)

- smarter business support, recognising skills as a key element of innovation and business practice (through brokers)
- emphasis on skills for leadership and management, particularly amongst small and medium sized enterprises
- partnership working between local authorities, business support agencies, and a variety of FE and HE providers to simplify and coordinate delivery mechanisms and connect mainstream provision effectively
- emphasis on the key value adding sectors as a means of targeting resources
- new approaches to human resource development, which will be adopted by local employers

Partnership working

- active and influential role in City Region Employment and Skills Board
- city-wide education offer²⁵
- connecting with physical development

To take this agenda forward

- Employment and Skills Board
- identify small number of projects for partnership working and demonstration of 'quick wins'
- identify champion to promote and sustain skills in the city
- celebrate skills – a festival / conference in Leeds
- branded skills and human resource development forum for local employers, with one or two high level representatives from FE and HE to inform curriculum development

The development of a well motivated and highly skilled workforce will be a key determinant of the success of the Leeds economy. No matter what section of society we are referring to, be it the unemployed, students, voluntary workers or company directors, the economic progress made by Leeds in the future will be highly dependent on the acquisition of more and better skills by its people.

Not only does Leeds therefore need to raise its skills base in order to create a more inclusive, competitive and prosperous city. It also needs to strive to develop and adapt the skills base in

²⁵ *need to check* Work Foundation Report for Leeds City region and learning from Cambridge, Barcelona, Helsinki

order to respond to new industries and new technologies emerging in the economy now and in the future. Our starting point is a position of relative strength. We have a diversified business base with a history of new jobs being created in a range of business sectors over the last decade and an economy that has proved to be resilient in times of recession.

Although those currently in employment are relatively well qualified, the need to continually up-skill and re-skill the employed workforce is a key characteristic of the labour market in the twenty first century. Economic growth will return and it is important that the residents of Leeds have the opportunity to fill all available job opportunities and particularly the more highly skilled and highly paid jobs which will be critical to the long term competitiveness of the city.

Our agenda identifies many opportunities to be harnessed. Leeds has a tremendous record associated with attracting investment and employment to the city and it is important that the employment and skills dimension of this investment is given top priority. The promotion of Leeds as a 'city of enterprise' provides a focus for the development of skills in the area (see 'competitive business' section). Coupled with employer-reported skills gaps and shortages, which continue to hamper the competitiveness and development potential of local enterprise, it will provide a focus for our skills related activity.

Our schools, colleges, universities and a range of private and third sector training providers need to respond to meet the needs of our employers and economy both now and in the future. We have plenty to build on: we have a number of employers of high repute; FE colleges which are leaders in their fields; and two world class universities already making a substantial contribution to the Leeds economy. Our challenge is to build on this for the future through the development of the skills agenda for Leeds.

Three key principles underpin our approach – progression, focus and connection. **Progression** is a core principle underpinning our approach, both in terms of learning and labour market progression. The relationship between skills and qualifications is particularly relevant in this instance, providing a framework to assess and monitor skills from basic through to higher levels. However, there is also a need to recognise the role of non-accredited learning and 'soft skills' both in terms of employability and performance in the work place.

A further principle of our approach is that in a world of scarce resources we cannot do everything and there is a need to **focus** activity and harness the benefits to be realised through partnership working. There are a number of different ways in which this focus can be applied to achieve local economic development and one that has been used successfully in Leeds relates to the development of strategic sectors of the economy. Research and consultations suggest that the following sectors provide a mix of potential employment growth and research and innovation, that will contribute to the competitiveness of the city on the future: financial and business services, environmental industries, medical and health and sport.

A final principle is **connection**. It is important that the skills agenda connects with the national and regional agenda formed by government departments and the regional development agency, whilst also connecting with the local agenda in terms of the Leeds city region multi area agreements.

Competitive businesses

From our analysis and consultations, the main conclusions are that:

- Leeds needs to promote its strengths and make more of its many success stories and role models
- while Leeds has good partnership working in place, now is the time to make improvements, particularly at the operational level

In response, two broad priorities are the basis for actions, which will create the conditions for competitive businesses to flourish.

Priority 1: Promote Leeds as a ‘city of enterprise’

The two main areas for action are:

- to encourage residents to develop enterprise skills and aspire to set up their own businesses
- to develop the best possible environment to attract businesses to start up and grow

More detailed proposals relating to developing enterprise skills include:

- develop an ‘enterprise campaign’ which raises aspirations of Leeds residents particularly those in our most deprived communities
 - enable people and new businesses to gain enterprise knowledge and skills
 - embed enterprise skills as key skills in our education system
 - promote/celebrate ‘enterprise’ and ‘being enterprising’ in large organisations (both in the private and public sectors)
 - help new start firms to become investment-ready and be able to secure finance
 - support social enterprise development within our communities and within our voluntary/public sectors
 - use our business champions to raise aspirations and to develop ‘enterprising’ approaches to some of our most difficult issues
 - use the Enterprising Britain competition as the vehicle for raising awareness, coordinating effort and raising the profile of Leeds
 - promote Leeds as a city of creativity
-

Proposals for developing the best possible business environment include:

- promoting 'better regulation' by our regulatory agencies
- encouraging both the private and public sectors to 'buy local' where this provides long term value for money
- encouraging large organisations to both use small local contractors and pay contractors on time
- developing a culture where we encourage networking, problem solving and innovation between our public and private sectors
- increasing take up of publicly funded business support services to assist businesses to grow and develop
- developing a culture where we 'go the extra mile' to support business development
- securing the active support of public figures in engaging with local economic development priorities and lobbying/promoting the city
- implementing a programme of account management for our largest companies building relationships which will, over time, retain and enhance business investment in Leeds.
- promoting Leeds as an excellent business location for existing businesses based in the city, for new start businesses looking for their first location and for businesses seeking to relocate or expand their operations in the city
- using the excellent business environment and quality of life offer to attract investment and businesses
- using business ambassadors to sell Leeds to visitors, investors and businesses
- encouraging and supporting creativity in businesses

Priority 2: Maximise the economic benefits from key assets in Leeds

The three main areas for action under this priority and the detailed proposals for each are:

Innovation

- Use Innovation City Leeds to exploit the research and innovation capacity of our universities, joining this up with spin-out companies, business start ups and new businesses with high growth potential. The £65 million project involves developing a state-of-the-art business and bio-sciences incubator, which will further accelerate the reputation of Leeds as a centre for enterprise and innovation.

- Explore whether Innovation City Leeds could form the basis for a new partnership to exploit innovation and knowledge transfer at the local level and harness its potential for economic growth
- Ensure inclusive open innovation networks utilise all sources of expertise and knowledge available to Leeds

Global networks

- harness the international linkages of Leeds City Council, further and higher education, business and our diverse community to sell Leeds as a place to visit, do business and invest
- reinvigorate International Leeds as a forum to share best practice and promote joint working
- refocus the city's international work on harnessing long term economic benefits for this city.

Flagship development projects

- through excellent partnership working ensure that flagship projects act as a catalyst for wider economic regeneration
- ensure that the spin-off economic opportunities are harnessed for the wider benefit of the Leeds community
- achieve a development mix which caters for a range of types and sizes of businesses

7. Our delivery: implementing, monitoring and review

In order to implement, monitor and evaluate progress of the *Agenda for Improved Economic Performance*, action plans for each of the three key themes are being produced. These plans set out the priorities for each theme, as well as identifying the lead organisation, partners, major milestones, resources, barriers and risks, and strategic links. In order to ensure that priorities remain focussed and up to date it is intended that the action plans will be living documents, that can be updated as and when necessary. The action plans are set out in **Appendix I**.

The overall responsibility for overseeing the delivery of the action plans lies with the Leeds Economy and Skills Partnership, which is a strategy and development group of the Leeds Initiative, the city's Local Strategic Partnership. This group will review the progress of the priorities within the action plans every six months, with a full strategic review being undertaken in 2012. This review will take into consideration requirements of the statutory economic assessment duty which is being introduced in 2010.

The action plans will act as the framework for which the key themes of the *Agenda for Improved Economic Performance* can be monitored and evaluated. However, it is also necessary to monitor and evaluate the economic performance of the city as a whole. This shall be achieved through the annual collation of the following performance measures:

- Enterprise and Economy indicators of the Leeds Strategic Plan
- Local economy indicators within a national government set
- Indicators for Leeds: going up a league
- Index of Economic Resilience, baseline produced in 2009 by EKOS gen for the Yorkshire Cities Group.
- Cushman & Wakefield European Cities Monitor

Appendix 3 sets out in detail these performance measures.

Consultation Programme

A presentation has been produced and will be presented to the following groups. All groups will also be sent the paper, questions and a feedback form.

Who	How
Leeds Arts Partnership (Requested)	Presentation (dependent on seeing PPT before and deciding whether appropriate to this group)
Leeds Economy and Skills Partnership	Presentation
Councillors	Members seminar
Leeds Initiative – Going Up a League Board	Presentation
Council Directorates	Presentation
Chamber Skills Board	Presentation
City Centre Leeds	Presentation
Cultural Leeds	Presentation
Chamber of Commerce	Presentation
Chamber Property Forum	Presentation
Leeds Youth Council	To be decided
Universities	Sending document with option of briefing
MPs and MEPs	Sending document with option of briefing
Civic Trust	Sending document with option of briefing
Public	Place on internet with discussion forum
Talking Point	Talking Point
All council staff	Place on intranet

In addition to these specific groups, we will be able to give a presentation to any further groups that ask.

All findings will be reported back to CDLT, CLT and Executive Board with recommendations before any amendments are made.

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Agenda:

Originator: Paul Brook

Tel: 247 4233

Not for Publication: Appendix 1 and 2 of this report are exempt/confidential under Access to Information Rule 10.4 (3)

Report of the Director of City Development

Executive Board

Date: 26 August 2009

Subject: Leeds United Thorp Arch Academy

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

In 2004, prior to the Club's 2007 administration, Leeds United was in severe financial difficulties and was seeking to sell and lease back its Elland Road Stadium and its Thorp Arch Training facility so as to improve its liquidity.

Thorp Arch was sold to a third party and the Club took a lease-back of the facility which expires on 10 October 2029. Under the terms of the lease the Club has an option to acquire the facility at a price which has been increasing, year on year, in line with a pre-determined formula. This option to acquire expires on 10 October 2009 and thereafter the Club will have no rights to buy back the training ground.

The rent payable under the lease is penalistic and it too increases year on year in line with a pre-determined formula and therefore the Club wishes to refinance the arrangement by borrowing money to acquire the training ground and thus reduce its annual outgoings.

However, due to its poor credit rating following the 2007 administration, and the effects of the recession, the Club states that it has been unable to secure such borrowing. With time now running out if the option is to be exercised before 10 October 2009, the Club has approached the Council (see Appendix 1 in the confidential section of this report) to see if finance could be made available using the Council's prudential borrowing powers. This paper examines the issues and risks associated with assisting the Club in refinancing its property arrangements and concludes that, due to the inherent value of the Thorp Arch facility, there is a relatively risk free option available to the Council should it be minded to assist the Club.

PURPOSE OF THIS REPORT

- 1.1 In 2004 Leeds United Football Club was experiencing severe financial difficulties. Due to below par performances by the team, income was well below expectations and high player wages and other outgoings meant that the Club was incurring a large annual operating deficit. In order to improve liquidity the Club determined to sell and lease back its Elland Road Stadium and its Thorp Arch training facility. The Club did approach the Council at that time to establish whether the Council was a potential buyer, but the Council was unable, given the precarious financial position of the Club, to meet the Club's asking price. The main issue for the Council at that time was the Club's future ability to meet any rental payments under the leaseback, given its spiralling fortunes and high outgoings. Indeed, the Club did manage to sell both assets to third party buyers but could not eliminate the revenue deficit it was experiencing, especially following two relegations in 2004 and 2007. It eventually went into administration in 2007 and a more streamlined, debt free, football club, which is now reported to be returning an operating surplus, emerged from the process. We are advised that the new Club – Leeds United 2007 – has managed to secure leases of Elland Road Stadium and Thorp Arch, along with options to purchase, on the same terms as its predecessor.
- 1.2 Thorp Arch and Elland Road were sold to different buyers and details of the sale and leaseback arrangements for the former are provided in the exempt Appendix 2 to this report. The Club has a lease of Thorp Arch which expires on 10 October 2029. The rent payable is penalistic and increases, year on year, according to a pre-determined formula. If the Club could borrow at reasonable interest rates to acquire the facility then it would do so and would, as a result, be able to reduce its annual outgoings. Unfortunately, because of the Club's recent administration, and the impact of the recession, it advises that it has been unable to secure a suitable borrowing facility.
- 1.3 Appendix 1 and 2 of this report are exempt/confidential under Access to Information Rule 10.4 (3) as it contains information which if disclosed could prejudice the commercial interests of the Council and other outside bodies.
- 1.4 Under the terms of the lease, the Club has an option to acquire Thorp Arch at a pre-determined price, before 10 October 2009. After 10 October 2009 the Club would have no right to acquire the facility. There are, therefore, concerns that, when the lease expires in 2029, the training facility might be lost to the Club and the City.

2.0 CURRENT POSITION

- 2.1 Because of its stated inability to raise sufficient finance through any other source, and because of the imminent 10 October 2009 deadline, the Club has approached the Council for assistance. The Club's ultimate objective is to own Thorp Arch and thereby:-

- (i) Secure the future of the training facility and the highly regarded Academy which is based there.
- (ii) Add value to its balance sheet and hence improve its ability to attract investors.
- (iii) Improve its revenue operating position through refinancing its property arrangements in such a way that principle/interest payments (or future rent if another lease is the only way forward in the circumstances) are lower than the annual payments made at present.

3.0 THE THORP ARCH FACILITY

3.1 The Thorp Arch facility is the training base for Leeds United teams of all levels and is also the base for its highly regarded Academy. Over the years the Academy has produced many international and high quality players including the likes of Harry Kewell, Jonathan Woodgate, Scott Carson, Aaron Lennon, Paul Robinson, James Milner and, more recently, Fabian Delph. If the Club is to rediscover its former greatness then a successful Academy is seen by many to be an essential component of the road to improvement.

3.2 Information about the facility is attached at Appendix 2 and a plan is attached at Appendix 3.

3.3 We are advised that the facility comprises:-

- (i) 12.1 hectares of fully landscaped facilities at Thorp Arch, near Wetherby, including a highly sustainable balancing pond which is used for irrigation of the many playing surfaces.
- (ii) 8 full size grass pitches, 2 of which are floodlit
- (iii) 2 full size all-weather pitches
- (iv) Reception, cafeteria, ancillary offices
- (v) 12 changing rooms all with associated shower facilities, kit rooms, and equipment stores
- (vi) 25 metre indoor swimming pool
- (vii) Hydrotherapy/physiotherapy/injury treatment facilities
- (viii) Three-quarter size indoor football pitch with artificial grass surface
- (ix) Gymnasium
- (x) Surfaced access road and car parking areas

All of the facilities are maintained by the Club, to a very high standard.

3.4 Because of the high quality facilities Thorp Arch is highly likely to be used as a Team Base Camp during World Cup 2018, should England secure the nomination to host the event from FIFA, regardless or not of whether Leeds secures Host City status.

4.0 RATIONALE FOR ASSISTING THE CLUB

4.1 The Council could use its prudential borrowing powers to assist the Club under a purely commercial relationship where the Club makes annual payments to the Council which cover the Council's debt repayments and indeed, this is the model which is explored later in the report. However, there are also other good reasons for supporting the Club in this way:-

- (i) A strong Leeds United has been shown to assist Leeds in its quest to be viewed as a major European city.
- (ii) The Club receives little national television coverage now that it is in League 1 and improved fortunes for the Club would mean more television exposure for the City.
- (iii) When making its decision about who should host World Cup 2018, FIFA will pay particular attention to the relationship between Clubs and their local authorities. Examples of partnership working to achieve shared goals will be important.
- (iv) A partnership with the Club may open the way for use of the facilities in association with the 2012 Olympics and the 2015 Rugby Union World Cup
- (v) The Thorp Arch facility is a truly exceptional sporting asset for the City. If the option to acquire is not exercised before October 2009 then at the end of the Club's lease in 2029 there can be no guarantees that future planning regulations would protect its use for sport, and the facility could be lost to the City.
- (vi) During the current recession, and at a time when the community look to the Council to stimulate the economy, a partnership with Leeds United would send a strong message that the Council is taking a pro-active role in seeking to arrest the downturn.

4.2 On balance, then, if the risks of assisting the Club in the refinancing of its property arrangements can be minimised, then there would appear to be sound reasons for providing assistance.

5.0 RISK ANALYSIS

- 5.1 The main risk associated with the Council borrowing prudentially to enable the Club to exercise the option is that the Club is, at some time in the future, either unable, or unwilling, to make the annual payments to the Council to cover the latter's debt repayments. In such circumstances the Council may find itself in possession of an asset which requires a new tenant, and given the specialist nature of the facility, there may be only a limited number of options available, especially given the relatively high rental required to service the Council's debt. However, there are other high-profile sporting organisations in and around the City in the activity areas of Rugby league, Rugby Union, and Cricket, which might be interested in renting all or part of the facility, or indeed, acquiring the freehold.
- 5.2 The site would offer high quality facilities for public use. However, the highway network in the immediately vicinity of Thorp Arch has limited capacity and it might be that improvements would be needed to support public use of the facilities.
- 5.3 Notwithstanding the above, should the Club not be able to meet the annual payments there are other potential uses for the facility.
- 5.4 The cost of acquiring land and constructing a similar facility has been estimated by the Council's Strategic Design Alliance at over £15m – nearly three times the cost of acquisition under the option to purchase detailed in the exempt appendix. While this would not, in itself, protect the Council's financial position, it is important in reassuring Members about the scale and quality of the facilities under discussion.

5.5 Further risk analysis is provided in the exempt appendix to this report.

6.0 OPTIONS

- 6.1 The Council could decline the Club's request for assistance. In that case the option to acquire would expire on 10 October 2009. The Club could continue to occupy Thorp Arch under its lease until 2029, although rent payments would become increasingly penalistic and might prejudice its recovery from relegation and administration. The Club would not be precluded from seeking to acquire the facility by negotiation after October 2009 but it believes that the price would be disproportionately high. After October 2029, or earlier if the Club was to be in default of its lease terms, The City would have to rely on planning controls to ensure the preserving of the facility.
- 6.2 There are two basic models for Council involvement, should Members be minded to assist the Club:-
- (i) The Council gives the Club a loan to acquire the facility, and receives annual loan repayments from the Club. The Council takes a charge over the asset to insure itself against the risk of default by the Club.
 - (ii) The Club novates its option to purchase to the Council and the Council acquires the facility itself and leases it back to the Club, which then makes annual rental payments to the Council. In the event of default the Council is already then the owner of the facility. This option can allow for the ultimate ownership of the facility by the Club under a formula-based option to acquire. There may be issues regarding double payment of stamp duty here which would need to be addressed.
- 6.3 Under both models there is reputational risk for the Council if it should fall into dispute with the Club. The relationship might be a 25 year one under either option and the risk of default at some time during that period might be perceived to be high. To protect the Council, what is needed is a relationship where, as time passes, the Club is more increasingly disadvantaged should it become in default. This could be achieved under option 6.2 (i) if the Club was asked to put down a form of non-returnable bond which would sit with the Council, earning interest, and would be forfeit in the event of default. Under option 6.2 (ii) it could be achieved by classing an element of the Club's annual payment as a payment in advance against the ultimate purchase price. In the event of default these payments would be forfeited by the Club.
- 6.4 Adopting the above philosophy, the Council's greatest exposure would be in the very early years. However, due to a number of other potential property transactions between the Council and the Club relating to the latter's recent planning consent for two hotels, a night club, a new club shop, and extended conferencing facilities at its Elland Road Stadium it is believed that this short term risk can be mitigated. This matter is discussed further in the confidential appendix to this report.
- 6.5 The Club states that under the second option (6.2 (ii)) its intention would be to acquire the training facility back from the Council as soon as funds permit. In that context the Council's assistance should be seen as providing stop-gap funding to ensure that the option to purchase is not lost. Clearly if the Club does go on to acquire the facility from the Council then any risk is eliminated at that point.

7.0 LEGAL AND FINANCIAL IMPLICATIONS

- 7.1 The Council does have the powers to acquire land by agreement for the purposes of any of its functions or the benefit/improvement or development of its area. Any agreement with the Club would be on purely commercial terms with the Council taking appropriate security to protect its investment. The precise nature of any agreement has not yet been determined and it will not be possible to report back to Executive Board again before the expiry of the Club's option to purchase. However, the principles of any such agreement have been discussed above and it is believed that the Council's exposure can be appropriately minimised, should the Council be minded to assist the Club. In that event it is recommended that the Director of City Development, in consultation with the Director of Resources, the Assistant Chief Executive (Corporate Governance) and the Executive Member for Development and Regeneration, be authorised to complete any agreement.
- 7.2 Under any proposed scheme of assistance the Club would have the full repairing and insuring responsibility for Thorp Arch. The Council's annual costs resulting from prudential borrowing would be fully met by annual payments made to the Council by the Club. Further financial information is given in the exempt appendix to this report.
- 7.3 The Club would be responsible for meeting the Council's reasonable surveyor and legal costs.

8.0 CONSULTATION

- 8.1 Officers are in the process of consulting with Ward Members and their views will be reported at the Board meeting.

9.0 LINKS TO CORPORATE OBJECTIVES

Enterprise and the Economy

Increase marketing and business support activities to promote the City and attract investment

10. SUMMARY

- 10.1 Leeds United has until 10 October 2009 to exercise its option to acquire Thorp Arch. The Club states that it has been unable to secure an appropriate borrowing facility to complete the acquisition and has approached the Council for assistance. There are good service related reasons as to why the Council might assist the Club in the acquisition of Thorp Arch. However, what is explored in this report is a purely commercial arrangement where annual payments made by the Club to the Council would fully cover all debt repayments resulting from any prudential borrowing. Mechanisms are available to the Council to minimise the impact of any default by the Club.

10.2 The Council could choose the do nothing option, which would avoid all risk. In that case the Club could continue to occupy Thorp Arch until 2029, albeit at an increasingly penalistic rent. This might prejudice or slow the Club's recovery from relegation and administration. This option would also mean a missed opportunity to demonstrate to England 2018, who will be selecting World Cup Host Cities in December of this year, how well the City and the Club are able to work, in partnership, to deliver shared goals.

10.3 There is much due diligence work to be done in a short period of time. Not least the Council satisfying itself that:-

- (i) The Club has no other means of acquiring the funding to exercise the option
- (ii) The value of the Thorp Arch facility warrants prudential borrowing on the scale requested.
- (iii) The Club has the financial means to pay the annual rent which the Council would require
- (iv) All forms of security have been explored.

10.4 There are risks associated with the Council assisting the Club in this manner. However on balance, it is felt that, given the likely value of the Thorp Arch facility, a strong argument exists for the Council to offer the Club support.

11.0 RECOMMENDATIONS

11.1 Members are requested to:-

- (i) Note the request from Leeds United 2007 for support in exercising its option to acquire the Thorp Arch training facility
- (ii) Authorise the Director of City Development, in consultation with the Director of Resources, the Assistant Chief Executive (Corporate Governance) and the Executive Member Development and Regeneration, to enter into discussions with the Club on the lines discussed in this report and, if appropriate, conclude those negotiations with the Club in time for the option to acquire Thorp Arch to be exercised before 10 October 2009.

Background Papers

There are no background papers.

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PREP BY B. HAZELWOOD
 DATE 17/08/2009
 OS No SE4347SE
 Scale 1:3,000
 PLAN No 14119

**LEEDS UNITED
 THORP ARCH TRAINING FACILITY
 WETHERBY
 LEEDS LS23**

Leeds
 CITY COUNCIL

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 Leeds City Council 100019567 2009

Map Document: (G:\PLANS AND PROJECTS\Land Records\Plans\14100 - 14199\14119 Leeds United Thorp Arch Training Facility.mxd)
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Originator: M Darwin

Tel: 75302

Report of the Director of City Development

Report to: Executive Board

Date: 26 August 2009

Subject: Adoption of the Supplementary Planning Document of the Street Design Guide and Response to the Deputation of the National Federation of the Blind

Electoral Wards Affected:

All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

1. A new Street Design Guide has been prepared following the principles of the Government's recent publication, Manual for Streets and our own Neighbourhoods for Living which is supplementary planning guidance. The Street Design Guide ensures that the principles in Manual for Streets are applied to Leeds and used as a basis for new housing design and for adoption of the highway. Consultation on the document has now taken place and a report setting out the issues raised, and how these issues have been dealt with, has been produced.
2. One issue raised is the concerns of disabled people on the provision of shared space and shared surface streets.
3. After extensive consultations a solution has been reached which provides for a safe route through these areas when they serve through routes or cul-de-sacs serving over 25 dwellings and follows advice from the Guide Dogs for the Blind Association. The document has been amended accordingly. Shared surface streets are being restricted to use in residential schemes serving 25 dwellings or less in short culs-de-sac only.
4. The measures set out above address the concerns raised in the deputation of the National Federation of the Blind.

5. This report seeks approval for the adoption of the Street Design Guide as a Supplementary Planning Document. This SPD amplifies the UDP (Review) Policy T2 which has been saved as part of the LDF process.

1.0 Purpose Of This Report

- 1.1 The purpose of the report is to inform members of the outcome of the consultation on the Street Design Guide and to endorse the contents of the amended document. The report also seeks approval for the adoption of the Street Design Guide as a Supplementary Planning Document.

1.0 Background Information

- 2.1 The West Yorkshire Highway Design Guide was written in 1979 and adopted by Leeds City Council in 1986 as guidance on the design of residential streets. Since the publication of the HDG "Design Bulletin 32 - Design of Residential Streets" (1992) (DB32) and "Places Streets and Movement" (1998) have been published by the government. Most recently the "Manual for Streets" (2007) (MfS) has been produced by the government.
- 2.2 A requirement of MfS is that local authorities amend their existing guidance. A new design guide has therefore been produced which incorporates the appropriate principles in these documents and embraces "Neighbourhoods for Living", our own document produced in 2003. The draft document is called the "Street Design Guide" and as the new title suggests it puts emphasis on the road as a place rather than a highway, as set out in the new guidance. All new residential streets serving less than 200 dwellings will have a design speed of 20mph.
- 2.3 Shared surfaces have always been one of the options for the design of a street, the old guide restricting the use to a cul-de-sac serving a maximum of 25 dwellings. In the HDG the streets were known as 'access ways' and 'mews courts' as opposed to Shared Surfaces in the Street Design Guide.
- 2.4 'Places, Streets and Movement' allowed for through routes of up to 50 dwellings to be served off a shared surface, which was informally adopted by Leeds. Manual for Streets suggests that shared surfaces serving up to 100 vehicular movements in the busiest hour are acceptable, which is equivalent to approximately 120 houses or 200 apartments.
- 2.5 In the draft Street Design Guide it was determined that our own criteria for shared surfaces, 25 dwellings off culs-de-sac or 50 dwellings off through routes, was more appropriate, rather than the guidance in MfS. MfS does not give guidance for the provision of "Home Zones", which are similar to shared surfaces but are more irregular in shape and have a maximum speed of 10mph. It is proposed that these areas will be allowed to serve up to 120 dwelling or 200 apartments.
- 2.6 As the draft Street Design Guide was produced as a Supplementary Planning Document consultation was carried out following the requirements of the Statement of Community Involvement.
- 2.7 A number of comments have been received and a report setting out the various comments, and how each comment has been acted on, produced. The report is attached as **appendix A**

3.0 Main Issues

- 3.1 The Street Design Guide has been proposed to amplify the following saved policy of the adopted revised UDP:-
- Policy T2 (New developments should be served adequately by existing or programmed highways)
- 3.2 The main issue arising out of the consultation was the concern regarding 'shared surfaces', raised by a number of groups representing disabled people and in particular blind and partially sighted people, one group being the Alliance of Users and Carers. Their concern was that in a shared surface environment they felt vulnerable to being knocked down by other users. They requested that a designated safe route through a shared area is provided.
- 3.3 Research has been carried out by the Guide Dogs for the Blind Association in conjunction with University College London, to try and determine a suitable delineator to demarcate pedestrian paths in a shared space environment. Unfortunately the conclusion reached was that "whilst none of the delineators emerged as meeting the needs of both groups of users [blind and partially sighted people and wheelchair users] two were identified by the researchers as warranting further research..." As that report was only published recently no further information is available.
- 3.4 Another piece of research entitled 'Designing for Disabled People in Home Zones' has also been produced in conjunction with the Guide Dogs for the Blind Association. This sets out a number of recommendations for designing such areas.
- 3.5 In April 2009 the Department for Transport informed all highway authorities that they were embarking on a wide-ranging research project into Shared Space and requesting authorities to participate. A response has been forwarded that Leeds City Council is willing to be involved in this project. It is anticipated that it will last two years.
- 3.6 Several meetings have been held with the Alliance of Users and Carers to determine an acceptable solution. At a meeting held on 29 April 2008 an agreement was reached that resolved this issue. The proposal was that a shared surface could be provided on a cul-de-sac serving a maximum of 25 dwellings. Any shared surface serving a higher number of dwellings, either as a cul-de-sac or a through route, would have at least one designated safe route through the length of highway, the width being a minimum of 2.0. It was determined that the safe route be delineated by a kerb with an up-stand of 30mm and that at each end, and other appropriate locations, a flush kerb with tactile paving would be provided. The material used in the safe route would be of contrasting colour to the remaining surface. This area would be designated as a Shared Space as opposed to a Shared Surface.
- 3.7 A request for the safe route to be constructed of a material with a smooth surface, such as a bituminous material, as opposed to block paving, was made. However as this would defeat the overall objectives of providing a shared area, an area where a driver would recognise that he was in a location different to a normal highway, this proposal was not accepted.
- 3.8 A further request was that a delineation feature be provided at the back of the footway, such as a garden wall or an edging raised to a height of 30mm was also made. As this would depend on the proposed development this has been

incorporated within the Street Design Guide as a further consideration when dealing with any proposal. The minutes of the meeting are attached as **appendix B**.

- 3.9 It was also agreed that when designing Home Zones the recommendations within Designing for the Disabled in Home Zones would be followed.
- 3.10 Following this agreement further representation has been made by letter on 29 May 2008, attached as **appendix C**. The letter is from the same association stating that they now feel that they did not reach a satisfactory solution and further research should be undertaken before they can agree to any proposals.
- 3.11 At the request of this Board further discussions have taken place with the Alliance of Users and Carers which has also involved a number of Members. Further to that meeting a Member/officer meeting has been held at which it was determined that the Council would invite Mr Tom Pey, Director of Development Guide Dogs for the Blind Association, to a meeting with Members and officers. Also invited to that meeting would be representatives from the Department for Transport and from the Alliance of Users and Carers.
- 3.12 The Member/officer meeting also determined that, as an interim measure, the solution set out above would be used in the Street Design Guide, until the findings from the on-going research being carried out by the DfT has concluded. The Street Design Guide would then be amended to incorporate the finding of the research.
- 3.13 This proposal was then put to the Alliance of Users and Carers on 27 July 2009 who were fully supportive of the proposal for a meeting with members. They were made aware that in the interim the agreement that was reached in April 2008, but later retracted, would be used as an interim policy within the Street Design Guide, and would be amended to reflect the outcome of any future research. They requested that included in this report was their strong preference for a 100mm kerb up-stand, as opposed to 30mm, and that the length of a cul-de-sac of up to 100 metres for a shared surface is too long. However these issues will remain as unresolved concerns until the research has been concluded.
- 3.14 In addition to the above objections a deputation was submitted to the Council, by the National Federation of the Blind, outlining concerns with the provision of Shared Spaces and requesting that such areas are not provided. The deputation was presented to the Full Council meeting on the 10 September 2008 where it was resolved that the matter should be considered by the Executive Board on 5 November 2008. Although a report was prepared for that committee the item was deferred until further discussions had taken place, as set out above.
- 3.15 The concerns raised in the submitted deputation are the same as those raised by the Alliance of Users and Carers, that is, that *“Shared Space has very serious implications for the health, choices, independence and mobility of disabled people...”* However the title of the deputation is “Say no to Shared Spaces”. This does conflict with the advice given by The Guide Dogs for the Blind Association in their document entitled “Shared Surface Street Design Research Project”. In the forward to that document it states *“At the heart of the issue is the need to distinguish between Shared Space and Shared Surfaces. The former can be successful in meeting everyone’s needs provided that physical ‘clues’ including kerbs and tactile surfaces are retained....”*
- 3.16 The proposals set out above address this issue by the provision of kerbs and tactile paving, when appropriate, within shared areas. It is considered that these provisions provide a safe and defined route for disabled people through a Shared Space.

3.17 Copies of the Street Design Guide document have been circulated to Board Members for consideration and can be obtained from the clerk named on the front of the agenda.

4.0 Compliance with the Regulations

4.1 In accordance with the statutory regulations and the Leeds City Council SPD Production Procedural Requirements, the following documents/statements have been prepared and cleared by Legal and Democratic Services:-

- Adoption Statement
- Sustainability Statement
- Statement confirming compliance with SCI

(all attached as **appendix D**)

5.0 Conclusions

5.1 The draft Street Design Guide follows the principles of Government guidance set out in the recently published Manual for Streets.

5.2 Objections to the provision of Shared Surface have been received from groups representing disabled people.

5.3 A solution with the objectors was initially reached which provides for a safe route through shared areas which are either on through routes or serving developments of over 25 dwellings. This agreement was later rescinded by letter dated 29 May 2008. However further discussions have taken place with the objectors and, as an interim measure the solution is acceptable whilst further research is carried out, the finding of which will be incorporated within the Street Design Guide.

5.4 In addition the document is a Supplementary Planning Document and thus subject to monitoring and therefore any Shared Surfaces built during the intervening period will also be monitored to determine if the provisions are adequate or require revising.

6.0 Recommendations

6.1 That the Executive Board approves the Street Design Guide, as now drafted, as a Supplementary Planning Document.

7.0 Background Papers

- Neighbourhoods for Living – A guide for residential design in Leeds, December 2003
- Manual for Street, Department of Transport, 2007
- Testing proposed delineators to demarcate pedestrian paths in a shared space environment
- Designing for Disabled People in Home Zones

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Consultation Report

Appendix A

RESPONDENT	COMMENT	RESPONSE	ACTION
Alan Baxter and Associates	Road safety audit should be part of street quality audit (2.9)	Quality audits will have an overarching control over all audits	Reword document
	Level of development served off street type shouldn't be limited (3.2.1.4 – 3.2.1.5)	Rewrite to relate development to traffic flows. Also to state that this does not apply to distributor roads.	Reword document
	Width of bus routes should not be set at 6.75m (3.2.2.12 iv)	Discussed with Metro who require 6.75m, but will discuss reduction on site specific basis.	No action
	Anticipated speed as opposed to design speed should be used for forward visibility (3.2.2.12 vii)	Design speed already reduced as well as centreline radius. Safety concerns with further reductions.	No action
	There should not be a minimum centreline radii (3.2.2.12 viii)	Speed control bends allow for further reduction in centreline radius. (3.3.4 [ii])	No action
	Reversing from private drive onto a type 1 street should be allowed (3.2.2.12 ix)	Type 1 streets have higher level of pedestrian movement. A number of personal injury accidents occur in this situation	No action
	Verges should not be a requirement on type 1 streets (3.2.2.14)	The aspiration is to increase street environment, therefore verges should remain a requirement	No action
	There should be flexibility on shared surfaces with no minimum width (3.2.2.21 iv)	The minimum width is necessary to retain vehicle access whilst allowing access to service trench.	Amend wording to provide reason
	There should be a flexible approach to forward visibility (3.2.2.33)	The document does allow for reduced visibility	No action
	DMRB should not be used for streets not covered by this document(3.2.2.36)	There is no other guidance for design. A standard has to be provided	No action
	Higher quality materials should be used on adopted streets (3.2.3.3)	High quality materials are acceptable on adopted streets; however there are cost implications that could restrict the use without	Amend wording to reflect this

RESPONDENT	COMMENT	RESPONSE	ACTION
		commuted sums.	
	Central features such as roundabouts should be allowed (3.3.5)	Roundabouts are an acceptable feature except as a traffic calming feature.	Amend wording
	Gradients greater than 5% should be allowed due to the topography of Leeds(3.4.1 – 3.4.2)	Any gradient greater than 5% is classed as a ramp. The 5% is a government standard.	No action
	The K values proposed are unnecessary (3.4.8)	K values are necessary to prevent vehicles from grounding as well as comfort	No action
	Parking bays should be allowed within sightlines (3.5.21)	With the very short visibility splays proposed they should be protected	No action
	Crossroads should be allowed for speeds of 20mph (3.5.26)	They are allowed	Amend table to confirm this
	Garages should be allowed without drives (3.9.20)	To prevent garage doors overhanging footway the garage is required to be set back 1m.	Alter 3.9.22 to have a 1m strip behind back of highway if drives are not provided.
	The pedestrian inter-visibility is too great (3.9.21)	2x2m is considered that absolute minimum. Most cars are reversing out of drives.	No action
	Carriageway widening is not necessary (3.10.9)	It is considered that widening on bends is required but the table requires to be revised to cater for the appropriate radii	Amend table
	The emphasis is on through routes not cul-de-sac hence down play turning heads (3.10.10 – 3.10.15)	Culs-de-sac will be provided where appropriate and therefore turning heads still necessary although emphasis on through routes	No action
	Large areas of landscaping should be adopted (3.12.3)	The highway authority will not adopt large landscaping areas.	No action
	Location of street lighting should be considered early in process (3.13.1)	Agreed the statement says exactly that.	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
	Type I streets should be designed to 20mph to reduce the number of signs (3.17.4)	If the actual speed of the street could be maintained at 20mph this would be acceptable. However to-date this has not been achieved	No action
	Do features within a 30mph zone require signing if provided from new	Yes as required by TSRGD	No action
Bryan G Hall	No specific reference for objection other than the guide is too restrictive and does not follow the principles of MfS	Cannot address the comments raised in this letter as no direct comment or any proposals are provided. The consultants do not agree with the whole document as written.	No action
Calderdale Council	Parking provision proposed is not in line with PPG13 (P59 footnote)	The proposals accord with the inspectors decision on the revised UDP	No action
	Better consideration of sustainable drainage systems required.	The guidance on sustainable drainage is considered appropriate	No action
Leeds Civic Trust	Do not want a hierarchy of streets (3.2.2.8) (Q1)	Developers need advice on what to construct. The way forward is to provide alternative, hence there has to be various 'types' of street.	No action
	Does not want specific criteria as set out in tables (Q3 & Q4)	Developer has to be provided with guidance.	No action
	Speed restraints are not required if they are well laid out. (Q5)	Advice on restraints is provided to assist designers to achieve speed control.	No action
	Suggests very tight radii to control speed (Q6)	Tight radii are proposed.	No action
	Requests more flexibility in junction	Following meeting with LCT they	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
	spaces (Q7)	have retracted this comment.	
	Prefers method 1 for car parking	Noted	
	Requests that 'dry laid clay bricks' to list of approved materials	Clay bricks do not meet the required skid resistance	No action
	The guide is not flexible and does not reflect MfS	The guide provides adequate flexibility for developers to provide a range of varied layouts	No action
	The document is old fashioned	Noted	
METRO	Reference to SPD Developer Contribution should be made (2.9)	Agreed	Amend document
	Refer to travel plan SPD (2.9 iv)	Agreed	Amend document
	Adjacent development should be considered to allow possibility of bus routes (3.2.2.6)	Agreed	
	Only horizontal traffic calming measures on bus routes (3.3)	Vertical calming can be used on bus routes subject to dimensions. See below	No action
	Minimum length of speed table to be 6m (3.3.4 iv)	Agreed	Amend document
	Minimum use of guardrail (3.6.17)	Agreed	Amend document
	Reference to SPDs (3.16)	Agreed	Amend document
	Metro to be consulted on proposals that affect bus stops (3.16)	As set out in 3.16	No action
	Add addition wording 'on the matters below' (3.16.2)	Agreed	Amend document
	SPD para requires up-dating (3.16.10)	Agreed	Amend document
Sanderson Associates	Should use equation to calculate 'Y' distance (3.5.17)	Agreed to use equation on existing network	Amend document
	High number of dwellings should be allowed for shared surfaces (3.2.2.21)	There is a major concern for the provision of shared surfaces. Subject to the provision of a safe	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
		pedestrian route a higher level will be acceptable	
	There should be flexibility on shared surfaces with no minimum width (3.2.2.21 iv)	The minimum width is necessary to retain vehicle access whilst allowing access to service trench	No action
	Conflict between adoption procedures and appendix B (3.17.11)	Agreed	Amend the appropriate section
	Commuted sums on all materials not acceptable	Government are producing guidance on commuted sums. The wording within the document to be altered at allow for this.	Amend document
	The proposal that garages are equal to 0.5 space will result in more car parking/visual intrusion	Subject to a garage being of a certain size a garage will be counted as a space	Amend document
	National guidance should be referred to (1.12)	Add 'and national guidance'	Amend document
	Agrees with the flexible approach but considered document is too rigid [visibility/shared surfaces](2.5)	General supporting comment. Other issues dealt with elsewhere.	
	Shared surfaces require careful consideration of delineation of different functions needed to avoid patchwork effect (p18)	Delineation of areas has been agreed with the appropriate bodies	Amend document accordingly
	Concern raised about the removal of ransom strips (3.2.2.6)	Noted but will retain statement	No action
	Treatment of areas of margins outside c/way & margins unclear. Can length of shared surface street increase?(3.2.2.21)	Area outside c/way & margins would be private. The length of shared streets can be increased if a safe pedestrian route is provided	Amend document
	Contradiction between approach for type 3 & type 4 (p20 & 21)	Do not consider any contradiction.	No action
	The term private street is inappropriate in light of case law (3.2.3)	.The term private street is correct. However there is inconsistency with the section	Amend wording to address inconsistency in statement but the term 'private street' is

RESPONDENT	COMMENT	RESPONSE	ACTION
			correct
	Replace 'any gate' with 'where permitted, gates..' (3.2.3.6)	Agreed	Amend document
	The highway authority has no rights of adoption (3.2.4.717)	The highways authority considers that the appropriate way to ensure maintenance is to adopt the highway	No action
	There appears to be conflicting guidance on trees within the adopted highway (p31)	It is considered that no conflicting advice is given.	No action
	Do archways require 'height signs?' (p32)	If the highway underneath an archway is to be adopted then signage would be required. Guidance given in 3.4.5	No action
	Speed control bends diagram would be helpful (p32)	Diagram required.	Amend document
	Carriageway width – is this acceptable to the fire authority?(p32)	Fire brigade consulted and have not objected	no action
	Ramp gradient too shallow (3.3.4)	Amend gradient to 1:18	Amend document
	No advice given on roundabout/minis (3.3.5)	There is no need to repeat government guidance	No action
	Who will carry out the consultation (3.3.7)	The developer should undertake consultation and provide the appropriate correspondence to the LA. Amend the wording	Amend document
	Are K values necessary? (3.4.8)	K values are necessary to prevent vehicles from grounding as well as comfort	No action
	Will the authority accept traffic management measures to provide visibility splays where such facilities fit in with the general road environment?	Yes, if the proposals conform with existing traffic management measures	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
	Who maintains areas adjacent to footpaths (3.6.1)	Site specific but could be adopted	No action
	Clarification on areas of parking that could be adopted (p60)	Site specific	
	The proposal is contrary to MfS (3.9.21)	The guidance is to clarify/amend MfS where appropriate as the MfS requires	No action
	Example of visitor parking does not work in practice. (3.9.30)	The example shown does work as noted on site	No action
	Turning head difficult to maintain (3.10.11)	Will amend the detail	Amend document
	Suggest MfS(p75) be used. [3.2.3.4] is worded differently (3.11.3)	agreed	Amend document
	Widths proposed differ from those given earlier (3.4.11)	Will amend	Amend document
	Max growth height should be 0.6 (3.12.8)	Agreed but will remove reference to walls for paragraph	Amend document
	How do the dimensions fit in a 3.1m road narrowing? (3.13.2)	Can be accommodated if public sewer is located out of carriageway	No action
Councillor Harrand	The provision of a raised white line be required for type 3 &4 streets	Considered as part of shared street debate	Amend document
Peter Barnett	Terminology of disabled people/elderly etc (2.6, 3.1.1)	Amend terminology if necessary	Amend document
	Para 2.8 slightly confusing	Para reads OK	No action
	Should refer to Leeds City Council Planning Services or LPA (2.9)	Amend para	Amend document
	2.9(ii) needs footnote/bibliographical ref to explain guidance on TA	Not required	No action
	Poor diagram 3.5.12	Agreed	Amend document
	Prefers method 1 simpler 3.9.9 etc	Noted	

RESPONDENT	COMMENT	RESPONSE	ACTION
Joint Highways Advisory Group	Tactile Paving – should add ‘the use of tactiles is to be considered based upon the issues of all road users and the likelihood of damage’	Not included	No action
Sport England	Raises a number of questions as to whether the guide addresses accessibility.	The answer to each question raised is ‘yes’	No action
Jacobs	Suggests that a sustainability appraisal be added to the list documents (2.9)	A sustainability appraisal is not required in planning terms.	No action
	Suggests 20mph on type 1 roads	If this can be achieved then it would be acceptable but a 30mph street is expected to be the norm.	No action
	Provision for cyclists on all routes	Cyclist would be expected to use the same space as others. Widening to provide a separate cycle lane would increase the speed of traffic.	No action
	Provision for public transport facilities (Qu.4)	Public transport facilities are encouraged where appropriate.	No action
	Speed restraints provided over distances that drivers find acceptable. Recommends changes in horizontal & vertical alignment and short cul-de-sac. Metro to agree calming measures (qu.5)	The provision of restraints is covered by a plethora of guidance which has to be followed. Metro have provided their own comments.	No action
	Recommends that visibility be in range of 1.05 – 2.0 (qu.6)	Add diagram or reference appropriate document	Amend document
	Junction spacing should be 30m [same side] and 15m [opposite side] on 100 – 300 dwellings. Not within 20m of junction with distributor road. (qu.7)	The guide allows for crossroads as per MfS. The 20m from distributor roads will be added.	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
	Method 1 preferred	noted	
Morley Town Council	Concern at the high level of traffic for a home zone, suggests a lower level (3.2.2.8)	The guide follows government guidance	No action
	Requires two accesses for over 200 dwellings and preferred for over 100 dwelling (3.2.2.13)	This is already included within the guide.	No action
	States type 3 is lowest order to be adopted but contradicted with type 4 (3.2.2.18/3.2.2.32)	agreed	Amend document
	Supports the max of 5 off a private road. (3.2.3.1)		No action
	Does not support the use of speed tables (3.3.4)	These are necessary to control speeds below 20mph.	No action
	Does not support the reduction in sightlines (3.5)	The document is following government guidance on this issue.	No action
	Does not support the over provision of cycle facilities (3.7)	The document is following the LTP and government guidance.	No action
	Requires the provision of 2 spaces per dwelling no matter what size (3.9)	The document is following the current planning policy.	No action
	Para 3.9.32 is not logical	Reword the last sentence	Amend document
	Supports commitment to natural paving in conservation areas	Agreed	No action
Steve Gombocz	Figure 1 in appendix C requires reconfiguring for two boxes	Accept	Amend document
Sam Grimwood	Generally supportive of the document but provides comment on issues not covered by it. Suggests increase in trees within the highway	Provision of trees is supported and covered in the landscape section	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
Alan Taylor	Suggests the document is called "Residential Street Design Guide"	The document covers industrial streets as well as residential streets.	No action
	The term mixed use' appears in a number of places but no definition (1.11)	??	
	The term 'local centre' is wrongly used and should be 'town/district centre' (3.9.12)	agreed	Amend document
	"S2 local centre" should be "S2 town/district centre" (p59)	agreed	Amend document
Brian Ablett	Wants 20mph speed limit on all roads	If this can be achieved then it would be acceptable but a 30mph street is expected to be the norm.	No action
	Requires street lighting to be efficient	This is controlled by the PFI project.	No action
	Requires the document to accord with the Nottingham Declaration	Transport policy is dealt with through LTP	No action
Yasin Raja	Add 'residential' to car parking guidelines (p58)	Agreed	Amend document
	Add ' to try and achieve aims and objectives of the car parking guidelines in the UDP and subsequent LDF's (3.9.9)	agreed	Amend document
	City centre 'core' average 0.6 (3.9.12)	agreed	Amend document
Jonathan Eyre	Concerned at lack of mention of recycled material in section 4	Materials covered in 'specification for highway works'	No action
	Requires the use of permeable pavement for car parking areas	Agreed	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
	Should refer to the SPD on sustainable design and construction	Agreed	Amend document
Leeds Property Forum	The guide should provide more emphasis on place making	The guide is read in conjunction with Neighbourhoods for living which sets out the principles of place making	No action
	The document is negative (2.6)	Reword to put a positive slant on comment	Amend document
	Provide a distinction between guidance required for safety and these related to quality of place which could be more flexible	The carrying out of quality audits will address this issue	No action
	Type 1 is over restrictive (3.2.2.12)	It is considered that there is adequate flexibility within the document to allow designers to produce good designs	No action
	Design speeds outside schools should be 10mph	Government guidance is 20mph	No action
	Footways on type 2 should vary in width from 1.2 to 3.5 (3.2.2.17)	The minimum width of footways is 2.0m to cater for statutory undertakers' equipment.	No action
	Would like home zone standards without designation.	A home zone, and hence standards, are as designated in the Transport Act 2000	No action
	More flexibility in shared surface design	The provision of a safe pedestrian route will allow more flexibility	Amend document
	Agrees with speeds should be self enforcing but requires clear examples on how this can be achieved (3.3.2)	Speeds are self enforcing if designed is correct	No action
	Agrees with reduced visibility splays		No action
	Proposes method 1 but also	agreed	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
	supports car ownership figures!! Suggests worked examples		
	Wants more interesting materials than just the standard pallet	Nothing was put forward as a suggestion. Willing to discuss alternative materials with developers.	No action
	Should be written in a positive language not negative and requires better illustrations and clear examples	Agreed	Amend document
Sue Speak	Supports method 1. Concern at distinction between owned/rented	noted	No action
Tim Parry	Concern at type 2 footway width for shared with cyclists is not wide enough. (3.2.2.17)	Propose 3.0m for shared footways.	Amend document
	Raises concern about a through route on shared surfaces (3.2.2.19)	The provision of a safe pedestrian route will allow more flexibility	Amend document
	Reword 3.2.4.1 to "...public transport stops, <i>housing and other nearby walking and cycle routes</i> "	Agreed	Amend document
	Diagram not correct (3.7.15)	Agreed	Amend document
	Dimensioned diagram not correct (3.7.15)	Agreed	Amend document
	3.2.2.1 it's should be its	Agreed	Amend document
	3.2.2.12 dependant should be dependent	Agreed	Amend document
	3.22.36/37/38/39 & 41 tolerance should be clearance/clear space/gap	agreed	Amend document
Magda Lezama	Suggests new words for para 4.3 & 6.2 of appendix E	agreed	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
Andy Wheeler	Shared streets should be limited to 25 dwellings	Shared street criteria altered after extensive consultations	Amend document
John Wilson	Street lighting should have the ability to have lower levels of luminaries during low levels of pedestrian flow	This is governed by the PFI project.	No action
Andrew Smith	Section 3.11 – Emergency Access Para 3.11.4 should be expanded to mirror the comments in MfS (para 6.7.3)	agreed	Amend document
Members	Suggest para 3.2.3.2 be removed to conform with the original design guide	agreed	Amend document
Disabled Peoples groups including: An Alliance of Service Users and Carers, Leeds Involvement, British Retinitis Pigmentosa Society, Talking Newspaper for the Blind for Otley, The National Federation for the Blind, Access Committee for Leeds, RNIB Shire View Centre Leeds, Leeds Jewish Blind Society, Vision is not	General concern that the provision of Shared Space does not provide adequately for blind, partially sighted and disabled people	A solution to provide a safe route through shared streets of over 25 dwellings by means of a 2m wide area delineated by means of a 30 mm up-stand and appropriate designated crossing points has been included in the document. The recommendations of the document 'designing for disabled people in home zones' to be included in the document	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
Essential, Leeds Society for Deaf and Blind People, Transport Access Group, Mrs Ruth Holder			

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**Alliance of Service Users and Carers
Shared Space Subgroup**

29th April 2008

Leeds Involvement Project

**Notes of a Shared Space Meeting with the Alliance Shared Space Sub
Group and Officers of Leeds City Council**

Present:

Barry Naylor, Mary Naylor, Alan Oldroyd, Joyce Rogers, Keith Spellman, Joy Fisher, Victor Jackson

Mike Darwin and Gillian McLeod – Leeds City Council Highways

In attendance:

Joseph Alderdice (LIP minute taker)

Mags Barrett (Reed Social Care) Personal Assistant

Meeting opened 10.30am

Keith accepted the invitation to chair the meeting and welcomed everyone. Introductions were made.

Mike offered an update. He has met with his counterparts in eight 'core cities', discussing the issue of Shared Space and different authorities' approaches to it. He reported that they are all going ahead with it, although two are looking at using contrasting paint.

Mike has also met with West Yorkshire's County Councils who are willing to have small cul de sacs made into shared space, with any other shared spaces having a designated route through for disabled people. This proposal was endorsed by the Highways Authority, taking into account recommendations from today's meeting and emerging publicity and guidance.

Mike referred to a Guide Dogs publication containing various design proposals for guidance paving, including kerbs of various shapes and sizes and raised painted lines. There is no consensus on what is the best design as yet, which Mike said is why he is here. Group members felt that, until a suitable delineation method was devised, no changes should be made to the existing pavement system. One member suggested that to do anything else would be a failure in their duty of care.

Gillian responded to this by stressing that they are compelled to follow Government proposals and that by consulting the group today they are considering their safety. Mike elaborated that he is formulating a policy which he is inviting the group's input on today. If he doesn't produce this policy, the development will be based on Government policy instead (without the group's input).

One member raised the practical issue of cane users requiring a minimum radius to swing their canes.

Mike talked about the designated area for pedestrians and the options for delineating it from the road, including kerbs and white lines.

It was asked how much opposition there is to the scheme in other cities. Mike had the impression that there was a similar level of opposition in other cities.

There was a discussion around Kensington High Street (a London Shared Space area), the various demarcations used and its improved safety record.

A number of group members accepted that there are times when traffic needs to use pedestrian areas in towns and cities, such as to make deliveries. However, it was stressed that to open up pedestrian areas to traffic around the clock in suburban areas is a different matter altogether.

Mike brought the discussion back to marking the border between pedestrian and traffic areas. He asked again for a recommendation to take back, since the research presented earlier hadn't reached a conclusion. He listed the options again. The border will not necessarily be marked between the pedestrian areas and gardens.

It was felt that the demarcation must clearly designate the area to motorists, yet no matter what the system is some people will always park illegally.

There was a general agreement that it would be best to have a strong colour contrast between the areas, complimenting a raised (30mm) kerb between them. It was also felt that there should be designated crossing areas at which the kerb is lowered, with tactile paving beside it.

It was felt that walls, gardens and kerbs acts as tactile landmarks for cane users and that to make areas uniform would be disorientating. A further issue was raised, of knowing where Shared Space ends and a busy main road might begin.

Various issues of garden walls, children's play areas and supervised play were raised. Mike explained that these issues were nothing to do with his work, or Shared Space.

The group recommended that the borders between pedestrian areas and the roads are mirrored by a border at the edges of gardens. Mike accepted that this would be useful, but argued that the edges of gardens are private property. He did offer to take the issue back for further discussion.

The group recommended that the paths are smooth, to contrast with the block paving on the road. Mike said that research has shown that having block paving in both areas causes drivers to slow down. Group members stressed that to navigate block paving with a cane can be quite painful. Mike made it clear that the issue of block paving was beyond negotiation.

There was a discussion around motorists obeying speed limits.

Concerns were expressed around maintaining block paving and the dangers of replacing them unevenly when private telecommunications companies dig them up. It was feared that such a tripping hazard would be the "cobblestones of the future". Mike reported again that block paving is the preferred option for other interested parties. He offered to take the group's concerns back, although he warned that it is overwhelmingly likely that block paving will be used. He offered the consolation that the policy is "not set in stone" and will be reviewed every two years.

Gillian offered the group opportunities to observe the first Shared Space projects in Leeds when they are completed.

There was a discussion around the lack of coordination between the various bodies that dig up highways. It was addressed in the Traffic Management Act, which gives the responsibility for maintenance to the Statutory Undertakers. It was felt that they regularly fail in these responsibilities.

Mike will ask his equivalents in other cities if they are willing to be contacted by group members interested in how Shared Space is progressing elsewhere. One group member warned against losing focus on Leeds.

The issue of training engineers on access rights and legislation was raised, along with the issue of penalising contractors for non-compliance. This is beyond Mike's remit.

There was a discussion around street contractors "cutting corners" and ill-placed street furniture. Mike reported that the intention is for all replacement street lighting to be installed at the back of the pavement if at all possible.

Mike will report the agreed demarcation design to the Planning Board and Highways. He thanked the group and was thanked in return. He is willing to be contacted at any time.

Mike and Gillian left at 12.00 noon.

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**"An Alliance of Service Users and Carers,
experts by experience, who work in
partnership to inform and influence health
and social care services"**



Thursday, 29 May 2008

Dear Mike

Thank you for meeting with members of the Alliance of Service Users and Carers on 29th April 2008, to discuss "Shared Space".

Unfortunately we feel that we did not reach a satisfactory conclusion at this meeting and we think we should have more knowledge of the area before it becomes instituted and not afterwards when it is too late. Can you confirm the exact specifications you will be applying?

To help us better understand the issues involved, we would like to see a copy of the criteria by which the council approach the present planning application for Shared Space Developments.

Regarding surfaces, we have concerns about the inner and outer saw lines. In particular your reference to the inner saw line, as we think this can be evidenced without infringing on private property. You mentioned that two metres should be clearly marked for pedestrian use, we would like more clarification on this, and for example does this mean one metre on either side?

Hence we feel if there is an area elsewhere in the country with the same or similar design features that it would be worthwhile for your department to sponsor a group to look at this.

As there were several points that we did not reach agreement on we reserve the right to challenge any plans or proposals that that are put forward and hope that you will be able to brief us on any new design features that would affect us.

Yours Sincerely

Barry Naylor
Alliance Working Group Member

CC. Councillors

K Wakefield
Richard Brett
Andrew Carter
Brenda Lancaster

D Coupar
P Harrand
Ralph Pyk

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Statement Confirming Compliance with Statement of Community Involvement

National regulations governing the preparation of LDF plans requires a consultation period of 6 weeks and notification to be sent to those organisations who the Council considers will be interested in or affected by the proposals. It is also required that the documents be made available at public places and on the internet.

The consultation undertaken complied with the City Council's Statement of Community Involvement. Formal consultation on the Preferred Option was carried out for a 6 week period (commencing on the 14 September 2007), the 6 week consultation period was extended by 4 weeks to 23 November 2007 for groups representing disabled people to give them time to discuss the issues at convened meetings and prepare their responses.

Documents were made available on the LCC website and in hardcopy at the Leonardo Building, and at libraries and one-stop shop centres within Leeds District.

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**STREET DESIGN GUIDE
SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

ADOPTION STATEMENT

The Supplementary Planning Document (SPD) for the Street Design Guide was adopted by Leeds City Council on 2 September 2008. The Street Design Guide provides guidance, in line with Council's "Neighbourhoods for Living" and the Government's "Manual for Street", for the design of residential, and other, streets.

Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision. Any such application must be made promptly and in any event not later than 3 months after the date on which the SPD was adopted.

The SPD, the Sustainability Appraisal, a statement summarising the main issues raised during the formal consultation period and how these were addressed in the SPD and a copy of this Adoption Statement can be viewed on the Council's website at www.leeds.gov.uk/ldf or at the Development Enquiry Centre, Development Department, Leonardo Building, 2 Rossington Street, Leeds, LS2 8HD (Monday – Friday, 8:30am – 5:00pm) (Wednesday 9:30am – 5:00pm).

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**STREET DESIGN GUIDE
SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

SUSTAINABILITY STATEMENT

1.0 PURPOSE OF REPORT

- 1.1 A Sustainability Appraisal of the Draft Street Design Supplementary Planning Document (SPD) was undertaken by the City Council in September/ October 2007. This report summarises how the SPD has changed during the Sustainability Appraisal process, the reasons for choosing the adopted SPD and the measures decided regarding monitoring.

2.0 BACKGROUND TO THE STREET DESIGN GUIDE SPD

- 2.1 The SPD has been prepared by Leeds City Council to amplify policies in the existing adopted UDP that refer to detailed planning considerations of access, drainage, landscaping, parking and design and also to maximise highway safety. This SPD when approved will form part of the Local Development Framework (LDF) for Leeds.
- 2.2 The objective of the Street Design Guide SPD is to provide detailed guidance on how to create street designs which achieve high quality, accessible and safe residential and commercial places, and which facilitate sustainable travel and construction.

3.0 CONSULTATIONS

- 3.1 Consultation has been carried out during preparation of the SPD and sustainability appraisal as follows:
- Consultation on the Sustainability Appraisal Scoping Report in May 2006 with the Countryside Agency, English Nature, Environment Agency and English Heritage.
 - Consultation on the Draft SPD and Sustainability Appraisal report in September / October 2007 (extended to November for blind and partially sighted groups) with the above consultees and local councillors, parish councils, neighbouring local authorities, Government Office for Yorkshire, Metro, local planning and highway consultants and other interested parties. The Draft SPD and Sustainability Report were also published on the Leeds City Council website.
- 3.2 The comments received are reported in the representations statement along with the Leeds City Council response and proposed amendments to the SPD. The SPD has been amended in accordance with the representations statement.

4.0 REASONS FOR CHOOSING THE ADOPTED SPD

- 4.1 The Sustainability Appraisal considered the following options:
- the Do Nothing option (No SPD),
 - the SPD option

4.2 The SPD option was chosen as the preferred option as it was assessed as having a greater positive impact on a number of sustainability objectives than the no SPD option.

5.0 MONITORING

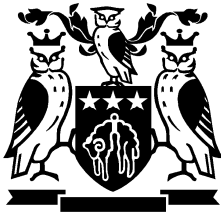
5.1 The purpose of monitoring is to assess the actual effects of the SPD compared with those predicted in the Sustainability Appraisal and to identify any unforeseen effects. The Sustainability Appraisal report sets out how the effects of the SPD will be monitored. This monitoring will be linked to monitoring activities undertaken for the LDF as a whole.

6.0 CONCLUSION

6.1 The Sustainability Appraisal of the Street Design Guide SPD indicated that the SPD will generally have positive or neutral impacts on sustainability.

6.2 The purpose of the Sustainability Appraisal was to ensure that social, environmental and economic considerations have been taken into account in developing the SPD. A review of the relevant plans and programmes revealed some of the objectives that the SPD needed to take on board and the baseline compilation helped to identify challenges and opportunities facing street design issues in Leeds. The Sustainability Appraisal process has also helped in comparing the SPD options and highlighting the benefits the new SPD will bring.

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Originators: Rosie Fluin
Tom Knowland
Kim Regan

**Report of the Directors of City Development and Environment and Neighbourhoods,
and the Chief Executive of Education Leeds**

Executive Board

Date: 26th August 2009

**Subject: Response to the Young People’s Scrutiny Forum inquiry ‘Protecting our
Environment’**

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

- 1 This report provides the Executive Board with details of the recommendations from the recent Young People’s Scrutiny Forum inquiry into ‘Protecting our Environment’ and details how the relevant Directors and the Chief Executive of Education Leeds propose to respond to these recommendations. The report asks the Board to approve the proposed response.

RECOMMENDATIONS

- 2 Executive Board are recommended to:

Approve the proposed responses to the Young People’s Scrutiny Forum’s recommendations.

1.0 Purpose Of This Report

- 1.1 This report provides the Executive Board with details of the recommendations from the recent Young People's Scrutiny Forum inquiry into 'Protecting our Environment' and details how the relevant Directors and the Chief Executive of Education Leeds propose to respond to these recommendations. The report asks the Board to approve the proposed response.

2.0 Background Information

- 2.1 In December 2007, Scrutiny Board (Children's Services) asked the Youth Council to suggest a topic of importance to young people which could be the subject of a scrutiny review undertaken by young people on behalf of the board.

The Youth Council discussed a range of possible topics, and ultimately decided upon 'Protecting our Environment'. The final scrutiny report, containing full details is attached at appendix 1.

- 2.2 The report makes 11 recommendations for action. Due to the nature of the inquiry, these recommendations are addressed to a range of Council departments, and also to Education Leeds.

3.0 Main Issues

- 3.1 Below, each of the Young People's Scrutiny Forum's 11 recommendations are listed along with a response. The Director of Environment and Neighbourhoods and the Chief Executive of Education Leeds accept the recommendations of the Forum.

- 3.2 Recommendation One:

That Leeds City Council works to increase the range of materials which can be recycled as part of the doorstep collection, particularly looking at including glass and a wider range of plastics, and that progress is reported back to the Scrutiny Board (Children's Services) in September 2009.

The Director accepts the recommendations and offers the following comments:

By 2020 we want to be in a position where we are recycling at least 50% of all household waste and we are continually improving our services to help the city achieve this.

Over the past two years Leeds has increased the range of materials collected from the kerbside with the introduction of a garden waste collection service.

Plastics collected in the green bin are types 1, 2 and 4. There are many different types of plastic in use, some of which we can recycle in the UK and other types, including that used to make yoghurt pots and margarine tubs for example, that require new technology to recycle them, which as yet is not available in the UK. The Directorate will remain alert to further potential in this field.

As part of our overall recycling strategy we are now assessing the potential of bringing in a separate food waste collection service and plan to run a trial of this service later this year.

We provide a glass recycling service to 26,753 flats/apartments across the city. Last year we collected 9,700 tonnes of glass for recycling through these services. A full option appraisal needs to be completed to determine the most effective and best value for money collection method for glass. Glass can also be recycled through our recycling bring sites and household waste sorting sites.

3.3 Recommendation Two:

That Leeds City Council writes to DEFRA to ask that the government looks at introducing a national system for recycling, and a clearer national labelling system for recyclable waste, and that the response is brought to the Scrutiny Board (Children's Services) in September 2009.

The Director accepts the recommendations and offers the following comments:

The Council will write to DEFRA on behalf of the Young People's Scrutiny Forum. However, a national 'Packaging Recycling Action Group' has been set up to explore ways of improving the consistency of recycling services across the country, and the LGA is representing local authorities in these discussions. A new labelling system was launched in March 2009 by the British Retail Consortium, and the impact of this is being monitored by WRAP. The Council are also represented on a number of national forums and groups which are used for consultations on national policies in this area.

3.4 Recommendation Three:

That Leeds City Council works to increase the opportunities for recycling besides using green bins, with a particular focus on making recycling more accessible to everyone. Options for including larger and more attractive recycling bins in the city centre and in public spaces such as parks should be considered, along with ways to encourage community ownership of these bins. That a report on progress is brought to the Scrutiny Board (Children's Services) in September 2009.

The Director accepts the recommendations and offers the following comments:

We are committed to ensuring everyone in Leeds has access to recycling facilities. In addition to green bins we have 11 household waste sorting sites, 436 recycling bring sites, and 250 communal recycling facilities in areas not suitable for green bins. The Council also currently provide recycling at large events across the city such as Opera in the Park, Party in the Park and events on Millennium Square.

Options for including recycling within the city centre is something which is being considered as part of the updated Integrated Waste Strategy for 2009 – 2012. Work is also underway to encourage those areas which are least likely to recycle to do so, and to map provision across the city in order to develop an improved recycling infrastructure.

3.5 Recommendation Four:

That Leeds City Council does more to promote the idea of 'reducing and reusing' as well as recycling, and that it also takes steps to make this easier - for example by working with local businesses to reduce the amount of packaging being given out, and by increasing the amount of facilities on offer for reusing unwanted items. That a report on progress is brought to the Scrutiny Board (Children's Services) in September 2009.

The Director accepts the recommendations and offers the following comments:

The Council is already promoting 'reducing and reusing' in the following ways:

- Offering an incentive scheme for parents to use washable nappies.
- Supporting the national campaign 'Love Food, Hate Waste'.
- Working in partnership with WRAP who fund a subsidised home composting scheme.
- Working in partnership with second hand furniture stores and charities across Leeds.
- Working in partnership with Seagulls on the community re-paint scheme.
- Working in partnership with Education Leeds to provide a school recycling education programme as part of the sustainable schools framework.

In addition to these things, a pilot scheme is being introduced to allow people to donate household items at five household waste sites. These items will be reused by the Voluntary and Community Sector. Leeds is also leading on the development of a business handbook, on behalf of the Yorkshire and Humberside Waste Prevention Group, to encourage businesses to recycle.

3.6 Recommendation Five:

That Leeds City Council does more to help everyone in the city to use less energy, by making funding available for people to add insulation, double glazing and other energy saving devices to their homes. More assistance should also be offered to those wishing to install renewable energy generating equipment (such as solar panels) in their homes, and a relaxation of planning restrictions should be considered as part of this. That progress is reported to the Scrutiny Board (Children's Services) in September 2009.

The Director accepts the recommendations and offers the following comments:

A wide variety of different funding opportunities are already on offer to people wishing to insulate their homes, or undertake other energy saving measures. These include 'Warmfront', 'Health through warmth' and the Carbon Emission Reduction Target work carried out by energy companies. Leeds City Council provides additional funding to 'top up' some of these grants. The Council also runs several in-house schemes which promote energy efficiency. None of these funding opportunities include double-glazing as this is not seen as an effective means of improving the energy efficiency of a home.

The Government have recently relaxed the rules over requiring planning permission for micro-renewable technologies. Generally speaking, householders can install solar panels, solar PV, ground or water source heat pumps, flues for biomass heating or combined heat and power plants provided that it is not too prominent. To

assist with this, the Council are producing a Supplementary Planning Document on sustainable design and construction. An accompanying guidance note providing advice to householders wishing to carry out improvements to their property will also be produced as part of the Householder Design Guide Supplementary Planning Document.

3.7 Recommendation Six:

That Leeds City Council and Education Leeds show their commitment to improving energy efficiency by having a Display Energy Certificate in every one of their buildings, no matter how big or small, and that every effort is made to improve the rating of each building. The certificates should also be prominently displayed – for example in lifts or next to doors. We would like to see the Civic Hall used as an example of this, and ask that an update on the Civic Hall's current rating and any improvement measures being undertaken is provided to the Scrutiny Board (Children's Services) in September 2009.

The Chief Executive of Education accepts the recommendations and offers the following comments:

Currently, the Energy Unit is charged with ensuring that all properties with floor area greater than 1000 square metres should have a current DEC. We are aware that the legislation is due to be changed in the near future to encompass all buildings greater than 500 square metres. This change would cover another approximately 350 sites. Cost to LCC will escalate to approximately £245,000 per year. Extension of the scheme to every site would expand the scheme to approximately 2,500 buildings. We are in the process of acquisition of new software that would enable us to produce these certificates at a cost rather less than the current average of £400 each. We would propose that, once that software is procured, and installed, we would use the same software, and the same team, to produce "unofficial" DECs for internal league-tabling and display purposes.

The purpose of the DECs is to direct us towards refining our investment decisions, enabling best value for money. Using DECs we can identify the buildings that have higher heating and power needs compared to others of their type within the council, and against a national average, so as to isolate and concentrate on the poor performers first.

Each certificate is available electronically, so could be printed for each building as many times as is deemed expedient by the operator of the building.

3.8 Recommendation Seven:

That Education Leeds does all it can to maximize the opportunities for learning about environmental issues in all school lessons, and that an attempt is also made to improve the quality of this education, by developing a coherent approach across all areas of the curriculum, and incorporating some of the ideas from 'Philosophy for Children'. That Education Leeds presents a plan for how this can be achieved to the Scrutiny Board (Children's Services) in September 2009.

The Chief Executive of Education accepts the recommendations and offers the following comments:

Sustainable development is included in one of the initial aims of the National Curriculum, and is a statutory requirement in four curriculum subjects: science, geography, design and technology, and citizenship. It is also a cross-cutting theme with links to all subjects and many other aspects of the curriculum, such as key skills.

The new Key Stage 3 National Curriculum specifically includes the global dimension and sustainable development as a cross-curriculum dimension.

Education Leeds' new PSHE primary scheme of work features an integrated module on waste and recycling, and primary schools on the pilot Leeds Sustainable Schools Programme are trialling a new environmental primary scheme of work for Leeds entitled Planet Protectors.

The roll-out of the Leeds Sustainable Schools Programme beyond the current pilot phase to all Leeds schools will promote a wide range of curriculum opportunities for teaching and learning about the environment. Developing personal, learning and thinking skills with pupils, including consideration of the approach provided by Philosophy for Children, will be an important element of the programme.

3.9 Recommendation Eight:

That Education Leeds and Leeds City Council work together to encourage all schools to join the Council school waste management contract so that they all have the same arrangements for recycling, and so that every young person in Leeds has the opportunity to recycle at school. A report on progress should be presented to the Scrutiny Board (Children's Services) in September 2009.

The Director and the Chief Executive of Education accepts the recommendations and offers the following comments:

Education Leeds, through the Commissioning, Procurement and Business Development service, and Leeds City Council, already work together to encourage take up by promoting to schools the advantage of Leeds City Council's waste contract. These efforts will continue in the future, although there are some difficulties to be overcome in terms of termination clauses in schools' existing waste management contracts.

Effective waste management is also a condition of the sustainable schools programme, and schools will have to undergo a review of their existing waste contract arrangements in order to become classed as a 'sustainable school'.

3.10 Recommendation Nine:

That Education Leeds encourages all schools in the city, particularly secondary schools, to involve their pupils in practical activities to increase their understanding of environmental issues. This could include environment clubs in schools, and city wide activities. We would also particularly like to see young people in every school involved in monitoring the energy efficiency of their school building by studying the Display Energy Certificate and keeping track of how the recommendations for improvement supplied with it are being progressed. A report on this should be presented to the Scrutiny Board (Children's Services) in September 2009.

The Chief Executive of Education accepts the recommendations and offers the following comments:

The introduction of the new Key Stage 3 National Curriculum, in particular the inclusion of the global dimension and sustainable development as one of seven cross-curriculum dimensions, provides both an opportunity and challenge to engage in particular with secondary school pupils.

To become a sustainable school in Leeds schools must provide opportunities for involving staff and pupils in practical activities that include the use of information about the schools own improvement measures on a range of environmental issues.

Education Leeds will encourage all schools, particularly secondary schools, to develop practical activities to increase their students understanding of environmental issues.

Some schools have also been involved in the Npower scheme 'Climate Cops Academy', facilitated by Leeds City Council. The Council are exploring opportunities to expand this scheme.

The software note in the response to recommendation 6, above, would enable schools to track energy and water consumption patterns at their schools within a matter of days of the meter reading times. Such data could link into the formal DEC's to enable informal "running" DEC's to be produced within schools. Note that this activity would not be applicable to PFI schools whose energy is procured by external providers.

3.11 Recommendation Ten:

That Education Leeds moves the deadline to make every school in Leeds a 'Sustainable School' forward to 2015, and that it brings a report on how this can be achieved to the Scrutiny Board (Children's Services) in September 2009.

The Chief Executive of Education accepts the recommendations and offers the following comments:

In developing a local framework for sustainable schools, Education Leeds has adopted DCSF's national framework target for all schools to become sustainable schools by 2020. This timescale has been widely promoted and appears to be a "long way off". However this timescale recognises the significant changes, not only in infrastructure but also in behaviour and attitudes, that will be needed if sustainable schools are to be secured.

Less well known is the subsequent publication by DCSF of sustainable school performance bands which introduced interim milestones for 2010 and 2015 specifying that;

- by 2010 all schools should achieve at least a 'satisfactory' grade for all elements
- by 2015 all schools should achieve at least a 'good' grade for all elements
- by 2020 all schools should achieve at least half of all elements at a 'good' grade and half of all elements at an 'outstanding' grade

Adopting DCSF's interim milestones will be extremely challenging for the local Sustainable Schools Programme as the implications are that, as a first step, all

Leeds schools will need to reach a 'satisfactory' level of performance within 20 months i.e. by the end of 2010.

Education Leeds hopes that with this more detailed explanation about the milestones to 2020, Scrutiny Board will accept that satisfactory performance will be achieved by 2010, good performance by 2015 and moving to outstanding performance by 2020.

3.12 Recommendation Eleven:

That Leeds City Council develops a central 'brand' for all of its environmental education materials, and that more innovative techniques are developed for engaging with people, rather than simply giving out leaflets. For example, more use could be made of the radio and the big screen in millennium square and posters could be put up on buses. That the Scrutiny Board (Children's Services) monitors the development of these new materials over the next 12 months.

The Chief Executive of Education accepts the recommendations and offers the following comments:

Leeds City Council has adopted the use of the national recycle now branding on all environmental services communications and at household waste sorting sites across the city. Over 90% of local authorities in England now use the recycle now branding.

We have recently put recycling messages on the side of some of our refuse collection vehicles and hope to roll this to more vehicles within the fleet.

We use a variety of different media channels dependent on the types of campaigns we are running and which audience we are trying to target. We have also recently re-developed and made improvements to the recycling and waste area of the Leeds City Council website.

Proposed future improvements to communications include:

- An education campaign, including a doorstep exercise, in areas which have a low participation rate for using the green bin
- Re-branding and better signage at 'bring sites'
- A 'meet and greet' service at household waste sorting sites.

Leeds City Council is currently recruiting to the post of Sustainability Communications Officer. The purpose of the job is to promote Sustainable Development within the City Council and relevant partners by organising and supporting events and campaigns and by producing communication materials using a range of media opportunities. A key responsibility for this post will be to communicate and promote the City's recently adopted Climate Change Strategy and to oversee the production of the Council's Annual Environmental Statement to highlight the environmental improvements in the city as a whole.

4.0 Implications for Council Policy and Governance

4.1 There are no specific implications for Council Policy and Governance.

5.0 Legal and Resource Implications

5.1 There is the potential for significant resource implications in responding to some of the recommendations made by the Young People's Scrutiny Forum. The responses to individual recommendations make reference to specific legislative requirements and the use of existing resources, or plans to evaluate future projects. However, these resource implications are not directly the result of the recommendations of the Young People's Scrutiny Forum, but are part of plans which are already being developed. Where these plans might require significant additional resources, they would of course have to go through the usual approval process. One example of this is the Leeds Sustainable Schools Programme (recommendations 7-10), which is due to be available in draft format in summer 2009. In total, this will include a cost of around £240,000, although this covers the entire programme and not just those recommendations made by the Young People's Scrutiny Forum. More detailed legal and resource implications will be covered when the Programme is formally approved.

6.0 Recommendations

6.1 Executive Board are recommended to:

- Approve the proposed responses to the Young People's Scrutiny Forum's recommendations

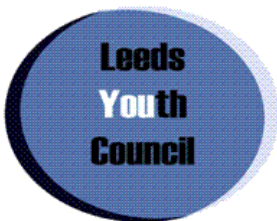
7.0 Background Papers

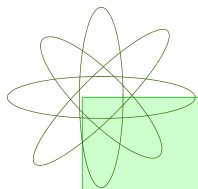
There are no specific background papers relating to this report.

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***Protecting
our
Environment***
**Young People's
Scrutiny Forum
Inquiry—2008/09**





Summary

We were asked to do a piece of scrutiny work on a topic of our choice and we chose the Environment.

Protecting the environment is something that we all care passionately about, and we know that a lot of other young people feel the same way.

We wanted to make sure that the people who make the decisions in Leeds were aware of the views of young people on this important issue and that they would take action to deal with our concerns.

Because the environment is such a big topic we decided to focus on three areas which we thought were the top priorities. We also tried to choose topics where we could influence decisions and make a difference locally. The areas we decided upon were:

1. Waste Management
2. Environmental Education
3. Sustainability

We also put together a survey to find out what other young people thought about these issues.

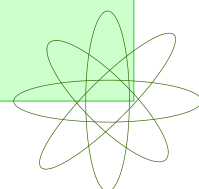
We found out that most young people really do care about the environment and want to increase the action they can take to protect it. For example, 85% of those who filled in our questionnaire agreed with the statement 'Recycling is useful but we need to do it more'. However, there was some confusion about what could be recycled in a household 'green bin'.

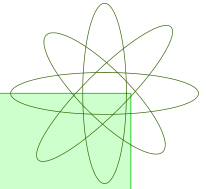
Also, overall young people felt that the Council and Education Leeds needed to do more to set a good example on environmental issues, and that the quality and quantity of environmental education needed to be improved.

We also did quite a bit of research of our own, and asked officers from Leeds City Council and Education Leeds to provide us with information.

We've come up with 11 recommendations for change which cover a whole range of areas, and we're looking forward to seeing how the Council and Education Leeds put these into action over the next year.

The Young People's Scrutiny Forum





Background

In December 2007 Scrutiny Board (Children's Services) asked the Youth Council to suggest a topic of importance to young people which could be the subject of a scrutiny review undertaken by young people on behalf of the board.

The Youth Council discussed a range of possible topics, and ultimately decided upon 'Protecting our Environment'.

Members of the Youth Council were then asked to volunteer to take part in the Young People's Scrutiny Forum, which would carry out this inquiry.

In order to involve as wide a range of young people as possible, it was decided to follow the example of the last Young People's Scrutiny Forum and invite young people from the participation group ROAR to join the forum. ROAR (Reach Out and Reconnect) is a network of young people that Children Leeds and other organisations work with to help develop services, projects and policy. It includes a wide range of young people, some of whom might not have generally become involved with more 'traditional' methods of participation such as the Youth Council. Members of ROAR made a very valuable contribution to the last Young People's Scrutiny Forum Inquiry - 'Catching the Bus'.

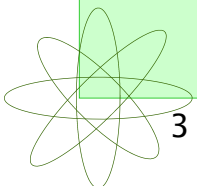
What we did

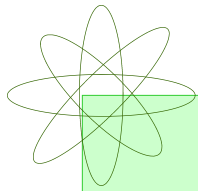
At our first meeting, in February 2008, we decided that the environment was far too large a topic for us to look at everything. Therefore we decided to focus our inquiry on three key areas, where we felt we would be able to influence decision making and make a difference locally. These were:

- * Waste Management
- * Environmental Education
- * Sustainability

We also decided that the aims of our inquiry should be:

- * To establish ways in which schools and other Leeds City Council services can reduce their impact upon the environment, and encourage them to implement these changes.
- * To encourage Leeds City Council and Education Leeds to play a part in raising awareness of environmental issues among the people of Leeds.
- * To ensure the opinions of young people in Leeds, with regard to environmental issues, are heard and acted upon by decision makers.





To support our third aim, we drew up two questionnaires – one to be filled in by individual young people, and one to be sent to school councils and other groups.

We promoted our questionnaires by sending them to schools, putting them on the Leeds Learning Network, putting them on the Council website and sending out a press release. We also asked our own friends and contacts to fill them in.

74 people responded to our questionnaire. Not everyone who responded told us their personal details, but of those who did:

- * 35% were male and 65% were female
- * The average age was 15
- * The postcodes provided showed that they came from across Leeds, with 49% from Inner Leeds (defined as post codes LS1-LS13) and 51% from Outer Leeds (defined as post codes LS14-LS29, BD3, BD11 and WF3)

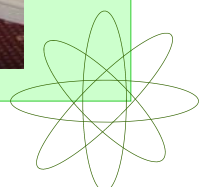
The responses which we got to our questionnaire were really helpful in telling us what young people really thought, and giving us the evidence to back up our own ideas. We would like to thank everyone who took part for their help.

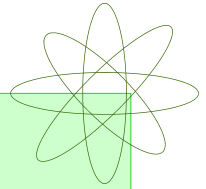
We also needed to do some research to find out what was already being done in Leeds to protect the environment, because we couldn't make recommendations for change without knowing what the current situation was. We put together a range of questions on each of our three topic areas and asked for a written response from officers in the Council and Education Leeds.

Once we'd had chance to discuss their responses (and think of plenty more questions!) we invited all the officers, and some Councillors, to join us at a delegate event, where we discussed the results of our survey and our research.

This is our final report, which shows all of our findings and recommendations.

Trying to persuade people to fill in our questionnaire...

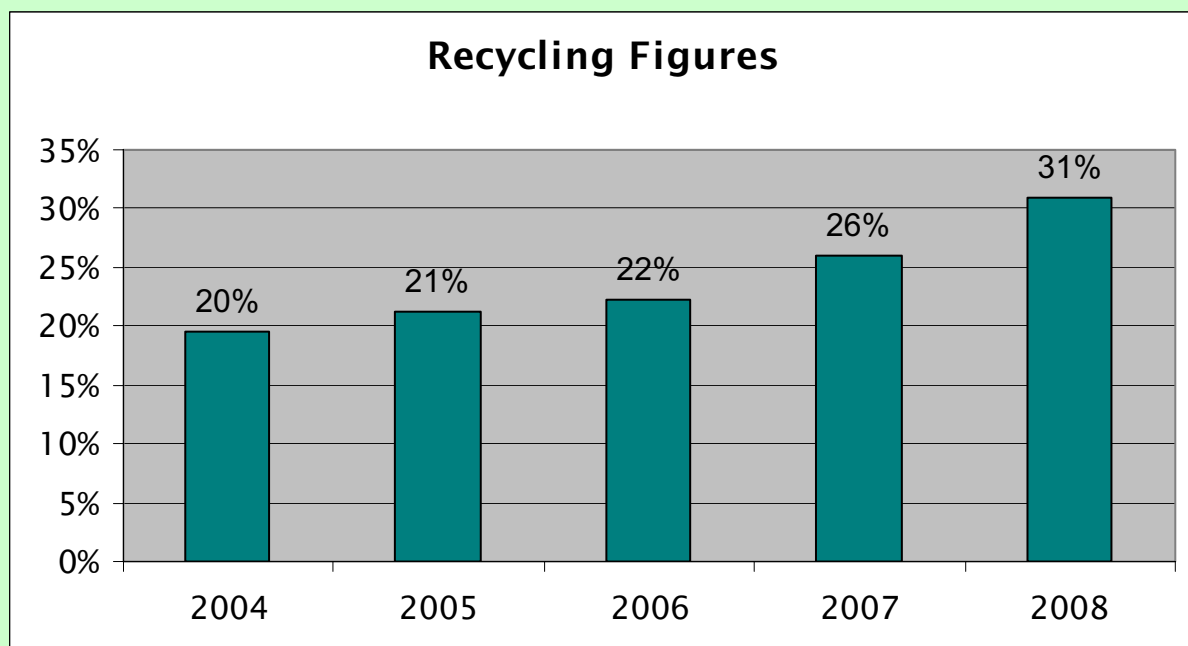




Waste Management

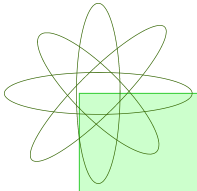
Recycling targets

- The first area that we looked at was waste management, and we focused on recycling.
- We found out that at the moment, most of the household waste in Leeds ends up in landfill.
- This is not only bad for the environment, but also bad for the city's budget, because the European Union and the Government are introducing laws to fine Councils for the amount of waste they send to landfill. If Leeds carries on at the current rate, we could face fines of up to **£200 million by 2020!**



- The Council is already taking action to change the way people in Leeds get rid of their waste. Most households in Leeds now have a green bin, and the amount of rubbish that we recycle is increasing rapidly. The graph above shows the progress that the city has made in the last five years alone.

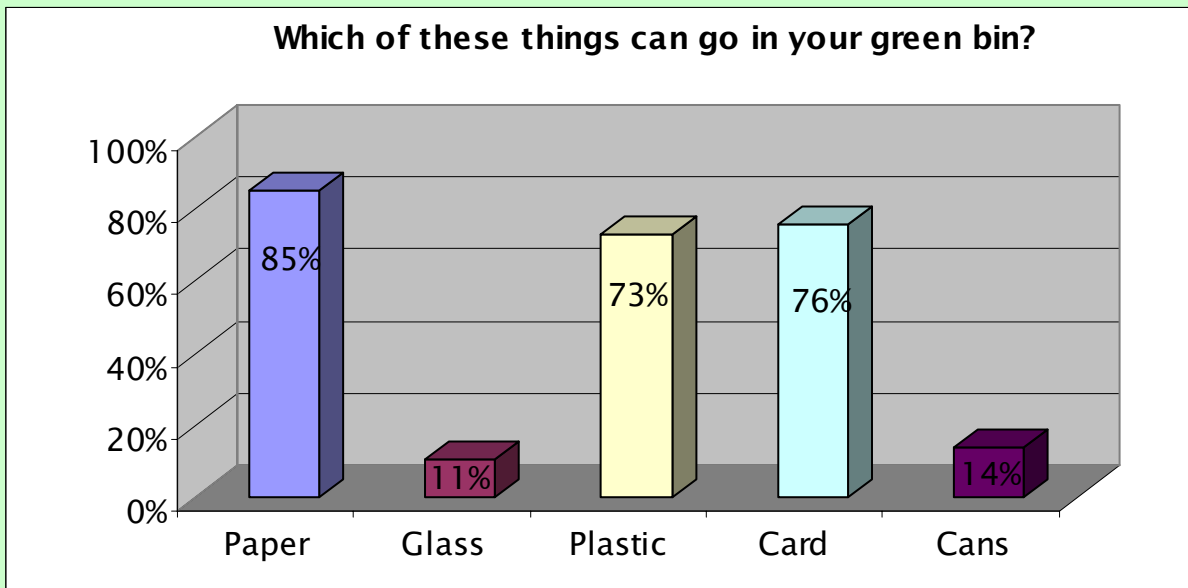
Year	Target
2010	40%
2015	45%
2020	50%



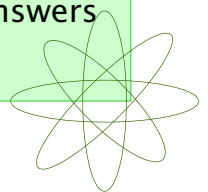
- We thought that these targets were excellent, but perhaps a bit ambitious. We thought that they could only be achieved if the Council did more to broaden the range of things that people can recycle, and to increase opportunities for everyone to recycle.

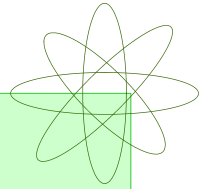
Opportunities to recycle more things

- According to the Council's website, the following things can be recycled in a green bin:
 - * Paper - junk mail, office paper, newspapers, magazines
 - * Cardboard - brown card, glossy card, egg boxes, inner tubes from toilet and kitchen roll
 - * Metal Cans - drink cans, food cans, pet food cans
 - * Plastics - types 1, 2 and 4 such as plastic bags, plastic bottles - lids off, plastic milk containers - lids off
- This is the response we got when we asked young people what they thought they could put in their green bin



- Most people got the answer right, which shows that most young people (or at least the ones we asked!) have a good general understanding of what can go in their green bin.
- However, there is also obviously some confusion about what goes in a green bin. 11% of the people we asked thought that it was okay to put glass in a green bin, probably because we all know that glass can be recycled.
- People also weren't sure what type of plastic could be recycled. When we asked young people what else could go in their green bin here are some of the answers we got:





Anything with the
recycle sign

Tea Bags

Packaging

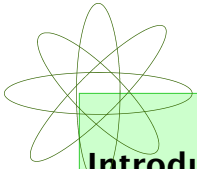
Wood

- The Council recycling collection doesn't accept glass, and it only accepts certain types of plastic. And it certainly doesn't take tea bags and wood! In fact if there are any of those things in someone's green bin it can contaminate everyone else's recycling, and a whole lorry load of recycling could end up going to landfill!
- One way to solve this problem might be to educate people more about what they can recycle. However, the Council already spends a lot of time and money doing this, and as we can see, it doesn't always work. We thought that a better solution (and one which would also reduce the overall amount of waste going to landfill) would be to increase the range of things which the council collects from people's homes for recycling.
- This is particularly important for plastics, because these are often the materials which cause the most confusion and contamination.

Recommendation 1

That Leeds City Council works to increase the range of materials which can be recycled as part of the doorstep collection, particularly looking at including glass and a wider range of plastics, and that progress is reported back to the Scrutiny Board (Children's Services) in September 2009.





Introducing a national recycling system

- We also found out that Council recycling collections are completely different in towns and cities across the country. To give just one example, Bradford Council does collect glass from people's houses. However, if you live in Bradford you have to put your recycling in a separate insert, and your green bin is where you put all of your other household waste to go to landfill.
- If you consider that a lot of people in Leeds (especially students) have moved here from other parts of the country, then it's no wonder that people get confused about what they can and can't recycle!
- The situation is made even more confusing by the fact that different companies all use different symbols and wording to label recyclable packaging. Sometimes the recycle symbol is hidden away on the bottom of an item, or is so small that it is difficult to read.
- We thought that there should be one system for everyone, and that it should be much clearer.

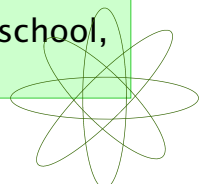


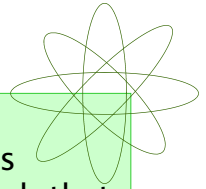
Recommendation 2

That Leeds City Council writes to DEFRA to ask that the government looks at introducing a national system for recycling, and a clearer national labelling system for recyclable waste, and that the response is brought to the Scrutiny Board (Children's Services) in September 2009.

Other opportunities for recycling

- Despite the problems listed above, we thought that overall the Council's green bin system seemed to be working fairly well.
- Most houses in Leeds now have a green bin, and the Council has also approved plans to start collecting green bins more frequently in the near future.
- However, we know that it is not possible for every household to have a green bin. For example, if you live in a flat, or a terraced house without much outside space, then there often simply isn't any room for an extra bin.
- At the moment, people without green bins have to take their recycling to a recycling centre. However, these are often out of town, or in supermarket car parks, and can be difficult to get to if you don't have a car, especially if you're carrying heavy bags full of newspapers and glass bottles!
- As a result, people without green bins often put recyclable waste in their black bin, even if they would like to recycle it.
- We think this is very unfair, and that more effort should be made to let everyone recycle - not just people who live in big houses in the suburbs.
- We also thought that recycling should be part of everyday life, and not just something that you do at home, but something that people do at work, at school,





and when they are out and about. This would make people see recycling as something automatic, and would also help to increase the amount of rubbish that gets recycled in Leeds.

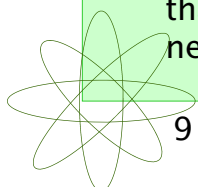
- 85% of the young people we questioned agreed with the statement “Recycling is useful, but we need to do it more”.
- One way to achieve this might be to have more public recycling bins – on city streets and in neighbourhoods where the majority of people don’t have green bins. That way people wouldn’t have so far to travel to recycle.
- These bins could also be bigger and more attractive than current recycling bins in public places. If they were nicely decorated – perhaps by local children or community groups – then people would feel more ownership of them and would be more likely to use them properly.
- 73% of young people we questioned also said that if they were in charge of recycling in Leeds, they would put recycling bins in all public buildings. This is just one of a variety of ways that the options for recycling could be increased.

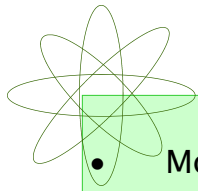
Recommendation 3

That Leeds City Council works to increase the opportunities for recycling besides using green bins, with a particular focus on making recycling more accessible to everyone. Options for including larger and more attractive recycling bins in the city centre and in public spaces such as parks should be considered, along with ways to encourage community ownership of these bins. That a report on progress is brought to the Scrutiny Board (Children’s Services) in September 2009.

Reduce and Reuse

- When we started our inquiry, most of us thought that the most important thing to do in terms of waste management was to get everyone recycling as much as possible.
- We still think that this is important, which is why we’ve made the recommendations above, but we also learnt that recycling is only part of the story.
- Recycling is often described as the third point in a ‘hierarchy’, the first two points of which are **reduce** and **reuse**.
- It’s important to reduce and reuse our waste as well as recycling it, because recycling still uses quite a bit of energy and this can have a negative impact on the environment. This is especially true of materials like tetrapak (which juice cartons are made of) as these take a lot of energy to sort and recycle.
- Another reason why reducing and reusing are important is because of the current economic crisis. During our inquiry we were horrified to read stories in the paper of Councils abandoning recycling, or storing recyclable materials in warehouses because they could no longer make as much money from selling them on. Hopefully this should only be a short term problem, but we need to bear in mind that there might not be an endless appetite for recycled materials, and that we need to look at other options too.





- Most of the people we questioned understood how to recycle, but we think that more needs to be done to teach the public about the other options.
- For example, people should be encouraged to think more about what they buy and what will happen to the packaging after they've used it.
- Shops could also do more to reduce the amount of packaging they produce, but this will probably only change if customers start demanding less packaging.
- At the moment, most of the information given out by the Council seems to focus on recycling. These are some of the comments that young people made about the information they had received:

Basically just a leaflet saying what to recycle.

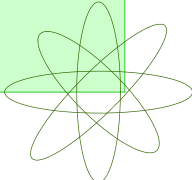
Sheets/ posters showing what to recycle and how to recycle it.

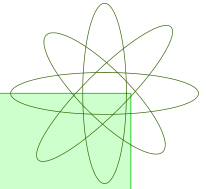
Recommendation 4

That Leeds City Council does more to promote the idea of 'reducing and re-using' as well as recycling, and that it also takes steps to make this easier - for example by working with local businesses to reduce the amount of packaging being given out, and by increasing the amount of facilities on offer for reusing unwanted items. That a report on progress is brought to the Scrutiny Board (Children's Services) in September 2009.



Having an intense discussion at our delegate event...





Sustainability

Funding for energy saving in the home

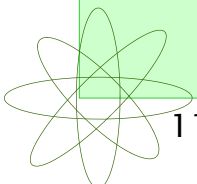
- We felt that the best way to approach environmental issues was to think about how our actions now will affect the world in the future, and whether we need to change the way in which we live to avoid any negative effects.
- The word used to describe this type of approach is sustainability.
- Sustainability is a huge concept which can be applied to almost anything.
- We decided to focus on how people in Leeds could make their day-to-day lives more sustainable by looking at the energy we use.
- Using less energy, and making homes and public buildings more energy efficient can help to reduce our carbon footprint, and in turn this can help slow down global warming.
- During our research we found that there is already some support on offer in Leeds for people who want to make their homes more energy efficient:

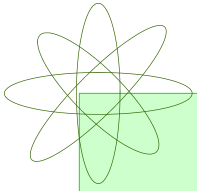
The Council provides Energy Funding via the energy company npower to the Arms Length Management Organisations (ALMOs - who manage council housing in Leeds) for cavity wall and loft insulation and a small sum for high efficiency boilers.

The Council work with npower to provide 'Community Warmth', a door to door contact mechanism to provide heating and insulation to those on state benefits, starting in the five most fuel poor wards.

The Council are working with npower to provide 'Health Through Warmth' grants to private sector households with a health need.

- There is also a Council-run freephone energy advice line, and letters are sent to targeted households with advice on how to save energy.
- While this is all positive, we thought that the range of support on offer was quite limited. While anyone can ask for advice about energy saving, funding to make improvements to your home is only available to people who live in Council houses, are on state benefits or who have severe health problems.
- The majority of people in Leeds don't fall into these categories, so any changes they make would have to be paid for out of their own pockets.





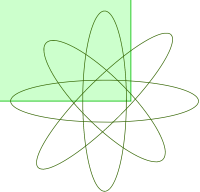
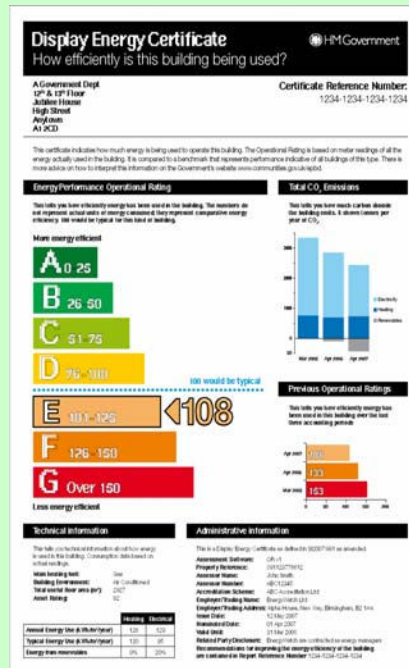
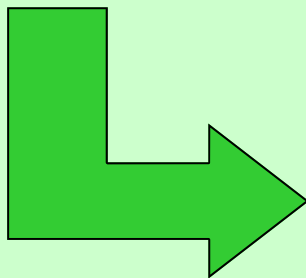
- We also learnt that there is no assistance available for people wishing to install renewable energy generating equipment in their homes, and that there is no relaxation in the planning rules. So anyone wishing to install a wind turbine would have to go through the same process as someone wanting to build an extension or make any other alteration to their home.
- We thought that changing the planning rules would be an easy way to encourage more people to install renewable energy generating equipment, at no extra cost the Council.

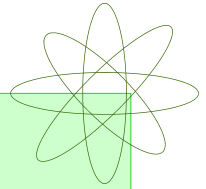
Recommendation 5

That Leeds City Council does more to help *everyone* in the city to use less energy, by making funding available for people to add insulation, double glazing and other energy saving devices to their homes. More assistance should also be offered to those wishing to install renewable energy generating equipment (such as solar panels) in their homes, and a relaxation of planning restrictions should be considered as part of this. That progress is reported to the Scrutiny Board (Children’s Services) in September 2009.

Display Energy Certificates

- As well as helping the people of Leeds to live more sustainably, we also think that the Council and Education Leeds have a role to play in setting an example, by making their own buildings more energy efficient.
- We found out about a government initiative called ‘Display Energy Certificates’ which requires all public buildings over 1000m² to have a certificate on display which shows how energy efficient the building is.
- The certificates look like this:



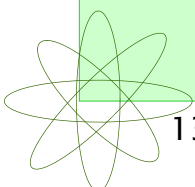
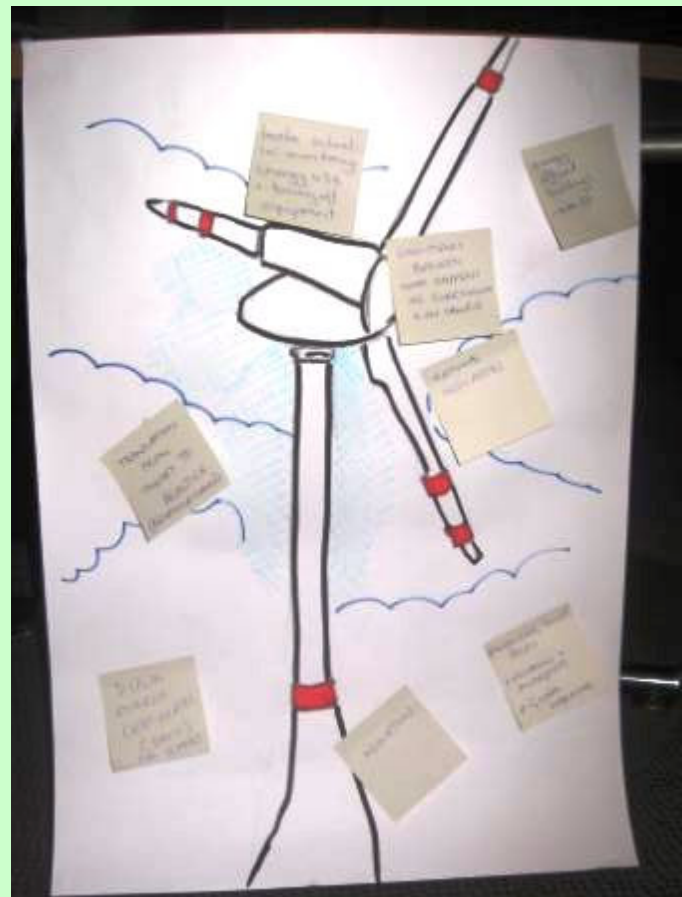


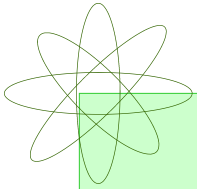
- They are renewed every year so that the public can see whether any improvements have been made.
- We think that this is a great scheme because it really shows up places which aren't doing enough to improve their energy efficiency.
- We looked in our schools and colleges to see if we could find any of these certificates and we also found the Civic Hall's certificate.
- The Civic Hall has an 'E' rating at the moment, which isn't great for the Council's headquarters. It was also quite small and only on display in the reception area, which meant that the people who actually work in the building and go in through the turnstiles wouldn't be likely to see it. We thought that more could be done to let people know about the Civic Hall's rating, and that steps should be taken to improve it.

Recommendation 6

That Leeds City Council and Education Leeds show their commitment to improving energy efficiency by having a Display Energy Certificate in every one of their buildings, no matter how big or small, and that every effort is made to improve the rating of each building. The certificates should also be prominently displayed - for example in lifts or next to doors. We would like to see the Civic Hall used as an example of this, and ask that an update on the Civic Hall's current rating and any improvement measures being undertaken is provided to the Scrutiny Board (Children's Services) in September 2009.

The result of our ideas 'brainstorm' for sustainability...

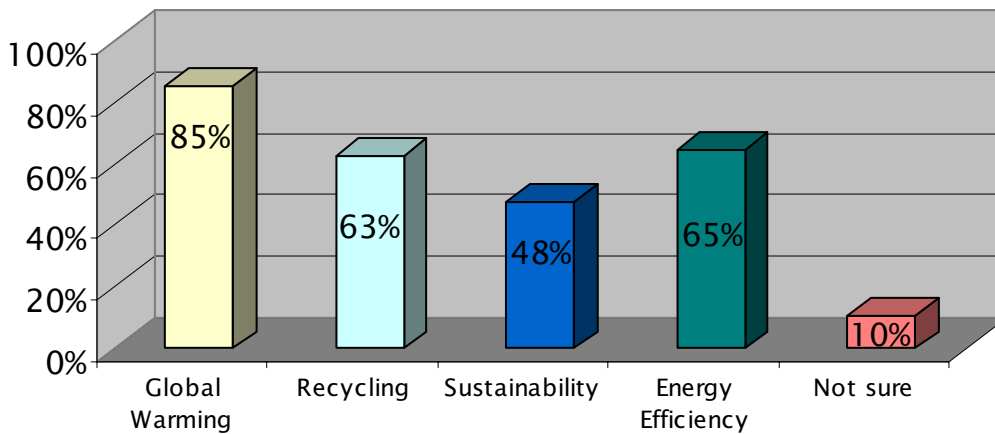




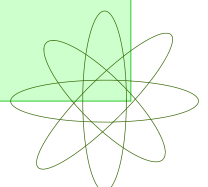
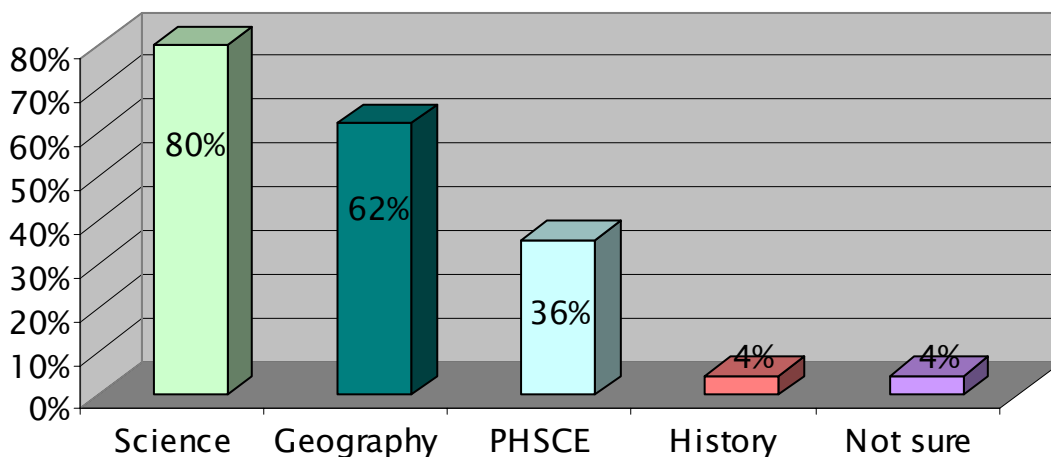
Education

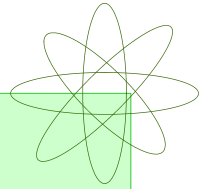
- Thinking about the environment means thinking about the future. Because of this we feel that the education system has a very important role in preparing young people today for the environmental challenges of the future, and teaching them about the difference that their actions can make.
- As part of our survey, we asked young people which environmental issues they have learnt about in school, and which lessons these topics were part of. Their responses are below.

Which of these environmental issues have you learnt about in school?



Which lessons have you learnt about the environment in?





- As this shows, environmental issues are already part of the curriculum, particularly in science.
- However, when we asked young people if they thought this was enough, 76% said **no**, they didn't think schools taught young people enough about the environment.
- We asked them what they would change if they were in charge of lessons. Here are some of their responses:

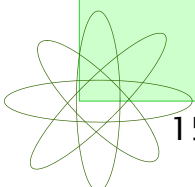
**More regular lessons.
Always referred to.**

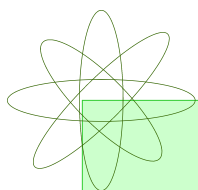
**Make it more engaging
and appealing**

**Just more about it in
general and what we, as
young people, can do to
help**

Recommendation 7

That Education Leeds does all it can to maximize the opportunities for learning about environmental issues in all school lessons, and that an attempt is also made to improve the quality of this education, by developing a coherent approach across all areas of the curriculum, and incorporating some of the ideas from 'Philosophy for Children'. That Education Leeds presents a plan for how this can be achieved to the Scrutiny Board (Children's Services) in September 2009.





Encouraging schools to do more practical things to benefit the environment

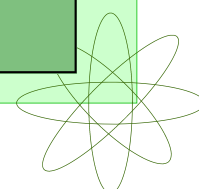
- However, lessons aren't the only way that young people learn in school. Some of the other responses we had from young people suggested that they thought schools should do more practical things to encourage students to think about environmental issues and change their behaviour.
- Some primary schools already do this, and we found out about some great examples. One of these is Farsley Farfield Primary school, which has a mini-organic farm; and another is Swarcliffe Primary, which held a special Environment themed 'Focus Friday' event.
- However, a lot of the young people we surveyed hadn't experienced this sort of things themselves.
- A really obvious way for schools to teach young people about environmental issues, and improve their own impact on the environment at the same time, is to encourage recycling in schools.
- We know that quite a few schools do recycle at the moment, but we were surprised to learn during the course of our research that there is no universal system for school recycling in Leeds, and in fact it is up to each individual school to decide how and what they recycle.
- Leeds City Council has a waste management contract including recycling of which schools can take advantage. However, at the moment only 3% of schools use this system. The rest make their own arrangements with other waste companies.
- We thought that this arrangement was very confusing, and that it also potentially created a system where some schools might not be recycling at all.

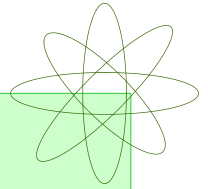
Recommendation 8

That Education Leeds and Leeds City Council work together to encourage all schools to join the Council school waste management contract so that they all have the same arrangements for recycling, and so that every young person in Leeds has the opportunity to recycle at school. A report on progress should be presented to the Scrutiny Board (Children's Services) in September 2009.

Recommendation 9

That Education Leeds encourages all schools in the city, particularly secondary schools, to involve their pupils in practical activities to increase their understanding of environmental issues. This could include environment clubs in schools, and city wide activities. We would also particularly like to see young people in every school involved in monitoring the energy efficiency of their school building by studying the Display Energy Certificate and keeping track of how the recommendations for improvement supplied with it are being progressed. A report on this should be presented to the Scrutiny Board (Children's Services) in September 2009.



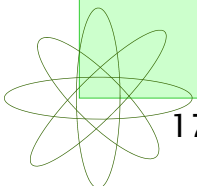


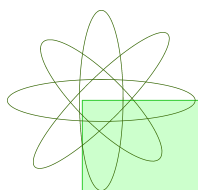
Sustainable Schools

- Of course, there are some schools in Leeds which are already doing an excellent job of teaching young people about environmental issues in a range of ways.
- Many of these are part of the 'Sustainable Schools' programme, which we learnt about as part of our research.
- To qualify as a 'Sustainable School' a school has to cover each of the following eight areas:
 - * Food and drink – considering how food for school meals can be ethically sourced.
 - * Energy and water – reducing the demand for energy and water through energy and water conservation.
 - * Travel and traffic – encouraging and supporting more eco-friendly journeys to and from schools e.g. walking and cycling.
 - * Purchasing and waste – reducing costs and supporting markets for ethical goods and services at the same time.
 - * Buildings and grounds – good design can translate into improved staff morale, pupil behaviour and achievement as well as nature conservation.
 - * Inclusion and participation – providing an inclusive, welcoming atmosphere that values everyone's participation and contribution
 - * Local well-being – acting as a hub of learning and change in the local community
 - * Global dimension – helping pupils to appreciate the impact of their personal values, choices and behaviours on the wider world.
- At the moment, there are 31 pathfinder 'Sustainable Schools' in Leeds.
- Education Leeds has a target of getting all schools in the city to become 'Sustainable Schools' by 2020. This is great, but it seems a very long way off to us.
- A child starting school in 2009 will be almost ready to take their GCSEs by 2020! This means that a whole generation of young people could lose out.
- We think that there is no time to lose, and more should be done to promote the 'Sustainable Schools' agenda as quickly as possible.

Recommendation 10

That Education Leeds moves the deadline to make every school in Leeds a 'Sustainable School' forward to 2015, and that it brings a report on how this can be achieved to the Scrutiny Board (Children's Services) in September 2009.

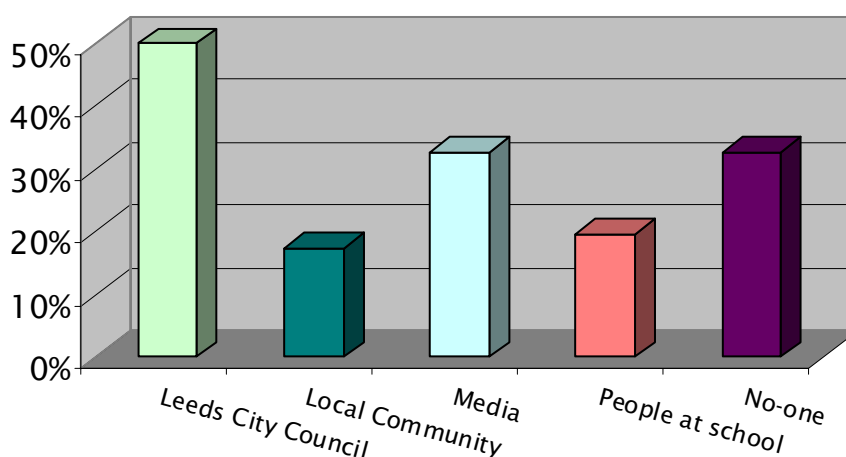




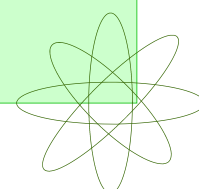
Environmental Education for all

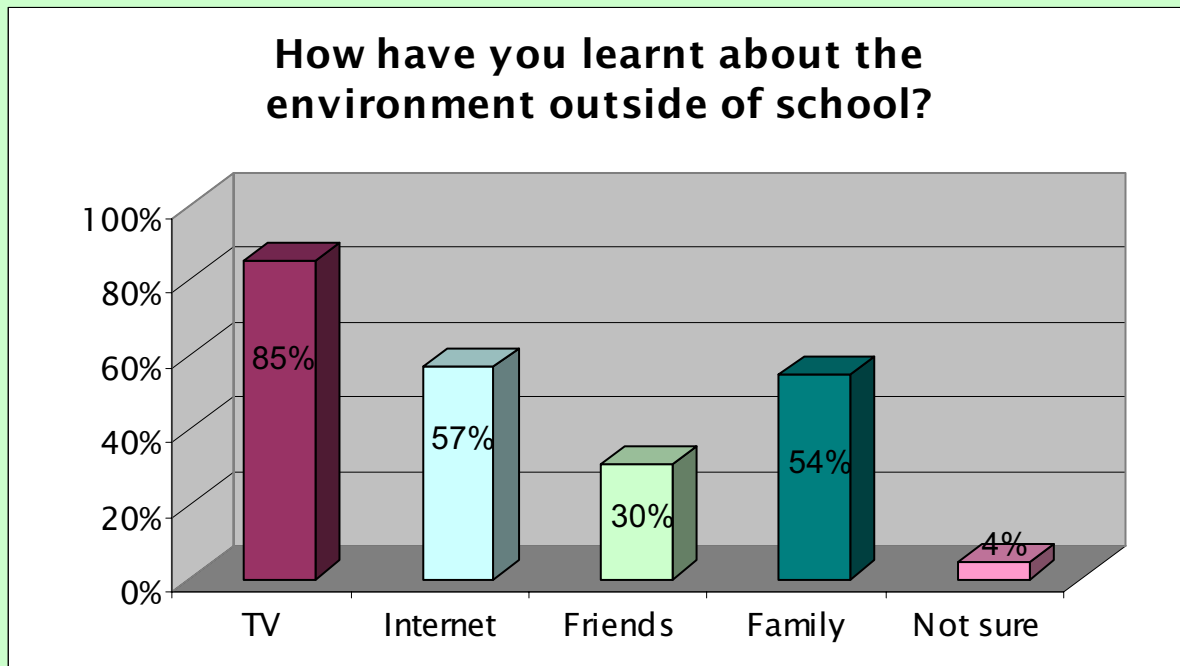
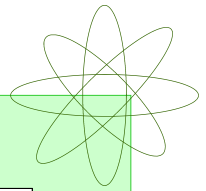
- Finally, we recognise that school isn't the only place where people can learn about the environment, and that there are a lot of other sources of information for people of all ages.
- We asked the young people in our survey about where they get help and information

Who helps you and your family to do things to protect the environment?



- 50% (the largest group), chose the Council as the main source of support.
- We looked at some of the information which the Council currently provides to people in the city about environmental issues.
- Some of it was interesting, but it was mostly in the form of leaflets and newsletters.
- We thought that some of the language used was quite 'dry' and not very 'people friendly'.
- There was also a huge range of styles and designs, which was a bit confusing.
- And we thought that giving out leaflets wasn't the greenest way to educate people!
- When we asked young people where they had learnt about environmental issues outside school, here is what they told us:



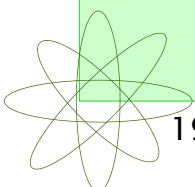


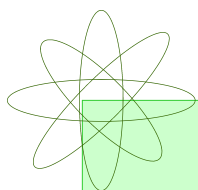
Recommendation 11

That Leeds City Council develops a central 'brand' for all of its environmental education materials, and that more innovative techniques are developed for engaging with people, rather than simply giving out leaflets. For example, more use could be made of the radio and the big screen in millennium square and posters could be put up on buses. That the Scrutiny Board (Children's Services) monitors the development of these new materials over the next 12 months.

Conclusion

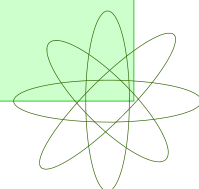
- We know that we have only covered some of the huge variety of environmental issues facing Leeds in this inquiry. For example, we haven't had time to touch on transport, air pollution or wildlife conservation, to name just a few areas!
- However, we hope that our work has shown how important the environment is to young people in Leeds, and that the city's decision makers will take notice of our commitment and passion.
- We look forward to seeing how our recommendations are followed up by the Council and Education Leeds over the next few months.
- We plan to ask the Youth Council to establish a way of formally monitoring our recommendations, potentially through the newly established Youth Council Scrutiny Group.





The Young People's Scrutiny Forum were:

Sally Leadbeater	Leeds Youth Council
Sukbir Kaur	Reach Out and Reconnect
Connor Prior	Leeds Youth Council
Ashley Linnecar	Reach Out and Reconnect
Ingi Hughes	Reach Out and Reconnect
Matthew Jackson	Leeds Youth Council
Poppy Johnson	Leeds Youth Council and Reach Out and Reconnect
Jessica Clayforth	Reach Out and Reconnect
Charlotte Ingram	Reach Out and Reconnect
Dain Hiscox	Leeds Youth Council
Poppy-Jo Lumley	Leeds Youth Council





Report of the Director of Environment and Neighbourhoods

Executive Board

Date: 26th August 2009

Subject: Environment & Neighbourhoods Inquiry into Street Cleansing

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

Executive Summary

In June 2008 the Scrutiny Board (Environment & Neighbourhoods) requested an inquiry into the street cleansing services provided by Environmental Services.

A working group was established to conduct the inquiry and received evidence from Streetscene Services about the Council's responsibilities in terms of environmental cleanliness, how the services are currently delivered and issues that impact on the service provision. In addition witness evidence was heard from the three ALMO's Parks & Countryside, Education Leeds and Area Management.

In addition ENCAMS (now The Tidy Britain Group) were asked for their professional and independent opinion based upon their national experience in addressing Street Cleansing issues.

The findings of the working group were reported through the Scrutiny Board where fourteen recommendations were made. This report identifies the fourteen and the Director of Environment & Neighbourhoods' response to each.

In accordance with the requirements of the constitution, the response to the Scrutiny Board's recommendations need do be agreed by the Executive Board. Attached to this report is the report of the Scrutiny Board (Environment & Neighbourhoods) Appendix 1.

Recommendation 1

That the Director of Environment and Neighbourhoods conducts a piece of research over the next 6 months to determine the wider implications, including any consequential management arrangements and potential costs of bringing the Council's responsibilities under the Environmental Protection Act for keeping its land clear of litter and refuse into one single service area.

That the findings of this research are brought back to the Scrutiny Board for consideration.

The Director agrees to this recommendation and will report back on the general principles outlined in the recommendation, as well as the detailed issues in relation to any changes to management and financial arrangements as appropriate. However, in terms of this recommendation the Director does not envisage that it will include any of the contained land owned by the Council such as parks (including recreational/amenity open spaces) and school grounds (currently covered by formal maintenance agreements).

Recommendation 2

That unless the research findings from recommendation 1 identifies clear reasons not be, then

- (i) The Executive Board supports the principle of having one single service area responsible for undertaking the Council's duty to keep the city clean.***
 - (ii) Director of Environment and Neighbourhoods produces an action plan within 6 months aimed at bringing the council's responsibilities under the Environmental Protection act for keeping land clear of litter and refuse into one single service area.***
- (i) The Director feels that it would be more appropriate to await the outcome of the work mentioned in Recommendation 1 before producing an action plan as recommended here.

Recommendation 3

That the Director of Environment & Neighbourhoods conducts an urgent piece of work aimed at strengthening the communications links between the different street cleaning service areas and reports back to Scrutiny within 3 months.

The Director agrees with this recommendation and will bring a report back to a future meeting of the Scrutiny Board outlining current arrangements for communication between the various service areas within the Council. In terms of longer-term arrangements again, it is thought more appropriate to await the outcome of piece of work suggested in recommendation 1.

Recommendation 4

That the Council uses the Code of Practice for Litter and Refuse 2006 to produce a Charter for Leeds that clearly sets out the statutory duties of the Council and the other Duty Bodies for keeping land free from litter and refuse and also the minimum standards of street cleanliness that the public can expect to see across the city.

The Director agrees with this recommendation and in addition, feels that the charter could include additional information in terms of how the Council actually intends to fulfill its duty under the Code of Practice, for example, information can be given on proposed cleansing arrangements including use and types of machinery etc. It may also be the case that in some areas the minimum standards required by the Code of Practice are felt to be inadequate and need to be enhanced – where this is the case this will be pointed out.

Recommendation 5

That the Director of Environment & Neighbourhoods commissions a detailed assessment of the full cost required to roll out DLEQ's across the city and reports the findings back to the Scrutiny Board within the next 6 months.

The Director agrees with this recommendation and in addition to identifying the costs of rolling-out the DLEQ'S survey, we will also outline the benefits in terms of service improvements and efficiencies that can be delivered.

Recommendation 6

That the Director of Environment & Neighbourhoods ensures that robust monitoring and recording mechanisms are put in place for all street cleansing services to look into in order to produce an audit trail of when a particular street or area had last been assessed and cleaned.

All scheduled street cleaning activities are currently identified on area-based paper maps that are allocated to street cleaning crews on a daily basis. Upon completion of work, these maps are returned identifying all streets that have been visited and cleaned, or by exception, where this is not the case, with additional information. This would allow an audit to be undertaken in response to specific queries. The service is currently looking at the potential for new technology to provide a more immediate and useable record of schedule sweeping activities and will report on progress to the Scrutiny Board as part of responding to its recommendations.

Recommendation 7

That the Director of Environment & Neighbourhoods ensures that training around minimum cleanliness standards is included as part of the formal induction training for all staff responsible for keeping land clear of litter and refuse in accordance with the Environmental Protection Act.

The Director agrees with this recommendation.

Recommendation 8

That the Director of Environment & Neighbourhoods conducts a review of the current cleansing schedules to ensure that correct minimum cleansing frequencies are being set across the city, and also reflects areas of priority in terms of cleanliness needs.

The Director agrees with this recommendation and sees it as an important part of providing clear information to the public and other bodies, e.g. Area Committees, in relation to what standards they can expect with regard to street cleaning.

Recommendation 9

- (i) That the Director of Environmental & Neighbourhoods explores all possible routes of addressing the problem of on-street parked cars to help minimise obstruction to effect street cleansing operatives.***
- (ii) That the Director of Environmental & Neighbourhoods writes to the Transport Minister requesting that consideration be given to introducing enforcement powers that will enable local authorities to minimise obstruction to street cleansing operations caused by on-street parking.***
- (iii) That an update report on this issue is brought back to Scrutiny within 6 months.***

- (i) The Director agrees with this recommendation and in the first instance, this will involve detailed discussions between colleagues within Environmental Services, Highway Services and West Yorkshire Police.
- (ii) Following the discussions in relation to recommendation 9(i) above, the Council will submit a request to the Transport Minister outlining current problems within Leeds and seeking support and guidance on ways to minimise obstructions preventing effective street cleaning operations being carried out.
- (iii) The Director agrees with this part of the recommendation.

Recommendation 10

That the Director of Environmental & Neighbourhoods produces an action plan within the next 6 months for delivering street cleaning, enforcement and education campaigns across the city and particularly within hotspot areas.

The Director agrees with this recommendation, and can confirm that work in this area has already begun working with a range of groups to spread the dual messages of education and enforcement.

Recommendation 11

That all street cleaning services link into the community engagement plans for Area Committees to help improve their communication links with the public.

The Director agrees with this recommendation, and can confirm that work has already begun by presenting reports to all Area Committees earlier on this year, asking for suggestions as to how Area Committees can influence street cleaning services in their areas.

Recommendation 12

That the Director of Environment & Neighbourhoods works with Area Committees and local Town & Parish Councils to produce an action plan within the next 6 months aimed at strengthening their links with the Council's Street Cleansing Services and also maximising resources in terms of engaging with the public.

The Director agrees with the recommendation.

Recommendation 13

That the Director of Environmental & Neighbourhoods ensures that Area Committees receive regular street cleansing performance data. This should include information about their respective community Action Services Teams (CAST) or community Pride Teams to ensure that these are being utilized effectively and are responsive to the needs of the Area Committee.

The Director agrees with this recommendation, and with reference to recommendation 11 above, is already working with Area Committees to determine the type and format of information that they will need.

Recommendation 14

- (i) That the Council remains proactive in engaging with Local Community Groups and continues to offer training which will enable such groups to carry out street cleanliness assessments.***
- (ii) That such training opportunities are offered to local Town and Parish Councils too.***

The Director agrees with both parts of this recommendation, and would comment that there are clear links here between comments made in relation to recommendations 10, 11 and 12 above. It is proposed to work with established national interest groups, e.g. Keep Britain Tidy Group, to ensure that we use the most appropriate and up-to-date communication arrangements available to us. There may be resource implications in doing some of the work outlined, and these will be determined and reported on in due course.

Recommendations

That the Executive Board approves the responses from the Director of Environment & Neighbourhoods as outlined in this Report.

Background Papers

May 2009 – Scrutiny Board (Environment & Neighbourhoods) – Draft Inquiry Report – Street Cleansing

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Street Cleaning

Scrutiny Inquiry Report

Introduction and Scope



1. Introduction

1.1 Disposing of litter inappropriately is not only antisocial and unpleasant, but is also illegal. Yet research by ENCAMS (Environmental Campaigns) reported an estimated cost of £547 million to local authorities in 2005-2006 to clean and clear streets of litter and refuse. More recently in March 2009, the joint report of the independent think tank, Policy Exchange, and the Campaign to Protect Rural England (CPRE) states that since the 1960s, the amount of litter dropped in the UK has increased by approximately 500%.

1.2 Whilst acknowledging that the Environmental Protection Act 1990 imposes a duty on land owners and duty bodies to keep specified land clear from litter and refuse, it is important to remember that we all play a part in the quality of the local environment and therefore have a responsibility to deal with litter in an acceptable way.

1.3 Whilst our report does acknowledge the need to educate individuals and influence behaviour towards littering, the primary focus of our inquiry has been around the statutory duty of the Council in keeping land clear from litter and refuse and exploring opportunities for further

improvements in the way that street cleaning services are delivered to the residents of Leeds.

2. Scope

2.1 The purpose of our inquiry was to make an assessment of and, where appropriate, make recommendations on the following areas:

- Legislation governing street cleaning services, including the National Code of Practice on Litter and Refuse 2006;
- Roles and responsibilities of the Council for street cleaning services in Leeds;
- Common perceptions around street cleaning services and the measure of success used;
- Comparative case studies of successful beacon authorities in relation to the 'better public places' theme;
- Street cleaning enforcement powers of the Council and opportunities for joined up enforcement with other individuals, groups and organisations;
- Frequency and monitoring of street cleaning services;

Introduction and Scope

- Resource pressures relating to street cleaning services;
- The methods of community engagement used to reflect local priorities for street cleaning in Leeds.

3. Witnesses

- 3.1 During our inquiry, we sought the views of a wide range of stakeholders, including ENCAMS who provided a professional and independent opinion based around their experiences of working with other local authorities in addressing issues around street cleaning.
- 3.2 As the focus of our inquiry was around delivering effective street cleaning services to the residents of Leeds, we also acknowledged a need to gather opinions of local residents about the current standards of street cleanliness and their experiences of street cleaning services.
- 3.3 Using the local media, we invited residents to write in and share their experiences and opinions with the Scrutiny Board. We received numerous letters during our inquiry, which formed part of our evidence base and helped us to identify common issues and potential hotspot areas across the city.
- 3.4 We would like to sincerely thank everyone for their contribution and commitment to our inquiry and hope that our report reflects the high level of importance placed upon this issue by all stakeholders, including the public, and also the demand for this issue to become a priority for the Council.

Conclusions and Recommendations



4. Delivering the statutory duties of the Council

4.1 It is the Environmental Protection Act 1990 (EPA) that imposes a duty under section 89 on land owners and duty bodies to keep specified land clear from litter and refuse. For local authorities, this includes all publicly maintained highways, housing estates, open spaces (including parks) for which they are responsible. We understand that this duty is not transferable, so where cleaning contractors are used to carry out the cleaning on behalf of local authorities, it is still the duty body that remains responsible.

4.2 The Code of Practice on Litter and Refuse 2006 accompanies the EPA. The main objective of the Code is to provide practical guidance on the discharge of the duties under section 89 of the EPA by establishing reasonable and acceptable standards of cleanliness. Leeds City Council therefore has to abide by, and fully understand the implications of, this Code of Practice.

4.3 Whilst Leeds City Council is the responsible body, as defined within the Code of Practice, historically this responsibility has been delegated to a number of different service areas who have been vested with the responsibility to look after

individual areas of land. For example, Parks and Countryside are responsible for managing publicly accessible parks and green spaces ranging from large formal parks to smaller areas of local green space, all of which are important for recreation or conservation; Education Leeds is responsible for all school grounds and associated land; the ALMOs are responsible for all land forming part of Leeds City Council's housing stock; Highways Services have the statutory responsibility for maintaining the adopted highway across Leeds in a safe and clean condition; and Streetscene Services is responsible for keeping clean all adopted Highways as notified by Highway Services.

4.4 The individual functions carried out by Streetscene Services include gully cleansing; litter bins; street sweeping; manual litter picking; street washing; fly tipping removal; graffiti removal; needle picking; public convenience cleaning; and leaf clearing.

4.5 However, despite such delegations in place, we acknowledged that most services continue to receive complaints about the environmental cleanliness of land that does not fall within their particular service area.

Conclusions and Recommendations



- 4.6 Whilst the Council's call centre acts as the single point of contact for the public when dealing with street cleaning complaints, there was a general acknowledgment from all stakeholders that the current fragmented approach makes it more difficult to establish lines of accountability and can therefore cause delays when referring and dealing with such complaints.
- 4.7 Whilst we acknowledge that the development of a shared digital mapping system could assist in determining lines of accountability, this still does not address the underlying problem of having different service areas handling complaints disjointedly, which consequently can lead to confusion and sometimes duplication of work.
- 4.8 The current fragmented approach towards street cleaning services is very complex and confusing to the public, particularly when trying to establish the boundaries between private and ALMO land. In view of the fact that the duty placed upon local authorities is not transferable (i.e. the Council as a whole remains accountable despite such delegation arrangements in place), we did question whether it would be more sensible to simplify the process and allow for one service area to have the budget for street cleaning and become the responsible lead to undertake the Council's duty to keep the city clean.
- 4.9 However, there were some reservations expressed to the Scrutiny Board by the different service areas and particularly from ALMOs. These are summarised below.
- 4.10 Firstly, we learned that apart from the grounds maintenance budget, there is no core funding source for street cleaning activities carried out by the ALMOs and that such activities are incorporated within their wider estate management role. This would therefore make it difficult to identify and separate out a specific budget in which to transfer to another service area. It was highlighted that in terms of any resources being transferred, this would be in the form of existing staff that carry out such activities, such as the Estate Caretaking Teams, and that any reduction in estate management resources would put further pressure on the ALMOs in delivering other service standards.
- 4.11 It was also highlighted that a lot of time and effort had been invested in working with local tenants in terms of carrying out estate walkabouts and inspections to help identify

Conclusions and Recommendations



particular environmental hotspots.

- 4.12 We noted that each ALMO has in place its own service standards, some of which have been agreed with tenants to reflect local priorities, and therefore a question was raised about whether the transfer of ALMO staff to another service area would detract from the local service standards already achieved by the ALMOs. It was felt that this would very much depend on any new management processes put in place and the level of influence that the ALMOs would have in terms of services provided within their specific areas.
- 4.13 Concerns were also raised about whether a single service area would be able to replicate the innovative approaches adopted by the ALMOs to address local needs. For example, the use of ALMO staff and also commissioned staff from local social enterprises to provide an enhanced garden maintenance service for their more vulnerable tenants, which has received recognition as part of the audit inspection process and is deemed invaluable to those residents that receive this service.
- 4.14 Whilst we do acknowledge the importance of maintaining such

local services, these are deemed to be enhanced services. In view of this, it prompted a need to clarify a baseline service for street cleaning in order to establish what would constitute as an enhanced service and who would be responsible for managing and funding such services if street cleaning was to be transferred to a single service area.

- 4.15 The wider issues around minimum cleanliness standards and baseline service data are addressed further within our report.
- 4.16 In relation to Parks and Countryside, we learned that staff are generally employed to carry out site based horticultural duties, primarily within parks, and that cleansing responsibilities were just a small element of this work. In employing such a multi-skilled workforce, it was therefore considered very difficult to identify a specific budget and staff resource for such cleansing responsibilities.
- 4.17 In relation to the cleansing of school grounds and other associated education land, we noted that where school grounds are clearly defined with parameter fencing then the cleansing responsibilities lie with the school.

Conclusions and Recommendations



- 4.18 Each of the 249 schools within Leeds is allocated a budget, which includes an amount for maintenance work. Such maintenance work would involve cleansing responsibilities and it was explained that these responsibilities would generally form part of the school caretaker's role. We acknowledge that where the responsibility for education land is clearly vested with the schools themselves, it would be very difficult for this responsibility to be transferred to the Council, particularly when trying to access the land, and therefore this responsibility should remain with the schools' governing bodies.
- 4.19 However, we noted that difficulties have arisen in the past where the land is vested with education but outside of any defined parameters. As the cleansing responsibilities for this land remains with Education Leeds, they have previously commissioned agencies to deal with fly tipping problems when required. In view of the fact that the maintenance of such land is being undertaken by Education Leeds on an ad hoc basis, there was a general agreement that there would be merits in transferring the responsibility of this land to a single service area within the Council.
- 4.20 We would also apply this same principle to formal parks given that there are also clear boundaries and clear responsibilities in place for the maintenance of such parks.
- 4.21 In recognising the aspirations of Leeds to become a 'one Council', it is clear that the current arrangements in place for street cleaning are not providing a seamless service from the initial contact and referral stage through to service delivery.
- 4.22 Whilst acknowledging some of the implications of transferring the Council's responsibilities for keeping land clear from litter and refuse to a single service area, we believe that in principle this is the most appropriate approach in terms of establishing clear lines of accountability.
- 4.23 Obviously with such responsibility comes the need for adequate resources to be put into place too. However, our inquiry has highlighted that the complexity of the current arrangements has made it very difficult to identify and separate out specific resources in which to simply transfer to a single service area.
- 4.24 In view of this, we recommend that Director of Environment and Neighbourhoods conducts a piece of research over the next 6

Conclusions and Recommendations



months to determine the wider implications, including any consequential management arrangements, and potential costs involved in bringing the Council's responsibilities for keeping land clear of litter and refuse, in accordance with the EPA, into one single service area and that the findings of this research is brought back to Scrutiny for consideration.

Recommendation 1

That the Director of Environment and Neighbourhoods conducts a piece of research over the next 6 months to determine the wider implications, including any consequential management arrangements, and potential costs involved in bringing the Council's responsibilities under the Environmental Protection Act for keeping land clear of litter and refuse into one single service area.

That the findings of this research is brought back to Scrutiny for consideration.

Recommendation 2

That unless the research findings from recommendation 1 identifies clear reasons not to, then

- (i) the Executive Board supports the principle of having one single service area responsible for undertaking the Council's duty to keep the city clean.**

Recommendation 2 continued

- (ii) the Director of Environment and Neighbourhoods produces an action plan within 6 months aimed at bringing the Council's responsibilities under the Environmental Protection Act for keeping land clear of litter and refuse into one single service area.**

4.25 With regard to the existing arrangements in place, there is a clear need for communication links between the different street cleaning service areas to be strengthened in order to achieve a more co-ordinated and coherent service across the city. We therefore recommend that the Director of Environment and Neighbourhoods conducts an urgent piece of work aimed at improving such communication links.

Recommendation 3

That the Director of Environment and Neighbourhoods conducts an urgent piece of work aimed at strengthening communication links between the different street cleaning service areas and reports back to Scrutiny within 3 months.

Conclusions and Recommendations



5. Standards of cleanliness across the City

5.1 ENCAMS highlighted that whilst street cleaning standards within Leeds have improved over recent years, there still remain areas across the city that require further improvement.

5.2 We noted that Leeds was not alone, as other Metropolitan Authorities have also struggled to try to address problems around street cleanliness standards. It was also recognised that the legacy of Competitive Compulsory Tendering had contributed towards the complexity of the arrangements now in place for delivering street cleaning services.

5.3 In terms of performance measures, we learned that National Indicator 195, which was introduced in April 2008, had replaced the Best Value Performance Indicator BV199, used for measuring environmental cleanliness.

5.4 The data for this indicator is based on surveys carried out three times per year covering five electoral wards on each visit and assessing twelve land use areas.

5.5 The following table shows how Leeds was performing against other comparable Core Cities in terms of the previous Best Value

Performance Indicator (BV199) in relation to litter and detritus and also the spend per head of population.

2007/08	Spend per head of population	BVPI 199a (litter and detritus)
Liverpool	£26.31	7%
Manchester	£23.31	8%
Nottingham	£16.98	8%
Birmingham	£17.96	10%
Bristol	£13.14	13%
Leeds	£14.24	13%
Newcastle	£28.94	16%
Sheffield	£12.55	16%

5.6 The BV199a result states the percentage of streets across Leeds that were found to be in an unsatisfactory condition, therefore the lower the result the better the performance. Leeds' performance was considered average when compared to the other Core Cities, yet Leeds has one of the lowest spends per head of population.

5.7 ENCAMS placed particular importance on utilising resources effectively and achieving a minimum standard of cleanliness across the city. Examples were given of where other local authorities had prioritised resources within city centre

Conclusions and Recommendations

areas, which consequently led to a reduced service being provided to residential areas.

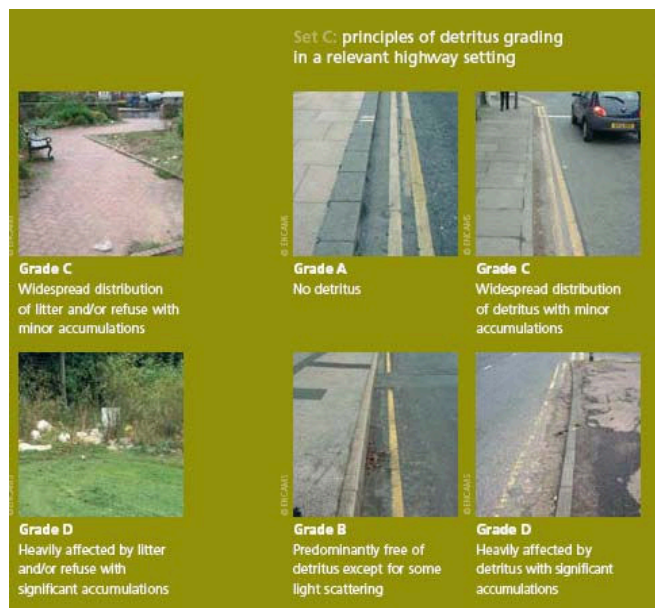
5.8 Examples of street cleanliness standards across the city were also shared with the Scrutiny Board by all witnesses, including members of the public who had written to the Chair of the Board.

5.9 We recognise that even within neighbouring areas there can be significant differences in terms of cleanliness standards.

5.10 As part of our inquiry, we queried the street cleanliness standards set across the city and sought clarification on who was responsible for setting these standards.

5.11 We acknowledged that the main objective of the Code of Practice on Litter and Refuse 2006 is to provide reasonable and acceptable standards of cleanliness. It therefore sets out grades of cleanliness, along with accompanying illustrations.

5.12 We learned that such definitions are included within the Council's Strategic Summary of the Code of Practice on Litter and Refuse 2006 and are as follows:



5.13 The Code recognises that a grade A cannot be maintained at all times and that it is generally accepted by the public that a grade B is an acceptable level of

Conclusions and Recommendations



cleansing for short periods of time. However, a grade A must be achieved on a regular basis after cleansing.

5.14 Litter accumulation and deposition is dependent on numerous factors, with levels of pedestrian traffic and vehicular traffic being the most obvious. Other factors include the time of year, time of day, the natural and physical features of the location and the presence of structural and physical items that could affect the area to be cleansed.

5.15 It was highlighted that the most important factors are the intensity of activity in an area and health and safety limitations. The Code of Practice reflects these factors and highlights four main intensity zones (High, Medium, Low and Special Circumstances) with corresponding maximum response times. These are set out below:

- *High Intensity of use* are busy public areas such as the city centre. This is to be responded to within ½ day (this means by 6 pm if reported by 1 pm or by 1 pm the next duty day if reported between 1 pm and 6 pm the previous day)
- *Medium Intensity of use* are everyday areas such as all housing land occupied by

people most of the time. This is to be responded to within one day (this means by 6 pm the following evening).

- *Low intensity* of use are lightly trafficked areas that do not impact upon most people's lives most of the time such as rural roads. This is responded to within 14 days.

5.16 Areas with special circumstances include situations where issues of health and safety and reasonableness and practicality are dominant considerations when undertaking environmental maintenance work. For example, carriageways, verges and central reservations of motorways and operational rail land within urban areas. This is to be responded to within 28 days or as soon as reasonably practical.

5.17 The above response times are set from the time the duty body becomes aware of an issue (for example, through a complaint from the public). The duty body then has a set time limit to restore the area to a Grade A. Duty bodies that allow their land to fall below acceptable standards for longer than the allowed response time may be subject to a Litter Abatement Order or a Litter Abatement Notice under sections 91 and 92 of the EPA.

Conclusions and Recommendations



5.18 In view of this, we queried whether the different service areas were aware of the duties and implications of the Code of Practice in terms of cleanliness standards and response times.

5.19 We had already established that the ALMOs had introduced their own service standards to reflect local priorities. Whilst they are still aware of the Code of Practice, it was explained that, generally, the ALMOs have found it difficult to achieve the grade A cleanliness standard set out within the Code and have also found difficulties in meeting the specified response times when dealing with referrals or complaints.

5.20 In relation to Parks and Countryside, we noted that the standards in place for the management of parks go beyond the statutory EPA cleanliness standards. This is because the Green Flag Award, which is the national standard for parks and green spaces, requires wider considerations such as signage, information, conservation and horticultural standards in addition to cleanliness. A key performance indicator included in the Leeds Local Agreement is 'the percentage of parks and countryside sites assessed internally that meet the Green Flag criteria', and includes a sample of all sites managed by

the service including local green space.

5.21 We learned that Education Leeds was also aware of the Code of Practice and that a handbook had been produced for all schools setting out the standards expected of them in line with the Code. With PFI schools, it was also highlighted that as part of the contract, there would be clear performance standards in relation to the school site and that penalties would often apply when such standards are not maintained.

5.22 In view of the current fragmented approach towards street cleaning services, it is vital that each of the different service areas continue to remind the relevant staff of the minimum standards of cleanliness expected from the Council in line with the Code of Practice.

5.23 However, as the accountable body, we believe that all employees and Members of the Council should also be made aware of these standards and encouraged to report any street cleaning or other environmental problems across the city.

5.24 There is also a clear need for the Council to communicate better with the public about such standards in order to address differing views of the public in

Conclusions and Recommendations



terms of their expectations of services.

5.25 We therefore recommend that the Council uses the Code of Practice to produce a Charter for Leeds that clearly sets out the statutory duties of the Council and other duty bodies for keeping land free of litter and refuse and, in particular, sets out the minimum standard of street cleanliness that the public can expect to see across the city. This Charter could then be referred to whenever it was felt that this minimum standard was not being met.

Recommendation 4

That the Council uses the Code of Practice for Litter and Refuse 2006 to produce a Charter for Leeds that clearly sets out the statutory duties of the Council and other duty bodies for keeping land free of litter and refuse and also the minimum standard of street cleanliness that the public can expect to see across the city.

6. Gathering more local baseline data around street cleanliness needs

6.1 Whilst the performance data gathered as part of the National Indicator 195 is considered a robust measure of performance from a city-wide perspective, we recognise the value of gathering

baseline data on a more local level too.

6.2 During our inquiry, references were made to the successes behind local Environmental Action Teams, Local Area Management Plans (LAMPs) and Intensive Neighbourhood Management (INM) programmes in terms of focusing on the needs of a local area and thus making marked improvements in terms of the street cleaning services provided.

6.3 We also learned that the Council had adopted the District Local Environmental Quality Survey (DLEQS) within areas of Intensive Neighbourhood Management (INM), where the focus is on improving services in the most deprived communities in the city.

6.4 The DLEQS is adapted from a national survey and reports factually on selected environmental standards prevailing within a particular area. It monitors cleansing issues (litter, detritus, leaf fall); cleansing related issues (weeds and staining of roads); environmental crime (flytipping, flyposting and graffiti); litter bins and waste placed out for collection; landscaped areas (litter and maintenance); grading of environmental elements; and

Conclusions and Recommendations



the location of problems within the transect.

6.5 Within the INM areas, every street had been surveyed and monitored. Whilst this proved to be a very complex and resource intensive exercise, such detailed survey data had meant that more accurate information was provided to enforcement and Streetscene services, enabling them to identify any need for targeted resources and education campaigns.

6.6 Whilst we welcome the Council's intentions to roll out DLEQS across the city, we learned that the level of resources required to carry out such detailed survey work has had a significant impact on the level of progress made.

6.7 In recognising that such detailed survey data would provide more accurate information and therefore enhance services in the long term, we do recommend that a detailed assessment of the full costs required to roll out DLEQS across the city is carried out within the next 6 months and brought back to Scrutiny for consideration.

Recommendation 5
That the Director of Environment and Neighbourhoods commissions a detailed assessment of the full costs required to roll out DLEQS across the city and reports the findings back to Scrutiny within the next 6 months.

7. Developing robust monitoring mechanisms

7.1 As well as achieving more accurate baseline data at a local level, we also identified a need for more robust monitoring of street cleaning services.

7.2 ENCAMS explained that the key element to success is to establish a robust monitoring system that everyone can link into.

7.3 As street cleaning services are judged purely on outcomes in terms of performance measures and not inputs, we understand that officers and operatives are now encouraged to exercise their discretion to determine levels of street cleanliness to allow for greater flexibility within the service to be responsive to specific areas of need.

7.4 Whilst we acknowledge the cost effective benefits of adopting a more responsive approach to street cleaning that is based around outputs and targeting particular hotspots, we are concerned that such an approach does not appear to be backed up with a robust monitoring and recording mechanism.

7.5 Whilst Area Managers are responsible for carrying out their

Conclusions and Recommendations



own quality checks in relation to street cleaning services, which would involve visiting staff and conducting spot checks, they are covering large areas of the city and street cleaning supervision is just one of a number of their duties.

- 7.6 We believe that many residents judge the effectiveness of street cleaning services on what they see on the streets and not necessarily on the outcomes achieved. In view of this, if decisions about cleansing needs are not being monitored and recorded systematically, this causes difficulties for services to provide categorical evidence of when a particular street or area had last been assessed and cleaned. We believe that such an audit trail is vital to demonstrate where best value is being achieved by services.

Recommendation 6
That the Director of Environment and Neighbourhoods ensures that robust monitoring and recording mechanisms are put in place for all street cleaning services to link into in order to produce a audit trail of when a particular street or area had last been assessed and cleaned.

- 7.7 In view of such discretionary responsibilities, we learned that managers and operatives have

taken part in a training course to make them aware of minimum cleanliness standards.

- 7.8 However, we recommend that such training forms part of the formal induction programme for all staff responsible for keeping land clear from litter and refuse in accordance with the Environmental Protection Act 1990.

Recommendation 7
That the Director of Environment and Neighbourhoods ensures that training around minimum cleanliness standards is included as part of the formal induction programme for all staff responsible for keeping land clear of litter and refuse in accordance with the Environmental Protection Act 1990 .

8. Review of cleansing schedules

- 8.1 In adopting a more responsive approach to street cleaning, we learned that cleansing schedules are only used as a guideline to determine minimum cleansing frequencies.
- 8.2 However, in acknowledging that the Council's current cleansing schedule was formulated using historical data, we do recommend that a review of the schedule is conducted to ensure that correct minimum cleansing frequencies are being set across

Conclusions and Recommendations



the city and also reflects areas of priority in terms of cleanliness needs.

Recommendation 8

That the Director of Environment and Neighbourhoods conducts a review of the current cleansing schedule to ensure that correct minimum cleansing frequencies are being set across the city and also reflects areas of priority in terms of cleanliness needs.

9. Dealing with obstructions to street sweeping operations.

- 9.1 We recognised that one of the most common problems raised by the public during our inquiry was around on-street parked cars obstructing street sweeping operations.
- 9.2 The gutters of most kerbed roads are mechanically swept using a road sweeping vehicle. This removes any grit, litter and general dirt that has accumulated in the gutter. We therefore understand the frustrations of street cleaning operatives and also residents when the effectiveness of this mechanical sweeping is limited by on-street parked cars.
- 9.3 However, unless these cars are parked illegally, we understand that both the Council and the

Police have limited enforcement powers to restrict such parking. We therefore noted that such problems would need to be addressed by working with residents and gaining their co-operation to minimise obstructions during street cleaning operations.

- 9.4 In view of this, we recommend that the Director of Environment and Neighbourhoods explores all possible routes of addressing the problem of on-street parked cars to help minimise obstructions to effective street cleaning operations. In addition, we would advise that the Director also brings this matter to the attention of the Transport Minister and requests that consideration be given to introducing enforcement powers that will enable local authorities to minimise the obstructions caused by on-street parked cars.
- 9.5 We would like an update report on this issue to be brought back to Scrutiny within 6 months.

Recommendation 9

(i) That the Director of Environment and Neighbourhoods explores all possible routes of addressing the problem of on-street parked cars to help minimise obstructions to effective street cleaning operations.

Conclusions and Recommendations



Recommendation 9 (continued)

- (ii) That the Director of Environment and Neighbourhoods writes to the Transport Minister requesting that consideration be given to introducing enforcement powers that will enable local authorities to minimise obstructions to street cleaning operations caused by on-street parked cars.
- (iii) That an update report on this issue is brought back to Scrutiny within 6 months.

10. Changing public behaviour towards littering

- 10.1 As part of our inquiry, particular emphasis was made around changing public behaviour and educating people not to drop litter by making them aware of the penalties that can be incurred as a result.
- 10.2 We noted that enforcement services do link in closely with Streetscene services and acknowledge the successful work of the enforcement team, particularly in terms of enforcing matters relating to transient groups across the city and also the numbers of successful prosecutions in relation to flytipping.

10.3 However, research by ENCAMS (2006) showed that littering was deemed to be acceptable when an individual's sense of personal responsibility had been taken away because everyone else was doing it. It was considered most acceptable to drop litter when an area was already dirty and run-down, but not when it was tidy and presentable. It was considered most excusable to drop litter when everyone else was doing it, but not when in respectable company.

10.4 During our inquiry, particular reference was made to a number of known hotspot areas across the city, such as Headingley, Hyde Park and Holbeck, which are densely populated and also often include temporary residents such as students.

10.5 Due to the intensive nature of the work experienced in hotspot areas across the city, there is a clear need for more targeted enforcement and education campaigns to be carried out in these areas.

10.6 However, where particular hotspot areas are targeted with more intensive resources, it is important to ensure that other areas across the city do not receive a reduced service as a consequence of this and that they too are receiving sufficient

Conclusions and Recommendations



enforcement and education resources.

10.7 Importance was also placed on targeting certain types of businesses, such as 'food on the go' establishments, where litter problems can clearly be traced back to those establishments.

10.8 We therefore recommend that the Director of Environment and Neighbourhoods produces an action plan within the next 6 months for delivering street cleaning enforcement and education campaigns across the city and particularly within known hotspot areas.

Recommendation 10
That the Director of Environment and Neighbourhoods produces an action plan within the next 6 months for delivering street cleaning enforcement and education campaigns across the city and particularly within known hotspot areas.

10.9 We would hope that a Charter for Leeds will help towards educating people more generally about expected standards of cleanliness across the city and promote a sense of responsibility amongst communities.

10.10 However, we believe that communication links with the public could also be improved by

services linking into the community engagement plans of the Area Committees and also their joint tasking arrangements, which also encourages closer working with key partners.

Recommendation 11
That all street cleaning services link into the community engagement plans of the Area Committees to help improve their communication links with the public.

10.11 Area Committees generally would benefit from receiving more information in relation to the street cleaning services provided in their respective areas. Such information should include clarification of the different street cleansing services they could expect to receive within their areas along with details of work schedules indicating at least the minimum frequencies for service provisions.

10.12 Whilst acknowledging that the service has adopted a more responsive approach which encourages officers and operatives to exercise their discretion to determine levels of street cleanliness and service need, Area Committees would also benefit from understanding how such decisions are made and subsequently monitored.

Conclusions and Recommendations



10.13 We believe that Area Committees should also be receiving performance data on a regular basis to demonstrate how services are performing. This should include information about their respective Community Action Services Teams (CAST) or Community Pride Teams to ensure that these are being utilised effectively and are responsive to the needs of the Area Committees.

10.14 We also suggest that where Area Committees are currently holding themed debates as part of their meeting cycles, one of the themes could be around environmental cleanliness and could be used as an opportunity to open up a dialogue with other key stakeholders, in particular with local Town and Parish Councils.

10.15 In developing closer working links with local Town and Parish Councils, this would help existing services to further engage with local residents and maximise on such a valuable resource, particularly as some Town and Parish Councils have previous experience of the inspection regimes for street cleanliness.

10.16 Taking on board the above issues we have raised, we recommend that the Director of

Environment and Neighbourhoods works with Area Committees and local Town and Parish Councils to produce an action plan within the next 6 months aimed at strengthening their links with the Council's street cleaning services and also maximising resources in terms of engaging with the public.

Recommendation 12

That the Director of Environment and Neighbourhoods works with Area Committees and local Town and Parish Councils to produce an action plan within the next 6 months aimed at strengthening their links with the Council's street cleaning services and also maximising resources in terms of engaging with the public.

Recommendation 13

That the Director of Environment and Neighbourhoods ensures that Area Committees receive regular street cleaning performance data. This should include information about their respective Community Action Services Teams (CAST) or Community Pride Teams to ensure that these are being utilised effectively and are responsive to the needs of the Area Committees.

10.17 We also recognise the value of working more closely with local community groups involved in championing environmental

Conclusions and Recommendations



cleanliness issues as they too are a valuable resource in terms of monitoring cleanliness standards across communities.

- 10.18 We understand that in the past, the Council has commissioned ENCAMS to conduct training with community groups to enable them to make assessments and work with ENCAMS to come back to Leeds City Council with outcomes and actions. Whilst we acknowledge that at that time there was little interest expressed by community groups for such training, we would recommend that the Council remains proactive in engaging with local community groups and continues to offer such assessment training to these groups. We would also recommend that such training opportunities are offered to local Town and Parish Councils too.

Recommendation 14

- (i) That the Council remains proactive in engaging with local community groups and continues to offer training which will enable such groups to carry out street cleanliness assessments.**
- (ii) That such training opportunities are offered to local Town and Parish Councils too.**

11. Making street cleaning a priority for Leeds

11.1 We know that Leeds' performance in terms of street cleanliness is considered average when compared to other comparable core cities, yet Leeds has one of the lowest spends per head of population.

11.2 We fully appreciate that existing street cleaning services do the best job they can with the resources available. However, it is clear that significant additional resources are required in order to deliver a standard of service that meets with the expectations of all residents in Leeds.

11.3 We also recognise that in order for Leeds to compete with other core cities in attracting new developers and investors to the city, particularly within the current economic climate, then it needs to demonstrate to such developers and investors that Leeds is a clean and vibrant city for which they and their staff would wish to come and work and live.

11.4 Street cleaning therefore needs to be regarded as a priority for further improvement and investment.

Evidence



Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

Reports and Publications Submitted

- Report of the Chief Officer for Environmental Services presenting evidence in line with session one of the Board's Inquiry – September 2008
- Strategic Summary of the Code of Practice on Litter and Refuse 2006
- Report of the Head of Scrutiny and Member Development presenting a summary report of the working group – 13th October 2008
- Report of the Head of Scrutiny and Member Development presenting a summary report of the working group – 8th December 2008
- Report of the Head of Scrutiny and Member Development presenting a summary report of the working group – 9th February 2009
- Summary report of the working group meeting held on 14th March 2009
- Summary table of the issues raised within the public letters
- Litter and the Law. A guide for the public. ENCAMS.
- Litterbugs. How to deal with the problem of littering. Policy Exchange. March 2009.

Evidence



Witnesses Heard

- Councillor David Blackburn, Chair of the West (Outer) Area Committee
- Dave Richmond, Area Manager, South East Leeds
- Steve Crocker, Area Manager, West and North West Leeds
- Rory Barke, Area Manager, North East Leeds
- Stephen Smith, Head of Environmental Services
- Claire Warren, Chief Executive, West North West Homes Leeds
- Phil Hirst, Housing Services Development Manager, Aire Valley Homes Leeds
- Mike Holdsworth, Operations Manager, Aire Valley Homes Leeds
- Tony Saynor, Head of Estate and Support Services, East North East Homes Leeds
- Brian Johnson, Director of Strategic Projects, ENCAMS
- James Holmes, ENCAMS
- Andrew Mason, Chief Environmental Services Officer
- Graham Wilson, Head of Environmental Action & Parking
- Phillip Turpin, Principal Projects Officer, Environmental Services
- Graham Little, Principal Manager (Environmental Services), West North West Homes Leeds
- Sean Flesher, Acting Head of Parks and Countryside
- Alex MacLeod, Programme Manager, Education Leeds

Dates of Scrutiny

- 8th September 2008 – Scrutiny Board meeting (agree inquiry terms of reference)
- 24th September 2008 – Scrutiny Working Group Meeting
- 13th October 2008 – Scrutiny Board Meeting
- 24th November 2008 – Scrutiny Working Group Meeting
- 8th December 2008 – Scrutiny Board Meeting
- 14th January 2009 – Scrutiny Working Group Meeting
- 9th February 2009 – Scrutiny Board Meeting
- 12th March 2009 – Scrutiny Working Group Meeting
- 11th May 2009 – Scrutiny Board Meeting (agree final inquiry report)



Report of the Director of Environment and Neighbourhoods

Executive Board

Date: 26th August 2009

Subject: Scrutiny Board (Environment and Neighbourhoods) Older People's Housing

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

1. Purpose Of This Report

1.1 In June 2009 Scrutiny Board (Environment and Neighbourhoods) published a report on Older People's Housing. In accordance with the requirements of the constitution, the response to the Scrutiny Board's recommendations needs to be agreed by the Executive Board. The purpose of this report is therefore to outline for Executive Board the recommendations made by Scrutiny Board and to note the comments of the Environment and Neighbourhoods, Adult Social Care and City Development directorates.

2. Main Issues

The directorate's comments to each of the recommendations are as follows:-

Recommendation 1 – *That the updated Leeds Older People's Housing Strategy action plan is seen within the context of the other key strategies aimed at promoting the wider health and wellbeing agenda for older people, such as the Dementia Strategy, Leeds Mental Health Strategy and Older Better Strategy.*

The director agrees with Recommendation 1 and can confirm that work is underway to update the action plan in the wider context of national and local strategies.

Recommendation 2 – *That the updated Leeds Older People’s Housing Strategy action plan is brought back to the relevant Scrutiny Board for consideration once available.*

The director agrees with Recommendation 2.

Recommendation 3 – *That the Executive Board commits to the development of an area based Initiative for Leeds based upon a ‘Warm Zone’ model over the next 12 months as a method of addressing fuel poverty, particularly amongst vulnerable households such as older people.*

Excess cold has been identified as the most common hazard relating to private housing stock in the city. Action to address excess cold is therefore a key priority in relation to improving private sector housing standards. The draft Housing Strategy puts forward a proposal relating to establishing a ‘Warm Zone’ in the city, albeit with the caveat that this proposal will need to be initially considered by the Executive Board.

Recommendation 4 – *That the council ensures that from April 2010, housing related support services receive sufficient funding through Area Based Grant to at least maintain existing services, with a view to enhancing provisions in the future to meet with any increased demands for such services.*

Decisions relating to the distribution of funding lies with the Executive Board. Information can be provided to the Executive Board, when setting the budget, which will describe the potential impact of budget proposals.

Recommendation 5 – *That the findings of the research commissioned by the Leeds Commissioning Body into the wider benefits and outcomes generated through the provision of housing-related support services, is brought back to Scrutiny for consideration.*

The director agrees with Recommendation 5.

Recommendation 6 – *That the implications of the personalisation agenda and the role of Individualised Budgets in the commissioning of housing related support services is taken into consideration in the development of the Leeds Housing Related Support Strategy.*

The director agrees with Recommendation 6.

Recommendation 7 – *That the Leeds Housing Related Support Strategy is brought back to the relevant Scrutiny Board for consideration once available.*

The director agrees with Recommendation 7.

Recommendation 8 – *That further analysis around future projections for the demand of Telecare Services in Leeds forms part of the wider piece of research work commissioned to assess the impact of Telecare services in Leeds.*

Adult Social Care agree that current research being undertaken into the impact of telecare should include a future demand forecasting exercise.

Recommendation 9 – *That the Director of Development investigates and reports on the viability of adopting a model to be implemented, which reflects the spirit of the London Supplementary Planning Guidance for mandatory development to Lifetime Homes Standards, but suits the diversity and specific requirements of the City of Leeds, reporting findings to the Executive Board before 31 December 2009*

This recommendation is not agreed. The council is already taking steps to address this through the formal planning process.

Recommendation 10 – *That the Director of Development reports back to Scrutiny within 3 months on the existing and planned policies and guidance aimed at promoting innovative and inclusive planning design and quality across the city in line with the Lifetime Neighbourhoods Concept.*

The Council's existing adopted guidance 'Neighbourhoods for Living' (2003) includes a range of principles and guidance aimed at developers, designers, community groups, decision makers, businesses and the public which are consistent with the Lifetime Neighbourhoods concept. Key issues addressed include improving accessibility for disabled people and accommodating an ageing population, creating walkable neighbourhoods and creating a safe and secure environment. In addition major new policies and guides are subject to Sustainability Appraisal and Equality Impact Assessment. Given that this is broadly consistent with the aspirations expressed in the Scrutiny recommendation it is not considered that the further work proposed is appropriate, particularly given the context of other work priorities and resources.

Recommendation 11 – *That the Director of Development reports back to Scrutiny within 3 months on how Leeds can work towards achieving Beacon status for inclusive planning.*

Whilst it is recognised that Beacon status would be a positive achievement experience suggests that this involves a resource intensive process both in achieving Beacon status (through an application process/rigorous assessment) and if successful, delivering the on going work programme (including the Beacon year). This entails both maintaining and 'growing' the initiative as a Beacon authority and also external PR & partnership hosting (events and arranging visits from authorities wishing to learn from best practice i.e. the 'Beacon authority'). Given current resourcing levels, existing commitments and the need for further efficiencies it would be difficult to absorb this work without severely affecting other work streams. Comments on the previous recommendations indicate that we are already looking to address these issues and it is clearly not necessary to have Beacon status in order to achieve better outcomes.

Recommendation 12 – *That the following factors are taken into account by the Council in the future development of extra-care housing schemes:*

- i. To have a very clear strategic position before embarking on a new scheme;*
- ii. That the scheme fits in with the needs of the wider community and integrates with and complements what already exists locally;*
- iii. To look at what is practicable and deliverable before consulting the wider community on the scheme;*
- iv. To project-manage the scheme so that the lead-in time from the development stages to completion is kept as short as possible;*
- v. To be more inventive with the name of the scheme, such as 'retirement village' rather than use the term 'extra care housing' which may not attract residents;*

- vi. *To have a transparent allocations criteria and procedure (making use of an independent body to act as mediator) and to be clear from the outset that not all applicants will receive a place;*
- vii. *To accept that new schemes will continue to evolve as technology develops and expectations change*

In relation to recommendation 12 (vi), the Council will need to ensure that any changes to the allocations criteria and procedure, including the use of an independent body as a mediator, are made in accordance with the legislative framework.

Recommendation 13 *That the Brunswick Gardens Retirement Village in Sheffield is considered by the council as an example of good practice for extra care provision, particularly in relation to the development of community facilities*

The director agrees with this recommendation and would also recommend that other examples of best practice are used to inform future developments in Leeds.

Recommendation 14 *That the directors of Adult Social Care and Environment and Neighbourhoods conduct an urgent piece of work to establish the potential costs of providing housing related support services to the proposed schemes outlined within the council's Private Finance Initiative funding bid for the modernisation of sheltered housing.*

The directors of Adult Social Care and Environment and Neighbourhoods are committed to work to establish the potential costs of proposed schemes as outlined in Recommendation 14. This work will be undertaken within the wider revenue scoping required within the schemes. A cross-directorate project team has been established in relation to the proposed PFI schemes and the revenue costs will be included within the overall project plan.

Recommendation 15 *That the details of the options appraisal into the future investment/management of council housing, with specific reference to older people's housing, is brought back to Scrutiny for consideration at the earliest opportunity.*

The director agrees with this recommendation.

Recommendation 16 *That a dedicated strategy is put in place to take forward the council's plans for the development of Older People's housing irrespective of the outcome of the PFI funding bid.*

The director agrees with this recommendation and would comment that this will be included in the refresh and update of the older people's housing strategy and action plan. Members will note that the council has been successful with the PFI Expression of Interest and that £183m has provisionally been allocated to the city.

Recommendation 17 *In supporting the development of an Extra-Care Housing Plan to quantify the demand and required supply of extra care provision across tenures and locations, we recommend that this Plan be brought back to Scrutiny for consideration once available.*

The director agrees with this recommendation.

Recommendation 18 *That the Director of Environment and Neighbourhoods leads on producing an action plan over the next 6 months aimed at enhancing existing housing support and advice services targeted at older people across the city.*

The director agrees with this recommendation. The refresh of the current Older People's Housing Strategy action plan will reflect the outcomes of this recommendation.

Recommendation 19 That the Directors of Environment and Neighbourhoods and Adult Social Care ensure that the work conducted by the Leeds Older People's Forum around addressing social isolation amongst older people is embedded into existing training mechanisms for all relevant front line staff delivering services to older people.

The directors agree with this recommendation and will ensure that this requirement is built into all services commissioned by the two directorates.

Recommendation 20 That the Director of Environment and Neighbourhoods takes a lead role in developing a working model aimed at delivering integrated housing and housing support services to older people at a neighbourhood level.

The director agrees with this recommendation. The services currently commissioned to provide housing related support to older people are delivered at a local level but there is work ongoing to ensure that these are integrated with other services offering care and housing management in the same locality. The Environment and Neighbourhood directorate works closely with Adult Social Care to jointly fund Neighbourhood Networks through the Supporting People programme and will continue to develop this integrated approach.

3. Recommendation

That the Executive Board approves the responses from the Director of Environment and Neighbourhoods as outlined in this report.

Background papers

None

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Older People's Housing Scrutiny Inquiry Report

Introduction and Scope



1.0 Introduction

1.1 It is recognised nationally that the ageing society poses one of the greatest housing challenges. The Government now predicts that by 2026 older people will account for almost half (48 per cent) of the increase in the total number of households, resulting in 2.4 million more older households than there are today. Within Leeds, the proportion of residents aged 60 or over is likely to rise by approximately 18% in the period up to 2021.

1.2 As well as increasing population figures, the expectations and aspirations of older people are also evolving in terms of the quality and choice of housing and housing support services available to them. In particular, many older people are wanting to remain independent in their homes, for as long as they are able. The Government's vision is therefore focused around supporting older people to live independently within their own homes and to exercise greater choice and control over their lives.

1.3 As the housing needs of older people are not homogenous, the housing options available to older people need to reflect this. In view of this, we agreed to conduct an inquiry into older

people's housing in Leeds to explore how the Council and its partners are responding to the national vision for older people's housing at a local level.

1.4 As well as considering the housing options available for older people, we also recognised the need to explore the development of housing related support services for older people. We noted that such support services would need to be rooted in the evolving national 'personalisation' agenda: that recipients of social care services should play an integral role in shaping or choosing the services they use so that they can be empowered to live independently. One of the guiding principles therefore is to promote a strategic shift away from residential care and acute settings into community-based housing and support services, including extra care provision.

1.5 The provision of personalised services that maximise prevention opportunities will clearly contribute to the objective of reducing the need for placements into residential care and therefore we recognised that services such as housing support, adaptations and assistive technology can all play a crucial role in reducing dependency on day care

Introduction and Scope

services, residential care placements and hospital placements.

1.6 In acknowledging the significant role of Adult Social Care in this area of work, we invited Members of the Adult Social Care Scrutiny Board to contribute to our inquiry. Whilst it was noted that there was already a crossover of membership between the two Scrutiny Boards, the Chair of the Adult Social Care Scrutiny Board had taken up this invitation on behalf of the Board.

1.7 When determining the scope of our inquiry, we learned that the Adult Social Care Scrutiny Board had already agreed to conduct an inquiry into adaptations. In view of this, we decided not to focus on adaptations as part of our inquiry in order to avoid duplication. However, both inquiries refer to the Government's vision to build more accessible homes in the future in line with its criteria for Lifetime Homes, as set out in the national Strategy 'Lifetime Homes, Lifetime Neighbourhoods' (2008). Further reference to this matter is made later in our report.

1.8 At the time of conducting our inquiry, we also acknowledged

that the Council was in the process of revising its Leeds Housing Strategy and therefore attention was given to ensuring that the needs of older people in Leeds were being recognised and addressed within the updated Strategy and in line with other strategic outcomes and priorities.

Scope

1.9 The purpose of the Inquiry was to make an assessment of and, where appropriate, make recommendations on the following areas:

- Links between the national 'personalisation agenda' and the future development of flexible and bespoke housing related services for older people;
- Implications of the increasing older people population on housing related services and the identification of future planning needs;
- The current review of the Leeds Housing Strategy and its need to respond to the relevant strategic outcomes and priorities within the Leeds Strategic Plan and Leeds Local Agreement;

Introduction and Scope

- The Leeds Older People's Housing Strategy and accompanying action plan;
 - The condition of sheltered housing stock in Leeds and proposals for improvement, with particular reference to the Supporting People Programme and PFI bid proposals for modernising housing provision for older people;
 - Issues surrounding affordable housing for older people;
 - Ensuring that older people have a safe and secure environment to live in, with a sense of belonging to and participating in communities;
 - The role and development of Assistive Technology, Telecare and Telehealth services in promoting the capacity of older people to live independently;
 - Methods of addressing social isolation when promoting the capacity of older people to live independently;
 - Problems relating to fuel poverty and older people.
- 1.10 In acknowledging the increased emphasis around extra-care provision, we were particularly interested in exploring the extra-care housing model. We therefore held our February 2009 meeting at the Moor Allerton Care Centre in Leeds, which is based on the extra-care model, and combined this with a tour of the Centre. We also conducted a visit to Sheffield's Brunswick Gardens Retirement Village as this is one of only a few extra care 'villages' in England. We were therefore keen to learn more about the benefits of developing a scheme of this size and to take back any lessons for future developments in Leeds.
- 1.11 In discussing the expectations and aspirations of older people, it was also vital that we considered the views of older people themselves. We therefore welcomed the contribution of the Leeds Older People's Forum to our inquiry. The Forum currently has over 120 members from older people's voluntary sector organisations in Leeds and during our inquiry, particular reference was made to the valuable work conducted by the Forum around older people and social isolation.
- 1.12 We would like to sincerely thank everyone for their contribution

Introduction and Scope

and commitment to our inquiry, and particularly to the staff and residents at Moor Allerton Care Centre and Brunswick Gardens Retirement Village for their kind hospitality.

- 1.13 Our inquiry has clearly demonstrated that housing is not just about bricks and mortar, it is about providing an environment where older people can be supported to live independently by a range of services. Quality housing and housing services promote the capacity of vulnerable people to live independently and to exercise choice and control over their lives. As far as practicable, older people should be supported in their housing choices. However, it is equally important to ensure that the drive towards promoting independent living and the use of modern assistive technology does not lead to social isolation as a consequence.
- 1.14 We acknowledge that the Council and its partners have already committed a lot of time and resources in developing older people's housing and housing support services. Many of our recommendations therefore seek to build upon existing activities to help meet current aspirations for older people's housing provision.

Conclusions and Recommendations



2.0 National and local policy drivers for improving older people's housing.

2.1 We acknowledge that the expectations and aspirations of older people are evolving in terms of the quality and choice of housing and housing support services available to them. In particular, many more older people wish to remain independent in their homes, for as long as they are able, and to exercise greater choice and control over their lives.

2.2 We therefore recognise that the development of affordable and accessible housing, including new housing, will be a key element of the drive to promote independent living. Housing support services will also play a critical role in delivering the wider social care agenda around promoting the capacity of older people to live independently within their own homes and to exercise greater choice and control over their lives.

2.3 However, this strategic shift in social and health care policy for older people, from a dependency culture towards an enabling and promoting independence culture, where support and care is provided at home or close to home as opposed to institutional or

residential based care, is not a recent development.

2.4 We understand that the Government first published its Strategic Framework around Quality and Choice for Older People's Housing in January 2001. This Strategic Framework promoted the interdependence between housing, social care and health in delivering services for an increasingly ageing population.

2.5 The more recent Government Strategy 'Lifetime Homes, Lifetime Neighbourhoods' (2008) continues to highlight the key aspirations of older people's housing and acknowledges that good housing is critical if we are to manage the mounting pressures of care and support expenditure and provide the best possible help and support to an aging society. However, this particular Strategy places more emphasis on designing and building homes that are generally accessible to a wide range of people, than to build homes that are not future-proof, so become inappropriate to our changing needs. Further reference to the development of such Lifetime Homes and Lifetime Neighbourhoods is made in paragraphs 6.1 to 6.15 within our report.

Conclusions and Recommendations



- 2.6 During our inquiry, we were pleased to note that in response to the national policy drivers for improving older people's housing options and support services, the Council, and its partners, developed the Leeds Older People's Housing Strategy 'Home Not Alone' (2005 – 2010). This was the first housing and support strategy for older people in Leeds.
- 2.7 The overall vision of the Leeds Older People's Housing Strategy is to improve the quality of life of older people through providing a range of housing options, care and support services which will promote independence for all older people in Leeds. It's aim therefore is to help integrate housing, support and care to promote the independence and well being of older people and to influence and deliver improvements to the quality and choice of housing available for older people in the city.
- 2.8 We learned that the Action Plan accompanying the Leeds Older People's Housing Strategy is in the process of being updated to ensure that it corresponds with the relevant key themes and improvement priorities identified within the current Leeds Strategic Plan 2008 - 2011 and also the revised Leeds Housing Strategy 2009 – 2012.
- 2.9 The Leeds Strategic Plan is one of the key strategic documents for the city and we acknowledged that the Thriving Places theme within the Plan includes the strategic outcome: 'Improved quality of life through mixed neighbourhoods offering good housing options and better access to services and activities'. Both the Thriving Places and Health and Wellbeing themes contain improvement priorities relating to improving housing decency, increasing the supply of affordable housing, reducing homelessness and fuel poverty, and increasing the number of vulnerable people helped to live at home.
- 2.10 At the time of our inquiry, the Leeds Housing Strategy was in the process of being updated. In May 2009, we were given the opportunity to consider and comment on the draft updated Leeds Housing Strategy. We noted that the updated Strategy is also closely aligned to the improvement priorities, strategic outcomes and themes included within the Leeds Strategic Plan and that its vision is to 'create opportunities for people to live independently in quality, affordable housing'.

Conclusions and Recommendations



2.11 Whilst we acknowledge the need to update the Leeds Older People's Housing Strategy Action Plan to ensure that it corresponds with both the Leeds Strategic Plan and Leeds Housing Strategy, we would also emphasise the importance of this Action Plan being seen within the context of other key strategies aimed at promoting the wider health and wellbeing agenda for older people. Such strategies include the recent national Dementia Strategy; the Leeds Mental Health Strategy; and the Older Better Strategy. This will help to avoid duplication and provide a more coherent approach in enabling and promoting independent living for older people.

2.12 Once available, we would like the updated Leeds Older People's Housing Strategy Action Plan to be brought back to Scrutiny for consideration.

Recommendation 1
That the updated Leeds Older People's Housing Strategy Action Plan is seen within the context of other key strategies aimed at promoting the wider health and wellbeing agenda for older people, such as the Dementia Strategy, Leeds Mental Health Strategy and Older Better Strategy.

Recommendation 2
That the updated Leeds Older People's Housing Strategy Action Plan is brought back to the relevant Scrutiny Board for consideration once available.

3.0 Addressing fuel poverty and improving decency standards.

3.1 Links between the quality of housing, health and wellbeing is compelling. In particular, we noted that excess cold is a major cause of increased winter mortality, especially amongst older people, and exacerbates conditions such as rheumatism, arthritis, bronchitis and cardiovascular illness, which older people are also more likely to experience. In view of this, we explored the measures being taken to address fuel poverty and improve decency standards within older people's housing in Leeds.

3.2 We were pleased to note that one of the key actions identified in the updated draft Leeds Housing Strategy is to reduce the number of older people living in fuel poverty. The official definition of fuel poverty is where a household is spending more than 10% of their household income on meeting energy costs. As the

Conclusions and Recommendations



Council and other housing-related services have limited power to control energy prices, it is clear that the focus needs to be around promoting energy efficiency measures as a means of reducing energy costs and eliminating excess cold.

- 3.3 During our inquiry, we acknowledged the good work already carried out by the Council's Fuelsavers Team in monitoring the incidence of fuel poverty in the city; providing a free and impartial advice service about energy efficiency; and taking a lead role in delivering the Council's Affordable Warmth Strategy (2007 - 2016).
- 3.4 The Fuelsavers Team works with a range of partners, including NHS, the ALMOs, Environmental Health, Adult Social Services and the Energy Providers to implement interventions to meet the Governments Fuel Poverty Targets. In addition, the Fuelsavers Team has developed a number of initiatives designed to tackle fuel poverty amongst the most vulnerable households, such as 'Health through Warmth' and 'Warm Front'. However, we noted that the updated draft Leeds Housing Strategy now recommends that the Council looks beyond these initiatives to

turn Leeds into a 'Warm Zone' area. We understand that there are currently 13 'Warm Zone' areas in the UK, including one covering the Kirklees authority area.

- 3.5 Warm Zones give every household in the catchment area the opportunity to insulate their homes better and to make their homes warmer, reduce energy consumption and cost, reduce carbon emissions and to make a positive contribution to the environment. The scheme works on a ward-by-ward basis, by carrying out initial doorstep assessments and then more detailed surveys to establish the improvements required. All households are entitled to loft and cavity wall insulation, with households in fuel poverty, on income related benefits or occupying hard to treat homes offered improvements to heating systems. All households also receive benefit entitlement and energy efficiency advice.
- 3.6 We understand that Warm Zones are operated on a not-for-profit basis and typically funded through partnerships with local government, European Union agencies, energy companies and other supporters. Whilst we acknowledge that there will be resource implications for

Conclusions and Recommendations



developing this initiative across the city, the existing neighbourhood analysis of fuel poverty rates will enable the Council to prioritise the delivery of the 'Warm Zone' in the council wards with the highest levels of fuel poverty.

- 3.7 We support the development of an area based initiative for Leeds based upon the Warm Zone model and recommend that the Executive Board also commits to the development of such an initiative in Leeds over the next 12 months.

Recommendation 3

That the Executive Board commits to the development of an area based Initiative for Leeds based upon a 'Warm Zone' model over the next 12 months as a method of addressing fuel poverty, particularly amongst vulnerable households such as older people.

- 3.8 We are aware that the Government has already set a target to bring all social housing (stock managed by local authorities, ALMOs and housing association) up to the decency standard by 2010/11 and therefore the Council and the Leeds ALMOs are committed to ensuring that all social housing meets the decency standard by 2010/11. However, we recognise that such properties

are likely to fall out of decency if investment is not maintained or enhanced post 2011. We are therefore pleased that this has been acknowledged within the updated draft Leeds Housing Strategy and that the Council and the Leeds ALMOs are now exploring options for maintaining and enhancing the level of investment in council housing post-2011.

- 3.9 In acknowledging that just under 70% of older people live in the private sector, it is clear that measures to improve decency standards in this tenure will also have a significant impact on the lives of older people in the city.

- 3.10 Running alongside this inquiry, we also conducted a separate inquiry into Private Rented Sector Housing in Leeds and found that both locally and nationally, the private rented sector is seen to be the tenure where the greatest proportion of vulnerable households live in non-decent homes. We therefore recognised the importance of addressing excess cold and fuel poverty across all tenures and stressed that this must remain a key future priority, with a particular focus on the older housing stock, where many private sector tenants, including some

Conclusions and Recommendations



of the most vulnerable members of society, reside.

3.11 However, we were pleased to learn that an overall approach for enhanced action is intended through a refresh of the actions to deliver the Private Rented Sector Strategy. This will include the development of the Strategy to reflect new themes such as the Leeds Affordable Warmth Strategy; the Regional Fuel Poverty Strategy and Home Energy Conservation Act recommendations.

3.12 We also noted that NHS Liverpool had given funding of around £9 million to improve private sector housing conditions in Liverpool. Whilst acknowledging that the Liverpool model needs to be tested to identify whether comparable investment can be made in Leeds, we still recognised the need for the Council to work more closely with key partners and also central government to continue developing innovative approaches towards addressing poor housing conditions and to maximise on available resources. We therefore made a recommendation to the Director of Environment and Neighbourhoods to this effect.

4.0 The challenge of providing housing related support services.

4.1 It is clear that rising life expectancy and the growing number of older people will increase the need for additional services or support to maximise the capacity of elderly or vulnerable people to continue living independently.

4.2 Supporting People is the national programme for commissioning housing related support services for vulnerable adults. This programme is managed through a Commissioning Body, which comprises representatives from the Council, NHS Leeds and the West Yorkshire Probation Service. The programme is administered on a day-to-day basis by the Housing Strategy and Commissioning section, which sits within the Environment and Neighbourhoods Directorate. We understand that all proposals made by the administering authority, relating to the commissioning of services, need to be unanimously approved by the Commissioning Body and that the three partner agencies have an equal decision making capacity.

Conclusions and Recommendations



- 4.3 The Supporting People programme currently commissions 371 services, through 68 organisations, for approximately 12,000 people and we noted that such services range from sheltered warden services for older people, homeless hostels and supported housing for people with learning disabilities.
- 4.4 In addition to the information provided during our inquiry, we also received quarterly update reports on the Supporting People programme as part of our 2008/09 work programme.
- 4.5 We learned that in 2008/09, the Leeds Supporting People programme received a grant settlement of £32.9 million, a reduction of £3 million from the position in 2003/04. As a result, we noted that efficiency savings of approximately £7.5 million have needed to be generated since 2003 in order to balance the budget, given the real increases in costs, and to also commission new strategically relevant services. Such services have formed part of the Partnerships for Older People's Projects (POPPs) which aim to assist vulnerable older people with mental health problems to achieve and maintain independent living arrangements. It was reported that such efficiency savings have been achieved through competitive tendering and contract management.
- 4.6 We were also made aware that whilst the Supporting People grant settlement will be maintained at £32.9 million in 2009/10, it is now expected to be reduced by a further £1 million in 2010/11, which will need to be found from existing services. Given the level of efficiencies already achieved to date, we acknowledge the challenge of achieving this additional saving through the application of value for money measures without compromising service quality.
- 4.7 In addition, we also learned that during 2009/10, Supporting People funds will be paid to the Council as a 'named' grant under section 31 of the Local Government Act 2003. This will allow local authorities more flexibility to allocate funding according to local need, but will still be viewed as housing related support. However, it is expected that Supporting People funding will be absorbed into the Area Based Grant from April 2010 onwards, following this transitional year, and can therefore be used for any purpose the Council believes is appropriate.

Conclusions and Recommendations



4.8 We acknowledge that since the start of the Supporting People programme, the Government has been clear about its intention to mainstream the commissioning of housing related support services within local authorities. Whilst the allocation of funding now rests with local authorities, there are still clear expectations by Government and the Audit Commission that housing related support services will continue to be delivered to vulnerable groups of people to enable them to achieve independent living outcomes. It is vital that the removal of the ring-fenced funding for housing related support services does not have a detrimental affect on existing services. The Council should ensure that from April 2010, housing related support services receive sufficient funding through the Area Based Grant to at least maintain existing services, with a view to enhancing provisions in the future.

4.9 We learned that the Leeds Commissioning Body has agreed to commission a piece of research into the wider benefits and outcomes that are generated through the provision of housing-related support services. We welcome this research and would like the

findings to be brought back to Scrutiny once available.

Recommendation 4

That the Council ensures that from April 2010, housing related support services receive sufficient funding through the Area Based Grant to at least maintain existing services, with a view to enhancing provisions in the future to meet with any increased demands for such services.

Recommendation 5

That the findings of the research commissioned by the Leeds Commissioning Body into the wider benefits and outcomes generated through the provision of housing-related support services, is brought back to Scrutiny for consideration.

4.10 We understand that local authorities are also expected to have local housing related support policies in place to take forward their commissioned services. We therefore noted that a local housing related support strategy will be developed for Leeds under the umbrella of the updated Leeds Housing Strategy. We would also like this strategy to be brought back to Scrutiny for consideration once available.

Conclusions and Recommendations



4.11 As the allocation of funding now rests with local authorities, we were pleased to learn that the Supporting People Commissioning Body has agreed that decisions relating to service commissioning will be made within the context of the Leeds Strategic Plan and the Leeds Local Area Agreement so that all new and re-commissioned services will contribute directly to the delivery of these strategic outcomes.

4.12 However, during our inquiry we noted the implications of the national personalisation agenda for social care and associated services on the commissioning of housing related support services. The personalisation agenda is focused around enabling clients to design, choose and control the services that they use. Whilst this encompasses a number of elements, particular reference was made to the Individual Budgets element. This is where a client receives an indicative funding value, which could be comprised of several funding sources, and uses this funding to purchase services from selected providers, whether they are from the public, private or voluntary sectors.

4.13 With regard to housing related support, which is commissioned

through the Supporting People programme, this will be included within Individual Budgets if the client is also in receipt of a social care service. As the Supporting People programme block purchases sheltered warden services, by scheme, we noted that this potentially conflicts with the principle of individuals purchasing services and also the concept of creating a genuine 'open market' so that clients have a real choice in how they buy a service. There may also be a conflict between promoting choice and safeguarding vulnerable people as clients may decide to purchase a service outside of the Supporting People commissioned services, which may not have been subjected to the same levels of rigorous testing. We believe that this will need to be taken into consideration in the development of the Leeds Housing Related Support Strategy.

Recommendation 6
That the implications of the personalisation agenda and the role of Individualised Budgets in the commissioning of housing related support services is taken into consideration in the development of the Leeds Housing Related Support Strategy.

Conclusions and Recommendations



Recommendation 7
That the Leeds Housing Related Support Strategy is brought back to the relevant Scrutiny Board for consideration once available.

5.0 The effective use of Assistive Technology.

5.1 During our inquiry, we acknowledged that the use of assistive technology will play an increasingly important role in promoting the capacity of vulnerable people to live independently.

5.2 In 2004, the Audit Commission defined assistive technology as *“any item, piece of equipment, product or system that is used to increase maintain or improve the functional capabilities and independence of people with cognitive, physical or communication difficulties”*.

5.3 We learned that community equipment, Telecare and Telehealth services are three of a range of services providing assistive technology intended to support people to live as independently as possible. Other assistive technology services include adaptations services, wheelchair services and environmental controls.

5.4 The Leeds Community Equipment Service is an

integrated (between the Local Authority and NHS Leeds) service delivering all aspects of equipment provision for health and local authority service users in Leeds. Under its umbrella, Leeds Community Equipment Service oversees all aspects of relevant staff training; information and advice to actual and potential users of community equipment; service development; and the storage, delivery, fitting, collection, maintenance and cleaning of community equipment.

5.5 We learned that the service holds an average of 600 core stock items of equipment and orders large numbers of individual “one off” specialised items. The type of equipment provided by the service includes: bath boards, bath seats, raised toilet seats, toilet frames, riser recliner chairs, specialist cutlery, zimmer frames, walking sticks, wheelchairs, commodes, urinals, bedpans, hoists, specialised beds and pressure relieving mattresses.

5.6 With regard to Telecare, we learned that this is a service that supports older and vulnerable people to live independently in their own home through the use of simple sensors. Telecare provides 24 hour monitoring of an individual,

Conclusions and Recommendations



ensuring an alert is raised if the sensor detects any problems.

5.7 Telecare in Leeds builds upon the already existing Care Ring pendant alarm system to offer added security at home. Telecare sensors are discretely placed around the home on ceilings, doors and walls or may be worn by the service user in the form of a pendant, watch or belt. They can be of benefit to those who are having difficulties maintaining their safety at home due to physical or mental impairments.

5.8 We noted that Care Ring service users ordinarily need to nominate two key holders who can be contacted in the event of an emergency. However, it has been identified that a significant number of potential Telecare service users do not have access to such a resource and therefore the Supporting People Commissioning Body has agreed to commission a citywide mobile response service, provided through the Council's security service, from April 2009, for an initial two-year term. It is assumed that the service will be working with 600 service users by the end of 2010/11.

5.9 We were informed that if a Telecare sensor activates in an individual's home, an alert is

automatically raised to a 24 hour response centre who will maintain contact with the service user to check on their safety. Often, practical advice and reassurance is all that is required but on some occasions physical help may be needed. On these occasions the response centre staff will arrange the appropriate support by contacting a family member, mobile response, or if necessary an emergency service. The response centre have access to information on the service user and can identify what sensor in the home has activated to ensure the appropriate responses are arranged promptly.

5.10 It was reported that since its introduction in October 2006, Telecare equipment has been provided to over 2,500 people. We acknowledge that the use of Telecare systems have enabled people to be supported at home for longer, preventing untimely admission to hospital and promoting early discharge. Telecare therefore aims to provide reassurance to carers and family and also promotes confidence in service users.

5.11 We learned that Telehealth monitoring is the remote exchange of physiological data between a patient at home and remote health care staff to assist

Conclusions and Recommendations



in diagnosis and monitoring. This could include support for people with chest/breathing problems, heart conditions, or diabetes. It includes a home unit to measure and monitor temperature, blood pressure and other vital signs for clinical review at a remote location, (for example, a hospital site), using phone lines or wireless technology.

- 5.12 It was highlighted that Telehealth provision is led by NHS Leeds who are currently conducting pilot programmes to assess the effectiveness of the systems. The money to run these programmes has come from the Preventative Technology Grant allocated to Adult Social Care by the Department of Health.
- 5.13 We were pleased to learn that a Leeds Telecare / Telehealth Development Group has been set up to ensure that there are close links between the agencies leading on all related initiatives. We learned that a wide range of stakeholders are members of this Development Group and include representatives from the Local Authority, NHS Leeds, service users, practitioners and equipment suppliers.
- 5.14 In March 2009, we were also pleased to learn that funding for

Telecare services would become mainstreamed from April 2009. Whilst acknowledging that this funding will help to maintain current services, it was hoped that such services could be expanded further in the future. We learned that a piece of research had been commissioned to assess the impact of Telecare services in Leeds, which will take into account the cost benefits of providing this service in terms of reducing the need for residential placements and preventing untimely admissions to hospital. It is hoped that this research will assist in identifying potential additional funding bids to expand the service further. In welcoming this piece of research, we would also advise that further analysis around future projections for Telecare services in Leeds is included in this research to help determine the level of service capacity required to meet future demands.

Recommendation 8
That further analysis around future projections for the demand of Telecare services in Leeds forms part of the wider piece of research work commissioned to assess the impact of Telecare services in Leeds.

Conclusions and Recommendations



5.15 Within the updated draft Leeds Housing Strategy, it also states that actions will be taken to identify the contribution Telecare services, and more specifically the mobile response service, has made to promoting independent living. One of the key actions identified is to use the Supporting People contract management process to monitor the effectiveness and long-term requirement of the mobile response service and to carry out an options appraisal to determine whether the service should be remodelled and/or subject to competitive tender. We therefore welcome these proposed actions.

6.0 Delivering Lifetime Homes and Neighbourhoods.

6.1 We believe that well designed, inclusive housing will help to meet housing needs, improve health, reduce discrimination and create more balanced and inclusive communities. It is clear that it will be more cost effective to build new homes that are generally accessible to a wide range of people than to build homes that are not future-proof, so become inappropriate to our changing needs.

6.2 We learned that the 'Lifetime Homes' standard is a set of 16 design criteria that aim to

promote mobility within the home. This standard will therefore have an impact on the size of accommodation (allowing for wheelchair use and access and space for lifts and hoist in the future), layout of accommodation (allowing for direct access from bedroom to bathroom if required), access to the home and parking space. We understand that to meet these standards, new homes would need to be designed and constructed to be able to be readily adapted to meet future needs and for flexibility in use.

6.3 We acknowledge that by adhering to these design standards, this will increase the cost of housing production, ranging from around £165 to £545 per unit. However, we also recognise that this is a small fraction of the cost of adapting a property or placing a person into residential care.

6.4 We noted that the Leeds Older People's Strategy (2005-2010) already makes reference to the Lifetime Homes standards, stating that all developers should be encouraged to develop Lifetime Homes in order to build in flexibility of use.

6.5 However, we are pleased to learn that within its Strategy 'Lifetime Homes, Lifetime Neighbourhoods' (2008), the

Conclusions and Recommendations



Government now makes a commitment to ensure that all public housing will be built to Lifetime Homes standards by 2011. This is reflected within the updated draft Leeds Housing Strategy, which states that all housing developed through the Affordable Housing Strategic Partnership will now conform to the Lifetime Homes standards and that all new social housing developments are to conform to the Lifetime Homes standard from 2011.

- 6.6 With regard to the private sector, we noted that the Government's aspiration is for all new housing to be built to these standards by 2013. We understand that the Lifetime Homes standards will be made a mandatory part of the Code for Sustainable Homes. However, as this Code is voluntary, it is difficult for planning policy to insist on such higher standards and therefore the focus has been around encouraging take-up on a voluntary basis from private developers.
- 6.7 We are aware that the Government intends to support industry to encourage take-up on a voluntary basis over the next few years and will review take-up in 2010, with a view to bringing forward regulation in 2013 if take-up in the private

sector has not matched market need or expectations. However, we believe that the Council should be proactive now in exploring opportunities for adopting a consistent approach towards all new housing regardless of its tenure in relation to Lifetime Homes Standards. We understand that during its inquiry into Adaptations, the Adult Social Care Scrutiny Board also felt that the Council should be exploring possible routes of adopting these standards across all tenures without the need to wait for any national regulations to be enforced.

- 6.8 The Adult Social Care Scrutiny Board was advised that the use of Supplementary Planning Guidance could be used as a way to place greater material weight on planning applicants to create more accessible housing. We understand that this approach is not unprecedented, as this has been adopted in London.
- 6.9 The document 'Accessible London: achieving an inclusive environment. The London Plan Supplementary Guidance' states that *'The Mayor will and boroughs should seek to ensure that all residential units in new housing developments are designed to Lifetime Home standards. These standards*

Conclusions and Recommendations



should be applied to all new housing, including conversions and refurbishments, and including blocks of flats, for both social housing and private sector housing, and should cater for a varying number of occupants'.

6.10 In acknowledging the positive impact of this approach in London, the Adult Social Care Scrutiny Board agreed to recommend that the Director for Development also investigates and reports on the viability of adopting a model to be implemented, which reflects the spirit of the London Supplementary Planning Guidance for mandatory development to Lifetime Homes Standards, but suits the diversity and specific requirements of the City of Leeds, reporting findings to the Executive Board before 31 December 2009.

6.11 In recognising the need for the Council to adopt a more consistent approach towards Lifetime Homes Standards across all tenures, we too appreciate the importance of conducting a viability appraisal on how this will best meet the needs of the city. We would therefore echo the recommendation made by the Adult Social Care Scrutiny Board.

Recommendation 9

That the Director for Development investigates and reports on the viability of adopting a model to be implemented, which reflects the spirit of the London Supplementary Planning Guidance for mandatory development to Lifetime Homes Standards, but suits the diversity and specific requirements of the City of Leeds, reporting findings to the Executive Board before 31 December 2009.

6.12 We also recognise that it is not just lifetime homes that are needed, but lifetime neighbourhoods, where the built environment offers 'age-proofed' communities. This would mean that the provision of accessible local amenities, such as community centres and shops, and the transport and street environment would be consciously planned for people of all ages and conditions in mind and therefore not exclude people as they age or become more frail or disabled. We believe that such inclusive planning can only help to achieve an increased sense of belonging and pride in local neighbourhoods that will help to build cohesive communities.

6.13 We acknowledge that the concept of Lifetime Neighbourhoods is not a new

Conclusions and Recommendations



one, but it has been recognised nationally that this is yet to make a significant impact on planning and neighbourhood design. It is therefore vital that local planning policy takes account of ageing and the needs of older people. Within its Lifetime Homes, Lifetime Neighbourhoods Strategy, the Government has stated that it will incentivise good design by introducing a new Beacon theme on inclusive planning to recognise local authorities providing leadership in this area.

6.14 We understand that the new Homes and Communities Agency will also be charged with supporting the continued well-being of communities in England and ensuring that all new planning policies and initiatives give an explicit priority to design and quality. The Government also gives a commitment that future planning policy reform will fully reflect the high priority now given to address the challenges of an ageing society.

6.15 We would very much like to see Leeds be at the forefront of promoting innovative and inclusive planning design and quality across the city in line with the Lifetime Neighbourhoods concept and work towards achieving Beacon

status for leadership in this area.

6.16 We recommend that the Director of Development reports back to Scrutiny within 3 months on the existing and planned policies and guidance aimed at promoting innovative and inclusive planning design and quality across the city in line with the Lifetime Neighbourhoods concept, and how Leeds can work towards achieving Beacon status for leadership in this area.

Recommendation 10

That the Director of Development reports back to Scrutiny within 3 months on the existing and planned policies and guidance aimed at promoting innovative and inclusive planning design and quality across the city in line with the Lifetime Neighbourhoods concept.

Recommendation 11

That the Director of Development reports back to Scrutiny within 3 months on how Leeds can work towards achieving Beacon status for inclusive planning.

7.0 Developing the extra care housing model.

7.1 The development of extra care housing for vulnerable older

Conclusions and Recommendations



people is a key strategic and service transformation objective for the Council. In view of this, we were interested in exploring the benefits of the extra-care housing model as an alternative to residential care.

- 7.2 We understand that extra care housing schemes are designed to offer more independent living for residents than residential care, with fully self contained accommodation (usually 1 or 2 bedroom apartments and sometimes linked bungalow properties) with access to shared communal facilities often termed a 'resource centre'. We have already established the importance of service users being given opportunities to exercise choice and be involved in influencing the services that they receive. Choice and involvement are in many ways integral to the whole model of extra care housing since the status of people as tenants gives them rights and potentially a level of control over their own lives that would often be lacking in other service settings.
- 7.3 As part of our inquiry, we were keen to visit an existing extra care housing scheme within Leeds and the Moor Allerton Care Centre was highlighted as one of the exemplar schemes. As part of our inquiry, we also agreed to conduct a visit to

Sheffield's Brunswick Gardens Retirement Village, which opened in March 2008 and consists of 217 one and two bedroom units of mixed tenure. As this is one of only a few extra care 'villages' in England, we were keen to learn more about the benefits of developing a scheme of this size and to take back any lessons for future developments in Leeds.

- 7.4 In February 2009, we held our public Board meeting at the Moor Allerton Care Centre and this was followed by a tour of the Centre, which gave us the opportunity to speak with the staff and residents.
- 7.5 The Moor Allerton Care Centre was established in December 2004 by MHA Care Group, a leading national charity that works to improve the quality of life and independence of older people through the provision of care homes and a range of housing and support services. This particular scheme is regarded as purpose built housing with care and day care facility for older people including those with dementia.
- 7.6 The Moor Allerton Care Centre comprises of:
- Yew Tree Court providing 45 units of housing with care, 28 of which are two-

Conclusions and Recommendations



bedroom flats and 17 of which are one-bedroom flats; plus five flats commissioned by the local Primary Care Trust (PCT) to provide Intermediate Care.

- Rosewood Court providing 20 one-bedroom units of housing with dementia care, which can be occupied by a single person, or a couple.
- Bay Tree Resource Centre offering dementia day care services for up to 20 older people per day
- Suffer from depression or some other mental illness, which is managed through appropriate treatment and support, and be likely to derive psychological benefit from living in this setting rather than a more specialist one;
- Have a degree of learning disability; again provided they will be able to cope with the independent living aspects of extra care housing;
- Have or be willing to have a Social Services assessment completed for required care needs.

7.7 We learned that to be eligible for a tenancy in Yew Tree Court, the Centre requires people to fit a number of the following criteria:

- Be aged 55 or over;
- Have a requirement for sheltered housing;
- Be frail or physically disabled;
- Exhibit some cognitive dysfunction, possibly with short term memory loss and some disorientation, provided they will be able to cope with the independent living aspects of extra care housing and be likely to derive psychological benefit from living in this setting in preference to, for example, residential care;

7.8 For allocation of a flat in Rosewood Court, as well as some of the above criteria, we learned that people must also meet the following requirements:

- Dementia is the primary care need.
- A potential service user will have a diagnosis of dementia from an appropriate source - for example: Consultant Psychiatrist.

7.9 We were particularly interested to learn that the local Primary Care Trust funds five of the flats in Yew Tree Court as Intermediate Care places. These Intermediate Care flats

Conclusions and Recommendations



are used to provide an alternative to hospital admission, or to facilitate earlier hospital discharges, for people who require short-term support to remain in their own homes.

7.10 During our tour of the centre, we noted the range of communal facilities on site to assist with daily living tasks, socialising and making friends. Yew Tree Court has a communal lounge; a dining room/restaurant; a hairdressing salon; communal laundry; guestroom and assisted bathrooms, all of which are open to all who reside at the centre. Within Rosewood Court, we noted that there is a specially designed lounge, dining area and a fully enclosed garden to enable those individuals living with dementia to safely enjoy their living environment.

7.11 We also visited the Bay Tree Dementia Day Care Centre, which offers care and therapeutic services to older people living with dementia.

7.12 In terms of security and safety measures, we noted that the door-entry system enables residents to speak to visitors from within their own apartments before opening the front door. Pull cords are also located in all apartments and

communal areas to summon staff if needed, which are responded to 24 hours a day, 365 days a year. Overall we believe that the provision of care provided within the Centre met with the philosophy of the extra care model in terms of promoting independent living within a safe and secure environment.

7.13 In January 2009, a working group of the Scrutiny Board and senior officers from the Environment and Neighbourhoods and Adult Social Care Directorates, conducted a visit to Sheffield's Brunswick Gardens Retirement Village. Brunswick Gardens is an extra care housing scheme developed in partnership by Arena Housing Group (landlord), the ExtraCare charitable Trust (care and support provider) and Sheffield City Council. It opened in March 2008 and consists of 217 one and two bedroom units of mixed tenure. It is one of only a few extra care villages in England.

7.14 Whilst extra care villages operate in a similar manner to the smaller schemes, there is considered to be greater scope for developing communal facilities. We were therefore keen to learn more about the

Conclusions and Recommendations



benefits of developing a scheme of this size.

- 7.15 During the visit, the working group met with the Village's Manager, senior officers from Sheffield Council, the Cabinet Member for Independent and Healthy Living, and the Cabinet Member for Housing and Sustainable, Safer Communities. Two of the residents also kindly accompanied the working group around the premises, including their own accommodation, and shared their experiences of living within the village. A summary of the working group's visit was reported back to the full Scrutiny Board in March 2009.
- 7.16 In relation to the communal facilities on site, the working group was very impressed by the wide range of facilities available, which included a gymnasium, Jacuzzi, well-being suite, hair salon, various craft rooms, bar, coffee bar and lounge, restaurant and village hall.
- 7.17 It was noted that many of the facilities are run by volunteers, often the residents themselves, or include local businesses which have relocated on site, such as the hair salon. It was also highlighted that non-residents aged 55 and over and

living within the local community could choose to become 'friends of the village' and make use of the facilities for an annual membership fee of £25. We learned that in January 2009, there were 270 registered friends of the village.

- 7.18 The working group also observed the accommodation facilities and was given the opportunity to observe a two bedroom apartment. Details of all the apartment layouts were also provided as additional background to the visit.
- 7.19 The working group was impressed with the quality of the apartments but understood that a number of maintenance issues had been reported by residents, which were considered to be initial 'teething' problems with the scheme. However, overall it was felt that the apartments were spacious, comfortable and met the needs of the residents.
- 7.20 It was noted that the lifts and corridors within the premises were also very spacious, which helped with wheelchair access, and that all the corridors within the village were also referred to as 'streets' and given names to help residents distinguish them easier. This was a very welcome approach by the residents. On each floor, there

Conclusions and Recommendations



were also communal areas where residents could meet up with their neighbours as an alternative to the larger communal areas within the village centre. This again helped to promote a sense of community, which the working group was able to observe during its tour of the village.

- 7.21 The visit to Sheffield proved to be extremely helpful in terms of demonstrating the benefits of developing an extra care scheme of this size. With regard to the lessons learned from this particular development, we identified a number of key issues which we believe are important factors to consider in any future development of extra care housing schemes in Leeds and therefore recommend that these are taken into account by the Council.

Recommendation 12

That the following factors are taken into account by the Council in the future development of extra-care housing schemes:

- i. To have a very clear strategic position before embarking on a new scheme;**
- ii. That the scheme fits in with the needs of the wider community and integrates with and complements what already exists locally;**

Recommendation 12 - continued

- iii. To look at what is practicable and deliverable before consulting the wider community on the scheme;**
- iv. To project-manage the scheme so that the lead-in time from the development stages to completion is kept as short as possible;**
- v. To be more inventive with the name of the scheme, such as 'retirement village', rather than use the term 'extra care housing' which may not attract residents;**
- vi. To have a transparent allocations criteria and procedure (making use of an independent body to act as mediator) and to be clear from the outset that not all applicants will receive a place;**
- vii. To accept that new schemes will continue to evolve as technology develops and expectations change.**

- 7.22 Whilst we appreciate that the number of accommodation units within the Brunswick Gardens Village development is significantly higher than that envisaged for Leeds, we would

Conclusions and Recommendations



recommend that this development be considered by the Council as an example of good practice, particularly in relation to the development of communal facilities.

Recommendation 13
That the Brunswick Gardens Retirement Village in Sheffield is considered by the Council as an example of good practice for extra care provision, particularly in relation to the development of communal facilities.

8.0 Modernisation of sheltered housing in Leeds.

8.1 The majority of the Council's sheltered housing stock was built prior to 1979 and predominantly comprises one bedroomed bungalow or low-rise flatted accommodation. However, we understand that the recent Housing Market Assessment identified a strong preference amongst older people for two bedroomed accommodation, so that family or live-in carers could stay over. We also noted that there are approximately 480 units of bed-sit accommodation, many of which have communal washing facilities, which the ALMOs are often having difficulty letting due to low level of demand.

8.2 In view of this, we learned that the Council had submitted a bid to Central Government for £271 million of Private Finance Initiative (PFI) credits to contribute towards the modernisation of sheltered housing and build 471 new units for social renting and demolish/replace 639 units of outmoded stock.

8.3 We were informed that the bid proposes the development of 600 units of extra-care housing and 510 units of Lifetimes Homes housing (although this has since been scaled back to 540 units of extra-care housing and 280 units of Lifetimes Homes housing at the request of the Homes and Communities Agency as the PFI programme had been significantly oversubscribed nationally).

8.4 However, we noted that the extra-care model included in the Council's initial Expression of Interest was based on an average scheme size of 60 units, with 60% two bedroom accommodation and 40% one bedroom accommodation. We therefore questioned why the proposal had included one bedroom accommodation when national and local research indicated a greater demand from older people for two bedroom accommodation. In response, it was explained that the proposal

Conclusions and Recommendations



was based around the initial advice about the proportions needed. However, we were pleased to learn that this has since been changed and the proposal for extra care provision is now based on two bedroom accommodation.

- 8.5 We were also very pleased to note that the proposal is also framed around the concept of Lifetime Neighbourhoods, as the location of the Lifetime Homes will be in close proximity to transport links, shops, green spaces and leisure facilities.
- 8.6 We acknowledged that although initial assessments have been undertaken on a range of sample locations, in terms of suitability, location and delivery, these have yet to be the subject of full assessment including user consultation and comparison with alternative sites that may become available within the vicinity. It was noted that this detailed analysis will take place as part of the preparation of the Outline Business Case. During this process, we would again emphasise the importance of ensuring that any new extra care scheme fits in with the needs of the wider community and integrates with and complements what already exists locally.
- 8.7 We acknowledge that the Council's PFI funding bid is for

capital funded works and does not include revenue funding such as housing-related support. In acknowledging that extra care housing tends to be more expensive than traditional warden services, we understand that this additional cost will need to be identified as part of the Supporting People budget management. However, we have already established the existing challenges facing the Supporting People budget in terms of finding further efficiency savings. It was reported that the support and care model for the PFI bid will be developed as part of the Outline Business Case, taking account of budgetary pressures and the move towards personalisation of care and support arrangements.

- 8.8 We recommend that the Directors of Adult Social Care and Environment and Neighbourhoods conduct an urgent piece of work to establish the potential costs of providing housing-related support services to the proposed schemes outlined within the Council's Private Finance Initiative (PFI) funding bid for the modernisation of sheltered housing.

Conclusions and Recommendations



Recommendation 14
That the Directors of Adult Social Care and Environment and Neighbourhoods conduct an urgent piece of work to establish the potential costs of providing housing-related support services to the proposed schemes outlined within the Council's Private Finance Initiative (PFI) funding bid for the modernisation of sheltered housing.

people's housing irrespective of the outcome of the PFI funding bid.

Recommendation 15
That the details of the options appraisal into the future investment/management of council housing, with specific reference to older people's housing, is brought back to Scrutiny for consideration at the earliest opportunity.

8.9 In acknowledging the value of the PFI proposal, we questioned whether the Council had put in place any contingency plans if the bid proved not to be successful.

Recommendation 16
That a dedicated Strategy is put in place to take forward the Council's plans for the development of Older People's Housing irrespective of the outcome of the PFI funding bid.

8.10 We were informed that the PFI bid was only a partial solution to the modernisation of sheltered housing and that the Council and the Leeds ALMOs would need to consider future investment options for sheltered housing as part of the options appraisal into the future investment /management of council housing. In view of this, we recommend that the details of the options appraisal, with particular reference to older people's housing, be brought back to Scrutiny for consideration at the earliest opportunity. In particular, we would expect to see a Strategy put in place for taking forward the Council's plans for the development of older

8.11 It was reported that the Council believes there is an identified need for more extra-care housing than can be secured through the PFI bid, especially in relation to other tenure forms. We therefore identified the need to accurately quantify demand and required supply across tenures and locations and to prioritise schemes across the city according to need.

8.12 We noted that one of the proposed actions set out within the updated draft Leeds Housing Strategy is to develop an extra-care housing plan that will quantify demand and required

Conclusions and Recommendations



supply across tenures and locations. We therefore support this proposed action and request that this Plan is brought back to Scrutiny for consideration once available.

Recommendation 17

In supporting the development of an Extra-care Housing Plan to quantify the demand and required supply of extra care provision across tenures and locations, we recommend that this Plan be brought back to Scrutiny for consideration once available.

8.13 At the time of concluding our inquiry, the Council had still not received a decision from the Communities Local Government (CLG) on the funding bid. We therefore look forward to receiving this confirmation over the coming months.

9.0 Providing housing support and advice services to older people.

9.1 It is recognised nationally that for older people, there is a prior and paramount need to improve information and advice services so that they know how to make the right choice for them, and are not forced to leave their homes before they are ready, or need to do so.

9.2 We are therefore pleased to note that the Government has made a commitment to work with partners across Government and in the voluntary and community sector to provide a new approach to a national housing advice and information service. The Government intends to strengthen local housing information services to provide a first class information service, whether at the end of a telephone line or online, as well as a local one stop shop where anyone can find out the full range of options that might be available locally. In time, this resource is to be developed so that it covers social care, health and benefits and links together all the services that older people need to know about.

9.3 We acknowledged that the Leeds Older People's Housing Strategy also recognises that older people want to see a holistic advice service that provides advice and information to help them make informed choices about housing options and to determine whether they are better able to remain in their current homes or be supported to make planned, timely moves to alternative housing. We learned from the Leeds Older People's Forum that this continues to be a priority area of need and therefore we

Conclusions and Recommendations



recommend that the Director of Environment and Neighbourhoods leads on producing an action plan over the next 6 months aimed at enhancing existing housing support and advice services targeted at older people across the city.

Recommendation 18
That the Director of Environment and Neighbourhoods leads on producing an action plan over the next 6 months aimed at enhancing existing housing support and advice services targeted at older people across the city.

10.0 Addressing social isolation

10.1 During our inquiry, we recognised the need to ensure that the drive towards promoting independent living and the use of modern assistive technology, such as Telecare Services, does not lead to social isolation as a consequence.

10.2 In February 2009, we learned that Adult Social Care had commissioned the Leeds Older People's Forum to lead the delivery of a multi-agency programme of work to tackle social isolation as part of delivering the city's Older Better Strategy. A summary of the

actions delivered by the Forum this year included:

- Delivery of a social isolation learning conference to 100 frontline workers including housing staff;
- Ongoing support to the social isolation peer support group, which includes housing staff;
- Published a conference report including a practical action plan for this annual year, and a proposed action plan for next year which has been presented to the assistant Director of Adult Social Care to ask for support in delivering it;
- Setting up a pilot befriending scheme in care homes;
- Promoting the Infostore to older people;
- Delivering training on social isolation to front line staff including ALMO sheltered housing staff;
- Promoting lifelong learning opportunities to all older people and coordinating the Gladys

Conclusions and Recommendations



Roberts life long learners award;

- A second edition of the Social Isolation resource pack has been printed and 700 copies have been disseminated;
- The library service has developed a reminiscence pack and are delivering reminiscence sessions.

10.3 The Leeds Older People's Forum highlighted that social isolation and loneliness are complex issues, and as such, have complex solutions.

10.4 We acknowledge that social isolation is, by its nature, not something that is easily measurable, or indeed, something that many people feel comfortable disclosing. Feelings of isolation and loneliness are very personal and may affect individuals in different ways. It was also noted that to some older people, increased isolation may be accepted as 'part and parcel' of the ageing process, and might not be challenged.

10.5 The Leeds Older People's Forum explained that what is clear from the Older Better strategy for Leeds is that older people want to be actively involved in the services and

developments that affect their lives. In view of this, it was noted that when planning services for older people who are socially isolated, perhaps the most important step is to ask people what they actually want.

10.6 Whilst concerns were expressed about older people living alone in private accommodation, it was highlighted that social isolation can also affect those in shared and sheltered accommodation.

10.7 We learned that the Leeds Older People's Forum had provided training to front line staff on tackling social isolation and produced a Resource Pack intended to help individuals think about the various issues that affect older people who may be socially isolated.

10.8 However, we understand that the funding allocated to the Leeds Older People's Forum for its work on tackling Social Isolation has now ceased. In view of this, there is a need to ensure that their valuable work has been embedded into existing training mechanisms for all front line staff working with older people.

Conclusions and Recommendations



Recommendation 19

That the Directors of Environment and Neighbourhoods and Adult Social Care ensure that the work conducted by the Leeds Older People's Forum around addressing social isolation amongst older people is embedded into existing training mechanisms for all relevant front line staff delivering services to older people.

11.0 Delivering integrated services within local neighbourhoods.

11.1 In delivering housing and housing related support services to older people, it is vital that the Council and its partners adopt a 'whole system' rather than a fragmented approach.

11.2 However, during our inquiry we also discussed the potential benefits of delivering such integrated services at a more local neighbourhood level and highlighted services which already adopt this approach.

11.3 Particular reference was made to the positive work carried out by the Neighbourhood Network Schemes in Leeds, which are primarily funded by Leeds Adult Social Care and some are supported by NHS Leeds. These Schemes provide a range of activities that promote independence, health and

wellbeing, including advice and information, help around the home, healthy living activities, leisure and recreation, transport and general support. The Schemes work with some of the most isolated and vulnerable older people in Leeds. Each Neighbourhood Network Scheme is managed by a committee of local people and team of staff and volunteers, including many older people. The Schemes are therefore responsive and flexible, working within communities to meet local needs and provide the services, activities and opportunities that older people want.

11.4 Neighbourhood Network Schemes were created to improve the lives of older people in Leeds and there are now over forty Schemes working throughout the city, supporting over 25,000 people each year.

11.5 We also acknowledged the valuable contribution made by programmes such as Keeping House, which is sponsored by Adult Social Care and has assisted over 2,000 older and disabled people in Leeds to find practical support and help in the home.

11.6 Keeping House creates new ways of developing and

Conclusions and Recommendations



supporting local organisations to provide domestic services in Leeds that can help older people and disabled people to maintain their independence in their own home for as long as possible. The central idea is that these services are run as social enterprises, charging for work done but putting any profit back into the business for the benefit of the community and those using the service. These are also run by local people who know what is needed in their area.

- 11.7 We therefore recommend that the Director of Environment and Neighbourhoods takes a lead role in developing a working model aimed at delivering integrated housing and housing support services to older people at a neighbourhood level.

Recommendation 20
That the Director of Environment and Neighbourhoods takes a lead role in developing a working model aimed at delivering integrated housing and housing support services to older people at a neighbourhood level.

Evidence



Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

Reports and Publications Submitted

- Summary report of working group meeting in December 2008;
- Summary of the Scrutiny visit to Sheffield's Retirement Village in January 2009;
- Report of the Director of Environment and Neighbourhoods on the updated Housing Strategy (February 2009);
- Report of the Director of Adult Social Services on Community Equipment Telecare and Telehealth Services to Support Older People in the Community (February 2009);
- Executive Summary of Lifetime Homes, Lifetime Neighbourhoods: A national strategy for housing in an ageing society (2008);
- Report of the Director of Environment and Neighbourhoods presenting the updated draft Leeds Housing Strategy (May 2009);
- Extract from the Older People and Social Isolation Resource Pack

Evidence



Witnesses Heard

- Bridget Emery, Head of Housing Strategy and Solutions
- Tom Wiltshire, Project Adviser, City Project Office
- Phil Charlton, Project Manager, City Project Office
- Martin Kennard, Adult Social Care
- Andrew Cross, Finance Manager, Adult Social Care
- Rob McCartney, Housing Strategy and Commissioning Manager
- Dennis Holmes, Chief Officer, Commissioning, Adult Social Care
- Tim O'Shea, Head of Commissioning, Adult Social Services
- Mark Phillott, Commissioning Manager, Adult Social Services
- Liz Ward, Disability Service Manager
- Paul Langford, Chief Housing Services Officer
- Alan Jones, Fuel Savers Manager
- Mick Ward, Head of Strategic Partnerships and Development (Older People & Disabled People)
- Iain Kyles, PFI Project Adviser
- Christine Addison, Head of City Projects
- Susan Chesters, Chair of the Older People's Forum
- Caroline Starkey, Deputy Manager of the Leeds Older People's Forum
- Bill Rollinson, Director of Care and Repair Leeds and Member of the Leeds Older People's Forum
- Wesley Grant, Manager of the Leeds Older People's Forum

Sheffield City Council

- Councillor Steve Ayriss, Cabinet Member for Independent and Healthy Living
- Councillor Bob McCann, Cabinet Member for Housing and Sustainable, Safer Communities
- Liz Cook, Programme Director for Services for Vulnerable People, Health and Social Care Partnership
- Sharon Marriott, Commissioning Officer, Older People, Neighbourhoods and Community Care
- Jackie Ainsworth, Project Co-ordinator, Neighbourhoods and Community Care

Evidence



Dates of Scrutiny

- 8th September 2008 – Scrutiny Board Meeting (agree terms of reference)
- 1st December 2008 – Scrutiny Working Group Meeting
- 8th December 2008 – Scrutiny Board Meeting
- 9th January 2009 – Visit to Brunswick Gardens Retirement Village, Sheffield
- 9th February 2009 – Scrutiny Board Meeting (held at Moor Allerton Care Centre)
- 11th May 2009 – Scrutiny Board Meeting
- 15th June 2009 – Scrutiny Board Meeting (agree final inquiry report)

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Originator:
Andy Beattie
Tel:2776141

Report of the Director of Environment and Neighbourhoods

Executive Board

Date: 26th August 2009

Subject: **Scrutiny Board (Environment and Neighbourhoods) Statement on Private Rented Sector Housing**

Electoral Wards Affected:

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In (Details contained in the report)

INTRODUCTION

The Scrutiny Board (Environment and Neighbourhoods) agreed at a meeting on the 11th May to a report following an inquiry into private rented sector housing.

In accordance with the requirements of the constitution, the response to the Scrutiny Board's recommendations needs to be agreed by Executive Board.

The Director's comments general comments and specific responses to each of the recommendations are as follows:

Overview

The scrutiny report reflects in many ways the current range of activity followed by Leeds in understanding, supporting and promoting the private rented sector through accreditation, partnership working and generally accepted good practice, plus enforcement of legislation such as mandatory licensing of Houses in Multiple Occupation (HMOs) and the Housing Health and Safety Hazard Rating System. Many of the recommendations are, quite rightly, "to continue ..." what we are currently doing.

However, a number of recommendations seek to increase momentum and progress with initiatives, or extend or develop new additional initiatives across the city. Whilst supportive of the ambitions of

Scrutiny, there are obviously resources implications in some of these proposals, such that without additional staffing and funding Scrutiny's recommendations cannot be fully realised. This has already been recognised in recent papers to Exec Board, and will be an important part of the work of the newly established Private Sector Housing Board, chaired by the Elected Lead Member.

Comments on specific recommendations are as follows:

1. RECOMMENDATION 1

That the Director of Environment and Neighbourhoods raises greater awareness of, and helps private landlords gain access to, available grant or loan funding to improve the quality and energy efficiency of private sector housing.

The Council continues to promote energy efficiency to all households irrespective of tenure, and provides financial assistance where available. Capital programme funds for Leeds for 2009/10 amount to approx £6.8m for the whole city for all private housing regeneration, both owner occupied and Private Rented Sector (PRS) stock. Of this, only £300,000 is available specifically for energy efficiency initiatives, so there is limited opportunity in the current programme to provide major financial assistance to Landlords using capital. We do encourage take up of warm front grant by tenants and promote energy efficiency where ever possible (i.e. the 5 Wards initiative in 2008/9 and planned 10 ward initiative scheduled for 2009/10, and included in group repair specifications) but due to costs and technical problems associated with hard to treat older housing the take up is generally poor. Negotiations are on going to secure additional funds and addressing energy inefficiency and resultant excess cold is a key priority of the Council.

2. RECOMMENDATION 2

That the Director of Environment and Neighbourhoods continues to ensure that private landlords are proactively engaged in the development of future improvement programmes/schemes aimed at raising the quality and condition of private rented sector housing.

The Director agrees with recommendation 2.

3. RECOMMENDATION 3

That an update report on the actions taken to achieve the outcomes of recommendations 1 and 2 is brought back to Scrutiny within 6 months.

The Director agrees with recommendation 3.

4. RECOMMENDATION 4

That the Director of Environment and Neighbourhoods continues to proactively educate and empower private tenants to understand their rights and have the confidence to approach the Council for assistance if landlords refuse to improve standards in line with minimum requirements.

The Director agrees with recommendation 4.

5. RECOMMENDATION 5

That the Director of Environment and Neighbourhoods continues to explore innovative approaches towards addressing poor housing conditions and works closely with key partners and central government to maximise on available resources.

The Director agrees with recommendation 5.

6. RECOMMENDATION 6

That the Director of Environment and Neighbourhoods conducts an urgent review of existing resources within the HMO Licensing Team to determine whether it is adequate enough to effectively administer and regulate the Mandatory HMO Licensing Scheme.

The Director does not agree to recommendation 6. HMO mandatory licensing is expected to be cost neutral with operational costs being met by license fees, and the recommendation for additional revenue resources to be provided to undertake more proactive work to track down unlicensed properties could only be met in the short term by the team being subsidised through revenue budget. Alternatively the license fee in future years could be increased but this would meet strong opposition from Landlords and ultimately fall to the tenants through increased rents. On balance, the current fee level we believe to be right and provides sufficient resources of approx £1.5m to administer the scheme in Leeds which has been one of the most successful schemes in the country. Resources will now be focused on inspection compliance checks and any subsequent enforcement required, provided problems such as the recent changes on fire precautions which have created additional administrative work don't keep recurring. The current review of mandatory licensing by the Building Research Establishment (BRE) should give some indication of the benefits which have been derived from such a significant amount of expenditure. The Council will take account of the findings of the impending BRE report in reviewing its operations.

7. RECOMMENDATION 7

That the Director of Environment and Neighbourhoods ensures that all opportunities for data sharing across the Council and other agencies are explored to assist in the identification of unlicensed HMOs within the city.

The Director agrees with recommendation 7, and it can be confirmed that this reflects current arrangements where a comprehensive network of data sharing and intelligence gathering has taken place and will continue in the future

8. RECOMMENDATION 8

That the Director of Environment and Neighbourhoods continues to engage with private landlords in regularly reviewing the standards set within the Leeds Landlords Accreditation Scheme with the aim of attracting more members and expanding the scheme across the city.

RECOMMENDATION 9

That the Director of Environment and Neighbourhoods conducts a review within the next 6 months of the current action plan aimed at promoting the Leeds Landlord Accreditation Scheme and raising its profile amongst private tenants across the city.

The Director agrees with both recommendations 8 and 9, in that there are already in place arrangements for regular engagement with Landlord representatives, which include opportunities for reviewing standards in the Leeds landlords Accreditation Scheme (LLAS). Officers continue to work hard to promote LLAS city wide, and are currently working on an agreed action plan to achieve this. However, the scheme is currently heavily subsidised as the annual membership fees are purposely kept low to ensure the membership fee isn't a disincentive. Increasing fees to meet the additional costs of publicity, concessions and administration would be unacceptable to most landlords in the current economic climate, and it should be remembered that such costs invariably find their way into increased rents. If the additional publicity and promotion was fully met by the Council, the cost could be significant.

9. RECOMMENDATION 10

That the Director of Environment and Neighbourhoods continues to further develop an Accredited Tenants Scheme for Leeds and explores opportunities for developing a representative body specifically for private tenants in Leeds.

An accreditation scheme would essentially be a set of standards which a tenant would sign up to comply with, and possibly include tenant training to improve awareness of their obligations and expected behaviour. A scheme has been previously piloted in Leeds in conjunction with LLAS landlords with little success or interest. The Department was only

able to issue a handful of certificates to tenants during the pilot. Landlords would be critical to the success of a scheme by insisting that tenants were, or became, accredited. The potential for relaunching a scheme, in conjunction with a tenant referencing scheme as referred to in recommendation 15 of the report of Scrutiny Board will be reviewed, but there are resources considerations to be taken into account

10. RECOMMENDATION 11

That the Director of Environment and Neighbourhoods continues to explore the development of an Accredited Agent Scheme for Leeds as a way of regulating the quality management standards of private sector management agents.

Similar to accredited tenants, an accredited managing agents scheme would require funding to meet set up and administration costs, and protracted negotiations with agents' representatives over the last year have suggested that they are unlikely to want to meet the full cost of the scheme which would mean LCC subsidy, and agents also have some strong objections to some of the conditions we would want to see in the scheme, including some basic legal requirements.

The set up and running costs would not be dissimilar to the cost of selective licensing which has recently been estimated at approx £350,000 in total over the five year term of each license. The difference with a managing agents scheme would be the resistance to paying a similar fee of several hundred pounds for a discretionary initiative.

11. RECOMMENDATION 12

That the Director of Environment and Neighbourhoods takes a lead on promoting a one Council approach towards introducing concessions as a way of retaining and attracting more private landlords to the Leeds Landlord Accreditation Scheme.

This relates to the potential for the Council to encourage membership of Accreditation by way of incentives such as discounts on the cost of other services. A particular example is the refuse disposal concession for all waste, as distinct from waste defined as "domestic". Another example would be in relation to the cost of parking permits for landlords who have need for access to houses they manage in areas with resident only arrangements. Clearly a balance has to be struck between incentives to attract and retain members of the scheme, and other budget considerations, but the Director would agree that there is merit in exploring the full potential for introducing such arrangements in future.

12. RECOMMENDATION 12

i) *That the Director of Environment and Neighbourhoods ensures that practical support and advice is available to all tenants in assisting them to negotiate reasonable rent levels, with particular attention given to the consideration of property conditions and the minimum standards they should be expecting to receive.*

ii) *That the Director of Environment and Neighbourhoods takes a lead role in building on the close working relationship between the Leeds Benefits Service and the Housing Regulatory Service to provide the necessary checks and balances to the LHA scheme at a local level.*

This relates primarily to the Leeds Housing Options Service, seeking the establishment of a comprehensive tenant advice service within the Council. The Leeds Housing Options service is committed to offering support and advice to all tenants and this involves negotiating with landlords on rent levels and in some instances assisting with bonds. This work will continue to be developed and will continue to involve close working with the Leeds Benefits Service and Environment and Neighbourhoods directorate.

13. RECOMMENDATION 14

That the Director of Environment and Neighbourhoods reviews the potential costs and implications of expanding the Council's Damage Liability Scheme across the city and introducing deposit guarantees for tenants in receipt of Local Housing Allowance.

The council is proactively exploring all options to assist tenants with rental bonds as part of the wider work undertaken through the Leeds Housing Options service. This work will continue with the aim of maximising the opportunities to assist in the prevention of homelessness and to secure accommodation for people in housing need across the city.

14. RECOMMENDATION 15

That the Director of Environment and Neighbourhoods continues to develop a Tenant Referencing scheme for Leeds and explores ways of securing additional funding for operating this scheme, which may involve seeking commitments from other Local Authorities to develop a regional scheme.

The Council has been working on the potential for a tenants reference and tenants accreditation scheme for some time, including work with West Yorkshire Partners on the potential for a West Yorkshire wide initiative, largely modelled on the Manchester scheme which was reported to the PRS Strategy Group in 2008. The main stumbling block is the cost of operating a scheme. A very rudimentary estimate would be set up costs of upwards of £75k in year 1, plus running costs of not less than £50k per annum thereafter. Other schemes developed by local authorities have ranged in cost from £25k-£125K per annum.

A tenant referencing scheme is an extension of an accreditation scheme, the concept being that tenants would be vetted by the Council and given a "credit rating" to be used when applying for a tenancy. There are many and varied issues with such a proposal including data protection, exclusion from tenancies if holding a poor rating, human rights issues etc. The scheme would need to be properly established and robustly administered, and again would be better run across the whole of West Yorkshire. Proposals are still under consideration but financing will be an important and critical factor.

15. RECOMMENDATION 16

That the Director of Environment and Neighbourhoods continues to seek means of bringing empty private housing back into use which maximises on recent government initiatives and takes advantage of the current economic climate by brokering deals with property owners to temporarily let their empty properties to the Council for people on the housing register.

The Director agrees with this recommendation. The Leeds Housing Options service has developed the recently introduced arrangements for placement of potentially homeless people into private sector housing. The Leeds Housing Options service is also encouraging owners of empty properties to offer the properties to potentially homeless households as assured shorthold tenancies, providing that the properties are of a reasonable standard. Further work to be undertaken includes consideration of the potential for long term leasing of underused stock for renting. An additional area of work which will be considered is the proposals to make use of Empty Dwelling Management Orders to bring back long term empty homes, with ALMOs or other registered social landlords acting as managing agents on the Council's behalf for up to 7 years as allowed by legislation.

16. RECOMMENDATION 17

That the Director of Environment and Neighbourhoods considers the feasibility of establishing a single point of contact within the Council for the private rented sector, acting as a conduit for both private landlords and tenants to gain access to accurate and timely advice, information and assistance.

The recommendation is supported and welcomed, and is one aspect of the on-going development of the Leeds Housing Options Service.

RECOMMENDATIONS

That the Executive Board approves the responses from the Director of Environment & Neighbourhoods as outlined in this report.

PREVIOUS REPORTS TO SCRUTINY BOARDS

18 January 2005	The Housing Act 2004 – The Impact on the Private Rented Sector in Leeds
07 September 2005	Private Sector Housing – Action to Address Fitness and Empty Properties
22 February 2006	Progress Report – The Implementation of the Housing Act 2004
March 2007	Leeds Housing Investment Programme
24 October 2007	Empty Property Strategy – Position Update

PREVIOUS REPORTS TO EXECUTIVE BOARD

10 March 2003	Long-Term Empty Homes
21 September 2005	The Establishment of an HMO Licensing Team in respect of the Mandatory Licensing of HMOs (Houses in Multiple Occupation)
13 November 2006	Empty Property Strategy 2006-2010
11 June 2008	Activity in the Private Rented Sector regarding Energy Efficiency

CURRENT LCC STRATEGY DOCUMENTS

- Leeds Housing Strategy 2005/06 – 2009/10
- Empty Properties Strategy 2006-2010 and Action Plan (update at 30.07.08)
- Leeds Private Rented Housing Strategy 2005-2010 (January 2007)
- Leeds Home Improvement Assistance Policy

Research

Leeds Private Sector Housing Stock Condition Survey 2007

The Challenge of Back to Backs in Leeds 2008

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Private Rented Sector Housing

Scrutiny Inquiry Report

Introduction and Scope

1.0 Introduction

1.1 During 2007/08, the Scrutiny Board (Environment and Neighbourhoods) conducted an inquiry into Housing Lettings Pressures. As part of this inquiry, the Board received information regarding the Council's approach to making best use of housing stock in the private sector. As a result, the Board recognised the need to consider private rented sector housing in more detail and resolved to undertake a separate inquiry during 2008/09.

1.2 The private rented sector in Leeds now represents approximately 13% of the total housing stock (41,600 properties) and as such provides accommodation for a significant number of Leeds households, some of whom are amongst the most vulnerable members of society.

1.3 The current lack of affordable housing to buy has contributed to increased demand on the private rented sector, which has responded accordingly over the last few years and flourished as a result of the various 'buy to let' financial packages available. The reduction in availability and access to social housing has also led to increased demand for private rented housing from those households with general

housing needs unable to achieve access to social housing.

1.4 Many people will have some experience of renting privately during the course of their lives and therefore we set out to explore the current provision, management and regulation of private rented housing in Leeds.

Scope

1.5 The purpose of our Inquiry was to make an assessment of and, where appropriate, make recommendations on the following areas:

- the levels of owner occupied and private rented accommodation in Leeds;
- an analysis of trends in demand and supply for private rented accommodation in Leeds;
- the effectiveness of initiatives established by the Council and its partners to improve the condition of private rented sector housing, such as the equity loan scheme;
- issues surrounding energy efficiency and the Decent Homes requirements and how these can be promoted

Introduction and Scope

- and sustained within the private rented sector;
- empty private rented sector properties and the negative impact they can have on neighbourhoods;
 - the role of the Council in offering advice and support to private landlords about the various options available to them to enable their properties to be re-occupied;
 - legislation governing the private rented sector in the current Housing Act, with particular focus on Selective Licensing, Housing in Multiple Occupation (HMO) Licensing, Empty Dwelling Management Orders and Housing Health and Safety Rating System;
 - the Leeds Landlord Accreditation Scheme and the incentives to accreditation;
 - the views and experiences of private landlords and tenants;
 - common perceptions of the different housing tenures and the impact this has on private rented sector housing;
 - the Council's role in promoting private rented sector property and offering advice to prospective tenants;
- the impact of Local Housing Allowance (housing benefit) on private rented sector housing.
- 1.6 As part of our inquiry, we considered evidence from the various Council services involved in the management and regulation of the private rented sector and also sought the views of a number of private landlords from local landlord representative bodies and Unipol Student Homes . We would therefore like to sincerely thank everyone for their contribution and commitment to our inquiry.
- 1.7 Whilst we were able to gain an insight into the common issues raised by tenants from the feedback received by services and landlords, we noted that there was a lack of representative bodies specifically for private sector tenants in Leeds outside of the student market. We therefore feel that this warrants further exploration and development by the Council and have made further references to this matter within our report.
- 1.8 During our inquiry, we also learned of a recent national review of the private rented sector, commissioned by

Introduction and Scope

Communities and Local Government (CLG) and undertaken by the University of York (Julie Rugg and David Rhodes). This review focused on the capacity of the sector to meet a range of housing needs and concludes with an acknowledgement that the sector presents a number of policy challenges relating to such issues as property quality, management standards and security of tenure. Further references to the Rugg review findings are found within our report where we have identified common issues.

- 1.9 In acknowledging that the private rented sector is now considered to be the fastest growing tenure in Leeds, our inquiry has highlighted a clear need to improve professionalism within this sector by improving the quality and condition of private rented sector housing; driving up standards of management; providing effective advice, information and support to the sector; and putting in place effective regulatory and enforcement mechanisms to target and sanction the small minority of wilfully bad landlords. Many of our recommendations are therefore focused around these specific issues.
- 1.10 At the time of conducting our inquiry, we acknowledged that the Council was in the process of updating both its Leeds Housing Strategy and Private Rented Sector Strategy. We therefore appreciate that many of the issues we have raised will already be reflected within these strategies.
- 1.11 Whilst a number of our recommendations seek to increase progress with initiatives already in place to address some the issues raised, we have also made recommendations to further expand or develop new initiatives. We recognise that these will have significant resource implications attached to them, which will need to be taken into consideration. However, our recommendations have been formulated in line with our overall aspirations for the provision, management and regulation of the private rented sector in Leeds.

Conclusions and Recommendations



2.0 Acknowledging the complexity of the Private Rented Sector

2.1 In establishing the current trends in demand and supply for private rented housing in Leeds, we acknowledged the danger of describing the private rented sector as one homogenous tenure given the different variations available.

2.2 Private rented housing provides a home for many different types of household markets, such as students (both undergraduates and mature students); nurses; doctors and young professionals; retirement accommodation; low income households; benefit claimants and households relocating from other parts of the country, migrating from outside the UK or seeking asylum.

2.3 In view of this, we recognised the challenge faced by the Council in identifying an appropriate set of standards to meet the needs of the various household markets across the city. We noted that the Rugg review also acknowledges that the configuration of sub-markets will vary from area to area and therefore the complexity of the sector has to be appreciated in any policy development.

2.4 To manage and regulate such a diverse market effectively, we recognise that the Council's

approach in dealing with this sector will need to be multi-dimensional in order to meet the differing needs and expectations of these various sub-markets.

3.0 Improving the quality and condition of private rented sector housing

3.1 In acknowledging the increasing use of private rented housing, particularly for vulnerable people, we were very concerned to learn that both nationally and locally, the housing conditions within the private rented sector are proportionally worse than other tenures.

3.2 Under the Housing Act 2004, the Council is considered the primary enforcement agency for conditions of health and safety in the private sector, including the private rented sector.

3.3 The Housing Act 2004 had introduced the Housing Health and Safety Rating System (HHSRS) which directs councils to consider a range of 29 identifiable hazards within dwellings and assess the risk posed by those hazards. We noted that the most serious hazards are classed 'Category 1' where the Council then has a duty to take action to eliminate or significantly reduce the hazard. The presence of a category 1 hazard would result in the

Conclusions and Recommendations



dwelling failing the decent homes standard.

3.4 We noted that the HHSRS applies to all houses in multiple occupation and singly occupied properties. In undertaking the assessment, the practitioner is required to consider the likelihood of harm from a hazard i.e. the probability of an occurrence during the next 12 months following the assessment of the dwelling and the spread of harms from that hazard. We also learned that the assessment is made of the dwelling, disregarding the current occupiers, and therefore will not be affected by a change of occupier and a vacant property can also be assessed.

3.5 The Leeds Private Sector House Condition Survey (2007) identified that the major hazards affecting the private rented sector in Leeds are excess cold, falls (on stairs, falls on the level and between levels) and inadequate fire safety. Excess cold hazards actually account for 61.6% of all category 1 hazards and pose the greatest challenge for the Council to resolve.

3.6 Excess cold, resulting from poor energy efficiency of houses and inefficient heating systems, is the primary reason why properties fail under the Housing Health and Safety Rating System. As a

consequence of the significant proportion of older properties in the private rented sector (56% of rented properties constructed before 1919) and the technical difficulties and higher costs associated with improvements in such houses, the private rented sector presents a significant challenge in terms of scale and cost of improving energy efficiency. Furthermore, privately rented dwellings have proportionally far more Fuel Poverty - currently 33% compared with 16% in owner occupied dwellings.

3.7 Both locally and nationally, the private rented sector is seen to be the tenure where the greatest proportion of vulnerable households live in non-decent homes. Whilst acknowledging the Council's current target to bring 600 properties up to the decent homes standard per annum, we believe that addressing excess cold and fuel poverty across all tenures must remain a key future priority, with a particular focus on the older housing stock, where many private sector tenants, including some of the most vulnerable members of society, reside.

3.8 We were therefore pleased to learn that an overall approach for enhanced action is intended through a refresh of the actions to deliver the Private Rented

Conclusions and Recommendations



Sector Strategy. This will include the development of the Strategy to reflect new themes such as the Leeds Affordable Warmth Strategy; the Regional Fuel Poverty Strategy and Home Energy Conservation Act recommendations.

- 3.9 With the current economic climate, concerns were raised about the possibility of landlords committing lower levels of investments to their properties than the Council would wish to see. Particular concerns were also raised about landlords maximising the use of their properties by converting cellar spaces to accommodate more tenants, which could contravene fire safety regulations. We were therefore pleased to note that this was being investigated further by the Council alongside other partners.
- 3.10 During our inquiry, we learned that the owners of the vast majority of private rented properties are 'small portfolio' landlords with only one or two properties within their portfolio and therefore we recognised that these are probably the most vulnerable of property investors in terms of the cost of meeting their obligations.
- 3.11 We therefore questioned the Council's efforts in providing incentives, including grants and

loans, to landlords to achieve decency in the private rented sector. In response, we were informed that the health impact of existing group repair schemes was being assessed with a view to extending such schemes to include innovative energy efficiency improvement programmes. We also noted that group repair funding, along with Health Through Warmth and Community Warmth funding, currently represent the only public funded grant aid available to the private rented sector.

- 3.12 We believe that the Council has a key role to play in raising greater awareness of, and helping landlords to gain access to, available grant or loan funding to improve the quality and energy efficiency of their housing. We would also like the Council to be more proactive in engaging landlords in the development of future improvement programmes/schemes aimed at raising the quality and condition of private rented sector housing.

Recommendation 1
That the Director of Environment and Neighbourhoods raises greater awareness of, and helps private landlords gain access to, available grant or loan funding to improve the quality and energy efficiency of private sector housing.

Conclusions and Recommendations



Recommendation 2
That the Director of Environment and Neighbourhoods continues to ensure that private landlords are proactively engaged in the development of future improvement programmes/schemes aimed at raising the quality and condition of private rented sector housing.

Recommendation 3
That an update report on the actions taken to achieve the outcomes of recommendations 1 and 2 is brought back to Scrutiny within 6 months.

3.13 In relation to the Council's regulatory role, we noted that many of the requests made to the Council for assistance are coming from the North West of the city, where students are predominately based as they are very well aware of their rights as tenants. We therefore questioned how the Council is promoting its services within the inner city areas and particularly to vulnerable groups such as migrants, as this was an area of concern raised during our inquiry into the management of the asylum seeker case resolution programme in terms of tracking and monitoring the welfare needs of those asylum seekers who choose to live within the private rented sector.

3.14 The Rugg review also recognises that for many local authorities, migrant worker overcrowding has become a problematic feature of the private rented sector and that best practice guidance appears to be lacking for local authorities dealing with this problem.

3.15 We learned that migrants in particular would often refuse to approach the Council for help regarding poor private rented accommodation. It was highlighted that as some migrants would often regard their stay as short term, and in some cases have accommodation provided as part of their employment arrangements, they would tend to put up with such living conditions knowing it was a temporary measure.

3.16 However, we were informed that the Council's Housing Regulation Team is in the process of producing advisory leaflets for one stop centres and GP surgeries etc, with the aim of targeting vulnerable tenants and making them aware of their rights. It was highlighted that by having this knowledge to use against a landlord, this can sometimes be enough to create a positive reaction.

3.17 We also recognise the value of educating and empowering tenants, particularly vulnerable tenants, to understand their

Conclusions and Recommendations



rights and have the confidence to approach the Council for assistance if landlords refuse to improve standards in line with minimum requirements. We therefore recommend that the Council remains proactive in its approach in order to achieve this outcome.

Recommendation 4
That the Director of Environment and Neighbourhoods continues to proactively educate and empower private tenants to understand their rights and have the confidence to approach the Council for assistance if landlords refuse to improve standards in line with minimum requirements.

3.18 We acknowledge that the Council's housing regulatory service is primarily demand led. However, since the service re-structured in May 2008, it has received around 250 service requests a month (approx 3000 per annum) covering a whole range of issues.

3.19 Whilst we have recognised a need to promote this service, we did question whether there was enough service capacity to deal with any additional requests. In response, we learned that although there were resource pressures, it was hoped that such a proactive approach would

help to lessen the reactive work of the service in the longer term.

3.20 As the compliance with the HHSRS helps to tackle some important public health issues such as asthma, coronary heart disease, strokes and accidents in the home, it was reported, by way of example, that Liverpool Council had successfully negotiated with their local Primary Care Trust to secure £10 million for 25 staff to address hazards within properties.

3.21 We too recognise the need for the Council to work more closely with key partners and also central government to develop innovative approaches towards addressing poor housing conditions and to maximise on available resources.

Recommendation 5
That the Director of Environment and Neighbourhoods continues to explore innovative approaches towards addressing poor housing conditions and works closely with key partners and central government to maximise on available resources.

3.22 During our inquiry, particular reference was made to the use of licensing as a way of targeting and enforcing action to address

Conclusions and Recommendations



very poor quality and unsafe housing. We therefore explored this issue further.

4.0 The effective use of licensing

4.1 The Housing Act 2004 introduced the mandatory licensing of certain high risk houses in multiple occupation (HMOs). We noted that the actual definition of an HMO is complex, as is that of a licensable HMO, but in simplistic terms a licensable HMO is a house where there are 5 or more persons, comprising of at least 2 households and the accommodation is on 3 or more storeys.

4.2 The primary purpose of HMO licensing is to protect the health and safety of tenants living in them. A secondary purpose of licensing is to ensure that HMOs are managed in a way that avoids them having an adverse effect on the immediate neighbourhood.

4.3 We understand that under the Housing Act 2004, the Council has legal powers of enforcement which include summary proceedings which can be instigated for operating a relevant HMO without a license or failing to comply with licence conditions. There are also powers to take over the management of property in

certain circumstances, known as Management Orders.

4.4 The Leeds House Condition Survey 2007 indicated that there are approximately 3,000 mandatory licensable HMOs in Leeds, the largest concentration of such housing in the country.

4.5 It was reported that by the end of December 2008, Leeds had received a total of 3058 applications for licensing. Of these applications only 125 are in respect of bedsit properties with the remaining relating to shared housing which are predominantly located in North West Leeds.

Licences Issued	2597
Variations issued	60
Received	13
Withdrawn	245
Being processed	143
TOTAL	3058

4.6 From these figures, we noted that there are 2597 confirmed licensable HMOs, plus a further 156 either recently received or currently being assessed, bringing the potential number licensed to 2753. This therefore suggests that there are estimated to be several hundred unknown properties operating somewhere in the city without a licence.

Conclusions and Recommendations



- 4.7 During our inquiry, we acknowledged the efforts of the Council's HMO Licensing Team in trying to identify unlicensed HMOs across the city and such acknowledgement was also received by the private landlord representatives. However, we also appreciated that the Team's resources have primarily been focused around administering the new mandatory scheme.
- 4.8 Now that the Licensing Team has largely concluded the administrative processing of the majority of applications, we were pleased to learn that future resources will be focusing more on identifying unlicensed HMOs by detailed campaigns in targeted areas of the city, along with the inspection and monitoring of properties to ensure licence compliance.
- 4.9 Where inspections are carried out, we understand that these are priority rated over the 5 year period of the licence, with higher priority being afforded to bedsit type accommodation, often housing the most vulnerable households.
- 4.10 At this early stage of inspection, we learned that joint landlords of one particular HMO property that was housing vulnerable tenants have been prosecuted and been found guilty of failing to comply with licence conditions or achieving even basic standards. Their licence was revoked and the property was subject to emergency prohibition and enforcement action. It was reported that further recent inspections have identified four more properties where prosecution action is being taken. Where landlords have been prosecuted, we were pleased to note that other properties within that landlord's portfolio would also be inspected to ensure that they were meeting the required standards too.
- 4.11 However, during our inquiry we learned that the Local Authorities Coordinators of Regulatory Services (LACORS), acting on behalf of the Communities and Local Government (CLG) Office, had issued national fire safety guidance in July 2008, two years after the initial implementation date, that in some circumstances allows for less onerous fire safety requirements for certain low risk premises. Clearly this had caused considerable unrest with many landlords and we understand that the Council worked closely again with all stakeholders to develop new agreed standards and also a revised local protocol for fire safety, which was finalised in April 2009.
- 4.12 As a result of these changed standards, this has created

Conclusions and Recommendations



additional administration in relation to mandatory HMO licensing. Development of new licences, advisory notes, licence application form and standard letters must now be undertaken. In addition, we noted that it may be the case that each property will require a pre-licence inspection to determine the type of licence to be granted, and it is anticipated that some landlords will want their existing licences varying to reflect the new standards, all of which will have serious resource implications.

4.13 In view of this, we supported the Council's submission to the Building Research Establishment in relation to the review of HMO licensing setting out the Council's frustrations about the lack of detailed advice and support at the start of the regime which had resulted in authorities interpreting the legislation in different ways and causing confusion for landlords.

4.14 In the meantime, we are conscious of the resource pressures now placed upon the HMO Licensing Team to effectively administer and regulate the mandatory licensing scheme, in addition to the need to identify unlicensed HMOs operating within the city. We therefore recommend that the Director of Environment and Neighbourhoods conducts an

urgent review of existing resources within the HMO Licensing Team to determine whether it is adequate enough to effectively administer and regulate the mandatory HMO licensing scheme. We also recommend that the Director ensures that all opportunities for data sharing across the Council and other agencies are explored to assist in the identification of unlicensed HMOs within the city.

Recommendation 6

That the Director of Environment and Neighbourhoods conducts an urgent review of existing resources within the HMO Licensing Team to determine whether it is adequate enough to effectively administer and regulate the Mandatory HMO Licensing Scheme.

Recommendation 7

That the Director of Environment and Neighbourhoods ensures that all opportunities for data sharing across the Council and other agencies are explored to assist in the identification of unlicensed HMOs within the city.

4.15 We are aware that the Act also enables authorities, at their discretion, to introduce both additional licensing of other HMO's (not within the mandatory licensing definition)

Conclusions and Recommendations



and the selective licensing of all private rented sector accommodation in multiple and single household occupation in certain situations in defined areas of an authority. If an authority applies for and is granted these powers then the authority will need to be in a position to implement both Interim Management Orders and Final Management Orders where the need arises.

4.16 However, as previously acknowledged, resources are currently being targeted at fulfilling the mandatory requirements and undertaking proactive work, city wide, to identify those landlords failing to comply with mandatory licensing.

4.17 We also acknowledged that additional HMO licensing, if adopted, may be better targeted at certain property types, specifically poorly converted flats, or within areas of poorer housing and multiple deprivation rather than in the traditional student area of North West Leeds that is already well regulated. Whilst we recognise the merits of additional licensing, we fully appreciate that once mandatory licensing obligations have been largely met, further consideration to additional licensing will be appropriate.

4.18 We also acknowledge that the Housing Health and Safety Rating System (HHSRS) allows for poor housing conditions to be addressed wherever they are encountered without the need for additional or selective licensing to be adopted and that individual complaints of poor housing conditions received by the Council are therefore investigated and remedies sought under these powers.

4.19 With regard to selective licensing, we noted that this is also an option for the authority to adopt, subject to approval from Government Office. This is to address a defined area of privately rented properties that is, or is likely to become, an area of low demand or is an area experiencing significant and persistent problems of anti-social behaviour attributable to the private rented sector. It was highlighted that selective licensing can not be introduced in isolation but must be part of an overall regeneration proposal of an area. Once approved, a landlord would need a licence to operate within the locality.

4.20 We were informed that the Council has already identified an area of private rented sector housing located in the Cross Green and East End Park district of the city as a potential selective licensing area. A full

Conclusions and Recommendations



consultation period has taken place and as a consequence a detailed business case was submitted to the Communities and Local Government (CLG) on 22nd May 2008. It was reported that the CLG have since responded seeking further information and further details and subsequent meetings have taken place following concerns raised by the Leeds Residential Landlords Association who have objected to the proposals. It was highlighted that the Council has now responded in full to the CLG and has received confirmation that its proposals are likely to receive government approval. The formal submission will be made shortly with an anticipated implementation date of 1st October 2009.

4.21 We noted that the mandatory HMO licensing scheme includes a condition that all landlords must attend an approved training course. This has been run in partnership with the Residential Landlords Association and has contributed towards improved housing conditions and property management. The condition has received national recognition and is therefore planned to be included in the proposed selective licensing scheme too.

5.0 Driving up standards of management within the private rented sector

5.1 The Rugg review identifies that one of the more frequent criticisms of the private rented sector relates to the quality of landlord management. It therefore recognises the need for a partnership approach involving working closely with private landlords and other agencies and using a mix of enabling, regulatory and enforcement functions to ensure a healthy and good quality private rented sector.

5.2 Accreditation is recognised as a good example of the mixed approach of enabling and enforcement being taken by the Council and we acknowledge this as a means of driving up standards in the private rented sector. The Rugg review also recognises the importance of accreditation in helping to improve standards in the sector, in combination with enforcement powers available to local councils, and therefore calls for a national scheme of licensing for landlords to increase professionalism in the sector.

5.3 We learned that the Leeds Landlord Accreditation Scheme (LLAS) was originally launched in April 1997 as the Leeds City Council's Code of Standards for

Conclusions and Recommendations



the Private Rented Sector and was based upon the Unipol Code of Standards launched in 1995, specifically aimed at the student market.

- 5.4 We understand that the aims of the LLAS are to encourage, acknowledge and actively promote good standards and management practices by owners and to assist owners and tenants to undertake their respective responsibilities to each other.
- 5.5 The Council invites accredited private landlords to advertise their available properties through Leeds Homes Choice-Based Lettings scheme. This enables applicants to bid for private lets with landlords, which provides both greater choice and widens the housing options for applicants.
- 5.6 Whilst there are private rented sector properties across the city, we learned that these are significantly concentrated in the North-West and East areas of Leeds and within former Urban Renewal Areas with particular concentrations in the inner city areas such as Armley, Beeston and Holbeck, Burmantoffs and Harehills, Chapeltown and Richmond Hill. It was also highlighted that the previous House Condition Survey in 2001 showed that 32% of private

rented dwellings in single occupation and 74% of private-rented dwellings in multiple occupation were located in North-West Leeds. We therefore acknowledged that the majority of the properties owned by LLAS members portfolios are also located in the North-West.

- 5.7 During our inquiry, we sought clarification on the current numbers of members within the LLAS. In response, it was highlighted that there are currently 400 members of the scheme and that overall coverage of accreditation is estimated to be in the order of 16.6% of the private rented sector in total. We also learned that the Council's Private Rented Sector Strategy contains a target for LLAS of 20,000 bed-spaces coverage by 2010 (current bed-spaces 17,853 at 31/12/08 against an interim target of 18,000 by 31/3/09).
- 5.8 The membership of the LLAS is split between Unipol and other non Unipol landlords in the City 27%: 73% respectively and that this is made up of landlords with differing sized portfolios as follows:-
- One property – 28% of members
 - Two-Three Properties – 23% of members

Conclusions and Recommendations



- 4 or more properties – 49% of members

5.9 We therefore recognised that whilst the LLAS membership and coverage has grown over the last 10 years, there remains much work to do to extend its influence across the whole of the private rented sector and in particular in areas beyond North West Leeds. We therefore explored how this could be achieved.

5.10 During our inquiry, representatives of the Leeds Residential Property Forum, Leeds Property Association and Leeds Letting Agents, all of whom are private sector landlords themselves, were given an opportunity to voice their opinions about the LLAS and why they felt a large majority of private sector landlords across the city were not volunteering to become members of the scheme.

5.11 We noted that three of the representatives were already members of the LLAS and that they had joined the scheme to help improve their own standards and develop a closer working relationship with the local authority. Whilst acknowledging the advantages of being a member of the scheme, one of the key issues raised was around the lack of communication with

tenants in raising the awareness and profile of the scheme.

5.12 In recognising the need for the Council and Landlords to promote the LLAS amongst private tenants, we learned of an Accredited Tenants Scheme that was developed two years ago and which all LLAS members were encouraged to offer their tenants as part of the LLAS requirements. The landlord was to be responsible for administering the scheme, which in effect provided a reference at the end of the tenancy. However, it was reported that when reviewed, only 16% of the tenants interviewed were aware of the Accredited Tenants Scheme and only 13% had a copy of the LLAS. We therefore recognise the benefits of the Council in further developing an Accredited Tenants Scheme as a way of improving communication links with private tenants. The Council should also be looking at opportunities, perhaps through the Accredited Tenants Scheme, to develop a representative body for local private tenants as this will also aid communication links with private tenants in the future.

5.13 Other landlord representatives explained to the Scrutiny Board that whilst they too recognise the wider advantages to becoming a member of the LLAS, there remains certain stipulations

Conclusions and Recommendations



within the scheme which they felt were acting as barriers towards them becoming members. An example shared with the Scrutiny Board was around LLAS members not being able to re-market their property for at least 24 hours following a request from an interested party to seek independent advice on any contractual terms under which that property had been offered. This was considered unreasonable when landlords may have numerous interested parties competing for a property at the same time.

5.14 It was highlighted that since the LLAS started, its contents have been periodically reviewed and modified. We were therefore pleased to learn that the scheme continues to be updated regularly in terms of the standards set within it and that negotiations with private sector landlord representatives are ongoing.

Recommendation 8
That the Director of Environment and Neighbourhoods continues to engage with private landlords in regularly reviewing the standards set within the Leeds Landlords Accreditation Scheme with the aim of attracting more members and expanding the scheme across the city.

Recommendation 9
That the Director of Environment and Neighbourhoods conducts a review within the next 6 months of the current action plan aimed at promoting the Leeds Landlord Accreditation Scheme and raising its profile amongst private tenants across the city.

Recommendation 10
That the Director of Environment and Neighbourhoods continues to further develop an Accredited Tenants Scheme for Leeds and explores opportunities for developing a representative body specifically for private tenants in Leeds.

5.15 During our discussion with private landlords, particular reference was made to some of the difficulties encountered when dealing with managing agents and the need to gather more detailed information on such agents in terms of their property portfolios and management standards to enable clearer transparency and accountability, particularly before accreditation is given. We noted that the Rugg review also recommends that managing agents should be subject to mandatory regulation to ensure better quality management standards. In view of this, we recommend that the

Conclusions and Recommendations



development of an Accredited Agent Scheme is explored by the Council as a way of regulating the quality management standards of private sector management agents.

Recommendation 11

That the Director of Environment and Neighbourhoods continues to explore the development of an Accredited Agent Scheme for Leeds as a way of regulating the quality management standards of private sector management agents.

5.16 We recognised that in order to attract and retain private rented sector landlords, it is imperative that the LLAS continues to offer incentives to landlords to enable the much needed increased coverage across the city. It was noted that this concept was also supported by the LLAS Review and the Health Impact Assessment of the LLAS completed in August 2007.

5.17 During our inquiry, we considered a number of potential Leeds City Council concessions that have been suggested as part of the Health Impact Assessment and LLAS Review as incentives that could motivate more landlords to become accredited.

5.18 In discussing these possible concessions, particular reference was made to a proposed incentive for the enhancement of the LLAS refuse disposal concession to include beds, settees and furniture which are currently chargeable and can have a significant negative visual impact on the area when placed in yards. We learned that whilst landlords actively support this extension, there were barriers within the Council in terms of progressing with this any further.

5.19 In recognising that the proposed incentives would help to attract more private sector landlords to the LLAS, we believe that all Council services should be working together in offering such concessions in view of the wider advantages and particularly when these help to address environmental health issues. We therefore recommend that the Director of Environment and Neighbourhoods takes a lead on promoting a one Council approach towards introducing concessions as a way of retaining and attracting more private landlords to the LLAS.

Conclusions and Recommendations



Recommendation 12
That the Director of Environment and Neighbourhoods takes a lead on promoting a one Council approach towards introducing concessions as a way of retaining and attracting more private landlords to the Leeds Landlord Accreditation Scheme.

6.0 The use of private rented sector housing for tenants dependent on Local Housing Allowance (Housing Benefit)

- 6.1 The reduction in availability and access to social housing has led to increased demand for private rented housing from those households with general housing needs unable to achieve access to social housing. The Rugg review also highlights that local authorities have been seeking properties in the private rented sector to help deal with their responsibilities to eligible, unintentionally homeless households under homelessness legislation.
- 6.2 During our inquiry, we noted that progress is ongoing to deliver increased bedspace coverage across the city and expand the number of landlords who will work with clients who are in housing need. It was recognised that such clients are usually dependant on Local Housing Allowance (LHA).

- 6.3 Leeds was one of nine Local Housing Allowance pathfinders where LHA was trialled from February 2004 prior to it being introduced nationally in April 2008. This new LHA scheme is designed to make it easier for tenants and landlords to find out in advance how much rent could be covered by Housing Benefit. It was explained that previously, private tenants often found that Housing Benefit could not meet their rent only after they had signed a tenancy agreement. We acknowledge that this happens less frequently now that the uncertainty has been removed under the new scheme.
- 6.4 It was also highlighted that the new scheme promotes greater fairness as it is designed to pay the same amount to tenants with similar circumstances living in the same area. Previously, tenants who lived in smaller properties than they were entitled to, or less attractive properties, generally received less benefit than those with similar needs in the same area and living in larger or more attractive properties.
- 6.5 Another key feature of the scheme is that LHA is paid directly to the claimant and not the landlord as the government considers that this approach will encourage claimants to take more responsibility for budgeting and paying their rent themselves.

Conclusions and Recommendations



However, the private landlords raised concerns about this approach during our inquiry and recognised this as a potential barrier in attracting private landlords to work with LHA tenants. This is addressed later in our report where we have also identified other potential barriers which need to be considered.

- 6.6 Whilst we noted that the national evaluation of LHA found that the scheme had been a success in the pathfinder areas, we acknowledged that the national scheme introduced in April 2008 differs from the initial pathfinder scheme. In particular, the LHA rates are now based on the median rent and not the midpoint. As a result of the new calculation, the LHA rates are now more generous. It was explained that this different method of calculating LHA rates now means that half of properties available are at rents that are above the LHA rates and half of properties are at rents that are below the LHA rates. The new rates also mean that more tenants receive enough Housing Benefit to meet their rental liability. Prior to 2004, it was noted that only 40% of tenants received enough to meet their rent costs. This increased to 60% under the pathfinder model of LHA and now LHA meets the rent for 68% of claimants. However, it was recognised that

this figure still needs to be increased.

- 6.7 We understand that the scheme also provides an opportunity for tenants to trade between the quality and price of their accommodation. For example, tenants can now choose between paying more to stay in a property that is larger than they qualify for under the size criteria or increasing their after-housing-costs income by moving to a less attractive or smaller house and benefiting from receiving 'excess' LHA of which they are entitled to. However, we learned that whilst tenants received the full excess amount as part of the pathfinder scheme, this was revised for the national scheme and now the amount of excess LHA which tenants may benefit from is restricted to £15 per week.
- 6.8 The introduction of the £15 cap clearly provides less of an incentive for tenants to negotiate with the landlord over the rent, as any increase in rent (up to the LHA rate) is met by Housing Benefit and so there is no longer any advantages for a tenant to negotiate a rent that is more than £15 below the LHA rate for which they are eligible.
- 6.9 Whilst we acknowledge that the new system has brought some simplification in terms of the administration of Housing

Conclusions and Recommendations



Benefit, we are concerned that LHA rates are based solely on the needs of the household and therefore are not influenced by the quality of the accommodation or the property management. It is the responsibility of the landlord and tenant to agree the level of rent having regard to condition, location and any other relevant considerations, but we recognise that not all tenants take on this responsibility, which means that maximum LHA rates are sometimes paid in respect of properties that are of poor quality and/or are poorly managed.

6.10 As the LHA is payable irrespective of the state and condition of a rental property, this gives no incentive to the landlord to achieve even the basic legal minimum standards. We are therefore pleased to see that Leeds Housing Options scheme acknowledges the duty of care to clients who present for re-housing through that service and use properties owned by landlords who are part of the LLAS or properties inspected by staff within the Housing Options team to ensure each property meets minimum standards.

6.11 Whilst we accept that the aim of the LHA scheme is to promote choice and personal responsibility of tenants, we also recognise the importance of providing practical support and

advice to all tenants, not just the most vulnerable tenants, in assisting them to negotiate a reasonable level of rent, with particular attention given to the consideration of property conditions and the minimum standards they should be expecting to receive.

6.12 We also recognised the importance of building on the close working relationship between the Leeds Benefits Service, as the administrators of the LHA scheme, and the Housing Regulatory Service to provide the necessary checks and balances to the LHA scheme at a local level.

Recommendation 13

(i) That the Director of Environment and Neighbourhoods ensures that practical support and advice is available to all tenants in assisting them to negotiate reasonable rent levels, with particular attention given to the consideration of property conditions and the minimum standards they should be expecting to receive.

Conclusions and Recommendations



Recommendation 13 continued

(ii) That the Director of Environment and Neighbourhoods takes a lead role in building on the close working relationship between the Leeds Benefits Service and the Housing Regulatory Service to provide the necessary checks and balances to the LHA scheme at a local level.

6.13 We noted that the number of people claiming Housing Benefit in the private rented sector has grown substantially since the introduction of LHA and that numbers appear to be greater since the LHA rates increased in April 2008, when the scheme was changed. It was reported that the caseload was 6,095 in 2005 and 9,380 in 2008, an increase of 54%.

6.14 The current financial climate has seen a further increase and in March 2009, we learned that around 11,000 tenants in the private rented sector are now claiming Housing Benefit. As there had not been this level of growth in respect of tenants claiming Housing Benefit in Housing Association and ALMO properties or those claiming Council Tax Benefit, this indicated that the increase is due to growth in the private rented

sector generally rather than economic changes alone.

6.15 It was reported that there is also evidence that the increased rates have stimulated movement of tenants in the private rented sector. In 2008 there had been a marked increase in the number of tenants reporting a change of address. However, it was not clear at that stage whether this was primarily due to more properties being available and the tenant choosing accommodation that better suits their needs, or that tenants were changing address to move onto the higher rates of LHA under encouragement from the landlord.

6.16 Although Leeds is generally one Broad Rental Market Area, which means that tenants receive the same amount of LHA regardless of where they live, we noted that rent levels do vary. Whilst the Council works with all landlords across the city, it was highlighted that market forces dictate where properties are available. We noted that 40% of tenants claiming Housing Benefit chose to live within 3 post codes (Leeds 8, 9 and 11) where rental levels are historically lower than in other parts of the city. However, closer inspection of rent levels for the 10 month period from December 2007 to October 2008 in these areas had indicated that

Conclusions and Recommendations



rents have increased proportionately greater in these areas.

6.17 It was highlighted that the recent increases in rents could be because landlords are now more aware of LHA rates since the scheme was introduced nationally in April 2008. There is now more information available about the LHA in the press and on websites used by landlords and the national rates are also available on the internet.

6.18 We recognise that where rent levels are higher, it can make the transition to work more difficult as tenants must find employment that pays more if they want to cease to be dependant upon benefit. This issue was also acknowledged as part of the Rugg review.

6.19 We also acknowledged that increased rents could also have implications for those people not in receipt of Housing Benefit in areas where rents are historically low. Therefore, if LHA rates do drive up rents throughout the whole sector then tenants could find it impossible to find affordable housing.

7.0 Addressing potential barriers in attracting private landlords to work with LHA tenants

7.1 During our inquiry, the private sector landlord representatives raised specific concerns about LHA payments no longer being paid directly to landlords, particularly in light of previous difficulties encountered with LHA tenants falling into rent arrears.

7.2 We were informed that a landlord would have to wait 8 weeks before any action could be taken by the Council to re-direct rent payments back to the landlord. In the meantime, the landlord would have to pursue legal action against the tenant to recover any rent arrears as the Council was not liable for this debt under the new LHA scheme.

7.3 Again we acknowledged that the Council is the administrator of a national government scheme and therefore is legally obliged to make LHA payments direct to the tenant. However, we do understand that there are safeguards in place to protect those tenants who are unable to take responsibility to pay the rent to their landlord or fall into rent arrears and in these cases LHA can be paid direct to the landlord. It was reported that these cases have increased steadily and now

Conclusions and Recommendations



represent 22% of the LHA caseload.

- 7.4 We also understand that the Council would pay the landlord the same LHA rate received by the tenant, including any excess LHA up to the maximum £15. Whilst any additional funding received by the landlord would help towards clearing the rent arrears owed by the tenant, it was highlighted that where LHA payments received by the Council did not meet the full rent costs then the amount of rent arrears owed by the tenant would continue to gradually increase.
- 7.5 Whilst it was felt that such problems could potentially lead to fewer landlords letting to LHA dependent tenants, we were informed that the safeguard procedures are well publicised and are generally working well and therefore few landlords have ceased to let to LHA dependent tenants because of loss of direct payment.
- 7.6 However, we still questioned the overall checks and balances in place to ensure that both landlords and claimants were not abusing the new LHA scheme. In response, it was noted that whilst the Council was not obliged to monitor all claimants, those with a history of rent arrears would be reviewed regularly. It was highlighted that

the Private Tenant & Landlord Support Team had previously been developed in partnership with Planning, Health & Environmental Action Service and Leeds Benefit services to ensure improved quality control, enhance the value for money and over time seek to act as a conduit for enhancing the standards of private rented accommodation provision city wide. However, this dedicated service was only funded on a short-term basis and that funding ceased in March 2009. As a result, the functions of this Team were mainstreamed within the Leeds Housing Options Service and therefore concerns were raised about whether the same level of service could now be delivered. In recognising the importance of such a service, we have addressed this specific issue later in our report.

- 7.7 In acknowledging that Housing Benefit is always paid 4 weeks in arrears, the inability for Housing Benefit tenants to access a deposit or rent in advance also continues to remain a barrier to finding accommodation within the private rented sector as this often limits the tenants' choice and ability to negotiate a competitive rent once the landlord discovers that the tenant will receive Housing Benefit. There was a general agreement from the private landlord representatives

Conclusions and Recommendations



that a deposit scheme and / or advanced rent payments would make it more appealing to landlords when considering LHA tenants.

7.8 The Rugg review also concludes that changes to the benefit regime to introduce universal assistance with deposits and rent in advance, would mean that more landlords would be willing to accept tenants on housing benefits.

7.9 However, we acknowledged that such a scheme would be very costly to introduce as it would need to apply to all landlords and therefore the landlords already working with LHA tenants and not receiving a deposit would eventually begin making requests for a deposit in line with such a scheme.

7.10 During our inquiry, we learned about the Council's Damage Liability Scheme (DLS). This is a pilot scheme developed by the Council's Private Tenant and Landlord Support Team, launched in October 2008. The principle behind the DLS was that it would only be offered to tenants who were housed under the Private Tenant and Landlord Support Team, as the Council was acting as guarantor to tenants housed who could not afford a deposit. For landlords to be eligible to make a claim under

the scheme, they had to meet a number of criteria, which involved being members of the LLAS and that their property had been inspected by the Private Tenant and Landlord Support Team and met current standards.

7.11 We learned that tenants would be asked to sign an agreement letter advising that any money paid out to landlords under the scheme as a result of their actions would be reclaimed back from them. It was also envisaged that where tenants were entitled to money back from LHA (i.e. £15 excess rate) they would be encouraged to use this money to take up a bond loan from the Credit Union which would allow them the freedom to move around the private rented sector or stay in the property beyond the initial 6 month Assured Shorthold Tenancy period (the duration the DLS would be effective). Once a bond loan was in place the Council's liability under the DLS would automatically end.

7.12 It was therefore considered that in expanding this scheme across the city, this could be used as a way of addressing this potential barrier. However, we would still recommend that the Council reviews the potential costs and implications of introducing deposit guarantees for tenants in receipt of LHA.

Conclusions and Recommendations



Recommendation 14
That the Director of Environment and Neighbourhoods reviews the potential costs and implications of expanding the Council's Damage Liability Scheme across the city and introducing deposit guarantees for tenants in receipt of Local Housing Allowance.

7.13 To encourage the private rented sector to work with tenants who are reliant on LHA to pay their rent, it was also agreed that a more robust method of tenant referencing would increase landlords' confidence in setting up Assured Shorthold Tenancies with LHA tenants and also be an added incentive to take up LLAS membership given that referrals from the Council are made to accredited landlords.

7.14 During our inquiry, we received details of new proposals for a Tenant Referencing scheme, which we understand already has landlord support as this would involve tenants agreeing to be checked by Police, ASB, Housing Benefit, ALMOs etc before they were given a Tenant Reference. This would therefore increase landlord confidence in working with LHA dependent tenants. The reference would be subject to review by landlords following subsequent tenancies and could be operated

electronically. It was highlighted that similar schemes that are currently operating in Manchester and Burnley are considered to be successful. However, in view of the resources needed to operate such a scheme, we noted that this would ideally operate across the region.

7.15 We recommend that the Director of Environment and Neighbourhoods continues to develop a Tenants Referencing scheme to be operated across the city and explores ways of securing additional funding for operating this scheme, which may involve seeking commitments from other Local Authorities to develop a regional scheme.

Recommendation 15
That the Director of Environment and Neighbourhoods continues to develop a Tenant Referencing scheme for Leeds and explores ways of securing additional funding for operating this scheme, which may involve seeking commitments from other Local Authorities to develop a regional scheme.

Conclusions and Recommendations



8.0 Bringing empty residential properties back into use

8.1 One way of meeting at least some of the current housing supply shortage is to look at making more efficient use of existing properties, and in particular those that are unoccupied or being used less effectively than they might.

8.2 We learned that the situation in Leeds, as at September 2008, was that 17,639 properties were void, which represents 5.35% of the total housing stock. Of these, 6,377 had been empty for more than 6 months.

8.3 We were particularly interested to know what proportion of the private rented sector stock was located within the city centre and how many of these properties were empty. In response, it was explained that the Council took the initiative to start monitoring the numbers of city centre units (all tenure) as from July 2007 and that at the time there were 5653 units completed. The last reported figures in relation to these specific units showed 1185 (20.96%) to be empty in September 2008. Of these properties 145 (2.57%) were void for more than six months but less than twelve, with 421 (7.45%) properties being void for longer than 12 months. However, it was reported that 232 (4.10%) of

these empty properties within the city centre were known to be vested within trust funds, company portfolios or investors with more than one property.

8.4 We are aware that the government is also now calling on local authorities to take firmer action to tackle the blight of empty homes and re-use properties. Guidance by the Empty Homes Agency sets out the range of strengthened powers local authorities have to deal with the problem of empty homes, including Empty Dwelling Management Orders.

8.5 Empty Dwelling Management Orders (EDMOs) give the Council discretionary powers to bring empty private sector dwellings back into use where the owners are unable or unwilling to do so. Once an Order has been granted, the Council can manage the property on behalf of the owner but does not become the legal owner of the property and cannot sell or mortgage the property.

8.6 However, we were informed that Leeds, like most other local authorities, are currently experiencing difficulties in putting into place procedures for utilising EDMOs. The primary obstacle is that there has been no serious expression of interest from ALMOs, Registered Social

Conclusions and Recommendations



Landlords or 'accredited' private landlords to act as managing agents upon the council initiating the process of EDMOs.

8.7 It was noted that Leeds has recently explored the possibility of procuring a partner/managing agent in conjunction with other West Yorkshire authorities in order to maximise the economy of scale for any interested agents. Leeds has joined with Bradford and Kirklees in seeking expressions of interest on this matter throughout the European Economic Area. Whilst acknowledging that no expressions of interest have been forthcoming so far, we were pleased to learn of the Council's intention to re-advertise for any possible interest, which hopefully may be more successful in the current downturn in housing market activity.

8.8 However, we do acknowledge that the Council has already devoted significant resources to returning long-term empty properties into use. One of the reasons for this success is the systematic monitoring of empty properties on a ward area basis and within targeted areas which have previously suffered high levels of empty properties and fragile demand such as East End Park, Cross Green, Harehills, Beeston and Holbeck, and to a lesser extent, Chapeltown. We

received examples of these area profile reports, but acknowledged that the data within these reports had the potential to change rapidly. In learning that such reports are available for each ward, we recommended that these be made accessible, via the Council's intranet, to all Members of the Council to indicate trends within their areas. As a result, we were pleased to note that this action had been taken during the course of our inquiry.

8.9 During our inquiry, we recognised that the recent phenomenon of 'buy to leave' (properties that have been purchased by investors purely for capital growth) could be turned around if the investors see a substantial decline in the equitable growth of their investment properties. Furthermore, this factor could encourage these 'investors' to consider letting/selling their investments thereby bringing these properties back into the equation of being available as 'homes for people'.

8.10 In view of this, there is an opportunity for the Council to broker deals with these property owners in order for them to consider letting out this previously wasted resource to people on the housing register, or perhaps consider targeting

Conclusions and Recommendations



their product to niche and specialist markets such as providing accommodation for the elderly - thereby freeing up their often under used resource of family housing which would help to alleviate the current shortage of this type of housing throughout the city. However, it was noted that for social housing, the city centre was unlikely to present opportunities because of the high rent levels currently expected, unless market conditions continue to deteriorate and city centre landlords continue to struggle to rent or sell in the sector.

8.11 There is still a substantial amount of under-used housing accommodation throughout the city but, if the Council can successfully bring these properties back into occupation, this could go some considerable way to providing the much needed housing that Leeds will require in the future.

8.12 It is therefore vital for the Council to continue to seek means of bringing empty private housing back into use by ensuring that it maximises on recent government initiatives and takes advantage of the current economic climate by approaching property owners to broker deals around temporarily letting or leasing of their empty properties to the Council for people on the housing register.

Recommendation 16

That the Director of Environment and Neighbourhoods continues to seek means of bringing empty private housing back into use which maximises on recent government initiatives and takes advantage of the current economic climate by brokering deals with property owners to temporarily let their empty properties to the Council for people on the housing register.

9.0 Providing effective advice, information and support to the private rented sector.

9.1 Throughout our inquiry we have recognised the need for the Council to provide accurate and timely advice and information to landlords and private tenants about their statutory rights and obligations, as well as provide assistance to landlords to improve their property standards, particularly those experiencing financial difficulties.

9.2 We recognised that the Private Tenant & Landlord Support Team, which had previously been developed in partnership with Planning, Health & Environmental Action Service and Leeds Benefit services, played a key role in regulating the private rented sector by ensuring improved quality control; enhancing the value for

Conclusions and Recommendations



money; and acting as a conduit for enhancing the standards of private rented accommodation provision city-wide. As the funding for this service ceased in March 2009, we understand that the functions of the service have now been mainstreamed within the Leeds Housing Options Service.

9.3 However, in order to improve the quality of service provided to private landlords and tenants, we believe it is vital to have a single point of contact within the Council for this sector, acting as a conduit for both private landlords and tenants to gain access to accurate and timely advice, information and assistance. We would like to see a multidisciplinary approach in improving quality control and tackling housing options within this sector and believe that a single point of contact will help to promote a 'one Council' approach to access the private rented sector.

9.4 We therefore recommend that the Director of Environment and Neighbourhoods considers the feasibility of establishing this single point of contact within the Council.

Recommendation 17
That the Director of Environment and Neighbourhoods considers the feasibility of establishing a single point of contact within the Council for the private rented sector, acting as a conduit for both private landlords and tenants to gain access to accurate and timely advice, information and assistance.

Evidence



Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

Reports and Publications Submitted

- Briefing paper from Environment and Neighbourhoods on the Council's role in promoting private rented sector (PRS) accommodation and advice to PRS tenants;
- Briefing paper from Environment and Neighbourhoods on housing legislation;
- Briefing paper from Environment and Neighbourhoods on maximising the utilisation of the existing housing stock - recycling the empties;
- Briefing paper from Environment and Neighbourhoods on energy efficiency in the private rented sector;
- Briefing paper from the Leeds Benefits Service on the impact of Local Housing Allowance (Housing Benefit) on Private Sector Housing;
- Report of the Director of Environment and Neighbourhoods updating on Houses in Multiple Occupation (HMO) Mandatory Licensing;
- Briefing paper from Environment and Neighbourhoods on the role of the Leeds Landlord Accreditation Scheme and other initiatives to promote improvements in private rented housing conditions;
- Copy of report to the Executive Board on 11th June 2008 on activity in the private rented sector;
- Private Sector House Condition Survey (November 2007). Leeds City Council in partnership with JE Jacobs;
- Copy of the Leeds Landlord Accreditation Scheme Information Pack;
- The Private Rented Sector: its contribution and potential. Executive Summary. Julie Rugg and David Rhodes. Centre for Housing Policy. 2008;
- Report of the Head of Scrutiny and Member Development presenting a summary report of the working group – 16th October 2008;
- Report of the Head of Scrutiny and Member Development presenting a summary report of the working group – 19th January 2009;
- Scrutiny working group summary report – 13th March 2009

Evidence



Witnesses Heard

- Andy Beattie, Head of Service, Pollution Control and Housing
- Jane McManus, Project Manager (HB reforms), Leeds Benefits Service
- Tracey Harwood, Homeless Services Manager
- Paul Broadhurst, Private Sector Scheme Manager
- Jon Hough, Principal Housing Strategy Officer
- Mike Brook, Acting Housing Regulation Service Manager
- Linda Sherwood, Accreditation and Selective Licensing Manager
- Tom Wiltshire, Head of Housing Needs and Options
- Simon Moran, Leeds Letting Agents
- Richard Aston, Leeds Letting Agents
- Suki Thethi - Leeds Letting Agents
- Martin Blakey, Chief Executive of Unipol
- Scott Blakeway, Unipol
- Chris Town, Leeds Residential Property Forum
- Steve Rowley, Leeds Property Association
- Andy Hudson, Leeds Property Association

Dates of Scrutiny

- 8th September 2008 – Scrutiny Board Meeting (agree terms of reference)
- 16th October 2008 – Scrutiny Working Group Meeting
- 10th November 2008 – Scrutiny Board Meeting
- 19th January 2009 – Scrutiny Working Group Meeting
- 9th February 2009 – Scrutiny Board Meeting
- 13th March 2009 – Scrutiny Working Group Meeting
- 11th May 2009 – Scrutiny Board Meeting (agree final inquiry report)



Not for publication: Report exempt from Access to Information Procedure Rules by reason of 10.4(3)-Appendices 1, 2 & 4 only

REPORT OF THE DIRECTOR OF NEIGHBOURHOODS AND HOUSING

TO EXECUTIVE BOARD

Date: 26 August, 2009

Subject: REGENERATION OF HOLBECK Phase 4

Scheme: 15557/000/000

Electoral wards affected:

Beeston and Holbeck

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for call in

Not eligible for call in (details contained in the report)

Executive Summary

It is anticipated that Leeds will receive a further £15.8m from the Single Regional Housing Pot (SRHP) for 2009-11, in addition to the £6.585m which was allocated and spent in the first year of this 3 year programme (2008/11). The funding allocation for the remaining two years of the programme will continue to be spent on tackling poor quality, pre 1919 housing stock in the regeneration priority areas of the city and will help to deliver the objectives of the Vision for Leeds 2004-2020 and the Leeds Housing Strategy

The proposals set out in this report will utilise £1.3m of this allocation to extend the existing 3 phases of acquisition and demolition within Holbeck to extend and enhance the development opportunity for new housing.

This report outlines the options considered for an area encompassing 20 back to back properties (as shown at Appendix 1 and labeled 'Holbeck target area phase 4, addresses are listed at appendix 2) and details the results of an option appraisal. The report recommends the acquisition and demolition of these properties by utilising £1.3m of SRHP fund over the financial years 2009/11 and seeks in principle approval to proceed with the acquisition of the properties within the target area by agreement with their owners. In the event that agreement cannot be reached with owners authorisation will be requested from the Director of Environment and Neighbourhoods and the Director of City Development to make and promote any necessary Compulsory Purchase Orders.

Executive board is requested to authorise scheme expenditure of £1.3m.

1.0 Purpose of This Report

- 1.1 The purpose of this report is to consider the options for regeneration of the Holbeck area and to seek approval for the acquisition and clearance of 20 properties within Holbeck by utilising £1.3m of this funding during 2009/11.

2.0 Background Information

- 2.1 Beeston Hill and Holbeck are identified as target areas for large scale improvement within the Vision for Leeds 2004-10, the Corporate Plan 2005-8 and the Leeds Regeneration Plan 2005-2008. The aims and aspirations of these plans are reflected in the Beeston Hill and Holbeck Land Use Framework (2005) and in the draft Beeston Hill and West Hunslet Regeneration Plan (2009) which marry city wide aspirations with local community aspirations and sustainable development principles.
- 2.2 The Councils Executive Board at its meetings of 18 October 2006, 24 January 2007 and 14 November, 2007 approved the commencement of the acquisition of 50 properties within phases 1, 2 and 3 in Holbeck. Phased demolition is anticipated to commence within the current financial year and ultimately 102 properties which make up phases 1, 2 and 3 will be demolished. To date 100 of these properties are within Council ownership and 2 further acquisitions are outstanding. One owner still has not yet agreed to sell voluntarily to the Council but is seeking alternative commercial premises to facilitate the relocation of a hot food takeaway business. The date of the complete clearance of the site will depend upon whether a Compulsory Purchase Order is required on this scheme.
- 2.3 Recently Chevin Housing Association has been selected by the Leeds Affordable Housing Partnership Board as the Councils development partner on this and 3 other sites in South and East Leeds which are being cleared with Single Regional Housing Pot funding. Once the site, comprising of phases 1,2 and 3, is cleared Chevin HA will submit a bid to the Homes and Communities Agency (HCA) for funding with which to develop new affordable housing units.
- 2.4 The redevelopment of phases 1,2 and 3 is anticipated to commence during the next 2 years. This timescale will depend upon the potential requirement for compulsory purchase and is subject to funding being made available by the HCA.
- 2.5 While no decision has yet been made regarding the redevelopment of the proposed phase 4 if further acquisition and demolition in this location is approved then a comprehensive plan for the combined site can be drawn up rather than the emergence of piecemeal plans at intervals. Officers will commence work without delay to develop and seek approvals for a procurement route for the redevelopment of phase 4 which will ensure a timely progression from the earlier phases. A start on site could potentially take place in 2011/12 assuming that all privately owned properties can be purchased without the need for CPO and subject to the availability of funding.
- 2.6 If because of the requirement for CPO or the lack of available funding from the HCA there is an unavoidable delay in the commencement of redevelopment it is important that sites do not detract from the appearance or sustainability of the area. Demolition sites once cleared are grass seeded to provide a tidy appearance and fenced to prevent unauthorised access by vehicles. Officers will undertake regular

inspections to identify incidences of fly tipping and to ensure that regular maintenance of the area takes place as programmed.

- 2.7 Continuation of the redevelopment of this area of Holbeck will further complement and enhance the regeneration benefits anticipated for the area in the near future with the commencement of the Beeston Hill and Holbeck PFI project.

3.0 Main Issues.

- 3.1 The area which is the subject of this report comprises of 20 brick terraced, street lined back to back houses. It is proposed that the properties, as identified in Appendix 2, are acquired and demolished to produce a cleared site which would consolidate phases 1, 2 and 3.

- 3.2 The proposals contained within this report consider how best to address the aims of the Vision for Leeds and the Leeds Housing Strategy by reducing unpopular and unfit housing, to then be able to replace it with modern decent homes with the resources available. The option appraisal has considered 3 options for the area with reference to their ability to meet the defined objectives:

- Option A: Do minimum to meet legal conformity
- Option B: Group Repair and internal remodeling
- Option C: Acquisition and redevelopment of the site.

3.3. Option A: Do minimum to meet legal conformity

- 3.3.1 Aire Valley Homes (AVH) have a legal obligation to ensure that all the housing stock that they manage meets the Governments Decent Homes Standard by 2010. The estimated cost of bringing the 6 properties owned by the Council up to the Governments Decent Homes Standard is estimated at least £46,200. However, even with investment of this nature the poor design and layout of the properties would not be tackled and added to sustainability issues, investment in these properties would prove financially unviable.

- 3.3.2 The conclusion to be drawn from this option is that the expenditure required to comply with the Decent Homes Standard would not

- address all of the issues identified by residents as unsatisfactory
- prove to be cost effective
- prove to be sustainable
- enable the levels of change required to regenerate the area to be achieved

3.4 Option B: Group repair and internal modeling.

- 3.4.1 Enveloping works to the exterior of the properties would create a visually superior and uniform street scene. This, coupled with major remodeling of the properties could create through terraces with better layout and room sizes which would meet, and potentially exceed, the Decent Homes Standard. It is estimated that the remodeling of two back to backs to form 1 family house would cost at least £70,000 per conversion in construction costs alone. The cost of remodeling all 20 properties in the target area, including acquisition and conversion costs, is estimated at over £1.93m (see Appendix 4).

3.4.2 Even if ultimately these properties were sold on the open market for an optimistic £100,000 each this could potentially result in a net loss to the Council of approximately £0.93m. It is also doubtful whether long term demand exists even after conversion.

3.4.3 The conclusion to be drawn from this option is that the high level of investment would address some of the issues with poor condition but it would not

- tackle poor housing mix
- tackle issues of over density
- tackle poor environment
- be cost effective

3.5. **Option C. Acquisition, Clearance and redevelopment of the site for housing**

3.5.1 Acquisition of the 14 privately owned properties within the target area and clearance of all 20 properties would form the next phase of the longer term strategy to commence transformational change of the area and provide a catalyst to the regeneration of the wider area.

3.5.2 Whilst the cost would be high, £1.3m funded through the SRHP, once cleared and together with phase 1, 2 and 3 sites it would create a development opportunity to provide modern high quality housing as well as tackling the issues of poor environment. A development of this nature would fit with the regeneration plans for the area.

4.0 Option Appraisal

4.1 A formal Option Appraisal in accordance with the corporate procedure has been carried out to assess Options A and C, option B having been ruled out on grounds of affordability. Both financial and non financial aspects of Options A and C have been considered.

A discounted cash flow exercise has been carried out for options A and C and the net present values are as follows

Option	Description	NPV £000
A	Do minimum to meet legal conformity	8.3
C	Acquisition and redevelopment of the site for housing	1300.0

4.2 This exercise and the table above illustrate the cost of each option over the next 25 years at today's value. Although the financial element of the option appraisal would suggest that Option A is preferable the pursuance of the stated objectives of this project are critical to the achievement of the strategic aims of the Vision for Leeds and the Leeds Housing Strategy.

4.3 Option C (Acquisition, clearance and redevelopment) scores highly against the objectives of the Leeds Housing Strategy and the Vision for Leeds. Clearance and redevelopment facilitates the potential to create high quality housing, which is of a type and size matched to the needs and choices of residents, in an attractive environment which would as a consequence contribute to the improved image and

regeneration of the area and community. Option A (Do minimum to meet legal conformity), is able only to meet some of the objectives to a limited extent and potentially for a limited timescale. Other objectives, i.e. matching housing to needs and choice and tackling poor environmental quality, are not met at all by Option A. This is due to the fact that the governments Decent Homes Standard is a minimum standard which focuses on fitness, disrepair and the provision of modern facilities within the dwelling. It does not consider the external environment or the internal layout, size or number of rooms.

- 4.4 Whilst the financial analysis in isolation would seem to support option A the assessment of non financial factors must be given careful consideration also. The contribution of Option C to key strategic objectives outweighs the differential in financial terms in this instance. Option C is, therefore, the one recommended to Executive Board.

5.0 Implications for Council Policy and Governance

- 5.1 The acquisition and demolition will follow Council policies.

- 5.2 The public interest in maintaining the exemption in relation to appendices 1,2 and 4 attached to this report outweighs the public interest in disclosing the information by reason of the fact that:-

a) Appendix 1 and 2 - The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Councils action.

b) Appendix 4 - The costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure could prejudice the council's ability to reach an agreement on the purchase price with owners.

6.0 Consultation

- 6.1 A consultation exercise was carried out in March/April 2009. Visits to the 20 properties in the target area established that 2 are currently unoccupied. Of the remaining 20 contact was made with 13 householders and responses secured either by face to face or telephone interviews, or by the return of a questionnaire.

- 6.2 11 private landlords operate in the in the area who were also consulted. 3 private landlords have responded, 1 of them is in favour of demolition, 1 of them is not and 1 "does not know".

- 6.3 The full results of the consultation are set out in Appendix 3. In summary, all 12 residents who responded were in favour of demolition. 8 of the 12 respondents state that they are thinking of moving away from the area.

- 6.4 Following the conclusion of the residents' survey local ward members were briefed on the results and gave their full support to the proposals for acquisition and demolition contained within option C of this report.

- 6.5 If approval is secured to acquire and demolish these properties residents, elected members and other stakeholders will be kept fully apprised of developments.

6.6 Equality Impact Assessment

6.6.1 An Equality Impact Assessment has been carried out in order to highlight any issues of inequality which may be created by a decision to approve the proposals contained within this report. Equality Information has been gathered on the following issues

- Ethnicity
- Faith/Religion
- Disability
- Sexuality
- First language

6.6.2 It has been established that 92% of residents who responded to the residents survey have English as their first language, one resident refused to comment but communicated with ease in English. For any residents who have another language as their first language translations and interpretation will be offered. 75% of respondents classed themselves as White British. 83% classed themselves as Christian or having no religion and 16% (2 respondents) were Muslims.

6.6.3 For those residents who wish to move away from the area in which they currently live the award of priority extra on the Leeds Homes Register and the receipt of home loss and disturbance compensation means that this is a very real possibility for some residents who may never have had this opportunity ordinarily. For those residents who wish to remain to be close to a community of similar ethnic background or faith and to the facilities which this affords there is also the opportunity to be rehoused locally. The use of choice based lettings in the first instance rather than "Direct Lets" means that displaced residents have the opportunity to choose, subject to normal qualification criteria, where they wish to be rehoused. This is seen as advantageous to integration and community cohesion.

6.6.4 None of the residents who responded classed themselves as disabled. However, named Project officers will be allocated to deal directly with each household so that if vulnerable households are identified particular attention will be paid to addressing the needs of those households to ensure that they receive equal access to the service and that they are able to secure replacement homes which meet their specific needs.

7.0 **Legal and Resource Implications**

7.1 The estimated scheme costs of £1.3m are detailed at Appendix 4. This estimate includes acquisition of the 14 privately owned properties; compensation and disturbance payments for owners and private tenants, and full site clearance including temporary work to secure the site.

7.2 The preference is to acquire properties by agreement with owners and details of the compensation package are set out at Appendix 5. Ultimately, however, if agreement cannot be reached, authorisation will be sought to make any necessary Compulsory Purchase Orders (CPOs).

7.3 Should Compulsory Purchase action become necessary, in this instance, Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning and Compulsory Purchase Act 2004) is the most appropriate legislation in the circumstances. Regard must be had to the Human Rights Act 1998 including Article 8 (respect for private family life and home). The recommendation to authorise officers to make and promote any necessary CPOs strikes a clear balance between the public interference with private rights, which will arise if a CPO is pursued.

Compensation would be payable to the person affected, and the provision of the above Acts are considered to be compatible with the Human Rights Act.

8.0 CAPITAL FUNDING and CASHFLOW

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2009 £000's	FORECAST			
			2009/10 £000's	2010/11 £000's	2011 on £000's	0 £000's
LAND [1]			296.5	849.5		
CONSTRUCTION [3]				140.0		
FURN & EQUIP [5]	0.0					
DESIGN FEES [6]	14.0		3.5	10.5		
OTHER COSTS [7]	0.0					
TOTALS	14.0	0.0	300.0	1000.0	0.0	0.0

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2009 £000's	FORECAST			
			2009/10 £000's	2010/11 £000's	2011 on £000's	0 £000's
RHB Grant			300.0	1000.0		
Total Funding	0.0	0.0	300.0	1000.0	0.0	0.0
Balance / Shortfall =	-14.0	0.0	0.0	0.0	0.0	0.0

9.0 REVENUE EFFECTS

There are no revenue implications within this scheme.

10.0 Risks

10.1 If Compulsory Purchase action is required this will inevitably have implications for the timescale of the project. Compulsory Purchase action would also involve additional costs i.e. publicity costs, officer time including legal fees, and the costs incurred surrounding the staging an Inquiry if objections are made.

10.2 Displaced residents who apply for tenancies through the Leeds Homes register are awarded 'Priority Extra' in recognition of their additional housing need caused by the action of the Council. Council officers will liaise regularly with officers of the ALMOs and RSLs to progress rehousing requests as efficiently as possible in an attempt to minimize the risk of delay to progression of the scheme.

11.0 Conclusions

11.1 The development of Holbeck phase 4 would build on the work commenced in phase 1, 2 and 3 and continue to support the regeneration of the area in line with the Vision for Leeds and the Leeds Housing Strategy.

11.2 Of the options considered option C is considered to provide the more holistic solution.

12.0 Recommendations

Executive board is requested to:

1. Authorise Scheme expenditure to the amount of £1.3m.
2. Agree to allow officers to proceed in accordance with option C
3. Agree to allow the Director of Environment and Neighbourhoods and the Director of City Services to authorise and promote any necessary Compulsory Purchase Orders should a CPO become necessary

Appendices

1. Plan 1 target area (Exempt from Access to Information Procedure Rules 10.4(3))
2. Address list (Exempt from Access to Information Procedure Rules 10.4(3))
3. Summary of residents survey results
4. Costs associated with option B and C (Exempt from Access to Information Procedure Rules 10.4(3))
5. Compensation Payments

Previous Reports:-

Aug 08 – To Director of Resources
Injection of remaining Single Regional Housing Pot 2008/11 - £13.94m

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HOLBECK PHASE 4**SUMMARY OF RESIDENTS SURVEY RESULTS .****Tenure.**

Total of 20 properties in the target area. 12 privately rented properties, 2 owner occupiers, 6 properties managed by Aire Valley Homes

Occupation.

18 Occupied properties - 2 Owner Occupiers, 10 Private Landlord tenancies, 6 AVh, 2 Void properties – both Privately tenanted properties.

Respondents.

12 respondents (including 2 owner occupiers, 5 private tenants, 5 AVh) out of 20 possible respondents. **60% response rate from the residents**

Privately Rented Properties

12 properties are owned by 11 different landlords.

3 owners of the 12 Privately rented properties have replied. **25% Response rate**

Length of Occupation.

Less than 1 year	6 households
Between 1 – 5 years	4 households
Between 5 -10 years	2 households
More than 10 years	0 households.

Satisfaction with Home.

4 respondents satisfied with home	(33%)
8 respondents dissatisfied with home	(66%)

Problems with homes.

In order of Priority.

ITEMS	POINTS
Dampness	31
General Repairs	22
Lack of Garden	20
Insulation	19
Refuse/ Bin yards	18
No Central Heating	15
Room size / number of rooms	14
Staircase	10
Fire Safety	8
No Clothes Drying Facilities	8
Car Parking	5

Satisfaction with the Area

7 respondents satisfied with area	(58%)
4 respondents dissatisfied with the area	(33%)
1 respondent very dissatisfied with the area	(8%)

Problems with the area.

In order of Priority.

ITEM	POINTS
Crime & Anti social behaviour	33
Empty properties	27
Poor quality housing	24
Dumped rubbish	20
Lack of facilities for teenagers and children	12
Layout of the area	10
Poor parking	9
Narrow Roads	7

Positive points about the area.

In order of number of times chosen:

Local shops and facilities x 4
Good bus routes x 8
Sense of Community x 1
Being close to relatives x 2

Options for improvements.

In order of priority.

ITEM	POINTS
Demolition of selective properties	19
Repairs to properties	17
Play facilities for teenagers & children	14
Improve Traffic calming	7

Thinking of moving (out of 12 who responded).

Yes 8
No 4

Wish to be involved in further consultation (out of 12 who responded).

Yes 12
No 0

Demolition Results

In favour of demolition – owner occupiers

Yes	2
No	0
Don't Know	0

In favour of demolition – AVh Tenants

Yes	5
No	0
Don't Know	0

In favour of demolition – Private Tenants

Yes	5
No	0
Don't Know	0

In favour of demolition – Total Residents

Yes	12
No	0
Don't Know	0

In favour of demolition – Private Landlords

Yes	1
No	1
Don't Know	1

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Appendix 5

Compensation payments payable	Owner Occupier	Owner not occupier	Tenant
Value of the land taken (open market value in the absence of the scheme) less sum due in respect of any mortgage	✓	✓	
Homeless payment if resident for one year or more (Owner =10% of value of property Max £47,000-Min £4,700 Tenant = flat rate £4,700)*	✓		✓
Basic Loss payment (7.5% of value of property)		✓	
Fees (reasonable surveyors and legal fees for dealing with the claim and transfer)	✓	✓	
Disturbance (costs and losses as a result of being disturbed from occupation, e.g. removals, redirection of post, disconnection of services)	✓		✓
Costs of re-investment if incurred within one year		✓	

*Estimated scheme costs include an assumption that annual increase in this amount will take homeless payment to approx £5,000 per tenant

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Originator: Sue Morse

Tel: 39 51398

Not for Publication: Report exempt from Access to Information Procedure Rules by reason of 10.4(3)-Appendices 1,2, & 4 only

Report of the Director of Environment and Neighbourhoods

Executive Board

Date: 26th August, 2009

Subject: The Regeneration of Cross Green (Phase 3)
Scheme: 15616/000/000

Electoral Wards Affected:
Burmantofts and Richmond Hill

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

1. It is anticipated that Leeds will receive a further £15.8m from the Single Regional Housing Pot (SRHP) for 2009-11, in addition to the £6.585m which was allocated and spent in the first year of this 3 year programme (2008/11). The funding allocation for the remaining two years of the programme will continue to be spent on tackling poor quality, pre 1919 housing stock in the regeneration priority areas of the city and will help to deliver the objectives of the Vision for Leeds 2004-2020 and the Leeds Housing Strategy

The proposals set out in this report will utilise £1.1m of this allocation to extend the existing 2 phases of acquisition and demolition within Cross Green to extend and enhance the development opportunity for new housing.

This report outlines the options considered for an area encompassing 14 street lined semi detached properties (as shown at Appendix 1 and labeled 'Cross Green target area phase 3, addresses are listed at appendix 2) and details the results of an option appraisal. The report recommends the acquisition and demolition of these properties by utilising £1.1m of SRHP fund over the financial years 2009/11 and seeks in principle approval to proceed with the acquisition of the properties within the target area by agreement with their owners. In the event that agreement cannot be reached with owners authorisation will be requested from the Director of Environment and Neighbourhoods and the Director of City Development to make and promote any necessary Compulsory Purchase Orders.

Executive board is requested to authorise scheme expenditure of £1.1m

1.0 Purpose of This Report

- 1.1 The purpose of this report is to consider the options for regeneration of the Cross Green area and to seek approval for the acquisition and clearance of 14 street lined semi detached properties which were built in the very early 1900s in Cross Green by utilising £1.1m of this funding during 2009/11.

2.0 Background Information

- 2.1 Cross Green is identified as a target area for large scale improvement within the Vision for Leeds 2004-10, the Corporate Plan 2005-8 and the Leeds Regeneration Plan 2005-2008..
- 2.2 The Councils Executive Board at its meetings of 17 May, 2006, and 20 September, 2006 approved the commencement of the acquisition of 73 properties within phases 1 and 2 in Cross Green. Demolition of phase 1 was completed in December 2007. Within phase 2 16 properties have been demolished and contractors are currently on site to clear a further 24 properties. One owner has not yet agreed to sell voluntarily to the Council but negotiations are ongoing. It is hoped that this matter may still be resolved without the need for a Compulsory Purchase Order (CPO) but of course timing of the final phase of demolition will dependant on whether or not a CPO is required.
- 2.3 Recently Chevin Housing Association has been selected by the Leeds Affordable Housing Partnership Board as the Councils development partner on this and 3 other sites in South and East Leeds which are being cleared with Single Regional Housing Pot funding. Once agreement has been reached with the remaining owners on current phases Chevin HA will submit a bid to the Homes and Communities Agency for funding to progress the redevelopment of the cleared site with new affordable housing units.
- 2.4 The redevelopment of phases 1 and 2 is anticipated to commence during the next 2 years. This timescale will depend upon the potential requirement for compulsory purchase and is subject to funding being made available by the HCA.
- 2.5 While no decision has yet been made regarding the redevelopment of the proposed phase 3 if further acquisition and demolition in this location is approved then a comprehensive plan for the combined site can be drawn up rather than the emergence of piecemeal plans at intervals. Officers will commence work without delay to develop and seek approvals for a procurement route for the redevelopment of phase 3 which will ensure a timely progression from the earlier phases. A start on site could potentially take place in 2011/12 assuming that all privately owned properties can be purchased without the need for CPO and subject to the availability of funding.
- 2.6 If because of the requirement for CPO or the lack of available funding from the HCA there is an unavoidable delay in the commencement of redevelopment it is important that sites do not detract from the appearance or sustainability of the area. Demolition sites once cleared are grass seeded to provide a tidy appearance and fenced to prevent unauthorised access by vehicles. Officers will undertake regular inspections to identify incidences of fly tipping and to ensure that regular maintenance of the area takes place as programmed.

2.7 Continuation of the redevelopment of this area of Cross Green will further complement and enhance the regeneration benefits anticipated for the area from the EASEL project

3.0 Main Issues.

3.1 The area which is the subject of this report comprises of 14 brick semi detached houses, some of which are in very poor condition. It is proposed that the properties, as identified in Appendix 2, are acquired and demolished to produce a cleared site which would consolidate phases 1, 2 and council owned land to the rear of these properties which is used by the occupiers as garden land.

3.2 The proposals contained within this report consider how best to address the aims of the Vision for Leeds and the Leeds Housing Strategy by reducing unpopular and unfit housing, to then be able to replace it with modern decent homes with the resources available. The option appraisal has considered 3 options for the area with reference to their ability to meet the defined objectives:

Option A: Do minimum to meet legal conformity

Option B: Group Repair

Option C: Acquisition and redevelopment of the site.

3.3. Option A: Do minimum to meet legal conformity

3.3.1 Leeds East North East Homes (ENEh) has a legal obligation to ensure that all the housing stock that they manage meets the Governments Decent Homes Standard by 2010. The cost of bringing the 2 properties owned by the Council and managed by ENEh up to the Governments Decent Homes Standard is estimated at around £15,000 per property. A further two properties are owned by the Council but not managed by ENEH as they are currently in an uninhabitable condition. It is estimated that the cost of internal and external works to bring these two properties back into use would amount to over £135,000. As there is no record of these properties ever having been Housing Revenue Account assets they will not attract Major Repairs Allowance. The sustainability of such a high level of investment is doubtful unless a commitment could be secured from the remainder of owners within this target area that they are prepared to invest in the privately owned properties.

3.3.2 The conclusion to be drawn from this option is that the expenditure required to comply with the Decent Homes Standard would not

- prove to be cost effective
- prove to be sustainable
- enable the levels of change required to regenerate the area to be achieved

3.4 Option B: Group repair

3.4.1 Enveloping works to the exterior of the properties can create a visually superior and uniform street scene and so contribute to the overall transformational change in an area **assuming that all owners are willing to take part**. It is estimated that to carry out **exterior improvement** works to all of these 14 properties and to carry out internal refurbishment of the two Council owned properties as outlined at para 3.3.1 it would cost in the region of £619,945. This excludes the cost of any internal refurbishment to any other privately owned or ENEh managed properties.

- 3.4.2 A contribution of up to 25% of the costs would be required from private owners of the properties. Owner occupiers can benefit from up to 100% grants dependant upon a test of resources, private landlords have to pay the full 25% contribution. In view of this fact there is a degree of uncertainty around the likelihood of take-up from owners especially in view of the fact that 50% of the properties are currently vacant and have been for some considerable time. Without an adequate proportion of take up from owners the viability of any group repair scheme is questionable.
- 3.4.3 The conclusion to be drawn from this option is that the high level of investment would address some of the issues with poor condition but it would not
- **Tackle poor internal housing conditions** – external works only included in a group repair scheme.
 - **tackle poor environment** – the properties in question are street lined properties so have no front gardens which could be improved and works are not usually carried out to rear gardens as part of a group repair scheme, hence no impact on the environment.
 - Provide a level of **thermal efficiency** equal to that of new properties - due to the age of these properties they are hard to treat in terms of thermal insulation due to their solid wall construction. Whilst group repair could ensure that these properties reach Decency in terms of energy efficiency a considerable amount of further internal investment would be required to enhance their SAP rating to match that of a new property built to the Code for sustainable homes level 4.
 - enable the levels of **transformational change** required to regenerate the area to be achieved

A Group repair scheme is proposed for the Cross Green area from the SRHP 2008/11 funding allocation. However, discussions with Health and Environmental Action Services Area renewal team (whose officers are tasked with seeking approvals for and the delivery of Group Repair schemes) have suggested that because of the condition of the stock and the tenure base the properties which are the subject of this report are NOT considered to be the most appropriate for the sustainable use of funding which has been earmarked for a group repair scheme in the area.

3.5. **Option C. Acquisition, Clearance and redevelopment of the site for housing**

- 3.5.1 Acquisition of the 10 privately owned properties within the target area and clearance of all 14 properties would form the next phase of the longer term strategy to commence transformational change of the area and provide a catalyst to the regeneration of the wider area. It would also consolidate the Councils land holdings at St Hildas Avenue/Grove/Crescent (Cross Green phase 2 acquisition and demolition scheme) and to the rear of the properties on St Hildas Crescent which are the subject of this report.
- 3.5.2 Whilst the cost would be high, £1.1m funded through the SRHP, the site once cleared and together with phases 1 and 2 would create a development opportunity to provide modern high quality housing as well as tackling the issues of poor environment. A development of this nature would fit with the regeneration plans for the area.

4.0 Option Appraisal

4.1 A formal Option Appraisal in accordance with the corporate procedure has been carried out to assess Options A, B and C. Both financial and non financial aspects of Options A, B and C have been considered.

A discounted cash flow exercise has been carried out for options A, B and C and the net present values are as follows

Option	Description	NPV £000
A	Do minimum to meet legal conformity	267.5
B	Group Repair	557.6
C	Acquisition and redevelopment of the site for housing	1,100.0

4.2 This exercise and the table above illustrate the cost of each option over the next 25 years at today's value. Although the financial element of the option appraisal would suggest that Option A is preferable the pursuance of the stated objectives of this project are critical to the achievement of the strategic aims of the Vision for Leeds and the Leeds Housing Strategy.

4.3 Option C (Acquisition, clearance and redevelopment) scores highly against the objectives of the Leeds Housing Strategy and the Vision for Leeds. Clearance and redevelopment facilitates the potential to create high quality housing, which is of a type and size matched to the needs and choices of residents, in an attractive environment which would as a consequence contribute to the improved image and regeneration of the area and community. Option A (Do minimum to meet legal conformity), is able only to meet some of the objectives to a limited extent and potentially for a limited timescale. Other objectives, i.e. matching housing to needs and choice and tackling poor environmental quality, are not met at all by Option A. This is due to the fact that the governments Decent Homes Standard is a minimum standard which focuses on fitness, disrepair and the provision of modern facilities within the dwelling. It does not consider the external environment or the internal layout, size or number of rooms.

4.4 Whilst the financial analysis in isolation would seem to support option A the assessment of non financial factors must be given careful consideration also. The contribution of Option C to key strategic objectives outweighs the differential in financial terms in this instance. Option C is, therefore, the one recommended to Executive Board.

5.0 Implications for Council Policy and Governance

5.1 The acquisition and demolition will follow Council policies.

5.2 The public interest in maintaining the exemption in relation to appendices 1,2 and 4 attached to this report outweighs the public interest in disclosing the information by reason of the fact that:-

a) Appendix 1 and 2 - The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Councils action. Each of these appendices identifies the location of the affected properties.

b) Appendix 4 - The costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure could prejudice the council's ability to reach an agreement on the purchase price with owners.

6.0 Consultation

- 6.1 A consultation exercise was carried out in March/April 2009. Visits to the 14 properties in the target area established that 7 are currently unoccupied. Of the remaining 7 contact was made with 6 householders and responses secured either by face to face or telephone interviews, or by the return of a questionnaire.
- 6.2 6 private landlords operate in the in the target area who were also consulted. 4 private landlords have responded, 2 of them were in favour of demolition, 2 of them were not. 1 further property is owned by a Registered Social Landlord who is also in favour of demolition
- 6.3 The full results of the consultation are set out in Appendix 3. In summary, all 4 of the 6 residents who responded were in favour of demolition. 5 of the 6 respondents state that they are thinking of moving away from the area.
- 6.4 Following the conclusion of the residents' survey local ward members were briefed on the results and gave their full support to the proposals for acquisition and demolition contained within option C of this report.
- 6.5 If approval is secured to acquire and demolish these properties residents, elected members and other stakeholders will be kept fully appraised of developments.

6.6 Equality Impact Assessment

- 6.6.1 An Equality Impact Assessment has been carried out in order to highlight any issues of inequality which may be created by a decision to approve the proposals contained within this report. Equality Information has been gathered on the following issues
- Ethnicity
 - Faith/Religion
 - Disability
 - Sexuality
 - First language
- 6.6.2 It has been established that all of residents who responded to the residents survey have English as their first language, one resident refused to comment but communicated with ease in English. For any residents who have another language as their first language translations and interpretation will be offered. All respondents classed themselves as White British. All 5 of the respondents who disclosed equality information classed themselves as Christian or having no religion.
- 6.6.3 For those residents who wish to move away from the area in which they currently live the award of priority extra on the Leeds Homes Register and the receipt of home loss and disturbance compensation means that this is a very real possibility for some residents who may never have had this opportunity ordinarily. For those residents who wish to remain to be close to a community of similar ethnic background or faith

and to the facilities which this affords there is also the opportunity to be rehoused locally. The use of choice based lettings in the first instance rather than “Direct Lets” means that displaced residents have the opportunity to choose, subject to normal qualification criteria, where they wish to be rehoused. This is seen as advantageous to integration and community cohesion.

6.6.4 One of the residents who responded classed themselves as disabled. Named Project officers will be allocated to work directly with each household so that where vulnerable households are identified particular attention will be paid to addressing the needs of those households to ensure that they receive equal access to the service and that they are able to secure replacement homes which meet their specific needs.

7.0 Legal and Resource Implications

- 7.1 The estimated scheme costs of £1.1m are detailed at Appendix 4. This estimate includes acquisition of the 9 privately owned properties; compensation and disturbance payments for owners and private tenants, and full site clearance including temporary work to secure the site.
- 7.2 The preference is to acquire properties by agreement with owners and details of the compensation package are set out at Appendix 5. Ultimately, however, if agreement cannot be reached, authorisation will be sought to make any necessary Compulsory Purchase Orders (CPOs).
- 7.3 Should Compulsory Purchase action become necessary, in this instance, Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning and Compulsory Purchase Act 2004) is the most appropriate legislation in the circumstances. Regard must be had to the Human Rights Act 1998 including Article 8 (respect for private family life and home). The recommendation to authorise officers to make and promote any necessary CPOs strikes a clear balance between the public interference with private rights, which will arise if a CPO is pursued. Compensation would be payable to the person affected, and the provision of the above Acts are considered to be compatible with the Human Rights Act.

8.0 CAPITAL FUNDING and CASHFLOW

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2009 £000's	FORECAST			
			2009/10 £000's	2010/11 £000's	2011 on £000's	0 £000's
LAND [1]	950.0		196.4	753.6		
CONSTRUCTION [3]	130.0			130.0		
FURN & EQUIP [5]	0.0					
DESIGN FEES [6]	20.0		3.6	16.4		
OTHER COSTS [7]	0.0					
TOTALS	1100.0	0.0	200.0	900.0	0.0	0.0

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2009 £000's	FORECAST			
			2009/10 £000's	2010/11 £000's	2011 on £000's	0 £000's
RHB Grant	1100.0		200.0	900.0		
Total Funding	1100.0	0.0	200.0	900.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0

9.0 REVENUE EFFECTS

There are no revenue implications within this scheme.

10.0 Risks

10.1 If Compulsory Purchase action is required this will inevitably have implications for the timescale of the project. Compulsory Purchase action would also involve additional costs i.e. publicity costs, officer time including legal fees, and the costs incurred surrounding the staging an Inquiry if objections are made.

10.2 Displaced residents who apply for tenancies through the Leeds Homes register are awarded 'Priority Extra' in recognition of their additional housing need caused by the action of the Council. Council officers will liaise regularly with officers of the ALMOs and RSLs to progress rehousing requests as efficiently as possible in an attempt to minimize the risk of delay to progression of the scheme.

11.0 Conclusions

11.1 The development of Cross Green phase 3 would build on the work commenced in phases 1 and 2 and continue to support the regeneration of the area in line with the Vision for Leeds and the Leeds Housing Strategy.

11.2 Of the options considered option C is considered to provide the more holistic solution.

12.0 Recommendations

Executive board is requested to:

1. Authorise Scheme expenditure to the amount of £1.1m.
2. Agree to allow officers to proceed in accordance with option C
3. Agree to allow the Director of Environment and Neighbourhoods and the Director of City Development to authorise and promote any necessary Compulsory Purchase Orders should a CPO become necessary

Appendices

1. Plan 1 target area (Exempt from Access to Information Procedure Rules 10.4(3))
2. Address list (Exempt from Access to Information Procedure Rules 10.4(3))
3. Summary of residents survey results
4. Costs associated with option B and C (Exempt from Access to Information Procedure Rules 10.4(3))
5. Compensation Payments

Previous Reports:-

Injection Single Regional Housing Pot 2008/11 - £13.94m – Director of Resources Sep 08
Cross green Phase 2 Acquisition and demolition Scheme – Exec Board Sep 06 £2.4m
Cross green Phase 1 Acquisition and demolition Scheme – Exec Board May 06 £0.5m

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Cross Green Phase 3 Option Appraisal Results

Outline & tenure make up

Total of 14 properties in the target area. 7 privately rented properties, 2 owner occupiers, 1 Northern Guinness Housing Association, 2 properties managed by East North East Homes & 2 properties owned by the Council but not managed by the ENEh.

Occupation.

7 Occupied properties - 2 Owner Occupiers, 2 Private Landlord tenancies, 2 ENEh, 1 Northern Guinness HA
7 Void properties – 5 privately rented properties & 2 LCC owned properties

Respondents.

6 respondents (including 2 owner occupiers, 1 private tenants, 2 ENEh, 1 RSL) out of 7 possible respondents. **86% response rate from the residents**

Length of Occupation.

Less than 1 year	2 households
Between 1 – 5 years	1 household
Between 5 -10 years	0 households
More than 10 years	3 households.

Satisfaction with Home.

1 respondents very satisfied with home	(14%)
2 respondents satisfied with home	(30%)
2 respondents dissatisfied with home	(30%)
1 respondents very dissatisfied with home	(17%)

The major concerns residents raised during the survey were, general repairs, maintenance, & damp.

Satisfaction with the Area

1 respondents satisfied with area	(17%)
5 respondents very dissatisfied with the area	(83%)

The major concerns residents raised during the survey were, fear of crime, anti social behaviour, burglaries, lack of facilities for children & teenagers & the standard of the properties.

Options for improvements.

In order of priority.

1 st	Demolition of selective properties
2 nd	Repairs to properties
3 rd	Play facilities for teenagers & children
4 th	Improve traffic calming

Demolition Results

In favour of demolition – Total Residents

Yes 4 (67%)

No 2

In favour of demolition – owner occupiers

Yes 1

No 1

In favour of demolition – ENEh Tenants

Yes 2

No 0

In favour of demolition – Private Tenants

Yes 0

No 1

In favour of demolition – RSL

Yes 1

No 0

In favour of demolition – Private Landlords

Yes 2

No 2

Wish to be involved in further consultation (out of 6 who responded).

Yes 6

Thinking of moving (out of 6 who responded).

Yes 5

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Appendix 5

Compensation payments payable	Owner Occupier	Owner not occupier	Tenant
Value of the land taken (open market value in the absence of the scheme) less sum due in respect of any mortgage	✓	✓	
Homeloss payment if resident for one year or more (Owner =10% of value of property Max £47,000-Min £4,700 Tenant = flat rate £4,700)*	✓		✓
Basic Loss payment (7.5% of value of property)		✓	
Fees (reasonable surveyors and legal fees for dealing with the claim and transfer)	✓	✓	
Disturbance (costs and losses as a result of being disturbed from occupation, e.g. removals, redirection of post, disconnection of services)	✓		✓
Costs of re-investment if incurred within one year		✓	

*Estimated scheme costs include an assumption that annual increase in this amount will take homeloss payment to approx £5,000 per tenant

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Agenda Item:

Originator: Darren Crawley

Telephone: 0113 2475765

REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 26th August 2009

SUBJECT: Proposal to change the lower age limit and close the LEA maintained nursery of Bramley Christ the King Catholic Primary School

EXECUTIVE SUMMARY

PURPOSE OF THIS REPORT

- 1 This report informs the Executive Board of the responses to the statutory notice for the proposal to:
 - change the lower age limit of Bramley Christ the King Catholic Primary from 3-11 years of age to 5-11 years of age
 - close the LEA Maintained nursery from 31st August 2009

and recommends the Executive Board approve the proposal.

BACKGROUND INFORMATION

- 2 At its meeting in May 2009 the Governing Body of the Christ the King Catholic Primary School agreed that statutory notices be published for the proposals, following consultation earlier in the year.
- 3 The statutory notice was published on 21st May 2009 on the proposal to change the lower age limit of the school and close the LEA maintained nursery. The notice expired on 2nd July 2009. No objections were received to any part of the proposal.
- 4 Under the Education and Inspection Act 2006 the local authority has until 2nd September 2009 to make a final decision on the proposals. The Executive Board has chosen to set up the School Organisation Advisory Board (SOAB) to consider school organisation proposals in the event of any objections. In the absence of any objections to these specific proposals they have not been convened, and the Executive Board are required to make a decision on the proposal.

RESOURCE IMPLICATIONS

- 5 There would be annual revenue saving of approximately £16,000 next year with the closure of the nursery at Bramley Christ the King Catholic Primary School, should this proposal proceed. This is based the reduction of staffing costs and

also the reduction of child funding. Based on current numbers on roll being the same in September the school would have a deficit of £16,000 in nursery.

RECOMMENDATIONS

7

Executive Board is asked to note that there were no objections to the statutory notice and approve proposal to:

- Change the lower age limit of Christ the King Catholic Primary School from 3-11 years of age to 5-11 years of age and close the LEA maintained nursery.

REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 26th August 2009

SUBJECT: Proposal to change the lower age limit and close the LEA maintained nursery of Bramley Christ the King Catholic Primary School

Electoral Wards Affected:

Bramley

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in

(Details contained in the Report)

1.0 PURPOSE OF THIS REPORT

1.1 This report informs the Executive Board of the responses to the statutory notice for the proposal to:

- change the lower age limit of Bramley Christ the King Catholic Primary from 3-11 years of age to 5-11 years of age
- close the LEA Maintained nursery from 31st August 2009

and recommends the Executive Board approve the proposal.

2.0 BACKGROUND INFORMATION

2.1 A public consultation on the proposal ran from 23rd February 2009 to 6th April 2009. At its subsequent meeting in May 2009 the Governing Body of the school agreed that statutory notices be published for the proposal.

2.2 Statutory notices were published on 21st May 2009 for the proposal. A copy of the statutory notice is in Appendix 1. The notice period for this proposal expired on 2nd July 2009. No objections were received to any part of the proposal.

2.3 Under the Education and Inspection Act 2006 the local authority has until 2nd September 2009 to make a final decision on the proposals, otherwise the issue must be referred to the schools adjudicator. The Executive Board has chosen to set up the School Organisation Advisory Board (SOAB) to consider school organisation proposals in the event of any objections. In the absence of any objections to these specific proposals, and in accordance with their terms of reference, they have not been convened, and the Executive Board are required to make a decision on the proposal. The decision maker is required to consider 4 key issues:

- Is there any information missing?
- Does the published notice comply with the statutory requirements?
- Has the public consultation been carried out prior to the publication of the notice?
- Are the proposals 'related' to other published proposals and should be considered together?

3.0 **THE MAIN ISSUES**

- 3.1 The school opened a maintained nursery 9 years ago providing free early years education for 3 and 4 year olds within the area of Bramley. The nursery was registered to take a maximum of 13 children during the morning and 13 children during the afternoon. However since opening, the nursery has only ever been full on 3 occasions and declining numbers on roll over the past 5 years are now impacting on the school budget as well as other year groups within the school.
- 3.2 The governing body of the school have never employed a full time teacher in their nursery. However, new legislation from September 2009 would now mean the school would have to employ a full time teacher within nursery class which again would seriously impact on the school budget due to the nursery intake being only 50% full.
- 3.3 The school have already created links with a local private nursery and children's centre who would be able to offer 15 hours of free provision per week for any existing and potential nursery aged children this proposal would affect. Both these would also help promote the school and would assist totally with any transition from nursery to reception.
- 3.4 The closure of the nursery would allow more flexibility in the budget to service the needs of every child in school. However, the governors are aware that the removal of the nursery could mean that numbers of children entering school at reception class could potentially fall. The governing body realise that the school will have to market itself better to ensure current numbers in reception are sustained, should the proposal be agreed.
- 3.5 The school is currently undergoing a major redevelopment to enhance the learning environment and benefit all the children. The governors also feel that the current nursery would need redeveloping to meet DCSF standard requirements at a cost of approximately £150,000.
- 3.6 The Governing Body of Bramley Christ the King Catholic Primary School is requesting an alteration to the lower age limit of pupils they provide services for. Currently the school delivers services for children aged 3 to 11. This will change to 5 to 11 years of age with the closure of the nursery.
- 3.7 No objections were received during the public consultation and no objections to

the statutory notice were received.

4.0 LEGAL AND RESOURCE IMPLICATIONS

4.1 There would be annual revenue saving of approximately £16,000 next year with the closure of the nursery at Bramley Christ the King Catholic Primary School, should this proposal proceed. This is based the reduction of staffing costs and also the reduction of child funding. Based on current numbers on roll being the same in September the school would have a deficit of £16,000 in nursery.

4.3 Leeds City Council Executive Board will need to make a decision by 2nd September 2009.

5.0 RECOMMENDATIONS

Executive Board is asked to approve proposal to:

- Change the lower age limit of Christ the King Catholic Primary School from 3-11 years of age to 5-11 years of age and close the LEA maintained nursery.

6.0 BACKGROUND REPORTS

Christ the King Catholic Primary School Consultation Document

APPENDIX 1 Statutory Notice

PROPOSAL TO CHANGE THE LOWER AGE LIMIT OF BRAMLEY CHRIST THE KING CATHOLIC PRIMARY SCHOOL

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that the Governing Body of Bramley Christ the King Catholic Primary School, Kings Approach, Leeds LS13 2DX, intends to make a prescribed alteration to Bramley Christ the King Catholic Primary School on 1 September 2009.

It is proposed to close the nursery at the school. This would cause the current age range of 3 -11 to change to 5-11.

The current capacity of the school is 192 and the proposed capacity will be 198. The current admission number for the school is 30 and the proposed admission number will remain 30.

All applicable statutory requirements to consult in relation to the proposal have been complied with.

Making representations

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: The Chair of Governors, Bramley Christ the King Catholic Primary School, Kings Approach, Leeds LS13 2DX.

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to the Chief Executive, Education Leeds, FAO School Organisation Team, 9th Floor West, Merrion House, 110 Merrion Centre, Leeds LS2 8DT or alternatively email to : educ.school.organisation@educationleeds.co.uk.

Signed:

Mr Philip Jackson

Chair of Governors

Bramley Christ the King Catholic Primary School

Date: 21st May 2009

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Proposal to Close the Nursery at Christ the King Catholic Primary School

As part of the consultation process the Governing Body believe it is important that the people with an interest in the school's educational provision are consulted on these changes and that their views are listened to. This consultation document sets out the proposal in detail and explains why the Governing Body of the school thinks this proposal is necessary. The aim is to provide you with information so that you can let them know what you think. Whilst the Governing Body hope that you agree with them, it is important that you tell them at this early stage whether you agree with them, and if not, what your issues and concerns will be. As yet no final or binding decisions have been made. Your views count and will be listened to.

1 What is the proposal for Christ the King Catholic Primary School?

This proposal is recommending the closure of the Nursery provision and Christ the King Catholic Primary School and changing the age of admission from 4-11 to 5-11. This would mean that the Reception Class would be the first point of entry to the school. Should the situation change there is always the possibility that Nursery provision could be re-established at Christ the King Catholic Primary School.

Why do we need to do this?

- 2 There are a number of reasons why this proposal has been made by the school's Governing Body. The Nursery is not full and has not been for many years. School is funded per pupil and each space that exists in the Nursery means a shortfall in funding. This has had a knock-on effect each year the Nursery has not been full. The Nursery is not and has not been generating enough income to pay for the current staffing levels.

The new Early Years Foundation Stage legislation now states that there must be a teacher in the Nursery. This means that should the Nursery stay open a fulltime teacher would have to be employed in the Nursery. With the funding that a 13 place Nursery generates not being sufficient to fund current staffing, employing a teacher would only make this situation worse. In the Statutory Framework for the Early Years Foundation Stage it states – 'There must be at least one member of staff for every 13 children. At least one member of staff must be a school teacher'. The Nursery is currently a drain on the whole school budget. Funding that would otherwise have supported teaching and learning in the rest of the school has had to be reallocated to Nursery in order to maintain current staffing levels.

- 3 The new legislation also states that the amount of space needed in a classroom for children aged three to five is 2.3 square metres per child (page 35 Statutory Framework for the Early Years Foundation Stage). The size of the current provision in its present format is only big enough to house the Reception class. Major building work would have to be undertaken in order to make the provision meet current requirements. Initial projections put the cost of this building work to be around £150,000 of which school would be liable for 10% (£15,000). Should this building work take place then the redevelopment and extension of the current Year 2 and Year 3 classrooms would have to, at best, be put on hold until our current liability for the building work had been paid off and the liability for the work on the Early Years Unit. This would be to the detriment of children in Phase 1.
- 4 Demand for places at the Nursery has been low. This could be, again, for differing reasons. Perhaps school cannot meet the needs of parents as they are now. The Nursery is currently run on a sessional basis – 08:45 to 11:45 and 12:30 to 15:30. There are other providers in the area who offer complete wrap round care which would appeal to parents who work every day of the week. School does not have the facilities to be able to offer this service. For the next academic year, 2009/10, there are only 13 applications which would mean the Nursery running at 50% capacity which is just not a viable option.
- 5 The Admission Number for the Reception class would stay at 30. Obviously there is the risk that school will have a reduced number of applications for entry to the Reception class. The Governing Body of the school have considered this possibility very carefully and accepted that this could be the case initially. Before the school had a Nursery pupils attended other settings but still came to Christ the King when they reached the appropriate age. The Governing Body also recognises that the school will need to be marketed far more than it has been to date.

What options have been considered?

- 6 Other options have been considered. Employing a teacher to work in the Nursery has been costed out taking into consideration annual increments and post-threshold status. Another option was to move to a morning only Nursery and employ a teacher part-time. This was discounted because by 2010 all Nurseries have to be offering fully flexible care. If school moved to a morning only Nursery it would mean that this time next year we would be facing the same problem again. All that would have happened would have been that the decision was delayed by 12 months. Redeveloping the Early Years Unit has also been considered. The cost of the redevelopment compared to the income it would generate just did not compare favourably.

Consultation Process

What happens next?

- 7 We are consulting parents, governors, staff and the community during February and March 2009. The governing body will then consider the response to the consultation, and decide in light of them whether they wish to publish a statutory notice. Anyone who disagrees with the proposal can formally object at this stage. At the end of the statutory notice period the Executive Board of the City Council will receive a report summarising the proposal and any representations received in relation to the statutory notice. The Board will be asked to consider whether, in the light of any representations, to approve or reject the proposal. This decision is currently anticipated in July 2009.

When would these proposals take effect?

- 8 Set out below is the timetable of key dates currently envisaged, although this may be subject to change.

23 rd February to 3 rd April 2009	Public consultation (6 weeks)
April 2009	Governing Body agree to publish statutory notices
April 2009	Publish statutory notices giving 6 weeks for representations to be made
May/June 2009	Notice expires
June 2009	Submit documentation to Executive Board
July 2009	Executive Board decision
31 st August 2009	Implementation

What are your views?

- 9 Whether you agree or disagree with the proposal or aspects of it, whether you have concerns that you feel have not been addressed or factors that you think we have not taken into account, please let us know. We would like to hear your views. Please address any views you wish to make to:

Chair of Governors
Christ The King Catholic Primary School
Kings Approach
Bramley
LS13 2DX

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Report of the Director of Children's Services

Executive Board

Date: 26th August 2009

Subject: Playbuilder Initiative Update

<p>Electoral Wards Affected: Adel and Wharfedale ward Beeston and Holbeck ward Killingbeck and Seacroft ward Weetwood ward Kirkstall ward Horsforth ward</p> <p style="text-align: right;">Ward Members consulted (referred to in report) <input checked="" type="checkbox"/></p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input checked="" type="checkbox"/></p> <p>Community Cohesion <input checked="" type="checkbox"/></p> <p>Narrowing the Gap <input checked="" type="checkbox"/></p>
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Eligible for Call In |

Not Eligible for Call In
 (Details contained in the report)

Executive Summary

In June 2009 the Playbuilder report was approved by Executive Board. £1,145,914, was injected into the Capital Programme (cap scheme no:15390) to build or significantly refurbish twenty two playgrounds or informal play spaces across Leeds by March 2011 against tight criteria and fully funded by grant from the Department for Children, Schools and Families (DCSF). Authority to spend on sixteen identified play sites was given and a process for the identification of the remaining six sites was approved.

This update report seeks Executive Board approval for the preferred location of the remaining six play area sites and authority to incur expenditure to develop the sites.

1.0 Purpose Of This Report

The purpose of this report is to:

- Seek approval for the proposed location of the six remaining playbuilder sites as recommended by the Strategic Play Partnership.
- Seek authority to progress and incur expenditure on the 6 sites identified by the Strategic Play Partnership.

2.0 Background Information

2.1 The Playbuilder report, approved by Executive Board in June 2009, provided details of, and criteria for, the Department for Children, Schools and Families (DCSF) Playbuilder Project and the allocation of £1,145,914 capital and £45,871 revenue to Leeds to build or significantly refurbish twenty two playgrounds or informal play spaces across the city by March 2011 with a focus on provision for children aged 8 -13.

- 2.2 Executive Board gave approval to inject the £1,145,914 allocation into the Children's Services Capital Programme (cap scheme no: 15390) and authority to spend on the refurbishment and development of the first sixteen sites identified in the report.
- 2.3 This report identifies the preferred options for the remaining six playbuilder sites and seeks Executive Board approval for the location of these sites and authority to spend from capital scheme no: 15930 on their development

3.0 Main Issues

- 3.1 The Playbuilder Executive Board report of June 2009 clearly identified gaps in play provision available to children and young people in the city that were less easily provided through the Parks and Countryside Service. These 'play poor' areas are the priority for developing the remaining six playbuilder sites in:
- North West Leeds : West Park/Ireland Wood and Tinshill/Cookridge (Adel and Wharfedale and Weetwood Wards)
 - East Leeds : Beechwood/Seacroft (Seacroft and Killingbeck ward)
 - South Leeds: Beeston (Beeston and Holbeck ward)
- 3.2 The report approved in June 2009 considered it appropriate to work with other partners within the council and Play Partnership in order to meet the criteria laid down and the conditions of the Playbuilder grant in these localities as part of a parallel process of working with Parks and Countryside. An indicative project plan submitted to DCSF in March 09 proposed that further work would be undertaken, and expressions of interest sought, across the Play Partnership for the development of play spaces in the six localities where there may not be sufficient opportunities to develop or significantly refurbish sites currently under the management of Parks and Countryside.
- 3.3 Expressions of Interest (EoI) to develop the six remaining sites were sought by 10th July 09 from partners who were keen to develop Playbuilder areas. The panel which met on the 13th July 09 and considered six expressions of interest and included a representative from Parks & Countryside Service who advised on all implications. The Panel considered and scored the expressions of interest against the Playbuilder criteria. All expressions of interest scored above the agreed threshold for approval and demonstrated the applicants' commitment to maintain the sites and meet the health and safety requirements for developing the public play areas as advised by Parks and Countryside. The identified sites all fit within the criteria of the Playbuilder funding and have been considered carefully by a panel from the Strategic Play Partnership.
- 3.4 The following six sites are proposed for development as part of the Playbuilder programme:

Proposed site	Play Poor Area	Agency Delivering	Playbuilder Funding
Cross Flatts Park	Beeston (South)	Parks and Countryside	£55k
Seacroft Gardens	Seacroft (East)	Parks and Countryside	£55k
Horsforth Hall Park	Borders on West Park	Parks and Countryside	£40k
Cookridge Holy Trinity PS	Cookridge	School Governing Body	£55k
Tinshill Garth	Weetwood Tinshill	Groundworks Leeds and NW Homes	£50k
Butcher Hill	Weetwood Kirkstall	Area Management/Area Committee	£55k

These sites are all within the 'play-poorest' wards highlighted in the June Report to Executive Board and their development would significantly improve access to play spaces for children in those localities.

- 3.5 On July 21st 09 at a full meeting of the Strategic Play Partnership the Expressions of Interest were discussed at length, and after consideration the Strategic Play Panel agreed unanimously to ratify the decision of the panel to develop the above 6 sites and to recommend these to Executive Board.

4.0 Implications For Council Policy And Governance

- 4.1 Timescales are very tight to deliver the twenty two sites by March 2011 and all sites must be completed by that time and all budget spent. The current programme of works shows that this is achievable including the additional six new sites.

5.0 Legal and Resource Implications

- 5.1 The Grant confirmation agreement has been agreed and signed to deliver this initiative from April 2009 – March 2011.

5.2 Maintenance and Inspection

- 5.2.1 It is a condition of Playbuilder funding that arrangements are put in place for the long term maintenance and inspection of all Playbuilder funded sites. This has been communicated clearly as part of the process to invite Expressions of Interest. Three proposed schemes in Cross Flatts Park, Seacroft Gardens and Horsforth HIPPO were submitted by Parks & Countryside, who are already maintaining these play areas. This arrangement will continue from existing revenue budget allocations.

- 5.2.2 The Cookridge Holy Trinity Church of England Primary School scheme included proposals that the School Governing Body will undertake responsibility for the inspection and maintenance arrangements. The Tinshill Garth scheme was submitted by Groundwork Leeds and West and North West Homes. Initial consultation has been carried out for this proposal and indicated Ward members and local residents support. It has committed to seek a long term maintenance and inspection contract for the site as a condition of seeking funding. The Eol for Butcher Hill was submitted by Area Management on behalf of the Area Committee. It is expected that revenue funding to enable a long term maintenance and inspection contract for the site will be identified before formal agreement to proceed is reached, as a condition of the Playbuilder funding. This is to be discussed by members of the Area Committee as a matter of urgency at their next meeting.

All projects are conditional on community support for the projects and sites appropriate to the community served. In-depth consultation with elected members, local residents, children and young people will be carried out as the next stage, establishing the level of support and taking into account local issues. Residents' views and input from children and young people will inform the design of all the proposed sites if residents are in support.

5.3 Capital Funding and cash flow

£330k was available for allocation to remaining 6 schemes
£310k was allocated over 6 expressions of interest recommended to Board
£20k remains unallocated. It is recommended that this be added to the Contingency Fund which is 10% of the overall capital fund. In the second year of the programme plans will be drawn up for any remaining contingency funds to be spent on the play areas, providing an opportunity for additional equipment or facilities, if funding allows. This ensures the funding is maximised and no funding has to be returned having been unspent.

5.4 Revenue Effects

The sustainability of these developments is a resource pressure. The delivery partners are aware that it is essential that the deliverers of this initiative must maintain the play areas that are built or refurbished as a result of the Playbuilder funding.

5.5 Programme of works

5.5.1 The programme of works for the 6 remaining play area sites will be delivered by: Parks and Countryside (3); NW Area Management with partners (1); Groundwork Leeds with West North West Homes (1) and Cookridge Holy Trinity C of E Primary School with partners (1).

5.5.2 Individual design and cost reports will request funding from the parent scheme as detailed plans for each site are finalised. As a condition of the grant all year 1 schemes need to be completed by 31st March 2010, the remainder need to be completed by 31st March 2011. Any unspent funds will be reclaimed by DCSF.

6.0 Conclusions

6.1 The Playbuilder Initiative is a new and exciting initiative, with a large amount of work to be carried out in a short period of time. The identified partners can deliver the six sites meeting the criteria identified by the DCSF. This report seeks authority to proceed to develop these sites.

7.0 Recommendations

Executive Board is asked to:

- approve the proposed six sites as recommended by the Strategic Play Partnership.
- give authority to spend on Cross Flatts, Seacroft Gardens, Horsforth HIPPO and Cookridge Holy Trinity PS
- give authority to proceed with Tinshill Garth and Butcher Hill subject to agreement on long term maintenance and inspection contracts

Background papers:

- The Children's Plan: Building Brighter Futures – published by DCSF December 07 – www.dcsf.gov.uk/childrensplan
- The Play Strategy: published by DCSF December 08 – www.dcsf.gov.uk/play
- Design For Play: A guide to creating successful play spaces: published by DCSF April 08 – www.dcsf.gov.uk/play
- Report of Director of Planning & Environment and Director of Leisure Services, report to Executive Board – Children's Playgrounds – 11 September 2002



Originator: Sally Threfall
Tel: 247 4334

Report of Acting Chief Officer for Early Years and Integrated Youth Support Service

To: Executive Board

Date: 26th August, 2009

Subject: Design & Cost Report

Scheme Title *ELFLC Seacroft Children's Centre Accommodation and Extension*
Capital Scheme Number 15600

Electoral Wards Affected:
*Killingbeck
Seacroft
Cross Gates
Whinmoor*

Specific Implications For:

Equality & Diversity	<input type="checkbox"/>
Community Cohesion	<input checked="" type="checkbox"/>
Narrowing the Gap	<input checked="" type="checkbox"/>

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

Executive Summary

This Design and Cost report requests that Executive Board give authority to incur expenditure on construction £819,350 and fees £180,650 to refurbish the existing Seacroft Children's Centre located on South Parkway and build an extension to enable the relocation of children, staff and services from East Leeds Children's Centre and the amalgamation of the two children's centres. There have been concerns about the suitability of the East Leeds Family Learning Centre (ELFLC) due to its age and condition and in March 2008 planning to relocate services from the building commenced. In February 2009, following major plant failures, the building became unfit for purpose and uneconomic to repair and a decision was taken to close the building. A report relating to the proposed demolition of ELFLC is detailed elsewhere on the agenda. The service provision to children aged 0 to 5 and their families from East Leeds Children's Centre is statutory. The extension and internal changes to Seacroft Children's Centre are required to ensure children's centre services are fully delivered in South Seacroft.

1.0 Purpose of this Report

1.1 The purpose of the report is to request Executive Board to give authority to incur expenditure on construction £819,350 and fees £180,650 on the refurbishment and extension of the existing Seacroft Children's Centre to enable the relocation of children, staff and services from East Leeds Children's Centre and the amalgamation of the two children's centres. .

2.0 Background Information

- 2.1 The Childcare Act 2006 places the statutory responsibility on local authorities to develop and designate a Children's Centre in every community by March 2010. Centres have been developed in three phases, starting in the localities of greatest disadvantage. The core offer of a children's centre is a statutory part of the welfare state. Children's Centres designated in the 30% most disadvantaged localities must provide integrated early education and childcare, family support services, including parenting, health and social care, and access to information points around services for parents, children and young people, and job and training opportunities.
- 2.2 East Leeds Children Centre was a phase 1 children's centre within a 30% disadvantaged locality delivering these statutory services to children and families in South Seacroft based at East Leeds Family Learning Centre. It was one of the first 9 children's centres to be designated in the nation in 2004. In February 2009 the ELFLC building was declared unfit for purpose and uneconomic to repair and a decision was taken to close the building.
- 2.3 The refurbishment of ELFLC to create East Leeds Children's Centre was significantly funded by the Department for Education and Skills in 2001 as part of the Early Excellence Centre capital programme. The funding was subject to a memorandum of understanding to protect the use of the building to children aged 0 to 5 and their families for a period of 20 years. East Leeds Children's Centre was designated as part of the Early Excellence Centre Programme in 2001 and as a Children's Centre in 2004.
- 2.4 There have been concerns about the suitability of the East Leeds Family Learning Centre (ELFLC) due to its age and condition and in March 2008 planning to relocate services from the building commenced. In February 2009, following major plant failures, the building became unfit for purpose and uneconomic to repair and a decision was taken to close the building. A report relating to the proposed demolition of ELFLC is detailed elsewhere on the agenda.
- 2.5 The closure of East Leeds Children's Centre requires the re-provision of services for children and families within the locality of South Seacroft. Seacroft Children Centre is on a site which allows extension and is in close proximity to East Leeds Children's Centre. An extension to Seacroft Children's Centre and some internal works to the centre would enable the full core offer to be delivered to the reach area of both East Leeds and Seacroft Children's Centres.
- 2.6 In July 2009 Executive Board approved the injection of £1m into the Children's Services Capital Programme for the extension to Seacroft Children's Centre as part of the Capital Programme Update Quarter 1 report.

3.0 Main Issues

3.1 Design Proposals / Scheme Description

- 3.1.1 The Strategic Design Alliance have been commissioned and have produced a design which allows for the extension of Seacroft Children's Centre to re-provide the services recently delivered from East Leeds Children's Centre. The design rationalises space within the existing children's centre and adds additional space by way of a 220m² extension, this includes new community space, reception, toilets, and office and staff facilities. Additional car parking for staff and visitors is being provided and this is being facilitated by the acquisition of adjacent land in ownership of the council.
- 3.1.2 The project will involve a short period of closure when the internal refurbishment and alterations will take place and a period of closure while the site is divided to allow the construction of the new extension and the operation of the centre to proceed in tandem. All subject to strict Health & Safety regulation during the construction process.

3.2 Consultations

The proposed re provision of East Leeds Children's Centre within Seacroft Children's Centre has been the subject of consultation with parents, local ward members, DCSF and Together for Children and all other providers in the Seacroft area. All partners have indicated their support of this re provision.

3.3 Programme of works

The project strategic programme is as follows:

- Initial Design complete
 - Tender out
 - Tender in
 - Start on Site
 - Practical Completion
- 03/07/09
 - 23/10/09
 - 25/11/09
 - 18/01/10
 - 08/10/10

4.0 Implications for Council Policy and Governance

4.1 Compliance with Council Policies

4.1.1 The proposed expenditure on Integrated Children's Centres is in line with Corporate Plan service priorities to counter social exclusion by removing barriers to employment and opportunity.

4.2 Community Safety

4.2.1 The proposals contained in the report do have implications under Section 17 of the Crime and Disorder Act 1998, namely:

4.2.2 A range of family support services, including counselling for domestic violence and drug dependency, and parenting groups will be offered by the Children's Centre. Community ownership will be encouraged, reducing the incidence of vandalism and other related crime. Over time this may impact on the fear of crime in the neighbourhood.

5.0 Legal and Resource Implications

5.1 Capital Funding and Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	819.3		778.3	41.0			
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	180.7		171.7	9.0			
OTHER COSTS (7)	0.0						
TOTALS	1000.0	0.0	950.0	50.0	0.0	0.0	0.0

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LCC Funding	1000.0		950.0	50.0			
Total Funding	1000.0	0.0	950.0	50.0	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

5.2 Revenue Effects

It is proposed to allocate each Children's Centre a share of the Children's Centre revenue grant based on a fixed element for management and utility costs, and a variable element based on the number of children under 5 in the area served by the Children's Centre. In addition the Children's Centre will have access to a citywide outreach service.

REVENUE EFFECTS	2009/10	2010/11 and SUBSEQUENT YEARS
	£000's	£000'S
RUNNING COSTS		74.5
GSSG CC REVENUE GRANT		-74.5

5.3 Risk Assessments

At this stage there are no known issues relating to design, site conditions, planning and refurbishment.

6.0 Recommendations

Executive Board is requested to:

- give authority to incur expenditure on construction £819,350 and fees £180,650 on the refurbishment and extension of the existing Seacroft Children's Centre to enable the relocation of children, staff and services from East Leeds Children's Centre and the amalgamation of the two children's centres.

Background Papers

- Childcare Act 2006
- Early Excellence Centre - Memorandum of Understanding



Originator: Andrea Richardson

Tel: 2243092

Report of the Director of Children’s Services

Executive Board

Date: 26th August 2009

Subject: Response to the Scrutiny Board (Children’s Services) Inquiry into Education Standards - Entering the Education System

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

1.0 EXECUTIVE SUMMARY

Following the recent Scrutiny review on Education Standards - Entering the Education System we have seen some significant changes in communication strategies and joining up of processes and services in early years. This response identifies some of the changes that have been made and areas of progress for the future.

2.0 Purpose of this Report

2.1 This report provides the Executive Board with details of the recommendations from the recent Children’s Services Scrutiny Board inquiry into the Education Standards - Entering the Education System and details how the Director proposes to respond to these recommendations. The report asks the Board to approve the proposed response.

3.0 Background Information

3.1 At the start of the 2008/09 municipal year, Children’s Services Scrutiny Board agreed to carry out an inquiry into Education Standards, with a focus on Entering the Education System. This followed on from previous work which was undertaken in 2007/08 into the support available for young people at risk of becoming NEET (Not in Employment, Education or Training). One of the conclusions drawn was that many of these young people can be identified at a very early stage. It was therefore decided to explore the support on offer to those vulnerable to underachievement when they first enter the education system.

3.2 The report makes nine recommendations for action. The Director of Children's Services has accepted these recommendations and actions are underway or planned to address them. The Director has also acknowledged the importance of learning from the issues that inquiry has raised. The actions proposed by the Scrutiny Board will support this and will be monitored by the board as part of its regular recommendation monitoring activity.

4.0 Main Issues

4.1 Each of the Scrutiny Board's six recommendations are listed along with a response from the Director of Children's Services and the Chief Executive of Education Leeds as appropriate:

4.2 Recommendation One:

That the Director of Children's Services and the Chief Executive of Education Leeds continue to develop and implement ways of promoting parity of esteem between different settings, in particular by developing more effective means of communication, not just from Early Years providers to schools, but vice versa. Also, that joint training for staff from both areas is extended to ensure that everyone working in the sector has a good shared understanding of child development. That progress in these areas is reported back to the Children's Services Scrutiny Board within three months.

The Director of Children's Services agrees with this recommendation.

The Early Years Service and Education Leeds have already identified this as key area of development and part of the early years outcome Duty Action Plan. Building on the joint appointment of an Early Years Advisor between the Early Years Service and Education Leeds has improved joint communication strategies across all early years providers; this includes a termly newsletter for all providers and joint EYFS leadership, management forums for teachers and school Foundation Stage co-ordinations beginning in September 2009 and a continuing professional development programme free at the point of delivery for all providers with an emphasis on joint training sessions where this is appropriate.

4.3 Recommendation Two:

That the Director of Children's Services reports back to us within 3 months on the steps being taken to ensure that:

- a) all Children's Centres in the city are committed to serving the whole community in which they are located*
- b) the children experience as seamless a transition as possible, regardless of which school they move on to*
- c) assistance is offered to those Centres, or schools, which are having difficulty in establishing these ties, and*
- d) all Children's Centres are encouraged to form stronger ties with their Extended Services cluster where this is not already happening.*

The Director of Children's Services agrees with this recommendation.

- a) All Children's Centres have clear information about the number of children under 5 in their reach area (between 600 and 1,200) and report on the delivery of services to those families through quarterly meetings with Heads of Children's Centres Services.
- b) We have developed guidance to ensure children experience seamless transition for their Children's Centre this will be a focus for training at the newly established EYFS leadership and management forums from Sept.
- c) The Quality Improvement Teams across the two services are being revised in light of this report and the requirements of the Early Years Outcomes Duty to ensure a clear referral route for advice and support.
- d) Heads of Children's Centres Services are ensuring that Children's centre managers attend extended services clusters meetings, both contributing to and leading developments.

4.4 Recommendation Three:

That the Director of Children's Services takes steps to ensure that greater targeted support is offered to both childminders and private nurseries, in implementing, and making best use of the Early Years Foundation Stage. Also, that a system is established to enable close monitoring of provision across all settings in order to identify those which may be in need of assistance. That progress in both these areas is reported back to the Children's Services Scrutiny Board within three months.

The Director of Children's Services agrees with this recommendation.

The Early Years Services has commissioned the National Childminding Association (for childminders) and 4 Children (for private nurseries) to challenge and support quality improvement and improve outcomes for children. The Local Authority will implement a nationally supported quality improvement setting programme from January 2010 in partnership with the commissioned services. This will ensure effective categorisation of settings in order to identify need and consequent support from the Local Authority. This will be monitored by National Strategies (DCSF).

4.5 Recommendation Four:

That the Director of Children's Services and the Chief Executive of Education Leeds report back to us within three months on the steps being taken to promote the EYFS Transition Record as widely as possible, and to encourage as many settings as possible to make use of it.

The Director of Children's Services agrees with this recommendation.

The EYFS Transition Record has been created by a range of settings including day care and childminders. The record has been piloted and is due to be widely distributed from September 2009.

4.6 Recommendation Five:

That the Director of Children's Services and the Chief Executive of Education Leeds ensure that every effort is made to avoid stigmatising those children who are identified as being in need of additional support during the EYFS, and that any support offered takes account of the need to involve parents as much as possible in order to maximise the benefits for the child's development. That progress in these areas is reported back to the Children's Services Scrutiny Board within three months.

The Director of Children's Services agrees with this recommendation.

The 49 Children's Centres (59 by April 2010) are offering universal services to all families across the reach area including nursery education and child care, family support, health and JC+ advice and further advice and support. A new database is being populated to monitor data on a monthly basis in terms of take up of services – identifying the area they live, ethnic background, gender, in receipt of benefit, disability. This information will enable targeting of services for those families experiencing difficulty or exclusion. The Early Years Service has commissioned Intensive Family Support services to be available in SOAs in the lowest 30% areas of deprivation. A new team of 61 Family Outreach Workers spend time in the community working with all families and giving additional support to families facing difficulties. Information about their levels of contact will be available by September 2009.

The aim Objective 5: of the Early Years Outcome Duty is to develop and promote partnership working with parents. There is wide evidence that schools and Children's Centres are working with parents to engage them in their child's early learning. For example Early Years Consultants work with family outreach workers to support parental involvement in their children's learning, All Children's Centres offer Movement Play activities with children in the centre and also work with parents to develop skills and knowledge around child development and early play and learning skills. All parents have an opportunity to comment about their child's progress on profiles and the Transition Form which then is shared with the receiving setting.

4.7 Recommendation Six:

That the Director of Children's Services and the Chief Executive of Education Leeds report back to us within three months on the steps being taken to ensure that 'joined-up' working becomes a fact of life for all providers working within the Early Years Foundation Stage, including the voluntary sector, and that the existing strategic commitment to partnership working between education, Early Years, Health and Social Care, along with current examples of good practice, are used as a basis from which to roll out these improvements across the city.

The Director of Children's Services agrees with this recommendation.

The recent Children's Centre review identified that all Children's Centres are working with health visitors, speech and language therapists and job centre+ to offer services for families. Many centres are evidencing good levels of additional family support services with good attendance and a growing range of opportunities developed in partnership with parents. A number of good practice examples of working with Children's Social Care have developed recently e.g. the secondment of two Children's Centre managers to ensure services to support children on the edge of care, a qualified social worker as part of the integrated team at Hawksworth Wood Children's Centre.

The voluntary sector are included in consultation, service development and services are commissioned for example LEAP supporting settings with asylum seekers and refugee families, PSLA- providing "One Point of Contact" for families with children with disabilities.

4.7 Recommendation 7:

That the Director of Children's Services and the Chief Executive of Education Leeds report back to us within three months on how the support on offer to those groups of children identified as being at high risk of underachievement, such as Black and Minority Ethnic children and those with Special Educational Needs, is being made as seamless as possible, particularly during the transition period.

The Director of Children's Services agrees with this recommendation.

Through the work of Objective 2 in the EYOD the Local Authority has recognised the need to use data in a way that supports service planning and early identification. For example information collated from Children's Centres and schools identifies Gypsy Roma and Traveller children who may require specialist support in centre and at home. An Early Years Consultant (Early Years Service) is now working closely with the newly appointed EAL early years consultant (Education Leeds). An action plan has been drawn up which will ensure training and support is offered where needed.

4.8 Recommendation 8:

Also, that the Director of Children's Services and the Chief Executive of Education Leeds carry out a review of the funding for children with Special Educational Needs within Early Years, within the next three months, with a particular focus on ensuring that children are offered the same level of high quality support, regardless of the type of setting which they attend.

The Director of Children's Services agrees with this recommendation.

A review is being undertaken around funding for young children with disabilities across all sectors to ensure inclusion and access- this will report to the Sure Start partnership in September 2009. There is a planned programme for all Children's Centres to undertake Early Support training by April next year- this is a national programme to facilitate parental engagement as central to all planning for their disabled child.

4.9 Recommendation 9:

That the Directors of Children's Services and Education Leeds develop a means of coordinating and moderating different services and their associated governance arrangements to ensure that there is a consistently high standard of service across all providers. That the option of making use of the Area Management Boards to achieve this be considered. That a report on progress is brought to the Children's Services Scrutiny board within the next 3 months.

The Director of Children's Services agrees with this recommendation.

The recent review of Children's Centres identified that 59% (29) of centres have an established Advisory Board attended by a range of partners from the area and including parents as active decision makers in the development of services. All centres (49) are expected to have Advisory Boards in place by January 2010. Centres will be advised to approach the Area Management Boards for involvement and support of their governance arrangements.

5.0 RECOMMENDATIONS

Executive Board are requested to approve the proposed responses to the recommendations of the Scrutiny Board (Children's Services).

Background Papers

There are no specific background papers relating to this report.

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Education Standards – Entering the Education System

Scrutiny Inquiry Report

Introduction and Scope



Introduction

1. At the start of the 2008/09 municipal year, we agreed to carry out an inquiry into Education Standards, with a focus on Entering the Education System.
2. This followed on from previous work which we had undertaken in 2007/08 into the support available for young people at risk of becoming NEET (Not in Employment, Education or Training). One of the conclusions which we drew was that in fact many of these young people can be identified at a very early stage. We therefore decided to explore the support on offer to those vulnerable to underachievement when they first enter the education system.
3. We commissioned a small working group to define the scope for the inquiry, and identify areas where the board could add value to work already underway to improve education standards in Leeds.
4. The group identified two main areas of focus for the inquiry – namely the methods used to assess education standards during early years and reception, and the way in which the information gathered is used by childcare and education providers and shared between the many different organisations involved.
5. In particular, we decided to examine the following areas:
 - How information on attainment is collected by childcare providers, and in particular what impact the introduction of the Early Years Foundation Stage (EYFS) will have on this
 - How this information is shared with primary schools
 - How attainment is measured within primary schools, both on entry to foundation stage and at KS1
 - More broadly, how the transition between pre-school provision and primary provision is managed
 - How children at risk of underachievement are identified at an early stage, and how information relating to them is shared between the different services involved
 - How information about the needs of all children aged 0-7 and their families is collected and used by other services.
6. This was done by means of inquiry sessions in full board meetings, and also via visits to a range of provision across the city.
7. The inquiry ties in with priorities around early intervention and family support in the Leeds Strategic Plan and the Children and Young People's Plan, along with Local Area Agreement targets.

Conclusions and Recommendations



Background

8. Supporting all children to achieve their full potential at the earliest possible stage is important for a number of reasons.
9. Firstly, there is significant evidence to suggest that good quality childcare can improve outcomes later in a child's educational career. Some of this evidence was provided to us as part of our inquiry. A recent national report from the 'Effective Pre-school and Primary Education Project', which has followed more than 3000 children since 1996, concluded that those children who had attended a good quality pre-school had better outcomes in English and Maths at age 11 than those who had not.
10. Early evaluations of the Sure Start project and the introduction of Children's Centres are also beginning to show that children attending these settings, and therefore receiving additional support and good quality childcare, are achieving better outcomes than their peers in similarly disadvantaged areas who have not had the benefit of this provision.
11. In addition, there is a growing consensus that identifying those children at risk of underachievement at an early stage can have a positive impact on wider social problems such as social dysfunction, violence, drugs, alcohol and family breakdown. This view was the main finding of the 'Early intervention: Good Parents, Great Kids, Better Citizens' report, published by the Centre for Social Justice and the Smith Institute in September 2008. The report argued that early intervention was not only cheaper, but also more effective in terms of tackling these problems. This approach is currently being targeted in Nottingham, which was launched as a City of Early Intervention in April 2008.
12. Finally, identifying children at risk of underachievement can also have a positive impact on safeguarding, as underachievement is often (although by no means always) linked to wider problems within the child's home environment, and support for the family at this early stage can help to prevent difficulties developing later on.
13. The Early Years Foundation Stage (EYFS), introduced in September 2008, is designed to be a more refined means of assessing the progress of all children as they complete this first stage of their educational career. It replaced the existing Foundation Stage Profile. In theory the EYFS can be used to identify children in need of additional support in relation to specific areas of learning, and one of our objectives for this inquiry was to consider how well this system is operating.

Conclusions and Recommendations



14. Because all Early Years providers are required to deliver the EYFS framework, (unless they have an exemption from the Secretary of State), they are also open to inspection by Ofsted from September 2008 onwards. This should enable local authorities to identify and address those areas where childcare is currently not of a satisfactory standard. This is particularly significant when bearing in mind that, broadly speaking, children in deprived areas do not have access to the same quality of childcare as children in more affluent areas. Clearly it is important that all children have access to high quality Early Years provision, particularly in light of the very positive impact which this can have on those at risk of underachievement.

15. In addition to the EYFS, and the use made of the information gathered as part of this process within childcare settings, we also felt that the transition between Early Years settings and Primary school was extremely important in terms of enabling all children to achieve their full potential.

16. Not only can transition itself be an alarming and even traumatic process for the child if handled inappropriately (which could have the knock on effect of temporarily halting or even reversing development), but the transition

period is also a time when potentially the body of knowledge built up by the child's Early Years provider about his or her development and family background can be lost, or at least not fully transmitted to the new setting. If children at risk of underachievement are to be effectively identified and supported then it is essential that transition is a smooth process, and that there are clear links between providers for the sharing of information.

Current position

17. As we discovered during our initial investigations, many of the above themes have already been recognised and are being acted upon by the Early Years Service and Education Leeds.

18. In particular, a great deal of work has already been undertaken in terms of embedding the Early Years Foundation Stage, and forging stronger links between Early Years and Education providers. This has been achieved through various means, including a comprehensive training programme, offered prior to the introduction of the EYFS to providers across all types of setting, and by the appointment of a joint post to facilitate progress and improvement in Early Years and Education.

Conclusions and Recommendations



19. However, in spite of this good work, the sector still faces some significant challenges. This is most notable when the progress against the two targets agreed with DCSF for this area is considered. These two targets are as follows:

1. To increase the percentage of pupils with a good level of overall achievement (GLA) at the end of the Foundation Stage.¹
2. To reduce the gap between outcomes for the lowest achievers and the average for all pupils.²

20. While Leeds has made some progress in these two areas in recent years, the specific targets for 2008 were not met in either area. Only 47.2% of children (3580 out of a cohort of 7586) achieved a good level of overall achievement at the end of the Foundation Stage, against a target of 50%, and the gap between the lowest achievers and the average was 39.8% compared with a target of 33% and a national average of 36%.

¹ A good level of achievement is defined as achieving 78+ points including 6+ in all PSED (Personal, Social and Emotional Development) and CLL (Communication, Language and Literacy) strands.

² Calculated as the difference between the median score of the full cohort and the mean score of the lowest achieving 20%, expressed as a percentage of the median score of the full cohort.

21. To stand a chance of achieving both of these targets it was clear to us that those children at greatest risk of underachievement needed to be identified and supported in order to raise standards overall.

22. During our consideration of performance management data and also the biannual report on standards in primary education in Leeds, we strongly welcomed the emphasis on narrowing the gap and achievement for all pupils. We feel that this is a healthier approach than previous targets which have tended to encourage 'hothousing' of border line pupils to achieve the next level in Key Stage assessments.

23. In addition to working to achieve the DCSF targets, the local authority also has a statutory duty to improve the 'Every Child Matters' outcomes, and reduce inequalities, for all 0-5 year olds. This is known as the Early Years Outcomes Duty (EYOD).

24. Five key objectives have been identified in Leeds, which form part of the EYOD. In summary, these are:

1. To develop a strategic partnership
2. To develop the analysis and reporting of data
3. To develop continuous quality improvement systems
4. To develop integrated working

Conclusions and Recommendations



5. To develop and promote partnership working with parents.

25. We were keen to identify areas where we could build upon the good work already being done by Education Leeds and the Early Years service in order to increase the chances of the DCSF targets and the EYOD objectives being met, and of children in Leeds being helped to achieve the best possible outcomes, in the next municipal year and beyond. In particular, many of our recommendations are strongly linked to the EYOD objectives.

Links between Early Years and Education settings

26. First of all, it is important to recognise that traditionally children in this age group have been supported by two clear and separate sectors with historically quite different cultures and emphasis – Early Years, and Primary Education. In order for all children to be effectively supported it is essential that these two sectors work together effectively, and that the dividing line between the two is softened, if not erased altogether.

27. As mentioned above, efforts are already being made by Leeds City Council and Education Leeds to achieve this, and we were made aware of many examples of

effective collaboration during the course of our inquiry.

28. However, we also discovered that this positive experience is by no means universal across all providers in the city. For example, on our visit to the Kids Academy private nursery in Holt Park, we discussed with staff the arrangements for transferring information about children attending the nursery to their primary school during the transition process. We were concerned to hear that while a comprehensive report was produced for every child on leaving the nursery, covering their progress against each area of the early years curriculum, staff did not feel that this was necessarily always used to full effect by the primary schools. In particular, there did not appear to be any arrangements for ensuring that children did not cover topics at primary school which they had previously completed at nursery.

29. There were also no clear processes for supporting any Gifted and Talented children, who may have achieved all of the EYFS outcomes by the time they left nursery, and staff expressed concerns that potentially some of these children could end up 'coasting' during their first year at primary school while the rest of their class caught up.

Conclusions and Recommendations



30. The specific problem in this case, and one which we feel may well be mirrored across the city, is not so much that the primary schools in the area were not doing enough to support the children who had joined them from the Kids Academy nursery, but that the nursery staff themselves had no way of knowing whether the information that they had provided was being made use of or not.

31. We feel that central to solving this problem is the development of 'parity of esteem' between the two types of provider. In particular, the valuable contribution made by all Early Years settings to the achievement of children needs to be recognised by Primary schools across the city.

32. The reason why this is perhaps not the case in all areas at present may be due to a lingering perception that Early Years providers simply offer 'care', while schools are only focused on education and achievement. Clearly in the modern learning environment, both groups of providers are responsible for fostering good achievement, and developing the overall wellbeing of each child, and this must be recognised by staff working in both sectors.

33. In addition, it was pointed out to us during the course of our inquiry that the historic division between Early Years and Education has meant

that staff working in each sector do not necessarily share the same skill base in terms of assessing child development.

34. The Early Years service and Education Leeds have produced a guide to assessment in Early Years called 'The Seven Stage Process', and this has been a useful tool in ensuring that similar techniques are used across the board. However, we are of the opinion that this work needs to be continued and built upon in order to ensure that all staff work together to ensure the best outcomes for children.

Recommendation 1

That the Director of Children's Services and the Chief Executive of Education Leeds continue to develop and implement ways of promoting parity of esteem between different settings, in particular by developing more effective means of communication, not just from Early Years providers to schools, but vice versa. Also, that joint training for staff from both areas is extended to ensure that everyone working in the sector has a good shared understanding of child development. That progress in these areas is reported back to the Children's Services Scrutiny Board within three months.

Conclusions and Recommendations



Children's Centres

35. In some parts of the city, the introduction of Children's Centres is also helping to promote stronger working relationships between schools and Early Years providers.
36. Many Children's Centres share a site, and sometimes even a building, with a primary school and consequently there are clear links and lines of communication between the two.
37. During our inquiry we visited an excellent example of this system in practice, at Hunslet St Mary's Primary school, where one of the two Hunslet Children's Centre sites is also located.
38. From the time when the Children's Centre was first established, a decision was taken by management to involve staff from all the primary schools in the area in the planning process, and to foster strong ties between teaching and Early Years staff.
39. This has clearly worked extremely well at Hunslet St Mary's. Children going through the Early Years Foundation Stage are taught together in one class, so that there is no distinction between the children in the final year of Early Years provision at the Children's Centre and those in reception at the Primary school. The class is taught by a foundation stage teacher, who has experience in both types of setting.
40. A concerted effort is also made to ensure that there is a very smooth transition for the children moving from the foundation stage unit into Year 1. This is seen as a year long process, and children gradually become accustomed to the life of the rest of the school during their year in reception.
41. Not only does this mean that the children experience a virtually seamless move from Early Years to education, but also any information about the children's achievement can be effectively transmitted between staff members. In addition, staff also reported that the arrangement made safeguarding much easier, as there was far more 'joined up working' between the school and the range of different agencies involved in the work of the Children's Centre.
42. While we were extremely impressed with the provision on offer at Hunslet St Mary's and Hunslet Children's Centre, we did also have some concerns about what we perceived as weaknesses in the current system, which may well be replicated in Children's Centres elsewhere.
43. While there is no denying that children who attend the Children's Centre at a young age, and go on to become pupils at Hunslet St

Conclusions and Recommendations



Mary's, will benefit from an extremely high standard of care and education, we did have some concerns about links with other schools in the area.

44. Theoretically, every Children's Centre should serve a whole community, and not just a small section of that community. We were disappointed to discover that while Hunslet Children's Centre was attempting to foster strong links with other primary schools in the area, these links did not appear to be nearly as strong as those with Hunslet St Mary's.

45. This was borne out by the fact that the vast majority of parents whose children attended the Children's Centre at Hunslet St Mary's wanted their children to move on to the primary school. While this is testament to the great relationship which exists between the school and the Children's Centre, we would have been more reassured to see a Children's Centre with strong links to all of the local primary schools, and a feeling among parents that the transition to any local school would be seamless.

46. Clearly it is always going to be easier for a Children's Centre to have stronger links with a school situated in the same building rather than one further afield. However, we did feel that there were some steps which could be taken to

remedy the situation, particularly in terms of stronger governance arrangements, with representatives from all local primary schools involved.

47. We also felt that Children's Centres could improve their ties with surrounding schools, and further expand the support which they offer to vulnerable children, by becoming a more integral part of the 'Extended Services' cluster in their area. Clearly there are strong parallels between the type of support offered to younger children via Children's Centres, and that offered to older pupils via Extended Services. There is also a great deal of potential for sharing information about any young people or families experiencing difficulties.

Recommendation 2

That the Director of Children's Services reports back to us within 3 months on the steps being taken to ensure that:

- a) all Children's Centres in the city are committed to serving the whole community in which they are located**
- b) the children experience as seamless a transition as possible, regardless of which school they move on to.**
- c) assistance is offered to those Centres, or schools, which are having difficulty in establishing these ties, and**
- d) all Children's Centres are encouraged to form stronger ties with their Extended Services cluster where this is not already happening.**

Conclusions and Recommendations



Additional support for providers

48. As previously outlined, the central reason for improving links between schools, Children's Centres and other Early Years providers is to promote the identification and support of those children who are at risk of underachievement.
49. The Early Years Foundation Stage has the potential to be an excellent tool for staff working with children in any setting to help with this identification process, as children are assessed against a range of areas covering intellectual, emotional and physical development.
50. Many settings are already making full use of this to pinpoint the areas in which certain children need additional support. For example, we were told about a project at Whingate primary school whereby a group of boys in the nursery were identified as having a very low stage of development for 'Disposition and Attitudes', and were helped to overcome this via a pirate topic which included a strong emphasis on speech, language and teamwork. The end result of this, and other similar projects at the school, was that the overall Foundation Stage Profile results were the best ever in 2008, with the school far exceeding the Leeds target for a good level of overall achievement.
51. However, we were concerned about the fact that Leeds is home to a huge range of different types of Early Years provision, and that not all of these providers may be fully equipped to make best use of the EYFS. To give an idea of the situation, in addition to local authority provision in the city, there are around 96 private child care providers, 110 voluntary sector organisations and 1000 childminders.
52. In particular, we were concerned that some childminders may not be able to cope with the increased demands of implementing the EYFS due to the other pressures on their time. Although a comprehensive programme of training has been provided, and continues to be provided, by the Early Years service, due to the fact that the majority of childminders work alone, many may find it difficult to access this training.
53. We also felt that there was a danger that financial pressures on some private nurseries could have a negative impact on implementation of the EYFS. In particular, as there was no longer a requirement for teacher support, and most private nurseries could not afford to employ a qualified teacher, the balance between care and education in a nursery setting was not necessarily as equal as it could be.

Conclusions and Recommendations



54. The forthcoming review of the nursery education grant should help to ease the financial pressure on some private nurseries. However, we felt that more targeted support should be offered to these settings.

Recommendation 3

That the Director of Children's Services takes steps to ensure that greater targeted support is offered to both childminders and private nurseries, in implementing, and making best use of, the Early Years Foundation Stage. Also, that a system is established to enable close monitoring of provision across all settings in order to identify those which may be in need of assistance. That progress in both these areas is reported back to the Children's Services Scrutiny Board within three months.

Common Transition document

55. The example quoted above, of the work carried out at Whingate primary school, is also a demonstration of how the principles of the EYFS can be used to identify children at risk of underachievement while they are still in the early stages of the Foundation Stage.

56. Many Early Years providers carry out similar work, and it is vital that the information gathered by these providers is not just used to inform work within the setting, but also shared with the primary school which the child moves on to.

57. As mentioned above, some possible methods of facilitating better transfer of information between providers are to promote parity of esteem between the different sectors, and ensure that Children's Centres have stronger links with all of the schools in their area. However, it also became apparent to us during the course of our investigations that the form in which the information is presented is also of great importance.

58. Schools which receive children from a wide range of settings struggle particularly with this, as while they may receive accurate and useful information from every provider, this is likely to be in a wide range of different formats which can make coordination of evidence quite challenging.

59. In order to address this problem, a 'Common Transition Document' has been produced by the Early Years service. This has been piloted, and is due to be rolled out across the city, along with the accompanying guidance, this spring.

Conclusions and Recommendations



60. Having been struck by the need for such a document, we were pleased to see that one had been developed, although perhaps a little disappointed to see that it was not already more widely used. However, we hope to see the Transition Record used positively by providers across the city in the coming years.

61. In addition, we feel that there may be a case for encouraging the use of this document wherever a young child moves from one setting to another. For example, not only during the transition from pre-school provision to primary school, but also when a child moves from the care of a childminder to nursery.

Recommendation 4

That the Director of Children's Services and the Chief Executive of Education Leeds report back to us within three months on the steps being taken to promote the EYFS Transition Record as widely as possible, and to encourage as many settings as possible to make use of it.

Working with parents

62. One of our main concerns when considering the assessment of children, particularly at such a young age, was to ensure that there was no danger of children

being 'labelled' or stigmatised in any way. Indeed, the main criticism levelled at the EYFS, in the media and elsewhere, when it was introduced was that it was a 'pre-school curriculum', which would set unrealistic standards for children and lead to the very young being cast as failures before they had even set foot in primary school.

63. Our exploration of the issue has convinced us that this is certainly not the case. There is a consistent message running throughout all of the EYFS guidance that all children develop at different rates and that they must be allowed to learn at their own speed. In fact, one of the central priorities of the EYFS is "*Children developing at their own pace with the support of an allocated staff member*".

64. However, it is clear that even taking into account the different rates at which children develop, there will always be some who are obviously in need of additional support. In these cases, it is essential that this support is delivered as sensitively as possible, in order to maximise the benefits for the child and minimise any negative impact. In particular, it is important that parents are fully involved in the process, and understand that their child (or their parenting style) is not being criticised in any way.

65. One extremely effective means of offering additional support in a

Conclusions and Recommendations



'parent friendly' manner is via Children's Centres. Due to the fact that a wide variety of different agencies are involved in the running of Children's Centres, it is relatively easy for a child attending nursery provision at the centre to be referred on to a specialist service such as speech therapy. Children who attend other provision in the area can also access support via Children's Centres and benefit from the co-location of many different services.

66. The fact that Children's Centres are not seen as a solely educational environment also makes it easier for staff working there to engage with those parents of children having difficulties who may not have had a positive experience of education themselves, and therefore may be wary of school based intervention. This theory was confirmed by staff working at Hunslet Children's Centre, who reported that parenting workshops and other activities run at the centre had proved very popular with parents who may otherwise have been difficult to reach, and that in turn this had led to them feeling more comfortable in the school environment.

67. Children's Centres are not the only means of offering this type of additional support, and many other providers in the city are also developing innovative ways to support children and their families.

We learnt about another piece of work at Whingate primary school where targeted support was offered to several children whose level of 'Personal and Emotional Development' were found to be below average due to family circumstances. The parents of these children were also targeted to attend 'stay and play' sessions, and workshops. This helped to improve the achievement of the children, and also fostered stronger relationships between the parents and the school staff.

68. Involving parents is crucial due to the fact that any support offered by providers can be further built upon and developed at home, where the vast majority of early learning takes place. In addition, there is evidence to suggest that greater parental involvement in children's learning can help to improve wider social inclusion and cohesion, which is particularly significant bearing in mind that underachievement is often part of a wider network of social problems in more deprived areas.

69. Education Leeds and the Early Years service are already fully aware of the need for strong parental involvement and the benefits that it can bring. In addition to the examples above, the city ran a successful 'Parents and Partners in Early Learning' project in 2007-2008. However, we would like to see the benefits of this work

Conclusions and Recommendations



further built upon, and examples of good practice used to drive improvements in all types of provision.

Recommendation 5

That the Director of Children's Services and the Chief Executive of Education Leeds ensure that every effort is made to avoid stigmatising those children who are identified as being in need of additional support during the EYFS, and that any support offered takes account of the need to involve parents as much as possible in order to maximise the benefits for the child's development. That progress in these areas is reported back to the Children's Services Scrutiny Board within three months.

Links with Health and Social Care

70. As already discussed, the Early Years Foundation Stage is an excellent tool for providers to use in identifying those children who are not only at risk of educational underachievement, but may also need support in other areas, particularly in terms of safeguarding.

71. As we are all only too well aware, strong links between the range of different agencies which work with and support young children are essential to effective safeguarding

arrangements, and in particular links between education, early years, health and social care services, and the voluntary sector, are crucial.

72. Much work is already being done to develop and improve these links, and as we explained above, Children's Centres are particularly effective in terms of delivering this 'joined-up working' due to the way in which they are set up.

73. In addition, we discovered during the course of our inquiry that strong links already exist at a senior and strategic level between the different agencies. For example, senior managers from Social Care are represented on all school wedge partnerships, and a service level agreement has been developed between the Early Years service and health visitors.

74. However, despite all of this work, we did not see a huge amount of evidence of partnership working with Health and Social Care on the ground during the course of our visits. We feel very strongly that the commitment at a strategic level needs to be rolled out to all individual providers across the city.

Conclusions and Recommendations



Recommendation 6

That the Director of Children's Services and the Chief Executive of Education Leeds report back to us within three months on the steps being taken to ensure that 'joined-up' working becomes a fact of life for all providers working within the Early Years Foundation Stage, including the voluntary sector, and that the existing strategic commitment to partnership working between education, Early Years, Health and Social Care, along with current examples of good practice, are used as a basis from which to roll out these improvements across the city.

Support for vulnerable groups

75. As well as looking at the tailored support on offer to those children who may be experiencing difficulties in specific areas, we also examined the more general support on offer to 'at risk' groups during the course of our inquiry.
76. A number of specialist staff within the Early Years service and Education Leeds work with different groups which are particularly vulnerable to underachievement, including children from Black and Minority Ethnic (BME) communities, children with Special

Educational Needs (SEN) and those from the Gypsy/Roma and Travellers of Irish Heritage groups.

77. We were particularly struck by the extreme disadvantages often faced by children born into Gypsy/Roma or Irish Traveller communities, and the consequent poor levels of achievement among children from these backgrounds. For example, in 2008, 50% of White British children (2873 from a cohort of 5746) reached a 'good level of achievement' in the Foundation Stage Profile compared with just 14% of Irish Traveller children (1 from a cohort of 7) and 0% of children of Gypsy/Roma origin (from a cohort of 22) (although this needs to be seen in the context of small cohorts of children in the latter categories).
78. We discovered that a significant amount of work is being done to support children and their families within these communities, although it is perhaps too early for the positive benefits of this work to be seen as yet. However, the principle of engaging parents and making the most of their support is central to much of the activity being carried out.
79. Similarly, there are programmes in place to support children from BME communities and those with Special Educational Needs.

Conclusions and Recommendations



80. However, we did have some concerns about the fact that in both cases there appeared to be separate teams in Early Years and Education Leeds to work with each of these groups. While there are evidently good working relationships between the different teams and groups of staff, we felt that support could be offered in a more seamless manner if it was handled by one single group of staff, covering both age ranges. The way that things currently stand, there could potentially be similar problems in the transition between different support teams as can occur when children move from one setting to another.

81. We also had some concerns about the current levels of funding for children with SEN, and the consequent capacity of some providers, particularly those in the private sector, to adequately support these children. During the course of our visits we heard of several examples of Early Years providers who could only find funding for a limited amount of support for children with these additional needs.

82. We discovered that a revised inclusion strategy is currently being developed by a sub group of the Sure Start partnership. However, we were keen to see further work being done to improve the support already on offer to these children.

Recommendation 7

That the Director of Children's Services and the Chief Executive of Education Leeds report back to us within three months on how the support on offer to those groups of children identified as being at high risk of underachievement, such as Black and Minority Ethnic children and those with Special Educational Needs, is being made as seamless as possible, particularly during the transition period.

Recommendation 8

Also, that the Director of Children's Services and the Chief Executive of Education Leeds carry out a review of the funding for children with Special Educational Needs within Early Years, within the next three months, with a particular focus on ensuring that children are offered the same level of high quality support, regardless of the type of setting which they attend.

Coordination of services

83. Finally, we recognise that a number of our recommendations so far have related to ensuring that similar levels of service are on offer in different parts of the city, and that examples of good practice are shared.

Conclusions and Recommendations



84. We would like to see a stronger system in place to monitor the different services on offer and to moderate governance and partnership working arrangements.

85. This could help in resolving a number of the issues which we have raised, such as the variation in support offered in different geographical areas and by different types of provider, and the need for stronger links between different services, particularly at a local level.

86. One possible means of achieving this may be through the Area Management Boards, which already play an important role in coordinating services in different parts of the city. By focusing on provision for children in this age group, the Area Management Boards could help to ensure that the same high standards are maintained across the wide range of different providers in the sector.

Recommendation 9

That the Directors of Children's Services and Education Leeds develop a means of coordinating and moderating different services and their associated governance arrangements to ensure that there is a consistently high standard of service across all providers. That the option of making use of the Area Management Boards to achieve this be considered. That a report on progress is brought to the Children's Services Scrutiny board within the next 3 months.

Evidence



Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

Reports and Publications Submitted

- Report of the Early Years Service and Education Leeds – Inquiry into educational standards – Entering the Education System – November 2008
- Parents as Partners in Early Learning project report
- Feedback letter from the National Assessment Agency on the annual Foundation Stage Profile moderation process
- Early Years Foundation Stage training programme outcomes
- Pilot Transition Document – Draft Guidance
- Pilot Transition Document (draft)
- Outcomes at the Foundation Stage in Leeds 2008. Report Version No: 1a (Results for all Leeds settings including PVI's)
- KS1 data report
- Report of the Early Years Service and Education Leeds – Inquiry into educational standards – Entering the Education System – March 2009
- Sure Start for Travellers – Evaluation Report
- Report on Education Leeds Gypsy Roma Traveller Achievement Service (GRTAS), Early Years.

Evidence



Witnesses Heard

Andrea Richardson - Quality and Standards Manager, Early Years Service

Christine Halsall - Head of Primary School Improvement, Education Leeds

Liz Bradley - Early Years Foundation Stage Improvement Manager, Early Years Service

Sharon Hogan - School Improvement Adviser (Early Years), Education Leeds / Early Years Service

Dates of Scrutiny

25 September 2008 – Working Group to scope Terms of Reference (Councillor Lancaster, Councillor Hyde, Councillor Morgan, Tony Britten, Professor Gosden)

13 November 2008 – Scrutiny Board meeting

9 February 2009 – Visit to Hunslet St Mary's Primary School and Hunslet Children's Centre (Councillor Geoff Driver)

10 February 2009 – Visit to Childminder (Sandra Hutchinson)

20 February 2009 – Visit to Kids Academy Nursery (Sandra Hutchinson, Ian Falkingham, Councillor Karen Renshaw)

23 February 2009 – Visit to Kids Unlimited Nursery (Councillor Brenda Lancaster, Celia Foote)

5 March 2009 – Scrutiny Board meeting

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Originator: Martin Farrington /
Sean Flesher
Tel: 2243816 / 3957451

Report of the Director of City Development

Executive Board

Date: 26 August 2009

Subject: Woodhouse Moor Park Barbecue Use

Electoral Wards Affected:
Hyde Park and Woodhouse

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

1. This report considers the issue of barbecue use on Woodhouse Moor Park and provides a response to the deputation received at Full Council on 15 July 2009.
2. The report sets out the consultation approach and provides a summary of the findings following concerns raised, discussed at Scrutiny Board (City Development) on 9 June and 7 July 2009.
3. The report sets out the outcome of the consultation process and demonstrates that the majority of respondents are in favour of a designated barbecue area. The report however also acknowledges that there has been strong opposition to this concept in certain sections of the community.
4. The report appraises 3 options as follows:
 - Option 1: Provision of a permanent designated barbecue area as outlined in the consultation process
 - Option 2: Enforce byelaws preventing barbecue use as outlined in the consultation process
 - Option 3: To trial a designated barbecue area
5. Members of Executive Board are requested to note the analysis and summary of consultation activity and approve the implementation of Option 3 from 1 April 2010 until the end of the barbecue season.

1.0 Purpose Of This Report

- 1.1 This report considers the issue of barbecue use on Woodhouse Moor Park and provides a response to the deputation received at Full Council on 15 July 2009 (contained in Appendix 2 of this report). It also outlines the results of a recent consultation exercise on this issue with local residents and stakeholders and promotes a solution for Executive Board endorsement and decision.

2.0 Background Information

- 2.1 At the meeting of Full Council on the 2 July 2008 a deputation was received regarding a number of issues concerning Woodhouse Moor Park. In particular the issue of barbecue use and the associated anti-social behaviour was raised along with more general concerns about the park. The response to these issues was submitted in a report to Executive Board on the 8 October 2008. Executive Board noted the proposal to consult on this issue, and this consultation process is now complete.
- 2.2 Further to the Executive Board resolution, a consultation methodology was developed around gauging opinion on the concept of a designated barbecue area at Woodhouse Moor Park. This was developed in consultation with local ward members and officers of the North West Inner Area Committee to gauge opinion and inform any decision on this matter from all stakeholders involved. Accordingly, there were 3 primary means of consultation. First, a household survey to all residences within a defined catchment area around the park also sent to 65 relevant community organisations; second, open consultation events on the issue; and finally consultation with the Police and Fire Authorities.
- 2.3 Ward Councillors representing Hyde Park and Woodhouse Ward and Headingley Ward requested that Scrutiny Board (City Development) investigate the consultation process following concerns received from residents stating that they did not receive a questionnaire. This matter was considered by Scrutiny on the 9 June and 7 July 2009.

3.0 Main Issues

- 3.1 Over the years problems with the use of portable barbecue units on Woodhouse Moor has led to the Council considering the most appropriate way to manage this issue. At present barbecues are prohibited on Woodhouse Moor Park. However, simply by the levels of use, it is evident that barbecues are a popular activity by some users of the park. It is also apparent that there is opposition to this activity with passionate views held in certain quarters.
- 3.2 Although the Parks and Countryside service have consistently maintained a policy of not allowing barbecues on Woodhouse Moor Park, the difficulty of enforcing this has led the service to consider the provision of a suitable area in the park for portable barbecues as a potential pragmatic solution. This option can be considered as there is a clause in the byelaws that allows designated areas for barbecues. There are indeed already designated barbecue areas at Chevin Forest Park, Otley and at the Wetherby Wilderness car park adjacent to Wetherby Ings.
- 3.3 A comprehensive consultation approach was therefore developed to gauge opinion and inform decision making on this concept, considered in the following section.

3.4 Consultation Approach

- 3.4.1 A questionnaire was prepared that asked members of the community whether they wanted a designated barbecue area or not. In addition the questionnaire also asked for comments on the draft scheme and reasons for not having a designated barbecue area. To assist in their deliberations respondents received a plan and explanation of what a designated barbecue area would entail.
- 3.4.2 Distribution Business Services Limited were appointed to conduct the household survey. The questionnaires were distributed at the end of March 2009 to 9,982 households that fell within an 800m catchment zone around the park. Properties were selected from the Local Land and Property Gazetteer (LLPG), which allowed every property within the consultation zone eligible for the payment of Council Tax to be identified, including residences occupied by students. Up to the end of July 2009 the number of returned questionnaires was 590, a return rate of 5.91%. Based on feedback from Distribution Business Services Limited, this is understood to be a reasonable rate of return for this type of questionnaire. Each questionnaire had a unique number which ensured that only valid completed questionnaires were included in the analysis.
- 3.4.3 In addition to the postal questionnaire, three open consultation events were held at local venues during late March and early April. These events were advertised by posters displayed in the Woodhouse Moor Park and at all main entrances leading into the Park. In addition all the community organisations received the above posters with their questionnaires for distribution amongst their members. Questionnaires were distributed at each event.
- 3.4.4 Scrutiny Board (City Development) requested information concerning the consultation approach which was considered at length in the light of complaints from residents about not receiving a questionnaire. Evidence was received from Members, a number of Council officers, a representative of Distribution Business Services Limited and a spokesperson representing local community associations and the Friends of Woodhouse Moor. The following issues were considered:
- The consultation methodology, including management processes adopted by the company to verify questionnaire distribution
 - The distribution of responses and how they were validated, and whether the response rate was reasonable for a questionnaire of this nature
 - Information on all the streets in the 800m catchment area and those from which a completed questionnaire had been received, including the statistical validity
 - Evidence provided about addresses where a complaint had been received about non-delivery
 - The advantages and disadvantages of conducting the survey again
- 3.4.5 Scrutiny Board received and noted the information provided and based on the evidence presented rejected the request for further scrutiny as the consultation process had been carried out in a proper and thorough manner. The Board did acknowledge that some properties and individuals had not received a questionnaire for a variety of reasons.
- 3.4.6 The deputation to full council in July has questioned the statistical validity of the questionnaires returns. As reported to Scrutiny Board (City Development) the total number of completed questionnaires returned as at 15 June was 587. A list of 155

streets where completed questionnaires had been returned at this date was included in the report. It is important to note that in 39 cases out of the 587 responses it was not possible to identify the street as the respondent did not indicate the full postcode. This did not invalidate returned questionnaires as it was made clear to the respondent that indicating the postcode was voluntary. A list of all of the 551 streets in the 800m catchment area was also provided in the report, including back streets and streets containing commercial or industrial premises.

3.4.7 In reaching a conclusion on the statistical validity of the questionnaire response, the number of addressable households on each street is an important factor, a point which was made during the Scrutiny Board meeting on 9 July. Within the data provided, there were 180 instances of streets with no household address identified, and an example at Holburn Towers where there are 99 households that technically are not identified on a street. It should also be noted that only 10 streets accounted for 1,539 of the 9,982 households identified, thus illustrating the variance in the number of households on each street within the catchment area.

3.5 Consultation Findings

3.5.1 The findings are initially structured around the following consultation approaches:

- Responses to the postal questionnaire
- Responses to the questionnaire from the 65 community groups
- Responses to the questionnaire at the open consultation events

3.5.2 The postal questionnaire shows that 71.9% of the 590 respondents were in favour of having a designated barbecue area. Comments made in support signify a preference for this approach, point out the benefits of a designated area to those without gardens, acknowledge that the barbecue area will reduce the amount of scorched grass whilst freeing up other areas of the park. The key concern is ensuring effective enforcement to control antisocial behaviour associated with barbecue activity and ensure that this only occurs in the designated area. Concerns were also raised about the use of concrete reducing the area of green space and general unsightly nature of the designated area.

3.5.3 Questionnaires were sent to 65 community organisations, of which 12 responded, with 4 in favour and 8 opposed to a designated barbecue area. The key concerns were issues around enforcement and that the area would be unsightly. Other concerns include respiratory and pollution issues, the location of the proposed area and that people would not confine barbecue activity to the designated area and associated antisocial behaviour with this activity. Other comments include issues around the use of concrete and loss of green space, as well as comments in support of a designated area.

3.5.4 There were 129 completed questionnaires received as a result of 3 the open consultation events, of which 105 were opposed to the concept of a designated barbecue area, with 22 in support and 2 not stating an opinion. The two key concerns raised at these events were enforcement, and preventing anti-social behaviour associated with this activity. Participants were also concerned about the use of concrete, loss of green space, respiratory and pollution issues along with people not confining barbecue activity to the designated area. As a general indicator on the balance of response from the 3 open consultation events 81% through this mechanism were against with 17% in support.

- 3.5.5 It should also be acknowledged that correspondence has been received on this issue from members of the public, community groups, political representatives along with coverage in the local media. The issues raised concur with those raised at Scrutiny Board and contained in the comments made on the questionnaire. In particular they reflect the passionate strength of feeling held in some quarters that advocate the view that the Council should rigidly enforce the byelaws as they stand and not permit barbecues under any circumstances.
- 3.5.6 Based on the range of consultation methods used it is apparent that overall there is a view from the community in favour of a designated barbecue area. However, there are elements of the community who are opposed and those views have been clearly expressed through the consultation process. In considering the balance of responses received through the consultation process it is evident that a sizeable majority of residents responding to the postal questionnaire were in favour of the proposition. On the basis that this aspect of the consultation formed the primary means of eliciting the overall view of the public, then officers propose that due weight needs be given to the results in this area in determining how this matter is moved forward. Notwithstanding this point, it is important not to lose sight of other means of consultation where it is clear that there are elements of the community against this proposal which at times have been manifested as outright opposition. As a general indicator of the balance of that feeling through all the consultation process a summary table of the results is attached as Appendix 1.
- 3.5.7 The West Yorkshire Fire and Rescue Service were approached for their view on this issue. They indicated that a designated area for disposable barbecues would be a workable solution in their view. They also indicated that the issue to address from their perspective is the appropriate and safe disposal of hot charcoal from the barbecues. They felt it unlikely that a disposable barbecue will set fire to the ground in the park. Rather, in their opinion they felt that the problem was more likely to occur when the refuse bin containing combustible materials is mixed with the hot ashes. It is also their view that prohibiting their use will only move barbecue users to backyards where there will be less control over correct disposal and a likelihood of more refuse bin fires. They furthermore indicated that they are not against barbecues in principle, it is the question of disposal which is an issue, and if cinder bins are provided and are used solely for cinders/charcoal then this will be seen as a favourable solution by the Fire Service as the occurrence of bin fires should be reduced.
- 3.5.8 West Yorkshire Police have been consulted on this issue, and whilst not commenting on the merits or otherwise of having a designated barbecue area, the view expressed is that if the Council were to introduce such an area, the enforcement of this would have to fall to the Council and not the police. The Police have indicated that the deployment of officers to the Moor on a daily basis would continue as at present, but due to other pressing policing demands would be unable to direct them to enforce such a byelaw. In respect of supporting Council officers to enforce the byelaw the direction to police officers would be that they would become involved only at times when other factors were present, i.e. when Council officers receive threats or public order / safety becomes an issue. The Police would not endorse the routine accompanying Council officers on joint enforcement visits.
- 3.5.9 The issues concerning the use of portable barbecues at Woodhouse Moor Park impact on equality, diversity and community cohesion. In considering these impacts it should be noted that the consultation process was designed to give an opportunity for all households within an 800m catchment area surrounding the park to express an opinion, along with a cross section of community groups in the area. In

considering impacts from this perspective it was felt that current use of portable barbecues in the park by sections of the community could represent a barrier to wider access and enjoyment of the park by other users. Community cohesion is therefore a key issue and the consultation process has been designed to develop a balanced solution to address this, discussed in later sections of this report. It is also acknowledged that access for people with mobility issues could be an issue if a designated barbecue area was provided.

3.6 Overall consultation conclusions

3.6.1 The consultation process to date has focussed on 2 options, namely the provision of a permanent designated barbecue area, or to enforce byelaws to prevent barbecue use. In determining whether further options should be considered it is useful to summarise key points raised in the analysis of views expressed in questionnaires and from other agencies.

- On balance, there is a view that a designated area for portable barbecues is worth considering
- Enforcement is crucial to a successful outcome, but there are limits in capacity to provide enforcement
- Providing a solution that can be effectively enforced should ensure that associated anti-social behaviour issues can also be addressed
- Concerns have been raised about the use of concrete and the general unsightly nature of the area as set out in the consultation questionnaire
- There is also a concern that widespread barbecue use in the park impacts on the enjoyment of other users

3.6.2 A third option is therefore proposed namely to trial a designated barbecue area and considered in the following option appraisal.

3.7 Option Appraisal

3.7.1 In determining a solution, the following options are appraised.

- Option 1: Provision of a permanent designated barbecue area as outlined in the consultation process
- Option 2: Enforce byelaws preventing barbecue use as outlined in the consultation process
- Option 3: To trial a designated barbecue area

3.7.2 For each of these options, an analysis is presented to inform the Council's decision on this matter.

3.7.3 **Option 1: Provision of a permanent designated barbecue area as outlined in the consultation process.**

3.7.4 This would have the benefit that barbecue activity would be managed, thus freeing up other areas of the park for the enjoyment of other users. It would also provide opportunity for people without gardens to enjoy barbecuing and the related social interaction. It supports the majority view of the questionnaire findings. By determining a specific area, enforcement activity could well prove more effective and coupled with education information and signage it is hoped that people would act more responsibly, and in particular stay within the designated area and dispose

of cinders and litter in the appropriate bins provided. It is however recognised that the use of concrete slabs albeit flush with the ground, could be unsightly and disrupt the visual appeal of the green landscape. Any implementation of this solution would take due regard to people with mobility issues and include priority access to facilities adjacent to existing paths and include information on signage and literature.

3.7.5 Option 2: Enforce byelaws preventing barbecue use as outlined in the consultation process

3.7.6 If the enforcement activity was effective then it would prevent grass scorching and the associated anti-social behaviour with this activity. Given the demand for this activity however, there could be considerable difficulties in enforcing this issue, particularly given the view expressed by the Police. If byelaws continued to be flouted there is a danger of a status quo situation and thus no effective means of addressing issues identified. It would also deny an opportunity for people with no access to gardens to carry out barbecue activity, and also would go against the majority view of the questionnaire findings.

3.7.7 Option 3: To trial a designated barbecue area

3.7.8 This option gives the Council the opportunity to gain a greater understanding of the merits of a designated area and its potential demerits prior to concluding any long term proposal. It would also have the benefit that barbecue activity would be managed, thus freeing up other areas of the park for the enjoyment of other users. It supports the majority view of the questionnaire findings. It would also provide opportunity for people without gardens to enjoy barbecuing and the related social interaction. By determining a specific area, enforcement activity could well prove more effective and coupled with education information and signage it is hoped that people would act more responsibly, and in particular stay within the designated area and dispose of cinders and litter in the appropriate bins provided. The issues identified with concrete slabs would be addressed by the use of cellular grassed paving flush with the ground. This has benefits of providing a flat stable surface and also protect the root zone whilst providing a softer landscape treatment. This solution would be trialled for a season. Any implementation of this solution would take due regard to people with mobility issues and include priority access to facilities adjacent to existing paths and include information on signage and literature.

4.0 Implications For Council Policy And Governance

4.1 Subject to Executive Board approval, officers will seek to implement the proposal within the development framework of the council.

5.0 Legal And Resource Implications

5.1 The use of barbecues are the subject of byelaws which were discussed in the previous report to Executive Board. In summary barbecues are prohibited on Woodhouse Moor and all other parks within the Leeds Metropolitan Borough under the Leeds City Council Byelaw for Pleasure Grounds, Public Walks and Open Spaces (17 December 2008) section 11 clause (1) which states: *11 (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.*

5.2 However the option to consider designated areas is appropriate as there is a clause in the Leeds City Council Byelaws for Pleasure Grounds, Public Walks and Open Spaces (17 December 2008) section 11 clause (1) which states: *11(2) Byelaw 11(1)b shall not apply to the lighting or use, in such a manner as to safeguard*

against damage or danger to any person, of a properly constructed barbecue, in a designated area for barbecues.

- 5.3 Advice received from the Council Regulatory and Enforcement section indicates that existing byelaws can be enforced by an Authorised Officer provided that the required scheme of delegation is implemented. At this stage such an officer would be able to caution and/or prosecute, but would not be able to issue a fixed penalty notice. The byelaw would need to be exhibited in order to commence the legal process.
- 5.4 The cost of providing a designated area included materials, bins and signage is estimated at £22.4k, for which funding would be sought from existing partners such as the Area Committee, and utilising the Parks and Countryside revenue budget.

6.0 Conclusions

- 6.1 In considering the 3 options highlighted above, consideration has been given to the outcome of the consultation process whereby the majority of respondents are in favour of a designated barbecue area. It has also been outlined that there has been strong opposition in certain sections of the community. In view of this position, on balance, it is felt that the most appropriate way to progress is to implement Option 3: to trial a designated barbecue area, as the most appropriate means to determine whether this approach proves effective, or otherwise, in managing the barbecue issues on Woodhouse Moor Park over the longer term.
- 6.2 In addition it is also proposed that cognisance is taken of the general dislike of concrete as a landscape solution and on this basis it is proposed that officers identify a different landscape treatment that will integrate better within the green fabric of park. A potential solution would be using cellular grassed paving systems as an alternative to concrete slabs.
- 6.3 Implicit in the adoption of option 3 is the need to ensure the enforcement of byelaws concerning the remainder of the park. It is proposed that the enforcement activity will be undertaken by ParksWatch officers in the area during times when barbecue activity is most likely to take place to ensure that during the trial barbecues are restricted to the designated area. Additional training would need to be provided to ensure that they could act as Authorised Officers and carry out any due legal process required.

7.0 Recommendations

- 7.1 Members are asked to note the analysis and summary consultation activity contained in this report.
- 7.2 Members of Executive Board are requested to approve the implementation of Option 3: to trial a designated barbecue area, from 1 April 2010 until the end of the barbecue season.

Background Papers:

- Delegation to Full Council 2 July 2008
- Executive Board report 8 October 2008
- Questionnaire responses and correspondence
- Scrutiny Reports (City Development): 9 June and 7 July 2009
- Deputation to Full Council July 2009

Appendix 1

CONSULTATION SUMMARY FOR THE PROPOSED DESIGNATED BARBECUE AREA ON WOODHOUSE MOOR PARK

The method of the consultation was as follows: -

- Postal questionnaire sent to 9,982 residences that fall within the 800m catchment zone around Woodhouse Moor Park.
- Questionnaire sent to 65 community organisations in the vicinity of Woodhouse Moor Park
- Questionnaires given to participants at the University Student Union Open Consultation Venue 20/3/09
- Questionnaires given to participants at the Woodhouse Moor Park Bowls Pavilion Open Consultation Venue 26/3/09
- Questionnaires given to participants at the Wrangthorn Church Open Consultation Venue 2/4/09

The results are as follows: -

- Considering the aspect of whether to install a designated barbecue area the results are: -

	Postal Questionnaire	Community Organisations	University Student Union Venue	Bowls Pavilion Venue	Wrangthorn Church Venue	Overall Summary
Number of respondents	590	12	52	62	15	731
In favour	71.9%	33.3%	15.4%	21.0%	6.7%	61.5%
Against	27.3%	66.7%	84.6%	75.8%	93.3%	37.5%
No response	0.8%	0%	0%	3.2%	0%	1.0%

Appendix 2: Copy of Delegation received at Full Council on 15 July 2009

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WOODHOUSE MOOR BARBECUES

Lord Mayor, Councillors, my name is Martin Staniforth and my colleagues are Sue Buckle, ^{Richard Hallawell} ~~Bill McKinnon~~, ^{Tony Green} ~~Philip Walshaw~~ and Professor John Kent. I would welcome the opportunity to speak to you today to oppose the Council's unpopular, expensive and damaging plan to concrete over part of Woodhouse Moor, though I am sad that it is still necessary to do so. I am speaking on behalf of all the community groups in the Hyde Park and Woodhouse area. More importantly I am speaking on behalf of the hundreds of local people who have objected to this scheme at meetings and in writing, and the thousands who have been denied a voice because of the Council's failure to deliver consultation packs to them.

Lord Mayor, I want to concentrate on three issues. First, the proposal itself This would involve sinking 40 large concrete blocks into an open, grassy area of the Moor to allow for up to 80 barbecues to be lit at any one time. Local people have strongly opposed this plan both because of the impact it would have and because it is another sign of the Council's lack of concern for Woodhouse Moor. What used to be an open space for all to enjoy is becoming an area where, on sunny weekends, many people feel uncomfortable and unsafe because of the drunkenness, vandalism and anti-social behavior which goes on there, apparently unchecked. Local people don't want to see money wasted on concrete blocks. They want it spent on improving the Moor, undoing the damage that has been done in recent years, and making it a welcoming, attractive and safe area for all.

Second, consultation. The Council claims to have sent 10,000 questionnaires to local households seeking their views on the proposal. However it's very clear, from public meetings and other surveys, that many people who should have received questionnaires didn't do so. But instead of investigating the complaints, Council officers have relied on assurances from the delivery company that they delivered to all households in the area, with one or two exceptions. Well, to quote Mandy RiceDavies, they would say that, wouldn't they! Officers also seem to believe that because some people in a street responded, everyone in that street must have received a questionnaire. However, as I'm sure you know, people delivering house-to-house often take short cuts and miss out houses or whole streets to get the job done quickly.

Fin ally, apparently replies were received from only 155 of the 551 streets which should

have received questionnaires. Statisticians say it is highly improbable that replies would be concentrated in such a small number of streets if the forms had been properly delivered. My colleague Professor Kent, Professor of Mathematics at Leeds University, would be pleased to answer any questions you may have about the statistical analysis of the figures.

And now we have the truly bizarre situation that the Council's Scrutiny Board has said the consultation was earned out properly while at the same time it has been extended to the end of July so that people who didn't receive questionnaires can send in their comments by e-mail! Frankly this isn't a consultation, it's a shambles, a fiasco, and the investigation nothing more than a whitewash. It should be abandoned now and there should be an independent investigation into what went wrong.

Third, the role of local residents' associations. We were excluded from the group which drew up this proposal. I use the word "excluded" deliberately because a Council officer told me that while associations had been invited to the first meeting "subsequent meetings of this forum evolved into a partnership of agency representatives and council officers providing a cohesive and constructive working group that are committed to and actively resolving the various issues on Woodhouse Moor". Apparently local residents have nothing to contribute to resolving issues facing the Moor, despite our very real commitment to its long-term health. This is not the first time that proposals have been put forward for changes to the Moor without involving local people, and not the first time they have been strongly opposed by them. The exclusion of local residents from groups considering plans for the Moor is unacceptable, results in bad decision-making, and must be ended.

Lord Mayor, Woodhouse Moor is an historic park, dear to those who live near it and use it regularly. It is an asset that we hold in trust for future generations, and we should leave it in better condition than we find it. If the current proposal goes ahead, our legacy will be 40 concrete blocks and a degraded open space. We therefore call for the current plans for a barbecue area to be dropped, for the flawed consultation process to be abandoned and for local residents to be fully involved in any group developing plans for the Moor in future.



Report of the Director of City Development

Executive Board

Date: 26 August 2009

Subject: Vision for Council Leisure Centres

Electoral Wards Affected: All

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity Y

Community Cohesion Y

Narrowing the Gap Y

Eligible for Call In Yes

EXECUTIVE SUMMARY

- The Sport and Active Recreation Service faces a number of challenges in order to improve the leisure centre stock. Significant investment has been made to date (Aquatics Centre, John Smeaton Leisure Centre, Yeadon Tarn Activity Centre) with two new leisure centres also under construction in Armley and Morley. However, the scale of investment required in the remaining facilities is significant.
- The challenge revolves around funding a solution that meets citizens expectations, that still allows the Council to support wider sports and health development initiatives and is affordable in terms of both capital and revenue. A programme of business transformation has run in parallel to the 'Vision' for leisure centres work, in order to ensure that the Sport and Active Recreation Service can sustain and improve on its high levels of performance in the longer term.
- Executive Board had specifically asked that officers work with Sport England in order to re-run their Facilities planning model. The Sport England Facilities Planning Model (FPM) confirms that there is enough swimming pool space in Leeds as a whole, both currently and with the new proposals. 100% of the population of the city is within 20 minutes drive of a pool, 65% can walk to one of the existing pools in that time.
- The 2 September 2008 Executive Board report on the Vision outlined four main proposals and the FPM findings were broadly supportive of all four proposals in terms of their city wide impact. However the model's findings, further work with stakeholders and partners, and changes in the financial environment have resulted in the original proposals being revised and are set out in this report.

1.0 Purpose of this Report

- 1.1 To propose a Vision for Council Leisure Centres following extensive public consultation and a review of Sport England's Facility Planning Model (FPM).

2.0 Background Information

- 2.1 Executive Board received a report on the 3 December 2008 reporting on the outcome of public consultation conducted in relation to the proposals contained in the Councils 'Vision for Sport', which was considered by Executive Board on 2 September 2008.

- 2.2 The long term Vision for sport and community Wellbeing Centres is:

'To secure a city-wide network of quality, affordable, accessible and sustainable leisure centres for the benefit of all the people of Leeds.'

- 2.3 The September 2008 report concentrated on three areas which require to be addressed:

- Increasing revenue costs to provide the service, with cost increases (e.g. energy) outstripping income increases thereby placing pressure on the service's revenue budget.
- Whilst revenue costs are increasing there are also increasing and significant capital investment needs of many of the existing Leisure Centres (largely constructed in the 1970's and 1980's), thereby undermining the quality and relevance of the public offer at a time when customer expectations are rapidly rising.
- An apparent oversupply of swimming pools in the city with a rapid increase in provision by the private sector in recent years.

- 2.4 Following the December 2008 Executive Board, the four specific proposals consulted upon are outlined in table 1 below, and at its September meeting the Executive Board agreed a series of principles for the location of any new facility, and these should be ;

- a) in a town or district centre;
- b) on a main arterial route, and/or
- c) Co-located with schools or health centres or other complementary services.

Table 1 – Original Draft Proposals (September 2008)

Facility	Draft Proposal 1
Aireborough Leisure Centre	To bring forward detailed plans for capital investment and remodelling to modernise and improve the quality of the facilities provided.
Pudsey Leisure Centre	
Bramley Baths	
Scott Hall Leisure Centre	
Kirkstall Leisure Centre	
Otley Chippendale	
Rothwell Leisure Centre	
Wetherby Leisure Centre	
Facilities	Draft Proposal 2
East Leeds Leisure Centre	i) To re-provide Fearnville and East Leeds Leisure Centres in the form of one new, purpose built, well being centre, located close to the A64 corridor.
Fearnville Leisure Centre	
Richmond Hill Sports Hall	ii) To consider the transfer of the management of Richmond Hill Sports Hall to the voluntary sector as part of a community asset transfer.
Facilities	Draft Proposal 3
Kippax Leisure Centre	To re-provide Kippax and Garforth Leisure Centres in the form of one new, purpose built, wellbeing centre to serve the communities of Garforth and Kippax.
Garforth Leisure Centre	
Facilities	Draft Proposal 4
South Leeds Sports Centre	i) To close South Leeds Sports Centre once the new Morley Leisure Centre has opened and to concentrate provision at the John Charles Centre for Sport and Morley.
Middleton Leisure Centre	ii) To close the pool at Middleton Leisure Centre and to consider the transfer of the dry-side facilities to the voluntary sector as part of a community asset transfer.

2.5 The outcome of the wide ranging public consultation brought about valuable views and on balance there appeared to be broad support for the 4 proposals. There were clearly expressed concerns from nearly all respondents in terms of the overall poor quality of many of the city's leisure centres thereby supporting proposals to make improvements.

2.6 However, the proposals for consolidating some sites in the Outer and Inner East and concentrating provision at John Charles Centre for Sport met with a more mixed response, with concerns about how some of these communities could access swimming opportunities in the future, and the consequent impacts on health.

- 2.7 As part of the stakeholder consultation, Sport England suggested that further work should be undertaken to understand the impact of the proposals on the supply of swimming facilities at a local level.
- 2.8 On 3 December 2008 Executive Board resolved:
- (a) That the outcome of the public consultation exercise on the Vision for Council Leisure Centres be noted.
 - (b) That officers explore in more detail the proposal to transfer Richmond Hill Sports Hall to community management as part of a community asset transfer.
 - (c) That Sport England be requested to re-run their Facilities Planning Model for swimming pools provision in Leeds and in particular examine the implications of the Council's draft proposals.
 - (d) That officers consider the potential for community management for each of the centres most affected by these proposals and report back to a future meeting of this Board.
 - (e) That officers further develop capital investment proposals for Aireborough, Bramley, Kirkstall, Pudsey, Otley, Rothwell, Scott Hall and Wetherby Leisure Centres.
- 2.9 Officers have been working on these issues since the Board's decision.

3.0 Main Issues

- 3.1 In developing the Vision for Council Leisure Centres, officers have been reviewing the Sport and Active Recreation Service in order to provide a sound contextual base for future decisions. Overseen by the Sport for the Future Project Board, work has progressed to over-see a number of key work streams and business transformation opportunities. The service's future direction of travel is based around a clear acknowledgement that whilst the Council should play a strategic lead role in sport city wide, supporting its Place Shaping responsibility, it should also continue to develop its role in supporting many of the other key outcomes within the Leeds Strategic Plan, most notably its contribution to health and wellbeing.
- 3.2 Sport in its many forms (public, private and voluntary), supports many of the City's core priorities, whether that is Health, Culture, Learning, Harmonious Communities or Thriving Places. The primary Vision for the wider Sport and Active Recreation Service is:
- *Increased participation in Sport and Active recreation contributing to healthier communities*
- 3.3 In establishing the Vision for Council Leisure Centres (and more especially swimming pools), it is important to remember that the Council has the lead responsibility within the Leeds Strategic Plan to coordinate the work of Partners in order to achieve an increase in adult participation. Whilst leisure centres play a role they are one part of a large and complex system that requires support.

- 3.4 There remains the challenge of improving the leisure centre stock in a way that meets citizens expectations, that still allows the Council to support wider sports and health development initiatives and is affordable in terms of both capital and revenue. Leisure centres are expensive to build and operate largely due to the costs associated with swimming pools. Future decisions must take account of both demand modelling and the Council's ability to afford the rising revenue costs of providing leisure centres (e.g. energy) and the capital investment required to meet modern day public expectations. Consequently, the business transformation opportunities presented by integration/co location of health and wellbeing services become attractive.
- 3.5 From the Executive Board recommendations on the 3rd December 2008, further work has been undertaken, particularly relating to the Sport England Facility Planning Model. This assessment has particular relevance for proposals 2, 3 and 4 above and will attempt to address some of the concerns expressed by local groups during the public consultation and for which the Council received deputations (Middleton Community Group regarding the Proposed Closure of Middleton Sports Centre; Garforth Residents' Association regarding the Potential Closure of Garforth Leisure Centre; 'SPLASHback' regarding the Proposal to Close South Leeds Sports Centre and Kippax Amateur Swimming Club regarding the Potential Closure of Kippax Leisure Centre).

Sport England Facilities Planning Model Results (FPM)

- 3.6 The Sport England FPM models demand in the city for swimming pools, taking into account local demographic factors, particularly age and access to a car. The model then takes the existing swimming pool stock, publicly available times at those pools and journey times of up to 20 minutes (walking, public transport and car), and calculates how much of that demand could turn into swims. Sport England's covering letter, summarising their view of the proposals, is shown at Appendix A.
- 3.7 The model identifies 30 pools in the city (18 of which are Leeds City Council pools) that are 20m in length or more. It excludes a large number of smaller private pools largely concentrated to the centre and west of the City.
- 3.8 The model uses data at super output level and applies demand and supply factors (typical of such areas from research nationally) in order to present the picture for Leeds. The model was tested against 10 scenarios, based on the 4 original proposals. The model has assumed that participation increases by 1% per annum to 2014 in line with Government targets. The model also allows for Office of National Statistics estimated changes in population to 2014.

FPM Key Findings – Citywide Data

- 3.9 The following key findings of the model should be noted;
- a) 100% of the population of Leeds has access to one pool by car; 90% of the population have access to two or more pools by car, with 69% of visits to Leeds pools being made by car. Therefore, prominence on arterial routes, proximity to district centres and car parking become important considerations in terms of long term operational sustainability.

- b) On average, 23% of all visits to pools in Leeds are by walking. This figure drops in rural areas, with only 8.4% of visits to Kippax Leisure Centre being on foot. In the urban areas, the figure increases; for example visits to the Fearnville Leisure Centre are estimated as 32.5% on foot. The impact of this “walk to” factor on current proposals 2 and 4 has some relevance when considering future options.
- c) The model does not take into account other important local considerations including:
- Co-location opportunities, especially linked to health.
 - Non swimming pool related sports provision (public, voluntary & private)
 - Detailed location characteristics for a commercially sustainable site (e.g. car access and visibility to prospective users)
 - The opportunity cost of providing a swimming pool for what may prove to be a small, yet potentially important element of a local community.
 - Relative Health inequality/deprivation statistics
 - Planning issues
 - Other area-specific local considerations

FPM Key Findings – Implication of proposals as outlined to Executive Board in September 2008.

- 3.10 **Draft Proposal One** – The FPM supports the refurbishment of leisure centres, as this will increase total demand at the refurbished centres.
- 3.11 **Draft Proposal Two** – Three sites were analysed for one new centre in Inner East Leeds – the existing Fearnville site, Killingbeck Fields and the Dog and Gun site on York Road were used for analysis purposes only, and any proposed future site, which may be different to these three, will be reported back to Executive Board at a later date. The existing East Leeds site was discounted due to the lack of space for expansion and it not being on a main arterial route or in a town centre, and whilst the existing Fearnville site was used for analysis purposes, like the East Leeds site, it does not fully meet the criteria for a sustainable future leisure centre development.
- 3.12 The model findings were that building one new swimming pool would increase the attractiveness of swimming provision in the Inner East but reduce the ability of some people to walk to the new pool - losing 418 (Fearnville site), 453 (Dog & Gun) or 769 (Killingbeck) peak visits per week by those without access to a car.
- 3.13 However, there is very little to choose between the three sites tested in the model, all three are projected to attract a high annual throughput and meet a substantial proportion of local demand for swimming.
- 3.14 **Draft Proposal Three** – Three sites were analysed for one new centre in Outer East Leeds – the existing Kippax site, Garforth Community College and Selby Road adjacent to the fire station, were used for analysis purposes only.

3.15 The model findings were:

- a) All 3 site options operate as a single catchment area
- b) One new pool located in the area will increase satisfied demand & usage.
- c) Walk time is less significant to the model because most usage in the semi rural area is car borne (86%).
- d) The proposed development could be located anywhere within the Garforth/Kippax catchment area. However, factors which would need to be considered in order to determine the best location are:
 - Close to bus routes
 - Providing opportunities to co-locate services
 - The availability of land in a District Centre or near an arterial route
 - Health Inequalities

3.16 **Draft Proposal Four** – Options analysed were to close South Leeds Leisure Centre only, close Middleton Leisure Centre only and close both sites.

3.17 The model findings were:

- a) If South Leeds closes, satisfied demand falls by 381 peak visits per week, all from 'walk to' swimmers now more than a mile from a pool
- b) If Middleton closes, satisfied demand falls by 394 peak visits per week, all from 'walk to' swimmers now more than a mile from a pool
- c) If both pools close, satisfied demand falls by 791 peak visits per week, all from 'walk to' swimmers now more than a mile from a pool.
- d) The model projects that the visits displaced by the closure of the pools at Middleton and South Leeds can be accommodated at the Aquatics Centre, with virtually no drop in satisfied demand. The relatively small number of potential users who would no longer be within the 20 minute " walk to " catchment of a pool, has to be balanced against the substantial savings that could result from the closure of two pools.

Community Management Models (some sites in Proposals 2, 3 and 4)

3.18 Officers have carried out research on both existing Leeds City Council community management models and models in other authorities. The exercise has been very useful in determining the preferred approach and the required actions necessary to deliver outcomes.

3.19 Some examples were of the 'take it or lose it' variety, i.e. the Council transferred the asset but promised no further financial support. At the other extreme a number of leisure based services were transferred to a Community Trust (social enterprise) with the council paying the same revenue contribution as it did prior to transfer, to help support the operation. Here the community outcomes improved significantly but

this ultimately has to be balanced against the ability of the Council to fund future capital projects through generating revenue savings to use for unsupported borrowing.

3.20 In all the cases reviewed it appears that in order to achieve significant financial savings (to allow unsupported borrowing for the remaining facility stock) the preferred approach is to hand the building to a club/association, with minimal future involvement from the Council. This would take the form of an asset transfer, not a service transfer. In the case of facilities identified for consolidation, the more the Council wishes to place requirements on the Community organisation to deliver community sport outcomes, the less funding will be available to support the development of a new facility.

3.21 It is proposed that where facilities are offered for Community management the following conditions should be met:

- a) No ongoing financial commitment from Leeds City Council
- b) Transparent community or public control and robust governance arrangements
- c) Any leases on a full repair and maintenance basis with a minimum of ten years
- d) Adequate public liability insurance put in place by the organisation
- e) Sound Business Plan for using the facility in the public interest
- f) Evidence of sufficient funding in place to avoid coming back to the Council for capital, revenue or emergency funding

4.0 Revised proposals

4.1 Following the two reports to Executive Board, in September and December 2008, and the running of the Sport England facilities planning model, the proposals outlined last September have now been amended on the basis of information reported on section 3 above and the relevant information contained in section 5 "Funding the Vision".

Table 2 –Revised Proposals

Centre	Proposal 1
Aireborough, Pudsey, Bramley, Scott Hall, Kirkstall, Otley, Rothwell and Wetherby	To undertake works required as detailed in table 3, of this report, with a commitment to deliver and resource this work up to 2020.
Centre	Proposal 2
East Leeds Fearnville	(i) To re-provide Fearnville and East Leeds Leisure Centres in the form of one new, purpose built, well being centre, with a commitment to deliver and resource by 2013/15 (ii) Seek expressions of interest to transfer East Leeds and Fearnville Leisure centres to a Community organisation . (iii) East Leeds Leisure Centre and Fearnville Leisure Centre to remain under council management until such time that a) a new well being centre is confirmed or b) a suitable community

	organisation has been identified to whom to transfer the asset(s).
Richmond Hill Sports Hall	(iv) To seek to transfer the management of Richmond Hill Sports Hall to a Community Organisation.
Centre	Proposal 3
Kippax	(i) To re-provide Kippax and Garforth Leisure Centres in the form of one new or refurbished swimming pool, fitness suite and other appropriate dry side sports facilities to serve the communities of Garforth and Kippax, with a commitment to deliver and resource by 2017.
Garforth	
Centre	Proposal 4
South Leeds	(i) Seek expressions of interest to transfer South Leeds Sports Centre to a Community Organisation (ii) To close South Leeds Sports Centre (if no suitable community group is identified) when the new Morley Leisure Centre opens in 2010, and concentrate leisure provision at the John Charles Centre for Sport and Morley.
Middleton	(iii) To provide a new well being facility for Middleton, at or in close proximity to the current St George's Centre, with a commitment to deliver and resource by 2013/15 iv) Seek expressions of interest to transfer the existing Middleton Leisure Centre (asset) to a Community Organisation (v) Middleton Leisure Centre to remain under council management until such time that a) a new well being centre is confirmed (at or in close proximity to St George's Centre) or b) a suitable community organisation has been identified to whom to transfer the existing Middleton leisure centre (asset).

5.0 Funding the Vision

5.1 The economic and financial climate for funding the Vision has become even more difficult since this time last year, when the original proposals were first presented to Executive Board. A number of funding options are considered feasible for the capital developments:

- Council capital funding, or capital receipts from sale of current sites
- Unsupported prudential borrowing based on future revenue savings,
- Free swimming capital modernisation grants (although relatively small), and
- Private Finance Initiative (PFI) credits and other Sport related capital grants (these government programmes have limited budgets and uncertain prospects as the public finances have significantly deteriorated).

With many of the older leisure centres becoming less efficient to operate, there will be inevitable upward pressure on revenue costs, while the capital liability for improvement increases year by year. Closing less efficient sites can release revenue savings to fund new replacements (through prudential borrowing), although

the facility mix will need to take account of the amount of funding available, including contributions from partners.

Executive Board need to be aware that delivering the Vision will also have major short term implications on the service's revenue budget each year. This makes firm, decisive planning essential if income losses are to be contained whilst sites are closed down for improvement works.

Funding Proposal 1

- 5.2 The Council's Capital Programme is heavily over-committed for the next 3 years to 31 March 2012 and future programmes may be restricted by the shortfall in future capital receipts due to the recession and reduced land values.
- 5.3 The Executive Board needs to be aware that the Council will still almost certainly need to provide substantial funding in future Capital Programmes to deliver a refurbishment programme as part of the sport capital plan that flows from this 'Vision for Council Leisure Centres' by 2020. There are not sufficient sources of external funding for council owned leisure facilities to meet the level of investment needed.
- 5.4 The Free Swimming Capital Modernisation Fund 2010/11 provides a window of opportunity to fund some early improvements to one of the swimming facilities in the city, but it is a competitive process and provides no guarantees of support.

Funding Proposals 2 and 4

- 5.5 In February 2009, the Council received in principle approval from the Department of Health (DoH) for £32m PFI credits to build a new community well being centre at Holt Park.
- 5.6 The new Holt Park Wellbeing Centre is the result of a bid to DoH that was developed through a partnership between Adult Social Care, Sport and Active Recreation and the NHS. The sponsoring department for the bid is Adult Social Care; however the facility will retain sport and leisure elements. The wellbeing centre is innovative and will provide sporting facilities with health services, community space, supported living and day care facilities and will be located adjacent to the Ralph Thoresby School and Community Library. Links have been developed with NHS Leeds and other partners interested in improving this well placed community hub.
- 5.7 The first round of consultation has been conducted at the Holt Park Leisure Centre and the overall feedback from the public has been positive, both for the replacement of the centre, and for the wellbeing concept.
- 5.8 An Outline Business Case is being built up, with procurement being anticipated through the Local Education Partnership, as were the New Leaf Leisure Centres at Armley and Morley. The target for procurement is 15 months, with building starting in late 2010. A report will be presented to the Executive Board in October seeking approval of the Outline Business Case (OBC), which is currently being reviewed, as the NHS appear to be withdrawing their support to be a partner in the Holt Park wellbeing project.

- 5.9 The DoH had previously indicated that they may support further bids for community wellbeing centres from the Council and members were previously asked to approve the concept of developing wellbeing centres to replace the current Garforth and Kippax Leisure Centres and the Fearnville and East Leeds Leisure Centres for a bidding round in 2009.
- 5.10 Discussions have been ongoing with NHS Leeds and Adult Social Care in order to assess their respective priorities in terms of the delivery of wellbeing centres. The consequence of this work is that original proposal 3 (One new wellbeing centre in Kippax and Garforth) is not seen as a health priority, removing its initial potential funding. Instead, both NHS Leeds and Adult Social Care have indicated that wellbeing centres should be located in Inner East Leeds and/or South Leeds.
- 5.11 Officers have therefore investigated the possibility of providing a new swimming pool as part of the wellbeing programme within the South Leeds area. In determining a possible location, consideration has been given to:
- a) Satisfying 'walk to' demand and close to bus routes
 - b) Providing opportunities to co-locate services and maximise funding potential
 - c) The availability of land in a District Centre or near an arterial route,
 - d) The extent to which a new wellbeing centre would support addressing Health Inequalities.
- 5.12 The South Leeds Wellbeing Centre option is clearly new and is supported by both NHS Leeds and Adult Social Care.
- 5.13 Consequently, officers have identified the St George's site in Middleton District Centre as there is confidence about the potential site, its location in terms of tackling health inequalities and the connection to existing health care services. A small community pool and gym would fit well with the above criteria, connecting to existing (and possibly new) on site health care services.
- 5.14 In May 2009, officers submitted an initial letter of interest to DoH to bid for future PFI credits for a new Wellbeing project based in Inner East (on a site to be determined) and South Leeds, adjacent or in close proximity to the St. George's Centre in Middleton
- 5.15 Following the submission of the initial letter of interest to the DoH, officers have also carried out work to progress the identification of sites in Inner East Leeds.
- 5.16 All bids (33 bids nationwide for £827m compared to the £250m available) were considered by the DoH, and Leeds received a disappointing reply. The DoH has rejected the Councils' application for funding assistance for 2 new Wellbeing schemes in Inner East and South Leeds, despite giving in principle approval in 2008/09 for the Holt Park Wellbeing scheme.
- 5.17 Given the lack of PFI funding it presents the Council with a major challenge in terms of funding a new well being centre in either the Inner East or the South. Inner East is

considered the greatest priority from both a sport and health perspective and an alternative funding route is outlined in 5.20 below. This has the potential to be the next major scheme to be delivered following the opening of the brand new leisure centres in Armley and Morley in 2010 and the potential opening of a new Holt park leisure centre in 2011/12.

Funding Proposal 3

- 5.18 Proposal 3 in the Outer East will now require an alternative funding solution to be developed as a consequence of not being considered a priority by the local NHS or Adult Social Care in Leeds. However, the original proposal of replacing both Garforth and Kippax leisure centres with one improved site remains, although there is no clear funding solution at this stage and further feasibility work is required to determine the best location. Any re provision must take account of other sports halls provided in both the Garforth and Kippax localities. Equally, any future facility mix must take account of existing extensive squash facilities provided at Garforth Leisure Centre. In the meantime, the status quo would remain.

Funding through Consolidation and Modernisation

- 5.19 Where capital investment results in sustainable reductions in revenue costs (or increases in income), it is possible for the Council to finance the investment with prudential borrowing which gets serviced and repaid from the stream of revenue savings. For example, the expansion of a bodyline gym from 70 to 100 stations should generate enough additional income to fund around £200k of capital spending on building and fittings, particularly as part of a bigger scheme.
- 5.20 Old facilities cost more to run and attract less income than modern facilities. In addition, two small or medium sized facilities cost more (because of major fixed costs) than a single combined site. Accordingly, it is possible to generate revenue savings and thus capital funding by rationalising two, or more, older sites into one, as long as staffing can be absorbed into other facilities or services (see Workforce Planning below). The development of a wellbeing centre in Inner East Leeds remains the greatest priority and as such revenue savings from the re-provision of older sites elsewhere in the city could contribute to a viable funding solution. Inner East Leeds is considered a priority area for development given the positive impact on participation of a new swimming facility in the area as well as it being a priority for both the NHS (reducing health inequality) and Adult Social Care. The closure of South Leeds, Fearnville and East Leeds Leisure Centres would present an opportunity, and part of the funding needed, to develop a brand new well being centre in the Inner East area. Further feasibility study would be required to determine the most appropriate location and the total funding required to secure a high quality well-being centre.
- 5.21 As reported, grant funding sources are limited and there are poor prospects for any large scale funding from Central Government in the near future given the position of the public finances. Some small national pots of funding exist and Leeds has already benefited from one of them, the free swimming capital modernisation fund. Leeds was successful in securing funding of £340,000 for changing room improvements at Scott Hall Leisure Centre (cost £512,300) as well as £70,000

funding for some innovative work relating to Pool lighting at 3 sites in the city. The opportunity exists for a further bid to this fund, however there is only £25m nationally (£10m for Local Authority Pools and £15m for School Pools) and it is likely to be heavily oversubscribed. Given the process is competitive there is no guarantee of success and it is possible that no more than one scheme would be chosen by Sport England. The Council intends to work up schemes for 3 sites with a maximum likely single award of no more than £1m. The proposed bids would be for Kirkstall, Aireborough and Wetherby and would be reliant on approximately 25% match funding from the Council. Officers will also seek to bid for Free swimming capital for school sites focusing on Chippendale Pool in Otley, working with Otley Prince Henry School. Deadline for submission of all bids is the 4 September 2009.

6.0 Business Transformation

6.1 As part of the wider review of the service a core workstream has developed seeking to utilise ICT investment to help modernise and transform the service. Implementation plans are currently being drawn up to deliver the improvements in 2009/10, the outcome of which will allow:

- Introduction of On line bookings and payments, removal of the need to queue for pre paid customers and introduction of new self service options
- Improved data management, improvement of communication within the service and better customer management/retention
- The wider development of any future City Card proposal and marketing opportunities that it will present.

7.0 Implications For Council Policy And Governance

7.1 Through its Vision, '*Increasing participation in sport and active recreation contributing to healthier communities*', delivered by both direct services and effective partnership working, the Sports and Active Recreation Service supports the achievement of significant parts of the Leeds Strategic Plan 2008-2011, and a number of strategic outcomes and improvement priorities. The most obvious outcomes supported are:

- Increased participation in cultural opportunities through engaging with all our communities - Enable more people to become involved in sport and culture by providing better quality and wider ranging activities and facilities.
- Reduce health inequalities through the promotion of healthy life choices and improved access to services - Reduce rate of increase in obesity and raise physical activity for all.

7.2 Other Leeds Strategic Plan improvement priorities are supported due to the potential collocation of services through the wellbeing initiative:

- Reduce premature mortality in the most deprived areas

- Improve the assessment and care management of children, families and vulnerable adults
- Improve psychological, mental health and learning disability services for those who need it
- Increase the proportion of people in receipt of community services enjoying choice and control over their daily lives
- Improve safeguarding arrangements for vulnerable children and adults through better information, recognition and response to risk

7.3 Increasing adult participation in active recreation is a key target for the Council and NHS. Whilst swimming pools have a unique and important role in terms of learning to swim, swim safety, swimming for health/fitness and swimming development opportunities for talented athletes, they are only part of a broad spectrum of participation opportunities. The Sport and Active Recreation Service works hard on a broad front to provide opportunities and support schools, voluntary organisations, professional clubs in encouraging ever wider participation. An appropriate balance needs to be struck between providing swimming pools and supporting wider sports and physical activity development work.

7.4 As the Council develops the concept of wellbeing centres with partners in NHS Leeds, and Adult Social care, new governance arrangements are being explored in order to ensure a focus on achieving positive outcomes.

8.0 Legal And Resource Implications

a) Community Management

8.1 In respect of community management and PFI projects, the ownership, title, terms and value of sites needs to be clearly determined.

8.2 It is proposed to seek formal expressions of interest from community in terms of sites (assets) identified for community transfer. Groups submitting an expression of interest will be asked to satisfy a number of basic requirements in order for them to be asked to develop their proposals further with the Council and these were outlined at 3.21 in this report.

8.3 Because of long lead-in times, TUPE transfers should not be a significant risk, as long as the workforce planning is robust and there is a clearly agreed Capital Investment Plan. Staff and Unions will be consulted throughout the process.

b) Good Workforce Planning

8.4 Implementing the above proposals will be complex, with very careful consideration of the ongoing budget implications of closing buildings for refurbishments or improvements (i.e. income is lost and staff costs often retained). Few permanent staff have been appointed since 2007 as vacancies are being filled with staff displaced from Morley Leisure Centre (closed July 2008) and, prospectively, Armley Leisure Centre (closing summer 2009). When the new Armley and Morley centres

reopen in April and June 2010 respectively, staff will move back to these centres. If the decision to transfer and or close sites is taken in time, many of the staff in these centres could be transferred in 2010 to fill the resulting vacancies and minimise disruption to customers and staff.

c) Revenue Funding (PFI Schemes)

- 8.5 Funding PFI schemes usually requires the entire revenue budget for the existing services; NHS and Adult Social Care budget contributions will be needed for wellbeing centres as well as those of Sport & Active Recreation.
- 8.6 The need to commit most or all existing budgets also makes it difficult to consider any community model other than one where a strong partner would take responsibility for operations and costs.
- 8.7 Costs of closing pools, voluntary severance costs, PFI procurement and legal expenses will be funded as the first call on any revenue savings. Only after this will the savings be available to support investment and the PFI lifecycle costs.

d) Capital Funding

- 8.8 To support making funding applications to the Free Swimming Capital Modernisation Programme 2010/11, funding will need to be found from within Council revenue, maintenance and capital budgets, and from NHS Leeds and other partner organisations. It is likely that the Council would have to contribute in the region of 25% of total scheme costs, there is currently no capital programme provision for these costs, the maximum contribution required would be £ 424,000.
- 8.9 In order to deliver the improvement programme it is difficult to articulate precise funding requirements as significant work will be required to develop schemes in more detail. In order to deliver proposal 1 refurbishments, there is likely to be a pressure of £10m - £14m on the councils capital programme over the next 10 years. Table 3 highlights the funding implications for the council and an indicative programme of works for Proposal 1. Table 4 sets out the potential timing and indicative costs of the other major schemes either underway or proposed. This excludes major projects already delivered namely New Aquatics Centre at John Charles Centre, John Smeaton Leisure centre, and Yeadon Tarn Activity centre.

Table 3: Costs, Timing and Potential Funding for Proposal 1

Centre	Total Project £000s	Works Required	2010 / 11 Funding £000s		2011/15 Funding £000s		2015/20 Funding £000s	
			LCC Capital	Pot 4 – free swimming*1	LCC Capital	Unsupported Borrowing	LCC Capital	Unsupported Borrowing
Aireborough	3,800	Refurbish wetside changing rooms & pool hall Extend Bodyline Gym Refurbish reception and exterior windows; refurbish dryside changing, DDA works.	200	800	2,065	735		
Pudsey	2,000	New entrance / active frontage / interior refurbishment Extend Bodyline gym			1,400	400 200		
Rothwell	5,765	Pool hall refurbishment; New atrium / circulation / relaxation area. Refurbish dryside changing, additional car parking, fitness studio / spinning area 1st floor, general maintenance to exterior. Extend Bodyline Gym					4,895	870
Kirkstall	993	Refurbish wetside changing room Re-orient reception area. Works to heating / lighting / ventilation, DDA works	112	448	433			
Bramley	55	Heritage changing fittings			55			
Otley	Owned by Prince Henry School	Work with school to improve changing rooms and public access						
Scott Hall		Already agreed and funded, Reception and disabled lift completed 2007. Work due to commence on new changing rooms summer 2009.						
Wetherby	1,435	Village changing room, DDA works 300m2 extension to Bodyline gym to give total 60 stations.	112	448		875		
Total	14,148	£000s	424	1,696	3,953	2,210	4,895	870

**1. The free swimming capital fund is a competitive process and as such there are no guarantees that any of the proposed schemes would be supported by Sport England. The amount of Council match funding stated is therefore a maximum amount. The phasing of works will also be dependant on the outcome of the funding decision.*

The following table 4 looks at the potential timing of the revised proposals 2,3, and 4. Their timing depends critically on whether funding can be secured beyond the prudential borrowing that can be generated by rationalising the number of sites, i.e. through other Council capital Funding or external funding such as PFI.

Table 4				
Major New Facilities - Potential Timing				
	Indicative Cost £m	<u>2010/11</u>	<u>2011/15</u>	<u>2015/ 20</u>
A. New Leaf PFI Sites (Under construction)				
Armley reopens	11	April 2010		
Morley reopens	14	June 2010		
B. Holt Park PFI (in principle funding - subject to final approvals)				
Finalise funding & contracts		June 2010		
New wellbeing centre opens	15		2012	
Capital cost element A+B	40			
C. "Vision for Leisure Centres' Revised Proposals				
Assumes capital costs met via; Closures of sites/Prudential borrowing/Council capital and other potential funding sources e.g. PFI				
	£m (prices as of 2009)	<u>2010/11</u>	<u>2011/15</u>	<u>2015/ 20</u>
Proposal 2. Inner East				
Open New centre	15		2013/15	
Close\Transfer Existing Sites		As conditions** are met		
Proposal 3. Outer East				
Open New centre	13			2017
Close\Transfer Existing Sites				As conditions** are met
Proposal 4. Leeds South				
Close\Transfer South Leeds New Facility at St George's Middleton	12	as Morley re-opens	2013/15	
Build New Centre			As conditions**	
Close\Transfer Existing Site			are met	
Total cost C	40			
**The conditions referred to are as follows:				
(a) a new facility is confirmed /delivered and/or (b) a suitable community organisation has been identified.				

e) Major Benefits of Refurbishment and Re-Provision

- 8.10 Refurbishment and modernisation of pool halls, changing rooms and reception areas will help Leeds City Council remain a major provider and enabler of reasonably priced opportunities to take part in sport. Our pools are much bigger, better and more appropriate for a variety of uses than the typical private sector 'tank'. However, the private sector invests more heavily in making the journey from car park to pool side more attractive. If public facilities fall too far behind there will be a loss of customer income and subsidy costs will rise to unsustainable levels, possibly leading to centres closing on financial or health and safety grounds
- 8.11 Investment in refurbishing popular council facilities will encourage more visits from people who cannot afford private clubs; it will also maintain a downward pressure on the ability of the private sector to increase prices for the Leeds citizens who use those facilities. With the investment we will look to see annual visits grow from 4.5 million currently to 5 million by 2015. Without investment, we will have to work hard to stop visits falling below 4 million by 2015.
- 8.12 Furthermore, the emergence of the well-being model as a way of integrating services will further enhance opportunities for the people of Leeds and demonstrates the Council's ambition to innovate, modernise and improve in a difficult financial climate

f) Risks

- 8.13 The greatest risks to the "Vision for Leisure Centres" comes from unforeseen developments in the private and voluntary sector along with the state of the public finances. With cuts in public spending widely expected, some entrepreneurs might try to undermine public facilities by short-term aggressive marketing and discounting. Low cost 'Budget gyms' have grown on continental Europe, hitting larger staffed gyms. The first of these budget gyms have already started to emerge in the UK and Leeds is likely to be an area for development.

9.0 Conclusions

- 9.1 The challenge for the service is complex. Leisure centres provide important opportunities for people to be active, leading to better health and wellbeing, as well as being a place to meet and socialise, acting as community hubs in many cases. There is no cheap and quick solution to the long term needs of the service and whilst performance remains strong it is not considered sustainable without significant investment. Methods of improving the service have been identified as have investment requirements.
- 9.2 Capital funding is required to improve the Council's large stock of sports and leisure centres. Some of this may come from Government PFI credits and Free Swimming capital. However, without capital funding from Leeds City Council, the service is unlikely to meet customer expectations in the future. The recommendations below provide a combination of clear actions together with a framework within which to improve the quality of the existing Leisure Centres. Given the degree of complexity and the challenges relating to funding the Vision, it is vitally important that the plan

retains sufficient flexibility to respond to funding decisions and any future opportunities that may arise but critically are clear and detailed enough to allow effective planning of delivery given the potential impacts on existing customers, staff and revenue budgets.

- 9.3 This report sets out a clear intent and commitment by the Council to deliver an improved service which is fit for purpose. Individual projects will need to be brought forward with resourced and developed business cases, but the Council is committed to achieve this within timescales set out in this report.

10.0 Recommendations

Executive Board are requested to approve the following proposals:

Proposal 1 – The Eight Refurbishment Sites

- 10.1 To agree proposals to modernise and improve the quality of the facilities provided at the following sites, and detailed in table 3: Kirkstall, Rothwell, Aireborough, Otley Chippendale Pool, Bramley, Pudsey, Scott Hall* (*scheme currently being delivered) and Wetherby with a commitment to deliver and resource this work up to 2020.
- 10.2 The Director of City Development submit bids in respect of the Free Swimming Capital Modernisation Programme 2010/11 by 4 September 2009.
- 10.3 That the indicative phasing of works is noted as detailed in table 3.

Proposal 2 – Inner East

- 10.4 To re-provide Fearnville and East Leeds Leisure Centres in the form of one new, purpose built, well being centre, with a commitment to deliver and resource by 2013/15.
- 10.5 Seek expressions of interest to transfer East Leeds and Fearnville Leisure Centres to a Community Organisation.
- 10.6 East Leeds Leisure Centre and Fearnville Leisure Centre to remain under Council management until such time that a) a new well being centre is confirmed or b) a suitable community organisation has been identified to whom to transfer the asset(s).
- 10.7 To seek to transfer the management of Richmond Hill Sports Hall to a Community Organization.

Proposal 3 – Outer East

- 10.8 To re-provide Kippax and Garforth Leisure Centres in the form of one new or refurbished swimming pool, fitness suite and other appropriate dry side sports facilities to serve the communities of Garforth and Kippax, with a commitment to deliver and resource by 2017.

Proposal 4 South Leeds & Middleton

- 10.9 Seek expressions of interest to transfer South Leeds Sports Centre to a Community Organisation
- 10.10 To close South Leeds Sports Centre (if no suitable community group is identified) when the new Morley Leisure Centre opens in 2010, and concentrate leisure provision at the John Charles Centre for Sport and Morley
- 10.11 To provide a new well being facility for Middleton, at or in close proximity to the current St George's Centre, with a commitment to deliver and resource by 2013/15.
- 10.12 Seek expressions of interest to transfer the existing Middleton Leisure Centre to a Community Organisation
- 10.13 Middleton Leisure Centre to remain under Council management until such time that a) a new well being is confirmed (at St George's Centre) or b) a suitable community organisation has been identified to whom to transfer the existing Middleton Leisure Centre (asset).

Background Papers

Sport England's Facility Planning Model

Leeds pools study – Sport England overview report

1.1 Introduction

Sport England have worked closely with Leeds City Council for a number of years on facility planning matters and fully endorse the strategic approach that has been adopted to help achieve the council's priority to enable more people to be involved in sport by providing better quality and wider ranging facilities and activities. This approach has underpinned a number of successful funding bids for facility renewal and is particularly appropriate in the current economic climate and in the light of the financial pressures facing the council.

Most recently the council has commissioned Sport England to provide an analysis of the supply and demand for swimming across the city. The assessment considers the impact of changes to population; to the number and location of council provided pools; and of an increase in participation in swimming. This will support the council in testing a series of proposals for investment and re-provision.

1.2 The Facility Planning Model (FPM)

The Facility Planning Model has been developed as a planning tool to inform the process of deciding if and where major community sports facilities such as swimming pools are needed. It has been used across England for over twenty years to inform local, regional and national facility planning and draws on established surveys including Active Places, Active People and the Sport England Benchmarking Service to provide baseline information on participation and community sports facilities.

The FPM study provides an objective assessment of the relationship between the planned supply of pools (incorporating the new facilities at Armley, Morley and Leeds University) and the demand for swimming in the city. It also assesses the impact of a number of changes to both the supply and location of pools, to population and to the rate of participation in swimming. The work provides an outcome and a recommendation on which site, if any, provides the best location in terms of supply, demand and accessibility.

1.3 Proposed facility options

Three sets of proposals were tested in the study and there are a number of other factors and policy issues that cannot be considered by the model but which may or should influence the final decision or choice of site and these are set out below.

1.3.1 East Leeds

The closure of the two pool sites at East Leeds and Fearnville and replacement with a new pool on one of three possible sites has minimal effect on the amount of water space available. There is very little to choose between the three sites tested in the model – all three are projected to attract a very high annual throughput and meet a substantial proportion of local demand for swimming. The ultimate choice will therefore depend on local factors such as access on foot and by public transport, visibility of any new site and the impact of physical barriers such as the A64 Trunk Road.

1.3.2 Kippax and Garforth

The model projects a significant throughput at all three sites tested – Garforth Community College, the A63 site and the existing Kippax site and so there is a strong case for a replacement pool. The margins between each site are very small – in the model's terms all would be as good as each other in meeting the needs of the local community. Again, the ultimate choice for any replacement pool will depend on more local factors, other relevant policy guidance including government policy on co-location and specific site factors such as cost, availability and visibility/attractiveness and ease of access that the FPM cannot assess.

1.3.3 South Leeds/Middleton

The model projects that the visits displaced by the closure of the pools at Middleton and South Leeds can be accommodated at the Aquatics Centre with virtually no drop in satisfied demand. A small number of potential users in Middleton and in South Leeds would no longer be within the 20 minute "walk to" catchment of a pool but this must be balanced against the substantial savings that would result from the closure of two pools. It may be that local, targeted community sports development and health interventions would be more effective in enabling these local communities outside the walking catchment to swim than re-provision in or around the existing sites.

England has very few 50 metre pools and so management information about their performance is more limited than it is for smaller pools. The Leeds FPM assessment projects a very high throughput for the Aquatics Centre and suggests that it might be operating close to its maximum "comfortable" capacity by 2019 if all the projected visits to pools were to happen and the pools at Middleton and South Leeds were to be closed. Leeds CC management information to date indicates that the number of visits is well below the number projected by the model and so there would be capacity to absorb additional visits from swimmers displaced by the closure of the other two pools.

1.4 Other factors

The Key Findings of the study provide further information to support local decision making. Other local factors will inform the ultimate policy on pool provision and what changes, if any, are made to the existing stock and the location of any new facilities.

Other national guidance that should inform decisions about location are **Active Design**, published by Sport England, which sets out key objectives for promoting participation in sport through the design, location and layout of sport facilities. Factors to be considered include active travel and public transport routes which can allow those without access to a car to use the facility; accessibility both on the site itself and also in the wider area where physical barriers such as major roads may prevent or discourage people from using the facility. Where a number of alternative sites have been modelled and there is little difference between them in meeting demand, these factors may ultimately determine the best location.

Co-location is another factor to be considered and is a well established principle that has been widely used to influence the location of sports facilities. Recent Government guidance and the launch of a Co-location fund reinforce this approach. There may be advantages in locating a new pool with other community or commercial services for example as part of a community health facility, with a community library or on a school site. The FPM cannot take account of these very local circumstances but Sport England guidance promotes their inclusion in more detailed local planning. The ultimate outcome of the planning process should be to provide the right facility at the most effective location.

1.5 Unmet demand from walkers

Visitors to pools will make the journey by car, public transport or on foot. The overwhelming majority of visits are made by car but there are a number of people in all communities who do not have access to a car and will make the trip on foot. The FPM uses a 20 minute catchment to define the area from which people walking to the pool will be drawn.

Within the wider Leeds area covered by this study virtually all of the unmet demand projected by the FPM is from people who are predicted to walk to the pool. The closure of Middleton and South Leeds pools will slightly increase the amount of unmet demand but the actual numbers involved are very small (There are other parts of the city where there are substantially larger numbers of walkers outside the catchment of a pool.) These groups, however, are often those who would benefit most from regular participation in swimming and so any good sports development plan should provide ways in which they can have the opportunity to swim. This may often be as part of wider community development, education or health initiatives.

1.6 Summary

The key findings from the study support the proposed changes to the number and location of council owned pools both in terms of the number of pools proposed and their size/capacity. In two of the three areas the differences between potential sites for new pools is are slight and this means that other policy and operational issues, site factors and the results of public consultation will ultimately help to decide which site, if any, is chosen.

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Originator: Joy Marshall

Tel: x78928

Report of the Director of Adult Social Services

Executive Board

Date: 26th August 2009

Subject: - A City for All Ages. Developing a strategic approach to ageing

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

1. People in the UK are living longer and there are now more people over State Pension age than children under 16. Improvements in medical science and health care are making a significant contribution to this demographic trend, alongside the overall reduction in the birth rate. National government policy is preparing for this change, with a focus on the socio-economic impact for society. The social and economic impact will be felt at a local level also, as working lives extend, and more active and healthy older people will expect to make an positive contribution to the life of the city.
2. The report takes a broad view of the impact of ageing on the city which extends beyond health and social care services to include all aspects of people's lives, reflecting the aspirations of *Putting People First* (HM Government, 2007), and incorporating the vision outlined in the new government strategy *Building a society for all ages*, (HM Government, July 2009).
3. Progress to date in promoting independence and improving the wellbeing and quality of life of older people in Leeds, is placed in the context of recent government assessment and national research by the Audit Commission, (*Don't Stop Me Now*, 2008), into how well local authorities are addressing the age agenda. It also draws upon the findings of independent research carried out by the LGA and IDeA, (*Getting on well together. Councils working with older people*, 2009).

4. The report proposes that the Council and its partners adopt a strategic approach to the demographic challenges facing the city and takes a proactive approach to tackling age discrimination and championing the voice of people as they age. It proposes that agreement is needed to promote the concept of “a city for all ages”, and that this is integrated into strategic planning with our partners. Areas for action are outlined together with a timetable for work to produce a strategic framework shaped by what all partners see as important for Leeds. The report also proposes that the City Council actively promotes *Leeds - A City for All Ages*, to give the strategic framework for an ageing society a positive identity.

1. Purpose Of This Report

- 1.1 "An age-friendly city encourages active ageing by optimizing opportunities for health, participation and security in order to enhance quality of life as people age. In practical terms, an age-friendly city adapts its structures and services to be accessible to and inclusive of older people with varying needs and capabilities".

World Health Organization, 2007

- 1.2 This report seeks the endorsement of the Executive Board to proposals for the development of a strategic response to demographic change and the ageing society under the banner of “Leeds – a city for all ages”. The aim being to develop an approach that ensures that as more of us live longer we are able to respond positively to the changes this brings. In addition this report proposes that the Council undertake a leadership role and work with partners in the overall vision of Leeds as an ‘age friendly’ city with communities which residents experience as good places to grow old in.

2 Background – Demographic change

- 2.1 The implications of an ageing society for the city will involve changes not only in the composition of our communities, but also have implications for our thinking about policy within the local authority.

- 2.2 The UK like the rest of the world, has a rapidly ageing population of whom more than half live in cities like Leeds. Vibrant cities benefit the countries entire population, yet to be sustainable they must provide the structures and services to support the wellbeing and productivity of local residents as they age. Otherwise, people will live longer in poor health and poverty and there will be a failure to capitalise on the human and social capital represented by older people (50+) who are now some 40% of the population. (This age is chosen not because it marks the start of “old age” but because for many people it is a point at which life circumstances change in ways that have implications for the future.)

- 2.3 Cultural change is also required to ensure that people are not defined by their age, and that outdated stereotypes of later life as a time of dependency and decline are confronted to enable everyone to benefit and contribute to society as they get older.

- 2.4 “The fact that more people are living longer is a cause for great celebration. Making the most of this opportunity will mean individuals living longer and healthier lives with more time to spend with loved ones and do the things they enjoy. Families and communities will benefit-people over 50 make up the majority of carers and two-thirds of formal volunteers in the UK. The economy will also benefit from more experienced employees and an expanded base of entrepreneurs and consumers – people over 50 currently account for 80 per cent of national wealth and nearly 40 percent of UK annual consumer spending.”

Building a society for all ages, 2009

- 2.5 The composition of the older population is also changing. The fastest increasing section of older people are those aged 85 and over. The number of older people from black and minority ethnic groups will also increase. Populations of cities will change as people migrate to be nearer their families, or will move away from cities to rural and coastal areas.

2.6 Local authorities and PCTs are required to map the current and future needs of the diverse communities they serve, using the Joint Strategic Needs Assessment (JSNA) to inform planning and commissioning. In Leeds work shows that although the overall population is ageing there are specific issues which make Leeds different from the national average and which influence our thinking. For example, Leeds has a relatively large population under thirty, with younger workers coming into the city to work in the banking, finance and service sectors and a large university population. This means that the population as a whole is ageing slower than in other parts of the country. At the same time population change will vary within the city. Currently more older people tend to live in the outer wards and relatively fewer in the inner wards, but it is within the inner wards that high proportions of people over 85 live (in Headingley and City and Hunslet for example). Also significant is the fact that although the overall projected rise in the 50+ population is relatively modest at around 13% up to 2028, this masks particular increases, for example it is projected that there will be a significant rise in the number of older men from 40% in the 80-84 age group to 123% in the 85 plus age group.(see chart below) Also the numbers of older people within the ethnic minority population will increase at a higher rate than for the population as a whole.

Older people population projections for Leeds 2008–2031

Age band	2008	2013	2020	2025	2031
65–69	29,300	34,800	32,500	35,800	40,000
70–74	27,200	26,400	32,900	29,800	33,800
75–79	22,300	23,300	23,800	29,100	26,700
80–84	16,400	17,300	19,300	19,800	24,600
85+	15,500	17,100	20,500	24,200	28,500
Total 65+	110,700	118,900	129,000	138,700	153,600

Source:ONS subnational population projections 2006

3 The Government response to the Ageing Society

3.1 In response to the demographic change impacting on the country, the Government carried out a series of stakeholder events across the country over the last year to identify issues related to the ageing society that most concern people. These have been used to influence its new strategy launched for consultation in July under the title, *Building a society for all ages*. The strategy outlines the main issues that the government now seeks to address. These include the need to tackle age discrimination, (incorporated in the *Equality Bill*.) and a range of issues affecting individuals, families, work and public services.

The main themes covered by the government strategy are:

- Having the later life you want – planning and preparing.
- Older people at the heart of families – support to carers and grandparents.
- Engaging with work and the economy – extending working lives and age-inclusive design.
- Improving Financial support – pensions, pension reform and take-up.
- Better public services for later life – prevention, care and support, innovative services, new UK Advisory Forum on Ageing.
- Building communities for all ages – housing, design, safer neighbourhoods, promoting intergenerational work, staying active, volunteering and transport.

Following publication of the Strategy, there will be a consultation lasting until October, (details attached), followed by work to raise the profile of the ageing agenda in local authorities, and mainstreaming ageing issues in policy and delivery within local partnerships.

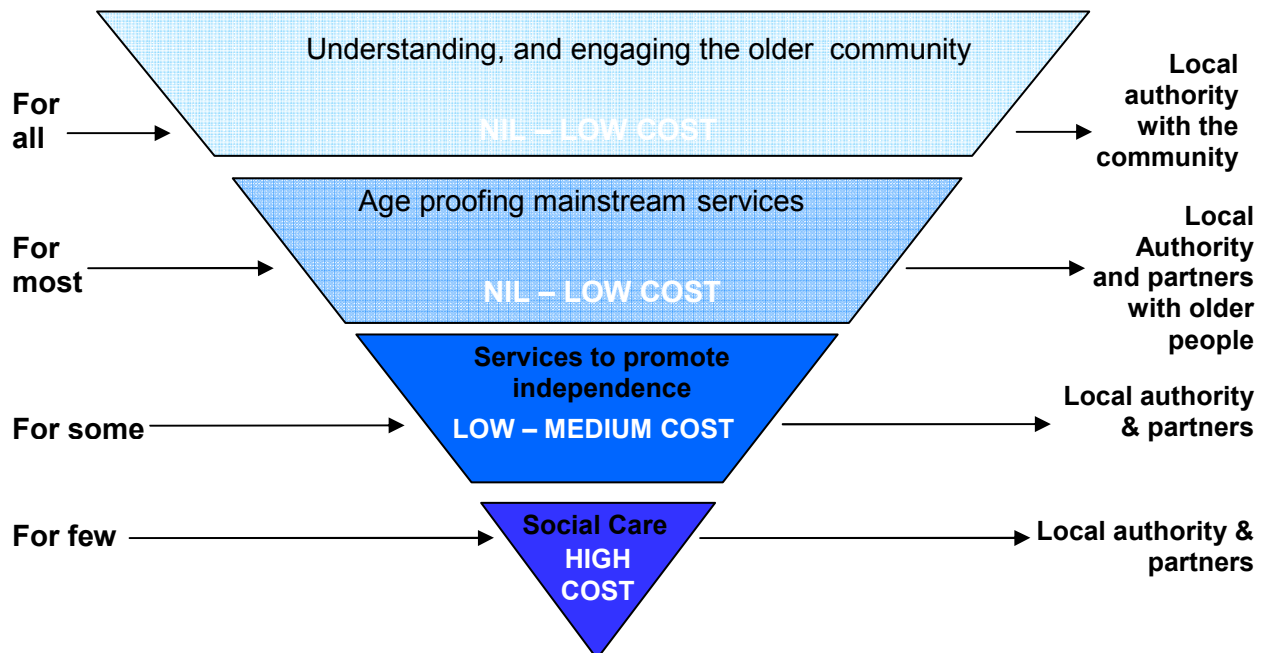
- 3.2 The issues raised in the new Strategy also reflect the findings of an Audit Commission report into how well local authorities are preparing for an ageing population, *Don't Stop me Now – preparing for an ageing population*, July 2008. The report questioned the effectiveness of previous government policy on ageing and explored the extent to which local authorities are committed to leading the cultural, policy and attitudinal change in our approach to the ageing society. The report found that 28 per cent of councils had meaningful engagement with older people, well developed strategies and a coordinated range of services, with most others at an earlier stage of making progress.
- 3.3 Following this research the Audit Commission is now carrying out a further study into the financial implications of the ageing population, which is expected to report in autumn 2009. It will focus on how local authorities can plan financially in the medium term so that local services can meet the changing needs of communities.
- 3.4 Another important addition to the government agenda on ageing has been the impact of *Putting People First*, 2007 with its emphasis on personalisation in public services, particularly care services and also the importance of place and the need for Council's and their partners to ask themselves 'what does it feel to be an older or disabled person living here?' This policy shift is also enshrined in the government's Public Service Agreement 17 targets focused on the need to 'Tackle poverty and promote greater independence and wellbeing in later life'.
- 3.5 The recent Green Paper, *Shaping the Future of Care Together*, 2009, sets the direction the government is planning for social care in the future and addresses the ongoing issues of the financing of care. The paper builds on the concept of basic entitlements that all people should expect, including prevention services, information and advice and personalised care and support. The Paper describes three options for the future funding of care, all of which involve some element of partnership between the individual and the state. The options are essentially concerned with how the individual should make their financial contribution. and the nature of the safety net for those who are not in a position to contribute. The Green paper also proposes two options regarding a part national and part local scheme, which would retain elements of discretion at a local level, or alternatively a wholly national scheme, which would determine the public contribution to individuals at a national level. Whilst there are many questions unanswered in terms of the detail of each of the options described in the Green Paper, a major public consultation process, organised by the Department of Health, will take place during the autumn which will contribute to the detailed understanding of the options.
- 3.6 The Green Paper is in an important milestone in the shaping of public policy in the context of demographic change, and confirms again the trend towards a different relationship between the individual, who may need a service and the role of government in providing that service.
- 3.7 A key issue for government has been to ensure that older people have a bigger say in developing public policy and in February 2009, it published 'Empowering Engagement – a stronger voice for Older People' . This lays out proposals for the development of a new national UK Forum on Ageing, supported by a strong regional and local networks, with the aim of providing a clear link between local older people and Government. including the role of champions, ensuring that all public services consider the needs of older people by empowering older people to influence and shape planning and services.
- 3.8 The Equality Bill planned to take effect from Autumn 2010, contains proposals for ending age discrimination in goods and services and is currently out for consultation. This Bill, if enacted, will have the effect of extending the protection from harassment, victimisation and extend the duty to advance equality of opportunity between people who share a 'protected characteristic', in this case their age. Some areas of public service have historically used chronological age as a key determinant of eligibility. This has been particularly so in the field of health and social care and the Department of Health is leading national work to eliminate such discrimination in preparation for the enactment of the legislation. Whilst this is a complex area, which should be the subject of a more detailed report in due course, this legislative change is highlighted because of the likely impact that eliminating age discrimination will have for the public sector service delivery and as significantly the changes it will have for wider society.

4 Progress by other local authorities

- 4.1 A number of authorities are now taking a similar approach to the one proposed for Leeds and many have or are in the process of developing ageing society strategies where older people are recognised as citizens with much to offer, demanding changes that benefit the whole community. For example:
- Manchester – under the strapline “in Manchester we value older people”, where the Valuing Older People Team lead the work on the Valuing Older People Strategy.
 - London where the focus is on challenging stereotypes and living active healthy lives.
 - Leicestershire where in Ageing Well in Leicestershire, the focus is on Information and services for older people.
 - Tameside where the strategy is developing out of consultation and a conference with older people around, Really Important Questions.
 - Knowsley where older people are ‘future-proofing’ all strategies with a focus on community and cross-generational issues.

5 Developing a Strategic Approach to Ageing in Leeds

- 5.1 The importance placed on developing our strategic approach to ageing in Leeds reflects the desire to go beyond individual good practice and positive service developments, towards putting the ageing agenda at the centre of our thinking about the City and its future development.. It is clear that, to be effective, work on ageing has to be situated in a strategic approach to people over 50 which goes beyond health and social care, which incorporate all aspects of Council’s activity, and beyond to involve key partners, who are together responsible for all the areas older people say are most important to them.



- 5.2 Good progress has already been made in Leeds in both strategic commissioning and service delivery towards the aim of developing Leeds as an age friendly city. Examples include;
- the Joint Strategic Needs Assessment (JSNA) which highlighted demographic change as a key priority to inform future commissioning decisions.
 - joint review and re-commissioning of the Neighbourhood Network Schemes, to ensure that older people are getting the information, and support they need in their local community.

- implementation of a personalisation programme aimed at ensuring that where older people do use social care they have choice and control over what is being offered to them.
- PFI Extra Care Housing proposals to increase housing options for older people.
- The active promotion and take up of free swimming for over 60's along with an increased range of physical activity opportunities.

5.3 Much of the innovative work in Leeds focusing on older people's health and well-being has been driven by the partnership group delivering of *Older Better. A strategy to promote a healthy and active life for older people in Leeds, 2006-2011*. This was developed in response to ten aspirations identified by older people in Leeds as important to them. It has led to a number of successful initiatives, including:

- work to tackle social isolation in later life;
- the promotion of physical activity opportunities;
- development of intergenerational initiatives and now a strategy;
- increasing the take-up of benefits, debt management and financial advice;
- research to highlight issues of health and well-being;
- development of a Positive Images Campaign ;
- a small grants programme promoting health and well-being activities.

5.4 Commitment to enabling older people to live independently now and in the future is also reflected in the inclusion of the performance indicator, NI 139 The extent to which people over 65 receive the support they need to live independently at home, as one of the indicators in the Leeds Strategic Plan and Local Area Agreement.

5.5 Leeds is also considered a leader in ensuring that there is good information to support older people to live independently and make their own decisions and choices. This is evident in the decision to develop *Infostore*, a dedicated website for the over 50s as part of Leeds LinkAge Plus Project during 2006-08. This work is now also being supported by Leeds Cities in Balance (CIB) project. EU funded, this project involves 9 European cities working together to improve opportunities for older people and look at how cities best adapt to an ageing population.

5.6 The City has a long established Leeds Forum for Older People, which acts as a voice for older people as well as coordinating the vibrant network of voluntary organisations involving and supporting older people. However, the Government's intention to work at a regional level to strengthen the voice of older people through a network of regional forum which will feed into government consultations raises the question as to whether more needs to be done in the city to involve older people in a wider debate about the issues that concern them. This will be one of the key questions within the proposed consultation.

5.7 Whilst the city has developed a good range of strategies and service initiatives which aim to address the needs of older people. Examples include housing and health and well being where specific strategies exist and inter-generational work which is a joint initiative between a number of services across the Council. A framework which brings together existing service plans and strategies in the context of broader issues of tackling age discrimination, promoting active citizenship and supporting people to live healthy active and independent lives is required. This is the basis for proposing a City for all Ages strategic framework.

6 Action to Develop A City for All Ages Strategic Framework.

6.1 Leeds has a number of innovative developments for older people, yet does not have a clearly agreed vision and strategy for how the city addresses the changes resulting from the demographic shifts associated with an ageing population. It is unlikely that we can respond effectively without such thinking and agreement on the way forward. This will involve responding to the new national strategy, learning from success elsewhere and ensuring that we take a robust approach to the way that we reflect this work at a local level.

6.2 From an analysis of the challenges and opportunities identified from national and local work on developing a successful response to ageing we have identified a number of areas we need to address. These cover the following:

Creating an age friendly city by:

- Tackling ageism;
- Developing positive images;
- Challenging negative perceptions;
- Involving older people.

Helping people to make the best possible decisions about later life in relation to:

- Housing;
- Financial planning;
- Home adaptations;
- Mental well-being;
- Maintain good health and remain active.

Supporting people to live well in later life by:

- Promoting later life as a time of opportunity;
- Strengthening links between community participation and healthy ageing;
- Improving social cohesion e.g. through inter-generational work.

Improving support and safety for those in need through:

- Safeguarding – tackling the fear of crime;
- Personalisation – including opportunities to choose help to mitigate specific physical or mental conditions;
- Creating communities who care – ensuring that older people can remain independent, active and engaged in their local community.

6.3 It is also important that we build broad understanding and agreement around the concept of Leeds becoming “a city for all ages”. Views will be sought on how this concept can be integrated into strategic and service planning across all Council departments, and in work with partners. This will involve consideration of a wide range of actions, examples of which follow:

Developing the vision of “a city for all ages” by:

- Encouraging broader engagement in developing the vision of Leeds as “a city for all ages” to ensure understanding and agreement across Council departments and partners.
- Developing a strategic approach to promoting independence, good health and well-being in later life through broader engagement of the Council and partners with “a city for all ages”, and with the review of Older Better starting in 2010.
- Supporting intergenerational work (and in Leeds, the development of an intergenerational strategy for the city.)

Strategic planning to ensure we think ahead and incorporate the age agenda through:

- The development of a corporate response to the implications of the government strategy, Building a society for all ages, 2009.
- As part of the development of the JSNA, to review Leeds demographic profile and identify trends for the city which indicate the need for action in terms of specific responses to population ageing.

- Ensuring that issues relevant to the ageing society are considered in all strategic plans to ‘future-proof’ them to meet the changing needs of communities they serve.

Tackling age discrimination and thinking differently about older people

- Using the brand “a city for all ages”, to support our work to implement the Equality Bill proposals on age discrimination.
- Encourage thinking differently about older people and promoting positive views of ageing.
- Ensuring that older people’s skills are utilized to build social capital and contribute to their communities. For example building on the example of the NNS in developing reciprocal support networks where older people make a valued contribution to their community rather than being passive recipients of services, promoting active citizenship through volunteering and supporting flexible approaches to work that support extended working lives.

Supporting services to take a strategic approach to ageing

- Work is needed to ensure that mainstream services are age-proofed to meet the present and future aspirations and needs of older citizens (this includes all public services used by people aged 50 and over).
- Age-proofing all policies to ensure they do not discriminate against, or exclude, older people.

Engaging better with older people

- In a democratic society where older people make up an increasing proportion of the population, it is right they should have a voice and influence decision making within their communities. The current review of engagement with older people in Leeds aims to create robust arrangements which meet future needs and expectations. The Review seeks to ensure age-proofing through engagement.

7 Legal And Resource Implications

- 7.1 There are no immediate resource implications arising from the recommendations in this report.

8 Governance

- 8.1 Strong leadership is required to drive through an effective approach to ageing under the banner “a city for all ages” that is cross-cutting and multi-agency Accountability for this agenda sits with the Director of Adult Social Services through the general accountability to meet the needs of vulnerable adults and to act as a champion on their behalf. Whilst there is no desire to add to existing partnership arrangements, there will be a need to test through the consultation process, whether the existing partnership arrangements within Healthy Leeds or any other partnership, can provide appropriate leadership and direction for this agenda.

9 Consultation

- 9.1 Consultation around these proposals is an essential element of the work that now needs to take place to ensure agreement across stakeholders and in particular those representing older people, on the proposals contained within the “city for all ages” concept and the implications for strategic and service planning. Agreement on governance arrangements within the Council and across strategic partners, and how we engage older people in the process are also key elements of the consultation process.
- 9.2 It is acknowledged that the consultation on this proposal will come at a time when other important consultations on the future of services for older people are taking place. Steps will be taken to ensure that appropriate coordination of consultation processes occurs.

Consultation Timetable

Building a society for all ages-comments	July-September 2009
Vision for "a city for all ages" event	October-November 2009
Agree outcomes from review of engagement	November 2009
Draft Strategic Framework produced	October 2009
Strategic Framework Agreed	November 2009
New engagement structures in place	January 2010

10 Recommendations

Executive Board is asked to:

- A. agree that consultation should begin to develop a strategic framework for the city to address demographic change and an ageing society.
- B. Support the outline of the strategic framework which is described in section 6 of this report.
- C. agree that 'Leeds – a city for all ages' is used as a headline to encourage and engage all age groups, but in particular people over 50, in setting the strategic framework to address the ageing society. .

Background documents referred to in this report:

1. *Don't Stop Me Now*, Audit Commission, 2008
2. *Getting on well together. Councils working with older people*, LGA/IDeA, May 2009
3. *Empowering Engagement – A stronger voice for older people*, Feb. 2009.
4. *Putting People First*, HM Government, 2007
5. *Building a society for all ages*, HM Government, July 2009
6. *Global Age-friendly Cities: A Guide*, World Health Organization, 2007
7. *World Class Places*, 2009
8. *Lifetime Homes, Lifetime Neighbourhoods*, HM Government, 2008
9. *Baseline Needs Analysis for Older People*, University of Leeds, Centre for Health & Social Care, 2006

Building a society for all ages, HM Government, July 2009

Consultation

The strategy is available as a consultation document . The closing date for responses is Monday, 12 October.

Leeds City Council corporate response is being coordinated by:

Joy Marshall
Project Manager
Leeds City Council
Adult Social Care

Email: joy.marshall@leeds.gov.uk

Tel: 0113 2478928

There is a consultation response sheet and a set of 10 questions on the government's website which are also available in alternative formats.

See www.hmg.gov.uk/buildingasocietyforallages



Originator: Lynda Bowen

Tel: 0113 2478702

Report of the : Director of Adult Social Services and Director of Environment & Neighbourhoods

Executive Board

Date: 26th August 2009

Subject: Scrutiny Board (Adult Social Care) Inquiry on Major Adaptations for Disabled Adults

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

Executive Summary

The Scrutiny Board (Adult Social Care) published the results of their inquiry into Major Adaptations for Disabled Adults on 17 June 2009.

In accordance with the requirements of the Constitution, the response to the Scrutiny Board's report has to be agreed with the Executive Board. Attached to this report is the statement of the Scrutiny Board (Adult Social Care).

1.0 Purpose Of This Report

- 1.1 To provide the Executive Board with the joint response of the Directors of Environment and Neighbourhoods and Adults Social Services to the recommendations resulting from the Scrutiny Board (Adult Social Care) inquiry into Major Adaptations for Disabled Adults.

2.0 Background

- 2.1 On 17th June 2009, the report resulting from the Inquiry into Major Adaptations for Disabled Adults was published. The Scrutiny inquiry included investigations within Leeds City Council, The Housing Arms Length Management Organisations (ALMOS) and the Adaptations Agency.

- 2.2 Representatives of service users, tenants, residents and carers gave the Scrutiny Board their experiences of requesting and receiving adaptations.
- 2.3 This report details the findings from this inquiry and lists separate recommendations on how the service could be improved. Officers have studied and discussed the report and their response for each recommendation is listed below.

3.0 RECOMMENDATIONS

3.1 Recommendation 1

Before 31st March 2010 the Director of Environment and Neighbourhoods re-evaluates the current adaptation procurement practices in place and explores potential partnership arrangements which will increase buying power and expand the possibilities for price negotiation in future financial years.

This recommendation is agreed

The Directors of Environment and Neighbourhoods and Adult Social Services note that a Value for Money Working Group has been set up involving the ALMOs and the Adaptations Agency as a sub group of the Adaptations Operational Group. This group is looking at procurement arrangements and will continue to meet regularly.

3.2 Recommendation 2

The Directors of all adaptations providers establish a consistent standard for all non complex adaptations regardless of tenure before 1st April 2010.

This recommendation is partly agreed:

The Director of Environment and Neighbourhoods and Adult Social Services would accept there needs to be a consistent and minimum standard for all adaptations, however, this should not prevent organisations, if they so wish, to meet and exceed the minimum specified standard.

Whilst it is fully agreed there needs to be a consistent minimum standard for all non complex adaptations, it is equally important that organisations and providers should be able to go beyond the minimum standards to enable greatest benefit where this can be provided.

The Directors of Environment and Neighbourhoods and Adult Social Services would advise that there are inconsistencies in mainly the cosmetic elements of the adaptation schemes between ALMOs and between public and private sector providers which largely relate to the quality of finishing's rather than a different specification. If a standard finish were to be introduced, this would reduce both customer satisfaction and choice.

3.3 Recommendation 3

- a) *Local more rigorous and challenging cross tenure targets should be implemented with effect from 21st April 2010*
- b) *Before that date the Directors of all adaptation providers and the Director of Adult Social Services should investigate how assessment, referral and delivery can be*

speeded up to reduce cost in terms of public finance and to the health of the individual. Such targets should aim to achieve an equitable status in terms of waiting times for both public and private owner /occupiers

This recommendation is partly agreed:

The Directors of Environment and Neighbourhoods and Adult Social Services accept there needs to be a close correlation between the service standards provided to public & private sector tenants and owner occupiers.

However, the differences in response timescales can be attributable to legislation setting out different processes according to the tenure of the property. Where an adaptation is proposed for an owner occupier, it is a requirement of the process for delivery to include a means tested assessment. Such a means tested assessment is not needed for social housing tenants.

This key difference means it is not realistic for the Local Authority to implement the same performance targets for delivery cross tenure.

It is, however, fully accepted that all services should clearly set out, publish and publicise response timescales widely.

3.4 Recommendation 4

That the Directors of all adaptation providers make the necessary arrangements to consistently advise customers of the approximate adaptation delivery time, once their needs have been assessed.

This recommendation is agreed:

All Directors agree with this recommendation and would advise that the Adaptations Customer Relations group, a sub group of the Adaptations Operations Group, will ensure implementation.

3.5 Recommendation 5

a) That the Director of Neighbourhoods and Environment, ALMO directors and the Assistant Chief Executive (Planning, Policy and Improvement) make necessary provision for the display and replenishment of published adaptations information in all Council buildings accessible to the public for general or housing enquires

This recommendation is agreed:

The Adaptations Operation Group will be responsible for ensuring the delivery of this recommendation. This will include provision, distribution and updating of leaflets which will contain detailed information about the process of applying for an adaptation and the timescales for each element of the application process.

b) Customer Service Staff should be adequately skilled to signpost those seeking assistance to the appropriate officer/information or provide the necessary adaptations advice

This recommendation is agreed:

Occupational Therapists have been involved in the training of Westgate customer service staff. Advice to customers will be further improved by giving appropriate information so that customers can make an informed choice at an earlier stage about the means test, thus enabling them to decide to proceed if they are an owner-occupier.

3.6 Recommendation 6

Within the next 6 months the Directors with responsibility for the delivery of adaptation and the Director of Adult Social Services work in partnership to evaluate the provision of a cross tenure complex case coordinator (s) with the necessary specialist support skills to meet objectives set out in this report, with a view to securing this function within the next 12 months.

This recommendation is partially Agreed:

An Adaptation Operations Group oversees the general processes and procedures for delivering adaptations. It is proposed that this group continues to review the Housing Options process which was established to ensure complex cases are managed well across agencies.

The Adaptations Operation Group will review the need or otherwise to appoint a complex case coordinator. It is presently the view of ALMOs that to appoint such a person would duplicate existing provision. However, in view of current concerns about delays in provision of adaptations, an opportunity to further appraise this recommendation including development of a possible business case for any potential post, is a task that will be overseen by the Adaptations Operations Group.

3.7 Recommendation 7

Within the next 12 months the Directors of all adaptation providers and the Director of Adult Social Services produce a specific city wide Adaptation Strategy and Delivery Plan spanning a number of years, for both the public and private sector. The strategy should take into consideration that demographically the population is ageing and the other recommendations contained in this report.

This recommendation is agreed:

Directors agree that a specific city-wide strategy, with a strategy action plan, would enable the City Council and partners to structure and coordinate a unified approach to the provision of adaptations. It is recognised that a strategy for the provision of adaptations is an integral part of many different business plans, strategies and action plans. A cross-cutting strategy could bring all elements of this work together and if tasked to do so, the Adaptations Operations Group could provide a vehicle for the strategy to be delivered.

3.8 Recommendation 8

That the Directors of all adaptation providers ensure

a) that the full budget provision is proposed each year in the annual budget to meet all anticipated in year demand thus removing the financial barrier currently hindering the timely delivery of some adaptations

b) that where it becomes apparent that actual adaptations demand will exceed anticipated need further financial provision requested each year from 2010/11

onward to ensure the perpetual delivery backlog at the conclusion of each financial year is brought to an end.

This recommendation is partly agreed:

Directors are aware that budget provision each year is set according to the needs and priorities of each service. The Council's financial contribution to DFGs has increased by over 200% in the five years to present, with a 09/10 allocation of £4.43m, alongside the Government Grant of £2.57m. This reflects a significantly increased level of delivery on adaptations which rose from 441 schemes (03/04) to 784 schemes (08/09) in the private sector. However, the initial forecast for demand at the start of the year is still frequently exceeded during the year, leading to budget / service pressures. Officers believe that when budgets are set, Members could expect to be given a forecast of the anticipated demand and the cost of meeting that demand. It has been suggested that an annual report, based on the adaptations provision in the previous year, may assist in setting out the proposed demand / spending on adaptations.

Members will be aware, however that patterns of demand for adaptations continue to be varied, leading to a particular difficulty in anticipating demand of specific units and therefore a specific amount for future budget allocations.

3.9 Recommendation 9

The Director of City Development investigates and reports on the viability of adopting a model which reflects the spirit of the London Supplementary Planning Guidance for mandatory development to Lifetime Homes Standards, but suits the diversity and specific requirements of the City of Leeds, reporting findings to the Executive Board 31 December 2009.

This recommendation is not agreed:

The Council is already taking steps to address this through the formal planning process.

3.10 Recommendation 10

- a) The Directors of all adaptations providers and the Director of Adult Social Services conduct a full review, within the next 6 months, of how performance information is collected, collated and reported
- b) The provision of quarterly cross tenure adaptation assessment and delivery performance reports to the Adult Social Care Scrutiny Board (or its Successor) including a summary of any known Leeds cases which the Local Authority Ombudsman have decided to investigate or have reported on. The first performance report for 2008/09 quarter 4 will be scheduled early in the Scrutiny work programme 2009/10

This recommendation is agreed:

The Adaptations Operations Group will develop a common data set ensuring that cross tenure adaptation and assessment and delivery performance reports can be received and managed by this group, in particular the performance on completion times.

4.0 Implications For Council Policy And Governance

There are no immediate implications for Council Policy and Governance.

5.0 Legal And Resource Implications

The recommendations will have to be resourced from within existing Council and ALMO staffing and budgets and the scale of the tasks involved should not be underestimated. In respect of the appointment of a complex case coordinator, there may be future resource implications.

6.0 Conclusions

The Inquiry by the Scrutiny Board (Adult Social Care) into Major Adaptations for Disabled Adults indicates the complexity of this area of work. An ability to work in effective partnership is key to the full implementation of the above recommendations which, when implemented, will bring significant potential benefits. It is however, highlighted that these will need close monitoring and management in order to be successful.

7.0 Recommendation

That Executive Board approves the proposed responses as outlined in this report

Background papers

None

Major Adaptations for Disabled Adults

Scrutiny Inquiry Report

Introduction and Scope



1. Introduction

- 1.1 In June 2008 we identified adaptations as a potential area for a more detailed scrutiny inquiry. We were advised that a previous scrutiny inquiry on adaptations had been undertaken a number of years ago and a report was published in October 2002.
- 1.2 At the meeting in September 2008 we considered a report which outlined the current arrangements for the delivery of adaptations in Leeds. Whilst we recognised and acknowledged that progress had been made since the previous inquiry in 2002, we were keen to identify whether the Council was providing good customer service when assessing and delivering adaptations.
- 1.3 Recognising the limited amount of funding available each year for the provision of adaptations, we wanted to explore whether value for money was being achieved. We also wanted to ascertain whether sufficient funding was being made available to adequately fund the provision of adaptations for the occupants of both public and private housing.
- 1.4 We were keen to identify whether the wellbeing of the individual was a general consideration when providing adaptations, and if equality was achieved across all housing tenures.
- 1.5 We considered the best approach for carrying out this inquiry and concluded that by establishing a working group we would have the capacity to undertake the inquiry in greater detail. Terms of reference for this inquiry were agreed at our Board meeting on the 6 October 2008.
- 1.6 We originally anticipated that this inquiry would be conducted over a relatively short period of time. This however did not prove to be the case and to ensure that aspects were investigated to the satisfaction of the working group the time frame for scrutiny was extended. As a result, the inquiry spanned a period of six months.
- 1.7 We feel it is important to recognise the roles and responsibilities which the Adult Social Services Department, Environment and Neighbourhoods Department, ALMO's and Belle Isle Tennant Management Organisation have for the assessment and delivery of adaptations. We also feel it is important to recognise the significant work undertaken on a daily basis to improve the safety, comfort and quality of life for service users.
- 1.8 We are very grateful to everyone who gave their time to participate in this inquiry and for their

Introduction and Scope

commitment in helping us to understand and review this matter.

2. Scope of the Inquiry

2.1 In September 2008 we received a report from the Director of Environment & Neighbourhoods providing information on the Councils current arrangements for providing adaptations. This report included:

- comparative information in terms of average completion times,
- average costs for private sector dwellings,
- value for money considerations, and,
- opportunities for future development.

2.2 We identified a number of areas of particular interest which we felt warranted further investigation. We decided that the purpose of the inquiry would be to make an assessment of the overall adaptations process for disabled adults to both public and private sector dwellings (cross-tenure) and, where appropriate, make recommendations on the following areas:

- The overall time to complete the adaptations process from the initial point of contact with the Council to practical completion of the adaptation, with particular reference to high risk cases and families with complex needs.

- Specific and identifiable stages within the overall adaptations process.
- The determination of risk within the adaptations process and how low level needs are addressed.
- Delivery of consistently high levels of customer service throughout the process, including the availability of customer advice/guidance and the collection/use of customer feedback.
- Current safeguards in place to ensure the Council receives 'value for money' in the delivery of adaptations, including the re-use of aids and equipment.

2.3 Recognising the range of stakeholders involved and responsible for the delivery of adaptations, we received a range of evidence both in written and verbal form from the following:

- Executive Board Members
- Officers from the Neighbourhoods and Environment Department
- Officers from the Adult Social Services Department
- Officers from the Development Department
- Representatives from the Arms Length Management and Tennant Management Organisations

Introduction and Scope

- Corporate Procurement
- NHS Leeds
- Service User Representatives.

2.4 The inquiry consisted of five working group sessions, the presentation of written information (detailed at the latter end of this report) and feedback from individuals who have experienced the service.

The main areas of discussion at each session were as follows:

2.4.1 1st Session.

Ombudsman report and action plan – This specified a case independently investigated by the Ombudsman which reported a number of failings by Leeds City Council. We were particularly interested in what the Ombudsman had concluded and what action had subsequently been, and still needs to be taken.

Determination of risk and addressing low level need - We were presented with information that advised us of the assessment activity undertaken by the Disability Service Teams within Adult Social Care and the criteria for assessing risk. We were also advised of the types of aids and adaptations allowable within the current legislative framework, which unfortunately did not recognise the provision and use of

scooters as an aid or adaptation for disabled people.

2.4.2 2nd Session

Entry criteria and social worker allocation – We were advised of the issues associated with access to social worker support in the adaptations process.

Case Management Approach – We were advised of the approach and defined stages for case management which would aid the delivery of more complex adaptations. We understand the definition of a complex to case to be where any of the following are met:

- where there is evidence that adaptations works which are necessary and appropriate for the disabled person and family, may not be reasonable and practicable to achieve in the property.
- where high cost/multiple adaptations are required and the family want to consider rehousing or the adaptations will cost in excess of £20,000.
- where the family are requesting an extension to the property.
- other circumstances requiring detailed multi agency co-ordination.

Introduction and Scope

Assistive Technology Hub – We heard about the long-term vision that will help disabled people and their families access the range of assistive technology (AT) services available across the City.

Disabled Facilities Grant and Test of Resources – We were advised of the circumstances when DFG can be provided and of the initial means test at the beginning of the grant delivery process, following receipt of a referral from Adult Social Care.

2.4.3 3rd Session

Adaptations framework – We were provided with an overview and advised that the scope of the framework is to ensure that customers receive a consistent service irrespective of the ALMO/agency delivering it.

Target times for assessment and delivery – Following the difficulties in obtaining comprehensive performance data we discussed the current targets set for the assessment and delivery of adaptations for cases at each level of priority.

2.4.4 4th Session

Value for Money – Information was presented to us which specified the expenditure for each adaptation provider. We were also advised of the procurement methods

employed for the provision of adaptations.

Performance Reporting – Updated information was discussed which again focused our attention on the targets defined for the delivery of adaptations and those cases which would not be delivered on time.

2.4.5 5th Session

Customer Care – After requesting examples of case studies, compliments and complaints we considered the level of care and attention provided to those seeking adaptations.

Sustainable Design, Lifetime Homes and Planning – Encouraging information was received about the design of Lifetime Homes and how this would facilitate the provision of adaptations in the future.

Partnership working NHS Leeds and Leeds City Council – The extent of partnership working and joint service provision was presented to us.

Financial Pressures for Adaptation Providers – The full extent of budgetary implications and the capacity to provide adaptations across all sectors was explained in detail.

Conclusions and Recommendations



1. Value for Money

1.1 We were advised that both the Adaptations Agency and the ALMO's have already taken steps to improve value for money, introducing standardised specifications and fixed cost schedules of work for standard installations, driving down cost through negotiation.

1.2 Each ALMO can individually engage contractors by following an established procurement process, however certain ALMO's deliver the service in partnership with their repairs contractors resulting in additional buying power and economies of scale. In the private sector the contract exists between the customer and the contractor with the Adaptations Agency being the commissioner and intermediary to manage the process.

1.3 We were interested to identify why there were varying cost per unit particularly when comparing the public and private sector. We were advised and somewhat surprised to hear that the Adaptations Agency does not have the same buying power as the ALMO's.

1.4 With regard to contractual arrangements currently in place we felt the practice of the Adaptations Agency and ALMO's operating as separate entities was a missed opportunity in terms of value for money.

Recommendation 1 – Before 31st March 2010 the Director of Environment and Neighbourhoods re-evaluates the current adaptation procurement practices in place and explores potential partnership arrangements which will increase buying power and expand the possibilities for price negotiation in future financial years.

2. Consistent Service and Equality Across Housing Tenure.

2.1 In addition it was reported to us that a factor which contributes to higher unit costs in the private sector is the lack of uniform building structures. It is acknowledged that a certain amount of preparation work can be carried out in public sector housing whilst conducting general maintenance which will diminish some adaptation cost however it was of concern to us that the standard of adaptation work is not consistent across the public and private sector with regard to finish and specification. For example we were advised that the standard of tiling in private properties is higher because customer expectations are greater.

2.2 We consider that the difference in the standard of specification and finish cannot be justified.

Conclusions and Recommendations



Recommendation 2 – The Directors of all adaptations providers establish a consistent standard for all non complex major adaptations regardless of tenure before the 1 April 2010.

2.3 We have encountered a further example of service level being determined by the housing type rather than individual need. We were advised that target dates set for the delivery of council tenant adaptations is shorter than for private owner/occupiers.

2.4 The process for delivering Disabled Facilities Grant creates delay within the private sector, a process which we acknowledge can be complicated and can be significantly influenced by the individual applicant. We feel that the additional time allocated for this process immediately presents a disadvantage to private owner/occupiers which should be minimised.

Service User	Regulating Body	No of days for assessment	No of days for recommendation	Total Days
New Adults	CSCI	28	28	56
Other Adults (current service users)	LCC Targets	90	28	118

Table - Number of days for Adaptation Assessment

Sector	Priority High	Priority Medium	Priority Low
Private- Adaptations	114	186	305

Agency			
Public- ALMO's and BITMO	80	160	269

Table – Number of days for Adaptation Delivery

2.5 The information above demonstrates that an individual living in their own home in need of an adaptation classed as a low priority may have to wait a maximum of 423 days, 36 days longer than a council tenant. We have been advised that the target dates are in line with those recommended by the Department of Communities and Local Government.

Better outcomes, lower costs (ODI/University of Bristol, 2007) sets out evidence that timely adaptations and appropriate equipment can produce direct savings to the public purse in terms of reducing residential care, hospital admissions and delayed discharges, and home care requirements (more likely with younger people). They can directly reduce risk of falls, hip fractures, lessen ill health among care givers and help reduce depression. Delays, the report points out, cost money – to other services, in terms of re-assessments, or inappropriate or no-longer-needed services. Disabled adaptations – the current agenda - Housing Quality Network October 2008.

2.6 We are dissatisfied with the overall targets currently in place and deem that the DCLG recommended target dates for

Conclusions and Recommendations



delivery of adaptations in the public & private sector to be unacceptable.

- 2.7 We commented particularly on an example of a low priority case considered to have been delivered well by the Adaptations Agency., The time taken to deliver the adaptation was 297 days for a service user who was 88 years old. We felt that approximately nine months for delivery was too long. We acknowledge that priority cannot be given on the basis of age above a persons needs and therefore consider the re-evaluation of all delivery targets as essential.

Recommendation 3 –

- a) Local, more rigorous and challenging cross tenure targets should be implemented with effect from 1 April 2010.**
- b) Before that date the Directors of all adaptation providers and the Director of Adult Social Services should investigate how assessment, referral and delivery can be speeded up to reduce cost in terms of wider public finance and to the health of the individual. Such targets should aim to achieve an equitable status in terms of waiting times for both public and private owner/occupiers.**

3. Customer Service

- 3.1 As part of our investigations relating to the target dates set for the delivery of an adaptation we asked if service users were advised as a matter of course of the target date determined for the installation of their adaptation. We were advised that this does not happen as the delivery date could fluctuate, however it could be introduced and incorporated into correspondence issued.

- 3.2 We felt that keeping the customer in an uninformed position did not reflect good customer care. Service users should be made aware of the approximate time they will have to wait before their adaptation is delivered so that they can plan any alternative assistance in the intervening period.

Recommendation 4 – That the Directors of all adaptation providers make the necessary arrangements to consistently advise customers of the approximate adaptation delivery time, once their needs have been assessed.

- 3.3 Various public information examples have been presented to us throughout the inquiry which aims to provide assistance to anyone who may wish to know more about Disabled Facilities

Conclusions and Recommendations



Grants or the provision of adaptations. We were concerned to learn however that booklet publications were not available in one of our one stop centres and that staff working there had no knowledge of the Disabled Facilities Grant even though the information is readily available on the Councils website.

- 3.4 We were advised that the Assistive Technology Hub, when established will provide a single point of information on all types of equipment and adaptation services for staff and all people in Leeds. Until such time that this resource is fully available anyone seeking advice about adaptations should have access to information at our public access points.

Recommendation 5 –

- a) That the Director of Environment and Neighbourhoods, ALMO Directors and the Assistant Chief Executive (Planning Policy and Improvement) make necessary provision for the display and replenishment of published adaptations information in all Council buildings accessible to the public for general or housing enquires.**
- b) Customer Service staff should be adequately skilled to signpost those seeking assistance to the appropriate officer/information or provide the necessary adaptations advice.**

- 3.5 In November 2008 we were presented with a report '*Housing Options for Disabled People – A case management approach*'. We were advised that for some disabled people providing housing that meets their physical access needs, and other family requirements, can only be achieved by complex, often high cost, schemes of adaptations. The report outlined that, in some circumstances, re-housing needed to be considered, but the potential impact on all family members affected by such a major decision needed to be taken into account.

- 3.6 We agree that it is a major decision for a family to fundamentally change the physical layout of their home which invariably impacts on all family members. Even more significantly the family may have to move house which can mean moving away from support networks, trusted friends and neighbours, GP and other health care services, schools and leisure activities.

- 3.7 The report also detailed that following an ombudsman investigation (2007) it was agreed to develop an improved approach and we acknowledge that steps have been taken and policies developed to improve the customers experience during the delivery of a complex adaptation.

Conclusions and Recommendations



3.8 During the process of our inquiry we have been given examples of cases where unnecessary delays have occurred often due to differences of opinion between the provider and adaptations user and breakdowns in communication during the various stages of assessment and adaptation provision. Further delays have occurred because cases are not being tracked adequately from first contact to completion. We therefore consider that in some cases the current case management approach is insufficient in meeting the needs of individuals with complex requirements.

3.9 We feel it is essential that a resource such as a specialist casework coordinator is provided to oversee complex cross tenure cases from start to finish. Our understanding of what defines a complex case is detailed in the introduction of this report. In addition any high priority cases that cannot be delivered within its deadline should also receive direct attention. We believe the coordinator should ensure the effective delivery of the adaptation, working with all stakeholders involved and mediating to achieve consensus and agreement between the organisations and individuals. Also aiming to achieve the best solution to meet the needs of the individual as efficiently as possible whilst

minimising disruption, delays and upset.

3.10 The complex casework coordinator would be required to understand the processes involved and manage relationships to prevent breakdown in communication. We consider this will considerably strengthen a case management approach in order to better track and performance manage cases to a successful conclusion.

3.11 We acknowledge that an appeals process is in place to resolve disputes and that the process is not designed to be adversarial, however it is a formal process which some may find overwhelming. We believe that a casework co-ordinator would create greater capacity to manage cases through to a satisfactory conclusion, minimising the need for a customer to initiate a formal appeals process.

Recommendation 6 – Within the next 6 months the Directors with responsibility for the delivery of adaptation and the Director of Adult Social Services work in partnership to evaluate the provision of a cross tenure complex case coordinator(s) with the necessary specialist support skills to meet the objectives set out in this report, with a view to securing this function within the next 12 months.

Conclusions and Recommendations



4. Planning for the Future

There is an emphasis on organisations undertaking holistic planning for demographic change in terms of services and resources, for example in the new National Strategy for Housing in an Ageing Society, *Lifetime Homes, Lifetime Neighbourhoods* and the Audit Commission's recent report *Don't stop me now – Preparing for an ageing population* (July, 2008), which draws attention to the differential geography of demographic change. The Housing Corporation's *Investing for lifetimes – Strategy for housing in an ageing society* (April, 2008) stresses the need for social landlords to have asset management plans which are informed by both projections of need and aspirations for independent living. - Disabled adaptations – the current agenda - Housing Quality Network October 2008

4.1 Throughout our six month inquiry we have investigated a number of elements which generate the delivery of adaptations. Current national research demonstrates that we are evolving into an aging population. A trend which has in part been evidenced by the rising need for adaptations within the city over recent years.

4.2 We witnessed reports and presentations which did not seek to consider the service beyond the current financial year even though it was stressed to us in October

2008 that there is a considerable and growing demand for adaptations. We feel that the city's adaptation providers are 'fire fighting'.

4.3 Leeds Disabled People's Housing Strategy 2008 – 2011 and Draft Leeds Housing Strategy 2009 - 2012 support much of the factual evidence presented to us. Both Strategies exhibit general targets for service improvement, however and we saw no evidence of an overall strategic management plan which clearly projected the increase in the demand for adaptations or made estimations for financial and resource projections in the long term.

Recommendation 7 – Within the next 12 months the Directors of all adaptation providers and the Director of Adult Social Services produce a specific city wide Adaptations Strategy and Delivery Plan spanning a number of years, for both the public and private sector. The strategy should take into consideration that demographically the population is ageing and other recommendations contained in this report.

Conclusions and Recommendations



5. Adequate Future Resources

5.1 Funding for adaptations to council-owned homes is provided through the housing capital programme managed by ALMOs on behalf of the Council. Within the private sector, funding is generally by means of Disabled Facilities Grants (DFG). Local Authorities must provide a Disabled Facilities Grant (DFG) for disabled persons in need of certain essential works. The grant can only be paid to owner-occupiers or to tenants of private landlords or registered social landlords.

5.2 In September 2008 we were advised that in 2007/08, 1901 homes received a major adaptation (704 private sector; 1,107 public sector) and the total expenditure on major adaptations across the city in 07/08 was £13.7m (£5.25m private sector; £8.55m public sector). There has been an upward trend in expenditure and delivery on adaptations to private and public sector homes over recent years. From evidence received we anticipate that this trend will continue for decades to come and similarly that the annual budget provision will need to reflect the raise in adaptations demand in addition to the economic stimulus usually considered.

5.3 We recognise that Leeds City Councils investment to the

Disabled Facilities Grant has increased since 2005/6 from £1,873,345 to £4,430,000 in 2009/10. We were informed that in addition grant funding bids are made each year to the Government however in 2008/9 the award was significantly less than the £3.6m requested by approximately £1m.

5.4 We were advised on a number of occasions that it is possible to speed up adaptation delivery, however the work throughput had to be managed according to the annual budget allocation. Currently the availability of resources is impeding the speed of delivery. In 2008/9 an enhanced allocation of £6m for private sector housing was in place however we were informed that the demand was outstripping the budget provision not only in the private sector but in the public sector also.

5.5 We were most concerned to learn that some adaptations with a target delivery date before the 31st of March 2009, the end of the financial year, were not being delivered due to lack of funding and would be delivered in 2009/10 once additional finance was received. We were alarmed to note that 200 approved schemes were being delayed. The value of the shortfall in the private sector was £1.5million. Similar shortfalls in funding have also been reported by the ALMO's. Further schemes

Conclusions and Recommendations



at pre-approval state had also not been progressed as quickly as possible due to inadequate funding.

5.6 Although an increased private sector budget of £7m has been allocated for 2009/10, this information has highlighted to us that financial resources are already inadequate across all sectors in what is a service with growing demand. This creates a never ending circle of cases held back at the latter part of each financial year.

5.7 Although Leeds ALMO's are not permitted to use Major Repairs Allowance funding to carry out adaptations work, we have been advised that the improvements undertaken to bring homes up to a decent standard have reduced the cost of property adaptation at a later point in time. We are therefore concerned that the government funding allocated to the ALMO's for decency work is a decreasing resource which could in turn create additional demand for adaptation funding in future years. Adaptation work has historically been partially financed by the ALMO's through Right to Buy receipts which we fear in the current economic climate will be a funding source to rapidly diminish.

Research into the impact of the provision of housing adaptations demonstrates clear benefits in terms of both improved quality of life and significant cost savings due to the preventative nature of the service. The provision of adaptations has shown to speed up hospital discharge and to reduce admissions to hospital or residential care due to the prevention of accidents. Perhaps more importantly, research also shows that the quality of life of recipients of adapted properties is also greatly enhanced including that of carers and of family members.

Lifetime Homes, Lifetime Neighbourhoods – A Strategy for Housing in an Ageing Society – CLG, Crown Copyright 2008

5.8 The University of Bristol undertook research which identified that carrying out adaptation work to prevent the need for residential care, on average, would save £26,000 per annum per person not admitted. With the knowledge that delays in adaptation delivery can create a greater financial impact in other service areas and to the welfare of the individual we consider the current level of financial resources allocated insufficient to best meet the needs of those requiring timely adaptations. The requirement to manage a limited adaptations budget further supports to requirement for a long term strategic plan.

Conclusions and Recommendations



Recommendation 8 – That the Directors of all adaptation providers ensure

a) that the full budget provision is proposed each year in the annual budget to meet all anticipated in year demand thus removing the financial barrier currently hindering the timely delivery of some adaptations.

b) that where it becomes apparent that actual adaptations demand will exceed anticipated need further financial provision is requested each year from 2010/11 onward to ensure the perpetual delivery backlog at the conclusion of each financial year is brought to an end.

to Lifetime Homes standards due to the design features incorporated, which will in turn help residents remain independent in their homes for as long as possible.

Double the numbers of older disabled people in England from 2.3 million in 2002 to 4.6 million by 2041. Research shows that the numbers of older people, disabled people and those requiring housing with care is set to rise dramatically. Put simply, we are not building enough inclusive, adaptable mainstream housing for the additional 2.3 million older and disabled people that it is expected there will be in England by 2041. – Lifetime Homes, Lifetime Neighbourhoods A Strategy for Housing in an Ageing Society – CLG, Crown Copyright 2008

6. Lifetime Homes.

6.1 We have heard that the Government's aspiration is that all new housing will be built to Lifetime Homes standards by 2013, making the standard a mandatory part of the Code for Sustainable Homes and encouraging take-up on a voluntary basis by the housing industry over the next few years. Whilst we appreciate the Government is monitoring housing development we consider that the standard should be a mandatory requirement in Leeds before 2013 for all new housing. It was explained to us that it is far easier and cheaper to adapt a home built

6.2 We consider that it is essential to plan for the years ahead by taking the necessary steps now to minimise expenditure in the future. The additional cost of building Lifetime Homes ranges from £165 to a maximum of £545 per dwelling, depending on the size, layout and specification of the property with little or no impact on the size of the physical building. We consider this to be minor expenditure in comparison to the benefits the investment will bring.

6.3 The enhanced design features of a lifetime home was explained to us. It was evident that the interior

Conclusions and Recommendations



space was specifically laid out in order to easily incorporate future adaptations, thus reducing the need for structural alternation or additional building works. For example, adequate wheelchair turning space within the property and a reasonable route for a potential hoist from a main bedroom to the bathroom. Other features include bathrooms designed for ease of access to the bath, WC & wash basin with the internal walls already being capable of taking adaptations such as handrails.

6.4 Whilst it was stressed to us that currently developers need only build to Lifetime Homes standard on a voluntary basis we were informed that the Mayor of London introduced supplementary planning guidance in 2004 which specifies the following:

'All residential units in new housing developments are designed to Lifetime Home standards. These standards should be applied to all new housing, including conversions and refurbishments, and including blocks of flats, for both social housing and private sector housing, and should cater for a varying number of occupants.' Accessible London: achieving an inclusive environment — The London Plan Supplementary Planning Guidance. April 2004 Mayor of London

6.5 As this stipulates a compulsory requirement for all housing to be built/converted/refurbished to

Lifetime Homes standards we expressed our wish to see something similar to the London model adopted in Leeds for all types of residential development, not just social housing, thereby reducing potential adaptation expenditure in the future.

Recommendation 9 –The Director for Development investigates and reports on the viability of adopting a model which reflects the spirit of the London Supplementary Planning Guidance for mandatory development to Lifetime Homes Standards, but suits the diversity and specific requirements of the City of Leeds, reporting findings to the Executive Board before 31 December 2009.

Conclusions and Recommendations



7. Performance Monitoring

7.1 We were advised that the provision of adaptations is monitored by a cross tenure Adaptations Operations Group with representatives from all the statutory agencies which deliver adaptations across Leeds. The types of targets monitored were relayed to us, which we consider to be key information and should be routinely reported to elected members and be readily available on request. A key performance indicator which has held our attention throughout this inquiry is the time taken to complete adaptations.

7.2 We consider the provision of a cross tenure performance report an effective tool for comparing data and highlighting effective or poor operational implementation. It creates an opportunity to identify which providers are functioning particularly well and sharing best practice.

7.3 The Leeds Disabled People's Housing Strategy 2008- 2011 states that 'The Council will monitor adaptation turnaround on an ongoing basis...This will inform decision making on how such services should be developed to better meet the needs of disabled people.' As a result of some of the difficulties experienced during our enquiry to obtain information we remain unconvinced at present by

the current systems in place to provide accurate and timely information.

7.4 We accept that it is complicated to report on activity which spans different council services, who use different operating systems, however the value of reporting will be limited if accurate performance data is not provided.

Recommendation 10 –

a) The Directors of all adaptation providers and the Director of Adult Social Services conduct a full review, within the next 6 months, of how performance information is collected, collated and reported.

b) The provision of quarterly cross tenure adaptation assessment and delivery performance reports to the Adult Social Care Scrutiny Board (or its successor), including a summary of any known Leeds cases which the Local Authority Ombudsman have decided to investigate or have reported on. The first performance report for 2008/9 quarter 4 will be scheduled early in the Scrutiny work programme 2009/10.

Evidence



Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

Reports and Publications Submitted

Report of the Director Environment & Neighbourhoods giving background information of adaptations in Leeds – 17 September 2008

Report of the Head of Scrutiny and Member Development providing the scope of the inquiry – 17 September 2008

Report of the Head of Scrutiny and Member Development providing the Terms of Reference – 15 October 2008

Report of the Director of Environment and Neighbourhoods and Director of Adult Social Care to Executive Board, Local Government Ombudsman report on adaptations to a Council house to meet the needs of the disabled tenant. - 23 January 2008 (appended action plan and Ombudsman report).

Report of the Adaptations Operations Group detailing proposals for setting up an Adaptations Appeal Panel - 3 April 2008. (inc Procedural Notes)

Report of the Disability Service Manager, Adult Social Care, detailing the definitions for prioritisation - 24 September 2008

Report of the Disability Service Manager, Adult Social Care, detailing activity data on Assessments by Disability Service Teams in Adult Social Care – 30 September 2008

Report of the Disability Service Manager, Adult Social Care, detailing access to Social Work Support in the Adaptations Process – 29 October 2008

Report of the Disability Service Manager, Adult Social Care, detailing the Housing Options for Disabled People, A Case Management Approach to Meeting Housing Needs of Disabled People. – 27 October 2008

Reports and Publications Submitted (continued)

Report of the Housing Policy and Monitoring Manager, Environment and Neighbourhoods, providing an overview of the Adaptations Framework - 4 November 2008

Report of the Adaptations Agency Manager providing an overview on the test of resources within the Disabled Facilities Grant (DFG) process – 4 November 2008.

Report of the Head of Scrutiny and Member Development providing an inquiry update – 29 December 2008

Report of the Disability Services Manager, Environment and Neighbourhoods, providing 2nd Quarter 2008 performance data – 12 January 2009.

Report of the Head of Asset Management, Aire Valley Homes detailing practice for continual process improvement and value for money by the Adaptations Agency and the ALMO's. - 12 January 2009.

Report of the Housing Policy and Monitoring Manager, Environment and Neighbourhoods, providing a range of case examples from each adaptation provider – 12 February 2009.

Report of the Adaptation Providers (ALMO's and Agency) providing an overview on available sources of advice and the compliments and complaints procedures with summaries of quarter 2&3 compliments and complaints- 5 February 2009.

Report of the Housing Policy and Monitoring Manager, Environment and Neighbourhoods detailing the Financial pressures for Adaptation providers – 6 February 2009.

Report from Planning and Development Service providing an overview of Sustainable Design Standards, Lifetime Homes and current relevant planning policy – 5th February 2009.

Report of the Disability Service Manager, Adult Social Care providing a summary of joint working with the NHS on the Delivery of Adaptations – 6 February 2009.

Report of the Disability Services Manager, Environment and Neighbourhoods, providing further information relating to adaptation delivery trends and financial pressures – 18 March 2009.

Action Plans and Guidance Documents

- Action plan in response to an Ombudsman Investigation– Updated June 2008
- Guidance – Eligible works for Disabled Facilities Grant
- Guidance – Provisions of Extensions
- Staff Guidance - 1.3 Eligibility Criteria Guide Community Care Services - May 2005 V. 1
- Leeds' Assistive Technology Service – A Vision

Evidence



Witnesses Heard

Cllr Peter Harrand – Executive Board Member for Adult Health and Social Care
Cllr John Leslie Carter – Executive Board Member for Neighbourhoods and Housing
Helen Freeman – Chief Officer (Health and Environmental Action Service)
Andy Beattie – Head of Service (Pollution Control and Housing)
Colin Moss – Adaptations Agency Manager
Liz Ward – Disability Services Manager
Simeon Perry – Housing Policy and Monitoring Manager
Mandy Askham – East North East Homes Leeds
Richard Corbishley – Aire Valley Homes Leeds
Nesreen Lowson – West North West Homes Leeds
Robert Huntley – Belle Isle Tenant Management Organisation
Tony Bailey – Corporate Procurement
Lois Pickering - Planning and Economic Policy
Rachael Smalley - Planning and Development Services
Ernie Gray - Housing Development and Delivery
Amanda Douglas - NHS Leeds
David Everatt – Expert by Experience
Tim McSharry – Access Committee for Leeds (ACL)
Keith B Bowen (MBE) – Leeds Advocacy Services

Dates of Scrutiny

17 September 2008, Scrutiny Board
6 October 2008, Working Group
15 October 2008, Scrutiny Board – Terms of Reference
4 November 2008, Working Group
15 December 2008, Working Group
7 January 2009, Scrutiny Board – Update
12 January 2009, Working Group
12 February 2009, Working Group

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Originator: P Elliott

Tel:07891 271765

Report of Chief Officer, Corporate Property Management

To: Executive Board

Date: 26th August 2009

Subject: Design & Cost Report – Demolition of East Leeds Family Learning Centre, Brooklands View, Leeds. LS14 6SA

Capital Scheme Number 15620 / ELD / 000

Electoral Wards Affected:
Killingbeck & Seacroft

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

Executive Summary

This report seeks Authority to Spend £998,505 in respect of the demolition of East Leeds Family Learning Centre. The building has been used to deliver a range of Council services since it was closed as a school. For a number of years there have been concerns about the suitability of the building for Council use due to its age and condition. Arrangements to relocate all the services from the building are in place, including the development of Seacroft Children's Centre to accommodate the provision previously delivered at ELFLC as referred to elsewhere on the agenda. It is proposed to demolish the building as soon as is practical to reduce the risk of vandalism, health and safety concerns, and the costs involved in void properties.

1.0 Purpose of this Report

- 1.1 To seek Authority to Spend £ 998,505 in respect of the demolition of the East Leeds Family Learning Centre (ELFLC).

2.0 Background Information

- 2.1 The East Leeds Family Learning Centre has been used to deliver a range of Council services since it was closed as a school. For a number of years there have been concerns about the suitability of this building for Council use due to its age and condition.

- 2.2 At its meeting of 26th March 2008, Asset Management Group agreed to support the phased demolition of the ELFLC as the various blocks became vacant. Blocks 5 and 8, at the rear of the site, were demolished in early 2009.
- 2.3 In February 2009, following a series of major plant failures the building became unfit for purpose and uneconomic to repair. It became necessary to bring forward the relocation of services. The remainder of the buildings forming the ELFLC will be vacated by September 2009.

3.0 Main Issues

- 3.1 The budget cost for the demolition of the remaining buildings at the ELFLC is £998,505, which includes for asbestos survey and removal, service terminations, demolition, sub soiling, top soiling, services to the adjacent Cadet Hut, making good hard standings, and a contingency for work to maintain services to the "Rise" development which shares the site.
- 3.2 It is considered that once the ELFLC buildings are finally vacated, they will be at risk from break-ins, theft, vandalism, anti-social behaviour and arson attack. In order to minimize these risks, it is considered that demolition should proceed as soon as possible following final vacation.
- 3.3 Ward Members are aware of the deterioration in the condition of the buildings, and have been consulted about proposals to relocate services, and the need for demolition to reduce the risks associated with empty properties.
- 3.4 It is intended that these works will be procured using the new framework contracts for demolition and asbestos removal which are currently being finalized.
- 3.5 The programme for the works would be of 21 weeks duration, and could commence in October 2009, with a projected completion in February or March 2010.

4.0 Implications for Council Policy and Governance

- 4.1 Compliance with Council Policies – Confirmed that this project complies with Council policies, strategies and initiatives, and the Council's Corporate Plan. In particular, Health & Safety and environmental matters are relevant to this project.
- 4.2 Council Constitution – This decision represents a key decision and as such is subject to call-in.
- 4.3 Safety Audit – The risk assessment for these premises is that they are at risk from break-ins, theft, vandalism, anti-social behaviour and arson attack.
- 4.4 Community Safety – It is considered that the proposals contained in this report for the demolition of these premises do have implications under Section 17 of the Crime and Disorder Act 1998. Community safety will improve as the risk of break-ins, theft, vandalism, anti-social behaviour and arson attack will be either removed or reduced.

5.0 Legal and Resource Implications

- 5.1 The budget cost of demolition and associated works is £998,505.
- 5.2 The vacation and demolition of these premises will reduce the on-going maintenance, security, utility and non-domestic rating costs associated with this building. After making due allowance for the transfer of some elements of the running costs budget with those services decanting from the site there is nevertheless a projected net revenue saving of £12k in 2009/10 and £62k in a full year from 2010/11 onwards.
- 5.3 It is proposed to fund the demolition costs by, in the first instance, utilising the annual revenue savings to fund £880,000 of unsupported borrowing. The £118,505 balance of funding would be met from a transfer of funding from the demolitions and dilapidations fund (as established following approval by Executive Board, 23 July 2009).
- 5.4 Should the site in due course be formally declared surplus then the Director of Resources would recommend that the first call on the eventual receipt be the repayment of the unsupported borrowing. This would then enable the revenue budget provision funding the borrowing costs to be freed up for other service priorities.

5.5 Capital Funding and Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	998.5		998.5				
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
TOTALS	998.5	0.0	998.5	0.0	0.0	0.0	0.0

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LCC Funding (Demolitions Fund scheme 15620)	118.5		118.5				
Unsupported Borrowing	880.0		880.0				
Total Funding	998.5	0.0	998.5	0.0	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

- 5.6 Revenue Effects - Net savings of £62,000 were identified in section 5.2 above following the proposed demolition works. It is proposed to utilise these savings to fund £880,000 of unsupported borrowing.
- 5.7 Risk Assessments – If demolition does not proceed, the property will remain at risk from break-ins, theft, vandalism, anti-social behaviour and arson attack.

6.0 Conclusions

- 6.1 Demolition of this property will reduce the Council's Health and Safety risk, and also reduce its costs in respect of maintenance, security, utilities and non-domestic rating.

7.0 Recommendations

It is recommended that Executive Board :

- 7.1 Approve the proposed demolition of the remaining ELFLC buildings;
- 7.2 Approve the use of the revenue savings following the vacation of the ELFLC site to provide £880,000 of unsupported borrowing to part fund the demolition costs;
- 7.3 Approve the transfer of £118,505 from the Demolitions and Dilapidations Fund (scheme 15620) to fund the balance of the demolition costs; and,
- 7.4 Give Authority to Spend of £998,505 in respect of the demolition of the ELFLC premises.

Background Papers

- 1. Report to Asset Management Group 26th March 2008



Report of the Director of Resources

Executive Board

Date: 26th August 2009

Subject: Financial Health Monitoring 2009/10 – First Quarter Report

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

Executive Summary

1. The purpose of this report is to inform members of the financial health of the authority after three months of the financial year in respect of the revenue budget and the housing revenue account.
2. The report identifies a number of pressures, many of which impacted on the 2008/09 outturn particularly affecting income and demand led budgets. Directorates have already developed and implemented action plans but nevertheless an overall overspend of £10.9m is projected at this stage. Detailed directorate reports are included at Appendix 1.
3. Members are asked to note the projected financial position of the authority after three months of the financial year together with the impact on reserves should directorate spending not be maintained within approved estimates.

1. PURPOSE OF REPORT

- 1.1 This report sets out for the Board the Council's financial health position for 2009/10 after three months of the financial year. The report covers revenue expenditure and income projected to the year end. The report also highlights the position regarding other key financial indicators, including Council Tax collection and the payment of creditors.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that the net budget¹ for the general fund was set at £556.8m, which was not supported by the use of any general fund reserves. As a result, the level of general fund reserves at 31st March 2010 were estimated to be £12.0m.
- 2.2. As reported to Corporate Governance and Audit Committee² in the 2008/09 Statement of Accounts report on 30th June 2009, the net contribution to general fund reserves was £4.6m in excess of the budget bringing the level of general reserves up to £16.6m. This is £200k less than the level reported to Executive Board in the 2008/09 outturn report³ due to a post balance sheet event in respect of an insurance claim.
- 2.3. However, the contribution to reserves included a claim for overpaid VAT within Sport which could give a potential refund of £6.3m. In view of the unknown final outcome of the VAT claim and the present uncertain economic circumstances, it is appropriate that the Council maintains a higher level of reserves than the minimum required.
- 2.4 Budget Monitoring is a continuous process throughout the year, and this report reviews the position of the budget after three months and comments on the key issues impacting on the overall achievement of the budget for the current year.

3. MAIN ISSUES

- 3.1 After three months of the financial year an overspend of £10.9m is projected as detailed in the following table.

General fund	Total Staffing £000	Other Costs £000	Total Projected Variance £000
Adult Social Care	140	160	300
Children's Services	(204)	2,704	2,500
City Development	700	3,500	4,200
Environment and Neighbourhoods	271	989	1,260
Corporate & Central Functions	432	(277)	155
Total Directorates	1,339	7,076	8,415
Section 278 Income		1,200	1,200
Early Leaver Initiative		1,300	1,300
Net Position	1,339	9,576	10,915

3.2 The main variations can be analysed as follows:

3.2.1 Income Variations

The economic downturn is continuing to have a significant effect on income levels in 2009/10. Within the City Development directorate a shortfall of over £2.2m is projected from a number of external income sources, including planning and building fees, sport income and commercial rental income. Within Environment and Neighbourhoods, a shortfall in car parking income of £800k is forecast. In addition, the 2009/10 budget includes income from Section 278 schemes of £5.2m, and based on the 2008/09 outturn position a £1.2m shortfall is projected, again reflecting a slowdown in development activity.

The level of nursery fee income within Children's Services is projected to be £800k lower than the budget.

Additional income has been generated within Adults Social Care with a one-off grant contribution for neighbourhood networks of £400k towards the city wide scheme.

3.2.2 Demand Variations

Externally provided placements, both residential and with independent fostering agencies, continue to be a major pressure on the Children's Services budget and are now projected to be £2.1m overspent.

3.2.3 Staffing

The overall staffing budget is projected to overspend by £1.34m. This figure would have been some £2.2m higher were it not for a projected reduction in the level of the NJC pay award for which the latest offer is an increase of 1.25% for the lower grades and 1% for higher grades. The 2009/10 budget provided for a 2% increase.

During 2008/09, the Council's Early Leaver Initiative (ELI) was used to help reduce overall staffing costs. The scheme was financed from an earmarked reserve and facilitated 132 people leaving the authority where there was an organisational priority for change and future savings backed up by business cases. The 2009/10 budget built in assumptions around reducing staffing levels and these reductions are being progressed in a number of services where there is a robust business case demonstrating a clear rationale to achieve future savings. It is projected that additional funds of £1.3m will be required to cover the in year costs of the initiative. This is in addition to the £1.34m projected overspend referred to above.

3.2.4 Further details of directorate variations and proposed actions to help achieve a balanced budget are attached as Appendix 1. It is important that budget pressures are addressed by directorates who are required to continue to develop and implement action plans to manage their pressures within available resources. The extent to which action plans are not effective in containing spending within approved estimates will impact on the Council's reserves which will clearly have implications on the medium term plan assumptions going forward.

4. **HOUSING REVENUE ACCOUNT**

4.1 At the end of the first quarter the HRA is projecting an underspend of £827k after taking into account an additional contribution to the Swarcliffe PFI sinking fund of

£284k and it is proposed that revenue contributions to capital (RCCOs) are made to fund decency works on the Woodbridge estate (£500k) and a projected shortfall in funding for the HICT orchard project (£200k).

- 4.2 Average void levels for the first quarter are 1.62%, which, if maintained should generate additional rental income of £1.3m. Of this increased income £489k will be paid over to the ALMOs as additional void incentive payments. The fall in RTB numbers during 2008/09, which resulted in higher opening property numbers than budgeted and the continuing decline in RTB sales projects further contributions to rental income of £700k.

5. SCHOOLS

- 5.1 School reserves stood at £13.8m as at 31st March 2009. This comprised overall surpluses of £11.4m in primary, £2m in secondary and £0.4m in special schools. The average Primary School balance is 6% of the school budget and the average Secondary school balance is 1%. Excess individual school surpluses above specified limits are subject to clawback and redistribution to the other schools. It should be noted that within these overall surpluses there are some individual schools with deficit balances.
- 5.2 In line with the Leeds Scheme for Financial Schools, any school which had deficits at the close of 2008/09 and were planning to set a deficit budget for 2009/10 are required to submit an action plan showing in detail how they intend to achieve a balanced budget position within three years. The majority of these have been submitted to Education Leeds and are being evaluated for their viability with implementation monitored regularly. These action plans will be submitted to the Director of Resources by the end of September 2009 in accordance with the approved policy.

6. OTHER FINANCIAL PERFORMANCE¹

- 6.1 The level of Council Tax collected at the end of June 2009 is 28.33% of the debit for the year of £255.7m. This is marginally ahead of the same period last year. The target set by Executive Board for the year is 96.4% and performance against this is being closely monitored.
- 6.2 The collection of non-domestic rates for the first three months is 33.12% of the current net debit of £331.5m, which whilst being behind the same period last year is currently on target against a reduced yearly target of 97.5% agreed due to the impact of the recession.
- 6.3 In terms of Sundry income, the collection rate at the end of June is 84.7% of the amount due of £29.0m. The collection rate is behind the same period last year predominantly due to a small number of high value invoices recently raised which are currently outstanding. As with the other targets this is being closely monitored and there is no concern at this stage that the target will not be met.
- 6.4 The prompt payment result for June including P Card transactions processed in June and Utility accounts processed in May is 90.11%. The year to date position for 2009/10 is 91.20% against a target of 92%. During June 43,963 invoices were processed of which 4,347 invoices were paid late.

7. RECOMMENDATION

- 7.1 Members of the Executive Board are asked to note the projected financial position of the authority after three months of the new financial year and request that directorates continue to develop and implement action plans.
- 7.2 Members are also requested to approve the following budget adjustments :-
- 7.2.1 A revenue contribution to capital (RCCOs) to fund decency works on the Woodbridge estate (£500k) and a projected shortfall in funding for the HICT orchard project (£200k) within the Housing Revenue Account
- 7.2.2 A virement in the sum of £800k within City Development directorate from the Highways Direct Labour Organisation account, as detailed in the attached City Development report.
- 7.2.3 The reallocation of the Strategy and Policy budget within City Development as detailed in the attached City Development report.

BACKGROUND

¹ Revenue Budget and Council Tax 2009/10 – report to Executive Board 13th February 2009

² The Statement of Accounts 2008/09 – report to Corporate Governance and Audit Committee 30th June 2009

³ Financial Performance – Outturn 2008/09 – report to Executive Board 17th June 2009

Other working papers available from the originator

ADULT SOCIAL CARE DIRECTORATE: 2009/10 BUDGET – QUARTER 1 REPORT**1.0 Introduction**

This report sets out the financial position for the Adult Social Care directorate for Quarter 1.

2.0 Overall Summary

The Quarter 1 position for the Adult Social Care Directorate is a projected overspend of £0.3m. This is after assuming achievement of in-year action plans of £4.9m.

3.0 Explanation of the Projected Overspend

The main reasons for the projected overspend are:

- **Holt Park Wellbeing Centre - £0.5m**
The initial bid for PFI credits for a Wellbeing Centre was rejected last year and because a response had not been received regarding the appeal lodged against that decision, no costs were included in the Adult Social Care budget proposals for 2009/10. However, in March of this year the appeal was upheld and the opportunity of securing over £30m of PFI credits to further the development of universal services as part of the 'Putting People First' agenda, together with the re-provision of the Holt Park Leisure Centre was seen as an important contribution to the delivery of ASCs objectives. The costs associated with the procurement of this facility and their allocation across the partners are yet to be finalised, and may be impacted by the final allocation of floorspace and additional contributions from other agencies; but for planning purposes Adult Social Care are currently agreeing to share the cost equally with the City Development directorate.
- **Community Care Packages - £0.1m**
This pressure reflects an increase of Direct Payments and reduced PCT income offset by a reduction in Community Care placements.
- **Staffing - £0.1m**
Mainly due to slippage in implementing planned savings.
- **Neighbourhood Networks – (£0.4m)**
The directorate has successfully bid for and received a one off grant contribution towards the city-wide scheme.

4.0 Proposed Actions and Risks

The Directorate is continuing work to minimise any overspend and based on the current position the contingency plan will mitigate the projected pressure.

CHILDREN'S SERVICES: 2009/10 BUDGET – QUARTER 1 REPORT

1.0 Introduction

This report sets out the financial position for Children's Services for quarter 1.

2.0 Overall Summary

The quarter 1 position for Children's Services is a projected overspend of £2.5m.

3.0 Explanation of the projected over/underspend

3.1 Within the overall Children's Services budget the individual service position is;

Line	Service	Forecast Variation Over/(under) £m
1.	Children & Young People's Social Care	2.60
2.	Early Years	(0.35)
3.	Integrated Youth Support Service (incl. Youth Offending Service)	0.40
4.	DCS Unit	-
5.	Education	(0.30)
6.	Central & Strategic budgets	0.15
	Total	2.50

3.2 Children & Young People's Social Care (CYPSC)

The main pressures on the budget relate to externally provided placements, both residential and those with independent fostering agencies. In fostering, the service improvement and transformation agenda, together with recognising the level of scrutiny from external regulatory bodies, has increased the volume of children & young people placed with fostering agencies. In addition, there is pressure on the externally-provided residential care budget which is also due to an increase in the number of placements. There is also additional pressure on the budget around slippage on some of the budgeted action plans, for example the corporate review of employee travel policies, procurement efficiencies and delivery of the potential efficiencies from reducing the level of sickness absence.

3.3 Early Years

The forecast underspend on the Early Years budgets is focussed mainly on the employee budgets across the Children's Centres. This is partially offset by reduced nursery fee income when compared to the budget.

3.4 Integrated Youth Support Service (incl. Youth Offending Service)

In the main, the pressure on the IYSS budget is around a forecast overspend across employee budgets, together with slippage on budgeted action plan savings (employee travel, procurement & maximising income) and non-reclaimable costs associated with

the development of the Youth Hub in South Leeds. The pressures on the employee budget includes the Leeds element of the exit costs for the Regional Budget Holder pilot which are funded in part by the use of the earmarked reserve.

3.5 Central & Strategic Budgets

The budget strategy for 2009/10 included a challenging target around the delivery of efficiencies from the application of strategic commissioning, the development of integrated working at a locality level and by reviewing and rationalising back-office and support functions. Whilst significant progress has been made against these objectives, the first quarter projections recognise that there will be slippage on the delivery of the budgeted efficiencies.

4.0 Proposed Actions & Risks

There are clear financial risks within the first quarter projections that will need careful monitoring and management over the coming months. These risks include the externally provided fostering & Residential budgets in CYPSC, the delivery of the budgeted action plan savings across Children's Services and close monitoring of the income levels in Early Years.

A number of plans and actions have been strengthened in order to reduce the projected overspend. These plans include:

- Continual risk-based review of all externally provided fostering and residential placements, recognising in-house capacity.
- Business Process Reviews in CYPSC as part of the service transformation agenda.
- Maximising the opportunities presented from external funding.
- Close scrutiny of the employee-related budgets including external recruitment, the use of agency staffing, overtime and employee travel costs.
- Strengthening the commissioning and contracting arrangements for externally provided fostering and residential care.
- Continue the move towards integration across the Children Leeds partnership and in particular the programme management review of support arrangements, infrastructure, commissioning and service provision at a locality level.

CITY DEVELOPMENT DIRECTORATE: 2009/10 BUDGET – QUARTER 1 REPORT

1.0 Introduction

This report sets out the financial position for City Development Directorate for Quarter 1.

2.0 Overall Summary

The Quarter 1 position for City Development Directorate is a projected overspend of £4.2m. This is after assuming additional savings of £925k will be achieved in staffing and running costs through various actions agreed by City Development Directorate.

3.0 Explanation of the Projected Overspend

The main reasons for the projected overspend are the continued impact of the recession on the Directorate's external income base particularly planning and building fee income, delays in the achievement of some planned efficiencies, cost pressures on operational budgets in Sport and Parks and Countryside and an overspend on staffing. The projected overspend can be summarised as follows:

Planning and Building Fees shortfall	£1.0m
Net other income shortfalls	£1.2m
Staffing	£0.7m
Operational budgets	£1.3m
Total	£4.2m

Income

In 2008/09 there was a shortfall on key external income sources of £4.2m. This included shortfalls on planning and building fees, sport income, museums income and income in Asset Management.

The 2009/10 budget was adjusted to reflect expected trends at the time and external income budgets were reduced by over £3m. However, the actual income position continued to worsen towards the end of 2008/09 and in some cases income levels in 2009/10 are falling well below 2008/09 levels. The most significant problem facing the directorate continues to be planning and building fee income with a shortfall of £1m projected for 2009/10. This is also after the 2009/10 budgets were reduced by £925k. The current projection assumes that planning and building income levels are not going to improve significantly in 2009/10. Other income shortfalls include £0.2m on commercial property rental income, £0.3m income in Libraries, Arts and Heritage and £0.6m on sport.

Reduced workloads for Architectural Design Services means that there is a projected shortfall in income of £0.5m after allowing for reduced staffing costs. This issue came to light in the final quarter of 2008/09 and the service is actively working on a budget action plan to deal with this situation, this will include managing staffing downwards to an appropriate level.

Staffing

To help fund income shortfalls, reduced workloads and meet other substantial cost pressures the budget strategy for City Development for 2009/10 included a staffing saving target of over £3m. An additional staff saving of £220k was also included for savings resulting from reduced sickness. Over 50 Early Leaver Initiative (ELI) cases were approved during 2008/09 and planned restructures are being progressed in a number of services which are experiencing reduced income and workloads. Overall the directorate has plans to achieve a significant element of the £3m target but service budgets also include an assumed vacancy factor saving. In many service areas staff turnover is currently very low resulting in services not meeting assumed vacancy factor assumptions in the budget and overall an overspend in staffing of £0.7m is projected. This also takes account of the fact that the latest pay offer for 2009/10 is less than the 2% pay award assumed in the 2009/10 budget.

Achieving the staffing savings target is a priority for the Directorate. The ELI is being promoted and recruitment will continue to be closely managed in the Directorate with only front line services having posts released when vacancies occur.

Operational Budgets

There are pressures on operational budgets in both Sport and Parks and Countryside. These include operational materials, equipment, provisions, security, fuel and vehicle hire which emerged as pressures during late 2008/09. Budget Action Plans are being developed in services that are projecting an overspend and virements will be prepared once actions agreed, however, an overspend on these budgets is still likely. In addition, some planned savings included in the 2009/10 budget are likely to take longer to be realised.

The overall Directorate position is helped by savings and additional income that will be achieved in Highway Services and Economic Services. In Highways and Transportation savings are projected from reductions in contract rates for plant hire, savings in supplies and services and from additional capital fee income. The Service will be able to deliver the planned Individual Maintenance Scheme Programme for 2009/10 and generate the above savings. It is proposed to realign £800k from these savings to fund budget pressures in other service areas. It is proposed that a virement will be made from the Highways Direct Labour Organisation account, where the majority of savings are projected, to Planning and Sustainability and Libraries, Arts and Heritage for staffing and to Sport and Parks and Countryside for operational running costs.

4.0 Revised management arrangements

In Spring 2009 revised management arrangements were introduced in City Development which resulted in Strategy and Policy ceasing to exist as a separate service and its component parts transferred to other service areas in the Directorate. Economic Policy became part of Economic Services. Planning Policy, Graphics and Communications and Sustainable Development became part of the Planning Service and this service was subsequently renamed Planning and Sustainability.

5.0 Proposed Actions and Risks

Proposed actions include the following;

- Continue to closely manage recruitment.

- Continue to review staffing and progress revised structures in service areas experiencing reduced income and workloads.
- Review of back office functions in services to identify further possible savings.
- Continue to actively progress the Early Leavers Initiative, particularly in areas of continued declining income.
- Services to prepare budget action plans to address areas of overspending and to identify alternative actions and review areas.
- Examine scope for the realignment of budgets within City Development where appropriate.
- Identify areas and budgets where spend is not fully committed to identify scope for making savings or reducing the level of spend.

The major budget risk is that income trends continue to worsen and that efficiency savings are not delivered in line with budget.

ENVIRONMENT AND NEIGHBOURHOODS DIRECTORATE: 2009/10 BUDGET – QUARTER 1 REPORT

1.0 Introduction

This report sets out the financial position for Environment and Neighbourhoods Directorate for Quarter 1.

2.0 Overall Summary

The Quarter 1 position for Environment and Neighbourhoods Directorate is a projected overspend of £1.3m. This is after assuming the successful implementation of identified actions.

3.0 Explanation of the Projected Over/Underspend

Neighbourhoods and Housing Services are projecting an overall variation of £0.770m. Within Jobs and Skills residual staffing issues following the implementation of the new structure has resulted in a £437k pressure, whilst the £332k projected variation in Roseville Doors reflects a combination of the latest assumptions in respect of staffing and activity levels for doors production.

Within Environmental Services a forecast variation of £0.8m is largely due to a shortfall in car parking income, resulting from the downturn in the economy. Approx £300k is forecast to be lost from Suspended Bays (where Developers pay the Council to close on street parking bays); a further £160k shortfall will arise from the decision not to introduce Sunday / Evening Car Parking charges.

Within HEAS, a loss of external funding in the Fuel Savers team has created a £300k pressure. This loss of funding was announced after the 2009/2010 budget had been approved.

4.0 Proposed Actions and Risks

The Directorate will continue to ensure that all identified actions reflected in this projection are successfully implemented, all items of expenditure are reviewed and that all sources of income are maximised.

In addition the Directorate will seek to implement actions identified in its Contingency Plan.

CENTRAL AND CORPORATE FUNCTIONS: 2009/10 BUDGET – QUARTER 1 REPORT

1.0 Introduction

This report sets out the financial position for Central and Corporate Functions for Quarter 1 of 2009/10.

2.0 Overall Summary

The Quarter 1 position for Central and Corporate Functions is a projected overspend of £155k. This is after implementing action plans of £604k.

3.0 Explanation of the Projected Over/Underspend

The main reasons for overall projected overspend are:

Corporate Governance (overall balanced position)

- Due to a review of the fee for Local Authority Property Searches and an improvement in the housing market there has been an increase in the level of income generated to date. The budget was based on an estimated level of searches and this has increased significantly. Based on a monthly average for the first three months of the year, £335K of additional income could reasonably be expected to be generated in 2009/10. However, there is a major risk in assuming that the additional income will be achieved. The assumption is that trends will continue at the current levels, but there is a great deal of uncertainty in the current housing markets and further increases/decreases in sales could lead to significant variation in the current forecast levels of income. More importantly, a recent review by the Information Commissioner regarding whether part of the information provided by a local land charges search has to be provided free of charge has just arisen nationally and this would have a significant impact on the income to be received if the decision is confirmed by the Government.
- Professional Legal Charges staffing costs are projected to increase by £566k reflecting increases in the volume of work requested. These additional costs will be recharged to clients.

Policy, Performance and Improvement (net overspend after actions £49k)

- The projected overspend is due to additional pressures in Customer Services (mainly within the Corporate Contact Centre) required to meet the additional activity levels from customers due to the current economic climate. The delay in the introduction of Integrated Voice Recognition (IVR) has also created an additional pressure. Action plans have been implemented to arrive at a forecast overspend of £49k including seeking additional Government Funding, seeking to transfer further services into the Corporate Contact Centre, without any consequential increase in staffing resources. Savings based on the current pay offer compared to the budgeted 2% are also factored into the projection.
- Senior Management within PPI are currently reviewing forecast expenditure levels and projected spending to seek to identify further levels of savings that could be made to produce a balance budget for 2009/10.

Resources (net overspend after actions £106k)

- The projected overspend of £106k is largely due to a shortfall in housing benefit overpayment 'income' amounting to £350k plus an adverse trading position on Commercial Services of £250k. This is offset by savings, mainly on pay, of £494k.
- The impact of receiving less income from housing benefit overpayments is projected at £350k. Additional resources are being channeled into 'intervention' work which is hoped will identify more overpayments and reduce the pressure.
- The Commercial Group is projecting an adverse trading position of £250k. This comprises pressures within Property Maintenance Building of £210k and Catering of £167k, offset by a better trading position within Property Cleaning of £39k, Education Cleaning £43k and Fleet Services £45k.
- The Property Maintenance Building function remains the most challenging area following the 2008/09 net overspend of £700k. The 2009/10 budget relies on the service realising a number of efficiencies in areas such as reduction in sickness as well as generating additional income. Significant internal resource has been employed in introducing enhanced financial controls as well as a new model of working with the Corporate Property Management service in 2009/10. Currently an adverse position of £210k is projected due to a lower income projection as well as slightly higher expenditure.
- Within the Catering function the Sales and Distribution Unit is projecting an adverse position of £94k. The reason is the budget assumed a higher throughput within the unit, but this has, to date, proved difficult to effect within the menu provision. The other area responsible for the overspend is Primary Catering (£73k), which is seeing an increased uptake in free meals and higher provision costs.
- In terms of pay, the projections take account of the fact that the latest pay offer is less than the 2% assumed in the 2009/10 budget. Also Financial Management is expected to underspend its staffing budget by £250k as a result of current vacancy levels.
- Work is ongoing within the directorate to identify further savings and efficiencies to achieve a balanced budget position by the end of the year.

4.0 Proposed Actions and Risks

Work has already taken place to implement a new working model between Corporate Property Management and Property Maintenance sections to mitigate any potential overspend in this area.

Policy, Performance and Improvement have already produced action plans to fund the current projected staffing overspend and the impact of these will be monitored throughout the remainder of the year.



Originator: P Hutchinson

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Not for Publication: Under Access to Information Procedure Rule 10.4.3 – Appendices 1 and 2 only

Report of the Director of Resources

Executive Board

Date: 26th August 2009

Subject: Local Taxation Collection Policy, Business Hardship Relief and Discretionary Rate Relief Guidance

Electoral Wards Affected:All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

1. This report seeks to obtain approval for the local taxation collection policy in line with the requirements of the Financial Procedure Rules (s7.9).
2. The report looks to consider the guidelines for the application of hardship relief in respect of business rates and consider if any changes are necessary
3. The report seeks approval for the proposed changes to the discretionary rate relief guidelines.

Purpose Of This Report

- 1.1 To seek approval of the categories and criteria used to write off outstanding Council Tax and Business Rates debts.
- 1.2 To provide Members with information on the current guidelines used in respect of hardship relief and to consider changes to these guidelines.
- 1.3 To provide Members with information on the discretionary rate relief guidelines and seek approval for amendments to the guidelines.

2.0 Background Information

- 2.1 Financial Procedure Rules (7.9) require that the arrangements for write off of local taxation debts should be approved, from time to time, by Executive Board. This report provides details of the categories used and the criteria to be met before a debt can be written off.
- 2.2 The Council can award hardship relief from business rates in accordance with Section 49 of the Local Government Act 1988. The Act specifies that a blanket policy cannot be applied but guidance should be provided and each case considered, on it's own merits.
- 2.3 The current guidelines have been in operation for some time and it was considered appropriate to carry out a review to consider if any changes are necessary, due to the current economic climate and the impact on businesses.
- 2.4 The Council can award Discretionary Rate Relief to charitable / not for profit organisations. It is considered that a change to the current guidelines is necessary due to a change in the treatment of hospices. The Valuation Office have taken legal advice which has resulted in hospices being moved from the council tax list into the business rate list.
- 2.5 The Council had arrangements in place to meet the full cost of the council tax payable by hospices. Following the change, hospices will qualify for 80% mandatory charity relief but will face a bill for the remaining 20%.

3.0 Main Issues

Local taxation collection policy

- 3.1 The arrangements for write off local taxation debts have been reviewed and attached at appendices 1 and 2 are the revised versions for approval by Members. This information is not for publication under the Access to Information Procedure Rule 10.4.3, as to publish the information would be detrimental to the authorities finances and thereby the provision of its services. Therefore the public interest is better served by not publishing the information.
- 3.2 Some minor amendments have been made to the existing policy, in relation to deceased persons, persons committed to prison and hardship. These amendments are proposed to either add further checks before a write off is done or to streamline / amalgamate some of the existing process.

Hardship Relief for businesses

- 3.3 The current guidelines for hardship relief are attached at appendix 3. These guidelines follow guidance provided by the Government. The advice from the Government is that hardship relief should be the exception rather than the rule.
- 3.4 In the current economic climate requests are being received to provide assistance to businesses to help the business to continue through the recession. The hardship policy is a potential vehicle for providing some help but there would be a cost to the Council which could be significant, as it may be difficult to identify why assistance should be provided to one business and not to another.
- 3.5 In the main hardship will be used to support local projects / companies and not multi national organisations. Below are some examples of where hardship relief has been provided
- To provide support to a fish and chip shop whose trade was affected by the demolition and redevelopment of the area.
 - To an organisation providing exhibition space for contemporary and visual arts, plus educational activities. The organisation were operating in space provided free by a developer but business rates were still payable. The organisation were supported by the Council's Arts and Regeneration Unit and provided advice in support of the application.
 - An organisation providing facilities for the homeless and disadvantaged were relocated on a temporary basis due to refurbishment of their existing premises. No rates were payable in their normal location as they operate from a place of religious worship. Hardship relief was provided, at the temporary premises, until they were able to move back to their original location.

A decision to refuse hardship relief can be challenged by judicial review and the Council must therefore be able to demonstrate that a consistent approach is taken in assessing applications for the relief.

Members should also be aware that any relief is limited to 200,000 euros, over a 3 year period, in line with the rules relating to State Aid.

Discretionary Rate Relief

- 3.6 As mentioned in point 2.4 above there has been a change in the treatment of hospices by the Valuation Office.
- 3.7 The current guidelines in respect of discretionary rate relief are attached at appendix 4. These guidelines do not allow for any application for additional relief to be considered in respect of hospices. It is proposed that the following is inserted into the guidelines so that applications for additional relief can be considered.

“ Leeds based charities who provide buildings based palliative and end of care services, applications to be in respect of premises where hospice type services are provided. “

4.0 Support being provided to Businesses

4.1 Businesses can elect to opt into the new Government business rate deferral scheme which allows them to defer some of the 2009/10 increase over 2010/11 and 2011/12.

4.2 In addition the staff within the business rate team will look to provide help and advice to customers who are in financial difficulty at this time. The solution will vary from customer to customer but some of the solutions have been;

- deferred payments that meet the customer current circumstances
- advice on appealing against the rateable value where appropriate
- arrangement beyond the end of the financial year
- ensure any options to reduce the bill are investigated, such as small business rate relief
- provide advice on the complexities of the business rate system which otherwise companies would have to pay professional advisors

5.0 Implications For Council Policy And Governance

None

6.0 Legal And Resource Implications

6.1 There are resource implications as any additional relief awarded as a result of the proposed changes will need to be funded in part by the Council.

6.2 In respect of hardship relief 25% of any relief granted is funded by the Council.

6.3 In respect of discretionary rate relief 75% of any additional relief is funded by the Council.

7.0 Conclusions

7.1 This report provides Members with some changed criteria for the local taxation collection policy, a proposed change to the discretionary rate relief guidelines, which members are asked to consider.

7.2 Members are also asked to consider if there are any changes necessary to the Hardship relief guidelines as a possible means of providing support for businesses in the current economic climate.

8.0 Recommendations

8.1 Members are asked to approve the revised criteria to be used to write off debts for both Council Tax and Business Rates as outlined in the revised local taxation collection policies in Appendices 1 and 2. (These appendices are not for publication under the Access to Information Procedure Rule 10.4.3)

8.2 Members are asked to approve the revised guidance for Discretionary Rate relief.

8.3 Members are asked to consider whether any changes should be made to the hardship relief guidelines.

Background Papers

- Leeds City Council Financial Procedure Rules
- Local Government Act 1988
- Government Guidance on Hardship Relief

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Appendix 3

GUIDELINES FOR AWARDING DISCRETIONARY RATE RELIEF

SOCIAL CLUBS

The Council will offer relief to organisations where membership is open to the community. The Council will normally require affiliation to a body such as the CIU (Club and Institute Union) to demonstrate open access.

For such organisations the Council will provide 10% relief.

SPORTING ORGANISATIONS

The Council will investigate the possibility of obtaining mandatory relief for sporting organisations by advising them on the steps required to obtain Community Amateur Sports Club (CASC) status through the Inland Revenue.

The amount of relief offered to sporting organisations will reflect the extent to which organisations extended their facilities to the public and priority groups in particular. In the case of CASC registered organisations the amount of discretionary rate relief refers to the balance net of mandatory relief.

Organisations, which restrict membership, will not receive support

Organisations which provide sporting facilities for the general public but have limited involvement with priority groups will receive **10% (Category 1)**.

Where organisations have more extensive involvement with priority groups, such as through youth teams, they will receive **25% (Category 2)**.

Organisations which have taken special steps to assist the Community, for instance by making facilities available to schools or in partnership with the Directorate of Learning and Leisure will receive **50% (Category 3)**.

OTHER ORGANISATIONS WHOSE MAIN OBJECTS ARE CHARITABLE OR OTHERWISE PHILANTHROPIC OR RELIGIOUS OR CONCERNED WITH EDUCATION, SOCIAL WELFARE, SCIENCE LITERATURE OR THE FINE ARTS

The Council will investigate the possibility of obtaining relief for organisations with charitable aims by advising them on the steps required to obtain charitable status.

For those organisations which are not currently registered as charities, or which are ineligible, the amount of discretionary relief awarded will reflect the extent to which organisations extend their facilities to the public and priority groups in particular.

Organisations, which restrict membership, will not receive support

Organisations which provide facilities for the general public but have limited involvement with priority groups will receive **10% (Category 1)**.

Where organisations have more extensive involvement with priority groups, such as young persons, the elderly and disabled, they will receive **25% (Category 2)**.

Organisations which have taken special steps to assist the Community, for instance by making facilities available to schools or in partnership with Leeds City Council will receive **50% (Category3)**.

For those organisations which are registered as charities, discretionary relief may be awarded in addition to mandatory relief for the following organisations

Scout and Guiding Associations – 50%

Leeds based charities occupying a single property with a rateable value under £5,000, excluding shops – 50%

Section 49 Local Government Finance Act 1988 – Hardship Relief

Guideline Criteria

To qualify for relief it is suggested that normally the following criteria have to be met by applicants.

Hardship

Evidence of hardship would have to be supplied by the applicant. It would also be necessary for the applicant to prove they had not acted improvidently in incurring hardship. Accounts for two years are required to document this.

Interests of the Community

The applicant must provide evidence that it is in the interests of the community to remain in business either because:

- a) they provide a unique amenity regularly required by communities **or**
- b) the loss of employment to a local community would be severely damaging

The applicant should demonstrate that remission of rates provides a means of maintaining a viable business in the interests of the community and that a business is viable. It would not be in the interests of the community if the Council were simply to remit rates to businesses about to cease trading.

Amount of Relief

If the above criteria are met the amount of relief granted shall be sufficient to relieve hardship but not usually greater than 80% of the rates due. This shall generally apply only to the financial year in which an application is made. Hardship relief will not normally be allowed in addition to relief available to charities and other non-profit making organisations, but maybe awarded where delays in issuing accounts, outside ratepayer's control, result in discretionary relief only being allowed, due to statutory limitations, for part of the period in charge.

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