



A meeting of the Council will be held in the Civic Hall, Leeds on Wednesday, 15th September, 2010 at 1.45 pm or at the conclusion of the extraordinary meeting held on the same day.

Members of the Council are invited to attend and transact the following business:

1. Minutes

To confirm the minutes of the Council Meeting held on 14th July 2010.

2. Declarations of Interest

To receive any declarations of interest from Members

3. Communications

To receive such communications as the Lord Mayor, the Leader, Members of the Executive Board or the Chief Executive consider appropriate

4. Deputations

To receive deputations in accordance with Council Procedure Rule 10

5. Reports

To consider the following report which the Chief Executive considers to be appropriate to be received at this meeting in accordance with Council Procedure Rule 2.2(f):-

That the report of the Assistant Chief Executive (Corporate Governance) on appointments be approved

P GRUEN

6. Questions

To deal with questions in accordance with Council Procedure Rule 11

7. Recommendation of the General Purposes Committee

That the report of the Assistant Chief Executive (Corporate Governance) on a recommendation of the General Purposes Committee with regard to a proposed amendment to Council Procedure Rules be approved

K WAKEFIELD

8. Minutes

To receive the minutes in accordance with Council Procedure Rule 2.2(i)

9. White Paper Motion - Budget Deficit

This Council recognises that addressing the budget deficit will provide significant challenges to Leeds City Council and our partners in the public and voluntary sector. Denying the deficit and ignoring the very real economic problems left by the last Government would be a disaster not only for Leeds but for the country as a whole.

This Council therefore notes with dismay that the first 100 days of this Labour administration have been a lost opportunity, marked by procrastination, delay and failure to consult on key decisions.

This Council therefore resolves to support the new Chief Executive in identifying efficiencies away from the frontline that will enable the authority to play its part in reducing public expenditure while maintaining essential services.

A CARTER

10. White Paper Motion - Police Accountability

This Council opposes the government's plan to scrap Police Authorities and replace them with directly elected Police and Crime Commissioners.

This Council recognises the need for increased police accountability to encourage greater public confidence in both local and national policing but feels that Elected Members have a very important role to play in this which would be lost if Police Authorities were scrapped.

This Council therefore calls on the Chief Executive and all Leeds MPs to write to the home secretary setting out our opposition to this plan and requesting that the plan to abolish Police Authorities be abandoned.

A LOWE

11. White Paper Motion - World Cup 2018 'Back the Bid' Campaign

This Council pledges its full and unequivocal support to England's 'Back the bid campaign' to host the football World Cup in 2018.

This Council expresses its great pride that Leeds has been nominated as a host city for the tournament which underlines its position as one of the country's premier sporting venues.

Furthermore, this Council recognises the positive economic benefits and exposure that hosting this prestigious global event will bring to our city.

A OGILVIE

Chief Executive

Civic Hall
Leeds
LS1 1UR

NOTE – The order in which White Paper motions will be debated will be determined by Whips prior to the meeting

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Proceedings of the Meeting of the Leeds City Council held
Civic Hall, Leeds on Wednesday, 14th July, 2010

PRESENT: The Lord Mayor Councillor James McKenna in the Chair

WARD

ADEL & WHARFEDALE

Clive Fox
Barry John Anderson
John Leslie Carter

ALWOODLEY

Peter Mervyn Harrand
Ronald David Feldman
Ruth Feldman

ARDSLEY & ROBIN HOOD

Lisa Mulherin
Karen Renshaw
Jack Dunn

ARMLEY

Janet Harper
Alison Natalie Kay Lowe
James McKenna

BEESTON & HOLBECK

David Congreve
Angela Gabriel
Adam Ogilvie

BRAMLEY & STANNINGLEY

Neil Taggart
Ted Hanley

BURMANTOFTS & RICHMOND HILL

Ron Grahame
Ralph Pryke
Richard Brett

WARD

CALVERLEY & FARSLEY

Rod Wood
Andrew Carter
Joseph William Marjoram

CHAPEL ALLERTON

Jane Dowson
Eileen Taylor
Mohammed Rafique

CITY & HUNSLET

Mohammed Iqbal
Elizabeth Nash
Patrick Davey

CROSS GATES & WHINMOOR

Peter John Gruen
Suzi Armitage
Pauleen Grahame

FARNLEY & WORTLEY

John Hamilton Hardy
David Blackburn
Ann Blackburn

GARFORTH & SWILLINGTON

Thomas Murray
Andrea McKenna
Mark Dobson

GIPTON & HAREHILLS

Kamila Maqsood
Alan Leonard Taylor
Arif Hussain

GUISELEY & RAWDON

Pat Latty
Graham Latty

HAREWOOD

Matthew James Robinson
Ann Castle
Rachael Procter

HEADINGLEY

Martin Hamilton
Jamie Matthews
James John Monaghan

HORSFORTH

Brian Cleasby
Christopher Townsley
Andrew Barker

HYDE PARK & WOODHOUSE

Javaid Akhtar
Penny Ewens
Gerry Harper

KILLINGBECK & SEACROFT

Brian Michael Selby
Graham Hyde
Veronica Morgan

KIPPAX & METHLEY

Keith Ivor Wakefield
John Keith Parker
James Lewis

KIRKSTALL

Bernard Peter Atha
Lucinda Joy Yeadon
John Anthony Illingworth

MIDDLETON PARK

Kim Groves
Geoffrey Driver
Judith Blake

MOORTOWN

Sharon Hamilton
Mark Daniel Harris
Brenda Lancaster

MORLEY NORTH

Thomas Leadley
Robert William Gettings

MORLEY SOUTH

Shirley Varley
Judith Elliott
Terrence Grayshon

OTLEY & YEADON

Ryk Downes
Graham Peter Kirkland
Colin Campbell

PUDSEY

Mick Coulson
Josephine Patricia Jarosz
Richard Alwyn Lewis

ROTHWELL

Barry Stewart Golton
Donald Michael Wilson
Steve Smith

ROUNDHAY

Ghulam Hussain
Matthew Lobley
Valerie Kendall

TEMPLE NEWSAM

Michael Lyons
William Schofield Hyde
David Schofield

WEETWOOD

Judith Mara Chapman
Ben Chastney
Susan Bentley

WETHERBY

John Michael Procter
Gerald Wilkinson
Alan James Lamb

1 Announcements

- a) The Lord Mayor reported the recent death of former Councillor Jean Searle OBE, also referred to the recent death Lance Corporal D A Ramsden of Leeds whilst on active service in Afghanistan, and Council stood in silent tribute.
- b) The Lord Mayor reported that this would be the last Council meeting prior to retirement for Paul Rogerson, the Chief Executive and Jean Dent, Director of City Development and thanked them both for their long and valuable services to the City.

2 Minutes

It was moved by Councillor Gruen seconded by Councillor Lobleby and

RESOLVED – That the minutes of the Annual Meeting of Council held on 27th May 2010 be approved.

3 Declarations of Interest

The Lord Mayor announced that a list of written declarations submitted by Members was on deposit in the public galleries and had been circulated to each Member's place in the Chamber.

Following an invitation to declare further individual interests, declarations in accordance with the Council's Code of Conduct were made as follows:-

- a) Members declared personal interests in minute 5 (d) of this meeting as follows:-

Cllr Coulson	Council tenant
Cllr G Hyde	Director of East North East Homes

- b) Councillor Cleasby declared a personal interest in minute 10 of this meeting, his wife being in receipt of Adult Social Services support.

- c) Members declared personal interests in minute 15 of this meeting as follows:-

Cllr Anderson	Member, Leeds Initiative Climate Change Member, Leeds Initiative Narrowing the Gap Board
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Cllr A Carter	Member, Affordable Housing Strategic Partnership Member, Leeds Initiative Assembly Member, Leeds Initiative Executive Member, Leeds Initiative Going Up a League Board
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Cllr Fox	Member, Roseville Enterprises Advisory Board
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Cllr Kendall	Member, Community Action for Roundhay Elderly
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Cllr G Latty	Member, ALMO Outer North West Area Panel
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Cllr Lobley	Member, Renew
Cllr Schofield	Member, Aire Valley Regeneration Board
Cllr Wilkinson	Member, ALMO –East North East Homes Leeds
Cllr W Hyde	Chairman, Crossgates Good Neighbours Scheme .
Cllr Chastney	Member of Greenpeace
Cllr Smith	Member of Greenpeace
Cllr A Blackburn	Director West North West Homes

d) Members declared personal interests in minute 14 of this meeting as follows:-

Cllr Anderson	Member, Leeds Initiative Climate Change Member, Leeds Initiative Narrowing the Gap Board Member, Green Leeds
Cllr A Carter	Member, Affordable Housing Strategic Partnership Member, Leeds Initiative Assembly Member, Leeds Initiative Executive Member, Leeds Initiative Going Up a League Board
Cllr G Latty	Member, ALMO Outer North West Area Panel
Cllr Lobley	Member, Renew
Cllr Schofield	Member, Aire Valley Regeneration Board
Cllr Wilkinson	Member, ALMO –East North East Homes Leeds
Cllr Chastney	Member of Greenpeace
Cllr Smith	Member of Greenpeace
Cllr A Blackburn	Director West North West Homes
Cllr Taggart	Member of an ALMO Area Panel
Cllr J Harper	Member of an ALMO Area Panel

e) Members declared personal interests in minute 16 of this meeting as follows:-

Cllr Anderson	Member, West Yorkshire Integrated Transport Authority
Cllr A Carter	Member, Leeds Initiative - Transport Partnership Member, Leeds Initiative Assembly Member, Leeds Initiative Executive Member, Leeds Initiative Going Up a League Board Member, West Yorkshire Integrated Transport Authority
Cllr Fox	Member, WYPTA Passenger Transport Consultative Committee
Cllr Jamie Matthews	WY Integrated Transport Authority
Cllr Ryk Downes	WY Integrated Transport Authority (vice chair)

f) Councillor J Lewis declared a personal interest in minute 18 of this meeting as a Leeds United Season Ticket Holder.

g) Councillor Harris declared personal and prejudicial interests in minutes 14 and 15 of this meeting in connection with his business activities.

h) A further declaration made during the course of the meeting (Councillor A Blackburn) is referred to in minute 5(d)

4 Deputations

Three deputations were admitted to the meeting and addressed Council as follows:-

- 1) The Access Committee for Leeds regarding "Help us to save Woodlands Respite Care Centre, York".
- 2) Tenants of Moor Grange regarding concerns over anti-social behaviour and possible changes to a local lettings policy.
- 3) Local Residents of Hyde Park regarding social deprivation and community cohesion in the area

RESOLVED – That the subject matter of the deputations be referred to the Executive Board for consideration.

5 Reports

a) Recommendations of the Independent Remuneration Panel

It was moved by Councillor Gruen seconded by Councillor Nash and

RESOLVED – That the recommendations of the Independent Remuneration Panel, as presented by the report of the Chief Democratic Services Officer, be approved and that the Assistant Chief Executive (Corporate Governance)

be authorised to make any consequential changes to the Members' Allowances Scheme.

b) Scrutiny Boards' Annual Report

It was moved by Councillor Wakefield seconded by Councillor Gruen and

RESOLVED – That the Scrutiny Boards' Annual report to Council, prepared in accordance with Article 6 of the Constitution, be approved

c) Appointments

It was moved by Councillor Gruen seconded by Councillor Loble and

RESOLVED – That the report of the Assistant Chief Executive (Corporate Governance) on appointments be approved subject to an amendment in paragraph 1.4 of the report to delete the name of Councillor Groves and to replace it with Councillor J Lewis and to the addition in the same paragraph of the words “ Councillor J Lewis to replace Councillor Groves on the Scrutiny Board (Children's Services)”.

d) Housing Revenue Subsidy Refund

It was moved by Councillor Gruen seconded by Councillor Nash

That the report of the Director of Environment and Neighbourhoods on expenditure proposals for the use of Housing Revenue Subsidy refund be approved.

An amendment was moved by Councillor J L Carter seconded by Councillor M Hamilton

To add:-

‘subject to the following amendment to paragraph 3.3 of the report:

Add the following at the end of the third bullet point under the heading ‘West North West Homes’:

“An additional £900,000 from HRA surplus generated in 2009/10 will be allocated specifically for improvements to properties on the Woodbridge, Stonecliffe and Waterloo estates, divided equally between the three.” ’

On being put to the vote the amendment was declared lost.

(The meeting was suspended from 2.55 to 3.20 to allow for discussions to clarify the content of the motion to be put to the vote)

Under the provisions of Council Procedure Rule 14.10 Councillor Gruen, with the consent of the seconder, sought leave of Council to alter the motion by the addition of the words “Subject to the proposed allocation of £700k for property improvement to non-traditional housing in West North West Homes, being allocated on a match funding basis” at the end of the motion.

Consent of Council was given and upon being put to the vote it was

RESOLVED – That the report of the Director of Neighbourhoods and Housing on expenditure proposals for the use of Housing Revenue Subsidy refund be approved, subject to the proposed allocation of £700,000 for property improvement to non-traditional housing in West North West Homes, being allocated on a match funding basis.

(During discussion of this item Councillor A Blackburn declared a personal interest as a Director of West North West Homes)

On the requisition of Councillors Lobley and J Procter, the voting on the amendment was recorded as follows:-

YES

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

47

NO

Akhtar, Armitage, Atha, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, Wakefield, Yeadon.

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On the requisition of Councillors Gruen and Nash the voting that consent of Council be given to alteration of the motion was recorded as follows:-

YES

Akhtar, Armitage, Atha, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, Wakefield, Yeadon.

48

NO

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Fox, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

46

ABSTAIN

Gettings.

1

6 Questions

- 1) Councillor A Carter to the Executive Member (City Development)

Does the new Executive Board Member for City Development welcome the recent Government announcement that the Regional Spatial Strategy (RSS) is to be abolished?

The Executive Member (City Development) replied

- 2) Councillor Cleasby to the Executive Member (Adult Health and Social Care)

Can the Executive Member for Adult Social Care confirm that she remains committed to delivering quality services that promote independent living, control and choice for vulnerable adults?

The Executive Member (Adult Health and Social Care) replied

- 3) Councillor R Grahame to the Executive Member (Leisure)

Would the Executive Board Member for Leisure explain the implications for Leeds of the Conservative and Liberal Democrat Coalition Government's decision to end free swimming for the under 16s and the over 60s?

The Executive Member (Leisure) replied

- 4) Councillor Leadley to the Executive Member (Environmental Services)

Can the Executive Board member for Environmental Services tell us where he is going to put his Incinerator?

The Executive Member (Environmental Services) replied

- 5) Councillor S Hamilton to the Executive Member (Adult Health and Social Care)

Would the Executive Member for Adult Health and Social Care please comment on the suspension of the Holt Park Wellbeing Centre scheme?

The Executive Member (Adult Health and Social Care) replied

- 6) Councillor J Procter to the Executive Member (Leisure)

Does the new Executive Board Member for Leisure agree that in the current financial climate it is essential that the council continues to support events that generate the authority much needed income?

The Executive Member (Leisure) replied

- 7) Councillor A Taylor to the Executive Member (Leisure)

Does the Executive Board Member for Leisure agree that residents in Leeds should expect the same level of service in all our parks?

The Executive Member (Leisure) replied

- 8) Councillor Akhtar to the Executive Member (Leisure)

Could the Executive Board Member for Leisure explain what factors were taken into account when deciding on the future of the Woodhouse Moor designated barbecue area?

The Executive Member (Leisure) replied

- 9) Councillor Grayshon to the Leader of Council

Can the Leader of Council give an update on the situation regarding Brian, the retired show pony, removed from land adjacent to Wortley Beck and Granny Lane in Leeds on June 10th 2010, by a company known as PPS, acting on behalf of Leeds City Council?

Would the Leader of Council agree with me, that the practices employed by PPS in this matter are unacceptable and is he willing to offer an apology on behalf of Leeds City Council to the Forsyth family for the unacceptable manner in which they, and Brian, have been dealt with. Can he also give his assurance that the working practices of PPS will be reviewed as a matter of urgency?

The Executive Member (Environmental Services) replied

- 10) Councillor J Lewis to the Executive Member (Environmental Services)

Can the Executive Board Member for Environmental Services please confirm if the figures highlighted in the YEP on the 8th July 2010 regarding the cost to the Council of the bin strike last year are correct?

The Executive Member (Environmental Services) replied

Question time concluded prior to an opportunity for a supplementary to question 10, the following questions remained unanswered and it was noted that under the provisions of Council Procedure Rule 11.6, written answers would be sent to each Member of Council:

11. Councillor Marjoram to the Leader of Council
12. Councillor Monaghan to the Executive Member (Environmental Services)
13. Councillor Gabriel to the Executive Member (Leisure)
14. Councillor D Blackburn to the Leader of Council
15. Councillor Maqsood to the Executive Member (Children's Services)
16. Councillor Matthews to the Executive Member (Environmental Services)
17. Councillor Selby to the Executive Member (Children's Services)
18. Councillor Townsley to the Executive Member (City Development)
19. Councillor Chastney to the Executive Member (City Development)
20. Councillor Cleasby to the Executive Member (Environmental Services)

21. Councillor Brett to the Executive Member (Adult Health and Social Care)

7 Recommendations of the Standards Committee

It was moved by Councillor Selby seconded by Councillor J L Carter and

RESOLVED - That the annual report of the Standards Committee be received in accordance with the recommendations of the report of the Assistant Chief Executive (Corporate Governance).

8 Recommendations of the Corporate Governance and Audit Committee

It was moved by Councillor Driver seconded by Councillor Campbell and

RESOLVED - That the annual report of the Corporate Governance and Audit Committee be received in accordance with the recommendations of the report of the Assistant Chief Executive (Corporate Governance).

9 Recommendations of the General Purposes Committee

It was moved by Councillor Wakefield seconded by Councillor Blake and

RESOLVED – That the recommendations of the General Purposes Committee, as presented by the report of the Assistant Chief Executive (Corporate Governance) for amendments to the Constitution, be approved.

10 Minutes

It was moved by Councillor Wakefield seconded by Councillor Gruen and

RESOLVED – That the minutes be received in accordance with Council Procedure Rule 2.2(o).

Council Procedure Rule 4 providing for the winding up of business was applied prior to all notified comments on the minutes having been debated.

11 Suspension of Council Procedure Rules

During the debate under minute 10 above it was moved by Councillor Harris seconded by Councillor Lobley and

RESOLVED – That Council Procedure Rules be suspended to allow that the response given by the Executive Member (Environmental Services) to question 10 in minute 134 above be read out to Council in verbatim form.

On the requisition of Councillors Harris and Lobley the voting on the motion was recorded as follows:-

YES

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

47

NO

Akhtar, Armitage, Atha, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, Wakefield, Yeadon.

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ABSTAIN

A Blackburn, D Blackburn.

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The Lord Mayor announced that for practical reasons the action required by the resolution would be undertaken following the suspension of the meeting under Council Procedure Rule 3.1(b).

(The meeting was suspended at 4.55 pm and resumed at 5.25 pm)

Upon resumption of the meeting the Assistant Chief Executive (Corporate Governance) read out the verbatim record of Councillor Murray's response to question 10, the Lord Mayor invited Councillor Murray to offer any further comment and Councillor Murray undertook to write to all Members giving clarification in respect to the points of concern which had been raised.

12 Variation in the Order of Business

It was moved by Councillor Gruen seconded by Councillor Lobley and

RESOLVED – That under the provisions of Council Procedure Rule 13.2 the order of business be changed to give precedence to the item numbered 14 on the Council Summons.

13 White Paper Motion - Retirement of Chief Executive and Director of City Development

It was moved by Councillor Atha seconded by Councillor A Carter and

RESOLVED UNANIMOUSLY – That this Council wishes to acknowledge the lengthy and distinguished service of Paul Rogerson and Jean Dent and expresses its thanks and wishes them the best for the future.

14 White Paper Motion - Micro-Generation Energy Schemes

It was moved by Councillor Monaghan seconded by Councillor Anderson

That this Council notes the success of micro-generation energy schemes in other local authorities and requests the Executive Board bring forward proposals within the next three months on how such a scheme could be offered on a self financing basis to every household in Leeds.

An amendment was moved by Councillor Murray seconded by Councillor D Blackburn:-

'Delete all after:

"This Council notes the success of micro-generation energy schemes in other local authorities."

And replace with:

“Council therefore agrees to refer this matter to the proposed all-party Climate Change & Environmental working group for their consideration, with the request that a future paper is then brought to the Executive Board at an early date.” ‘

The amendment was carried and upon being put as the substantive motion it was

RESOLVED – That this Council notes the success of micro-generation energy schemes in other local authorities. Council therefore agrees to refer this matter to the proposed all-party Climate Change & Environmental working group for their consideration, with the request that a future paper is then brought to the Executive Board at an early date.

On the requisition of Councillors Grayshon and Matthews the voting on the amendment was recorded as follows:-

YES

Akhtar, Armitage, Atha, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, Wakefield, Yeadon.

48

NO

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

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15 White Paper Motion - Free Insulation Scheme for Households

It was moved by Councillor A Blackburn seconded by Councillor D Blackburn

That Council welcomes the announcement that the Labour administration and the Green Group are working together to establish a Free Insulation Scheme for the city of Leeds, which will be based on the successful model of Kirklees.

Council notes that the scheme when established will lead to a reduction in fuel poverty for many Leeds residents. It will also bring about a reduction in carbon emissions of 48,500 tonnes and the creation of approximately 200 new jobs offering apprenticeship opportunities, including people from Roseville Enterprises.

Council, therefore, call on the Executive Board to bring forward proposals for this scheme.

An amendment was moved by Councillor Monaghan seconded by Councillor Anderson:-

Delete all after "This Council" and replace with

"acknowledges how important insulation is to creating jobs, reducing carbon dioxide emissions, tackling fuel poverty and health inequality. Council welcomes the impact on Leeds of improved insulation for households and proposals to extend the previous administration's free insulation scheme to the whole city.

Council requests that the Director of Environment and Neighbourhoods takes a report to the next meeting of the Executive Board outlining how the scheme would be implemented across the City and where funding for the full scheme will come from."

The amendment was lost and upon the motion being put to the vote it was

RESOLVED - That Council welcomes the announcement that the Labour administration and the Green Group are working together to establish a Free Insulation Scheme for the city of Leeds, which will be based on the successful model of Kirklees.

Council notes that the scheme when established will lead to a reduction in fuel poverty for many Leeds residents. It will also bring about a reduction in carbon emissions of 48,500 tonnes and the creation of approximately 200 new jobs offering apprenticeship opportunities, including people from Roseville Enterprises.

Council, therefore, call on the Executive Board to bring forward proposals for this scheme.

On the requisition of Councillors Matthews and Grayshon the voting on the amendment was recorded as follows:-

YES

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, W Hyde, Kendall, Kirkland, Lamb, Lancaster, G Latty, P Latty, Leadley, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

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NO

Akhtar, Armitage, Atha, A Blackburn, D Blackburn, Blake, Congreve, Coulson, Davey, Dobson, Dowson, Driver, Dunn, Gabriel, P Grahame, R Grahame, Groves, Gruen, S Hamilton, Hanley, Hardy, G Harper, J Harper, A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, Maqsood, A McKenna, Morgan, Mulherin, Murray, Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, E Taylor, Wakefield, Yeadon.

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On the requisition of Councillors D Blackburn and A Blackburn the voting on the motion was recorded as follows:-

YES

Akhtar, Armitage, Atha, Barker, Bentley, A Blackburn, D Blackburn, Blake, Brett, Campbell, Chapman, Chastney, Cleasby, Congreve, Coulson, Davey, Dobson, Downes, Dowson, Driver, Dunn, Elliott, Ewens, Gabriel, Gettings, Golton, P Grahame, R Grahame, Groves, Gruen, M Hamilton, S Hamilton, Hanley, Hardy, G Harper, J Harper, A Hussain, G Hussain, G Hyde, Illingworth, Iqbal, Jarosz, Kirkland, Lancaster, Leadley, J Lewis, R Lewis, Lowe, Lyons, Maqsood, Matthews, A McKenna, Monaghan, Morgan, Mulherin, Murray, Nash, Ogilvie, Parker, Pryke, Rafique, Renshaw, Selby, Smith, Taggart, E Taylor, A Taylor, Townsley, Varley, Wakefield, Wilson, Yeadon.

72

ABSTAIN

Fox, Grayshon, P Latty, R Procter, Robinson, Schofield, Wood.

7

(The provisions of Council Procedure Rule 3.1(d) were applied at the conclusion of the debate on this motion.)

16 White Paper Motion - New Generation Transport Scheme

Under the provisions of Council Procedure Rule 14.10, with the consent of the seconder, leave of Council was given to alter the motion by the deletion of the word "all" in the first and second paragraphs and its replacement with the word "cross" in both instances.

It was moved by Councillor J Lewis seconded by Councillor R Lewis and

RESOLVED – That this Council reaffirms its cross party commitment to the 'New Generation Transport' (NGT) project in our city, which represents an important part of Leeds future transport system. Council notes with deep concern a decision by the Government to put on hold this vital scheme which could create 4,000 jobs and bring £160m per year to the City Region's economy.

Council welcomes the cross party delegation on the 19th July to lobby the Secretary of State for Transport on the issues of NGT on behalf of the people of Leeds.

Council instructs the Chief Executive to write to the Secretary of State for Transport outlining the importance of this scheme and to request that the necessary funding be found to progress NGT in our city.

17 White Paper Motion Submitted Under the Provisions of Council Procedure Rule 3.1(d) - The World Cup and the Fruit Tree Planting Scheme

It was moved by Councillor Cleasby seconded by Councillor Monaghan and

RESOLVED – That Following the success of the "World Cup Fruit tree planting scheme in Durban", our twin City. Council wishes to thank all those involved in the partnership, created by Leeds City Council, for their help in making the project become a reality. Council also congratulates Durban on the success of their involvement in the World Cup.

18 White Paper Motion Submitted Under the Provisions of Council Procedure Rule 3.1(d) - Leeds United Football Club

It was moved by Councillor Dobson seconded by Councillor Parker and

RESOLVED – That this Council congratulates Simon Grayson, his staff and the players of Leeds United Football Club on their recent promotion to the Football League Championship and wishes them every success in the coming season.

Council rose at 7.10 pm.



Originator: Ian Walton

Tel: 2474350

Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 15th September 2010

Subject: Appointments

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose of Report

1.1 Appointments to Boards and Panels and to Joint Authorities are reserved to Council.

1.2 The relevant party whips have requested the following changes:-

That Councillor Morgan replace Councillor J Harper on the Scrutiny Board (Children's Services).

That Councillor W Hyde replace Councillor Anderson on the West Yorkshire Integrated Transport Authority.

2.0 Recommendations

2.1 That Council approve the appointments referred to in paragraph 1.2.

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Ian Walton

Tel: 2474350

Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 15th September 2010

Subject: Recommendation of the General Purposes Committee

<p>Electoral Wards Affected:</p> <div style="border: 1px solid black; width: 50px; height: 20px; display: inline-block; vertical-align: middle;"></div> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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1.0 Purpose Of This Report

1.1 To present to Council a recommendation of the General Purposes Committee with regard to a proposed amendment to Council Procedure Rule 11.6 “Expiry of Question Time” to allow that at the close of question time, the question in progress will be dealt with in full, including the asking and response to any supplementary question.

2.0 Background Information

2.1 At a recent meeting of Council the Question Time period expired upon the conclusion of a response and prior to the opportunity for a supplementary to be asked. This resulted in a subsequent need for clarification to be provided to all Councillors.

3.0 Main Issues

3.1 It is clear that supplementary questions frequently contain the real substance behind a question. The letter containing the responses to unanswered questions cannot refer to a supplementary which was not asked in the meeting. The current rules therefore provide for a situation where a matter commenced in the meeting has the potential to be left without a course for its conclusion. Group Whips have been consulted and have agreed with the proposal put forward by this report.

4.0 Implications For Council Policy And Governance

4.1 The proposal would remove the potential for confusion arising from a rule that can result in a matter being partly concluded in Council.

5.0 Conclusions

- 5.1 It is logical to take the view that the supplementary question allowed by procedure rules does form an integral part of the process of a question which is put in Council. The question having been put it is therefore equally logical that the process should be allowed to run its course.

6.0 Recommendations

- 6.1 That Council approve the recommendation of the General Purposes Committee that Council Procedure Rule 11.6 be amended, as indicated in the appendix to this report, to allow that at the close of question time, the question in progress will be dealt with in full, including the asking and response to any supplementary question.

Background Papers

Council Procedure Rules

COUNCIL PROCEDURE RULE 11

11.0 QUESTIONS BY MEMBERS

11.1 Questions on Notice

- (a) At each meeting of the Council (except the Annual Meeting, any Extraordinary Meeting or the Budget Meeting) a continuous period of not more than 30 minutes from the commencement of the first question shall be available for oral questions.
- (b) During question time, a Member may ask the Leader of the Council, the Deputy Leader, any Executive Member¹ or the Chair of any committee² established under Rule 1.1(g), through the Lord Mayor, any question on any matter in relation to which the Council has powers or duties, or which affects the City of Leeds, or to a Member of the Council who is a nominated representative of the West Yorkshire Authorities for Integrated Transport, Police or Fire and Rescue, on the discharge of the functions of the relevant joint Authority or who has been nominated to answer questions about the activities of a company in which the Council have an interest.
- (c) A question shall not be asked in the absence of the Member in whose name it stands unless they have given authority in writing to the Chief Executive for it to be asked by some other Member of the Council.

11.2 Notice of Questions

Notice in writing of the question must be given to the Chief Executive before 10.00am on the Monday preceding the Council meeting.

11.3 Response

- (a) Every question shall be put and answered without discussion but the person to whom a question has been put may decline to answer.
- (b) A Member to whom a question is addressed shall have discretion to nominate a Member to answer such question where the Member considers that the answer would most appropriately be given by such nominee.

¹ In relation to any matter within their portfolio.

² In relation to any matter within the committee's terms of reference.

11.4 Form of Response

An answer may take the form of:

- (a) a direct oral answer, or where the desired information is contained in a publication of the Council or of the relevant Joint Authority or Joint Committee, a reference to that publication; or
- (b) where the reply to the question cannot conveniently be given orally, a written answer circulated to Members of the Council. Written answers wherever possible should be sent out by the Chief Executive within 10 working days.

11.5 Supplementary Question

The Member who asked a question during question time may ask one supplementary question, arising directly out of the original question, but not so as to extend question time.

11.6 Expiry of Question Time

Where the answer has not been commenced during question time, it shall be answered by written answer circulated to Members of the Council. If the answer to such question has been commenced orally but has not been completed within question time it may be completed orally including any supplementary to that question and the response thereto.

EXECUTIVE BOARD

WEDNESDAY, 21ST JULY, 2010

PRESENT: Councillor K Wakefield in the Chair

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

Councillor J Dowson – Non-Voting Advisory Member

29 **Substitute Member**

Under the terms of Executive procedure Rule 2.3 Councillor J L Carter was invited to attend the meeting on behalf of Councillor A Carter.

30 **Exclusion of the Public**

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

- a) The appended report to the report referred to in minute 47 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained therein relates to the financial and business affairs of a particular person, and of the Council. This information need not be registered under statutes such as the Companies Acts, or the Charities Acts. The disclosure of this information would, or would be likely to prejudice the commercial interests of the particular person, as they are a major business and disclosing the information would reveal their future intentions to their competitors. In turn, this would be likely to jeopardise the Council's ability to pursue a phased delivery of the scheme. Whilst there is always some public interest in disclosure, there will be future reports to the Executive Board, placing more information in the public domain, as and when the phased delivery of the site progresses, and there will be further publicity for the scheme via the planning process. Therefore in all the circumstances of the case, it is considered that the public interest in maintaining this exemption outweighs the public interest in disclosing this information at this point in time.
- b) The report appended to the report referred to in minute 48 under the terms of Access to Information Procedure Rule 10.4(5) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosure as the contents refer to proceedings before the Courts, and in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

31 **Late Items**

There were no late items as such but it was noted that supplementary information had been circulated subsequent to despatch of the agenda as follows:-

- a) With regard to the item relating to Neighbourhood Network Services (minute 34) revised recommendations had been circulated on 19th July and the minute of the Scrutiny Board (Adult Social Care) commenting on the report had been circulated on 20th July.
- b) With regard to the items relating to school proposals referred to in minutes 35, 36 and 37 succinct reasons for the recommended decisions had been circulated on 20th July 2010.

32 **Declaration of Interests**

- a) Councillors Wakefield, Murray, Yeadon, Ogilvie, Dowson, Blake and R Lewis declared personal interests in the item relating to Primrose High School (minute 35) as members of the Co-op.
- b) Councillor Murray also declared a personal interest in the item relating to the Aire Valley Leeds (minute 47) as a member of the Aire Valley Regeneration Board and a personal and prejudicial interest in the item relating to Scrutiny Board recommendations (minute 46) as the Chief Executive of Learning Partnerships.
- c) Councillors Ogilvie and Blake also declared personal and prejudicial interests in the item relating to Neighbourhood Network Services (minute 34) as members of organisations involved in the bidding process.
- d) Councillor A Blackburn declared personal interests in the item relating to expansion of primary provision (minute 38) as a governor of Ryecroft Primary School and in the item relating to ALMO annual reports (minute 50) as a member of West North West Homes.

33 **Minutes**

RESOLVED – That the minutes of the meeting held on 22nd June 2010 be approved as a correct record subject to the addition of the following words at the end of resolution a) in minute 5:- “but that a more detailed report, which also refers to further concerns expressed by market traders, be brought to a future meeting of the Board.”

ADULT HEALTH AND SOCIAL CARE

34 **Neighbourhood Network Services**

The Director of Adult Social Services submitted a report presenting an independent review of the commissioning process for the awards of contracts for Neighbourhood Network services, on options for the future development of such services and contracts to support them and on proposals for the award of contracts. A page containing revised recommendations and the minute of

the Scrutiny Board (Adult Social Care) had been circulated subsequent to the despatch of the agenda.

RESOLVED –

- a) That contracts be awarded in the areas listed in para 5.2 of the report (1,2,5,6,7,8,9,10,11,12,14,16,17,19,21,22,23,24,26,27,28,29,31,32,33,36,37).
- b) That contracts be awarded in areas 18,20,30,25 and 35 for one year and that officers seek to resolve the award of long term contracts as soon as possible.
- c) That negotiations be held with Irish Health & Homes and the five existing providers in the east area, with a view to concluding an appropriate partnership or other similar arrangement as outlined in paragraph 5.7 through 5.10 of the submitted report, failing which, a further report be brought back to this Board.
- d) That action to ensure continuity of service as outlined in para 5.3 above in respect of areas 1 and 7 be supported.
- e) That the actions that will be taken in relation to learning from the procurement process be noted and that a further report on the integration of those actions into the Council's wider procurement processes be brought to this Board.
- f) That the operational links to Neighbourhood Networks be strengthened and that the implementation of the funding formula be reviewed annually.

(Under the provisions of Council Procedure Rule 16.5 Councillor Golton required it to be recorded that he abstained from voting in respect of part c) of the resolution.)

(Councillors Blake and Ogilvie, having declared personal and prejudicial interests, left the meeting.)

CHILDREN'S SERVICES

35 Outcome of Statutory Notices for Proposal to Close Primrose High School in 2011, Conditional upon Establishing an Academy

Further to minute 221 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report detailing the representations received in response to the statutory notices previously published with respect to Primrose High School and proposing the closure of the school and its replacement with an academy sponsored by the Co-operative Group of Companies (the Co-op) in September 2011.

RESOLVED –

- a) That the responses to the statutory notices be noted.
- b) That the views of School Organisation Advisory Board in regard to the proposal be noted.
- c) That, having considered the future of Primrose High as part of the national challenge, the Board judged that closure of the school and replacing it with an academy sponsored by the Co-Operative Group would deliver sustainable change and improvement in governance, leadership, the quality of teaching, and ultimately the outcomes achieved by young people attending the school.
- d) That approval be given to the discontinuance of Primrose High School on 31 August 2011 conditional upon the making of an agreement between the Secretary of State and the Co-op to establish an Academy on the same site on 1 September 2011.

36 Outcome of Statutory Notices for Proposal to Close City of Leeds School in September 2011

Further to minute 223 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report detailing the representations received in response to the statutory notices previously published with respect to City of Leeds School and proposing the retention of an 11-16 school on the site, supported by a collaborative trust.

RESOLVED –

- a) That the closure of City of Leeds School be not proceeded with.
- b) That an 11-16 school be retained on the site.
- c) That, having proposed to close City of Leeds as no other viable structural solutions had been identified as part of the response to the national challenge, during the course of the consultation process, wider partners, who were committed to the school, developed compelling alternative proposals and having asked a project team to explore and develop options, the Board is minded to accept the recommendation of this project team to retain a school on the site and build a new governing body comprising strong partners who are committed to delivering a fresh vision for the school.
- d) That new governance arrangements be established by September 2011 at the latest, with a refreshed vision which fuses the contribution of key partners and which is focused on maximising the progression of learners.

37 Outcome of Statutory Notices For Proposal to Close Parklands Girls High School in 2011, Conditional Upon Establishing an Academy

Final Minutes - Approved at the meeting held on Wednesday, 25th August 2010

Further to minute 222 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report detailing the representations received in response to the statutory notices previously published with respect to Parklands Girls High School and proposing the closure of the school and replacing it with a co-educational academy sponsored by E-ACT in September 2011.

RESOLVED –

- a) That the responses to the statutory notices be noted.
- b) That the views of the School Organisation Advisory Board in regard to the proposal be noted.
- c) That, having considered the future of Parklands girls High school as part of the national challenge, the Board judged that closure of the school and replacing it with a co-educational academy sponsored by the E-ACT would deliver sustainable change and improvement in governance, leadership, the quality of teaching, and ultimately the outcomes achieved by young people attending the school.
- d) That approval be given to the discontinuance Parklands Girls High School on 31 August 2011, conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an academy on the same site on 1 September 2011.

38 Outcome of Statutory Notices for Proposals for Expansion of Primary Provision for September 2011

Further to minute 218 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report on the outcome of consultations on prescribed alterations to change the admission limits of Blackgates, Clapgate, Ryecroft and Windmill Primary Schools and proposing that the alterations be progressed.

RESOLVED –

- a) That it be noted that there were no responses to the statutory notice
- b) That the following proposed alterations be approved:-
 - i) increase the admission limit of Blackgates Primary School from 45 to 60 and overall capacity from 300 to 420 and
 - ii) increase the admission limit of Clapgate Primary School from 45 to 60 and overall capacity from 315 to 420 and
 - iii) increase the admission limit of Windmill Primary School from 45 to 60 and overall capacity from 315 to 420 and

- iv) increase the admission limit of Ryecroft Primary School from 30 to 60 and overall capacity from 210 to 420.

39 Outcome of Statutory Notices for Changes to Primary Age Provision in Horsforth for September 2011

Further to minute 217 of the meeting held on 7th April 2010 The Chief Executive of Education Leeds submitted a report on the outcome of consultations on prescribed alterations to change the age ranges and admission limits of Horsforth Featherbank Infant School and Horsforth Newlaithes Junior School from September 2011 and proposing that the changes be progressed.

RESOLVED –

- a) That the response to the statutory notices be noted
- b) That the views of School Organisation Advisory Board in regard of the proposals be noted
- c) That the following proposed alterations be approved:-
 - i) decrease the lower age range of Horsforth Newlaithes Junior School from 7-11 to 4-11, with an admission limit of 60, and with an overall capacity of 420 children and
 - ii) increase the age range of Horsforth Featherbank Infant School from 4-7 to 4-11, and decrease the admissions number from 60 to 30, with an overall capacity of 210 children.

40 Provision of New Sports Facilities at St Mary's School, Menston

The Chief Executive of Education Leeds submitted a report on the proposed implementation of the scheme at St Mary's Catholic Comprehensive School to provide a new fenced and floodlit artificial surface football pitch and drainage works to existing grass pitches.

RESOLVED –

- a) That approval be given to the proposed scheme at St. Mary's Catholic Comprehensive School to provide a new fenced and floodlit 3G artificial surface football pitch with drainage works to existing pitches.
- b) That approval be given to the injection of a DCSF Specialist Sports Colleges Facilities grant in the sum of £350,000, and a Football Foundation grant in the sum of £325,000 into the approved capital programme.
- c) That expenditure from capital scheme number 16126/000/000 in the sum of £675,000 be authorised.

DEVELOPMENT AND REGENERATION

41 Housing Appeals

(a) Housing Appeals – High Court Decision

The Director of City Development submitted a report providing an update on the progress made in relation to a number of appeals against the Council's refusal of planning permission for housing on Greenfield sites, with specific reference to the recent outcome of a High Court case regarding land at Greenlea, Yeadon.

Following consideration of the appendix to the report designated as exempt under Access to Information Procedure Rule 10.4(5) which was considered in private at the conclusion of the meeting it was

RESOLVED –

- a) That the decision not to challenge the Court's judgement on Greenlea, Yeadon be endorsed.
- b) That the legal challenges on the cases at Pudsey Road, Swinnow; Milner Lane, Robin Hood; Selby Road, Garforth and Bagley Lane, Farsley be withdrawn.
- c) That this decision is exempt from the provisions of Call In because of the need to advise the Court of the Council's stance on these matters at the earliest opportunity.

(b) Housing Appeals – Issues arising from the Proposed Abolition of the Regional Spatial Strategy and Regional Housing Budgets

The Director of City Development submitted a report outlining a proposed approach towards those planning appeals which remain in the system, still to be determined, in light of the new coalition government's proposals to abolish the Regional Spatial Strategy (RSS) and its associated housing targets.

Copies of a letter from the Home Builders Federation were circulated in the meeting. The letter submitted for the Board's consideration a counter position to the one contained in the submitted report and extended to some ten pages in length. The Board were not able to give proper consideration to the proposals contained in the letter and agreed to therefore express a provisional view based on the submitted report pending the submission of a further report to the Board.

RESOLVED – That, in the absence of a Regional Spatial Strategy and in the context of the latest government advice, the Council's provisional view on land supply and the 5-year requirement be based on the annual requirement of 2,260 p.a. net set out in the Draft Regional Spatial Strategy.

ADULT HEALTH AND SOCIAL CARE

42 Personalisation of Adult Social Care: Update on Implementation of Self Directed Support

The Director of Adult Social Services submitted a report on ongoing work in developing and implementing self directed support, a key element of the Putting People First agenda around increasing choice and control for service users and on proposals for the adoption of new assessment and care management processes to enable new customers to be offered a personal budget from August 2010.

RESOLVED –

- a) That the Board notes the good progress made in Leeds ,towards the development of a more personalised system of social care through the Self Directed Support project and other initiatives, having met and exceeded the Government Office target for SDS for 2009/10.
- b) That the Board acknowledges the scale and scope of the transformation agenda, the challenge it represents and endorses the approach taken in Leeds to deliver successful change and roll out the SDS model to existing and new service users.
- c) That the Board notes the impact SDS will have on existing service provision including directly provided services and commissioned services in Leeds, and the need to accelerate the transformation of these services to meet the challenges and impact of personalisation and customer choice.
- d) That further progress reports be brought to this Board in support of the continuing direct engagement of elected members in these developments, together with member involvement in workshops, seminars and conferences.
- e) That the adoption of new business processes from July 2010, that will enable all new customers and those requesting reassessment following a review to be offered a Personal Budget, be endorsed.

RESOURCES AND CORPORATE FUNCTIONS

43 Treasury Management Annual Report 2009/2010

The Director of Resources submitted a report on a review of treasury management strategy and operations 2009/10

RESOLVED – That the treasury management outturn position for 2009/10 be noted.

44 Financial Support to Leeds City Credit Union

Prior to consideration of this matter the Assistant Chief Executive (Corporate Governance) offered advice as to the nature of the interests of those

members of the Board who were members of the Credit Union. Upon receipt of the advice Councillors Blake, Dowson, R Lewis, Murray and Ogilvie declared personal and prejudicial interests as members of Leeds City Credit Union and left the meeting during the consideration of this matter.

The Deputy Chief Executive submitted a report on the support given by the Council to the Credit Union, on a proposal to use Yorkshire Forward financial inclusion funding to reduce the Council loan commitment to the Union and proposed further work in relation to branch network requirements.

RESOLVED -

- a) That the continued support being provided by officers of the Council to the credit union be noted.
- b) That the further information in the report in relation to LCCU and the promotion of financial inclusion be noted.
- c) That the intention for LCCU to maintain a 7 branch cash network for the rest of the year and the financial support package which has been developed for this purpose be noted.
- d) That approval be given to the use of Yorkshire Forward financial inclusion funding to reduce the £2m Council loan commitment to LCCU by £900,000 to £1,100,000.
- e) That the intention to undertake further work which will consider the branch network requirements post March 2011 (including potential funding), taking into account both LCCU's future vision and the Council's financial inclusion objectives, be noted.

45 Marketing Leeds - Annual Report 2009

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

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

RESOLVED – That the report be noted.

46 Scrutiny Board Recommendations

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

RESOLVED – That the responses to Scrutiny Board recommendations be noted and that the one recommendation addressed specifically to this Board be agreed.

(Councillor Murray, having declared a personal and prejudicial interest, left the meeting during consideration of this matter.)

DEVELOPMENT AND REGENERATION

47 Update Report on Aire Valley Leeds and Accelerated Development Zone

The Directors of Resources, City Development and of Environment and Neighbourhoods submitted a report outlining the progress made with respect to proposals promoting the sustainable development of the Aire Valley Leeds area (AVL) and seeking support of the Board to the principle of an urban-eco settlement.

RESOLVED –

- a) That the impact the Urban Eco Settlement proposals have for the Area Action Plan be noted and that approval be given to the proposed revisions to the boundary for the Aire Valley Leeds AAP area.
- b) That the proposed Leeds City Region Urban Eco Settlement programme and the opportunity to deliver an Urban Eco Settlement in the Aire Valley Leeds area be noted.
- c) That the Directors of City Development and Environment and Neighbourhoods be authorised to undertake development work on the Urban Eco Settlement in the Aire Valley Leeds.
- d) That the Board notes the funding that may be provided to the Council through the Leeds City Region from the department for Communities and Local Government for the low carbon retrofit testing, which should prove to be a high priority capital investment for Leeds City Region, which also needs revenue support for appropriate monitoring.
- e) That the key funding, risk and governance issues associated with Accelerated Development Zones be noted.
- f) That the Director of Resources be authorised to develop and submit proposals for a pilot Accelerated Development Zone in the Aire Valley Leeds subject to a further report to this Board at the outline business case stage for the project.

48 Leeds South Bank Planning Statement and City Centre Park

The Director of City Development submitted a report on the preparation of a Planning Framework for the redevelopment of the Leeds South Bank and on progress made to date on the proposal for a new City Centre Park.

RESOLVED –

- a) That the content of the report be noted.

- b) That approval be given to the Draft South Bank Planning Statement as a basis for public consultation and that the outcome, including any changes to the statement, be reported back to this Board.
- c) That officers continue to liaise with the principal landowners concerning their specific development proposals to ensure that they are complementary to the City's aspiration for a City Centre Park.
- d) That officers open discussions with land owners in relation to the development of these proposals.
- e) That an Outline Business Case for the City Centre Park based on a phased implementation plan be developed.

49 Development Proposals for the Sovereign Street Site

The Director of City Development submitted a report providing an update on the work undertaken on the potential redevelopment of Sovereign Street and on proposals to progress the development.

Following consideration of the appended report to the covering report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

RESOLVED –

- a) That a Draft Planning Statement be prepared, based on the mix of uses outlined in the report, including high quality greenspace.
- b) That officers progress the phased delivery of the site for redevelopment based on the proposals outlined in the exempt report and report back to this Board once greater certainty has been obtained on the capital and revenue values that may be generated.

NEIGHBOURHOODS AND HOUSING

50 ALMO Annual Reports 2009/2010

The Director of Environment and Neighbourhoods submitted a report presenting the annual reports for the three ALMOs and the Belle Isle Tenant Management Organisation.

RESOLVED – That the contents of the 2009/10 ALMO and Belle Isle Tenant Management Organisation annual reports be noted.

51 Homeless Prevention Fund and Breathing Space Initiative

The Director of Environment and Neighbourhoods submitted a report outlining a proposed amendment to the criteria for the Homeless Prevention Fund, in addition to the proposed participation of Leeds City Council in the Breathing Space home loss prevention initiative, administered by Wakefield District Council.

RESOLVED –

- a) That approval be given to change the existing Homeless Prevention Fund arrangements so that an affordable loan option can be offered to households to prevent their homelessness.
- b) That Leeds City Council becomes a member of the Breathing Space scheme.

52 Leeds Supporting People Programme

The Director of Environment and Neighbourhoods submitted a report providing an update on the Leeds Supporting People programme, highlighting its achievements to date and the challenges it faces during 2010/2011.

RESOLVED – That the report be noted and that annual reports be brought to the Board on this subject.

53 Area Committees: Amendments to Well Being Funds Allocations

The Director of Environment and Neighbourhoods submitted a report on options and implications of a revised weighting between population and deprivation, the determination of the allocation of well-being resources to Area Committees and a proposed amendment to the current weighting.

RESOLVED – That current formula of 75% per capita and 25% level of deprivation be changed to 50% per capita and 50% level of deprivation, for the allocation of well-being resources to Area Committees, with immediate effect.

(Under the provisions of Council Procedure Rule 16.5 Councillors A Blackburn and Golton required it to be recorded that they voted against this decision.)

DATE OF PUBLICATION: 23rd July 2010
LAST DATE FOR CALL IN: 30th July 2010

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on 2nd August 2010)

EXECUTIVE BOARD

MONDAY, 16TH AUGUST, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors J Blake, R Lewis, T Murray,
L Yeadon, A Blackburn, S Golton and
B Anderson

54 Substitute Member

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

55 Late Items

There were no late items as such, but it was noted that supplementary information had been circulated to Members following the despatch of the agenda in the form of a letter dated 13th August 2010 from the Home Builders Federation.

56 Home Builders Federation

Further to Minute No. 41(b), 21st July 2010, the Director of City Development submitted a report reviewing a letter received from the Home Builders Federation (HBF) which had initially been circulated at the Executive Board meeting of 21st July 2010. The report also sought confirmation of the interim housing target of 2,260 p.a. which had been provisionally agreed at that same meeting.

The contents of the letter circulated at the 21st July 2010 Board meeting focussed upon the proposals detailed within a report submitted to that same meeting on the implications arising from the abolition of the Regional Spatial Strategy (RSS) and regional housing targets.

As Members had deemed the correspondence too detailed for consideration at short notice on 21st July 2010, the Board provisionally formed the Council's view that land supply and the 5 year requirement was to be based upon the annual requirement of 2,260 p.a. net, as set out in the draft Regional Spatial Strategy. In addition, the Board sought the submission of a further report in response to the letter, in order to enable proper consideration to be given to the matters raised by the HBF when determining the adoption of an interim housing target.

In addition to the initial correspondence received from the HBF, a further letter, dated 13th August 2010 had been received from the HBF and circulated for Board Members' consideration prior to the commencement of the meeting.

RESOLVED –

(a) That the contents of the report be noted;

Draft minutes to be approved at the meeting
to be held on Wednesday, 13th October 2010

- (b) That following provisional agreement on 21st July 2010, an interim housing target of 2,260 p.a. be adopted;
- (c) That the decisions detailed above be exempt from the provisions of Call In because of the need for the Council to establish a position on such matters as soon as possible, due to the number of undetermined planning appeals which are currently pending and more specifically, to establish such a position prior to the commencement of a public inquiry relating to land at Allerton Bywater beginning on 23rd August 2010.

EXECUTIVE BOARD

WEDNESDAY, 25TH AUGUST, 2010

PRESENT: Councillor K Wakefield in the Chair

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

Councillor J Dowson – Non-Voting Advisory Member

57 Substitute Member

Under the terms of Executive Procedure Rule 2.3, Councillor Mulherin was invited to attend the meeting on behalf of Councillor Ogilvie.

58 Exempt Information - Possible Exclusion of the Press and Public

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

- (a) Appendix 1 to the report referred to in Minute No. 62, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained therein relates to the commercial position of the City Council in respect of the proposed procurement. Therefore, the public interest in maintaining the confidentiality outweighs the public interest in disclosing such information.

Appendix 4 to the report referred to in Minute No. 62, which has been placed in the Members' Library for inspection, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains information about the commercial position of the City Council. Therefore the public interest in maintaining confidentiality outweighs the public interest in disclosing such information.

- (b) Appendix 2 to the report referred to in Minute No. 71(b), under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains information relating to the financial or business affairs of third parties and also contains information which is subject to ongoing negotiations. As such, the release of this information would be likely to prejudice the interest of all the parties concerned. Whilst there may be a public interest in disclosure, in all the circumstances of the case maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time.

- (c) Appendix 2 to the report referred to in Minute No. 74, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption in relation to this information outweighs the public interest in disclosure, by reason of the fact that it contains information and financial details which, if disclosed, would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

59 Late Items

There were no late items as such, however it was noted that supplementary information had been circulated to Board Members prior to the meeting which provided details of the equality impact assessment undertaken in respect of the proposals within the report on grant reductions (Minute No. 71(b) refers).

60 Declaration of Interests

Councillor Yeadon declared a personal interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being a former employee of an organisation referred to in exempt appendix 2 of the submitted report and having close personal connections with employees of that organisation.

Councillor Murray declared a personal interest in the item relating to the lease of the St. Aidan's Trust Land to the RSPB (Minute No. 76 refers), as a Council representative on the St. Aidan's Trust Fund and Trust Land Advisory Committee. Councillor Murray also declared a personal interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being a Director of an organisation referred to in exempt appendix 2 of the submitted report and a personal and prejudicial interest in this item as the Chief Executive of a separate organisation detailed within the same appendix.

Councillor Blake declared a personal interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being vice chair of the trustees of an organisation referred to in exempt appendix 2 of the submitted report.

Councillor Wakefield declared a personal and prejudicial interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being a member of and having close personal connections with an organisation referred to in exempt appendix 2 of the submitted report.

Councillor Golton declared a personal interest in the item relating to the Primary Capital Programme (Minute No. 66 refers), due to his position of governor of Oulton Primary School.

A further declaration of interest was made at a later point in the meeting. (Minute No. 66 refers).

61 Minutes

Having taken in to consideration comments made in respect of Minute No. 34, entitled, 'Neighbourhood Network Services', it was

RESOLVED – That the minutes of the meeting held on 21st July 2010 be approved as a correct record, subject to the addition of the following words at the end of resolution (c) to Minute No. 34 for the purposes of clarification: “failing which, a further report be brought back to this Board.”

62 Introduction of the New Chief Executive

On behalf of the Board, the Chair introduced Tom Riordan, as this marked the first ordinary meeting of Executive Board since he began his tenure as Chief Executive.

NEIGHBOURHOODS AND HOUSING

63 Round 6 PFI Outline Business Case: Lifetime Neighbourhoods for Leeds

Further to Minute No. 188, 12th February 2010, the Director of Environment and Neighbourhoods submitted a report proposing the submission of the Lifetime Neighbourhoods for Leeds Outline Business Case (OBC) to the Homes and Communities Agency under the national Round 6 PFI Housing programme. In addition, the report also sought approval of the proposed revisions to the project’s scope, sites and affordability position.

Following consideration of appendix 1 to the report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, and appendix 4 to the report, which was also designated as exempt under Access to Information Procedure Rule 10.4(3) and made available for Board Members’ inspection via the Members’ Library, it was

RESOLVED –

- (a) That the submission of the Lifetime Neighbourhoods for Leeds Outline Business Case under the national Round 6 PFI Housing programme, as detailed at exempt Appendix 4 to the submitted report, which had been placed within the Members’ Library for Board Members’ inspection, be approved.
- (b) That the revised scope of the project, as set out in paragraph 4.3 of the submitted report, be approved.
- (c) That the inclusion of seven of the sites in the project, as approved by Executive Board on 12th February 2010 be confirmed as follows:

- (1) Brooklands Avenue, Central Seacroft, (part of) Killingbeck & Seacroft Ward
- (2) Primrose High School, Burmantofts, (part of) Burmantofts & Richmond Hill Ward
- (3) Beckhill Approach/Garth, Meanwood, Chapel Allerton Ward
- (4) Farrar Lane, Holt Park – sheltered housing, Adel & Wharfedale Ward
- (5) Haworth Court, Yeadon, Otley & Yeadon Ward
- (6) Mistress Lane, Armley, Armley Ward
- (7) Acre Mount, Middleton, Middleton Park Ward

Draft minutes to be approved at the meeting to be held on Wednesday, 13th October, 2010

- (d) That the inclusion of the four additional sites in the OBC, as set out below and as detailed in appendix 2 to the submitted report be approved subject to consultation:
- (1) Cranmer Gardens, Moor Allerton, Alwoodley Ward
 - (2) Rocheford Court, Hunslet, City & Hunslet Ward
 - (3) Parkway Close, South Parkway, Seacroft, Killingbeck & Seacroft Ward
 - (4) Wykebeck Mount, Osmondthorpe, Temple Newsam Ward
- (e) That the affordability position, as set out in the financial appraisal in exempt Appendix 1 to the submitted report, be approved.
- (f) That the service charge assumptions for the extra care accommodation, as included in paragraph 9.2 of the submitted report, be approved.
- (g) That the City Council's anticipated financial contribution to the project, as agreed by Executive Board on 12th February 2010, be noted.

64 Regional Housing Board Programme 2008-2011: Acquisition and Demolition Schemes Update

The Regional Housing Programme Board submitted a report outlining proposals to rescind approvals previously approved in respect of the Holbeck Phase 4 acquisition and demolition scheme for the purposes of transferring funding to other acquisition and demolition schemes as detailed within the submitted report, in order to enable the remaining demolitions to take place before March 2011.

RESOLVED -

- (a) That £580,000 be rescinded from the Holbeck Phase 4 acquisition and demolition scheme and that the revised cash flow position be agreed.
- (b) That scheme expenditure, as set out in appendix B to the submitted report be authorised in order to complete the demolitions and clearance of the 5 sites in the Beverleys, Holbeck Phases 1, 2 and 3 and Cross Green Phase 2.

CHILDREN'S SERVICES

65 Children's Services Improvement Update Report

The Interim Director of Children's Services submitted a report providing an update on the implementation of Leeds' Improvement Plan for Children's Services and the work of the Improvement Board, the transformation programme aimed at providing an integrated delivery model for children's services and the development of a new Children and Young People's Plan for the city.

On behalf of the Board, the Chair paid tribute to and thanked the Interim Director of Children's Services, Eleanor Brazil, as this was potentially the final Board meeting in which she would be in attendance.

Following the high levels of attainment achieved in the recent GCSE and Alevel results, in addition to the positive fostering inspection report which had been received, the Board paid tribute to and thanked all of those involved.

RESOLVED -

- (a) That the progress made against the Improvement Plan for Children's Services in Leeds and the work of the Improvement Board undertaken to support this be noted.
- (b) That the intention to consult on, and then develop a new Children and Young People's Plan for Leeds, intended to be ready by spring 2011, be noted.
- (c) That the progress made to date on the transformation programme and the next steps designed to develop and propose a revised leadership structure and model for integrated service delivery and integrated business support functions, which will be brought back to Executive Board in autumn 2010, be noted and endorsed.

66 Primary Capital Programme: Works at Richmond Hill, Swillington, Saints Peter and Paul, Gildersome, Greenhill and Oulton Primary Schools

The Chief Executive of Education Leeds submitted a report on the proposed building of three new school buildings for Richmond Hill Primary School, Swillington Primary School and Saints Peter and Paul Catholic Primary School, Yeadon, and on the extension and refurbishment of buildings at Gildersome Primary School, Greenhill Primary School and Oulton Primary School.

RESOLVED –

- (a) That the design proposals in respect of the schemes to new build schools at Richmond Hill, Swillington and Saints Peter and Paul, and extension and refurbishment works at Gildersome, Greenhill and Oulton be approved.
- (b) That the injection of Governors' contribution to scheme number 15178/PET of £393,700 be approved.
- (c) That authority be given to incur expenditure of £33,125,500 from capital scheme numbers 15178/RIC, SWI, PET, GIL, GRE and OUL.

(Councillor Golton declared a personal interest in this item, having attended Richmond Hill Primary School)

67 Design and Cost Report and Final Business Case: Building Schools for the Future Phase 3: Corpus Christi Catholic College

The Chief Executive of Education Leeds submitted a report which sought approval of the Final Business Case in respect of the Corpus Christi Catholic College project for submission to the Partnerships for Schools organisation. The Final Business Case had been placed within the Members' Library for inspection.

RESOLVED – That the Final Business Case for the Corpus Christi Catholic College project be approved, and the submission of the Final Business Case to Partnerships for Schools be authorised.

LEISURE

68 Crematoria Mercury Abatement

The Acting Director of City Development submitted a report outlining proposals on how the Council intended to meet Government legislation targets in respect of mercury emissions abatement during the cremation process and providing details of how the Council proposed to renew its cremation facilities on a phased basis.

Members received assurances that cremations would be undertaken at a specified crematorium, that bodies would not be transferred between crematoria for the purposes of cremation and that such matters would be dealt with as sensitively as possible when accommodating service users' preferences.

RESOLVED –

- (a) That the legislative requirements relating to mercury abatement and the need to implement a solution by 2012 be noted.
- (b) That the preferred approach to replace cremators and abate mercury at Rawdon by December 2012, as detailed within the submitted report, be approved.
- (c) That the longer-term strategy to replace cremators at Cottingley in 2016 and to replace cremators and consider future abatement for mercury at Lawnswood in 2018 be agreed, subject to further detailed business cases and funding plans being brought forward.
- (d) That in order to ensure this strategy meets the target of 50% mercury abatement by the end of 2012, the Board notes that it will be necessary to increase the proportion of cremations at Rawdon until abatement is fitted at Lawnswood.
- (e) That the initiation of the design and development of the specification for Rawdon, which will be funded from Prudential Borrowing and a continuing surcharge on cremations, be approved.

- (f) That a fully funded injection of £2,900,000 into the Capital Programme be agreed in order to finance Mercury Abatement works, financed through the Council exercising its prudential borrowing powers using the fees generated by the environmental surcharge introduced for this purpose in 2008.
- (g) That a Design and Cost Report be submitted to Executive Board once a more detailed cost estimate for the Rawdon works has been developed, and that further information on the proposals relating to the future provision of the service be submitted to the Board for consideration at that time.

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

69 Design and Cost Report: The Development of Middleton Park through a Heritage Lottery Fund Parks for People Grant

Further to Minute No. 132, 9th December 2009, the Acting Director of City Development submitted a report detailing proposals to spend the £1,797,929 which had previously been injected into the capital programme, outlining the proposed capital development works and cost profile of the scheme, and regarding the processes for the acceptance of the £1,465,000 Heritage Lottery Fund grant and the delegation of relevant approvals.

RESOLVED -

- (a) That expenditure against the injection of £1,797,929 made into the 2010/11 Capital Programme by Executive Board in December 2009 be approved.
- (b) That the proposed capital development works and the cost profile of the scheme be noted.
- (c) That acceptance of the £1,465,000 grant be authorised and related approvals be delegated to the Chief Recreation Officer.

ADULT HEALTH AND SOCIAL CARE

70 Response to the Deputation to Council - The Access Committee for Leeds Regarding "Please Help us to Save Woodlands Respite Care Centre, York"

The Director of Adult Social Services submitted a report in response to the deputation to Council, entitled, 'Please help us to save Woodlands Respite Care Centre, York', from members of the Access Committee for Leeds on 14th July 2010.

It was suggested that further work was undertaken with other local authorities in a bid to identify an alternative service provider.

RESOLVED –

- (a) That the response to the deputation and the proposed actions of Adult Social Services officers, as outlined within the submitted report, be noted.
- (b) That should an alternative service provider not be found, a report be submitted to a future meeting of the Board providing an update on the work undertaken to support the affected service users.

RESOURCES AND CORPORATE FUNCTIONS

71 Financial Health Monitoring 2010/2011

(a) Financial Health Monitoring 2010/2011: First Quarter Report

The Director of Resources submitted a report providing an update on the financial health of the authority for 2010/2011 after three months of the financial year. The report provided details of the revenue budget, the housing revenue account and Council Tax collection rates. The report also identified a number of pressures, particularly in relation to income and demand led budgets and the actions being taken by directorates to address such pressures.

RESOLVED –

- (a) That the projected financial position of the authority after three months of the new financial year be noted, and that directorates be requested to continue to develop and implement action plans which are robust and which will deliver a balanced budget by the year end.
 - (b) That a virement of £500,000 from the training budget into the domiciliary care budget, as detailed within the submitted Adult Social Care report, be approved.
 - (c) That the reallocation of budgets within Adult Social Care to reflect revised management arrangements, as detailed within the submitted Adult Social Care report, be noted.
- (b) Reductions In Grants: Implications for Services
Further to Minute No. 16, 22nd June 2010, the Director of Resources submitted a report providing details of the implications for Leeds arising from the grant reductions to Local Authorities announced by Government as part of its accelerated deficit reduction plan and outlining proposals to deal with such reductions.

Supplementary information had been circulated to Board Members prior to the meeting which provided details of the equality impact assessment undertaken in respect of the proposals detailed within this report.

Officers undertook to provide the relevant Board Members with information in response to issues raised during the consideration of this item in respect of specific organisations detailed in exempt appendix 2.

The Chief Executive invited Members to submit any views they had in respect of how potential impacts could be effectively assessed as part of the overall budgetary process.

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

RESOLVED –

- (a) That the following virements in respect of the in year reductions in grants, as detailed at paragraph 2.1 of the submitted report be approved:
- a virement from the Strategic budget to services to reflect the reductions in Area Based Grant and the LPSA2 Reward grant which are held centrally;
 - a virement within City Development directorate to reflect the loss of Housing and Planning Delivery Grant and Free Swimming grant;
 - a virement within Children’s Services in respect of Nursery Education Pathfinder Grant, Buddying, Playbuilder, Training and Development Agency, Contact Point, Harnessing technology and Local Delivery Support grants.
- (b) That the reductions in expenditure/additional income, as detailed in Appendix 1 to the submitted report, be approved.
- (c) That the proposed reductions in payments to external providers, as detailed at exempt appendix 2 to the submitted report be noted, with the relevant decisions being taken by officers under delegated powers in consultation with the appropriate Executive Members when negotiations have been concluded.

(Having declared a personal and prejudicial interest in relation to the matter considered at Minute No. 71(b), due to being a member of and having close personal connections with an organisation referred to in exempt appendix 2 of the submitted report, Councillor Wakefield vacated the Chair in favour of Councillor R Lewis and withdrew from the meeting room for the duration of this item)

(Having declared a personal and prejudicial interest in relation to the matter considered at Minute No. 71(b), as the Chief Executive of an organisation referred to in exempt appendix 2 of the submitted report, Councillor Murray withdrew from the meeting room for the duration of this item)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had abstained

from voting on the matters referred to within Minute Nos. 71(a) and 71(b))

72 Capital Programme Update 2010-2014

The Director of Resources submitted a report providing an updated financial position on the 2010-2014 Capital Programme, detailing the implications of the recent reductions in capital grants announced by Government, reporting on a review of uncommitted schemes which had taken place and detailing a small number of capital projects for which specific approvals were sought.

RESOLVED –

- (a) That approval to spend of £3,051,000 on the vehicle replacement programme be confirmed.
- (b) That authority be given to spend £3,138,000 on the equipment replacement programme.
- (c) That the capital review process currently underway, which will be reported back to Executive Board at a later date, be noted.
- (d) That an injection of £300,000 to the capital programme, funded through unsupported borrowing be approved, and authority to spend be given in respect of the relocation of services from Blenheim and Elmete to Adams Court.
- (e) That the removal of the remaining funding of £1,300,000 for the City Card scheme be approved.
- (f) That an injection into the capital programme of £1,300,000 be approved in order to implement the first phase of the Home Insulation scheme, with all relevant details being presented to a future meeting of Executive Board for approval.
- (g) That approval be given to the use of the balance of Adult Social Care fire safety funding to address identified fire safety risks across all operational buildings within the Corporate Property Management portfolio.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had abstained from voting on this matter)

73 Shared Business Rates Service

The Director of Resources submitted a report on the proposed establishment of a shared service for the billing and collection of Business Rates for Leeds and Calderdale businesses which would be delivered by Leeds City Council. The report provided information on the work undertaken to date and detailed the timescales in which a shared service could be delivered.

RESOLVED –

- (a) That authority be delegated to the Director of Resources to enable him to make the necessary decisions and approvals to allow the scheme to proceed.
- (b) That the Board be provided with updates regarding the development of further partnership arrangements being established with other local authorities as and when appropriate.

74 Transforming Leeds: Phase 1 Changing the Workplace

The Director of Resources submitted a report which provided an update on the Changing the Workplace programme, particularly focussing upon proposals to rationalise and modernise the Council's city centre office portfolio, in order to support the delivery of further long term efficiencies. The report sought approval to move forward with negotiations and related work on a preferred accommodation option in the city centre and highlighted areas where the programme could deliver short term benefits within the context of the wider business transformation programme.

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

RESOLVED –

- (a) That the overarching business transformation context, as outlined within the submitted report, be noted.
- (b) That the recommendations for progressing phase 1 of the Changing the Workplace programme, as detailed at paragraph 7 of exempt appendix 2 to the submitted report, be approved.

75 Regulation of Investigatory Powers Act 2000 - Adoption of a New Council Policy

The Chief Officer (Legal, Licensing and Registration Services) and the Director of Environment and Neighbourhoods submitted a joint report outlining the Council's proposed policy on covert surveillance conducted under the Regulation of Investigatory Powers Act (RIPA) 2000.

RESOLVED – That the proposed policy in respect of the Regulation of Investigatory Powers Act 2000, as set out in Appendix 1 to the submitted report, be approved.

DEVELOPMENT AND REGENERATION

76 Lease of the St. Aidan's Trust Land to the Royal Society for the protection of Birds

Further to Minute No. 38, 6th July 2005, the Acting Director of City Development submitted a report regarding the proposed completion of a lease to the Royal Society for the Protection of Birds (RSPB) in respect of former opencast coal and coal mining land between Methley and Swillington.

Officers undertook to provide the relevant Board Members with briefings on matters which were raised during the consideration of this item, specifically in relation to visitor numbers and access issues.

The Board gave particular thanks to Max Rathmell for his efforts throughout the development of this long running project.

RESOLVED –

- (a) That the completion of the lease to the RSPB, based on the Heads of Terms outlined within Appendix 1 to the submitted report, be agreed as soon as practically possible after the transfer of the Trust Land to the St. Aidan's Trust, and that this matter be delegated to the Acting Director of City Development on completion of any outstanding documentation.
- (b) That officers continue to explore the opportunities for the wider involvement of the RSPB in the development of the Lower Aire Valley as a major recreational and wildlife resource.

DATE OF PUBLICATION: 27th August 2010
LAST DATE FOR CALL IN: 6th September 2010 (5.00 p.m.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 7th September 2010)

SCRUTINY BOARD (ADULT SOCIAL CARE)

MONDAY, 19TH JULY, 2010

PRESENT: Councillor T Hanley in the Chair

Councillors J Chapman, B Cleasby,
P Davey, S Hamilton, A Hussain,
V Kendall, M Lyons, K Renshaw,
D Schofield and S Varley

Co-opted Members: Joy Fisher – Alliance of Service Users and Carers
Sally Morgan – Equality Issues

9 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair consented to the submission of the following late items of business:

- Agenda Item 8 – Adult Social Care Commissioning Services and Neighbourhood Review Update – report late due to awaiting information as published in Executive Board Agenda for 21 July 2010. (Minute No. 14 refers)
- Agenda Item 10 – Inquiry Into Supporting Working Age Adults with Severe and Enduring Mental Health Problems (Minute No. 16 refers)

10 Declarations of Interest

The following declarations of interest were made:

- Councillor Hanley – Agenda Item 8 – Adult Social Care Commissioning Services and Neighbourhood Network Review Update – Personal and Prejudicial due to his positions as a Director of Bramley Elderly Action and Member of Upbeat. (Minute No. 14 refers).
- Councillor Kendall – Agenda Item 8 – Adult Social Care Commissioning Services and Neighbourhood Network Review Update – Personal and Prejudicial due to her position on the Community Action for Roundhay Elderly (CARE) Management Committee. (Minute No. 14 refers).
- Councillor Lyons – Agenda Item 8 – Adult Social Care Commissioning Services and Neighbourhood Network Review Update – Personal and Prejudicial due to his position as a Member of Halton Moor and Osmondthorpe Project for Elders (HOPE). (Minute No. 14 refers).
- Councillor Varley – Agenda Item 8 – Adult Social Care Commissioning Services and Neighbourhood Network Review Update – Personal and Prejudicial due to her position as a Member of Morley Elderly Action. (Minute No. 14 refers).
- Joy Fisher – Agenda Item 7 – Leeds LINK Annual Report – Personal as Co-Chair of the Leeds LINK and Agenda Item 11 – Leeds

Safeguarding Adults Partnership Annual Report 2009/10 as a Voluntary Sector Member of the Safeguarding Leeds Committee (Minute No. 13 refers).

11 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Pryke and an apology was sent on behalf of Councillor Cleasby who would be arriving late.

12 Minutes - 23 June 2010

RESOLVED – That the minutes of the meeting held on 23 June 2010 be confirmed as a correct record subject to the inclusion of Councillor Davey's apologies for absence.

13 Leeds LINK Annual Report

The report of the Head of Scrutiny and Member Development provided the Board with the 2009/10 Annual Report for the Leeds Local Involvement Network (LINK).

The Chair welcomed Arthur Giles, Co-Chair of the Leeds Link and Emily Wragg, Shaw Trust to the meeting.

It was reported that this was the second annual report of the LINK and it gave a background to the role of the LINK and how it operates. There had been a focus on raising the profile of the LINK and it was stressed that this needed to be raised across the whole city to represent the public and service users. There was a desire to increase the membership of the LINK and Board Members were asked to consider joining. New workstreams of the LINK had been developed and a draft work plan would be available by the end of the month. It was agreed to circulate the draft work plan to the Board.

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

- Potential interests of Member's who joined the LINK – it was reported that there was no barrier to Elected Members joining the LINK and it was not envisaged that this would cause any concern at future meetings of the Scrutiny Board (Adult Social Care).
- The LINK worked closely with NHS Leeds, The Hospital Trusts and also with Adult Social Services, particularly in relation to the personalisation agenda.

The Chair thanked Arthur Giles and Emily Wragg for their attendance.

RESOLVED – That the report be noted.

14 **Adult Social Care Commissioning Services and Neighbourhood Network Review Update**

(Councillor Davey was elected as Chair for this item)

The report of the Deputy Director, Strategic Commissioning provided Members with an update on progress made with the review of the Neighbourhood Network Schemes (NNS) and other commissioning initiatives. A report due to be considered at the Executive Board meeting on 21 July 2010 was submitted which detailed recommendations for the provision of Neighbourhood Network Services and also included the review brief 'Independent Review of the Procurement and Commissioning for Neighbourhood Network Schemes'. Revised wording of the recommendations detailed on page 16 was also submitted to the Board.

The following officers were in attendance for this item:

- Sandie Keene – Director of Adult Social Services
- Dennis Holmes – Deputy Director, Strategic Commissioning
- Nicole Jackson – Assistant Chief Executive (Corporate Governance)
- Wayne Baxter – Chief Procurement Officer

Sandie Keene, Director of Adult Services addressed the meeting and gave the Board an overview of the report. It was reported that following the initial commissioning process and subsequent proposals for awarding contracts for Neighbourhood Network Services, concerns had been raised regarding the decision making process and representations had been made.

In view of the representations made, an independent review of the process was commissioned

The outcome of the review has highlighted lessons to learn, including the need for better communication and consideration of Member involvement at scrutiny level. However, the review had concluded that there was no justification for re-opening the procurement process.

The following issues were also brought to the attention of the Board:

- Positive outcomes of the review including the Council's intent to award 5 year contracts to voluntary organisations with options to extend for a further 3 years.
- The recommendations outlined in the report to Executive Board which included the following:
 1. Organisations that had been recommended to provide Neighbourhood Network Services
 2. Organisations that would be offered shorter term contracts and to work in conjunction with the Council before being awarded longer contracts

3. The potential development of a Strategic Partnership in 5 areas in the East of the City.

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

- All areas involved in the process had competing bids.
- The Director of Adult Social Services ,in consultation with the Executive Member for Adult Health and Social Care and the Leaders of the Council appointed the independent reviewers. The review was overseen by the Director of Adult Social Services and the Assistant Chief Executive (Corporate Governance).
- Communication issues - It was acknowledged that communication could have been better which is detailed in the report. Apologies had been given to the Neighbourhood Networks.
- With reference to the general commissioning report (page 3), reference was made to the award for Contracts for Hearing and Visual Services and the disadvantages for community groups who had requested information in Braille. It was reported that these groups would be given an extension in line with the time they have had to wait for translated information.

RESOLVED –

- (a) That the report be noted
- (b) That the amended recommendations presented to the Scrutiny Board (Adult Social Care) as outlined in the report of the Director of Adult Social Services and Assistant Chief Executive (Corporate Governance) to the Executive Board dated the 21st of July be endorsed.

(Councillors Hanley, Kendall, Lyons and Varley left the meeting during the discussion on this item due to their earlier declarations of interest which were personal and prejudicial.)

15 Performance Report Year End 2009/10 and Major Adaptations for Disabled Adults Quarter 4

The Board considered the following reports:

- Report of the Head of Policy and Performance which presented Quarter 4 performance summarising progress against the Leeds Strategic Plan improvement priorities relevant to the Board.
- Report of the Chief Officer for Health and Environmental Services which detailed performance information on completion time of adaptations schemes for Quarter 4 2009/10.

The following officers were in attendance for this item:

- Dennis Holmes, Deputy Director, Strategic Commissioning

Draft minutes to be approved at the meeting
to be held on Wednesday, 22nd September, 2010

- Simeon Perry, Housing Policy and Monitoring Manager
- John Clark, Chief Executive, Aire Valley Homes
- Colin Moss, Adaptations Agency Manager
- Nesreen Lowson, Property Investment, West North West Homes
- Liz Ward, Head of Service – Support and Enablement

In response to Members comments and questions the following issues were discussed:

- Possible impact of budget cuts on service delivery – it was reported that new priorities from Central Government were not fully known and cuts had been made to the Area Based Grant. The situation would be more clear in October following the announcement of the 3 year spending review. Contingency plans were ongoing to anticipate the impact of any cuts.
- A new format for presenting performance information for adaptations had been developed in light of previous feedback. It was reported that just under 500 adaptations had been carried out in Quarter 4 and Members attention was brought to tables in the report which detailed the performance of the different housing providers.
- Concern was expressed regarding the low numbers of adaptations carried out by Aire Valley Homes. It was reported that the budget had been reduced on the previous 2 years but extra funds had been made available to clear any backlog.
- Complaints procedures – both public and private sector.
- Waiting times and impact of budget constraints on these.
- The role of the Adaptations Agency for private sector housing.
- Adaptations Strategy – an update would be provided to the Board at the September meeting.

RESOLVED – That the report be noted.

16 Inquiry into Supporting Working Age Adults with Severe and Enduring Mental Health Problems

The report of the Head of Scrutiny and Member Development referred to the Board's Inquiry into Supporting Working Age Adults with Severe and Enduring Mental Health Problems and included the draft scrutiny inquiry final report. Members attention was brought to the recommendations and progress made following the inquiry.

The following officers were present for this item:

- Dennis Holmes, Deputy Director – Strategic Commissioning
- Michelle Moran, Director of Care Services and Chief Nurse, Leeds Partnership Foundation Trust
- Tracey Cooper, Project Manager, Adult Social Care
- Kim Adams, Adult Social Care

In brief summary, the following issues were discussed:

- Employment opportunities – incentives for employers, apprentice schemes and work with social enterprises.
- Citywide Home support as outlined in recommendation 4 – this was being reviewed by those responsible for commissioning.

RESOLVED – That the inquiry report on Supporting Working Age Adults with Severe and Enduring Mental Health Problems be agreed.

(Councillor Schofield left the meeting at 11.45 a.m. during the discussion on this item)

17 Leeds Safeguarding Adults Partnership Annual Report 2009/10

The report of the Director of Adult Social Services introduced the Leeds Safeguarding Adults Partnership Board Annual Report 2009/10 and the work plan for 2010/11.

Dennis Holmes, Deputy Director – Strategic Commissioning and Hilary Paxton, Head of Safeguarding Adults were present for this item.

It was reported that that there had been a significant increase in the number of referrals over the previous year and further details were included in the report. Members were invited to comment on the report.

In brief summary, the following issues were discussed:

- Liaison between probation/prison service and Social Services. It was reported that this was often complicated due to cross boundary issues.
- Additional staff had been recruited in response to the increase in referrals.
- CRB clearance of staff, risk assessments and monitoring processes.

RESOLVED –

- (a) That the report be noted.
- (b) That the work programme of the Adult Safeguarding Partnership Board for 2010/11 be endorsed.

18 Co-opted Members

The report of the Head of Scrutiny and Member Development made reference to the provision for Scrutiny Boards to appoint Co-opted Members and also the decision of the Board at the meeting of 23 June 2010 to consider the appointment of a Co-opted Member to represent the Leeds LINK.

RESOLVED – That a Co-opted Member be appointed from Leeds LINK.

19 Scrutiny Board (Adult Social Care) - Work Programme

The report of the Head of Scrutiny and Member Development informed Members of the Board's Work Programme and also included the latest Forward Plan of Key Decisions and Executive Board Minutes.

Issues discussed in relation to the Work Programme included Mental Health Crisis Support, Working Groups and the Residential Care Strategy.

RESOLVED – That the report be noted and the Work Programme be agreed and updated as appropriate.

20 Date and Time of Next Meeting

Wednesday, 22 September 2010 at 10.00 a.m. (Pre-meeting for all Members at 9.30 a.m.)

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SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 5TH JULY, 2010

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, D Blackburn,
M Hamilton, J Lewis, A Lowe, N Taggart,
J Hardy and K Groves

9 Declarations of Interest

There were no declarations of interest.

10 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors J L Carter and B Chastney.

11 Minutes of the Meetings held on 27 May and 7 June 2010

RESOLVED – That the minutes of the meetings held on 27 May and 7 June 2010 be confirmed as correct records.

12 Questions to the Executive Board Member - Central and Corporate

The report of the Head of Scrutiny and Member Development informed the Board of the quarterly invitation to Councillor Wakefield, Leader of the Council and Executive Board Member – Central and Corporate. Also appended to the report were the following documents:

- Financial Performance Outturn 2009/10
- Performance Report Year End 2009/10

The Chair welcomed Councillor Wakefield to the meeting along with the following officers:

- Helena Phillips – Chief Officer, Resources & Strategy
- Alan Quesne – Head of Customer Service Development
- Doug Meeson – Chief Officer (Financial Management)
- Lee Hemsworth – Chief Business Transformation Officer

Councillor Wakefield addressed the meeting and was questioned on how the Council would deal with potential budget cuts. He reported that the Council faced unprecedented cuts on top of those already in place and there were also other areas of challenge due to growth areas such as Adult's and Children's Social Services.

Members discussed the Financial Performance Outturn and Performance Year End report and in response to further comments and questions, the following issues were discussed:

- Impact of Academy proposals on the Local Education Authority – it was reported that there were sizeable financial incentives for schools to take advantage of moving to academy status. The Council could still sell support services to any schools that became academies and did so to the South Leeds Academy.
- Impact of any potential pay offer to employees earning under £21,000 – it was reported that the proposed budget had initially assumed that there would not be a pay award.
- Corporate Contact Centre performance – Members discussed issues regarding the Integrated Voice Recognition system and performance indicators. It was reported that the indicators did not necessarily reflect the quality of the service provided and it was suggested that Members visit the Centre.
- The continued provision of non-statutory services – there were several areas of service provision that were discretionary and some of these could hypothetically be supported by introducing charges for service provision to continue.
- Banking and financial reserves – interest was earned on the Council's reserves, but at this time generated small amounts due to low interest rates.. Cash reserves are also used short term instead of borrowing to fund the capital programme..
- Services provided by West Yorkshire Joint Services – Members discussed potential areas of work that could be integrated and provided at a West Yorkshire level. There was a need to discuss integrated services across West Yorkshire and it was suggested that this be scheduled into the Board's work programme
- Following the discontinuation of the Scrutiny Board (City & Regional Partnerships) it was agreed that the Governance arrangements of the Leeds City Region be discussed by this Scrutiny Board.
- Further issues discussed included Council costs to the pension fund, use of consultants and staff appraisals.

The Chair thanked those present for their attendance.

RESOLVED –

- (a) That the Council's Financial Performance Outturn 2009/10 be noted.
- (b) That the Performance Report Year End 2009/10 report be noted.

13 Scrutiny of Various Procurement issues

This item was deferred to the next meeting of the Scrutiny Board (Central and Corporate).

14 Scrutiny Board (Central & Corporate) Work Programme, Executive Board Minutes and Forward Plan of Key Decisions

The report of the Head of Scrutiny and Member Development outlined the Board's Work Programme and also included the current Forward Plan of Key Decisions and latest Executive Board Minutes.

The Head Of Scrutiny and Member Development recalled issues discussed earlier in the meeting and reported that the Work Programme would be updated accordingly.

RESOLVED –

- (a) That the Forward Plan and Executive Board Minutes be noted.
- (b) That the Work Programme be updated in line with discussion held at today's meeting.

15 Date and Time of Next Meeting

Monday, 6 September 2010 at 10.00 a.m. (pre-meeting for all at 9.30 a.m.)

The meeting concluded at 11.25 a.m.

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SCRUTINY BOARD (CHILDREN'S SERVICES)

FRIDAY, 16TH JULY, 2010

PRESENT: Councillor J Chapman in the Chair

Councillors G Driver, B Gettings, J Hardy, W Hyde,
A Lamb, B Lancaster, P Latty, K Maqsood and B Selby

CO-OPTED MEMBERS (VOTING):

Mr E A Britten	- Church Representative (Catholic)
Ms N Cox	- Parent Governor Representative (Special)

CO-OPTED MEMBERS (NON-VOTING):

Ms C Foote	- Teacher Representative
Mrs S Hutchinson	- Early Years Development & Childcare Partnership Representative
Ms C Johnson	- Teacher Representative
Ms J Morris-Boam	- Leeds Voice Children and Young People Services Forum Representative

12 Chair's Opening Remarks

The Chair welcomed all in attendance to the July meeting of the Scrutiny Board (Children's Services).

It was reported that Sue Knights (former Parent Governor Representative) had recently suffered a minor stroke. Members passed on their best wishes for a speedy recovery.

13 Late Items

The Chair admitted to the agenda as supplementary information, the draft terms of reference for the Board's inquiry into service redesign – services for children with disabilities, special educational needs and additional health needs, to be considered under agenda item 12. (Minute No. 18 refers)

14 Declaration of Interests

Councillor Chapman declared a personal interest in agenda item 7, Performance Report Year End 2009/10, and agenda item 8, Children's Services Improvement Plan – Monitoring Report, in her capacity as LEA Governor at Weetwood Primary School. (Minute No. 17 refers)

Councillor Lancaster declared a personal interest in agenda item 7, Performance Report Year End 2009/10, agenda item 8, Children's Services Improvement Plan – Monitoring Report, agenda item 9, Formal Response to Scrutiny Recommendations – Attendance, and agenda item 11, Formal Response to Scrutiny Recommendations – Youth Service Surveys, in her capacity as LEA Governor at Carr Manor High School. (Minute Nos. 17, 19 and 21 refer)

A further declaration of interest was made at a later point in the meeting. (Minute No. 17 refers)

15 Apologies for Absence

Apologies for absence were submitted by Councillors Coulson and Co-opted Members; Professor Gosden and Ms Kayani. Notification had been received that Councillor Hardy was substituting for Councillor Coulson.

16 Minutes - 10th June 2010

RESOLVED – That the minutes of the meeting held on 10th June 2010 be confirmed as a correct record.

17 Performance Report Year End 2009/10 and Children's Services Improvement Plan - Monitoring Report

At the request of the Chair, the Scrutiny Board agreed to jointly consider agenda item 7, Performance Report Year End 2009/10, and agenda item 8, Children's Services Improvement Plan – Monitoring Report.

The Chair welcomed to the meeting, Councillor Blake, Executive Member (Children's Services) and the following officers:

- Eleanor Brazil, Interim Director of Children's Services
- Chris Edwards, Chief Executive of Education Leeds
- Nicola Engel, Head of Policy and Performance, Children's Services
- Paul Bollom, Priority Outcome Commissioner, Children's Services.

It was reported that Bill McCarthy, Independent Chair of the Improvement Board, had submitted his apologies for absence to the meeting.

A brief update on the Improvement Plan and other key areas was provided as follows:

Eleanor Brazil, Interim Director of Children's Services

- Progress against Improvement Plan targets, particularly in relation to safeguarding indicators and support for frontline social workers and good progress meeting with DfE officials.
- Development of transformation programme as part of integrated children's services.

- Newly appointed Director of Children’s Services, Nigel Richardson, starting in September 2010.
- New Chair of Local Safeguarding Children Board, Jane Held, appointed.

Councillor Blake, Executive Member (Children’s Services)

- Challenges around increases in teenage pregnancy and childhood obesity.
- Concern about future statutory status of Children’s Trust Board – ongoing debate at Parliament. Important that appropriate accountability arrangements remained in place.

The Chair then invited questions and comments from the Board and the key areas of discussion were:

- The impact of free swimming for under 16s on obesity.
- Actions in place to address childhood obesity, e.g. Health, Exercise, and Nutrition for the Really Young (HENRY) programme.
- Scope to work more creatively with schools to improve uptake of free school meals - acknowledgement of positive work undertaken by Education Leeds as part of piloting training programme for extended services as champions for free school meals.
- Making best use of available resources, development of breeze card and links with schools.
- Concern about the assessment of childhood obesity.
- Further work needed on exploring the root causes of childhood obesity and focussing on young people’s aspirations.
- Healthy eating on a budget – Sustainability and Green Day taking place aimed at encouraging young people, parents, etc, to grow their own.
- Development of safeguarding arrangements as follows:
 - Improvements to social work practices and involvement of key agencies
 - Mock inspection undertaken highlighting some inconsistencies across the city
 - Plans to re-align how social workers were organised.
- Child poverty work programme – Interim Director of Children’s Services to provide further information.
- Concern about support arrangements for young mothers.

RESOLVED – That subject to the above comments, the performance management report and the Improvement Plan monitoring report be received and noted.

(Councillor Selby joined the meeting at 9.55 am during the consideration of this item.)

(Councillor Lamb declared a personal interest in this item in his capacity as a Member of the Children's Trust Board.)

18 Draft Terms of Reference

The Head of Scrutiny and Member Development submitted a report which invited the Board to agree terms of reference for the Board's inquiry into service redesign – services for children with disabilities, special educational needs and additional health needs.

It was agreed that the terms of reference included appropriate focus on the transition from primary to secondary school. In addition, that Leisure Services be included as one of the key witnesses to the inquiry.

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That subject to the above comments, the terms of reference for the inquiry be approved.

19 Formal Response to Scrutiny Recommendations - Attendance

The Head of Scrutiny and Member Development submitted a report which presented the formal response to the Scrutiny Board's recommendations arising from its inquiry on Attendance.

The status of recommendations were agreed as follows:

Recommendation 1 – continue to monitor until targets set

Recommendation 2 – continue to monitor pending completion of updated extended leave policy

Recommendation 3 – sign off

Recommendation 4 – continue to monitor pending confirmation that all schools have a named governor for attendance

Recommendation 5 – report circulated in April 2010 – sign off

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That the Scrutiny Board approves the status of recommendations as set out above.

20 Formal Response to Scrutiny Recommendations - School Organisation Consultations

The Head of Scrutiny and Member Development submitted a report which presented the formal response to the Scrutiny Board's recommendations arising from its inquiry on School Organisation Consultations.

The Chair welcomed to the meeting, Dee Reid, Head of Communications, Education Leeds.

The status of recommendations were agreed as follows:

Recommendation 1 – sign off

Recommendation 2 – sign off

Recommendation 3 – sign off

Recommendation 4 – sign off, subject to the Scrutiny Board receiving an update in 6 months on how Education Leeds could play a role in ensuring stakeholders were consulted under any new arrangements.)

Two amendments to the proposed strategy for communicating with a wider stakeholder group were agreed as follows:

- Include reference to information in community languages in the section on communication with parents
- 'Education Leeds will inform school-based staff that trade union representation will be invited to briefings.'

RESOLVED –

(a) That, subject to the above amendments, the report and information appended to the report be noted; and

(b) That the Scrutiny Board approves the status of recommendations as set out above.

21 Formal Response to Scrutiny Recommendations - Youth Service Surveys

The Head of Scrutiny and Member Development submitted a report which presented the formal response to the Scrutiny Board's recommendations arising from its inquiry on youth service surveys.

The status of recommendations were agreed as follows:

Recommendation 1 – sign off

Recommendation 2 – continue monitoring – review in 6 months

Recommendation 3 – continue monitoring – review in 6 months.

RESOLVED –

(a) That the report and information appended to the report be noted; and

(b) That the Scrutiny Board approves the status of recommendations as set out above.

22 Work Programme

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work programme for the remainder of the current municipal year.

Appended to the report for Members' information was the current version of the Board's work programme, an extract from the Forward Plan of Key Decisions for the period 1st July 2010 to 31st October 2010, which related to the Board's remit, together with the minutes from the Executive Board meeting held on 22nd June 2010.

In brief summary, the main highlighted points were:

- The work of young carers to be added as an unscheduled item on the work programme.
- Councillor Bob Gettings added to membership of the Children's Outdoor Activity Centres working group.
- The Principal Scrutiny Adviser agreed to circulate the full inquiry reports from last year on Attendance, Youth Service Surveys and School Organisation Consultations, for the benefit of all Board Members to see the detailed work undertaken last year on these topics.

RESOLVED – That subject to the above comments, the work programme be approved.

23 Date and Time of Next Meeting

Monday 20th September 2010 at 9.45 am with a pre-meeting for Board Members at 9.15 am.

(The meeting concluded at 11.52 am.)

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 6TH JULY, 2010

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, J Elliott,
G Latty, R Pryke, M Rafique, M Robinson
and S Smith

13 Chair's Opening Remarks

The Chair welcomed everyone to the July meeting of Scrutiny Board (City Development).

14 Declaration of Interests

The following personal declarations of interest were declared:-

- Councillor J Akhtar in his capacity as a Member on Plans Panel (West) (Agenda Item 9, 11 and 13) (Minutes 19, 21 and 23 refer)
- Councillor G Latty in his capacity as a Member on Plans Panel (East) and Plans Panel (City Centre) (Agenda Items 9, 10 and 11) (Minutes 19, 20 and 21 refer)
- Councillor J Procter in his capacity as a Member on Plans Panel (East) (Agenda Items 9 and 11) (Minutes 19 and 21 refer)

15 Apologies for Absence

Apologies for absence were received on behalf of Councillors G Harper and A D Atkinson.

16 Minutes of the Previous Meetings

a) A copy of the Scrutiny Board (City Development) minutes of the scheduled meeting held on 8th June 2010 and the Call-In meeting of the same date were submitted.

RESOLVED - That the minutes of these previous meetings held on 8th June 2010 be confirmed as a correct record.

b) At the request of the Chair, Ed Mylan, Chief Officer (Resources and Strategy), City Development attended the meeting to provide a verbal update in relation to the Board's request to receive monthly budget variation reports from September 2010 onwards (Minute 5 refers).

The Chief Officer (Resources and Strategy) referred in brief to the current position with regard to overall income and expenditure and a projected year end overspend of £1.7m and the action plan which had been implemented to pull this figure back.

A brief discussion ensued and in particular on how scrutiny could be involved at an early stage in the budget process for 2011/2012 in order to contribute and comment on the department's priorities and areas where savings were to

Draft minutes to be approved at the meeting
to be held on Tuesday, 7th September, 2010

be made. Members also sought clarification as to the department's criteria for the filling of vacancies and whether the skills balance had been achieved within the Planning Section despite experienced staff leaving the service.

17 Co-option to the Board

Referring to Minute 6 of the meeting held on 8th June 2010, the Head of Scrutiny and Member Development submitted a report seeking the Board's approval of a co-optee to this Board.

RESOLVED-

- a) That the contents of the report be noted.
- b) That approval be given to the co-option of Ms Barbara Woroncow, OBE to this Scrutiny Board without voting rights for a term of office which does not go beyond the next Annual Meeting of the Council in 2011.

18 Input to the Work Programme 2010/11

Referring to Minute 5 of the meeting held on 8th June 2010, the Head of Scrutiny and Member Development submitted a report on the Board's input to the work programme for 2010/11.

The following representatives were in attendance and responded to Board Members' questions' and comments:-

Councillor R Lewis, Executive Board Member with portfolio responsibility for Development and Regeneration
Councillor A Ogilvie, Executive Board Member with portfolio responsibility for Leisure
Jean Dent, Director of City Development
Martin Farrington, future Acting Director of City Development

At the request of the Chair, the above representatives were invited to identify issues which could be included in the Board's work programme for 2010/11.

In summary, specific reference was made to the following issues:-

- Draft Market Strategy – the Chair referred to the Board's decision in June 2010 to undertake an inquiry on Kirkgate Market. He reported that as the Executive Board had asked that officers submit a draft market strategy to its meeting on 13th October there was no time for scrutiny to undertake a detailed inquiry. Instead the Board would be invited to comment on the draft strategy in September prior to this being considered by Executive Board. It was agreed that the Board visit the market to meet with market traders and the Head of City Centre and Markets in late August 2010
- Grants to Organisations - a report was requested on grants made to voluntary organisations by the department to include the amount paid to each, the benefits and safeguards that were applied and what if any Member representation there was on their Board

- Vision for Leeds Bradford Airport - Members asked to receive a report on the 'Vision' for Leeds Bradford International Airport that included access public transport including parking, taxis/road/rail links to the airport. The Board asked that the Chief Executive of the airport and Director General of Metro attend the meeting when this issue was considered
- Open Source Planning - it was reported that that a report from the Chief Planning Officer on this matter would be considered at its meeting on 7th September 2010
- Marketing Leeds - it was reported that a report on Marketing Leeds would be considered at its meeting on 5th October 2010
- Employment of Consultants - Members sought assurances that restraints were being applied in the employment of consultants within the department in view of the current economic climate
(The Executive Member, Development and Regeneration responded and confirmed that whilst restraint was being applied, it was inevitable that the department had to, from time to time, engage consultants on specific projects)
- Cemetery maintenance - an initial report was requested on cemetery maintenance to decide whether to undertake a formal inquiry on this issue
- Budget Issues – that the Board receive monthly budget variation reports

In conclusion, the Chair announced that Jean Dent, Director of City Development would be soon retiring from the authority and that Martin Farrington had been appointed as Acting Director.

RESOLVED-

- a) That the contents of the report be noted.
- b) That the work programme be further developed to include the following items:-
 - initial report on a review of Cemetery Maintenance to decide whether to undertake a formal inquiry
 - report on grants to organisations – amount of all grants given by the department, benefits and member representation on their Board etc
 - report on the draft market strategy to be considered by Scrutiny Board on 7th September 2010 and for an informal Board visit to Kirkgate Market to meet market traders and to have a briefing with the Head of City Centre and Markets towards the end of August
 - report on Vision for Leeds /Bradford Airport and that the Chief Executive of Leeds Bradford International Airport and Director General of Metro be invited to attend the Board meeting when this item was considered
 - Monthly budget variation reports
- c) That on behalf of the Board, a vote of thanks be conveyed to Jean Dent for her long years of service to the authority and wished her a happy and healthy retirement.

(Councillor B Atha left the meeting at 10.50am during discussions of the above item)

19 Planning Performance Target PI NI 157 - Majors

The Chief Planning Officer submitted a report in relation to the planning performance target PI NI 157 for major planning applications.

The following representatives were in attendance and responded to Members' questions and comments:-

Martin Sellens, Head of Planning Services, City Development
Shameem Hussain, Principal Planning Officer, City Development

Specific reference was made to Application Number 09/05453/LA West Leeds Academy, Calverley Lane, Bramley as referred to in paragraph 3.5 of the report. Clarification was sought as to whether Education Leeds would be making a number of financial contributions towards traffic improvement measures.

The Head of Planning Services responded and confirmed that Education Leeds would be making a financial contribution in respect of this application.

RESOLVED –

- a) That the contents of the report be noted.
- b) That this Board notes that a further report on Section 106 Agreements would be submitted to a future meeting for consideration..

20 Current Position on City Centre Sites

The Director of City Development submitted a report providing the meeting with a brief summary of the current state of the City Centre property market and a summary of initiatives designed to improve the appearance of sites during the period before development takes place.

The following representatives attended the meeting and responded to Member's questions and comments:-

Martin Sellens, Head of Planning Services, City Development
Shameem Hussain, Principal Planning Officer, City Development

In summary, specific reference was made to the following issues:-

- the need for further information to be supplied to the Board on the six sites around Sovereign Street where enforcement action was being taken to stop long stay car parking
(The Head of Planning Services responded and agreed to forward this information to Board Members via e mail)
- requested a report on derelict land that could be used for long stay parking near the city centre e.g. Shannon Street opposite the DWP

building which had been unused for years and could help take the pressure away of motorists parking in residential streets
(The Head of Planning Services responded and agreed to liaise with the Board's Principal Scrutiny Adviser)

- concern that developers do not seem responsible for the general appearance of a building site when a scheme does not proceed or the company goes in to liquidation. Members asked whether a suitable condition could be applied to planning permissions that would cover this issue

(The Head of Planning Services responded and outlined the powers available to deal with untidy land under the Planning Act)

- concern that empty shops and other vacated premises looked unsightly
(The Head of Planning Services responded in relation to the untidy land and premises powers available and the need for targeted action where appropriate. The Chair outlined the role of the Visual Arts Team in providing temporary displays in vacant premises and encouraged Board Members to forward details of any vacated premises which looked unsightly in their ward to the relevant Chief Officer for appropriate actions)

RESOLVED - That the contents of the report be noted.

21 Performance Report Year End 2009/10

The Head of Policy and Performance submitted a report presenting an overview of performance against the priority outcomes relevant to the City Development Scrutiny Board, including an analysis of performance indicator results at the end of 2009/10 so that the Board may understand and challenge current performance.

Paul Maney, Head of Policy, Performance and Improvement, City Development was in attendance and responded to Members' queries and comments.

In summary, specific reference was made to the following issues:-

- Performance Indicator LSP-TP1e – increase the number of new customers on low incomes accessing credit union services – clarification of the take-up figures
- Performance Indicator LSP – CU1a (i) – number of physical visits to libraries – clarification of the reasons behind the missed targets and the pressure's around the Leeds Strategic Plan in this regard
- Performance Indicator LEGI 4i – to create 1,100 jobs and 800 people from deprived communities in Leeds into employment or self employment by 2011 – clarification of the figures and the need to compare data with other local authorities
- Performance Indicator LSP – TR1B – percentage of non-car journeys into central Leeds in the morning period – the need for a report on a Transport 'Plan C' if funding for the trolley bus and other schemes for the city were scrapped

(The Head of Policy, Performance and Improvement responded and agreed to liaise with transport colleagues on this issue)

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That a report on a Transport 'Plan C' be submitted to a future Board meeting should funding for the trolley bus and other schemes for the city be scrapped and that, in the interim period, the Principal Scrutiny Adviser be requested to revise the Board's work programme.

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

The Head of Scrutiny and Member Development submitted a report providing Members with a copy of the Board's current Work Programme. The Executive Board minutes of 22nd June 2010 and the Forward Plan of Key Decisions for the period 1st July 201 to 31st October 2010 were also attached to the report.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Executive Board minutes of 22nd June 2010 and the Forward Plan of Key Decisions for the period 1st July 2010 to 31st October 2010 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to include the issues detailed in Minute 18 above and a report on a Transport 'Plan C' if funding for the trolley bus and other schemes for the city were scrapped.

23 Executive Board Response to the City Development Scrutiny Board Inquiry which reviewed the Method by which Planning Applications are publicised and Community involvement takes place

The Head of Scrutiny and Member Development submitted a report advising Members of the decision of the Executive Board to this Board's recommendations following its report which reviewed the method by which planning applications are publicised and community involvement takes place.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That approval be given to the proposed responses to the Scrutiny Board's recommendations in accordance with the report now submitted.

24 Date and Time of Next Meeting

Tuesday 7th September 2010 at 10.00am
(Pre meeting for Board Members at 9.30am)

(The meeting concluded at 11.50am)

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

TUESDAY, 13TH JULY, 2010

PRESENT: Councillor B Anderson in the Chair
Councillors A Barker, G Driver, P Ewens,
R Grahame, G Hyde, M Iqbal, L Mulherin
and R Procter

APOLOGIES: Councillor J Marjoram

12 Declarations of Interest

The following declarations of personal interests were made:-

- Councillor G Hyde – Agenda Item 8 (Minute No. 16 refers) – Performance Management Report – Quarter 4 2009/10 – In his capacity as a Director of East North East Homes ALMO.
- Councillor G Driver – Agenda Item 8 (Minute No. 16 refers) – Performance Management Report – Quarter 4 2009/10 – In his capacity as a Director of Aire Valley Homes ALMO.
- Councillor R Grahame – Agenda Item 8 (Minute No. 16 refers) – Performance Management Report – Quarter 4 2009/10 – In his capacity as a member of the GMB trade union.
- Councillor M Iqbal – Agenda Item 8 (Minute No. 16 refers) – Performance Management Report – Quarter 4 2009/10 – In his capacity as a member of the GMB trade union.

(NB: See also later Minute No. 15).

13 Apologies for Absence

An apology for absence from the meeting was submitted on behalf of Councillor J Marjoram.

14 Minutes - 14 June 2010

RESOLVED – That the minutes of the meeting held on 14th June 2010 be approved as a correct record.

15 Input to the Work Programme 2010/11

Further to Minute No. 8, 14th June 2010, the Chair welcomed to the meeting Councillor P Gruen, Executive Member (Neighbourhoods and Housing) and Neil Evans, Director of Environment and Neighbourhoods, who responded to

Draft minutes to be approved at the meeting
to be held on Monday, 13th September, 2010

Members' queries and comments. In brief summary, the main areas of discussion were:-

- The recent review of the Housing Lettings Policy. It was suggested that the Board might wish to follow up last year's Inquiry by receiving regular updates regarding the implementation of the revised policy.
- Locality Working – It was suggested that the Board might like to look into this subject – what was locality working all about, what was the role of the Council and its partners and how effective was it?
- Issues associated with Travellers – To follow up the 2005 Inquiry on this subject, update Members on current issues and establish whether or not a further Inquiry might be appropriate and productive.
- Unemployment, worklessness and workforce skills issues, which may go beyond purely the remit of any one Scrutiny Board.
- Drug rehabilitation programmes, re-offending rates and what was the next step –change in terms of assisting offenders to re-integrate into broader society.
- Affordable housing, and the possibility of reviewing/re-opening the previous Inquiry.

RESOLVED – That Councillor Gruen and the Director be thanked for their input, which will be taken into account when the Board is finalising its work programme for 2010/11.

- (NB: 1. Councillor L Mulherin joined the meeting at 10.08 am, during the consideration of this item.
2. Councillor A Barker declared a personal interest in this item with regard to his wife's employment with St Anne's Homeless Shelter.)

16 Performance Management Quarter 4 2009/10

The Head of Policy, Performance and Improvement submitted a report updating the Board regarding performance issues across a range of both national and local performance indicators which fell within the remit of the Board for monitoring purposes.

Councillor P Gruen and Neil Evans responded to Members' queries and comments. In brief summary, the main areas of discussion were:-

- Delivery of EASEL – The Director undertook to separately supply further details to Councillor R Grahame.

- National Indicator 33B – Number of deliberate secondary fires per 10,000 population – The Director undertook to separately supply further detailed information.
- Reviews of both national and local performance indicators were underway, with the aim of streamlining the number and type of information required.

RESOLVED – That, subject to the above comments or requests for further information, the report be received and noted.

(NB: Councillor R Procter joined the meeting at 11.06 am, at the conclusion of this item.)

17 Procurement of Housing Contracts - Formal Response

Further to the Board's Call-In meeting held on 3rd June 2009, and the concerns raised as a result of that meeting, the Board received and considered a report of the Director of Environment and Neighbourhoods, submitted to the Executive Board on 22nd June 2010.

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

- Neil Evans, Director of Environment and Neighbourhoods.
- Daniel Hartley, Head of HR, Environment and Neighbourhoods.
- Malcolm Foster, Deputy Chief Procurement Officer.

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

- The Director welcomed the outcome of the Board's Call-In meeting. The more robust arrangements now put in place should lead to much better standards of housing in this category.
- A recommendation tracking report was due to be submitted to the September Board meeting and Members would be able to gauge progress for themselves.
- There had been some adjustment of staffing within the Procurement Unit to create both pre and post-contract teams, with greater emphasis on assisting Departments to manage and monitor contracts and to prepare in good time for re-tendering. This support role also extended to assisting ALMOs to manage and monitor their contracts.
- The corporate dialogue between the Procurement Unit and contractors, and the measures in place to try to ensure that sub-contractors were subject to the same constraints and values as the main contractor.

RESOLVED – That the report be received and noted, and re-visited as part of the Recommendation Tracking item at the next meeting.

18 Work Programme 2010/11

The Head of Scrutiny and Member Development submitted the Board's draft work programme, updated to reflect decisions taken at previous meetings, together with an extract from the Council's Forward Plan of Key Decisions for the period 1st July – 31st October 2010 and the minutes of the Executive Board meeting held on 22nd June 2010.

The following were identified for inclusion in the Board's work programme, subject to prioritisation:-

- An evaluation of the Rothwell pilot food recycling scheme.
- A review of the 2005 Inquiry into Travellers' issues, with a view to deciding whether or not a further Inquiry might be necessary.
- The budget information referred to at the meeting held on 14th June 2010 (Minute No. 8 refers).
- Locality working, with particular reference to localised street cleansing arrangements.
- A possible Inquiry into vacant housing issues in the City.
- The establishment of a Working Group, comprising the Chair and Councillors G Hyde, R Grahame, L Mulherin and P Ewens, to receive and consider the Department's response to the Board's previous Inquiry on worklessness.

RESOLVED – That, subject to any changes necessary as a result of today's meeting, the Board's draft work programme 2010/11 be approved.

19 Dates and Times of Future Meetings

Monday, 13th September 2010.

Monday, 11th October 2010.

Monday, 8th November 2010.

Monday, 13th December 2010.

Monday, 17th January 2011.

Monday, 14th February 2011.

Monday, 14th March 2011.

Monday, 11th April 2011.

All at 10.00 am (pre-meeting at 9.30 am).

Draft minutes to be approved at the meeting
to be held on Monday, 13th September, 2010

20 Angela Brogden

On behalf of the Board, the Chair paid tribute to Angela Brogden, the Board's Principal Scrutiny Advisor, and wished her well as she embarked on her maternity leave following this meeting. Richard Mills would be taking on Angela's role.

The meeting concluded at 11.45am.

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SCRUTINY BOARD (HEALTH)

TUESDAY, 27TH JULY, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors P Ewens, P Harrand,
J Illingworth, G Kirkland and M Lobley

CO-OPTees: Mr A Giles (Leeds Local Involvement Network)

11 Election of Chair

It was announced at the beginning of the meeting that Councillor M Dobson, Chair of Scrutiny Board (Health) had conveyed his apologies due to illness. Therefore the Board were asked to appoint a Chair for this meeting.

Following a formal vote of those Members present, Councillor S Armitage was elected as Chair in the absence of Councillor Dobson.

12 Chair's Opening Remarks

The Chair welcomed everyone to the July meeting of the Scrutiny Board (Health).

13 Late Items

The Chair informed the meeting that she had agreed to admit the following document to the agenda as supplementary information:

Liberating the NHS: Local Democratic legitimacy in health – A consultation on proposals (Agenda Item 9). As the consultation document had not been published until 22 July 2010, it had not been possible to provide this with the agenda papers previously distributed. (Minute 20 refers).

14 Declarations of Interest

There were no declarations made at the meeting.

15 Apologies for Absence

Apologies for absence were received on behalf of Councillors M Dobson, J Matthews, A McKenna and E Taylor.

16 Minutes - 25th June 2010

RESOLVED – That the minutes of the meeting held on 25th June 2010 be confirmed as a correct record.

17 Joint Performance Report Year End 2009/10

The Head of Scrutiny and Member Development submitted a report presenting the joint performance report from NHS Leeds and Leeds City Council which provided an overview of progress against key improvement priorities and performance indicators relevant to the Board at Quarter 4, 2009/10.

The principle of a joint report had been established to align performance reporting, with the aims of:

- Reducing duplication
- Eliminating potential confusion
- Streamlining documentation
- Bringing closer together the performance teams / functions from both organisations.

Appended to the report were copies of the following documents for information / comment of the meeting:

- Appendix 1 – summary sheet showing the overall progress rating against the LSP improvement priorities relevant to the Health Scrutiny Board
- Appendix 2 – selected amber and red rated action trackers from the Leeds Strategic Plan priorities relevant to the Health Scrutiny Board. These trackers included a contextual update as well as key performance indicator results
- Appendix 3 – Performance Indicator report containing year end results for all performance indicators from the National Indicator set and any key local indicator which were relevant.

The following officers from NHS Leeds and Leeds City Council were in attendance to present the key issues highlighted in the report and to address any specific questions identified by the Scrutiny Board:

- John England, Deputy Director – Adult Social Services, Leeds City Council
- Graham Brown, Performance Manager, NHS Leeds.

In introducing the report, the Deputy Director (Adult Social Services) highlighted some issues associated with mortality rates across the City, including:

- The data provided represented a rolling 3-year average and should be considered in this context.
- Discussions with Leeds Director of Public Health had identified some specific actions and activities.
- A review of the Council's contribution to improving health and reducing health inequalities was scheduled to take place in September 2010.
- The continuing need to raise awareness of the impact of health determinants (such as Housing, Employment and Education) across the Council and NHS Leeds.

There was a full discussion around the report and associated appendices. In summary, the main issues highlighted were as follows:

Obesity and physical activity

- Recognition that obesity and levels of physical activity (particularly in children) posed a significant challenge across the City – as highlighted in the Scrutiny Board’s previous report around Promoting Good Public Health – specifically in terms of incorporating the guidance produced by the National Institute for Clinical Excellence (NICE) around providing a sustainable built environment.
- A member of the Board outlined some considerable concern in this regard, citing the potential full consideration of the Leeds Girls High School planning application by the Plans Panel (West) meeting on 12th August 2010. It was unclear whether due consideration of the Board’s recommendations around Promoting Good Public Health would be highlighted as part of this process.
- It was also highlighted that the Government had undertaken some recent consultation around an additional / revised Planning Policy Statement: *Planning for a Natural and Healthy Environment*. It was understood that the outcome of this work would be expected in September 2010.
- There was agreement that both the highlighted issues may impact on the material considerations associated with the Leeds Girls High School planning application and that the Acting Chair should write to the Chair of Plans Panel (West) to highlight the concerns of the Scrutiny Board.

Mortality rates

- While mortality rates had generally improved, a significant challenge remained around narrowing the gap between those in the most deprived areas of the city and those in the least deprived areas.
- The need for additional statistical analysis / presentation of the information reported – such as breakdowns by electoral ward and ethnicity, alongside comparative information from other Core Cities.

Teenage conception rates

- Levels of teenage conceptions remain a significant challenge for the City.
- Request for additional information around the:
 - Relevance of strategies used elsewhere to successfully target teenage conception rates
 - Profile of teenage conceptions in Leeds and the associated level of targeted resources, when compared to other areas
 - Available support for young fathers
 - Level of teenage conceptions resulting in terminations.

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That on behalf of the Board, the Acting Chair writes to the Chair of Plans Panel (West), highlighting the Board’s concerns with regard

to the potential full consideration of the Leeds Girls High School planning application on 12th August 2010.

- (c) That the relevant officers be requested to provide the additional information highlighted at the meeting.

18 Leeds Local Involvement Network (LINK) - Annual Report (2009/10)

The Head of Scrutiny and Member Development submitted a report introducing the 2009/10 Annual Report of Leeds Local Involvement Network (LINK).

In presenting the LINK's Annual Report (2009/10), it was intended that this would:

- Continue to raise awareness of the role and work of Leeds' LINK (both publicly and among members of the Scrutiny Board).
- Provide Members with more detail of Leeds' LINK activity during its second year, alongside any future plans.
- Provide an opportunity for a discussion between the Scrutiny Board (Health) and representative members of Leeds' LINK, regarding the general relationship between the two bodies, and any issues associated with coordinating respective work programmes.

Appended to the report was a copy of a document entitled 'Leeds LINK – Leeds Local Involvement Network Annual Report 2009/10' for the information / comment of the meeting.

The following representatives from Leeds LINK were in attendance to present the key issues highlighted in the report and to address any specific questions identified by the Scrutiny Board:

- Arthur Giles (Co-Chair) – Leeds Local Involvement Network
- Emily Wragg (Co-ordinator) – Leeds Local Involvement Network.

In introducing the report, the Co-Chair highlighted that continuing to raise the profile of the LINK and increase membership remained key priorities. A general discussion took place, with specific reference being made / clarification sought around the following issues:

- Arrangements for making the annual report available within the local community and the importance of disseminating information efficiently and effectively.
- Views of the future role of LINK following the proposed changes outlined by the Government's recent White Paper 'Equality and excellence; Liberating the NHS'.
- The main issues / concerns highlighted by service users when contacting the LINK.

In response, the LINK Co-ordinator highlighted that the LINK held a number of events around the City to promote its work, disseminate information and encourage membership.

In relation to the proposed changes outlined in the White Paper, the Co-Chair expressed a willingness and desire to continue to develop arrangements that recognise, value and promote public and patient involvement in the development and delivery of local health care services.

In terms of the main issues / concerns highlighted by service users, the following issues were outlined:

- Waiting times
- Access to services (particularly mental health services) – i.e. how to access services
- Carers – access to information and support
- Hospital food.

Members of the Board also enquired about any information about the LINK that may assist with their day-to-day ward duties. The LINK Co-ordinator, agreed to supply such details via the Board's Principal Scrutiny Adviser.

The Chair thanked the representatives for attending the meeting and presenting the report.

RESOLVED – That the contents of the report and appendices be received and noted.

19 Kirkstall Joint Service Centre - Scrutiny Board Statement and response

The Head of Scrutiny and Member Development submitted a report providing the Scrutiny Board (Health) with details of the recommendations from the recent City and Regional Partnerships Scrutiny Board inquiry into the proposal for a new Joint Service Centre at Kirkstall and the associated response.

Appended to the report were copies of the following documents for the information / comment of the meeting:

- Scrutiny Board (City and Regional Partnerships) – Statement on Kirkstall Joint Service Centre – April 2010 (Appendix 1 refers)
- Final Statement and Recommendations of the City and Regional Partnerships Scrutiny Board's Statement on the Kirkstall Joint Service Centre – Report of the Assistant Chief Executive (Planning, Policy and Improvement) – Executive Board – 22nd June 2010 (Appendix 2 refers)

The Board's Principal Scrutiny Adviser presented the key issues highlighted in the report and addressed specific points of clarification identified by the Scrutiny Board.

RESOLVED –

- a) That the contents of the report and appendices be noted.

Draft minutes to be approved at the meeting
to be held on Tuesday, 21st September, 2010

- b) That approval be given to assume the formal monitoring role of the former Scrutiny Board (City and Regional Partnerships) as it relates to the statement and recommendations around Kirkstall Joint Service Centre.

20 Input to the Work Programme 2010/11 - Sources of Work and Establishing the Board's Priorities

Referring to Minute 7 of the meeting held on 25th June 2010, the Head of Scrutiny and Member Development submitted a report providing information and guidance to assist the Scrutiny Board develop its work programme for 2010/11.

Appended to the report were copies of the following documents for the information / comment of the meeting:

- The Operating Framework for the NHS in England for 2010/11 (Appendix 1 refers)
- Revision to the Operating Framework for the NHS in England for 2010/11 (Appendix 2 refers)
- The NHS Constitution (2010) (Appendix 3 refers).

In addition to the above appendices, a copy of a document entitled 'Liberating the NHS: Local Democratic legitimacy – A consultation proposals' was circulated as supplementary information (Item 13 refers).

The following representatives were in attendance to address any specific questions identified by the Scrutiny Board:

- Linda Pollard, Chair, NHS Leeds
- John Lawlor, Chief Executive, NHS Leeds
- Ian Cameron, Director of Public Health, NHS Leeds
- Mike Collier, Chair, Leeds Teaching Hospitals NHS Trust (LTHT)
- Maggie Boyle, Chief Executive, Leeds Teaching Hospitals NHS Trust (LTHT).

The Chair welcomed the representatives to the meeting and invited them to provide a brief introduction / overview, outlining key issues and priorities relevant to the work of the Scrutiny Board (Health).

An overview of the current context associated with the management and provision of health care services was provided – with significant reference being made to various aspects outlined in the Government's recent White Paper '*Equity and Excellence: Liberating the NHS*'.

The main issues highlighted were:

- Recent improvements to working relationships within the local health system.
- Significant financial challenge over the next few years.

- Significant (proposed) structural change across the NHS – as outlined in the White Paper, with the abolition of Primary Care Trusts and an increasing role for GP consortia.
- Resultant changes to service commissioning – with 75% of commissioning being undertaken by GP consortia.
- Major changes around the provision of public health services – both nationally and locally: A White Paper outlining proposals in more detail being expected in December 2010.
- LTHT achieving Foundation Trust status by April 2012.
- Continued emphasis on patient choice and patient and public involvement.
- Changes in commissioning arrangements leading to potential funding source issues for service providers.

It was also highlighted that currently 3 GP consortia groups (representing approximately 70% – 75% of GP practices) were operating well across Leeds – each with different strengths and areas for improvement. NHS Leeds had a significant role in working with local GPs to prepare for the shift in commissioning responsibility.

The following LTHT specific matters were also highlighted:

- £40M cost base reduction over the next 3 years.
- Potential changes to out patient follow-up care – with a greater role for primary care providers.
- Changes to systems and processes to improve efficiency and effectiveness, including:
 - Reduction in the number of excess bed days and subsequent rationalisation of wards and removal of excess capacity
 - Capital estate rationalisation.

Detailed discussion ensued and the Board sought clarification on the following areas:

- The future role in relation to preventive medicine arising from the new proposals contained in the White Paper the Board.
- Capacity and resource implications arising from the proposals set out in the White Paper the Board.
- The potential loss of focus on service provision (as a result of the proposed major structural changes).

The Board recognised the importance and significance of the White Paper (and supporting consultation documents), highlighting the potential significant resource implications and additional responsibilities for the Council as a particular area of interest. The Board expressed a desire to establish a working group to explore the proposals and likely implications in more detail

In conclusion, the Chair thanked the representatives in attendance for providing a comprehensive overview to assist the Board with the development of its work programme for 2010/11.

RESOLVED – That the contents of the report and appendices, alongside the issues raised through discussion, be noted.

21 Determining the Work Programme 2010/11

The Head of Scrutiny and Member Development submitted a report on the Board's formal conclusions and recommendations arising from consideration of Agenda Item 9 'Input to the Work Programme 2010/11 – Sources of Work and Establishing the Board's Priorities'.

Appended to the report were copies of the following documents for the information / comment of the meeting:

- Scrutiny Board (Health) – Protocol between the Scrutiny Board (Health) and NHS Bodies in Leeds (Appendix 1 refers)
- Scrutiny Board (Health) – Health Service Developments Working Group – Terms of Reference (Appendix 2 refers)
- Scrutiny Board (Health) – Work Programme 2010/11 (Appendix 3 refers)
- Scrutiny Board Procedure Rules Guidance Note 7 – Inquiry Selection Criteria (Appendix 4 refers)

The Board's Principal Scrutiny Adviser presented the report and responded to Board Member's queries and comments.

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That, with an open membership arrangement, approval be given to establishing a Health Service Developments Working Group in line with the draft terms of reference.
- (c) That approval be given to establishing a Working Group to consider the proposals contained in the White Paper 'Equality and excellence: Liberating the NHS', alongside the subsequent and supporting consultation documents.
- (d) That, while participation in the working group referred to in (c) above be open to all members of the Board, the following members be appointed as core members of the working group: Councillor M Dobson, Councillor P Harrand and Mr A Giles.
- (e) That, while a 'flexible' and 'open' approach is to be adopted with regard to the work programme for 2010/11, approval be given the Board's draft work programme for 2010/11, as now outlined, subject to the inclusion of the following items:
 - Equality and excellence; Liberating the NHS – Initial Findings of the Working Group (September 2010)
 - Dermatology
 - Narrowing the Gap
 - Public Health consultation document (December 2010).

Draft minutes to be approved at the meeting
to be held on Tuesday, 21st September, 2010

22 Date and Time of Next Meeting

Tuesday 21st September 2010 at 10.00am (Pre-meeting for Board Members at 9.30am)

(The meeting concluded at 12.05pm.)

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Standards Committee - Consideration Sub-Committee

Tuesday, 29th June, 2010

PRESENT:

Independent Members

Joanne Austin (Chair)

Councillors

R D Feldman B Gettings

Parish Members

Councillor John C
Priestley

6 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

7 Exempt Information - Possible Exclusion of the Press and Public

In relation to agenda item 5 (Minute 10 refers), Appendix 1 (the final report and bundle of evidence of the investigating officer in relation to an investigation into a complaint against a Member), was classified as exempt under Access to Information Procedure Rule 10.4 (7c). Members of the Sub-Committee agreed that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as to publish the information would override the subject Member's right to choose whether to prohibit the publication of a notice about the outcome of the case, if the Investigating Officer's finding of no failure was accepted.

RESOLVED – 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:-

- Appendix 1 of agenda item 5 (Minute 10 refers).

8 Late Items

There were no late items submitted to the agenda by the Chair for consideration.

9 Declarations of Interest

There were no declarations of 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.

10 Final Investigation Report - Case Reference 0910001(2)

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the findings of the Investigating Officer in a Code of Conduct investigation into a complaint against a Member. The investigation followed the submission of a complaint to the Assessment Sub-Committee, who had resolved to refer part of the complaint for investigation.

The Investigating Officer was present at the meeting to present her findings and to respond to any questions from Members.

It was alleged that a Councillor had failed to treat others with respect, contrary to paragraph 3(1) of the Code of Conduct.

Members considered this case carefully, and on balance, agreed to accept the Investigating Officer's finding that there had been no failure to comply with the Code of Conduct.

As a result of this case, the Consideration Sub-Committee decided to recommend that a list of lessons learnt from the complaints received be circulated to all Members at the end of each municipal year, to assist them in complying with the Code of Conduct.

RESOLVED – Members of the Consideration Sub-Committee resolved to:

- accept the Investigating Officer's finding of no failure; and
- recommend that a list of lessons learnt from the complaints received be circulated to all Members at the end of each municipal year.

Standards Committee

Tuesday, 13th July, 2010

PRESENT:

Independent Members

Gordon Tollefson (Chair) (Independent Member)
Joanne Austin (Independent Member)
Rosemary Greaves (Independent Member)
Philip Turnpenny (Independent Member)

Councillors

B Gettings J L Carter E Nash
J Harper R D Feldman

Parish Members

Councillor John C East Keswick Parish Council
Priestley
Councillor Paul Cook Morley Town Council

APOLOGIES:

Councillors C Campbell, Mrs P Walker and B Selby

1 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

2 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

3 Late items

There were no late items submitted to the agenda by the Chair for consideration.

4 Declaration of interests

There were no declarations of 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.

5 Minutes of the Previous Meeting

The minutes of the Standards Committee meeting held on 22nd April 2010 were approved as a correct record.

Further to Minute 85, the Committee was informed that the local assessment flowchart and FAQs would be considered by the Whips at its meeting that afternoon, and that the Chair of Standards Committee would be attending the meeting.

Further to Minute 92, the Committee was informed that the Standards Committee Procedure Rules had been updated in accordance with the Committee's resolutions, and that Sub-Committee meetings have been scheduled to take place every three weeks, rather than every month.

Further to Minute 93, the Committee was informed that General Purposes Committee had agreed to recommend to full Council that the specified elements of the Standards Committee training plan be made compulsory, and that full Council would consider this recommendation at its meeting on 14th July 2010.

Some concerns were raised by members of the Committee in relation to the Local Assessment regime, particularly with reference to the cost of investigations, trivial complaints, and the impact of the process on the Member involved. A report was requested on the support that could be provided to Councillors throughout the local assessment process. It was also suggested that the Committee should watch a DVD produced by Standards for England regarding local assessment of complaints.

6 Minutes of the Assessment Sub-Committee

The minutes of the Assessment Sub-Committee meetings held on 13th April and 11th June 2010 were received and noted.

7 Minutes of the Review Sub-Committee

The minutes of the Review Sub-Committee meetings held on 12th May and 11th June 2010 were received and noted.

8 Minutes of the Consideration Sub-Committee

The minutes of the Consideration Sub-Committee meeting held on 11th June 2010 were received and noted.

9 Minutes of the Hearings Sub-Committee

The minutes of the Hearings Sub-Committee meetings held on 11th and 17th May 2010 were received and noted.

10 Minutes of the Corporate Governance and Audit Committee

The minutes of the Corporate Governance and Audit Committee meetings held on 14th April, 12th May and 23rd June 2010 were received and noted.

11 Politically Restricted Posts

The Head of Health and Safety presented a report of the Chief Officer (Human Resources) setting out the background to work done in early 2010 to update the Council's list of politically restricted posts, and seeking approval of amendments to the Committee's Procedure for the Consideration of Politically Restricted Posts in light of legislative changes.

In response to the queries raised, the members of the Committee were informed that:

- There are currently around 250 posts on the list of politically restricted posts (including both specified posts and posts with sensitive duties);
- Posts with sensitive duties are defined as those which involve giving advice on a regular basis to the authority, any of its Committees or a member of the Executive, and/or speaking on behalf of the authority on a regular basis to journalists or broadcasters;
- The Standards Committee is responsible for considering applications for exemption from the list of restricted posts, and requests from any person to add a post to the list (if the relevant Director does not agree that the post should be added);
- Directors must have regard to the guidance provided by HR in deciding which posts should be added to the list;
- An up-to-date, central list of restricted posts is maintained by HR; and
- A list of the restricted posts would be circulated to members of the Committee for information.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the work undertaken to maintain the list of politically restricted posts;
- (b) Adopt the revised Standards Committee Procedure for the consideration of applications to exempt posts from or add posts to the list of politically restricted posts; and
- (c) Request that the current list of politically restricted posts is circulated to members of the Committee for information.

12 Local Assessment - Progress Report

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) providing members of the Standards Committee with a progress report in relation to all complaints received under the Members' Code of Conduct from 1st January to 30th June 2010.

The Chair provided an update to the Committee, further to Government's announcement that the Decentralisation and Localism Bill would contain a commitment to 'abolish the Standards Board regime'. CLG's draft structural reform plan was published on 8th July, which includes an action to 'abolish the

Standards Board'. The plan indicates that work will begin in November 2010 and will end in November 2011 with the passing of the Bill. However, as CLG have adopted a cautious view of the timescales, the Bill could be passed prior to November 2011.

No clarification had been received in relation to the First-Tier Tribunal, Code of Conduct or Standards Committees, however Robert Neill MP (Parliamentary Under Secretary of State) has said: 'We are committed to the highest levels of standards of behaviour by local authority members and will ensure any devolved regime achieves this'.

Several concerns were raised by members of the Committee in relation to local assessment, as follows:

- The authority has spent nearly £30,000 on investigations, however no Councillor has been found to be in breach of the Code;
- The Monitoring Officer cannot refuse to send a complaint to the Assessment Sub-Committee, even if it appears to be trivial;
- It is difficult to define what 'respect' means under the Code;
- The Council's insurance policy only covers a Councillor if they are found not to have breached the Code, and it would be unfair to require a Councillor to pay for their representation if they have only committed a 'technical' breach of the Code; and
- The cost for attending Sub-Committee meetings exceeded the cost of the investigation in one case, which is disproportionate.

RESOLVED – Members of the Standards Committee resolved to note the contents of the report.

(Councillor Harper left the meeting at 10.40am during the consideration of this item.)

13 Review of the Procedure for Standards Committee Hearings

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) presenting proposed amendments to section 4 of the Standards Committee Procedure Rules and the general procedure for conducting hearings, in light of the two recent cases heard by the Hearings Sub-Committee.

The Committee discussed the proposals, and particularly discussed the following issues:

- The reason why the Monitoring Officer reviews draft investigation reports. The Monitoring Officer confirmed that this is because the investigator is essentially acting on her behalf;
- That solicitors from the local area should be used wherever possible. The Assistant Chief Executive (Corporate Governance) informed the Committee that there are a limited number of practices with the necessary expertise in the Leeds area, and the possibility of sharing such resources with the other West Yorkshire authorities is being considered;

- The pre-hearing forms, and the reasons why comments are only required on the findings of fact. This is to ensure that the parties and members of the Sub-Committee are clear on which facts are in dispute prior to the hearing. The subject Member would have the opportunity to comment on disagreements with other parts of the investigation report before it is finalised, and to raise other matters at the hearing itself where relevant;
- The lack of meeting rooms at Civic Hall, and the difficulty this may cause in sourcing separate rooms for the parties and their witnesses;
- Whether witnesses should be allowed to remain in the hearing room before they have given their evidence, and the advice of the First-Tier Tribunal that witnesses should be asked to wait outside of the hearing; and
- The appropriate amount of time to allow for a lunch break during a hearing.

RESOLVED - Members of the Standards Committee resolved to:

- (a) Note the issues raised by the hearing participants and the suggestions for amendment as listed in Appendix 1 to the report;
- (b) Support the proposals for amendment to the 'Procedure for External Code of Conduct Investigations' outlined in the report;
- (c) Support the proposed amendments to the pre-hearing forms;
- (d) Agree the proposed amendments to the general procedure for the hearing, including scheduling and accommodation for the hearing, the order of the agenda, and amendments to the Chair's guidance notes, with the following amendments:
 - (i) the Chair of the Hearings Sub-Committee should not verbally instruct the press not to publish anything about the hearing until the decision has been announced; and
 - (ii) the Chair's guidance note should be updated to remind the Chair that a lunch break of at least 45 minutes is required and to prompt him to suggest a comfort break every 2 hours or thereabouts;
- (e) Agree the proposed amendments to the Standards Committee Procedure Rules, to reflect the above resolutions.

(Councillor Carter left the meeting at 11.35am at the conclusion of this item.)

14 Options for Amendment to the Local Assessment Process

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) proposing amendments to the local assessment process in Leeds (including the way that complaints are handled prior to being presented to the Assessment Sub-Committee), further to a review of advice received from legal practitioners and local assessment practice in some other authorities.

In particular, members of the Committee discussed the proposed amendments to the complaints form to require the complainant to provide sufficient details of their allegation, corroborating evidence, details of

witnesses and copies of documentary evidence. The Committee was supportive of this proposal, however the need to be careful not to disadvantage complainants was also highlighted. It was confirmed that officers in Governance Services would assist complainants in completing the form and sourcing relevant evidence as required.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Support the proposals from the Monitoring Officer for amendment to the local assessment process, as set out in paragraph 7.1 of the report;
- (b) Approve the amended complaints form and guidance leaflet as attached at Appendix 1 to the report;
- (c) Approve amendments to their Assessment Criteria, as set out in paragraph 3.31 of the report;
- (d) Approve the revised terms of reference for the Assessment Sub-Committee, Review Sub-Committee, Consideration Sub-Committee and Hearings Sub-Committee, as attached at Appendices 3 – 6 of the report; and
- (e) Approve the proposed amendments to the Standards Committee Procedure Rules, as attached at Appendix 7 to the report, to clarify when meetings of the Assessment Sub-Committee are potentially open to the public or closed.

(Councillors Gettings and Cook left the meeting at 12 noon during the consideration of this item.)

15 Members' Induction Period 2010

The Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance), informing the Committee of the following issues, following the local election which was held in May 2010:

- Members' declaration of acceptance of office and undertaking to comply with the Code of Conduct;
- Members' register of interests; and
- Training of Members.

RESOLVED – Members of the Standards Committee resolved to note the report.

(Councillor Nash left the meeting at 12.10pm during the consideration of this item.)

16 Review of the Members' Register of Gifts and Hospitality

The Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance), providing statistical data in relation to declarations of gifts and hospitality made by Members during the 2009/10 municipal year.

It was confirmed that the limit of £25 is set by the national Members' Code of Conduct, and therefore an amendment to the relevant legislation would be required to change the limit.

RESOLVED – Members of the Standards Committee resolved to:

- (a) note the information provided in the report; and
- (b) confirm that they are satisfied with the assurances provided.

17 First-Tier Tribunal (Local Government Standards in England): Decisions of Case Tribunals

The Assistant Chief Executive (Corporate Governance) submitted a report providing summaries of recent decisions made by the First-Tier Tribunal (Local Government Standards in England) in its role of determining allegations of misconduct.

Further to a case involving a Councillor from another authority who had been suspended for forwarding 'joke' e-mails, some of which were based upon religion, the Committee agreed to recommend that the Members E-Mail Code of Practice be amended to include specific reference to messages that are discriminatory on the grounds of religion, age and disability.

RESOLVED – Members of the Standards Committee resolved to:

- (a) note the latest decisions of the First-Tier Tribunal's case tribunals; and
- (b) recommend to the Chief ICT Officer that the Members E-Mail Code of Practice is amended to include specific reference to messages that are discriminatory on the grounds of religion, age, and disability.

18 Standards Committee Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the Committee of the work programme for the remainder of the municipal year, and seeking comments from the Committee regarding any additional items.

It was agreed that a report on changes to the standards regime should be added to the 'unscheduled items' section, and be provided once further clarification on the Government's proposals has been received.

RESOLVED – Members of the Standards Committee resolved to:

- (a) note the work programme; and
- (b) add a report on changes to the standards regime to the 'unscheduled items' section.

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Plans Panel (East)

Thursday, 8th July, 2010

PRESENT: Councillor D Congreve in the Chair

Councillors R Finnigan, R Grahame,
P Gruen, G Latty, M Lyons, K Parker,
J Procter, A Taylor and D Wilson

12 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

13 Late Items

There were no formal late items, however Panel Members were in receipt of the following additional information to be considered at the meeting

Application 08/00416/FU – Moat House Church View Methley – photographs and press cuttings (minute 18 refers)

14 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 08/00298/OT – Optare, Manston Lane LS15 – Councillor R Grahame declared a personal interest through his wife's, Councillor P Grahame's, involvement in this matter as a Ward Member for Crossgates and Whinmoor Ward (minute 17 refers)

Application 08/00298/OT – Optare, Manston Lane LS15 – Councillor Lyons declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the application (minute 17 refers)

Application 10/00492/FU – Thorp Arch Grange Walton Road LS23 – Councillor Lyons declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 20 refers)

(A further declaration of interest was declared later in the meeting – minute 23 refers)

15 Minutes

RESOLVED - That the minutes of the Plans Panel East meeting held on 10th June 2010 be approved

16 Verbal update on the Regional Spatial Strategy

The Panel's Lead Officer informed Members of a letter from the Secretary of State for Communities and Local Government which had been received on 6th July 2010 and had confirmed that the Regional Spatial Strategy (RSS) had been cancelled

The Panel was informed that many of the reports on the agenda for the meeting made reference to the RSS as these had been written prior to the letter from the Secretary of State having been received. In light of this letter, the RSS could no longer be considered as a material planning consideration

Members were informed that as the Secretary of State had previously indicated that it would be for local authorities to set their own targets, a paper on this would be considered by Executive Board at its meeting on 21st July, with Panel being updated on this issue in due course

17 Application 08/00298/OT - Outline application to lay out access and erect residential development at the Optare site - Manston Lane Crossgates LS15

Further to minute 235 of the Plans Panel East meeting held on 13th May 2010, where Panel deferred consideration of a report requesting revisions to the Section 106 Agreement in respect of education contributions arising out of planning permission for a residential development on the Optare site, Manston Lane LS15, Members considered a further report. A copy of the report considered at the Plans Panel East meeting on 25th September 2008 was appended for information

Officers presented the report; outlined the proposed revised contributions; explained how 'local' demand was determined and requested Members' approval to an extension of the time limit from 3 years to 5 years for the submission of reserved matters applications. As requested, Officers from Education Leeds attended the meeting and responded to queries from Members

Members commented on the following matters:

- the basis of the formula used to calculate contributions and whether this had changed
- that residential developments would generate pupils for schools; whether local provision was being considered and how parental preference fitted in with that
- with reference to the above statement, that it was not acceptable to indicate in this case, that because John Smeaton Community College was full and there was capacity at another High School, that the level of contributions for secondary school provision should be reduced
- that where extra school provision was required, there was a value attached to that and which schools pupils went to was immaterial and the view that the method for deciding education contributions was fundamentally flawed
- the future of Parklands Girls' School; how 'long-term' was defined and if Parklands Girls' School relocated, whether the funding from the S106 Agreement would move with the school
- the large number of pupils bussed in from the East Leeds area to Boston Spa High School at a significant cost to Education Leeds and the need for a better policy to ensure the right levels of education provision were available arising out of residential developments

- the view that national planning guidance was flawed as was the way it was being interpreted and the need for this to be considered, possibly by Executive Board
- that the funding formula appeared to change to suit the particular situation and the need for a more simple formula to be used
- the need for Education Leeds to admit that new residential developments led to increased numbers of children requiring places, usually at local schools
- the knock-on effect of reduced contributions arising from the Optare development as the education contribution in relation to the adjoining Threadneedle development would need to be reviewed in order to deal equitably with both sites
- that further negotiations were needed between Officers and the applicant to discuss an alternative level of contribution, between the initial and the revised figures
- issues around the delivery of the Manston Lane Link Road and whether the trigger point for the delivery of this had been reached
- minded not to support extending the time for commencement to 5 years

Officers provided the following comments

- that the way in which S106 Agreements were calculated in respect of education contributions had not changed; that a nationally defined multiplier was used which could change annually and took into account changes to population. However in view of Members' comments best practice would be looked at
- that the comments made around taking into account parental preference and that the method of calculation of education contributions were accepted but that the planning guidance did not allow for this to be considered
- regarding the S106 Agreement relating at Thorp Arch, there were several trigger points, one being occupancy levels of 1m sq ft; currently 600,000 sq ft was occupied therefore the implementation of the Manston Lane Link Road remained some years away
- that legal advice would be sought on matters raised by Members and the interpretation of the policy and subject to legal advice that these concerns be reported to Executive Board with a view to agreeing a change to the application of the policy

The Panel considered how to proceed

RESOLVED - To defer consideration of the report to enable further negotiations to be undertaken on the level of the education contribution, together with legal advice on the issues raised by Members and the interpretation of the policy and subject to this advice, that Members' concerns on the interpretation of the policy to be reported to Executive Board with a view to agreeing a change to the application of the policy

18 Application 08/00416/FU - Erection of a pair of semi-detached dwelling houses each with single detached garage to garden site at land opposite Moat House Church View Thorner LS14

Plans, drawings, photographs and graphics, including images from previously submitted applications on the site were displayed at the meeting

Members noted that the application had been included on the agenda for the Plans Panel meeting on 8th May 2008 where it was deferred for a site visit and the report subsequently withdrawn at the meeting on 5th June 2008 to enable the applicant to obtain a flood risk assessment

Officers presented the report and outlined the planning history, as set out in the submitted report. Members were informed that when the report had been included on the agenda for the meeting on 8th May 2008 it was being recommended for approval, however due to the recent revisions to PPS3 in respect of garden land now being considered as greenfield; the need to have regard to the special character of the area and the publication of the Thorner Conservation Area Appraisal and Management Plan, Officers were now recommending refusal of the application, with suggested reasons being included in the submitted report

The Panel heard representations from the applicant and an objector who attended the meeting

Members considered how to proceed

RESOLVED - That the application be refused for the following reasons:

- 1 The Local Planning Authority consider that the development of this Greenfield site is contrary to policies of the adopted Unitary Development Plan Review (2006) (UDPR) and the policy statements set out in Planning Policy Statement 3 (PPS3), Housing, both of which place a priority on the development of previously developed land in advance of Greenfield sites. The incremental release of Greenfield sites is prejudicial to the Local Planning Authority's strategy of promoting sustainable forms of development on brownfield sites including vacant and derelict land. As such the application proposal is contrary to policies SP3, H3 and H4 of the UDPR and the statements set out in PPS3
- 2 The application site comprises a mature garden space that is prominent in the streetscene, provides a positive element in the landscape, is intrinsic to the character of the local area and consequently is of significant public value. The proposed development by reason of its scale, extent and layout results in the loss of this mature garden and produces a form of development that is inappropriate in its context and that fails to take opportunities available for improving the character and quality of the area. Consequently the proposed development is contrary to policies GP5, N12, H4 and BD5 of the Unitary Development Plan Review (2006) and the guidance set out in Planning Policy Statement 1 'Delivering Sustainable Development' and Planning Policy Statement 3 'Housing'
- 3 The Local Planning Authority consider that the proposed development will result in the loss of an open green space that makes a positive contribution to the character and appearance of the Conservation Area and the proposed development would by reason of the overall amount of development, the siting of the buildings, layout and loss of open character would be harmful to the character and appearance of the

Thorner Conservation Area, contrary to Policy N19 of the UDPR, the guidance contained within the Thorner Conservation Area and Management Plan and Planning Policy Statement 5, 'Planning for the Historic Environment'

19 Application 09/01584/OT - Outline application to erect four 5 bedroom detached houses at land near Crank Cottage Station Road Morley LS27

Further to minute 234 of the Plans Panel East meeting held on 13th May 2010 where Panel resolved to defer and delegate approval of an application for a small residential development on Station Road Morley LS27, subject to conditions and completion of a S106 Agreement, Members considered a further report

The Panel's Lead Officer presented the report and explained that the application had been brought back to Panel as the planning permission had not been issued and that recent revised planning policy in respect of new housing development meant that this was now a material planning consideration and needed to be taken into account on this application

Officers remained of the view that the application could be supported as unlike the previous application (08/00416/FU), the site was relatively narrow; was set some distance away from the existing dwelling; the existing dwelling would retain a large garden and it was a sloping site. As a result of these factors, the site was not usable garden; one boundary was screened with a high hedge which obscured views from the nearby Albert Road; views from other public vantage points were limited and that the proposals would not have a detrimental impact on visual amenity

Members discussed the following matters:

- the revisions to PPS3 and the need to carefully consider the advice given by Officers
- that the new legislation was welcomed but that each application must be considered on its merits

RESOLVED - To defer and delegate approval to the Chief Planning Officer, subject to the conditions specified, a Traffic Regulation Order to be drafted in consultation with Ward Members and further consideration of the siting of the bin store and following completion of a Section 106 Agreement to cover the following matters:

- the provision of a contribution (£200 per unit) for drainage improvements at Cotton Mill Beck

In the circumstances where the Section 106 Agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application to be delegated to the Chief Planning Officer

(Under Council Procedure Rule 16.5, Councillor Finnigan required it to be recorded that he voted against the matter)

20 Application 10/00492/FU - Laying out of access and erection of 12 houses - Thorp Arch Grange Walton Road Thorp Arch Wetherby LS23

Plans, photographs and graphics were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a residential development comprising 12 houses at Thorp Arch Grange Walton Road Wetherby LS23

Members were informed of previous proposals which had been refused and the revisions undertaken on this application by the applicant to address concerns raised by the Planning Inspector, which had resulted in a smaller number of units, tighter boundaries and some elevational changes, including roof design

There would be three house types in the scheme and Members were informed of recent changes to the proposed terrace – house type C - relating to the relocation of garages and internal alteration to locations of living rooms

The line of Poplars along one boundary would be removed. Whilst these had been included in a TPO it was felt that their loss would not be detrimental to the street scene

Officers reported an amendment to condition 4 which would delete the reference to the inclusion of sedum roofs and an additional condition relating to submission and approval of proposed vehicle circulation and parking areas was requested if Members were minded to approve the application in principle

The Panel heard representations on behalf of the applicant's agent and an objector who attended the meeting

Members discussed the following matters:

- that the proposals represented overdevelopment of the site and did not respect the character of the area
- the importance of having regard to the Village Design Statement when considering applications
- concerns at the removal of the line of Poplar trees particularly as these were covered by a TPO; provided screening for the adjacent houses and that no replacement tree line was to be provided
- mixed views about the height of the proposals with some Members considering 2.5 storeys acceptable and others of the view that a two storey scheme would be more suitable
- the particular variety of Poplar tree on the site and that if they were to be removed this should be done outside of the nesting season
- concerns about the block of terraced properties and that semi-detached properties might be more suitable but that the appearance of the houses was satisfactory

The Panel discussed how to proceed

RESOLVED - To defer and delegate approval to the Chief Planning Officer in consultation with Ward Members and subject to the conditions set out in the submitted report (and any others which he might consider appropriate) and, including an amendment to condition 4 to remove the reference to sedum roofs; an additional condition stating No development to commence until a plan detailing the vehicle circulation and parking areas has been submitted to and approved in writing by the Local Planning Authority. The approval details shall be implemented prior to first occupation and retained as such thereafter; further negotiations on the removal of the terrace properties and their replacement with semi-detached properties; the maximum height of the development to be two storeys; compensatory planting to be provided in lieu of removal of Poplars and following completing of a Section 106 Agreement to cover the following matters:

- Commuted sum payment to cover provision of off-site greenspace

In the circumstances where the Section 106 Agreement has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer

21 Application 09/05297/FU - Two storey rear extension with porch to side, single storey side extension and detached double garage to rear at Hemmingways Cottage The Green Thorp Arch Wetherby LS23

Plans, photographs and graphics were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for side and rear extensions and a detached double garage at Hemmingways Cottage Thorp Arch LS23 which was situated in the Thorp Arch Conservation Area

Members were informed that two additional letters of representation had been received, both from residents who had previously commented on the proposals. The Panel was also informed that the applicants had confirmed that all of the proposed development was on land within their ownership

If minded to approve the scheme, Officers sought an amendment to condition 4 which related to obscure glazing, with this being amended to also include the rear bathroom window and rear window of the side extension

The Panel heard representations from the applicant and two objectors who attended the meeting

Members discussed the following matters:

- the need for a plan showing the location of the beech trees/hedge to the proposed side extension
- that the boundary of the proposed family room would appear to be very close to the existing trees and whether this could be built without the need to remove any of the trees
- that what was being proposed amounted to a considerable increase in the size of the liveable footprint
- that if approved, that the existing extension should be demolished at the outset and that all construction traffic and skips etc be contained within the site, with clear hours of operation being drawn up and approved
- whether the roof of the side extension which was to be demolished and replaced was asbestos. It was confirmed that this material was steel sheeting, not asbestos

In view of the concerns raised by Members a proposal to defer determination of the application was proposed

RESOLVED - That determination of the application be deferred to enable further negotiations to take place and that a further report be submitted to Panel which included an accurate plan showing the boundary and beech trees/hedge in relation to the proposed side extension to the southern elevation and that a re-assessment of the application be undertaken in light of the above plan

(Councillors Grahame, Gruen and Parker left the meeting at this point)

22 Application 10/01694/FU - Replacement 1.5m high boundary wall with pillars, gates and railing to front at 210 Oakwood Lane Roundhay LS8

minutes approved at the meeting
held on Thursday, 5th August, 2010

Plans, drawings and photographs were displayed at the meeting

Officers presented the report on an application for replacement front boundary treatment to 210 Oakwood Lane which was an amendment to a previously refused scheme

Members were informed that the existing boundary treatment and gates to the property was at a height of approximately 2025mm and was unauthorised

Officers were recommending refusal of the application with a possible reason being included in the submitted report and stated that if the application was refused, enforcement action would be pursued

RESOLVED - That the application be refused for the following reason:

The Local Planning Authority considers that the replacement boundary treatment and gates by reason of their height and the materials proposed, would result in a prominent, incongruous form of development that is out of character with the surrounding street scene and would subsequently harm the visual amenity of the local area. As such the proposal is contrary to the objectives which Policies GP5 and N25 of the Leeds Unitary Development Plan seek to protect

23 Application 10/01621/FU - Detached 15m high wind turbine in association with a farm - Hall Farm Thorp Arch Park Thorp Arch Wetherby LS23

Plans, photographs, drawings and graphics illustrating the views of the proposed turbine from various points were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a 15m high wind turbine at Hall Farm, Thorp Arch which was designated as Rural Land and was situated in the Thorp Arch Conservation Area and in a Special Landscape Area

Members were informed that the proposal was similar to one which had been submitted by the applicant in November 2009 and which was refused in January 2010 by the Chief Planning Officer under delegated authority

Members heard representations from the applicant's agent and an objector who attended the meeting

Before discussion of the application ensued, the Head of Planning Services referred to the report which stated that Councillor J Procter had objected to the proposals and stated that there were issues around pre-determination and probity and that in such circumstances a Member should declare a prejudicial interest and leave the room. However, on consulting with Councillor Procter, the comments made were from the Community Planner and were submitted before Councillor Procter was appointed to the Panel

Councillor Procter confirmed this to be the case. The Chair stated the importance for Members and the public to be clear about such matters and that Councillor Procter had acted correctly

Councillor Procter at this point declared a personal interest as the owner of a biomass energy company as the application related to the provision of sustainable energy

Members commented on the following matters:

- how Leeds was performing against targets for provision of renewable energy and that figures on this issue be presented on the next

occasion an application for a wind turbine was being considered by Panel

- the location of the proposed wind turbine, in a Conservation Area and close to Thorp Arch Hall; a Grade II* Listed Building
- that many of the trees surrounding the area were deciduous and that the blades of the rotor would be visible during late autumn to early spring
- concern about how the application had been handled in that this application was very similar to the one refused earlier in the year which had been dealt with by a different set of Officers and why there was a difference in the recommendation being put forward

The Head of Planning Services stated that for applications for wind turbines of 15m and above, a screening opinion had to be provided and that was dealt with by the Department's Minerals Team which had now built up some expertise in this. Smaller turbines, ie under 15m in height were dealt with in the area teams in consultation with Minerals Officers. It was regrettable that previously no views had been taken on the impact of the proposals on the Conservation Area or the Special Landscape Area but that it was right for the application to be considered by Panel

In terms of applications for wind turbines across the city, there had been 50 received, with 6 being refused so far, including a major wind farm at Hook Moor which had been refused due to concerns by the Ministry of Defence

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

24 Application 10/01783/FU - Amendment to previous approval 09/00392/FU (proposed detached house) for insertion of obscure glazed first floor window to rear - Alsation House Town Hill Bramham LS23

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which sought an amendment to a previous approval (09/00392/FU) for provision of an obscure glazed rear first floor window at Alsation House, Wetherby which had a long and sensitive planning history

Members were informed that neither the Parish Council nor the resident of the neighbouring property had commented on the application

RESOLVED – That the application be granted subject to the conditions set out in the submitted report

25 Date and time of next meeting

Thursday 5th August 2010 at 1.30pm

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Plans Panel (East)

Thursday, 5th August, 2010

PRESENT: Councillor D Congreve in the Chair

Councillors M Coulson, R Finnigan, C Fox,
R Grahame, P Gruen, M Lyons,
J Matthews, A Taylor and G Wilkinson

26 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

27 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 10/02206/FU – 5 Croft House Mews Morley LS27 – Councillor Finnigan declared personal and prejudicial interests through being a member of Morley Town Council which had commented on the application and through knowing the resident of the neighbouring property (minute 32 refers)

Application 10/01871/FU – Corpus Christi Catholic College Neville Road LS9 – Councillor Lyons declared a personal interest through family connections with the school and that relatives currently attended the school (minute 33 refers)

Application 10/02074/FU – 13 Syke Road Tingley WF3 – Councillor Finnigan declared personal interests as a member of Morley Town Council which had commented on the proposals and as he had attended and made representations at a Licensing Committee when the applicant sought to obtain a licence for the sale of alcohol (minute 35 refers)

Application 09/05411/FU – Former Buslingthorpe Tannery Education Road LS7 – Position statement – Councillors Coulson, Fox, Lyons and Matthews declared personal interests as members of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 39 refers)

(Further declarations of interest were made later in the meeting – minutes 36 and 38 refer)

28 Apologies for Absence

Apologies for absence were received from Councillors Latty, Parker, Procter and Wilson who were substituted for by Councillors Fox, Coulson, Wilkinson and Matthews respectively

29 Minutes

minutes approved at the meeting
held on Thursday, 2nd September, 2010

RESOLVED - That the minutes of the Plans Panel East meeting held on 8th July be approved

30 Applications 09/00500/FU and 09/00501/CA - 134-140 High Street Boston Spa LS23 - Appeal decision

Further to minute 200 of the Plans Panel East meeting held on 11th March 2010, the Panel considered a report of the Chief Planning Officer on the outcome of a recent appeal decision following Panel's decision to refuse planning permission, against the Officer's recommendation, for a small residential development at land to the rear of 134-140 High Street Boston Spa. An appeal against non-determination of the related Conservation Area consent had also been submitted

The Head of Planning Services stated that in upholding the appeals, the Inspector had allowed the award of costs against the Council and had highlighted the weight Members had given to local knowledge rather than the evidenced fall back position contained within the application. In respect of the costs application, this had not yet been submitted but that Members would be updated on this in due course

In respect of another appeal against a refusal of planning permission by Panel, against the Officer's recommendation relating to the erection of 3 detached houses at 2 North Lane Oulton LS26, the Head of Planning Services stated that this appeal had recently been dismissed as had the application for costs against the Council, with a report on this matter being presented to Members at the next meeting

RESOLVED - To note the report and the comments now made

31 Application 09/05297/FU - Two storey rear extension with porch to side, single storey side extension and detached double garage to rear at Hemingways Cottage, The Green Thorp Arch LS23

Further to minute 21 of the Plans Panel East meeting held on 8th July 2010 where Panel deferred determination of the application to enable further negotiations and information to be provided, a further report was submitted

The Head of Planning Services stated that there had been a number of representations made since the last meeting, particularly from Ward Members, the Parish Council and neighbours regarding on-going issues and that there had also been an incident involving the police. In view of this the Members were asked to consider deferring consideration of the application for a further cycle, although the Head of Planning Services reminded Panel that where there were neighbour disputes, the Panel must confine itself to planning matters

RESOLVED - That determination of the application be further deferred and another report be submitted to the meeting to be held on 2nd September 2010

32 Application 10/02206/FU - Single storey extension to side and rear, raised roof height and dormer window with juliet balcony to rear forming rooms in roofspace and enlarged driveway to front - 5 Croft House Mews Morley LS27

(Having declared personal and prejudicial interests in this matter, Councillor Finnigan withdrew from the meeting)

Plans and photographs were displayed at the meeting
Officers presented the report which sought permission for extensions to 5
Croft House Mews Morley LS27

Members were informed that the attached property had a raised roof height
for a dormer and an extension to the rear and on that basis Officers were
recommending approval of the application. Furthermore, Members were informed
that whilst the dormer extension was large, it would be allowed under permitted
development were it not for the increased roof height of 200mm

RESOLVED - That the application be granted subject to the conditions set
out in the submitted report

(Councillor Finnigan resumed his seat in the meeting)

33 Application 10/01871/FU - 4 storey extension to front and a 4 storey height extension to rear of school at Corpus Christi Catholic College, Neville Road Osmondthorpe LS9

Further to minute 76 of the Plans Panel East meeting held on 24th September
2009 where Panel approved in principle an outline application for the refurbishment
of Corpus Christi Catholic College, Panel considered a report of the Chief Planning
Officer on an application for a 4 storey extension to front and a 4 storey height
extension to the rear of the school

Plans, photographs and graphics were displayed at the meeting

Officers presented the report and informed Members that the proposals which
were part of the Building Schools for the Future programme, sought to extend
Corpus Christi Catholic College and provide a new sports hall

Whilst the scheme would lead to a reduction in the number of hard court
games areas, Members were informed that Sport England had not objected to the
application

Additional car parking would be provided including four spaces for people with
disabilities and secure cycle storage facilities for up to 100 bicycles would be
available

In terms of highway improvements there would be improved accessibility to
and from the school site and improvements to an off-site pedestrian crossing with a
survey being undertaken to assess whether further off-site measures were required

Members were reminded that the school was sited in a flood risk area and
that a flood risk assessment had been carried out. Officers were satisfied that the
proposed development would not increase flood risk on the site or elsewhere and the
Environment Agency (EA) had not objected to the proposals. Whilst there was a
requirement for compensatory flood storage, this matter was still being discussed
with the EA

Officers reported the receipt of a letter from Yorkshire Water stating there
were no objections to the surface water drainage proposals

As the off-site drainage works had to be resolved, Officers were requesting
the application be deferred and delegated to the Chief Planning Officer for approval

Members commented on the following matters:

- highway safety issues in view of three schools being located in close
proximity to Neville Road; that accidents had occurred in the past; that
parents parked along Neville Road and on the pavements; that

pedestrian safety had to be addressed and concerns that the proposals did not do this

- whether the colour scheme of the whole building was being altered
- the design of the sports hall and that it was poor in terms of visual amenity
- whether the funding for the scheme was secure and if approved, when the contractor would start on site
- the need for the site to be secured at all times during construction to prevent children from cutting across the site
- concerns at the siting of the SEN block underneath the sports hall; whether this was appropriate and that good sound insulation should be used to prevent noise and disturbance for pupils
- whether the development would use sustainable materials and construction methods
- whether a Travel Plan had been submitted
- flooding issues; whether a balancing reservoir was required and the need for assurances that the increased amount of hardstanding within the scheme would not impact on pupil safety in the event of a flood occurring
- whether an ecological consultant had been involved in the design of the new build elements
- that due to flooding issues and pupil safety, the view that the application should come back to Panel for determination rather than being dealt with under delegated authority

Officers provided the following responses:

- regarding highway safety, conditions 15, 16 and 17 of the submitted report addressed this matter; that the feasibility study would consider whether additional works were required and that road traffic accidents statistics for this area had been obtained and were being considered. To help address concerns, the Panel's Highways representative stated that the design of the highway improvements could be developed in consultation with Ward Members and that these would also be checked by Road Safety colleagues within the Department
- that the colour scheme for the development was neutral render, buff brick and timber cladding with glazed elements in the school colours of purple and gold. In terms of the graphics displayed at the meeting, it was felt that the print quality had not accurately reflected the colouring of the existing materials
- that there were limited opportunities to put windows into the sports hall to break up the large expanse of the building in order to improve its visual appearance
- in respect of funding, Planning Officers were not party to the funding arrangements of the applicants but that if the scheme was approved, it was expected to commence in early 2011
- that site security could be controlled by condition
- that the need for the facilities had come from an education perspective; but that Officers would check that any implications of siting the SEN base below the sports hall had been fully considered but that sound attenuation was a Building Regulations matter

- in terms of sustainability, measures to keep the building in good condition had been included, ie the treatment of the timber cladding and provision of a brick boundary at ground level to prevent damage and that a high sustainability rating was required as part of the Building Schools for the Future programme
- that the Travel Plan had been provided, although there was a need for the data to be updated, with a condition covering this being included
- concerning flooding issues, that a flood risk assessment had been submitted which set out the mitigation measures which were required. The development would be on existing hardstanding areas and the EA were of the view that there would be no greater impact than the existing position. Compensatory flood storage was required and discussions on this were ongoing. In terms of pupil safety, there was a requirement for workable evacuation plans to be in place in the event of flooding
- that an ecologist had not been involved in the scheme. Concerns were raised at this with the view being that ecological matters were important and should be taken into account particularly on applications where the Council was the applicant. On this matter the Chair suggested that rather than someone being brought in to consider these issues, there was expertise within the Council and that the matter would be raised with the appropriate Officers

RESOLVED – That approval of the application be deferred and delegated to the Chief Planning Officer, subject to the conditions set out in the submitted report, an additional condition relating to site security; the resolution of off-site drainage works; consultation with Ward Members on the design of the highway improvements, with the scheme being referred to the Council's Road Safety Officers for approval and raising of the concerns at the siting of the SEN base below the sports hall and the lack of nature conservation measures in the scheme with the applicant

34 Application 10/01956/FU - 18m high 11 kw wind turbine - Beechgrove Farm Wetherby Road Scarcroft LS14

Plans and photographs were displayed at the meeting. The site had been viewed from the A58 Wetherby Road en route to the visits scheduled prior to the meeting, which some Members had attended

Officers presented the report which sought permission for the erection of an 18m high wind turbine at Beechgrove Farm Scarcroft LS14, which was situated in the Greenbelt and a Special Landscape Area

A photograph showing a previous structure within the farm buildings on the site, - a 30m high silage tower - which was removed in 1995 due to wind damage, was brought to Members' attention

The Panel was informed of the following revisions to the report:

- paragraph 6.1 – that of the 7 residents who had objected to the proposals, 5 lived on Ling Lane
- paragraph 10.3 – that the on-site activities did not include a kennel business and vets but was a dairy farm

Officers reported the receipt of a further representation from a Ward

Member requesting the Panel to have regard to the views of the Parish Council and Ward Members

In recommending approval of the application to Panel, Officers considered that very special circumstances had been demonstrated to outweigh the harm to the Greenbelt arising from the inappropriateness of the development; these being the environmental benefits of the proposed renewable energy development

The Panel heard representations from an objector and the applicant's agent who attended the meeting

Members discussed the application in terms of its visual impact, its siting in the Greenbelt, PPS22 relating to renewable energy and the need to address global warming

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

35 Application 10/02074/FU - Single storey extension to rear and new shopfront, roller shutters and access ramp to front of ground floor shop and change of use of existing first floor flat to 2 one bedroom flats - 13A Syke Road Tingley WF3

Plans and photographs were displayed at the meeting

Officers presented the report which sought permission for extensions and alterations to shop and living accommodation at 13a Syke Lane Tingley to form enlarged shop and 2 one bedroom flats

Members were informed that the main issues relating to the application were highway safety and impact on the living conditions of neighbours

In terms of highway safety, no objections has been raised. As the site was well screened to prevent overlooking there were no policy objections to the application in terms of residential amenity and Environment and Neighbourhood Officers had raised no objections, subject to a condition relating to provision of a sound insulation scheme

The creation of 2 one bedroom flats would provide living accommodation which whilst being small, would be of an acceptable size. As there was no concentration of flats or houses in multiple occupation in the area it was not possible to require a family-sized flat on the site

Members commented on the following matters:

- that one bedroom flats were not needed in the area but that family accommodation was
- that problems with litter and anti-social behaviour had already occurred at the premises and that a licence to sell alcohol had been obtained leading to further local concerns
- the view that good planning grounds existed for refusal of the application
- whether it was possible to condition the retention of the mature hedge, with Officers stating this could be protected for a maximum of 5 years
- that Keep Clear markings should be provided on the driveways of two of the adjacent residential properties. The Panel's Highways representative stated that this could be conditioned as part of an approval

RESOLVED - That the application be granted subject to the conditions

set out in the submitted report and additional conditions to retain the mature hedge and the provision of Keep Clear road markings to the driveways of two adjacent properties

36 Applications 10/02119/FU and 10/02121/CA - Change of use including alterations and extension of part of Public House to form 3 flats and covered car parking; erect detached block of 2 one bedroom flats and demolition of part of annexe to Public House - Site of former George and Dragon Public House High Street Wetherby LS22

Plans, drawings and photographs including an historical image were displayed at the meeting. A site visit had been undertaken earlier in the day which some Members had attended

Officers presented the report which sought permission for change of use, part demolition, alterations and extension of part of a vacant public house to provide new retail units, residential accommodation and parking on a prominent site on High Street Wetherby, which was situated in a Conservation Area

Officers reported the receipt of additional comments from Wetherby Town Council, the applicant and the submission of a 205 signature petition in support of the proposals

If minded to approve the application, Officers requested additional conditions be attached relating to:

- the provision of a sound insulation scheme
- submission of details of proposed rainwater goods
- the removal of the advert hoarding on the gable end elevation
- provision of a construction method statement

Councillor Wilkinson declared a personal interest as a member of Wetherby Town Council but stated that he was not a member of the Town Council's Planning Committee

The Panel heard representations from the applicant's agent and an objector who attended the meeting

In relation to a comment made by the applicant's agent in a meeting with Councillor J Procter regarding the application, it was stated that this meeting did not involve other Ward Members

Members discussed the following matters:

- the vehicular access arrangements to the flats, which were at the rear of the premises with concerns that residents would park on Cliffe Terrace for the purposes of unloading, so causing obstruction
- whether an alternative entrance could be created to prevent these problems or remove vehicular access rights to the two flats or introduce a TRO
- landscaping; that it was difficult to envisage where planting could be sited; that this might be better considered when the adjacent site was dealt with but that a semi-mature tree should be considered for the site and that the two self-seeded sycamores on the site were not worthy of preservation
- whether there was a bat roost on the site and that the Nature Conservation Officer's report should be made available

Officers provided the following responses:

- that an alternative entrance might be possible but that it could affect the whole scheme
- that it would not be possible to restrict vehicular access to the two flats as this was outside of the site boundary and that a TRO would not be possible as the access was private although it could be possible for bollards to be sited outside the pedestrian entrance as a mechanism to deter parking
- that there was not a bat roost on the site but there was bat activity and that the Nature Conservation Officer's report would be e-mailed to all Members
- that conditions 12 and 13 regarding landscape retention and the preservation of existing and retained trees should be deleted

Members considered how to proceed

A further concern was raised at the impact of the proposals on the availability of natural light to the ground floor level of offices at the rear of the site

RESOLVED - That the applications be granted subject to the conditions set out in the submitted report, with the inclusion of the inclusion of the additional conditions requested and minuted above and with the deletion of conditions 12 and 13

37 Applications 10/02527/CA and 10/02528/FU - Planning application and Conservation Area Consent for demolition of part of retail premises and alterations to form new shop front, rear extension and change of use of first floor to form two 2 bedroom flats - 12 - 14 High Street Wetherby LS22

With reference to the previous minute, Members considered a report seeking planning and Conservation Area consent for the demolition of part of the adjacent retail premises at 12 – 14 High Street Wetherby and alterations and extension to form new shop front and change of use for first floor flat to form two 2 bedroom flats

A site visit had taken place earlier in the day, which some Members had attended

Officers presented the report and stated the application was similar to the previous one considered by Panel in relation to the former George and Dragon Public House

Officers reported a further representation which had been received from the Victorian Society although it was felt this related to the previous application (minute 36 refers)

RESOLVED - That the applications be granted subject to the conditions set out in the submitted report, plus an additional condition requiring the submission and approval of a construction traffic method statement

38 30 applications to vary conditions relating to number of units, affordable housing, greenspace, education provision, public transport provision and land contamination and to extend the time limit of applications for residential development at 10 sites in Beeston Hill and Holbeck LS11

Further to minute 127 of the Plans Panel East meeting held on 23rd October 2008 where Panel resolved to grant outline planning permission for residential development on twelve sites comprising the Beeston Hill and Holbeck PFI scheme,

Members considered a further report seeking variations to conditions in respect of ten of the sites

Officers presented the report and informed the Panel that the project had reached the stage where two rival bidders had drawn up schemes for each of the sites and once a successful bidder had been selected, detailed Reserved Matters applications would be submitted

Although outline permission was granted on twelve sites, only eight of these would be progressed to the detailed planning application stage. Whilst ten sites were the subject of proposals to vary conditions, two of the sites could be subject to a future scheme but would not be progressed at this stage, these being the sites at Waverley Garth and Malvern Rise. Members were also informed that the site at Cambrian Street had been removed from the project

Members were informed that the original proposal was for approximately 700 dwellings being split between social housing and private dwellings. Although a lesser number of homes would now be built – 275 - the revised scheme would provide 100% social housing

Officers outlined the proposed variations in conditions which were set out in detail in the report before Panel

Members were informed of the following amendments to the report:

- paragraph 10.6 – it was not proposed to retain the requirement for a contribution towards education provision on the Bismarck Street/Drive and Holbeck Towers sites
- that in all cases, the time limit for submission of Reserved Matters to be 3 years

Members commented on the following matters:

- whether Ward Members had been consulted on the proposals
- that the Council had consistently requested affordable housing on private developments over a certain size but it appeared there had been a u-turn in this case
- which ALMO the sites came within. Members were informed that the sites were within the control of Aire Valley Homes ALMO
- planning contributions and how the figure of 50 had been arrived at as the threshold to attract developer contributions on certain schemes
- whether a home zone aspect would be a feature of the developments
- whether all safety implications had been considered, ie cctv, gates etc
- the importance of Ward Members being involved in all stages of PFI schemes; the need to ensure time limits for construction were included and that there was full understanding of the amount of leeway contractors seemed to have, for example in respect of the materials to be used in construction
- the need to ensure local training and employment opportunities
- whether the principle of mixed development had been lost and that this should be referred back to Environment and Neighbourhoods Department

Councillor Finnigan declared a personal interest as a member of Aire Valley Homes ALMO

Discussion ensued on whether the fact that Councillor Gruen is the Executive Member for Neighbourhoods and Housing, with responsibility for affordable housing should be precluded

The Panel's Legal representative stated that there was no legal principle to prevent a member with executive functions from taking part in the determination of a planning application at Panel. Councillor Gruen stated that he had not had any previous involvement in the matters before Panel and that whilst his Executive responsibilities incorporated affordable housing this was in the context of a general remit and not in the context of promoting these particular development proposals

Officers provided the following responses:

- that a summary of the report had been provided to all the Ward Members
- The Head of Planning Services stated that the nature of the PFI programme had changed and that Officers had attempted to assess it as a whole. Although the number of sites being developed had decreased, they would provide 100% affordable housing, with two sites not providing any, but that this would still result in a higher number of affordable units being provided. On the 100% affordable housing sites there would not be education or public transport contributions but these would be required on the private sites if more than 50 dwellings were built on any one site. Consideration also had to be given to whether there was a need for additional education and public transport provision due to the reduction in the amount of accommodation being provided
- that the threshold for developer contributions to education provision had been included in the SPD of 2001 which was currently being reviewed
- that the detailed design issues would be considered at Reserved Matters stage
- that a condition relating to training and employment was attached to the outline planning permission

The Chair requested that Officers take back the concerns raised by Members to the Director of Environment and Neighbourhoods

RESOLVED - To defer and delegate approval of the applications listed below to the Chief Planning Officer subject to the conditions set out in the appendix to the submitted report, subject to in all cases, condition no 2 being amended to read 'time limit – 3 years for submission of RM ...' and following the expiry of the consultation time period (10th August 2010) relating to the additional site notes which have been posted as set out in section 6 of the submitted report: and no new issues being raised

Folly Lane – 10/02786/LA	Outline application number 08/03012/LA removal of condition 3 and variation of conditions 4, 5, 6
10/02785/LA – 10/02947/EXT -	removal of condition 7 extension of time application
Holbeck Towers- 10/02780/LA	Outline application number 08/03018/LA removal of conditions 3 and 5 and variation of conditions 4, 6, 18, 19

10/02779/LA 10/02887/EXT	removal of condition 7 extension of time application
1-21 Coupland Road 10/02772/LA	Outline application number 08/04065/LA removal of condition 3 and variation of conditions 4, 5, 6
10/02770/LA 10/02956/EXT	removal of condition 7 extension of time application
1-4, 2-20 St Luke's Green 10/02774/LA	Outline application number 08/04066/LA removal of condition 3, variation of conditions 4, 5, 6
10/02773/LA 10/02957/EXT	removal of condition 7 extension of time application
15-44 Coupland Place 10/02769/LA	Outline application number 08/04067/LA removal of condition 3 and variation of conditions 4, 5, 6
10/02768/LA 10/02958/EXT	removal of condition 7 extension of time application
Malvern Rise 10/02778/LA	Outline application number 08/04272/LA removal of conditions 3 and 5 and variation of conditions 4, 6
10/02777/LA 10/02952/EXT	removal of condition 7 extension of time application
Waverley Garth 10/02783/LA	Outline application number 08/04274/LA removal of condition 3, variation of conditions 4, 5, 6
10/02782/LA 10/02955/EXT	removal of condition 7 extension of time application
165-183 & 131-159 Malvern Road 10/02776/LA	Outline application number 08/04276/LA removal of condition 3 and variation of conditions 4, 5, 6
10/02775/LA 10/02954/EXT	removal of condition 7 extension of time application
53-133 Bismarck Street & 1-75 Bismarck Drive 10/02788/LA	Outline application number 08/04334/LA removal of conditions 3 and 5 and variation of 4 and 6
10/02787/LA 10/02951/EXT	removal of condition 7 extension of time application
10-64 Fairfax Road 10/02784/LA	Outline application number 08/4335/LA removal of condition 3 and variation of conditions 4,5,6

10/02781/LA
10/02949/EXT

removal of condition 7
extension of time application

(Councillor Coulson left the meeting at this point)

39 Application 09/05411/FU - Former Buslingthorpe Tannery, Education Road Sheepscar LS7 - Position statement

Further to minute 222 of the Plans Panel East meeting held on 8th April 2010 where Panel considered a position statement on an application for part demolition, change of use, including 5 storey extension and addition of new floor to roof of former tannery to form 190 apartments and erection of multi-level development up to 7 storeys in 3 blocks, comprising 9 townhouses and 150 apartments with retail shop, car parking and landscaping with a related Conservation Area Consent for demolition of industrial buildings at Buslingthorpe Tannery Education Road Sheepscar, Members considered a further position statement

Officers presented the report and advised the Panel that a smaller scheme was now being considered; that the footprint of the buildings had been reduced and that the family housing now comprised town houses with private gardens

A total of 336 units was proposed with 160 car parking spaces although Officers were of the view that the amount of car parking might need to be increased

The Panel considered that the scheme was an improvement on the previous proposals but concerns were raised at the possibility of overlooking to the town houses, the lack of car parking and the need for further information on the open space areas of the site

In response to the specific issues raised in the report, the Panel made the following comments:

- there were no concerns regarding the principle of residential development, including the mix of units
- that Members were more satisfied at the proposed reduced heights of the buildings and that these were acceptable and appropriate to the character and appearance of the Buslingthorpe Conservation Area. Members also considered that a marker building on the corner of the site could be higher but that any extra height would need to be offset by a well designed stylish building of quality. A suggestion of the inclusion of community art was also made
- Members did not wish to see a representative sample of some of the single storey shed buildings retained on site as requested by WYAAS. On this matter the Panel was advised that full archaeological recording of the site could be conditioned
- There was concern about the amount of car parking which might be provided and that target numbers for car parking were requested. Officers stated car parking levels would depend upon the mix of units; that the parking would be unallocated and that ideally a level of 70% car parking for small flats would be provided
- No details had been provided on the quality of the residential development, but there was concern at the amount and location of the amenity space provided and that the Council's Nature Conservation Officer should be involved in the proposals for the open areas

- Overall there remained concern about the amount of development being proposed, particularly if car parking levels needed to increase with a consequential impact on the provision of amenity areas within the site
- Members did wish the applicant to enter into a Section 106 Agreement to secure a number of planning obligations despite the applicant's viability issues. The importance of ensuring communities benefited from development in their areas was stressed although there was some recognition that this might need to be looked at if the level of contributions required prevented the scheme from being implemented

RESOLVED - To note the report and the comments now made

40 Date and time of next meeting

Thursday 2nd September 2010 at 1.30pm in the Civic Hall, Leeds

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PLANS PANEL (WEST)

THURSDAY, 15TH JULY, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors J Akhtar, A Castle, B Chastney,
M Coulson, J Hardy, J Harper, T Leadley,
J Matthews and R Wood

11 **Declarations of Interest**

The following Members declared person/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:

Councillor Harper – Application 10/0236/OT retail food store, Armley – declared a personal interest as Vice Chair of West Leeds Gateway and a member of Armley Town Centre Heritage Group (minute 17 refers)

Councillor Matthews – Application 10/0236/OT retail food store, Armley – declared a personal interest as a member of West Yorkshire Integrated Transport Authority which had submitted comments on the proposals (minute 17 refers)

It was further noted that all Members of Panel knew the applicant in respect of Item 7 on the agenda (Application 10/02447/FU extension to 31A Half Mile Lane, Stanningley) as the applicant was a fellow Member of Council and Chair of Plans Panel East (minute 14 refers)

12 **Minutes**

RESOLVED – That the minutes of the previous meeting held on 18th June 2010 be agreed as a correct record

13 **Matters Arising**

The Lead Officer informed Members at the start of the meeting that on 6th July a letter had been received from the Chief Planner at Communities and Local Government informing Local Planning Authorities that the Secretary of State had announced the revocation of Regional Strategies with immediate effect. Members were therefore advised that RSS is no longer part of the Development Plan and any reference to RSS in reports before Members should therefore be ignored.

14 **Application 10/02447/FU - Single Storey Extension and Widening of Driveway to front of 31a Half Mile, Stanningley, Leeds LS13**

The report on this application was presented for Panel determination as the applicant was a Member of Council. Architects drawings of the proposals were displayed at the meeting along with an aerial photograph and photographs of the streetscene

RESOLVED – That the application be granted subject to the specified conditions contained within the report

minutes approved at the meeting
held on Thursday, 12th August, 2010

15 Application 10/02226/LA - Outline Application for Residential Development comprising of C2 (residential institutions) on land at Farrar Lane, Adel, Leeds LS16

The Panel considered the report of the Chief Planning Officer on an outline application to develop a residential institution on land at Farrar Lane, Adel. Site plans, indicative site layout plans and photographs of the locality were displayed at the meeting. Officers explained the location of the site in relation to the Holt Park District Centre, Ralph Thoresby High School and a recently approved Well Being development.

Officers highlighted the key issues to consider with this application as being the principle and access; although some indicative drawings had been submitted showing how the site may be laid out. It was noted the applicants intended to build the new development and then move residents of the existing care home into it. The existing care facility would then be demolished.

Officers requested the recommendation to the report be amended following the receipt of consultation responses in order to defer and delegate approval of the application to the Chief Planning Officer with two additional conditions as follows

- that the red line boundary be extended to the existing highway – following comments from highways services
- to carry out a bat survey – following receipt of comments from Nature Conservation

The Panel commented on the piecemeal development of this locality and

- Sought clarification on the proposed access road off Farrar Lane;
- Sought reassurance that the scheme would be of sufficient high quality
- Sought reassurance that this development could be delivered should the development of the Well Being Centre be deferred

RESOLVED – That determination of the application be deferred and delegated to the Chief Planning Officer for final approval subject to the conditions contained within the report plus two additional conditions :

- a) to ensure the red line boundary is extended to the existing highway
- b) to carry out a bat survey

16 Application 25/407/05/OT - Terms of the Section 106 Agreement for Residential Development at land to the rear of Mid Point, Office Park, Dick Lane, Pudsey LS28

Further to minute 110 of the meeting held on 15 April 2010 when the Panel considered revised terms of the Section 106 Agreement associated with the development, the Chief Planning Officer submitted a further report on the outcome of subsequent discussions with the developer.

The Panel recalled the discussions on the viability of the scheme and their previous concerns about the revised framework for how Affordable Housing would be delivered on the site, whether 100% of the AH requirement should be a commuted sum and if so at what point the commuted sum was paid. At

minutes approved at the meeting
held on Thursday, 12th August, 2010

that time the Panel had been keen to ensure the LPA received the full commuted sum and had suggested a phased approach.

The report set out the detail of the new phased approach proposed by the developer which would guarantee delivery of 51% of the total commuted sum (as opposed to 23% previously) with delivery of the remainder being subject to viability assessments.

The Head of Planning Services reiterated the developers' commitment to commence work on site prior to February 2011 and advised Members that in the light of new Government's change of approach to housing delivery significant weight should be given to facilitating the delivery of brownfield sites such as this.

The Panel received assurance from officers that the Asset Management Team had scrutinised the financial viability of the scheme and noted the comments of local ward Councillors who had expressed support for the scheme and the approach originally proposed by the developers. Members also discussed the merits of the Metrocard scheme proposed under the Green Travel Plan and asked that a report be presented to a future Joint Plans Panel meeting on the value for money provided by residents Metrocard schemes as part of Section 106 Agreements.

RESOLVED – That approval be given to the terms of the Section 106 Agreement in relation to Affordable Housing and Greenspace as set out in the schedule attached to the report

(Councillor Akhtar withdrew from the meeting at this point)

17 Application 10/02363/OT - Position Statement on Outline Application to erect Retail Foodstore with Car Parking and Petrol Filling Station, land off Car Crofts, Town Street & Modder Place, Armley, Leeds LS12

The Panel considered a progress report on an outline application for a new retail development in Armley. Members had visited the site prior to the meeting. Plans, indicative drawings and indicative sections were displayed along with photographs of the site.

Officers highlighted key issues of the proposals as;

- Retail development within a designated town centre. However due to the size of the proposals an impact assessment had been provided on the potential impact on Town Street and surrounding centres; further information (particularly on comparison goods) had been requested.
- Potential regeneration benefits with new investment and jobs.
- Part of the site lay within the conservation area and the proposals involve demolition of five buildings within the conservation area (four specifically designated as positive) to facilitate a new highway junction and a Petrol Filling Station
- Highways and trip generation. Highways had raised concern about the proposed new signalised junction on Town Street and the applicant had agreed to consider signalling at Tong Road

Additionally, objections had been received from the Environment Agency; however it was considered that the submission of a Flood Risk Assessment may satisfactorily address their concerns.

Members commented on the following matters:

- The scale of the retail proposal and its effect on Armley Town Centre trade. The Panel wished to investigate comparisons with the impact other stores in similar localities at Rothwell and Morley.
- The number of jobs this proposal could provide and the number which could be lost through relocation or closure of existing businesses within the site.
- Concern that the Armley Conservation Area had recently been designated and this application sought the demolition of buildings of note. Members were particularly keen to see the retention of the corner building and wanted an assessment of potential highway improvements on the other side of Carr Crofts to achieve this,
- Whether the petrol station could be removed to enable retention of other buildings in Conservation Area and improve linkages to the town centre
- Whether a smaller retail store would be viable on the site.
- The adequacy of the Tong Road junction and whether this should be signalised.
- Concern regarding the accessibility and suitability of the one-way railway bridge and whether this could be two-way to facilitate any increase in traffic.

The Panel noted that local ward Councillors broadly supported the development of a supermarket in this location provided the design was of high quality, but had commented whether the junction to the east side of Town Street could be widened instead which would not necessitate the loss of the buildings to the west side and that HGV access should be from Tong Road only. It was noted the ward Councillors would prefer to delete the petrol station from the scheme if this would improve connectivity with Town Street and preserved buildings in Conservation Area.

RESOLVED – That the contents of the report and the comments made by Panel be noted.

18 Application 10/01780/FU - Retention of Cattle Shed, Single Storey Side Extension to Cattle Shed and Erect Detached Sheep Shed, Low Green Farm, 40 Leeds Road, Rawdon, Leeds LS19

This item was withdrawn from the agenda prior to the meeting to allow time for further negotiations with the applicant

19 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 12th August 2010 at 1.30 pm

PLANS PANEL (WEST)

THURSDAY, 12TH AUGUST, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors J Akhtar, A Castle, B Chastney,
M Coulson, J Hardy, J Harper, T Leadley,
J Matthews and R Wood

IN ATTENDANCE Councillor M Hamilton
Councillor J Monaghan
Councillor J Illingworth

20 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves for the benefit of the members of the public who were attending the meeting

21 Late Items

There were no formal late items, however Members were in receipt of the following information to be considered at the meeting:

Applications 08/04214/OT/08/04216/FU/08/04217/CA/08/04219/FU and 08/04220/LI – Residential development at Leeds Girls High School Headingley Lane LS6 – a plan showing visibility splays which had been requested by Members on the site visit which had taken place earlier in the day (minute 25 refers)

22 Declarations of Interest

The following Members declared 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:

Leeds Girls High School applications (minute 25 refers):

Councillor Taggart declared personal and prejudicial interests through having undertaken work for the applicant's agents, albeit not in Leeds

Councillor Castle declared personal interests through being a member of Leeds Civic Trust which had commented on the proposals and also through having been educated at the school, as had Councillor Castle's daughter

Councillor Chastney declared personal interests through being a member of the Far Headingley Village Society which had been consulted on the application and as a member of North West Inner Area Committee when previous proposals were presented to Panel in October 2009

Councillor Matthews declared personal interests through being a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals and as a member of North West Inner Area

Committee when previous proposals were presented to Panel in October 2009

Application 09/00856/FU – Former Glassworks Cardigan Road LS6 – Councillor Matthews declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 28 refers)

Application 10/02221/LA – Mistress Lane Armley LS12 – Councillor Matthews declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 29 refers)

Application 10/02221/LA – Mistress Lane Armley LS12 – Councillors Coulson and Harper declared personal interests as members of West Leeds Gateway (WLG) as the site was within the area covered by the WLG Area Action Plan (minute 29 refers)

Application 10/02227/LA – Haworth Court Chapel Lane LS19 – Councillor Matthews declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 30 refers)

(further declarations of interest were made later in the meeting – minutes 25 and 27 refer)

23 Minutes

RESOLVED – That the minutes of the last meeting held 15th July 2010 be agreed as a correct record

24 Election of Chair

(Having declared personal and prejudicial interests, Councillor Taggart withdrew from the meeting)

Councillor Janet Harper was nominated to chair the following item, in Councillor Taggart's absence

25 Applications 08/04214/OT; 08/04216/FU; 08/04217/CA; 08/04219/FU and 08/04220/LI - Residential Development at Leeds Girl High School, Headingley LS6

Councillor Janet Harper in the Chair

Further to minute 37 of the Plans Panel West meeting held on 1st October 2009 when Panel considered a position statement on proposals for the redevelopment of the former Leeds Girls High School site, Headingley Lane LS6, Members considered the formal applications. Appended to the report was a copy of the report considered by Panel at the meeting in October 2009

The Chair stated that due to the level of interest in the application and the number of representations which had been received on the proposals, it

Draft minutes to be approved at the meeting
to be held on Thursday, 9th September, 2010

had been decided on this occasion to vary the speaking protocol to allow three objectors to address the Panel, with the applicant's agents having the equivalent amount of time to put forward their case to Members

Plans, photographs, drawings and graphics were displayed at the meeting. A site visit had taken place earlier in the day which Members had attended

Officers presented the report which related to 5 applications, these being:

- an outline application for residential development of 51 houses and 15 flats
- a full planning application for change of use and extension of the main school building and stable block to form 32 flats and 4 terrace houses
- change of use application for the listed Rose Court building to form 12 flats
- listed building application for Rose Court
- Conservation Area application for demolition works

Minor revisions to the scheme had been undertaken which resulted in 4 fewer dwellings being proposed and an increase in the number of car parking spaces; these being 2 spaces per family dwelling and 1 space per flat. Disabled parking provision would also be included. With the 1 dwelling in Rose Court Lodge and 2 dwellings within the existing North West Lodge, a total of 117 dwellings were now proposed on the site

Members were informed that the main planning issues related to the principle of housing development/ loss of protected playing pitches; design issues and impact on the character and appearance of this part of the Headingley Conservation Area and the setting of the listed building; highways issues; residential amenity issues and developer contributions

In terms of the principle of housing development, planning guidance required LPAs to encourage residential development in sustainable locations, with Officers stating that the site was in a highly sustainable location with good public transport links. The vacant buildings required a new use and given the location of the site and nature of the area in which it was sited, residential use which would deliver family housing in the Area of Housing Mix was considered to be appropriate

The scheme would bring back into use the listed Rose Court, would preserve the most attractive elements of the 1905 main school building and provide public open space to land which had not previously been publicly accessible

Relating to the loss of protected playing pitches, Officers stated that the facilities which would be lost were two sets of tennis courts, one set which had been in regular use by the school; the other set having more recently – up to the closure of the school in 2008 - been used by the school for overflow car parking. There was also an open grassland area which had been used as informal recreational space by pupils during breaks and lunchtimes

Once the closure of the school had been announced in 2006, the Panel was informed that Officers had discussed the possible use of the playing pitches with a range of organisations including the Council's Parks

Department; colleges and both universities to establish whether there was interest in using these facilities, but this had not been forthcoming. Whilst interest had been expressed by a group of local primary school headteachers and governors seeking to address the lack of outdoor play areas for local school children, Education Leeds, although sympathetic, had raised management and safety concerns at the proposals and in view of this, the interest had not been pursued further

In terms of the greenfield element of the site, Policy N6 was relevant and having considered this, Officers were of the view that criteria i) of this policy applied which related to the provision of suitable replacement pitches; these pitches being located at Manor House Lane, LS17 adjacent to the Grammar School at Leeds site

On the issue of locality, Officers accepted that the former school site and its new location were 4 miles apart but were in the north/north-east part of the city. Also, as the school was a private school it was felt that its catchment area could be considered to be much wider than a community school

Sport England considered the proposals to be acceptable in line with their policy E4 and PPG17 which required replacement pitches to be of an equivalent or better quality. As the main playing pitch on the former school site comprised two tennis courts and the facilities at Manor House Lane were over 6 hectares in area and provided for a wide range of sports with community access, it was felt this was adequate compensation for the loss of the courts. In addition, arrangements were in place for public access to those facilities whereas there was no public access to the courts at Leeds Girls High School

Concerning Ford House Gardens, Members were informed that the landowner had agreed to lease this 0.5 hectare area of land for the use and benefit of the Headingley community. As the landowner was a charitable organisation it was not possible to gift the land to the Council. Instead, a ten year licence was proposed which would enable the enjoyment of this previously inaccessible area of land for at least 10 years, with the possibility of the land being offered to the Council in perpetuity, if an acceptable scheme came forward on the Victoria Road site and was granted planning permission

In relation to design issues, the Panel was informed that a high quality scheme was required for the site. In terms of the outline application, an image showing the scale and massing of the scheme was displayed and reference was made to the proposals on the south west corner of the site, particularly the 4 storey block which would comprise flats

Revisions to the previous proposals had been made which resulted in the proposed unsympathetic flat roof extension on the listed Rose Court no longer being retained. Elements of the impressive 1905 main school building would be picked up in the architecture of the proposed flats and a landscaped public open space which would create a Georgian square would enhance the character and appearance of the Conservation Area

Regarding highways matters, Officers stated the proposals would close the current poor vehicular access on Headingley Lane and provide safer access points. There would be two principal means of access; these being the existing access on Victoria Road which would be improved and the creation of a new access also from Victoria Road. The existing access which served the lodge building would be retained. Improved pedestrian and cycle access

through a link from Victoria Road to Headingley Lane would be provided, which would also be vehicle free

The applicant would be expected to enter into a Section 106 Legal Agreement to provide a range of developer contributions, including £81,571 toward public transport improvements. On affordable housing, an innovative approach was being proposed whereby the usual 15% of affordable housing would be provided by way of a commuted sum which would be used to buy back some of the HMO properties in Headingley in order to return them to family housing and help address the issue of housing mix. In the event this was not feasible then the affordable housing would be provided on-site, in the form of a pro-rata mix of dwelling types to achieve the 15% normally required

A high level of representations on the proposals had been received - 1335 letters including representations from a range of organisations; Elected Members and Greg Mulholland MP. The comments of local Ward Members, Councillors Martin Hamilton and James Monaghan were read out and reference was also made to objections received from Councillors Atha and Illingworth. Officers reported the receipt of objections from the North West Inner Area Committee planning sub group, particularly at the short notice of the advertisement of the applications and the Panel meeting being held in August at the start of Ramadan

Officers summarised the main points of the applications and recommended them to Panel, however as Sport England had not formally withdrawn their statutory objection, Officers requested the applications be deferred and delegated to the Chief Planning Officer subject to the conditions set out in the submitted report and additional conditions relating to provision of highway works and footpaths to be to adoptable standards; the number of units not to exceed those shown on the individual plans; time limit of 3 years for submission of Reserved Matters, 5 years for implementation; provision of disabled access details and for a survey of gates, piers, steps and railings to be carried out and a scheme for their retention and restoration to be approved and implemented

The Panel heard representations from three objectors and the applicant's agent who attended the meeting and noted the comments made which included:

- a failure of the proposals to meet the requirements of the Community Planning Brief produced by objectors
- the loss of playing fields despite the offer by local schools to utilise these for the benefit of their pupils
- the demolition of a considerable proportion of the main school building
- the lack of garden space in the area and the need for public recreation areas which would benefit the local community

and from the applicant's agent

- that the applicants had addressed all of the issues in the Community Planning Brief apart from the playing fields aspect and if approved, the development would enable people to see these buildings where this

had previously not been possible and to enjoy the area of public open space

Members commented on the following matters:

- the lack of detail in the outline application to enable a considered decision to be given to the proposals
- the intention to include flats on the site as opposed to large scale family housing which was needed and concerns that more flats would further increase the transient community in the area
- concerns at the height of the 4 storey element and the possibility of overdominance, particularly to the openness of the landscaped area in the scheme
- that the balustrades at the front of Rose Court should be retained and reinstated to their original form
- concerns at the loss of trees on the site
- concerns at the extent of the demolition of the main school building
- concerns that a period of 10 years for the guaranteed use of Ford House Gardens was not long enough
- the lack of play area facilities for local schools; that the application afforded the opportunity to remedy this and that the expression of interest in taking over the playing pitches by a group of local schools should not be dismissed due to the concerns raised by Education Leeds
- that the previous report had indicated that Highways Officers could not support the proposals
- the impact of the proposals on both Victoria Road and the junction with Headingley Lane which was a cause for concern due to the high volume of traffic the area experienced
- whether the highway proposals would provide sufficient turning space for emergency and refuse vehicles
- affordable housing, with mixed views on the proposed method of dealing with this
- that the timing of the application being brought to Panel seemed rushed in view of some matters which appeared not have been satisfactorily resolved

(Councillor Matthews declared a personal interest as a Governor at Springbank Primary School)

The Panel considered how to proceed

The Head of Highways Development Services referred to the plan which had been tabled at the meeting and made the following comments:

- that the report considered by Panel in October 2009 had referred to a wider development but due to the withdrawal of the former Sports Hall from the scheme, no additional highways measures were required

- that there had been concerns about the access road but that the submission of the revised plan showed an increased road width which Officers were satisfied with. Similarly, revised drawings had been submitted to demonstrate the turning head for refuse and emergency vehicles but it was accepted that it was not possible for 2 vehicles to pass at this point
- in terms of the highway issues at Victoria Road, that during the lifetime of the application, Highways Officers had amended and implemented a new scheme on Victoria Road and that the 'Keep Clear' road markings associated with the school would be removed
- that the NGT proposals would address the Victoria Road/Headingley Lane junction and that Officers could only address the highways issues raised by the applications before Panel. Officers were satisfied that no additional traffic would be on the highway network as a result of these proposals

The Chief Planning Officer, who was in attendance, provided the following comments

- that it would be possible to defer the outline application if Members required more detail on the 4 storey block
- that 15% affordable housing was being offered but that due to the level of HMO properties in the area, many of which were vacant, there was an opportunity to purchase a number of these to return them to family housing, with a fall-back position, in the event this could not be achieved, of securing 15% on-site affordable housing
- regarding the timing of the application being brought to Panel, this was in response to a request from the applicant seeking for the applications to be determined. Members were also informed that there was pressure from the applicants to lodge an appeal against non-determination. On this matter, the Chief Planning Officer stated that if the applications were determined by an Inspector, the outcome might be less favourable in terms of what Officers had been able to secure. He also advised that the financial pressures faced by the school were not a reason for determining the applications. These should be determined on planning grounds alone
- that a written response would be provided to Councillor Illingworth to the points he had recently raised on the application, but that the Chief Planning Officer was not of the view that there was a direct relationship between the health of existing residents and the planning applications before Members and that in terms of equality issues, conditions requiring provision of disabled access were included as was the requirement for affordable housing. Other aspects of disabled access would be addressed by Part M of the Building Regulations

As a way forward in view of the comments which had been made, it was suggested that Panel indicate the areas it would like Officers to pursue with the applicant

RESOLVED - That determination of the applications be deferred and that the Chief Planning Officer be asked to submit a further report to the next meeting to include additional information relating to:

- the 4 storey block; its height and relationship to the surrounding area
- the density of the site
- the extent of the demolition of the main school building
- the length of time for the lease of Ford House Gardens
- the loss of open space/playing fields
- highways matters

(Following consideration of this matter Councillor Taggart returned to the meeting and resumed the Chair)

26 Application 10/02354/FU - Alterations to attached garage including new raised roof forming store above, 11 Horton Rise, Rodley LS13

Plans, drawings and photographs were displayed at the meeting
Officers presented the report which sought permission to raise the height of the existing garage at 11 Horton Rise Rodley LS13 by 1.2m and include four rooflights

Members were informed that there were a mix of house types in the street scene and because of this, Officers considered that the proposals would be acceptable in this area

The Chair informed the Panel that as a Ward Member for the Bramley area this matter was sought to be raised at one of his surgeries. However before any explanation of the proposals could be made, Councillor Taggart had stated that he could not be involved through being the Chair of the Panel which would consider the application

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

27 Application 10/02052/EXT - Extension of Permission of Application 26/564/04/FU for change of use involving part demolition and 2.5 storey extension to side to form 14 flats, Escher House, 116 Cardigan Road, Headingley LS6

(Prior to consideration of this application, Councillor Chastney withdrew from the meeting having declared personal and prejudicial interests through knowing one of the objectors who had registered to address the Panel)

Plans, photographs and graphics were displayed at the meeting
Officers presented the report which sought an extension of time for a previously approved application 26/564/04/FU for the change of use of 116 Cardigan Road from offices to flats

Members were informed that for applications seeking an extension of time, only material planning changes could be considered

The main changes in planning circumstances were set out in the submitted report. Members were informed that the building was well screened and the flats would be barely visible from the streetscene

A Section 106 Legal Agreement would prevent occupation of the flats by students. An off-site greenspace contribution was also being requested and although this had been queried by the applicant, the Officer's recommendation for approval was on the basis that this sum would be provided and in the absence of this contribution, permission would be refused

As there had been no significant change in planning circumstances since the previous approval, Officers were recommending the application for approval

The Panel heard representations from two objectors who attended the meeting

Members discussed the following matters:

- how the restriction on use of the accommodation by students could be enforced in view of the difficulties which had been experienced in enforcing such a condition at a nearby property
- the lack of provision for visitor car parking
- that the lack of car parking within the scheme would lead to on-street parking in surrounding streets as Cardigan Road could not be used due to the heavy traffic levels which already occurred there
- that the carbon footprint of developments should be taken into account
- that the flats were sited in an area with good public transport links

The Head of Planning Services stated that the S106 Agreement relating to the restriction of use of the accommodation by students was the means by which the High Court could enforce this and that it was stronger than a planning condition. Whilst the situation was likely to be strengthened through the Core Strategy, at the moment a legal agreement was the strongest mechanism which could be used

RESOLVED - To defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report (plus any others which he might consider appropriate) and the completion of a legal agreement within 3 months following Panel, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- off-site greenspace contribution - £32,324.13
- flats will not be occupied by students

(Following consideration of the application, Councillor Chastney resumed his seat in the meeting)

28 Application 09/00856/FU - Part 4, 5 and 6 storey block comprising 65 student cluster flats, with 154 bed spaces, car parking and landscaping, former Glassworks, Cardigan Road, Headingley LS6

Plans, photographs and graphics were displayed at the meeting

Officers presented the report which related to a student housing development on the site comprising 65 student cluster flats with 154 bed spaces at the former Glassworks, Cardigan Road Headingley LS6

Members were informed that a previous student housing development on the site for 256 bed spaces had been refused by Panel at its meeting on

21st February 2008, against the Officer's recommendation (minute 187 refers). An appeal which had been lodged following refusal of that application had been dismissed by the Planning Inspector

An extant permission for a residential scheme for 86 flats on the site remained until March 2012. Members were informed that the total number of bed spaces for that development was 140. As that permission was not restricted by condition in terms of occupancy, it was the applicant's view that this was a legitimate fall-back position, ie that the development could be built and then let to students. Officers stated that they had concerns about how real the fall-back position was as there were doubts as to the viability of the approved scheme and so it should be accorded limited weight. If Panel accepted the fall-back case put by the applicant then it would need to consider the difference in the current application, ie 34 bed spaces

The scheme before Panel had been designed to mirror the approved scheme although it would include additional amenity space as less parking was proposed as the scheme was for student use

Officers were of the view that the presence of 154 students on the site would have a detrimental impact on the area and a reason for refusal of the application relating to this was included in the submitted report, for Members' consideration

Members commented on the following matters:

- that reference to the Kirkstall Ward should have been included in the report
- policy H15 and the need to ensure there was an appropriate housing mix
- the size of the development and the intention for additional student housing to be built in an area which could not accommodate further students

RESOLVED- That the application be refused for the following reason:

The Local Planning Authority considers that this proposed student development will be detrimental to the housing mix in this locality and given the designation of this site within the defined Area of Housing Mix that the proposal would be detrimental to the balance and sustainability of the local community and to the living conditions of people in the area, contrary to the main thrust of Policy H15 of the Unitary Development Plan and national guidance contained within Planning Policy Statement 1 and Planning Policy Statement 3 aimed at developing strong, vibrant and sustainable communities and social cohesion

29 Application 10/02221/LA - Outline application for residential development on land off Mistress Lane, Armley LS12

Plans, drawings and photographs were displayed at the meeting

Officers presented the report which sought outline permission for a PFI residential development with additional care options for people aged 55 and over on a gateway site into Armley on Mistress Lane LS12

Whilst the outline application sought approval of the means of access only, further details of the proposals were provided, for Members' information, these being:

- three blocks of accommodation, two blocks being 3 storeys in height and one 6 storey block
- car parking, including some undercroft parking
- enhanced greenspace
- sustainable development with a BREEAM 'Very Good' rating required to be achieved

Members were informed that 40 additional car parking spaces were required for residents of the adjacent tower blocks which would be retained

Officers were reminded of the need to consult with Ward Members on the design of the proposals and to ensure that sufficient on-site car parking was provided

RESOLVED - That the application be granted subject to the conditions set out in the submitted report (and any other conditions/direction that are deemed appropriate)

30 Application 10/02227/LA - Outline Application for residential development comprising of C2 (Residential Institution), Haworth Court, Chapel Lane, Yeadon LS19

Further to minute 29, above, the Panel considered a similar scheme at Haworth Court, Yeadon LS19

Plans, photographs and graphics were displayed at the meeting

Officers presented the report and stated that the proposals were for a PFI scheme providing residential accommodation with additional care facilities for people aged 55 and over

Currently there was a sheltered housing complex of 45 units on the site which would be demolished, with a similar sized development replacing this, comprising a 60:40 mix of 2 bed and 1 bed flats

To enable the existing residents to be rehoused, a 4 year permission was being sought for the outline application

Members welcomed the proposals and commented on the following matters:

- the need for the scheme to be well designed
- why the minimum age limit was 55 and whether in the case of couples, whether just one partner needed to be 55 or above. Officers advised that this was part of a PFI which was geared towards providing housing for older people and the criteria for the funding was based upon the minimum age of residents being 55. In terms of couples, provided that one person fell within the age requirement, it would be possible for a younger partner to qualify for the accommodation

The Head of Planning Services stated the need to ensure consistency of conditions between this scheme and the one at Mistress Lane LS12

RESOLVED – That the application be granted subject to the conditions set out in the submitted report (and any other conditions/direction that are deemed appropriate)

31 Application 10/01298/EXT - Extension of time to permission for planning application to erect 9 retail units (Class A1) and 3 food & drink outlets (Class A3 - A5), British Home Stores site, Bridge Road, Kirkstall LS5

Plans and photographs were displayed at the meeting

Officers presented the report which sought an extension of time for an application which was allowed on appeal for 12 units 9 (A1) use and 3 (A3-5) units at the British Home Store site at Bridge Road Kirkstall LS5

Members were informed that as the proposal was unchanged the Panel could only have regard to any changes in material planning circumstances which had taken place since the appeal decision in 2008

Officers stated that:

- PPS4 had been published since the appeal decision which encouraged vitality and viability of town centres and promoted new economic growth. It was the view of Officers that the application complied with PPS4.
- that changes to the local highway network had been addressed in an updated transport assessment and that only some minor additional off-site highway works would be necessary, which the highway authority were considering
- the Community Infrastructure Levy (CIL) was now in force and that it was considered that the Section 106 agreements complied with the CIL regulations and the three legal tests

RESOLVED - To defer and delegate for Section 106 Agreement, the submission and monitoring of a Travel Plan, funding for off site landscape works, funding for the improvement of public transport and/or public transport infrastructure and subject to the conditions set out in the submitted report

32 Application 10/01604/OT - Outline application for the erection of 6 houses to vacant site, former Britannia Bowling Club, Intake Road, Pudsey LS28

Plans, drawings and photographs were displayed at the meeting

Members considered a report of the Chief Planning Officer seeking outline approval for the erection of 6 houses to a vacant site at the former Britannia Bowling Club Intake Road Pudsey LS28

Officers presented the report and stated that as the proposals involved the redevelopment of part of a protected playing pitch, this had to be considered against Policy N6 and in this respect Officers were of the view that exception i) of this policy applied as there would be a net gain to overall quality and provision of pitches resulting from the development

Members were informed there was no identified shortfall of facilities in the local area and that if the application was agreed, funds would be generated for improved bowling facilities at Pudsey Park and improved cricket facilities at Pudsey Congs Cricket Club ground

If minded to approve the application a further condition was suggested to address possible noise nuisance

Panel discussed the application and was informed that whilst much effort had been made to retain the bowling club, the site was currently experiencing anti-social behaviour with regular police patrols being needed

and that the benefits of the funding for improved sports facilities would be invaluable to the local community

RESOLVED - To defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report; an additional condition requiring the submission of a noise assessment and details of any mitigation measures being provided at the Reserved Matters stage (and any others he might consider appropriate) and the completion of a S106 Legal Agreement, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- 1 commuted sum of £21,312 for improvements to Pudsey Park Bowling Green
- 2 reinvestment of receipt from the sale of the site (less fees and above commuted sum) into improvement of facilities at Pudsey Congs Cricket Club ground

33 Date and Time of Next Meeting

Thursday 9th September 2010 at 1.30pm in the Civic Hall, Leeds

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Plans Panel (City Centre)

Thursday, 1st July, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
G Driver, R Grahame, G Latty, J Matthews,
J Monaghan and E Nash

1 Chair's opening remarks

The Chair welcomed everyone to the first Plans Panel City Centre meeting of the new municipal year and asked Members and Officers to introduce themselves

2 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Application 08/05307/FU – 14 – 28 The Calls LS2:

Councillor Latty declared a personal interest as a British Waterways License Holder as British Waterways had commented on the proposals (minute 6 refers)

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals (minute 6 refers)

Councillor Campbell declared a personal interest as Metro had commented on the proposals and at the time the comments were made he would have been a member of West Yorkshire Integrated Transport Authority (minute 6 refers)

Application 09/03230/FU – St Peter's Church and House, Chantrell House Leeds Parish Church LS2:

Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had commented on the proposals (minute 7 refers). Councillor Nash stated that she wished to disassociate herself with the comments made by English Heritage

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals (minute 7 refers)

Application 10/00923/OT – Land bounded by Sweet Street, Meadow Road, Jack Lane, Bowling Green Terrace and Trent Street LS11 – Position statement:

Councillor Campbell declared personal interests through being a member of West Yorkshire Integrated Transport Authority at the time Metro had commented on the proposals and as a member of Leeds Bradford Airport Consultative Committee has LBIA had commented on the proposals (minute 8 refers)

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals (minute 8 refers)

3 Apologies for Absence

Apologies for absence were received from Councillor M Hamilton who was substituted for by Councillor J Matthews; Councillor S Hamilton who was substituted for by Councillor R Grahame; Councillor G Harper and Councillor A Carter

4 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 26th May 2010 be approved

5 Matters arising

The Head of Planning Services stated that the two applications which were for determination at the meeting had been considered previously by Panel. Whilst there had been some changes in membership, this did not necessarily disbar new Members from taking a decision of these applications. The Panel's Legal adviser referred to paragraph 12.1 of the Council's Code of Practice for the Determination of Planning Matters which stated that it was for each Member to consider if they were fully appraised of all the facts and relevant information necessary to properly reach a decision. It was noted that site visits to the two sites had taken place prior to the meeting which had been attended by all of the Panel

6 Applications 08/05307/FU - Alterations and extension to form offices and A3/A4 bar restaurant development and erection of 5 storey office block with basement car parking and public landscaped area - 14-28 The Calls Leeds LS2 and 08/05309/CA - Conservation Area application for the demolition of the Mission Hut and 28 The Calls

Further to minute 52 of the Plans Panel City Centre meeting held on 3rd December 2009 where Panel considered a report of the Chief Planning Officer on a mixed use, riverside development at 14-28 The Calls, Members considered a revised application

Plans, photographs, graphics and a sample board were displayed at the meeting. A site visit had taken place earlier in the day which all Members had attended

Officers presented the report and stated that this brownfield site was the last major, undeveloped riverside site in the city centre and comprised buildings which were largely vacant and inefficiently used. It was noted that there was an extant permission on the site for a mixed-use residential, office and A3 development which had been granted in 2007

Details of the planning history of the site were provided as were details of the revisions which had been made to the scheme following Members' previous comments, these being:

- a further reduction in the projection of the Atkinson building
- alterations to the glazing and louvres on the elevation alongside 32 The Calls to create a more solid format with a design which echoed that of the Warehouse Hill building
- replacement of the blue brick with a rustic red/blue brick
- refinement of the fenestration on the Warehouse Hill building
- the introduction of railings along the river's edge

Members were informed of a factual error in the report which should

state the provision of 5, not 3, disabled parking spaces in the basement car park

In respect of a public transport contribution, Members were informed that a sum of £115,627 would be provided and that the S106 agreement was being drafted for this

Members were asked to approve application 08/05307/FU in principle; defer and delegate final approval to the Chief Planning Officer and to approve the Conservation Area application

Members commented on the following matters:

- the height of the buildings and concerns that the Warehouse Hill building was overdominant and did not refer to surrounding buildings
- whether the development was likely to proceed
- the need for further explanation for the condition in respect of a S106 agreement which had not been completed within 3 months of the grant of planning permission
- that this was an historic area and whether a museum would be included to display artefacts found in the area
- that the waterfront should be more widely used than a spill out area for bars and restaurants and that to maximise the number of people who would use the site, other recreational uses ie for boating, including mooring of boats, fishing and some water sports should be considered
- that the inclusion of railings along the riverside was welcomed in view of the recent tragedies which had occurred
- the need for increased soft landscaping which could include some treatment to the blank walls
- the need to include species of trees which were suitable in this location
- the need for further information on the pyramid area in the corner of the site
- concerns whether this would be an attractive, vibrant riverside space
- concerns that the verticality of the Warehouse Hill building did not provide references back to warehouse vernacular, despite the assertions in the report
- the weathering of the proposed copper elements and that this should be treated to prevent oxidisation
- the need for the site to be developed quickly to provide much needed employment opportunities
- the possibility of continuing the cobbled Crown Street behind the Corn Exchange across the Loop on The Calls, adjacent to the site access
- that the white-painted window frames of 24-26 The Calls should be painted in a dark colour
- concerns at the riverside glazed frontage of the Atkinson building which was redolent of a 1960s office block and the need for a more elegant approach rather than the proposed fenestration
- whether the appearance of the height of the Warehouse Hill building could be reduced to minimise its visual impact on the adjacent warehouse building and longer distance views
- the need for adequate signing for the proposed pedestrian crossing
- that a pedestrian crossing could spoil the outlook and whether an alternative option would be to reduce the speed limit to 20mph on this stretch of The Calls

Officers provided the following responses:

- that the Warehouse Hill building was located on the bend of the river and Officers felt that the height could be reinstated on this bend, however by looking at the detail of the roof and modifying the plinth, this could help to reduce the apparent scale of the building and produce a building more in character
- that the hope was by granting planning permission it would result in early construction as it would enable the applicant to market the site
- that the benefit of the condition relating to the completion of a S106 agreement within 3 months was to enable a decision to be made at the end of that time without it having to come back to Panel, so giving the LPA greater flexibility to move applications on at the end of a 3 month period
- that a condition had been included which required full archaeological recording of the site but that Officers would speak to the applicant about the possibility of incorporating a museum on the site
- that the public space which would be created would provide the opportunity for anyone to use this, not solely office workers, residents or patrons of the bars and restaurants
- that additional soft landscaping could be included although there could be some constraints especially the inclusion of trees, due to these being sited above car parking areas
- that the pyramid area was to be contemplative space
- that the copper cladding would be treated so as not to weather
- acceptance that the glazed frontage of the Atkinson Building should be reconsidered
- that further discussions would be undertaken with the applicant in respect of the highway crossing and the possibility of using granite blocks to take the load of the loop traffic. Whilst this would be more costly, it would be of a higher quality. The Panel's Highways representative stated this would also need to be considered by Highways Maintenance to check the appropriateness of using this sort of treatment across the Loop
- that a speed limit of 20mph on this part of The Calls was not possible as the phasing of traffic lights was based on a speed of 25mph

The Panel noted the recommendation contained in the submitted report and considered how to proceed

RESOLVED- To defer determination of the application until the August meeting and that the Chief Planning Officer be asked to submit a further report setting out additional information on the following matters only:

- landscaping provision
- highways issues in respect of the design and position of the pedestrian crossing
- the apparent height of the Warehouse Hill building
- the detailing of the base of the Warehouse Hill building
- the detailing of the frontage of the Atkinson building

7 Application 09/03230/FU - Change of use including refurbishment and extensions to two church buildings with two flats to form offices and 18 flats and erect part 3, part 4 storey block comprising office & 32 flats with car parking; Conservation Area consent to demolish office and Listed Building application for replacement gate in boundary wall - St Peter's Church and House, Chantrell House, Leeds Parish Church Kirkgate Leeds LS2

Further to minute 67 of the Plans Panel City Centre meeting held on 4th March 2010 where Members considered a position statement for the redevelopment of St Peter's Hall and House and Chantrell House, Leeds Parish Church, Kirkgate, the Panel considered the formal applications

Plans, drawings, graphics, photographs and a model were displayed at the meeting. A site visit had taken place earlier in the day which all of the Panel Members had attended

Officers presented the report and highlighted the revisions made to the scheme in view of Members' comments on the position statement by showing comparative images

Members were informed of the following revisions:

- that the height of the proposals had been reduced
- that there would be one less flat within the scheme
- the roof design had been altered and now pitched roofs would be provided
- the previously glazed vertical slots indicating the locations of staircases would now be clad in stone
- realignment of the windows to provide a consistent approach across all three buildings and alterations to window treatments to create shadow and relief on the elevations

Members were informed that the scheme should provide affordable housing of 7 units but that a financial appraisal had been submitted requesting affordable housing to be restricted to 4 units in Chantrell House, with the income generated from the units in St Peter's Hall and House to be used to fund maintenance works to the adjacent Grade I listed Leeds Parish Church

Officers sought Panel's approval in principle to the scheme and requested final approval to be deferred and delegated to the Chief Planning Officer subject to conditions and the completion of a S106 agreement

Members commented on the following matters:

- the design details of the recesses and the absence of chimneys on Chantrell House
- the lack of windows on the gable wall of the extension of St Peter's Hall
- that some of the best features would be covered up on St Peter's Hall, which albeit some of the window frames were in poor condition, created an important view down The Calls
- that the extension to St Peter's Hall had tried, unsuccessfully, to imitate the adjacent Victorian building and that it was not of a high enough quality given its surroundings and proximity to a Grade I Listed church
- that as an entrance into a precinct it was unattractive
- that although improvements had been made to the scheme it was still not good enough, particularly the blocking off of the view of the Parish Church from Maud Street

- concerns about the design of Chantrell House; that the parapet should be in stone as opposed to stone and brick; that more glazing could be introduced on the elevations and concerns at the design of this building adjacent to the Parish Church
- that what was being shown was a comparison with an earlier scheme; that the current scheme should be considered in isolation and the view that this scheme was not good enough
- that if the intention was to create a cathedral close, the buildings faced the cathedral, whereas Chantrell House did not face the Parish Church
- that the applicant had taken on board Members' comments and responded but the scheme was not of sufficient quality to approve in this location
- Officers provided the following responses:
 - that the inclusion of chimneys on Chantrell House could be considered
 - the lack of windows on the St Peter's Hall extension could be due to the internal arrangements but that this could be discussed further with the applicant
 - that the length of engagement of this project had been ten years and had been one of the most difficult projects in the city
 - that Members' comments appeared to go further than those made on the position statement, with the concerns expressed likely to lead to a reduction in the amount of development on the site

Further discussion on the application ensued with particular concerns being raised that the proposals for St Peter's Hall were unacceptable; that the scheme would be improved without Chantrell House in its present form and that the proposals for St Peter's House might be acceptable subject to some further revisions. Members made it clear that the scheme in its current form would not be approved

The Head of Planning Services stated that Members' views had been noted and that the applicant had a choice to make, but that Officers would need to discuss these matters with the applicant and to submit a further report setting out the results of these negotiations. The Panel was advised that the quantum of development on the site was likely to be reduced and that the report would seek the Panel's views on where there was room for manoeuvre in the scheme

RESOLVED - That determination of the application be deferred to enable further discussions to be undertaken on the issues raised by Members and that a further report be submitted in due course

8 Application 10/00923/OT - Redevelopment of land at Meadow Road for uses within the following classes: B1, D2, C1, C3 (up to 296 residential units) and ancillary A1, A3, A4 and A5 uses including associated works for the formation of site access roads at land bounded by Meadow Road, Jack Lane, Bowling Green Terrace and Trent Street LS11

(Prior to considering this matter, Councillor Blackburn left the meeting)

Plans, photographs, drawings and precedent images were displayed at the meeting

Members considered a position statement by the Chief Planning Officer setting out the latest proposals for a major mixed-use development on the site known

minutes approved at the meeting
held on Thursday, 22nd July, 2010

as 'City One' at Sweet Street and Meadow Road. Members noted that the site had benefited from previous major outline consents in 2004 and 2006 so the principle of a major development on this site had been established

When the outline application was submitted, approval would be sought only for the principle of development and access

Details of the parameters for the site layout and building heights were provided with Members being informed that there was flexibility within the site as to where the different uses would be located

In respect of highways issues, the Panel's Highways representative stated that the scheme would contain a large amount of car parking and would generate a significant amount of movement, however the aim was to retain the central area free of vehicles by locating an area of public open space at the heart of the development and enabling pedestrian movement around the site

The intention was to create a few vehicular access points, including extending Bowling Green Terrace to Sweet Street

The site would provide 1500 car parking spaces, with 1100 in the proposed multi-storey car park and 400 basement parking spaces underneath the various blocks

It was felt that there were a number of choices of exit route which would help to spread the load on the highway network. Furthermore several improvements were proposed which would also assist in this, these being the widening of Meadow Road to provide 3 full width lanes of traffic; widening of the junction at Jack Lane and improvements to the slip road off the motorway, although traffic modelling was still being undertaken on these proposals

As the previous scheme had included a casino on the site which would have generated a greater amount of traffic later on in the day, the traffic generated by the proposed development would occur more at peak times and a strong travel plan would be required. Increased pedestrian connectivity would be provided. Improvements being considered included a zebra crossing at the mini roundabout on Sweet Street; possible improvements to the crossing at Manor Road and provision of two central refuges at Jack Lane

Increased cycling facilities were being considered as the applicant had offered to widen the footway along the Meadow Road frontage to provide a segregated cycle track and footway and to provide a Toucan crossing across the mouth of Jack Lane; also cycle routes would be developed into the site

Members were informed that a range of supporting plans and documents had been submitted; that there would be 8 different areas of green space on the site equating to 29.1% public open space and it was felt that the policy requirements would be met

The development would be phased with the influencing factor being future market forces, although with each building which was constructed an area of quality open space would be provided

Members commented on the following matters:

- the maximum and minimum distance and heights which had been shown and whether these would be tweaked to reach a totality
- that there was so much difference in the parameters that a clear picture could not be obtained
- the view that the offices would probably be built first which would create highways problems from day one

- the need to understand how people would travel to the site by car, public transport and walking. There was concern that people driving to the site would add to congestion generally of the roads into the city
- the likely number of people on the site; the targets to be achieved in the travel plan and whether penalties would be considered if targets were not met
- whether a shuttle bus would be provided from the city centre to the site
- that the area had been segregated from the city centre for some time and that this situation should be reversed but that the real opportunity to create an interaction between old and new did not appear to have been taken. An example of this was the proposed park; that it looked inwards and was geared towards the people living and working on the site rather than welcoming those from the nearby communities, with concerns at the emergence of two cities, with a rigid boundary at the M621 and that it was important to create opportunities and access rather than walls
- that the proposals were a positive attempt to address the needs of the area and links with the communities of Beeston and Holbeck were essential
- that larger and more open areas of green space, particularly at the front of the site should be considered through closer siting of the buildings
- that the badly designed pedestrian routes within City Walk should not be replicated on this site
- that the site being so close to the motorway was likely to increase the number of people using cars to access the site
- the level of consultation about the proposals which had been undertaken in the Beeston and Holbeck areas and whether groups representing people with disabilities had been consulted about their requirements for the site
- the need for the layout to be discussed with disabled groups and the need for changing places toilets to be provided
- the importance of approaching the Area Committees for comments on the proposals

Officers provided the following responses:

- that the quantum of development was depicted on the plans displayed at the meeting but that not all of the buildings would be built to the maximum or minimum levels
- that there could be around 4800 employees within the office buildings with the potential at peak hours of 1000 people walking to and from the city centre at peak times
- that the annual travel to work survey of participating businesses across Leeds of people arriving at work by various methods suggested that a target split of 32% arriving by car was reasonably achievable and that incentives for alternative transport methods would be provided eg metrocards and cycling provision
- in terms of penalties if the approved travel plan was not reaching its targets, a fund would be set aside to identify why people were not

changing their travel methods to the site with a pot of money being available to provide what was needed

- that a presentation of the proposals had taken place in the Civic Hall Ante Chamber; that letters had been sent to local businesses and that Officers had met with Leeds Civic Trust. In terms of local consultation Officers stated they were not aware of any having taken place
- that the Council's Access Officer had been consulted but that more detailed comments would be sought at the Reserved Matters stage

A summary of issues which required further information to be provided was made, these being:

- a need to understand the highways implications for the site
- the need for a green travel plan that Members could sign up to and which contained clear targets
- further information on the maximum and minimum figures and the need for a better understanding of this
- the need for a phasing plan to be provided
- further details on the public space to be provided and where this would be sited
- the need for more local consultation with surrounding communities to the site
- the need for the applicant to indicate how local people would be encouraged to find work both during the construction phase and beyond

RESOLVED - To the note the report and the comments now made

(During consideration of this matter Councillors Grahame, Latty and Nash left the meeting)

9 Date and time of next meeting

Thursday 22nd July 2010 at 1.30pm in the Civic Hall, Leeds

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Plans Panel (City Centre)

Thursday, 22nd July, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
G Driver, M Hamilton, S Hamilton, G Latty,
J Matthews, E Nash and R Wood

10 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

11 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 08/05440/FU – Globe Road/Water Lane LS11 - Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had commented on the proposals and Councillor Matthews declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 14 refers)

12 Apologies for Absence

Apologies for absence were received from Councillor A Carter, who was substituted for by Councillor Wood; from Councillor Monaghan, who was substituted for by Councillor Matthews and from Councillor G Harper

13 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 1st July 2010 be approved

14 Application 08/05440/FU - 5 storey 78 bedroom hotel at Globe Road/Water Lane Holbeck LS11

Plans, photographs, drawings and sample materials were displayed at the meeting. A site visit had taken place earlier in the day which Members had attended

Officers presented the report which sought permission for a 78 bedroom hotel situated at Globe Road/Water Lane LS11 which lay within Holbeck Urban Village (HUV) and adjacent to Hol Beck and the three Italianate towers

Details of planning permissions which had been granted to adjacent sites were outlined to enable the site to be viewed in context

At the ground floor level there would be a restaurant, gym and changing rooms, with a unit on the corner which would be independent of the hotel but to be controlled to provide an active use such as a café, so providing a high level of activity at this level

The accommodation would comprise double bedrooms, with some large rooms designed for use by people with disabilities

Details of the roof were provided with Members being informed that this would be an 'eco roof' and would encourage plants, birds and insects, with nesting boxes also being provided. The plant room would be sited in the centre of the roof, and would be constructed from punched aluminium to resemble patinated copper, - this material also being used elsewhere within the scheme. The plant room would not be visible from street level. Also on the roof would be eight solar panels to provide energy for use by the hotel. There would also be a roof terrace which would enable guests to experience views, north, south and west of the city

The main entrance to the hotel, restaurant and bar would be on the west elevation and would be defined by two wavy ribbons in the same material as the plant room

The proposal would provide £300,000 towards the planned public realm improvements in the HUV area. In the vicinity of the site these would comprise provision of lay-bys and crossing points on the north side, making Water Lane one-way and providing footpath improvements to the south side and general surfacing improvements. In the interim, the development would provide highway works to ensure the scheme could be serviced properly in the form of a lay-by on Globe Road

The scheme did not contain any parking. On balance this was considered acceptable for a hotel in this location since visitors would be able to arrive by train or bus and there were strong on-street parking controls in the vicinity of the site which would help to prevent the potential for adverse highway conditions

Members discussed the following matters:

- the hotel and the market this would be aimed at. Members were informed that the concept of the scheme was to provide longer-term hotel accommodation for up to 3 months at a time
- whether guests would arrive predominantly by public transport
- that some doors appeared to open inwards and whether that was contrary to fire regulations
- the possibility of a café/bar use at the corner of the development; whether this would be in addition to the hotel bar and whether such a use could be sustained in view of the number of café/bars in the surrounding area, none of which seemed to be full
- policy BC7 relating to use of local materials in Conservation Areas; that there did not appear to be much copper in the area around the site and how this policy requirement could be seen to have been met
- policy N19 relating to the need for new development within or adjoining a Conservation Area to preserve/enhance the character and appearance of the Conservation Area and concerns that the use of copper in the scheme did not do this
- the metal ribbons at the entrance, with mixed views as to the overall success of this feature
- the siting of the entrance on the west elevation; that this was not the most prominent position for it; that this could account for the need to highlight its position by using the metal ribbon feature and that moving

the entrance to the front of the building in the area designated for the active unit would be more acceptable

- concerns at the lack of access to public transport in view of there being no bus routes in the area and the proposals for the southern railway station access having been halted
- the proposed drop-off point on the north side; whether this catered for people with disabilities and that the drop off point was too far from the entrance both for people with mobility problems and guests with heavy luggage
- the travel plan; that no parking was being made available in the scheme either for staff or guests; the need to understand how this would be enforced; the specific detail on this issue in the travel plan; that it needed to be robust and that Members needed to understand this aspect of the scheme
- that it was unreasonable and unrealistic to think that people using the hotel in the way that was envisaged, ie up to 3 months at a time, would not use a car and require parking
- that the site was not near local transport, nor located centrally so there was a likelihood of guests parking their cars in nearby communities and what measures would be put in place to prevent this from occurring
- the possibility of the accommodation being sold off individually as flats and how this could be prevented
- the need for an explanation of 'reasonable endeavours' in terms of the S106 requirement
- that the building was fairly innocuous but that it did not make a statement and that at the Water Lane/Globe Road junction, it would probably be the Giotto Tower which was noticed more than the corner of the hotel building
- that the relationship between the stone wall around Hol Beck and the brick of the building was uneasy and that some stone detailing should be introduced at ground level to help with the transition
- the copper effect trim, mixed views as to its success in the scheme and concerns that if this was to be used, it should be real copper as the proposed material was not of a high enough quality
- that from the images shown, Members were unable to fully see the detailing of the building which gave the impression that the elevations were flat, leading to concerns at the overall effect of the building
- the siting of the photovoltaic cells, and that it would be more effective to put them on the plant room
- concerns at the siting of the plant room and that a straight-line roof was needed

Before Officers responded to points raised by the Panel, the Head of Planning Services who was in attendance, stated that following concerns raised by Panel about the use of public transport contributions, as agreed, a letter had been sent by the then Chair of the Panel, Councillor Martin Hamilton, to Metro on this matter and that whilst a response had not been received, this would be chased up. In respect of the use of public transport contributions from the City One site, a meeting was to be arranged with Metro to discuss this

Officers provided the following responses to points raised by Members:

- that fire doors were required to open outwards but that non-fire doors could open inwards
- that the corner unit would provide an active use and whilst a café/bar had been mentioned in the presentation, this was not the defined use and that when interest in a use for the unit had been shown, this would be considered and if approved, would be controlled by condition
- that the use of copper-effect cladding in the scheme was as an accent material and that it was the use of brick as the main construction material which related to policies BC7 and N19
- that the drop-off point would be provided on the north side which would provide a widened footpath and a lay-by with a restriction on times to ensure taxis could gain access and that level surfaces would be provided for wheelchair users
- in terms of the lack of parking in the scheme, that this would be dealt with by the parking restrictions in the area as the development was envisaged as part of the whole HUV masterplan. Whilst the site and surrounding area might appear to be isolated that there were a number of consents which had been granted, including a multi-storey car park on Sweet Street which would provide the parking for uses in HUV where no parking had been included
- the concerns raised about increased on-street parking resulting from the development; that there were existing on-street parking controls which resulted in very little unauthorised parking which suggested that the controls which were in place were effective
- that hotels dealt with car parking in different ways, depending upon the type of operator, with some budget hotels indicating in their promotional information the location of nearby car parks; others had arrangements with car parks to provide parking for guests and some high class hotels provided a valet service. At this stage it was not known who the operator of the proposed hotel would be
- regarding a lack of parking for staff, that the hotel would be no different to shops, hotels etc located in the heart of the city centre without parking. That hundreds of people worked in the city centre and they had the choice to either walk, use public transport or pay to park in order to arrive at their workplace
- that a Travel Plan had been agreed with the developer and this would consider the situation after the initial 3 month period and would assess how people were arriving at the hotel and consider how any car use could be reduced. The Plan would promote the use of public transport possibly through the distribution of leaflets, briefings to staff and incentives, with the Travel Plan being monitored for effectiveness
- that the nature of the ownership of the development would be controlled by condition to prevent rooms being sold off as flats and that a maximum occupancy period of 3 months per person would be set out in the proposed conditions to be attached to any approval
- in relation to the detailing of the building and the images shown, Officers did pay attention to details ie shadow lines and how facade levels were expressed and required the submission of 1:20 details including cross sections and eaves details

The Civic Architect, Mr Thorp, commented on the following specific design issues:

- the detailed articulation of the building and whether its intention was to be simple and elegant or simple and bland. That from the views expressed by Panel that the building was considered to be bland and that consideration would be needed on how the appearance of the building could be improved
- that if the proposed entrance was moved to the corner of the building, the challenges of the ribbon feature would be removed
- that the proportions of the building were in keeping with a warehouse-style building but that the design of the elevations, being expressed in columns, did result in a scheme which looked flat and that further detailing, eg shadow bands all the way along, could be considered
- Members' concerns at the patinated copper-effect material being proposed and if that was the effect being sought, then patinated copper should be used. However, a calm, zinc sheeting might be more suitable than a copper material

The Panel considered how to proceed. The Chair congratulated the developer on having been able to achieve some development on what was a tight site, however there remained a number of issues which Members had expressed concerns about

In terms of the scale, massing, siting and shape of the building, the Panel was largely satisfied with the proposals, but that there were a range of concerns including detailing of the elevations, materials and the relocation of the entrance and drop-off point

RESOLVED - That determination of the application be deferred and that the Chief Planning Officer be asked to submit a further report in due course on the following issues only:

- a revised entrance to the hotel to be sited on the corner of the building and how that would be expressed
- proposed materials
- additional elevations to provide greater detail and depth to the building

The Head of Planning Services stated that the scheme was now being put forward on behalf of a Receiver and whilst it was useful to resolve some of these detailed issues, a hotel operator could have different ideas

In response to the request for a copy of the Travel Plan, Members were informed that the detail of this would be circulated to the Panel as quickly as possible

15 Date and time of next meeting

Thursday 19th August 2010 at 1.30pm in the Civic Hall, Leeds

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Plans Panel (City Centre)

Thursday, 19th August, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
M Coulson, C Fox, S Hamilton, J Matthews,
J Monaghan, E Nash and N Taggart

16 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

17 Mr John Thorp

The Chair announced that this would be the last full panel meeting which Mr Thorp would attend as he was retiring from the Council on 1st September after being with the Council for 40 years. Members were informed that John would still attend meetings occasionally as he would retain his involvement with a small number of major schemes

The Chair paid tribute to John's work and his invaluable contribution to many important schemes within the city

Other Members echoed these sentiments and referred to John's ability to explain complex issues in a way which could be easily understood and his ability to persuade Members on the qualities of developments when these were not always instantly apparent

John's contributions to Plans Panel City Centre meetings were commented on as was the level of debate which arose at these meetings, largely through the explanations and architectural challenges John highlighted and explained

Tribute was paid to John's approach, in that he had respect for the existing built environment. The diversity of the work he had undertaken was referred to, this being from railway arches to the Art Gallery, the Leonardo Building and the remodelling of City Square and also the fact that John was only the seventh person to hold the prestigious position of Civic Architect in Leeds since 1870

It was stated that John had done more than anyone else to shape the city and that Leeds was better for it

In responding John Thorp paid tribute to the work of Plans Panel City Centre and thanked Members for the richness of the debate which had been generated at the meetings

18 Late Items

Although there were no formal late items, Members were informed that the Chief Planning Officer would provide some important information later in the meeting (minute 26 refers)

19 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 06/04610/OT – Mixed use development at Kirkstall Road and Wellington Road (minute 22 refers):

Councillors Coulson and Matthews declared personal interests through being members of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals

Councillor Campbell declared a personal interest through having been a member of West Yorkshire Integrated Transport Authority at the time Metro would have commented on the proposals

Councillor Fox declared a personal interest as a member of West Yorkshire Integrated Transport Authority Passenger Consultative Committee as Metro had commented on the proposals

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals

Applications 08/05307/FU – 14 – 28 The Calls LS2 (minute 23 refers):

Councillor Coulson and Matthews declared personal interest through being members of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals

Councillor Campbell declared a personal interest through having been a member of West Yorkshire Integrated Transport Authority at the time Metro had commented on the proposals

Councillor Fox declared a personal interest through being a member of West Yorkshire Integrated Transport Authority Passenger Consultative Committee as Metro had commented on the proposals

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals

Councillor Taggart declared a personal interest through being the Chair of West Yorkshire Joint Services Authority who managed WYAAS which had commented on the application

Application 10/01601/FU – Victoria Gardens LS1 (minute 24 refers):

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had objected to the proposals

Councillor Fox declared a personal interest as a close family member was a minor shareholder of Marks and Spencer as this organisation had donated the funding for the scheme

Application 09/03230/FU – St Peter's Hall and House and Chantrell House, Leeds Parish Church Kirkgate LS7 (minute 25 refers)

Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had commented on the proposals

20 Apologies for Absence

Apologies for absence were received from Councillors Driver, G Harper, G Latty, M Hamilton and A Carter

The Chair welcomed Councillors Taggart, Coulson, Fox and Matthews who were substituting at the meeting

21 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 22nd July 2010 be approved

22 Application 06/04610/OT - Layout access roads and erect mixed use development at Kirkstall Road and land off Wellington Road, Leeds

Further to minute 41 of the Plans Panel City Centre meeting held on 5th November 2009, where Panel considered a position statement on proposals for a mixed-use scheme on land at Kirkstall Road and Wellington Road, Members considered the formal outline application

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which Members had attended

Officers presented the report and informed the Panel that the proposals were for a substantial new quarter in the city on a 5.3 hectare cleared brownfield site close to the city centre. The outline application sought approval for siting and access only but a design code had been submitted which set out the proposed general scale of the buildings. Detailed design issues would be considered in due course in the Reserved Matters application

Revisions had been made to the scheme in line with the comments made at the November 2009 Panel

The development which would be carried out in a phased manner, comprised two sites which would be connected by a pedestrian and cycle bridge over the river. On the Kirkstall Road frontage there would be 6 buildings with a mix of uses including residential, offices, food and drink uses with ancillary retail and a community use together with a multi storey car park, underground parking and an area of public open space. The Island site opposite would be predominantly for residential use with some ground floor food and drink uses around an area of public open space. On the Island site an area of townhouses was also proposed. Underground car parking would be provided on both sides of the river. Overall, approximately one third of the site would be public open space

In response to questions raised on the site visit by Members, the Head of Planning Services stated that the proposed levels related to the need to address flooding issues and build in mitigation measures required by the Flood Alleviation Scheme, with the ground level of buildings on the Kirkstall Road Riverside site being set half a storey higher than the existing ground level of the site. The Island site was much higher and the excavation would be to a depth of 1.5 -1.8m with the development set at the same as the footpath to the canal.

In terms of flood risk, Members were informed that the greatest risk was from Kirkstall Road as this was the lowest point and to address this, no ground level residential accommodation would be included on this site

Details in the design code indicated the erection of 14 buildings across both sites, with the buildings on the Kirkstall Road Riverside site being maximum 9-10 storeys in height. Smaller scale buildings ie 3-8 storeys were proposed for the Island site with the opportunity for a taller, landmark building being sited at the narrowest point of the site

Access arrangements were outlined, with Panel being informed that the main vehicular access to the mixed-use site would be from Kirkstall Road between the two office blocks with the multi-storey car park and basement car parking being accessed from this point. Pedestrian and cycle access would be enhanced through the creation of a wider footway to provide a boulevard frontage which would lead down to the open space area

The Island site would be totally pedestrianised apart from emergency and service vehicles and some disabled parking spaces by the town houses, as vehicular access to the basement parking would be from an adjacent access road

The Panel's Highways representative outlined the highway improvements required and stated that the developer contributions for this scheme would help to fund improvements elsewhere

Members were informed that the central reservation along Kirkstall Road would be modified to signalise the access into the development site and provide a right hand turn. A pedestrian crossing facility in two phases would be provided across Kirkstall Road. It was anticipated that these measures could be controlled to ensure there was no detriment to the Quality Bus Initiative (QBI) as funding for the scheme had been given by the Department for Transport on the understanding that there should not be, within 10 years of its opening, any changes to the scheme which would have an adverse impact on the bus corridor. Whilst the DFT had indicated verbally there would not be a problem with these proposals, written agreement had yet to be obtained and if Panel was minded to accept the Officer's recommendation, this would be an additional reason for deferring and delegating the application to the Chief Planning Officer

Further highway improvements were outlined in respect of the Westgate gyratory, egress from the Armley gyratory onto Wellington Road and at the M621 Islington roundabout.

Funding would also be provided for improvements to the Leeds Liverpool canal towpath, with surface improvements from the station to the site to make the towpath more useable in all weathers and additional lighting being provided from Wellington Street Bridge up to the site

A travel plan had been submitted which Officers had considered in great detail and were satisfied with, as were the Highways Agency and Metro. A range of physical and financial measures were to be provided including the provision of an on-site travel co-ordinator and a travel plan bond

In terms of car parking provision, 1382 spaces would be provided across the site, with the Head of Planning Services stating that this figure had to be considered in terms of the quantum of development and the number of spaces was below the maximum UDP levels for car parking

Reference was made to the objection received on behalf of the owners of the adjacent City Gate site. Notification of the revised scheme before Panel had been sent to the objector but no response had been received

The Head of Planning Services recommended the scheme to Panel
Members discussed and commented on the following matters:

- the possibility of overlooking to the cottage at Oddy's Lock from the residential block opposite
- the location of the bin stores to the townhouses
- whether flood defences in the city centre could impact higher up the river and affect this development
- the height of the town houses
- the high level of car parking within the scheme and the need for this
- the travel plan and the need for further information about aspects of this
- that only 15% affordable housing was being provided despite this being outside the city centre
- the images shown of flat roof houses and the need for these to be avoided in the scheme
- that building no 7 adjacent to Spring Garden Lock should be iconic

- concerns at the amount of hardstanding shown on the graphics; the need for substantial amounts of usable green areas and that the success of the development would depend greatly on the palette of materials selected for the scheme
- the need for flower beds and colour to be included in the landscaping proposals rather than solely grassed areas being provided
- uncertainty about the proposed build out viewing platform next to building no 7 and whether there was a need for this
- the need to take into account the otter survey
- concerns that adequate signage was placed in the underground car parking areas to warn of potential flood risk
- that the site could benefit from a railway station
- that as the application was in outline, that the images shown were not necessarily representative of the final appearance of the scheme, however there was an opportunity to set out at an early stage the need for high quality design proposals and to question the siting of the town houses between two large buildings

Officers provided the following responses:

- that the main windows of the cottage at Oddy's Lock looked out to the area of open space and not directly at a residential block, with Officers of the view that this relationship was acceptable
- in relation to the siting of the bin stores for the town houses, this level of detail would be included in the Reserved Matters application
- regarding flood risk, that the scheme had been drawn up in consultation with the EA scheme and was consistent with that. Whilst it was not possible to indicate any impact higher up the river, the Chief Planning Officer stated that the development had been drawn up to design flooding out of the area
- that the town houses would be 3-4 storeys in height, with the 4th floor being able to incorporate a roof garden
- that the car parking levels were at the UDP maximum levels and that in terms of office space this equated to 1 space per 5 employees
- in terms of the travel plan, that money would be set aside to encourage cycling and walking, with the on-site travel co-ordinator being able to use the funds in the best way possible to assist people to use alternative transport methods. There would also be a travel plan bond provided which would be for the steering group, which would be established, to consider the annual monitoring figures and implement any additional measures which would help to reduce car use. Furthermore Sustrans had recently given the city £100,000 for improvements to cycling provision which was welcomed
- that the level of 15% affordable housing was the correct rate applied to areas like this on the edge of a city centre location as set out in Supplementary Guidance

RESOLVED - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer subject to the specified conditions in the submitted report (and any others which he might consider appropriate); written agreement from the Department for Transport on the proposed highway alterations

which could affect the QBI and the completion of a Section 106 agreement to include the following obligations:

- affordable housing
- provision of a Travel Plan Co-ordinator
- provision of package of physical and financial measures as part of the Travel Plan
- funding of potential TRO measures on public highway
- public transport improvements
- off site highways mitigation package including trigger points
- 24hr public access areas and linkages to other public routes
- maintenance package for public areas
- riverbank enhancement for the additional nature area
- public car parking tariff controls
- provision of bridge link
- local employment initiatives
- education provision
- public art provision

In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

23 Application 08/05307/FU - Alterations; extensions and demolition to form offices, A3/A4 bar restaurant; car parking and public landscaped area at 14-28 The Calls, and Conservation Application 08/5309/CA - The Mission Hut and 28 The Calls, Leeds

Further to minute 6 of the Plans Panel City Centre meeting held on 1st July 2010 where Panel deferred consideration of a riverside development at 14-28 The Calls for additional information, the Panel considered a further report of the Chief Planning Officer

Plans, drawings, graphics and an image of Atkinson Grimshaw's 1880 painting 'Leeds Bridge' were displayed at the meeting

Officers presented the report and referred to the areas where Members had sought additional information and how these aspects had been addressed, these being:

- landscaping provision – additional soft landscaping was proposed with an increase in the number of trees being provided along the terrace, with these being Alders which were waterside trees and the addition of a raised stone planter to replace the 'contemplation' space
- the design and position of the pedestrian crossing – that Members' comments expressed at the previous meeting had been considered, however as The Calls formed part of the loop road around the city centre, a crossing area which gave priority to pedestrians was likely to result in accidents, with evidence of this having occurred in similar locations. In terms of using cobbles/sett paving to complement the existing cobbles on The Calls, these would not be suitable for pedestrians and wheelchair users and changes to surfacing would require extensive construction and would be prohibitive on the grounds of cost. In view of this, a standard signalised pedestrian crossing was the preferred approach

- the visual height of the Warehouse Hill building together with the detailing of its base – the visual impact of this building had been reduced through raising the brick balustrade and reducing the depth of the roof covering. In respect of the stone plinth, this would incorporate further detailing at each course. The Civic Architect, Mr Thorp, highlighted the similarities which now existed between this building and the one depicted in Grimshaw's 1880 painting
- the detailing of the riverside elevation of the Atkinson building – that a punched vertical emphasis within a brick elevation was now proposed

A request for an extension of the time limit from 3 years to 5 years had been sought to provide the applicant with a level of flexibility, if Panel was minded to approve the application, with Officers stating they were satisfied with this

The Panel discussed the revisions and commented on the following matters:

- the proposed demolition of 24 The Calls and whether it had been established that this building could not be retained
- concerns at the proposed tree species with the view that Willows might be more suitable
- whether the view against using cobbles/sett paving was due to traffic noise in view of this part being the least used section of the loop road
- that this was a special part of the city and that a standard highways solution might not be appropriate in this location and could look incongruous
- whether there was a need for a pedestrian crossing to be provided
- that a 5 year time limit attached to any approval was acceptable

Officers provided the following comments:

- that a structural report had been commissioned which had stated there was little of the original fabric of 24 The Calls remaining, with what did exist being in very poor condition and not viable to convert. Because of this, its demolition was justified
- concerning the highways issues, that the Chief Planning Officer would discuss these with the Chief Officer Highways and Transportation

Members considered how to proceed, with concerns being raised that it was necessary to be satisfied on the highways elements of the scheme before reaching a final decision on the applications

The Head of Planning Services stated that rather than delay the whole scheme for something which was outside the developer's control to resolve might not be seen to be fair. However, it was accepted there were concerns about the details of the crossing proposal and that these could be brought back to Panel at a future date

RESOLVED -

Application 08/05307/FU

To defer and delegate to the Chief Planning Officer for approval subject to the conditions in the submitted report, including an increase in the time limit for the scheme from 3 years to 5 years (and any others which he might consider appropriate) and the completion of a Section 106 agreement, to include the following obligations:

- index linked public transport contribution of £115,627
- implementation of travel plan and monitoring fee of £4000

- car club trial membership of £7625
- provision of on-street car club space and compensation for loss of revenue
- management and accessibility to public areas
- employment and training initiatives
- monitoring fee

In circumstances where the Section 106 agreement has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

That in respect of details of the proposed crossing, that the Chief Planning Officer undertake discussions on this with the Chief Officer Highways and Transportation and that a further report on this matter be presented to Panel in due course

Application 08/05309/CA

To grant consent subject to the conditions set out in the submitted report

24 Application 10/01601/FU - Alterations to public open space at Victoria Gardens, The Headrow, Leeds LS1

Plans, graphics and historical images were displayed at the meeting

Officers presented the report which sought permission for alterations to Victoria Gardens at the Headrow which were to be wholly sponsored by Marks and Spencer PLC to mark their centenary and links with the city

The Civic Architect, Mr Thorp, outlined the history of the site with Members being informed that the original intention had been to implement Sir Reginald Blomfield's 1925 scheme for a building on the Victoria Gardens site which mirrored that on the opposite side of the Headrow, formerly the Leeds Permanent Building Society. Whilst Sir Reginald had begun to implement his scheme at this corner and progressed down to Appleyard's Petrol Filling Station in Eastgate, the Council reconsidered the adjacent area with the original proposal being discounted and Victoria Gardens being completed during World War II, with the War Memorial being resited there from City Square

In 1996 there had been a further opportunity to refurbish this area, however the Millennium Commission had selected Millennium Square as the primary project to receive funding, leaving Victoria Gardens in need of some improvement

The Head of Planning Services stated that the area was an important feature and was critical in terms of event space in the city. Whilst the basic form of the space would remain the same, the proposals would remove the raised step between the planters to create a level access from all parts of the site; replace the cracked stone slabs; provide new seating, litter bins and signage; upgrade the large chess boards and introduce smaller boards into the coping stones of the existing planters and replace the trees along The Headrow frontage with 26 London Plane Trees. These would be clipped in a square shape on a clear stem which would be a minimum of 2.4m in height and would be uplit and underplanted with early spring flowering bulbs

Members were informed that the Victoria Cross and Leeds PALS memorials would be retained as would the Italian Alder, the Joseph Beuys Oak and the two Oaks in front of the library, although these two trees would be subject to some crown pruning

The Panel was informed that the proposals provided the opportunity for further trees to be planted in the city centre. Whilst a condition to this effect had been included, Recreation Services had indicated they were not unsympathetic to this and if minded to approve the application, condition 7 requiring submission of off

site tree planting adjacent to the Civic Hall should be deleted to enable this to be resolved between the Chief Planning Officer and the Chief Recreation Officer

Members commented on the following matters:

- that whilst the offer of works to Victoria Gardens was welcomed, there were other areas around the city in more need of attention
- that there should be no change to the name of the gardens
- that ideally the area outside the Town Hall would benefit from being included in the proposals, but an acceptance that the funding could not include this area
- that the interest shown by Marks and Spencer to commemorate their beginnings in Leeds was welcomed
- that the improved chess facilities were welcomed but that there was the opportunity for other games to be laid out to appeal to a greater number of people; concerns that the number of large chess boards was being reduced from 3 to 2 and had been re-sited away from their current position in the corner, which was considered to be the appropriate location for them
- concerns at the proposed removal of the planter adjacent to the chess boards as this acted as a barrier to the loop traffic
- the need for further details to be provided on the proposed benches and street furniture; that there should be a move away from stainless steel seating; that the benches should be comfortable and that replica art deco seats could be considered as a replacement for the original art deco benches which had been removed some years ago
- whether consideration should be given to siting the War Memorial centrally within the site, with mixed views on the appropriateness of this

A discussion on the proposed landscaping proposals ensued, with the following comments being made:

- concern at the loss of the flowering cherry trees along The Headrow and that they provided much needed colour in the area
- the information in the report which stated that the existing trees were not suitable due to the pollution levels and in time, they would need to be replaced
- the suitability of London Plane trees; their vigorous growth and their need for high level maintenance, particularly due to the manicured form which was being proposed
- that currently there were 16 trees in the planters; that these would be replaced by 26 trees and that unless their growth was carefully managed, the end result could be a dense hedge which could impact on views of the buildings behind them
- that London Plane trees were not evergreen and so for several months of the year would appear as bare branches
- the need for a maintenance agreement with Recreation Services to ensure the trees would be maintained as shown on the drawings presented to Panel
- whether the shape proposed for the trees was the most suitable
- the need for colour to be included within the scheme in addition to the underplanting with bulbs and light treatment

Officers, including the Principal Landscape Architect, provided the

following comments:

- that there had been no suggestion that the applicants were seeking to change the name of Victoria Gardens
- that whilst the scope of the scheme could not cover everything, substantial improvements, particularly provision of disabled access, would be achieved
- that oak and stainless steel seating was being considered but that the stylistic reference to the previous art deco benches could be useful to consider
- that several options had been considered for the landscaping treatment of the scheme, including the removal of the planters. Whilst this option had been discarded it meant that a limited soil volume still remained, although the proposals would re-engineer soil volumes and provide underground irrigation
- that climate change had to be considered and that London Plane trees would grow there and be effective in clipped forms
- that the site fronted the city's Art Gallery and the Henry Moore Institute and perhaps was a part of the city where one could expect sculptural treatment, so giving the landscaping an artistic value

The Panel considered how to proceed in view of the issues which had been raised. Concerns were expressed that matters of personal taste were influencing consideration of the planning application and that with the exception of the trees, all of the proposed conditions set out in the report were acceptable

A proposal to accept the Officer's recommendation was made and seconded but was not approved by the majority of the Panel

RESOLVED - That determination of the application be deferred and that the Chief Planning Officer be asked to submit a report to the next meeting to cover the following matters:

- details on the proposed litter bins and benches
- the opportunity to lay out other games in the site
- further information about the use of London Plane trees; the shape to be created; the maintenance requirements and how those would be achieved

25 Applications 09/03230/FU: 09/03280/CA and 09/03397/LI for change of use, refurbishment and extensions to form flats and offices with car parking at St Peters Church and Church Buildings, Chantrell House, Leeds Parish Church, Kirkgate, Leeds LS2

Further to minute 7 of the Plans Panel City Centre meeting held on 1st July 2010 where Panel deferred determination of applications for the redevelopment of St Peter's Hall and House together with Chantrell House, Leeds Parish Church, Kirkgate, Members considered a further report of the Chief Planning Officer seeking Panel's comments on the design principles outlined in the submitted report and presented to the Panel by the Civic Architect

Plans, drawings, graphics, photographs including historical images of the former school adjacent to Leeds Parish Church were displayed at the meeting

The Civic Architect, Mr Thorp, outlined the work undertaken since the meeting in July to address some of the issues raised by Members in order to take the scheme forward

In terms of St Peter's Hall, Members were informed that the elevation disliked by Panel in the previous scheme had been removed with consideration being given to a ground floor extension only with stair and lift arrangement with a possible conservatory being included

On St Peter's House, an increase in height was being considered to reflect the height of the properties on the opposite side of the street and an extension which was angled at the side to maintain the view through to the Parish Church

The idea for Chantrell House was to provide a gabled roof building which would give reference back to the former school building which had previously existed on the site but which would be smaller in footprint to maintain views of the Parish Church and reduce the impact on Chantrell Court

Members were advised that there was limited potential for different uses due to the site being in a flood risk area

Members commented on the proposals as follows:

- whether the remains of the old building (the boundary wall) would be incorporated in the proposals
- the need for top quality materials to be used; possibly reclaimed materials
- the increased height of Chantrell House; that it created better balance and if the views across were maintained, then this could be acceptable
- concerns about the potential dominance of Chantrell House on Chantrell Court and whether the built form could be narrower pulling it away from Chantrell Court
- on St Peter's Hall, the need to understand how the positioning of the lift in the corner would work
- that concerns remained about how the proposed extensions would relate in detail to the existing buildings
- that some vertical emphasis could be considered on Chantrell House
- the possibility of using mirrored glass within the scheme, particularly on gable ends
- that a feature should be made of the original detailing within the scheme
- concerns that although suggestions could be made on the scheme, these might not translate as envisaged

RESOLVED - To note the report, the presentation and the comments now made

26 Kirkgate

The Chief Planning Officer informed the Panel of a serious situation which was ongoing involving the Listed First White Cloth Hall at Kirkgate

Members were informed that a lintel had recently become structurally unsound in the property next door to the First White Cloth Hall and because of this the whole structure was in danger of collapse and was a public safety risk

Although every opportunity was being considered to save the historic building, it might be that The First White Cloth Hall would need to be demolished very shortly

The Panel was informed that a proposal which had been submitted to Panel in the past envisaged the demolition and reconstruction of this building and that if its demolition was imminent, then the building's materials would be salvaged, labelled and retained for use in the new building on the site

27 Date and time of next meeting

Thursday 16th September 2010 at 1.30pm in the Civic Hall, Leeds

Joint Plans Panel

Thursday, 1st July, 2010

PRESENT: Councillor B Selby in the Chair

Councillors J Akhtar, D Blackburn,
C Campbell, A Castle, B Chastney,
M Coulson, G Driver, R Finnigan,
R Grahame, P Gruen, J Hardy, J Harper,
G Latty, M Lyons, J Matthews,
J Monaghan, E Nash, K Parker, D Wilson
and R Wood

1 Election of the Chair

RESOLVED - Councillor Selby, Chair of Plans Panel City Centre was nominated as Chair of the Joint Plans Panel meeting with the agreement of all Members present.

2 Late Items

The Chair noted that Members were in receipt of an e-mail of representation from Councillor Illingworth regarding Item 7 Terms of Reference and Officer Delegation Scheme and reported that additional information had been presented by him prior to the meeting as he was unable to attend. The Panel considered whether to accept the additional documents and
RESOLVED - Not to accept the additional documents

3 Declarations of Interest

There were no declarations of interest

4 Apologies for Absence

Apologies for absence were received from Councillors A Carter; Congreve; M Hamilton; S Hamilton; G Harper; J Harper; J Procter, Taggart and Taylor.

5 Minutes

RESOLVED – The minutes of the previous meeting held 19th October 2009 were agreed as a correct record

6 Terms of Reference and Officer Delegation Scheme for the Three Plans Panels

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the Terms of Reference and Officer Delegation Scheme associated with the work of the three plans panels for Members' reference. The documents had previously been approved by Annual Council on 27th May 2010 at the start of the Municipal Year.

A copy of the Code of Practice for Determining Planning Matters was also included. Members had received an e-mail of representation from Councillor J Illingworth regarding the officer delegation scheme

RESOLVED –

- a) To note the Terms of Reference and Officer Delegation Scheme for the Plans Panels for the 2010/11 Municipal year
- b) To note and have regard to the contents of the Code of Practice for Determining Planning Matters

7 Performance Management Report for Planning Services for year end 2009/2010

The Chief Planning Officer submitted a performance management report for Planning Services for 2009/10. The report highlighted key issues as being planning performance and workload. The Head of Planning Services reported the 2009/10 Municipal Year had been a challenging year due to the economic downturn and a fall in planning and development activities. Planning fee income was down £1.4 m compared to the budget last year and in response, a 20% reduction in the workforce had been achieved in the last 18 months with about £700k savings in staffing costs being achieved in the last year.

Officers highlighted the following matters:

Quality of decision making – 12% Panel overturns of officer recommendations compared with 18% the previous year

Appeals – there had been a number of high profile cases particularly concerned with green field and housing land issues. In addition, the Head of Planning Services reported on the Technoprint case which had been of national interest and where only one ground of challenge had been successful leading to the quashing of the decision - it was noted that the application would be put before a future Panel for determination at which point the matters raised by the Judicial Review could be considered. It was noted that Members were in receipt of e-mails from Councillor J Illingworth and the appellant however these were not discussed at the meeting.

Ombudsman cases/complaints – A reduction in the number of complaints was noted

Development Enquiry Centre – noted that DEC had retained Customer Service Excellence following a recent review

Members discussed the following:

Compliance/Enforcement – It was noted that staff had been seconded to the enforcement team to deal with the backlog of cases and new cases. A restructure of the team was being considered to provide clearer management arrangements and opportunities for better progression for Enforcement Officers – this would need to happen within existing resources. The priority case list was being progressed but workloads remained high.

A suggestion was made that it would be useful for enforcement to attend Panel meetings to create better understanding of Members concerns and the remit of officers. It was also suggested that better liaison between enforcement and legal officers was necessary.

Hyde Park/Headingley – Officers responded to Members' concern over the impact of limited resources on the Departments' ability to deal with non-compliant letting signs. It was noted that those responsible for non-compliances had been contacted giving them the first option of removal. The

next stage would be prosecution and there was determination to take strong action early on.

Officers also provided clarification of the early enforcement process in response to a comment that the statistics appeared to suggest half the cases were classified as “no breach”. It was suggested that the statistics be split in the future to better present the actual cases.

Technoprint case – Members expressed concern that the case had been ongoing for a number of months before they had been made aware of it; that officers had not reported the full costs and implications of the case to them and that ward councillors had not been consulted in the first instance. The Panel suggested a full report produced jointly by legal and planning services on the case; the findings of the Court and an appraisal of any lessons to be learnt should be presented to Joint Panel in the future.

Officers agreed to the request and suggested an additional Joint Panel could be arranged to deal with this one matter in September 2010.

Councillor Leadley, who had some involvement in the case, reported the costs to the Council as £217k, with instructions for LCC to pay 80% of the costs incurred by the appellant on top.

Public Access system – Members noted the comment that searches for applications which pre-dated the launch of the Public Access system would receive an error message which was not appropriate and this should be amended to make the situation clear to members of the public

RESOLVED –

- a) To note the contents of the report and the subsequent discussions
- b) To request a further performance report in six months time
- c) To note the intention to hold an additional meeting in September 2010 to receive a joint report from the Director of Legal Services and the Chief Planning Officer on the Technoprint case

8 Scrutiny Board Inquiry into the method by which Planning Applications are Publicised and Community Involvement takes place

The Chief Planning Officer submitted a report on the outcome and findings of an inquiry into the method by which planning applications are publicised and community involvement takes place. The inquiry was undertaken by Scrutiny Board (City Development) and a copy the Boards’ final report and the subsequent response to the findings by the Director of City Development and Executive Members with responsibility for Development were included.

The Head of Planning Services reported the Inquiry had proved useful to the planning authority and the Panel discussed the following

Adverts – Local newspapers were used to advertise applications at a cost to the Department of over £60k per annum. The Government had decided not to remove the requirement for newspaper adverts after consultation.

In response to a query, it was reported that the costs for placing adverts and site notices could not be transferred to the applicant. The pre-application engagement process did place the onus on developers but once an application was submitted the statutory requirements are with the Local Planning Authority to carry them out and pay for them.

Community Consultation – noted that although guidance stated the authority could not take whether an applicant had undertaken community consultation into account when determining an application, Members were able to defer determination to allow time for community consultation if they felt it necessary

Developer/Officer/Liaison – A Member reported on a specific case where a ward Councillor had been invited to attend a meeting with a developer of a locally important scheme. The developer had offered to bring an LCC planning officer in order to ensure propriety and the Member reported his concern that planning officers appeared to be liaising on the scheme prior to ward Councillors being made aware of it.

The Head of Planning Services stated that usual good practice, as stated in the guidance, was for planning officers to engage in pre-application discussions with developers of major schemes and ward Councillors should be kept informed. It was noted the Members' concern would be passed to the relevant officer

It was further noted that ward Councillor and community consultation was not a mandatory requirement; planning officers could only encourage developers to do so. Members should address their concerns to the Secretary of State about this. The Panel noted the Killian Pretty review encouraged consultation and pre-application discussions however Members must be mindful of their role on the planning panel and avoid making remarks or comments that could be raised at an appeal.

Community Planning Officers – it was noted this role in the inner west area had proved very successful, however there were no plans at present to extend the scheme city wide as any other Community Planner posts would require Area Committee resources.

RESOLVED – To note the contents of the report and the findings of the Inquiry and to note the comments made by the Panel

9 Issues Arising from National Changes

The Chief Planning Officer submitted a short report highlighting recent national changes to planning and development and the implications for the city.

The Head of Planning Services reported on the following themes:

- Open Source Planning Green paper
- Revised PPS3 Housing (June 2010) changes which have led to gardens being taken out of the definition of "brownfield" development and the scrapping of the indicative 30 dwellings per hectare minimum density limit. Garden developments would need to be dealt with in the light of these changes and on a case by case basis
- Housing and Planning Delivery Grant - the deletion of the grant would result in a £900k loss to the budget of Planning Services
- Greenfield housing appeals and residential land supply

The Deputy Chief Planning Officer highlighted the intention of the new Government to abandon the Regional Spatial Strategy and with it regional housing targets. Guidance had been provided to authorities to have regard to the Governments' intention when determining applications during the interim period.

Officers reported their intention to present reports to Executive Board in July setting out the stance the authority should adopt on the 5 year housing land supply and the position on the legal challenge to appeals allowed for Greenfield sites in the light of the decision on the first challenge which had been dismissed in the High Court.

RESOLVED – To note the contents of the report and the discussions

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Licensing Committee

Tuesday, 20th July, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors J Dunn, R D Feldman,
T Hanley, G Hussain, V Morgan, B Selby,
C Townsley, D Wilson and G Wilkinson

IN ATTENDANCE Sgt R Fullilove – West Yorkshire Police
Mr B Patterson – West Yorkshire Police
Mr M Benn – Festival Republic

9 Late Items

The Chair noted receipt of one Late Item of business following the despatch of the agenda for the meeting. This related to the decision of full Council on 14th July 2010 to make changes to the governance arrangements for the Committee and as such the report was not available at the time the agenda was sent out. Members had received the report prior to the meeting and were requested to consider the report as a Late Item in order for the changes to take effect from 20th July 2010 as indicated by Council

RESOLVED – To accept the last item of business onto the agenda for the meeting (minute 18 refers)

10 Declarations of Interest

There were no declarations of interest

11 Apologies for Absence

Apologies for absence were received from Councillors Dobson, Downes, Mrs Feldman, Grayshon and G Hyde

12 Minutes

RESOLVED – That the minutes of the previous meeting held 22nd June 2010 be agreed as a correct record

13 Presentation by West Yorkshire Police

The Committee received a presentation from West Yorkshire Police (WYP) on the process undertaken by WYP when making representations on applications made under the Licensing Act 2003. Sgt R Fullilove and Mr B Patterson from the Leeds District Licensing Office attended the meeting and provided details on:

- The role of the Neighbourhood Policing Teams (NPT's)
- The role of the central licensing team based at Millgarth Police Station
- The liaison between divisional NPT's and the licensing team
- The number of applications notified to WYP (approximately 1900 per annum) and process by which these were scrutinised to determine whether a representation should be made

- The importance of good intelligence received from other parties - such as the public and local ward Councillors

Mr Patterson also highlighted the desire of WYP to be informed of the representations made by other Responsible Authorities as this would better inform WYP of all the issues related to a premise which may already be of interest. It was noted that no facility existed to link the LCC Entertainment Licensing and WYP computer systems.

Members discussed the following:

- Their concerns over the robustness of the evidence submitted by WYP and commented that, in respect of Reviews, there had been occasions when the WYP presentation at a hearing had undermined the strength of the written submission
- The importance of information being provided from local NPTs to the licensing team to better inform their submission
- The role of multi-agency meetings as forums for responsible authorities to share information about licensed premises. Members noted that some NPTs were represented at Area Committee or ward meetings, but not necessarily at tenants meetings where licensing related issues were more likely to be discussed by residents.
- Interim Reviews and the restricted amount of WYP evidence available to Members due to the 48 hour timeframe of that hearing and the likelihood of some evidence being used at a later date in court proceedings

Sgt Fullilove closed by reiterating that WYP would welcome information from local ward Members on problem premises within their wards and agreed to provide a direct e-mail address to Members of the Committee

RESOLVED – To thank Mr Patterson and Sgt Fullilove for the presentation and to note the discussions.

Councillors Dunn, Selby and Wilson withdrew from the meeting for a short time at this point before taking their seats at the commencement of the next item

14 Leeds Festival 2010 - Event Management Plan for the 2010 Event

The Assistant Chief Executive (Corporate Governance) submitted a report advising Members of the progress of the multi-agency meetings held so far and the progress of the Event Management Plan in respect of arrangements for the Leeds Festival 2010. The event is due to be held within the grounds of Bramham Park from 26th August to 30th August 2010. Appended to the report was a schedule providing a summary of the changes made to the 2009 EMP in preparation for the 2010 event.

Mr M Benn, Festival Republic Ltd, attended the meeting and discussed the following matters in respect of improvements made to the site with the Committee:

pick-up/drop-off point – these points now located within the same area to avoid confusion for drivers

Screens – management of the live feed to the screens had been improved to address the problem experienced last year when the system failed leading to a surge of attendees moving to better vantage points

Site layout – a new site design, including two new internal routes will be implemented in time for the 2010 event. This would support the revised Arena layout which had been amended to prevent a re-occurrence of the “bottleneck” effect experienced last year when large groups of attendees converged at one access point to the main arena

The Committee welcomed the improvements made to the EMP and further commented on the improvements made to the 2009 Traffic Management Plan which had addressed the problems created by sheer volume of traffic to the east of the city.

RESOLVED –

- a) To thank Mr Benn for his attendance and informative presentation
- b) To delegate authority to the Assistant Chief Executive (Corporate Governance) to approve the Event Management Plan and any minor amendments prior to the start of the event

15 Appeal against Licensing Committee decision to refuse a Premises Licence - Bargain Booze, 7 Cross Hills, Kippax

The Assistant Chief Executive (Corporate Governance) submitted a report on the outcome of an appeal against the decision of a Licensing Sub Committee to refuse an application for the grant of a new Premises Licence for Bargain Booze, Kippax.

The appeal was dealt with by the Magistrates Court on 30th April 2010 and was disposed of by consent between the parties. The Premises Licence was subsequently granted and the Magistrates Court awarded costs of £4700 against the Council.

The comments made by the Magistrates were highlighted in the report and Members went on to consider the following:

- The appeal matters raised by Mr Warke the appellant
- Difference between the Magistrates hearing and the Sub Committee hearing in terms of the weight of evidence
- Although a resident had attended the Sub Committee he would not attend the Magistrates hearing. Only Councillor Wakefield attended the Magistrates and his concerns were principally planning related
- The role of the legal adviser at Sub Committee hearings and the importance of robust advice
- Details of the costs procedure and entertainment licensing budget

RESOLVED – That the contents of the report be noted

16 Licensing Act 2003 - Three Year Review of the Statement of Licensing Policy

The Assistant Chief Executive (Corporate Governance) submitted a report on the consultation on the Council’s Statement of Licensing Policy in respect of the Licensing Act 2003. A copy of the Public Consultation report was included with the report.

Officers reported the Policy was now due for review with a view to adopting a revised Policy prior to January 2011. Initial consultation with partner agencies and ward members had been undertaken leading to proposals to revise the Cumulative Impact Policy areas. The public consultation period had now commenced on the revised Policy and would close on 1st October 2010.

It was noted that no Area Committees had presented any evidence to support a request for any additional CIP areas though the existing policies had been amended and in some cases extended.

RESOLVED – To note the contents of the report and the Consultation Document.

17 Licensing Act 2003 - Dealing with Representations

Further to minute 5 of the meeting held 22nd June 2010 the Assistant Chief Executive (Corporate Governance) submitted a report on the process applied by licensing officers when determining “relevant representations” under the Licensing Act 2003.

The report set out the relevant guidance and included statistics on the number of applications received in April 2010 and of those, the number of representations received and considered by officers and the number of applications put forward to a Sub Committee hearing for determination. To provide a fuller picture of the number of applications subject to representations deemed invalid by officers and consequently granted without a hearing, data was provided from April 2009 to June 2010 where 6 applications were noted.

Some Members expressed their continuing frustration on the number of occasions an applicant and responsible authority reached agreement just prior to a hearing. The Committee was advised there was no time limit or penalty to prevent this. Members also noted the development of the Public Access system, an electronic register on which the status of new applications may be tracked.

RESOLVED – That the contents of the report be noted.

18 LATE ITEM Changes to Licensing Arrangements - Consequential Governance Arrangements

The Assistant Chief Executive (Corporate Governance) submitted a report as a Late Item of business regarding the governance arrangements for the Licensing Committee following the decision of full Council on 14th July 2010 that certain functions previously carried out by the Licensing and Regulatory Panel should be undertaken by the Committee. Council had determined the changes should take effect from 20th July 2010 and Members agreed to consider the report as a Late Item in order for the changes and transitions to be implemented smoothly.

The report included amended Terms of Reference for the Committee; amended Terms of Reference for the Sub Committee and the revised officer delegation scheme.

Members referred to the ongoing situation regarding the Section Head of the Taxi & Private Hire Licensing and expressed their continuing dissatisfaction over the length of time the Section had been without a senior officer. The Chair noted Members' request for information and referred to the previous agreement made at the former Licensing and Regulatory Panel held on 22nd June 2010 that, on completion of the current personnel matter relating to the Taxi & Private Licensing Section, officers would be requested to report back to Panel Members on the process and the outcome (minute 6 refers)

RESOLVED –

- a) That the amended Terms of Reference for the Licensing Committee (as contained in Appendix 1) be noted
- b) That the revised Terms of Reference for the Licensing Sub Committees as detailed in Appendix 2 of the report be approved
- c) That approval be given for the delegation of functions to the Assistant Chief Executive (Corporate Governance) as detailed in Appendix 3 of the report
- d) That officers be requested to report back to Members on the process and outcome of the personnel matter relating to the Taxi & Private Hire Licensing Section, on completion of that matter

19 Work Programme

No new items of business were added to the schedule and Members were advised the "Update from the SEV Working Group" would not be available for the August Committee meeting.

RESOLVED - To note the contents of the Work Programme Schedule

20 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 17th August 2010 at 10.00 am although Members did note there were no items of business scheduled for this meeting in the Work Programme

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Licensing Sub-Committee

Monday, 5th July, 2010

PRESENT: Councillor S Armitage in the Chair
Councillors M Dobson and G Wilkinson

28 Election of the Chair

RESOLVED – Councillor S Armitage was elected Chair for the duration of the meeting

29 Late Items

There were no formal late items of business, however Members had received supplementary information submitted by the applicant in relation to “Grosik” (minute 5 refers)

30 Declarations of Interest

There were no declarations of interest

31 "Otley Cricket Club" - Application for the Variation of a Premises Licence for Otley Cricket Club, Cross Green, Otley LS21 1HD

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application to vary an existing Club Premises Certificate in respect of Otley Cricket Club, Cross Green, Otley

Representations had been submitted by LCC Environmental Protection Team with measures suggested to address the prevention of public nuisance licensing objective. It was noted the applicant had agreed to those measures being placed on the Premises Licence as conditions, should the application be granted, and subsequently LCC EPT had withdrawn their representation.

A letter of representation had also been received from local residents Mr M & Mrs J Bartholomew. One resident who wished to remain anonymous had requested they be represented at the hearing by local ward Councillor C Campbell. None of the local residents attended the hearing and the Sub Committee resolved to consider their written representations and proceed in their absence.

The Sub Committee heard first from Councillor Campbell who described the nature of the local area and the proximity of local residents to the premises. He stated the main concern of the objector he represented as being the later hours requested and the noise and disturbance caused by patrons leaving the premises later into the night, particularly on Sunday nights. He stated he had received three letters from local residents of Fern Bank regarding the application and précised their concerns as being whether the requested additional licensable activities were appropriate in this residential location and

concern about the noise of people leaving the premises, although he did note the measures agreed with LCC EPT regarding noise emanating from the entertainment.

The Sub Committee then heard from Mr M Rhodes, on behalf of Otley Cricket Club. Mr Rhodes explained the nature of the Club business and stated two public houses nearby currently opened later hours which had led the Club to believe the hours they had requested were not unreasonable. He acknowledged that Councillor Campbell had received three letters from residents of Fern Bank, however noted the remaining 9 residents had not objected.

In response to queries from the Sub Committee, Mr Rhodes stated the Club did not intend to operate to 00:00 midnight every Friday and Saturday but only during the cricket season. In practice the Club did not open outside the cricket season. The Club function room was not large and there was no intention to provide live music on a regular basis. Mr Rhodes also stated that although the application included a request to open until 00:00 on Sundays, he believed this would only occur 3 or 4 times per year and most likely on Bank Holiday Sundays.

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing and concluded that granting the application as made would undermine the public nuisance licensing objective. However the Sub Committee felt there were steps they could take to address that objective and therefore

RESOLVED – To grant the application with the following modifications:

For all activities:

Fridays and Saturdays 11:00 until 00:00 midnight as requested

Sundays 11:00 until 22:30 hours

(Mondays to Thursday: hours of operation for all activities/opening hours remain as current)

- Members were satisfied that activities could go on later on Sundays prior to a Bank Holiday Monday, and therefore granted Sundays prior to Bank Holiday Mondays 11:00 until 23:30 hours
- The Sub Committee also felt it necessary and proportionate to impose those measures put forward by LCC EPT and agreed by the applicant as conditions on the Premises Licence.
- The Sub Committee also took the opportunity to advise the Club management to take steps to ensure patrons had regard to local residents in order to minimise noise caused by people leaving the premises

32 "Grosik" - Application for the Grant of a Premises Licences for Grosik, 311 Harehills Lane, Harehills, LS9 6AA

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a new Premises Licence in respect of premises trading as "Grosik", 311 Harehills Lane, Leeds LS8.

One letter of representation had been submitted by a local resident, Mr M Karpiski, who did not attend the hearing. The Sub Committee resolved to take his written submission into account and to proceed in his absence.

Members were also in receipt of additional documentation submitted by the applicant, Mr Ibrahim, in response to the letter of representation.

The Sub Committee heard from Mr Y Sina, representative of the applicant. Mr Sina addressed an incident reported by the local resident regarding the sale of alcohol prior to a Premises Licence being granted. Mr Sina stated this was due to a misunderstanding on the part of his client who had believed that alcohol could be sold on the expiration date of the "blue notice" advertising the premises licence application. Mr Sina also commented on the validity of the representation as the applicant had been unable to find the objector at the address stated.

The Sub Committee took the opportunity to hear information from Mrs C Brennand, licensing enforcement and liaison officer, who provided details of the enforcement visit to the premises where she and another colleague witnessed an unauthorised sale of alcohol. Mr Sina agreed his client had been at fault, but had not done so with malice.

The Sub Committee listened carefully to the submissions at the hearing, and had regard to the written representations before them, including the measures proposed by the applicant to address the licensing objectives (as contained in the pro-forma risk assessment which accompanied the application). The Sub Committee remained very concerned about the incident concerning the sale of alcohol prior to the grant of a Premises Licence and reminded Mr Sina to advise Mr Ibrahim that he must abide by the licensing laws in future. However, Members were satisfied that this one transgression was an isolated incident.
RESOLVED – To grant the application as requested.

- The Sub Committee also felt it was necessary and proportionate to impose the measures proposed by the applicant and contained within the pro-forma risk assessment as conditions on the Premises Licence with the following amendment:
 - The applicant will operate a Check 21 proof of age scheme.
- The Sub Committee also took the opportunity to advise the applicant that the enforcement team would monitor the premises in the future.

33 "Aldi" - Application for the Grant of a Premises Licence for Aldi, York Road, Seacroft LS14 6HP

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and written submissions before them relating to an application for the grant of a Premises Licence in respect of a new "Aldi" store on the site of the former Lion & Lamb public house, York Road, Leeds LS14.

Representations had been submitted by LCC Department of Development and Mr J Wigginton attended the hearing on behalf of the Department. Mr

Wigginton explained that planning permission for the new store had been granted in September 2009 with restrictions on the opening hours stated as 08:00 to 20:00 hours Monday to Saturday and 10:00 to 18:00 hours on Sundays and Bank Holidays. These hours had been set in consultation with Aldi and having regard to the comments from LCC Environmental Protection Team who were concerned about public amenity and the impact of comings and goings of customers on nearby residents. Mr Wigginton detailed the proximity of local residents to the store and reiterated his belief that 23:00 hours close would have a detrimental impact on those residents in terms of associated noise and public nuisance.

The Sub Committee then heard from Miss Gilligan on behalf of the applicant. Miss Gilligan was accompanied by Miss A Swann on behalf of Aldi. Miss Gilligan described the nature of operation of Aldi Stores and referred Members to the Guidance regarding Premises Licences for shops and supermarkets. She highlighted the difference between planning concerns of public amenity and licensing concerns of public nuisance and drew attention to the fact that no representations had been received from either LCC EPT or local residents and concluded there was no evidence before the Sub Committee to suggest the granting of this application would undermine the licensing objectives.

Miss Gilligan assured Members the applicant understood that the store could not operate beyond its permitted planning hours and offered the following condition by way of further assurance, should Members be minded to grant the application:

“The premises shall not operate beyond 20:00 hours Monday to Saturdays and 18:00 hours on Sundays and Bank Holidays, unless and until an express planning permission or certificate of Lawful Development is obtained by the operator of the premises to extend those hours”

Ms Gilligan indicated the applicant was preparing to submit a further planning application although she had no personal knowledge of this.

Miss Gilligan also addressed the concerns expressed by Members regarding the possibility of youths congregating at the premises and the associated problem of public nuisance.

The Sub Committee considered the written representations and the submissions made at the hearing. Members were satisfied that granting the application, without the offered condition, would not undermine the licensing objectives.

Members also found the conditions agreed between the applicant and WYP as necessary and proportionate for the promotion of the crime prevention objective

RESOLVED – To grant the application as requested whilst imposing the conditions agreed between WYP and the applicant

34 Application to Vary a Premises Licence relating to Bar Noir, Clock Buildings, Roundhay Road, Leeds LS8 2SH - To specify a Designated Premises Supervisor : Mr J S Bhogal

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application to vary the existing Premises Licence held at "Bar Noir", Clock Buildings, Roundhay Road, Leeds in order to name Mr J S Bhogal as the Designated Premises Supervisor.

Representations had been submitted by West Yorkshire Police (WYP) which necessitated the hearing.

The Sub Committee firstly considered whether to adjourn the hearing to a specified date, as Mr Bhogal and representatives from the premises did not attend. The Sub Committee noted that separate letters had been sent to the applicant and the proposed DPS regarding the date and time of the hearing. Members were also informed Mr Bhogal had attend the Council's Entertainment Licensing Section in person to discuss the application in general. The Sub Committee were satisfied both the applicant and the proposed DPS were aware of the hearing date and time and resolved to consider the application as submitted and proceed in their absence.

The Sub Committee then heard from Mr B Patterson and PC L Dobson on behalf of WYP who outlined the objection put forward by WYP to the application. They outlined the licence history of the premises and their continuing concern regarding the role of the management team at the premises. WYP had strongly held concerns over the ability of Mr Bhogal to manage the premises properly under the influence of the management team.

PC Dobson provided the Sub Committee with information on another licensed premises which had been under the management of Mr Bhogal and outlined the concerns WYP had about the management of that premises within the terms of both the licensing and planning regimes.

In conclusion Mr Patterson referred to the decisions of previous Sub Committees dealing with the Reviews of the Premises Licence and earlier DPS applications and confirmed that WYP believed matters had not improved at the premises. Furthermore, in this case, there were exceptional circumstances to warrant a refusal of the application as referred to in their submissions and Mr Bhogal as DPS would be little more than a figurehead at the premises and would not be able to exert any control.

The Sub Committee carefully considered the written submissions from both parties before them and noting what WYP expressed regarding the exceptional circumstances, agreed with WYP that granting the application would undermine the prevention of crime and disorder licensing objective
RESOLVED – To refuse the application

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Licensing Sub-Committee

Tuesday, 13th July, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors V Morgan and G Wilkinson

35 Election of the Chair

RESOLVED: Councillor Armitage was elected Chair for the duration of the meeting

36 Exempt Information - Possible Exclusion of the Press and Public

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

- (a) Appendix C of the report and some of the supplementary documents referred to in minute 5 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose this information at this point in time as information could be discussed which could undermine any future legal action intended to be taken and could jeopardise that case.
- (b) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter , as allowed under the provisions of the Licensing Procedure Rules

37 Late Items

There were no formal late items added to the agenda however both West Yorkshire Police and the Premise Licence Holder had provided additional information after the despatch of the agenda for the meeting and the following documents had been sent to all parties prior to the hearing:

- Letter of support and petition of support containing 128 signatures submitted by the Premises Licence Holder
- Letter of representation from Enterprise Inns Ltd – submitted by Gosschalks solicitors on behalf of the owners of the building itself
- Additional witness statements and photographs submitted by West Yorkshire Police

38 Declarations of Interest

There were no declarations of interest

39 "Streets of Leeds" - Summary review of a Premises Licence , the Streets of Leeds, Street Lane, Roundhay, Leeds LS8 1BW

The Sub-Committee considered an application made by West Yorkshire Police under Section 53A of the Licensing Act 2003 for the Summary Review

of the Premises Licence held at the premises known as “Streets of Leeds”, Street Lane, Roundhay, Leeds LS8 1BW. Applications under Section 53A could be made due to concerns of serious crime or serious disorder or both.

A separate Sub Committee had considered whether any interim measures were necessary to address the licensing objectives at a hearing on 23rd June 2010 and had not been persuaded that interim steps were necessary at that time.

The following parties attended the hearing:

West Yorkshire Police (WYP) – the applicant

Mr O Thorne - Solicitor for WYP

Ms M Falciano – Office of the Force Solicitor

PC L Dobson

Mr B Patterson

Streets of Leeds – Mr T Brisbane the Premise Licence Holder (PLH)

Mr J Coen – Solicitor, Ford & Warren, for the PLH

Mr E Bennett – (observer, Ford & Warren)

Mr T Brisbane – Premise Licence Holder

Miss N Brisbane – Designated Premises Supervisor

Mr B Pinn and Mr T Lloyd of Enterprise Inns Plc also attended as observers.

The Hearing

The Sub-Committee first considered representations from Mr Thorne and PC Dobson on behalf of WYP which outlined the reasons for the application and the evidence WYP believed showed how the management of the premises had undermined the Licensing Objectives.

The Sub Committee was provided with details of criminal activity which WYP linked directly to the premises and the DPS. Members were advised of the circumstances of incidents on 24th May 2010 and the subsequent search of the Streets of Leeds premises which led to the arrest of the DPS, her boyfriend (to be referred to as Mr A) and his associate (to be referred to as Mr B) for drug related offences. WYP outlined the steps taken by the police to liaise with the premises management since then and reported on the attitude of the management team to the concerns raised at meetings held on 9th and 14th June 2010.

WYP raised serious concern over the close personal relationship between the DPS and Mr A - a person known to the police and with a criminal record. It was reported that the DPS, Mr A and Mr B were currently on bail relating to the incident on 24th May 2010.

WYP presented statistical evidence showing an increase since 2007 of the number of assaults and drug related offences which were recorded as being “in the vicinity” of the Streets of Leeds.

WYP stated their concern that the PLH had not been aware of the influence Mr A had on the DPS and her control of the premises and that the PLH did not have an awareness of the requirements of the conditions attached to the existing Premises Licence.

WYP also introduced evidence on a secondary matter relating to two positive test purchase sales of alcohol made to youth volunteers and the discussions they had with the management team on adherence to the Check 21 policy and the apparent confusion between the PLH and the DPS as to whether Check 21 or Check 25 was operated at the premises.

WYP stated that since the incident on 24th May 2010, the management team had failed to act on the concerns raised by WYP or adequately introduce measures to promote the Licensing Objectives.

WYP reported that the DPS lived at the premises, and whilst she remained on the premises whether as DPS or resident, the Licensing Objectives would continue to be undermined by her association with Mr A. Therefore WYP submitted that the only course of action open to the Licensing Sub Committee to consider which would address the licensing objectives was the revocation of the premises licence.

Following questions to WYP the Sub-Committee then went on to consider representations made by Mr J Coen on behalf of the PLH. Mr Coen highlighted the conditions already in place on the Premises Licence which he confirmed were adhered to; he also reported that the DPS was Chair of the local Pubwatch scheme.

Mr Coen referred to the findings of the Sub Committee who dealt with the Interim Review hearing; particularly in relation to the definition of "serious crime". He submitted that should any criminal charges be brought in the future, the DPS would not expect to receive a sentence which falls within the definition of "serious crime" under the terms of the Act.

Mr Coen acknowledged that drugs had been found at the premises and noted the findings of the subsequent forensic investigations however argued that the living quarters attached to the premises were not part of the licensed premises. Additionally he stated neither Mr A or Mr B could be directly linked to the management of the licensed business. Mr A used the Streets of Leeds address for mail purposes only and he had no influence over the PLH nor the DPS in terms of control of the premises.

Mr Coen addressed the statistical evidence presented by WYP and highlighted that, apart from the incident of 24th May 2010, only one drugs find had occurred at the licensed premises.

In conclusion, he reiterated no link existed between Mr A and the PLH. The link between Mr A and the DPS was purely a personal matter. The DPS did

not take nor condone drugs and did not tolerate them at the licensed premises.

The Decision

After careful consideration of all of the written submissions and the verbal representations made at the hearing, the Sub Committee firstly considered matters they found as fact and then the options available to them in the light of those findings.

The Sub-Committee accepted that an authorised and legitimate search took place at the premises on 24th May 2010 where Class B and C drugs were found within the living area and cocaine remnants were identified in the toilet area of the licensed premises; and that there were still samples to be identified.

It was accepted that there had been 2 meetings since 24th May 2010 with the DPS, the PLH, representatives of LCC Entertainment Licensing Enforcement team and WYP. These were held on 9th and 14th June 2010 respectively, where advice was offered. It was the Sub Committees' opinion that the premises management team at those meetings had not put forward any plans to address the drugs problem and had only stated their acknowledgement of the start of the Review process.

The Sub Committee having heard all the statements found that, since 24th May 2010:

- No action had been taken to train staff
- The DPS and the PLH remained unsure whether Check 21 or Check 25 was being operated at the premises as evidenced by their conflicting responses to questions at the hearing
- No drug safe had been installed at the premises
- Mr A at present was still associated with the premises

On the issue of serious crime; the Sub Committee preferred the evidence of WYP that if the remaining samples were to be identified as Class A drugs then, under the definition of "serious crime", the DPS as the person with day to day control of the business could reasonably expect a sentence of imprisonment of a term of up to 3 years or more.

The Sub Committee preferred the evidence of WYP that the PLH had not taken responsibility for the running of the premises, even after the June meetings and the intervention by WYP.

The Sub Committee felt that the DPS was so involved with Mr A that this influenced her management of the premises and that she was not able to uphold the licensing objectives as they were not her primary concern.

The Sub Committee felt that Mr A used the premises for his involvement with drugs with the full knowledge of the DPS as evidenced by her explanation of the use of the Petri dishes found in the living area at the premises.

On balance the Sub Committee preferred the evidence of WYP and having read DC Lord's statement regarding the quantity of drugs found; decided the drugs were not for personal use.

The Sub-Committee carefully considered the options available to them and determined

- That further conditions would not address the serious concerns before them.
- That removal of Miss Brisbane as the DPS would leave Miss Brisbane at the premises as a management figure and therefore was not appropriate in this case
- That suspension of the Premises Licence was not an option they felt was appropriate in this case.

Therefore the Sub Committee felt that revocation was the only appropriate course of action in order to promote the crime prevention objective.

RESOLVED: That the premises licence in relation to the premises known as "Streets of Leeds" be revoked.

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Licensing Sub-Committee

Monday, 19th July, 2010

PRESENT: Councillor T Grayshon in the Chair

Councillors G Hussain and V Morgan

40 Election of the Chair

RESOLVED – That Councillor Grayshon be elected Chair for the meeting

41 Exempt Information - Possible Exclusion of the Press and Public

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

- (a) Appendices A and B of the report and some of the supplementary documents referred to in minute 5 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the documents as they pertain to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain.
- (b) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter , as allowed under the provisions of the Licensing Procedure Rules

42 Late Items

There were no late items

43 Declarations of Interest

There were no declarations of interest

44 Application for the Grant of a Personal Licence - Mr F Tobiere

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a new Personal Licence for Mr F Tobierre.

West Yorkshire Police had submitted representations which necessitated a hearing. All of the hearing was conducted in private due to the nature of business to be discussed and the evidence before the Sub Committee.

PC L Dobson and Mr B Patterson attended the hearing on behalf of WYP and provided details of the concerns held by WYP regarding the applicant.

Mr Tobierre attended the hearing and was accompanied by Ms F Hill. Mr Tobierre addressed the matters raised by WYP and answered queries from the Sub Committee

The Sub Committee carefully considered the documents before them and the verbal submissions made at the hearing. Members were of the opinion that granting the Personal Licence would undermine the crime and disorder licensing objective. They stated their reason as being their dissatisfaction with the explanations given by the applicant at the hearing particularly regarding his failure to declare his previous and unspent relevant convictions on the application form.

RESOLVED – To refuse the application

45 "Subway" - Application for the Grant of a Premises Licence -Subway, 18 Otley Road, Headingley, Leeds LS6 2AD

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a new Premises Licence in respect of premises trading as "Subway", 18 Otley Road, Headingley.

Representations had been submitted by West Yorkshire Police (WYP) and by the following local residents: Mrs B Frater; Mr P Hudson; Mrs R Harkess and Mrs S E Griffiths. Local ward Councillors Monaghan; Matthews and M Hamilton also submitted letters of representation. None of the local residents attended the hearing and the Sub Committee resolved to consider their written submissions and proceed in their absence.

The Sub Committee noted the following information provided by the applicants' solicitor at the start of the hearing:

- the premises currently traded until 03:00 hours Thursday, Friday and Saturday under an existing Premises Licence
- the hours requested had been amended following receipt of the representations to
 - o Sunday to Thursday close at 02:00 hours
 - o Friday and Saturday close at 03:00 hours
 - o Sundays prior to a Bank Holiday Monday to close at 05:00 hours

The Sub Committee heard first from Mr B Patterson on behalf of WYP who highlighted the location of the premises within Cumulative Impact Policy Area 2. Mr Patterson explained the CIP had been revised in 2007 to include late night refreshment venues in order to address the public nuisance and crime and disorder issues associated with such premises. He noted the existing premises licence had been granted prior to the 2007 revisions. Mr Patterson explained the importance of WYP representations when considering applications from within a CIP area and highlighted the onus was on the applicant to demonstrate that the premises would not adversely affect the CIP area. In addition he stated WYP recorded high figures of anti social behaviour and public nuisance in the Otley Road area of Headingley and he urged Members to support the CIP.

The Sub Committee then heard from local ward Councillor Monaghan who described the nature of the local area and the proximity of residents to the premises. He stated his main concerns as being the hours requested as no local pub or club operated at the hours requested. He suggested this would lead to non-residents visiting the premises at later hours. He was also concerned about the cumulative effect of disorder and nuisance later into the night on the locality and residents.

The Sub Committee then heard from Mr R Williams on behalf of Made to Order Ltd, the applicant for Subway. Mr J Davies, Area Manager for Subway accompanied him. Mr Williams reiterated the amended hours now requested and addressed the relevant parts of the CIP in terms of new licensed premises; provision of hot food and takeaways. He maintained this was not a new premise, did not solely offer hot food and did provide seating for customers.

Mr Davies outlined the measures already in place to address nuisance issues and stated there had been no incidents of crime and disorder issues at the premises.

In response to queries from the Sub Committee, Mr Williams stated the application for a new Premises Licence had been submitted in error as a variation of the existing licence could have been sufficient to provide later hours to cater for customers leaving other late night licensed premises in the area. The applicant had monitored present customer numbers prior to submitting this application. He confirmed if this application was granted the applicant would surrender the existing licence. Discussions followed on the proximity of this unit to other late night licensed premises in the area.

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing and concluded the applicant had not demonstrated that granting the application would not adversely impact upon the CIP Area 2. The Sub Committee therefore took the view that granting the application would undermine the licensing objectives relating to the prevention of crime and disorder and prevention of public nuisance.

However the Sub Committee was mindful that a Premises Licence granted prior to the 2007 revisions to CIP Area 2 was currently in force at the premises and therefore Members would not want to detract from that
RESOLVED – To grant the application in the following terms (to mirror the existing licence)

Thursdays, Fridays and Saturdays only – provision of late night refreshment from 23:00 hours until 03:00 hours

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Licensing Sub-Committee

Monday, 26th July, 2010

PRESENT: Councillor B Selby in the Chair

Councillors Mrs R Feldman and T Hanley

46 Election of the Chair

RESOLVED - Councillor B Selby was elected Chair of the meeting

47 Late Items

No formal late items of business were added to the agenda, however the Sub Committee and all parties were in receipt of the following supplementary documentation which had been submitted after the despatch of the agenda for the meeting and issued all parties prior to the hearing:

- Additional bundle supplied by the applicant's solicitor including
 - A statement outlining the other premises operated by the applicant; history of this premises licence application, liaison and agreements with the responsible authorities
 - Magazine reviews of Reform and Verve bars operated by the applicant
 - Menu from Verve bar
 - "Worlds Best Bar" listings showing Reform (23) and Verve (61)
 - "Scores on the Doors" listings for Reform and 3 bars operated by objectors to the application
 - Copies of the Premises Licences for Verve and Reform
- Additional bundle supplied by the solicitor for some of the objectors to the application which included:
 - Copy of LCC Public Consultation Report of the Statement of Licensing Police 2011-13
 - Copy of the High Court Judgement JD Wetherspoon vs. Guildford Borough Council
 - Copy of the High Court Judgement: Luminar Leisure Ltd vs. Wakefield Magistrates Court

48 Declarations of Interest

There were no declarations of interest

49 "38 Call Lane" - Application for Grant of a Premises Licence, 38 Call Lane, Leeds LS1 6DT

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a new Premises Licence in respect of premises to be known as "Call Lane" 38 Call Lane, Leeds LS1 6DT.

The report included the representations initially submitted by West Yorkshire Police (WYP) and LCC Environmental Protection Team (LCC EPT) however it was noted that agreements had been reached between the applicant and the responsible authorities and the representations had been withdrawn.

Representations had also been submitted by the following local residents: Mr F Stride; Mr T Davies & Ms S Watson; Ms A Harding; Mr C Burton; Mr O Lowe and Mr B Cook. None of the local residents attended the hearing and the Sub Committee resolved to proceed with the hearing and consider the residents written representations in their absence.

Written submissions had also been received from representatives of local businesses including Mr N Coughlan (Norman Restaurant & Bar); and by Mr C Rees-Gay the solicitor acting on behalf of Norman Restaurant & Bar; Boutique Partnership; Neon Cactus; Jakes Bar & Grill and Oporto. Mr Rees-Gay also submitted colour copies of maps already within one of his written submissions for ease of reference.

Attendees

Applicant

Mr J Anderson (solicitor)
Mr P Harrison
Mrs M Harrison

Objectors

Mr C Rees-Gay (solicitor)
Mr P Lane
Mr G Feltham

Observers

PC C Arkle – West Yorkshire Police
Mr S Wright
Miss J Caisley

Prior to the start of the hearing Mr Anderson made a request to withdraw Paragraph 2 of Page 5 of the written statement submitted by his colleague, Mr N Walton on behalf of the applicant, as it did not accurately reflect the stance of West Yorkshire Police. The Sub Committee agreed to this request.

The Sub Committee heard first from Mr C Rees-Gay on behalf of operators of other venues within the Call Lane locality of Leeds who had made representations.

Mr Rees-Gay referred the Sub Committee to those parts of the Council's own Statement of Licensing Policy which he believed to be most relevant to this application. He highlighted the crime and disorder statistics contained within the proposed revised Policy which showed the locality as being a hotspot area for incidents of anti social behaviour and assaults during the night. Mr Rees-Gay also relied upon the introduction of street marshals in that area as further evidence that this locality already suffered from incidents of crime and disorder.

Mr Rees-Gay then addressed the two High Court judgements he had submitted for consideration and explained their relevance to this application in terms of parties making representation and the impact of increased numbers of patrons and licensable hours in a defined area. Mr Rees-Gay also stated his belief that the applicant had not submitted enough evidence to prove that they could address the licensing objectives and he urged the Sub Committee to refuse the application

The Sub Committee invited PC C Arkle of WYP to comment at this point. PC Arkle outlined the liaison that had taken place with the applicant and the agreed conditions which WYP believed would ensure the venue did not become a vertical drinking establishment.

Members having noted the comments made by Mr Rees-Gay about capacity and the figures provided for other venues in the Call Lane locality considered the advice provided by PC Arkle and the Sub Committees' own legal adviser about the approach to capacity as set out in the Fire Regulatory Reform Act.

The Sub Committee then heard representation from Mr A Anderson on behalf of the applicant who responded to the comments made on behalf of the objectors in the first instance, particularly in relation to reliance on the draft Statement of Licensing Policy which was currently out for consultation; and the terms of the CIP.

Mr Anderson also described the proposed style of venue which included provision of food and cocktail bar with waiter service. Mr Anderson noted the comments made about the length of time and type of food which would be available and offered to amend an already agreed condition to read "at all times when licensable activities are taking place, a substantial food offer shall be made available". Mr Anderson also addressed queries from the Sub Committee relating to doorstaff, management of patrons and the Call Lane locality as a distinct night time destination.

All parties then discussed issues of capacity; dispersal and closing times of other premises within the locality and the impact another venue in this location would have on other venues in the locality and city wide.

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing. Members additionally considered the 2 High Court cases during their deliberations but did not find either particularly helpful in this case and neither were applied.

The Sub Committee considered whether this premise was caught within the CIP. Members noted the capacity of 184 patrons, with provision for 118 seated. Members noted the applicant had agreed this would be a drink led establishment but also took into account the agreed conditions regarding seating and waiter service. Therefore Members did not feel this would be a vertical drinking establishment.

With regard to the CIP, the violent crime statistics and likely impact of another venue on the Call Lane locality were noted. However Members did not feel the grant of this application for a new Premises Licence for this venue would cause a significant increase in the recorded incidents. Members determined that the capacity of 184 patrons would equate to a 12% increase in the number of patrons generally in the locality.

The Sub Committee further noted that WYP had agreed measures to address the crime and disorder licensing objective with the applicant, rather than make representations against the application.

With regards to the public nuisance licensing objective, Members further noted the agreed and offered measures which they felt would address the concerns stated by local residents in their submission.

The Sub Committee concluded this application did not fall within the Cumulative Impact Policy (area 1) and could find no other reason to refuse the application, however were concerned to ensure the proposed style of operation was maintained for the future. Members therefore

RESOLVED – To grant the application for the licensable activities and hours of operation as requested and

- The measures agreed between the applicant and the responsible authorities to address the licensing objectives are imposed as conditions on the Premises Licence – with the exception of Condition 3 from WYP which is modified as follows:
 - at all times when licensable activities are taking place, a substantial food offer shall be made available”
- imposed the following conditions to ensure the venue maintains the proposed style of operation
 - There shall be a written procedure to ensure the venue does not exceed the given capacity of 184 patrons
 - There shall be a minimum of 2 doorstaff on duty on all evenings the premises is open
 - The door supervisors shall monitor capacity at all times when licensable activities are taking place

Licensing Sub-Committee

Monday, 2nd August, 2010

PRESENT: Councillor G Wilkinson in the Chair

Councillors C Townsley and D Wilson

50 Election of the Chair

RESOLVED – Councillor G Wilkinson was elected Chair for the duration of the meeting

51 Exempt Information - Possible exclusion of the Press and Public

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

- (a) Supplementary documents referred to in minute 9 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the documents as they pertain to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain.
- (b) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter , as allowed under the provisions of the Licensing Procedure Rules

52 Late Items

No formal late items of business were added to the agenda however supplementary documents had been received and despatched to relevant parties after the despatch of the agenda for the meeting as follows:

- Minute 6 Seacroft Green – letters and petition of support supplied by the applicant
- Minute 9 DPS application – evidence submitted by West Yorkshire Police

53 Declarations of Interest

There were no declarations of interest

54 "Barnbow" - Application for the Variation of a Premises Licence for "Barnbow", Austhorpe Road, Crossgates, Leeds LS15 8EH

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for a new Premises Licence for the premises currently trading as the "Barnbow", Austhorpe Road, Crossgates. It was noted the premises currently benefited from an existing Premises Licence.

Representations had been submitted by LCC Environmental Protection team (LCC EPT) and LCC Health & Safety Team (LCC H&S) containing measures they proposed in order to address the relevant licensing objectives. The suggested measures had been agreed by the applicant and the representations subsequently withdrawn.

A number of local residents had also submitted letters of representation. Local ward Councillor S Armitage had submitted a representation on behalf of Crossgates Neighbourhood Watch and attended the hearing accompanied by Councillor P Grahame. Comments regarding some residents' submissions which did not feature in the report were noted and the Sub Committee agreed that Councillor Grahame would make representations on their behalf. Not all of the local residents attended and the Sub Committee resolved to take their written representations in to account and proceed in their absence.

The Sub Committee also varied normal procedure to allow more time for the verbal submissions of the residents who were in attendance, with the same amount of time then offered to the applicant. The following parties attended the hearing:

Applicant

Ms H Audsley – Orchid Pubs
Ms F Given – Orchid Pubs
Mr R Dunn – licensee
Mr A Wilkinson – local resident in support

Objectors

Councillor S Armitage
Councillor P Grahame
Mr P & Mrs C Macklam
Mr L Gillan
Ms A Beckett
Mrs Pemberton
Mr A Schofield

Observers

Mr & Mrs M Towers

The Sub Committee heard first from Mr P Macklam who described the proximity of the Barnbow to local residents' properties and expressed concern that patrons of other local premises would attend the Barnbow if later hours were granted. He described problems the neighbourhood had encountered when the Barnbow had operated as "The Manston". Mr Macklam confirmed the Barnbow had recently operated a Temporary Event Notice, without attracting complaints from residents however he reiterated his concern that the requested later hours would apply to both the Function Room and the bar.

Mrs A Beckett then addressed the meeting who stated she lived close to the premises and was also a customer. She regarded this application as a major change to the operation of the premises and she was not convinced the Company could successfully manage the later hours. Mrs Beckett stated she had attended a public meeting where the Company had explained its operating strategy for the premises but she maintained concerns over the number of functions and the implementation of later hours.

The Sub Committee then heard from Councillor P Grahame who explained she represented the views of Mr & Mrs Sutcliffe who lived close to the

premises. Councillor Grahame stated that although the Barnbow advertised as a restaurant it also operated as a public house with a 75%/25% split and she described the internal layout. Currently, patrons in the bar were local residents who appreciated the existing closing time but there were concerns that new patrons would be attracted from other more rowdy venues in the area. There were also concerns about additional noise from patrons leaving the premises later into the night and noise from taxis.

Councillor Grahame stated the residents did not wish the pub to return to the type of venue which required doorstaff and she personally did not believe there was a local late night drinking culture which necessitated this application.

The Sub Committee referred to the photographs within the submission of the applicant and an up to date internal plan was tabled.

Councillor S Armitage then addressed the meeting and confirmed residents concerns that later operating hours would lead to disturbance from patrons leaving the premises at even later hours. Residents were concerned about the management of incidents outside particularly if doorstaff were employed. Councillor Armitage confirmed the premises had operated well during the last three years; however the later hours requested did not reflect the family orientation suggested by the applicant. Councillor Armitage suggested residents did not have great concerns about the additional hours requested for mornings, but in conclusion there were strong objections to the night time request.

The Sub Committee then heard from Ms H Audsley on behalf of Orchid Pubs Ltd, the applicant. Ms Audsley explained her role in the management and refurbishment history of the premises during the last 3 years and that she was aware of the problems the premises had attracted prior to being purchased by Orchid. Ms Audsley went onto state that there had been no problems at the premises during the last three years and it was notable that West Yorkshire Police had not submitted a representation. She addressed the comments made by the objectors and stated the Barnbow now operated as 70% restaurant and 30% public house; no complaints had been received from residents prior to the application being made and there was no intention to revert to the public house/sports bar style operation and no intention to encourage more alcohol consumption between 23:00 to 00:00 midnight.

Ms Audsley explained a public meeting had been held to explain the plans for the future of the premise at which she had offered to ensure admission to new customers was refused after 23:00 hours. She added the application had been made in response to requests from existing patrons for a later closing time and to facilitate those function bookings who wished to stay past the current closing time.

Discussions followed on the functions held recently under TENs and the Sub Committee also heard from Mr Dunn and Mr Wilkinson in support of the

application who provided information on the type of clientele the premises currently attracted and management style

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing by the objectors and those in support of the application.

Members had regard to the fact that the premise had been successfully run during the last 3 years and in particular that 4 TENs had been operated in the last 8 months without undermining the licensing objectives.

The Sub Committee was therefore satisfied that Orchid Pubs Ltd had demonstrated they could operate the premises without undermining the licensing objectives and

RESOLVED – To grant the application as requested

- Those measures suggested by LCC EPT and LCC H&S to address the licensing objectives and agreed prior to the hearing are now imposed as conditions on the new Premises Licence
- The Sub Committee took the opportunity to remind local residents of their power to seek a Review of the Premises Licence or contact their local ward Councillors should they experience any problems which they associated with this premises in the future

55 "Seacroft Green" - Application for the Variation of a Premises Licence for Seacroft Green Social Club, 242 Brooklands Avenue, Leeds LS14 6NW

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application to vary an existing Premises Licence currently in place the Seacroft Green Social Club, 242 Brooklands Avenue, Leeds LS14. It was noted the premises currently benefited from a Club Premise Certificate.

Representations had been submitted by West Yorkshire Police (WYP) and a number of local residents. Local ward Councillor G Hyde had also submitted a letter of representation and attended the hearing accompanied by Councillor V Morgan on behalf of local residents. None of the local residents attended the hearing and the Sub Committee resolved to consider their written submissions and proceed in their absence.

The Sub Committee heard first from Mr B Patterson and Inspector E Chesters on behalf of WYP who described the style of the operation of the premises, problems associated with the premises in the recent past; the nature of the local area and likely impact later hours would have on the locality. WYP stated the application did not contain sufficient detail on how the management would address the licensing objectives, particularly crime and disorder, prevention of public nuisance and protection of children from harm. Furthermore this premise lay within an area which consistently featured in WYP statistics for incidents of anti social behaviour and crime and disorder. WYP also stated the premises management had not adhered to the conditions attached to the

current Club Premise Certificate, in terms of failure to supply a copy of the Club Rules; non members being able to enter the premises unchecked and operating past permitted hours.

The Sub Committee then heard from local ward Councillor G Hyde who described the proximity of residents he represented to the premises. He stated their main concerns as being the later hours requested and the impact of noise and disturbance from patrons leaving the premises at later hours would have on local residents. Councillor Hyde stated residents complained about noise emanating from the premises whilst the current hours were in operation. Incidents of anti social behaviour and littering were attributed to the premises by residents.

Councillor Hyde stated the premises did not operate as a Club currently and expressed his belief that if later hours were granted, this premises would become a magnet for patrons from other venues in the locality. In conclusion, Councillor Hyde expressed residents' belief that "night club hours" were not appropriate in this residential location.

The Sub Committee then heard from Mr R Houghton, the applicant, who was accompanied by Ms B Fowler for LH Taverns and Ms M Gregory the Designated Premises Supervisor. Mr Houghton began by explaining the late production of the Club Rules and confirming the request for Late Night Refreshment should be deleted from the application as this had been included in error.

Mr Houghton stated the Club had not previously received any evidence of residents concerns and added that many local residents were patrons of the Club, and referred to the additional documentation which included a petition of local supported submitted by him. Mr Houghton stated he had taken into account the objections received from other residents and did at this point offer to amend the requested hours to apply to Friday and Saturdays only.

The Sub Committee received advice that this would be a substantial change to the application and adjourned for a short while to consider whether the application required re-advertisement

During the recess clarification was sought from the applicant regarding the hours. Discussions occurred with all parties present and Ms Fowler (LH Taverns) stated the applicant would proceed to seek the hours as applied for; and not Fridays & Saturdays only.

The hearing reconvened. Mr Houghton and Ms Gregory provided details of the style of operation of the premises, installation of CCTV; problems in the area generally related to people drinking on the street and the problematic relationship between the Club and a neighbouring premises.

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing. Members felt that granting the application as applied for would lead to more noise and disturbance in the

locality. However the Sub Committee felt that amending the application could address the public nuisance licensing objective and be successfully managed.

RESOLVED – To grant the application in the following terms only:

All licensable activities applied for:

Sunday to Thursday	10:00 until 23:00 hours
Friday & Saturday	10:00 until 00:00 midnight

Hours the premises are open

Sunday to Thursday	10:00 until 23:30 hours
Friday & Saturday	10:00 until 00:30 hours

- The seasonal variations requested are also granted
- The Sub Committee took the opportunity to remind local residents of their power to seek a Review of the Premises Licence should they experience any problems which they associated with this premises in the future

56 "East End Park Working Mens Club" - Application for the Grant of a Premises Licence for East End Park Working Mens Club, Vinery Avenue, Leeds LS9 9LX

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a new Premises Licence in respect of premises trading as "East End Park Working Men's Club", Vinery Avenue LS9.

Representations had been submitted by West Yorkshire Police (WYP) and by LCC Environmental Protection Team (LCC EPT). The applicant had agreed to the measures proposed by the responsible authorities prior to the hearing and those representations had subsequently been withdrawn.

A number of local residents had also submitted representations and signed and submitted a petition objecting to the application. Of those, only Mr J Greer attended the hearing. The Sub Committee resolved to consider the written submissions of the other residents and proceed in their absence.

The Sub Committee heard first from Mr J Greer who outlined the proximity of residents to the premises and described the recent history of anti social behaviour and drunkenness in the area which he attributed to the Club. Mr Greer also stated that residents had tried to raise their concerns with the management of the Club but no action had been taken. He highlighted his concern that additional functions at the Club would lead to an increase in anti social behaviour and disturbance to local residents.

The Sub Committee then heard from Mr A Nixon, solicitor on behalf of the applicant who was accompanied by Mr J Murtagh the Designated Premises Supervisor. Mr M Bradley and Mr R Black, solicitors, were also in attendance.

Mr Nixon addressed the comments made by the objectors and referred to the hours and activities currently afforded to the Club through the existing Club

Premises Certificate. It was noted that the new Premises Licence, if granted, would reduce the hours of operation. Mr Nixon outlined the measures agreed with LCC EPT and WYP which he believed, with the reduction of hours and new management team, were appropriate steps to address the licensing objectives.

The Sub Committee during their deliberations required clarification regarding the opening hours from the applicant. Mr Murtagh stated that no alcohol sales would be made after 23:00 hours and it was his intention to close the premises at 23:30 hours. The parties were advised this altered the application however the applicant confirmed this was his intention.

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing including clarification of the opening hours.

Members, having regard to the agreements reached and the hours as amended at the hearing, were satisfied that the grant of the application would not undermine the licensing objectives and

RESOLVED – To grant the application as applied for, with the exception of the sale of alcohol which will cease at 23:00 hours.

- The seasonal variations requested for the sale of alcohol are also granted
- The measures suggested by WYP and LCC EPT and agreed by the applicant are imposed as conditions on the new Premises Licence
- The applicant was reminded to surrender the existing Club Premises Certificate on receipt of the new Premises Licence

Members took the opportunity to advise residents that the DPS had offered contact to them and to note the stringent controls now put in place through the conditions agreed with the responsible authorities

57 Closed Session

RESOLVED – To hold the remainder of the meeting in closed session

58 DPS Mr K Smith - Application to Vary a Premise Licence relating to the Windmill Club, 35 Ramshead Approach, Seacroft LS14 1HH - to specify a Designated Premises Supervisor - Proposed DPS Mr K Smith

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application to vary the current Premise Licence in place at the Windmill Club, Leeds LS14 in order to specify Mr K Smith as the Designated Premises Supervisor.

West Yorkshire Police had submitted representations which necessitated a hearing. All of the hearing was conducted in private due to the nature of business to be discussed and the evidence before the Sub Committee. All parties were in receipt of additional information submitted by WYP after the despatch of the agenda which included a schedule of intelligence related to the application and was regarded as exempt from publication.

Mr B Patterson attended the hearing on behalf of WYP and provided an overview of the licensed history of the Club and previous problems associated with it and details of the concerns held by WYP regarding the proposed DPS.

Miss Hickson, the Premise Licence Holder and Mr Smith attended the hearing and addressed the matters raised by WYP and answered queries from the Sub Committee.

The Sub Committee carefully considered the documents before them and the verbal submissions made at the hearing. Members took into account the Caution issued to Mr Smith and his failure to notify Wakefield MDC of his relevant convictions. Members also noted the nature of the Windmill Club and its' previous history. The Sub Committee had some regard to the police evidence but did not give great weight to the seven pieces of recent intelligence.

The Sub Committee were of the opinion that granting the application would undermine the crime and disorder licensing objective and it was therefore necessary to reject the application.

RESOLVED – To refuse the application.

- All parties were advised this decision took immediate effect

Licensing Sub-Committee

Monday, 9th August, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors M Dobson and R Downes

59 Election of the Chair

RESOLVED – Councillor Armitage was elected Chair for the meeting

60 Exempt Information - Possible Exclusion of the Press and Public

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

- (a) Appendix E of the report referred to in minutes 7 & 9 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the contents as the information therein is used to inform police resource matters and would not normally be within the public domain
- (b) Appendix A and B of the report referred to in minute 10 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the documents as they pertain to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain.
- (c) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter , as allowed under the provisions of the Licensing Procedure Rules

61 Late Items

No formal late items of business were added to the agenda, however the following supplementary information had been received by the Authority and despatched prior to the meeting:

Item 8 Film Certification – a schedule of two additional films proposed to be shown at the Leeds Festival was submitted by the applicant

Item 10 Personal Licence application – letters of support had been submitted by the applicant and a further letter of reference was produced just prior to the hearing.

62 Declarations of Interest

There were no declarations of interest

63 "Waitrose" - Application for the Grant of a Premises Licence in respect of Waitrose, Green Road, Meanwood, Leeds LS6 4RJ

This application was withdrawn from the agenda prior to the meeting as the applicants and all interested parties had reached agreements on measures suggested in order to promote the licensing objectives of the city. The Premise Licence will therefore be issued by the Licensing Officer in accordance with the agreed conditions

64 "I D Enterprises" - Application for the grant of a Premises Licence in respect of ID Enterprises, Scotch Park Trading Estate, Forge Canal, Armley, Leeds LS12 2PY

This application was withdrawn from the agenda prior to the meeting as the applicants and all interested parties had reached agreements on measures suggested in order to promote the licensing objectives of the city. The Premise Licence will therefore be issued by the Licensing Officer in accordance with the agreed conditions

65 "Wok Shop" - Application for the grant of a Premises Licence in respect of the Wok Shop, 47 New Briggate, Leeds LS2 8JD

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a new Premises Licence in respect of new take away premises "The Wok Shop" situated at 47 New Briggate, Leeds LS2.

The Sub Committee noted a member of the press was in attendance. In response to requests from West Yorkshire Police and the applicant Members had regard to the amount of evidence marked as exempt submitted by WYP and the likelihood the applicants' submission would address the evidence in some detail and

RESOLVED – To enter into closed session. The member of the press was advised the decision of the Sub Committee would be made public at the end of the deliberations, at which point he would be invited to return

66 Closed Session

RESOLVED – The Sub Committee resolved to enter into closed session to discuss the following matters

67 Application for the Grant of a Premises Licence, the Wok Shop, 47 New Briggate, Leeds LS2 8JD

The Sub-Committee resumed consideration of the application; written and verbal submissions relating to an application for the grant of a new Premises Licence in respect of new take away premises "The Wok Shop" situated at 47 New Briggate, Leeds LS2.

Representations had been submitted by West Yorkshire Police (WYP) and by LCC Health & Safety Team (LCC H&S). The applicant had agreed to the measures proposed by LCC H&S prior to the hearing and that representation had subsequently been withdrawn.

The Sub Committee heard first from Mr B Patterson and PC C Arkle on behalf of WYP who provided information on the number and type of incidents of anti social behaviour and/or crime and disorder currently recorded in the immediate vicinity of the premises. PC Arkle identified weekend evenings and early mornings as the times when most incidents occurred and stated street marshals had recently been introduced in the area. WYP stated another late night refreshment venue in this location would exacerbate the problems already experienced on New Briggate and sought refusal of the application.

The Sub Committee then heard from Mr D Hercocock, barrister on behalf of the applicant who outlined the measures proposed by the applicant to address the licensing objectives which he stated would be undertaken by 16/08/2010. Mr Hercocock considered some of the measures proposed by WYP not to be necessary for this premises as he stated no other take away was required to adhere to such conditions. He also submitted that the incidents set out by WYP specific to the area were restricted to the weekend so any measures imposed should reflect this. However he did state the applicant was willing to operate a "nitenet radio link" as proposed by WYP. The applicant would also install CCTV and train staff to use and download footage from the CCTV. These measures would be in place by 16th August 2010. Mr Hercocock responded to the statistics provided by WYP in detail and stated there was no evidence to attribute incidents to this premises. He suggested that one further Late Night Refreshment venue could ease congestion in the area.

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing. The Sub Committee was satisfied that Late Night Refreshment premises on New Briggate did undermine the licensing objectives especially the prevention of crime and disorder objective and particularly on Friday; Saturdays and Sundays.

The Sub Committee felt that granting this application unrestricted would undermine the crime prevention objective. Members felt it was therefore necessary to condition the grant of the application in order to address this objective

RESOLVED – That the application be granted for the hours and activity as requested.

- The measures proposed by LCC H&S and agreed by the applicant prior to the hearing will be included as conditions on the Premises Licence
- The measures suggested by WYP within the letter dated 21st July 2010 are imposed on the Premises Licence as conditions with the exception of No. 6 which is amended to read:
"When Late Night Refreshment takes place on Fridays; Saturdays and Sundays there shall be a minimum of 1 doorstaff employed at the premises"

68 Application for the Grant of a Personal Licence - Mr G J Rose

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application

and the written submissions before them relating to an application for the grant of a Personal Licence in respect of Mr G J Rose.

West Yorkshire Police had submitted representations which necessitated a hearing. All of the hearing was conducted in private due to the nature of business to be discussed and the evidence before the Sub Committee. All parties were in receipt of letters of support submitted by Mr Rose after the despatch of the agenda.

Mr B Patterson attended the hearing on behalf of WYP. PC Arkle attended as an observer. Mr Patterson provided an overview of the concerns held by WYP regarding the proposed Personal Licence Holder.

Mr Rose, the applicant attended the hearing and addressed the matters raised by WYP and answered queries from the Sub Committee.

The Sub Committee carefully considered the documents before them and the verbal submissions made at the hearing. Members felt the nature of Mr Rose's convictions were so serious and so grave that granting him a Personal Licence would undermine the prevention of crime and disorder licensing objective and that fact outweighed all other matters they considered
RESOLVED – To refuse the application.

69 Film Certification The Leeds Festival

The Sub Committee considered the report of the Assistant Chief Executive (Corporate Governance) on an application for the certification of a number of short films to be shown during the Leeds Festival 2010. Under Section 20 of the Licensing Act 2003, the Licensing Authority has a duty to categorise a film which is absent of a certificate from a film classification body such as the British Board of Film Classification (BBFC). Details of the films requiring certification were attached to the report along with a brief synopsis and recommended rating based upon BBFC guidelines.

Mr Marvin Belle attended the hearing to advise Members on the contents of the films and the Sub Committee commented on 3 films in particular and viewed excerpts from each:

“TUB” (Suggested 12 classification)

“Frank DanCoolo : Paranormal Drug Dealer” (suggested 12 classification)

“Pivot” (Suggested PG classification)

Members discussed the style and content of each film and the likely audience. The Sub Committee noted the information regarding the opening hours of the Cinema Tent within the Leeds Festival and considered the proposed classification for “TUB” and “Frank DanCoolo : Paranormal Drug Dealer” required amendment.

RESOLVED - to grant the films those classifications as proposed in the schedule to the report with the following exceptions:

“TUB” 15 classification

“Frank DanCoolo : Paranormal Drug Dealer” 15 classification

Licensing Sub-Committee

Monday, 23rd August, 2010

PRESENT: Councillor J Dunn in the Chair

Councillors T Grayshon and G Hussain

70 Election of the Chair

RESOLVED - Councillor J Dunn was elected Chair for the duration of the meeting

71 Exempt Information - Possible Exclusion of the Press and Public

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

- (a) Appendices A & B of the report referred to in minute 18 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the contents as they pertain to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain.
- (b) Appendices A and B of the report referred to in minute 19 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the documents as they pertain to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain.
- (c) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter , as allowed under the provisions of the Licensing Procedure Rules

72 Late Items

No formal late items of business were added to the agenda for the meeting however the Sub Committee was in receipt of the following supplementary information

Agenda item 6 “Northbar” – documents supplied by the applicant including emails between the applicant and objectors; correspondence relating to intended sound attenuation works at the premises and details of proposed conditions to be attached to planning permission (minute 16 refers)

Agenda item 7 “Myrtle Tavern” – documents supplied by the applicant including 6 letters of support (3 despatched prior to the hearing and 3 supplied at the hearing) (minute 18 refers)

73 "Northbar" - Application for the Grant of a Premises Licence for Northbar, 4-6-8 Stonegate Road, Meanwood, Leeds LS6 4HY

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the submissions before them relating to an application for the grant of a Premises Licence in respect of premises to be known as "Northbar", 4-6-8 Stonegate Road, Meanwood.

Representations had been submitted by West Yorkshire Police (WYP) and by LCC Health & Safety Team (LCC H&S). The applicant had agreed to the measures proposed by these responsible authorities to address the licensing objectives prior to the hearing and the representations had subsequently been withdrawn on the understanding that the measures would be included as conditions on the Premises Licence if this application was granted.

LCC Environmental Protection Team (LCC EPT) had also submitted a representation containing a full objection to the application. Mr R Bilsborough attended the hearing on behalf of LCC EPT. Local resident Mrs Franklin and local ward Councillor S Bentley had also submitted letters of representation but were not in attendance. The Sub Committee resolved to consider their written submissions and proceed in their absence.

The Sub-Committee heard from Mr Bilsborough on behalf of LCC EPT who stated the full objection had been submitted due to concerns of public nuisance to local residents particularly the resident of the adjoining Bay Cottage and the likely transmission of noise via the party wall. There were also concerns about the impact of later hours and the lack of outside space with noise from customers and smokers also likely to disturb the residents of Bay Cottage and other nearby residents.

Mr Bilsborough also stated that he had spoken to the applicant just prior to the hearing and had now received the additional information regarding the current planning application for the change of use of the building to a bar. Based on that information Mr Bilsborough confirmed that LCC EPT would be willing to withdraw the full objection assuming that the specified noise works were undertaken and that the hours were restricted to those as set out in the proposed planning consent and subject to the adoption of the alternative LCC EPT conditions set out in their letter of 23rd July 2010.

The Sub Committee then heard from Mr J Gyngell, the applicant, who outlined the trading experience of the company and the proposed style of operation of the new premises. Mr Gyngell also addressed the concerns of the local resident and offered his assurance that all necessary acoustic works would be undertaken. He also provided an outline of his discussions with local ward Councillor Bentley.

Members noted that formal planning permission had not yet been granted and the planning application was due to be considered by Plans Panel West on 9 September 2010. Planning officers had indicated a 23:00 hours closing time however the applicant reported his intention to negotiate a short extension to

the terminal hour to provide 23:00 hours for last sale of alcohol with a further 20 minutes for drinking up time. The Sub Committee was concerned that neither Councillor Bentley or resident of Bay Cottage was in attendance to provide their opinion on matters subsequent to the proposed planning decision and the offer to reduce the hours of operation.

Members concluded that they did not have all the relevant information on which to base their decision. They considered it necessary to adjourn the hearing to 20 September 2010 and directed the Licensing Officer to request the necessary additional information following the Plans Panel meeting and to invite Councillor Bentley to attend the adjourned hearing as her evidence would be important in making a decision.

RESOLVED – To defer determination of the application to a hearing on 20th September 2010.

74 Closed Session

The Sub Committee noted the following items of business were marked as exempt from publication and the contents of the reports were not within the public domain. Members had regard to the nature of the evidence marked as exempt submitted by WYP and the likelihood that the applicants' submissions would address the evidence in some detail and

RESOLVED – To enter into closed session for the following items of business.

75 Application for a Variation to specify an individual as the Designated Premises Supervisor for the Myrtle Tavern, Parkside Road, Meanwood Leeds LS6 4NE. Proposed DPS :Miss P Priestley

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the submissions before them relating to an application to vary the Premises Licence held at the "Myrtle Tavern", Meanwood in order to specify Miss P Priestley as the Designated Premises Supervisor (DPS).

Representations to the application had been received from West Yorkshire Police (WYP) which necessitated a hearing. Mr B Patterson and PC L Dobson attended the hearing on behalf of WYP and provided the Sub Committee with details of their concerns regarding the previous management of the premises; problems historically associated with the premises and the experience of the proposed DPS.

The Sub Committee also heard from Mr M Cooney, Area Manager for Abbey Business Contracts Ltd and Miss Priestley in response.

Members noted that the Licensing Act 2003 did not require an applicant to attain a particular age or to have a particular level of experience in order to be the DPS of a premise. Members took the view that whether an applicant was the correct person to run a premise where there were concerns about crime and disorder would be a matter of fact in each particular case and the outcome of each case would be heavily dependant upon the level of evidence available as to the problems at that particular premise.

The Sub Committee felt that limited evidence of existing problems of crime and disorder had been provided to Members in this particular case; although they did acknowledge and understand WYP concerns. However Members felt that those concerns had not manifested into problems of crime and disorder whilst the premise had been under Miss Priestley's control albeit in the very recent past.

The Sub Committee determined that it was not necessary to reject the application in order to prevent crime and disorder and in doing so noted that should problems of crime and disorder arise after Miss Priestley is appointed as DPS; WYP retained the right to request a Review of the decision and could seek the removal of Miss Priestley as the DPS during that Review
RESOLVED – To grant the application.

76 Application for the Grant of a Personal Licence for T S Heer

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the submissions before them relating to an application for the grant of a Personal Licence in respect of Mr T S Heer.

West Yorkshire Police (WYP) had submitted a representation which necessitated a hearing. All of the hearing was conducted in private due to the nature of business to be discussed and the evidence before the Sub Committee.

Mr B Patterson attended the hearing on behalf of WYP and provided an overview of the concerns held by WYP regarding the proposed Personal Licence Holder. Mr Heer, the applicant attended the hearing and addressed the matters raised by WYP and answered queries from the Sub Committee.

The Sub Committee carefully considered the documents before them and the verbal submissions made at the hearing. Members noted the submission of WYP with regard to the relevant unspent convictions. Members also had regard to the applicants' response that he had learned his lesson since the convictions and his intended use of the personal licence for a wedding planning business.

Members had regard to the length of time since the convictions in question and the lack of any other evidence on which they might base concerns about crime and disorder. They also considered the proposed business operation represented a low risk to the crime prevention objective. The Sub Committee therefore concluded that it was not necessary to refuse the application for a Personal Licence in order to promote the crime prevention objective.

RESOLVED – That the application be granted

Corporate Governance and Audit Committee

Wednesday, 30th June, 2010

PRESENT: Councillor G Driver in the Chair
Councillors N Taggart, G Kirkland, A Lowe,
S Smith, P Harrand, J Lewis, T Hanley and
T Leadley

Co-optee G Tollefson

Apologies Councillors P Grahame, C Campbell,
J Elliott and W Hyde

14 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

15 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

16 Late Items

In accordance with his powers under Section 100 B (4) (b) of the Local Government Act 1972, the Chair admitted to the agenda the minutes of the previous meeting which was held on 23rd June 2010.

The late item was admitted to ensure that the minutes of the last meeting were approved by the Committee and be published as approved minutes.

17 Declaration of Interests

Councillor Driver declared a personal interest in Agenda item 7 (Minute 17) as a Member of Aire Valley Homes ALMO and as a Member of West Yorkshire Pension Fund.

Councillor Lowe declared a personal interest in Agenda item 7 (Minute 17) as a Member of West North West Homes ALMO and as a Member of West Yorkshire Pension Fund.

Councillor Lewis declared a personal interest in Agenda item 7 (Minute 17) as a Member of the West Yorkshire Integrated Transport Authority and as a Member of West Yorkshire Pension Fund.

minutes approved as a correct record at the meeting
be held on Thursday, 29th July, 2010

Councillor Hanley declared a personal interest in Agenda item 7 (Minute 17) as a Member of the West Yorkshire Pension Fund.

18 Apologies for absence

Apologies were received from Councillors; C Campbell, W Hyde and P Grahame.

19 Minutes of the Previous Meeting 23 June 2010

RESOLVED - that, with the addition of Councillor Hanley as an attendee (which had not been correctly recorded) the minutes of the Corporate Governance and Audit Committee meeting held on 23rd June 2010 be approved as a correct record.

20 The Statement of Accounts 2009/10

The Principal Financial Manager (Resources) presented a report of the Director of Resources which introduced the 2009/10 Statement of Accounts for Leeds City Council for approval.

Members discussed the Statement of Accounts in detail and, in view of the absence of a KPMG representative, robustly challenged the Principal Financial Manager (Resources) on the following areas of the Statement of Accounts:

- the increase in debt and the reasons behind this;
- the situation with regards to pensions and how deficits will be managed in the future;
- the calculations behind the actuarial assumptions;
- the relevance of the cash flow statement and its meaning within the accounts of the Council;
- the workings of treasury management; and
- the Balance Sheet, specifically:
 - the creditors figure and how quickly the Council pays its creditors; and
 - what the General Fund Reserve Fund is used for and why it is needed.

RESOLVED – The Committee resolved to:

- approve the 2009/10 Statement of Accounts; and
- agree that the Chair acknowledge approval on behalf of the Committee by signing the appropriate section within the Statement of Responsibilities on page 1 of the accounts.

21 Decision Making Arrangements in Licensing

Assistant Chief Executive (Corporate Governance) presented a report which set out the arrangements in respect of decision-making in entertainment, alcohol and gaming licensing: and Taxi and Private Hire Licensing.

Members raised concerns on the licensing of scrap metal dealers and the need for monitoring of these businesses in light of the levels of theft relating to metal. Members also sought assurance that where external solicitors are used in cases of settlement that the Council's solicitors have the final say on the level of settlement made.

RESOLVED – The Committee resolved to:

- note the report; and
- request that the Assistant Chief Executive (Corporate Governance) provide Members with information regarding the monitoring of scrap metal dealers.

22 Annual Governance Statement

The Head of Governance Services presented a report of the Assistant Chief Executive (Corporate Governance) which provided an introduction and commentary to the Council's interim Annual Governance Statement for 2010.

Members discussed the need to maximise the benefits of the control environment the Council has in place and that progress made against this should be recorded.

Members also highlighted the need for more detail to be included in the Annual Performance Assessment of Adult Social Care

RESOLVED – The Committee resolved to:

- approve the interim Annual Governance Statement in order that it can be included within the annual accounts; and
- note the Annual Governance Statement will be updated to include more detail in respect of the Annual Performance Assessment of Adult Social Care and the Annual Letter from the Local Government Ombudsman.
- that the final version be presented to the Committee for final approval at the meeting to be held on 29th September 2010.

23 Annual Monitoring of Key and Major Decisions

The Head of Governance Services presented a report of the Assistant Chief Executive (Corporate Governance) which provided an annual review as requested at its meeting in February 2010 in respect of monitoring of Key and Major decisions notified to Democratic Services during the financial year 2009/10.

minutes approved as a correct record at the meeting
be held on Thursday, 29th July, 2010

Members commented on the good progress made with regards to the administration of Key and Major decisions notified to Democratic Services.

RESOLVED – The Committee resolved to:

- note the percentage of eligible decisions available for Call-In during the period 1 April 2009 and 31 March 2010 as detailed in appendix 1 of this report;
- note the percentage of Key Decisions that did not appear in the Forward Plan of Key Decisions during the period 1 April 2009 and 31 March 2010 as detailed in appendix 1 of this report;
- note the details of the Key Decision taken under Special Urgency provisions;
- note the further work to be undertaken in respect of financial commitments over £100,000; and
- note the assurances provided by the Head of Governance Services in this report.

24 Standards Committee Annual Report 2009/10

The Chair of The Standards Committee presented a report of the Assistant Chief Executive (Corporate Governance) which informed the Committee of the work undertaken by the Standards Committee during 2009/10. In presenting the report the Chair paid tribute to the officers who have supported the committee during the year

In addition the Chair of the Standards Committee made reference to the Coalition Government's announcements with regard to "abolishing the Standards Board for England regime " and that further announcements were awaited with regard to the Members Code of Conduct and standards matters more generally.

The Committee acknowledged that some form of independent oversight of standards is likely to continue, albeit determined at a local level, in order to give confidence to the public, particularly following events in Westminster, about standards in public life.

RESOLVED – The Committee resolved to note the Standards Committee Annual Report 2009/10.

25 Assurance Framework

The Chief Officer (Audit and Risk) presented his report which explained the basis of the Internal Control Assurance Framework, the benefits of having such a framework and the effect this may have on influencing the work programme of the Corporate Governance and Audit Committee.

Members discussed the importance that the future work of the Committee is focussed on areas where it can be most effective.

minutes approved as a correct record at the meeting
be held on Thursday, 29th July, 2010

Members raised concerns about the 2009/10 budget overspends and the recent problems in Children's Services which occurred despite the good control environment at the Council.

RESOLVED - The Committee resolved to request officers to bring forward a revised work programme for the Committee based on the views expressed by Members in considering the assurance framework.

(Councillor Taggart entered the meeting at 10.16 during the discussion of this item and Councillor Smith entered the meeting at 10.30 during the discussion of this item)

26 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2010/11.

Members commented that the work programme will be amended and reviewed when further information has been received from Officers as discussed in item 14 (Minute 25).

RESOLVED – Members resolved to note the contents of the draft work programme for the remainder of the year.

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Corporate Governance and Audit Committee

Thursday, 29th July, 2010

PRESENT: Councillor G Driver in the Chair
Councillors P Grahame, G Kirkland,
S Smith, J Elliott, P Harrand, W Hyde,
J Lewis, T Hanley and M Hamilton (as
substitute for C Campbell)

Co-optee G Tollefson

Apologies Councillors C Campbell and A Lowe

27 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

28 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

29 Late Items

There were no late items.

30 Declaration of Interests

Councillor Driver declared a personal interest in Agenda item 8 (Minute 34) and item 12 (Minute 38) as a Member of the Aire Valley Homes ALMO.

Mr Tollefson declared a personal interest in Agenda item 11 (Minute 37) as a Magistrate.

31 Apologies for Absence

Apologies for absence were received from Councillor Campbell and Councillor Lowe.

32 Minutes of the Previous Meeting - 30 June 2010

RESOLVED - that the minutes of the Corporate Governance and Audit Committee meeting held on 30th June 2010 be approved as a correct record.

33 Local Government Ombudsman Annual Letter - 2009/10 Report

The Customer Services Officer presented his report. The report introduced the Local Government Ombudsman's Annual Letter for the year ending 31 March 2010 about complaints made against the Council, and considered what further service or performance improvements may be required.

The Assistant Ombudsman (Neil Hobbs) attended to answer questions from the Committee.

Members commented that the report was very positive and specifically noted the excellent performance demonstrated by the Education Leeds and Governance Services, in relation to the turn around times for school appeals.

Members had a detailed discussion with both the Local Government Ombudsman representative and the Chief Customer Services Officer. The Chief Customer Services Officer provided an overview about the types of issues the public were complaining about and analysis done on complaints received by the Ombudsman. Linked to this Members asked for further information about the financial costs of complaints and the arrangements for ensuring that lessons are learned for the future.

RESOLVED – The Committee resolved to:

- receive a further report detailing how the complaints process is moving forward and information about complaints made to the Council, including the costs of dealing with complaints and arrangements for lessons learned; and
- note the contents of the report and acknowledge the ongoing improvements in performance and good feedback from the Local Government Ombudsman.

34 Annual Internal Audit Report 2009/10

The Head of Internal Audit presented a report of the Deputy Chief Executive and the Director of Resources, bringing to the Committee's attention the issues raised by Internal Audit in 2009/10. The report also presented the proposed Internal Audit Plan which had previously been challenged and agreed by the Deputy Chief Executive and the Director of Resources.

The Committee discussed the need for improvement in the control environment for the ALMOs, specifically in terms of the thorough checking of invoices submitted by contractors and payments made to them. However, it was noted that new procedures had been put in place through the Assurance Framework to improve the situation.

The Committee also raised concerns that spending is undertaken by many officers across the authority and not just a few senior officers. It therefore noted the need for everyone involved to take decisions on spending using the same criteria and with the same care that is given to budget setting.

Draft minutes to be approved at the meeting
to be held on Wednesday, 29th September, 2010

Members considered the cost of Internal Audit and how its work load needed to be divided between different priority areas.

In general terms the Committee recognised the role Internal Audit had played in identifying problematic service areas before External Audit. The Chair thanked the Head of Internal Audit for bringing a valuable report to the Committee.

RESOLVED – The Committee resolved to:

- receive the Annual Internal Audit Report 2009/10 and note the assurances given;
- approve the Internal Audit Operational Plan for 2010/11; and
- request details on the cost of Internal Audit to the Council and further information on the value added to the Council by the section through its value for money work.

35 Update on the process for ensuring improvement in Children's Services in Leeds

The Deputy Director of Children's Services presented a report of the Interim Director of Children's Services which responded to the request made by the Committee at its meeting on 17th March 2010. The report provided Members with an update on the work that has been done during 2010 to monitor and support service improvement in Children's Services in Leeds.

The Committee discussed the importance of working with Children's Services to reduce the potential for unforeseen problems, and commended the approach taken by Internal Audit which has taken into consideration the enormous pressure Children's Services is under.

The Committee agreed that further reports will be required from Children's Services to address compliance with the control framework in place.

RESOLVED – The Committee resolved to:

- note the process in place to support, challenge and monitor the improvement required in Children's Services;
- ask the interim Director of Children's Services to circulate the letter from the Government to the Chair of the Improvement Board relating to progress, and the report which is due to go to the Executive Board on August 25th 2010 to all Members of the Committee; and
- to receive further reports as required during the current municipal year addressing compliance with the control environment now established for Children's Services.

36 Principles Governing the Management of S106 Planning Agreements & S278 Highways Agreements

The Team Leader (Strategy and Policy, City Development) presented a report of the Chief Planning Officer. The report provided the Committee with an overview of the current system for managing S106 Agreements and S278 Agreements in Leeds.

The Committee discussed the amount of money which is being held on account of S106 agreements and the reasons for delays arising between the announcement of a scheme and the physical delivery of the benefits agreed, and how this might be addressed. Members requested that Ward Members be kept fully informed about the expected time-scales for work to be carried out. Further discussion took place on the possibility of the Ward Members being more involved in the early negotiation of s.106 Agreements in order to secure both locally based and Council-wide priorities.

RESOLVED – The Committee resolved to note the arrangements that are in place to manage the S106 and S278 programmes and that they are subject to systematic review and monitoring.

37 RIPA Policy

The Principal Legal Officer (Information and Technology Law) presented a report of the Director of Environment and Neighbourhoods. The report outlined the Council's proposed policy on covert surveillance, and explained why and how covert surveillance is used and by whom.

The Committee discussed the importance of having a policy in place to guide the Council about the circumstances in which covert surveillance may be used. Also discussed was the assurance that covert surveillance will be used only when overt methods are not available or have proved ineffective. Members noted the role of the Assistant Chief Executive (Corporate Governance) under the draft policy.

RESOLVED - The Committee resolved to note the draft policy and the contents of the report.

38 Fraudulent Tenancies

The Strategic Landlord presented his report. The report provided the Committee with an outline of different forms of tenancy fraud and the action taken to address these.

The Committee discussed the succession of tenancies from the person who holds the tenancy to family Members who have lived in the same council house over a long period of time and the laws which relate to this. The Committee considered that the law appeared to be unfair and lacking compassion to family members of council tenants who had spent their whole lives in the same property.

The Committee also considered that perceptions about fraudulent tenancies still existed and that the perception needs to be continued to be addressed.

RESOLVED – The Committee resolved to:

- receive written confirmation from the Strategic Landlord on the rules surrounding succession to the tenancy of council houses, and the circumstances in which a family member could be required to move to a smaller property; and
- note the contents of the report.

39 Governance of Significant Partnerships

The Corporate Governance Officer (Corporate Governance) presented a report of the Assistant Chief Executive (Corporate Governance). The report informed the Committee of the outcome of the annual review of the Register of Significant Partnerships and the annual review of the Council's involvement in its significant partnerships.

The Committee discussed how significant partnerships are defined and the process for partnerships being included on the register of significant partnerships.

RESOLVED – The Committee resolved to note the arrangements in place for significant partnerships.

40 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2010/11.

The Committee was informed that work is ongoing to develop an effective work programme for the year ahead. As part of this, suggestions for items to be considered were requested.

The future of the Standards Committee was also discussed and it was agreed that a report should come to the Committee following the proposed Government Bill in October.

RESOLVED – Members resolved to:

- note the contents of the draft work programme for the remainder of the year; and
- request a report updating the Committee on the proposed Local Government Standards Regime legislation.

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GENERAL PURPOSES COMMITTEE

MONDAY, 28TH JUNE, 2010

PRESENT: Councillor K Wakefield in the Chair
Councillors B Anderson, S Bentley,
A Blackburn, J Blake, S Golton, P Gruen,
G Latty and N Taggart

Apologies Councillor J L Carter and J Procter

1 Appeals against refusal of inspection of documents

There were no appeal against the refusal of inspection of documents.

2 Exempt Information - possible exclusion of the press and public

There were no resolutions to exclude the public.

3 Late items

There were no late items added to the agenda.

4 Declaration of Interests

No declarations of interest were made either under this item or at any stage during the meeting.

5 Apologies for absence

Apologies for absence were received from Councillors J Proctor and L Carter.

6 Minutes of the Previous Meeting

RESOLVED - That the minutes of the General Purposes Committee meeting held on 18th May 2010 be approved as a correct record.

7 Proposal to Change Licensing Arrangements

The Section Head Regulatory and Enforcement presented a report of the Assistant Chief Executive (Corporate Governance). The report informed Members of proposed amendments to the constitution relating to the Council's licensing arrangements and asked the Committee to consider and recommend the proposed amendments to full Council.

Members discussed the proposed rationalisation of licensing arrangements and highlighted the potential efficiency savings created by the merger of the

Licensing Committee and Licensing and Regulatory Panel specifically in relation to the reduction to only one Chair and one Chair's allowance.

RESOLVED – Members of the General Purposes Committee resolved to recommend to full Council that:

- (a) the functions listed in paragraph 3.4 of the report namely sex establishment licensing (lap dancing, sex cinemas and sex shops), hackney carriage and private hire licensing, the licensing of hypnotism and charitable collections should be agreed as functions which relate to the licensing functions of the Licensing Committee;
- (b) full Council should arrange for those matters to be referred to the Licensing Committee and for the Licensing Committee to discharge those functions on behalf of the authority with effect from 20 July 2010;
- (c) full Council approve the revised Terms of Reference at Appendix 3 to the report for the Licensing Committee to implement the decisions in 7.1.1 and 7.1.2 of the report;
- (d) references to the Licensing and Regulatory Panel be removed from the constitution;
- (e) a revised Article 8 and 8A should be drafted to reflect the new arrangements;
- (f) amendments be made to Council Procedure Rules to reflect the fact that there will be no substitution permitted between the Plans Panels and the Licensing Committee; and
- (g) Members note that the Licensing Committee may then delegate these powers to sub committees or to officers as permitted by the 2003 Act and may regulate its own procedure through the Licensing Procedure Rules.

8 Compulsory Training for Members of Standards Committee

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance). The report proposed amendments to Article 9 of the Constitution to reflect the recommendation that Members of the Standards Committee receive compulsory training in relation to chairing meetings, local assessment of complaints and hearings, prior to undertaking certain functions of the Standards Committee or its Sub-Committees.

Members sought clarity from the Monitoring Officer on the proposed abolition of the Standards Board regime, and the impact this may have on the Leeds City Council Standards Committee. However, Members welcomed the proposal to have compulsory training of Members of the Standards Committee on certain aspects of its functions.

RESOLVED – The General Purposes Committee resolved to recommend to full Council to amend Article 9 as detailed in Appendix 1 of the report.

9 work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for the 2010/11 municipal year.

RESOLVED - Members resolved to agree that the draft work programme for 2010/11 be noted.

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MEMBER MANAGEMENT COMMITTEE

TUESDAY, 29TH JUNE, 2010

PRESENT: Councillor P Gruen in the Chair

Councillors S Bentley, D Blackburn,
B Cleasby, J Dowson, T Hanley, G Hyde,
G Latty, T Leadley, M Lobley, E Nash and
J Procter

1 Chairs Opening Remarks

The Chair welcomed everyone to the first meeting of the Municipal Year and invited those present to introduce themselves.

The Chair also thanked Councillors Bentley and J Procter for the manner in which they had chaired the Committee in previous years.

2 Late Items

The Chair admitted the following late item to the agenda as follows:

Investment Partnership for South Leeds (minute 7 refers)

To allow urgent consideration of the matter in order that the Council representatives can be appointed and attend meetings of the Partnership.

The Chair also reported that one additional piece of information that related to the report on Role Descriptions had been circulated (minute 12 refers)

3 Declarations of Interests

Councillor Gruen declared a personal interest in the item relating to the West Yorkshire Playhouse (minute 11 refers) as a Member of the Board.

Councillor G Hyde declared a personal interest in the item relating to ALMO Appointments (minute 15 refers) as a Member of East North East Homes

Councillor Lobley declared a personal interest in the item relating to Appointments to Outside Bodies (minute 16 refers) as the Chair of Re'new Leeds Ltd and Renewal Leeds Ltd

4 Minutes

RESOLVED – That the minutes of the meetings held on 16th February 2010 and 20th April 2010 be approved as a correct record.

5 Matters Arising

Minute 42 refers (Update on ICT Matters)

A representative from ICT attended the meeting and provided Members with an update in respect of ICT projects and issues that impacted upon Members ; the main areas of discussion were;

- The provision of IT facilities to the 11 newly elected members
- Case Management System
- Broadband provision
- Support arrangements for Members
- Wireless provision within the Civic Hall

RESOLVED -

That a report be submitted to this meeting in October 2010 updating Members in relation to ICT for Members.

6 Civic Fostering Panel

The Chief Officer for Children and Young People's Social Care submitted a report seeking approval to designate the Civic Fostering Panel as a Strategic and Key Partnership and appoint members to that Panel.

RESOLVED -

- a) That the Civic Fostering Panel be designated as a Strategic and Key Partnership.
- b) That a pool of 5 members be agreed for this Panel.
- c) That the appointments/appointments be made as follows;
 - Councillor Coulson (Labour)
 - Councillor Morgan (Labour)
 - 1 Whips nominee (Conservative)
 - 1 Whips nominee (Liberal Democrat)
 - 1 Whips nominee (Morley Borough Independent)

7 South Leeds Investment Partnership

The Chief Planning Officer and Chief Regeneration Officer submitted a joint report providing Members with the latest position in relation to the work of the Investment Partnership for South Leeds (IPSL), and seeking approval for additional steering group members and substitutes should members be

Draft minutes to be approved at the meeting
to be held on Thursday, 14th October, 2010

unable to attend meetings. It also outlined the extension of the study area to include Hunslet, reflecting representations made at the consultation event held in October 2009.

RESOLVED –

- d) That the Investment Partnership for South Leeds be designated as a Strategic and Key Partnership.
- b) That the increase in size of the Investment Partnership for South Leeds steering group through adding 1 public and 1 private sector representative be noted .
- c) That the appointment of the 2 new members to the steering group be noted and supported:
 - Steve Williams, Chief Executive – Re’new (Chair of the PEG)
 - Bob Murray, Chairman – Sterling Capitol
- d) That the Members be appointed to the following positions as follows;
 - Executive Member for Development & Regeneration – Cllr R Lewis
 - Leader Morley Borough Independent Group – Cllr Finnigan
 - Lead Executive Member Children’s Services – Cllr Blake
 - Beeston and Holbeck ward member – Cllr Gabriel
 - Leader Liberal Democrat Group – Cllr Golton
- e) That the Members appointed be approached to nominate substitutes.

8 Council Representation on School Trusts

The Interim Director of Children’s Services submitted a report seeking support for involvement on the boards of School Trusts. The report specifically covered proposals for the Brigshaw Federation – A Co-operative Trust which has now been established.

RESOLVED –

- a) That the Brigshaw School Trust be designated as a Strategic and Key Partnership and that Member Management Committee be the appointing Body.
- b) That the position be allocated to the Labour Group as a Whips nominee.
- c) That a report be submitted to a future meeting detailing arrangements in respect of future Trusts.

9 Leeds Children's Trust Board

The Interim Director Of Children's Services submitted a report seeking a Member Management Committee appointment to the Children's Trust Board.

RESOLVED - That Councillor Dowson be appointed to the Children's Trust Board

10 Leeds Grand Theatre Board/Enterprises

The Chief Libraries, Arts and Heritage Officer submitted a report seeking the appointment of four Councillors in addition to the Chair to the Board of Leeds Grand Theatre and Opera House Ltd..

Further discussion followed on representation on similar organisations, particularly those receive financial support from the Council.

RESOLVED -

- a) That the following Members be appointed to the Board in addition to the Chair ,Councillor Ogilvie;
 - Councillor Nash
 - Councillor Mulherin
 - Councillor J Procter
 - Councillor Gettings

- b) That a report be brought to a future meeting of this Committee that details supports to similar organisations and what the Council's representation is on those organisations. The report should also provide information on whether representation on the organisation is proportionate to the Council's financial contribution.

11 West Yorkshire Playhouse

The Chief Libraries, Arts and Heritage Officer submitted a report seeking to finalise the appointment of elected members to the West Yorkshire Playhouse Board.

RESOLVED –

- a) That the Chief Libraries, Arts and Heritage Officer investigate the potential of making an additional seat on the Board a requirement of future Council grant support.
- b) That Councillor Townsley be appointed to the current vacancy on the Board.

12 Role Descriptions

The Chief Democratic Services Officer submitted a report presenting draft Member role descriptions for discussion.

RESOLVED – That the attached Member role descriptions be endorsed.

13 Member Development

The Chief Democratic Services Officer submitted a report providing the Member Development Annual Report for 2009/10. Member Development is a key component of the Council's Annual Corporate Governance Statement. The Member Development Annual Report details the achievements made in 2009/10 and outlines the actions to be taken in 2010/11.

The report also asked members to note the contents of the Member Development Annual Report 2009/10, and to agree the continuation of the Member Development Working Group and to determine its Membership.

RESOLVED -

- a) That the Member Development Annual Report 2009/10 be noted
- b) That the continuation of the Member Development Working Group as proposed in paragraph 2.3 of the report be agreed and that Councillor Dowson Chair this Group.

14 Members' Lounge

The Chief Democratic Services Officer submitted a report requesting that members establish a working group for the purposes of giving advice and guidance to officers on the development and management of the Members' lounge facility.

RESOLVED –

- a) That a working group be established for the purposes of giving advice and guidance for the operation and management of the Members' lounge and other accommodation matters with implications for Members.
- b) That Councillor Nash Chair the Group and that Cllr G Hyde and Lancaster serve on the group with 1 Conservative member.

15 ALMO appointments

The Head of Strategic Landlord submitted a report updating Members on the process for appointment of Council Board Members to ALMO Boards, outlining the current position and associated issues following the May 2010

local elections and recommending that the existing process is retained for the appointments to ALMO boards.

RESOLVED –

- a) That the process agreed in December 2006 for the appointment of Council Board Members to ALMO boards be re-affirmed
- b) That appointments to the ALMO Boards be made as follows;

Aire Valley Homes	Cllr Gruen (Labour) Cllr Driver (Labour) Cllr Golton (Liberal Democrat) Cllr Finnigan (MBI)
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East North East Homes	Cllr Wilkinson (Conservative) Cllr G Hyde (Labour) Cllr R Grahame (Labour) 1 x Lib Dem nominee
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West North West Homes	Cllr A Blackburn (Green) Cllr Lowe (Labour) Cllr Chastney (Liberal Democrat) 1 x Conservative nominee
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16 Appointments to Outside Bodies

The Chief Democratic Services Officer submitted a report outlining the Member Management Committee's role in relation to Elected Member Appointments to Outside Bodies and asking the Committee to agree a schedule detailing those organisations that the Council will continue to make an appointment to and agree the nominations to those organisations which fall to the Committee to make an appointment to.

Members discussed in detail the appointments to the various organisations and agreed the allocation of places..

RESOLVED -

- a) That the Appointments to Outside Bodies Procedure Rules appended to the report be noted.
- b) That the schedule appended to the report detailing those organisations that the Council will continue to make an appointment to be agreed
- c) That the nominations to those organisations which fall to the Committee to make an appointment to be agreed ;
- d) That Councillor Driver or in his absence Councillor A Blackburn be authorised to cast the Council's vote at the meeting of Groundwork Leeds;

e) That the change of appointments since the last meeting of the Committee as detailed in 5.7 of the report be noted as follows;

Outside Body

Member Appointed

West Yorkshire Playhouse Theatre Board
Leeds Children's Trust Board
Leeds Initiative Climate Change

Councillor Gruen
Councillor Mulherin
Councillor Murray

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Development Plan Panel

Tuesday, 13th July, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors B Anderson, C Fox, T Leadley,
J Lewis, R Lewis and E Nash

10 Chair's opening remarks

The Chair welcomed everyone to the meeting

11 Late items

Whilst there were no formal late items, the Panel was in receipt of the following documents:

- revised information in respect of the report on Aire Valley Leeds Area Action Plan and Urban Eco Settlement (minute 15 refers) which reflected the changes which had occurred at Government level
- a letter from the Department for Communities and Local Government dated 6th July in respect of the revocation of the RSS and providing some 'question and answer' advice on immediate issues arising from the announcement, for Members' information

12 Declaration of interests

There were no declarations of interest

13 Apologies for Absence

Apologies for absence were received from Councillor Mulherin who was substituted for by Councillor Nash and from Councillor Smith

14 Minutes

RESOLVED- That the minutes of the Development Plan Panel meeting held on 22nd June 2010 be approved.

15 Update Report on Aire Valley Leeds Area Action Plan and Urban Eco Settlement

The Panel considered a report of the Chief Planning Officer setting out the progress on the proposed Area Action Plan (AAP) and the Urban Eco Settlement proposals for the Aire Valley Leeds in the context of the City Region

The Head of Forward Planning and Implementation presented the report and stated that a report on this matter would be considered by Executive Board at its meeting on 21st July

Draft minutes to be approved at the
Meeting to be held on 7th September 2010

Members were informed that there was a relationship between the Urban Eco Settlement (UES) and the scope and content of the AAP and in order to test some of the thinking around the UES, Officers had been asked to cover the development of standards for sustainable issues

The UES was a fast-moving process and work was ongoing with the Leeds City Region, with funding at a national level being split regionally to ensure that areas developed positively, using the principles of sustainability. However, the sum of money to be made available had been significantly reduced from £1.2m to £600,000

A key issue in the preparation of the AAP related to its boundary which had been adjusted and now extended to the south-east part of the City Centre, linking into the proposed city park area, Marsh Lane and Yarm Street, Cross Green and other areas in City and Hunslet Ward and Burmantofts and Richmond Hill Ward, so providing further opportunities to use UES funding to make sustainable improvements to existing properties

The key themes of the AAP were outlined, these being:

- the statutory planning process
- capacity building
- piloting innovation
- eco skills and training
- capital development

Members discussed the report and commented on the following matters:

- the revised southern boundary of the AAP; this being the railway line and that a more appropriate boundary would be the M62
- whether by extending the boundary, the existing resources would be stretched or whether additional resources would be made available
- the possibility of a new city park on the Tetley's Brewery site; that the extension of the boundary of the AAP to include this was understood, but that there needed to be a good reason for the extension of the boundary to the railway line
- that the inclusion of Cross Green in the boundary was welcomed as it was a deprived area with poor housing and these issues needed to be addressed
- that the proposals would provide the opportunity for some work to take place whilst the economic situation improved
- whether improvements would be undertaken to non-residential properties, and if this was the case, that Hunslet Library should be considered
- the need for further explanation of the figures contained in the report which set out the original bid figures for projects and the agreed funding
- why a bid was being made for Transport Feasibility Studies when this was not classed as being essential

Officers provided the following responses:

- that if the southern boundary was extended further to the M62, it was felt that resources would become stretched, particularly as there were more challenges beyond that area which would have to be addressed.

Whilst these could not be dealt with at this time, it was a future regeneration area to be considered

- the reason for the boundary extending to the railway line was to enable retro fitting of properties to take place
- that there were many challenges in the Aire Valley and this would provide a positive opportunity for some work to commence in the area
- whilst in terms of regeneration of the Aire Valley, Officers were concentrating upon residential properties, but that the energy efficiency of employment buildings would also be considered
- in respect of the funding table included in the report, that the reduced level of funding for Leeds City Region would have an impact and it would now be necessary to realign the priorities of Leeds City Council with the Leeds City Region. Whilst the table included the list of projects which were considered to be feasible, this could now be amended. Panel was informed that ongoing discussions would take place with Leeds City Region on how the reduced funding would be apportioned and that Leeds City Council would need to bid for money for projects in the AAP, in line with priorities
- that a bid had been put in for Transport Feasibility work but that the Council had been contacted by the Department of Transport (DoT) who were aware of a study which was being undertaken, so enabling the Council to benefit from this opportunity which was funded by the DoT

Members considered the recommendations set out in the submitted report

RESOLVED -

- i) To note and support the proposals for the AAP and the Urban Eco Settlement within Aire Valley Leeds
- ii) To recommend to the Executive Board at its meeting on 21st July 2010, support for the preparation of the Aire Valley AAP (with the revised boundary) as the means of ensuring that eco-standards and the objectives of the AAP are achieved

16 Leeds' Needs and Opportunities Assessment for Open Space, Sport and Recreation

The Panel considered a report of the Director of City Development on a PPG17 study which had been undertaken to collect data on the range of sports, open space and recreation sites within the Leeds boundary, which would inform the evidence base of the LDF, including the Core Strategy as well as assisting in delivering services and initiatives

Members received a presentation from a Principal Planner and were shown maps of the city highlighting the different types of open space

Members were informed that PPG17 'Planning for Open Space, Sport and Recreation' was soon to be replaced and that consultation on this had closed on 1st June 2010. The proposed replacement would retain the requirement set out in PPG17 for LPAs to keep up to date assessments of the existing and future needs

In providing details of each slide, the Principal Planner stated that sites of 2000 sqm or above had only been included as had been set out in the UDP, with this methodology being continued. However, golf courses had been omitted from the outdoor sports data as they distorted the information due to their size. Furthermore

Draft minutes to be approved at the Meeting to be held on 7th September 2010

many of these were private courses, so not open to everyone. Harewood House had also not been included as there was an admission charge and that the decision had been taken at an early stage to exclude agricultural land and public rights of way (PROW) from the data; this comprising much of the Harewood estate. If this estate was to be included, then this would need an additional layer of information to pick up these site specific circumstances as they were currently excluded from the study definitions

Information was provided on the following:

- park and garden sites
- amenity sites
- childrens' play facilities
- outdoor sports sites
- allotments
- natural greenspace
- cemeteries and green corridors

Members discussed the information and commented on the following matters:

- whether Lotherton Hall should be excluded as well as Harewood House
- the need to show Harewood House in some form due to its status and its value to the city
- that it was possible to walk large areas of the Harewood estate as Public Right of Way (PROW) and that PROWs were a huge facility in Leeds and that this should be recognised
- whether the information which was collected would be used by professionals or lay people
- that Otley Chevin was now shown as natural greenspace as opposed to a city park
- that the amount of park land varied across the city, with inner areas being the worst provided for
- that excluding Templenewsam, the inner east of the city was poorly served for park land despite the existence of East End Park which was not greatly used due to problems with vandalism
- the need for neighbourhood parks to receive more attention
- that the quality of some inner city parks was not as good as it could be and there could be the potential for better land use
- the need for a city park which would cater for the growing number of residents in the city centre as well as surrounding communities and visitors to the city
- concerns that a city centre park would not bring amenity to residents in neighbouring areas but that it was important for the vision of the south of the city
- the information provided on childrens' play areas; that the focus had been more on equipped sites; that those indicated were based on a 10 minute walk and whether, crucially, this took into account a parent walking with a buggy
- that despite the seemingly excellent coverage of sports pitches across the city, that the quality of these varied with many being of low quality

and whether there would be textual references accompanying the map to explain this

- the increased demand for allotments; the long waiting lists in some parts of the city and whether by increasing the amount of allotments it would help with green targets which the Council had to achieve
 - the natural greenspace sites and that St Aidan's had not been included
- Officers provided the following responses:

- that unlike Harewood House, there was not an admission charge to the grounds of Lotherton Hall
- that Harewood House was recognised as a resource in the city but that its function was different from the other public open space areas which had been included in the study
- that the areas of the Harewood estate which were accessible by PROW were primarily agricultural and used for cattle grazing
- that the study would be predominantly for professionals, ie for planning purposes for future needs as well as being a usable document for the Authority, although this would not exclude the public from using the document
- that a city park was aspirational and would be dependent upon a number of issues, including funding
- that textual references would accompany the maps to provide more detailed information
- that St Aidan's had not been included in the natural greenspace sites at this time, as currently there was no public access

The Head of Forward Planning and Implementation emphasised the amount of work which had been undertaken to obtain this data and stated that it was a valuable resource which linked into many other areas of work and that the next step would be to translate that knowledge into planning standards and policies

Members were informed that work on housing growth issues and the employment land study would continue with Panel being updated on these components to better inform Members of the origin of the strands forming the policies which were being brought forward

RESOLVED - To note the contents of the report and the presentation in preparing a completed draft Leeds PPG17 study and the comments now made

17 Date and time of next meeting

Tuesday 10th August 2010 at 1.30pm

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NORTH WEST (INNER) AREA COMMITTEE

THURSDAY, 8TH JULY, 2010

PRESENT: Councillor B Chastney in the Chair

Councillors J Akhtar, B Atha, S Bentley,
P Ewens, M Hamilton, J Illingworth,
J Matthews, J Monaghan and L Yeadon

OFFICERS: Jason Singh, Acting West North West Area Manager
Chris Dickinson, West North West Area Management
Kate Sibson, West North West Area Management
Suzanne Wainwright, Youth Service
Ryan Platten, Community Planner
Simon Jessop, West Yorkshire Police
Ian O'Brien, West Yorkshire Police
Stuart Robinson, Chief Executive's Department

MEMBERS OF THE PUBLIC:

Barrie Payne, Leeds HMO Lobby
John Dickinson, Weetwood Resident's Association/Leeds
HMO Lobby
Penny Bainbridge, Cardigan Centre
Amanda Jackson, University of Leeds
Paul Gold, Leeds University Union
Liam Challenger, Leeds Metropolitan Student's Union
Jo Johnson, Leeds Metropolitan Student's Union
Mercia Southon, North Hyde Park Neighbourhood
Association
Bill McKinnon, Friends of Woodhouse Moor
Sue Buckle, South Headingley Community
Association/Friends of Woodhouse Moor
Tara Cleveland, Royal Park Community Consortium
Jake England – Johns, Royal Park Community
Consortium
Adele Beeson, Royal Park Community Consortium/City of
Leeds High School
Asghar Khan, Local Resident
Kathleen Mason, Local Resident
John Barron, Guardian Leeds

1 Election of Chair 2010/11

The Chief Democratic Services Officer submitted a report outlining the arrangements for the annual election of the Chair of the Area Committee.

In accordance with the agreed procedure, the Chief Democratic Services Officer reported that a nomination for the position of Chair had been received

Draft minutes to be approved at the meeting
to be held on Thursday, 23rd September, 2010

on behalf of Councillor B Chastney and those Elected Members present at the North West (Inner) Area Committee meeting were asked to take a formal vote.

RESOLVED-

- a) That the contents of the report be noted.
- b) That following an overall majority of votes cast by those Elected Members present at the meeting eligible to vote, Councillor B Chastney be elected as Chair of the North West (Inner) Area Committee for the Municipal Year 2010/11.

2 Chair's Opening Remarks

The Chair welcomed everyone to the first meeting of the North West (Inner) Area Committee held within the new municipal year in the Civic Hall, Leeds.

In particular, he also welcomed Councillor J Akthar to the meeting following his election to the Council as a representative for the Hyde Park and Woodhouse ward.

3 Declarations of Interest

The following personal interests were declared:-

- Councillor P Ewens in her capacity as a School Governor at City of Leeds High School (Agenda Item 7) (Minute 6 b) refers)
- Councillor J Illingworth in his capacity as Company Secretary of 'dig2ride' which was a charitable company established to provide dirt jumps in the Kirkstall Valley (Agenda Item 8) (Minute 8 d) refers)
- Councillor B Chastney in his capacity as a Board Member of West North West Homes (Agenda Item 10) (Minute 10 refers)

4 Apologies for Absence

Apologies for absence were received on behalf of Councillors J Chapman and G Harper.

5 Deputation - Royal Park Community Consortium

The Committee received a deputation from Tara Cleveland on behalf of the Royal Park Community Consortium in relation to the former Royal Park School building as a resource for the community of Hyde Park.

She briefly outlined details of the revised bid in financial terms; the intended use(s) of the building and the intentions to improve communications between students and local residents.

In concluding, she requested the support of the Area Committee on this issue prior to a report being considered by the Executive Board in the near future.

Detailed discussion ensued on the contents of the deputation and Members conveyed their full support to the retention of the building as a resource for the community of Hyde Park and recommends to the Executive Board that the that the building should be handed over to the Royal Park Community Consortium.

It was further agreed that a copy of the latest bid, in a pdf format, be circulated to Members of the Area Committee for their information/retention.

The Acting West North West Area Manager responded and agreed to follow up this issue.

RESOLVED-

- a) That the deputation be received and noted.
- b) That this Committee recommends to the Executive Board that that the building should be handed over to the Royal Park Community Consortium.
- c) That the Acting West North West Area Manager be requested to circulate a copy of the latest bid in a pdf format to Members of the Area Committee for their information/retention.

6 Open Forum

In accordance with Paragraphs 6.24 and 6.25 of the Area Committee Procedure Rules, the Chair allowed a period of up to 10 minutes for members of the public to make representations or ask questions on matters within the terms of reference of the Area Committee:-

- a) New Laws on Shared Houses (HMOs)(Houses in Multiple Occupation)
Further to Minute 94 a) of the meeting held on 22nd April 2010, John Dickinson, Weetwood Residents Association/Leeds HMO Lobby raised his concerns that Central Government were consulting on proposals to change the new laws on Shared Houses (HMOs) which would have a major impact on wards within the North West (Inner) area and would remove all liabilities from local planning authorities.

In concluding, he requested the support of the Area Committee in making representations to Grant Shapps, Housing Minister, together with asking for an urgent meeting with the Chief Planning Officer with the support of the Leeds HMO Lobby.

Detailed discussion ensued on this issue and it was the consensus of the meeting that the new laws on Houses in Multiple Occupation agreed by the previous Government should not be changed. It was further noted that a report on Houses in Multiple Occupation would be submitted to the next Area Committee meeting in September and that the Community Planner was addressing the current issues.

In concluding, it was agreed for the Chair to write a letter, on behalf of the Area Committee, to Grant Shapps, Housing Minister requesting his support towards the retention of the previous laws on Houses in Multiple Occupation and for a copy of this letter being circulated to Members of the Area Committee.

b) Proposed Closure of the City of Leeds High School – Stand Up for the City

Adele Beeson, Stand Up for the City reported on the latest developments in relation to the campaign for the retention of the City of Leeds High School.

She requested the support of the Area Committee in signing the petition and it was further noted that Councillor J Blake, Executive Member, Children's Services would be meeting with interested parties at the High School on Monday 12th July 2010 at 3.00pm.

Councillor P Ewens also reported on her involvement with the campaign.

c) North West Leeds Neighbourhood Policing Team – Open Day – Sunday 11th July 2010

Simon Jessop, West Yorkshire Police circulated a copy of a leaflet in respect of the North West Leeds Neighbourhood Policing Team Open Day to be held on Sunday 11th July 2010 at the Headingley Carnegie Stadium. He briefly outlined the guests of honour and details of the event.

d) Moving Target - Advertising Issues

Councillor J Illingworth reported his current concerns with regards to advertising issues linked to the company Moving Target and of the need for such companies to make representations to the Area Committee.

The Chair responded and requested the Community Planner to investigate this matter further and encourage Members to report any breaches to the Enforcement Section.

e) Ryan Platten – Community Planner

At the request of the Chair, Ryan Platten, the new Community Planner attended the meeting. He introduced himself and made a brief presentation on current issues within North West Inner ward (including HMO legislation).

In concluding, he agreed to re-submit his contact/e-mail details to Members of the Area Committee.

7 **Minutes of the Previous Meeting**

RESOLVED-

- a) That, subject to the deletion of the following minute, the minutes of the previous meeting held on 22nd April 2010 be approved as a correct record:-
'Open Forum – Minute 94 (c) 649 Kirkstall Road'
- b) That the matters arising update from the 22nd April 2010 meeting be noted.

8 Matters Arising from the Minutes

a) Royal Park School (Minute 94 b))

Councillor J Matthews referred to the above issue and enquired on the latest position with regards to repairs to the building.

Jason Singh, Acting West North West Manager responded and informed the meeting that temporary repairs had been made to the section of the roof by Property Management before the scaffolding was removed.

b) West Park Centre (Minute 96 refers)

Councillor S Bentley referred to the above issue and informed the meeting that the consultation process on the future use of the West Park Centre would commence from July to October 2010.

Councillor M Hamilton queried why the West Park Centre was still on the Asset register.

At the request of the Chair, Councillor B Atha responded and confirmed that it would be removed from the list in due course.

c) Licensing Act 2003 Policy and Cumulative Impact Policy (Minute 99 refers)

Councillor J Matthews referred to the above issue and reported on the a very successful meeting with Licensing in relation to Cumulative Impact policies covering Headingley/Hyde Park areas with other areas being considered.

d) Area Manager's Report – Proposed BMX Trail on Disused land known as Dobby Row, off Kirkstall Road (Minute 101 refers)

Councillor J Monaghan referred to the above issue and queried the proposed timescale.

Chris Dickinson, West North West Area Management responded and confirmed that the matter would be progressed within six to nine months in view of the feasibility study.

The Area Committee re-affirmed the need to progress this issue without delay and Chris Dickinson agreed to consult with Parks and Countryside.

9 Well-being Fund Monitoring Report

The Director of Environment and Neighbourhoods submitted a report updating the Area Committee on the Well-being Fund Projects approved in February 2010 and the current Well-being Fund budget position. The report also included proposals to decommission three projects that have not been progressed for some period of time.

Chris Dickinson, West North West Area Management presented the report and responded to Members' queries and comments.

In summary, specific reference was made to the following issues:-

- clarification of the funds previously allocated to the central capital pot
- a request for the continuation of splitting the 2009 -10 additional Capital allocation of 20k by £5,000 per ward
- a request for using the Headingley allocation of £10,814 in respect of developing derelict land at Sparrow Road
- the need for further action/progress in respect of the proposal regarding the development of a play park at Alexandra Road

RESOLVED -

- a) That the contents of the report, together with the progress made by Well-being funded projects this year be noted.
- b) That approval be given to defer and delegate to the Acting West North West Area Manager for the decommissioning of the following projects and re-allocating the funding to the 20010/11 Area Committee budget:-
 - 4.3 St Chad's Primary School playground improvements - £10,000 to central capital pot and £2,500 back to central revenue budget
 - 4.4 Wrangthorne Church parish centre improvements – £5,000 revenue
 - 4.5 Hyde Park Picture House ramp access - £4,389 - £2,194.50 to Headingley capital pot and £2,194.50 to central capital pot
- c) That approval be given to an additional £5,689 Well-being capital funding for Silk Mill shopping area improvements in accordance with the report now submitted.
- d) That in respect of the 2009-10 additional Capital allocation of £20k, approval be given to the continuation of splitting this figure of £5,000 per ward.
- e) That in respect of developing derelict land at Sparrow Park, approval be given, in principle, to using the Headingley allocation of £10,814 for this purpose, and that a funding application be prepared by the Acting West North West Area Manager to support this proposal.
- f) That in respect of developing a park on Alexandra Road, the Acting West North West Area Manager be requested to clarify the current position of the scheme with a report back on progress at the next meeting in September 2010.

10 Area Manager's Report

The Director of Environment and Neighbourhoods submitted a report informing Members of the progress on a number of projects in inner North West Leeds as determined by progress against the Leeds Strategic Plan and the Area Delivery Plan 2009-11.

Draft minutes to be approved at the meeting
to be held on Thursday, 23rd September, 2010

Appended to the report was a copy of a document entitled 'Scrutiny Statement – Youth Service surveys – Scrutiny Board (Children's Services) April 2010' for the information/comment of the meeting.

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

In summary, specific reference was made to the following issues:-

- clarification of the recent Area Management Office move to Horsforth (*The Acting West North West Manager responded and informed the meeting that the move had been successful and that contact numbers would be updated on the Intranet in due course*)
- an acknowledgement of the tremendous success of the recent Hawksworth Wood Operation Champion initiative, in association with West Yorkshire Police, with thanks expressed to all the partners who participated
- the need for a progress report in relation to having an illuminated Council Policy looking at youth provision

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Scrutiny Board Statement on Youth Services be noted.
- c) That Members of the Committee be encouraged to forward any items for inclusion on future forums and sub group agendas to the Acting West North West Area Manager.

11 Key Messages from Area Committee Sub Groups and Forums

The Director of Environment and Neighbourhoods submitted a report providing Members with an update and summary on progress made at the Area Committee sub groups and ward forums that that have taken place since the last Area Committee.

Chris Dickinson, West North West Area Management presented the report and responded to members' queries and comments.

In summary, specific reference was made to the following issues:-

- a suggestion for Housing Strategy issues being referred to the Planning Sub Group for determination
- a request for a report on the success of the Student Changeover Group, as commissioned by the Chair of the Group, Councillor J Matthews being submitted to the meeting in October 2010

RESOLVED-

- a) That the contents of the report be noted.
- b) That that the Council be requested to give greater priority to resident parking zones and related parking operations in the allocation of funding relating to local transport.

- c) That the Area Committee supports the efforts by Planning to consider the development of an Supplementary Planning Document (SPD) on housing mix targets using the Nottingham plan as a model, and offer the Inner North West Community Planning Officer to assist with this activity.
- d) That the Area Committee confirms the sub-group representation and chairing arrangements and nominates additional ward members as referred to in Sections 9.2 to 9.7 of the report.
- e) That in relation to discussing Housing Strategy issues, such matters be referred to the Planning Sub Group for determination, providing this proves to be operationally manageable.
- f) That a report on the success of the Student Changeover Group, as commissioned by the Chair of the Group, Councillor J Matthews, be submitted to the meeting in October 2010 for discussion.

12 Local Authority Appointments to Outside Bodies

The Chief Democratic Services Officer submitted a report outlining the Committee's role in relation to its Elected Member appointments to the community and local engagement category appointments to outside bodies which had been delegated to the Area Committee to decide.

RESOLVED:-

- a) That the contents of the report and appendices be noted.
- b) That in respect of the Outside Body schedule, approval be given to the following appointments being made for the Municipal Year 2010/11:-

Burley Lodge Centre – Committee of Management	Councillor J Akhtar Councillor P Ewens
Ireland Wood Children's Centre Management Committee	Councillor S Bentley
ALMO Inner North West Area Panel	Councillor J Illingworth Councillor J Chapman
Divisional Community Safety Partnership	Councillor S Bentley
Area Children's Partnership	Councillor P Ewens
Area Health and Social Care Partnership	Councillor J Chapman
Area Employment, Enterprise and Training Partnership	Councillor L Yeadon

- c) That in respect of the Area Employment, Enterprise and Training Partnership, this Committee notes the request received from Councillor L Yeadon to find a volunteer replacement for her on this body, and requests Members of the Area Committee to notify the Acting West North West Area Manager of any willing volunteer(s).

13 **Audit of Area Committee Meeting Venues**

The Director of Environment and Neighbourhoods submitted a report providing the meeting with an audit of venues suitable for North West (Inner) Area Committee meetings.

Chris Dickinson, West North West Area Management presented the report and responded to Members' queries and comments.

Following a brief discussion, Members also put forward the following additional venues for consideration which were noted by West North West Area Management:-

Headingley ward (New Headingley Club)
Hyde Park and Woodhouse ward (City of Leeds High School)
Kirkstall ward (West Park Centre)
Weetwood ward (Holy Name Parish Rooms/ St Chad's Parish Centre/
Weetwood Primary School)

Kirkstall Members also requested that Hawksworth Wood Primary School and Children's Centre be removed from the list.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That approval be given to allocating the following venues for the remainder of 2010/11 on a ward by ward rotation :-
 - **Headingley** - Thursday 23rd September 2010 – St Michael's Church, Headingley
 - **Hyde Park and Woodhouse** - Thursday 28th October 2010 – Woodsley Road Community Centre
 - **Weetwood** - Thursday 16th December 2010 – Lewis Jones Suite, Headingley Carnegie Stand
 - **Headingley**- Thursday 24th February 2011 – St Chad's Parish Centre, Headingley
 - **Kirkstall** – Thursday 14th April 2011 – West Park Centre, Spen Lane (located in Weetwood at the specific request of the Kirkstall ward)
- c) That the Committee rotates its meetings to ensure that meetings are held in all four wards and that the Civic Hall be only used where no suitable venue was available.
- d) That, should a venue become un-available during the course of the year, the Acting West North West Area Manager be requested to contact the relevant Councillors of the ward in which it was to be scheduled.

14 Date and Time of Next Meeting

Thursday 23rd September 2010 at 7.00pm at St Michael's Church,
Headingley.

(The meeting concluded at 8.45pm)

NORTH EAST (OUTER) AREA COMMITTEE

MONDAY, 5TH JULY, 2010

PRESENT: Councillors A Castle, P Harrand, A Lamb,
J Procter, M Robinson and G Wilkinson

APOLOGIES: Councillors R D Feldman, Mrs R Feldman
and R Procter

1 Election of Chair 2010/11

RESOLVED – That Councillor G Wilkinson be elected Chair for the 2010/11 municipal year.

(COUNCILLOR G WILKINSON IN THE CHAIR.)

The Chair thanked Members for re-electing him as Chair for another year. He also welcomed newly-elected Councillor Matthew Robinson to his first meeting of the Area Committee, together with Anna Turner from the East North East Area Management Team, who would be assuming responsibility for the NE Outer Area Committee as Carole Clark moved to take over the East Inner Area Committee. On behalf of the Committee, the Chair thanked and paid tribute to Carole for all her hard work, and wished her every success in her new post.

2 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors R D Feldman, Mrs R Feldman and R Procter.

3 Declaration of Interests

No declarations of interest were made.

4 Open Forum

The agenda made reference to the provision contained in the Area Committee Procedure Rules for an Open Forum session at each ordinary meeting of an Area Committee, for members of the public to ask questions or to make representations on matters within the terms of reference of the Area Committee.

The Chair welcomed to the meeting Councillor George Hall, Barwick and Scholes Parish Council. Councillor Hall addressed the Committee regarding two issues:-

- a) the possibility of establishing a Conservation Area in Scholes; and

- b) the current lack of involvement of Town and Parish Councils in the development of the Leeds Strategic Housing Land Availability Assessment and the Local Development Framework.

In respect of (a) above, it was reported that Councillor R Procter had recently written to Councillor Hall, and the question of funding for a possible Conservation Area in Scholes was due to be considered at the next Harewood Ward Members meeting, following which Councillor Hall would be advised of the outcome.

With regard to (b) above, Members were sympathetic to Councillor Hall's views. In his capacity as Chair of the Scrutiny Board (City Development), Councillor J Procter indicated that, via the Scrutiny Support Unit, he would arrange a meeting between planning officials and representatives of Town and Parish Councils to discuss the issues involved.

(NB: Councillor A Lamb joined the meeting at 6.25 pm, at the conclusion of this item.)

5 Minutes - 22nd March 2010

RESOLVED – That the minutes of the meeting held on 22nd March 2010 be confirmed as a correct record.

6 Matters Arising From the Minutes

- a) Publicising Area Committee Meetings (Min. No. 75 refers)

Further to Minute No. 75, 22nd March 2010, the Area Management Officer reported that Town and Parish Councils in the Committee's area now received an electronic link to the Area Committee agenda papers once they were published.

- b) 'Year of the Volunteer' Champion (Min. No. 79 refers)

RESOLVED – That Councillor M Robinson be elected as 'Year of the Volunteer' Champion, to replace ex-Councillor A Shelbrooke.

- c) Leeds City Credit Union (Min. No. 79 refers)

Further to Minute No. 79, 22 March 2010, the Chair reported that the question of East North East Homes ALMO support for the Leeds City Credit Union had been discussed with them. The ALMO had previously had a two year sponsorship arrangement with the Credit Union, which had now ended. Discussions were taking place between the parties, but there was a question mark regarding whether or not the ALMO would continue to financially support the Credit Union.

- d) Area Delivery Plan 2010/11 (Min. No. 82 refers)

Further to Minute No. 82, 22nd March 2010, it was reported that copies of the refreshed Area Delivery Plan 2010/11 had been distributed to local Town and Parish Councils and libraries.

7 CCTV Report for Leeds City Council Community Safety - CCTV Service in North East (Outer) Area Committee

The Director of Environment and Neighbourhoods submitted a 6-monthly update report on CCTV, including reference to City-wide developments and local issues.

Inspector Marcus Griffiths reminded Members of previous discussions regarding the possibility of providing a CCTV camera in Boston Spa High Street. A discussion ensued regarding the current capital and revenue costs of installing a camera, including line rental charges, and Members requested further information and a report back to the September meeting.

RESOLVED –

- a) That the six monthly update report be received and noted.
- b) That the Area Management Officer obtain and circulate separately to Members a detailed breakdown of the current capital and revenue costs associated with installing and maintaining a CCTV camera.
- c) That the CCTV Team Leader or Derek Whitehouse be invited to the next meeting on 20th September to further explore issues surrounding the operation of CCTV, with particular reference to the Committee's area.

8 North East Community Safety Partnership - Annual Report 2009/10

Beverley Yearwood, Community Safety Co-ordinator, and Inspector Marcus Griffiths presented the Divisional Community Safety Partnership's Annual Report 2009/10 and responded to Members' queries and comments.

Overall, there had been a reduction in crime in the Committee's area of 23.38%, representing 499 fewer offences than in 2008/09. Inspector Griffiths reported that public confidence and user satisfaction statistics for the area were extremely high when compared with local and national statistics.

Members discussed the alleged 752.94% increase in the category 'Thefts from Person', and possible reasons behind this alleged increase, e.g. did the figures include the Wetherby Festival site and the Wetherby Racecourse car boot sales? The Community Safety Co-ordinator undertook to investigate further and to report back separately to Members and Inspector Griffiths.

Members also noted Appendix D, relating to the local use of the recovered proceeds of crime funds. Another allocation was due shortly, and Members would be kept informed.

Draft minutes to be approved at the meeting
to be held on Monday, 20th September, 2010

RESOLVED – That, subject to the above request for further information, the report be received and noted.

9 Community Engagement Strategy - Update

The Director of Environment and Neighbourhoods submitted a report updating Members regarding community engagement activity in the Committee's area. Inspector Griffiths outlined proposals for changes in the frequency and manner in which the PACT (Police and Communities Together) meetings were delivered, to make the process more practical and manageable.

RESOLVED – That the report be noted.

10 Dog Control Orders

The Director of Environment and Neighbourhoods submitted a report regarding proposals to introduce Dog Control Orders on specified pieces of land across the City. The effect would be to introduce orders which fell broadly into 4 categories:-

1. Dog on Lead – Ensuring that dogs were kept on a lead at all times in specified areas.
2. Dog on Lead by Direction – Creating an offence of not putting a dog on a lead when directed to do so by an authorised officer.
3. Dog Exclusion – Excluding dogs from entering specified areas.
4. Dog Specified Maximum – Limiting the number of dogs that can be walked by an individual

Members made reference to existing bye-laws, and present enforcement difficulties. They were sceptical regarding whether the proposed new measures would be any more effective. They were also concerned regarding lack of Member involvement and consultation on the proposals, in particular over the areas of land selected for the new orders.

Stacey Campbell, of the Health and Environmental Action Service, responded to Members' queries and comments. There was an existing control order in place relating to dog fouling, and it was envisaged that the new powers would help to support this. The service received high volumes of complaints about dogs fouling and dogs being allowed to cause a nuisance. Penalty for breach of a control order would involve issuing a fixed penalty notice which, if not paid, could result in Court action with a maximum fine of £1,000. The new orders covered not just dog fouling, but keeping dogs on a lead, excluding dogs from certain areas, such as children's play areas and sports pitches, and would limit the number of dogs which a person could take onto an area of land. The enforcement of the orders would not just be the task of the dog wardens, but would involve a total of up to 90 HEAS staff, including the

Community Environment Officers and Environmental Action staff. The initiative was a direct result of an inquiry in 2008/09 undertaken by the Scrutiny Board (Environment and Neighbourhoods) into dog fouling. Following the publication of the Board's report, a multi-agency project board of officers had been established to drive improvements forward. The 12 week consultation period, linked to a media campaign, commenced in May and would end in August. To date, over 1,000 responses had been received to the proposals.

Inspector Griffiths voiced concerns that there might be a false expectation on the part of the public that Police Officers and PCSOs would be involved in enforcing the orders.

Members remained unconvinced regarding the overall merits of the scheme and, in particular, the lack of Member involvement to date. The view was expressed that Members needed to see the outcome of any public consultation, and that Members, rather than officers, should take the decisions on the proposed introduction, or not, of these orders and the areas to which they should relate.

RESOLVED – That, in the view of this Committee, the current proposals should be scrapped, and the exercise commenced again, this time with greater Member involvement from the outset.

11 2010/11 Well-Being Fund

The East North East Area Manager submitted a report updating Members on Wellbeing Fund revenue and capital balances for 2010/11, and seeking decisions regarding some applications for funding.

It was agreed that the Area Management Officer should liaise with Inspector Griffiths regarding the submission of an application to the September meeting in respect of fuel costs for the Farm Watch Landrovers which currently operate in the area. Further information was also requested regarding whether the additional unspent £16,667, allocated to Alwoodley Ward in 2007 for parking provision purposes, could be utilised for other purposes, or subject to a funding swap with another Ward within the area.

RESOLVED –

- a) That the review of projects funded in 2009/10 (Appendix 1) be received and noted;
- b) That the spend to date and the current revenue and capital balances for 2010/11, together with the Small Grants Fund situation and the current projects in development, be noted;

- c) That the Bramham Sports Pavilion scheme be removed from the Wellbeing Fund 'Projects in Development' section, as assistance is being provided via Members' Ward-Based Initiatives monies;

d) That the following decisions be made in respect of the applications for funding before the Committee this evening for decision –

REVENUE

- (i) Aberford Masterplan 2010 – 2020 - £5,000 – Approved.

CAPITAL

- (i) A.58, Wetherby – Environmental Improvements - £6,850 – Refused (alternatives being explored).

12 Area Delivery Plan 2008/11 Update

RESOLVED –

- a) That the update report be received and noted.
- b) That the proposed development of a Neighbourhood Improvement Plan in the Moor Allerton area be supported.

13 Harewood and Wetherby Town and Parish Council Forum Feedback Report

RESOLVED – That the notes of the Harewood and Wetherby Town and Parish Council Forum meeting held on 13th May 2010 be received and noted.

14 Heritage Open Days

The Committee received a report from the Leeds Civic Trust encouraging local communities to participate in the annual Heritage Open Days initiative in September. If Members had any ideas regarding suitable buildings in their Wards which might be willing to take part in this initiative, then either the Member or the owner/organisation should contact the Civic Trust to explore the idea further.

RESOLVED – That the report be noted.

15 Local Authority Appointments to Outside Bodies 2010/11

RESOLVED –

- a) That the following appointments be made for 2010/11
- Moor Allerton Elderly Care – Alwoodley Parish Council to be approached.

- East North East ALMO Outer Area Panel – Councillors R D Feldman and G Wilkinson
 - Divisional Community Safety Partnership – Councillor A Lamb.
 - Area Children’s Partnership – Councillor A Lamb.
 - Area Health and Wellbeing Partnership – Councillor P Harrand
 - Area Employment, Enterprise and Training Partnership – Councillor M Robinson.
- b) That ex-Councillor A Shelbrooke, MP, be asked if he wishes to continue as a Trustee on the Aberford Almshouses Trust.

16 Area Committee Roles for 2010/11

RESOLVED – That the report be noted.

17 Date, Time and Venue of Next Meeting

Monday, 20th September 2010, 6.00 pm, Boston Spa High School, Clifford Moor Road, LS23 6RW.

The meeting concluded at 7.50 pm.

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EAST (OUTER) AREA COMMITTEE

TUESDAY, 6TH JULY, 2010

PRESENT: Councillor K Parker in the Chair

Councillors S Armitage, P Gruen, W Hyde,
J Lewis, M Lyons, A McKenna, T Murray,
D Schofield and K Wakefield

1 Election of Chair 2010/11

A report was submitted by the Chief Democratic Services Officer which outlined the arrangements for the annual election of Chair of the East (Outer) Area Committee. It was reported that one nomination for the position of Chair had been received on behalf of Councillor Parker.

RESOLVED –

- (a) That the contents of the report be noted;
- (b) That following a vote by those Elected Members present at the meeting, Councillor Parker be elected Chair of the East (Outer) Area Committee for the 2010/2011 municipal year.

(Councillor Parker took the Chair)

2 Chair's Opening Remarks

The Chair welcomed all in attendance to the first East (Outer) Area Committee meeting of the new municipal year.

3 Declarations of Interest

Councillor Armitage declared a personal interest in agenda item 9, Well Being Budget (Revenue) 2010/11, in her capacity as a Member of Swarcliffe Good Neighbours Scheme. (Minute No. 9 refers)

Councillors W Hyde and Lyons declared a personal interest in agenda item 11, Community Engagement Plan and Election of Forum Chairs 2010/11, on the basis of their respective nominations as Chair of Halton Forum. (Minute No. 11 refers)

Councillor Murray declared a personal interest in agenda item 12, Actions, Achievements and Update, in his capacity as a Member of Jobs, Enterprise and Training (JET) Partnership. (Minute No. 12 refers)

Councillor W Hyde declared a personal interest in agenda item 15, Local Authority Appointments to Outside Bodies, in his capacity as a Member of Halton Moor and Osmondthorpe project for Elders (HOPE). (Minute No. 14 refers)

Draft minutes to be approved at the meeting
to be held on Tuesday, 7th September, 2010

Councillor Lewis declared a personal interest in agenda item 15, Local Authority Appointments to Outside Bodies, in his capacity as a Member of Neighbourhood Elders' Team. (Minute No. 14 refers)

4 Apologies for Absence

Apologies for absence were submitted by Councillors Dobson and P Grahame.

5 Minutes - 23rd March 2010

RESOLVED – That the minutes of the meeting held on 23rd March 2010 be confirmed as a correct record.

6 Matters Arising from the Minutes

Minute No. 7 – 'Thorpe Park Progress Report'

Members expressed concern about ongoing issues at Thorpe Park, particularly relating to playing fields and alternative provision. The Chair agreed to raise these issues with the Chief Planning Officer and report back to the Area Committee.

It was reported that the Chief Planning Officer had written to local residents to provide an update on the current situation regarding new ponds.

7 Open Forum

In accordance with paragraphs 6.24 and 6.25 of the Area Committee Procedure Rules, the Chair allowed a period of up to 10 minutes for members of the public to make representations or to ask questions on matters within the terms of reference of the Area Committee. On this occasion, there were no matters raised under this item by members of the public.

8 North East Divisional Community Safety Partnership Annual Report

The East North East Divisional Community Safety Partnership submitted a report which provided an overview of the performance of the North East Divisional Community Safety Partnership and ward based Neighbourhood Policing Teams.

The following information was appended to the report:

- Final Divisional targets for 2009/10 based on actual outturns and Divisional targets set for 2010/11
- Structure Chart of the Divisional Community Safety Partnership
- Timetable of Champion Days of Action 2010
- Proceeds of Crime Act (POCA) – Summary of allocations in the outer east area

- Designated Public Place Order for the area of Kippax, Allerton Bywater and Great Preston
- Review of Police and Communities Together (PACT) Meetings.

The Chair welcomed to the meeting, Chief Inspector Melanie Jones, West Yorkshire Police and Beverley Yearwood, Area Community Safety Co-ordinator, to present the report and respond to Members' questions and comments.

The Area Community Safety Co-ordinator reported that separate Ward Member briefings were being arranged to consider the review of Police and Communities Together (PACT) meetings.

In brief summary, the main areas of discussion were:

- Concern about off road bikes, quads, noise, etc, and disruption caused to local residents. The Area Community Safety Co-ordinator reported that a pilot involving Leeds Watch was being conducted in Temple Newsam Ward, using video footage to collate evidence on nuisance fires, vehicles, etc.
- Update on Anti-Social Behaviour Orders (ASBO's) – issues around enforcement, some young people treating ASBO as 'badge of honour'.
- Clarification about additional police hours - some additional activity funded by the Area Committee.
- Success of Designated Public Place Orders (DPPO) in Kippax and Allerton Bywater and plans for the longer term.

RESOLVED – That the report and information appended to the report be noted.

9 Well Being Budget (Revenue) 2010/11

The South East Area Manager submitted a report which updated the Area Committee on project work funded through the Well Being budget for 2010/11.

Appended to the report for Members' information was a copy of the Outer East small grant position as at 3 June 2010.

Martin Hackett, Area Management Officer, presented the report and responded to Members' questions and comments.

In brief summary, the main highlighted points were:

- It was reported that the Year of the Volunteer (part 2) event was taking place at Leeds Civic Hall on 4th November from 12.30 pm to 3.30 pm.
- Members were informed that interviews to appoint a second Community Environment Support Officer (CESO) were taking place later in the week.
- Members requested feedback from youth services on activities for young people (activities funded by the Area Committee), particularly

highlighting work undertaken, positive benefits, etc. One Member requested feedback about the areas that the young people were from to help inform whether funding from other areas should be invited in future.

- There was concern about the lack of youth provision in Swillington and Great Preston.

RESOLVED –

- (a) That the report and information appended to the report be noted;
- (b) That the £5,000 contribution to Leeds Credit Union (approved at the Area Committee in March) be met from the small underspend carried over from 2009/10;
- (c) That the Area Committee awards £3,300 to fund Older Persons Week 2010;
- (d) That the Area Committee awards £1,400 to the Year of the Volunteer event to be held in late 2010; and
- (e) That the Area Committee notes the finance and legal advice provided concerning part funding security shutters at Bronze Tanning Studio. The Area Committee declines £1,950 to fund this project.

(Councillor A McKenna left the meeting at 3.00 pm during the consideration of this item.)

10 Area Delivery Plan 2010/11 - Annual Refresh

The South East Area Manager submitted a report which presented a refresh of the Area Delivery Plan (ADP).

Martin Hackett, Area Management Officer, presented the report and responded to Members' questions and comments.

In brief summary, the main areas of discussion were:

- Concern that some of the thematic based partnerships were more active than others and acknowledgement of the need to improve reporting arrangements.
- Concern about ongoing maintenance costs at Community Centres (now delegated to the Area Committee). The Area Management Officer advised that a report on Community Centres was being presented to the September Area Committee meeting.

RESOLVED –

- (a) That the annual refresh of the Area Delivery Plan 2010/11 be approved;
- (b) That the following Members be approved as strategic champions for 2010/11:

- Culture – Councillor Bill Hyde
- Enterprise and Economy – Councillor Tom Murray

Draft minutes to be approved at the meeting
to be held on Tuesday, 7th September, 2010

- Learning – Councillor Tom Murray
- Transport – Councillor Mick Lyons
- Environment – Councillor Keith Wakefield
- Health and Well-being – Councillor James Lewis
- Thriving Places (Housing) – Councillor Peter Gruen
- Thriving Places (Community Safety) – Councillor Mark Dobson
- Harmonious Communities – Councillor Pauleen Grahame

(c) That the content of the Community Charter be approved.

11 Community Engagement Plan and Election of Forum Chairs 2010/11

The Director of Environment and Neighbourhoods submitted a report which presented the Community Engagement Plan for the Outer East Area Committee for 2010/11. The report also presented a timetable of forums and events for Members consideration.

Martin Hackett, Area Management Officer, presented the report and responded to Members' questions and comments.

Members wished to place on record their thanks to Lynne White and Ken Hill for their hard work and positive contribution in support of Year of the Volunteer.

RESOLVED –

- (a) That the report and information appended to the report be noted;
- (b) That the Community Engagement Plan for 2010/11 be approved;
- (c) That the Forum Chairs for 2010/11 be approved as follows:
 - Cross Gates – Councillor Pauleen Grahame
 - Whinmoor – Councillor Peter Gruen
 - Swarcliffe – Councillor Suzi Armitage
 - Garforth and Swillington – Councillor Mark Dobson
 - Kippax and Methley – Councillor Keith Parker
 - Halton Moor and East Osmondthorpe Forum – Councillor Mick Lyons
 - Halton Forum – Councillor David Schofield

(d) That the terms of reference for Outer East Forums be approved.

(Councillor Wakefield joined the meeting at 3.30 pm during the consideration of this item.)

12 Actions, Achievements and Update Report

The South East Area Manager submitted a report which updated Members on the actions and achievements of the Area Management Team since the last meeting.

The following information was appended to the report:

- Minutes of Jobs, Employment and Training (JET) Partnership held on 1st March 2010
- Minutes of Children Leeds – East Leadership Team held on 27th May 2010
- Minutes of Health and Well Being Partnership held on 18th March 2010
- Minutes of North East Divisional Community Safety Partnership held on 25th February 2010
- Minutes of North Whinmoor Forum held on 29th March 2010
- Minutes of Swarcliffe Forum held on 7th April 2010
- Minutes of Cross Gates Forum held on 14th April 2010.

Keith Lander, Deputy Area Manager, presented the report.

Members were informed that a workshop on thematic partnerships was taking place on 16th July 2010, 1.00 pm - 5.00pm.

RESOLVED –

- (a) That the report and information appended to the report be noted;
- (b) That the Area Committee awards £2,000 to Swarcliffe in Bloom to undertake environmental work in the Dennils;
- (c) That the Area Committee awards £12,341 to renew kitchen facilities at St Gregory's Youth and Adult Centre;
- (d) That arrangements for future Area Committee meeting dates for 2010/11 be approved as follows:

- 7th September 2010
- 19th October 2010
- 7th December 2010
- 8th February 2011
- 22nd March 2011

(All meetings to take place on a Tuesday at Leeds Civic Hall. Times of future meetings to be agreed in consultation with the Chair and reported back to the Area Committee.)

13 Area Committee Roles for 2010/11

The Director of Environment and Neighbourhoods submitted a report which presented a summary of the Area Functions and Priority Advisory Functions for 2010/11.

RESOLVED – That the report and information appended to the report be noted.

14 Local Authority Appointments to Outside Bodies

The Chief Democratic Services Officer submitted a report which outlined the procedure relating to local authority appointments to outside bodies and invited Members to consider making appointments to those outside bodies detailed within the report.

The following information was appended to the report:

- Appointments to Outside Bodies Procedure Rules
- East (Outer) Area Committee Appointments to Outside Bodies 2010/11
- Further information on Outside Bodies relevant to East (Outer) Area Committee.

RESOLVED –

- (a) That the report and information appended to the report be noted;
(b) That approval be given to the following Outside Body appointments being made for the 2010/2011 municipal year:

- Cross Gates and District Good Neighbours Scheme – Councillor P Grahame
- HOPE (Halton Moor and Osmandthorpe project for Elders) – Councillors W Hyde and Lyons
- Neighbourhood Elders' Team – Councillor J Lewis
- Swarcliffe Good Neighbours Scheme – Councillor Armitage
- Outer East Area Panel of East North East Homes ALMO – Councillor Lyons
- Outer East Area Panel of Aire Valley Homes Leeds ALMO – Councillors Murray and Parker
- North East Divisional Community Safety Partnership – Councillor Dobson
- Children Leeds East Leadership Team – Councillor Murray
- South East Leeds Health and Well Being Partnership – Councillor Lewis
- Jobs, Employment and Training Partnership (JET) – Councillor Murray.

15 Dates, Times and Venues of Future Meetings

- 7th September, 2010
- 19th October, 2010
- 7th December, 2010
- 8th February, 2011
- 22nd March, 2011.

(All meetings to take place on a Tuesday at Leeds Civic Hall. Times of future meetings to be agreed in consultation with the Chair and reported back to the Area Committee.)

(The meeting concluded at 3.50 pm.)

Draft minutes to be approved at the meeting
to be held on Tuesday, 7th September, 2010

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WEST (OUTER) AREA COMMITTEE

FRIDAY, 9TH JULY, 2010

PRESENT: Councillors A Blackburn, M Coulson,
J Hardy, J Jarosz, R Lewis and J Marjoram

APOLOGIES: Councillors A Carter and R Wood

1 Election of Chair and Vice-Chair 2010/11

RESOLVED – That Councillor D Blackburn be elected Chair of the West Outer Area Committee for the 2010/11 municipal year.

(COUNCILLOR D BLACKBURN IN THE CHAIR.)

It was agreed to elect a Vice-Chair, purely for the purpose of chairing meetings in the potential absence of Councillor D Blackburn.

RESOLVED – That Councillor M Coulson be elected Vice-Chair the 2010/11 municipal year.

The Chair instructed that Councillor Coulson be invited to attend Chair's briefing meetings prior to agenda despatch to aid continuity.

2 Declaration of Interests

The following declarations of interest were made:-

- Councillor D Blackburn – Agenda Item 14 (Minute No. 11 refers) – Wellbeing Fund Applications – Application in respect of Wadlands Farm Wetlands feasibility study – personal interest in his capacity as Chair of Green Leeds.
- Councillor A Blackburn – Agenda Item 14 (Minute No. 11 refers) – Wellbeing Fund Applications – Applications from Groundwork, Leeds, relating to the Wadlands Farm Wetlands feasibility study and the Hillside Hall Community Centre greenspace – personal and prejudicial interest in her capacity as a Director of Groundwork, Leeds.
- Councillor M Coulson – Agenda Item 14 (Minute No. 11 refers) – Wellbeing Fund Applications – Application from Pudsey in Bloom – personal and prejudicial interest in his capacity as a member of Pudsey in Bloom.

3 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors A Carter and R Wood.

Draft minutes to be approved at the meeting
to be held on Friday, 10th September, 2010

4 Open Forum

Reference was made to the provision contained in the Area Committee Procedure Rules for an Open Forum session to take place at every ordinary meeting of an Area Committee, whereby members of the public could ask questions or make representations on any matter which fell within the remit of the Area Committee. On this occasion, no such matters were raised.

5 Minutes - 26th March 2010

RESOLVED – That the minutes of the meeting held on 26th March 2010 be confirmed as a correct record.

6 Matters Arising from the Minutes

Children's Services – Performance Monitoring at Area Committee Level
(Minute No. 95 refers)

A Member indicated that the more up to date information regarding teenage pregnancy rates requested at the last meeting had not been circulated.

Amanda Jackson, Locality Enabler, Children's Services, responded that there had been some difficulties in this regard as the latest information had not been disaggregated. However, she would arrange for Members to receive what information she had.

7 Forum Minutes

RESOLVED – That the minutes of the meeting of the Tyersal Community Forum held on 19th May 2010 be received and noted.

8 Appointment of Co-optees and Thematic Champions 2010/11

The Director of Environment and Neighbourhoods submitted a report regarding the proposed appointment of Co-optees to serve on the Area Committee, and the proposed appointment, from amongst the Area Committee, of Members, to act as 'Champions' in respect of specific themes contained within the Area Delivery Plan.

RESOLVED –

- a) That Howard Bradley (Youth Representative), Reverend Kingsley Dowling (Faith Representative) and Liz Navin-Jones (Business Representative) be re-appointed as Area Committee Co-Optees for 2010/11.
- b) That the proposed re-appointment of 'Champions' in respect of the following themed partnership groups be deferred to a future meeting:-

- Harmonious Communities.
- Enterprise, Economy and Transport.
- Culture and Environment.
- Health and Wellbeing.
- Thriving Neighbourhoods.
- Learning.

9 Area Delivery Plan - Progress Report - Quarters 3 and 4 2009/10

RESOLVED – That the progress report be received and noted.

10 Area Manager's Report

The Acting Area Manager submitted a report updating Members regarding progress on a variety of issues within the Committee's area.

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

- Armley Juniors – Reference was made to a recent hitch with the quarterly payments made by the Youth Service to this organisation, which had now been addressed.
- Transport – Problems regarding the timetable for the operation of the Numbers 9 and 90 services operated by First Bus.

The Area Management Officer undertook to raise the issue with First Bus.

- Youth Service Surveys – Members noted Appendix 1 to the report, the results of the Inquiry by the Scrutiny Board (Children's Services) relating to the annual Youth Service user consultation and survey exercise.

The view was expressed that future surveys should give consultees more detailed information regarding the kind of options and services available across the City, so that their responses could be more informed regarding what they might like to see operating in their particular area.

It was accepted that this would be beneficial, but there were practical difficulties in terms of:-

- a) trying to summarise the variety of initiatives in operation across the City;
- b) producing possibly different consultation packs for different areas; and
- c) the system relied on the co-operation of schools, which were largely responsible for distributing and collecting the packs, and

the survey system therefore needed to be relatively quick and easy. An added complication was the fact that many children attended schools away from their home area, where they would access the Youth Service, and results could be affected by this factor.

- The excellent project recently undertaken to tidy up an area in Stonebridge Lane, Old Farnley, and the co-operation received from a number of agencies, including the ALMO. It was agreed that the Chair should write in particular to Marie-Pierre Dupont, West North West Homes, thanking her for her efforts in this regard.

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

11 Wellbeing Budget 2010/11 - Update Report

The Director of Environment and Neighbourhoods submitted a report summarising the Committee's Wellbeing Budget situation for 2010/11, and highlighting applications which needed either ratification or a decision at today's meeting.

Two representatives of the Hindu Cultural Society attended the meeting and responded to Members' queries and comments regarding their application (deferred on 26th March 2010 for further information).

RESOLVED –

- a) That the amount of revenue and capital funding available to the Committee for 2010/11 be noted.
- b) That the previous in-principle decisions on funding applications (Para 2.4 refers) be ratified.
- c) That the following decisions be taken in respect of the applications before the Committee today for consideration:-

Revenue

- i) Hindu Cultural Society - £3,000 – Approved.
- ii) Wadlands Farm wetlands feasibility study - £4,430 – Approved.

Capital

- I) 1st Pudsey Scout Group – improvements to Scout Hut - £4,000 – Approved.

- II) Hillside Hall Community Centre – Greenspace improvements - £7,500 – Approved, subject to further consultation and match funding being obtained from other sources.
 - d) That the current situation regarding the small grants and community skips funds be noted.
 - e) That Wellbeing applications which are part of the extended schools project be capped at no more than £2,000.
- (NB: 1. Councillor A Blackburn left the meeting during the consideration of the applications on behalf of Groundwork, Leeds (see Minute No. 2) and took no part in the discussion or voting thereon.
2. Councillor M Coulson took no part in the discussion or voting in respect of the ratification of the Committee’s previous decision to make a grant to Pudsey in Bloom (Min No. 99, 26th March 2010 refers.)

12 Area Committee Roles and Functions 2010/11

RESOLVED – That the report be received and noted.

13 Appointments to Outside Bodies 2010/11

RESOLVED –

- a) That the following appointments to outside bodies be made for the 2010/11 municipal year:-
 - ALMO West Outer Area Panel – Councillors R Lewis and J Marjoram.
 - Borough of Pudsey Charity – Councillors R Lewis and A Carter.
 - Divisional Community Safety Partnership* - Councillor J Jarosz.
 - Area Children’s Partnership – Councillor M Coulson.
 - Area Health and Social Care Partnership - Councillor J Jarosz.
 - Area Employment, Enterprise and Training Partnership – Councillor D Blackburn.
- b) That the Farsley Charity be contacted to ascertain whether ex-Councillor F Robinson is eligible to continue as a Trustee, should he wish to.

(*NB: Dates of meetings to be reviewed, in consultation with Councillor Jarosz, to avoid potential clashes with other Council Commitments.)

14 Health and Environmental Action Service - Year End Report 2009/10

RESOLVED – That the report be received and noted, and the officers be thanked for re-formatting the report to make the information clearer and more meaningful for local Members.

15 Health and Wellbeing - Update Report

RESOLVED – That the item be deferred to a future meeting.

16 Community Safety - Update Report

Inspector Richard Cawkwell and Gill Hunter, Divisional Community Safety Co-ordinator, presented a report updating Members on issues within the Committee's area.

In response to a Member's query, Inspector Cawkwell undertook to circulate separately to Members some context information in respect of the statistical data circulated at the meeting. Inspector Cawkwell was congratulated in respect of the prompt police response to problems with travellers camping illegally on amenity land in the area. Gill Hunter was congratulated in respect of, once again, being nominated for a Divisional Commanders Award in recognition of the tremendous work she carries out on community safety matters in the area.

RESOLVED – That the report be received and noted.

17 Heritage Open Days

The Committee considered a report submitted by Leeds Civic Trust encouraging organisations and property owners to participate in the annual Heritage Open Days initiative in September.

RESOLVED – That the report be noted.

18 CCTV Update Report - Outer West Area

RESOLVED – That the report be received and noted.

19 Outer West ALMO Area Panel Minutes

RESOLVED – That the minutes of the Panel meetings held on 10th February and 14th April 2010 be received and noted.

20 Forward Plan - September 2010

RESOLVED – That the report be noted.

21 Dates, Times and Venues of Future Meetings 2010/11

Draft minutes to be approved at the meeting
to be held on Friday, 10th September, 2010

Friday, 10th September 2010 - Pudsey Park Visitor Centre.
Friday, 15th October 2010 – Farnley Hall.
Friday, 17th December 2010 - Pudsey Civic Centre.
Friday, 28th January 2011 - Pudsey Leisure Centre.
Friday, 25th March 2011 – Farnley Hall.

All at 14:00 hours.

The meeting concluded at 16:00 hours.

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