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## SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

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Meeting to be held in Civic Hall, Leeds on  
Monday, 8th November, 2010 at 10.00 am

A pre-meeting will take place for ALL Members of the Board  
in a Committee Room at 9.30 am

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### MEMBERSHIP

#### Councillors

- B Anderson (Chair) - Adel and  
Wharfedale;
- A Barker - Horsforth;
- G Driver - Middleton Park;
- P Ewens - Hyde Park and  
Woodhouse;
- R Grahame - Burmantofts and  
Richmond Hill;
- G Hyde - Killingbeck and  
Seacroft;
- M Iqbal - City and Hunslet;
- J Marjoram - Calverley and  
Farsley;
- L Mulherin - Ardsley and Robin  
Hood;
- R Procter - Harewood;

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*Please note: Certain or all items on this agenda may be recorded.*

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## **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

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></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><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></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><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing 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, as follows:</p> <p><b><u>Agenda Item 10 – 2 Exempt Appendices</u></b></p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></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><b>DECLARATIONS OF INTEREST</b></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><b>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</b></p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p><b>MINUTES - 11TH OCTOBER 2010</b></p> <p>To confirm as a correct record the attached minutes of the meeting held on 11<sup>th</sup> October 2010.</p>	1 - 6
7			<p><b>THE FUTURE OF COUNCIL HOUSING</b></p> <p>To receive and consider the attached report of the Director of Environment and Neighbourhoods, submitted to the Executive Board on 3<sup>rd</sup> November 2010.</p>	7 - 24
8			<p><b>DOG CONTROL ORDERS</b></p> <p>To receive and consider the attached report of the Director of Environment and Neighbourhoods, submitted to the Executive Board on 3<sup>rd</sup> November 2010.</p>	25 - 48

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>BUDGET ANALYSIS FOR THE HOUSING REVENUE ACCOUNT AND GENERAL FUND 2010/11</b></p> <p>To receive and consider the attached analysis of the outturn position for the Housing Revenue Account for period 6 and an analysis of the outturn position for the Environment and Neighbourhoods Directorate General Fund for period 6.</p>	49 - 64
10		10.4 (1) & (5)	<p><b>SCRUTINY INQUIRY - GYPSY AND TRAVELLER SITE PROVISION IN LEEDS</b></p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development and to receive evidence from officers of various Council Departments.</p>	65 - 110
11			<p><b>WORK PROGRAMME</b></p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development outlining the Scrutiny Board's work programme for the remainder of the current municipal year.</p>	111 - 138
12			<p><b>DATES AND TIMES OF FUTURE MEETINGS</b></p> <p>Thursday 2<sup>nd</sup> December 2010 (provisional only)  Monday 13<sup>th</sup> December 2010  Monday 17<sup>th</sup> January 2011  Monday 14<sup>th</sup> February 2011  Monday 14<sup>th</sup> March 2011  Monday 11<sup>th</sup> April 2011</p> <p>All at 10am ( Pre Meetings 9.30am )</p>	

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# Agenda Item 6

## SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

**MONDAY, 11TH OCTOBER, 2010**

- PRESENT:** Councillor B Anderson in the Chair
- Councillors G Driver, P Ewens, G Hyde,  
M Iqbal, J Marjoram and L Mulherin
- APOLOGIES:** Councillors A Barker and R Procter
- ALSO PRESENT:** Councillors S Bentley, P Gruen, J Illingworth  
and K Maqsood (Agenda Item 7)

### **34 Declarations of Interest**

The following declarations of personal interests were made:-

- Councillor B Anderson – Agenda Item 8 (Minute No. 38 refers) – Vision for Leeds 2011-2030 – in his capacity as a member of the Leeds Initiative Climate Change Partnership.
- Councillor G Hyde – Agenda Item 10 (Minute No. 40 refers) – Budget Analysis for HRA and General Fund – in his capacity as a Director of East North East Homes ALMO.
- Councillor M Iqbal Agenda Item 13 (Minute No. 43 refers) – Scrutiny Inquiry – Private Sector Rented Housing – in his capacity as a private landlord.

### **35 Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors A Barker and R Procter (no substitutes).

### **36 Minutes - 13th September 2010**

**RESOLVED** – That the minutes of the meeting held on 13<sup>th</sup> September 2010 be confirmed as a correct record.

### **37 Presentation - Homes and Community Agency**

The Board received a presentation on the work and priorities of the Homes and Community Agency.

Present at the meeting, and responding to Members' queries and comments were:-

David Curtis, Director, Yorkshire and the Humber, HCA.

Draft minutes to be approved at the meeting  
to be held on Monday, 8th November, 2010

Naz Parkar, Head of Yorkshire and the Humber, HCA.

Neil Evans, Director of Environment and Neighbourhoods.

Liz Cook, Head of Affordable Housing, Environment and Neighbourhoods.

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

- The excellent working relationship which existed between the Agency and the Council;
- The draft Leeds Investment Plan (LIP) which was due to be considered by the Executive Board on 3<sup>rd</sup> November 2010, following which further consultation was planned, including with Members;

David Curtis indicated that, notwithstanding the need for consultation on the LIP, it would be extremely helpful to the HCA to at least have an indication of the Council's priorities by the end of January 2011;

- The high number of empty properties across the City (approximately 6,500), the reasons for this, including speculative building of City Centre apartments, and what might be done to bring more properties into occupation;
- The assistance and expertise which the HCA might be able to provide regarding specific, problem development sites in the City, where development had stalled and residents were experiencing problems, and also in respect of the Board's Inquiry into gypsy and traveller site provision;
- The uncertainties regarding the land and assets currently held by the soon to be defunct Development Agencies;
- The likelihood that the HCA in future would have less resources to invest in regeneration support and skills and capacity building;
- The role of the HCA in analysing and progressing PFI schemes, including its ability to assist to deliver accommodation to Level 4 standard, rather than Level 3. Reference was made to the need for sustainable communities, which took into account public health, housing density, education and green spaces issues at the design stage. The HCA saw no conflict between sustainability/lifetime homes standards and the development of supported or sheltered accommodation – both were needed in sustainable communities;
- The need for discussions between the Environment and Neighbourhoods and Development Directorates regarding a whole range of issues arising from the demise of the Regional Spatial Strategies, and the need to look at possible complementary funding

Draft minutes to be approved at the meeting  
to be held on Monday, 8th November, 2010



sources following the outcome of the imminent Comprehensive Spending Review;

- The proposed 'New Homes Bonus', whereby it was proposed that local authorities could claim back from the Government six times the annual Council Tax for each new home built, and how this revenue funding source might be capitalised to invest in future homes. The HCA would work with the Council's officers on this issue;
- The need to possibly expand and re-organise the existing Affordable Housing Partnership, as well as to review and revitalise existing regeneration partnerships.

#### **RESOLVED –**

- a) That the presentation and resultant discussion be received and noted with interest, and Mr Curtis and Mr Parkar be thanked for their attendance and the manner in which they have responded to Members' queries and comments.
- b) That the Board is ready and able to assist in any role which the Executive Board or the Director of Environment and Neighbourhoods feel might be helpful in respect of the Leeds Investment Plan which is due to be considered by the Executive Board in November.

### **38 Vision For Leeds 2011 - 2030**

The Director of Leeds Initiative submitted a report outlining proposals to consult on, and to develop and update, the Vision for Leeds document, to take it forward to cover the period up to 2030.

Martin Dean, Head of Leeds Initiative and International Partnerships, attended the meeting and responded to Members' queries and comments.

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

- The stated aim and objectives of the proposed new Vision.
- Reference was made to the paragraph relating to tackling climate change on page 5 of the draft document. A view was expressed that restraint and caution should be exercised when making quasi-scientific statements, as not everyone agreed on the extent or effects of global warming and its alleged effect on climate change.
- Similar comments were made regarding the use of terms such as 'fairness' and 'happiness' which were relative and subjective terms.
- Comment was also made regarding the need to include reference to two specific issues – sustainable transport policies and adequate child care services.

- Members also requested Martin Dean to provide them with an electronic copy of the Vision document.

**RESOLVED** – That, subject to the above comments, the work carried out to date to develop a new Vision for Leeds 2011-2030, and the proposals for consultation, be noted.

(NB: Councillor L Mulherin left the meeting at 11.49 am, during the consideration of this item.)

### **39 Scrutiny Inquiry - Integrated Offender Management**

The Head of Scrutiny and Member Development submitted the Board's draft final report and recommendations following completion of its Inquiry on Integrated Offender Management. The report was delayed due to a number of comments being received from the Crown Prosecution Service which needed to be addressed.

**RESOLVED** – That the Board's proposed draft Inquiry Report on Integrated Offender Management be approved and circulated for formal response to the Board's recommendations.

### **40 Budget Analysis for the Housing Revenue Account and General Fund**

Further to Minute No. 25, 13<sup>th</sup> September 2010, the Head of Scrutiny and Member Development submitted a report updating Members regarding the key variances and the projected outturn figures for 2010/11 as at the end of period 5 (31<sup>st</sup> August 2010) in respect of both the HRA and the Environment and Neighbourhoods Directorate General Fund.

Richard Ellis, Head of Finance, Environment and Neighbourhoods, attended the meeting and responded to Members' queries and comments. In brief summary, the main points of discussion were:-

- Had the £1.8m in additional void incentive payments yet been transferred to the ALMOs? Richard Ellis undertook to pursue this.
- How accurate were the year-end predictions?

Richard Ellis outlined the process of monthly meetings with Chief Officers and budget holders. No large variations were evident to date, and it was regarded that the process was as robust and accurate as it was possible to be. However, the number of imponderables, such as car parking income and waste management and recycling levels, meant that forecasting could never be 100% accurate.

- Projected savings as a result of the review and restructuring of refuse collection and streetscene services.

Richard Ellis explained that teething problems meant that the implementation of the revised collection rounds, etc, had slipped by 3 months, from June to September. Any further problems would have an impact on projected saving levels for the current year.

- There was no additional money to expand the Directorate's normal recycling education programme.
- The Chair indicated that the Board was ready and willing to assist the Executive Board and officers with regard to any review of services/budgets as a result of the imminent Comprehensive Spending Review, if requested.

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

#### **41 Scrutiny Inquiry - Gypsy and Traveller Site Provision in Leeds**

The Head of Scrutiny and Member Development submitted a report regarding the proposed Terms of Reference for this Inquiry.

The Board agreed that, ideally, the Inquiry should be completed by the end of the year and that this might necessitate an extra Board meeting, possibly on 2<sup>nd</sup> December 2010. It was also agreed that as part of the Inquiry, the Working Group needed to look at successes and limitations in respect of the existing site at Cottingley Springs.

**RESOLVED** – That, subject to the above comments, the draft Inquiry Terms of Reference be approved.

(NB: Councillor J Marjoram left the meeting at 12.15 pm at the conclusion of this item.)

#### **42 Co-option to the Board for particular Scrutiny Inquiries relating to Crime and Disorder**

**RESOLVED** – That approval be given to the co-option of Mrs Janet Spencer, Independent Member of the West Yorkshire Police Authority, to the Board, in a non-voting capacity, in respect of any Inquiries in relation to the Board's crime and disorder responsibilities.

#### **43 Scrutiny Inquiry - Private Sector Rented Housing - Recommendation Tracking**

The Head of Scrutiny and Member Development submitted a report on progress made in implementing the Board's recommendations following publication of its report on private sector rented housing.

**RESOLVED** –

- a) That the report be received and noted and the status attributed to each of the Board's recommendations be agreed.
- b) That the Board receive a further report in March 2011 regarding outstanding actions in respect of Recommendations 10 and 15.

#### **44 Work Programme**

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 1<sup>st</sup> October 2010-31<sup>st</sup> January 2011 and the minutes of the meetings of the Executive Board held on 25<sup>th</sup> August and 23<sup>rd</sup> September 2010.

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

#### **45 Dates and Times of Future Meetings**

Monday, 8<sup>th</sup> November 2010.  
Thursday, 2<sup>nd</sup> December 2010 (provisional only).  
Monday, 13<sup>th</sup> December 2010.  
Monday, 17<sup>th</sup> January 2011.  
Monday, 14<sup>th</sup> February 2011.  
Monday, 14<sup>th</sup> March 2011.  
Monday, 11<sup>th</sup> April 2011.

All at 10.00 am (Pre-Meetings 9.30 am).



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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Environment and Neighbourhoods)

Date: 8<sup>th</sup> November 2010

Subject: The Future of Council Housing

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#### Electoral Wards Affected: All

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 1.0 Introduction

- 1.1 The Executive Board on 3<sup>rd</sup> November 2010 is to consider the attached report of the Director of Environment and Neighbourhoods which provides an update on the progress made in respect of the Future of Council Housing Review and making recommendations to the Executive Board regarding key reforms to the current system and a preferred model for Council house provision in Leeds.
- 1.2 The decision of the Executive Board will be reported to the Scrutiny Board on the morning of the meeting.

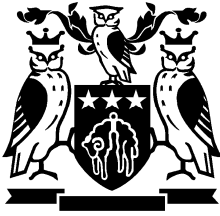
## 2.0 Recommendations

- 2.1 Members are asked to note and comment on the report of the Director of Environment and Neighbourhoods on the future of Council Housing

### Background Papers

None used

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## Report of the Director of Environment and Neighbourhoods

Executive Board 3<sup>rd</sup> November 2010

Subject: The Future of Council 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)

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## EXECUTIVE SUMMARY

This report sets out the outcomes of the review into the future of council housing. The report shows the context within which the review was undertaken and assesses the future investment need of the city. Different options were appraised as to how that investment need might be met, concluding that none of the options offer a complete solution to the ongoing investment need. Nevertheless, there are opportunities to generate significant efficiencies and improve delivery. The report proposes continuing with the three ALMO model but introducing some key reforms in order to tackle weaknesses within the current model. The first key reform proposed is the creation of a Strategic Governance Board which will ensure that there are single decisions taken on key strategic matters affecting all ALMO's. This Board will also act as a formal link back into the Council for the ALMOs, so that they can be better connected to the development of policy and strategy within the Council. The second key reform is to create a Shared Service Centre for back office services. This will offer significant efficiencies as well as creating better skilled teams within the various disciplines. The report assesses these reforms against the option of a reduction to a single ALMO and concludes that a three ALMO model with the reforms is the preferred option.

The report also outlines proposals to change the manner in which the ALMOs provision for FRS17 is dealt with to bring that process in to line with other Council owned companies, with the effect of releasing resources to meet investment needs.

## **1.0 Purpose Of This Report**

1.1 The purpose of this report is to:

- inform the Executive Board of the conclusion of the Future of Council Housing Review;
- make recommendations on a preferred model;
- make recommendations on key reforms.

## **2.0 Background Information**

- 2.1 Leeds established six ALMOs in 2003 and submitted a bid to the government for £450m additional investment credits to enable the council housing in Leeds to reach the government's decent homes standard. By late 2004 all six had achieved a two star status with the Audit Commission and were eligible to draw down the money.
- 2.2 Since 2003 the ALMOs have been delivering programmes of capital works and are on target to meet the government's decent homes target by the end of 2010. By the end of 2010/11 around £825m will have been spent making Council housing decent.
- 2.3 In 2006 Leeds reviewed the number of ALMOs in the city and reduced them to three. The main drivers for the change were financial viability and reducing stock numbers. That review established three financially viable ALMOs that would be able to complete the decency programme by the end of 2010/11. Now that the decency investment programme is coming to a close the Council has undertaken another options appraisal to identify a suitable model for the future of council housing in the city and this paper sets out the findings and recommendations.

## **3.0.0 Context for the Review**

### **3.1.0 Localism and Customer Aspirations**

- 3.1.1 In 2002, when the Council took the decision to set up ALMOs in the city, the project was entitled "Going Local". This meant having local based delivery organisations which would better meet customer need and aspirations. In 2006, when the Council took the decision to reduce the number of ALMOs, the project was about "Staying Local". This was achieved by setting up area panels beneath the ALMO management boards to feed in customer aspirations and to oversee elements of service delivery. The localisation of service delivery has been a success, with customer engagement levels far in excess of where they were prior to ALMOs. In looking at the future of council housing in the city it is essential that the advances made in relation to tenant engagement and influence are retained.
- 3.1.2 Customers' aspirations for the service have grown with the increased responsiveness of locality based service delivery. Customers have seen huge investment in their properties and improvements in the delivery of services to their homes. As a result of this they aspire for continuous improvement in service delivery and a continuity of engagement in decision making. This aspiration is in line with the Council's core values.

### **3.2.0 Impact of the Proposed HRA Reforms.**

- 3.2.1 The previous government consulted local authorities on the reform of council housing finance. Their preferred option was the introduction of a self financing HRA, whereby the HRA subsidy system is dismantled, and the national HRA debt is redistributed amongst local authorities based on their ability to service the debt.
- 3.2.2 The Executive Board welcomed the proposals, which would bring an end to the current subsidy system, whereby rental income is pooled and then re-distributed nationally on an annual basis. Not only does the current system lack transparency but the nature of the annual funding arrangements means that councils cannot have any certainty as to the impact of subsidy over the forthcoming or future years. The self financing model proposed



at the time would give authorities more control and certainty over funding, allowing the development of medium term financial plans to support robust asset management plans, which in turn will support effective works planning and procurement.

- 3.2.3 In responding to the consultation the government debt settlement figure at the time was modelled into the 30 year HRA business plan for the Authority. Whilst further work is required to refine the business plan, the inside subsidy and the self financing position have been compared and this shows that over the life of the plan the proposed system would bring significant financial benefit to the HRA, enabling greater capital investment. The new government has pledged to end the existing system and has announced it will introduce HRA reform. However, it is not clear at this stage whether or not this will be the same scheme as that proposed by the previous government. The government has indicated it will outline more details shortly.

### 3.3.0 Investment Requirements

- 3.3.1 The Decent Homes programme will have delivered around £825m of investment into council housing in Leeds by 31<sup>st</sup> March 2011. This is an unprecedented level of investment. At the peak of the decent homes programme, the annual investment was £170m. The Council stock will move from a position whereby 45% of houses met the government's decent homes standard, to 95% of the stock meeting the standard at 31<sup>st</sup> March 2011.
- 3.3.2 A full 30 year investment plan has been developed from April 2011. The plan assessed investment need against three standards – minimum decent homes work, decent homes plus (incorporating additional environmental works and some additional tenant aspirations) and a Leeds regenerations standard (equivalent to a PFI standard). A comparison of the investment required and the projected available resources over 30 years is summarised in the table below:

	Minimum Standard	Decency plus	Leeds Regeneration Standard
Investment Need	£2,343m	£3,366m	£4,350m
Resources Available	£1,602m	£1,599m	£1,599m
<b>Resource Gap</b>	<b>£741m</b>	<b>£1,767m</b>	<b>£2,751m</b>
Borrowing cost to cover gap	£327m	£1,099m	£2,035m
Average Annual Revenue Cost	£10.9m	£36.6m	£67.8m

- 3.3.3 This table shows that, based on expected resources and without any reform to the HRA funding mechanisms, there will be a shortfall of £741m in resources to maintain the decent homes standard over the 30 year period. If the Council is to meet the aspirations of its tenants for higher standards, then the resourcing gap increases to £1.767bn for decency plus and £2.751bn for a regeneration standard.
- 3.3.4 After 2010/11, government support to achieve the decent homes programme comes to an end, and thereafter capital resources for major repairs and improvements will fall significantly. HRA Capital expenditure will, under the current arrangements, be funded from the usable proportion of Right to Buy (RTB) receipts, the Major Repairs Allowance, and revenue contributions to support capital outlay (RCCO). Subject to the further announcement, capital resources will reduce to approximately £40m per annum.
- 3.3.5 As a minimum the Council will meet its statutory obligations, such as Fire Safety prevention, and adaptations. It will aim to maintain the decent homes standard across the housing portfolio. There remain particular urgent pressures to find solutions for Sheltered Housing, its non traditional and pre 1919 stock.

### 3.4.0 Financial Sustainability

- 3.4.1 Following the successful inspection of the Leeds ALMOs in 2003 and 2004, the Council has drawn down funding under round 2 of the decency programme, which came in the form of Supplementary Credit Approval (SCA), based on an 8% interest rate for borrowing. The Council's actual consolidated rate of interest on borrowing is 4.6%, and it has therefore benefited from approximately £14m annual windfall funding which has been used by the ALMO's to supplement their management fee.
- 3.4.2 From 2011/12, the support for the borrowing will be commuted into the Council's Capital Financing Requirement, funded at 4.6%, and therefore the windfall funding will cease. Without the additional funding all three ALMO Business Plans are projecting in year operating deficits, before the utilisation of resources.
- 3.4.3 The table below identifies projected cash balances of the ALMO's for the next three years to 2012/13 as per their current business plans:

#### ALMO Cash Balances 2009/10 to 2012/13

Organisation	AVH £000	ENEHL £000	WNWHL £000	TOTAL £000
Cash Reserves at 31/3/2010	6,035	11,368	14,352	31,755
SCA windfall (ends 2010/11)	<u>4,001</u>	<u>4,453</u>	<u>5,054</u>	<u>13,508</u>
	<u>10,036</u>	<u>15,821</u>	<u>19,406</u>	<u>45,263</u>
In year projected surplus / (deficits):				
2010/11				
2011/12	(1,618)	(2,853)	(2,565)	(7,036)
2012/13	(1,768)	(2,184)	(2,203)	(6,155)
	<u>(1,950)</u>	<u>(2,327)</u>	<u>(2,570)</u>	<u>(6,847)</u>
	<u>(5,336)</u>	<u>(7,364)</u>	<u>(7,338)</u>	<u>(20,038)</u>
Planned expenditure (as per ALMO Business Plans)	(811)	(1,793)	(4,100)	(6,704)
<b>Sub Total</b>	<b>3,889</b>	<b>6,664</b>	<b>7,968</b>	<b>18,521</b>
Less minimum balance of £1m per ALMO	(1,000)	(1,000)	(1,000)	(3,000)
<b>Total – cash reserves at 31/3/2013</b>	<b>2,889</b>	<b>5,664</b>	<b>6,968</b>	<b>15,521</b>

- 3.4.4 The table identifies that the ALMO's are currently working with in year operational deficits, which amounts to £20m over the three year period. The ALMO's cash reserves at 31<sup>st</sup> March 2010 amount to £31.7m, and if utilised over the three year period as per the business plans, to fund the structured deficits and one off planned expenditure, would reduce those cash reserves to £15.5m at the end of 2012/13.
- 3.4.5 The Council requires that all ALMO's provide appropriate provision within their balance sheet to address the calculated FRS17 liability which requires an organisation to account for retirement benefits when it is committed to them, even if the actual payment is at some point in the future. Between March 2009 and March 2010, the ALMOs FRS17 liability

increased from £11.15m to £35.24m. The table below shows that when this liability is compared to the overall level of cash reserves held at 31<sup>st</sup> March, 2010, there is an overall deficit of £3.49m.

#### **ALMO cash reserves and FRS17 liability at 31.3.2010**

<b>Organisation</b>	<b>Cash Reserves @ 31.3.2010 £000</b>	<b>FRS17 Liability @ 31.3.2010 £000</b>	<b>Net Reserves after FRS17 Liability £000</b>	<b>Memo:FRS17 Liability @ 31.3.2009 £000</b>
<b>AVH</b>	6,035	(9,048)	(3,013)	(2,920)
<b>ENEHL</b>	11,368	(19,510)	(8,142)	(4,733)
<b>WNWHL</b>	14,352	(6,686)	7,666	(3,498)
<b>Total</b>	<b>31,755</b>	<b>(35,244)</b>	<b>(3,489)</b>	<b>(11,151)</b>

- 3.4.6 Additionally, the HRA business plan shows that by 2016/17 the HRA will be operating with reserves below the recommended level and that by 2019/20 the HRA will have no reserves.
- 3.4.7 These calculations do not factor in any impact of the autumn public expenditure announcements or potential changes to the HRA subsidy system. The management agreement with the ALMO's, which was extended as part of the last review, comes to an end in 2012. There will need to be a clear direction of travel regarding financial sustainability before any decision regarding further extensions can be made.

## **4.0 Governance**

- 4.01 The current governance arrangements provide for three ALMO Management Boards which are able to take independent decisions on matters delegated to them from the Council within the terms of the existing management agreements and the constitutions of the ALMOs. Below the ALMO Board are a number of Area Panels. The ALMO Boards delegate some responsibilities and resources to these Panels and receive feedback from the Panels on preferences for the future direction of services.
- 4.0.2 There are no formal arrangements to provide the ALMOs with connectivity into the Council so that they can participate in the development of strategies and policies. Equally there are no formal arrangements by which the ALMOs can work collectively or with other locally based service providers from the Council. An example of this is the lack of formal arrangements for locality working with Area Management.
- 4.0.3 These arrangements lead to a best endeavours approach to engagement with the Council's strategic vision and plans and its locally based service providers, thereby losing the opportunity to influence and play a key role in the creation of improved, strong, healthy communities. Independent decision making at ALMO Board level, without the overarching Council strategy and priorities, can lead to tensions between city aspirations and local decisions.

### **4.2.0 Strengths and Weaknesses of the current model**

- 4.2.1 All three ALMOs have achieved a two star and promising prospects status under the Audit Commission's inspection regime. The reports, together with the findings of other internal inspection reports and ALMO performance information have been used to develop further an overview of the strengths and weaknesses of the existing ALMO model.
- 4.2.2 The key current strengths can be summarised as follows:

- The arrangements enable the housing organisations to concentrate on their delivery role and the Council to take a strategic lead.

- The adoption of the ALMO model has enabled significant investment in the Council's housing stock and the delivery of the government's decent homes standard
- ALMOs are responsive to local issues
- There is an increased involvement of tenants in the decisions of the business
- Overall performance has improved since 2002
- Service standards have been agreed with tenants
- Environmental standards on estates have improved
- Tenant satisfaction is increasing

4.2.3 The key weaknesses can be summarised as follows:

- There is significant duplication across the three organisations especially in back office functions
- Service standards and service priorities vary across the city
- Contract Management/Asset Management and Investment planning are under developed
- Overall governance and associated controls have not always been fully effective
- Tension exists between city aspirations and local aspirations
- Resources are spread thinly across three ALMOs
- Performance varies across the city
- There is a lack of joint working to reduce costs or deliver services more effectively

4.2.4 Even though the Audit Commission will no longer regulate ALMOs, the focus of the review has been to build further on the identified strengths and address the weaknesses.

## **5.0 Options Assessment**

### **5.0.1 Option Appraisal**

5.0.2 It is within the context outlined above that the investigation into the options for future investment needs for council housing in Leeds, as requested by the Executive Board has been undertaken. The review considered four options with a view to recommending the most feasible option that offers the best value for money to deliver the long term vision for council housing. The options are:

1. Return the management of the stock to the Council
2. Transfer the ownership of the stock to a Housing Association, created for the purpose of the transfer
3. A mixed approach that could involve ALMOs, PFI, transfer and return to the Council parts of the stock.
4. The continuation of an ALMO model

### **5.1.0 The Process**

5.1.1 An initial option assessment has been made against the four options. Each option was tested against the following criteria:

- the strategic fit to both the city wide and local objectives
- governance arrangements
- capacity to deliver strong services
- financial viability from both revenue and capital perspectives.

5.1.2 The work identified that the mixed approach was not really an option for the future management of council housing but more an approach to leveraging into the city further investment.

- 5.1.3 Leeds currently delivers its housing management service through a small scale mixed approach. The city has three ALMOs, one TMO, one PFI and bids for two further PFI schemes. The intention is to continue to develop this as part of the 30 year Investment Plan, whereby the Council will continue to make best use of any funding opportunities that present themselves.
- 5.1.4 PFI will not deliver a solution for the whole stock but could continue to provide investment in parts of the city, subject to CLG providing funding for further bidding rounds. Therefore, PFI could and will form part of mixed approach to securing additional investment.
- 5.1.5 Whilst this option will not resolve the shortfall in capital funding identified in the 30 year investment plan, the Council will continue to explore new funding opportunities as they arise.
- 5.1.6 The findings for the other options are summarised below.

## **5.2.0 Option 1 - Return the Management of the Stock to the Council**

- 5.2.1 Under this option the Council would terminate the existing contractual arrangements and take the Council House Management Service back in-house. There are examples, mostly in London, of where management of the stock has been returned to the Local Authority. However, it is important to note that most of those decisions do not appear to have been taken following any objective options appraisal.
- 5.2.2 A fully costed option appraisal has not been undertaken for this option. A return to centralised management within the Council was not part of the previous government's thinking and does not fit with the current government's approach and is therefore unlikely to place the Authority well in relation to future opportunities. That said the benefits of this option are that savings could be made through the reduction in senior management positions and an alignment with Council objectives.
- 5.2.3 The disadvantages of this option are that the benefits of operating single purpose organisations responsive to localities, with a clear focus on tenants and accountable for delegated functions would be put at significant risk. Conversely, the day to day management of the housing stock would divert energy from the Council's strategic capacity to address housing and regeneration needs across all tenures.
- 5.2.4 In addition to the above disadvantages, the initial consultation that has been undertaken has shown that there is little demand for a return to delivery within the Council.
- 5.2.5 This option will not resolve the shortfall in capital funding identified in the 30 year investment plan

## **5.3.0 Option 2 - Full/Partial Stock transfer**

- 5.3.1 Housing stock transfer to a registered social landlord is a well established process that has previously delivered the highest level of investment when compared to the other available options.
- 5.3.2 The value, or purchase price, of the housing stock is known as the tenanted market valuation (TMV) which is based upon 30 year projections of income from rents and service charges, together with spending on management, services, repairs, major works and improvements. These projections are then discounted to their net present values, reflecting the value of money over time, to give the final valuation.
- 5.3.3 Transfer of the Leeds stock is not a viable option for Leeds because the TMV is negative. The Council would need to achieve a net capital receipt of £823m to enable its housing debt to be redeemed. The appraisal of this option shows that based on decent homes valuations, the TMV has a £2.074m negative value. This would require a substantial dowry from the

government for a whole stock transfer to succeed, as the investment and management cost over 30 years cannot be funded from rental income generated.

- 5.3.4 This view, that stock transfer is not a viable option, is supported by the following:
- CLG funding for stock transfer dowries, known as gap funding, is no longer available and whole stock transfer would be unaffordable without it
  - CLG grant for councils to repay the HRA debt is likely to be less generous in the future, particularly if the self financing proposals are implemented.

5.3.5 Partial transfer could provide a solution for some of the Council's housing stock but it should be noted that we believe the TMVs at individual ALMO level are also negative and would require dowries.

5.3.6 Additional disadvantages are that the Council would lose strategic control over the use of the stock and would not be able to exercise any influence in the governance of the transferred organisation to ensure that policies and strategies match council priorities.

#### **5.4.0 Option 4 - The Continuation of the ALMO Model**

5.4.1 The ALMO model has delivered significant benefits to the city. The local focus brought about by management boards with tenant directors based in the locality has enabled decisions to be taken that directly benefit the locality. As a result of this, satisfaction with services has increased significantly. The ALMO model has enabled the funding and delivery of the decent homes programme.

5.4.2 Tenants satisfaction has increased with the ALMO model as they feel it is more responsive to their needs than was the case when the service was managed centrally. The Area Panels provide even more connection with communities. Paragraph 4.2.2 describes the strengths of the current ALMO model in delivering these improvements, particularly in relation to locality management and responsiveness.

5.4.3 The model does provide a strategic fit for the Council and does have the capacity to deliver services, with each ALMO rated as a good performer by the previous regulator, the Audit Commission. However, there are tensions around governance where the Council may favour a single approach to an issue and the ALMO Boards prefer local solutions. In addition the current ALMO model needs to find efficiencies to balance budgets. Like the other options the ALMO model will not resolve the shortfall in capital funding identified in the 30 year investment plan.

#### **5.5.0 Conclusion of the Appraisal**

5.5.1 The assessment of the options recommended by the Executive Board has concluded that no future model offers a solution to the investment gap identified in the 30 year investment plan. There may be a solution, should the reform of the HRA take place, and once there is greater clarity on this a further funding review will be necessary.

5.5.2 Of all the options, the ALMO model offers the Council the best strategic fit with its own corporate and local strategies. Should HRA reform take place it will offer the opportunity for bridging the investment gap. However, the assessment has identified key weaknesses in the current model in respect of governance arrangements and future financial viability. These issues would need to be resolved by reforming the ALMO model in order to ensure sustainability.

#### **6.0.0 The Three ALMO Model**

6.0.1 The continuation of the three ALMO model offers numerous advantages. With no disruption to front line service delivery, there would be continuity of service for the tenant and there should be no reduction in performance levels, avoiding the risk of a dip in performance and the additional cost to recover such a position.

6.0.2 The retention of the three ALMO model is particularly advantageous to the Council as it develops its strategies around locality working. There would be an existing organisation within localities that is recognised and which could easily participate in Council plans and take on the delivery of certain services where this is identified as beneficial. However, it is not recommended that the current model is pursued without accompanying major reforms. Proposed reforms, to make a three ALMO mode workable, are set out below.

### **6.1.0 A Strategic Governance Board**

6.1.1 A significant weakness in the current arrangements is the lack of a co-ordinated approach to the delivery of the services delegated to them amongst the ALMOs. This independent approach has in part been driven by the inspection regime of the Audit Commission. This has been particularly evidenced by the lack of a joined up approach to asset management and investment planning, the development of service standards, multiple Service Level Agreements with Council services, contract procurement and the management and terms and conditions of employees. The abolition of the current inspection regime offers a different approach with less emphasis on the ALMO's standing alone.

6.1.2 Another significant weakness has been the lack of an overall strategic approach in the delivery of services by the ALMOs. Much of this has been due to there not being any formal arrangements linking the ALMOs with the Council's strategic arrangements, nor with other delivery structures such as Area Management. The result of this has been patchy engagement that has relied on best endeavours of individuals. Any future model needs to address this issue.

6.1.3 It is proposed to establish a new Strategic Governance Board. The Board would not take on any existing powers currently placed with the Executive Board, nor would it directly manage local delivery of services. It is proposed that the Board would meet to agree key high level strategies to ensure that there are joint approaches across the ALMOs on key issues. The ALMO Boards would remain responsible for the decisions relating to local service delivery. However, in so doing it would be expected that the Chairs of the Boards and their Chief Executives would work together to ensure that there was greater standardisation in the delivery of those services.

6.1.4 This Board would also offer a formal arrangement through which the ALMOs would be able to meet with the Council to discuss the development of key Council strategies such as the Housing Strategy.

6.1.5 This arrangement would better align the delivery of services but still allow the ALMOs to retain a locality focus concentrating on delivering a high quality service under agreed terms. In so doing this would remove the tension that has often existed between city aspirations and local independence. The independence would remain in the delivery but it would be in the context of agreed city wide objectives.

6.1.6 An example of how this would work is in Investment Planning. Given that resources are to reduce, it will be important that a city wide investment plan is developed that is based on good quality asset management information that allows the informed prioritisation of need in order to make best use of resources to maintain the asset condition. The new Strategic Governance Board will receive the intelligence and make a strategic decision on the distribution of resource across the city, based on the need identified from the data, rather than the formulaic approach operated at present. The ALMO Boards would then have responsibility for ensuring that the various programmes are delivered and that asset management systems are continuously updated with the results of those programmes. The Executive Board would continue to agree and monitor the capital programmes as it does now.

6.1.7 A further example of the work that the new Strategic Governance Board would oversee is the harmonisation of terms and conditions. Since the creation of the ALMOs in 2003 there has been a move away from the terms and conditions as operated at the time by the Council and with which the staff were TUPE transferred. The changes made have not been uniform

across the ALMOs and have not always mirrored those changes introduced by the Council. The impact has been that a range of terms and conditions now exist which adds to the complexity of management arrangements and does not assist with the movement of staff between ALMOs or between ALMOs and the Council. The Board would also be charged with negotiating single service level agreements with the Council, ensuring best practice across the city.

- 6.1.8 The reform, to create the Strategic Governance Board, will require changes to the current management agreements and constitutions of the ALMOs. The management agreements and constitutions will need to be re worked in such a way that they make clear those responsibilities and functions that will be held jointly and those which will be solely for the individual ALMO. In addition, clear and precise terms of reference will need to be developed to ensure that its purpose is clearly understood and that decision making is transparent and can be tested against the terms of reference.
- 6.1.9 The creation of this Board would also be accompanied by the making of more formal arrangements between the ALMOs and Area Management, local partnerships and the emerging locality working arrangements. In addition, it will be expected that the ALMO Chief Executives and the Council's Strategic Landlord will work more closely together to ensure that services are better aligned. Some of this work has already started with a more formal connection between the ALMOs and Area Management Committees.

## **6.2.0 A Shared Services Centre (SSC)**

- 6.2.1 A significant weakness of the existing model is the duplication of functions and processes across the ALMOs and the Council, which leads to inefficient use of resources. Under the current arrangements, the ALMOs each have their own back office functions which include, for example, HR, Finance, Governance Support and Asset Management. This has in part been developed in response to the approach of the Audit Commission in the regulation the ALMOs and their insistence that each organisation is independent of each other and the Council, leading to the duplication of services across the three companies.
- 6.2.2 The Council also provides services from within the Strategic Landlord Group because they are not capable of being split amongst more than one ALMO. Examples of this are the administration of the advertising process in Choice Based Lettings and the procurement and administration of capital contracts. This split in processes is also inefficient and wasteful of resources.
- 6.2.3 A solution which would make better use of resources, and would unify processes, is to centralise these types of services within a Shared Services Centre. This would enable a single back office function to be created, which in addition could, where appropriate, take on services paid for by the HRA currently provided by the Department. A list of services which are proposed to be delivered from the SSC is set out below. It is proposed that the strategic service centre is managed by a nominated Chief Executive and is accountable to the strategic body.



## Shared Service Centre Proposal

<b>Corporate Support</b>	<b>Operational Support</b>	<b>Asset Management Support</b>
Finance	Choice Based Lettings	Procurement
HR	Paralegal (possible secondment only)	Contract Administration
ICT	Leasehold management	Commercial Asset Management
Service and Performance Standards	Disrepair	HRA assets – small land / gardens, misc prop leases
Governance		Technical Monitoring
Marketing		Contract Compliance
Procurement		Contract Management
Housing Applications Support Team (Strategic Role around Systems to remain at Leeds City Council)		Investment Planning

- 6.2.4 An illustration of the advantages is in the area of asset management, procurement, contract administration, contract compliance and investment planning. There is evidence of weakness in the current arrangements in these areas, a major factor being that resources with the necessary skills and expertise are spread too thinly between the ALMOs and the Council, resulting in these vital functions being under developed and not as effective as they could be. A unified group within the SSC could develop a single approach to procurement, provide a skilled unit to administer revenue repairs and capital contracts, maximise the resources for scheme delivery and provide expertise in asset management and investment planning.
- 6.2.5 The estimated recurring savings from the creation of a SSC are £1.6m per annum. This saving can be achieved by the reduction of 8 senior management posts, as a result of the removal of the duplication of support services, equating to £500k per annum, with a further 41 posts saved in both operational and corporate support posts, providing the balance. Further savings are anticipated through the subsequent process reviews. One of the key areas for savings is efficiencies generated from procurement. It is estimated that with a consistent approach to quality and cost across the city, for example within repairs and maintenance contract management, the model should be able to deliver efficiencies of around 2.5% per annum over and above those that could be achieved by the ALMOs acting separately. On this basis this would deliver an efficiency of £3m over 2011/12 and 2012/13 on the new contracts currently in procurement and due to commence on 1<sup>st</sup> April 2011.
- 6.2.6 The Council also has a management agreement with a Tenant Management Organisation (TMO). Whilst the terms of this arrangement are different to those with the ALMOs, once the SSC is established, the TMO will be invited to explore the benefits this new approach can offer them.
- 6.2.7 The benefits of this model can be summarised as follows:
- The model retains a clear local focus
  - Service is responsive to community needs
  - Tenants remain influential in the decision making process
  - Continuity of service delivery
  - The Strategic Governance Board will remove the city versus local tension
  - Supports the Council's vision of locality working
  - Offers savings of £1.6m from the creation of the SSC

## **7.0 One ALMO Model with a SSC**

7.0.1 The option to develop a single ALMO solution has a number of attractions. Arguably the model allows both objectives of strategic overview and efficiency to be achieved with greater clarity. The creation of a single board would deal simply with the issues the Strategic Board under the previous option are designed to deal with. Similarly the move towards a single organisation, under a single Chief Executive, would enable efficiencies to be delivered through a centralisation of functions.

7.0.2 In addition to the savings offered through the centralisation of support functions, the model would reduce the existing number of JNC posts by 8 in total. 2 Chief Executive posts would be lost along with 6 senior management posts. In effect this would remove two of the 3 ALMO senior management teams. This would create a saving of £664k. However, these savings are likely to be offset in part by a need to strengthen local management as a result of the enlarged organisation. This cost is estimated at £214k, resulting in a net saving of £450k. It is estimated that together with the centralisation of support function this option would save around £2.05m.

7.0.3 Although these are powerful arguments in favour, there are, nevertheless, considerable disadvantages to pursuing the single ALMO option. A move to a one ALMO model would involve significant upheaval to the current delivery arrangements and would risk a dip in service delivery as experienced after the 2006/7 review, which took the number of ALMOs from six to three. A third major reorganisation in 8 years will in itself be costly. A shift to a single ALMO would almost certainly alienate the many Board members and tenants who have contributed to the ALMOs over the years and undermine attempts at future engagement. Tenants may also view this move as similar to going back to the Council, with decision making becoming centralised and therefore remote and unresponsive to their needs in their localities. In order to overcome this it is likely that the role of Area Panels would need to be strengthened in order to retain a local focus, which in itself could lead to complicated governance. The remoteness of decision making could also make ALMO engagement in the Council's move to locality working more complex.

7.0.4 The benefits of this model can be summarised as follows:

- A single Board
- City wide standards
- Offers savings of £2.05m
- A single relationship with the Council
- Could retain a local focus through strengthened Area Panels

7.0.6 The risks associated with this model can be summarized as follows:

- Board becomes remote
- Tenants see this option as removing local focus
- High set up costs and risk of a performance dip in front line services during change
- The size of the organisation risks it becoming unresponsive to local needs
- It would be by far the largest ALMO in the country.
- Strengthened role for Area Panels could lead to tensions with the Board

## **8.0 Conclusion**

8.0.1 Neither of the models will deliver the shortfall in capital funding identified in the 30 year investment plan. However, both models are capable of improving on the key weaknesses identified in the operation of the current model. In determining whether a three ALMO model

or a single ALMO model is best, a judgement has to be made as to the benefits of taking additional savings with the single ALMO, against the benefits of continuity and localism offered by three.

- 8.0.2 The single ALMO model can deliver additional savings of £450k per annum through the reduction in senior management. However, against that Executive Board has to weigh the risks of a single Board becoming remote and tenants' concerns that the organisation no longer responds to local needs. The model would not offer the best support to the Council's strategy of locality working. The reform would cause upheaval which would be costly to implement, may damage service in the short to medium term and undermine the considerable efforts of tenants and boards who operate the current model.
- 8.0.3 It is when considering these issues that on balance it is felt that the three ALMO model is the best option, as it offers stability of service and retention of a locality focus. Tenants will have no concerns about their involvement in decision making. It is important, however, that the reforms proposed are made to rectify the key weaknesses with the current model and deliver annual savings of £1.6m.
- 8.0.4 Subject to agreement on the model, it is proposed to make some minor changes to the ALMO boundaries, so that they align with the ward boundary changes which were made in 2004. This will assist ward Members and locality working arrangements.

## **9.0 Consultation**

- 9.0.1 Consultation commenced with two events for all ALMO Board members at which they were invited to identify the strengths and weaknesses of the current ALMO model and make suggestions as to how to make improvements. The outcomes from these events were fed in to the context of the review. More specifically four core "business principles" were agreed. They were that any changes should be capable of:
- Sustaining and improving the recent capital investment
  - Meeting tenants aspirations for the quality of service delivery
  - Staying Local
  - Maintaining and increasing tenant empowerment and involvement
- 9.0.2 A project board was set up that comprised of the ALMO Chairs, one other ALMO Board member, BITMO Chair, ALMO Chief Executives and BITMO Chief Executive. This Board was chaired by the Chief Housing Services Officer. The role of the Board was to make decisions as the project moved forward so as to ensure that the ALMOs were fully engaged with the process.
- 9.0.3 Latterly, officers have visited the three Boards for a final discussion on the proposals contained within this report. Specific feedback has been received as follows

### **ENE**

- The Board are supportive of the proposals to retain three ALMOs with the proposed reforms
- The approach is seen as the best way to continue to improve performance and services to tenants
- The Board would welcome further dialogue on the development of the reforms

### **WNW**

- Whilst the Board has not made a formal recommendation, the general opinion of the Board was that a three ALMO option with the proposed reforms was the preferred option.

- The Board would welcome the opportunity of a continued dialogue on the development of the new model
- The Board supports the Council to drive further value for money efficiencies and consistent services to achieve excellent standards of service
- The Board is extremely keen to retain a strong locality focus and for this to continue through maintenance of local governance arrangements
- The Board felt it essential that tenants are consulted on any major changes connected to the review.

## **AVH**

- The Board are supportive of the proposals to retain three ALMOs with the proposed reforms
- The Board viewed the proposals as an opportunity for the ALMOs and the Council to work together in a more collaborative manner
- The Board were keen to see clear terms of reference for the Strategic Governance Board to ensure that there were transparent evidence based decisions

## **10.0 Financial Reforms**

- 10.1 The requirement that the ALMO's earmark sufficient reserves to cash back the FRS17 liability is premised on the possibility that at some point in the future the Council's housing stock, following an option appraisal, could be transferred to another Registered Social Landlord (RSL). Such an organisation would be unwilling to take on the FRS17 liability unless there was a corresponding transfer of resources equivalent to the liability. Therefore, if there were insufficient resources available in ALMO reserves to meet the accumulated net pension liabilities when Council housing stock transferred, then the Council, acting as guarantor, would be required to fund the difference.
- 10.2 The effect of this requirement to make provision has seen the need to tie up £31.5m of cash reserves. The reforms proposed below allow for this money to be released so that it can be used to sustain the ALMO business plans over the next three years and allow the Council to determine how to allocate the remaining resources in line with strategic priorities.
- 10.3 The previous Government's recent consultation paper on the reform of the HRA suggests that overhanging debt will be left with an Authority after the transfer of its housing stock, making the transfer of housing stock not financially viable, as the Council would be left having to resource residual housing debt but without a revenue stream to fund this. Therefore the requirement to completely cash back the net pension liability in ALMOs is less of a requirement since transfer of the housing stock to an RSL is not a financially viable option at the present time.
- 10.4 The 2009/2010 cash position has been projected forward to March 2013 i.e. the end of the current contract between the ALMOs and the Council for the management of the Council's housing stock. This projected position is summarised in the table below.

Organisation	Cash Reserves @ 31.3.2010*	Projected Cash Reserves @ 31.3 2013	Projected Cash Reserves @ 31.3.2013 (net of FRS17 Liability)
	£000	£000	£000
AVHL	5,035	2,889	(6,159)
ENEHL	10,368	5,664	(13,846)
WNWHL	13,352	6,968	282
<b>Total</b>	<b>28,755</b>	<b>15,521</b>	<b>(19,723)</b>

\* NB - cash reserves in the table above are net of the £1m working balance that the Council requires each ALMO to retain.

As the table above shows, it is projected that cash reserves held by the ALMOs will have reduced by £13.234m from 31<sup>st</sup> March 2010 to 31<sup>st</sup> March 2013 (i.e. from £28.755 m to £15.521m). This takes into account the projected surpluses, deficits and commitments for the use of resources as identified in the ALMOs latest Business Plans.

- 10.5 Given this, it is considered appropriate that the Council acts as guarantor to the ALMOs net pension liabilities held within the West Yorkshire Pension Fund. This effectively means that if the ALMOs are not able to continue to pay the required contributions to the pension fund then the Council would be liable for any shortfall. This would be consistent with the approach taken on other Council companies such as Education Leeds and the Grand Theatre. It is also consistent with the approach taken by other Local Authorities with ALMOs. As a consequence of this guarantee, the ALMOs would no longer be required to set aside their reserves to cover future pension liabilities. Under this guarantee, the ALMO reserves would be sufficient to meet their identified business requirements as reflected in their current Business Plans, and allow the balance of ALMO cash reserves to be transferred to the Housing Revenue Account (HRA) to reflect the fact that the HRA (i.e. the Council) is taking on the responsibility for guaranteeing the FRS17 liability.
- 10.6 Whilst the ALMO business plans show significant deficits between now and 2013 they will remain sustainable until 2013 with the use of usable cash reserves made available. This allows the recurring savings to be generated from the delivery model proposals contained in this report, together with existing cashable efficiency plans already identified by the ALMO's to be generated over the period to April 2013, to achieve financial sustainability from annual resources.
- 10.7 Following the outcome of decisions relating to the reform of the HRA, it will be necessary to review the funding arrangements for the ALMOs and the TMO in the light of the reform and an assessment of needs.

## 11.0 Implications For Council Policy And Governance

- 11.1 The creation of a Strategic Governance Board will make a difference to current governance arrangements. The Strategic Governance Board will have responsibility for setting the strategic framework within which the ALMOs will operate. The ALMO Boards will continue to manage decisions within their areas but in accordance with the strategic decisions.
- 11.2 The creation of the Strategic Governance Board will not affect the Council's Executive Board in relation to the delegated responsibilities to the ALMOs.
- 11.3 There have been initial discussions with the Council's legal services department and these will continue as the Strategic Board is established.

## **12.0 Legal And Resource Implications**

- 12.1 A key lesson learnt from the move from six to three ALMOs was that the project implementation needs to be carefully planned and phased so as to see a smooth transition and to offset dips in performance.
- 12.2 It is proposed to begin this process after the decision of the Executive Board with a phased implementation from 1<sup>st</sup> April 2011.

## **13.0 Conclusions**

- 13.1 The appraisal of organisational options to deliver future investment need in the city's housing stock has concluded that none of the appraised solutions can deliver the required investment. HRA reform may assist the city in meeting its investment need but the detail of the proposals still has to be made clear.
- 13.2 Given this position, the appraisal has concentrated on the arrangements most likely to deliver the best services to tenants and which align with the Council's broad objectives. It is recommended that the 3 ALMO model should remain subject to the implementation of key reforms, notably the introduction of a Strategic Governance Board and a Shared Service Centre. These reforms will tackle some of the key weaknesses of the current model by improving the strategic decision making and bringing about efficiencies and consistent processes in the back office and support functions without affecting front line services.

## **14.0 Recommendations**

- 14.1 The Executive Board is asked to agree the following recommendations:
- 14.2 to support the continuation of the three ALMO model
- 14.3 to agree the establishment of the Strategic Governance Board and a Shared Services Centre as set out in this report.
- 14.4 to agree to revisions of the Management Agreements and constitutions of the ALMOs to reflect the role of the Strategic Board.
- 14.5 to phase the implementation from 1<sup>st</sup> April 2011, with work beginning immediately on the change programme.
- 14.6 to agree to the proposals for the future arrangements of the provision of FRS17 in relation to the ALMOs.
- 14.7 to transfer ALMO cash reserves not identified to be used to sustain their business plans to the HRA.
- 14.8 to require the Director of Environment and Neighbourhoods, together with the ALMO Chief Executives, to bring a report back to the March 2011 Executive Board, outlining progress towards implementation of the above recommendations and the savings both achieved and planned.

## **Background Papers**

Executive Board Report – January 2009



## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Environment and Neighbourhoods)

Date: 8<sup>th</sup> November 2010

Subject: Dog Control Orders

#### Electoral Wards Affected: All

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

## 1.0 Introduction

- 1.1 This Scrutiny Board undertook a review of dog fouling and the dog warden service in the city in 2008/09.
- 1.2 The Executive Board on 3<sup>rd</sup> November 2010 is to consider the attached report of the Director of Environment and Neighbourhoods outlining the outcome of the consultation exercise undertaken in respect of the Dog Control Order implementation process and seeking approval of the Executive Board to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 with effect from 1st January 2011.
- 1.3 The decision of the Executive Board will be reported to the Scrutiny Board on the morning of the meeting

## 2.0 Recommendations

- 2.1 Members are asked to note and comment on the report of the Director of Environment and Neighbourhoods.

### Background Papers

None used

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**Report of the Director of Environment and Neighbourhoods**

**Executive Board**

**Date: 3<sup>rd</sup> November 2010**

**Subject: Dog Control Orders**

**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**

The purpose of this report is to consider the outcome of consultation on the dog control order implementation process and seek approval to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 as Phase 1 of the project (with effect from 1 January 2011) and to set the level of fixed penalty notices issued under those orders.

This proposal was initiated following a recommendation contained within a Scrutiny Board review of dog fouling and the dog warden service in the city in 2008/9. This report outlines the possible adoption of the powers in a two phase process, both phases of which have gone to public consultation. This paper outlines the results of the consultation and seeks a decision on the implementation of a number of Orders under Phase 1.

The proposed Phase 1 Orders for approval would control the number of dogs being taken for a walk at any one time; the exclusion of dogs from prescribed places, namely children's playgrounds; and the ability for an authorised officer to instruct an owner to place a dog on a lead if it is causing a nuisance.

## 1.0 Purpose Of This Report

- 1.1 The purpose of this report is to consider the outcome of the consultation on the Dog Control Order implementation process and seek approval to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 as Phase 1 of the project with effect from 1 January 2011 and to set the level of fixed penalty notices issued under those orders.

## 2.0 Background Information

- 2.1 During 2008/2009, Environment and Neighbourhoods Scrutiny Board conducted a review on the enforcement of dog fouling. The board issued a statement in February 2009 setting out its conclusions and recommendations. One of the recommendations stipulated exploring the use of additional Dog Control Orders in the city.

- 2.2 Dog Control Orders are available under Section 55(1) of the Clean Neighbourhoods & Environment Act 2005, which states:-

“A primary or secondary authority may in accordance with this Chapter make an order providing for an offence or offences relating to the control of dogs in respect of any land in its area to which this Chapter applies.”

Leeds City Council is a primary authority for this purpose.

At present, Leeds has one Dog Control Order in place which relates to dog fouling. Currently, where a person is found committing an offence of not removing dog fouling forthwith, they will be issued with a fixed penalty notice as an opportunity to discharge liability for the offence. If they fail to pay the fixed penalty, the Council will proceed to prosecute for the offence. Such an offence carries a maximum fine of up to £1000. The fixed penalty charge for dog fouling is £75, which is discounted to £50 for early payment.

During 2009/10, the Service received 684 complaints about dog fouling in the City. 96 fixed penalty notices were issued for dog fouling.

Dog Control Orders apply to any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment).

- 2.3 There are a number of additional Control Orders that can be created under Section 55 of the Act. These are:-

2.3.1 **Dog on Lead** (requiring a dog is kept on a lead at all times, in specified places).

2.3.2 **Dog on Lead by Direction** (creating an offence of not putting a dog on a lead when directed by an authorised officer).

2.3.3 **Dog Exclusion** (creating an offence of permitting a dog to enter land from which it is excluded).

2.3.4 **Dog Specified Maximum** (creating an offence of taking more than a specified number of dogs on to land).

- 2.4 A multi-agency Project Board was set up to consider the options for adopting Dog Control Orders and to develop an action plan for progressing the Orders. The Board is made up of representatives from Health and Environmental Action Service (dog wardens), Legal Services, Environmental Services (Streetscene), Parks and Countryside, Education Leeds and Strategic Landlord (on behalf of the ALMO's).

- 2.5 The Project Board originally timetabled the project for delivery in 2011/12 given the potential scope and impact of some of the orders and the need for extensive public consultation. Following a request by Scrutiny Board for a quicker outcome, it was agreed that Dog Control Orders could be implemented via a two stage process in order to facilitate early delivery of some aspects of the project. Phase 1 of the project includes the following proposals:-
- 2.5.1 **Dog Specified Maximum** – The Council is proposing to limit the number of dogs walked by an individual to 6. Dog walking in numbers of this kind is normally done by commercial dog walking companies. This proposal is to ensure that dog walkers have full control of the dogs they walk and ensure they can pick up any faeces. This order would apply to all of the city. The National Association of Registered Petsitters (NARP) guidelines recommend a limit of four dogs. The DEFRA national guidance advises six dogs.
- 2.5.2 **Dog on Leads By Direction Order** - This order will allow authorised Council staff to more effectively deal with complaints about dogs which are not being kept under proper control. Such an order will be underpinned by staff guidance stipulating the circumstances when a direction would be given, for example if a dog was causing a nuisance or annoyance. This order would apply to all of the city.
- 2.5.3 **Dog Exclusion Orders**- This order would allow the Council to legally exclude dogs from prescribed areas. In phase one, these areas are designated identifiable children's play areas in parks. Such an Order would reduce dog fouling and nuisance in these areas and they would have significant impact if approved. The city-wide schedule listing all of these areas is attached as Appendix 1.
- 2.6 All of these orders are enforceable in the following way- the order creates an offence which is prosecuted through the magistrates courts, with a maximum fine of £1000. There is an opportunity to discharge the offence through payment of a fixed penalty notice (FPN) to the Council (also see 3.7). In the majority of circumstances, the fixed penalty will always be offered as a first option. Whilst there is no appeal against an FPN, the Services does receive and respond to written enquiries as if they were appeals. The enforcement of these orders will be carried out by staff that are authorised appropriately by the council and if possible, staff employed by secondary authorities.
- 2.7 Scrutiny Board have accepted a timescale for phase one implementation as winter 2010/11. Implementation is dependant upon the decision to adopt the Orders proposed in this report.
- 2.8 Phase two activities will then be proposed for decision and possible implementation in summer 2011. Issues which will be consulted upon in phase 2 can be seen in paragraph 6.1. The project has been split into two phases as more time is required to identify the land due to the large number of areas that could potentially be affected by such proposals, including issues such as land not having obvious boundaries. Proposals are not being considered for such orders to be applied to entire plots of land such as entire parks or open grassed land.
- 2.9 An Equality Impact Assessment of the project is subject to completion in October 2010. A copy is attached as Appendix 2.

### 3 Main Issues

- 3.1 Prior to introducing any Dog Control Orders, the Council must undertake a minimum 6 week consultation process and advertise its intentions in the local media. The Council published its intention in the Yorkshire Post on 21<sup>st</sup> May 2010. To facilitate the consultation process, a website was developed ([www.leeds.gov.uk/dogs](http://www.leeds.gov.uk/dogs)) which contained information on the proposals and an online survey for responses to the consultation. Hard copies of the survey were also distributed upon request. The website was promoted through the media and a poster/leaflet campaign. Articles have been published in the local media on 5<sup>th</sup> July, 7<sup>th</sup> July, 16<sup>th</sup> August and 18<sup>th</sup> August 2010. Television interviews with “Look North” and “Calendar” have been undertaken. The consultation ran for 14 weeks to allow for as many responses as possible to be received.
- 3.2 A report has also been submitted to all the Area Committees for discussion. All the committees supported the proposals with the exception of Outer North East, who expressed reservations about the consultation process. The Parish and Town Councils have also been contacted during the consultation period.
- 3.3 The total number of responses to the consultation was 1779. 7 formal responses have been received from Bramham, Shadwell, Gildersome, Micklefield, Clifford, Thorner and Scarcroft Parish Councils. A formal response has also been written by the Dogs Trust and consultation also took place with Leeds Local Access Forum.
- 3.4 The following questions were asked in the consultation questionnaire and the response, in percentages, are listed alongside:-

Consultation Question	% Responses In Agreement	
What area of Leeds do you live in? (Breakdown available by ward)	5% do not live in Leeds	
Are you a Dog owner?	72%	
Do you agree with the order to limit the number of dogs a person can walk at a time?	74%	
If so, what do you think is the maximum number of dogs one person could safely walk to keep control and be able to clean up after them?	<b>Number</b>	<b>%</b>
	One	3%
	Two	20%
	Three	20%
	Four	25%
	Five	4%
	Six	15%
	Seven	1%
	Eight	5%
More	8%	
Do you agree with the Order that allows the banning of dogs from specified areas?	64%	
Dogs on Leads Order - Would you agree with this Order across the whole of Leeds?	28%	
Dogs on Leads Order - Would you agree with this Order in certain areas, such as playgrounds or ornamental gardens?	80%	
Dogs on Leads by Direction Order – Would you agree with this order to make it an offence not to put your dog on a lead when directed to by an	74%	

- 3.5 To summarise the consultation results, it is pleasing that 95% of the consultation respondents are residents of Leeds with a good spread of responses both from people who own and do not own dogs. The majority of respondents agree with the proposal to limit the number of dogs one person can walk. Therefore, it is proposed to introduce an Order limiting the number of dogs that can be walked by an individual to 6, in line with national guidance. Officers consider that this will address the main problems caused by multiple dog walking in Leeds as most issues encountered relate to individuals walking more than 6 dogs. Few problems have been recorded for individuals walking between 4 and 6 dogs.
- 3.6 Again, the majority of respondents are in agreement with Dog Exclusion Orders on specified areas. In phase 1, the specified areas are children's play areas. 80% of respondents are in agreement with a Dogs on Leads (at all times) Order in certain areas but not for such an Order to apply on a city wide basis. As the majority are in agreement with such an Order on specified areas, this gives a mandate to progress to phase two of the project.
- 3.7 If the Orders were to be adopted by the Council, failure to comply with the Order becomes a criminal offence. Where a person is found committing an offence, the Council may prosecute them. Such an offence carries a maximum fine of up to £1000 and the Council would apply for costs to be paid. The person would be offered the opportunity to avoid prosecution if they accepted a fixed penalty notice. It is proposed to set the fixed penalty level to £75 in line with current rates for existing Dog Control Order for dog fouling. An early payment discount to £50 would also be offered.
- 3.8 No statistics are available for the dog population of Leeds, as the information is not recorded. National figures estimate that 31% of households are dog owners.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 The adoption of these Orders would provide better tools for Council staff to ensure that dog ownership within the city is conducted responsibly without causing nuisance, distress or health hazards. They will equip Council staff with greater tools to tackle dog fouling in problem areas and promote responsible dog ownership within the City. The dog wardens would act as the main co-ordination hub for enforcement, but they are not by any means the only resource able to undertake this work. Indeed, to focus solely or even mainly on the dog wardens being the force behind enforcement would be to take an unnecessarily limited approach. The need for other Council staff working outdoors across the city to fully support this work will be a vital contribution to keeping parks and open land free from nuisance issues involving dogs. This should include the issuing of fixed penalty notices and the provision of statements for follow-up action by dog wardens. There is an agreement that Parkswatch staff will contribute to enforcing this legislation, although there is the need to address job descriptions, pay and grading issues and training before they can be authorised to issue fixed penalty notices. This will add approx. another 10 staff to the existing dog warden team of 5 and other Environmental Action Service staff, which will amount to a total of approx 90 staff.
- 4.2 Members of the public can report concerns via Contact Leeds, or electronically to the service via email. This information can be collated and the intelligence used to

allocate resources. It is anticipated that most responsible dog owners will comply with the new Orders.

4.3 Offences will be dealt with in accordance with the Council’s Enforcement Policy. A competency and training package will be developed for the Council staff undertaking enforcement of the Orders. Such staff will initially include Dog Wardens and other staff from Health and Environmental Action Service including Technical Officers and Environmental Health Officers.

## 5.0 Legal And Resource Implications

5.1 The adoption of this new legislation for the City is an executive function on a city wide basis.

5.2 For the Orders to be enforceable, the public need to be well informed of their obligations under the Orders. There are several ways of doing this, with signage being the most direct. There are resource and financial implications identified around signage for the Orders. Each sign has an approximate cost of £11. The precise level of signage required is yet to be determined and a balance needs to be found between too much signage and too little. A budget for signs has not yet been identified but such costs can be offset by any fixed penalty income received. No enforcement action would take place until the appropriate signage is in place.

5.3 If the Orders proposed are approved there will be an additional resource implication in that the Orders must be advertised in the local paper. The approximate cost of this will be £900 which will be met from existing budget.

## 6.0 Conclusions

6.1 The proposals for the Orders will provide a strategic approach to responsible dog ownership and will form part of the Council’s overall Dog Strategy. The strategy is being drawn up in response to another of Scrutiny Board’s recommendations. Dog Control Orders can help tackle the problems created by irresponsible dog ownership, such as dog fouling and stray dogs. The Dog Strategy will incorporate the following:-

Order	Issue which it will help address	Phase 1 or 2
Dog on Leads Order	Reduction in Stray and Roaming Dogs	2
	Tackling dangerous dogs	
Dog Exclusion Orders	Reduction in dog fouling – improving public health and reducing nuisance	1 & 2
	Nuisance dogs in sensitive areas	
Dogs on leads by direction	Tackling nuisance dogs	1
	Nuisance dogs in sensitive areas	
Number of dogs walked	Reduce nuisance through fouling	1
	Reduce nuisance from “pack” animals	

Other aspects of the strategy will refer to:

- Reduction in Council costs & improved efficiency in using existing resources – any fixed penalty notice income will support the service.

- Promoting responsible dog ownership – reduction in strays and improved animal health.
- Encourage Microchipping – allowing dogs to be re-united with owners as soon as possible.
- Education and Enforcement.
- Partnership Working.

## **7 Recommendations**

- 7.1 Members are asked to consider and approve the proposals for Dog Control Orders contained within this report and approve the project's progression to Phase 2.
- 7.2 In particular, Members are asked to make Dog Control Orders in the prescribed form as follows:-
- 7.2.1 Limit the number of dogs which can be walked by a person to 6;
- 7.2.2 Exclude dogs from the prescribed areas listed within this report;
- 7.2.3 Introduce the 'dogs on leads by direction' Order.

## **8 Background Papers**

19<sup>th</sup> February 2009: Statement of Scrutiny Board (Environment and Neighbourhoods): Enforcement of Dog Fouling

DEFRA Guidance

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Number	Playground Name	Location	Wedge	Ward
1	Shadwell POS Playground	Shadwell Lane/Osprey Grove	East North East	Alwoodley
2	King Lane Playground	Crag Lane	East North East	Alwoodley
3	Cranmer Bank Playground	Cranmer Bank Recreation Ground	East North East	Alwoodley
4	East End Park Playground	East End Park	East North East	Burmantofts & Richmond Hill
5	Oxton Way Playground	Ebors POS	East North East	Burmantofts & Richmond Hill
6	Torre Pocket Park Playground	Torre Pocket Park	East North East	Burmantofts & Richmond Hill
7	Saxton Gardens Playground	Saxton Gardens (Railway St)	East North East	Burmantofts & Richmond Hill
8	Lindsey Gardens		East North East	Burmantofts & Richmond Hill
9	Potternewton Park Playground	Potternewton Park	East North East	Chapel Allerton
10	Scott Hall Grove	Potternewton Playing Fields	East North East	Chapel Allerton
11	Chapel Allerton Playground	Chapel Allerton Park	East North East	Chapel Allerton
12	Beckhill Play Area	Beckhill Grove	East North East	Chapel Allerton
13	Norma Hutchinson Park Playground	Buslingthorpe Recreation Grd	East North East	Chapel Allerton
14	Reginald Terrace Playground	Reginald Terrace	East North East	Chapel Allerton
15	Harehills Park Playground	Harehills Park	East North East	Gipton & Harehills
16	Banstead Park Playground - Senior	Banstead Park	East North East	Gipton & Harehills
17	Banstead Park Playground - Toddler	Banstead Park	East North East	Gipton & Harehills
18	Hovingham Avenue Playground	Hovingham Avenue POS	East North East	Gipton & Harehills
19	Gipton Square	Gipton Square	East North East	Gipton & Harehills
20	Conways Gia		East North East	Gipton & Harehills
21	Lotherton Hall Playground	Lotherton Hall Estate	East North East	Harewood
22	Barwick In Elmete Playground	Barwick Pos	East North East	Harewood
23	Holywell Lane Playground	Holywell Lane Park	East North East	Harewood
24	Scholes Playground		East North East	Harewood
25	Meanwood Park Playground	Meanwood Park	East North East	Moortown
26	Meanwood Park Hospital	Meanwood Hospital POS	East North East	Moortown
27	Roundhay Park Playground	Roundhay Park	East North East	Roundhay
28	The Bumps Playground	The Bumps	East North East	Roundhay
29	Chandos Gardens Playground	Chandos Gardens	East North East	Roundhay
30	Deepdale Playground	Deepdale Community Centre	East North East	Wetherby
31	Heritage Village	Heritage Village POS	East North East	Wetherby
32	Ouzlewell Green Playground	Ouzlewell Green P.O.S	South East	Ardley & Robin Hood
33	Sharpe Lane Rec Playground	Sharpe Lane Rec, Jarvis Walk	South East	Ardley & Robin Hood
34	Moor Knoll Lane Playground	Moor Knoll Lane	South East	Ardley & Robin Hood
35	Nottingham Close	Thorpe Lower Lane POS	South East	Ardley & Robin Hood

36	Lofthouse Rec Playground	Lofthouse Recreation Ground	South East	Ardley & Robin Hood
37	Railway Terrace POS	Railway Terrace POS	South East	Ardley & Robin Hood
38	Forest Ridge Playground		South East	Ardley & Robin Hood
39	Cross Flatts Park Playground	Cross Flatts Park	South East	Beeston & Holbeck
40	Cross Flatts Park Jnr Playground	Cross Flatts Park	South East	Beeston & Holbeck
41	Eiland Road/Beggars Hill Playground	Beggars Hill	South East	Beeston & Holbeck
42	Holbeck Moor Playground	Holbeck Moor	South East	Beeston & Holbeck
43	Hunslet Moor Playground	Hunslet Moor	South East	City & Hunslet
44	Hunslet Lake Playground	Hunslet Lake	South East	City & Hunslet
45	Pepper Road Playground	Pepper Road Recreation Ground	South East	City & Hunslet
46	Church Street Playground	Grove Road Recreation (Hunslet)	South East	City & Hunslet
47	Trentham Street Play Area	Trentham Street POS	South East	City & Hunslet
48	Duncombe Street		South East	City & Hunslet
49	Tunstall Road Playground		South East	City & Hunslet
50	Manston Park Playground	Manston Park	South East	City & Hunslet
51	Glebelands Rec Playground	Glebelands Rec, Ninelands Lane	South East	Cross Gates & Whinmoor
52	Glencoe Kippax	Glencoe Estate	South East	Garforth & Swillington
53	Barley Hill Rec Playground	BarleyHill Park	South East	Garforth & Swillington
54	Firfields Playground	Firfield POS	South East	Garforth & Swillington
55	Allerton Bywater Playground	Allerton Bywater Sports Ground	South East	Garforth & Swillington
56	Junction Rec Playground	Barnsdale Road POS	South East	Kippax & Methley
57	Saville Road Playground	Saville Road Recreation Ground	South East	Kippax & Methley
58	Vandicourt Playground	Cliffe Terrace	South East	Kippax & Methley
59	Blands Rec Playground	Blands Recreation Ground	South East	Kippax & Methley
60	Brigshaw Rec Playground	Brigshaw Recreation Ground	South East	Kippax & Methley
61	Park Lane Playground	Park Lane Recreation Ground	South East	Kippax & Methley
62	Coney Moor Playground	Coney Moor Recreation Ground	South East	Kippax & Methley
63	Park Avenue Playground		South East	Kippax & Methley
64	Millenium Village Playground		South East	Kippax & Methley
65	Middleton Park Playground		South East	Kippax & Methley
66	Middleton Way	Middleton Park	South East	Middleton Park
67	Windmill Road Rec Playground	Ring Road Middleton	South East	Middleton Park
68	Cranmore Rise	Windmill Road Rec.	South East	Middleton Park
69	Chunwell Park Playground	Craymore Rise	South East	Middleton Park
70	Drighlington Rec Playground	Chunwell Park	South East	Morley North
71	Gildersome Park Playground	Drighlington Moor Park	South East	Morley North
72	Millbeck Approach	Gildersome Park	South East	Morley North
73	Wide Lane	Magpie Lane	South East	Morley South
		Magpie Lane	South East	Morley South

74	Dartmouth Park Playground	Dartmouth Park	South East	Morley South
75	Scatcherd Park Playground	Scatcherd Park	South East	Morley South
76	Hembrigg Park Playground	Hembrigg Recreation	South East	Morley South
77	Hesketh Rec Playground	Hesketh Recreation Ground	South East	Morley South
78	Springhead Park Playground	Springhead Park	South East	Rothwell
	John O Gaunts Com Centre Playground	John O'Gaunts Recreation	South East	Rothwell
79	Lawrence Villa Playground	Woodlesford Park	South East	Rothwell
80	Queens Street Playground	Carlton Rec. Shayfields	South East	Rothwell
81	Baines Terrace Playground	Baines Terrace POS	South East	Rothwell
82	Home Farm	Temple Newsam Estate	South East	Temple Newsam
83	Temple Newsam Playground	Temple Newsam Estate	South East	Temple Newsam
84	Neville Road Playground	Neville Road POS	South East	Temple Newsam
85	Holt Lane Playground	Holt Lane POS	West North West	Adel & Wharfedale
86	Cookridge Lane Playground		West North West	Adel & Wharfedale
87	Armley Park Playground	Armley Park	West North West	Armley
88	Lay Lane Playground	Lay Lane	West North West	Armley
89	Bramley Falls Wood Playground	Bramley Falls Wood Park	West North West	Bramley & Stanningley
90	Bramley Park Playground	Bramley Park	West North West	Bramley & Stanningley
91	Stanningley Park Playground	Stanningley Park	West North West	Bramley & Stanningley
92	Rodley Rec Playground	Rodley Park Recreation Ground	West North West	Bramley & Stanningley
93	Farfields Rec Playground	Farfield Recreation Ground	West North West	Calverley & Farsley
94	Victoria Park Playground	Calverley Park (Victoria Park)	West North West	Calverley & Farsley
95	Brookfield Gardens Playground	Brookfield Recreation Ground	West North West	Calverley & Farsley
96	Farsley Rec Playground	Farsley Recreation Ground	West North West	Calverley & Farsley
97	Hainsworth Park Playground	Hainsworth Park	West North West	Calverley & Farsley
98	Chatsworth Rec Playground	Chatsworth Recreation Ground	West North West	Calverley & Farsley
99	Farnley Hall Playground	Farnley Hall Park	West North West	Farnley & Wortley
100	Western Flatts Park Playground	Western Flatts Cliff Park	West North West	Farnley & Wortley
101	New Wortley Rec Playground	New Wortley Recreation Ground	West North West	Farnley & Wortley
102	Low Moorside Playground		West North West	Farnley & Wortley
103	Micklefield Park Playground	Micklefield Park, Rawdon	West North West	Farnley & Wortley
104	Kirk Lane Park Playground	Kirk Lane Park	West North West	Guiseley & Rawdon
105	Nethermoor Park, Guiseley	Nethermoor Park, Guiseley	West North West	Guiseley & Rawdon
106	Horsforth Hall Playground	Horsforth Hall Park	West North West	Guiseley & Rawdon
107	Hippo Horsforth Playground	Horsforth Hall Park	West North West	Horsforth
108	Layton Avenue Playground	Layton Avenue (Jubilee Hall)	West North West	Horsforth
109	Little Moor Playground	Woodhouse Moor Park	West North West	Horsforth
110			West North West	Hyde Park & Woodhouse

111	Woodhouse Moor Playground	Woodhouse Moor Park	West North West	Hyde Park & Woodhouse
112	Tennant Hall Playground - Senior	Tennant Hall POS	West North West	Hyde Park & Woodhouse
113	Tennant Hall Playground - Junior	Tennant Hall POS	West North West	Hyde Park & Woodhouse
114	Burley Lodge Playground	Burley Lodge	West North West	Hyde Park & Woodhouse
115	Oatland Drive Playground	Oatland Drive POS	West North West	Hyde Park & Woodhouse
116	Benson Court Playground	Benson Court	West North West	Hyde Park & Woodhouse
117	Kirkstall Abbey Playground	Kirkstall Abbey Estate	West North West	Hyde Park & Woodhouse
118	Cragside Rec Playground	Cragside Recreation Ground	West North West	Kirkstall
119	Burley Park Playground	Burley Park	West North West	Kirkstall
120	Wolseley Road Playground	Rising Sun POS	West North West	Kirkstall
121	Sandford Road Playground	Sandford Road	West North West	Kirkstall
122	Tarnfield Park Playground	Tarnfield Park, Yeadon	West North West	Otley & Yeadon
123	Wharfemeadows Park Playground	Wharfemeadows Park, Otley	West North West	Otley & Yeadon
124	Riverdale Road Playground	Garnetts Field	West North West	Otley & Yeadon
125	Grove Hill Playground	Grove Hill Park, Otley	West North West	Otley & Yeadon
126	Weston Drive Park	Weston Drive Rec	West North West	Otley & Yeadon
127	Newall Playground	Newall Playground POS	West North West	Otley & Yeadon
128	Wellcroft	Wellcroft	West North West	Otley & Yeadon
129	Caxton Road Playground	Caxton Road	West North West	Otley & Yeadon
130	Marshall Street Playground	Hawthorn Crescent POS	West North West	Otley & Yeadon
131	Henshaw Oval Playground	Henshaw Oval POS	West North West	Otley & Yeadon
132	Queens Park Playground	Queens Park, Pudsey	West North West	Pudsey
133	Pudsey Park Playground	Pudsey Park	West North West	Pudsey
134	Tyersal Park Playground	Tyersal Park	West North West	Pudsey
135	Earlswood Chase	Camberley Way POS	West North West	Pudsey
136	Beckett Park Playground	Becketts Park	West North West	Weetwood
137	Silk Mills Playground	Silk Mill Bank	West North West	Weetwood
138	Springfield Mill Park	Arkwright Walk, Churwel	South East	Morley North

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration. In all appropriate instances we will need to carry out an equality, diversity, cohesion and integration impact assessment.

<b>Directorate: Environment and Neighbourhoods</b>	<b>Service area: Dog Wardens</b>
<b>Lead person: Stacey Campbell</b>	<b>Contact number: 395 1765</b>
<b>Date of the equality, diversity, cohesion and integration impact assessment: 21 October 2010</b>	

**1. Title: Dog Control Orders phase 1**

Is this a:

Strategy   
  Policy   
  Service   
  Function   
  Other

Is this:

New/ proposed   
  Already exists and is being reviewed   
  Is changing

(Please tick one of the above)

**2. Members of the assessment team:**

<b>Name</b>	<b>Organisation</b>	<b>Role on assessment team e.g. service user, manager of service, specialist</b>
Stacey Campbell	Leeds City Council	Manager of service
Abigail Sandham	Leeds City Council	Supervisor of service
Sandy Rutherford	Leeds City Council	specialist

**3. Summary of strategy, policy, service or function that was assessed:**

The Council currently enforces dog fouling under dog control orders implemented under the Clean Neighbourhoods and Environment Act 2005. Additional DCO's will allow further powers to enhance and promote responsible dog ownership. This will result in an enhanced service for members of the public.

Dog Control Orders are designed to tackle particular issues which are of concern to the general public. Dog exclusion orders reduce nuisance dogs in sensitive areas and dog fouling – improving public health and reducing nuisance. Similarly the limit on the amounts of dogs walked reduces nuisance and fouling. Nuisance dogs can also be tackled by

allowing officers to direct a person to put a dog on a lead, especially in sensitive areas. A general dog on leads order can be used to tackle problems with stray, roaming and dangerous dogs.

Phase 1 of implementation consists of excluding dogs from children's play areas; limiting the number of dogs walked on a lead at a time by any one individual to 6; and allowing designated officers to direct a person to keep a dog on a lead. Options for further orders will look at exclusion zones such as sports pitches but will be the subject of future consultation and a separate equality impact assessment before any specific proposals are introduced.

**4. Scope of the equality, diversity, cohesion and integration impact assessment**  
(complete - 4a. if you are assessing a strategy, policy or plan and 4b. if you are assessing a service, function or event)

**4a. Strategy, policy or plan**  
(please tick the appropriate box below)

The vision and themes, objectives or outcomes	<input type="checkbox"/>
The vision and themes, objectives or outcomes and the supporting guidance	<input type="checkbox"/>
A specific section within the strategy, policy or plan	<input type="checkbox"/>
<b>Please provide detail:</b>	

**4b. Service, function, event**  
please tick the appropriate box below

The whole service (including service provision and employment)	<input type="checkbox"/>
A specific part of the service (including service provision or employment or a specific section of the service)	<input checked="" type="checkbox"/>
Procuring of a service (by contract or grant) (please see equality assurance in procurement)	<input type="checkbox"/>
<b>Please provide detail:</b> The equality impact assessment looks at the proposals for phase 1 implementation of Leeds City Council's response to dog control orders. Dog control orders derive from an adoption of legislation and allow the authority new enforcement powers.	

## 5. Fact finding – what do we already know

Dog fouling is an issue with many members of the public. The Council receives high volumes of complaints about irresponsible dog ownership across the City.

Consultation was carried out between end of May and end of August 2010. 1779 responses were received. 95% of respondents lived in Leeds and 72% were dog owners. The consultation was online however written copies could be sent out if requested. The consultation was started with a statutory notification in the press, there were a number of press releases and TV interviews to both publicise the consultation and to address rumours that began to circulate over our proposals. The consultation was based on the powers under the act and the conclusions have been used to inform the proposals in phase 1. The table below details the responses received from the consultation.

Do you agree with the order to limit the number of dogs a person can walk at a time?	74%	
If so, what do you think is the maximum number of dogs one person could safely walk to keep control and be able to clean up after them?	<b>Number</b>	<b>%</b>
	One	3%
	Two	20%
	Three	20%
	Four	25%
	Five	4%
	Six	15%
	Seven	1%
	Eight	5%
More	8%	
Do you agree with the Order that allows the banning of dogs from specified areas?	64%	
Dogs on Leads Order - Would you agree with this Order across the whole of Leeds?	28%	
Dogs on Leads Order - Would you agree with this Order in certain areas, such as playgrounds or ornamental gardens?	80%	
Dogs on Leads by Direction Order – Would you agree with this order to make it an offence not to put your dog on a lead when directed to by an authorised officer?	74%	

From this it can be seen that the majority of people who respond agree with the phase 1 proposals, banning dogs from specified areas (64%) and dogs on Leads by direction (74%), walking six dogs or less at a time (87%).

### **Are there any gaps in equality and diversity information**

**Please provide detail:** The consultation did not ask for any personal information except whether a person was a dog owner and whether a resident of Leeds.

**Action required:** Consultation was general and led to the specific proposals in phase 1. Any future proposals would be the subject of similar consultation.

**6. Wider involvement – have you involved groups of people who are most likely to be affected or interested**

Yes

No

**Please provide detail:**

A project board was formed consisting of the West Yorkshire Police, ALMOs, Education Leeds, and various services within Leeds City Council including health and environmental action service, parks and countryside, street cleansing, press office and legal services. Other interested parties, highways services, gypsy and traveller's service and British Waterways, were not required to be regular members of the board but were circulated minutes of all board meetings and could therefore comment on any specific proposals or items discussed by the board.

The Leeds Local Access Forum was consulted over any issues arising in open access land. No particular issues were raised. Parish Councils and area committees were also consulted as they are able to reflect the views of the local communities.

Executive Board will approve any specific proposals before they are implemented.

**Action required:** The project board will continue to meet during implementation of any proposals. The same parties will be involved in any discussions related to any further proposals.

**7. Who may be affected by this activity?**

please tick all relevant equality characteristics, stakeholders and barriers that apply to your strategy, policy, service or function

**Equality characteristics**

Age

Carers

Disability

Gender reassignment

Race

Religion or Belief

Sex (male or female)

Sexual orientation

Other

(for example – social class, income, unemployment, residential location or family background, education or skills level)

**Please specify:** Dog owners and those who walk dogs.



<b>Stakeholders</b>		
<input checked="" type="checkbox"/> Services users	<input checked="" type="checkbox"/> Employees	<input type="checkbox"/> Trade Unions
<input checked="" type="checkbox"/> Partners	<input checked="" type="checkbox"/> Members	<input type="checkbox"/> Suppliers
<input type="checkbox"/> Other please specify		
<b>Potential barriers.</b>		
<input checked="" type="checkbox"/> Built environment	<input checked="" type="checkbox"/> Location of premises and services	
<input checked="" type="checkbox"/> Information and communication	<input checked="" type="checkbox"/> Customer care	
<input type="checkbox"/> Timing	<input type="checkbox"/> Stereotypes and assumptions	
<input checked="" type="checkbox"/> Cost	<input checked="" type="checkbox"/> Consultation and involvement	
<input type="checkbox"/> specific barriers to the strategy, policy, services or function		
<p><b>Please specify</b> Members receive a high volume of complaints about dog fouling. Scrutiny board reviewed dog related issues and recommended the service looked at the new powers and how they could be implemented in Leeds.</p>		

<p><b>8. Positive and negative impact</b> Think about what you are assessing (scope), the fact finding information, the potential positive and negative impact on equality characteristics, stakeholders and the effect of the barriers</p>
<p><b>8a. Positive impact:</b></p> <ul style="list-style-type: none"> <li>• Reduction in infections amongst children, particularly young children, from soil contaminated with micro-organisms from dog faeces.</li> <li>• Improvement in the amenity value of children's playgrounds.</li> <li>• Reduction in runners, cyclists and horse riders being chased by dogs.</li> <li>• Reduction in the number of members of the general public coming into contact with dog faeces. This is a particular issue for disabled people and parents with pushchairs or prams who may not be able to see or avoid the dog faeces.</li> <li>• Street cleanliness will improve throughout the city as dog fouling reduces, which will increase community cohesion between dog owners and the rest of the public and reduce anti-social behaviour and other crimes.</li> <li>• Costs of street cleansing will reduce as dog fouling reduces.</li> <li>• Overall control of dogs in public areas.</li> </ul>

<b>Action required:</b>
<ul style="list-style-type: none"> <li>• Exclusion of dogs from children’s playgrounds.</li> <li>• Direction of dog owners to put their dog on a lead when causing a nuisance.</li> <li>• Promotion of responsible dog ownership.</li> <li>• Fair enforcement of scheme to ensure benefits of the orders are realised.</li> <li>• Look at other areas such as sports pitches and school fields where particular issues arise to see if an exclusion order is the best method of tackling issues.</li> </ul>

<b>8b. Negative impact:</b>
<ul style="list-style-type: none"> <li>• Many disabled people have assistance dogs to help them go to places and an exclusion for an assistance dog would effectively be an exclusion for the person.</li> <li>• Some disabled people may not be able to pick up dog faeces and therefore become liable for fines.</li> <li>• Some people, particularly non-residents of Leeds may be unaware that the orders have been introduced.</li> <li>• A £75 fine for offences is proposed, the same as currently for littering and dog fouling. This will affect perpetrators on a low income more. People under 18 have lower incomes.</li> <li>• Dog walkers will not be able to walk more than six dogs at a time this may affect ability to run their business.</li> <li>• Dog owners will no longer be able to take their dogs into children’s playgrounds.</li> <li>• Dog owners will be required to put their dog on a lead when directed. Dogs may not return to an owner directly when called.</li> <li>• Dog owners may not agree that the behaviour of their dog constitutes a nuisance.</li> <li>• Consultation announcement led to untrue rumours such as all dogs banned from the whole of Roundhay Park which alarmed many dog owners.</li> <li>• People unaware of which areas were being consulted on.</li> </ul>

<b>Action required:</b>
<ul style="list-style-type: none"> <li>• The legislation specifically exempts assistance dogs from exclusion areas, meaning that they and their owners can enter the zones.</li> <li>• The legislation specifically exempts all people with assistance dogs who because of their disability can not be expected to spot or pick up dog faeces, for example blind people or people in wheelchairs, to be exempt from dog fouling offences. The enforcement policy will take into account non-assistance dogs.</li> <li>• Signage at children’s playgrounds will explain that dogs are no longer allowed. Planned communications before and during implementation.</li> <li>• Currently there is an early payment discount for fixed penalties for littering and dog fouling and people on low incomes can defer payment for up to 8 weeks to allow them to save the money to pay the fine. A youth reparation scheme is currently in existence, where under 18’s can carry out community work in lieu of payment.</li> <li>• The walking multiple dogs order has proposed limited the number to six as specified in the DEFRA guidance.</li> <li>• Signage will go up and open space will still be left available for dogs.</li> <li>• Customer care training is given to all dog wardens. Protocols for when to direct people to put their dog on a lead, how long to give them to comply etc will be developed and all Council staff authorised to enforce the orders will be trained on these.</li> </ul>

- A clear policy will be developed and published on the internet allowing people to understand what qualifies as nuisance behaviour.
- Press releases throughout consultation and implementation of proposals to alleviate concerns of dog owners raised by the rumours.
- Maps of areas affected by proposals in phase 1 published online and available to view in Council buildings.

**9. Will this activity promote strong and positive relationships between the groups/communities identified?**

Yes

No

**Please provide detail:** Promotion of responsible dog ownership will improve relations between dog owners and other members of the public. This will particularly affect communities who have problems with dog fouling. Fair enforcement which leads to a reduction in dog fouling and nuisance behaviour by dogs will improve relations between residents and the council.

**Action required:** Fair enforcement of the restrictions. Good communication of the restrictions the reasons why they are being done and why there are important.

**10. Does this activity bring groups/communities into increased contact with each other (e.g. in schools, neighbourhood, workplace)?**

Yes

No

**Please provide detail:**

**Action required:**

**11. Could this activity be perceived as benefiting one group at the expense of another?**

Yes

No

**Please provide detail:** Responsible dog owners/walkers may feel that they are being unfairly penalised due to the actions of an irresponsible minority. Parents of children who take their dog with them to the playground will no longer be able to do so and they may feel that this is because of other parents anti-dog attitudes. Professional dog walkers who regularly walk several dogs at once may feel that the limitation to walking six dogs may adversely affect their ability to carry out a business.

**Action required:** Particular emphasis on the schemes promotion of responsible dog ownership and confirmation that most dog owners are responsible. Good communication of the restrictions the reasons why they are being done and why there are important. Introduce dog strategy for the whole of the council looking at wider issues.

**12. Equality, diversity, cohesion and integration action plan**

(insert all your actions from your assessment here, set timescales, measures and identify a lead person for each action)

Action	Timescale	Measure	Lead person
Communication throughout the run up to and implementation of the orders should promote responsible dog ownership, the reasons for the restrictions and the importance of the issues.	In month before and during implementation of orders. Ongoing to include up to date web information.	Number of compliments to service Nature of complaints / appeals against issue of fixed penalty notice. Performance monitoring of requests for service. Analysis of proactive and reactive work.	Stacey Campbell
Level of fine and conditions, including early payment discount, deferred payment, and youth reparations.	November 2010	Nature of complaints / appeals against issue of fixed penalty notice. Performance monitoring of requests for service. Analysis of proactive and reactive work.	Stacey Campbell
Introduce dog strategy for the whole of the council looking at wider issues.	Service strategy in place. Council wide strategy to be developed 2011/12.	Development and approval of strategy.	Stacey Campbell
Develop policy and protocols on when to give a direction to a member of the public to place a dog on a lead. Train dog wardens and any other authorised Council staff in these.	Before implementation of orders	Number and nature of complaints / appeals about issue of fixed penalty notice.	Stacey Campbell

**13. Governance, ownership and approval**

State here who has approved the actions and outcomes from the equality, diversity, cohesion and integration impact assessment

Name	Job Title	Date
Graham Wilson	Head of Environmental Action and Parking	25.10.10

**14. Monitoring progress for equality, diversity, cohesion and integration actions** (please tick)

As part of Service Planning performance monitoring

As part of Project monitoring

Update report will be agreed and provided to the

Dog Control Order Project Board

Other (please specify)

**15. Publishing**

<b>Date sent to Equality Team</b>	<b>4th November 2010</b>
<b>Date published</b>	



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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Environment and Neighbourhoods)

Date: 8<sup>th</sup> November 2010

Subject: Budget Analysis for Housing Revenue Account and General Fund 2010/11

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#### Electoral Wards Affected: All

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 1.0 Introduction

- 1.1 The Scrutiny Board has asked for regular updates on the budget of the Environment and Neighbourhoods department.
- 1.2 The following reports of the Director of Environment and Neighbourhoods are attached:
  - Analysis of the outturn position for the Housing Revenue Account for period 6.
  - Analysis of the outturn position for the Environment and Neighbourhoods Directorate General Fund for period 6.
- 1.3 Relevant extracts from the reports submitted by the Director of Resources which are to be considered by the Executive Board on 3<sup>rd</sup> November 2010 concerning the Government Spending Review 2010 and Financial Health Monitoring 2010/11 half yearly report are also attached.

## 2.0 Recommendations

- 2.1 Members are asked to comment and note the reports of the Director of Environment and Neighbourhoods and the extracts from the report of the Director of Resources.

### Background Papers

None used

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## Housing Revenue Account (HRA)

At the end of Period 6 the HRA is projecting a deficit of **£45k**.

### Key variances - Income

**£2.3m** of additional rental income is projected from dwellings and miscellaneous properties. This additional income is as a result of void levels being lower than budgeted and the decline in Right to Buy (RTB) sales. Of the increased income it is projected that **£1.8m** will be paid over to the ALMOs as additional void incentive payments.

Housing Subsidy payments have been reduced by **£1m** to reflect a reduction in interest rates. This will be offset by a reduction in capital charges to the HRA.

### Key Variances - Expenditure

There are projected savings of **£276k** on salaries and wages, primarily due to posts being held vacant and a number of additional officers taking early retirement at the end of March 2010.

There is a projected overspend of **£1,055k** on supplies and services. The key reasons for this are as follows: -

- (a) an increase in pass through costs in relation to the Swarcliffe PFI scheme (**£210k**). These costs will be primarily funded from the PFI Sinking Fund.
- (b) CCTV and Community Centre costs being identified as more appropriate to charge to the HRA (**£500k**)
- (c) additional costs in relation to the Lifetime Homes PFI (**£269k**)

Payments to the ALMOs are projected to increase by **£1.8m** due to the ALMOs receiving incentive payments as a result of void levels being 1.1% less than budgeted.

At Quarter 2 a review of the contribution to the bad debt provision indicated a need to increase the provision by **£49k**. This is as a result of an increase in Former Tenant and leaseholder arrears.

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**Environment & Neighbourhoods Projected Outturn Position for 2010/11 at period 6.**

Service	Period 6 Variance	Explanation
	£000	
Community Safety (including Safer Leeds Partnership)	20	Variations in the delivery of targeted staffing efficiencies (£131k) have been partially offset by underspends across the service and by the identification of expenditure on CCTV for which it is more appropriate to charge to the Housing Revenue Account (£111k).
Regeneration	381	A projected overspend on staffing of £540k is largely due to variations in the delivery of targeted staffing efficiencies (£265k) and the costs associated with staff who have been displaced following restructures and who are therefore in managing workforce change (£275k). Of this £208k relates to neighbourhood wardens. The identification of other savings across the service, largely line by line savings has contributed towards offsetting these pressures (£159k)
Jobs & Skills	677	Due to the slippage of the restructuring proposals, there is an anticipated overspend of £520k on staffing. During the year there have been further income reductions of £335k. Of this £274k relates to Yorkshire Forward. The identification of appropriate charges to the HRA (£200k) contributes towards offsetting these pressures.
Community Centres	(200)	The identification of appropriate charges to the HRA contributes towards the projected underspend.
Housing General Fund	(121)	The Government has announced a further reduction in the contract in respect of the number of asylum seekers from 289 clients per night to 150. In addition to this the Government has terminated the initial accommodation contract at Hillside Induction Centre. These actions will result in an overall impact of £669k upon the Council. Further variations are projected in respect of Temporary Accommodation (£100k) and CareRing and Medical Rehousing (£141k). These pressures are offset by a combination of savings on the Supporting People programme which are projected to be £746k as a result of voids and identified efficiencies, line by line savings of £76k and a review of balance sheet items (£200k).
General Fund Support Services	(51)	Savings primarily within staffing due to vacant posts
<b>Neighbourhoods &amp; Housing Total</b>	<b>706</b>	

Service	Period 6 Variance
Waste Management	(824) <b>Strategy (£730k)</b> £230k is due to staff savings resulting from vacant posts. Revised advisor costs on Waste PFI are projected to save £49k. Additional income anticipated mainly from increased prices for glass and metal (£164k) with the balance of the projected underspend, £287k, largely deriving from savings on waste disposal charges. <b>Operations (£94k)</b> This largely relates to staff savings at Household Waste Sites which are forecast to underspend as a result of a review of cover of vacant posts.
Streetscene	884 <b>Refuse Collection +£686k</b> Of this £791k relates to slippage in the implementation of the Streetscene change programme from June to late September. In addition increased fuel costs £142k are partially offset by a combination of staffing and line by line savings (£247k). <b>Street Cleansing (+£102k)</b> A balanced position is projected in respect of staffing expenditure. Rising fuel costs are estimated at £101k higher and revised water billing arrangements are now forecast to be £61k higher. Other savings generate £60k. <b>Anti Graffiti (+£96k)</b> This variation is mainly as a result of the reduction in Government Grant (LPSA) which was announced in June.
HEAS	207 Staffing variations of £435k are mainly due to the loss of Government grant (LPSA). Additional income from Area Committee and DEFRA grant, combined with line by line savings are helping to offset this pressure.
Car Parking	786 Parking income is projected to be down by £1.1m after contingency releases. This is due to a combination of reduced PCN income (£0.1m), delay in bus lane enforcement project (£0.2m), reduced income from suspended bays of £0.1m, delays in the price rise (£0.1m), reduced fee income from both off-street and on street parking (£0.4m) and delays in the identification of additional car parking facilities (£0.2m). A combination of projected staff savings along with line by line savings help offset these income variations.
Support Services	49 Variation in turnover assumptions.
<b>Environmental Services</b>	<u>1,102</u>

**Overall Total Variation for E&N Directorate** 1,808



## Report of the DIRECTOR OF RESOURCES

### Executive Board

Date: 3<sup>RD</sup> November 2010

Subject: GOVERNMENT SPENDING REVIEW 2010

## 2. KEY HEADLINES

### 2.1 Headline announcements include:

- Average savings in government departmental budgets of 19% over the next 4 years
- On average central government funding to councils, schools, police and fire to decrease by 26% in real terms over four years
- Overall funding for local government to fall by an average 7.1% per year over the next 4 years but with a larger decrease in the first year

## 3. LOCAL GOVERNMENT FUNDING

3.1 In his speech the Chancellor of the Exchequer said that overall funding for local government is to fall by an average of 7.1% in real terms in each of the next 4 years although there are significant variations between years as the table below shows:

National Funding	Base	Variation			
	2010/11 £bn	2011/12 £bn	2012/13 £bn	2013/14 £bn	2014/15 £bn
Local Government Funding	28.5	26.1	24.4	24.2	22.9
Real Terms reduction (%)		10.6%	8.3%	2.8%	7.2%

The reduction applies to the whole of Formula Grant not just the Revenue Support Grant (RSG) element.

3.2 Most ring-fencing of grants is to be removed from 2011/12. £4 billion of specific grants per year will be rolled into Formula Grant. That includes funding for Supporting People of about £1.6bn per year (£6.5bn over the next four years), about £200m of concessionary fares specific grants and extra funding announced of £1bn by 2014/15 for social care. Remaining "Core Revenue Grants" include:

- Early Intervention Grant
- Public Health Grant (from 2013-14)
- Learning Disabilities
- New Homes Bonus
- Council Tax Freeze Grant
- Housing Benefit and Council Tax Benefit Administration Grant
- PFI Grant
- Dedicated Schools Grant
- Preventing Homelessness

Transferring specific grants into formula grant could have a distributional effect. Leeds, for example, receives lower than average through formula grant.

- 3.3 In addition to the extra funding announced of £1bn by 2014/15 for social care referred to above, another £1bn for social care is to be provided from the Health budget.
- 3.4 Capital funding from Government to councils will fall by around 45% over four years. The Government estimate that self-financed funding will fall by 17% and capital expenditure by 30%.
- 3.5 The cost of borrowing to local authorities will increase as PWLB rates are to be increased to 1% above UK government gilts. This will mean an increase on PWLB rates of approximately 0.85%.
- 3.6 Council budgets on average are estimated to decrease by 14% in real terms over four years allowing for the Office for Budget Responsibility's projections for increases in council tax and for growth in the tax base.
- 3.7 The new Regional Growth Fund will provide £1.4bn of support over three years, £0.5bn in 2011/12, £0.5bn in 2012/13 and £0.4bn in 2013/14. This will aim to support growth and create jobs in the private sector in places currently dependent on the public sector. It will be subject to a bidding process.
- 3.8 Government will guarantee a £200 million capitalisation fund in 2011-12 to support authorities that wish to deliver efficiency savings early through internal restructuring.
- 3.9 Fire service funding will reduce by 4% per year in exchange for service reforms. Over the four years formula grant funding for fire authorities will reduce by 25%, weighted to the second half of the period.
- 3.10 Police spending will fall by 4% a year for 4 years and central government police funding will reduce by 20 per cent by 2014-15.

#### **4. COUNCIL TAX FREEZE**

- 4.1 The Government will provide funding for a one year council tax freeze for 2011/12, to be funded to cover a 2.5% increase, Authorities could choose to set a council tax higher than 2.5% but, if they did, they would not receive any support from this scheme. This funding of £650m will be for each of the next four years to cover the resultant loss to the tax base. There is no guarantee that the funding will continue beyond 2014/15.
- 4.2 The scheme will apply to major precepting authorities (e.g. Police and Fire Authorities) as well as to billing authorities, but not to parishes
- 4.3 The Secretary of State has indicated that capping powers would be used to curb any "excessive" increases.
- 4.4 CLG have provided indicative grant figures which include £6.7m for Leeds.

#### **5. POSSIBLE GRANT IMPLICATIONS FOR LEEDS**

- 5.1 The figures per the Spending Review (SR) indicate a real terms reduction of 26% over the four years of the SR. In addition, the Government's proposed reductions rather than being spread evenly are to be frontloaded. This gives a forecast grant change for the council as detailed below:

Leeds Position	Base	Variation				
	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m	2014/15 £m	Total £m
Government Grant	634.4	-	-	-	-	-
Real terms change		59.0	47.0	14.0	37.0	157.0
Funding for Council Tax		6.7				6.7
		<b>582.1</b>	<b>535.1</b>	<b>521.1</b>	<b>484.1</b>	
Reduction from previous year		- 52.3	- 47.0	- 14.0	- 37.0	

5.2 The Government's inflation assumptions over the period are 2.4% in 2011/12, 1.9% in 2012/13 and 2.0% in the final two years.

5.3 The above should be treated with caution, it being a straight extrapolation of headline figures within the spending review, and does not take account of any distributional impacts such as the ending of all Working Neighbourhoods Fund which will not impact on Leeds' funding as we do not receive any, nor the transfer of specific grants to formula grant.

## 6. **COUNCIL TAX BENEFITS**

6.1 Government will reduce spending on council tax benefit by 10% and localise it from 2013/14 to provide greater flexibilities to authorities to manage pressures from same date. DWP are expected to issue more information over the next few weeks.

## 7. **TAX INCREMENT FINANCING (TIF)**

7.1 TIF funding will go ahead and further details will be issued in a sub-national review later in the year. Members will be aware that Leeds, along with the other Core Cities have been promoting TIF through a policy proposal known as Accelerated Development Zones for the last few years, and in particular in relation to the Aire Valley.

## 8. **HOUSING**

8.1 Major reforms are to be put in place to better meet housing need, to increase housing supply and support sustainable growth. £4.5 billion is to be invested to provide up to 150,000 new affordable homes over the Spending Review period. A further £100 million will be provided to bring empty homes back into use.

8.2 The Preventing Homelessness Grant will continue and will provide £357m over the next four years.

8.3 The reforms to social housing will make no changes to security of tenure for existing tenants, but rents for new tenants are expected to increase from ~ 50% to ~ 80% of market rent levels. Further details on these reforms are to be set out shortly.

8.4 A New Homes Bonus scheme will be introduced. This will match fund the council tax on every new home for each of the following six years. A consultation paper on the scheme design will be launched in November and the scheme will commence in the financial year 2011/12. Nationally £900m funding will be provided over four years. An initial estimate for Leeds suggests this might amount to about £1.5m in the first year, depending on the number of new dwellings built and how the scheme is structured.

## **9. OTHER ISSUES**

- 9.1 The Government will look at setting proportions of appropriate services across the public sector that should be delivered by independent providers, such as the voluntary and community sectors and social and private enterprises. This approach will be explored in adult social care, early years, community health services, pathology services, youth services, court and tribunal services, and early interventions for the neediest families. A White Paper will be issued early in the New Year.
- 9.2 The government has announced the first sixteen areas which will set up pooled budgets across different government departments, and stated its intention that this model of accountability will be rolled out across the country by the end of the Spending Review period. In addition, Central Government departments will be actively working with a further 20 areas to help push forward local flexibility and to address barriers. Cabinet Office will work with nine authorities, including Leeds, to involve communities in designing and commissioning services that better meet local needs. Places that want to trial different ways of delivering services including community-designed and delivered services are encouraged to do so.
- 9.3 The Government will establish a Transition Fund of £100 million to provide short term support for voluntary sector organisations providing public services.





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## Report of the Director of Resources

### Executive Board

Date: 3<sup>rd</sup> November 2010

### Executive Board : Financial Health Monitoring 2010/11 – Half year Report - Environments & Neighbourhoods Impact

Directorate	Director	(Under) / Over Spend for the current period				First Quarter (Under)/Over Spend £000
		Staffing £000	Other Expenditure £000	Income £000	Total (Under) Overspend £000	
Adult Social Care	Sandie Keene	(1,376)	9,696	494	8,813	7,442
Children's Services	Nigel Richardson	(1,088)	11,331	(3,254)	6,989	4,717
City Development	Martin Farrington	737	(3,480)	3,285	542	469
Environment & Neighbourhoods	Neil Evans	1,074	(3,224)	3,963	1,813	1,984
Resources	Alan Gay	(2,057)	1,236	(607)	(1,428)	(1,584)
Corporate Governance	Nicole Jackson	346	7	(545)	(192)	(308)
Planning, Policy and Improvement	James Rogers	120	(131)	(104)	(115)	(115)
<b>Total</b>		<b>(2,244)</b>	<b>15,434</b>	<b>3,231</b>	<b>16,421</b>	<b>12,605</b>

Corporate issues			
Rolled up interest		(600)	(600)
Capitalisation		(2,500)	(2,500)
Contingency Fund		(2,100)	(3,200)
Loss of LABGI grant		500	500
Use of balance sheet items		(3,200)	(3,200)
<b>Total</b>		<b>8,521</b>	<b>3,605</b>

## **HOUSING REVENUE ACCOUNT (HRA)**

- 1.1 At the end of the half year the HRA is projecting a deficit of £45k.
- 1.2 Average void levels for the period are lower than budgeted, which if maintained will generate additional rental income of £2.3m. £1.8m of this will be paid over to the ALMOs as additional void incentive payments.
- 1.3 As detailed in the directorate report attached, it is proposed that a replacement Care Ring emergency alarm scheme is funded from HRA reserves at a cost of £733k in the current. This would leave projected reserves carried forward of £3.9m. Members of Executive Board are requested to give approval to the use of reserves for this purpose and the injection of this amount into the Capital Programme.

## **ENVIRONMENT AND NEIGHBOURHOODS : 2010/11 BUDGET – PERIOD 6 REPORT**

### **Introduction**

This report sets out the financial position for Environment and Neighbourhoods Directorate for Period 6.

### **Overall Summary**

The period 6 position for Environment and Neighbourhoods Directorate projects an overspend of £1.8m made up of £1.1m on Environment Services, and £0.7m on Neighbourhoods and Housing Services. This projection reflects actions identified to address the in year reductions in both Area Based grant and LPSA2 reward grant.

### **Explanation of the Projected Overspend**

Neighbourhoods and Housing Services are projecting an overall variation of £0.7m. This position reflects the impact of reductions in Area Based grant, and LPSA2 grant (£1.3m) being addressed through a combination of the utilisation of other funding sources and the identification of efficiency savings. A variance of £0.1m in terms of grant retraction arrangements is reflected in the Directorate's projected outturn position.

Staffing variations of £1.0m largely reflect a combination of grant fallout in 2010/11, the costs associated with staff who are currently in managing workforce change and further work to redesign the Jobs and Skills service to support Council priorities.

Income reductions of £0.4m largely relate to a reduction in the level of grant receivable in the Jobs and Skills service.

The Leeds Asylum Service has received notification from the Regional Migration Team that UK Borders & Immigration Agency (UKBIA) will reduce the number of asylum seekers in the current contract. As a result of this, income is forecast to reduce by £1.4m which is partially offset by savings on running costs of £0.9m. Further, UKBIA have also terminated the Hillside Induction Contract from 1<sup>st</sup> October, half year effect of this is a net loss of income of £0.2m.

These pressures are partially offset by the identification of expenditure which is more appropriate to charge to the Housing Revenue Account (£0.5m), whilst a review of all items of expenditure has targeted further savings of £0.3m across all services.

Through a combination of identified efficiencies, combined with a higher level of voids with the subsequent reduction in payments to providers, an underspend of £0.7m on the Supporting People grant is projected.

Within Environmental Services an overspend of £1.1m is forecast.

Staffing projections (excluding the effects of grant fallout) across the Division indicate a saving of £0.9m will be achieved.

The delivery of the Streetscene Change Programme has been impacted upon by the fact that the process for the delivery of the identified efficiency savings has proved to be complex and this has resulted in a variation of £0.7m when compared to the targeted level of saving. However as a result of this, the full year savings are now anticipated to increase to £2.4m from the £2m originally projected.

Ongoing increased fuel prices across Streetscene are estimated at £0.3m and increased repairs on vehicles £0.31, mainly due to landfill damage.

The loss of £1.12m LPSA2 grant which has been partially offset by a retraction of resources utilized, leaves a budget pressure of £0.5m.

Car parking income is projected to be £1.1m lower than the budget and this is largely as a result of reduced patronage of car parks and a reduction in the number of parking offences. The implementation of bus lane enforcement in the City Centre is now scheduled for January 2011.

After a review of all running costs across the division, including landfill, savings of £0.8m have been identified. Additional income of £0.1m is estimated from the increased price of recycled scrap metal and glass.

### **Housing Revenue Account (HRA)**

At the end of Period 6 the HRA is projecting a deficit of £45k.

Key variances - Income

£2.3m of additional rental income is projected from dwellings and miscellaneous properties. This additional income is as a result of void levels being lower than budgeted and the decline in Right to Buy (RTB) sales. Of the increased income it is projected that £1.8m will be paid over to the ALMOs as additional void incentive payments.

Housing Subsidy payments have been reduced by £1m to reflect a reduction in interest rates. This will be offset by a reduction in capital charges to the HRA.

#### Key Variances - Expenditure

There are projected savings of £276k on salaries and wages, primarily due to posts being held vacant and a number of additional officers taking early retirement at the end of March 2010.

There is a projected overspend of £1,055k on supplies and services. The key reasons for this are as follows: -

- (a) an increase in pass through costs in relation to the Swarcliffe PFI scheme (£210k). These costs will be primarily funded from the PFI Sinking Fund.
- (b) CCTV and Community Centre costs being identified as more appropriate to charge to the HRA (£500k)
- (c) additional costs in relation to the Lifetime Homes PFI (£269k)

Payments to the ALMOs are projected to increase by £1.8m due to the ALMOs receiving incentive payments as a result of void levels being 1.1% less than budgeted.



**Not for Publication: The Appendix to the attached report of the Chief Officer Legal Licensing and Registration is Exempt under Access to Information Procedure Rule 10.4 (5) and Appendix B to the attached report of the Director of Environment and Neighbourhoods is Exempt Under Paragraph 10.4 (1) of the same Rules.**

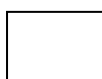
## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Environment and Neighbourhoods)

Date: 8<sup>th</sup> November 2010

Subject: : Inquiry on Gypsy and Travelers Site Provision within Leeds

**Electoral Wards Affected: All**



Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

## 1.0 Introduction

- 1.1 The Working Group established by the Board met on 20<sup>th</sup> October 2010 and a note of that meeting and the reports of the Chief Officer Legal Licensing and Registration and the Director of Environment and Neighbourhoods which were considered at that meeting are attached for the Board's attention.

## 2.0 Witnesses

- 2.1 Appropriate representatives from the following Council departments have been invited to attend today's meeting as witnesses to the Board's inquiry:
- City Development Department (Planning)
  - Environment and Neighbourhoods (Area Manager (South))
  - Children's Services (including Education Leeds)

## 3.0 Recommendations

- 3.1 Members are asked to receive the note of the meeting of the Working Group held on 20<sup>th</sup> October 2010, comment on the reports and hear from and question the witnesses attending today's meeting.

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**Meeting of Scrutiny Board (Environment and Neighbourhoods)  
Gypsy and Travellers Working Group held at 9am  
on Wednesday 20<sup>th</sup> October 2010**

**Present:**

Councillor B Anderson (BA), Chair  
Councillor R Grahame (RG)  
Councillor G Hyde (GH)  
Councillor L Mulherin (LM)

**Others Present**

Ms B Emery (BE) Head of Housing Strategy and Solutions  
Ms C Gentles (CG) Senior Manager Environment & Neighbourhoods  
Mr I Spafford (IS) Head of Community Services & Litigation  
Ms K Blackmore (KB) Team Leader, General Litigation Team  
Mr R Mills (RM) Principal Scrutiny Adviser

No	Note	Action
<b>1.0</b>	<b>Introductions and Welcome</b>	
1.1	The Chair welcomed everyone to the meeting and briefly referred to the agenda and the issues before the Working Group today.	
<b>2.0</b>	<b>Note of Last Meeting</b>	
2.1	Members approved the note of the meeting of the Working Group held on 29 <sup>th</sup> September 2010.	
<b>3.0</b>	<b>Matters Arising</b>	
3.1	GH stated that he had not received the circulars referred to in minutes 5.1 of the last meeting and it was <b>agreed</b> that a hard copy of these be sent to him.	<b>RM</b>
<b>4.0</b>	<b>Legal Position</b>	
4.1	Members discussed the report of the Chief Officer, Legal Licensing and Registration which set out the legal background to the continuing problems of unauthorised encampments and the Council's legal obligations as well as making reference to practice and policy.	
4.2	(IS) drew attention to the appendix to his report on pink paper which was exempt/confidential under Access to Information Procedure Rules 10.4 (5).	
4.3	The report updated matters and reviewed the Council's legal position by reference to Counsel's advice and judges' remarks in relation to applications for possession orders. This was provided in the context of the Council considering its policies with regard to alternative sites, and the speed in which those policies are implemented.	

No	Note	Action
4.4	A number of issues and comments within the report were discussed including	
	(a) The fact that there is no duty on local authorities to provide an authorised site for gypsies and travellers. However, the Council has a duty to consider and make reasonable provision of housing for gypsies and travellers like any other group.	
	(b) That a Gypsy and Travellers Accommodation Assessment (GTAA) was carried out for the 5 West Yorkshire Authorities in 2004*. The GTAA identified a need for additional provision across the West Yorkshire sub-region (Leeds, Kirklees and Calderdale) for an additional 67 pitches and recommended an additional 48 pitches in Leeds and that these should be provided between 2008 and 2015. However the GTAA has never been formally accepted by the Council, despite reference being made to it by some departments. Whilst the Council no longer has to undertake such an assessment, Members thought that a further assessment may be worth while. At the very least the Executive Board should consider whether to accept or reject the current GTAA, but this should not be dealt with in isolation but form part of a wider Housing Needs assessments.	
	(c) It was <b>agreed</b> that a copy of the GTAA be provided to all Members of the Working Group.	<b>CG/RM</b>
	(d) Referring to Appendix C of the Director of Environment and Neighbourhoods report it was noted that the Council had spent £1.944.061m between 2003 and 2010 in dealing with unauthorised sites.	
	(e) That the Regional Spatial Strategy (RSS) was abolished in July 2010.	
	(f) (BA) asked if this Government had issued any guidance with regard to the future provision of gypsy and travellers sites and (IS) responded that there had not.	
	(g) A number of comments from GH expressing personal views concerning life choices and noted that the local authority has a duty to facilitate the gypsy and travellers way of life. Local Authorities have a duty to gypsies and travellers who are statutory homeless to give careful consideration to any cultural aversion and the degree of that cultural aversion to bricks and mortar accommodation.	
	(h) That Section 175 (2) (b) of the Housing Act 1996 is not often used by gypsy and travellers as a means of declaring themselves homeless as the majority want to continue their culture and way of life.	
	(i) Members enquired about the criteria used to allocate pitches to gypsy and travellers and (BM) stated that this could be discussed under her report.	

- (j) Reference was made to the large number of people on the Council's housing waiting list and the waiting list at Cottingley Springs.
- (k) The Race Relations Act 1976 (as amended) and the fact that Romany gypsies and Irish travellers both fall within an ethnic group and are protected under this Act.
- (l) The difficulties associated with anti-social behaviour particularly on unauthorised sites where it is difficult to identify offenders, with constant moves and apply for anti social behaviour orders. Gypsy and travellers living on authorised sites are subject to the terms of the license. (CG) commented that there was a tendency not to report anti-social behaviour at Cottingley Springs, which required constant supervision and support.
- (m) The fact that legal services had never had any instructions to enforce breaches of bye laws prohibiting camping.
- (n) Reference was made to Councillor P Ewens concerns about ensuring that gypsies and travellers are able to vote. It was clear that if they have a postal address on a fixed site and are registered they would be able to vote. In addition a person with no fixed address may be registered at the address of, or which is nearest to, a place in the UK where they commonly spend a substantial part of their time day or night. It was **agreed** to inform Councillor Ewens.
- (o) (IS) Confirmed that there had been no further proposal from the Government to make the act of unlawfully occupying land a criminal offence.
- (p) (IS) did refer to a press release from the Communities Minister Andrew Stunell on outline plans and consultation for improved tenancy rights for travellers on authorised sites. It was **agreed** that a copy of the press release be circulated to all Members of the Working Group.
- (q) The police powers for eviction of unauthorised encampments. In particular, the protocol concerning the use of Section 61 between the Council and West Yorkshire Police which can only be exercised by the police in special circumstances. It is only in Leeds that the police tend to use this power because of the many unauthorised sites in the city as it has been seen as a relevant, tactical tool in certain situations. Reference was made to the three Divisional Police Commanders and the use and interpretation of the protocol and the potential tensions that could arise with the introduction of a Police Commissioner.

RM

RM

No	Note	Action
	(r) The fact that the Director of Environment and Housing is under a duty to assess welfare needs with a view to deciding whether or not a particular unauthorised encampment should be tolerated before instructing Legal Services to commence possession proceedings.	
	(s) Members raised the question of the report that had been submitted to Leader Management Team on this issue and following a freedom of information request by an elected member, information was provided to the press. (IS) and (BE) stated that the report contained only tentative suggestions on two possible temporary sites but by the time LMT considered this report a scrutiny inquiry had been established. Both officers stressed that no site was under consideration. Members asked to be provided with this report. (IS) <b>agreed</b> to consider this request and determine whether this could be provided to the Working Group.	IS
5.0	<b>Unauthorised Encampments and Permanent Provision</b>	
5.1	Considered a report of the Director of Environment and Neighbourhoods on unauthorised encampments and permanent provision.	
5.2	Members discussed the definition of what was meant by a "pitch". There are 41 pitches at Cottingley Springs site but there can be up to 4 caravans on each pitch to accommodate family members. They pay additional rent for each caravan on the pitch. (BA) suggested that it could be argued that because of over occupation Leeds is already providing the additional 48 pitches recommended in the GTAA. (BE) thought that when the assessment was done this over occupation was already provided for within the calculations.	
	It was <b>agreed</b> that the Working Group at its next meeting be provided with the following information:	BE
	<ul style="list-style-type: none"> <li>• A copy of the GTAA</li> <li>• A copy of the licence agreement for Cottingley Springs</li> <li>• Details of the legal minimum pitch size that is required to accommodate a single caravan and other legislative requirements</li> <li>• Approximate costings both revenue and capital to provide and staff 10 pitches and one of 50 pitches.</li> </ul>	
5.3	Discussed the information provided on what other local authorities are doing and <b>agreed</b> that further progress was needed prior to the next meeting. This included:	BE
	<ul style="list-style-type: none"> <li>• Continuing to pursue information that has been requested of other local authorities</li> <li>• Details of other local authorities definition of what is meant by a pitch particularly that of Leicestershire</li> <li>• Costs of provision of pitches both capital and revenue</li> </ul>	

No	Note	Action
5.4	It was noted that from the information gathered to date gypsy and travellers on a permanent site would not want transient pitches on the same site.	
5.5	Reference was made to the view that some pitches at Cottingley Springs seem to be operating a business from the site. It was reported that the current licence agreement makes reference to ensuring scrap metal is kept tidy (and therefore implies running a business is allowed) and that if travellers are to be given the same rights and responsibilities of Council tenants this would need revision. It was <b>agreed</b> that this be considered when reviewing the licence agreement.	KB
5.6	With reference to paragraph 3.3 of the report it was <b>agreed</b> that a coloured map that plots the unauthorised encampments from April 2010 be circulated to all Members of the Working Group.	BE/RM
5.7	With reference to appendix D of the report, relating to costs at Cottingley Springs, it was <b>agreed</b> that clarification be provided to the Working Group on whether there are any additional repair and maintenance costs undertaken by Corporate Property Management (CPM).	BE
5.8	Discussed the possibility of establishing a community forum for residents on the Cottingley Springs site with other communities in the area.	
5.9	<p>With reference to the Chair's visit to Cottingley Springs it was <b>agreed</b> that</p> <ul style="list-style-type: none"> <li>• All Members of the Working Group be offered the opportunity to visit the Cottingley Springs site on an individual basis.</li> <li>• Officers give consideration to identifying suitable witnesses from the gypsy and travellers community on Cottingley Springs site to give evidence to the Board.</li> <li>• Information be provided on the role and purpose of GATE and that a copy of its constitution be submitted to the next meeting of the Working Group</li> </ul>	CG
<b>6.0</b>	<b>Agenda Content and Witnesses</b>	
6.1	That the agenda content and witnesses to be called to the next meeting be determined by the Chair.	
<b>7.0</b>	<b>Date and Time of Next Meeting</b>	
	It was agreed that the date and time of the next meeting be held on 1 <sup>st</sup> November 2010 at 20pm in the Conservative Group Office 2 <sup>nd</sup> Floor East Civic Hall.	

### Post Meeting Notes

The Chair has agreed that representatives from the political groups and the police be invited to the meeting of the Working Group on 1<sup>st</sup> November 2010.

**No**

**Note**

**Action**

The Head of Community Services and Litigation subsequently reported that the assessment was not carried out in 2004, but is dated May 2008 and according to the 100 page final report:

“This research was commissioned by the West Yorkshire Housing Partnership in August 2007 and was managed by a steering group comprising representatives from the five West Yorkshire authorities wish to comment on this further but it should be noted that, other sub-regional stakeholders and members of the gipsy and traveller community . . . this research was led by CRESR (The Centre for Regional Economic and Social Research at Sheffield Hallam University) a multi-disciplinary research centre in the field of housing, regeneration, urban and regional policy.”

It does indeed conclude that the “total requirement for extra pitches 2008-2015” is 48 for Leeds.

Meeting ended 11.45am RLM / Scrutiny E&N WG20.10.10

DRAFT



Originator:	Ian Spafford
Tel:	2474409

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## Report of the Chief Officer Legal Licensing & Registration

### Scrutiny Board (Environment and Neighbourhoods (working Group)

<p><b><u>Not for publication: The Appendix to this report is Exempt/Confidential under Access to Information Procedure Rules 10.4 (5)</u></b></p>
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**Subject: Inquiry into Gypsy and Travellers Site Provision within Leeds – Legal Position**

**Date: 20<sup>th</sup> October 2010**

<p><b>Electoral Wards Affected: All</b></p>
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<p><b>Specific Implications For:</b></p>
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Equality and Diversity	<input checked="" type="checkbox"/>
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Community Cohesion	<input type="checkbox"/>
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Narrowing the Gap	<input type="checkbox"/>
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## Executive Summary

This report sets out the legal background to the continuing problems and the Council's legal obligations and powers

This report updates matters and reviews the Council's legal position by reference to Counsel's advice and judges' remarks in relation to applications for possession orders in the context of the consideration in the past by the Council of its policies with regard to alternative sites and the speed with which those policies are implemented.

The report points out the possible potential legal difficulties and reinforces the position whereby the provision of such sites may not be a means of fully resolving all the relevant problems and issues.

## **1 Purpose of the report**

- 1.1 This report sets out the Council's legal position in relation to the accommodation needs of the travelling community, the impact of unauthorised encampments, the Council's legal position.

## **2 Background Information**

### **Council's duties**

- 2.1 Since the repeal of the Caravan Sites Act 1968 there is no duty on local authorities to provide an authorised site for gypsies and travellers.
- 2.2 The Housing Act 2004 places a duty on local authorities to carry out an assessment of the accommodation needs of gypsies, travellers, travelling show people and new age travellers and to make reasonable provision for these groups through the planning process. This duty is commensurate with the obligation placed on local authorities to consider and make reasonable provision of housing for the settled population.
- 2.3 As a result an accommodation needs assessment has been carried for the five West Yorkshire authorities (GTAA). This assessment identified a need for additional provision across the West Yorkshire sub-region (Leeds, Kirklees and Calderdale) for an addition 67 pitches and 48 in Leeds. The assessment concluded that these should be made available between 2008 and 2015.
- 2.4 The Housing Act 2004 also requires local housing authorities to take a strategic approach towards the needs of gypsies and travellers, including how the accommodation needs of these communities will be met, as part of their wider housing strategies.

### **Planning**

- 2.5 There have been recent changes to the law. Planning for gypsy and traveller caravans sites (ODPM Circular 1/06) provided Guidance to local authorities requiring that the number of pitches set out in the Regional Spatial Strategy (RSS) must be translated into specific site allocations in one of the local authority's Development Plan Documents (DPD) which form part of the Local Development Framework (LDF). The Guidance provided that where there was an urgent need to make provision, local planning authorities should consider preparing site allocation DPDs in parallel with or in advance of the core strategy.
- 2.6 The RSS was abolished in July 2010. (CALA Homes are seeking to judicially review the decision to revoke the RSS because of the method used to abolish it and the lack of transitional arrangements). The Secretary of State for Communities and Local Government has announced that Circular 1/06 is to be abolished.
- 2.7 The Secretary of State for Communities and Local Government wrote to Chief Planning Officers on 6 July 2010 providing the following Guidance on abolishing the RSS :-



#### **“14. How do we determine the level of provision for travellers’ sites?”**

Local councils are best placed to assess the needs of travellers. The abolition of Regional Strategies means that local authorities will be responsible for determining the right level of site provision, reflecting local need and historic demand, and for bringing forward land in DPDs. They should continue to do this in line with current policy. *Gypsy and Traveller Accommodation Assessments* (GTAAs) have been undertaken by all local authorities and if local authorities decide to review the levels of provision these assessments will form a good starting point. However, local authorities are not bound by them. We will review relevant regulations and guidance on this matter in due course. “

- 2.8 The Secretary of State indicates that the Circular will be replaced with Guidance “with a new lighter touch” Local authorities will be encouraged to an appropriate number of travellers sites in consultation with local communities, reflecting the local and historic demand exploring the incentives for site provision and innovative ways of funding and maintaining sites.
- 2.9 No further information regarding the Government’s intentions on this issue is available at this time.
- 2.10 The Core Strategy Preferred Approach which has been approved by the Development Plan Panel includes reference to the accommodation needs of the travelling community. Following consultation on the Preferred Approach, the Core Strategy will be published and submitted to the Secretary of State in 2011 and subject to public examination in 2011. It will then be modified in line with the Planning Inspector’s recommendations and adopted.

#### Homelessness

- 2.11 Where a Local Authority has reason to believe that an applicant may be homeless or threatened with homeless it is under a duty to make enquiries to establish whether he is eligible for assistance and what if any duty is owed.
- 2.12 The Housing Act 1996 places an obligation on local housing authorities to ensure that suitable accommodation is available for a person who is:
- Homeless;
  - Eligible for assistance;
  - In priority need of accommodation;
  - And who did not become homeless intentionally.
- 2.13 Section 175(2)(b) of the Housing Act 1996 (as amended) provides that a person is homeless if he has accommodation which is a moveable structure, vehicle or vessel designed or adapted for human habitation, and there is nowhere that he is entitled or permitted to place it and reside in it.
- 2.14 Local authorities may transfer the responsibility of ensuring that accommodation becomes available to another local authority based on local connection. A person has a local connection with the district of a local housing authority if he or she has a connection with it because:
- He or she is, or was, normally resident there of his or her own choice (Guidance for Local Authorities and referees states normal residence

should be residence during the previous 12 months or for not less than three years during the previous five year period);

- He or she is employed there;
- Of family associations; (Guidance for Local Authorities and referees states save in exceptional circumstances relatives includes parents, adult children, siblings resident in the area for at least 5 years) or
- Of special circumstances

2.14 In discharging its duty to secure suitable accommodation for Gypsies and Travellers who are statutory homeless, the local authority must give careful consideration to any cultural aversion and the degree of that cultural aversion to bricks and mortar accommodation. The local authority has a duty to facilitate the gypsy way of life. Where land is not available or can not readily be made available, it is open to a local authority to offer bricks and mortar accommodation<sup>1</sup>. Any decision could be subject to challenge by way of judicial review on the basis that the decision to offer bricks and mortar is a decision no reasonable local authority would reach. This is a high hurdle but it may be more difficult to justify an offer of bricks in mortar in the long term, depending on the circumstances of the case.

2.15 The Homelessness Act 2002 imposes a duty on the Council to carry out a homelessness review and to formulate and publish a homeless strategy based on the results of that review.

#### Race Relations Act 1976 (as amended)

2.16

Romany gypsies and Irish Travellers both fall within an ethnic group and enjoy the protection of the Race Relations Act. The local authority is under a duty in carrying out its functions to have due regard to the duty to eliminate unlawful racial discrimination and promote equality of opportunity and good relations between persons of different racial groups.

#### Powers to regulate and curtail anti-social behaviour

2.17 The Council does, of course, have powers to regulate and curtail anti-social behaviour which have been considered but effectively are generally impractical on unauthorised sites because of the difficulty in identifying offenders and the difficulty in collating information given the constant moves and proving who has done what and indeed enforcing anti-social behaviour orders even if made.

2.18 Travellers living on an authorised site would be subject to the terms on any license

2.19 The Council has various powers which it employs to curtail illegal waste disposal, including;

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<sup>1</sup> Court of Appeal in *Codona v Mid-Bedfordshire District Council* [2004] EWCA Civ 925).

- Section 33 of the Environmental Protection Act 1990 (EPA) gives the Council the power to prosecute perpetrators for the illegal disposal of controlled waste on land without the required permit. This is an indictable offence and can result in fines of up to £50,000
- Section 34 (1) EPA empowers the Council to investigate compliance with duty of care regarding waste on vehicles, not allowing that waste to escape and other legal requirements. This is an indictable offence and can result in an unlimited fine
- Section 47 EPA gives the Council powers in respect of business waste, Section 87 EPA in respect of littering.
- The Control of Pollution (Amendment) Act 1989 created offences of failing to be registered or provide proof of registration in relation to business waste. Section 6 enables the local authority to apply for a warrant to seize and dispose of vehicles used in illegal waste disposal where the Local Authority cannot identify the person in control of the vehicle when the illegal waste disposal took place. Failure to register can result in a fine of up to £5,000 or a fixed penalty of £300. Failure to provide proof of lawful waste transfer (lawful disposal of waste) pursuant to Section 34 (5) may result in a fine of up to £5,000 or £300 fixed penalty

#### Bye Laws for pleasure grounds, public walks and open spaces

2.20 There are bye laws in force which prohibit camping without consent on specified green areas in Leeds which would include parks and recreation grounds.

2.21 Perpetrators may be prosecuted for breach of bye laws by issuing a summons in the Magistrates Court. The Penalty would be a fine at a level set by the Magistrates.

#### Voting

2.22 A person with no fixed address may be registered at the address of, or which is nearest to, a place in the UK where they commonly spend a substantial part of their time (whether during the day or night). Section 7B (4) (b) The Representation of the People Act 1983.

#### Eviction from unauthorised encampments

2.23 The Council, and the Police, have legal powers to address the issue of unlawful encampments. These include:

#### Police Powers

- Section 61 of the Criminal Justice and Public Order Act 1994 (power of the Police to direct persons to leave land and remove vehicles in circumstances where there are more than 6 vehicles on land or persons are causing damage/disruption);
- Section 62(A) of the Criminal Justice and Public Order Act 1994 (power of the Police to direct persons to leave land where there is available accommodation for caravans on a relevant caravan site);

2.24 Although there is a protocol concerning the use of section 61 between the Council and West Yorkshire Police, this power can only be exercised by the Police in specific circumstances. Without alternative sites to direct travellers to, the Police are often reluctant to use their powers. Additionally the Police are mindful of the potential impact in terms of civil disturbance of moving by force a large encampment and will also need to consider the potential safeguarding issues arising from arresting parents who refuse to leave the site. It should be noted that it is only in Leeds that section 61 tends to be used by West Yorkshire Police. Force policy is to avoid the use of this power but in Leeds it has been seen as a relevant tactical tool in certain situations.

### Local Authority Powers

- Section 77 of the Criminal Justice and Public Order Act 1994 (power of the local authority to give a direction when persons are residing on a highway or other relevant land);
- Highways Act 1980 (powers of the local authority and the Police to institute proceedings in relation to obstruction of the highway or to give notice of removal of anything deposited on the highway etc.)
- Injunction to restrain trespass. The Council does have powers to apply for an injunction under S222 of the Local Government Act 1972 but there are technical legal difficulties around proving intention to trespass, evidence of ownership etc not to mention again the lack of an alternative site which makes an injunction highly unlikely and indeed the decision to even apply for one might render the Council liable to judicial review.
- Possession Proceedings

2.25 In practice in relation to **Council owned land**, the Council generally uses its powers under the Civil Procedure Rules to apply to the County Court for an order for possession to enable it to evict travellers. The Council is required to serve the claim on the defendants together with any witness statements in the case of residential property not less than 5 days and in the case of other land, not less than 2 days before the hearing date. Proceedings are issued against named Defendants (where names are available) or persons unknown. The court papers are served on the Defendants by a process server visiting the site. There is provision for the Court to shorten these notice periods eg where there is an assault/threats to assault/other serious reasons why an earlier hearing is required. It is possible for defendants to raise a public law defence in the County Court challenging the Council's decision to seek possession (i.e. focusing on the decision making process together with other matters which may influence that decision making, such as the way the Council has approached toleration or indeed issues of rationality, reasonableness etc). The possession order once obtained is enforced by instructing bailiffs.

2.26 The Council is legally obliged when faced with a new unauthorised site, to consider whether to immediately evict, whether to 'tolerate' the encampment or part of it depending on the circumstances of each individual family and for how long or whether an alternative site can be identified; further the Council is also obliged to undertake welfare assessments of the travellers and their families on unauthorised encampments in order to properly and fully consider the options. The Council's obligations in this regard are often not fully understood by the public and the media

which, understandably, present a viewpoint that the Council should simply take what might be precipitate action without regard to its legal obligations.

2.27 Unlike privately owned land, the Council cannot simply eject travellers, their caravans and vehicles from Council owned land. As well as the considerations set out above which need to be taken into account in the decision making, government guidance “requires” that when local authorities seek to evict travellers they must do so by applying for a court order. Failure to comply with government guidance without a very good reason would render the Council liable to legal challenge by way of judicial review proceedings in the High Court.

### **3 Current Situation**

3.1 Although unauthorised encampments can be experienced at any time of the year, (and indeed can vary from one or two caravans to several dozen caravans with associated vehicles etc), during the summer in particular, much time and resources are expended by Council officers in Environment and Neighbourhoods and Legal in addressing unauthorised encampments and taking steps which are legally necessary. As indicated, some unauthorised encampments are quite large making that action more complicated but most such unauthorised encampments are characterised by complaints to a lesser or greater degree from local residents (often supported by elected members and MPs) particularly when they might or do impact on local leisure activities eg at the playing fields at Spinkwell Lane, Morley and over the last couple of years at the Copperfields School site; Fearnville Leisure Centre which threatened the Gipton gala (and which easily could have caused significant public disorder difficulties if the gala had been disrupted); Ninelands, Garforth which threatened the Community Gala; Thorpe Road at Middleton etc. One issue is that sometimes parts of an unauthorised encampment move to other unauthorised sites.

3.2 In this context, also other elements which are relevant are the Council’s duties in respect of homelessness (as detailed above) in light of a cultural ‘aversion’ to living in a house; the Council’s obligations under race relations legislation in relation to the potential vulnerability of travellers as a group and endangerment of this cultural lifestyle including such issues as early mortality, lack of access to education, health etc. It follows that decision making is not straightforward in balancing all the considerations which the Council needs to take into account both in addressing unlawful encampments and generally.

3.3 In many cases the travellers move on within a short period of time with or without the Council having obtained a court order. Travellers usually move on as soon as a court order is obtained. However in a number of cases where possession proceedings have been instituted, they have sought to defend the claim as they are legally entitled to do so by citing public law defences.

3.4 It is entirely usual for travellers to pass through Leeds, with this increasing in conjunction with horse fairs etc. There are approximately three family groups which tend to remain in the Leeds area. Two of these local families who are currently travelling together are the families who have defended proceedings repeatedly. One of these families was part of the Spinkwell Lane encampment. They instruct the same local solicitors who have developed a specialism in travellers law.

3.5 A defended claim usually results in the Court adjourning the hearing for further evidence to be filed by the travellers and consequent further evidence by the Council

and so that sufficient court time can be allocated to a contested hearing. In that event inevitably there are delays sometimes of weeks, even months on occasion. In such circumstances, the complaints of local residents are exacerbated and the kind of public debate which resulted in the deputation to Council last year ensues.

#### **4 Defence of Lack of Alternative Site**

4.1 One continuing theme in the public debate and in relevant possession proceedings is the travellers' claim, supported by such organisations as GATE (Leeds Gypsies and Travellers Exchange) that if the Council provided an alternative site/sites then the travellers would have no need to occupy any other Council land unlawfully.

4.2 Although with the change of Government, the Regional Special Strategy has been abolished, the Gypsy and Travellers' Accommodation Assessment identified a need which is referred to in the Core Strategy to a certain extent and in the Council's Housing Strategy (and such elements regularly feature in the legal defence put forward by the travellers in contested possession proceedings). That assessed need remains, in the sense that it has not been reviewed since 2005 and is regarded as the Council's 'policy position' externally.

#### **5 Legal Advice Regarding the Council's continuing approach to possession proceedings**

5.1 There is attached at appendix 1 confidential legal advice

#### **6 Recommendations**

6.1 The Gypsy and Travellers Working Group is requested to note this report which is to be read in conjunction with the report of Director of Environment and Neighbourhoods.

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Originator: Bridget Emery

Tel: 395 0149

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**Report of the Director of Environment and Neighbourhoods**

**Scrutiny Board (Environment and Housing) Working Group**

**Subject : Inquiry into Gypsy and Travellers Site Provision within Leeds – Unauthorised Encampments and Permanent Provision**

**Date: 20th October 2010**

**Electoral Wards Affected: All**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**Executive Summary**

**There is no duty on Local Authorities to provide sites for Gypsies and Travellers. In common with all other groups, the Council has a duty to consider and make reasonable provision of housing for Gypsies and Travellers.**

**The Council has one site for Gypsies and Travellers, Cottingley Springs, which provides for 41 pitches. Nevertheless the city experiences significant challenges in relation to the number, size and type of unauthorised encampments on both public and privately owned land. Residents of encampments can be categorised into those who are traveling through Leeds, and those who predominately travel within Leeds.**

**The Council has taken proactive steps to respond to unauthorised encampments on public land to minimise length of stay/disruption to local communities whilst at the same time being mindful of the needs of those encamped.**

**In recent months there have been changes to the type and size of encampment and the response of the Travellers to the claims for possession made by the Council.**

**The Council incurs significant costs in relation to unauthorised encampments including legal costs, response to environmental damage/anti-social behaviour and staff time. There are also unquantifiable costs associated with disruption to community and individual activities.**

## **1 Purpose of the report**

- 1.1 The report outlines the current position regarding unauthorised encampments within the city and the impact these have on local communities.
- 1.2 The report also sets out the position with regard to permanent provision within Leeds.
- 1.3 The Council's legal position in relation to the accommodation needs of the travelling community is set out in the report prepared by the Chief Officer Legal Licensing & Registration although some background information is set out within this report for contextual purposes.

## **2 Background Information**

- 2.1 Since the repeal of the Caravan Sites Act 1968 there is no duty on local authorities to provide an authorised site for gypsies and travellers.
- 2.2 The Housing Act 2004 places a duty on local authorities to carry out an assessment of the accommodation needs of gypsies, travellers, travelling show people and new age travellers and to make reasonable provision for these groups through the planning process. This duty is commensurate with the obligation placed on local authorities to consider and make reasonable provision of housing for the settled population.
- 2.3 The Housing Act 2004 also requires that the needs of Gypsies and Travellers, including how the accommodation needs of these communities will be met, as part of their wider housing strategies.

## **3 Current Situation**

- 3.1 Although unauthorised encampments can be experienced at any time of the year, (and indeed can vary from one or two caravans to several dozen caravans with associated vehicles etc), numbers tend to rise during the summer months. Consequently much time and resources are expended by Council officers both in Environment and Neighbourhoods and Legal Services in addressing unauthorised encampments and taking steps which are legally necessary.
- 3.2 The table below illustrates the number of encampments experienced within Leeds over the past 5 years.

Year	Public	Private	Total No Encampments	Number of Caravans
<b>09/10</b>	<b>39</b>	<b>33</b>	<b>72 (-54)</b>	<b>614</b>
Avg Days to Resolve	12	24.78		
<b>08/09</b>	<b>69</b>	<b>57</b>	<b>126 (+67)</b>	<b>1164</b>
Avg Days to Resolve	7.1	9.3		
<b>07/08</b>	<b>38</b>	<b>21</b>	<b>59 (+8)</b>	<b>360</b>
Avg Days to Resolve	10.3	16.4		
<b>06/07</b>	<b>27</b>	<b>24</b>	<b>51 (+9)</b>	<b>370</b>
Avg Days to Resolve	12.7	24.5		
<b>05/06</b>	<b>28</b>	<b>14</b>	<b>42</b>	<b>Figures Not available</b>
Avg Days to Resolve	16.9	16		

- 3.3 From April 2010 to date there have been 54 encampments in Leeds. 42 of these have been on council owned land and the remaining 12 on privately owned land. The table at Appendix A lists in more detail the unauthorised encampments since April 2010 giving details on exact site and ward, and whether court action or police action was used in order to remove the encampment.
- 3.4 In some cases the travellers move on within a short period of time without the Council having obtained a court order. When court proceedings are taken it is normal for the Travellers to move on as soon as a court order is obtained. However in a number of cases where possession proceedings have been instituted, they have sought to defend the claim as they are legally entitled to do by citing public law defences.
- 3.5 Since April 2010 the Council has proceeded to court 27 times in order to seek possession of land. The Travellers have defended the claim on three occasions and whilst the Council has been successful in gaining possession of the land each time, defence action has led to longer encampments and therefore a greater impact on the local environment and community.
- 3.6 In the same period the West Yorkshire Police have used their powers under section 61 of the CJPOA on 6 occasions.
- 3.7 It is entirely usual for travellers to pass through Leeds, with this increasing in conjunction with horse fairs and other events. However, there are approximately twelve families which tend to remain in the Leeds area throughout the year. The families are closely related to each other and we approximate that there are 25 adults with 38 children in these groups and between 20 and 25 caravans. Additionally there are 6 families who have doubled- up with relations at Cottingley Springs. Should these arrangements breakdown, then this group of 16 adults and 12 children would also be likely to remain traveling within the Leeds area as they have historically done.
- 3.8 From April 2010 to date these twelve 'Leeds' families have been present on just over half of all unauthorised encampments (30 of the 54), including all the larger encampments.
- 3.9 Three of these local families who are currently travelling together are the families who have defended proceedings repeatedly. One of these families

was part of the Spinkwell Lane encampment. They instruct the same local solicitors who have developed a specialism in Travellers law.

- 3.10 A defended claim usually results in the Court adjourning the hearing for further evidence to be filed by the travellers and consequent further evidence by the Council, and so that sufficient court time can be allocated to a contested hearing. In that event inevitably there are delays sometimes of weeks, even months on occasion. In such circumstances, the complaints of local residents are exacerbated and the kind of public debate which resulted in the deputation to Council last year ensues.
- 3.11 There has been a noticeable change in the location of encampments in Leeds this summer. For example, encampments have taken place in Garforth and Soldiers Fields, Roundhay: sites not normally associated with encampments and which have never or very rarely been used in recent years. Many sites traditionally used by travellers which have now been sold or developed.
- 3.12 This summer has also seen encampments on other high profile sites where community events are scheduled: for example at Fearnville Leisure Centre where the Gipton Gala was due to take place and at Garforth where similarly the Garforth Gala had been arranged for the weekend after the Travellers arrived. These particular encampments caused a great deal of local anxiety and anger as people living in the area felt that their long established community events were threatened by the presence of encampments. Such encampments have an impact on community cohesion.
- 3.13 Additionally this summer the size of encampments in some instances has been significantly larger than in previous years. At the encampment at Fearnville, there were over 57 caravans recorded at one stage and anecdotal evidence that there were for short periods even more present. The size of encampments increases community tensions and the environmental impact and also makes managing the impact of the site far more difficult. Additionally it makes it less likely that the police are able to use their powers under the CJPOA as controlling any eviction becomes difficult. The police would need to deploy significant resources and would have concerns for the safeguarding of children should their parents be arrested as part of the eviction.
- 3.14 In some instances unauthorised encampments lead to significant environmental damage. The Council's Highways and Environmental Enforcement team work with the Gypsy and Traveller team to monitor activity such as fly-tipping at or near encampments and in some instances this monitoring has led to prosecutions. The Highways and Environmental Enforcement team does not record ethnicity in relation to successful prosecutions and often there is no evidence as to who has undertaken such activity when in close proximity to encampments. However, during 2010 there have been 5 successful prosecutions for fly-tipping related to encampments or the immediate locality and there are several cases still being processed. The fly-tipping ranges from the unsightly through to dangerous tipping of asbestos waste. Attached at Appendix B are details of prosecutions processed by the Highways and Environmental Enforcement Team.
- 3.15 Unauthorised encampments also often generate 'household' rubbish and other waste, including human and horse waste. In some instances, the travellers are tidy and little if any waste needs clearing when they leave. In other instances,

there is significant cost in terms of both resources required and amount of waste generated at sites. At Spinkwell Lane the cleaning of the site alone cost nearly £53,000 and it is not uncommon for costs into thousands of pounds to relate to cleaning of the sites once vacated. While the Council will provide skips and portaloos where travellers are tolerated, or where the court process will be lengthy, it can still be difficult to contain the impact on the environment in such instances. The impact of rubbish and human waste on the locality causes a great deal of anger and community tension especially when the encampment is on a site normally used for recreational activity.

3.16 Along with the costs of cleaning up unauthorised sites, there are other associated costs. For example, in many cases the authority will either repair security or introduce new security measures to try and prevent further occupation. There have been examples of sports fields having to be re-sown and drained following damage by vehicles: Copperfields was an example of where this occurred. The authority also incurs legal costs every time a claim for possession is made. Appendix C summarises the total costs of unauthorised encampments from a Council perspective.

3.17 There are also unquantifiable costs to specific local communities and therefore the cities where unauthorised encampments occur. For example, East Leeds ARL club being unable to play games, and undertake training sessions, for young people, due to the encampment and damage at Copperfields in 2009. Other examples would be encampments in parks which created a deterrent to people utilising the area for social activity.

#### **4 Current permanent provision**

4.1 The council currently has one permanent site Cottingley Springs which is located in the Farnley & Wortley ward. The site, which is split into two areas, contains a total of 41 pitches: 20 in Site A and 21 at Site B. Historically the site was larger: at one point there were 55 pitches. However the site was very difficult to manage and there were several unoccupied pitches due to both the condition of the site and some tensions between residents. The site is currently fully occupied.

4.2 Each pitch can accommodate 3 or 4 caravans and on average there are three caravans to each pitch. The site is landscaped and is designed in a cul-de-sac style with one entrance/exit for vehicles. There is CCTV at the entrance to the site.

4.3 Each pitch contains a brick built utility facility comprising of a kitchen and a bathroom. On Site B, this facility also includes a living area. Cottingley Springs B site was refurbished through government grant to meet the growing needs of the families living on site. Historically the plots were very small and could not provide families with the necessary space to live comfortably. After a large redevelopment programme, the plot sizes were increased and additional outside green space was provided. Site A has remained the same since being built due to the limitation in space although a modernisation programme has been completed for internal works, again funded by grant from central government.

4.4 The site also contains an office and a member of staff is generally present during standard working hours although when there are a large number of

encampments the staffing will be less. The Gypsy and Traveller team employs a handyperson/site officer who undertakes small repairs and deals with day-to-day issues as they arise. The majority of repair work needed on site (both reactive and planned) is undertaken by the Corporate Property Management team.

- 4.5 The cost of running Cottingley Springs is outlined in Appendix D which shows costs over the past 8 years. The weekly rental cost for a pitch at Cottingley Springs is currently £98.12 with an additional charge of £23.76 for each additional caravan. This charge has been effective since April 2007. Housing Benefit can be claimed for the rental charge. In 2009/2010 £233,254 was received as income (largely rents) and it is estimated that this will be around £254,000 in 2010/11.
- 4.6 There is currently a waiting list of 18 applicants. Turnover at Cottingley Springs is very infrequent and it not uncommon for long periods of time to pass with no vacancies occurring.
- 4.7 Over the last 10 years, structural improvements, refurbishments and a modernisation programme have greatly assisted the quality of life for residents. A developing and consistent housing management approach has also ensured that the experience for many residents living on site has greatly improved. The success of this in part is due to the constant presence of staff on site and proactive response to local issues. On the occasions when there are difficulties with site management these issues require an increase in inter-agency working and a robust response. At times the intensity of these issues can be very difficult to manage and there is often no immediate resolution.
- 4.8 Services to the site include a weekly bin collections, a bottle bank located on Site B, a monthly road sweep, regular pest control visits to deal with rodent problems, a twice-yearly drain clearing programme to alleviate problems with blocked drains and a bulky waste collection as needed. These services have significantly improved the environmental condition of the site. Other ad-hoc environmental action is taken as the need arises: for example earlier this year areas of ragwort were treated as the plant presented a significant risk to the residents' horses grazing on the grassed areas around the site.
- 4.9 Loose dogs continue to be a problem on the site: some residents allow their dogs to roam free. The service tackles this by discussion with the dogs' owners reminding them of the terms of the license agreement. The dog warden service has visited the site to not only take enforcement action but also to provide a free dog chipping service.
- 4.10 Historically there have been problems between families living at Cottingley Springs and with the behaviour of individuals but this situation has improved in recent years. Although eviction remains an option as part of the license agreement, the service works hard to prevent behaviour escalating to the point of taking action to gain possession of the pitch. The last eviction of a family from Cottingley Springs was in 2000.
- 4.11 While the site has improved in terms of behaviour and fewer incidents it is nevertheless the case that at time the residents' unwillingness to engage with the authorities to tackle anti-social behaviour does limit improvements to the management of the site. For example, the service does on occasion receive

complaints from neighbouring land-owners and sees evidence of vandalism but struggles to get any witness to come forward. There are informal discussions with residents and an emerging residents group but the service believes that this is an area where a stronger residents group with formal meetings would potentially improve management of the site and indeed improve the living conditions of the residents.

- 4.12 The Gypsy Roma Traveller Achievement Service provides support to the children living at Cottingley Springs including transport to mainstream schools and a mobile nursery van. Historically there were out-reach services provided by NHS Leeds but these have been withdrawn.

## **5. Situation in other Local Authority areas.**

### **West Yorkshire**

- 5.1 Of the five West Yorkshire authorities Wakefield, Bradford and Leeds have permanent provision for Gypsy and Traveller families. Bradford has 47 pitches over two sites and Wakefield has 38 pitches and one emergency pitch.
- 5.2 Calderdale and Kirklees have no provision and report very few unauthorised encampments. Wakefield confirms that they had 48 encampments during 2009/2010 with roughly half of these occurring on public land. Wakefield has been looking to identify new sites but have met considerable opposition to any proposed locations. None of the West Yorkshire authorities have transit provision.

### **Bristol**

- 5.3 This authority has confirmed that it uses engagement as a method of managing unauthorised encampments, as opposed to enforcement. They have two sites; one permanent and one transit with a total of 34 pitches. They were unable to provide details on the number of unauthorised encampments dealt with during the past year. They were however able to confirm that they dealt with the encampments they experienced through negotiated move on rather than court action.

### **Fenlands**

- 5.4 Fenlands confirmed that they have 66 pitches within the district but that their GTAA identified the need for between 106-205 additional pitches. The council does not keep figures on unauthorised sites but they have recognised the need for transit provision. As such they have recently opened a 9 pitch transit site. This is managed by an on-site warden from within the community. There is a good standard of accommodation offered, including facilities. The charge is £30 a week and the families are allowed to stay for a three month period. The council did not provide information on how they would deal with 'over-stayers'.

### **Birmingham**

- 5.5 Birmingham CC has confirmed that they have one permanent site which has 16 pitches. The GTAA undertaken in their area identified the need for an additional 44 pitches by 2017. The council were not able to provide any

information on numbers of unauthorised encampments or how these are dealt with.

### **Cheshire West and Chester**

- 5.6 Cheshire West and Chester Council have commented that Gypsies and Travellers are the highest ethnic minority group in Cheshire and that they work in close collaboration with the police to resolve issues around unauthorised encampments. However they have not yet sent though more details on how they work and the numbers of encampments/Gypsy and Traveller families they deal with.

### **Scotland and Wales**

- 5.7 The laws and regulations which apply to Gypsies and Travellers in England with respect to accommodation, eviction, planning, education and health apply equally to those in Wales; although Welsh Office Circulars have different numbers from their equivalents in England, their content is identical.
- 5.9 Scottish law is distinct from that in England. Nevertheless, the broad principles of law in relation to accommodation and eviction are the same in both countries.

## **6 Implications for Council Policy and Governance**

- 6.1 There are no implications in relation to governance as such but clear implications with regard to a shift in Council policy.

## **7 Legal and Resource Implications**

- 7.1 The legal implications are outlined in the accompanying report prepared by the Chief Officer Legal Licensing & Registration.

## **8 Recommendations**

- 9.1 It is recommended that Scrutiny Working Group note the contents of this report.



**Appendix A: Unauthorised Encampments in Leeds from April 2010 to date.**

Site Name	Number of Vans	Ward	Owner	Start Date	End Date	Duration	Court Proceedings	'Leeds' family
Armley Park	16	Armley	LCC	12-Apr-10	22-Apr-10	10	Yes Section 61 Refused	Yes
Wok Inn	2	City & Hunslet	Private	16-Apr-10	20-Apr-10	4	Yes	Yes
Cambridge Road	22	Hyde Park & Woodhouse	LCC	23-Apr-10	06-May-10	14	Yes Section 61 Refused	Yes
Stainton Lane	2	Rothwell	LCC	22-Apr-10	30-Apr-10	8	Yes	No
Thorpe Park	9	Temple Newsham	Private	22-Apr-10	23-Apr-10	1	No	Yes
Armley Park	9	Armley	LCC	23-Apr-10	24-Apr-10	1	No	Yes
Limewood Approach	6	Killingbeck and Seacroft	Private	26-Apr-10	29-Apr-10	3	Yes	No
WOK Inn	1	City & Hunslet	Private	06-May-10	10-May-10	4	Yes	No
Hook Moor Cottage	9	Kippax & Methley	LCC	06-May-10	24-May-10	18	No	No
Cartmel Drive	16	Temple Newsham	LCC	11-May-10	13-May-10	3	Yes	Yes
BHS, Kirkstall Road	7	Kirkstall	Private	10-May-10	24-May-10	14	Yes	No
Copperfield College	18	Burmantofts & Richmond Hill	LCC	13-May-10	13-May-10	1	Section 61 Used	Yes
Thorpe Road	18	Middleton Park	LCC	14-May-10	15-Jun-10	31	Yes Section 61 Refused	Yes
Hudson Way	3	Wetherby	LCC	19-May-10	24-May-10	5	No	No
Fearnville Sports Ground	57	Gipton & Harehills	LCC	24-May-10	05-Jul-10	41	Yes Section 61 Refused	Yes
Pheonix Way	35	Kippax & Methley	LCC	01-Jun-10	22-Jun-10	21	Yes Section 61 Refused	No
Spenn Common Lane	6	Wetherby	LCC	07-Jun-10	15-Jun-10	8	No	No
Woodlea Approach	1	Guisley & Rawdon	LCC	11-Jun-10	14-Jun-10	3	No	No

Site Name	No. Caravans	Ward	Owner	Start Date	End Date	Duration	Court Proceedings	
Ninelands Lane	7	Garforth & Swillington	LCC	28-Jun-10	30-Jun-10	2	Yes - Abridged Section 61 Refused	No
Greenhill Lane	5	Farnley & Wortley	LCC	29-Jun-10	30-Jun-10	1	Section 61	No
Oak Road	30	Armley	LCC	30-Jun-10	01-Jul-10	1	Section 61	Yes
Ash Lane	39	Garforth & Swillington	LCC	30-Jun-10	15-Jul-10	15	Yes Section 61 Refused	No
Wykebeck Valley Road	8	Killingbeck and Seacroft	LCC	05-Jul-10	14-Jul-10	9	Yes Section 61 Refused	Yes
Cambridge Road	8	Hyde Park & Woodhouse	LCC	05-Jul-10	06-Jul-10	1	Section 61 Used	Yes
Whitehouse Lane	14	Garforth & Swillington	LCC	06-Jul-10	08-Jul-10	2	No	No
Phoenix Avenue	6	Kippax & Methley	LCC	08-Jul-10	13-Jul-10	5	No	No
Wok In	3	City & Hunslet	Private	08-Jul-10	12-Jul-10	4	No	Yes
Temple Newsam	18	Temple Newsham	LCC	14-Jul-10	16-Jul-10	2	Yes	No
Century Way	24	Kippax & Methley	Private	15-Jul-10	16-Jul-10	1	No	Yes
Cross Green Approach	26	Burmantofts & Richmond Hill	LCC	16-Jul-10	30-Jul-10	14	Yes	Yes
Ramshead Approach	4	Killingbeck and Seacroft	LCC	16-Jul-10	19-Jul-10	3	No	No
Rothwell Haigh	3	Rothwell	LCC	16-Jul-10	20-Jul-10	4	No	No
Pheonix Way	10	Kippax & Methley	LCC	16-Jul-10	02-Aug-10	17	Yes	Yes
King Alfreds Approach	7	Moortown	LCC	26-Jul-10	02-Aug-10	7	Yes	No
Spenn Common Lane	10	Wetherby	LCC	27-Jul-10	02-Aug-10	6	Yes	No
Carlisle Road, Royal Armouries	18	City & Hunslet	LCC	30-Jul-10	10-Aug-10	11	Yes	Yes
Cambridge Road	15	Hyde Park & Woodhouse	LCC	05-Aug-10	06-Aug-10	1	Existing order in place	Yes
Soldiers Field	7	Roundhay	LCC	06-Aug-10	16-Aug-10	10	Yes	No
Wellington Road, Armley Gyatory	23	Armley	LCC	06-Aug-10	19-Aug-10	13	Yes	Yes

Site Name	No. Caravans	Ward	Owner	Start Date	End Date	Duration	Court Proceedings	
Victoria School Playing Fields	8	Burmantofts & Richmond Hill	LCC	09-Aug-10	19-Aug-10	10	Yes	No
Spinkwell Lane	3	Ardsley & Robin Hood	LCC	10-Aug-10	19-Aug-10	9	Yes	No
Ramshead Approach	5	Killingbeck and Seacroft	LCC	16-Aug-10	27-Aug-10	11	Yes	No
Moorfield Road	25	Armley	LCC	19-Aug-10	20-Aug-10	1	Section 61 Used	Yes
Bridgefield Pub	2	Burmantofts & Richmond Hill	Private	20-Aug-10	06-Sep-10	17	Yes	Yes
Beckett Street	2	Burmantofts & Richmond Hill	LCC	23-Aug-10	27-Aug-10	4	No	Yes
Wortley Towers	25	Farnley & Wortley	LCC	23-Aug-10	01-Sep-10	9	Yes	Yes
Wykebeck Valley Road	40	Gipton & Harehills	LCC	01-Sep-10	06-Sep-10	5	Yes - Abridged time	Yes
Cambridge Road	35	Hyde Park & Woodhouse	LCC	06-Sep-10	08-Sep-10	2	Section 61	Yes
Becketts Park	50	Weetwood	LCC	09-Sep-10	10-Sep-10	1	Yes - Abridged time.	Yes
Willow Road	32	Hyde Park & Woodhouse	LCC	10-Sep-10	21-Sep-10	11	Yes	Yes
Pack Horse Pub	3	Farnley & Wortley	Private	21-Sep-10	23-Sep-10	2	Bailiffs Instructed	Yes
Viaduct Road	20	Armley	Private	22-Sep-10	27-Sep-10	5	Yes	Yes
Wallace Arnold	16	Beeston & Holbeck	Private	23-Sep-10	18-Oct-10	25	Yes	Yes
Harry Ramsdens	5	Guisley & Rawdon	Private	05-Oct-10	07-Oct-10	2	Yes	No

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## Appendix C: Cost of unauthorised encampments

Notes:

These costs relate to Leeds City Council: the costs to West Yorkshire Police are not included.

There have been difficulties extracting information on disbursements (e.g. counsel's fees, court fees, bailiff's fees, process server's fees) prior to 2009. Counsel's fees for 2009/2010 and 2010/11 as at 9 July amounted to £5,850. Further legal expenses are court fees of £150/£225 per application depending on urgency; bailiffs fees of approx £ 300 to £1000 depending on the work needed in enforcing a possession order; and court process server fees of £250 per case.

The legal costs in 2005/06 were largely due to the Spinkwell Lane House of Lords case.

	Total costs £	of which, Legal costs £
2003/04	143,560	-
2004/05	232,518	-
2005/06	240,885	24,837
2006/07	135,091	11,203
2007/08	259,806	15,504
2008/09	266,353	42,670
2009/10	335,995	15,073
2010/11	329,853*	
Total 2003- 2010	1,944,061	

\*estimated cost to date

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## Appendix D: Costs of Cottingley Springs

<u>Costs</u>	<u>2002/03</u>	<u>2003/04</u>	<u>2004/05</u>	<u>2005/06</u>	<u>2006/07</u>	<u>2007/08</u>	<u>2008/09</u>	<u>2009/10</u>	<u>2010/11</u>	<u>Total</u>
	£	£	£	£	£	£	£	£	£	£
Staffing - assume	29,472	50,125	63,610	74,522	68,659	52,118	52,261	59,659	62,588	513,013
Premises Costs *	89,878	90,721	34,632	40,083	43,191	115,128	89,853	103,292	122,990	729,768
Supplies & Services	1,269	5,098	3,519	1,400	1,518	1,062	660	1,945	3,668	20,139
Fuel/Transport	3,156	4,295	2,735	4,302	5,050	3,177	2,807	2,241	3,632	31,394
Overheads Receipts	-	1,942	6,091	10,786	12,813	14,543	8,152	9,248	9,176	72,750
	<b>-190,168</b>	<b>-203,307</b>	<b>-187,376</b>	<b>-185,147</b>	<b>-218,662</b>	<b>-226,790</b>	<b>-231,903</b>	<b>-233,254</b>	<b>-253,980</b>	<b>-1,930,587</b>
<b>Total Costs</b>	<b>- 66,393</b>	<b>- 51,128</b>	<b>- 76,790</b>	<b>- 54,054</b>	<b>- 87,433</b>	<b>40,762</b>	<b>- 78,169</b>	<b>- 56,869</b>	<b>- 51,926</b>	<b>- 563,523</b>

\* assume all Cottingley Springs

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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Environment and Neighbourhoods)

Date: 8<sup>th</sup> November 2010

Subject: Work Programme, Executive Board Minutes and Forward Plan of Key Decisions

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#### Electoral Wards Affected: All

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 1.0 Introduction

1.1 Attached as Appendix 1 is the current work programme for this Scrutiny Board. This has been amended to take into account discussions held at the last meeting.

1.2 Also attached as Appendix 2 and 3 respectively are the latest Executive Board minutes and the Council's current Forward Plan relating to this Board's portfolio.

## 2.0 Recommendations

2.1 Members are asked to;

- (i) Note the Executive Board minutes and Forward Plan
- (ii) Agree the Board's work programme

### Background Papers

None used

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**SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)**

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Meeting date: 8<sup>th</sup> November 2010</b>		<b>Reports required by 20<sup>th</sup> October 2010</b>	
<b>Session 1</b>  <b>Inquiry on Gypsy and Travellers site provision within Leeds</b>	To consider the progress made by the Board's Working Group with regard to this inquiry and to receive notes of meeting/s of the working group.	The terms of reference for this inquiry were considered by the Scrutiny Board on 11 <sup>th</sup> October 2010.	RP
<b>Formal Responses to Previous Scrutiny Inquiries</b>	To consider the formal response to the Board's inquiry into Worklessness.	To be considered after the spending review announcement. This report to be referred to a Member Working Group comprising Cllrs Anderson, G Hyde, R Grahame, Mulherin and Ewens. The Director would like to report on this to the full Scrutiny Board on 13 <sup>th</sup> December 2010 .	
<b>Variances against Departmental Budget</b>	To receive a report on variances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variances against the departmental budget for the main vote heads.	PM
<b>Strategic Plan and Business Plan Documents</b>	All Scrutiny Boards to receive the Strategic and Business Plans priorities.	This item has been deferred pending the outcome of the Government spending review on 20th October 2010.	RP

**SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)**

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Meeting date: 13<sup>th</sup> December 2010</b>		<b>Reports required by 24th November 2010</b>	
<b>Session 2 - Inquiry on Gypsy and Travellers site provision within Leeds</b>	To consider the Working Group's draft report and recommendations on gypsy and travellers site provision within Leeds.	The terms of reference for this inquiry were considered by the Scrutiny Board on 11 <sup>th</sup> October 2010.	RP
<b>Vision, LSP and Business Plan priorities</b>	All Scrutiny Boards to be engaged in the target setting process, linked to the LSP and Business Plan priorities.	Subject to new government LAA requirements not yet known.	RP
<b>Performance Management</b>	To consider Quarter 2 information for 2010/11 (July-Sept).	All Scrutiny Boards receive performance information on a quarterly basis.	PM
<b>Formal Responses to Previous</b>	To consider the formal response to the Board's previous inquiry into Integrated Offender Management.		
<b>Variances against Departmental Budget</b>	To receive a report on variances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variances against the departmental budget for the main vote heads.	PM
<b>Inquiry on acquisitive crime with focus on domestic burglary</b>	To invite the relevant groups to attend the Board to talk about the Board's proposed inquiry		

**SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)**

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Meeting date: 17<sup>th</sup> January 2011</b>		<b>Reports required by 21<sup>st</sup> December 2010</b>	
<b>Inquiry on acquisitive crime with focus on domestic burglary</b>	To consider terms of reference for an inquiry on high levels of burglary in parts of the city	Improvement priority creating safer environment by tackling crime  Crime and Disorder responsibility	RP
<b>Recommendation Tracking</b>	This item tracks progress with previous Scrutiny recommendations on a quarterly basis		MSR
<b>Vision, LSP and Business Plan priorities</b>	Agree composite response to go to Executive Board.	This could be moved to the February Board meeting	RP
<b>Variiances against Departmental Budget</b>	To receive a report on variiances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variiances against the departmental budget for the main vote heads.	PM
<b>Meeting date: 14<sup>th</sup> February 2011</b>		<b>Reports required by 26<sup>th</sup> January 2011</b>	
<b>Variiances against Departmental Budget</b>	To receive a report on variiances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variiances against the departmental budget for the main vote heads.	PM

**SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)**

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Meeting date: 14<sup>th</sup> March 2011</b>		<b>Reports required by 23<sup>rd</sup> February 2011</b>	
<b>Performance Management</b>	To consider Quarter 3 information for 2010/11 (Oct-Dec)	All Scrutiny Boards receive performance information on a quarterly basis	PM
<b>Variances against Departmental Budget</b>	To receive a report on variances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variances against the departmental budget for the main vote heads.	PM
<b>Meeting date: 11<sup>th</sup> April 2011</b>		<b>Reports required by 23<sup>rd</sup> March 2011</b>	
<b>Annual Report</b>	To agree the Board's contribution to the annual scrutiny report		
<b>Variances against Departmental Budget</b>	To receive a report on variances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variances against the departmental budget for the main vote heads.	PM

Key:

CCFA / RFS – Councillor call for action / request for scrutiny

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

PM – Performance management



## SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
<b>Suggested Areas for Scrutiny Currently Unscheduled</b>			
<b>Procurement of the Grounds Maintenance Contract for 2011</b>	To continue to oversee the procurement process for the new grounds maintenance contract.	The Board produced an interim Statement in January 2010 with a view to continuing to oversee the procurement of the new grounds maintenance contract.	RP
<b>Future options for Council Housing</b>	To monitor developments in relation to future options for Council Housing.	This was a referral from the Central and Corporate Functions Scrutiny Board last year.	RFS
<b>Vacant Housing</b>	To consider a report on vacant housing	To determine whether the Board wishes to undertake a review of this matter	RP

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## EXECUTIVE BOARD

WEDNESDAY, 13TH OCTOBER, 2010

**PRESENT:** Councillor K Wakefield in the Chair

Councillors A Blackburn, J Blake, S Golton,  
P Gruen, R Lewis, T Murray, A Ogilvie,  
J Procter and L Yeadon

Councillor J Dowson – Non-voting Advisory Member

**81 Substitute Member**

Under the terms of Executive Procedure Rule 2.3, Councillor J Procter was invited to attend the meeting on behalf of Councillor A Carter.

**82 Introduction of the new Director of Children's Services**

On behalf of the Board, the Chair introduced Nigel Richardson, as this marked the first meeting of Executive Board since he began his tenure as Director of Children's Services.

**83 Declaration of Interests**

Councillors Murray, R Lewis, Ogilvie, Blake, Golton and A Blackburn all declared personal interests in the item relating to the Environment and Neighbourhoods Lettings Policy (Minute No. 91 refers), due to their respective positions as either a Board Director or an Area Panel member of an Arms Length Management Organisation (ALMO) or Belle Isle Tenant Management Organisation (BITMO).

Councillor Murray declared a personal interest in the item relating to the Compact for Leeds (Minute No. 90 refers), due to his position as Chief Executive of the Learning Partnerships organisation.

A further declaration of interest was made at a later point in the meeting. (Minute No. 92 refers).

### **LEISURE**

**84 South Leeds Sports Centre**

Further to Minute No. 10, 22<sup>nd</sup> June 2010, the Acting Director of City Development submitted a report regarding the proposed closure of the South Leeds Sports Centre and which outlined a proposal for officers to submit a report to a future meeting following further work being undertaken, in order to consider the proposal from Tiger11 regarding a possible community asset transfer of the facility.

In response to Members' enquiries regarding comparisons provided between South Leeds Sports Centre and other centres in terms of usage levels and cost per visit, the Acting Director of City Development provided clarification

Draft minutes to be approved at the meeting  
to be held on Wednesday, 3rd November, 2010

and suggested that, when determining this matter, Members should take into account that the centre attracted 215 visits per week at a cost of circa £10 per visit.

With regard to the future of the sports centre, the following options were outlined within the submitted report:-

Option 1 - The Sports Centre remain open pending further work on Tiger11's proposals for a community asset transfer.

Option 2 – Immediate closure of the Sports Centre and acceptance of Tiger11's proposal for community asset transfer.

Option 3 - Immediate closure of the Sports Centre and rejection of Tiger11's proposal. This option would lead to a recommendation to demolish the facility with further consideration of the site's use as a capital receipt, or as part of any regeneration programmes in the area.

Option 4 – Immediate closure of the Sports Centre, whilst proactive work with Tiger11 continued on their proposals for consideration by Executive Board later this year.

#### **RESOLVED –**

- (a) That the Acting Director of City Development be authorised to commence the closure of South Leeds Sports Centre in consultation with the Executive Member for Leisure and to make arrangements for Corporate Property Management to secure the building.
- (b) That officers be requested to undertake further work with Tiger11 in order to enable proposed Heads of Terms for a Community Asset Transfer to be developed which are consistent with the principles established in August 2009, for further consideration by Executive Board in December 2010.
- (c) That the Acting Director of City Development be authorised to enter into a 6 month exclusivity agreement with Tiger11 for South Leeds Sports Centre.

#### **85 Minutes**

**RESOLVED** – That the minutes of the meetings held on 16<sup>th</sup> August, 25<sup>th</sup> August and 23<sup>rd</sup> September 2010 be approved as a correct record.

#### **DEVELOPMENT AND REGENERATION**

#### **86 West Leeds Gateway Supplementary Planning Document**

Further to Minute No. 201, 10<sup>th</sup> March 2010, the Acting Director of City Development submitted a report presenting the representations received as part of the final period of public consultation on the West Leeds Gateway Supplementary Planning Document (SPD) and which sought approval of the formal adoption of the SPD.

A schedule detailing the responses received as part of the final period of public consultation had accompanied Board Members' agenda papers.

**RESOLVED -**

- (a) That the representations received on the West Leeds Gateway Supplementary Planning Document and the recommended responses to the representations be noted.
- (b) That the adoption of the West Leeds Gateway Area Supplementary Planning Document be approved.

**87 Design and Cost Report: Proposed Works at Woodhouse Lane Multi Storey Car Park**

The Acting Director of City Development submitted a report regarding a design and cost freeze at RIBA Stage D on the proposed improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park. In addition, the report also sought authorisation to the incurring of related expenditure and letting of related contracts.

**RESOLVED –**

- (a) That the design and cost freeze at RIBA Stage D for the proposed improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park be approved.
- (b) That subject to the tender sum for the proposed works being within the budget available, approval be given to the letting of the contract and the incurring of expenditure of £5,806,500 from existing budget provision (Capital Scheme No 13307/WHL/000) on the proposed design and subsequent improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park.

**NEIGHBOURHOODS AND HOUSING**

**88 Deputation to Council - Tenants of Moor Grange Court Regarding Anti-Social Behaviour and Possible Changes to a Local Lettings Policy**

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council on 14<sup>th</sup> July 2010 from the tenants of Moor Grange Court regarding concerns over anti-social behaviour and possible changes to a local lettings policy.

**RESOLVED –** That the response taken by the Council and the ALMO to the problems facing the residents of Moor Grange Court be noted.

**89 Deputation to Council - Local Residents of Hyde Park Regarding Social Deprivation and Community Cohesion in the Area**

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council on 14<sup>th</sup> July 2010 from local residents of Hyde Park regarding social deprivation and community cohesion in the area.

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That a further report be submitted to a future meeting of the Board providing an update on the progress made in addressing the issues highlighted by the deputation.

**90 Adoption of the Compact for Leeds 2010**

The Director of Environment and Neighbourhoods submitted a report presenting the revised Compact for Leeds 2010 for approval and adoption.

**RESOLVED –** That the adoption of the Compact for Leeds be approved, and that the Council commit to undertaking an assessment of current policy and practice and the development of a plan to strengthen priority areas for action.

**91 Environment and Neighbourhoods Lettings Policy Revision**

Further to Minute No. 247, 19<sup>th</sup> May 2010, the Director of Environment and Neighbourhoods submitted a report outlining the options available for amending the Environment and Neighbourhoods lettings policy, providing a summary of the consultation undertaken with customers, considering the potential impacts in equality arising from such changes and seeking approval to implement the revised policy.

**RESOLVED –**

- (a) That the results of the consultation exercise undertaken be noted, and that the revised Lettings Policy be approved.
- (b) That the implementation of the proposals contained within section 4 of the submitted report be approved with effect from 5<sup>th</sup> January 2011.

**CHILDREN'S SERVICES**

**92 Report on the September 2010 Admissions Round**

The Chief Executive of Education Leeds submitted a report presenting a range of statistical information relating to the September 2010 admissions round in Leeds.

Officers undertook to provide the relevant Member with a list of those 19 primary schools where places could not be offered to all those children who had expressed a preference for a school which was their nearest.

**RESOLVED –** That the statistical content of the report be noted, including:

- the percentage of first preferences achieved, where 86.2% of parents are offered the school of their first preference and 96.7% of parents received one of their preferences;
- the increase in the number of secondary block appeals, but fall in the number of in year appeals, and the further 8% improvement in the successful defence of in year appeals.

- the continued increase in use of the on-line service for parents to 44% of on time applications.
- a further increase in birth rate and the rise in successful preferences following a range of school expansions.

(Councillor J Procter declared a personal interest in this item, as a parent of a child who had not been offered a place at the child's nearest school, having expressed a preference for that school).

## **LEISURE**

### **93 A New Chapter: A Fresh Direction for Leeds Libraries and for Integrated Services**

The Chief Libraries, Arts and Heritage Officer submitted a report informing of the challenges faced in the delivery of the Leeds Library and Information Service and, in taking into account the delivery of other front line services, outlining new approaches for consultation which would ensure the sustainability and relevance of the library service for the people of Leeds.

Members referred to the possibility of extending the consultation period, should this be required.

#### **RESOLVED -**

- (a) That the operational challenges of the Libraries and Information Service, as outlined within the submitted report, be noted.
- (b) That a public consultation exercise on the detailed proposals contained within appendix 1 to the submitted report be approved.
- (c) That a further report be submitted to the Board early in 2011 outlining the outcome of the consultation process and which takes into consideration the outcomes from the Comprehensive Spending Review.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Blackburn and Golton respectively required it to be recorded that they abstained from voting on the decisions referred to within this minute).

## **RESOURCES AND CORPORATE FUNCTIONS**

### **94 Financial Strategy and Budget Setting Process**

The Director of Resources submitted a report providing background information to the forthcoming Comprehensive Spending Review and outlining the proposed process for setting the Council's 2011/12 budget.

Members made reference to the possibility of liaising with external organisations and service providers as part of the process to consider the budget proposals.

**RESOLVED –**

- (a) That the background to the current budget setting process and the actions taken to date be noted.
- (b) That the establishment of a Members' working group comprising Members of the five political parties to consider budget proposals be agreed.
- (c) That a subsequent report be brought to the January 2011 Executive Board reporting on the outcome of the Member working group discussions.
- (d) That the budget principles, as set out within paragraph 5 of the submitted report, be agreed.

**95 Scrutiny Board Recommendations**

The Chief Democratic Services Officer submitted a report providing a summary of the responses to Scrutiny Board recommendations received since the last Executive Board meeting.

**RESOLVED –**

- (a) That the responses to the recommendations of the Scrutiny Board (Adult Social Care), as detailed within the submitted report, be noted.
- (b) That a review be undertaken in relation to the ways in which responses to Scrutiny Board recommendations are received by the Executive Board.

**DATE FOR PUBLICATION:** 15<sup>th</sup> October 2010

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 22<sup>nd</sup> October 2010 (5.00 p.m.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 25<sup>th</sup> October 2010)



**LEEDS CITY COUNCIL**

**FORWARD PLAN OF KEY DECISIONS**

**Extract relating to Scrutiny Board (Environments & Neighbourhoods)**

For the period 1 November 2010 to 28 February 2011

Appendix 3

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer (To whom representations should be made and email address to send representations to)</b>
Property maintenance contract for West North West homes and Aire Valley Homes Director of Environments and Neighbourhoods to approve the award of the contract	Director of Environment and Neighbourhoods	1/11/10	n/a	n/a	Director of Environment and Neighbourhoods phil.rigby@leeds.gov.uk
East Leeds Household Waste Sort Site Re-development To award contract to redevelop this waste recycling facility	Chief Officer Environmental Services	1/11/10	Local residents and Councillors prior to works commencing	Tender Documents	Chief Officer Environmental Services susan.upton@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>Contract Award To approve the award of a 4 year framework contract for the ongoing landfill disposal of municipal wastes collected by Streetscene Services. The contract also looks to encourage bids from organisations who can offer landfill diversion options utilising any existing merchant capacity.</p>	<p>Director of Environment and Neighbourhoods</p>	<p>1/11/10</p>	<p>Corporate Procurement Unit(including legal services), Waste Solution Programme Board.</p>	<p>Contract Award Report</p>	<p>Director of Environment and Neighbourhoods susan.upton@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Request to enter into a Supporting People Contract with HFT (formerly Home Farm Trust) Supported Living Service at a total contract value of approximately £297,648.09 per annum Authorisation to enter into a Supporting People Contract with HFT (formerly Home Farm Trust) Supported Living Service at a total contract value of approximately £297,648.09 per annum	Director of Environment and Neighbourhoods	1/11/10	N/A	Report to be presented to the Delegated Decision Panel	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>To cover a Drug Interventions Programme, Integrated Offender Management, Intensive Alternatives to Custody Contract Service</p> <p>To cover a Drug Interventions Programme, Integrated Offender Management, Intensive Alternatives to Custody Contract Service</p>	<p>Director of Environment and Neighbourhoods</p>	<p>1/11/10</p>	<p>Undertaken with partnership, service users and stakeholders.</p>	<p>n/a</p>	<p>Director of Environment and Neighbourhoods jim.willson@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Request to invoke Contract Procedure Rule 25.1 to invoke the 1st 12 Month extension period to the existing Supporting People contract with Leeds Housing Concern for the Mary Seacole and Milton House Services from 21.1.2011 to 20.1.2012 Approval to invoke Contract Procedure Rule 25.1 to invoke the 1st 12 Month extension period to the existing Supporting People contract with Leeds Housing Concern for the Mary Seacole and Milton House Services from 21.1.2011 to 20.1.2012	Director of Environment and Neighbourhoods	1/11/10	n/a	Reports to be presented to the Commissioning Body and Delegated Decision Panel prior to decision being taken	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>Request to invoke Contract Procedure Rule 25.1 to invoke the 2nd 12 month extension period to the existing Supporting People contract with Foundation from 12.2.2011 to 11.2.2012</p> <p>Approval to invoke Contract Procedure Rule 25.1 to invoke the 2nd 12 month extension period to the existing Supporting People contract with Foundation from 12.2.2011 to 11.2.2012</p>	<p>Director of Environment and Neighbourhoods</p>	<p>1/11/10</p>	<p>n/a</p>	<p>Reports to be presented to the Commissioning Body and Delegated Decision Panel prior to decision being taken</p>	<p>Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>Request to enter into a 12(+6) month Supporting People contract with CRI (Crime Reduction Initiative) for the Integrated Offender Management Service at a cost of £253,814.94 per annum</p> <p>Authorisation to enter into a 12(+6) month Supporting People contract with CRI (Crime Reduction Initiative) for the Integrated Offender Management Service at a cost of £253,814.94 per annum</p>	Director of Environment and Neighbourhoods	1/11/10	n/a	Report to be presented to the Delegated Decision Panel	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>Request to enter into a 12(+6) month Supporting People Contract with DISC for the Integrated Offender Management Service at a cost of £272,810.65 per annum</p> <p>Authorisation to enter into a 12(+6) month Supporting People Contract with DISC for the Integrated Offender Management Service at a cost of £272,810.65 per annum</p>	Director of Environment and Neighbourhoods	1/11/10	n/a	Report to be presented to the Delegated Decision Panel	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk



<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>Request to enter into a Supporting People contract with HFT (formerly Home Farm Trust) for a Supported Living Service at a total contract value of approximately £276,968.11 per annum</p> <p>Authorisation to enter into a supporting people contract with HFT (formerly Home Farm Trust) for a supported Living Service at a total contract value of approximately £276.968.11 per annum</p>	Director of Environment and Neighbourhoods	1/11/10	N/A	Report to be presented to the Delegated Decision Panel	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
The future of Council Housing Project: The project's objective is to deliver an appraisal which will identify, assess and recommend the most desirable, viable and achievable option(s) to deliver the long term vision for Council housing in Leeds Authorisation to proceed with the project	Executive Board (Portfolio: Neighbourhoods and Housing)	3/11/10	With all key stakeholders including members, tenants and leaseholders, Housing Providers internal and external	The report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk
Dog Control Orders Implement new legislation – Dog Control orders under Clean Neighbourhoods and Environmental Act 2005 – subject to consultation responses	Executive Board (Portfolio: Neighbourhoods and Housing)	3/11/10	Full public consultation undertaken 21 <sup>st</sup> May to 31 <sup>st</sup> August 2010	The report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods stacey.campbell@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
<p>The Leeds Local Investment Plan (LIP), 2011-15</p> <p>Approval of the Leeds LIP. This includes : -</p> <p>1. The strategy element, which consists of the aims and objectives for regeneration in Leeds, the rationale for determining Leeds' spatial and thematic regeneration priorities over the next four years, and the approach to measuring outcomes in terms of improvements to place.</p> <p>2. The programme element, which sets out the city's key regeneration investment opportunities, spatially and thematically, and the investment request of the Homes and Communities Agency (HCA) - and other potential investors - to deliver the desired outcomes.</p>	<p>Executive Board (Portfolio: Neighbourhoods and Housing)</p>	<p>8/12/10</p>	<p>A wide-ranging consultation process has been ongoing since Autumn 2009 on the Leeds Regeneration Framework – the overarching 'blueprint' for regeneration in Leeds that provides the strategic context and direction of the LIP. This has been led by the Chief Regeneration Officer, and has involved a large number of internal and external stakeholders, including those in attendance at two peer review workshops held in Summer 2010. The LIP has been developed over the last five months in close partnership with HCA colleagues. It has been informed by ongoing detailed discussions with different parts of the Council and with Members. Further internal and external consultation will take place over the next few weeks to agree the priority investment opportunities within the plan. This will include agenda items at key meetings, including Environment and Neighbourhoods Senior Management Team, City</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>Director of Environment and Neighbourhoods stephen.boyle@leeds.gov.uk</p>

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Leeds Year of Volunteering Members are asked to endorse the proposal for Leeds City Council involvement in the 2011 European Year of Volunteering. Members are asked to encourage additional activities and events that will help sustain the successful Leeds Year of Volunteering campaign run over the last twelve months.	Executive Board (Portfolio: Environment and Neighbourhoods)	8/12/10	Area Committees, Member consultations, Voluntary Sector consultations, Harmonious Communities group	The report is due to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods steve.crocker@leeds.gov.uk
Review of outstanding SRHP funded acquisition and demolition schemes Amendments to previous decision of Exec Board to acquire and demolish properties	Executive Board (Portfolio: Neighbourhoods and Housing)	8/12/10	Consultation with local stakeholders and local ward members	The report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods sue.morse@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Adaptation Strategy Endorsing results of detailed bid solution phase. To agree the Adaptation Strategy for implementation	Executive Board (Portfolio: Neighbourhoods and Housing)	5/1/11	Previously undertaken	The report to be issued to the decision maker with the agenda for the meeting	Chief Officer Environmental Services helen.freeman@leeds.gov.uk

