

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 13TH SEPTEMBER, 2010

PRESENT: Councillor B Anderson in the Chair

Councillors A Barker, G Driver, P Ewens,
R Grahame, G Hyde, M Iqbal, J Marjoram,
L Mulherin and R Procter

21 Late Items/Supplementary Information

Reference was made to the following supplementary information:-

- Agenda Item 7 – Budget Analysis for Housing Revenue Account and General Fund – Projected outturn figures for Quarter 4, 2010/11.
- Agenda Item 9 – Inquiry into Recycling – Draft Inquiry Report – Comments of the Director of Environment and Neighbourhoods.
- Agenda Item 10 – Pilot of New Recycling Services in Rothwell – report of the Director of Environment and Neighbourhoods.

22 Declarations of Interest

The following declarations of personal and personal and prejudicial interests were made:-

- Councillors R Grahame and G Hyde – Agenda Item 7 (Minute No. 25 refers) – Budget Analysis for HRA and General Fund – In their capacity as Directors of East North East Homes ALMO (personal interests).
- Councillor G Driver – Agenda Item 7 (Minute No. 25 refers) – Budget Analysis for HRA and General Fund – In his capacity as a Director of Aire Valley Homes ALMO (personal) and also in his capacity as an appointed Deputy Executive Member (personal and prejudicial).

(NB: See also later Minute No. 28.)

23 Minutes - 13th July 2010

RESOLVED – That the minutes of the meeting held on 13th July 2010 be confirmed as a correct record.

24 Matters Arising from the Minutes

- a) Performance Management Quarter 4 2009/10 (Minute No. 16 refers)

Minutes approved as a correct record
at the meeting held on Monday, 11th October, 2010

The Director of Environment and Neighbourhoods apologised for the fact that Councillor R Grahame had apparently not yet received the further details he requested regarding the delivery of EASEL. The Director undertook to ensure that they were supplied to Councillor Grahame.

b) Angela Brogden (Minute No. 20 refers)

The Principal Scrutiny Adviser advised the Board that Angela Brogden had recently given birth to a baby boy, James.

RESOLVED – That the Principal Scrutiny Adviser write to Ms Brogden to convey the Board's congratulations.

25 **Budget Analysis for Housing Revenue Account and General Fund**

The Head of Scrutiny and Member Development submitted a report containing an analysis of the outturn position 2009/10 for both the HRA and the Environment and Neighbourhoods Directorate General Fund, together with an analysis of the same budgets for Quarter 1, 2010/11, and a projected outturn position at the end of the 2010/11 financial year.

In attendance at the meeting and responding to Members' queries and comments were:-

- Councillor P Gruen, Executive Member (Neighbourhoods and Housing).
- Neil Evans, Director of Environment and Neighbourhoods.
- Richard Ellis, Head of Finance, Environment and Neighbourhoods.
- John Statham, Strategic Landlord Manager, Environment and Neighbourhoods

In brief summary, the main points of discussion were:-

- The latest update, up to the end of August 2010, would be available next week, and the Chair requested that this be circulated separately to all Board Members as soon as it was available;
- In response to a Member's query, the Director reported that due to problems with clearing the backlog caused by the industrial action taken by refuse collection and Streetscene staff, the new revised refuse collection routes had not been introduced as quickly as had been anticipated. However, good progress had now been made and it was anticipated that the Council would be able to dispense with 11 collection vehicles, as opposed to the originally envisaged 9, and the likely additional savings were in the region of £400,000 per annum.

The Director undertook to keep the Board informed on developments in this area;

- The Swarcliffe PFI Sinking Fund stood at £10.946 million, as at 31st March 2010;
- The fall-out from the Connaught contractors situation continued, and it was not at all clear at present exactly what the firm's, or the Council's, final position was. The company had been responsible for maintenance and repairs in respect of 15,000 of the 58,000 ex-Council properties, now vested with the ALMOs. Due to Connaught's bankruptcy, their contract with the Council was effectively ended. However, there was conjecture that parts of the business/workforce had been taken over by Lovells Partnerships, and the Council was urgently seeking clarity from the administrators, KPMG. Theoretically, the Council could negotiate with this firm to take over the former contracts, subject to the normal checks and assurances being carried out.

In the interim, contingency plans were being implemented for urgent and emergency works to be carried out utilising a combination of Keir and/or ALMO direct labour staff.

Clarity was also being sought via KPMG regarding existing over-payments to Connaughts, which may be substantial. Some repayments had been received in May and June, but none since then, and a stop had been put on further payments until the matter could be resolved. Recouping some of these over-payments might form part of any negotiations with possible successor contractors.

The new repair and maintenance contract(s) were due to come in with effect from April 2011, but would obviously be influenced by the outcome of the Government's Comprehensive Spending Review, the results of which were due out in late October.

Concerns were expressed regarding the effects of the demise of Connaughts in respect of the local labour force and the training of apprentices. Assurances were given that these two aspects would be taken into account in any discussions with successor companies, and when the new contracts were awarded with effect from April 2011.

The Director undertook to keep the Board informed of developments;

- Right to Buy Scheme – The Director confirmed that this was a national policy. He had not heard of any proposals to abandon the scheme, but changes were being mooted which would enable local authorities to retain and re-invest the capital receipt.

Some Board Members regarded that social housing providers should be subject to the same strictures as local authorities, and that the RTB

scheme should be extended to allow private landlords to acquire properties.

RESOLVED – That subject to the above comments, the report be received and noted.

(NB: Councillor Driver declared a personal and prejudicial interest in this item and left the meeting during its consideration – see Minute No. 22).

26 Gypsy and Travellers Site Provision within Leeds

Further to Minute No.18, 13 July 2010, the Head of Scrutiny and Member Development submitted a report on the outcome of the previous Scrutiny Board Inquiry in 2005, and the Director of Environment and Neighbourhoods submitted a report updating the Board in relation to issues associated with illegal encampments.

In attendance at the meeting and responding to Members' queries and comments were:-

- Councillor P Gruen, Executive Member (Neighbourhoods and Housing)
- Neil Evans, Director of Environment and Neighbourhoods
- Rob McCartney, Housing Strategy and Commissioning Manager
- Ian Spafford, Head of Community Services and Litigation, Legal Services

In brief summary, the main points of discussion were:-

- The extent of the current issues involving gypsies and travellers, with some extended families living in Leeds on a semi-permanent basis, supplemented by itinerant travellers, who travelled through the area and caused problems by establishing illegal encampments;
- The types of problems associated in particular with illegal encampments, the legal process involved and the associated costs;
- Whether there was sufficient site provision in Leeds to manage the demands of both the semi-permanent and the itinerant gypsy and traveller population;
- The possibility of specific Government funding to address some of these issues;
- Whether a further Inquiry would be helpful and, if so, the type of witnesses who should be called to present evidence.

RESOLVED –

Minutes approved as a correct record
at the meeting held on Monday, 11th October, 2010

- a) That a further Inquiry does take place;
- b) That the Inquiry be progressed by way of a Working Group open for all Board Members to attend, but principally comprising the Chair and Councillors Ewens, R Grahame, G Hyde, Mulherin and R Procter.
- c) That at its first meeting, the Working Group develop Terms of Reference for the Inquiry, for consideration by the Board at its next meeting on 11th October

(NB: Councillor Iqbal temporarily left the meeting at 11.16 am, at the conclusion of this item.)

27 Performance Report - Quarter 1 2010/11

The Board received and considered a report submitted by the Head of Policy and Performance relating to performance information in respect of a raft of national and local performance indicators which fell within the remit of the Board to monitor.

RESOLVED – That the report be received and noted.

28 Recycling Inquiry - Final Report

The Head of Scrutiny and Member Development submitted the Board's proposed final Inquiry report, together with the comments of the Director of Environment and Neighbourhoods on the Board's draft recommendations.

In attendance at the meeting and responding to Members' queries and comments were:-

- Andrew Mason, Chief Environmental Services Officer.
- Sue Upton, Head of Waste Management.
- Tom Smith, Head of Performance Management and Service Improvement.

In brief summary, the main areas of discussion were:-

- Recommendations 11 and 14 – Need to include reference to input from the Director of City Development;
- Recommendation 15 – Need to include reference to possible successor bodies to the Waste Regional Advisory Group and the Regional Technical Advisory Group;
- Recommendation 16 – The Officers stressed the need for further investigation and a cost/benefit analysis in respect of any suggested incentive scheme;

- Recommendation 17 – It was suggested that the Government should be lobbied regarding allowing local authorities to adopt local solutions, in consultation with local landlords, to the problems associated with encouraging/enforcing recycling in respect of houses in multiple occupation (HIMOs);
- Recommendation 20 – The officers undertook to keep the Board informed on technological developments, including anaerobic digesters.

RESOLVED – That subject to the above comments/amendments, the Board's proposed final Inquiry report be approved and forwarded to the Executive Member (Environmental Services) for consideration/response.

(NB: Councillor R Grahame declared a personal interest in respect of Recommendation 12, in his capacity as a member of Plans Panel East.)

29 Pilot of New Recycling Services in Rothwell

Further to Minute No.18, 13 July 2010, the Director of Environment and Neighbourhoods submitted a report regarding the six month pilot scheme operated in Rothwell which, in addition to the monthly recycling collection, also involved a fortnightly garden waste collection (excluding winter), a fortnightly black bin collection and, for the first time, a weekly food waste collection.

In attendance at the meeting, and responding to Members' queries, were:-

- Andrew Mason, Chief Environmental Services Officer.
- Sue Upton, Head of Waste Management.
- Tom Smith, Head of Performance Management and Service Improvement.

In brief summary, the main issues discussed were:-

- the eventual possible use of anaerobic digesters, perhaps at a local level, say in respect of multi-story blocks of flats, as part of a longer-term strategic plan;
- the possibility of developing bio-fuel via waste food products.

RESOLVED –

- a) That the current performance of the Rothwell pilot scheme, comparison with the 'Sort 3' recycling collection pilot that has been running since October 2008, and the 'standard' recycling position be noted.

- b) That the Board supports the extension of both the current pilot areas indefinitely.
- c) That the opportunities, constraints and areas for further work, required to inform a future decision as to whether this service design should be rolled out across the City be noted.
- d) That the Board supports the assessment of the longer term strategy for food waste processing, taking into consideration the climate change strategy and the potential for added value, such as the use of biofuels in Council vehicles.
- e) That the Executive Board be recommended, subject to budget provision being made available, to expand the scheme into other areas in 2011/12.

(NB: Councillors J Marjoram and R Procter left the meeting at 11:56 am at the conclusion of this item.)

30 Scrutiny Inquiry - Housing Lettings Procedure

The Board considered the formal response of the Director of Environment and Neighbourhoods to the Board's Inquiry recommendations in respect of the Housing Lettings Procedure.

John Statham, Strategic Landlord Manager, attended the meeting and responded to Members' queries and comments:-

- Assignment of tenancies – John Statham to supply Councillor R Grahame with a briefing note.
- Paragraph 44 of the Board's report – emphasis placed on the need for greater levels of co-operation, co-ordination and communication between Departments/agencies in assessing individuals' needs.

RESOLVED – That the report be received and noted.

(NB: Councillor Iqbal rejoined the meeting at 12 noon, during consideration of this item.)

31 Scrutiny Inquiry - EASEL

The Board considered the formal response of the Director of Environment and Neighbourhoods to the Board's Inquiry recommendations in respect of the East and South East Leeds (EASEL) regeneration programme.

RESOLVED – That the report be received and noted.

32 Work Programme 2010/11

The Head of Scrutiny and Member Development submitted the Board's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st August to 30th November 2010 and the minutes of the meeting of the Executive Board held on 21st July 2010.

RESOLVED – That, subject to any changes necessary as a result of today's meeting, the work programme be approved.

33 Date and Time of Next Meeting

Monday, 11th October 2010 at 10.00 am (Pre-meeting at 9.30 am).