



A meeting of the Council will be held in the Civic Hall, Leeds on Wednesday, 17th November, 2010 at 1.30 pm

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

1. Minutes

To confirm the minutes of the Council Meetings held on 15th September 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 reports as follows (the Monitoring Officer considers that these reports are appropriate to be received at this meeting in accordance with Council Procedure Rule 2.2(f))

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

P GRUEN

- b) That the report of the Assistant Chief Executive (Corporate Governance) on amendments to the officer delegation scheme(executive functions) in accordance with Executive Procedure Rule 1.4 be noted.

P GRUEN

6. Questions

To deal with questions in accordance with Council Procedure Rule 11

7. Recommendations of the Executive Board

That the recommendations of the Executive Board, as presented by the report of the Assistant Chief Executive (Corporate Governance) with regard to the approval of the Licensing Act 2003 Statement of Licensing Policy, be approved.

K WAKEFIELD

8. Recommendations of General Purposes Committee

That the recommendations of the General Purposes Committee, as contained in the report of the Assistant Chief Executive (Corporate Governance) be approved.

K WAKEFIELD

9. Minutes

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

K WAKEFIELD

10. White Paper Motion - Council House Rent Increases

This Council expresses its concern that under the measures stated in the Comprehensive Spending Review 2010 the rent for new Council tenants will rise sharply.

Council believes that this rise will be unaffordable for many people and will result in them not registering to become Council tenants.

Council instructs the Chief Executive to write to the Minister for Housing outlining the devastating effect this measure will have on many Leeds residents and also write to all Leeds MPs urging them to do their utmost to challenge this increase.

A BLACKBURN

11. White Paper Motion - Changes to Council Day

This Council believes that its democratic structures require review and development with the objective to strengthen accountability along with the greater involvement of strategic partners in full Council meetings. Therefore this Council welcomes the Coalition Government's commitment to localism and to allow local authorities to determine their own governance structures.

The Council calls upon the Chief Executive to:-

- a) re-examine the structure and practices of Council Day and the potential for the Council's strategic partners' involvement;
- b) investigate the potential for a modernised Committee system to replace the current Leader and Executive Board arrangements.

and report the findings to Elected Members.

This Council further notes its continued opposition to any attempt to impose a directly elected mayor on the City as being counter to the objectives set out above.

K WAKEFIELD

12. White Paper Motion - Removal of planning permission for converting Houses of Multiple Occupation

This Council opposes the Government's removal of the requirement for planning permission for the conversion of homes into Houses of Multiple Occupation (HMOs). Furthermore this Council watches with interest Milton Keynes Council in its move to seek judicial review of these changes.

Council notes the provision made within the new rules for local authorities to apply for an Article 4 direction to make HMOs subject to a planning application. This Council also notes the speedy action taken by Manchester City Council to introduce an Article 4 Direction for their entire city.

To take decisive action and minimise the financial risk of compensation claims this Council requests the Chief Planning Officer to give consideration to the introduction of an Article 4 direction immediately in the Area of Housing Mix, areas of selected licensing and in other affected areas of the city following the 12 month notification period.

M HAMILTON

13. White Paper Motion - Libraries

This Council resolves to keep open all 53 of the City's Council run libraries until such time as a proper review of the service has taken place.

J PROCTER

14. White Paper Motion submitted under the Provisions of Council Procedure Rule 3.1(d) - Re-Regulation of Bus Services across West Yorkshire

The Council supports the re-regulation of the bus services across West Yorkshire. This Council calls upon the Leader of the Council to launch a campaign to obtain the necessary legislative changes and to write to all Leeds MP's urging them to support this campaign.

R FINNIGAN

15. White Paper Motion submitted under the Provisions of Council Procedure Rule 3.1(d) - High Speed Rail Link

This Council welcomes the Government's announcement of the new High Speed Rail link (HS2) to London and pledges to support its delivery in Leeds and the wider city region.

R DOWNES

16. White Paper Motion submitted under the Provisions of Council Procedure Rule 3.1(d) -HMS Ark Royal

This Council is saddened by the decision to decommission HMS Ark Royal and pays tribute to the men and women past and present for their devoted service in war and peace.

Council recognises the historic link between the City of Leeds and ARK ROYAL and celebrates the many happy occasions at which the ships' company exercised their Freedom of the City.

This Council therefore instructs the Chief Executive to write to the Secretary of State for Defence to request that the additional ASTUTE class submarine be named ARK ROYAL to revive this great name and with it our valued link with the men and women of the Royal Navy and to ensure that the amazing effort and financial sacrifice of Leeds citizens is not forgotten.

This Council further calls on the Secretary of State for Defence to allow the people of Leeds an appropriate memento of the Ark Royal.

J MARJORAM

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

Proceedings of the Extraordinary Meeting of the Leeds City Council held
Civic Hall, Leeds on Wednesday, 15th September, 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

Robert Finnigan
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

19 Appointment of Honorary Aldermen

It was moved by Councillor Atha, seconded by Councillor A Carter and supported by Councillors Golton, Finnigan and A Blackburn and

RESOLVED UNANIMOUSLY – That under Section 249(1) of the Local Government Act 1972, the Council admit the following former Councillors of the Leeds City Council to be Honorary Aldermen of the City in recognition of the long and distinguished public service rendered by them:-

Jonathan Brown
Miles Crompton
Michael James Davey OBE, JP
William Kilgallon OBE
Richard Manning
Frank Robinson
Jean Veta White MBE

Council rose at 2.05 pm.

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Proceedings of the Meeting of the Leeds City Council held
Civic Hall, Leeds on Wednesday, 15th September, 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 Harrant
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
Angela Denise Atkinson
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
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GUISELEY & RAWDON

Pat Latty
Graham Latty

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MOORTOWN

Sharon Hamilton
Mark Daniel Harris
Brenda Lancaster

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Thomas Leadley
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Robert William Gettings

MORLEY SOUTH

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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
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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

20 Announcements

- a) The Lord Mayor welcomed Tom Riordan, Chief Executive, to his first meeting of Council.
- b) The Lord Mayor reported that Ian Walton of Governance Services had recently retired and wished him a long and happy retirement.
- c) The Lord Mayor reported the recent deaths of Lady Edna Healey, Honorary Alderman Linda Middleton MBE DL and Denise Preston, and Council stood in silent tribute.

21 Suspension of Council Procedure Rules

It was moved by Councillor Gruen and seconded by Councillor Lobleby under Council Procedure Rule 22.1 that Procedure Rule 3.0 (time limits for business) be suspended to allow the business of the ordinary meeting to be extended by the duration of the Extraordinary Meeting and

RESOLVED – That Council Procedure Rule 3 be suspended to allow the business of the ordinary meeting to be extended by thirty-five minutes.

22 Minutes

It was moved by Councillor Gruen and seconded by Councillor Lobleby and

RESOLVED – That the minutes of the meeting held on 14th July 2010 be approved.

23 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 individual interests, and advice regarding potential declarations having been given from the Assistant Chief Executive (Corporate Governance) in relation to minute 29 declarations in accordance with the Council's Member's Code of Conduct were made as follows:-

- a) Members declared personal interests in minute 29 of this meeting as follows:-

Cllr Murray	Member of St Aidan's Trust and Trust Land Advisory Committee Chief Executive of Leeds Learning Partnership
Cllr Parker	Member of St Aidan's Trust and Trust Land Advisory Committee
Cllr Wakefield	Member of Meanwood Valley Urban Farm
Cllr Gabriel	Employee of Leeds NHS Partnership Foundation Trust
Cllr Gettings	Member of Leeds Grand Theatre Board
Cllr Ewens	Governor of City of Leeds School
Cllr Chastney	Director of Hyde Park Source

- 1) Leeds Youth Council Regarding the Equality and Diversity Action Plan.
- 2) Local Residents concerned at access arrangements to Throstle Nest Villa, Horsforth.
- 3) Unison Leeds Community Health regarding NHS Leeds and Social Enterprise.

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

25 Reports

a) Appointments

It was moved by Councillor Gruen seconded by Councillor Lobley and

RESOLVED – That the report of the Assistant Chief Executive (Corporate Governance) on appointments be approved, subject to an amendment to paragraph 1.2; the appointments approved were as follows:-

- Cllr Morgan replaces Cllr J Harper on Scrutiny Board (Children's Services).
- Cllr A Hussain replaces Cllr A McKenna on Scrutiny Board (Health)
- Cllr Taggart replaces Cllr G Harper on Plans Panel (City Centre)
- Cllr Nash replaces Cllr Mulherin on Development Plans Panel
- Cllr W Hyde replaces Councillor Anderson on West Yorkshire Integrated Transport Authority.

26 Variation of Order of Business

It was moved by Councillor Gruen and seconded by Councillor Lobley that, under the provisions of Council Procedure Rule 2.3, the recommendations of the General Purposes Committee be heard next.

RESOLVED – To vary the order of business to allow the recommendations of the General Purposes Committee to be heard next.

27 Recommendation of the General Purposes Committee

It was moved by Councillor Wakefield seconded by Councillor Blake and

RESOLVED – That Council approve the recommendation of the General Purposes Committee that Council Procedure Rule 11.6 be amended to allow, at the close of question time, the question in progress to be dealt with in full, including the asking and response to any supplementary question.

28 Questions

- 1) Councillor A Carter to the Executive Member (Development & Regeneration).

Can the Executive Board Member for City Development confirm that the reduction he has agreed in spending on highway maintenance is the £476,000 outlined in the Executive Board Report that went to the August cycle

The Executive Member (Development & Regeneration) replied.

- 2) Councillor Harris to the Executive Member (Environmental Services).
- Can the Executive Board Member for Environmental Services please confirm if the figures highlighted in the YEP on 8th July 2010 regarding the cost to the council of the bin strike last year are correct?
- The Executive Member (Environmental Services) replied.
- 3) Councillor Dobson to the Executive Member (Neighbourhoods and Housing).
- Would the Executive Member for Environment & Neighbourhoods please confirm the cost to the Council of Court Orders and cleanups in respect of traveller encampments since 2004?
- The Executive Member (Neighbourhoods and Housing) replied.
- 4) Councillor G Hussain to the Executive Member (Children's Services).
- Would the Executive Member for Children's Services care to comment on the impact of the threatened cut in funding to the national Playbuilder scheme on proposed projects across Leeds?
- The Executive Member (Children's Services) replied.
- 5) Councillor A Carter to the Executive Member (Environmental Services).
- Will the Executive Board Member for Environmental Services confirm that savings to the City Council (and therefore the council tax payer) that will result from the re-routing of the refuse collection service and other related issues are now estimated at around £2.4million per annum?
- The Executive Member (Environmental Services) replied.
- 6) Councillor Monaghan to the Executive Member (Environmental Services).
- Can the Executive Board Member for Environmental Services provide an update on the progress of implementing the streetscene change programme?
- The Executive Member (Environmental Services) replied.
- 7) Councillor Dunn to the Executive Member (Children's Services).
- Would the Executive Member for Children's Services care to comment on the recently announced A Level and GCSE results?
- The Executive Member (Children's Services) replied.
- 8) Councillor Groves to the Executive Member (Leisure)
- Could the Executive Board Member for Leisure please update Council on the plan to renovate Middleton Park?
- The Executive Member (Leisure) replied.
- 9) Councillor W Hyde to the Executive Member (Neighbourhoods and Housing).

Can the Executive Board Member for Neighbourhoods & Housing confirm where he plans to locate the administration's new gypsy and traveller accommodation?

The Executive Member (Neighbourhoods and Housing) replied.

At the conclusion of question time, 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:

10. Cllr Cleasby to the Executive Member (Adult Social Care).
11. Councillor Maqsood to the Executive Member (Neighbourhood and Housing).
12. Councillor G Harper to the Executive Member (Development & Regeneration).
13. Councillor Lobleby to the Executive Member (Adult Social Care).
14. Councillor Pryke to the Executive Member (Environmental Services).
15. Councillor Pryke to the Executive Member (Neighbourhood and Housing).
16. Councillor Cleasby to the Executive Member (Environmental Services).
17. Councillor Pryke to the Executive Member (Environmental Services)
18. Councillor Monaghan to the Executive Member (Environmental Services).
19. Councillor Pryke to the Executive Member (Neighbourhood and Housing).
20. Councillor Ewens to the Executive Member (Leisure).
21. Councillor Monaghan to the Executive Member (Environmental Services).
22. Councillor Ewens to the Leader of Council.

29 Minutes

It was moved by Councillor Wakefield, seconded by Councillor Gruen that the minutes be received in accordance with Council Procedure Rule 2.2(i).

An amendment (reference back) was moved by Councillor Golton and seconded by Councillor J Procter to add the following at the end of item 8:-

'but to ask the Executive Board to reconsider the decisions (a, b, c) in relation to the '(b) Reduction in Grants: Implications for Services', as contained in minute 71, page 46/47 of the Executive Board minutes of 25th August 2010.

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

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

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

On the requisitions of Councillors J Procter and J L Carter, the voting on the amendment (reference back) was recorded as follows:-

PRESENT - 95

YES

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

41

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.

48

ABSTAIN

Elliott, Finnigan, Gettings, Grayshon, Leadley, Varley.

6

30 Motion to Suspend Council Procedure Rules

During the debate under minute 29, above, the following motions to suspend Council Procedure Rules were moved:-

a) Meeting adjournment

It was moved by Council Golton and seconded by Councillor J Procter that under Council Procedure Rule 13.2(h) the meeting be adjourned to allow consideration to be given to the provision of the exempt information which related to the reference back as detailed within minute 29.

Upon being put to the vote, the motion was declared lost.

On the requisition of Councillors J Procter and J L Carter, the voting on the motion to adjourn the meeting was recorded as follows:-

PRESENT - 98

YES

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

43

NO

Akhtar, Armitage, Atha, Atkinson, 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.

49

ABSTAIN

Elliott, Finnigan, Gettings, Grayshon, Leadley, Varley.

6

b) Change to Order of Business

It was moved by Councillor Lobley and seconded by Councillor Bentley, that under Council Procedure Rule 13.2(c), the order of business be changed to enable consideration of the amendment (reference back) in the name of Councillor Robinson at the completion of the first amendment (reference back) in the name of Councillor Golton.

Upon being put to the vote the motion was declared lost.

On the requisition of Councillors J Procter and J L Carter, the voting on the motion to change the order of business was recorded as follows:-

PRESENT - 96

YES

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, 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, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

47

NO

Akhtar, Armitage, Atha, Atkinson, 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.

49

ABSTAIN

0

c) Suspend Time Limits

It was moved by Councillor Lobley seconded by Councillor Bentley that, under Council Procedure Rule 22.1, Procedure Rule 3.1 be suspended to allow the amendment (reference back) in the name of Councillor Robinson to be heard.

Upon being put to the vote the motion was declared lost.

On the requisition of Councillors J Procter and J L Carter, the voting on the motion to suspend time limits was recorded as follows:-

PRESENT - 96

YES

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, 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, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

47

NO

Akhtar, Armitage, Atha, Atkinson, 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.

49

ABSTAIN

0

(The meeting was suspended at 5.40 pm and resumed at 6.05 pm.)

31 White Paper Motion - Budget Deficit

It was moved by Councillor A Carter seconded by Councillor Golton that 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.

An amendment was moved by Councillor Wakefield seconded by Councillor Taggart to delete all after [...voluntary sector] and add:-

'This Council notes that the budget deficits inherited from the previous Administration, in Adult Social Care and Children's Services, have put the Council under severe financial pressure.

This Council further notes with dismay, therefore, the devastating impact of the Government requirement to make over £25m of cuts to grants for Leeds in this financial year. This has meant no time for proper consultation with the services provided by the public and voluntary sectors in the City, who care for some of our most vulnerable people.

However, this Council resolves to work with the new Chief Executive and all Council staff to identify efficiencies that will enable the Authority to maintain essential protection for the young, the elderly, the vulnerable and assist the unemployed, whilst reducing public expenditure.'

On the casting vote of the Lord Mayor, the amendment was carried. Upon being put as the substantive motion, on the casting vote of the Lord Mayor it was.

RESOLVED – That 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

This Council notes that the budget deficits inherited from the previous Administration, in Adult Social Care and Children's Services, have put the Council under severe financial pressure.

This Council further notes with dismay, therefore, the devastating impact of the Government requirement to make over £25m of cuts to grants for Leeds in this financial year. This has meant no time for proper consultation with the services provided by the public and voluntary sectors in the City, who care for some of our most vulnerable people.

However, this Council resolves to work with the new Chief Executive and all Council staff to identify efficiencies that will enable the Authority to maintain essential protection for the young, the elderly, the vulnerable and assist the unemployed, whilst reducing public expenditure.

On the requisition of Councillors Lobley and Robinson the voting on the amendment in the name of Councillor Wakefield was recorded as follows:-

PRESENT - 96

YES

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, Vote of the Lord Mayor.

47

NO

Anderson, Barker, Bentley, Brett, Campbell, A Carter, J L Carter, Castle, Chapman, Chastney, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Gettings, Golton, Grayshon, M Hamilton, Harrand, Harris, W Hyde, Kendall,

Kirkland, Lamb, Lancaster, G Latty, P Latty, Lobley, Marjoram, Matthews, Monaghan, J Procter, R Procter, Pryke, Robinson, Schofield, Smith, A Taylor, Townsley, Varley, Wilkinson, Wilson, Wood.

47

ABSTAIN

2

Blackburn A, Blackburn D.

On the requisition of Councillors J Procter and J L Carter the voting on the substantive motion was recorded as follows:-

PRESENT - 96

YES

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, Vote of the Lord Mayor.

47

NO

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

47

ABSTAIN

Blackburn A, Blackburn D.

2

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

32 White Paper Motion - Police Accountability

Under the provisions of Council Procedure Rule 14.10, leave of Council was given to alter the motion in the name of Councillor Lowe to subsume the amendment in the name of Councillor J L Carter.

Under the Provision of Council Procedure Rule 14.11, with the consent of the seconder, leave of Council was given to Councillor J L Carter to withdraw the amendment in his name.

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

RESOLVED That this Council opposes any plans to scrap Police Authorities.

This Council notes that the Government's plans would mean a Commissioner in West Yorkshire having responsibility for an area covering 23 parliamentary

constituencies, three cities and two major towns and therefore considers this might adversely affect the ambition for greater local accountability.

Council therefore resolves that greater consideration should be given to how local accountability can be strengthened. 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 any plan to abolish police authorities.

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

It was moved by Councillor Ogilvie seconded by Councillor Mulherin and

RESOLVED – That 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.

Council rose at 7.55 pm.

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Originator: Kevin Tomkinson

Tel: 2474357

Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 17th November 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 Lobley replace Councillor G Latty on the Scrutiny Board (City Development).

That Councillor G Latty replace Councillor Lobley on the Scrutiny Board (Health).

That Councillor Wadsworth replace Councillor R Procter on the Scrutiny Board (Environment & Neighbourhoods)

That Councillor Wadsworth replace Councillor A Carter on Plans Panel(City Centre)

2.0 Recommendations

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

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Report of the Assistant Chief Executive (Corporate Governance)

Full Council

Date: 17th November 2010

Subject: Amendments to officer delegation scheme

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report notifies Council of amendments to the officer Delegation Scheme (Executive Functions) approved by the Leader with effect from 27th August 2010.
2. The amendments remove concurrent delegations to the Chief Officer (Children and Young People's Social Care) and the Chief Officer (Early Years and Integrated Youth Service) from the Officer Delegation Scheme (executive functions).
3. In addition, under authority delegated to the Monitoring Officer under Article 15, consequential amendments to the constitution have now been approved, following the Leader's amendments to the scheme. These are outlined in this report for information.

1.0 Purpose Of This Report

- 1.1 This report notifies Council about amendments to the officer delegation scheme (executive functions) in accordance with Executive Procedure Rule 1.4.
- 1.2 It also notifies Council about consequential amendments made to the constitution under delegated authority.

2.0 Background Information

- 2.1 Under Executive Procedure Rule 1.4, the Leader may amend the scheme of delegation relating to executive functions, at any time, by giving notice to the Assistant Chief Executive (Corporate Governance) and to the person, body or committee concerned.
- 2.2 The Assistant Chief Executive (Corporate Governance) must then present a report to the next ordinary meeting of full Council, setting out the changes made by the Leader.

3.0 Main Issues

- 3.1 With effect from 27th August 2010, the Leader amended the Officer Delegation Scheme (Executive Functions), by removing concurrent delegations to the Chief Officer (Children And Young People's Social Care) and the Chief Officer (Early Years And Integrated Youth Service).

3.2 Consequential amendments

- 3.2.1 By virtue of Article 15 of the Constitution, the Assistant Chief Executive (Corporate Governance) has delegated authority to approve consequential amendments to the constitution, to implement decisions of the Council or the Executive. Minor amendments were needed to:
- Article 12 of the constitution, (which sets out the functions and areas of responsibility for Directors and Chief Officers with concurrent delegations);
 - Part 3 Section 2B - Scrutiny Board (Children's Services) Terms of Reference (to reflect the revised delegations only);
 - Part 3 Section 3B(a) – Executive Member portfolios (to reflect the revised delegations only); and
 - Part 7 - management structure.

4.0 Implications for Council Policy and Governance

- 4.1 Under its Code of Corporate Governance, the Council is committed to ensuring that the necessary roles and responsibilities for the governance of the Council are identified and allocated, so that it is clear who is accountable for decisions.

5.0 Legal and Resource Implications

- 5.1 Under Rule 1.4 of the Executive Procedure Rules, the Assistant Chief Executive (Corporate Governance) must present a report to the Council setting out any changes made by the Leader to the officer delegation scheme (executive functions). This report fulfils that requirement.

6.0 Conclusions

- 6.1 Amendments have been made by the Leader to the officer delegation scheme (executive functions), in accordance with the Executive Procedure Rules. Other necessary consequential amendments to the constitution have also been made.

7.0 Recommendations

- 7.1 The Council is asked to note the changes to the officer delegation scheme (executive functions) and other consequential amendments to the constitution, set out in this report.

8.0 Background Papers

- 8.1 Letter to Councillor K Wakefield, Leader of the Council, dated 27th August 2010.
- 8.2 Letter from Councillor K Wakefield, Leader of the Council, dated 31st August 2010.
- 8.3 Report to Assistant Chief Executive (Corporate Governance)
- 8.4 Delegated Decision Notification dated 31st August 2010

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Originator:	Kevin Tomkinson
Tel:	2474357

Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 17th November 2010

Subject: Recommendations of the Executive Board

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 To present for consideration of Council recommendations of the Executive Board in respect of the Licensing Act 2003 – Statement of Licensing Policy.

2.0 Background Information

2.1 The attached report was considered by the Executive Board on 3rd November 2010 and contains recommendations at the paragraphs indicated and as follows ;

Licensing Act 2003 – Statement of Licensing Policy

7.2 – ‘Consider the responses to the consultation carried out and the Final Consultation Report at appendix 2, and endorse the proposed responses to the consultation exercise and recommend to full Council that these be approved as the Council’s response to matters raised in consultation;

7.3 – note the revised draft Statement of Licensing Policy set out at Appendix 1, and recommend full Council that this be approved as the final Policy under the Licensing Act 2003’

The same recommendations are referred to in minute 104 of the Executive Board minutes on this agenda.

3.0 Recommendations to Council

3.1 That Council approves that the proposed response to the consultation exercise, as contained in appendix 2 to the report to the Executive Board on 3rd November 2010, be approved as the Council’s response to matters raised in consultation and, that

the revised draft Statement of Licensing Policy as set out in appendix 1 to the report be approved as the final Policy under the Licensing Act 2003.

BACKGROUND PAPERS

Report on Licensing Act 2003 Statement of Licensing Policy
Minutes of the Executive Board



Report of the Assistant Chief Executive (Corporate Governance)

Executive Board

Date: 3rd November 2010

Subject: Licensing Act 2003 Statement of Licensing Policy

Electoral Wards Affected:

All

Specific Implications For:

Ethnic minorities

Women

Disabled people

Eligible for Call In

Not Eligible for Call In
(Council decision)



Executive Summary

This report provides members of the Executive Board with a revised draft Licensing Act 2003 Statement of Licensing Policy and the result of the public consultation.

Executive Board are asked to consider the revised draft and refer the matter to full Council, who will consider the approval of the Licensing Act 2003 Statement of Licensing Policy in November 2010.

1.0 Purpose of This Report

- 1.1 The purpose of this report is to inform Members of the Executive Board of a review and public consultation of the Licensing Act 2003 Statement of Licensing Policy 2011 to 2013 (attached at **Appendix 1**). The Final Consultation Report is attached at **Appendix 2**.

2.0 Background Information

- 2.1 The Licensing Act 2003 came into force in 2005 and brought the licensing of sale of alcohol, regulated entertainment and late night refreshment into one system. Leeds City Council became the licensing authority for premises in the Leeds area and the system is administered and enforced by Entertainment Licensing. As part of the Licensing Act 2003 there is a requirement placed on licensing authorities to develop a statement of licensing policy which describes the principles the council will use when determining licences under the Act.
- 2.2 The Licensing Authority carries out its functions of the Act with a view to promoting the four licensing objectives which are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance; and
 - The protection of children from harm
- 2.3 The first Statement of Licensing Policy 2005 - 2007 was adopted in January 2005 and was reviewed in 2007 for the period 2008-2010. The council is required to review the policy on a three yearly basis and it is due for review again this year.
- 2.4 Under the provisions of the Licensing Act, the approval of the Council's Statement of Licensing Policy is a function of the full Council, and not a function of the Executive. The function may not be delegated to officers or to the Licensing Committee established under the 2003 Act. As this is a full Council function this report is not eligible for call in.

3.0 Main Issues

- 3.1 The consultation methodology is described in the Final Consultation Report attached at Appendix 2.
- 3.2 The public consultation took place between 12th July and 1st October. The council received 5 responses via the web form and 5 written responses. The full text of the responses are contained in the Final Consultation Report. This report also details the amendments proposed in response to the comments.
- 3.3 A revised draft Statement of Licensing Policy 2011 to 2013 is attached at Appendix 1.

3.4 Approval of the policy is a matter reserved to full Council and it is for Executive Board to decide, at this meeting, to refer the revised policy to full Council on their 17th November meeting for formal adoption of the Policy.

4.0 Implications for Council Policy and Governance

4.1 The council is required to have a licensing policy under the provisions of the Licensing Act 2003 and to review it at least every three years. Under regulations issued by the Secretary of State, the revised policy must be approved no later than the 7 January 2011.

4.2 It is a requirement that members of the Licensing Committee have regard to the council's policy when making decisions under the Licensing Act 2003.

5.0 Legal and Resource Implications

5.1 As identified in the report there is a requirement under the Licensing Act 2003 to revise and approve a policy on or before 7 January 2011.

5.2 Approving a policy which is not consistent with the promotion of the licensing objectives, the evidence gathered, or which fails to take into account the views of the residents and businesses of Leeds (including the licensing trade) may result in a challenge to the policy and/or licensing decisions on grounds that the policy is unlawful.

5.3 The costs of revising the policy are covered within the budget of Entertainment Licensing.

6.0 Conclusions

6.1 That Members should consider the proposed responses to the consultation and the evidence gathered at Appendix 2. Members should consider whether to recommend the revised policy at Appendix 1 for approval at Council.

7.0 Recommendations

7.1 Members are requested to:

7.2 Consider the responses to the consultation carried out and the Final Consultation Report at **Appendix 2**, and endorse the proposed responses to the consultation exercise and recommend to full Council that these be approved as the Council's response to matters raised in consultation;

7.3 Note the revised draft Statement of Licensing Policy set out at **Appendix 1**, and recommend to full Council that this be approved as the final Policy under the Licensing Act 2003.

Appendices

Appendix 1 Licensing Act 2003 Statement of Licensing Policy
Appendix 2 Final Consultation Report

Background papers

Licensing Act 2003

DCMS Guidance issued under Section 182 of the Licensing Act 2003

Statement of Licensing Policy 2011 - 2013

Licensing Act 2003

Further copies of this document can be obtained from:

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Tel: 0113 247 4095
Fax: 0113 224 3885

Email: entertainment.licensing@leeds.gov.uk
Web: www.leeds.gov.uk/licensing

Version History

Redraft	SH	17/08/09
First Draft	SH	17/03/10
Public consultation draft	SH	05/07/10
Final draft	SH	04/10/10

Please note:

The information contained within this document can be made available in different languages and formats including Braille, large print and audio cassette.

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Executive Summary

The Licensing Act 2003 obtained Royal Assent 2005 and came into effect in 2005.

Under Section 5 of the Licensing Act 2003 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2005.

Any decision taken by the Council in regard to determination of licences, certificates and notifications should aim to promote the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance; and
- The protection of children from harm

The policy covers the licensable activities as specified in the Act which are:

- Sale by retail of alcohol or supply of alcohol on behalf of a club
- Regulated entertainment
- Late night refreshment

The policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Additionally the council has regard for a number of other local strategies such as Vision for Leeds and the Leeds Community Safety Strategy. Full detail can be found on page 10.

The policy includes five special policies which seek to limit the cumulative effect of licensed premises in certain areas. Details, including the specific criteria relating to the policies can be found on pages 18 to 26.

The council has the ability to grant licences for premises and certificates for club premises. It also grants personal licences and accepts temporary event notices. Where relevant the council consults with the responsible authorities as described in the Act. Local people, known as interested parties and members of the council are able to have their say and their opinion heard.

Enforcement of the legislation is a requirement of the Act that is undertaken by the council. The policy describes the council's enforcement principles and the principles underpinning the right of review.

The policy has two appendices, detailing the contact details of the responsible authorities and providing further reading.

Section 1 The purpose of the licensing policy

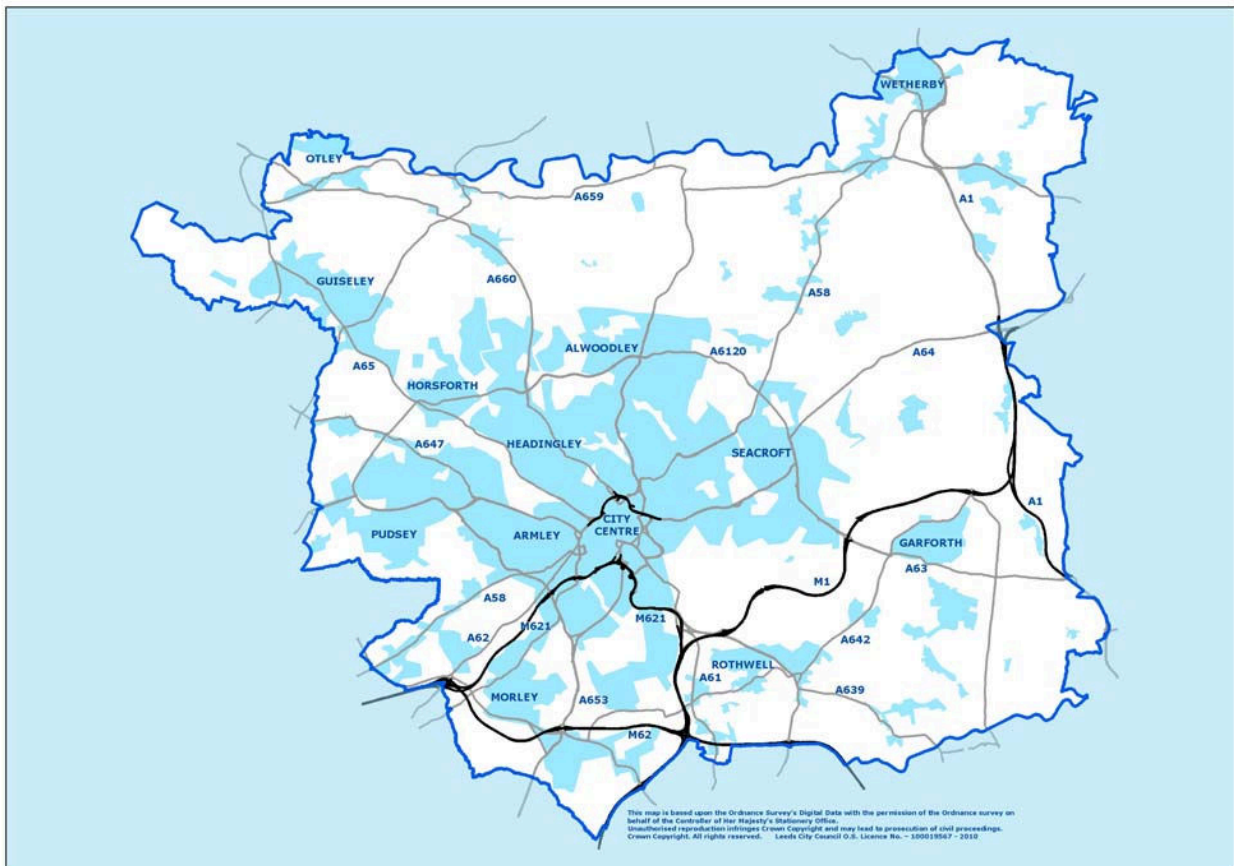
- 1.1 This policy is prepared under Section 5 of the Licensing Act 2003 and was approved by Leeds City Council as Licensing Authority in December 2007. It will be reviewed no later than December 2010. Unless otherwise stated any references to the council are to the Leeds Licensing Authority.
- 1.2 In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
- Representatives of local business
 - Local residents and their representatives
 - Parish and town councils
 - Local members of parliament
 - Representatives of existing licence holders including
 - The British Beer and Pub Association
 - Licensing solicitors
 - The responsible authorities namely;
 - West Yorkshire Police
 - West Yorkshire Fire and Rescue Service
 - Leeds City Council – Health and Environmental Action Service
 - Leeds City Council – Children and Young People Social Care
 - Leeds City Council – City Development
 - West Yorkshire Trading Standards
 - Leeds Primary Care Trusts
 - Charitable organisations that deal with the social impact of drugs
 - Other charitable organisations including Mencap and Victim Support Leeds
- 1.3 This policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 1.4 The council will carry out its functions under the Licensing Act 2003 with a view to promoting the 4 licensing objectives namely:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.5 The council adopts the overall approach of encouraging the responsible promotion of licensed activities. However, in the interests of all its residents, it will not tolerate irresponsible licensed activity. Following relevant representations the council will impose conditions where necessary to promote the licensing objectives and/or use effective enforcement to address premises where there are problems, in partnership with key agencies such as:
- West Yorkshire Police,
 - West Yorkshire Fire and Rescue Service,
 - Health and Safety Executive,
 - Crime and Disorder Reduction Partnerships,
 - Primary Care Trusts in the district,
 - West Yorkshire Trading Standards.

- 1.6 This policy is concerned with the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events. The conditions that the council attaches to the various licences will focus on matters that are within the control of individual applicants and others in possession of relevant authorisations. These matters will centre upon the premises that are being used for licensable activities and the vicinity of those premises. Whether or not matters are within the vicinity of premises is a question of fact, which will depend upon the particular circumstances of the case.
- 1.7 The council is aware however that government guidance suggests that the prevention of public nuisance could include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the Licensing Act 2003) in the vicinity of licensed premises. See further guidance on 'vicinity' at paragraph 8.8 to 8.9.
- 1.8 The council will monitor the effect of this policy throughout the period it covers through licensing liaison meetings with representatives of licence holders such as PubWatch meetings and also by way of regular meetings with the responsible authorities.

Section 2 The scope of the licensing policy

- 2.1 This Policy covers licensable activities within the Leeds District as defined by the Licensing Act 2003. These are:
- The retail sale of alcohol
 - The supply of alcohol by or on behalf of a club, or to the order of a member of the club
 - The provision of regulated entertainment
 - The provision of late night refreshment
- 2.2 Advice on whether a licence is required for premises or an event can be obtained from the Entertainment Licensing Section of Leeds City Council, contact details are set out in Appendix 1.
- 2.3 Throughout this Policy the wording will refer to 'applicants' for licences. However it should be noted that the principles set out within this policy apply equally to new applications, applicants for variations and consideration of any request to review a licence.
- 2.4 The scheme of the Licensing Act is that applicants should make applications and assess what matters, if any, need to be included within the operating schedule to address the licensing objectives. If an application is lawfully made and no relevant representations are received then the council must grant the application. Only if relevant representations are made will the council's discretion be engaged.
- 2.5 This policy seeks to provide advice to applicants about the approach they should take to making applications and the view the council is likely to take on certain key issues where representations have been made.

Section 3 The Leeds district



- 3.1 Leeds City Council has sought to establish Leeds as a major European City and cultural and social centre. It is the second largest metropolitan district in England and has a population of 2.2 million people living within 30 minutes drive of the City Centre.
- 3.2 The Leeds metropolitan district extends over 562 square kilometres (217 square miles) and has a population of 715,000 (taken from the 2001 census). It includes the City Centre and the urban areas that surround it, the more rural outer suburbs and several towns, all with their very different identities. Two-thirds of the district is greenbelt (open land with restrictive building), and there is beautiful countryside within easy reach of the city.
- 3.3 Over recent years Leeds has experienced significant levels of growth in entertainment use within the city coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes have many benefits including the creation of a vibrant 24-hour city.
- 3.4 Leeds has strong artistic and sporting traditions and has the best attended outdoor events in the country. The success of arts and heritage organisations including the Grand Theatre, West Yorkshire Playhouse, Opera North, Northern Ballet Theatre, Phoenix Dance Theatre, Harewood House and the Henry Moore Institute, has helped to attract other major arts and heritage investments such as the award winning Royal Armouries and the Thackeray Medical Museum. The city also boasts a wealth of community based sports heritage and recreational facilities. There is a vibrant voluntary sector including thousands of groups and societies.
- 3.5 Leeds is a city with many cultures, languages, races and faiths. A wide range of minority groups including Black Caribbean, Indian, Pakistani, Irish and Chinese as well as many other smaller communities make up almost 11% of the city population.

3.6 The Vision for Leeds 2004 - 2020 published by the Leeds Initiative, as the city's strategic partnership group, indicates that Leeds is now one of Britain's most successful cities. It boasts:

- A thriving economy
- A vibrant City Centre
- A leading centre of learning, knowledge and research
- A recognised regional capital
- A positive image
- A reputation for environmental excellence
- A wide range of cultural facilities
- A rich mix of cultures and communities

3.7 The Vision for Leeds 2004-2020 has three main aims:

- Going up a league as a City - making Leeds an internationally competitive City - The best place in the country to live, work and learn, with a high quality of life for everyone.
- Narrowing the gap between the most disadvantaged people and communities and the rest of the city.
- Developing Leeds' role as the regional capital contributing to the national economy as a competitive European city, supporting and supported by a region that is becoming increasingly prosperous.

3.8 This licensing policy seeks to promote the licensing objectives within the overall context of the three aims set out in Vision for Leeds 2004-2020.

Section 4 Integrating other guidance, policies, objectives and strategies

- 4.1 In preparing this licensing policy the council has had regard to, and sought to integrate the licensing policy with, the following strategies:
- Vision for Leeds 2004 to 2020
 - Leeds Community Safety Strategy 2005 to 2008
 - Leeds Unitary Development Plan
 - The Local Development Framework including the Leeds City Centre Area Action Plan
 - Leeds City Centre Strategic Plan 2006 to 2010
 - Leeds Alcohol Strategy 2007 – 2010
 - The Home Office Tackling Violent Crime Programme
 - Leeds City Council – Anti-Social Behaviour Statement
 - Leeds City Council – Environmental enforcement policies.
- 4.2 The council (through its Licensing Committee) may, from time to time, receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in Section 6 and the overriding need to promote the four licensing objectives it may have regard to them when making licensing decisions.
- 4.3 The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy. This may include recommendations to amend the licensing policy itself.

Section 5 Cultural activities in Leeds

- 5.1 Leeds City Council (in common with other local authorities) is a major provider of facilities for public recreation. The Council has a tradition of promoting a wide range of cultural activity for the benefit of the city and district.
- 5.2 Leeds Town Hall is the dedicated public concert hall/performance area in Leeds and the Carriageworks Theatre is dedicated to amateur performance and public use for Leeds. Millennium Square in the city centre is used for public events and entertainment such as the Christmas market and 'Icecube' (a temporary ice rink). The parks at Roundhay, Woodhouse Moor, Potternewton and Middleton are in use for community organised gatherings fairs and carnivals and Temple Newsam Park is the venue for council promoted public events attracting upwards of fifty thousand people.
- 5.3 Commercially promoted events take place in a variety of locations throughout the district.
- 5.4 Within local communities, groups and associations use church and village halls and community centres for social and fund raising activities. Within the district there are 120 church/village halls and schools licensed for regulated entertainment and or the sale or supply of alcohol.
- 5.5 Leeds has a long established reputation for the encouragement of community and diverse cultural events and public entertainment as an essential aid to community involvement and an increasing sense of common identity.
- 5.6 It is expressly recognised that live music, dancing and theatre have an important role to play in cultural and community life. The council encourages a variety of forms of live music and entertainment including singing and dancing, music and carnival events such as children's entertainment, juggling and mime.
- 5.7 Nothing in this Policy is intended to prevent or deter organisers from seeking licences for such events and the council will monitor the impact of the Licensing Policy to ensure that the Policy does not unnecessarily deter or prevent cultural and community events. Applicants are however encouraged to make early contact with the council to advise of any such events in line with the provisions of paragraphs 6.36 to 6.46.

Section 6 General principles

- 6.1 In determining a licensing application the overriding principle will be that each application will be determined on its own merit, having regard to the need to promote the four licensing objectives and taking into account this licensing policy and the guidance issued under Section 182 by the Secretary of State. Where it is necessary to depart from the guidance or this Policy the council will give clear and cogent reasons for doing so.
- 6.2 Nothing in this Policy will undermine any person's right to apply for a variety of permissions under the Act.
- 6.3 Applicants are reminded of the Government's National Alcohol Harm Reduction Strategy. Matters set out in the strategy may be relevant to general licensing principles and to one or more of the licensing objectives.

Human Rights

- 6.4 The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a Convention right. The council will have particular regard to the following relevant provisions of the European Convention on Human Rights:
- Article 6 that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
 - Article 8 that everyone has the right to respect for his home and private life.
 - Article 1 of the first protocol that every person is entitled to the peaceful enjoyment of his or her possessions, including for example a licence.

Impact of Licensed Activity

- 6.5 Where no representations are made the council will grant a licence subject to conditions consistent with the operating schedule.
- 6.6 When determining any application where relevant representations are made, the council will consider it in the light of the four licensing objectives and in order to support a number of other key aims and purposes as set out in Section 4. The requirement to promote the licensing objectives will be the paramount consideration. The council will focus upon the impact of the activities taking place on members of the public, living, working or engaged in normal activity in the vicinity of the premises. See further guidance on 'vicinity' at paragraph 8.8 to 8.9.
- 6.7 Where relevant representations are made the following factors will normally be taken into account when the council is looking at the impact of the activities concerned:
- the style of operation, the numbers of customers and customer profile likely to attend the premises;
 - the location of the premises and the proximity of noise sensitive properties
 - the proposed hours of operation;
 - the transport arrangements for customers attending or leaving the premises and any possible impact on local residents or businesses;
 - the adequacy and impact of car parking on local residents or businesses;
 - any proposed methods for the dispersal of customers
 - the scope for mitigating any impact;
 - how often the activity occurs;

and, in considering any application for a variation, where a relevant representation has been received, the council may take into account, in addition to the above matters, any evidence:

- of past demonstrable adverse impact from the activity especially on local residents or businesses;
- that, if adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact.

Other relevant matters may be considered as the individual case dictates.

Licensing Hours

- 6.8 The government recommends that in some circumstances, flexible licensing hours with regards to the sale of alcohol are important to ensure that the concentration of customers leaving premises simultaneously are reduced. The intention behind this is to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which currently lead to disorder and disturbance. Providing the customers with greater choice and flexibility is an important consideration in the development of a thriving and safe evening and night-time economy in Leeds.
- 6.9 However any licensable activity does have the potential to impact adversely on the surrounding area due to disturbance or crime and disorder. Customers may be noisy when leaving, leave litter or use on-street car parking. The impact of these activities can be particularly intrusive at night when ambient noise levels are much lower.
- 6.10 The council supports the development of a wide ranging and culturally diverse night-time economy where this can be achieved whilst promoting the four licensing objectives and without compromising the ability to resource local services associated with the night-time economy such as street cleansing.
- 6.11 Under the Act there are no permitted hours for the sale of alcohol. Applicants are able to suggest in their operating schedule the hours they wish to open and to apply to vary their existing licences if they wish to open beyond their current permitted hours.
- 6.12 However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives will be paramount considerations at all times.
- 6.13 If relevant representations are made the council will only grant the hours of use proposed where the operating schedule and any risk assessment adequately demonstrates that:
- the potential effect on crime and disorder is not significant
 - the agreed operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on local residents and businesses
 - appropriate transport facilities are available, or the applicant has made suitable arrangements to transport customers away from the venue.
- 6.14 Restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it necessary for the promotion of the licensing objectives to do so.
- 6.15 As a general rule shops stores and supermarkets will be permitted the off sale of alcohol during such hours as they are normally open for trade provided that there is no adverse impact upon the promotion of the licensing objectives as a result.

Drinking up time

- 6.16 The traditional 'drinking up time' was not carried over into the Licensing Act 2003. However the hours during which applicants are licensed to sell or supply alcohol and the opening hours need not be identical and therefore applicants of premises licensed for the on-sale of alcohol are recommended to consider a drinking up/cooling down period during which music volume may be reduced, customers may consume their drinks and make arrangements for transport from the premises. The council considers that a 30 minute drinking up time will assist in the gradual dispersal of customers and consequently reduce impact on the area.
- 6.17 Where relevant representations are made the council will consider imposing a condition on drinking up time where such a condition is necessary in order to promote the licensing objectives in any individual case.

Excessive Consumption of Alcohol/Binge Drinking

- 6.18 The council is acutely aware of the link between the supply of alcohol, that is subject to certain promotions and the possibility of resultant incidents of alcohol related crime and disorder and implications for public safety, public nuisance and the risk of harm to children.
- 6.19 The council also recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an indirect impact on public health.
- 6.20 The British Beer and Pub Association states that a promotion is irresponsible where it encourages or incites individuals to drink to excess, behave in an anti-social manner or fuels drunkenness. The council as Licensing Authority will use the powers contained within the Licensing Act to ensure operators' promotional activities do not undermine the licensing objectives.
- 6.21 From April 2010 new mandatory conditions came into effect which:
- Ban irresponsible promotions;
 - Ban the dispensing of alcohol directly into the mouth; and
 - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.22 The legislation makes it clear that an irresponsible promotion is one that is "carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children".
- 6.23 As a consequence any on-trade premises which participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council's "Leeds Responsible Authority Liaison and Joint Enforcement Protocol - Licensing Act 2003" which is available from the Leeds City Council website.
- 6.24 The council expects applicants to consider the issues relating to the irresponsible drinks promotions when completing risk assessments or operating schedules.

Conditions

- 6.25 The council may only impose conditions where relevant representations are made following an application to grant or vary a licence or where a review request is being considered.
- 6.26 The council recognises that the only conditions that should be imposed on a licence are those which are necessary and proportionate to the promotion of the licensing objectives. There may be circumstances where existing legislation and regulations already effectively promote the licensing objectives and no additional conditions are required.

- 6.27 Where conditions are imposed they will be tailored to the individual style and characteristics of the premises and events concerned. Standardised conditions will not be imposed, but where appropriate the council will draw upon the model pool of conditions issued by the Department for Culture Media and Sport in annex D of the guidance issued by the Secretary of State under s182 of the Act. The council may also impose conditions other than those referred to in the annexes in circumstances where this is necessary to properly promote the four licensing objectives.
- 6.28 Applicants are strongly encouraged to make early contact with the appropriate responsible authorities to discuss proposed conditions in advance of the submission of their application to the council. Further details can be found in Section 12 and Appendix 1.

Planning

- 6.29 The use of premises for the sale or provision of alcohol, provision of entertainment or late night refreshment or indoor sports is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.
- 6.30 In general, all premises which are the subject of an application, should have the benefit of planning permission, or be deemed permitted development. The onus will be on the applicant to demonstrate that planning permission has been granted or that the premises have the benefit of permitted development rights. Failure to do so may result in representations and the licence being refused or granted subject to conditions which take account of the planning permissions in existence.
- 6.31 In addition, all new developments and premises which have been subject to structural alterations since 1994 will have building control approval in the form of a Building Regulations Completion Certificate. The onus will be on the applicant to demonstrate that any structural alterations have been approved by building control. Failure to do so may result in representations and the licence being refused or granted subject to conditions.
- 6.32 Where relevant representations are received, any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct. It will take into account what the impact of granting the application will be on the four licensing objectives.

Staff Training

- 6.33 The council recommends that all persons employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Similarly persons employed at on-licensed premises should be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all staff involved in managing or supervising the premises.
- 6.34 It is also recommended that persons employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety, and if appropriate have the necessary CRB checks.
- 6.35 All persons employed on licensed premises should be provided with in-house training on basic public safety and the housekeeping arrangements relative to those premises.

Local, national and international occasions

- 6.36 It should be possible for applicants for premises licences and club premises certificates to anticipate special occasions which occur regularly each year, for example bank holidays, and to incorporate appropriate opening hours for these occasions in their operating schedules.
- 6.37 Additional occasions for which extensions may be required may be covered by a Temporary Event Notice (certain restrictions apply - see section 11).

Special Events in the Open Air or in Temporary Structures

- 6.38 The promotion and the organisation of live musical and similar entertainment in the open air or in temporary structures like marquees etc. can provide opportunities for community involvement and civic pride and can attract visitors to the district.
- 6.39 However, the success of such events by way of contribution to the council's cultural and tourist strategies, depends upon the quality, levels of safety, consideration for the rights of people who live or work in the vicinity, and the standard of provision of facilities for those coming to enjoy the event.
- 6.40 The Licensing Policy applies to all such events. However in recognition of the special factors that are relevant, particularly with respect to major open air events such as a pop festival or events like the Leeds Mela, the council has established a Multi-Agency Forum to assist organisers in co-ordinating such events. The Multi-Agency Forum is made up of various council departments who have an interest in or legislative role relevant to such events, together with representatives of the various emergency services.
- 6.41 Members of the Multi-Agency Forum are notified about all proposals to hold such events and where necessary a special meeting will be organised in order to consider any issues that will require to be addressed and to open up lines of communication with organisers.
- 6.42 A useful document which organisers are recommended to obtain is 'The Event Safety Guide' (known as the purple guide), published by the Health & Safety Executive. Details as to where this publication may be obtained are set out at Appendix 2.
- 6.43 General guidance on the planning of such events is available to organisers but it is important to appreciate that substantial notice should be given so that proper preparations and precautions can be put in place for the event. This is so even if the event is proposed under a Temporary Event Notice as detailed in Section 11.

Commercial and Non-commercial or Community Applicants

- 6.44 Whilst this policy is aimed at all licensable activities under the Licensing Act 2003 it should be noted that the council sees a distinction between large or permanent activities, such as those proposed by commercial operators and small or temporary activities such as those which might be proposed by cultural or community groups.
- 6.45 Where events are proposed by cultural or community groups, it is recognised that those groups may not have the same skill or expertise or access to professional advice. Such groups may seek assistance and guidance from the council by contacting the council's Entertainment Licensing Section.
- 6.46 Whatever the nature of the applicant and activity proposed, the overriding matter is that the council will consider the individual merits of the application and act so as to promote the licensing objectives.

Other Regulatory Regimes

- 6.47 The licensing policy is not intended to be the primary mechanism for the general control of nuisance, anti social behaviour and environmental crime but nonetheless is a key aspect of such control and the licensing policy and licensing decisions are intended to be part of an holistic approach to the delivery of the council plan and the management of the evening and night time economy of the Leeds district.
- 6.48 In preparing this policy the council has sought to avoid unnecessary duplication of existing legislation and regulatory regimes. However on occasions it has been necessary to set out some of the detail in this policy for ease of understanding. Nothing in this policy is intended to revoke or replace the need for applicants to act in accordance with legal requirements. Commercial and non commercial or community applicants alike are recommended to seek proper advice to ensure that the activities they propose are within the boundaries set by existing legislation and regulations.

Section 7 Cumulative Impact Policy

- 7.1 Cumulative impact means the potential impact on the promotion of the licensing objectives where there are a significant number of licensed premises concentrated in one area.
- 7.2 The licensing policy is not the only means of addressing such problems. Other controls include:
- planning controls
 - CCTV
 - provision of transport facilities including Taxi Ranks
 - Alcohol Disorder Zones
 - Designated Public Places Orders
 - police powers
 - closure powers
 - positive measures to create safer, cleaner and greener spaces.
 - Street Wardens/Street Angels, Taxi Marshals
- 7.3 The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. Any policy adopted from time to time on the cumulative impact of licensed premises will impose restrictions only to the extent that they are justified by the available evidence having regard to the guidance issued by the Secretary of State.

Applications

- 7.4 A cumulative impact policy creates a rebuttable presumption that applications within the cumulative impact areas for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received.
- 7.5 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.
- 7.6 To assist this process applicants are encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued under section 182 of the Act.
- 7.7 Despite the presumption against grant, responsible authorities and interested parties will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy. For example, if no representation is received, the application must be granted subject to any conditions that are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003. Responsible authorities and interested parties can make written representation referring to information which had been before the council when it developed its statement of licensing policy.
- 7.8 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the

licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

- 7.9 Any relevant representation of support from partner agencies such as area committees, local ward members, responsible authorities, residents association etc, will be taken into consideration by the council when making its determination.

Cumulative Impact Policies

- 7.10 The council has applied a cumulative impact policy to five areas of the Leeds district:

- the city centre (Area 1)
- Headingley/Hyde Park (Area 2)
- Woodhouse (Area 3)
- Chapel Allerton (Area 4)
- Horsforth (Area 5)

- 7.11 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

- 7.12 A summary of the evidence of the problems being experienced in these areas is included in this policy. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

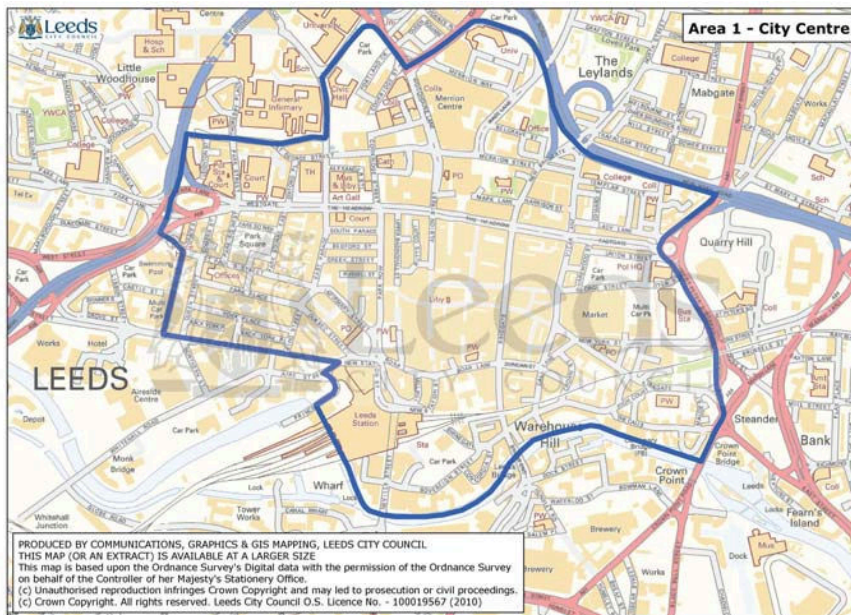
- 7.13 The council consulted on the draft policies as part of the wider consultation on the council's revised draft licensing policy. The consultation was carried out with:

- The responsible authorities
- Licensees and those representing licensees
- Local residents and businesses
- Those representing local residents and businesses.

- 7.14 The council is also aware that the police have concerns related to the concentration of premises in the localities of Pudsey, Armley and Guiseley. The council, in conjunction with the responsible authorities, will be keeping these areas under review during the life of the policy in case it becomes necessary to instigate formal cumulative impact investigation. Applicants wishing to apply for new licences or variations in these areas should note this paragraph and tailor their operating schedules accordingly.

Area 1 – City Centre

7.15 Area 1 as defined on the map relates to the city centre as defined within the blue boundary.



7.16 In the five years since the cumulative impact policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:

1. Call Lane, Boar Lane and the area behind the Corn Exchange
2. Woodhouse Lane, Merrion Way and Wade Lane
3. The east end of The Headrow and New Briggate

7.17 Other areas of concern include the Eastgate area and Briggate.

7.18 The council has noticed an increase in applications for premises licences in the Park Square area. It is feasible that this is due to displacement from the East Parade/Greek Street/Park Row part of the cumulative impact policy.

7.19 On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots and the Park Square area.

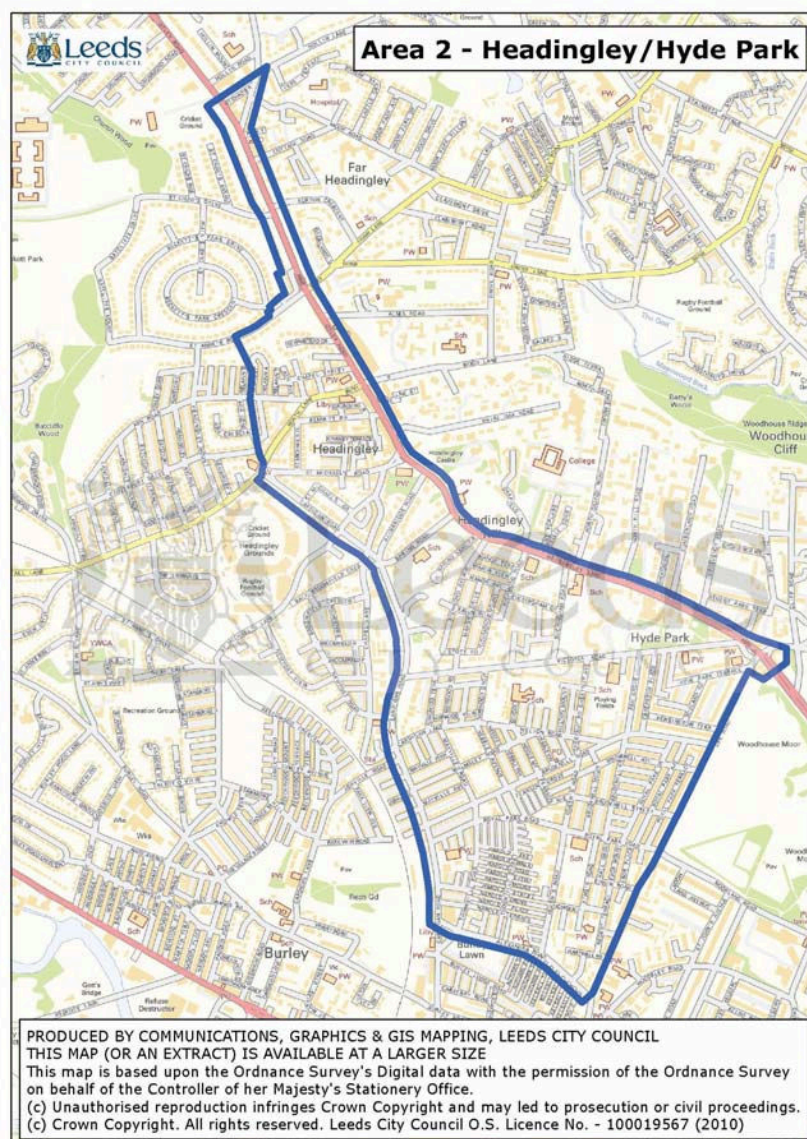
7.20 In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

7.21 The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led licensed premises can contribute to crime and disorder in the area, not just those that are classified as "high volume vertical drinking" establishments.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

Area 2 – Headingley/Hyde Park

7.22 Area 2 relates to the Headingley and Hyde Park districts of Leeds as defined within the blue boundary. It also includes premises on both sides of the boundary roads.



7.23 The Headingley cumulative impact policy was put in place in 2005 and has worked well in ensuring that the adverse effect of an accumulation of licensed premises in Headingley has not increased.

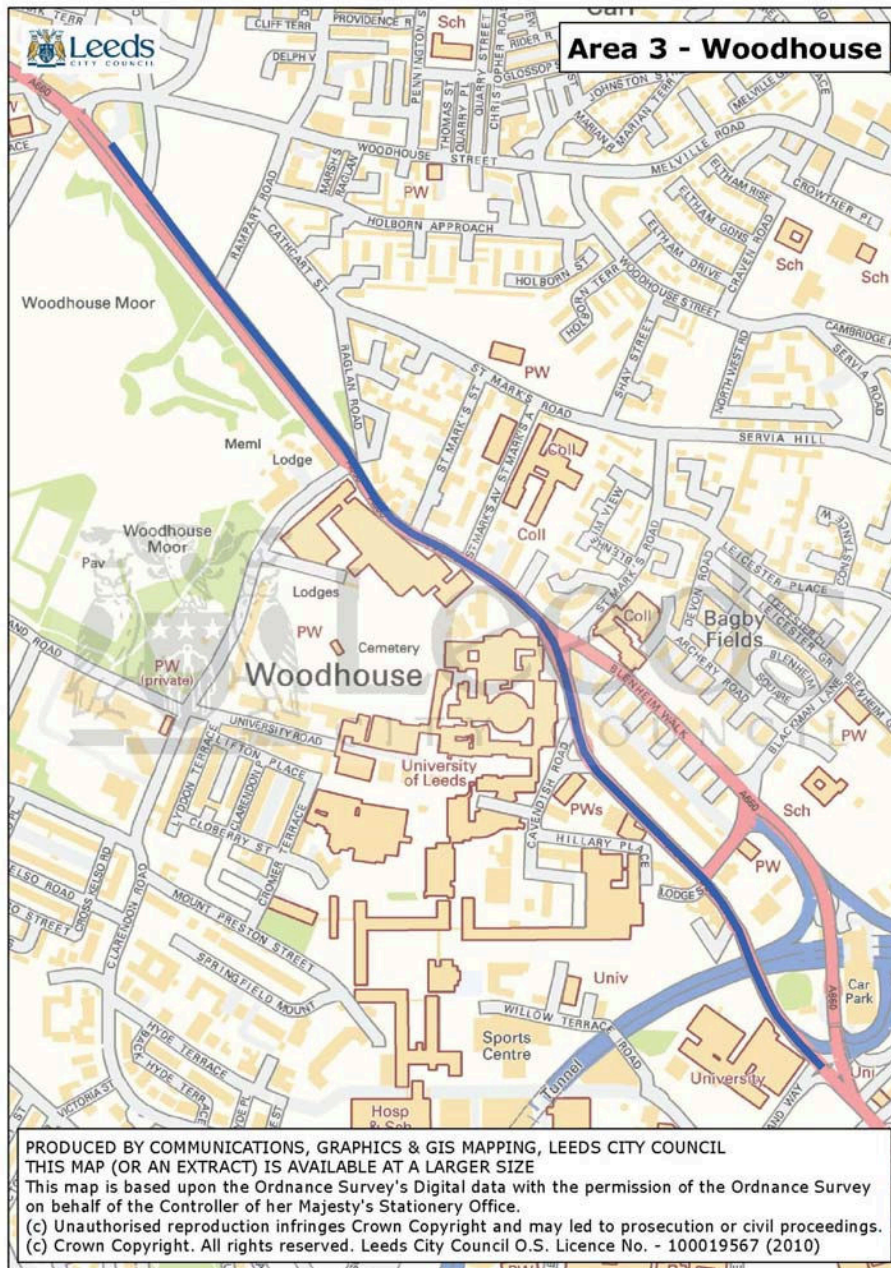
7.24 There have been ongoing problems, both public nuisance and anti-social behaviour in the Hyde Park area which can be attributed to licensed premises. For this reason the geographical area of the CIP has been increased to include the problem areas.

7.25 There is some evidence that the lengthening of the opening hours of premises has had an impact on the area. For this reason the scope of the policy has been increased to include variation applications.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

Area 3 – Woodhouse

7.26 Area 3 as defined on the map relates to the arterial road (the A660) linking Area 1 (City Centre) and Area 2 (Headingley/Hyde Park District).



7.27 When the council approved its first statement of licensing policy it contained a cumulative impact policy for the area shown above. At that time the council had concerns that by adopting policies in respect of areas 1 and 2 that there could be a tendency to displace either the crime and disorder or public nuisance impact into Area 3. The council was also mindful of police representations from West Yorkshire Police that also backed up this concern.

7.28 The most recent evidence and public consultation responses gathered in respect of Area 3 shows that the A660 corridor still experiences a greater proportion of alcohol related crime and antisocial behaviour than the rest of the Hyde Park/Woodhouse area. The police attribute this trend to the high concentration of licensed venues in the area. There are also worrying signs that displacement of problems may be taking place as evidenced by the strong responses received during the consultation process about public nuisance problems and alcohol fuelled anti social behaviour and criminal damage.

7.29 It appears that the proximity of the Headingley area and its significant concentration of venues coupled with the growing number of premises licensed into the early hours of the morning to the north of the city centre and along the A660 corridor is causing problems related to the licensing objectives. The evidence suggests that there is likely to be movements of inebriated people who may have a tendency to loud and disorderly behaviour late at night, either travelling into the city centre from Headingley, or travelling out of the city centre towards Headingley. The council takes the view that the existing policy should be retained as follows to ensure that these problems are not allowed to worsen.

It is the council's policy in respect of Area 3 that, on receipt of relevant representations, necessary conditions will be applied to all premises licences in the area to ensure that the problems experienced in Areas 1 and 2 are not displaced into Area 3.

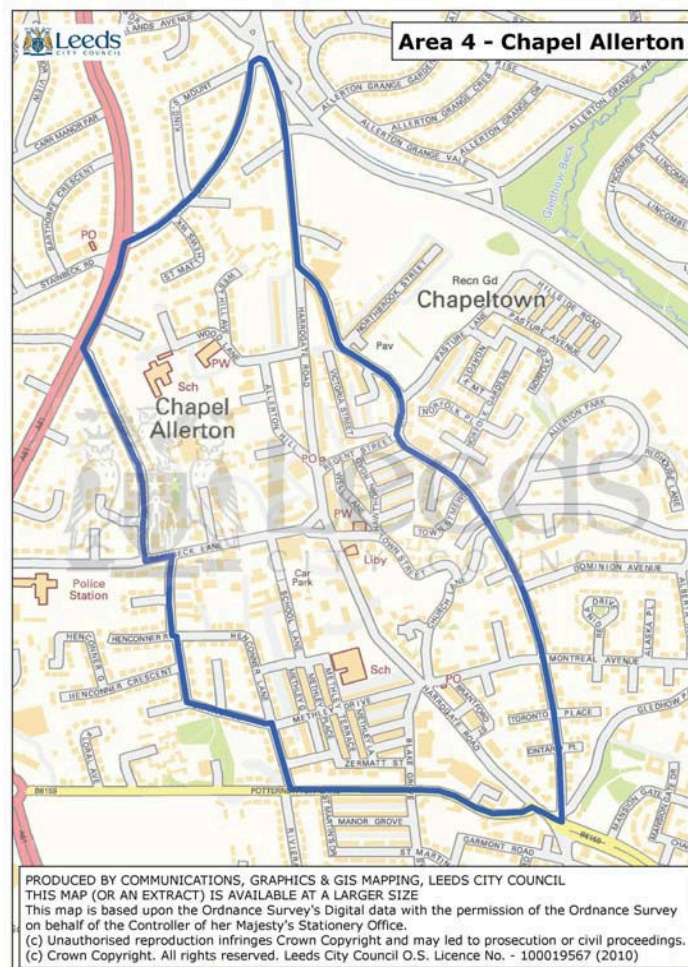
Such conditions might include (but are not limited to):

- Restriction of hours
- Restriction of capacity

Or the Authority may refuse to grant the licence or variation sought due to the impact on the licensing objectives.

Area 4 – Chapel Allerton

7.30 Area 4 relates to the Chapel Allerton district of Leeds as defined within the blue boundary.

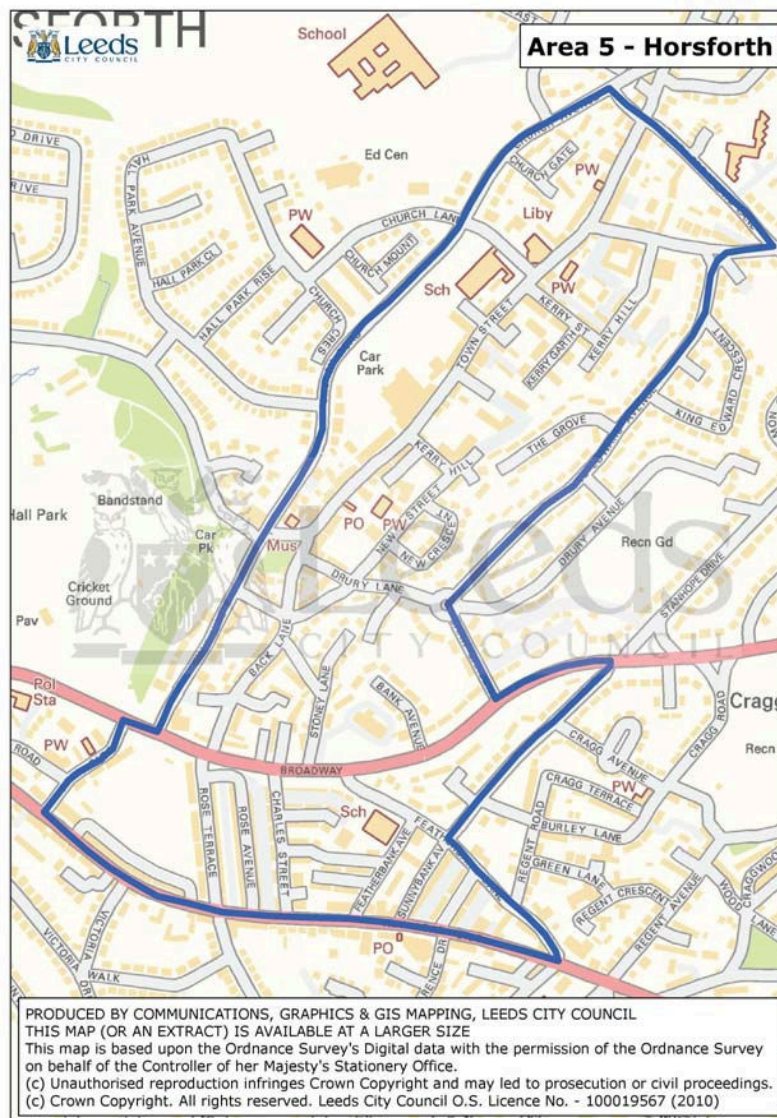


7.31 The Chapel Allerton CIP has performed well in the four years since its inclusion in the Statement of Licensing Policy. However, over the past four years residents of Chapel Allerton have noticed an increase in the amount of takeaway litter. There is also a concern relating to premises applying to vary their licence to increase the licensed area of their premises. In some cases this includes altering conditions to allow the use of the outside area to facilitate smokers following the smoking ban. This has a knock on effect on nuisance issues.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

Area 5 - Horsforth

7.32 Area 5 relates to the Horsforth district of Leeds centred on Town Street. It includes all areas inside the blue boundary, but also the premises on the south side of New Road Side.



- 7.33 Since the adoption of the Horsforth CIP the council has recognised that the accumulation of licensed premises along New Road Side has contributed to public nuisance in that area, especially as it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. As a consequence this area has been included in the cumulative impact area for Horsforth.
- 7.34 Horsforth has also experienced creep in licensed hours in the area. The council has noted that although it received no new applications for premises licences it did receive 8 variations in the same time period.
- 7.35 Concern has been expressed by residents about the litter nuisance and public nuisance caused by takeaway premises. The council has received a number of complaints relating to litter and odour nuisance that can be related to takeaway premises.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 5 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

Applications

- 8.1 Applications must be made to the council in the form prescribed by Regulations. Guidance is available to applicants setting out the detail of the process.

The Licensing Committee

- 8.2 The council has appointed a licensing committee of 15 Councillors. Licensing functions will often be delegated to a licensing sub committee of 3 Councillors or, in appropriate cases to officers of the council.
- 8.3 Councillors will have regard to the Leeds City Council Code of Conduct for Members and guidance issued by the Standards Board for England. Where a Councillor who is a member of the Licensing Committee or Sub Committee has a prejudicial interest in the application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision making process in respect of that application. Members will not hear applications from within their own ward to avoid any appearance of bias.
- 8.4 A Licensing Sub Committee may refer an application to another Sub Committee or to the Licensing Committee where it is unable to deal with the application because of the number of members unable to vote on the matter in question.
- 8.5 The Licensing Committee will refer an application to the council where it is unable to deal with the application because of the number of members unable to vote on the matter in question.

Representations and 'vicinity'

- 8.6 Representations may be made by a responsible authority or interested party (as defined by the Licensing Act 2003). The council has agreed protocols with responsible authorities and issued guidance to interested parties making representations, setting out the detail of the process. Copies of guidance notes are available on the council website or by contacting the Entertainment Licensing Section.
- 8.7 Members of the public who wish to submit a representation in regards to a licence application need to be aware that their personal details will be made available to the applicant. If they are not happy for this to occur then they should contact a local representative such as a ward/parish or town councillor or any other locally recognised body or association about submitting the representation on their behalf. The council has prepared detailed guidance on the procedure for this, which can be accessed on the council website or by contacting the Entertainment Licensing Section.
- 8.8 Where a representation is received which is not from a responsible authority the council will in the first instance make a judgement on whether it is relevant. This will involve determining whether the representation has been made by an interested party and whether or not for example, the individual resides or is involved in business "in the vicinity" of the premises concerned.
- 8.9 In making its decision on the question of vicinity the council will consider whether the individuals residence or business is likely to be directly affected by disorder and disturbance occurring or potentially occurring on those premises or immediately outside the premises.

8.10 `Relevant representations' are representations:

- about the likely effect of the premises licence on the promotion of the licensing objectives;
- are made by an interested party or a responsible authority, have not been withdrawn and, in the case of representations made by an interested party they are not in the opinion of the council, frivolous or vexatious.

8.11 Where relevant representations are made about an application the council will hold a hearing to consider them unless the council, the applicant and everyone who has made representations agree that the hearing is not necessary. Applicants and those making representations should seek, in advance of any hearing, to try to reach agreement or to narrow the areas in dispute, particularly where both are professionally represented.

8.12 Where hearings are required as a result of relevant representations, the council may extend the time limits involved in calling hearings in order to allow the parties to negotiate suitable conditions to be added to the operating schedule and avoid the need for a hearing. Such an extension of time is considered to be in the public interest.

Reasons for Decisions

8.13 Every decision made by the Licensing Committee, Sub Committee or officers shall be accompanied by clear reasons for the decision.

Section 9 Premises licences and club premises certificates (including variations)

- 9.1 An application for, or variation of a premises licence or club premises certificate must be in the form specified by regulations. The requisite fee and the required floor plan to the scale and format as prescribed by the regulations must accompany the application. The applicant for a new licence or variation of an existing licence is also required to give notice and to advertise the application in accordance with the relevant regulations.

Operating Schedules

- 9.2 Operating schedules are the key to ensuring that the four licensing objectives are promoted. An operating schedule should include enough information to enable any responsible authority or interested party to assess whether the steps to be taken to promote the licensing objectives are satisfactory.
- 9.3 The council expects individual applicants to complete the operating schedule in a manner that is specific to the application being made in respect of those premises and the licensable activity to be carried on there rather than in general or standard terms. Information should be given to demonstrate how the individual application proposes to address and promote the licensing objectives. Applicants are referred to paragraphs 9.5 to 9.9 below which contain information on carrying out a risk assessment.
- 9.4 Any application or operating schedule not completed in accordance with the Act and the regulations may be returned to the applicant unprocessed with a request to complete the forms correctly before the application is accepted by council.

Risk assessments

- 9.5 The council recommends that applicants complete a risk assessment of their business in order to understand what steps are required to complete the operating schedule in a manner which enables the council and Responsible Authorities and Interested Parties to assess how they will seek to promote the licensing objectives.
- 9.6 The council is aware that any risk assessment will vary according to the nature of the business. It is for applicants to decide what is appropriate in each case. To assist applicants in completing their operating schedules the council has devised a risk assessment proforma and suggested wording for conditions. A copy may be obtained from the Entertainment Licensing Section. A special risk assessment proforma designed for outdoor events and broadly based on the 'Purple Guide' (see useful reading in Appendix 2) is also available.
- 9.7 The risk assessment contains many of the key factors which the responsible authorities will be expecting applicants to meet in order to fulfil the licensing objectives. The contents are not exhaustive but the risk assessment approach will reduce the possibilities of adverse representations.
- 9.8 It is recognised that some areas of the risk assessment may duplicate issues which applicants have previously addressed in order to satisfy other legislation. Where this does occur the Operating Schedule may cross reference to such alternative documents.
- 9.9 The council recognises that it cannot insist on a risk assessment. However an applicant who decides not to complete or provide a risk assessment may face additional representations and the expense of hearings as a result. If a risk assessment is not completed then applicants will need to demonstrate how these matters have been addressed through the operating schedule provided.

Registered Clubs - Club Premises Certificate

- 9.10 The Act recognises that premises to which public access is restricted and where alcohol is supplied other than for profit, give rise to different issues for licensing law than those presented by commercial enterprises selling direct to the public. For this reason qualifying clubs may apply for a Club Premises Certificate as an alternative to a premises licence.
- 9.11 A Designated Premises Supervisor and Personal Licence Holders are not required where a Club Premises Certificate is in force. However, an applicant for a Club Premises Certificate is still required to act in a manner which promotes the licensing objectives. An application for a Club Premises Certificate must be in the form prescribed by regulations.
- 9.12 Any qualifying club may choose to obtain a Premises Licence if it decides that it wishes to offer its facilities commercially for use by the public, including the sale of alcohol. Any individual on behalf of the club may also provide Temporary Events Notices (certain restrictions apply - refer to section 11). The council has issued guidance to clubs on applying for a Club Premises Certificate.

Community Halls

- 9.13 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc) Order 2009 amends the Licensing Act 2003 to allow management committees of community premises to make an application for a premises licence or to vary an existing premises licence which includes an application to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder.
- 9.14 The council has issued guidance to community premises on this process which can be accessed on the council's website.

Minor Variations

- 9.15 It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives.
- 9.16 The council has issued guidance on this process which can be accessed on the council's website.
- 9.17 The DCMS has also provided guidance which can be accessed on their website at <http://www.culture.gov.uk>

Personal Licence

- 10.1 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a Personal Licence. The Act does not require the presence of a Personal Licence holder at all material times but if any sales are made when a Personal Licence Holder is not present, then they must have been authorised by somebody who holds a Personal Licence. Regardless of whether a Personal Licence holder is present or not he will not be able to escape responsibility for the actions of those he authorises to make such sales. The council recommends that authorisations for the sale of alcohol be made in writing to ensure that those authorised are clear what their legal responsibilities are. Any premises at which alcohol is sold or supplied may employ one or more Personal Licence holders. This paragraph should be read in conjunction with paragraphs 10.7 to 10.9 on the role of the 'Designated Premises Supervisor'.
- 10.2 The council recognises it has no discretion regarding the granting of personal licences where
- the applicant is 18 or over,
 - possesses a licensing qualification,
 - has not had a licence forfeited in the last five years and
 - has not been convicted of a relevant offence.
- 10.3 An application for a personal licence to sell alcohol must be made in the form specified in government guidance or regulations. The application form must be accompanied by the requisite fee. The applicant should also be able to produce evidence of the relevant qualifications.
- 10.4 Applicants should produce a Criminal Record Bureau certificate along with the application form. The certificate must be current and comply with the regulations on personal licence applications. Applicants are also expected to make a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or a similar offence.
- 10.5 Where the application discloses relevant unspent convictions the council will notify the police of that application and the convictions. The police may make objection on the grounds of crime and disorder. If an objection is lodged a hearing must be held.
- 10.6 The council will, at such a hearing, consider carefully whether the grant of the licence will compromise the promotion of the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The council will normally refuse the application unless there are exceptional and compelling circumstances which justify granting it.

Designated Premises Supervisor

- 10.7 An applicant for a Premises Licence which includes the sale and supply of alcohol must nominate a Designated Premises Supervisor (DPS). That person will normally have been given day to day responsibility for running the premises. The DPS will also be in possession of a Personal Licence. The Act does not require the presence of the DPS at all material times.
- 10.8 The DPS will be readily identifiable on the premises as a person in a position of authority. No sale or supply of alcohol may be made at a time when no DPS has been specified on the licence or at a time when the DPS does not hold a Personal Licence.
- 10.9 This section should be read in conjunction with paragraphs 10.1 to 10.6 about the 'Personal Licence'.

Section 11 Temporary event notices

11.1 Temporary event notices are subject to various limitations. These are concerned with:

- duration - they are limited to events lasting for up to 96 hours and to a total of 15 days in one year, at the same premises or any part of the same premises;
- scale – they cannot involve the presence of more than 499 people at any one time;
- use of the same premises – the same premises cannot be used more than 12 times in a single period of 12 months;
- the number of notices given by one individual within a given period of time (a personal licence holder is limited to 50 notices in one year, and an ordinary person to five notices in a similar period)

Unless the event proposed falls within these criteria, a premises licence will be required.

11.2 The most important aspect of the system of temporary event notices is that no permission is required for these events from the council. In general, only the police may intervene to prevent such an event or modify the arrangements for such an event. The council will only intervene itself if the limits on the number of notices that may be given in various circumstances would be exceeded.

11.3 Many premises users giving temporary event notices will not have commercial backgrounds or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, all of which may stage public events to raise funds, at which licensable activities will take place. The council will ensure that local guidance about the temporary permitted activities is clear and understandable and will strive to keep the arrangements manageable and user-friendly for such groups.

11.4 Ten working days is the minimum possible notice that must be given (excluding the day of the event itself). The council would encourage notice providers to give the earliest possible notice of events likely to take place. This is particularly relevant to events which are to take place in the open air or in a temporary structure. In these cases applicants are referred to paragraphs 6.37 to 6.42 for details of how assistance with the planning of events can be provided through multi agency forum meetings.

11.5 The council will provide local advice about proper respect for the concerns of local residents; of other legislative requirements regarding health and safety, noise pollution, the building of temporary structures, or other necessary permissions, and of the powers to close down events with no notice on grounds of disorder, the likelihood of disorder or noise emanating from the premises.

Police intervention

11.6 The Act provides that in exceptional circumstances, the police may issue an objection notice because they believe the event would undermine the crime prevention objective set out in the Act. The police must issue any objection notice within two working days of being notified, but they can subsequently withdraw the notice. The issuing of such an objection notice requires the consideration of the objection by the council at a hearing.

11.7 The council may only consider the objective of the prevention of crime and disorder at such a hearing.

11.8 The ability of police to serve such a notice is a further reason why event organisers are strongly encouraged by the council not to rely on giving the minimum amount of notice and to contact their local police at the earliest possible opportunity about their proposals.

Additional limitations

11.9 The council, on receiving temporary event notices, will also check that the requirements of the Act as to duration and numbers of notices are met. For these purposes, a notice is treated as being from the same premises user if an associate gives it.

11.10 The Act defines an associate as being:

- the spouse of that person;
- a child, parent, grandchild, grandparent, brother or sister of that person or their spouse; or
- an agent or employee of that person or their spouse.

11.11 A person living with another person as his or her husband or wife is treated for these purposes as his or her spouse.

Section 12 Promotion of the licensing objectives

12.1 The council will carry out its functions under the Licensing Act 2003 with a view to promoting four licensing objectives. These are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each objective is of equal importance, and the four objectives will be paramount considerations for the council at all times.

12.2 It is for the applicant to decide what, if any, measures to suggest in its operating schedule in order to address any potential concerns that might arise in the promotion of the licensing objectives. Applicants are reminded that measures proposed in the Operating Schedules will be converted into conditions on their licence.

12.3 The council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.

12.4 Applicants are reminded that responsible authorities or interested parties may make representations if they feel that the applicant's proposals do not adequately promote the licensing objectives. An applicant who proposes no measures to promote the licensing objectives may therefore face more representations than an applicant who risk assesses their operation and proposes necessary and proportionate measures.

12.5 The council recommends early consultation with responsible authorities. Many responsible authorities have produced guidance which applicants can take into account when assessing whether they need to include any measures in their application to promote the licensing objectives. In addition, many responsible authorities would be prepared to discuss matters on site with an applicant with a view to reaching agreement on measures to be proposed. Contact details for the responsible authorities can be found at Appendix 1 of this Policy. Guidance issued by the responsible authorities can be found on the council's website, www.leeds.gov.uk/licensing or by contacting the Entertainment Licensing Section. Applicants should also read paragraphs 9.5 – 9.9 regarding risk assessments.

Crime and Disorder

12.6 Under the Crime and Disorder Act 1998, the council must exercise its functions, having regard to the likely effect on Crime and Disorder in its area, and must do all it can to prevent Crime and Disorder.

12.7 Where its discretion is engaged, the council will seek to promote the licensing objective of preventing crime and disorder in a manner which supports the Leeds Community Safety Strategy, and any local crime reduction strategy.

12.8 There are many steps an applicant may take to prevent crime and disorder. The council will look to the Police for the main source of advice on these matters. In accordance with paragraph 2.16 of the Secretary of State's Guidance, Police views on matters relating to crime and disorder will be given considerable weight.

12.9 If relevant representations are made, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave.

12.10 Conditions will be targeted on deterrence and the prevention of crime and disorder.

The council may consider:

- The need for and location of CCTV cameras.
- The need for door supervision.
- The need for a text or radio pager system allowing communication between premises and with the Police.
- Conditions setting capacity limits where this is necessary to prevent overcrowding likely to lead to disorder and violence.
- Membership of a recognised pub watch or similar scheme.

12.11 Crime and disorder conditions will not seek to control adult entertainment involving striptease and lap dancing, which will be governed by laws in relation to indecency and obscenity. However, conditions for such adult entertainment may be imposed for reasons of public safety, or the protection of children from harm.

Public Safety

12.12 The public safety objective is concerned with the physical state of people using the premises, and not with public health. Public safety includes safety of performers appearing at any premises.

12.13 On 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. The council will not seek to impose fire safety conditions as conditions on licences where the Order applies.

12.14 Capacity limits will only be imposed where necessary for the promotion of public safety or for reasons of crime and disorder. Capacity limits will not be imposed as a condition of the licence on fire safety grounds.

12.15 Applicants are advised to consult with the Environmental Health, Health and Safety Team, who can offer advice as to appropriate measures to be included in risk assessments, and potentially in operating schedules.

12.16 On receipt of relevant representations the council will have regard to the views of the Health and Safety Team.

12.17 Conditions requiring possession of certificates on the safety or satisfactory nature of equipment or fixtures on premises will not normally be imposed as those are dealt with by other legislation.

12.18 However, if it is considered necessary in light of the evidence on each individual case, conditions may be imposed requiring checks on the equipment to be conducted at specified intervals, and evidence of the checks to be retained.

12.19 Conditions may also seek to require equipment of particular standards to be maintained on premises.

12.20 Special considerations will apply to night clubs and similar venues. Applicants are encouraged to consider the Safer Clubbing Guide published by the Home Office and DCMS, which gives advice on these issues.

12.21 Special events in the open air or temporary structures raise particular issues. Applicants are referred to paragraphs 6.37 to 6.42 of this document where guidance on holding these types of event is given.

Public Nuisance

- 12.22 In considering the promotion of this licensing objective, applicants need to focus on the impact of licensable activities on persons living and working in the vicinity to the extent that those impacts are disproportionate and unreasonable.
- 12.23 Issues will mainly concern noise nuisance, light pollution, noxious smells and litter. These include issues arising from the implementation of the smoking ban where customers may now be more inclined to use external areas of premises.
- 12.24 Public nuisance in this context is not narrowly defined and can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting the whole community.
- 12.25 Where applicants are completing operating schedules the council encourages them to have regard to the location of the proposed or actual premises, and in particular whether proposals may have a disproportionate impact in dense residential areas or near to sensitive premises such as nursing homes, old people's accommodation, hospitals, hospices or places of worship.
- 12.26 Applicants are recommended to consult Environmental Health Services for advice on measures that may need to be incorporated into an operating schedule.
- 12.27 If relevant representations are made, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave. The council considers that patrons who are using external smoking areas or shelters are there as a direct result of the licensed premises and are within the control of the licensee.
- 12.28 The council will consider whether issues relating to public nuisance can be dealt with by necessary and appropriate conditions. These conditions will normally focus on the more sensitive periods, for example, noise from premises in the late evening or early morning when residents may be attempting to sleep.
- 12.29 When considering such matters, the council will have regard to representations made by Environmental Health Services, and by local residents.
- 12.30 The council may consider the following matters:
- Whether doors and windows are kept closed after a particular time.
 - Whether other noise control measures such as acoustic curtains or other speaker mounts are required.
 - The fact that lighting outside the premises may help to prevent crime and disorder, but may give rise to light pollution for neighbours.
 - Signs placed at the exit to buildings can encourage patrons to be quiet until they leave the area, and to respect the rights of residents.
 - The size and location of smoking areas and any facilities provided may encourage patrons to use the external areas more extensively than for just smoking and returning to the inside of the premises
 - Provision of litter bins in the vicinity of premises serving hot food after 11pm.
 - Display of contact details or a direct telephone link to a private hire/taxi firm.
- 12.31 The council recognises that it is necessary to balance the rights of local residents businesses and others with those wishing to provide licensable activities, and those who wish to use such facilities.

12.32 Ultimately if it is necessary for the prevention of public nuisance where conditions do not adequately address the issues an application can be refused.

Protection of children from harm

12.33 The protection of children from harm includes protection from physical and psychological harm.

12.34 The council notes that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed unless there is good reason to restrict entry or exclude children completely.

12.35 Issues about access of children to premises may give rise to concern:

- where adult entertainment is provided;
- where there have been convictions of the current management for serving alcohol to minors;
- where the premises have a reputation for allowing under-age drinking;
- where requirements of proof of age is not the norm;
- where premises have a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where the supply of alcohol consumption on the premises is the exclusive or primary purpose of the services provided.

12.36 Such situations can be identified through a risk assessment of the operation. In these circumstances, applicants are advised to consider offering appropriate conditions through their operating schedule.

12.37 In addition, licensees may identify that the access of children to particular parts of the premises poses more risk than others, and seek only to exclude children from areas of highest risk.

12.38 On receipt of relevant representations, the council will consider whether conditions are necessary. If conditions are necessary these may include.

- limitations on the hours when children will be present;
- limitation upon the presence of children of certain ages when specified activities are taking place;
- limits on the parts of the premises to which children may have access;
- age limitations;
- limitations or exclusions only when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under the age of 18 when any licensable activities are taking place.

12.39 In such cases, representations by the Safeguarding Children Board and the Police will be given considerable weight where they address issues regarding the admission of children.

12.40 It is mandatory for premises who sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25/Check 25 type schemes and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.

12.41 No condition will be imposed by the council requiring the admission of children to any licensed premises.

Section 13 Enforcement and reviews

- 13.1 The Licensing Act contains stringent safeguards to ensure that the council, and responsible authorities, are able to deal with premises that wilfully and persistently undermine the licensing objectives. The council and responsible authorities are committed to encouraging a thriving day time and evening licensed economy but will not tolerate those premises whose activities infringe upon the quality of life for local residents and businesses.
- 13.2 The council has established a multi agency enforcement protocol which sets out the framework for the risk based enforcement of the Licensing Act 2003 following the principles of better regulation advocated by the Better Regulation Executive. The protocol allows for carrying out of inspections with the police, the fire authority and other relevant agencies.
- 13.3 The enforcement protocol's mission statement is to protect the public, interested parties and the environment from harm caused as a result of activities made licensable by virtue of the Licensing Act 2003.

Prosecution of breaches

- 13.4 In accordance with the enforcement protocol, the council adopts a multi-agency approach to the prosecution of offences under the Licensing Act.
- 13.5 Consideration will be given to the appropriate powers that should be used to address a problem where other agencies such as the police, fire authority, environmental protection and trading standards also have their own powers.
- 13.6 The council has adopted the principles of the Hampton Report in its enforcement concordat. Formal enforcement will be a last resort and proportionate to the degree of risk. To this end the key principles of consistency, transparency and proportionality will be maintained.
- 13.7 The council has a zero tolerance to anti social behaviour and environmental crime.

Reviews of Licences

- 13.8 The council recognises that the ability of an interested party, the police and other responsible authorities to apply for a review of a premises licence, is an incentive to effective self regulation.
- 13.9 On receipt of a relevant request to carry out a review the council has a range of options available to it under the Act. These include:
- To modify the conditions of the licence including imposing new conditions, altering existing conditions or removing conditions (permanently or temporarily)
 - To exclude a licensable activity from the scope of the licence (permanently or temporarily)
 - To remove the Designated Premises Supervisor
 - To suspend the licence for a period not exceeding three months
 - To revoke the licence
- 13.10 The council will seek to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.
- 13.11 The council has agreed protocols with responsible authorities and published guidance on the review process for interested parties.
- 13.12 Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the council must carry out a review of the licence.

- 13.13 Where a Magistrates Court makes a Closure Order under part 1 of the Anti Social Behaviour Act 2003 (on grounds of the use, supply or production of Class A drugs associated with disorder or serious nuisance) the police will usually ask the council to carry out a review of the licence
- 13.14 Where a closure order has been made under part 6 of the Anti Social Behaviour Act 2003 (on grounds of noise) the council's Environmental Health section will normally request a review of the licence.

Matters to be considered

- 13.15 When considering a review request or the possibility of enforcement action the council will take into account all relevant circumstances but will view the following matters particularly seriously:
- use of the premises for criminal activities such as the supply of drugs or money laundering
 - failure to promptly respond to a warning properly given by a responsible authority
 - previous convictions for licensing offences
 - previous failure to comply with licence conditions.

The Violent Crime Reduction Act 2006

- 13.16 The Violent Crime Reduction Act 2006 has amended parts of the Licensing Act 2003 and now expands police and council powers to deal with problem premises in a more expedient manner.
- 13.17 A new power to carry out summary reviews in serious cases of crime and disorder is brought in at section 53A of the Licensing Act 2003. Where a review application is accompanied by a certificate issued by a senior police officer, the Licensing Authority is required within 48 hours to consider whether it is necessary to take any interim steps pending the completion of the review process. This may include the immediate suspension of the premises licence.

Appendix 1 – Contact Information

Leeds City Council Licensing Section

Entertainment Licensing
Civic Hall
Leeds
LS1 1UR

Telephone: 0113 247 4095
Fax: 0113 224 3885
Email: entertainment.licensing@leeds.gov.uk
Website: www.leeds.gov.uk/licensing

Responsible Authorities

<p>West Yorkshire Police Robert Patterson Leeds District Licensing Officer Millgarth Police Station Leeds LS2 7HX T: 0113 241 4023 bob.patterson@westyorkshire.pnn.police.uk</p>	<p>West Yorkshire Fire and Rescue Service Leeds Fire Station Kirkstall Road Leeds LS3 1NF T: 0845 155 0595 Leeds.district@westyorksfire.gov.uk</p>
<p>Leeds City Council City Development Department Leeds City Council Planning and Development Services The Leonardo Building 2 Rossington Street Leeds LS2 8HD T: 0113 247 8000</p>	<p>Leeds City Council Health and Environmental Action Service Millshaw Office Millshaw Park Way Churwell Leeds LS11 0LS T: 0113 222 4406 Env.health@leeds.gov.uk</p>
<p>West Yorkshire Trading Standards Licensing Team PO Box 5 Nepshaw Lane South Morley Leeds LS27 0QP T: 0113 253 0241 www.ts.wyjs.org.uk</p>	<p>Children and Young People Social Care Safeguarding & Reviewing 4th Floor East Merrion House 110 Merrion Centre LS2 8QB</p>
<p>Health and Safety Executive Marshalls Mill Marshall Street Leeds LS11 9YJ Tel: 0113 283 4200</p>	<p>Leeds City Council Health & Safety Team Health and Environmental Action Service Millshaw Office Millshaw Park Way Churwell Leeds LS11 0LS T: 0113 247 7791 Env.health@leeds.gov.uk</p>

Appendix 2 – Further Reading and Useful Information

- The Licensing Act 2003
- Guidance issued under section 182 of the Licensing Act 2003 available on the DCMS Website at www.culture.gov.uk
- The Event Safety Guide – A guide to health safety and welfare at music and similar events (HSE 1999) (“The Purple Guide”) ISBN 0 7176 2453 6 (due to be updated in 2010)
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804
- The Guide to Safety at Sports Grounds (The Stationery Office, 1997)(“The Green Guide ”) ISBN 0 11 300095 2
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained through www.streetartsnetwork.org
- The Portman group website at www.portman-group.org.uk
- The British Beer and Pub Association at www.beerandpub.com
- The Alcohol Harm Reduction Strategy for England, March 2004. To check availability of hard copies of the report, please contact the Strategy Unit:
strategy@cabinet-office.x.gsi.gov.uk, t: 020 7276 1881. www.strategy.gov.uk
- Government website aimed at tackling anti-social behaviour www.together.gov.uk
- Safer clubbing guide available at www.drugs.gov.uk

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Final Consultation Report

Statement of Licensing Policy
2011 – 2013

Licensing Act 2003

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Executive Summary

This report details the findings of the public consultation on Leeds City Council's Licensing Act 2003 Statement of Licensing Policy.

A review was undertaken on the existing policy and three minor amendments were proposed relating to minor variations, community halls and age verification policies.

A more detailed review of Section 7 – Cumulative Impact Areas was undertaken with involvement with ward members, West Yorkshire Police, Crime and Disorder Reduction Partnership and the responsible authorities. Statistics relating to antisocial behaviour, rowdy behaviour and nuisance were gathered which informed proposed changes to the CIPs.

The public consultation will take place between 12th July and 1st October which was a twelve week consultation period. Officers analysed the consultation responses and produced a final draft which will be presented to Executive Board and full Council in November.

The final Statement of Licensing Policy must be published by 7th January 2011.

Introduction

The Licensing Act 2003 came into force in 2005 and brought the licensing of sale of alcohol, regulated entertainment and late night refreshment into one system. Leeds City Council became the licensing authority for premises in the Leeds area and the system is administered by the council's entertainment licensing section.

As part of the Licensing Act 2003 there is a requirement placed on licensing authorities to develop a statement of licensing policy which describes the principles the council will use when determining licences under the Act.

Background

We developed and consulted upon the Leeds City Council Statement of Licensing Policy in 2005 and reviewed it in 2007 for the period 2008-2010. We are required to review the policy on a three yearly basis and it is due for review again this year.

An initial review determined that the policy only required minor amendments to reflect recent changes within the Licensing Act 2003. These amendments were made and a draft policy was distributed to the responsible authorities. No comments have been received on these minor changes.

In 2007 the council made a commitment to thoroughly review the cumulative impact policies (CIPs) that affect the city centre, Headingley, Hyde Park, Chapel Allerton and Horsforth at the next review of the policy in 2010. This review was started in February 2010 and involved consultation with ward members, West Yorkshire Police and Leeds City Council's City Development Department. The concerns of the residents were taken into consideration (via the relevant ward members) as well as statistics provided by West Yorkshire Police and Leeds City Council's Health and Environment Action Service.

The five existing CIPs were scrutinised and amendments were agreed which generally increased the areas involved and, in some cases, increased the scope to include other premises which have created an adverse impact on those areas.

The Council presented these changes in a public consultation.

Purpose of the Statement of Licensing Policy

The purpose of the policy is to set out the principles upon which the licensing authority will exercise its functions under the Licensing Act 2003. Applicants are expected to read the policy before making their application and the Licensing Authority will refer to the policy when making decisions.

Purpose of the consultation

It is a requirement of the Licensing Act 2003 that licensing authorities consult with people affected by the policy. Specifically the Act states:

Before determining its policy for a three year period, a licensing authority must consult –

- (a) the chief officer of police for the licensing authority's area,
- (b) the fire authority for that area,
- (c) such persons as the licensing authority considers to be representative of holders of premises licence issued by that authority

- (d) such persons as the licensing authority considers to be representative of holders of club premises certificate issued by that authority,
- (e) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- (f) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

Consultation Methodology

In order to meet the requirements of the Act the council has undertaken the following steps:

1. Undertook an officer review of the policy, made a number of amendments and resolved to thoroughly review the CIPs to ensure they are still relevant and proportional regarding the issues experienced in those areas.
2. Held a series of meetings with the relevant ward members, officers from West Yorkshire Police, officers from City Development, including local planning officers, forward planning and regeneration and the Crime and Disorder Reduction Partnership.
3. Scrutinised crime figures relating to rowdy behaviour, anti-social behaviour and violent crime.
4. Scrutinised Environmental Health nuisance figures relating to noise nuisance and littering.
5. Examined data relating to the number of new and variation applications.

This work produced a first draft of the revised policy which was sent to all the responsible authorities for comment. It was also sent to the ward members who were involved in the review. This consultation took place between 9th and 30th June. The council did not receive any comments.

The public consultation ran from 12th July to 1st October 2010. This consultation included:

- A postal consultation to the trade, support groups, religious groups, ward members and local MPs.
- A press release
- Copies of the policy and the public consultation report placed in libraries, one stop shops and leisure centres for the public to access along with postage paid envelopes and a short questionnaire.
- A webpage on the Leeds City Council website which provided the consultation documents and online questionnaire.
- Public meetings in Horsforth, Chapel Allerton and Headingley to discuss the changes to the CIPs.
- Attendance at PubWatch meetings in Headingley to consult with the trade directly.

Change Document

After an officer review of the policy, we added three paragraphs which reflect changes in the law.

Community Halls

- 9.13 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc) Order 2009 amends the Licensing Act 2003 to allow management committees of community premises to make an application for a premises licence or to vary an existing premises licence which includes an application to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder.
- 9.14 The council has issued guidance to community premises on this process which can be accessed on the council's website.

Minor Variations

- 9.15 It is now possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, easier and quicker than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives.
- 9.16 The council has issued guidance on this process which can be accessed on the council's website.
- 9.17 The DCMS has also provided guidance which can be accessed on their website at <http://www.culture.gov.uk>

Age Verification Policy

- 12.40 It is mandatory for premises who sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25/Check 25 type schemes and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.

Section 7 – Cumulative Impact Policies

We reviewed the introductory section which explains what a cumulative impact policy is. We wanted to provide some clarity about what cumulative impact policies are. This section also gives advice to applicants on how applying for a licence for a premises may need to be different is that premises is in a cumulative impact area.

Deleted:

- 7.3 The council encourages the development of a variety of premises providing a range of licensed activities catering for a wide range of users. Any policy adopted from time to time on the cumulative impact of licensed premises will impose restrictions only to the extent that they are justified by the available evidence having regard to the Guidance issued by the Secretary of State.

Added:

- 7.4 A cumulative impact policy creates a rebuttable presumption that applications within the cumulative impact areas for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received.
- 7.5 An applicant wishing to obtain a new or varied licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process (if used) and operating schedule, the steps that he or she intends to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the impact already being experienced.
- 7.6 To assist this process applicants are encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued under section 182 of the Act.
- 7.7 Despite the presumption against grant, responsible authorities and interested parties will still need to make a relevant representation before the council may lawfully consider giving effect to its cumulative impact policy. For example, if no representation is received, the application must be granted subject to any conditions that are consistent with the operating schedule and any mandatory conditions required by the Licensing Act 2003. Responsible authorities and interested parties can make written representation referring to information which had been before the council when it developed its statement of licensing policy.
- 7.8 The council recognises that a cumulative impact policy should not be absolute. The circumstances of each application will be considered properly and application for licences that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its cumulative impact policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that necessary conditions would be ineffective in preventing the problems involved.

Deleted:

- 7.4 The council is applying a special cumulative impact policy to five areas of the Leeds district. Namely the city centre (Area 1), Headingley (Area 2), and also to the A660 corridor (Area 3) which runs through the Hyde Park/Woodhouse area joining the city centre policy with the Headingley policy. In addition the council is also applying a special cumulative impact policy to a defined area of Chapel Allerton (Area 4) and to Horsforth (Area 5).

Added:

- 7.9 The council has applied a cumulative impact policy to five areas of the Leeds district:
- the city centre (Area 1)
 - Headingley (Area 2)
 - Hyde Park/Woodhouse (Area 3)

- Chapel Allerton (Area 4)
- Horsforth (Area 5)

Deleted

7.5 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas are, and in respect of areas 1 to 4, which were identified in the council's previous statement of Licensing Policy, continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

Added

7.11 These areas have been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in these areas continue to adversely affect the promotion of the following licensing objectives:

- prevention of crime and disorder
- the prevention of public nuisance.

Deleted

7.6 A summary of the evidence of the problems being experienced in these areas is given in the cumulative impact policy below. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

Added

7.12 A summary of the evidence of the problems being experienced in these areas is provided at Appendix 3. A fuller more comprehensive report may be accessed via the council's website or a hard copy may be obtained upon request from the Entertainment Licensing Section.

After consulting with ward councillors, West Yorkshire Police, Health and Environmental Action Service, City Development and the Crime and Disorder Reduction Partnership, the council has made changes to the cumulative impact policies in the city centre, Headingley, Chapel Allerton and Horsforth.

These policies, which seek to reduce the impact of licensed premises on specific areas, have been extended to include surrounding areas which the evidence shows are suffering from the accumulation of certain types of premises. The scope of several CIPs has been extended to include other types of premises and the wording of the policies has been simplified to remove ambiguity.

Area 1 – City Centre

Summary of proposed changes

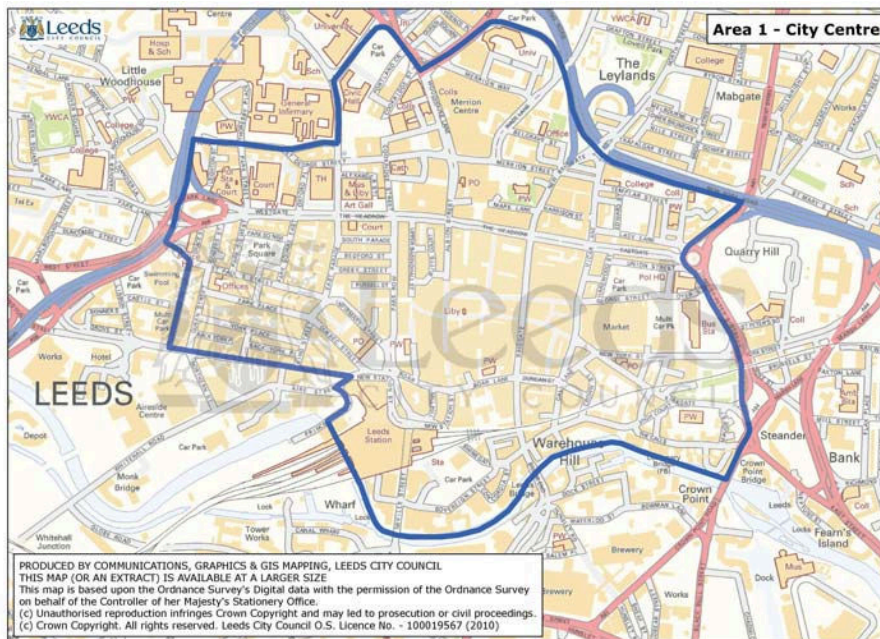
1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.

2. Increase the scope of the policy to include all premises licensed for the sale of alcohol and remove the restriction that the CIP only applies to late night vertical drinking establishments.
3. Clarify that all applications (new and variation) are included within the scope of the CIP.

Proposed Text

Area 1 as defined on the map relates to the city centre.

Fig 1



In the five years since the cumulative impact policy for the city centre was introduced, the City Centre has changed. Recent crime statistics show three main hot spots for crime and disorder:

1. Call Lane, Boar Lane and the area behind the Corn Exchange
2. Woodhouse Lane, Merrion Way and Wade Lane
3. The east end of The Headrow and New Briggate

Other areas of concern include the Eastgate area and Briggate.

The council has noticed an increase in applications for premises licences in the Park Square area. It is feasible that this is due to displacement from the East Parade/Greek Street/Park Row part of the cumulative impact policy.

On reviewing these facts and the previous cumulative impact policy, the council has amended the geographical area of the cumulative impact policy to incorporate the crime hotspots and the Park Square area.

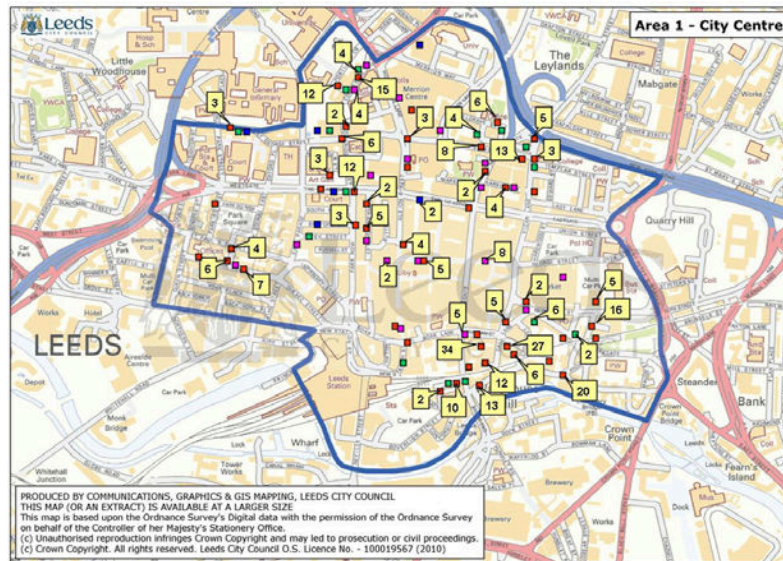
In addition there is rising concern about premises which have not been included within the scope of the previous policy, such as restaurants serving hot food and drink after 11pm. These premises have also contributed to crime, disorder and public nuisance in the city centre.

The previous policy referenced high volume vertical drinking establishments. This reference has been removed as it is recognised that all alcohol led licensed premises can contribute to crime and disorder in the area, not just those that are classified as "high volume vertical drinking" establishments.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 1 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

Fig 2



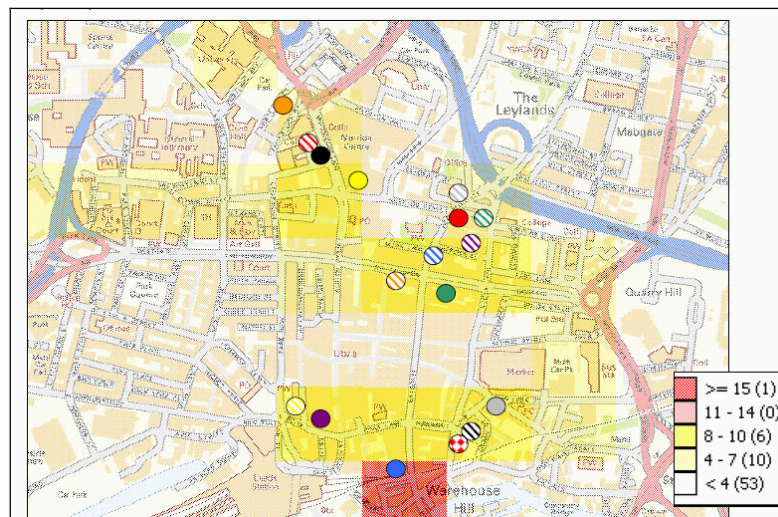
Nuisance reports in Area 1 (2005 – 2010)

Fig 2 shows the number and location of nuisance reports received by Leeds City Council, relevant to licensed premises in Area 1 since 2005.

Police analysis has shown the following key findings relating to serious crime in Area 1:

- 94% of serious violent offences have been committed in the night-time economy (NTE) period.
- 63% of offences committed in the NTE are affected by alcohol
- 20% of offences committed in the NTE are committed within licensed premises
- Between 2008 and 2009 incidents have increased by 26 equating to a 32% rise.

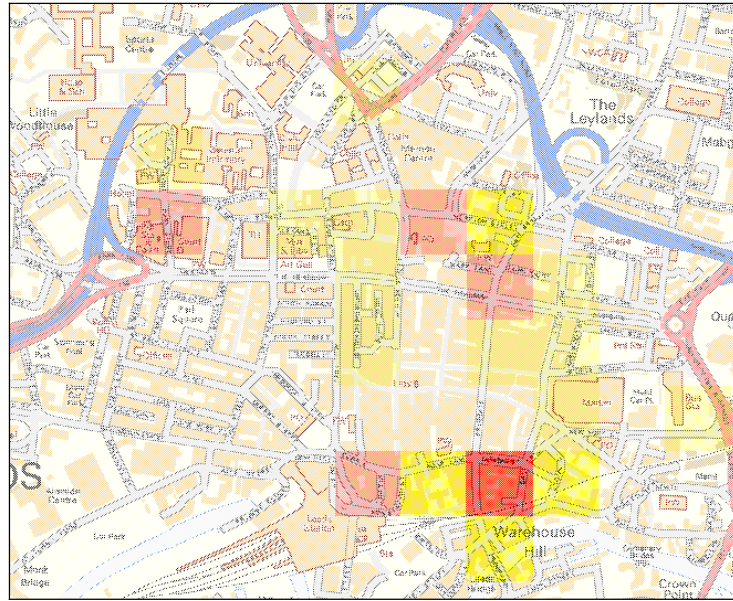
Fig 3



Serious Violent Crime hot-spots

Fig 3 shows density of serious violent crime offences in Area 1. The coloured dots are licensed premises however, have not been identified individually by name.

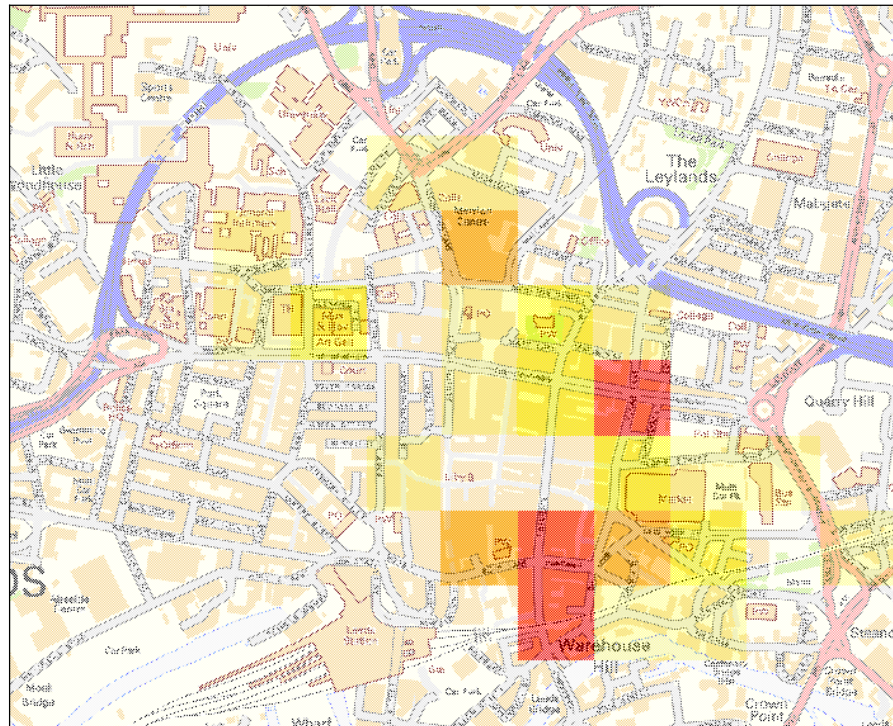
Fig 4



Assault hot-spots

Fig 4 shows density of assault offences in Area 1.

Fig 5



Anti-Social Behaviour hot-spots

Fig 5 shows density of anti-social behaviour offences in Area 1.

The current CIP for Area 1 (Licensing Act 2003 Statement of Licensing Policy 2008-2010) does not cover large parts of the city centre which currently suffer from nuisance and crime attributable to licensed premises.

NB: The key findings and maps relating to crime in Area 1 have been extracted from a restricted report from West Yorkshire Police. If you wish to view a full copy of this

report, please contact the Entertainment Licensing Section of Leeds City Council, and we will liaise with West Yorkshire Police and advise whether it can be released in full.

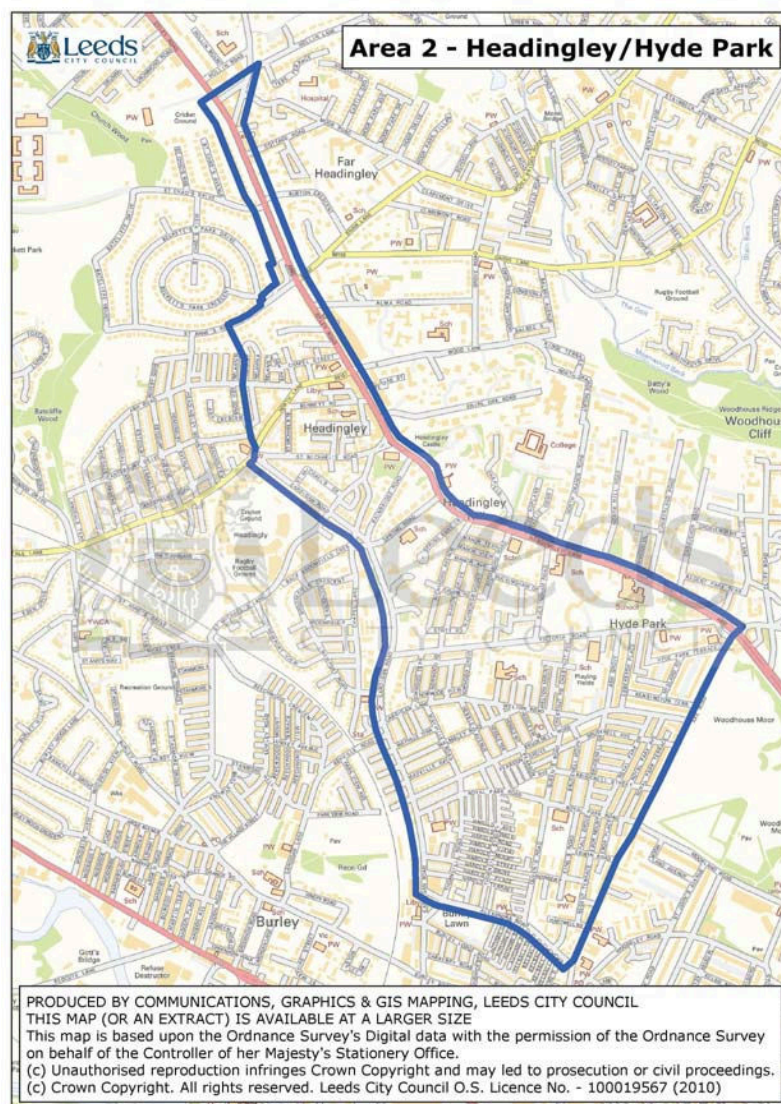
Area 2 – Headingley/Hyde Park

Summary of proposed changes

1. Move away from defining the area by named streets, and move towards defining the area by a boundary line.
2. Increase the area to include the Hyde Park area.
3. Include variation applications within the scope of the CIP.
4. Change of name to reflect the increased area.

Proposed Text

Area 2 relates to the Headingley district of Leeds.



The Headingley cumulative impact policy was put in place in 2005 and has worked well in ensuring that the adverse effect of an accumulation of licensed premises in Headingley has not increased.

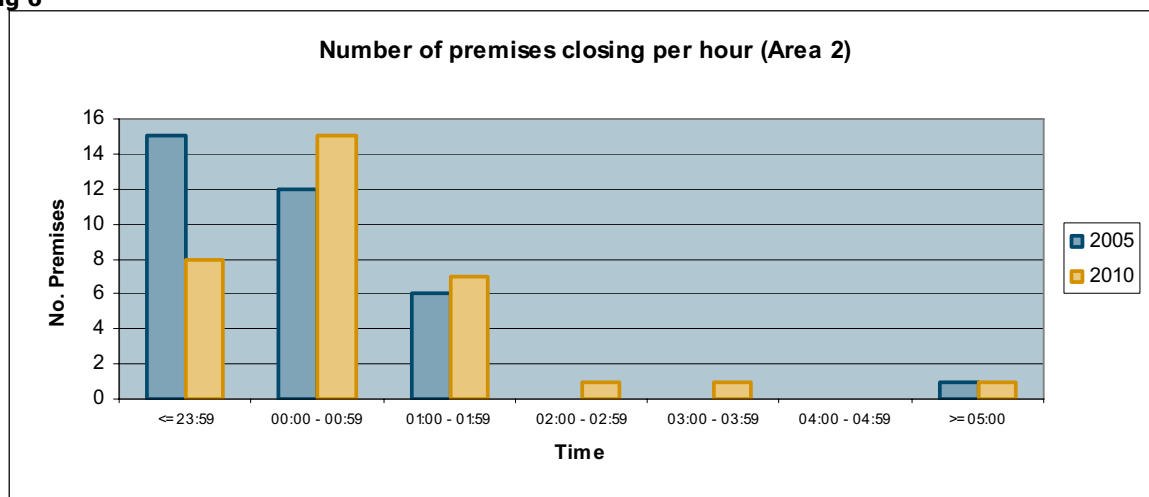
There have been ongoing problems, both public nuisance and anti-social behaviour in the Hyde Park area which can be attributed to licensed premises. For this reason the geographical area of the CIP has been increased to include the problem areas.

There is some evidence that the lengthening of the opening hours of premises has had an impact on the area. For this reason the scope of the policy has been increased to include variation applications.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

Fig 6



As Fig 6 shows, there has been a gradual 'creep' over the past 5 years with respect to the latest terminal hour for premises in Area 2.

Since 2005, there has been a 44% decrease in premises closing prior to midnight and a 33% increase in the number of premises closing after midnight, distributed between midnight and 5am. The net result is that, in effect, 7 more premises are closing after midnight than in 2005.

This correlates with residents concerns that some premises are very slowly increasing their hours by small increments.

Fig 7

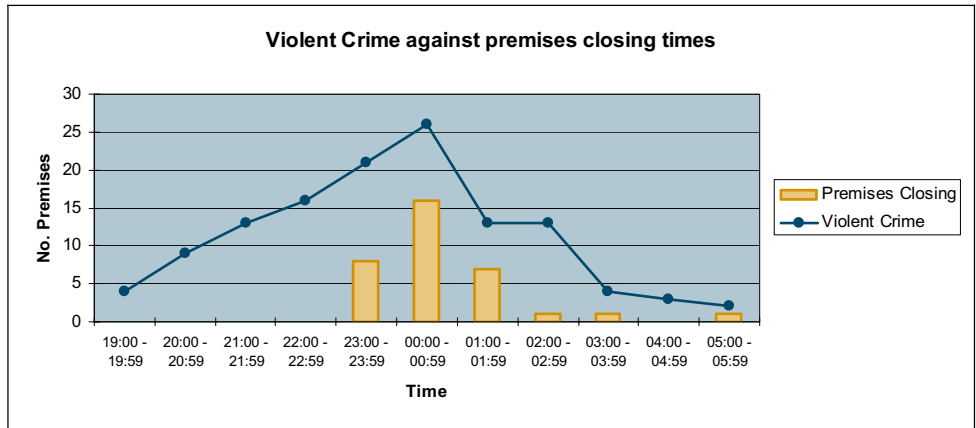
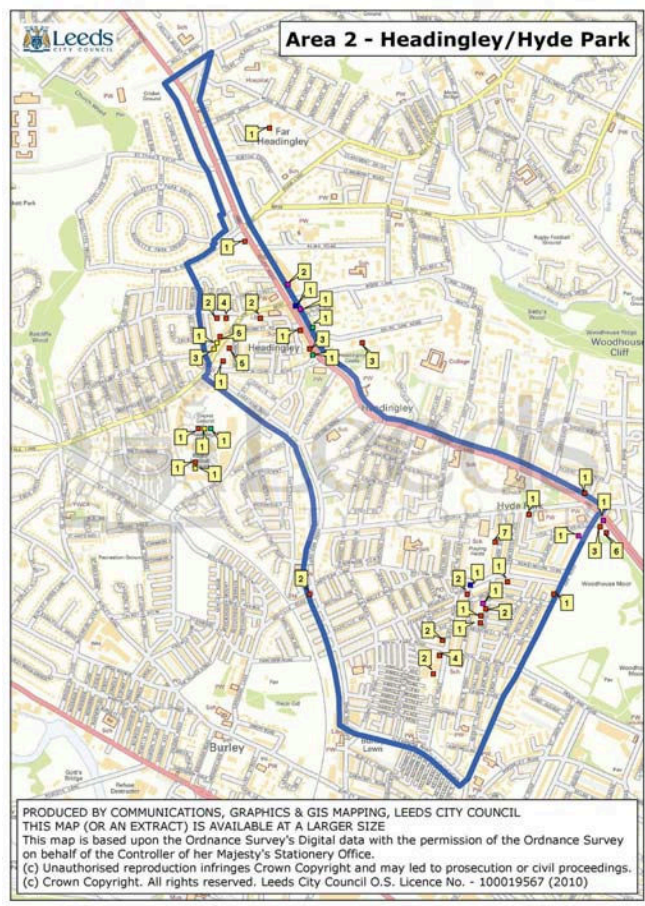


Fig 7 shows the number of violent crimes in the period between 1st May 2009 and 30th April 2010, compared to the total number of premises closing per 1-hour time slot on any given day of the week (as at 1st May 2010).

Although it would be difficult to attribute the violent crime incidents directly to licensed premises (with customers being outside the control of the premises management after closing), the peak times for violent crime incidents corresponds tightly to the volume of premises closing.

Taking this information in conjunction with that from Fig 6 above, it would be reasonable to assume that should the gradual creep experienced in Headingley so far continue, the violent crime would creep accordingly.

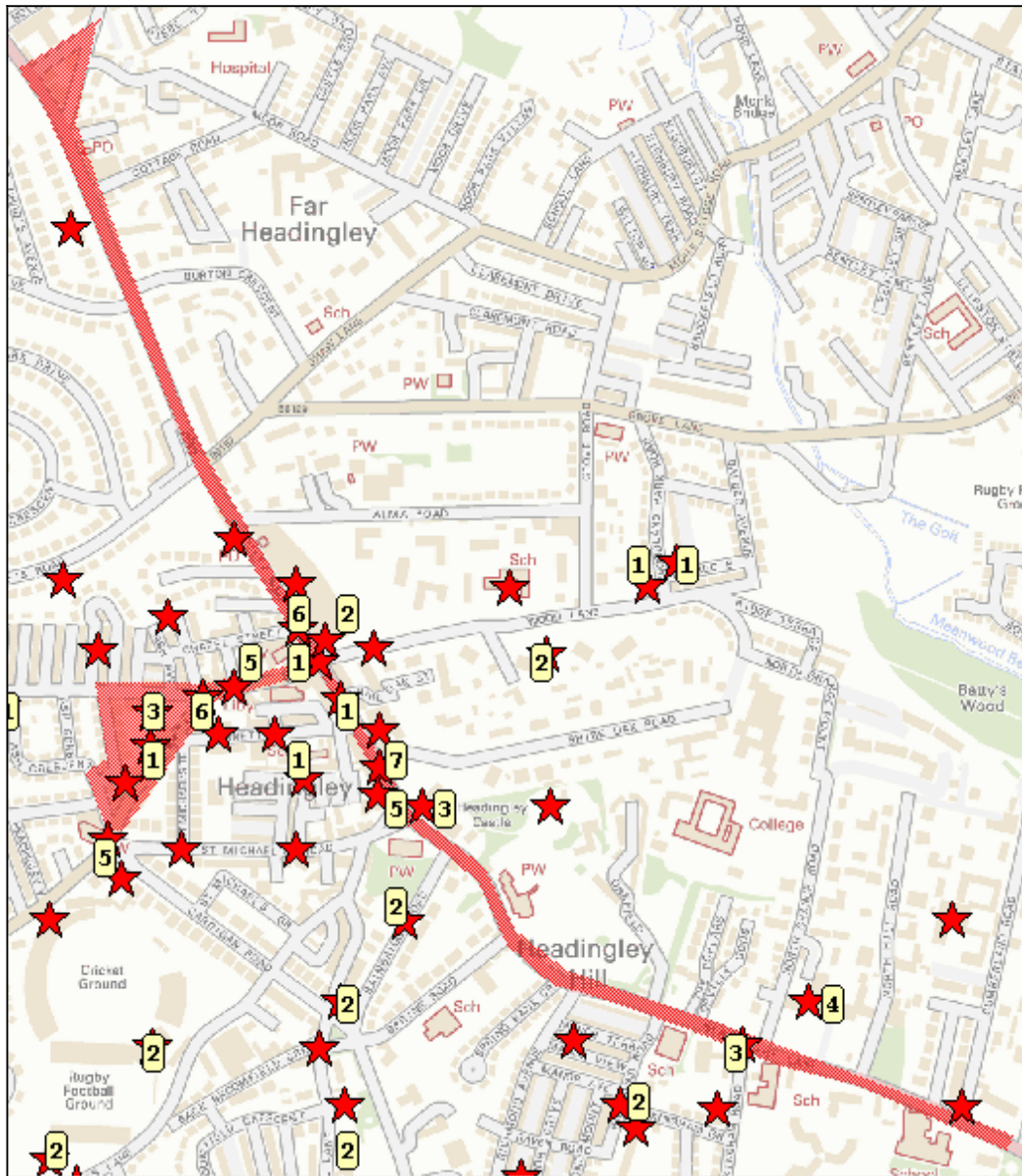
Fig 8



Nuisance reports in Area 2 (2005 – 2010)

Fig 8 shows nuisance reports received by Leeds City Council, relevant to licensed premises since 2005.

Fig 9



Violent Crime Offences (2009/10)

The above map shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

Fig 10

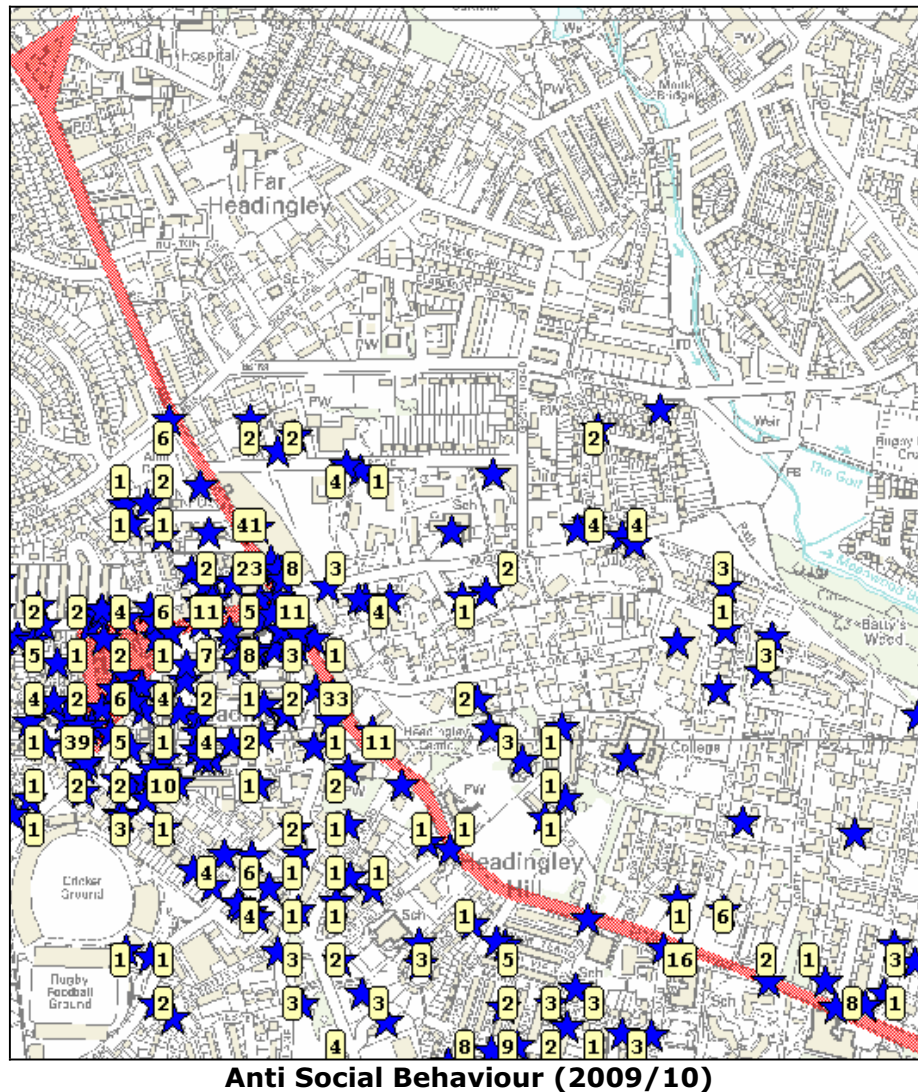


Fig 10 shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

As demonstrated above, the current focus of the CIP is around the central part of Area 2, and this continues to be a problem with respect to nuisance. Also, the area around Brudenell Grove & Hyde Park Corner has proven to be a problem spot for public nuisance and anti social behaviour, which correlates with residents concerns about this particular part of Area 2.

Area 3 – Woodhouse

There has been no change made to Area 3, other than a reduction in length so that it fits between Area 1 and 2, and a name change to remove the reference to Hyde Park (which now forms part of Area 2).

Area 4 – Chapel Allerton

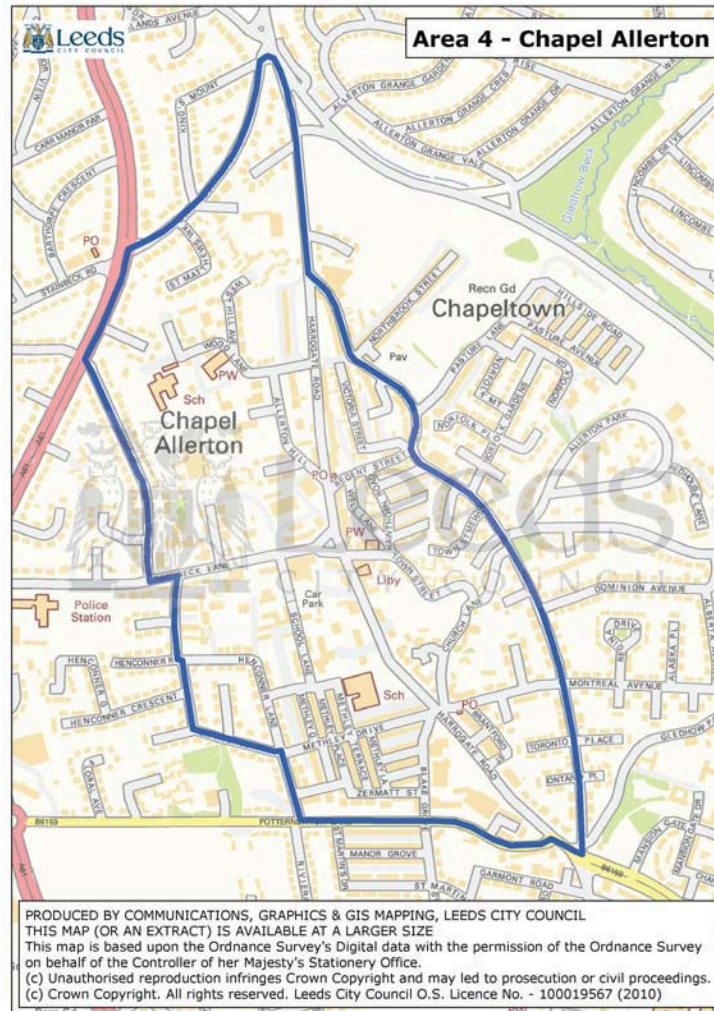
Summary of proposed changes

1. Add takeaways and variation applications within the scope of the CIP

Proposed Text

Area 4 relates to the Chapel Allerton district of Leeds.

Fig 11



The Chapel Allerton CIP has performed well in the four years since its inclusion in the Statement of Licensing Policy. However, over the past four years residents of Chapel Allerton have noticed an increase in the amount of takeaway litter. There is also a concern relating to premises applying to vary their licence to increase the licensed area of their premises. In some cases this includes altering conditions to allow the use of the outside area to facilitate smokers following the smoking ban. This has a knock on effect on nuisance issues.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 4 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

Fig 12

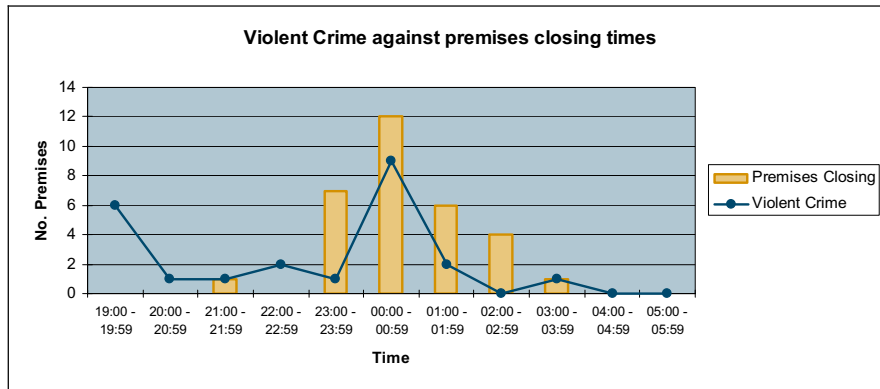
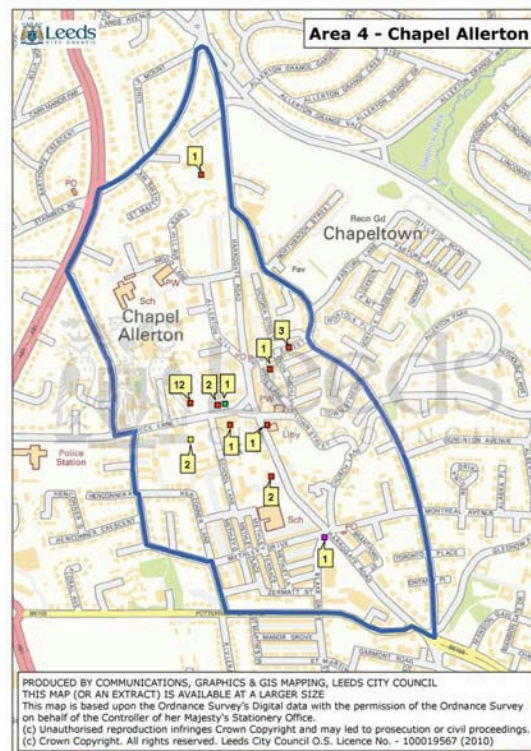


Fig 12 shows the number of violent crimes in the period between 1st May 2009 and 30th April 2010, compared to the total number of premises closing per 1-hour time slot on any given day of the week (as at 1st May 2010).

As with the comments against the same analysis for Area 2, it is difficult to attribute the violent crime directly to premises which have no control over customers once they have closed.

Although not as closely matched as the figures for Area 2, the above would still suggest that violent crime numbers are affected by the number of premises which close at a given time. Should the number of premises increase, or existing premises extend their hours, it would be expected that the violent crime would react accordingly.

Fig 13



Nuisance reports in Area 4 (2005 – 2010)

Fig 13 shows the number and location of nuisance complaints received by Leeds City Council relevant to licensed premises in Area 4 since 2005.

Fig 14

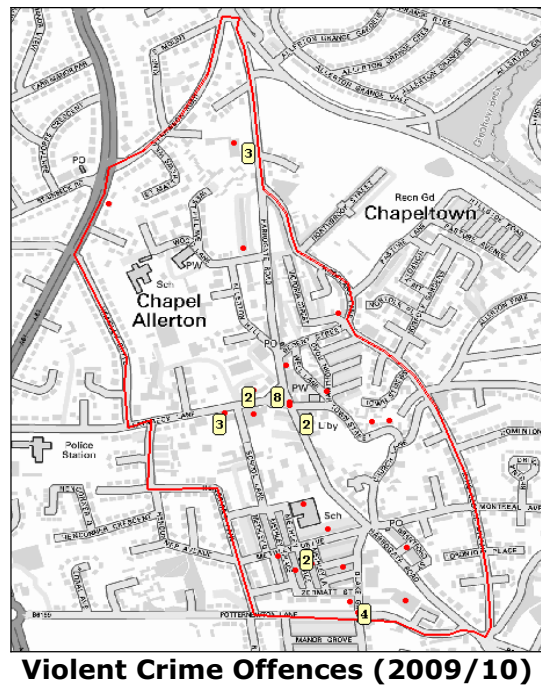


Fig 14 shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

Fig 15

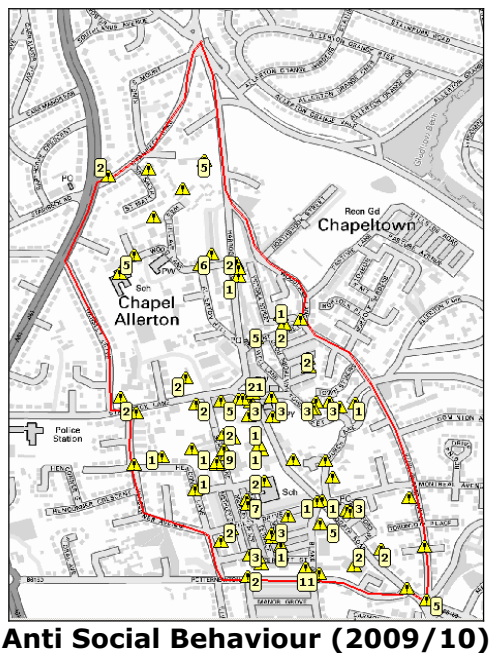


Fig 15 shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

As can be seen from the above three maps of Area 4, there is a clear concentration of nuisance and violent crime problems around the locations dominated by licensed premises, while anti social behaviour is prevalent in the entire of Area 4 – although still with a clear concentration in numbers around licensed premises.

Residents have raised concerns about premises making slight variations to their premises licences, which while individually seem relatively minor, collectively have a large impact on the area. Following further analysis, it has been found that since 2005 there has been 11 variations in Area 4, these can be summarised as follows:

- 4 applications to extend hours
- 3 applications to allow or alter activities in external areas following the introduction of the smoking ban
- 2 applications to increase structural size
- 1 application to remove redundant licence conditions

Area 5 - Horsforth

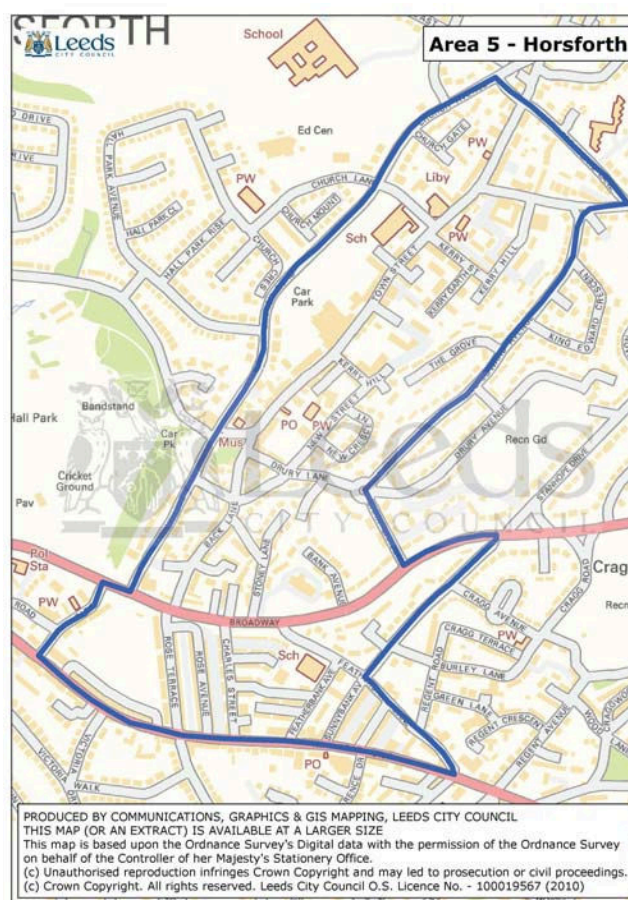
Summary of proposed changes

1. Increase geographical area to include New Road Side
2. Add takeaways and variation applications within the scope of the CIP

Proposed Text

Area 5 relates to the Horsforth district of Leeds centred on Town Street. It includes all areas inside the green boundary, but also the premises on the south side of New Road Side.

Fig 16



Since the adoption of the Horsforth CIP the council has recognised that the accumulation of licensed premises along New Road Side has contributed to public nuisance in that area, especially as it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. As a consequence this area has been included in the cumulative impact area for Horsforth.

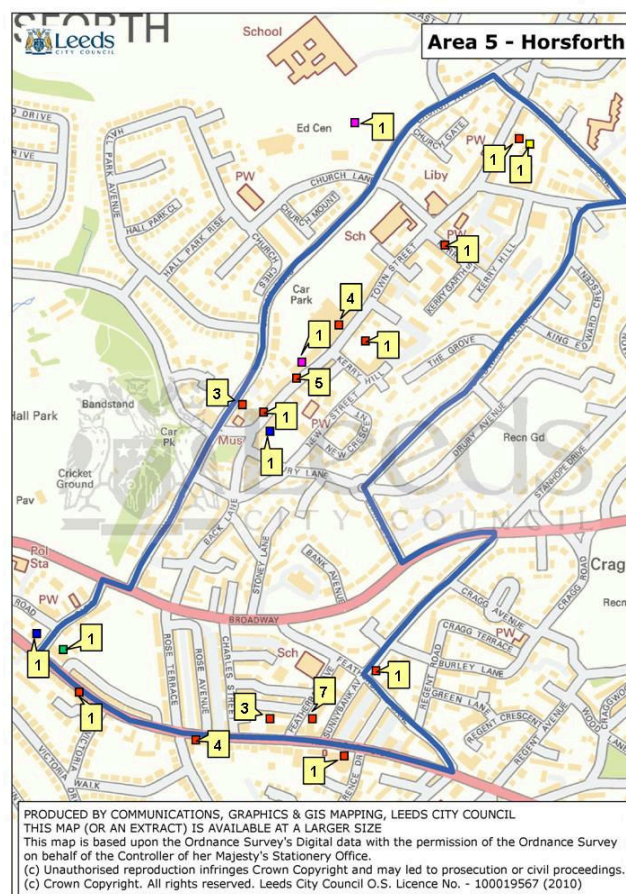
Horsforth has also experienced creep in licensed hours in the area. The council has noted that although it received no new applications for premises licences it did receive 8 variations in the same time period.

Concern has been expressed by residents about the litter nuisance and public nuisance caused by takeaway premises. The council has received a number of complaints relating to litter and odour nuisance that can be related to takeaway premises.

It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 5 for licences for pubs, clubs, bars, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area.

Evidence

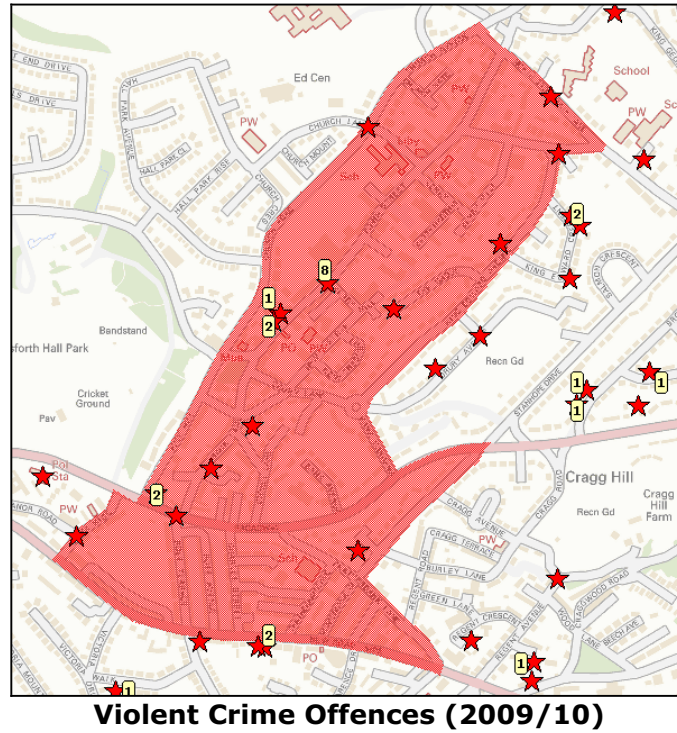
Fig 17



Nuisance Reports in Area 5 (2005 – 2010)

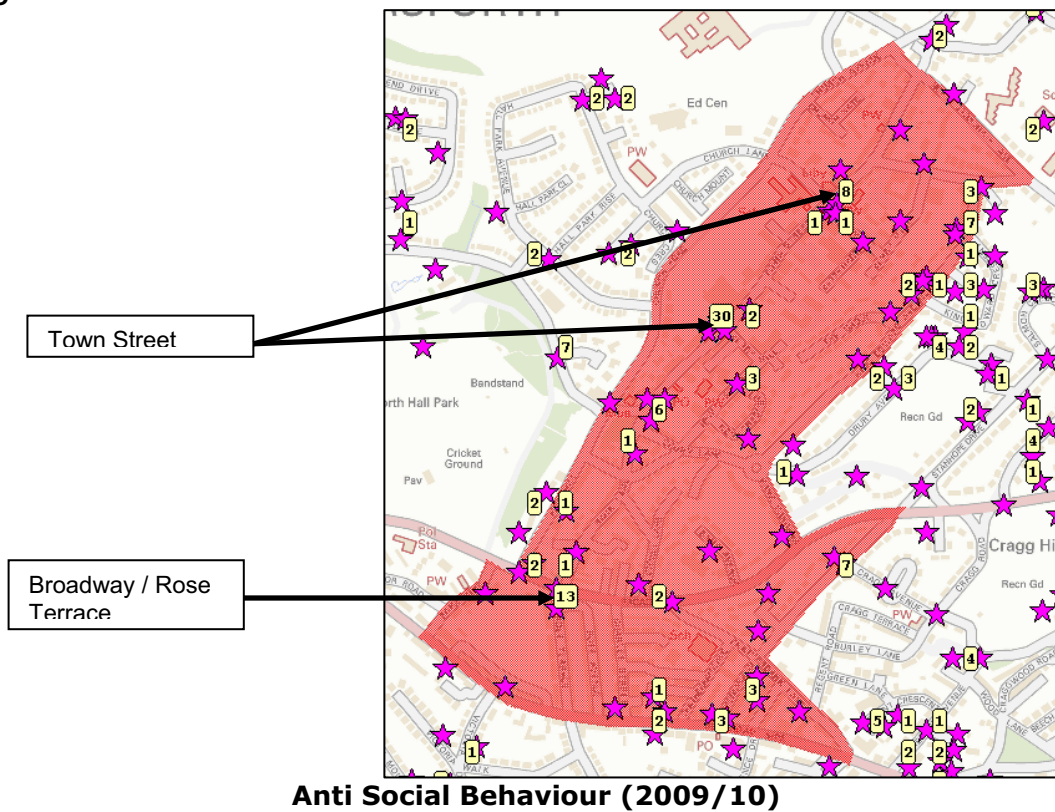
The above map shows the number and location of nuisance complaints received by Leeds City Council relevant to licensed premises in Area 4 since 2005.

Fig 18



The above map shows the number and location of violent crime offences (as defined by the Licensing Enforcement Group – data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

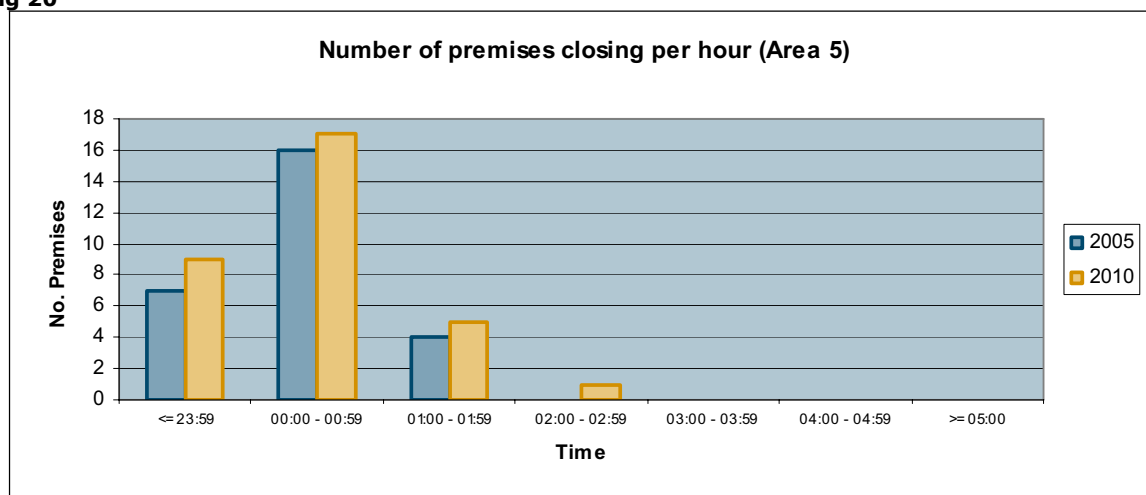
Fig 19



The above map shows the number and location of anti social behaviour offences (data supplied by West Yorkshire Police) between 1st May 2009 and 30th April 2010.

As can be seen from the above maps, there is a concentration of nuisance reports, anti-social behaviour and violent crime in the areas dominated by licensed premises. The concentration is less pronounced with violent crime however, is still apparent in the area around Town Street.

Fig 20



As Fig 20 shows, there has been a very slight and gradual increase over the past 5 years with respect to the number of premises and latest terminal hour for premises in Area 5.

In real terms the numbers are very small and can be summarised as – 2 extra premises which close prior to midnight, and 1 extra premises each for the three following 1 hour time slots. Unlike Area 2, these are not premises which have, in effect, moved their hours later, but rather extra premises on top of what already existed.

While the actual numbers are small, this is to be expected as Area 5 is geographically a small area, where one premises can make a large difference.

Even with reduced numbers, the pattern of increased numbers of premises opening later is evident. Overall, Area 5 now has three more premises open beyond midnight than it did in 2005 (15% increase) – echoing the concerns of local residents that premises are very slowly increasing their hours by small increments.

NB: The above analysis includes the proposed area around New Road Side, as this is an area of concern for residents, and also is the focus of a good proportion of the nuisance complaints.

Final Changes

During a final review of the policy at the end of the consultation, there were a small number of minor changes identified.

Excessive Consumption of Alcohol/Binge Drinking

It was noted that the section on Drinks Promotions is now out of date due to the introduction of new mandatory conditions in the Act. Therefore the section 6.18 to 6.24 was replaced with the following and subsequent paragraphs renumbered:

- 6.18 The council is acutely aware of the link between the supply of alcohol, that is subject to certain promotions and the possibility of resultant incidents of alcohol

related crime and disorder and implications for public safety, public nuisance and the risk of harm to children.

- 6.19 The council also recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an indirect impact on public health.
- 6.20 The British Beer and Pub Association states that a promotion is irresponsible where it encourages or incites individuals to drink to excess, behave in an anti-social manner or fuels drunkenness. The council as Licensing Authority will use the powers contained within the Licensing Act to ensure operators' promotional activities do not undermine the licensing objectives.
- 6.21 From April 2010 new mandatory conditions came into effect which:
- Ban irresponsible promotions;
 - Ban the dispensing of alcohol directly into the mouth; and
 - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.22 The legislation makes it clear that an irresponsible promotion is one that is "carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children".
- 6.23 As a consequence any premises which participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council's "Leeds Responsible Authority Liaison and Joint Enforcement Protocol - Licensing Act 2003" which is available from the Leeds City Council website.
- 6.24 The council expects applicants to consider the issues relating to the irresponsible drinks promotions when completing risk assessments or operating schedules.

Area 3 – Woodhouse

The following paragraph was removed as it refers to the work undertaken for the previous policy.

- 7.28 The most recent evidence and public consultation responses gathered in respect of Area 3 shows that the A660 corridor still experiences a greater proportion of alcohol related crime and antisocial behaviour than the rest of the Hyde Park/Woodhouse area. The police attribute this trend to the high concentration of licensed venues in the area. There are also worrying signs that displacement of problems may be taking place as evidenced by the strong responses received during the consultation process about public nuisance problems and alcohol fuelled anti social behaviour and criminal damage.

Minor typographical errors were corrected, including altering the wording on the CIP policy slightly to provide consistency with the rest of the report, i.e. "their application would not impact on the cumulative impact of such licensed premises" to "their application would not add to the cumulative impact of such licensed premises".

Consultation Responses

Questionnaire Responses

Statement of Licensing Policy - Main Body

After an officer review of the policy we added three new paragraphs as detailed on page 6 of the Public Consultation Report (note: the changes can be found on pages 6,7 & 8 of this report).

Question 1 - Do you have any comments to make about the addition of these three paragraphs.

1. Good and are better.
2. No.
3. It is good that some flexibility can be built in to allow community and church venues to hold functions with occasional licences without undue restriction and complexity. We feel that the ability to vary and review licences quickly and cheaply is beneficial as long as the necessary controls are observed. An age verification policy and its enforcement is also essential.
4. Useful - adds further clarity.
5. We support the changes regarding Community Halls and Age verification but object to the proposals to widen the scope of minor variations - we feel that the last is a "back door" way of extending licences and should be very strongly controlled, with appropriate opportunity being given for representations to be made by local people and interest groups.
6. Age verification certainly needs to be as unambiguous as possible. If regulations are simplified for communities and related bodies then the changes are sensible.
7. I think they are very sensible...
8. I think you mean under 25
9. No, they seem sensible
10. Pleased about community halls especially as this is problematic having one named person. The management committees will be in favour of this I should think.
11. The North Hyde Park Neighbourhood Association has no comment on the first two additions and welcomes the third.

Comments: Regarding response no. 5. the change relating to Minor Variations explains the new secondary legislation that came into effect in 2009 and allows premises to make an application to change terms on their licence which will not adversely impact on the four licensing objectives. Any application made under the minor variation process which affects the licensing objectives is rejected as not being within scope of this process. However applicants must still advertise the application by way of a site notice, and this allows members of the public to make comments on the application should they wish to.

Action: None

Section 7 - Cumulative Impact Policies

We have reviewed the introduction to the section on Cumulative Impact Policies (Page 6 of the Public Consultation Report and detailed in page 6 of this report). We wanted to provide some clarity about what cumulative impact policies are. Starting at the bottom of page 6 of the Public Consultation Report (titled Section 7 – Cumulative Impact Policies) we have listed each of the paragraphs we have deleted and those that have been added. If this isn't easy to understand you might like to look at this section in the draft policy.

Question 2 - Do you have any comments to make about the new wording?

1. It is better.
2. No.
3. The new wording in 7.9, 7.11 and 7.12 is good because it gives greater clarity. The new wording in 7.4 - 7.8 does give a fuller explanation of the aims and objectives of the process and the responsibility of the applicant and interested parties.
4. 7.9 Area 2 should be "Headingley /Hyde Park", Area 3 should be "Woodhouse Corridor".
5. We support the new wording but the key is the application of the policies which are discussed here.
6. No comment
7. No
8. No comment
9. Overall we welcome the new wording, particularly the first paragraph (7.4)
10. Page 6 of the document doesn't provide any information on changes so I can't answer this.

Comments: None

Action: Change applied to policy

The council has made a number of changes to the Cumulative Impact Policies (CIPs). These policies seek to reduce the impact of licensed premises on specific areas.

Area 1 – City Centre

This CIP area has been increased to move away from specifying streets to a boundary around the city. This now includes the three crime hotspots in the city plus an area which has seen increased growth over the last 5 years. A map of the area can be seen on page 9 of the Public Consultation Report.

Question 3 - Do you think moving away from specifying streets to a boundary type area is the right thing to do and why?

1. This is better to have a boundary.
2. Yes - easier to understand.
3. This is very sensible as it makes the scope of the CIP simpler to operate for all parties, removing the possibility of loopholes.
4. No comment.
5. Agreed as this brings buildings, yards, "smoking areas" and back streets within the scope of the Act.
6. Yes. The change means that the consequences of anti-social and related behaviour that spills over to side streets and more secluded corners can be contained within the terms of CIP.
7. We have no comments on this section
8. Yes - avoids the risk of problems simply moving to neighbouring streets which are not in the CIP
9. Yes, because it should be easier to prevent future problems in areas which are over populated with bars.
10. Yes. People don't particularly stick to one street when drinking. It doesn't mean that some streets are safe and others not. More that an entire area has problems and needs help.
11. Yes. Consumption of alcohol on public streets, especially in the city centre should be illegal and strict penalties enforced.

Comments: None

Action: Change applied to policy

The scope of the city centre CIP has been increased to include all premises licensed for the sale of alcohol and remove the restriction that the CIP only applies to late night vertical drinking establishments. The new wording can be found on page 10 of the Public Consultation Report (or page 10 of this report).

Question 4 - Do you agree with this change?

1. Yes because you now include food establishments open after 11pm.
2. Yes.
3. Yes, absolutely. It removes doubt and uncertainty over vague definitions and arbitrary opinion.
4. Yes.
5. Agreed.

6. Definitely. Despite many locations being designated as a "public place" there is plenty of evidence of drinking on the streets at night - with consequent damage, litter etc.
7. No comment.
8. We welcome this change.
9. Yes
10. Yes
11. Yes

Comments: None

Action: Change applied to policy

The previous CIP only referred to "applications" and left it unclear if both brand new applications and applications to vary an existing licence were included. The CIP wording now includes a reference to new and variation applications.

Question 5 - Do you agree with this change and do you have any comments?

1. Yes because it now includes applications to vary an existing licence.
2. Yes. Variation to a licence can be dealt with without time and effort spent on ground already covered.
3. Once again, this is a victory for clarity, simplicity and removes argument and loopholes. It also helps to prevent a "creeping" licensing laxity using variation.
4. Yes.
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.
6. Insofar that variations can make significant additional pressures (particularly extending the hours of potential nuisance) it is important to be able to distinguish the further encroachment by stealth.
7. Agree.
8. We agree with this change.
9. Yes.
10. Yes, makes it clearer.

Comments: None

Action: Change applied to policy

Area 2 – Headingley/Hyde Park

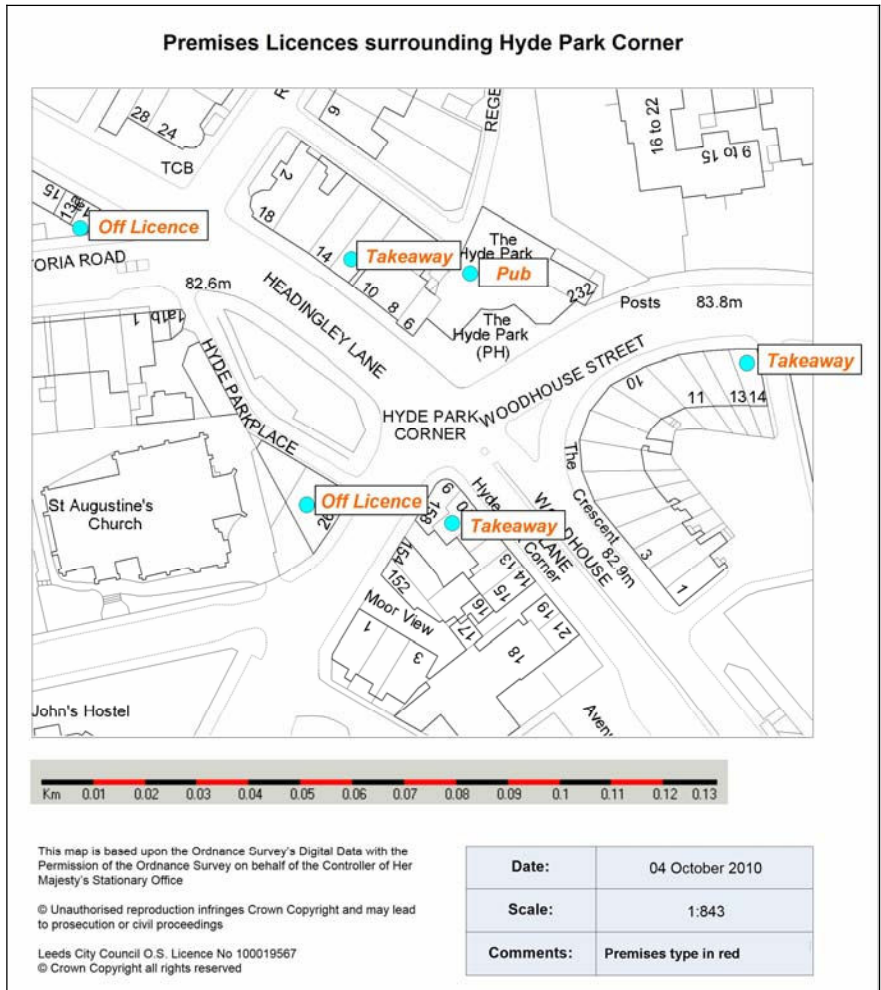
The CIP has been changed to move away from defining the area by named streets, and move towards defining the area by a boundary line. It has been increased to include the Hyde Park area. A map of the new area can be found on page 13 of the Public Consultation Report.

Question 6 - Do you agree with this change and why?

1. Yes because it is an area issue.
2. Yes it should not have been excluded in the first place.
3. Yes, the evidence provided suggests that the problems associated with Headingley are also present in the Hyde Park area, and so the same controls should exist. Again an area boundary makes things simpler.
4. No. The Crescent, the Old Post Office and 9-14 Hyde Park Corner have not been included. Fig 8 (Page 15, Public Consultation Report) shows 10 nuisance reports (2005-2010) in the excluded area. It is illogical not to include these - if only to be fair to those that are. It is one coherent area and should be treated so.
5. Agreed as this brings buildings, yards, "smoking areas" and back streets within the scope of the Act. We welcome this change. However we believe that the defined area should include streets north of Headingley Lane and particularly that it should encompass the whole area round Hyde Park Corner where there are retail premises, restaurants and bars. This would include part of Woodhouse Street, The Crescent, part of Hyde Park Road and part of Woodhouse Lane.
6. As 3 above
7. Yes otherwise the bars will dominate and other commercial activity may decline.
8. Yes, it is clearer and easier to enforce. My only concern is whether areas north of Headingley Lane should also be included to minimise the risk of proposals for new licences in this area.
9. Yes, I've been through the area at time and have felt unsafe.

Comments: Comments regarding Hyde Park Corner were also made at the public meeting held in Headingley. Hyde Park Corner is currently included in the Woodhouse CIP, but it is recognised that the wording of that CIP is not appropriate to the problems experienced in this small area.

In the area north of Headingley Lane, there are no licensed premises (except for the University), and therefore it would not be appropriate to include it in a cumulative impact policy. However it is recognised that there are problems with public nuisance in this area. Licensed premises in the Headingley CIP area may be contributing to the public nuisance.



Action: The map of the area (above) shows the area described in the comments. This area will be included in the Headingley/Hyde Park CIP and excluded from the Woodhouse Lane CIP.

The scope of the CIP has been increased to include applications made to vary an existing licence, as well as new applications. It includes applications from premises seeking late night refreshment, such as takeaways and late opening restaurants.

Question 7 - Do you agree with this change and do you have any further comments?

1. Yes.
2. Yes - control of nuisance.
3. Agree with this change.
4. Yes.
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.

6. There is a massive impact from every type of activity involving eating, drinking and entertainment so it is logical to include variations which constitute further encroachment on local communities.
7. Very strongly - these premises often seek both to extend opening hours and to get round current restrictions to the detriment of local residents and it is important that the CIP is extended to include them
8. We strongly support this change.
9. Yes, agree with the change.
10. Yes, no further comments.

Comments: None

Action: Change applied to policy

Area 3 – Woodhouse Corridor

During the consultation with ward members and the official bodies (i.e. the police etc), there were no comments made about the Woodhouse Corridor CIP. This CIP was originally included in the policy as it bridged the gap between the city centre CIP and the Headingley CIP. Therefore no changes have been made other than to alter the name and to reduce the size to fit between Areas 1 and 2.

Question 8 - Do you have any comments to make about the Woodhouse Corridor CIP?

1. No comment
2. No
3. No comment
4. No
5. Agreed.
6. There seems to be an implication that the various premises on Woodhouse Lane between Clarendon Road and the inner ring road do not have a significant consequence in the context of CIP.
7. No comments
8. No

Comments: None

Action: Change applied to policy

Area 4 – Chapel Allerton

The geographical area covered by the Chapel Allerton CIP hasn't been changed, however the scope of the CIP has been altered to include takeaway premises and applications to vary existing licences. Details can be found on page 18 of the Public Consultation Report.

Question 9 - Do you agree with this change and do you have any comments?

1. This is good policy - the new proposals
2. Yes
3. We welcome the inclusion of variations to licences as this will help to prevent creeping licensing laxity. The inclusion of takeaway premises is agreed. These can be a source of litter and, as they increasingly request late night opening, perpetuate noise and nuisance.
4. Yes
5. Agreed - it is essential that variations should be subjected to the full test against CIP parameters.
6. It seems logical that the same terms apply to this area as others.
7. Agree with the change, no further comments
8. I'd include all areas of the city!
9. We have no comments.

Comments: None

Action: Change applied to policy

Area 5 - Horsforth

The Horsforth CIP has been amended to include New Road Side. It was recognised that this area should have been included in the original CIP. Not only have there been a number of nuisance complaints relating to licensed premises in the area but it encourages the use of a route through residential areas used by people moving from Town Street to New Road Side. A map can be found on page 23 of the Public Consultation Report.

Question 10 - Do you agree with this change?

1. Yes
2. Yes
3. Yes, agreed.
4. Yes
5. Agreed.

6. Yes
7. We have no comments.
8. Yes.
9. Yes

Comments: None

Action: Change applied to policy

The scope of the CIP has been increased to include takeaways and applications to vary existing licences.

Question 11 - Do you agree with this change?

1. Yes
2. Yes
3. Yes, as takeaways, especially those with late opening hours go hand in hand with late night drinking establishments.
4. Yes
5. Agreed - it is essential that variations should be subjected to the full test against CIP Parameters.
6. Yes
7. We have no comments.
8. Yes
9. Yes

Comments: None

Action: Change applied to policy

Question 12 - Any other general comments

1. The area of Street Lane, Roundhay, must be watched - the various food/licensed premises and possible more so the issues this brings.
2. No comment
3. It is unfortunate that we all have to go to all this trouble and expense to control, monitor and police, when (apart from the city centre where there is some justification) the root cause of most of the problems is drinking licences which go beyond midnight in areas which are principally residential/suburban shopping centres i.e. Headingley, Chapel Allerton and Horsforth.

4. A helpful step forward, but please include the whole of Hyde Park Corner in Area 2.
5. Further to the publication of the draft Statement of Licensing Policy 2011-13 and associated documents, the Leeds Civic Trust has considered the content and wishes to make the following comments:
 - we support the Licensing Objectives as set out under the Act:
 - the prevention of Crime and Disorder
 - Public Safety
 - the Prevention of Public Nuisance
 - the Protection of Children from Harm
 - we welcome the various changes to the boundaries of the Cumulative Impact Policy areas and the definition of premises to be included (eg 'high volume vertical drinking establishments')
 - we note that in the outer areas, the representations made by local people ensure that a large proportion of applications are refused and those that are granted subject to conditions are generally well monitored (by the local community and/or City Council officers)
 - however, we note that almost no applications get refused in the City Centre (only 3 refusals in 6 years) which is likely to be due to the lack of concerned people to object – it seems that an application will almost always be given permission, unless a hearing is triggered by at least one objection from an "interested party" as defined by the Act
 - as this is usually limited to a person living or owning a business nearby, even when there are multiple concerns from, say, the Police, environmental health and neighbours, these will not prevent an application being granted – potential issues will be dealt with by adding "conditions" to the license
 - conditions may be appropriate if there was a strong regime of inspection but we understand that premises may be visited only once every 3 to 5 years – as Leeds has 2,700 licensed premises and only 7 enforcement officers, the system is inadequate
 - we are concerned over the application of Section 19 Notices and Summary Reviews – we understand that there have been only 4 of these since 2007 and only one has resulted in the surrender of the license
 - while the Police can issue "Closure Notices", we understand that they have done so only once in the last two years – how is it that all the newspaper reports of repeated drugs and sexual offences in Leeds clubs have not resulted in closures?
 - we also have concerns over the application of "Variation Applications" and "Temporary Event Notices" as these can allow 24 hour street parties or overnight events in city centre bars – it seems that no permission is required from the Council, only the Police can intervene to prevent such an event (which they rarely do) and even immediate neighbours cannot comment (even if they manage to find out about an application in advance), so allowing badly behaved bar or club managers to make life a misery for nearby occupiers with almost no risk to their business.

We appreciate that much of the difficulty with licenses is due to the Act, something which is beyond the scope of this consultation. However, in making representations to government and if the localism agenda allows more local flexibility, we believe that there should be no presumption for the granting of a license, as at present. The position should be reversed. Applicants should have to demonstrate that their proposal will make a positive contribution to the licensing objectives and that it will generally enhance the area. In our view, yet another bar in a CIP area is very rarely

likely to help the licensing objectives in that area and licensing lawyers who argue that for their clients are being disingenuous. There should be a licence hearing in every case, where all concerns are examined, not only when triggered by a "representation". The present system is weighted too much in favour of the applicant. We also feel that "Minor Variations" are a relaxation which would be almost impossible for neighbours to monitor, or object to.

Turning back to the issue of licensing in the City, we accept that a lively night life is desirable and an important part of the success of the night time economy. However, there do appear to be too many licensed premises, especially in the city centre, which has led to lack of adequate control and bad behaviour – the area has become a no-go zone for many residents and this could impact upon other initiatives to enhance the cultural offer eg the Arena.

Leeds Civic Trust also has concerns about noise nuisance near current or future residential property – this will continue to be an issue as we continue to encourage city centre living. Unfortunately, the drinking culture in Britain is such that the two uses are not compatible in most locations. In practice, nearness to residential accommodation is not a reason to refuse an application but just to condition some sound proofing – that is generally an inadequate answer as most noise comes from outside licensed premises.

To summarise, we generally support the policy review but are concerned that, on its own, this will make very little difference to the position in the city centre. However, we do feel that, particularly with regard to the city centre, more licenses should be refused, that conditions attached should be stronger and (most importantly) there should be more inspection and enforcement. It should not be up to the public to know about and enforce licence conditions, although a comprehensive information system should be provided for those that are interested.

6. I'd include all areas of the city and all premises, to be honest.
7. Leeds has a massive problem with alcohol, especially in the city centre. There is no need for new/additional licensing of premises for sale of alcohol. Sale to minors is currently commonplace and will only be addressed if strict penalties (such as heavy fines and withdrawal of licence, as in USA) are enforced. The police must be supported in dealing with persons drunk and disorderly and heavier penalties should be applied in order to discourage nuisance drinking. Consumption of alcohol in the public streets should be made illegal and this should be enforced.
8. No
9. We generally welcome the tightening up of the current policy, its extension in our Association's area and the greater clarity on premises and applications to which it applies. We believe the policy is generally beneficial to local residents and wish to see it properly and effectively implemented and enforced.

Comment: Regarding comment no. 5 please see the response made to Letter 5 below.

In general the above comments deal with concerns that are outside of the scope of this policy. However the licensing authority does recognise there are concerns about alcohol related anti-social behaviour, underage sales and late night sale of alcohol. The council's enforcement team have a clear policy on licence breaches and take a clear and proportional response to specific issues as they are raised by members of the public and partner agencies. The council works closely with West Yorkshire Police and the other responsible authorities to ensure a consistent approach.

Action: No further action taken.

Other comments via email or post, not submitted via a questionnaire:

Letter 1 - member of the public

I note the draft Statement of Licensing Policy 2011-2013 says on page 4 that:

"Any decision taken by the Council in regard to determination of licences, certificates and notifications should aim to promote the licensing objective which are

- * Crime and disorder
- * Public nuisance
- * Public safety
- * Protection of children from harm"

This reads as though promoting crime and disorder, and promoting public nuisance are objectives of the policy! May I suggest that it would be better to say that the objectives of the policy are "preventing crime and disorder" and "preventing public nuisance"

Response: Agreed - Change wording to reflect this and the wording in the Licensing Act 2003.

Action: Wording changed.

Letter 2 - Parish Council response

The only comment the xxx Parish Council would make is that it would wish to be given notice of, and the opportunity to respond to, any application relating to premises within or close to the Parish boundary.

Currently I receive notice electronically of all licensing applications received by the Authority, and I appreciate this, even though the vast majority are of little relevance. It does mean that I should pick up any application that is relevant, but if it possible to require that the Parish Council is given notice of those applications that are relevant, that should ensure no application is missed.

When determining licensing policy for Leeds, it is important to bear in mind that Leeds is a cosmopolitan mix of urban and rural locations, each of them with their own characteristics. A common policy, of one size fits all, is not appropriate. The Policy should be determined for a particular area.

Response:

The Licensing Authority is aware of the difficulties that parish councils face, especially in relation to making responses to licence applications as parish councils are not specifically described as interested parties. Parish councils can respond to licence applications but only as a body representing those living in the area which must mean the initial approach must come from a person living in the vicinity of the premises. Parish councils are not able to respond in their own capacity. It would require a change in primary legislation to change this situation which is outside of the scope of the Licensing Authority.

The Licensing Authority advises parish councils of all licence applications at the same time as it advises ward members and other interested persons who are included on the circulation list, such as residents associations etc. It would be time consuming and impractical to only advise parish councils of premises in and near their areas taking into consideration the number of applications that are received.

The licensing authority does appreciate the diverse nature of the communities in Leeds and this is reflected in the policy. In particular, areas which experience the cumulative impact of licensed premises are dealt with separately with their own cumulative impact policies. However it would be impractical to produce a separate policy for each area based on geography, culture or demographics.

No action required.

Letter 3 - Ward Member

In reference to Chapel Allerton - this has been reasonably successful but there is still too much litter and noise but this would have been worse without the policy. Can takeaways be included as they cause the majority of the litter?

Response: Takeaways have now been included.

Action: None

Letter 4 - Local resident

I cannot attend the event but would like to submit the following comments, as though I live at West Park the Headingley area is effectively my local shopping and entertainment area.

- 1) Please do not throw the baby out with the bath-water, as I believe that it is the student 'watering holes' that are problematical. For instance there is now a good restaurant/café scene in the area, from Headingley through Far Headingley and up to West Park, and I would hate to lose them and any future openings stopped due to tightening of licensing restricting this kind of trade. Particularly I would think it a great shame if those places with street café licences, where the main intention is to eat and drink with the emphasis on eat, are restricted due to no fault of their own, as they add colour and a balance to the drink to excess boozing monoculture promoted by the student pubs.
- 2) The one pub in the area, Arcadia, that is more to the taste of locals, usually older and more sensible, and caters accordingly with good beer, food and a lack of loud music, as above, shouldn't be caught up in a necessary clamp down on boozing and nuisance as they do not contribute to the problem.
- 3) Per the so called student pubs, not only do they contribute to noise nuisance and the rubbish problem when their customers have been into the takeaways, there is also the ongoing problem of the hire cars touting for trade, specifically outside The Box, The Skyrack and The Original Oak. Not only is this a nuisance and a potential danger on an evening, this is also a problem on weekend afternoons and many times public transport is impeded in its progress through the area.
- 4) I'm not sure if you can do anything regarding this point but I believe that another contributory factor to the problems in the area arising from student drunkenness is the Sainsbury's supermarkets selling cheap booze at all hours. Therefore, while I'm not sure you can restrict the hours of trade selling drink, a lot of the time students are going in getting the cheap booze and then appearing later back in Headingley well and truly sloshed and then 'topping' it up at the pub, and some responsibility should be born by Sainsbury's.

Thank you for this opportunity to make my views known.

Response: The CIP is not an automatic refusal of all licence applications. It presumes refusal but only in cases where there have been objections. As such any premises which are well managed and do not add to the cumulative impact of licensed premises in the

area would either be supported by a good case made by the applicant, or not receive representations.

The banning of selling alcohol cheaply is outside of the scope of this policy, however the Licensing Authority is aware of the issues of "pre-loading". It supports the banning of below costs sales and/or minimum pricing of alcohol but recognises this is a matter for the government to address.

Action: None

Letter 5 - Parish Council

Our response is similar to the response from Leeds Civic Trust, as consideration of the Statement of Licensing Policy 2011-13 was done in co-operation between the two bodies.

Further to the publication of the draft Statement of Licensing Policy 2011-13 and associated documents, xxx Parish Council has considered the content and wishes to make the following comments:

- we support the Licensing Objectives as set out under the Act:
 - the prevention of Crime and Disorder
 - Public Safety
 - the Prevention of Public Nuisance
 - the Protection of Children from Harm
- we welcome the various changes to the boundaries of the Cumulative Impact Policy areas and the definition of premises to be included (eg the removal of references to "high volume vertical drinking establishments")
- we note that in the outer areas, the representations made by local people ensure that a large proportion of applications are refused and those that are granted subject to conditions are generally well monitored (by the local community and/or City Council officers)
- however, we note that almost no applications get refused in the City Centre (only 3 refusals in 6 years) which is likely to be due to the lack of concerned people to object – it seems that an application will almost always be given permission, unless a hearing is triggered by at least one objection from an "interested party" as defined by the Act
- as this is usually limited to a person living or owning a business nearby, even when there are multiple concerns from, say, the Police, environmental health and neighbours, these will not prevent an application being granted – potential issues will be dealt with by adding "conditions" to the license
- "conditions" may be appropriate if there was a strong regime of inspection but we understand that premises may be visited only once every 3 to 5 years. We accept that some inspections are made, but we consider that, as Leeds has 2,700 licensed premises and only 7 enforcement officers, the system is inadequate.
- we are concerned over the application of Section 19 Notices and Summary Reviews – we understand that there have been only 4 of these since 2007 and only one has resulted in the surrender of the license
- while the Police can issue "Closure Notices", we understand that they have done so only once in the last two years – how is it that all the newspaper reports of repeated drugs and sexual offences in Leeds clubs have not resulted in closures?
- we also have concerns over the application of "Variation Applications" which can gradually cause greatly extended hours of operation, and "Temporary Event

Notices” as these can allow 24 hour street parties or overnight events in city centre bars – it seems that no permission is required from the Council, only the Police can intervene to prevent such an event (which we understand they rarely do) and even immediate neighbours cannot comment (even if they manage to find out about an application in advance), so allowing badly behaved bar or club managers to make life a misery for nearby occupiers with almost no risk to their business.

We appreciate that much of the difficulty with licenses is due to the Act, something which is beyond the scope of this consultation. However, in making representations to government, and if the localism agenda allows more local flexibility, we believe that there should be no presumption for the granting of a license, as at present. The position should be reversed. Applicants should have to demonstrate that their proposal will make a positive contribution to the licensing objectives and that it will generally enhance the area. In our view, yet another bar in a CIP area can never really help the licensing objectives in that area and licensing lawyers who argue that for their clients are being disingenuous. There should be a licence hearing in every case, where all concerns are examined, not only when triggered by a “representation”. The present system is weighted too much in favour of the applicant. We also feel that “Minor Variations” are a relaxation which would be almost impossible for neighbours to monitor, or object to.

We accept that a lively night life is desirable and an important part of the success of the night time economy. However, there do appear to be too many licensed premises, especially in the city centre, which has led to lack of adequate control and bad behaviour – the area has become a no-go zone for many residents and this could impact upon other initiatives to enhance the cultural offer, such as the Arena.

xxx Parish Council also has concerns about noise nuisance near current or future residential property. Unfortunately, the drinking culture in Britain is such that the two uses are not compatible in most locations. In practice, nearness to residential accommodation is not a reason to refuse an application but just to condition some sound proofing – that is generally an inadequate answer as most noise comes from outside licensed premises.

To summarise, we generally support the policy review but are concerned that, on its own, this will make very little difference to the position in the city centre. However, we do feel that, particularly with regard to the city centre, more licenses should be refused, that conditions attached should be stronger and (most importantly) there should be more inspection and enforcement. It should not be up to the public to know about and enforce licence conditions, although a comprehensive information system should be provided for those that are interested.

Response:

It is recognised that there have only been three refusals of licence applications in the City Centre CIP. However this is because representations were received from responsible authorities who were able to agree to measures being added to the licence to mitigate the cumulative impact of this application on the area. Therefore applications were granted with conditions rather than refused.

It is correct that applications which receive representations from interested parties (persons living in the vicinity) are more likely to go to a hearing as, in our experience, interested parties are less likely to negotiate with applicants to come to a mutually agreeable compromise.

All premises in Leeds are subject to a risk based inspection programme. Dependant on the risk rating system the next scheduled inspection may occur between 6 months and 5

years. Premises that elicit complaints are inspected outside of this programme as part of the complaint investigation.

Section 19 notices are an effective tool to ensure compliance with licence conditions and have been used widely by the authority. These have proved effective, finding resolution to a number of ongoing problems, without resorting to the expensive option of closures and prosecutions.

We recognise the Parish Council's concern relating to temporary event notices, which were intended to be a low cost, low bureaucratic way for community groups to hold occasional events (no more than 12 per year). However other legislation exists to control public nuisance and changing the temporary event notice system would require a change to primary legislation - this is outside of the scope of this policy.

The City Centre CIP has been put in place to address many of the concerns expressed above. We do appreciate the views of the Parish Council. However most of the points made are outside of the scope of this policy and would require a change in primary legislation.

Action: None.

Annex A – List of consultees

West Yorkshire Police
West Yorkshire Fire and Rescue Service
Leeds City Council Environmental Health Services
Leeds City Council Health & Safety Team
Leeds Safeguarding Children Board
Leeds City Council Development Department
West Yorkshire Trading Standards

Admiral Taverns
Asda Stores Limited
Costcutters Supermakets Group Ltd
Enterprise Inns
Greene King Brewing & Retailing Ltd.
Laurel Pub Company Ltd
Leeds Co-operative Society Ltd
Mitchells & Butler Leisure Retail Ltd
Morrisons
One Stop Stores Ltd
Orchid Pub Company
Punch Taverns
Sainsburys
Spirit Group
Tadcaster Pub Company Ltd
Tesco Stores Ltd
JD Wetherspoon Plc
Wharfedale Taverns Limited
Whitbread Group PLC

A Halsalls & Co Solicitors
Anthony Collins Solicitors
Barber Titleys Solicitors
Batleys Limited
Berwin Leighton Paisner Solicitors
Blacks Solicitors
Bond Pearce Solicitors
Brabners Chaffe Street Solicitors
Burton Burton & Ho
Cobbetts Solicitors
Dickenson Dees Solicitors
DLA Piper Rudnick Gray Cary Solicitors
DWF Solicitors
Elmhirst Solicitors
Essence Consultants
Ford & Warren Solicitors
Fraser Brown Solicitors
Freemans Solicitors
Gamestec Leisure Ltd
Gill Turner Tucker Solicitors
Godloves Solicitors
Gordons Solicitors
Halliwells Solicitors

Hardys & Ansons Plc
Hart & Co Solicitors
Henry Hyams Solicitors
Howard Cohen & Co Solicitors
Inncourt Licensing Consultants
Joelson Wilson & Co Solicitors
John Cordingley Consultancy
John Gaunt & Partners
Jones & Company Solicitors
Kuit Steinart Levy Solicitors
Last Cawthra Feather Solicitors
LesterAldridge Solicitors
Levi & Co. Solicitors
Licence Trade Consultants
Licensing Legal Licensing Solicitors
Luptonfawcett Solicitors
McCombie & Co Solicitors
McCormicks Solicitors
Mitchells & Butlers
Mr John T Burton
Popleston Allen Solicitors
Ricksons Solicitors
Rollits Solicitors
Roscoes Solicitors
T L T Solicitors
Trethowans Solicitors
United Co-operatives
Walker Morris Solicitors
Wells Connor & Co Solicitors
Winckworth Sherwood
Winston Solicitors
Zermansky & Partners Solicitors

BACTA (British Amusement Catering Trade Association)
British Beer and Pub Association
British Institute of Innkeepers
Federation of Small Business
Leeds City Licensing Association

Alcoholics Anonymous
Alcohol and Drugs Service
Leeds Addiction Unit
Leeds Chamber of Commerce & Industry
Mencap
Victim Support Leeds

Leeds North East PCT
Leeds North West PCT
Leeds West PCT
Leeds East PCT
Leeds South PCT

Leeds West MP
Leeds Central MP
Leeds North West MP
MP for Elmet
MP for Morley and Rothwell
MP for Leeds North East
MP for Leeds East
MP for Pudsey

Aberford & District Parish/Town Council
Allerton Bywater Parish/Town Council
Arthington Parish/Town Council
Bardsey cum Rigton Parish/Town Council
Barwick in Elmet and Scholes
Parish/Town Council
Boston Spa Parish/Town Council
Bramham cum Oglethorpe Parish/Town
Council
Bramhope & Carlton Parish/Town Council
Clifford Parish/Town Council
Collingham with Linton Parish/Town
Council

Drighlington Parish/Town Council
East Keswick Parish/Town Council
Gildersome Parish/Town Council
Great & Little Preston Parish/Town
Council
Harewood Parish/Town Council
Horsforth Town Council
Kippax Parish/Town Council
Ledsham Parish/Town Council
Ledston Parish/Town Council
Micklefield Parish/Town Council
Morley Town Council
Otley & Yeadon Parish/Town Council
Pool Parish/Town Council
Scarcroft Parish/Town Council
Shadwell Parish/Town Council
Swillington Parish/Town Council
Thorner Parish/Town Council
Thorp Arch Parish/Town Council
Walton Parish/Town Council
Wetherby Town Council

Annex B – BRE Code of Practice on Consultation

The consultation is being conducted in line with the BRE Code of Practice on Written Consultation. The consultation criteria are listed below. More information can be found at: <http://www.berr.gov.uk/files/file47158.pdf>

The Consultation Criteria

1) When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

2) Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

3) Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

4) Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

5) The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

6) Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

7) Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any questions or complaints about the process of consultation on this paper, please contact Susan Holden, Principal Project Officer, Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR.



Originator: T Westwood

Tel:39 51710

Report of the Assistant Chief Executive (Corporate Governance)

Full Council

Date: 17 November 2010

Subject: Recommendations from General Purposes Committee

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report sets out recommendations to Council from the General Purposes Committee at its meeting on 5 November 2010 relating to amendments to the Constitution, following the change in Administration and for clarification.
2. General Purposes Committee recommend full Council to:
 - approve amendments to Article 9 as set out in appendix 1 to this report; and
 - approve amendments to the Council Procedure Rules as set out in appendix 2 to this report.

1.0 Purpose Of This Report

- 1.1 This report presents recommendations to Council from the General Purposes Committee for amendments to the Constitution.

2.0 Background Information

- 2.1 General Purposes Committee is authorised to consider proposals to amend the Constitution. At its meeting on 5 November 2010, the General Purposes Committee considered an item about amendments to the Constitution. This report sets out the recommendations from General Purposes Committee relating to that item.

3.0 Main Issues

- 3.1 Further to the change in Administration a number of inconsistencies have been noted in the Constitution, arising from the change from an Administration with one major opposition group, to the current Administration with two major opposition groups.

Article 9.2

- 3.2 As currently drafted, Article 9.2 provides that “Members of the Executive; and Political Group Leaders and Whips from the administration and the major opposition Group are precluded from being members of the Corporate Governance and Audit Committee”. There is now more than one major opposition group, so this requires amendment.
- 3.3 The Committee resolved to recommend to full Council that this provision should refer to “the three largest groups”. The recommended amendments are shown in the attached appendix 1 to this report.

Council Procedure Rule 12.1

- 3.4 Council Procedure Rule 12.1, in relation to Motions on Notice, provides that the number of motions admissible for full debate at any given meeting shall be limited to four. Footnote 7 currently refers to ‘Two of these being reserved to the largest opposition group, and one being reserved to the administration’.
- 3.5 The Committee resolved to recommend to full Council that this should be amended to read, ‘One to the Labour Group, one to the Conservative Group, one to the Liberal Democrat Group and one to one of the two minority groups’. This is not intended to change the current practice of Whips’ involvement in determining the order in which motions are to be heard at any meeting.

Council Procedure Rule 14.5

- 3.6 Council Procedure Rule 14.5, in relation to the period permitted for speeches at meetings, makes provision for the procedure to be followed when there are two Executive portfolio holders within a single portfolio. As there are no longer any jointly-held portfolios, the Committee resolved to recommend that this reference be removed.

Council Procedure Rule 1.1

3.7 Council Procedure Rule 1.1, Timing and Business at the Annual Meeting, does not currently include explicit reference to full Council considering the recommendations of General Purposes Committee. The Committee resolved to recommend that this be inserted in the order of business between the election of the Leader and the establishment of Committees.

3.8 In accordance with this amendment, there would need to be consequential amendments to footnote 3 and Council Procedure Rules 2.2(h); 2.2(i); 6.2; 11.1(b); 15.1; 16.2; 19.1; 19.2; 24.1; 27.1 and 28.1, whereby any reference to Council Procedure Rule 1.1(g) are amended to read 1.1(h).

3.9 The recommended amendments to the Council Procedure Rules are shown in appendix 2 to this report.

4.0 Implications For Council Policy And Governance

4.1 It is in accordance with good governance principles to update the Constitution to ensure that it is fit for purpose.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications arising from the proposed amendments to the Constitution.

6.0 Conclusions

6.1 Full Council are recommended to approve the proposed amendments to the Constitution, as set out in the attached appendices.

7.0 Recommendations

7.1 General Purposes Committee recommend full Council to:

- approve amendments to Article 9 as set out in appendix 1 to this report; and
- approve amendments to the Council Procedure Rules as set out in appendix 2 to this report.

8.0 Background Papers

8.1 Report of the Assistant Chief Executive (Corporate Governance) to the General Purposes Committee, 5 November 2010.

8.2 Minutes of the General Purposes Committee, 5 November 2010.

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APPENDIX ONE

9.2 CORPORATE GOVERNANCE AND AUDIT COMMITTEE

9.2.1 The following are precluded from being members of the Corporate Governance and Audit Committee:

- Members of the Executive;
- Political Group Leaders from the three largest groups; and
- Whips from the three largest groups.

9.2.2 The Chair of Standards Committee will be a non voting co-opted member of the Committee¹

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COUNCIL PROCEDURE RULES

1.0 ANNUAL MEETING OF COUNCIL**1.1 Timing and Business**

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- (a) elect a person to preside if the Lord Mayor and Deputy Lord Mayor are not present;
- (b) elect the Lord Mayor;
- (c) elect the Deputy Lord Mayor;
- (d) approve the minutes of the last meeting;
- (e) receive any announcements from the Lord Mayor and/or Head of Paid Service;
- (f) elect the Leader¹;
- (g) consider any recommendations made by General Purposes Committee;
- (h) establish such committees² as are required by statute and such other committees as it considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions (as set out in Part 3, Section 2A of this Constitution);³
- (i) No appointments under Rule 1 shall be for a period beyond the next Annual Meeting of the Council but they may be altered at any meeting of the Council;
- (j) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3, Section 2C of this Constitution);
- (k) receive the documents presented by the Leader in accordance with Executive Procedure Rule 1.2;
- (l) approve a programme of ordinary meetings of the Council for the year; and

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¹ Only at the annual meeting held in 2010, or at any other subsequent annual meeting held on a day when the Leader's term of office is to end by virtue of Section 44E(3) Local Government Act 2000. If the Council fails to elect the Leader at the relevant annual meeting, the Leader is to be elected at a subsequent meeting.

² Such committees may be known as boards or panels.

³ References in these Rules to any committee established under Rule 1.1(h) shall be construed as including any other committee established by Full Council during municipal year.

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(m) consider any business set out in the notice convening the meeting.

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1.2 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council will:

- (a) decide which committees to establish for the municipal year;
- (b) decide the size and terms of reference for those committees;
- (c) decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) appoint to those committees and outside bodies except where appointments to those bodies has been delegated by the Council; and
- (e) appoint the Chair of those committees.

2.0 **ORDINARY MEETINGS**

2.1 Council Meetings

All meetings of the Council, with the exception of any called by the Lord Mayor or following a requisition of a minimum of five Members or by Members in default of the Lord Mayor, shall be held on dates fixed by the Council at the annual meeting

All meetings of the Council shall be held at the Civic Hall, and shall commence at such hour as the Lord Mayor may on behalf of the Council determine or, if no hour has been so fixed, at 1.30 p.m.

2.2 Order of Business

Except as otherwise provided by Rule 2.3 or by statute, the order of business at every meeting of the Council, (other than the Annual meeting, any Extraordinary Meeting or the Budget Meeting⁴, where the business to be transacted at the meeting will be specified in the Summons), shall be to:

- (a) choose a person to preside if the Lord Mayor and Deputy Lord Mayor are absent;
- (b) approve as a correct record and sign the minutes of the last meeting of the Council except where the meeting is a meeting called under paragraph 3 (extraordinary meetings) of Schedule 12 to the Local Government Act 1972, in which case the next following meeting of the Council (being a meeting called other than under that paragraph) shall be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) (signing of minutes) of that Schedule;

⁴ Business over and above the budget is usually admitted by agreement but there is a presumption that such agreement will not include the attendance of deputations or question time.

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- (c) receive any declarations of interest from Members;
- (d) receive such communications as the Lord Mayor, the Leader, Deputy Leader, or Members of the Executive Board, or the Chief Executive consider to be appropriate;
- (e) receive deputations (if any) in accordance with Rule 10;
- (f) receive such reports as the Chief Executive, Monitoring Officer or Section 151 Officer consider appropriate;
- (g) deal with questions (if any) in accordance with Rule 11;
- (h) consider any recommendation of the Executive Board, and committees, established under Rule 1.1(h), and any sub-committees thereof; Deleted: g
- (i) receive the minutes of the Executive Board and committees established under Rule 1.1(h), and any sub-committees thereof; and Deleted: g
- (j) consider White Paper Motions (if any) submitted in accordance with Rule 12.

2.3 Variation of Order of Business

Business falling under items Rule 2.2 (a) or (b) shall not be displaced, but subject thereto the foregoing order of business may be varied by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

3.0 TIME LIMITS FOR BUSINESS

3.1 Where a meeting commences at 1.30 pm the following will apply (in cases where an ordinary meeting commences at a different time the same timescales shall be applied).

(a) The time allowed for the consideration of the item set out in Rule 2.2 (i) (receipt of minutes) shall not continue beyond 5.00 pm and at 4.45 pm, the provisions of Rule 4 regarding winding up of business shall apply.

(b) The meeting will be suspended for the fixed period of 5.00 pm to 5.20 pm.

(c) At each meeting of the Council the time allowed for consideration of items under Rule 2.2 (j) (White Paper Motions) shall not continue beyond 7.20 pm and at 7.00 pm the provisions of Rule 4 regarding winding up of business will apply, after which the following procedure shall apply:

(d) Each outstanding White Paper motion and any amendments thereto will be formally moved and seconded without debate and each will be put to the vote

4.0 WINDING UP OF BUSINESS

- 4.1 This Rule applies on the expiry of any of the periods specified in Rule 3.1.
- 4.2 At the conclusion of the speech being delivered at the expiry of the specified period, the Lord Mayor shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:
- (a) If the speech to be concluded is a speech moving a motion, the Lord Mayor shall allow the motion to be formally seconded (without comment); or
 - (b) If the speech to be concluded is a speech moving an amendment, the Lord Mayor shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise his/her right of reply;
 - (c) Otherwise, the Lord Mayor shall allow the mover of a motion to exercise his/her right of reply

5.0 EXTRAORDINARY MEETINGS

Those listed below may request the Proper Officer to call Council Meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Lord Mayor;
- (c) the Chief Executive, the Monitoring Officer and Section 151 Officer; and
- (d) any five Members of the Council if they have signed a requisition presented to the Lord Mayor and s/he has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

6.0 NOTICE OF AND SUMMONS TO MEETINGS

6.1 The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules. At least five clear days before a meeting, the Chief Executive will send a summons signed by him/her by post to every Member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

6.2 The notices for all meetings of committees established under Rule 1.1(h) shall be issued from the office of the Chief Executive and no matter shall be considered at such meeting without the prior agreement of the Chief Executive who shall first have been furnished with any written report or with full details of any intended verbal report.

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7.0 POWERS AND DUTIES OF THE LORD MAYOR

- 7.1 Any power or duty of the Lord Mayor in relation to the conduct of a meeting may be exercised by the Deputy Lord Mayor, or in the absence of the Deputy Lord Mayor, the person elected to preside at the meeting.
- 7.2 Any duty of the Chief Executive in relation to the conduct of a meeting may be exercised in the Chief Executive's absence by the Assistant Chief Executive (Corporate Governance) .

8.0 QUORUM

- 8.1 The quorum of a meeting will be one quarter of the whole number of Members.
- 8.2 If during any meeting of the Council, any Member draws to the attention of the Lord Mayor that there does not appear to be a quorum present, the Lord Mayor shall direct the Chief Executive to call over the names of the Members of the Council. If there is less than a quarter present, the Lord Mayor shall declare the meeting adjourned. The names of the Members present and those absent shall be recorded in the minutes of the Council. Provided that, where more than one third of the Members are disqualified at the same time and until the number of Members in office is increased to not less than two thirds of the whole, the quorum shall be determined by reference to the number of Members remaining qualified.
- 8.3 The consideration of any business not transacted shall be adjourned to a time fixed by the Lord Mayor at the time the meeting is adjourned or, if the Lord Mayor does not fix a time, to the next ordinary meeting of the Council.

9.0 COMMUNICATIONS

- 9.1 There shall be no discussion on any matter referred to in communications from the Lord Mayor, the Chief Executive or Executive Members as are thought necessary to be read, but any Member shall be at liberty to move a motion, without notice, to refer any of such communications to the appropriate committee and such motion, on being seconded, shall be at once put to the vote.

10.0 DEPUTATIONS

- 10.1 Deputations may be received at any meeting of the Council except the Annual Meeting, provided that the Council's Chief Democratic Services Officer receives seven days previous notice.
- 10.2 Any Member of the Council may move a motion without notice, that the deputation be or not be received as the case may be, and such motion, on being seconded, shall be put to the vote without debate.
- 10.3 There shall be no discussion on any matter raised by a deputation, but any Member may move a motion, without notice, that the subject matter be referred to the appropriate committee and such a motion, on being seconded, shall be put to the vote without debate.

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10.4 The following requirements shall apply to deputations:

- 10.4.1 A deputation shall consist of at least two and no more than five people, only one of whom shall speak and the speech including the reading of any written material shall not be more than five minutes in duration.
- 10.4.2 Deputations which relate solely to the interests of one individual or company will not normally be admitted. In cases of doubt, the Council's Chief Executive will determine the eligibility of any deputation request.
- 10.4.3 Representations relating to matters subject to current consideration by a Plans Panel, the Licensing Committee or a sub-committee thereof shall be restricted to those allowed under the Protocol for Public Speaking at Plans Panels or the Licensing Committee Procedure Rules and shall not be allowed as deputations to Council. In cases of doubt the Assistant Chief Executive (Corporate Governance) may require written details of the proposed deputation speech prior to determination of the request.
- 10.4.4 The number of deputations which may be received by the Council at any meeting where deputations are permitted shall not exceed five.
- 10.4.5 Deputations shall be heard in the order in which notice is received.
- 10.4.6 Where two or more deputations are presenting opposing views on the same matter, not more than one of these related deputations shall be received at the same meeting.
- 10.4.7 A deputation shall not be admitted to the Council on matter which has been the subject of deputation in the preceding six months, except as a result of a prior refusal under paragraph 10.4.6.

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 Member⁵ or the Chair of any committee⁶ established under Rule 1.1(h), 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,

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⁵ In relation to any matter within their portfolio.

⁶ In relation to any matter within the committee's terms of reference.

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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.

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.

12.0 MOTIONS ON NOTICE

12.1 Notice

Except for motions which can be moved without notice under Rule 13, written notice of every motion signed by the Member or Members of Council giving notice must be delivered at the office of the Chief Executive prior to 10.00am of the day preceding the day for issue of the Summons. The number of motions admissible for full debate at any given meeting shall be limited to four⁷. Any motions over and above that number shall be referred back to the proposer unless the proposer accepts that the procedure at 3.1 (d) shall be applied. The Proposer shall have the right to correct or withdraw a White Paper Motion up to 10.00 am on the day for the issue of the Summons. The Chief Executive shall enter all notices of motion received in a book which shall be kept open for the inspection of every Member of the Council. All motions of which such notice is given shall be known as White Paper Motions.

Note - The Summons must be issued so as to be delivered five clear days before the day of the Meeting of the Council.

12.2 Scope

- (a) Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the City of Leeds.
- (b) All the notices of motion received by the Chief Executive shall be submitted to the Lord Mayor. If the Lord Mayor considers that any such motion relates to matters other than of a local nature or is similar to a matter which in the past six months has been rejected at a meeting of the Council, the Member concerned shall ask leave of the Council to introduce such motion before proceeding to address the Council on it. Once the motion is dealt with, no-one can propose a similar motion for six months.
- (c) There shall be no speech or discussion upon asking for such leave to so introduce a motion. The fact that any such motion requires the leave of the Council shall be indicated in the Council Summons.
- (d) If it appears to the Lord Mayor that any such motion relates only in part to the matters stated above, the Lord Mayor may invite the Member of the Council concerned to amend the motion in agreement with the Lord Mayor either by omitting the part relating to such matters or by dividing the motion so that the part relating to such matters is stated in terms of a separate motion, but without addition to the terms of the original motion. In such event the original motion shall appear on the Council Summons with the indication that it requires the leave of the Council, but it shall be competent for the Member concerned to move without leave the part agreed by that Member with the Lord Mayor as not relating to the matters above stated, and after that motion has been disposed of, if the Member so wishes, to move with leave the remaining part so agreed.
- (e) For the purpose of Rules 12.2 b) and 12.2 d) "the Lord Mayor" shall mean only the Lord Mayor in his/her own person or if for any reason the Lord

⁷One to the Labour Group, one to the Conservative Group, one to the Liberal Democrat Group and one to one of the two minority groups.

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Deleted: Two of these being reserved to the largest opposition group, and one being reserved to the Administration

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Mayor is unable to act or the office of the Lord Mayor is vacant, the Deputy Lord Mayor.

12.3 Motion Set Out in Agenda

- (a) The Chief Executive shall set out in the Summons for every meeting of the Council all motions of which notice has been duly given, (unless the Member giving such notice intimated in writing when giving it, that it was intended to move it at some later meeting, or has since withdrawn it in writing) and notice of all business which in the judgement of the Chief Executive requires to be brought before the Council.
- (b) The business under any notice upon the Council Summons shall not be proceeded with in the absence of the Member or Members of the Council in whose name or names it stands, unless they have given authority in writing for it to be taken up by some other Member or Members of the Council, or it is business which, by law, the Council must transact or business emanating from a committee the notice whereof stands in the name of the Chair of that committee in which latter case the resolution may be moved, without authority in writing, by some other Member of the committee. In the case of any recommendations of the Standards Committee, the recommendation must be moved by a Member of that Committee who was present at the meeting.

13.0 **MOTIONS/AMENDMENTS**

13.1 Motions and amendments requiring notice

Except as set out in Rule 13.2 below, and as provided in Rule 14.8, no amendment to a motion (including an amendment to refer back any business for further consideration) shall be moved at any meeting of the Council unless notice thereof in writing setting out the amendment and signed by the Member or Members giving it, has been received by the Chief Executive not less than 24 hours before the commencement of the meeting.

13.2 Motions without notice

The following motions and amendments may be moved without notice:

- (a) appointment of a Chair of the meeting at which the motion is made;
- (b) in relation to the accuracy of a report, minutes or recommendation before Council;
- (c) to change the order of business in the agenda;
- (d) that leave be given to withdraw an item of business including a motion or amendment;
- (e) that the Council proceed to the next business;

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- (f) that the question be now put;
- (g) that the debate be adjourned;
- (h) that the meeting be adjourned
- (i) authorising the sealing of documents;
- (j) suspending Council Procedure Rules, in accordance with Rule 22.1;
- (k) motion to exclude the press and public in accordance with the Access to Information Rules;
- (l) that a Member named under Rule 20, be not further heard or leave the meeting;
- (m) giving consent of the Council where its consent is required by this Constitution; and
- (n) that a communication be referred to the appropriate Committee

14.0 RULES OF DEBATE

14.1 No Speeches Until Motion Seconded

A motion or amendment shall not be discussed unless it has been proposed and seconded.

14.2 Right to require motion in writing

Unless notice has already been given in accordance with Rules 12.1 or 13 it shall be put into writing and handed to the Lord Mayor before it is further discussed or put to the meeting

14.3 Seconder's Speech

A Member when seconding a motion or amendment may, if the intention to do so is declared, reserve that speech until a later period of the debate.

14.4 Content of Speeches

Members shall direct their speech to the question under discussion, a personal explanation or a point of order.

14.5 Period Permitted for Speeches

- (a) Except by the leave of Council (and as follows), no speaker may speak for more than five minutes. The speech of the mover of a motion or an amendment, the winding-up speech of the mover of a motion, or in relation to business moved under Rule 2.2 (i), the speech of an Executive Member or Chair when summing up on minutes within their portfolio or in respect of their

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committee, shall not exceed ten minutes. (This rule shall not apply to the Lord Mayor or to matters which are not the ordinary business of the Council).

- (b) The Member moving the business referred to in Rule 2.2 (j) (receipt of minutes) shall, in addition to the ten minutes allowed for winding up purposes, be allowed to speak for a period not exceeding five minutes to respond to comments made on the Leader's portfolio immediately after such comments have been made.
- (c) The summing up rights of an Executive Member or Chair as provided for in 14.5(a) above shall, in the absence of an Executive Member or Chair, be exercisable by such member as may be nominated by the absent member or, failing that, by the relevant Party Whip.

Deleted: In instances where there are two Executive portfolio holders within a single portfolio, the Support Executive Member shall be allowed to sum up in respect of his/her part of the portfolio for a period not exceeding ten minutes, immediately prior to the Lead Executive Member exercising his/her right to sum up.

14.6 When a Member May Speak Again

A Member who has spoken on any motion shall not speak again whilst it is the subject of debate except:

- (i) if the motion has been amended since the Member last spoke, to move a further amendment;
- (ii) in exercise of a right of reply given by Rule 14.12;
- (iii) to raise a point of order in accordance with Rule 14.16; or
- (iv) to make a personal explanation, as defined in Rule 14.17.

For the purpose of this Rule only, comments on the minutes in each portfolio section of the Executive Board and each committee moved under Rule 2.2(i) shall be regarded as being comments upon separate motions and such comments shall be relevant to such section of the minutes as are under debate.

14.7 Amendments to Motions

- (a) An amendment must be relevant to the motion and will be to:-
 - (i) refer a subject of debate to an appropriate body or individual for consideration or reconsideration;
 - (ii) leave out words;
 - (iii) leave out words and insert or add others; or
 - (iv) insert or add words.

provided that such omission, insertion or addition of words shall not have the effect solely of negating the motion

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- (b) Subject to Rule 14.7(c), only one amendment may be moved and discussed at any time. No further amendment shall be moved until the amendment under discussion has been disposed of.
- (c) Amendments to White Paper motions shall be moved and discussed in the order in which notice thereof has been given and the voting thereon shall be taken after the winding-up speech of the mover of the original motion.

14.8 Amendments (Reference Back) to a Motion to receive the Minutes

- (a) Only one amendment may be moved to any given minute under a motion to receive the minutes. This shall be one to request the decision-maker to reconsider the decision.
- (b) The Executive Member or Chair responsible for the section of the minutes to which the amendment relates shall have five minutes to comment as the last speaker in the debate on the amendment in addition to his/her rights under Rule 14.5(a). (In the event that the amendment is the sole matter discussed under the given section of the minutes then the ten minutes allowed under Rule 14.5(a) shall be applied.)
- (c) The vote will be taken on the amendment before proceeding to comments on that section of the minutes.

14.9 Further Amendments

- (a) If any amendment is lost, other amendments may be moved on the original motion provided that, where necessary, due notice has been given in accordance with Rule 13.1.
- (b) If an amendment is carried, the motion as amended takes the place of the original motion upon which any further such amendments may be moved but this does not prevent any further amendments being moved by references to the wording of the original motion.
- (c) If a Member wishes to move a second or further amendment and has not given due notice thereof where required in accordance with Rule 13.1 the Member shall give notice of the proposed amendment during the discussion on the first or other earlier amendment and, subject to the consent of the Lord Mayor (which question shall not be open to discussion), may move this amendment at such time as the Lord Mayor shall decide. Subject to this, all amendments shall be considered in the order in which notice thereof has been given.

14.10 Alteration of Motion

A Member may with the consent of the Council signified without discussion:

- (a) alter a motion of which that Member has given notice; or
- (b) with the further consent of the seconder, alter a motion which that Member has moved

if (in either case) the alteration is one which could be made as an amendment thereto.

14.11 Withdrawal of Motion or Minutes

A motion or amendment shall not be withdrawn except with the consent of the seconder and of the Council. There shall be no discussion upon an application to withdraw a motion or amendment but any Member shall be at liberty to move that the leave applied for be given and the Council without discussion shall vote thereon.

14.12 Right of Reply

- (a) The mover of a motion has a right to reply at the close of debate of the motion immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment but may not otherwise speak on the amendment.
- (c) The mover of the amendment has no right of reply to the debate on such amendment.

14.13 Motions Which May Be Moved During Debate

When a motion is under debate no motion shall be moved except the following:-

- (a) to amend the motion;
- (b) to adjourn the meeting;
- (c) to adjourn the debate;
- (d) to proceed to the next business;
- (e) that the question be now put;
- (f) that a Member be not further heard;
- (g) by the Lord Mayor under Rule 20 that a Member leave a meeting;
- (h) to exclude the press and public in accordance with the Access to Information Procedure Rules; or
- (i) to give consent to the withdrawal of a motion or amendment.

14.14 Closure Motions

- (a) A Member may move, without comment, at the conclusion of a speech of another Member,

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- (i) to proceed to the next business;
- (ii) that the question be now put;
- (iii) to adjourn a debate; or
- (iv) to adjourn a meeting

on the seconding of which the Lord Mayor shall proceed as set out in paragraphs (b), (c) and (d) below.

- (b) If a motion to proceed to next business is seconded, the Lord Mayor will first give the mover of the original motion a right of reply not exceeding 10 minutes and then put to the vote the motion to proceed to next business.
- (c) If a motion that the question be now put is seconded, the Lord Mayor will first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion a right of reply under Rule 14.12 not exceeding 10 minutes before putting a motion to the vote.
- (d) If a motion to adjourn the debate or the meeting is seconded, the Lord Mayor shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply on that occasion and no amendment to the motion shall be permitted unless it relates to the time of adjournment.

14.15 Resumption of Adjourned Debate

On resuming an adjourned debate, the Member who moved its adjournment is entitled to speak first.

14.16 Points of Order

A Member may raise a point of order at any time and will, with the consent of the Lord Mayor, be entitled to be heard immediately. A point of order may relate only to an alleged breach of these Council Procedure Rules or statutory provision. The Member must specify the Rule or statutory provision and the way in which s/he considers it has been broken. The Lord Mayor's ruling is final.

14.17 Personal explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Lord Mayor on the admissibility of a personal explanation will be final.

14.18 Lord Mayor's Ruling Final

The ruling of the Lord Mayor on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

14.19 Interpretation of Council Procedure Rules

The ruling of the Lord Mayor as to the construction or application of any of these Rules, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

15.0 RESCINDING RESOLUTIONS OF COUNCIL

- 15.1 No resolution of the Council shall be rescinded or varied, except upon motion made on a notice which shall refer to the resolution sought to be rescinded or varied. Provided that this Rule shall not apply to motions moved in pursuance of a recommendation by the Executive Board or a committee established under Rule 1.1(h) or a sub-committee thereof.

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16.0 VOTING16.1 Majority

Unless this Constitution or the law provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

16.2 Casting Vote

At any meeting of the Council or a committee established under Rule 1.1(h), or a sub-committee thereof, the Chair shall, in case of an equal division of votes have a second or casting vote.

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16.3 Show of Hands

- (a) Unless a recorded vote is demanded under Rules 16.4 and 16.5, the Lord Mayor will take the vote by show of hands or if there is no dissent, by the affirmation of the meeting.
- (b) The result of a vote by show of hands will be announced provisionally by the Lord Mayor who will then allow a further reasonable period for any two Members to requisition a recorded vote. If any such requisition is made, the show of hands shall be disregarded and the voting will be recorded to show how each Member present voted.
- (c) If no such requisition is made before the Lord Mayor announces the next item of business or the closure of the meeting, as appropriate, the result of the show of hands as announced by the Lord Mayor will there upon become final.

16.4 Recorded Vote

Before the vote is taken on any motion, amendment, or amendment which has itself become a substantive motion, any two Members of the Council may demand that the votes are recorded and in that case the voting will be recorded to show how each Member present voted.

16.5 Right to Require Individual Vote to be Recorded

Where immediately after a vote is taken at a meeting any Member so requires, there shall be recorded in the minutes of the proceedings of that meeting whether

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that person cast his/her vote for the question, against the question or whether s/he abstained from voting.

16.6 Division Bells

- (a) Where a closing speech has started there will be a single ring of the bell.
- (b) In any situation where it has been agreed that a recorded vote shall be taken, there will be two rings of the bell and at least half a minute will elapse between the end of the final ring and the taking of the vote.

16.7 Voting on Appointments

If there are more than two people nominated for any position to be filled by the Council, and there is not a clear majority in favour of one person, then the name of the person with the least number of votes shall be taken off the list and a new vote shall be taken. The process will continue until there is a majority of votes for one person.

17.0 MINUTES

17.1 Signing the Minutes

- (a) The Lord Mayor will put the question that the minutes of the previous meeting or meetings of the Council be approved as a correct record.
- (b) No discussion will take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or it is raised then as soon as it has been disposed of, the Lord Mayor will sign the minutes.

17.2 No requirement to sign minutes of previous meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting) then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

17.3 Form of Minutes

Minutes will contain all motions and amendments in the exact form and order the Lord Mayor put them.

18.0 RECORD OF ATTENDANCE

- 18.1 All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

19.0 EXCLUSION OF PUBLIC

19.1 Subject to any statutory prohibitions and to paragraph 19.2 below, meetings of the Council and committees established under Rule 1.1(h) and any sub-committees thereof, shall be open to the public. This shall be without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

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19.2 The Council and committees established under Rule 1.1(h) and any sub-committees thereof may by resolution exclude the press and public from a meeting (whether during the whole part or part only of the proceedings) in accordance with the Access to Information Procedure Rules in Part 4 of this Constitution.

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20.0 MEMBERS' CONDUCT**20.1 Standing to Speak**

A Member when speaking at full Council must stand and address the Lord Mayor. If two or more Members rise, the Lord Mayor will call on one to speak and the other or others must sit. While the Member is speaking, the other Members must remain seated unless rising on a point of order or personal explanation. Members shall speak of each other by their titles of "Lord Mayor" or "Councillor" as the case may be.

20.2 Lord Mayor Standing

When the Lord Mayor rises during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

20.3 Member not to be Heard Further

If at a meeting any Member indulges in misconduct by behaving irregularly, improperly, offensively, or by wilfully obstructing the business of the Council, any other Member (including the Lord Mayor) may move "that the Member named be not further heard" and the motion, if seconded will, with the leave of the Lord Mayor, be put and voted on without further discussion.

20.4 Member to Leave the Meeting

If the Member named continues the misconduct after a motion under the foregoing paragraph has been carried, the Lord Mayor shall either move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion) or adjourn the meeting of the Council for such period as the Lord Mayor shall consider expedient.

20.5 General Disturbance

In the event of general disturbance which in the opinion of the Lord Mayor renders the orderly dispatch of business impossible, the Lord Mayor may, without question, adjourn the meeting of the Council for such period as s/he considers expedient.

21.0 DISTURBANCE BY THE PUBLIC

- 21.1 If a Member of the public interrupts the proceedings at any meeting the Lord Mayor will warn the person concerned. If that person continues the interruption, the Lord Mayor will order their removal from the meeting room.
- 21.2 In the case of general disturbance in any part of the meeting room open to the public the Lord Mayor may call for that part to be cleared.

22.0 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

22.1 Suspension

Any Council Procedure Rule except Rule 16.5 and 17.2 may be suspended by a motion made and seconded and carried by a majority of the Members present at the meeting. A motion to suspend in relation to the proposed introduction of an emergency motion should include the wording of the motion proposed to be considered. The motion to suspend should not include the reasons why the suspension is being proposed. Suspension is only for the duration of the meeting.

22.2 Amendment

Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

23.0 INTEREST OF MEMBERS AND OFFICERS

- 23.1 If any Member of the Council has any personal and prejudicial interest for the purposes of Section 81 of the Local Government Act 2000, in any contract, proposed contract or other matter that Member must withdraw from the meeting while the contract or other matter is under consideration by the Council unless the disability to discuss the matter imposed upon him/her by that Section has been removed by the Standards Committee under Section 81(4).
- 23.2 Directors shall record in a book kept for the purpose particulars of any notice given by an officer of the Council of a personal interest in a contract and each such book shall be open during office hours to the inspection of any Members of the Council.

24.0 MOTIONS AFFECTING COUNCIL EMPLOYEES

- 24.1 If any question arises at a meeting of the Council or a committee established under Rule 1.1(h) and any sub-committee thereof, open to the public as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council, committee, or sub-committee, has decided whether or not the power of exclusion of the public under section 100A of the Local Government Act 1972 shall be exercised.

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APPENDIX TWO

Council Procedure Rules

25.0 APPLICATION TO COMMITTEES AND SUB COMMITTEES

25.1 All of the Council Procedure Rules apply to meetings of full Council. None of the Rules apply to meetings of the Executive (see Executive Procedure Rules). Only the following Rules apply to meetings of committees and sub-committees: 6, 7, 16.1, 16.2, 16.5, 17, 19, 21, 23 - 28.

25.2 References to "Lord Mayor" shall read "the Chair".

26.0 SUBSTITUTE MEMBERS

26.1 Allocation

- (a) In relation to each Plans Panel, the Council shall appoint substitute members, comprising all other members of the other Plans Panels, the Development Plan Panel and the Licensing Committee. A nominated member shall be entitled to attend meetings in place of a regular member, subject to the substitute member having received appropriate training.
- (b) In relation to the Member Management Committee, an Executive Member, Deputy Executive Member, Whip or Assistant Whip shall be entitled to attend meetings in place of a regular member of the Committee.
- (c) In relation to the Development Plan Panel, the Council shall appoint substitute Members, comprising all Members of the Plans Panels and the Licensing Committee. A nominated Member shall be entitled to attend meetings in place of a regular Member, subject to the substitute Member having received appropriate training.
- (d) In relation to the Corporate Governance and Audit Committee, the Council shall appoint substitute members via nominations from party Whips. Each Whip shall nominate one substitute for each member that sits on the Committee. Whips may not nominate any members that would be excluded from full membership under the provisions of Article 9 of the Constitution.
- (e) In relation to the General Purposes Committee, an Executive Member, Deputy Executive Member, Whip or Assistant Whip shall be entitled to attend meetings in place of a regular member of the Committee.
- (f) In relation to Scrutiny Boards, substitute members shall be appointed in accordance with the Scrutiny Board Procedure Rules.
- (g) In relation to the Licensing Committee there shall be no substitution of Members. In relation to Licensing Sub-Committees substitute members shall be appointed in accordance with the Licensing Procedure Rules.

26.2 Substitution

A substitute member shall be entitled to attend in place of a regular member provided that the Committee Clerk has been notified of this before the meeting begins. Once the meeting has begun, the regular member in respect of whom

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Council Procedure Rules

notification has been received, shall no longer be entitled to attend that meeting as a member of the committee concerned.

26.3 Powers and Duties

A substitute member shall be for all purposes a duly appointed member of the committee to which s/he is appointed as a substitute member for the meeting in question. Substitute members will have all the powers and duties of any regular member of the committee, but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.

27.0 SPECIAL MEETINGS OF COMMITTEES

27.1 The Chair of a committee established under Rule 1.1(h), may call a meeting at any time. A special meeting shall also be called on the requisition of any three Members of such committees delivered in writing to the Chief Executive. The Agenda for such a special meeting shall set out the business to be considered thereat and no business other than that set out in the Agenda shall be considered at that meeting.

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28.0 QUORUM OF COMMITTEES AND SUB-COMMITTEES

28.1 Four Members (including the Chair) shall form a quorum in committees established under Rule 1.1(h), except as follows:

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28.2 The quorum for the Employment Committee shall be two, including one Member of the Executive Board.

28.3 The quorum for meetings of the Standards Committee shall be three⁸, including at least one independent member (unless that independent member would have been present for the meeting but for the fact he was prevented or restricted from participating by virtue of the Code of Conduct, in which case the requirement for the quorum to include at least one independent member shall not apply)⁹. The Parish Member must be present when matters relating to Parish Councils or their Members are being considered.

28.4 The quorum for the Standards Committee - Assessment Sub-Committee, the Standards Committee – Review Sub-Committee, the Standards Committee Consideration Sub-Committee, and the Standards Committee Hearings Sub-Committee shall be three.¹⁰ Where a meeting of one of these Sub-Committees is convened to discharge any of the functions specified in Section 57(A) or 57(B) of the Local Government Act 2000, or Regulations 17 to 20 of the Standards Committee (England) Regulations 2008, no decision may be taken unless at least one Leeds City Councillor is present when such matters are being considered.¹¹ Where a meeting is convened to discharge any of the above functions in relation to a Member or former Member of a Parish Council, no decision may be taken unless

⁸ Regulation 7(1) Standards Committee (England) Regulations 2008.

⁹ Regulation 6(2) Relevant Authorities (Standards Committee) Regulations 2001.

¹⁰ Regulation 7(1) Standards Committee (England) Regulations 2008.

¹¹ Regulation 7(3) Standards Committee (England) Regulations 2008.

APPENDIX TWO

Council Procedure Rules

at least one Parish Member of the Standards Committee is present when such matters are being considered.¹²

- 28.5 The quorum for a meeting of an Area Committee shall be satisfied if at least one third of the Elected Ward Members are present, and at least one Elected Ward Member from each ward within the area is present. In the case of those Committees where the Area is made of only two wards, the quorum shall be satisfied if three Members are present and at least one Elected Ward Member from each ward within the area is present.
- 28.6 The quorum for the Licensing Committee shall be as set out in the Licensing Procedure Rules.
- 28.7 The quorum of any sub-committee shall be determined by the appointing committee.
- 28.8 Except where authorised by statute, business shall not be transacted at a meeting unless a quorum is present.

¹² Regulation 7(4) Standard Committee (England) Regulations 2008.

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EXECUTIVE BOARD

THURSDAY, 23RD SEPTEMBER, 2010

PRESENT: Councillor K Wakefield in the Chair

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

Councillor J Dowson – Non-voting Advisory Member

77 **Late Items**

The Chair admitted to the agenda a late item of business entitled, 'Reductions in Funding: Contract, Service Level Agreement and Grant Variations' (Minute No. 80 refers).

Further to a related decision of Executive Board on 25th August 2010 (Minute No. 71(b) refers), which had been the subject of a Scrutiny Board (Central and Corporate) call in meeting and subsequent discussions at full Council, it was determined essential that this matter was considered by Executive Board at the earliest opportunity in order to efficiently manage the decisions which needed to be taken in respect of funding reductions, following Government announcements.

78 **Declaration of Interests**

Councillor Yeadon declared a personal interest in the item relating to reductions in funding (Minute No. 80 refers), due to being a former employee of, and having close personal connections with employees of Royal Mencap.

Councillor Murray declared a personal interest in the item relating to reductions in funding (Minute No. 80 refers), due to being a Director of IGEN and a personal and prejudicial interest in this item as the Chief Executive of the Learning Partnerships organisation.

Councillor Blake declared a personal and prejudicial interest in the item relating to reductions in funding (Minute No. 80 refers), due to being vice chair of the trustees of the Health For All organisation.

Councillor Wakefield declared a personal and prejudicial interest in the item relating to reductions in funding (Minute No. 80 refers), due to being a member of and having close personal connections with Meanwood Valley Urban Farm.

Councillors Wakefield, Blake, Gruen, R Lewis, Murray, Ogilvie, Yeadon, Dowson, A Carter and Golton all declared personal interests in the item relating to Community Use of Schools Policy (Minute No. 79 refers), due to their respective positions as school governors.

79 **Community Use of Schools Policy**

The Interim Director of Children's Services submitted a report regarding the removal of the central subsidy provision for all community use of schools from November 2010, the establishment of a Community Use policy setting maximum charges levied by schools to recommended user groups, outlining revised policies and procedures around safeguarding the access of such groups to school premises and on the establishment of a central 'hardship' grant fund to provide support to users meeting corporate priorities.

This matter had previously been the subject of a delegated decision taken by the Interim Director of Children's Services, which was subsequently called in and considered by Scrutiny Board (Children's Services). The Scrutiny Board recommended that this decision was referred back to the decision taker for reconsideration and submitted to Executive Board for determination.

Officers undertook to provide Executive Board Members with a breakdown of financial balances for individual schools and to keep Members briefed on any matters arising from the policy change. Members referred to the possibility of increasing the £50,000 support fund, should this be required.

RESOLVED –

- (a). That approval be given to the ceasing of the central subsidy on community use of schools from November 2010.
- (b). That approval be given to the establishment of a support fund of £50,000.
- (c). That revised policies and procedures, as set out within section 5 of the submitted report, be approved.
- (d). That an additional grant of £10,000 be provided in order to support supplementary schools, with the administration being carried out by the Head of School Improvement, Education Leeds.
- (e). That the policy, as set out at section 5 of the submitted report, be applied to PFI properties, the lettings of which are administered directly by the Lettings Unit.
- (f). That an update report which provides Board Members with an opportunity to consider and monitor any issues arising from this policy change be submitted to a future meeting of the Board.

(In accordance with Scrutiny Board Procedure Rules, the decisions detailed at (a) to (e) above, being matters which have been the subject of a previous call in, were not eligible for call in on this occasion)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had voted against the decisions taken at (a) to (e) above)

80 Reductions in Funding: Contract, Service Level Agreement and Grant Variations

Further to Minute No. 71(b), 25th August 2010, a report was submitted by the Interim Director of Children's Services outlining proposals on the management of reductions in expenditure, specifically in respect of payments to internal and external children's services providers, following the in-year reduction in grants received by the Council.

The related decisions taken by Executive Board on 25th August 2010 had been the subject of a Scrutiny Board (Central and Corporate) call in meeting and subsequent discussions at full Council, and it was determined essential that this matter was considered by Executive Board at the earliest opportunity in order to efficiently manage the decisions which needed to be taken in respect of funding reductions, following Government announcements.

Officers undertook to provide Executive Board Members with information relating to those organisations with contracts, grants and service level agreements worth £15,000 or less, and offered to report back to the Board should any significant issues arise in terms of individual organisations.

The Board highlighted the scrutiny inquiry currently being undertaken by Scrutiny Board (Children's Services) on the funding arrangements for children's outdoor activity centres, and considered how the findings could be utilised in terms of an individual organisation included within the proposals.

RESOLVED –

- (a). That the schedule of variations to contracts, service level agreements and grants to external providers, as detailed at appendix 1 of the submitted report, be approved.
- (b). That Executive Board request Scrutiny Board (Children's Services) to prioritise the inquiry it is currently undertaking into the funding arrangements for children's outdoor activity centres, with the conclusions from the inquiry being presented to Board Members at the earliest available opportunity.

(Having declared a personal and prejudicial interest in this matter, due to being a member of and having close personal connections with Meanwood Valley Urban Farm, 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 personal and prejudicial interests in this matter, Councillors Murray and Blake withdrew from the meeting room for the duration of this item, due to their respective positions as the Chief Executive of Learning Partnerships and vice chair of the trustees of the Health For All organisation)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had voted against the decision taken at (a) above)

DATE FOR PUBLICATION: 27th September 2010

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 4th October 2010 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on
5th October 2010)

EXECUTIVE BOARD

WEDNESDAY, 13TH OCTOBER, 2010

PRESENT: Councillor K Wakefield in the Chair

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

Councillor J Dowson – Non-voting Advisory Member

81 Substitute Member

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

82 Introduction of the new Director of Children's Services

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

83 Declaration of Interests

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

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

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

LEISURE

84 South Leeds Sports Centre

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

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

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

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

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

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

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

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

RESOLVED –

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

85 Minutes

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

DEVELOPMENT AND REGENERATION

86 West Leeds Gateway Supplementary Planning Document

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

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

RESOLVED -

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

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

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

RESOLVED –

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

NEIGHBOURHOODS AND HOUSING

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

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

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

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

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

RESOLVED –

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

90 Adoption of the Compact for Leeds 2010

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

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

91 Environment and Neighbourhoods Lettings Policy Revision

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

RESOLVED –

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

CHILDREN'S SERVICES

92 Report on the September 2010 Admissions Round

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

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

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

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

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

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

LEISURE

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

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

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

RESOLVED -

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

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

RESOURCES AND CORPORATE FUNCTIONS

94 Financial Strategy and Budget Setting Process

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

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

RESOLVED –

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

95 Scrutiny Board Recommendations

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

RESOLVED –

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

DATE FOR PUBLICATION: 15th October 2010

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

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

EXECUTIVE BOARD

WEDNESDAY, 3RD NOVEMBER, 2010

PRESENT: Councillor K Wakefield in the Chair

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

Councillor J Dowson – Non-voting Advisory Member

96 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 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 appendix to the report referred to in Minute No. 109 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix details the cost estimate for constructing the arena based on the RIBA Stage D+ design and specifications and reviews the funding strategy for the development of the building. It is considered that the public interest in maintaining this information as exempt outweighs the public interest in disclosing the information, as disclosure would prejudice the outcome of the procurement process for the appointment of the contractor to undertake the building works contract, as the contractor could structure their tender to match the Council's cost estimate and hence the Council may not achieve full value for money in terms of the cost to the Council of developing the arena.

97 Late Items

There were no late items as such, however, it was noted that supplementary information had been circulated to Board Members following the despatch of the agenda as follows:-

- (a) A revised set of recommendations in addition to supplementary information regarding attendance levels for Learning Disability Fulfilling Lives service provision, both of which were in respect of the item entitled, 'Transforming Day Opportunities for Adults with Learning Disabilities' (Minute No. 113 refers).
- (b) Supplementary information in the form of a 'Map Book' document, which related to the item entitled, 'Natural Resources and Waste Development Plan Document: Publication Draft' (Minute No. 108 refers).

- (c) Supplementary information providing several points of clarification in respect of the submitted report from the viewpoint of the deputation to Council on 15th September 2010, regarding local residents' concern at access to Throstle Nest Villa, Horsforth (Minute No. 107 refers).

98 Declaration of Interests

Councillors A Carter, Golton, Murray, Ogilvie, R Lewis and Blake all declared personal interests in the item relating to the future of Council Housing (Minute No. 111 refers), due to their respective positions as either a Board Director or an Area Panel member of an Arms Length Management Organisation (ALMO) or Belle Isle Tenant Management Organisation (BITMO).

A further declaration of interest was made at a later point in the meeting. (Minute No. 111 refers).

99 Minutes

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

RESOURCES AND CORPORATE FUNCTIONS

100 Government Spending Review 2010

The Director of Resources submitted a report providing information about the Government's announcement on 20th October 2010 in respect of its Spending Review. The report highlighted the overall implications for Local Authorities and detailed proposals for the development of the Council's budget setting process, including the proposed delivery of a consultation exercise.

RESOLVED –

- (a) That the details of the Spending Review, as detailed within the submitted report, be noted.
- (b) That the approach to stakeholder engagement and related budget timetables, as outlined within the submitted report and appendix, be approved, subject to the final review of the consultation document.

101 Treasury Management Strategy Update 2010/2011

The Director of Resources submitted a report providing a review of, and update on the Treasury Management Strategy for 2010/2011 which was approved by Executive Board on 12th February 2010.

RESOLVED – That the update on the Treasury Management borrowing and investment strategy for 2010/2011 be noted.

102 Capital Programme Update 2010 - 2014

The Director of Resources submitted a report summarising the financial details of the 2010/2011 month 6 Capital Programme position. In addition, the report also sought approval to transfer some schemes to the reserved Capital Programme, following the conclusion of the capital review and detailed the action being taken in respect of individual capital schemes to ensure that the

overall level of the Capital Programme expenditure could be managed within the ever changing resource position.

Following Members' comments, it was suggested that further consideration was given to the capital programme by the cross-party Member Working Group recently established to consider the Council's budget setting process, with formal representations being made to the Secretary of State for the Department for Communities and Local Government on behalf of the Council in support of key investment decisions which were dependent upon further Government approval.

RESOLVED –

- (a) That the latest position on the general fund and Housing Revenue Account capital programmes be noted.
- (b) That the transfer to the reserved capital programme of those schemes classified as 'red' within Appendix B to the submitted report, be approved.
- (c) That further business cases be considered in relation to schemes classified as 'amber' within Appendix B to the submitted report.
- (d) That the transfer of £250,000 from the reserved to the funded programme in relation to the Kirkgate Market business support scheme be approved.
- (e) That an injection into the capital programme of £750,000 be agreed, and that authority be given to spend of £598,000 on the replacement of vehicles, the revenue cost of which is provided for within ALMO budgets.
- (f) That authority be given to spend of £685,000 on equipment purchases within the Parks, Sport and Adult Social Care services.
- (g) That an injection into the capital programme and authority to spend of £208,200 for East Leeds Household Waste Site funded through a government grant of £188,200 and third party funding of £20,000 be agreed.

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

103 Financial Health Monitoring 2010/2011 - Half Year Report

The Director of Resources submitted a report outlining the financial health position for 2010/2011 at the half way stage of the financial year. In addition, the report detailed revenue expenditure and income projected to the year end, whilst highlighting other key financial indicators including Council Tax collection and the payment of creditors.

Members discussed the budgetary pressures specifically within Adult Social Care, with reference being made to the closer working relationships required to be established with the NHS and other health service providers.

Having made reference to the costs incurred by Local Authorities in respect of court fees when obtaining court orders as part of Councils' statutory duties, it was suggested that formal representations were made on this issue to the Secretary of State for Children, Schools and Families on behalf of this Council.

RESOLVED –

- (a) That the projected financial position of the authority after six months of the 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 further to (a) above, the actions which Directorates are currently taking, including using identified underspends to offset projected areas of overspend be noted.
- (c) That approval be given to the release of £733,000 from the Housing Revenue Account Reserve to fund the cost of a replacement Care Ring emergency alarm scheme, and the injection of the same amount into the Capital Programme.
- (d) That approval be given to the virements within Adult Social Care, as detailed within paragraph 3.4 of the submitted report.

104 Licensing Act 2003 - Statement of Licensing Policy

The Assistant Chief Executive (Corporate Governance) submitted a report presenting the outcomes arising from the review and public consultation exercise undertaken in respect of the Licensing Act 2003 Statement of Licensing Policy 2011–2013 and which invited the Board to recommend the formal approval of the Policy to full Council.

Following Members' references regarding the current levels of access to alcohol in the city, officers undertook to provide the relevant Members with responses to their specific enquiries regarding the possible actions which could be taken to address issues relating to the operating hours of licensed premises, and the high concentration of such premises in certain areas.

RESOLVED –

- (a) That the responses to the consultation undertaken and the Final Consultation Report, as detailed within Appendix 2 to the submitted report be noted, that the proposed responses to the consultation exercise be endorsed, and that full Council be recommended to approve such responses as the Council's formal response to the matters raised during the consultation.

- (b) That the revised draft Statement of Licensing Policy, as set out within Appendix 1 to the submitted report be noted, and that full Council be recommended to approve this document as the final Policy under the Licensing Act 2003.
- (c) That the decisions detailed at (a) and (b) above be exempt from the provisions of Call In, due to being matters reserved to Council.

105 Scrutiny Board Recommendations

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

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

DEVELOPMENT AND REGENERATION

106 Deputation to Council - Wetherby Town Council Seeking Provision of a Mini-Roundabout at the Top of Crossley Street, Wetherby

The Acting Director of City Development submitted a report in response to the deputation to Council on 21st April 2010 from Wetherby Town Council regarding support for the provision of a mini-roundabout at the junction of A661, Spofforth Hill and Linton Road.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the provision of a mini-roundabout at the junction of the A661, Spofforth Hill and Linton Road be supported in principle.
- (c) That the provision of £30,000 of the scheme costs from Highways and Transportation budgets be supported.
- (d) That agreement be given to the scheme being injected into the programme, subject to the remaining verbally agreed £25,000 of the costs which is coming from local funding being confirmed in writing.

107 Deputation to Council - Local Residents Concerned at Access to Throstle Nest Villa, Horsforth

The Chief Planning Officer submitted a report in response to the deputation to Council on 15th September 2010 from local residents regarding their concerns in respect of access to Throstle Nest Villa, Horsforth.

Supplementary information providing several points of clarification from the viewpoint of the deputation in respect of the submitted report had been circulated to Board Members following the despatch of the agenda.

RESOLVED – That the response to the deputation, as detailed within the submitted report, be noted.

108 Natural Resources and Waste Development Plan Document: Publication Draft

The Acting Director of City Development submitted a report presenting the Leeds Local Development Framework Natural Resources and Waste Development Plan Document for consideration and which invited the Board to consider the recommendation of the Development Plan Panel to approve the document for the purposes of publication and public participation.

A 'Map Book' which accompanied the Leeds Local Development Framework Natural Resources and Waste Development Plan Document had been circulated to Board Members in advance of the meeting for their consideration.

Following a brief discussion, Members received responses to their enquiries regarding the opportunities for the Council in terms of energy generation.

RESOLVED – That the recommendation of the Development Plan Panel be noted, and that approval be given to the Natural Resources & Waste Development Plan Document, together with the sustainability appraisal report and other relevant supporting documentation, for the purposes of publication and public participation.

109 Design and Cost Report - Leeds Arena

Further to Minute No. 228, 7th April 2010, the Acting Director of City Development submitted a report providing an update on the progress made in pursuing the development of the arena at Clay Pit Lane, regarding proposals for a design and cost freeze at RIBA Stage D+ for the proposed development and seeking authorisation of related expenditure and letting of contracts.

Following consideration of the appendix 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 progress made in pursuing the development of the arena at Clay Pit Lane, be noted.
- (b) That the design and cost freeze at RIBA Stage D+ for the proposed development of the arena at Clay Pit Lane, be approved.
- (c) That subject to the tender sum being within the project budget, authority be given to the letting of the contract to the preferred participating contractor (or the reserve contractor should the need arise) and the incurring of expenditure of £61,199,000 from existing budget provision (Capital Scheme No. 13307/COM/000) on the proposed development of the Leeds arena at Clay Pit Lane.

ENVIRONMENTAL SERVICES

110 Dog Control Orders

The Director of Environment and Neighbourhoods submitted a report outlining the outcome of the consultation exercise undertaken in respect of the Dog Control Order implementation process and which sought approval to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 with effect from 1st January 2011.

RESOLVED –

- (a) That the proposals for Dog Control Orders, as contained within the submitted report, be approved, and that approval also be given to the project's progression to Phase 2.
- (b) That the following prescribed Dog Control Orders be approved:-
 - Limit the number of dogs which can be walked by a person to 6;
 - Exclude dogs from the prescribed areas as listed within the submitted report;
 - Introduce the 'dogs on leads by direction' Order.
- (c) That Scrutiny Board (Environment and Neighbourhoods) be requested to monitor the enforcement of the Dog Control Orders established at (a) and (b) above, with an update report being submitted to Executive Board in due course.
- (d) That a further report be submitted to the Board regarding the potential role which could be played by Area Committees in the development and the enforcement of the Dog Control Orders.

NEIGHBOURHOODS AND HOUSING

111 The Future of Council Housing

Further to Minute No. 168, 14th January 2009, the Director of Environment and Neighbourhoods submitted a report providing details of the outcomes from the Future of Council Housing Review, making recommendations both in relation to key reforms to the current system and also regarding a preferred model for Council house provision in Leeds, in addition to outlining proposals regarding a change in relationship between the Council and the ALMOs, with regard to pension liabilities.

With regard to the long term vision for the management of council housing provision in Leeds, the following options were outlined within the submitted report:-

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

RESOLVED –

- (a) That the continuation of the three ALMO model be supported.
- (b) That the establishment of the Strategic Governance Board and a Shared Services Centre, as set out within the submitted report, be agreed, subject to the addition of the Chair and the Chief Executive of Belle Isle Tenant Management Organisation (BITMO) to the membership of the Strategic Governance Board.
- (c) That the revisions to the Management Agreements and constitutions of the ALMOs, in order to reflect the role of the Strategic Board, be agreed.
- (d) That approval be given to phased implementation from 1st April 2011, with work beginning immediately on the change programme.
- (e) That the proposals for the future arrangements regarding the provision of FRS17 in relation to the ALMOs be agreed.
- (f) That the transfer of ALMO cash reserves not identified to be used to sustain their business plans to the Housing Revenue Account be agreed.
- (g) That the Director of Environment and Neighbourhoods together with the ALMO Chief Executives, be required to bring a report back to the March 2011 Executive Board, outlining the progress towards implementation of the above recommendations and the savings both achieved and planned.

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

(Councillor A Blackburn declared a personal interest in this item, due to her position as a Director of West North West Leeds Homes ALMO)

ADULT HEALTH AND SOCIAL CARE

112 Deputation to Council - Unison Leeds Community Health regarding NHS Leeds and Social Enterprise

The Director of Adult Social Services submitted a report in response to the deputation to Council on 15th September 2010 from Unison Leeds Community Health regarding NHS Leeds and Social Enterprise.

RESOLVED –

- (a) That the response to the Unison Leeds Community Health deputation to Council be noted.

- (b) That no further action be taken in respect of the request that Executive Board refer this matter to Health Scrutiny on the grounds that arrangements are in place for Scrutiny Board (Health) to consider plans for the re-organisation of community health services in Leeds at its meeting on 23rd November 2010.
- (c) That it be noted that the Leader of the Council has written to NHS Leeds confirming the Council's support for Foundation Trust status for Leeds Community Healthcare based upon the integration of health and social care services.

113 Transforming Day Opportunities for Adults with Learning Disabilities

Further to Minute No. 180, 14th January 2009, the Director of Adult Social Services submitted a report regarding proposals to accelerate the programme aimed at transforming the delivery of day services for adults with learning disabilities by Adult Social Care in Leeds.

A revised set of the report's recommendations in addition to supplementary information regarding attendance levels for Learning Disability Fulfilling Lives service provision had been circulated to Board Members following the despatch of the agenda, but in advance of the meeting.

RESOLVED –

- (a) That the Board notes the progress made so far in the day services transformation programme, as approved by the Board in January 2009, particularly in relation to the successful re-provision of services at Moorend Fulfilling Lives Service and the next steps for West Ardsley by the end of 2011.
- (b) That the proposal to re-design the pattern of service provision to a maximum of two days per week for those who live in accommodation based services, be approved.
- (c) That the proposal to cease the delivery of day services from Horsforth and Wetherby by the end of 2011 and develop more local community based services in consultation with service users, their carers and a range of alternative service providers be noted, with a further report being provided to Executive Board in order to advise on the alternative community facilities to be used, prior to implementation.
- (d) That the Board notes the further review of both Potternewton and Ramshead Wood scheduled for early 2012, in order to determine which day centre could be re-provided once current and future need has been determined, with the outcome of the review being reported to Executive Board.

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

114 Domiciliary Care Strategy and Reablement

Further to Minute No. 102, 21st October 2005, the Director of Adult Social Services submitted a report providing information on the provision of homecare services and outlined plans to further develop such services in line with the commissioning strategy and both national and local developments. The report also detailed plans to establish a reablement service in Leeds, in order to promote independence and ensure users remained within their community whilst reducing their need for long term health and social care.

RESOLVED –

- (a) That the contents of the submitted report be noted, specifically in terms of:-
- the plans and timescales for establishing a reablement service;
 - the proposals to further improve productivity and restructure the long-term in house homecare service;
 - the proposals to establish a partnership with Commercial Services for the future management of the long-term service.
- (b) That the Board notes a further report will be jointly produced by Adult Social Care and Commercial Services in July 2011, recommending the future strategic direction of the service, including options for the future provision of the long-term community support service.

DATE OF PUBLICATION: 5TH NOVEMBER 2010

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 12TH NOVEMBER 2010 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 15th November 2010).

SCRUTINY BOARD (ADULT SOCIAL CARE)

WEDNESDAY, 22ND SEPTEMBER, 2010

PRESENT: Councillor T Hanley in the Chair

Councillors J Chapman, B Cleasby,
P Grahame, R Grahame, S Hamilton,
A Hussain, V Kendall, M Lyons,
D Schofield and S Varley

21 **Declarations of Interest**

Councillor R Grahame declared a personal interest in Agenda Item 13, Major Adaptations for Disabled Adults – Recommendation Tracking and Performance Information for Quarter 1 2010/11 due to his position as a Director of the East North East Homes ALMO. (Minute No. 30 refers)

Councillor J Chapman declared personal interests in Agenda Item 8, Performance of Independent Homecare Service Providers as she has a relative who works in the Independent Homecare sector (Minute No. 25 refers) and also in Agenda Item 13, Major Adaptations for Disabled Adults – Recommendation Tracking and Performance Information for Quarter 1 2010/11 as a Panel Member of West North West Homes ALMO. (Minute No. 30 refers)

Joy Fisher declared a personal interest in Agenda Item 8, Performance of Independent Homecare Service Providers as a service user. (Minute No. 25 refers)

22 **Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted on behalf of Councillors Davey, Pryke and Renshaw. Councillors P Grahame and R Grahame were in attendance as substitute members.

23 **Minutes - 19 July 2010**

RESOLVED – That the minutes of the meeting held on 19 July 2010 be confirmed as a correct record, subject to the following amendment.

Minute No. 10 - Declarations of Interest – to read that Councillor V Kendall is the Chair of Community Action for Roundhay Elderly (CARE) Management Committee.

24 **Adult Social Care - Self Assessment 2009/10**

The report of the Director of Adult Social Services referred to the requirement of the Council to submit a Self Assessment Survey (SAS) of overall

Draft minutes to be approved at the meeting
to be held on Wednesday, 6th October, 2010

performance in relation to improving outcomes for people by mid May 2010 as a key part of the performance management methodology employed by the Care Quality Commission (CQC).

Dennis Holmes, Deputy Director - Strategic Commissioning and Stuart Cameron-Strickland, Head of Policy, Performance and Improvement were in attendance for this item.

Members attention was brought to the performance table which was outlined in the report and detailed seven main outcomes. As part of a more streamlined process, the CQC would only be assessing the outcomes where an outcome had changed since the previous assessment. The CQC's ruling on the assessment would be known on 25 November 2010. As part of the CQC's requirements, their results would be reported to the Executive Board. It was anticipated that this would be in January 2011.

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

- Other issues across the Council and outside of Social Services that may affect the assessment. It was reported that consultation with colleagues across the Council had been undertaken during the self assessment.
- CQC expectations of getting more users to use of direct payments to promote individual choice.
- Choice for those with statutory social care needs.

The Chair thanked Dennis and Stuart for their contribution to this item and passed congratulations on behalf of the Board for the progress made.

RESOLVED – That the report be noted.

25 Performance of Independent Homecare Service Providers

The report of the Deputy Director, Strategic Commissioning updated the Board on the overall performance of independent homecare providers across the City.

Dennis Holmes, Deputy Director – Strategic Commissioning and Mark Phillott, Commissioning Manager were in attendance for this item.

Members attention was brought to the main issues in the report which included the following:

- Cost of Independent Sector Provision
- Contract changes across the City
- Increasing choice of provision

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

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- Training of staff and NVQ qualifications – Minimum numbers of NVQ qualified staff had previously been a national requirement.
- The Council, as the contracting body did not carry out inspections of Independent Sector providers but does monitor performance in accordance with contract specifications. It was reported that the LINK could participate in inspections. The CQC had previously carried out an inspection, as the regulatory body.
- Safeguarding issues.
- Staff to service user ratio – this depended on the needs of the individual service users.
- Key quality issues – reducing complaints.

RESOLVED – That the report be noted

26 Scrutiny Inquiries 2010/11 - Draft Terms of Reference

The Head of Scrutiny and Member Development submitted reports detailing draft terms of reference for the following inquiries:

- The Future Provision of Domiciliary Care and Reablement Services
- The Future of Residential Care Provision for Older People in Leeds

In brief summary, the following issues were discussed:

- Working Groups
- Witnesses for the Inquiries
- Timescales

RESOLVED – That the report and future inquiries be noted.

27 Performance Reports

The reports of the Head of Policy and Performance and Director of Adult Social Services updated the Board on Performance Issues for Quarter 1 and A Summary of Progress in Response to the Self Directed Support Inquiry Report Recommendations.

The following were in attendance for this item:

- Dennis Holmes, Deputy Director – Strategic Commissioning
- Stuart Cameron-Strickland, Head of Policy, Performance and Improvement
- John Lennon, Chief Officer – Access and Inclusion

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

- Some of the indicators were not given a traffic light rating as there was no comparable information to measure them against.
- Concern with indicator NI135 – it was reported that contact had been made with carers and a training programme had been introduced.
- Concern with Indicator NI131 – The Board was informed of issues related to delayed transfers and the ongoing work with health and social care partners to resolve what was a complex area. Further discussion was held regarding the provision of Community Intermediate Care.
- Action Plans.

RESOLVED – That the reports and performance information be noted.

(Councillor A Hussain left the meeting at 11.30 a.m. during the discussion on this item)

28 The Response of Director(s) and Executive Board to Adult Social Care Scrutiny Board Inquires – Independence Wellbeing and Choice Statement and Transitional Arrangements for Disabled Young People into Adult Social Care.

The report of the Head of Scrutiny and Member Development introduced the formal responses of the Directors of Children’s Services and Adult’s Services to the Boards reports on the review of progress against the Independence Wellbeing and Choice Action Plan Statement and inquiry into Transitional Arrangements for Disabled Young People into Adult Social Care.

It was reported that all the recommendations had been accepted and Members attention was brought to the Recommendation Tracking report.

RESOLVED – That the report be noted.

29 Transitional Arrangements for Disabled Young People into Adult Social Care - Recommendation Tracking

The report of the Head of Scrutiny and Member Development provided the Board with a progress update on the recommendations following the Inquiry into Transitional Arrangements for Disabled Young People into Adult Social Care.

Stephen Bardsley, Service Delivery Manager for the Learning Disability Team addressed the meeting. He reported on the work that had been carried out between Children’s and Adult Services on transitional arrangements.

RESOLVED – That the report be noted.

30 Major Adaptations for Disabled Adults – Recommendation Tracking and Performance Information for Quarter 1 2010/11

The report of the Head of Scrutiny and Member Development referred to the Boards previous Inquiry into Major Adaptations for Disabled Adults and gave a progress report on the Board's recommendations.

The following officers were in attendance for this item:

- Simeon Parry, Housing Policy and Monitoring Manager, Environment and Neighbourhoods
- Liz Ward, Head of Service Support and Enablement, Adult Social Care
- Mark Greenfield, Aire Valley Homes
- Helen Miller, Principal Planner, City Development
- Andy Beattie, Head of Service – Housing and Pollution Control, Environment and Neighbourhoods
- Robin Coghlan, Team Leader Policy, City Development.

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

- With reference to Recommendation 7 and the production of a citywide Adaptations Strategy and Delivery Plan, it was reported that significant progress had been made and there would be a further report to the Board in December 2010. This had also led to a number of initiatives that would improve service delivery, provide value for money and efficiencies that would also relate to other recommendations of the Board.
- Adaptations and property lettings – concern was expressed regarding instances of adaptations being removed from vacant properties and questions were asked as to why these properties could not be re-let to those in need of the adaptations. Issues arising from this included the following:
 - It was not always possible to link demand for adaptations to vacant properties but appropriate tenants were sought when properties became available.
 - Recycling of adaptations and equipment such as stair lifts
 - The need to balance the benefits of retaining empty adapted properties against bringing these back into use.
- Under occupied properties and downsizing.
- Provision of affordable housing – there would be provision for disabled people.
- Associated planning and building regulation issues relating to the provision of properties built to lifetime homes standards.

RESOLVED – That the report be noted.

(Councillor Chapman left the meeting at 12.20 p.m. at the conclusion of this item).

31 Vision for Leeds 2011 to 2030 - Progress with Development and Next Steps

Draft minutes to be approved at the meeting
to be held on Wednesday, 6th October, 2010

The report of the Director of Leeds Initiative informed the Board that this was the 3rd Vision for Leeds and gave a progress update and outlined the next steps including the public consultation phase.

The Chair welcomed Martin Dean, Deputy Director Leeds Initiative and Sally Corcoran, Planning, Policy and Improvement to the meeting.

It was reported that there were 3 areas of major change to the Vision:

- Environment – Climate Change Strategy
- Economy – Change in what can be achieved and effects of the recession
- Population growth – Leeds population could reach one million by 2030

Consultation had been held with key stakeholders and the following issues had been highlighted:

- For the Leeds economy to be prosperous and sustainable
- For Leeds to be an open and welcoming City
- That communities should be safe, healthy and successful with opportunity for people to progress

It was felt that if these could be achieved by 2030 Leeds could be internationally recognised as the best city in Britain.

The Board was informed of the timetable for the remainder of the consultation period and in response to comments and questions, the following issues were discussed:

- Different methods of consultation used, in particular the move to use social networking.
- Work with partners in Adult Social Care during the consultation process to target members of the community with social care needs.
- Changes since the previous vision.
- Access to jobs for local people.

RESOLVED – That the report be noted.

32 Scrutiny Board (Adult Social Care) Work Programme

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

Sandra Newbould, Principal Scrutiny Advisor brought Members attention to the Work Programme and forthcoming work of the Board. Members were also informed of an impending site visit.

RESOLVED – That the report be noted.

33 Date and Time of Next Meeting

Wednesday, 6 October 2010 at 10.00 a.m. (Pre-meeting for all Board Members at 9.30 a.m.)

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SCRUTINY BOARD (ADULT SOCIAL CARE)

WEDNESDAY, 6TH OCTOBER, 2010

PRESENT: Councillor T Hanley in the Chair

Councillors J Chapman, B Cleasby,
P Grahame, S Hamilton, A Hussain,
M Lyons, K Renshaw, D Schofield,
S Varley and R Wood

34 Exempt Information - Possible Exclusion of the Press and Public

It was reported that appendices 4 and 5 of Agenda Item 7, Inquiry into the Future of Residential Care Provision for Older People in Leeds, were considered to contain exempt information under the terms of the Access to Information Procedure Rule 10.4.(3) (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and Members were asked to determine whether to accept the officer's recommendation that the information should remain exempt and that the press and public should be excluded from the meeting during this item. Following a vote by Board Members present, it was:

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 proceeding, that if members of the press and public were present there would be disclosure to them of exempt information as follows:

Agenda Item 7– appendices 4 and 5, Inquiry into the Future of Residential Care Provision for Older People in Leeds under the terms of Access to Information Procedure Rule 10.4. (3) (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

35 Declarations of Interest

Apologies for absence were submitted on behalf of Councillors P Davey and V Kendall, and co-opted member Joy Fisher. Councillors P Grahame and R Wood were in attendance as substitute Members.

36 Apologies for Absence and Notification of Substitutes

Councillor J Chapman declared a personal interest in Agenda Item 7, Inquiry into the Future of Residential Care Provision for Older People in Leeds as she

had a relative who was employed in the independent care sector. (Minute No. 37 refers)

37 Inquiry into The Future of Residential Care Provision for Older People in Leeds.

The reports of the Head of Scrutiny and Member Development and Director of Adult Services introduced the Board's Inquiry into the Future of Residential Care Provision for Older People in Leeds. The reports outlined the timetable for the Inquiry and submission of evidence.

The Chair welcomed Sandie Keene, Director of Adult Services and Dennis Holmes, Deputy Director, Commissioning to the Meeting.

It was reported that the Residential Care strategy was one of the key issues for adult social care in Leeds over the next 5 to 10 years and there was a need to create a service that was fit for future needs. In response to concerns regarding the use of percentages in the report it was advised that the accompanying presentation to the report would show projected figures. Members were also advised to inform the Director of Adult Social Services with any ongoing cases where problems had occurred with the provision of residential care.

The Board was given a presentation on long term residential care for older people in Leeds. The first part of the presentation focussed on the following areas:

- The National Social Care Context – personalised approach,, support in own home, control of own care, work with NHS colleagues, financial and demographic pressures, how to shape services
- Current Policy Context – What can be offered in future? Choice and control for individuals needing care
- Demography – Projected Population Growth and Dependency, there would be an estimated 33% increase in the older population of Leeds by 2029
- Benchmarking Comparisons – Leeds had an average demand in comparison to other Yorkshire and Humber authorities which was also reflected on a national basis
- Demand for Housing Options and Services to Maintain Independence – Fewer people were requiring residential care due to differing options available such as lifetime housing and extra care housing; promotion of independent living; personalisation and the use of direct payments.
- The Local Picture and Expected Numbers of Beds for Future Services – It was reported that there was currently a large number of void beds which equated to the total of 1.5 care homes. It was predicted that the number of local authority commissioned residential care beds would fall from 2,500 to 850 by 2029.
- Facilities and Supply of Residential Care in Leeds – Members attention was drawn to maps which showed the locations of residential care homes across the city.

- Implications for Local Authority Residential Care – expected changes to patterns of use, market competition, more demand for personalisation and people being cared for at home

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

- The forecast reduction in provision of residential care in contrast to the increasing elderly population.
- Provision of end of life and palliative care.
- Respite care and facilities for carers to support their families whilst in respite care – it was reported that new provision would enable carers to stay with relatives during respite care.
- Sheltered housing – provision of wardens and activities for residents.
- Those who received care from families and friends and were not accounted for by the care system.
- Concern that respite care was used as an alternative to long term residential care – it was reported that respite care was used to enable people to remain independent and in their own homes for as long as possible.

The Board was given a further presentation, this focussed on financial frameworks, the following issues were highlighted:

- Financial requirements of existing public sector residential homes – staffing costs, registration and regulation issues, capital investment.
- Cost of void beds
- Lack of opportunity for capital investment in public sector residential properties.
- Unit cost comparisons with the private sector.

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

- It was felt that current arrangements for public sector residential care would not remain sustainable in the long term, particularly in the light of potential significant budget reductions and reduced future demand.
- Support was available for those who would be placed into private sector residential care. Financial assessments were the same whether people went into public or independent sector care.
- Fire prevention works at existing homes would be carried out within the current capital programme.
- It had not been proposed to close any of the existing residential homes. There was a need to review future provision and consider all alternative options.
- Quality of care – this was overseen by the Care Quality Commission (CQC) and it was reported that good quality care was provided by both the public and independent sectors in Leeds.

- Independent sector homes had more modern facilities and required less updating and were therefore able to provide a cheaper unit cost for services.
- Provision of intermediate care.
- Provision of a more specialised service in house service.
- Partnership working with the NHS and other private sector companies.
- The reduction of people requesting permanent residential care was due to the success of alternative care packages that had allowed people to remain in their own homes longer and other housing options such as sheltered and extra care housing.
- Geographical issues – these would be considered as part of the residential care strategy and take account of the demographic information, predicted requirements and facilities provided in the locality.
- The need for Elected Members to be involved in consultation.

The Chair thanked Sandie Keene and Dennis Holmes for their attendance,

RESOLVED – That the report and discussion be noted in line with the Inquiry into the Future of Residential Care Provision for Older People.

38 Date and Time of Next Meeting

Wednesday, 10 November 2010 at 10.00 a.m. (Pre-meeting for all Board Members at 9.30 a.m.)

The meeting concluded at 12.50 p.m.

SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 6TH SEPTEMBER, 2010

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, B Chastney,
M Hamilton, A Lowe, J Hardy, K Groves,
J L Carter and A Gabriel

16 Declarations of Interest

There were no declarations of interest at this stage of the meeting.

17 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted on behalf of Councillor D Blackburn.

18 Minutes - 5 July 2010

RESOLVED – That the minutes of the meeting held on 5 July 2010, be confirmed as a correct record.

19 Questions to the Executive Board Member - Central and Corporate.

The report of the Head of Scrutiny and Member Development reminded Members of the previous agreement to invite Councillor K Wakefield to quarterly meetings to discuss issues within his portfolio. This also coincided with quarterly financial and performance information which was appended to the agenda in reports of the Director of Resources and Head of Policy and Performance.

The Chair welcomed the following to the meeting:

Doug Meeson – Chief Officer (Financial Management)
Julie Meakin – Chief Commercial Services Officer
James Rogers – Assistant Chief Executive (Planning, Policy and Improvement)
Richard Moss-Blundell – Head of Human Resources

Doug Meeson gave the Board a brief overview of issues in relation to the financial report and brought Members' attention to the following issues:

- The development of accountability aspects in financial reporting.
- The more in depth financial information provided by Chief Officers.
- Statement of Budget Risks.

- It was reported that the position at the end of the last financial year had been an improvement on the previous and larger than minimum reserves had been retained. There was a need to review reserves.
- The Housing Revenue Account.
- Council Tax collection – it was reported that this had been good in spite of the recession.
- Schools spending
- Collection of Non-Domestic Rates

In response to a question regarding the employment and associated costs of agency staff to the Council, it was reported that they could be employed for a variety of reasons such as sickness cover and assistance during peak working periods.

James Rogers was introduced to the meeting and gave an overview of the Quarter 1 Performance Report. Issues highlighted included the following:

- Council Business Plan Performance Indicators
- Analysis of efficiency
- Leadership of the City
- Central and Corporate Performance Indicators

Further to queries regarding staff appraisals, It was reported that details of the numbers of staff who had received appraisals over the past year would be sought.

The Chair welcomed Councillor Keith Wakefield, Leader of the Council to the meeting. He informed the Board of current areas of overspending, particularly in Children's Services and Adults Social Care and also made reference to the emergency budget in June and the anticipated scale of public services spending cuts which would be announced in October. It was reported that the scale of reductions would be clearer in November/December 2010.

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

- Possible reconfiguration of public services and integrated services across West Yorkshire and also at a regional level.
- Challenges facing Children's Services and Adult Social Care which were both demand led services.
- Staff appraisals and staff development. Richard Moss-Blundell updated the Board on the position with staff appraisals following disappointment expressed regarding the lack of engagement at the time of the last staff survey. Appraisal co-ordinators had been identified across each service area and encouraging progress had been made. There had been a change to reporting systems which had provided a more consistent approach and all staff should receive an appraisal.
- Investment in IT

- The 'One Council' Approach

The Chair thanked all those present for this item.

RESOLVED – That the report be noted.

(Councillors Bentley, L Carter, Chastney and Hamilton joined the meeting at 10.25 a.m.; Councillor Lowe joined the meeting at 10.35 a.m.)

20 Vision for Leeds 2011 to 2030 - progress with development and next steps

The report of the Director of Leeds Initiative informed the Board that this was the 3rd Vision for Leeds and gave a progress update and outlined the next steps including the public consultation phase.

The Chair welcomed Martin Dean, Deputy Director Leeds Initiative and Sally Corcoran, Planning, Policy and Improvement to the meeting.

It was reported that there were 3 areas of major change to the Vision:

- Environment – Climate Change Strategy
- Economy – Change in what can be achieved and effects of the recession
- Population growth – Leeds population could reach one million by 2030

Consultation had been held with key stakeholders and the following issues had been highlighted:

- For the Leeds economy to be prosperous and sustainable
- That communities should be safe, healthy and successful with opportunity for people to progress
- That by 2030 Leeds would be internationally recognised as the best city in Britain

The Board was informed of the timetable for the remainder of the consultation period and in response to comments and questions, the following issues were discussed:

- The last time the Vision was produced over 2,000 questionnaires were received giving feedback. It was not anticipated that there would be as many questionnaires on this occasion due to the increased use of social media.
- Consulting harder to reach groups and those not usually targeted for such consultation.
- How the Vision would be used to set policy and deliver services.

RESOLVED – That the report be noted.

21 Scrutiny of Various Procurement Issues

The report of the Head of Scrutiny and Development referred to the Board's request to invite Procurement Officers to discuss issues relating to procurement and the update on revisions to Contract Procedure rules including the involvement of Elected Members in the procurement process.

The Chair welcomed the following to the meeting:

- Wayne Baxter, Chief Procurement Officer
- Dean Backhouse, Procurement Compliance and Registration Manager

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

- Monitoring of previous scrutiny recommendations relating to procurement
- Contract Procedure Rules – the code of practice included consultation with Elected Members and guidelines on how to do so.
- Program of negotiation with existing contracts – it was reported that the Council was aiming to achieve at least a stand still on costs with existing contracts
- Sourcing local firms – this was affected by European Directives where contracts above a certain level had to be available to anyone across Europe.

RESOLVED – That the report be noted.

(Councillors L Carter and A Gabriel left the meeting at 11.55 a.m. and 12.00 p.m. respectively, during the discussion on this item)

22 Work Programme

The report of the Head of Scrutiny and Member Development detailed the Board's Work Programme. Also attached was the Forward Plan of Key Decisions and recent Executive Board Minutes.

Members attention was brought to the following items that would be considered at the October meeting of the Board:

- Shared Services
- DECATS – including Review of Communications

It was also reported that the new Chief Executive, Tom Riordan would be invited to a future meeting of the Board.

RESOLVED – That the report be noted.

Minutes approved at the meeting
held on 4 October 2010

23 Date and Time of Next Meeting

Monday, 4 October 2010.

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SCRUTINY BOARD (CENTRAL AND CORPORATE)

WEDNESDAY, 15TH SEPTEMBER, 2010

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, D Blackburn,
B Chastney, M Hamilton, K Groves,
R Wood, B Atha, A Gabriel, M Lyons,
B Lancaster, J Marjoram and R Grahame

Apologies Councillor

24 Exempt Information - Possible Exclusion of the Press and Public

Councillor J Procter raised concern regarding the officer recommendation to restrict the information as detailed in appendix 2 to Agenda Item 7.

Members were asked to determine whether to accept the officer's recommendation that the information should remain exempt and that the press and public should be excluded from the meeting during this item. Following a vote by Board Members present, it was:

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 proceeding, that if members of the press and public were present there would be disclosure to them of exempt information as follows:

Agenda Item 7 – Reductions in Grants: Implications for Services, Appendix 2 – under the terms of Access to Information Procedure Rule 10.4. (3) (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

25 Declarations of Interest

Councillor Gabriel declared a personal interest in Agenda Item 7, Reductions in Grants: Implications for Services due to her position as a trustee for South Leeds Health for All

Councillor Chastney declared a personal interest in Agenda Item 7, Reductions in Grants: Implications for Services due to his position as a Director of Hyde Park Source.

26 Apologies for Absence and Notification of Substitutes

Draft minutes to be approved at the meeting
to be held on Monday, 4th October, 2010

Apologies for absence were submitted on behalf of Councillors Bentley, Lowe, Taggart, Hardy and J L Carter. Councillors Atha, Marjoram, R Grahame, Lyons and Lancaster were all in attendance as substitute members.

27 Call-In of Decision - Briefing Paper

The report of the Head of Scrutiny and Member Development informed Members of the Call In arrangements in accordance with the Council's Constitution and the options of action available to the Board. It was reported that only the two following options were applicable to the Board:

- Release the decision for implementation
- Recommend that the decision be reconsidered

RESOLVED – That the report be noted.

28 Reductions in Grants: Implications for Services

The report of the Head of Scrutiny and Member Development referred to the following decision of the Executive Board, that had been called in:

- Executive Board Minute 71(b) – Reductions in Grants: Implications for Service.

The Chair welcomed the following to the meeting:

- Councillors J Procter, B Anderson and C Fox – signatories to the Called In decision.
- Councillor R Lewis – Executive Member
- Alan Gay – Director of Resources

Councillors J Procter and B Anderson addressed the meeting and outlined the main concerns that led to the Call In of the decision. These included the following:

- The report offered no explanation of how the proposed cuts had been agreed, in particular the amounts concerned and it was questioned whether these proposed cuts would be done on a proportional basis.
- It was felt that the decision taken was not accountable and transparent.
- Of the organisations concerned, some of these had contractual arrangements with the Council. It was felt that where contracts existed, these should be honoured.
- There was no explanation of different options that could have been considered.
- Concern on how the cuts would affect the organisations – would these affect jobs?, the effect on other employment related issues including NEETS and worklessness.
- Were the cuts proportional across the City? – it appeared some areas would suffer more than others.

Members were issued with a further paper which contained updated information in relation to Appendix 2 and there was a brief adjournment whilst Members considered this information.

In response to the concerns raised, Alan Gay addressed the meeting. He reported that as part of the emergency budget announced on June 10, a report had been prepared for Executive Board regarding the spending implications for the Council. The Council was facing significant spending pressures and the report dealt with £15 million of reductions. Members were informed that discussions were ongoing with the affected organisations.

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

- Concern regarding the future viability of the organisations affected.
- Reiteration that the organisations affected were being consulted.
- Geographic implications – would different parts of the City be more affected by these cuts than others?
- Further concern that the report did not address the future viability of the organisations involved nor did it address wider legal implications.

Councillor Procter was invited to summarise and reiterated the concerns that he had raised earlier.

RESOLVED – That the report and discussion be noted.

29 Outcome of Call-In

Further to the Board's discussion on the Call In of Executive Board Minute No 71(b), Members were asked to make a formal decision in accordance with the Council's Constitution and the options of action available to the Board as reported earlier.

Following a vote by Members, it was

RESOLVED – to release the decision for implementation.

(Councillor Marjoram requested that his vote against the decision to release the decision for implementation was recorded)

30 Date and Time of Next Meeting

Monday, 8 October 2010 at 10.00 a.m. Pre-meeting for all Board Members at 9.30 a.m.

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SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 4TH OCTOBER, 2010

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, D Blackburn,
B Chastney, A Lowe, J Hardy, K Groves,
J L Carter, R Wood and A Gabriel

31 **Declarations of Interest**

There were no declarations of interest at this stage of the meeting.

32 **Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted on behalf of Councillors M Hamilton and N Taggart.

33 **Minutes -**

RESOLVED – That the minutes of the meeting held on 6 September 2010 be conformed as a correct record.

34 **Questions to the Chief Executive**

The report of the Head of Scrutiny and Member Development reminded the Board of its request to invite the Chief Executive, Tom Riordan to today's meeting to discuss issues similar to those discussed with the Leader on a quarterly basis which have included the Council's strategies with dealing with the emerging financial landscape and the likely organisational changes necessary to meet those likely financial and service delivery changes.

The Chair welcomed Mr Riordan to the meeting.

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

- Public sector accountability – Mr Riordan informed the Board that he considered his role to be a Champion of Public Sector Accountability and referred to his previous position as Chief Executive of Yorkshire Forward and involvement with Local Government partners in terms of accountability. He highlighted the role of Elected Members and the decision making processes of the Council and also the need to ensure that officers understood their roles and objectives in respect of accountability and transparency.
- Regulation and inspection – reference was made to a reduction in the amount of monitoring and assessment of council services previously

instilled from Central Government and the continuing challenge to maintain a regulation and inspection framework.

- Holding policy makers to account – Mr Riordan referred to the role of scrutiny and audit and also the role of these to focus on the improvement of services.
- The Council faced a 25% reduction in spending over the next 4 years and this would have an impact on staffing and the overall size of the Council. There was a need to identify where efficiencies could be made and investigate other opportunities such as the provision of joint services with other authorities.
- Devolution of services to Area Committees. It was felt that Area Committee provision across Leeds met public needs and there was an issue of whether any services could be managed at a more local level. Funding for services devolved to Area Committees may not reflect previous amounts as the provision of service could be different. These issues were currently being reviewed with locality pathfinders.
- There was not a definitive list of priorities for the Council at this stage but work was being undertaken across all directorates to identify priority areas of work.
- It was reported there was a need to work more effectively with neighbouring authorities and investigate the possibility of shared services and information.
- Further issues discussed included IT systems and provision, Senior Managers salaries and provision of stocks of salt for adverse weather conditions.

On behalf of the Board, the Chair thanked Tom Riordan for his attendance.

RESOLVED – That the report and discussion be noted.

35 DECATS (Delivering Efficient Corporate and Transactional Services)

The report of the Assistant Chief Executive (Planning, Policy and Improvement) outlined the DECATS (Delivering Efficient Corporate and Transactional Services) programme in Leeds and highlighted the key findings which would inform the delivery of the council's broader change programme. Leeds City Council was one of 15 local authorities that had participated in the national DECATS programme which was aimed at supporting local government to deliver significant efficiencies whilst protecting front-line services.

The Chair introduced James Rogers, Assistant Chief Executive (Planning, Policy and Improvement) to the meeting for this item.

James Rogers addressed the meeting and emphasised that this was still work in progress and highlighted the stages of the programme as detailed in the report. Members attention was brought to the data gathering exercise used to identify options which were then shaped into a long list of opportunities for the subsequent outline business case as summarised in the report.

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

- Providing council services to bring in further revenue – it was reported that the Council could not trade for profit and would have to establish external companies. It could, however charge to cover costs.
- Use of the Leeds City Council Call Centre and One Stop Centres. It was recognised that there was some room for efficiencies and this would include looking at how private sector providers operate. Further discussion included the requirement to have suitably qualified staff, the need to reduce complaints and the need to reduce service failure which resulted in high levels of calls.
- Commissioning and procurement – it was recognised that there was significant scope for making further savings in the way the Council procured goods and services.

RESOLVED – That the report and discussion be noted.

36 Shared Services in West Yorkshire

The report of the Director of Resources made reference to the exploration of a number of shared service options by West Yorkshire Authorities in light of the current financial challenges facing all local authorities.

The Chair welcomed Alan Gay, Director of Resources and Clare Elliott, Policy Officer, Association of West Yorkshire Authorities to the meeting.

Alan Gay informed the Board of the role of the West Yorkshire Collaborative Working Group (CWG) which had been considering a manageable list of projects to explore. This group, which was made up of the Council's Corporate Directors, supported the direction which had been set by Chief Executives and Council Leaders across West Yorkshire. It was also reported that funding had been received from the Regional Improvement and Efficiency Partnership (RIEP) to assess the viability of collaboration on services. Further issues highlighted included discussion with other organisations across the county including health partners, Police and Fire Authorities and the mapping of assets across the city.

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

- Offices and other accommodation – there was a major ongoing project particularly across the City Centre and reference was made to associated issues such as home working.
- Leeds City Region – The Leeds City Region was the pathfinder for the governments Total Capital and Assets project which looked at ways in which public sector assets could be used more efficiently. Shared services were not being considered at a Leeds City Region level.

- How services would be provided and whether this would be done by a joint West Yorkshire body or an individual authority. It was reported that at this stage all options were possible.
- Further issues discussed included the need to develop protocol for information sharing; commissioning and procurement; shared IT systems and potential obstacles such as differing policies between the West Yorkshire authorities on their regulatory functions.

The Chair thanked Alan Gay and Clare Elliott for their attendance.

RESOLVED – That the report and discussion be noted.

37 One Council Communications Project

The report of the Head of Communications outlined the ‘One Council Communications Project’, which would review the arrangements for the communications functions of Leeds City Council and make recommendations for change.

The Chair welcomed Andy Carter, Head of Communications who joined James Rogers in presenting this item to the Board.

It was reported that many of the communications functions carried out within Leeds City Council were decentralized and there was the full time equivalent of 70 staff performing communication duties across the Council. With respect to the Corporate Communications Team their role consisted of producing the About Leeds newspaper, press releases, internet/intranet publication and marketing work amongst other things. Members’ attention was brought to the scope of the ‘One Councils Communication Project’ that addressed communications activities across the whole Council.

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

- Potential costs of communications as currently operated council wide as opposed to a central communications operation. This would be one of the issues addressed in the project.
- Protocol on press releases.
- Measuring the success of marketing – methods varied on the type of event/service that was measured.
- Cost of marketing and procurement issues.
- Destination Marketing – it was recognised that this was a key issue and a report from Marketing Leeds was due to be considered by the Scrutiny Board (City Development)

The Chair thanked James Rogers and Andy Carter for their attendance.

RESOLVED – That the report and discussion be noted and a further report be brought to the Board in January 2011.

38 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 forthcoming Work Programme and also included the Forward Plan of Key Decisions and recent Executive Board minutes.

RESOLVED – That the report be noted and work programme be amended accordingly.

39 Date and Time of Next Meeting

Monday, 1 November at 10.00 a.m. (Pre-meeting for all Board Members at 9.30 a.m.)

The meeting concluded at 11.55 a.m.

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SCRUTINY BOARD (CHILDREN'S SERVICES)

WEDNESDAY, 8TH SEPTEMBER, 2010

PRESENT: Councillor B Lancaster in the Chair

Councillors B Chastney, P Grahame, R Grahame,
K Groves, W Hyde, A Lamb, P Latty, J Lewis, A Lowe
and K Maqsood

CO-OPTED MEMBERS (VOTING):

Mr E A Britten Church Representative (Catholic)

CO-OPTED MEMBERS (NON-VOTING):

Ms C Foote Teacher Representative

24 **Appointment of Chair**

RESOLVED – That Councillor Lancaster be appointed Chair of the Scrutiny Board (Children's Services) Call In meeting, as Councillor Chapman, the appointed Chair of the Scrutiny Board for the 2010/11 municipal year had submitted her apologies for absence for the meeting.

(Councillor Lancaster took the Chair)

25 **Appeals Against Refusal of Inspection of Documents**

Members expressed concern that Councillor J Procter (one of the signatories to the call-in) had been refused a full copy of the minutes of the July CLT meeting. It was reported that only the relevant extract from the minutes had been provided. The Scrutiny Board was advised that in accordance with the Council's Access to Information Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting, and this had not been achieved.

26 **Declaration of Interests**

Members declared personal interests in their capacity as governors at various primary and secondary schools. In addition, Councillor R Grahame declared a personal interest in his capacity as a Member of GMB, and Co-opted Member, Ms C Foote declared a personal interest on the basis of being a Member of one of the groups that had benefited from community use reimbursements. (Minute No. 29 refers)

27 **Apologies for Absence and Notification of Substitutes**

Apologies for absence had been submitted by Councillors Chapman, Coulson, Driver, Gettings, Harper and Selby and Co-opted Members, Ms Cox, Professor Gosden, Mr Wanyonyi, Ms Johnson and Ms Kayani. Notification

Minutes approved as a correct record at the meeting
held on Thursday 21st October, 2010

had been received that Councillor Chastney was to substitute for Councillor Chapman, Councillor R Grahame for Councillor Coulson, Councillor P Grahame for Councillor Driver, Councillor Lowe for Councillor Harper and Councillor Groves for Councillor Selby.

28 Call-In of Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the call-in process.

Members were advised that the options available to the Scrutiny Board in respect of this particular called-in decision were:

Option 1 – Release the decision for implementation. Having reviewed the decision, the Scrutiny Board (Children’s Services) could decide to release it for implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, the Scrutiny Board (Children’s Services) could recommend to the Interim Director of Children’s Services, that the decision be reconsidered. If the Scrutiny Board (Children’s Services) chose this option, a report would be submitted to the Interim Director of Children’s Services within three working days of this meeting. The officer would reconsider the decision and would publish the outcome of their deliberations on the delegated decision system. The decision could not be called-in again whether or not it was varied.

RESOLVED – That the report outlining the call-in procedures be noted.

29 Call-In - Review of Delegated Decision D37174 - Community Use of Schools Policy

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to an Officer Delegated Decision D37174 of the Interim Director of Children’s Services as follows:

Review of the 1990 Community Use of Schools Policy

The Interim Director of Children’s Services approved the recommendations that:

- The central subsidy on community use of schools should cease from November 2010
- A hardship fund of £50,000 be established
- Revised policies and procedures as set out in section 5 to the report (safeguarding to follow at a future meeting)
- £10,000 be provided as an additional grant to support supplementary schools. Administration to be carried out by the Head of School Improvement, Education Leeds

Minutes approved as a correct record at the meeting held on Thursday 21st October, 2010

- The policy set out at section 5 is applied to PFI properties, the lettings of which are administered directly by the Lettings Unit.

The decision had been called-in for review by Councillors J Procter, Campbell, Finnigan and D Blackburn on the following grounds:

'There are significant concerns around how this decision is being taken, the view being that it should be a decision by the Executive Board. In addition, there are concerns around sufficient consultation with affected groups.'

The Scrutiny Board considered the following written evidence:

- Delegated Decision Notification form – D37174
- Report of the Chief Officer Early Years and Integrated Youth Support Service to the Director of Children's Service Delegated Decision Panel – 15th July 2010 – Review of the 1990 Community Use of Schools Policy.

Councillor J Procter attended the meeting to present the request for call-in.

The following Executive Members and officers were in attendance to explain the reasons for making the decision:

- Councillor Blake, Executive Member (Children's Services)
- Councillor Dowson, Executive Member (Learning)
- Eleanor Brazil, Interim Director of Children's Services
- Sally Threlfall, Chief Officer for Early Years and Integrated Youth Support Services
- Simon Darby, Head of Service (School Funding and Initiatives), Education Leeds.

In explaining the reasons for calling in the decision, the key areas of discussion were:

- Concern about the process for assisting community groups and the financial challenges they could face in the future.
- Concern about the lack of consultation and the need for more integrated working.
- Concern about the lack of community venues in some areas.
- Concern about the lack of transparency and openness, particularly that the decision should have been taken by the Executive Board.

In explaining the reasons for making the decision, officers made the following comments:

- Clarification that schools received funding to support extended provision.
- Community groups to be consulted on alternative provision where appropriate.

- Work undertaken on potential impact, e.g. user groups and the effect on deprived communities.
- This decision was implementing a decision taken as part of the 2010/11 budget.

The Chair then invited questions and comments and the main areas of discussion were:

- Further information about the decision-making process.
- Further information about the consultation exercise, particularly in relation to developing and applying fair lettings policies.
- General support for the principles behind the revised policy.
- The need to introduce efficiencies and the role of governing bodies in ensuring that schools managed their budgets effectively.
- Concern that some groups were unaware of having benefited from subsidised rates and the effect of the proposed changes.

RESOLVED – That the report and information provided be noted.

30 Outcome of Call-In

Following consideration of the evidence presented and the options available to them, as outlined in Minute No. 28, the Board resolved that Option 2 – recommend that the decision be reconsidered was the most appropriate action.

RESOLVED – That the Scrutiny Board recommends that the Officer Delegated Decision D37174 be referred back for reconsideration in view of:

- The fact that the Scrutiny Board was not happy with the decision-making process in this instance. Members' recommend that this decision should be taken by the Executive Board, and not as an officer delegated decision, and that this should take place as soon as possible.
- The fact that the Board strongly advised of the need for further consultation and discussion with schools and user groups about the impact of the changes in charging.

(The meeting concluded at 12.15 pm.)

SCRUTINY BOARD (CHILDREN'S SERVICES)

MONDAY, 20TH SEPTEMBER, 2010

PRESENT: Councillor J Chapman in the Chair

Councillors M Coulson, G Driver, B Gettings, W Hyde,
A Lamb, B Lancaster, P Latty, J Lewis, K Maqsood,
V Morgan and B Selby

CO-OPTED MEMBERS (VOTING):

Mr E A Britten	- Church Representative (Catholic)
Mr J Granger	- Parent Governor Representative (Primary)

CO-OPTED MEMBERS (NON-VOTING):

Ms C Foote	- Teacher Representative
Ms T Kayani	- Leeds Youth Work Partnership

31 Chair's Opening Remarks

The Chair welcomed all in attendance to the September meeting of the Scrutiny Board (Children's Services), particularly Councillor Morgan to her first meeting of the Scrutiny Board, since her recent appointment at Council.

32 Late Items

The Chair admitted to the agenda an updated Fostering Inspection Action Plan, to be considered as part of agenda item 10. (Minute No. 39 refers)

33 Declaration of Interests

There were no declarations of interest at this stage, however, declarations were made at later points in the meeting. (Minute Nos. 36, 37 and 40 refer.)

34 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Professor Gosden, Mrs S Hutchinson, Ms C Johnson, Ms J Morris-Boam and Mr B Wanyonyi.

35 Minutes - 16th July 2010

RESOLVED – That the minutes of the meeting held on 16th July be confirmed as a correct record.

36 Matters Arising from the Minutes

Minute No. 17 – Performance Report Year End 2009/10 and Children's Services Improvement Plan – Monitoring Report

Minutes approved as a correct record at the meeting held on Thursday, 21st October, 2010

One Member referred to the increase in swimming visits from people aged 16 and under, which it was noted had increased by 43% across the city. The Scrutiny Board briefly discussed the benefits of free swimming, particularly in relation to work undertaken to tackle obesity.

(Councillor Selby declared a personal interest in this item as a user of local swimming facilities.)

37 Children's Services Improvement Plan - monitoring report / Performance Report 2010/11 - Quarter 1

The Scrutiny Board agreed to jointly consider agenda item 7, Children's Services Improvement Plan – monitoring report, and agenda item 8, Performance Report 2010/11 – Quarter 1.

The Chair welcomed to the meeting, Bill McCarthy, Independent Chair of the Improvement Board, and the following Executive Members and officers:

- Councillor Blake, Executive Member (Children's Services)
- Councillor Dowson, Executive Member (Learning)
- Eleanor Brazil, Interim Director of Children's Services
- Chris Edwards, Chief Executive of Education Leeds
- Jackie Wilson, Chief Officer for Children and Young People's Social Care.

The Independent Chair of the Improvement Board provided a brief update on the work of the Improvement Board as follows:

The Improvement Board was maintaining an overview of 5 key areas:

- consistency of practice, particularly focussing on training and development programmes
- partner relations – more practical work to be undertaken
- delivering improvements on a sustainable basis – ensuring correct processes and procedures were in place
- recognition of changes in officer leadership and the impact on progress made to date
- economic climate – difficult financial decisions to be made.

On behalf of the Scrutiny Board, the Chair thanked Eleanor Brazil, for her hard work and positive contribution as Interim Director of Children's Services. It was reported that her replacement, Nigel Richardson, was due to start work on 30th September.

The Chief Executive of Education Leeds provided a brief update on exam results as follows:

- positive outcomes at foundation and Key Stage 2
- primary – good progress being made in literacy and numeracy

Minutes approved as a correct record at the meeting held on Thursday, 21st October, 2010

- secondary – 5% increase in provisional 5 A*-C including English and Maths GCSE results – 9% increase in 5 A*-C grades or equivalent
- improvements in relation to Key Stage 5 (A-levels), looked after children and ethnic minorities
- challenges remained around persistent absenteeism.

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

- The benefits of 1-2-1 tuition and developing local working arrangements, particularly in supporting vulnerable young people.
- New multi-agency arrangements being established to formalise arrangements and strengthen provision.
- Update provided on social care recruitment and the positive impact of recently appointed advanced practitioners.
- Recognition of the need for further improvements at the 25 primary schools still below Key Stage 2 floor targets and prioritising work with families.
- Success of the National Strategy Programme and family support strategies.
- Concern about the three red areas in the Improvement Plan relating to child protection. The Scrutiny Board was informed that in relation to the delivery of child protection conferences, 5 conference chairs had been appointed. A review of child protection arrangements was also taking place.
- The types of support available to parents, particularly in relation to tackling persistent absenteeism and the range of strategies and interventions in place.
- Concern about the level of consultation with unions and staff representatives regarding the transformation programme. The Interim Director of Children's Services reported that discussions had taken place with Joint Consultative Committees about the potential impact of the changes. Further information was being made available in October and November.
- Support for robust monitoring of work taking place on the ground.
- Work being undertaken with SILC's, outreach work, etc to improve special educational need provision. The recent Ofsted national report on SEN was referred to.

RESOLVED – That the report and information appended to the report be noted.

(Councillor W Hyde joined the meeting at 10.15 am during the consideration of this item.)

(Councillor Lancaster declared a personal interest in this item as LEA Governor at Carr Manor High School.)

38 Children's Services Update (September 2010)

Minutes approved as a correct record at the meeting held on Thursday, 21st October, 2010

The Interim Director of Children's Services submitted a report which updated the Board on key developments across Children's Services.

The following Executive Members and officers attended the meeting and responded to Members' questions and comments:

- Councillor Blake, Executive Member (Children's Services)
- Councillor Dowson, Executive Member (Learning)
- Eleanor Brazil, Interim Director of Children's Services
- Jackie Wilson, Chief Officer for Children and Young People's Social Care
- John Kearsley, Chief Officer, Resources and Strategy.

In brief summary, the main points of discussion were:

- Managing the effect of in-year budget reductions (area based grant reduction of £5.2m)
- Social care expenditure particularly in relation to placement. Actions being taken to address this were as follows:
 - robust action plan around child placements
 - improvements to in-house services
 - identified need for more robust contract arrangements.
- Improvements to leadership and accountability arrangements.
- Clarification regarding membership of the Children's Services Programme Board. The Scrutiny Board was informed that membership comprised senior representation from children's services, NHS, police, heads of primary (Queensway) and secondary schools (Ralph Thoresby).

RESOLVED – That the update report be received and noted.

39 Fostering Inspection Report

The Head of Scrutiny and Member Development submitted a report which requested the Scrutiny Board to consider the fostering inspection report's findings and the action plan produced in response to the recommendations.

Appended to the report was the following information:

- Scrutiny Board – Fostering Inspection Plan (August 2010)
- Leeds City Council Fostering Service – Ofsted Inspection Report.

The following Executive Members and officers attended the meeting and responded to Members' questions and comments:

- Councillor Blake, Executive Member (Children's Services)
- Eleanor Brazil, Interim Director of Children's Services
- Jackie Wilson, Chief Officer for Children and Young People's Social Care

- Sue May, Head of Looked After Children
- Sarah Johal, Service Delivery Manager – Fostering Adoption and Family placement.

In brief summary, the key areas of discussion were:

- Members welcomed the positive assessment of LCC fostering service and congratulated staff involved.
- Clarification that additional independent members were being recruited to serve on fostering panels.
- Identifying new ways of recruiting foster carers.

RESOLVED –

- (a) That the inspection report's findings and response to the recommendations be noted and that staff be congratulated; and
 (b) That the Scrutiny Board receive 6 monthly update reports to assist in monitoring progress against the inspection report and action plan, as well as the success of recruitment initiatives.

(Mr T Britten and Ms C Foote left the meeting at 11.40 am during the consideration of this item.)

40 Request for Scrutiny - Connexions

The Head of Scrutiny and Member Development submitted a report which invited the Board to consider a request for scrutiny relating to the future of the Connexions service and the potential impact on young people.

A copy of the request for Scrutiny was appended to the report for Members' information.

The Chair welcomed to the meeting, Dave Ferris and Josie Hoy, Connexions Leeds Unison Stewards, to present the request for scrutiny and respond to Members' questions and comments, and John Paxton, Head of Integrated Youth Support Services, to respond to the request.

In brief summary, the main areas of discussion were:

- Concern about the reduction in area based grants and the potential impact on the employment of connexions staff and on services for young people. The Scrutiny Board was informed that a report on grant reductions had been submitted to the Executive Board.
- Discussions had taken place with Prospects and igen about the proposed cuts to services and transferring some universal responsibilities to schools.

RESOLVED – That the request for scrutiny, insofar as it related to the potential impact on young people's employment prospects, be considered as

part of the Scrutiny Board's overall work programme when the Board considers a second major inquiry for the year.

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

(Councillor J Lewis left the meeting at 12.15 pm at the conclusion of this item.)

41 Vision for Leeds 2011 to 2030 - progress with development and next steps

The Scrutiny Board received a report from Leeds Initiative which provided an update on work undertaken to date to develop a new Vision for Leeds 2011 to 2030.

Appended to the report for Members' information was a copy of the consultation document 'What if Leeds ...', consultation and communication plans for the Vision for Leeds 2011 to 2030, together with a consultation timetable.

The Chair welcomed to the meeting, Martin Dean, Head of Leeds Initiative, and Jenny Hill, Project Officer, to present the report. Officers provided detailed information on the consultations being carried out with children and young people.

RESOLVED – That the report and information appended to the report be noted.

42 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report which requested Members to confirm the status of recommendations from previous scrutiny inquiries.

Appended to the report was the recommendation tracking flowchart and draft status of recommendations.

The status of recommendations were agreed as follows:

- Services for 8-13 year olds (recommendation 9) – stop monitoring. This recommendation is no longer achievable.
- Entering the Education System (recommendation 2) – sign off as achieved.
- Entering the Education System (recommendation 8) – continue to monitor, as single funding formula not in place yet.
- Safeguarding Interim Report (recommendation 1) – continue to monitor.
- Meadowfield Primary School (recommendation 1) – continue to monitor until new complaints arrangements in place.

- Meadowfield Primary School (recommendation 4) – continue to monitor pending confirmation that all work is completed.
- Meadowfield Primary School (recommendation 5) – continue to monitor until benchmarking complete.
- Attendance Strategy (recommendation 1) – good example from West, but continue to monitor until all areas have targets in place.
- Attendance Strategy (recommendation 2) – continue to monitor until extended leave policy completed.
- Attendance Strategy (recommendation 4) – continue to monitor pending confirmation that all schools have a named governor for attendance.

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.

43 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 September to 31st December 2010, together with the minutes from the Executive Board meetings held on 21st July, 16th August and 25th August 2010.

In brief summary, the main highlighted points were:

- Due to national funding issues, the Scrutiny Board agreed to suspend the work of the Youth Services Commissioning Framework working group and replace it with the School Balances working group.
- Service Redesign – volunteers sought for programme of visits. The Principal Scrutiny Advisor agreed to e-mail the Scrutiny Board with suggested dates.
- Leeds Strategic Plan report no longer being submitted to October Scrutiny Board.

RESOLVED – That the work programme as amended be approved.

44 Date and Time of Next Meeting

Thursday 21st October 2010 at 9.45 am with a pre-meeting for Board Members at 9.15 am.

(The meeting concluded at 12.28 pm.)

Minutes approved as a correct record at the meeting held on Thursday, 21st October, 2010

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SCRUTINY BOARD (CHILDREN'S SERVICES)

THURSDAY, 21ST OCTOBER, 2010

PRESENT: Councillor J Chapman in the Chair

Councillors M Coulson, G Driver, B Gettings, G Hyde,
A Lamb, B Lancaster, P Latty, J Lewis and V Morgan

CO-OPTED MEMBERS (VOTING):

Mr E A Britten	- Church Representative (Catholic)
Ms N Cox	- Parent Governor Representative (Special)
Prof P H J H Gosden	- Church Representative (Church of England)

CO-OPTED MEMBERS (NON-VOTING):

Ms C Foote	- Teacher Representative
Ms J Morris-Boam	- Leeds Voice Children and Young People Services Forum Representative

45 Chair's Opening Remarks

The Chair welcomed all in attendance to the October meeting of the Scrutiny Board (Children's Services). She also welcomed a number of media students from Leeds Trinity University attending the Board as observers.

46 Declaration of Interests

The following personal interest was declared at the meeting:-

- Councillor B Lancaster in her capacity as LEA Governor (Vice Chair) at Carr Manor High School (Agenda Item 7) (Minute 49 refers)

47 Apologies for Absence and Notification of Substitutes

Apologies for absence were received on behalf of Councillor W Hyde, Councillor K Maqsood, Councillor B Selby, Mr B Wanyoni, Mr J Granger, Ms C Johnson, Mrs S Hutchinson and Ms T Kayani.

Notification had been received for Councillor G Hyde to substitute for Councillor Selby.

48 Minutes - 8th and 20th September 2010

RESOLVED – That the minutes of the Call-In meeting held on 8th September 2010 and the Board meeting held on 20th September 2010 be confirmed as a correct record.

49 Leeds Children and Young People's Plan 2011 - Consultation

The Director of Children's Services submitted a report providing an update on the consultation process and next steps in relation to the Leeds Children and Young People's Plan 2011.

The following representatives attended the meeting and responded to Members' questions and comments:

- Councillor J Blake, Executive Member, Children's Services
- Councillor J Dowson, Advisory Member, Children's Services
- Nigel Richardson, Director of Children's Services
- Barbara Newton, Strategic Leader Partnership and Participation , Children's Services
- Ken Morton, Locality Co-ordinator, Children's Services

The Chair welcomed Nigel Richardson, the newly appointed Director of Children's Services, to his first meeting of the Board.

The Director of Children's Services gave a brief presentation on his vision in relation to the Leeds Children and Young People's Plan.

The presentation focused on the following three key messages:-

- Do the simple things better
- The child is the client
- Safeguard and promote the welfare of the child

In addition to the above presentation, Ken Morton, Locality Enabler, Children's Services, provided the meeting with an overview of the proposed locality model with specific reference to the cluster arrangements.

In summary, the key areas of discussion were:-

- Clarification around timescales, budgets, consultation and the involvement of Elected Members and other partners such as the Police, housing and local leaders. The Director of Children's Services confirmed that the ten Area Committees were an important part of the accountability framework. He confirmed that the role of Members and partners could be made more explicit in the model.
- The need for further development of the proposed wellbeing teams
- Concern about the level of involvement of the voluntary, community and faith sector and the education Unions in developing the proposals
- To welcome the move towards locality working

RESOLVED-

- a) That the contents of the report be noted.
- b) That the Board's Principal Scrutiny Adviser be requested to forward a copy of the slides to the Board for their information.
- c) That this Board notes that a copy of the Children and Young People's Plan would be brought back to this Board when a full draft had been

Draft minutes to be approved at the meeting
to be held on Thursday, 18th November, 2010

produced, early in 2011.

50 Scrutiny Inquiry - Services for children with disabilities, special educational needs and additional health needs - Inquiry into Service Redesign

Referring to Minute 8 of the meeting held on 10th June 2010, the Head of Scrutiny and Member Development submitted a report presenting evidence in line with Session 1 of the Board's Inquiry into services for children with disabilities, special educational needs and additional health needs - Inquiry into Service Redesign.

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

- A copy of the agreed terms of reference for the inquiry
- A report of the Director of Children's Services entitled 'Model for the Integrated Service for Children with Complex Needs'

The following representatives attended the meeting and responded to Members' questions and comments:

- Councillor J Blake, Executive Member, Children's Services
- Councillor J Dowson, Advisory Member, Children's Services
- Susan Rautenburg, NHS Leeds
- David Dickinson, Education Leeds
- Barbara Newton, Strategic Leader, Partnership and Participation, Children's Services
- Barbara Shaw, Interim Head of Disability Services, Children's Services
- Ken Morton, Locality Enabler, Children's Services

The Chair invited David Dickinson to provide a brief summary on the outline plans for integrating services and also sought a contribution from the other officers in attendance.

In brief summary, the key areas of discussion were:

- The importance of quality and consistency of Common Assessment Framework (CAF) assessments
- The need to ensure that the CAF process was not over complicated
- The intention to introduce key workers in an advocacy role, and that a family should only have to tell their story once
- Concern expressed that not all agencies were fully engaged
- A request for transition arrangements for the 14 plus age group to be included in the next session of the inquiry and for the Board to be supplied with a copy of a report on transitional arrangements previously produced by the Scrutiny Board (Adult Social Care) to assist them with their deliberations
- Clarification that a decision had not yet been made about whether the proposed arrangements would involve children with serious mental health issues

- Concern expressed that IT systems were not compatible between the different services
- A query regarding the funding options in relation to young people in this group over the age of 18 who were not attending college
(*The Locality Enabler, Children's Services agreed to forward further information to the Board*)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Board notes that a second session of this Inquiry would be undertaken at the next Board meeting in November.

51 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 October 2010 to 31st January 2011, together with the minutes from the Executive Board meeting held on 23rd September 2010.

RESOLVED –

- a) That the work programme as amended be approved.
- b) That Mr Britten be appointed as a further representative on the School Balances Working Group, and that Councillor W Hyde be asked if he wished to join the Working Group.
- c) That the following representatives be involved with the preparation of draft terms of reference for the an inquiry focused around the themes of raising aspirations and tackling child poverty:-
 - Councillor J Chapman
 - Councillor A Lamb
 - Councillor B Lancaster
 - Councillor G Driver
 - Mr Britten
 - Professor Gosden
- d) That to the Chair and the Principal Scrutiny Adviser consider the most appropriate way to deal with a request for the Board to look into the delay in implementing the Electronic Social Care Record (ESCR) review, with a report back at the next meeting in November 2010.

52 Date and Time of Next Meeting

It was noted that the next meeting would be held on Thursday 18th November 2010 at 9.45am with a pre-meeting for Board Members at 9.15am.

(The meeting concluded at 11.50am)

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 7TH SEPTEMBER, 2010

PRESENT: Councillor J Procter in the Chair

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

B Woroncow (Co-optee)

25 Chair's Opening Remarks

The Chair welcomed everyone to the September meeting of the Scrutiny Board (City Development). He particularly welcomed Ms Barbara Woroncow to her first meeting in her capacity as a non-voting Co-optee on the Board and to Ms Katie Paton, a politics student at Leeds University.

26 Late Items

The Chair agreed to accept the following document as supplementary information:-

- Strategic Housing Land Availability Assessment - Briefing Note from Councillor G E Hall, Barwick-in-Elmet and Scholes Parish Council (Agenda Item 7) (Minute 29 refers)

The document in question was not available at the time of the agenda despatch, but circulated by e mail and made available to the public on the Council's web site prior today's meeting.

27 Declaration of Interests

The following personal declaration of interest was made:-

- Ms Barbara Woroncow (Co-optee) in her capacity as a Member of the Vision Steering Group (Agenda Item 10) (Minute 32 refers)

28 Minutes of the Previous Meeting

RESOLVED -That the minutes of the meeting held on 6th July 2010 be confirmed as a correct record subject to the Corporate Governance Officer checking whether Councillor Jarosz's apologies were reported to this meeting and if so amending the minute accordingly.

29 Request for Scrutiny of the Strategic Housing Land Availability Assessment

The Head of Scrutiny and Member Development submitted a report on a request for Scrutiny in relation to the Strategic Housing Land Availability Assessment.

Appended to the report was a copy of the following document for the information/comment of the meeting:-

- Parish Council Representation on the Strategic Housing Land Availability Study – Report of the Head of Scrutiny and Member Development

In addition to the above appendix, a copy of the following document was circulated as supplementary information to assist the Board with their deliberations:-

- Strategic Housing Land Availability Assessment – Briefing Note from Councillor G E Hall, Barwick-in- Elmet and Scholes Parish Council

The following representatives were in attendance:-

Councillor G E Hall, Barwick-in-Elmet and Scholes Parish Council
Steve Speak, Deputy Chief Planning Officer, City Development
Robin Coghlan, Team Leader, Policy, City Development

The Chair invited the above attendees to provide relevant background information and to highlight key issues in relation to the request for scrutiny and Board Members sought clarification on the points raised.

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

- clarification of the specific request for scrutiny
- the need for the Board to understand the history and process behind the development of a Strategic Housing Land Availability Assessment (SHLAA)
- the fact that SHLAA was not a plan but a piece of evidence which informs plan making prepared according to national planning guidance to illustrate what land might be available for for housing development over the short medium and long term
- test of soundness relevant to SHLAA's preparation
- clarification as to the methodology and requirements for engaging key stakeholders, including local communities in this assessment
- discussion as to the composition of the Strategic Housing Land Availability Assessment Partnership as referred to in Section 4.8 of the report and the decision of the Executive Board and Partnership to appoint two experienced city Councillors to represent community interests
- representations being made by developers that they were under represented on the Partnership
- discussed the fact that the Council's own Statement of Community Involvement makes clear that no consultation was expected as part of the "survey of evidence gathering" stage of plan preparation and the Town and Parish Charter summarises the SCI with no specific reference to evidence gathering

- the CLG SHLAA Practice Guidance concerning public consultation on evidence preparation
- the revocation by the Government of the Regional Spatial Strategy and the implications for SHLAA

The Chair then allowed Councillor G E Hall and officers to sum up prior to making a decision on the request for scrutiny.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the request for scrutiny from Councillor G E Hall recommending that the existing Strategic Housing Land Availability Assessment process be reviewed immediately by key stakeholders be deferred.
- c) That in the interim period, the Director of City Development be requested to prepare a briefing note on the upcoming Local Development Framework programme, including the Core Strategy, with the approximate timetable and opportunities for local community engagement and to report on the process and timetable for updating the SHLAA. for consideration at the next meeting in October 2010.
- d) That Councillor G E Hall be invited to attend the meeting in October .

(Councillors S Smith and J Elliot joined the meeting at 10.05am and 10.08am respectively during discussions of the above item)

30 City Development Scrutiny Board Performance Report Quarter 1 2010/11

The Head of Policy and Performance submitted a report summarising City Development's progress against the Leeds Strategic Plan improvement priorities relevant to the City Development Scrutiny Board for the first quarter of 2010/11 which was the final year of delivery of these plans.

Paul Maney, Head of Strategic Planning, Policy and Performance, City Development was in attendance and responded to Member's queries and comments.

In his presentation, Mr Maney commented on the specific changes made since performance was reported at the last meeting, highlighted some particularly good/improved performance and then outlined those indicators which were either amber or red with a full explanation given of progress.

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

- Improvement Priority – TR-1b - improve the quality, capacity, use and accessibility of public transport services in Leeds – the need for quality bus contracts; the need to improve public transport facilities; the need to focus on enforcing short bus lanes to improve congestion at key areas within the city; the need to engage with the West Yorkshire Police and other agencies in order to achieve these objectives
(The Head of Strategic Planning, Policy and Performance responded and confirmed that there was a clear commitment to partnership working within the Leeds Strategic Plan arrangements particularly

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through the Leeds Strategy Group and delivery partnerships and believed that the current review of existing partnership arrangements would further strengthen and address these areas)

- the request for the Board to be furnished with a copy of those Performance Indicators which were not required to be included in these performance reports, but which were collected by the directorate's services for management purposes
(The Head of Strategic Planning, Policy and Performance responded and agreed to circulate this information to Board Members via the Board's Principal Scrutiny Advisor)
- a request for the Board to be involved within the process of setting new targets for 2010/11
(The Head of Strategic Planning, Policy and Performance responded that he welcomed this involvement and agreed to include Board Members within the process of developing the new Leeds Strategic Plan targets for this area)

RESOLVED- That the contents of the report and appendices be noted.

31 Section 106 of the Town and Country Planning Act 1990 - Process and Procedures

The Head of Scrutiny and Member Development submitted a report providing the Scrutiny Board with a comprehensive description of the purpose, justification and management of Section 106 Agreements.

The following representatives were in attendance and responded to Member's queries and comments.

Phil Crabtree, Chief Planning Officer, City Development
Paul Gough, Team Leader, City Development

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

- the concerns expressed that there was no reference to 'locality' within Section 10.0 of the report regarding the spending of monies received from S106 Planning Applications
- that there was no mention of Councillor representation in Section 9.1 of the report in relation to the allocation of monies received from S106 Planning Obligations
- the concern by a Member that it was proposed to use Section 106 monies received from the Kirkstall Forge development to help fund improvements on the Ring Road at Horsforth roundabout and clarification as to the funding streams available for this scheme
- clarification of the use of residual monies process in relation to areas for improvement in the S106 process
- the suggestion that Elected Members be issued with a two page A4 summary guide on S106 and 278 Agreements

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Board notes the arrangements that were in place to manage the S106 and S278 programmes and the reassurances given that the system was robust, up to date and in line with statutory regulations
- c) That the Board also notes that such arrangements were subject to regular review and monitoring and that continual improvements to the systems in place were sought.
- d) That the Director of City Development be requested to provide a simple guide for Elected Members on the community processes and procedures for S106 and 278 Agreements to include how Members were consulted and how funds were made available from these funding streams.

32 Vision for Leeds 2011 to 2030 - Progress with development and next steps

A report of the Leeds Initiative on the progress with the development and next steps in relation to the Vision for Leeds 2011 to 2030 was submitted for the information/comment of the meeting.

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

Martin Dean, Deputy Director, Leeds Initiative
Sally Corcoran, Programme Manager, Leeds Initiative

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

- clarification as to why the consultation process had not been addressed through the Area Committee process
(The Programme Manager, Leeds Initiative responded and confirmed that they were working with Area Committees with the aim of developing local events)
- the importance of including rural groups and outside organisations within the consultation process
(Following discussions, Councillor M Robinson agreed to forward e mail details of relevant groups and organisations to the Programme Manager, Leeds Initiative via the Board's Principal Scrutiny Advisor)
- the view that more PACT meetings should be included within the consultation process and ensure that other ways of disseminating information were used as an alternative to the Internet as a significant number of the population did not have access to this provision
(The Deputy Director, Leeds Initiative responded that 8000 hard copies would be provided and distributed to various outlets across the city and that within the constraints of the resources he had available, he agreed to consider increasing the number of PACT meetings on request)
- clarification of the deadline of the consultation process
(The Deputy Director, Leeds Initiative responded and informed the meeting that the deadline for comments was 31st December 2010)

- the missed opportunity to promote the Vision for Leeds consultation document at recent festivals throughout the city
- the concerns expressed as to the short timescales for consultation and preparation of the Vision document prior to it being considered and signed off at the Executive Board meeting in the spring of 2011
(*The Deputy Director, Leeds Initiative responded and agreed to raise this issue at the next Vision Steering Group*)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Board notes the work carried out to date to develop a new Vision for Leeds 2011 to 2030 in accordance with the report now submitted.
- c) That the consultation document 'What if Leeds' be received and noted and that this Board gives it's support to the process of consultation.

33 City Development Directorate: 2010/11 Budget

Referring to Minute 18 of the meeting held on 6th July 2010, the Director of City Development submitted a report setting out the financial position for the City Development Directorate.

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

- Financial position for City Development Directorate for 2010/11 at period 3 which had been considered by the Executive Board
- Financial position for City Development Directorate for 2010/11 at period 4 which provided a more up to date position

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

Graham Fisher, Principal Finance Manager, City Development
Mohammed Afzal, Principal Finance Manager, Resources

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

- the need for Members to be provided with up to date income and expenditure against the main vote heads showing virements that have been instigated to meet shortfalls from areas of under spend
- the budget process approved by Council
- the delay in undertaking a staffing review within the department
- the need to invite the Director of City Development to the next Board meeting to discuss the financial position of the department
- the need for the Board to see the specific plans for next year's budget in order to have an input in protecting frontline services
- clarification for the shortfall in fees for crematoria services
- the need for the Board to keep under review the budget deficit and to address issues on a month by month basis

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Board's Principal Scrutiny Adviser be requested to invite the Director of City Development to the next Board meeting in October 2010 to discuss the current budget position.

(Councillor B Atha left the meeting at 12.10pm during discussions of the above item)

34 Long stay parking on vacant City Centre sites

Referring to Minute 20 of the meeting held on 6th July 2010, the Chief Planning Officer submitted a report on long stay parking on vacant City Centre sites.

Phil Crabtree, Chief Planning Officer, City Development was in attendance.

RESOLVED - That the contents of the report be noted.

35 Grants to Culture and Sport Related Organisations

(This item was withdrawn from the agenda and would be considered at the next meeting on 5th October 2010)

36 Kirkgate Market

Referring to Minute 18 of the meeting held on 6th July 2010, the Head of Scrutiny and Member Development submitted a progress report on the Board's intention to undertake an inquiry into Kirkgate Market.

Appended to the report was a copy of a note of the Board's visit to Kirkgate Market on 25th August 2010 for the information/comment of the meeting.

It was noted that that the Board would now consider the draft market strategy at its meeting on 5th October 2010, prior to it being considered by Executive Board on 3rd November 2010.

RESOLVED- That the contents of the report, together with details of the informal Scrutiny Board visit of 25th August 2010, be noted.

37 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 21st July 2010 and 16th August 2010, together with the Forward Plan of Key Decisions for the period 1st August 2010 to 30th November 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 21st July 2010 and 16th August 2010, together with the Forward Plan of Key Decisions for the period 1st August 2010 to 30th November 2010 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to include the following items:-
 - Request for Scrutiny of the Strategic Housing Land Availability Assessment – A briefing paper to include an approximate timetable relating to the Leeds Development Framework Core Strategy (October 2010)
 - Section 106 – A Simple Guide for Elected Members

38 Date and Time of Next Meeting

Tuesday 5th October 2010 at 10.00am
(Pre meeting for Board Members at 9.30am)

(The meeting concluded at 12.20 pm)

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 7TH SEPTEMBER, 2010

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, J Elliott, G Harper,
J Jarosz, G Latty, R Pryke, M Rafique,
M Robinson and S Smith

B Woroncow (Co-optee)

39 Chair's Opening Remarks

The Chair welcomed everyone to the call-in meeting.

40 Late Items

The Chair agreed to accept the following document as supplementary information:-

- LeedsCard and BreezeCard entry into Tropical World and Home Farm – Report of the Director of City Development (Agenda Item 7) (Minute 43 refers)

The document in question was not available at the time of the agenda despatch, but circulated by e mail and made available to the public on the Council's web site prior to today's meeting.

41 Declaration of Interests

There were no declarations of interest made at the meeting.

42 Call-In of Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the call-in process.

Members were advised that the options available to the Board in respect of this particular called-in decision were:-

Option 1 – **Release the decision for implementation.** Having reviewed the decision, the Scrutiny Board (City Development) could decide to release it for implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – **Recommend that the decision be reconsidered.** Having reviewed the decision, the Scrutiny Board (City Development) could recommend to the Director of City Development that the decision be reconsidered. If the Scrutiny Board (City Development) chose this option, a report would be submitted to the Director of City Development within 3 working days of this meeting. The Director of City Development would reconsider the decision and would publish the outcome of their deliberations

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on the delegated decision system. Where the Director believes that the original decision should be confirmed, it must be referred to the next Executive Board for a decision.

Where the Director agrees with the views of Scrutiny, a new delegated decision form would be submitted indicating ineligible for Call-In.

In cases where the Director believes that the original decision should be confirmed, and in their view urgency prevents them from submitting the decision to Executive Board, the approval of the relevant Executive Board Member would be required before implementation. This Executive Member approval together with the reasons for urgency would be included in the new delegated decision form.

The Director and relevant Executive Board Member would also be required to attend and give their reasoning to the relevant Scrutiny Board.

RESOLVED – That the report outlining the call-in procedures be noted.

43 Call-In - Review of Delegated Decision No D37181- LeedsCard and BreezeCard entry to Tropical World and Home Farm

The Head of Scrutiny and Member Development submitted a report, together with background papers, relating to a review of a delegated decision of the Chief Recreation Officer of 16th August 2010 in relation to approving a recommendation that free entry for LeedsCard and BreezeCard holders be replaced by a 20% discount from 1st September 2010 at Tropical World and Temple Newsam, Home Farm.

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

- Copy of completed call-in request form
- The Delegated Decision Notification – Chief Recreation Officer – D37181 – LeedsCard and BreezeCard entry to Tropical World and Home Farm dated 16th August 2010

In addition to the above appendices, a copy of the following document was circulated as supplementary information to assist the Board in their deliberations:-

- Report of the Director of City Development – LeedsCard and BreezeCard entry into Tropical World and Home Farm

However arising from discussions, the Board decided not to take this supplementary information into account as the information was not included within the original delegation decision documentation.

The decision had been called-in for review by Councillors S Bentley, R Downes, M Hamilton, J Monaghan and A Taylor on the following grounds:-

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“ The decision will disproportionately adversely affect the poorer and least advantaged residents, especially younger people of Leeds”

Councillors R Downes and S Bentley attended the meeting to present evidence to the Board and respond to Members’ questions and comments.

The following officers were in attendance:-

Richard Mond, Chief Recreation Officer, City Development
Sean Flesher, Principal Area Manager (West), Parks and Countryside, City Development

The Board then questioned Councillors Downes and Bentley, together with officers at length on the evidence submitted.

In summary, the main points raised by Councillors Downes and Bentley were:-

- the need to retain free entry into Tropical World and Home Farm for LeedsCard and BreezeCard users for disadvantaged groups, in the city, especially younger people and the elderly
- the need to take into consideration rising transport costs and the lack of direct bus services to some of these venues which makes a visit expensive even with free entry
- to challenge the assumptions made in the report concerning the likely fall off of visitor numbers and the anticipated increase in income as a consequence of the proposal to stop free entry with visitors who have a LeedsCard or BreezeCard
- clarification of the consequences of reduced attendance figures and charging an entry fee on secondary spend in these venues which would have an impact on the income and running costs and whether a detailed analysis had been carried out
- clarification of how residents and visitors would be informed of the new charging policy if it went ahead

In explaining the reasons for the decision, officers made the following comments:-

- an acknowledgement made that the original delegated decision documentation did not contain the full details
- the need to implement these admission charges in the current financial climate, in order contribute to balancing his budget in 2010/11

The Chair the invited questions and comments from Board Members and, in summary, the main areas of discussion were:-

- clarification of the loss of secondary spend at these attractions if charges were introduced

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- the need to undertake 'swipe card' visitor research on the post codes of card holders to identify where visitors were from to aid knowledge of the social context in the decision making process
(The Chief Recreation Officer reported that progress was being made to introduce swipe card technology, but currently visitors simply show their card to gain free entry to these attractions and therefore there was no database of LeedsCard access on which to base research)
- clarification of the usage and proportionality of the LeedsCard and BreezeCard at other attractions
- around the accuracy of the likely revenue that would be made as a result of bringing in these charges at these facilities
- clarification as to whether or not the Government's recent withdrawal of free swimming charges for older people had a direct effect on the overall budget
(The Board agreed to refer this issue to the Director of Resources and Acting Deputy Chief Executive for a written response and for the reply being circulated to Board Members)
- clarification as to whether this issue was within the budgetary framework
(The Board's Principal Scrutiny Adviser responded and confirmed that it was within the budgetary framework)
- the concerns expressed that Councillor A Ogilvie, in his capacity as Executive Member for Leisure, had decided not to attend this Call-In meeting
- clarification of the financial position of Tropical World and Home Farm
- the threat to the viability of the LeedsCard and BreezeCard if free entry was withdrawn
- the proposed introduction of a 'City Card' designed to replace the 'LeedsCard' and how this would affect the current proposals
- clarification as to whether or not specific benefactors of Tropical World in particular had been consulted on the proposed admission charges
- clarification as to whether or not consideration had been given to charging LeedsCard holders and allowing free entry for BreezeCard holders at both facilities
- the fact that information was missing from the original report when the delegated decision was taken

Following this process, the Chair allowed the Call-In signatories to sum up.

In conclusion, the Chair thanked Councillors Downes and officers for their attendance and contribution to the call-in meeting.

RESOLVED- That the report and information provided be noted.

44 Outcome of Call-In

Following consideration of evidence presented to them, the Board passed the following resolution:-

RESOLVED – That the Delegated Decision of the Chief Recreation Officer on the LeedsCard and BreezeCard entry to Tropical World and Home Farm be referred back for reconsideration in view of the additional information provided by the Chief Recreation Officer which was not included in the report when the officer delegated decision was made, inadequate consultation and the introduction of a “City Card”.

(The meeting concluded at 1.20pm)

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SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 5TH OCTOBER, 2010

PRESENT: Councillor J Procter in the Chair

Councillors J Akhtar, B Atha, J Elliott,
P Ewens, G Harper, J Jarosz, G Latty and
M Rafique

45 Chair's Opening Remarks

The Chair welcomed everyone to the October meeting of the Scrutiny Board (City Development). He particularly welcomed representatives from Friends of Leeds Kirkgate Market (Agenda Item 12) (Minute 55 refers).

He also informed the meeting that Ms Barbara Woroncow was unable to attend today's meeting due to being summoned for surgery a few weeks ago and that he had written on behalf of the Board sending her their good wishes.

46 Late Items

The Chair agreed to accept the following document as supplementary information:-

- Marketing Leeds Annual Report 2009 and Annual Review 2010 – Updated marketing activity plan for Marketing Leeds (Appendix 1 refers) (Agenda Item 7) (Minute 50 refers)

The updated document replaced Appendix 1 circulated with the papers as it was not available at the time of the agenda despatch, but was circulated by e mail and made available to the public on the Council's website prior to today's meeting.

47 Declaration of Interests

The following personal declarations of interest were made:-

- Councillor B Atha in his capacity as a trustee on the Leeds Grand Theatre Board; Northern Ballet Theatre and Middleton Equestrian Centre and also as Chair of Red Ladder Theatre Company (Agenda Item 11) (Minute 54 refers)
- Councillor J Procter in his capacity as Chair of the Leeds Grand Theatre Board and also as a trustee on Northern Ballet Theatre (Agenda Item 11) (Minute 54 refers)

48 Apologies for Absence and Notification of Substitutes

Apologies for absence were received on behalf of Councillors D Atkinson, R Pryke, M Robinson, S Smith and Barbara Woroncow (Co-opted Member).

Notification had been received for Councillor P Ewens to substitute for Councillor Smith.

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held on Tuesday, 2nd November, 2010

49 Minutes of the Previous Meetings

RESOLVED-

- a) That the minutes of the Board meeting and Call-In meeting held on 7th September 2010 be confirmed as a correct record.
- b) That in relation to Minute 31, the Board's Principal Scrutiny Adviser forward details on the process and procedures for the management of Section 106 and 278 Agreements with developers to Councillor P Ewens in accordance with her request.

50 Marketing Leeds Annual Report 2009 & Annual Review 2010

The Head of Scrutiny and Member Development submitted a report on progress in relation to Marketing Leeds.

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

- Marketing Leeds – Annual Report 2009 – Report of the Assistant Chief Executive (Planning, Policy and Improvement) – Executive Board – 21st July 2010
- Updated Appendix 1 Marketing Leeds Activity Plan for 2010/11

A copy of the Marketing Leeds Annual Review 2010 booklet had also been circulated to Board Members with the papers for today's meeting for their information/comment.

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

Dirk Mischendahl, Marketing Leeds Board Member
James Rogers, Assistant Chief Executive (Planning, Policy and Improvement) and Marketing Leeds Board Member
Deborah Green, Chief Executive, Marketing Leeds

At the request of the Chair, the Assistant Chief Executive (Planning, Policy and Improvement) and the Chief Executive, Marketing Leeds briefly outlined the background issues (including financial details), together with key measurables and achievements in relation to Marketing Leeds.

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

- clarification of the relationship between Marketing Leeds and Leeds City Council
- details of the costs involved in producing the booklet 'Marketing Leeds Annual Review 2010' and the benefits accrued from this publication (*The Assistant Chief Executive responded that the cost was £7000 and commented that this was good value for money based on the numbers produced and its wide circulation*)
- the opportunities to promote and market Leeds as an international city/capital city of the north

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- the important role Marketing Leeds had in attracting people and businesses to invest in the city
- a perception that Leeds was not always 'punching- its- weight'
- concerns regarding the private hire taxi contract at Leeds Bradford International Airport
- the importance of promoting the city at major events and highlighting the excellent facilities available in Leeds
- the diversity of the Marketing Leeds Board
- assurances that Marketing Leeds was not promoting Leeds at the expense of Bradford
(The Chief Executive, Marketing Leeds responded and explained that this was not the case and that they welcomed opportunities to work closely with all our neighbouring Councils)
- clarification that tourism and conferencing was not in the remit of Marketing Leeds
- clarification of the success of Festive Leeds and whether Marketing Leeds promoted this event
(The Chief Executive Marketing Leeds stated that they did not lead on this event)
- to welcome the news that Leeds was now 23rd in the league table of 30 "leading cities for business' when it was not even listed in 1999
- in order to promote at least the geographical location of Leeds why it was not always shown on the BBC & ITV News weather map

RESOLVED - That the Marketing Leeds Annual report 2009 , the Annual Review 2010 in booklet form and the updated Marketing Leeds Activity Plan for 2010/11 be noted.

51 Recommendation Tracking - Inquiry to Review the methods by which Planning Applications are Publicised and Consultations Undertaken

The Head of Scrutiny and Member Development submitted a quarterly report on progress made in implementing the Board's recommendations.

Appended to the report was a copy of the following documents for the information/comment of the meeting:-

- Recommendations tracking flowchart and classifications: Questions to be considered by Scrutiny Boards (Appendix 1 refers)
- Recommendation Tracking – Progress Report (April 2010) (Appendix 2 refers)

The report also showed specific progress against recommendations arising from the Inquiry to review the methods by which planning applications are publicised and consultation undertaken.

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

Martin Sellens, Head of Planning Services, City Development
Helen Cerroti, Development Project Manager, City Development

The Board were informed that Phil Crabtree, Chief Planning Officer, City Development had conveyed his apologies for this item. Following a brief discussion on this issue, the Board requested the Principal Scrutiny Adviser to advise relevant Chief Officers of the importance of attending the meeting when invited to assist the Board with their scrutiny deliberations.

At the request of the Chair, the Head of Planning Services outlined the key issues within the report highlighting the progress made towards the thirteen recommendations.

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

- the concern expressed that more progress had not been made with regard to those recommendations which had achieved a 4 status category i.e. not achieved (progress made acceptable). It was acknowledged however that a number of the recommendations specified that completion was not due to be completed until March 2011 or 2012
- the concern expressed by a Member of the Board that she had not been involved with this inquiry and asked to see a copy of the full report
(The Principal Scrutiny Adviser responded and agreed to forward this final report to the Member concerned)
- the importance of continuing to support and develop Elected Members on planning issues

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That approval be given to those recommendations which no longer require monitoring to be removed from the schedule in accordance with the report now submitted.

52 Request for Scrutiny of the Strategic Housing Land Availability Assessment (SHLAA)

Referring to Minute 29 of the meeting held on 7th September 2010, the Head of Scrutiny and Member Development submitted a report on a request for scrutiny of the Strategic Housing Land Availability Assessment (SHLAA).

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

- Parish Council Representation on the Strategic Housing Land Availability Study – Report of the Head of Scrutiny and Member Development – Scrutiny Board (City Development) – 7th September 2010 (Appendix 1 refers)
- Request for Scrutiny – Strategic Housing Land Availability Assessment from Councillor G E Hall, Barwick-in-Elmet and Scholes Parish Council

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–Scrutiny Board (City Development) – 7th September 2010 (Appendix 2 refers)

- Consultation on the Local Development Framework/Core Strategy and the Strategic Housing Land Availability Study Update – Report of the Director of City Development – Scrutiny Board (City Development) – 5th October 2010 (Appendix 3 refers)

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

Councillor G E Hall, Barwick –in-Elmet and Scholes Parish Council
Robin Coghlan, Team Leader Planning Policy, City Development

The Board were informed that Steve Speak, Deputy Planning Officer, City Development had conveyed his apologies for this item. The Board again requested the Principal Scrutiny Adviser to advise relevant officers of the importance of attending the meeting to assist the Board with their scrutiny deliberations.

Prior to discussing this issue, the Chair sought the initial views of Councillor G E Hall on whether or not he was in agreement with the Director of City Development's proposals for community engagement and for updating the Strategic Housing Land Availability Assessment in their latest report.

Councillor G E Hall responded and informed the meeting that, in principle, he was in agreement with the proposals outlined within the report, However he made specific reference to Sections 3.4, 4.1, 4.2, 4.5 and 4.6 in the report where further clarification of the proposals was sought from the Team Leader, Policy Team, City Development.

At the request of the Chair, Robin Coghlan, Team Leader Planning Policy, City Development responded to the individual points raised by Councillor G E Hall. It was reported that officers were still waiting for a steer from the Executive Board Member with portfolio responsibility for Development and Regeneration on this matter.

Following a brief discussion, the Chair enquired if Councillor G E Hall would be satisfied if the Board approved option (iii) as outlined in 4.5 of the report i.e. offer to request that the Strategic Housing Land Availability Assessment (SHLAA) Partnership extends membership to include Parish Council representation, or some other local community representation.

Councillor G E Hall responded and confirmed that he would welcome the Board's approval to this option, but stated that it was imperative that, if agreed, the option should be implemented by officers without delay.

RESOLVED-

- a) That the contents of the report and appendices be received and noted.
- b) To recommend to the Leeds' SHLAA Partnership that it extends its membership to include Parish Council representation, or some other

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local community representation in accordance with option (iii) paragraph 4.5 of the Director of City Development's report.

- c) That in the circumstances no further action be taken with regard to Councillor G E Hall's request for scrutiny of the Strategic Housing Land Availability Assessment (SHLAA).

53 Cemeteries and Crematoria Horticultural Maintenance

The Director of City Development submitted a report on Cemeteries and Crematoria Horticultural Maintenance.

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

Richard Mond, Chief Recreation Officer, City Development
Sean Flesher, Head of Parks and Countryside, City Development
Phil Stephenson, Chief Superintendent, Lawnswood, City Development

The Head of Parks and Countryside introduced the report and provided the meeting with the relevant background information and main findings for horticultural maintenance of cemeteries and crematoria in Leeds.

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

- clarification of the numbers of Friends of Cemeteries Groups within the city
- clarification of the number and specific details of those Area Committees who employ cemetery maintenance staff through their own well-being budgets
- clarification of the department's protocol around the health and safety and maintenance issues in relation to headstones
- the need for the department to look ahead in relation to the future of burial provision, with specific reference to those requests identified by faith groups
- clarification of the areas covered in relation to "general grave maintenance" as outlined in Section 4.10 of the report
- to convey a message of thanks to the Chief Superintendent, Lawnswood and his staff for their efforts following recent damage caused to the Muslim section in Harehills cemetery. A Member also reported on the efforts to establish a Friends of Cemetery Group at Harehills to support the maintenance and security of the cemetery
- the importance of educating children at primary school age to respect cemeteries and the custom and practices for burial of whatever faith within the city
- the wish to establish a working group on this issue and undertake site visits to identify the horticultural maintenance problems that exist in our cemeteries and crematoria sites

RESOLVED-

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

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- b) That a working group be established to consider the pressure on the maintenance budget for cemeteries and crematoria and the flouting of grave conditions that had resulted in the enclosure of graves which incur additional maintenance costs.
- c) That the working group visit Lawnswood, Harehills and Hunslet and other cemeteries which maybe identified at a later date with a view to identifying the horticultural maintenance problems that exist.
- d) That the Board's Principal Scrutiny Adviser be requested to e mail Board Members with regards to formulating the membership of the working group which shall comprise of up to eight Members.
- e) That the working group's findings be reported to a future meeting of the Board for consideration.

(Councillor B Atha left the room at 11.30am during discussions of this item)

(Councillor P Ewens left the meeting at 12 noon at the conclusion of this item)

54 Grants to Culture and Sport Related Organisations

Referring to Minute 35 of the meeting held on 7th September 2010, a report of the Head of Scrutiny and Member Development was submitted outlining the grant process to cultural and sporting organisations in Leeds, the amount granted, the benefits to the city, the governance process and the in kind support.

Appended to the report was a copy of the following document for the information/comment of the meeting:-

'Grants to Culture and Sport Related Organisations – Report of the Chief Officer, Libraries, Arts and Heritage – Scrutiny Board (City Development) – 7th September 2010'

Catherine Blanshard, Chief Officer, Libraries, Arts and Heritage, City Development was in attendance and responded to Members' queries and comments.

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

- clarification of the total amount spent by the department on grants that are made to cultural and sport related organisations and the need to establish whether or not Council tax payers were getting value for money
(The Chief Officer, Libraries, Arts and Heritage responded and confirmed that the grants made to culture and sport related organisations was around £3.2 million per annum)
- the need to amend the table of grants to include spend within the department to support specific events; the representation the Council had on their management committees to protect the Council's interests and the need to focus on the value and benefit to the Council of giving such monies

- the need to review the payment the Council makes to West Yorkshire Grants and an assessment of whether the approach still gave value for money for the Council
- the view that a working group be established to consider this issue

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That a working group be established to consider the grants and any spend within the service budget to support certain grant funded events to all cultural and sporting organisations in Leeds; the benefits that accrue to the city from such payments; what representation, if any, the Council had on their management committees to protect its interests and review the payment the Council makes to West Yorkshire Grants and an assessment of whether the approach still gave value for money.
- c) That the Board's Principal Scrutiny Adviser be requested to e mail Board Members with regards to formulating the membership of the working group which shall comprise of up to eight Members.
- d) That the working groups findings be reported to a future meeting of the Board.

(Councillor B Atha rejoined the meeting at 12.05pm during discussions of the above item)

55 Kirkgate Market

Referring to Minute 36 of the meeting held on 7th September 2010, the Head of Scrutiny and Member Development submitted a report regarding the development of a draft market strategy for Kirkgate Market.

The following representatives were in attendance and responded to Member's queries and comments:-

Martin Farington, Acting Director of City Development
 Paul Stephens, Chief Economic Development Officer, City Development
 Cath Follin, Head of City Centre and Markets, City Development

At the request of the Chair, the Acting Director of City Development, Chief Economic Development Officer and the Head of City Centre and Markets provided the Board with the following reasons as to why the development of a draft market strategy had not been completed in time for today's meeting:-

- that the outcome of an independent review of rents by the District Valuer for Kirkgate Market was still outstanding, but likely to be published within the next few weeks which would influence the developing strategy
- that further work was being undertaken with regard to the conditions survey at Kirkgate Market, the outcome of which would again help determine the options available to the Council
- that the post of Markets Manager was vacant, but shortlisting had taken place this week and hopefully an appointment would be made on 22nd October 2010 who could then contribute to the draft strategy

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- the announcement by Hammerson Developers to start consultation on a £650m Eastgate scheme development would have an important impact and influence on a market strategy for the city

The Chair made reference to the receipt of an e mail received from the Friends of Kirkgate Market dated 4th October 2010 which raised a number of questions arising from the delay in presenting a draft market strategy to the Scrutiny Board.

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

- the general view expressed by the Board that the delay in producing a draft market strategy for Kirkgate Market was totally unacceptable
- the regret that the Board had not proceeded as planned with an inquiry on this matter in July 2010
- clarification of the current consultation arrangements with market traders
- clarification as why market traders were not directly involved within the process of drafting of the market strategy and the urgent need to rectify this anomaly
- the concerns expressed at the reduced footfall in the market and the need to act quickly to address this issue

RESOLVED-

- a) That the contents of the report, together with the comments made by the Acting Director of City Development, Chief Economic Development Officer and the Head of City Centre and Markets be noted.
- b) That a Scrutiny Inquiry be undertaken on Kirkgate Market and that the Board's Principal Scrutiny Adviser be requested to draw up formal terms of reference for consideration at the next meeting on 2nd November 2010.

(Councillors J Akthar and G Harper left the meeting at 12.40pm at the conclusion of this item)

56 City Development Directorate: 2010/11 Budget - Financial Position

Referring to Minute 33 of the meeting held on 7th September 2010, the Head of Scrutiny and Member Development submitted a report providing the Board with a financial position for the City Development Directorate at period 5.

Appended to the report was a copy of a document entitled 'City Development Directorate; 2010/11 Budget – Period 5 Report' for the information/comment of the meeting.

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

Martin Farrington, Acting Director of City Development
Ed Mylan, Chief Officer, Resources and Strategy, City Development
Simon Criddle, Head of Finance, City Development

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

- clarification of why there had been a significant reduction in planning application income of £221,000 between Period 4 and Period 5
- the need for the Board to be provided with actuals for July and August 2010 prior to the next meeting in November 2010
- that the Budget details submitted to the next Board meeting should give the September actuals and projections compared with the previous month
- clarification as why the restructuring exercise of the Planning Section had taken eighteen months to complete, together with specific details of the 16% reduction in the workforce
- clarification as to whom authorised the overspend in staffing in relation to Sports and Active Recreation Services

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Acting Director of City Development be requested provide the Board with actuals for July and August 2010 via the Board's Principal Scrutiny Adviser for circulation prior to the next meeting on 2nd November 2010.
- c) That the departmental budget report 2010/11 on variances against actuals and projections for month 6 compared with the previous month be submitted to the Board meeting on 2nd November 2010 for discussion.

57 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 25th August 2010, together with the Forward Plan of Key Decisions for the period 1st October 2010 to 31st January 2011 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 25th August 2010, together with the Forward Plan of Key Decisions for the period 1st October 2010 to 31st January 2011 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to include the following items:-
 - Scrutiny Inquiry and terms of reference for Kirkgate Market (November 2010)
 - Formation of a Working Group in relation to Cemeteries and Crematoria Horticultural Maintenance
 - Formation of a Working Group in relation to Grants to Culture and Sport Related Organisations

58 Date and Time of Next Meeting

Tuesday 2nd November 2010 at 10.00am (Pre meeting for Board Members at 9.30am)

(The meeting concluded at 1.10pm)

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SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 13TH SEPTEMBER, 2010

PRESENT: Councillor B Anderson in the Chair

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

21 Late Items/Supplementary Information

Reference was made to the following supplementary information:-

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

22 Declarations of Interest

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

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

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

23 Minutes - 13th July 2010

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

24 Matters Arising from the Minutes

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

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

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

b) Angela Brogden (Minute No. 20 refers)

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

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

25 Budget Analysis for Housing Revenue Account and General Fund

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

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

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

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

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

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

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

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

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

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

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

The Director undertook to keep the Board informed of developments;

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

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

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

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

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

26 Gypsy and Travellers Site Provision within Leeds

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

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

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

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

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

RESOLVED –

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

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

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

27 Performance Report - Quarter 1 2010/11

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

RESOLVED – That the report be received and noted.

28 Recycling Inquiry - Final Report

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

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

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

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

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

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

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

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

29 Pilot of New Recycling Services in Rothwell

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

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

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

In brief summary, the main issues discussed were:-

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

RESOLVED –

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

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

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

30 Scrutiny Inquiry - Housing Lettings Procedure

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

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

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

RESOLVED – That the report be received and noted.

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

31 Scrutiny Inquiry - EASEL

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

RESOLVED – That the report be received and noted.

32 Work Programme 2010/11

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

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

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

33 Date and Time of Next Meeting

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

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 11TH OCTOBER, 2010

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

34 Declarations of Interest

The following declarations of personal interests were made:-

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

35 Apologies for Absence

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

36 Minutes - 13th September 2010

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

37 Presentation - Homes and Community Agency

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

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

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

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at the meeting held on Monday, 8th November, 2010

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

Neil Evans, Director of Environment and Neighbourhoods.

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

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

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

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

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

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sources following the outcome of the imminent Comprehensive Spending Review;

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

RESOLVED –

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

38 Vision For Leeds 2011 - 2030

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

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

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

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

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at the meeting held on Monday, 8th November, 2010

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

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

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

39 Scrutiny Inquiry - Integrated Offender Management

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

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

40 Budget Analysis for the Housing Revenue Account and General Fund

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

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

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

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

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

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

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

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

41 Scrutiny Inquiry - Gypsy and Traveller Site Provision in Leeds

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

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

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

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

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

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

43 Scrutiny Inquiry - Private Sector Rented Housing - Recommendation Tracking

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

RESOLVED –

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

44 Work Programme

The Head of Scrutiny and Member Development submitted the Board's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st October 2010-31st January 2011 and the minutes of the meetings of the Executive Board held on 25th August and 23rd September 2010.

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

45 Dates and Times of Future Meetings

Monday, 8th November 2010.
Thursday, 2nd December 2010 (provisional only).
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-Meetings 9.30 am).

SCRUTINY BOARD (HEALTH)

TUESDAY, 21ST SEPTEMBER, 2010

PRESENT: Councillor M Dobson in the Chair

Councillors S Armitage, P Ewens,
P Harrand, G Hyde, J Illingworth,
G Kirkland, M Lobley, J Matthews and
E Taylor

23 Chair's Opening Remarks

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

24 Late Items

The Chair informed the meeting that he had agreed to admit the following document to the agenda as a Late Item of business:-

Scrutiny Board (Health) Report on Promoting Good Public Health: the role of the Council and its Partners (May 2010) – Report of the Director of Adult Social Services and the Director of Public Health, NHS Leeds (Minute 31 refers).

The report in question was not available at the time of the agenda despatch and the timescales for responding to the recommendations were already outside those detailed in the Council's Constitution. However, in order to help the Board fulfil its role in monitoring responses to its recommendations (and subsequent implementation) and to ensure that its work remained current, it was necessary for the Board to receive and consider this report before the next scheduled meeting in late October 2010.

25 Declarations of Interest

The following personal declarations were made:-

- Councillor E Taylor in her capacity as a nurse employed by Leeds Community Mental Health (Agenda Item 7) (Minute 30 refers)
- Councillor M Dobson in his capacity as Chair of the Leeds Initiative Healthy Leeds Partnership (Agenda Item 8) (Minute 29 refers)

26 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Councillor A Hussain and Co-opted Member, Mr A Giles. Notification had been received for Councillor G Hyde to substitute for Councillor Hussain.

27 Minutes - 27th July 2010

RESOLVED – That the minutes of the meeting held on 27th July 2010 be confirmed as a correct record.

Minutes approved as a correct record at the meeting held on Tuesday, 26th October, 2010

28 **Matters Arising from the Minutes**

a) Joint Performance Report Year End 2009/10 (Minute 17 refers)

Councillor P Harrand made reference to the e mail circulated from Graham Brown, NHS Leeds dated 3rd August 2010 clarifying the information in relation to mortality data. He raised his concerns that the statistics were not clear and following a brief discussion it was agreed to discuss this item further under Item 7 on the agenda relating to the Joint Performance Report – Quarter 1 2010/11.

Councillor J Illingworth raised the issue around the Board's concerns with regard to the potential full consideration of the Leeds Girls High School planning application and enquired if a reply had been received from the Chair of Plans Panel (West).

The Board's Principal Scrutiny Adviser responded and confirmed that a letter had been sent by Council S Armitage (as acting Chair) to Councillor N Taggart on this issue, but to date, and to the best of his knowledge, no reply had been received.

Following a brief discussion, the Board's Principal Scrutiny Adviser agreed to follow up this issue with the Chief Planning Officer as a matter of urgency and to raise the public health and equality issues with a report back on progress at the next meeting in October 2010.

(Councillor J Matthews indicated that he was a Member of the Plans Panel (West) and could possibly be considering matters arising from the Leeds Girls High School item at a later date in that capacity. He stated that he would remain in the meeting to listen to and take part in the discussion of this issue. In order to avoid any perception of pre-determination, Councillor Matthews agreed that he would not be bound by any discussion taken at the meeting when issues from this matter came before Plans Panel (West) for determination, but would consider all representations and viewpoints presented at the planning meeting before reaching a conclusion based on the merits of the case).

29 **Equity and Excellence: Liberating the NHS - White Paper**

The Head of Scrutiny Support and Member Development submitted a report on the content of the Equity and Excellence: Liberating the NHS White Paper document and supporting consultations, together with the local implications. The Board was asked to determine the content of any consultation response and consider how to maintain an overview of progress and any subsequent implementation.

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

- Equity and Excellence: Liberating the NHS – White Paper - Executive summary (Appendix 1 refers);
- Transparency in outcomes – a framework for the NHS - Executive summary (Appendix 2 refers);

Minutes approved as a correct record at the meeting held on Tuesday, 26th October, 2010

- Local democratic legitimacy in health - Full consultation document (Appendix 3 refers);
- Commissioning for patients - Executive summary (Appendix 4 refers);
- Regulating healthcare providers - Executive summary (Appendix 5 refers)

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) – Leeds City Council, Adult Social Services
- Dr Simon Stockhill (Chair, Clinical Commissioning Executive) – NHS Leeds

The Board noted that apologies had been received from Christine Farrar (Policy Director – Health Improvement and Partnerships) – Leeds Initiative and Dr Bryan Power (GP consortia representative) – NHS Leeds.

At the request of the Chair, and from a local authority perspective, the Deputy Director, Adult Social Services outlined some of the key areas and likely implications highlighted in the White Paper. This included input from the Chair of the Clinical Commissioning Executive (NHS Leeds) around current GP consortia arrangements and likely implications of the current proposals.

Detailed discussion ensued, with the following issues being raised:

- Proposals to transfer to local councils the power/ responsibility to improve the health of the local population.
- Proposals to establish a national Public Health Service.
- Joint appointment of the Director of Public Health and potential transfer of current NHS services and staff to the Council.
(The Board noted that specific details in this area was likely to be available in a further White Paper around Public Health, expected in December 2010)
- Aspects of the Democratic Legitimacy consultation paper, including:
 1. A patient centred approach is strengthened by the proposals, with a shift away from a top-down approach to local determination;
 2. Establishment of the Health & Well Being Board, including proposed membership and transfer of Health Scrutiny statutory powers;
 3. Detailed supplementary guidance is not expected.
- 150,000 patients / 33 practices not part of any current GP consortia arrangements – with a large gap in the south of the City.
- Impact on commissioning arrangements including:
 1. Consistency across different areas of the City;
 2. Cross-border matters;
 3. Specialised services;

4. Local authority commissioning.
- The importance of ensuring the delivery of high quality services during any transitional arrangements.
 - Ensuring future models of delivery address the needs of Leeds residents / patients, recognising that such models may differ from other large cities and areas across England.
 - The importance of GP consortia coming together with the aim of developing a successful model for the future
 - The need for further involvement/ ongoing discussions with GP consortia representatives as soon as possible
(Arising from discussions, the Board's Principal Scrutiny Adviser agreed to follow up this issue with NHS (Leeds))
 - Clarification around the role of Leeds Ambulance Services within the commissioning process
 - Clarification around the specific areas that would be commissioned around the health improvement commissioning agenda
 - Clarification of the functions and roles between the proposed health and wellbeing boards and the Leeds Initiative Healthy Leeds Partnership
 - The need for the new health and wellbeing boards to address such issues as Narrowing the Gap and to focus on the delivery of key services in specific areas.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That, in view of the importance of this matter and the short timescales involved, this Board confirms it's intention regarding the submission of a consultation response on the proposals set out in this report and requests the Board's Principal Scrutiny Adviser to draft such a response based on the comments made at today's meeting.

30 Joint Performance Report Quarter 1 2010/11

Referring to Minute 17 of the meeting held on 27th July 2010, a joint report of Leeds City Council and the NHS Leeds presenting performance information which summarised the progress against the joint council and NHS Leeds priorities as set out in the Leeds Strategic Plan, as well as key NHS Leeds priorities for first quarter of 2010/11.

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

- Action trackers for the high risk performance area from the Leeds Strategic Plan which were relevant to the Health Scrutiny Board. This tracker included a contextual update as well as key performance indicator results (Appendix 1 refers);
- Performance indicator report showing the Q1 result and predicted year end traffic lights for all key performance indicators aligned to the LSP which were relevant to the Health Scrutiny Board as well

as indicators relating to the key priorities for NHS Leeds (Appendix 2 refers);

- An update on the outstanding PIs from the Q4 2009/10 which were not available at the time of the Q4 report or were not confirmed as validated results (Appendix 3 refers)

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:

- Graham Brown (Performance Manager) – NHS Leeds
- Paul Bollom (Priority Commissioner) – Leeds City Council, Children's Services
- Brenda Fullard (Head of Healthy Living and Health Inequalities) NHS Leeds

There was a full discussion around an overview of performance against key local health priorities relevant to the remit of the Scrutiny Board (Health) with specific reference to the consideration of performance in the areas of:

- Teenage conception: and,
- Premature mortality in deprived areas

To assist the Board with their deliberations, a copy of an e-mail from Graham Brown, NHS Leeds dated 3rd August 2010 on mortality data was circulated for information/comment.

In summary, the main issues highlighted were as follows:

- The availability of general performance/ statistical data in terms of teenage conception and births in Leeds.
- Clarification of the difference between provisional/original data of births in Leeds.
- The importance of protecting and supporting young girls around teenage pregnancy.
- Clarification of the statutory rights of private providers in disclosing termination figures.
- The need to improve reporting arrangements to include more up to date performance information, including 'proxy' measures, to assist the Board in future deliberations.
(The Performance Manager responded and agreed to the Board's request in this regard).
- Clarification of the procedure for standardising Mortality rates within local wards.
- The importance of communication between agencies around births/terminations and the need to consult with GP's more effectively.
- Clarification of the 2008 Calendar Year and 2008-2009 Fiscal Year figures concerning the rates of teenage births against conceptions.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the Performance Manager (NHS) and the Deputy Director, Leeds City Council, Adult Social Services be requested to address the issue of providing more up to date performance information (including 'proxy' measures) within their reporting arrangements for consideration at future Board meetings.

31 Scrutiny Board (Health) Report on Promoting Good Public Health: The role of the Council and its Partners (May 2010)

A report of the Director of Adult Social Services and the Director of Public Health, NHS Leeds was submitted providing the Board with details of the recommendations from the recent Scrutiny Board (Health) inquiry into the role of the Council and its partners in promoting good public health and details how the Directors propose to respond to these. The Board was asked to note and comment on the actions proposed.

Arising from discussions, the Board noted and welcomed that all ten of the recommendations had been agreed by both the Director of Public Health and the Director of Adult Social Care, incorporating input from other Directorates across the Council.

The Board's Principal Scrutiny Adviser informed the meeting that the recommendations would be included with in the Board's monitoring report which would give the Board a further opportunity to consider progress / implementation of the recommendations at future meetings.

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Board notes the actions underway to implement the recommendations from the Promoting Good Public Health inquiry report, in accordance with the report submitted.

32 Vision for Leeds 2011 to 2030 - Progress with development and next steps

(This item was deferred until the next meeting on 26th October 2010)

33 Updated Work Programme 2010/11

The Head of Scrutiny and Member Development submitted a report outlining the Scrutiny Board's updated work programme for the remainder of the current municipal year.

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

- Scrutiny Board (Health) – Outline Work Programme 2010/11 – September 2010 (Appendix 1 refers)

- Safe and Sustainable – Children’s Heart Surgery: A Briefing (Appendix 2 refers)
- Executive Board minutes of the meeting held on 25th August 2010 (Appendix 3 refers)
- Leeds LINK Work Plan 2010/11 (Appendix 4 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, including a brief summary of the outcome and proposed recommendations arising from the Health Service Developments Working Group held on 14th September 2010. The service changes and proposed levels of engagement were summarised as follows:

- Community Ophthalmology – level 3 (significant change)
- Community ENT Services – level 2 (minor change)
- Community Dental Services – level 3 (significant change)
- Community Dermatology Services – level 3 (significant change)
- Community Urology Services – level 3 (significant change)
- Stroke Care Services – level 2 (minor change)
- Reconfiguration of Community Intermediate Care – level 3 (significant change)
- Voluntary, Community and Faith Sector Review – level 3 (significant change)
- Community Neurology Services – level 3 (significant change)

It was further noted that the Board’s Principal Scrutiny Adviser would circulate a copy of the minutes of the meeting to Board Members for comment in due course.

The Chair made specific reference to the national review of Children’s Cardiac Surgery Services currently being undertaken and informed the meeting that he had written a letter, on behalf of the Board, on 20th September 2010 to all Members of Parliament for Yorkshire and the Humber. The letter sought to raise MP’s awareness of the review and the need to retain the current regional facilities provided in Leeds, and possibly an even a more enhanced role in any new model of delivery.

RESOLVED -

- a) That the contents of the report and appendices be noted.
- b) That this Board notes the information presented at the meeting from the Health Service Developments Working Group and agrees the proposed level of engagement activity in relation to the identified service areas.
- c) That this Board notes the updated information presented in terms of the Children’s Cardiac Surgery Services review and to the suggestion that the Board maintains a watching brief on this issue.
- d) That approval be given to the outline work programme in accordance with the report now submitted.

34 Date and Time of Next Meeting

Tuesday 26th October 2010 at 10.00am (Pre meeting for Board Members at 9.30am)

(The meeting concluded at 11.55am)

SCRUTINY BOARD (HEALTH)

TUESDAY, 26TH OCTOBER, 2010

PRESENT: Councillor M Dobson in the Chair

Councillors P Harrand, A Hussain,
J Illingworth, G Latty, J Matthews and
E Taylor

CO-OPTEEs: Mr A Giles (Leeds Local Involvement Network)
Ms E Stewart (Leeds Local Involvement Network)

35 Chair's Opening Remarks

The Chair welcomed all in attendance, particularly, Councillor A Hussain and Co-opted Member, Ms E Stewart (Leeds LINK) to their first meeting of Scrutiny Board (Health).

36 Late Items

The Chair admitted the following supplementary information to the agenda:

Agenda Item 7 – Provision of Dermatology Services – Update

Written submissions from Leeds Dermatology Patient's Panel and Andrew Langford, Chief Executive of the Skin Care Campaign. (Minute No. 40 refers)

Agenda item 9 – Pharmaceutical Needs Assessment

Consultation / information pack and community and engagement plan.
(Minute No. 42 refers)

37 Declarations of Interest

Councillor E Taylor declared a personal interest in agenda item 7, Provision of Dermatology Services – Update, in her capacity as an employee of NHS Leeds. (Minute No. 40 refers)

38 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Councillors Armitage and Lobley. Notification had been received that Councillor G Latty was to substitute for Councillor Lobley.

39 Minutes of the Previous Meeting

RESOLVED – That subject to the inclusion of co-opted member, Mr A Giles under Minute No. 26, apologies for absence and notification of substitutes, the

minutes of the meeting held on 21st September be confirmed as a correct record.

40 Provision of Dermatology Services - Update

The Head of Scrutiny and Member Development submitted a report which presented the Scrutiny Board with an updated position on the proposed development of dermatology services within Leeds Teaching Hospitals NHS Trust (LTHT): This specifically made reference to the relocation of dedicated dermatology inpatient services to Chapel Allerton Hospital (CAH) from Leeds General Infirmary (LGI).

The Chair welcomed to the meeting the following officer and representatives to present the report and respond to Members' questions and comments:

- Steven Courtney, Principal Scrutiny Adviser (introduction)
- Victor Boughton, Chair, Leeds Dermatology Patients Panel (LDPP)
- Professor Bill Cunliffe – Secretary, Leeds Dermatology Patients Panel (LDPP)
- Judith Lund, Directorate Manager (Speciality Medicine) – LTHT
- Dr. Mark Wilkinson, Consultant Dermatologist / Clinical Lead for Dermatology – LTHT

In brief summary, the main areas of discussion were:

Leeds Dermatology Patients Panel (LDPP)

- Concern about the process for consulting on planned infrastructural changes, particularly around expectations and reasons behind the move.
- Issues of poor communication with LTHT and some considerable delays in progressing the move.
- Reduction in the number of single rooms and the availability of private treatment cubicles at CAH, and the potential impact on patients' privacy and dignity.

Leeds Teaching Hospitals NHS Trust (LTHT)

- Recognition of LDPP role and their involvement at Patient and Planning meetings.
- Confirmation that the move to CAH had been a success, including transfer of trained dermatology nursing staff.
- Confirmation that infrastructure work (in relation to treatment areas) had been postponed until after the ward transfer, at the request of nursing staff.
- Actions being taken to address issues of privacy and dignity, including, fitting thicker curtains around the bed space, increasing bed space area and sub-dividing treatment areas.
- Confirmation that work was being undertaken to address actions arising from the LDPP meeting on 14th October 2010.

Draft minutes to be approved at the meeting
to be held on Tuesday, 23rd November, 2010

The Scrutiny Board discussed the possibility of arranging a site visit to CAH, before and after implementation of the actions agreed at the LDPP meeting on 14th October 2010. The Principal Scrutiny Adviser agreed to coordinate such arrangements and contact Members of the Scrutiny Board with possible dates.

RESOLVED –

- (a) That the contents of the report be noted; and
- (b) That a site visit to CAH be arranged to take place before and after implementation of the actions outlined at the LDPP meeting on 14th October 2010.

(Councillor Illingworth joined the meeting at 10.12 am during the consideration of this item.)

41 Vision for Leeds 2011 to 2030 - Progress with development and next steps

The Scrutiny Board received a report from Leeds Initiative which provided an update on work undertaken to date to develop a new Vision for Leeds 2011 to 2030.

Appended to the report for Members' information was a copy of the consultation document 'What if Leeds ...', consultation and communication plans for the Vision for Leeds 2011 to 2030, together with a consultation timetable.

The Chair welcomed to the meeting the following officers to present the report and respond to Members' questions and comments:

- Martin Dean, Deputy Head of Leeds Initiative and Interim Head of International Relations
- Christine Farrar, Policy Director – Health Improvement and Partnerships – Leeds Initiative.

In brief summary, the main points of discussion were:

- The benefits of social media and networking sites forming part of the consultation process.
- Clarification about the overall cost of producing the vision – final figure to be reported back to the Scrutiny Board.
- Acknowledgement of the need for greater engagement with private sector workers / organisations.
- Types of consultation with children and young people, e.g. through youth service and breeze website, and ethnic minority groups, e.g. equality hubs, etc.
- Concern that the same groups and individuals were being consulted.

RESOLVED – That the report and information appended to the report be noted.

(Councillor Matthews left the meeting at 11.45 am during the consideration of this item.)

42 Pharmaceutical Needs Assessment

The Head of Scrutiny and Member Development submitted a report which presented the Scrutiny Board with details of the current draft Pharmaceutical Needs Assessment (PNA) for Leeds, which was intended to inform the decision-making in relation to pharmaceutical services over the next three years.

The Chair welcomed the following representatives to the meeting:

- Dr. Damien Riley, Executive Director of Primary Care / Medical Director – NHS Leeds
- Emma Wilson, Head of Strategic Support and Development (Primary Care) – NHS Leeds.

In brief summary, the main highlighted points were:

- The Scrutiny Board welcomed the draft Pharmaceutical Needs Assessment, particularly in terms of the availability of local services it highlighted. Members suggested publicising the document to members of the public, local voluntary groups and organisations.
- Clarification that the public consultation events had been publicised on the NHS website and information had been circulated to pharmacists and libraries.
- The Scrutiny Board requested a further update report together with a copy of the final document following its publication in late January / February 2011.

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That a further update report together with a copy of the final document be submitted to the Scrutiny Board at an appropriate time.

43 Updated Work Programme 2010/11

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.

The following information was appended to the report:

- Scrutiny Board Work Programme 2010 / 11

- Response to the consultation paper around Democratic Legitimacy in Health
- Summary of additional information and the associated implications on Children's cardiac surgery services – national review
- Minutes of the Executive Board meeting held on 25 August 2010
- Leeds LINK work plan 2010/11.

In brief summary, the main highlighted points were:

- In relation to Leeds Community Health Services, the Scrutiny Board was advised that discussions were ongoing with government around the potential / preferred future organisational model.
- It was reported that a white paper on Public Health was expected to be published in December 2010. The Scrutiny Board was due to consider the proposals at its meeting in January 2011.

RESOLVED – That the issues highlighted in the report be noted and the updated work programme, as presented, be approved.

44 Date and Time of Next Meeting

Tuesday 23rd November 2010 at 10.00 am with a pre-meeting for Board Members at 9.30 am.

(The meeting concluded at 12.03 pm.)

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Plans Panel (East)

Thursday, 2nd September, 2010

PRESENT: Councillor D Congreve in the Chair

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

41 Chair's opening remarks

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

42 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 10/03/112/FU – 4 Farm Hill Way LS7 – Written representations, a plan and photographs submitted by an objector (minute 47 refers)

Application 10/0059/FU – Village Farm Harrogate Road LS17 – photographs submitted by Officers (minute 51 refers)

43 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 10/02690/LA – Victoria Primary School Ivy Avenue LS9 – Councillor Taylor declared a personal interest through being a trustee of The Charities of Thomas Wade as Wades Charity was referred to in the report (minute 49 refers)

Application 10/00059/FU – Village Farm Harrogate Road LS17 – Councillor Procter declared personal and prejudicial interests through having children who attend the nearby school which would receive additional education facilities through a legal agreement, if planning permission was granted (minute 51 refers)

Applications 10/01593/FU and 10/01594/CA – Wetherby Health Centre St James's Street LS22 – Councillor Lyons declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 47 refers)

Application 10/00711/FU – Holmecroft York Road LS15 – Councillor Lyons declared a personal interest as a member of West Yorkshire Integrated Transport Authority as the report contained references to improvements to bus stops in the vicinity of the site (minute 52 refers)

44 Apologies for Absence

Apologies for absence were received from Councillor Finnigan who was substituted for by Councillor Leadley

minutes approved at the meeting
held on Thursday, 30th September, 2010

45 Minutes

RESOLVED - That the minutes of the Plans Panel East meeting held on 5th August be approved subject to the following amendment:

Minute 33 Application 10/01871/FU – Corpus Christi Catholic College LS9 – regarding ecological matters ‘ there was expertise within the Council and that the matter could be raised with appropriate Officers’ to be amended to read ‘ there was expertise within the Council and that the matter would be raised with the appropriate Officers’

46 Matters arising

Reference was made to the re-opening of Public Inquiries concerning proposed residential developments at Grimes Duke and Boston Spa

47 Requests for site visits

The Panel’s Lead Officer informed the Panel of a request which had been received from Councillor Lancaster for a site visit in respect of application 10/02814/FU – 41A Stainburn Crescent LS17 for reasons relating to residential amenity and character of the area

Councillor John Procter requested a site visit to St James’s Street Wetherby – applications 10/01593/FU and 10/01594/CA - to consider the impact on the area of proposals for a 58 bedroom residential care home with 8 extra care flats, car parking and landscaping

Members were informed that in respect of application 10/03112/FU – 4 Farm Hill Way LS7 – Officers were recommending a site visit be undertaken by Members in view of a recent representation which had been received and in view of the planning history of the site

RESOLVED - That the site visits be arranged

48 Applications 09/05215/FU and 09/05216/CA - 2 North Lane Oulton LS26 - Appeal decision

Further to minute 198 of the Plans Panel East meeting held on 11th March 2010 where Panel resolved not to accept the Officer’s recommendation to approve an application for the demolition of an existing house and the erection of 3 detached dwellings at 2 North Lane Oulton LS26, the Panel considered a report of the Chief Planning Officer setting out the Inspector’s decision following the lodging of an appeal on behalf of the applicant

The Panel’s Lead Officer informed Members that although the appeal had been dismissed, it had not been so on the basis that the site had been redesignated as greenfield and therefore in principle should not be developed, despite the representations made by the Council relating to the recent amendments to PPS3. The Panel was informed that the appeal was dismissed for reasons relating to overdevelopment and that the cottages lacked architectural integrity

Members were advised that other appeal decisions relating to development on garden land were also not being refused on the principle of development and that Inspectors were taking different approaches and placing different degrees of weight

on issues such as character of the area. An example of this was a recent appeal which was upheld by the Inspector in respect of garden land development at 10 Elmete Avenue LS15, with an award of costs being made against the Council. The Panel's Lead Officer stated that a full report on this decision would be submitted to Panel in due course

Concerns were raised by Panel Members at the decision relating to 10 Elmete Avenue LS15, particularly the award of costs when the Panel had considered the application over the course of two meetings and had visited the site. It was suggested by a Panel Member that the minutes should be expanded to include greater detail to demonstrate the consideration given by Panel to applications. Officers were asked to consider the merits of challenging the costs element of that decision and that the way in which Inspectors were dealing with the amendments to PPS3 should be considered by Joint Plans Panel

RESOLVED -

- i) To note the report and decision in respect of 2 North Lane Oulton LS26
- ii) To note the comments now made
- iii) That a detailed report on the appeal decision at 10 Elmete Avenue and the process of awarding costs be submitted to Panel for consideration
- iv) That the Chief Officer (Legal, Licensing and Registration) be asked to consider whether there were grounds to challenge the Inspector's costs decision against the Council at 10 Elmete Avenue LS15
- v) That the Chief Planning Officer and Director of City Development be made aware of the concerns expressed by the Panel
- vi) That the Chief Planning Officer be asked to write to the Secretary of State for Communities and Local Government stating that the changes to PPS3 were not having the intended effect of resisting the inappropriate development of garden land
- vii) That a report be submitted to Joint Plans Panel on appeal decisions on residential development on garden land

49 Application 10/02690/LA - Demolition of temporary classrooms and erection of two storey classroom block with canopy link to school - Victoria Primary School Ivy Avenue LS9

Plans, photographs and graphics 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 the demolition of temporary classrooms at Victoria Primary School, Ivy Avenue LS9 and the erection of a two storey classroom block with canopy link which would enable the school to increase both its pupil and staffing numbers over a period of years

Members were informed of concerns within the community about the impact of the proposals on car parking, especially for local residents who already experienced problems of inconsiderate parking from parents/carers dropping off and picking up their children at the start and end of the school day. To help remedy this situation as well as the provision of a TRO for 'School Keep Clear' markings there would be a requirement for the school to produce a robust Travel Plan to encourage greater use of sustainable methods of travel, with both of these being conditioned as part of an approval

Regarding pedestrian/cycle accessibility, there was an informal desire line across Shaftesbury Fields which was well used by pupils. It was hoped to secure a

more formal footpath and discussions were ongoing with the owners of this area of land, Wades Charity, to ascertain whether Wades would allow such works on their land. Members were advised that this matter was to be discussed by Wades Charity at their meeting in November and as there was an urgent need for the extra accommodation at Victoria Primary School it was not possible to delay the application until this matter had been resolved and it would not be possible to condition the provision of the footpath to achieve the desired outcome

If minded to approve the proposals, Officers requested the application be deferred and delegated to the Chief Officer to enable some additional information to be obtained concerning contaminated land

The Panel prepared to hear representations from Councillor Pryke who had been registered as an objector and from Education Leeds who were supporting the proposal

Councillor Pryke stated that he did not object to the proposals for an extension to Victoria Primary School as no ward member would wish to object to the provision of a new school facility, but he did wish to raise areas of concern about aspects of the proposals

Following consideration of the protocol for public speaking at Panel, it was clarified that in the absence of an objector no representations could be made to the Panel

Councillor Pryke stated that his representations could be regarded as an objection; this was not accepted by the Chair and Councillor Pryke withdrew

Members commented on the following matters:

- the use of the informal footpath and whether there had been any incidents of anti-social behaviour there
- the trees currently on the site and whether there was an intention to protect these
- concern that an image showing the proposed extension in relation to the existing school had not been provided
- that the building was described as 'modular' and whether this would allow for further expansion on the site
- the need for the Travel Plan to be considered in detail
- that the highways issues did not seem to have been addressed
- that the issue of the footpath should have been resolved prior to the application having been brought for determination
- the view that the application was being rushed through; that this was not an acceptable way to proceed with a planning application and that pressure was being placed upon Panel to make a decision when major issues remained unresolved

Officers provided the following comments:

- that no comments had been received to indicate there was anti-social activity occurring on the informal footpath
- whilst accepting the difficulties local residents were currently experiencing due to traffic generation associated with the school day, national planning guidance stated that new planning applications should not be used to resolve existing situations. Additionally in this case, the desired access crossed land in the ownership of a third party and where this occurred, planning conditions could only be imposed on such land where there was a real prospect of the terms of that

condition being delivered. Although the school and Education Leeds would be encouraged to continue discussions on this, the outcome would not be known until the meeting of Wades Charity in November

- that the application if approved would lead to an increase in pupil numbers but that in terms of the measures which were implemented, these had to relate to the planning application which was before Members and in respect of the Travel Plan, this was covered by a planning condition
- regarding the trees on the site, that the Council's Tree Officer could be asked to assess the trees on the site to see if they were worthy of protection and then report back to Ward Members and the Panel

The Panel's Highways representative stated that discussions with Ward Members on the highway issues had led to an additional condition being imposed in respect of a TRO for road markings which the Officer considered would be more effective than permit parking for residents, particularly as a traffic management scheme could be enforced

The Panel considered how to proceed

RESOLVED – To defer and delegate approval of the application to the Chief Planning Officer subject to receipt of further information concerning contaminated land and subject to the conditions set out in the submitted report plus additional conditions relating to:

- scheme for protection of trees during construction works
- details of a scheme for pedestrian access to be submitted and approved in writing by the local planning authority

that the Travel Plan be agreed in consultation with Ward Members; that the Council's Tree Officer visit the site to assess the trees between the play area and existing temporary buildings to establish if they were worthy of protection and to report back to Ward Members and Panel Members on this matter

50 Application 10/02834/FU - Alterations to existing detached house to form 6 flats, including two storey extension with basement and rooms in the roof space - Hollybank 5 Gledhow Lane Gledhow LS8

Plans, photographs and graphics were displayed at the meeting

Officers presented the report which related to an application for extensions to a property on Gledhow Lane LS8 which included the formation of 6 flats on a greenfield site in a part of the city which was characterised by open areas and was sited in the Roundhay Conservation Area

A previous, larger scheme had been refused and was subsequently dismissed on appeal, although the current proposals had been designed to address some of the Inspector's criticisms of that earlier development

The amendments to PPS3 'Housing' had changed the definition of the land to greenfield and had given LPAs an additional tool to resist inappropriate development, not in terms of the principle of development but when it came to the effect on the character of the area

Officers reported receipt of 3 further letters of objection, with only one new issue being raised from those set out in the submitted report

Having considered the proposals, Officers were of the view that the development was overintensive, would result in loss of open space and have an

adverse impact of the open character and appearance of the Conservation Area and were therefore recommending to Panel that the application be refused

Members considered representations from the applicant and another supporter of the proposals together with an objector who attended the meeting

RESOLVED - That planning permission be refused for the following reason:

The proposed development, by virtue of the scale and size of the proposed extension and the overall extent of development proposed would result in the loss of open mature garden space resulting in an unacceptable overdevelopment of the site which would detract from the character and setting of the host property and the open character and appearance of the Roundhay Conservation Area, contrary to policies GP5, N12, N19, BD5, and BD6 of the UDP and the guidance in SPG6, PG13, Roundhay Conservation Area Appraisal, PPS1, PPS3 and PPS5

51 Application 10/00059/FU - Erection of 5 detached houses and 3 terrace houses at Village Farm Harrogate Road Harewood LS17

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

Plans, drawings and photographs were displayed at the meeting

Officers presented the report which sought permission for the development of an allocated greenfield site within the Harewood Conservation Area and village envelope. Whilst proposals for a greenfield site would usually be resisted in advance of brownfield sites, there had been an extant permission for the site at the time the application was submitted. The proposed development would also lead to benefits for the area, especially enhancements to the Conservation Area and for these reasons Officers considered there were sound planning reasons to justify planning permission being granted

The site was currently vacant and had been designated in the UDP for housing with the proposed houses being traditional two storey buildings and designed to relate to the character of the area

Vehicular access would be from Malt Kiln Lane and Harewood Road and although concerns had been raised by local residents about this, the access had been agreed on the previous scheme and there would be improvements to the access to allow two-way passing so the situation would be no worse than that accepted when the previous permission was granted

A draft Unilateral Undertaking under Section 106 of the Town and Country Planning Act had been provided by the applicant which included:

- Confirmation of School lease for a term of 999 years
- Transfer of the freehold of the Headmaster's House to the Council for educational use
- Provision of off-site greenspace, laying out and maintenance

Additional conditions were suggested by Officers relating to details of a pedestrian warning sign adjacent to the The Harewood Arms Hotel to be submitted and further details of the construction of the road improvements to be submitted

Members discussed the application and commented on the following matters:

- whether the access would define a new Green Belt boundary

- the level of privacy the rear gardens of the properties would enjoy
- highways issues, particularly concerns at the egress onto Harewood Avenue in view of cars tending to accelerate immediately at this point
- details of the refuse collection arrangements
- the type of slate to be used on the roof with the view that this should be sandstone
- the loss of the poplar trees

Officers provided the following responses:

- that the boundary of the Greenbelt was set in the UDP; that the scheme would only provide planting on the boundary and that the development would not impact on the Council's ability to defend the Greenbelt from inappropriate development
- concerning the highways issues, the footpath was wide and whilst accepting that parking did occur along the road frontage which could mask the access, the Panel's Highways representative stated that the proposals were acceptable
- in respect of refuse collection, there would be a collection point for all the properties and a turning head would be provided
- in relation to the removal of trees, some of these were in poor condition but replacement planting with more native species would be provided

RESOLVED - To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions specified, additional conditions relating to the use of sandstone slate to the roofs of the properties; details of the pedestrian warning sign adjacent to The Harewood Arms Hotel to be submitted; notwithstanding the submitted plans, further details of the construction of the road improvements to be submitted (and any others which he might consider appropriate); minor amendments to the internal road layout to increase the refuse turning area; increase width of gate piers; consistency between the site layout plan and highways plan and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- confirmation of School Lease for a term of 999 years
- transfer of the Freehold of Headmaster's House to the Council for educational purposes
- provision of off-site Greenspace, laying out and maintenance
- S106 management fee

(Following consideration of this matter, Councillor John Procter resumed his seat in the meeting)

52 Application 10/00711/FU - Laying out of access road and erection of 4 buildings comprising 1 single block of 12 start up units with 2 seminar areas and 6 workshop units in 3 blocks (all class B1(B) and Bb1(c)) with car parking at Holmecroft York Road LS15

Further to minute 239 of the Plans Panel East meeting held on 13th May 2010 where Panel considered a Position Statement for a commercial development at

Holmecroft which was situated in the Green Belt on the A64 York Road, Panel considered a report of the Chief Planning Officer setting out the formal application

Plans, photographs, graphics and a sample panel of proposed materials were displayed at the meeting

Whilst by definition, the development was inappropriate, Members were informed that the applicant had put forward information which was considered to constitute very special circumstances which would outweigh the harm to the Green Belt which would arise from the development's inappropriate nature

RESOLVED - To approve the application in principle and refer the application to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 as a major development in the Green Belt. In the event of the Secretary of State not wishing to intervene, to delegate final approval to the Chief Planning Officer subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement to cover the following matters:

- i) public transport infrastructure contribution (£17,991)
- ii) Metro contribution for upgrading of a bus stop adjacent to the site (£10,000)
- iii) travel plan and monitoring fee (£2,550)
- iv) Section 106 monitoring fee

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

53 Application 09/05297/FU - Two storey rear extension with porch to side, single storey side extension and detached double garage to rear - Hemmingway's Cottage The Green Thorp Arch Wetherby LS23

Further to minute 31 of the Plans Panel East meeting held on 5th August 2010 where the Head of Planning Services sought consideration of the application to be deferred in view of further representations which had been made in respect of the proposals, Panel considered a further report

Plans and photographs were displayed at the meeting

Members were informed that the applicant had submitted an appeal against non-determination and therefore Officers were seeking an indication from Panel how it would have determined the application had it been in a position to do so

The Panel's Lead Officer stated that the Council's Tree Officer had visited the site and was of the view that the beech hedge to the rear of the property was not worthy of preservation

Discussion ensued on possible conditions to reassure local residents that the demolition of the existing side extension would take place at to the outset to enable parking of construction vehicles. The Panel's Lead Officer stated that it would be for the Inspector to determine the appeal and if it was approved, to decide upon conditions to be attached to that. However, in the representations from the LPA on the appeal, a statement would be included explaining the need for such conditions in this case

RESOLVED -

- i) That had the Panel been in a position to determine the application it would have granted planning permission subject to the conditions set out in the submitted report

- ii) That in making representations on the appeal, Officers should set out the case for the imposition of a condition relating to the need for a construction management plan – suggested condition 6 – demolition of side extension to facilitate parking of construction vehicles and siting of construction compound to rear of dwelling

(Under Council Procedure Rule 16.5, Councillor Leadley required it to be recorded that abstained from voting on this matter)

54 Date and time of next meeting

Thursday 30th September 2010 at 1.30pm in the Civic Hall, Leeds

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Plans Panel (East)

Thursday, 30th September, 2010

PRESENT: Councillor D Congreve in the Chair

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

55 Chair's opening remarks

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

56 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 10/02503/FU – 10 The Paddock Thorner LS14 – Written representations from Thorner Parish Council and a copy of the Thorner Parish Plan Review dated August 2010 (minute 63 refers)

57 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:

Applications 10/01593/FU and 10/01594/CA – Wetherby Health Centre St James's Street Wetherby LS22 – Councillor Lyons declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 64 refers)

58 Apologies for Absence

Apologies for absence were received from Councillor Alan Taylor who was substituted for by Councillor Chastney

59 Minutes

RESOLVED - That the minutes of the Plans Panel East meeting held on 2nd September 2010 be approved

60 Application 09/03138/FU - Appeal summary, 10 Elmete Avenue, Scholes

Further to minute 48 of the Plans Panel East meeting held on 2nd September 2010 where Panel received a verbal update on a recent appeal decision in respect of land to the rear of 10 Elmete Avenue LS15, Members considered a detailed report of the Chief Planning Officer

It was the decision of the Inspector to allow the appeal against non-determination of an application for planning permission for the erection of 3 new dwellings and double garage to rear garden at 10 Elmete Avenue LS15, subject to conditions and with an award of costs against the Council

Members were informed that having obtained legal advice in respect of the claim for costs against the Council, Officers had been informed any claim would be unlikely to be successful as the Council would need to prove that the decision which had been made was wrong in law

Reference was made to discussions on this matter at the Joint Plans Panel meeting which had taken place on 23rd September 2010 and the Head of Planning Services read out a letter to be sent to the Secretary of State, for Communities and Local Government, outlining the concerns raised by this decision, with a copy to be sent to all Members of the Plans Panels, all Leeds MPs, the Executive Member for Development, the Planning Minister and the Chief Planner in the Department of the Communities and Local Government

Members again reiterated their concerns at the decision which the Inspector had made and welcomed the letter, with the suggestion being made that copies of it should also be sent to the local residents

RESOLVED - To note the report and the comments now made

61 Application 10/02814/FU - Part two storey part single storey front, side and rear extension (dormer window is permitted development) - 41A Stainburn Crescent, Moortown LS17 6NE

Further to minute 47 of the Plans Panel East meeting held on 2nd September 2010 where Panel agreed to defer consideration of the application for a site visit, Members considered a report of the Chief Planning Officer

Plans, drawings and photographs 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 related to an application for extensions at 41A Stainburn Crescent Moortown LS17

Members were informed that a previous, larger scheme had been withdrawn and proposals for a smaller scheme had been discussed, however Officers were of the view that the revised scheme was also overdominant and could not be supported. A possible reason for refusal of the application was included in the submitted report

The Panel heard representations from the applicant

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

The Local Planning Authority considers that the proposed development by reason of its scale, design and siting results in inappropriate, overly large and dominant feature that will harm the host dwelling, relationship between the house and adjoining property and in turn, the amenity of the neighbouring residents. As such it is contrary to Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) as well as guidance contained in Planning Policy Statement 1 – Delivering Sustainable Development

62 Application 10/03112/FU - Part two storey part single storey side and rear extension - 4 Farm Hill Way, Leeds LS7 2SQ

Further to minute 47 of the Plans Panel East meeting held on 2nd September 2010 where Panel deferred consideration of the application for a site visit to take place, Members considered a report of the Chief Planning Officer

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

Officers presented the report and referred to an earlier application for extensions which had not been carried out in accordance with the previously approved plans. Enforcement action had been taken and an appeal against that had been lodged; the application before Panel was seen as a compromise between the previous approval and what had been built

The Panel's Lead Officer corrected some typographical errors in the report before Panel and asked that if minded to approve the application, a further condition be added in respect of details of access and parking to be submitted

Officers referred to further representations on behalf of the objectors which had been sent to all Panel Members

The Panel heard representations from an objector who attended the meeting
Members commented on the following matters:

- the size of the extensions and that these were too big
- the detrimental impact of the extensions on neighbouring properties and within the streetscene
- that whilst the Officer's recommendation was to approve the application, the view that had this not been to retain elements that had already been built and that previously planning permissions had been granted for extensions, then it may not have been put forward for approval
- concerns that what had been built differed considerably from what had been approved
- the need for a clear message to be sent that where development had not been built in accordance with approved plans, Panel would not automatically approve an application to regularise it

RESOLVED - That the Officer's recommendation to approve the application be not accepted and that the Chief Planning Officer be asked to submit a further report to the next meeting setting out possible reasons for refusal of the application based upon the concerns raised by Panel relating to overdevelopment leading to harm in terms of residential amenity and the streetscene

63 Application 10/02503/FU - Single storey side extension - 10 The Paddock, Thorner, LS14 3JB

Plans, photographs and drawings 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 single storey side extension at 10 The Paddock Thorner LS14, which was situated in the Thorner Conservation Area

Members were informed that a similar extension had been approved to the adjacent property in 2009

Officers reported receipt of an additional letter of representation from Councillor Castle expressing concern about the loss of visual gaps between buildings within the conservation area

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

Members discussed the application and were of the view that the decision taken on 9 The Paddock last year was a factor in considering the proposal

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

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

64 Applications 10/01593/FU & 10/01594/CA - Part two storey part three storey residential care home with 58 bedrooms and two storey block of 8 extra care flats with car parking and landscaping and Conservation Area consent for demolition of existing health centre - Wetherby Health Centre, St James's Street, Wetherby LS22

Plans and photographs 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 the demolition of the existing health centre at St James's Street, Wetherby, which was situated in the Conservation Area and its replacement with a residential care home with extra care units, car parking and landscaping

Details of the design and proposed materials were outlined as were the Section 106 contributions. In terms of car parking spaces there would be 14 spaces provided for the residential home and 4 spaces in the extra care accommodation

Members were informed of the receipt of a further representation from Wetherby Silver Band

Officers were of the view that the proposals would positively enhance the Conservation Area and were respectful of the adjacent listed building. If minded to approve the application, an additional condition requiring details of the covered walkway between the main nursing home and extra care flats was requested

Members commented on the following matters:

- that the principle of development was supported but that some basic issues needed to be addressed
- the level of car parking to be provided and whether visitor parking had been taken into account when deciding upon the provision of 14 spaces
- whether the use of the car parking spaces would be unrestricted
- whether the proposed level of parking had been assessed against the document 'A Parking Strategy in Wetherby 2010 – 2014 and beyond'
- the energy conservation aspects of the proposals
- whether a drainage assessment had been undertaken and evaluated
- whether the extra care flats would be managed or whether they could be sold off individually
- the staffing levels for the facility
- whether Ward Members had been consulted on the proposals
- a lack of detail in the landscaping proposals
- the pitch of the roof as shown on the graphics which seemed particularly steep

Officers provided the following responses:

- that the level of car parking had been assessed with regard to the UDP guidelines and the TRICS database and Officers were confident that the car parking demand from the development could be comfortably met within the 14 spaces to be provided. In terms of the 4 spaces available for the extra care flats, this was the maximum level required by the UDP
- that the TRICS database was based on real development and the demand for parking from other residential homes had been taken into consideration
- that the parking spaces would be unallocated, apart from the ambulance space
- that the Panel's Highways representative was familiar with document referred in respect of a parking strategy in Wetherby and was of the view that the scheme would not lead to a detrimental impact in terms of parking in Wetherby Town Centre
- that in respect of sustainability, the proposals included the use of photovoltaics which would provide hot water to the facility
- that a drainage assessment had been undertaken and relevant conditions were included
- that the extra care flats would be managed and could not be sold off individually
- that the staffing levels were based around a three shift system, with 14 staff on duty during the day and 6 at night
- that Wetherby Town Council had been consulted on the proposals but that local Ward Members had not been involved

Members considered how to proceed

RESOLVED - That the application be deferred and delegated to the Chief Planning Officer in consultation with Ward Members and subject to the conditions set out in the submitted report (and any others he might consider appropriate) and in the event that agreement is not reached with Ward Members, then a further report be submitted to Panel for determination of the application

65 Application 10/02898/FU - Erection of detached 5 bedroom house with attached double garage to equestrian/kennels/cattery - Cleavesty Centre, Cleavesty Lane, East Keswick

Plans, photographs, drawings and precedent images 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 five bedroom dwelling house and garage on land situated in the Green Belt

Members were informed that the structures currently on site associated with the equestrian and kennels/cattery use would be demolished and the land not occupied by the dwelling house would be landscaped to use as a domestic garden, growing space and informal landscaping

The design of the property would be contemporary and would achieve a significant level of sustainable construction resulting in significant enhancements to biodiversity

Whilst by definition the proposals constituted inappropriate development in the Green Belt, Officers considered that very special circumstances had been demonstrated which would outweigh the presumption against the grant of planning permission

The Panel heard representations from the applicants agent and Councillor Rachael Procter, a local Ward Member

Members commented on the following matters:

- the design of the property and the lack of consultation with Ward Members on this
- concerns that this could be a forerunner for further development at this site
- that because a site had deteriorated, this was not a reason to grant planning permission
- the principle of development

Members considered how to proceed

RESOLVED -

i) That determination of the application be deferred for two cycles to enable consultation with Ward Members on issues including design and landscaping, including details of the scheme and timing of delivery on the proposals and that a further report be submitted to Panel

ii) To note that Members reserved their position in respect of the principle of development

66 Application 10/02982/FU - Change of use of retail unit (A1 use) to restaurant (A3 use) - 9 Bank Street, Wetherby, LS22

Drawings, photographs and plans were displayed including plans showing the location of bars/restaurants and the secondary shopping frontages in the area. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a change of use of a vacant double-frontage retail unit in Wetherby Town Centre to a restaurant (A3 use)

Members were informed that the only physical alteration required would be the inclusion of a small flue to the roof

In terms of opening hours, the applicant was prepared to be flexible and whilst some limited takeaway business had been requested, this too could be flexible

A further letter of representation was reported which raised concerns about the proposed takeaway element in respect of possible litter, increased noise and disturbance; traffic and parking problems

Members commented on the following matters:

- the Cumulative Impact Policy and that this had been used to refuse an application in the area
- whether the proposals contravened policy SF8
- whether the property was DDA compliant
- the emergency exit arrangements
- that the entrance on Bank Street should be used as an emergency exit only

- the importance of shop units being occupied but concerns this was not the best location for such a use, and that the necessary staff facilities were not provided
- the proposed opening hours with concern that the unit might be closed for most of the day
- that the plans of the shopping frontages had not been made available prior to the meeting
- the takeaway element, with Members of the view this should not be included in the proposals

Officers provided the following responses:

- that the Cumulative Impact Policy was a Licensing arrangement and that the way of assessing such applications for development control purposes was through the primary and secondary shopping frontages policy, with the Panel's Lead Officer reading out policy SF8, for Members' information
- that the Council's Access Officer did not raise objections to the application
- a condition could be included to require the door on Bank Street to open inwards and be used for emergency egress only

Members considered how to proceed

A proposal to refuse the application was made and seconded but was not supported by the majority of the Panel

RESOLVED - That the application be granted subject to the conditions set out in the submitted report plus additional conditions to prevent the premises used for takeaway business and that the door on Bank Street to open inwards and be for emergency egress only

(During consideration of this matter, Councillor Gruen left the meeting)

67 Date and time of next meeting

Thursday 28th October 2010 at 1.30pm in the Civic Hall, Leeds

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Plans Panel (East)

Thursday, 28th October, 2010

PRESENT: Councillor D Congreve in the Chair

Councillors R Finnigan, R Grahame,
G Latty, M Lyons, K Parker, B Selby,
G Wilkinson and D Wilson

Councillor

68 Late Items

There were no formal late items, however, a copy of a letter was circulated. The letter was Leeds City Council's response to consultation by Wakefield Council in respect of an outline planning application for mixed use development including 12,000 seat Community Stadium at Newmarket Lane, Wakefield. The application was considered by Wakefield Planning and Highways Committee at its meeting on 22nd October 2010. (Minute No.78 refers)

69 Declarations of Interest

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

Application No. 10/00056/FU – The Old Rectory, 1 Lower Mickletown, LS26 9JH – Councillor Parker declared a personal interest due to the fact that the applicant was known to him (Minute No. 74 refers)

Application No. 10/00056/FU – The Old Rectory, 1 Lower Mickletown, LS26 9JH – Councillor Wilson declared a prejudicial interest due to the fact that he was an acquaintance of the applicant (Minute No.74 refers)

70 Apologies for Absence

Apologies for absence were received from Councillors: Gruen, J Procter and Taylor

71 Minutes

RESOLVED – That the minutes of the previous meeting held on 30th September 2010 were accepted as a true and correct record

72 Application 10/03112/FU - 4 Farm Hill Way, Miles Hill LS7 2SQ

With reference to minute no.62 of the previous meeting when determination of the application was deferred to enable the Chief Planning Officer to bring back reasons for refusal based upon the concerns raised by Panel in relation to overdevelopment, causing harm to the character of the area and loss of amenities to the residents of 6 Farm Hill Way.

The Chief Planning Officer submitted a report now putting forward reasons for refusal of the application.

RESOLVED – That the application be refused for the reasons specified in the submitted report

73 Application 10/00056/FU - The Old Rectory, 1 Lower Mickletown, Methley LS26 9JH

(Prior to consideration of this application, Councillor Parker withdrew from the meeting having declared a personal interest due to the fact that the applicant was known to him. Councillor Wilson also withdrew from the meeting having declared a prejudicial interest due to the fact that he was an acquaintance of the applicant)

Plans, photographs and drawings were displayed at the meeting.

A site visit had taken place earlier in the day which some Panel Members had attended.

Officers presented a report which sought permission for the erection of a five bedroom detached house with attached double garage at The Old Rectory, 1 Lower Mickletown, Methley, LS26 9JH

It was reported that negotiations had taken place with the applicant in an attempt to address the areas of concern but the discussions had been unsuccessful

It was the opinion of officers that the proposed development was unacceptable and contrary to policy, with particular regard to the impact on the setting of a listed building and amenity, as a consequence the recommendation before Panel was one of refusal of the application

Members heard representations from the applicants agent who expressed concern that the suggested realignment of the proposed dwelling would lead to a loss of privacy with bus passengers stopping at the nearby bus stop being able to overlook the property

RESOLVED – That determination of the application be deferred and delegated to the Chief Planning Officer for approval subject to further negotiations to secure:

- Alignment of the proposed dwelling with Laurel Farmhouse and listed rectory
- The removal of the link between the house and the garage
- Reduce the height of the garage (remove first floor)

In the event of the above matters not being satisfactorily addressed prior to the next Plans Panel meeting (November 2010), the Chief Planning Officer be authorised to refuse planning permission in accordance with the reasons specified on page 15 of the submitted report

(Following consideration of the application Councillors Parker and Wilson resumed their seats in the meeting)

74 Applications 10/03171/FU & 10/03172/CA - The Bungalow, Main Street, Linton, LS22

Plans, photographs and drawings were displayed at the meeting.

A site visit had taken place earlier in the day which some Panel Members had attended.

Officers presented a report which sought permission to demolish the existing bungalow and replace with 5 bedroom detached bungalow at The Bungalow, Main Street, Linton, Wetherby, LS22 4HT

It was the opinion of officers that the proposed redevelopment preserved and enhanced the character and appearance of the conservation area and would not result in any harm to amenity or highway safety. The development was compliant with relevant planning policy and guidance. The demolition of the existing building was not consider to be harmful to the conservation area and subject to a contract tying in redevelopment of the site, the application was being put forward with a recommendation of approval.

Members heard representations from an objector who expressed concern that the proposed new gable would obscure trees at the rear of the site and the parking of large contractor vehicles may cause problems on Main Street, Linton.

The Panel also heard from the applicants agent who spoke in support of the application suggestion that the proposed development would enhance the existing site.

RESOLVED –

(i) That Planning permission and Conservation Area Consent approved subject to the conditions specified in the submitted report and with the inclusion of the following conditions:

- Development to be carried out in accordance with the approved plans.
- Details of architectural details of building, including archway to garage, to be submitted to and approved in writing by the local planning authority.
- The front boundary wall shall be retained.

(ii) That the following conditions be amended:

- Condition 4 - to include existing and proposed ground levels.
- Condition 8 - to include no parking of contractors vehicles or storage of building equipment or materials on Main Street

75 Application 10/00337/FU - Ryder Cottage, Main Street, East Keswick LS17 9EU

Plans, photographs and drawings were displayed at the meeting.

A site visit had taken place earlier in the day which some Panel Members had attended.

Officers presented a report which sought permission for the erection of a two storey rear extension to Ryder Cottage, main Street, East Keswick, Leeds, LS17 9EU

It was the opinion of officers that the existing dwelling was a prominent building within the conservation area that made a positive contribution to the character and appearance of the area. The proposed extension was large relative to the existing dwelling and it was considered that the extension by reason of its siting, height and depth would serve to dominate and compete with the existing gable of the dwelling and may result in an unbalanced development. The proposal was therefore considered to fail with regard to policies GP5,N19,BD5,BD6 and to the guidance laid down in the East Keswick Village Design Statement and was therefore recommended for refusal

Members heard representations from a supporter of the application who suggested that the proposed development sensitively respected the character of the area

RESOLVED – That the application be refused in accordance with the reasons specified in the submitted report

76 Application 10/03829//FU - Casa Blanca, Church Causeway, Thorp Arch, Wetherby, LS23 7AE

Plans, photographs and drawings were displayed at the meeting.

A site visit had taken place earlier in the day which some Panel Members had attended.

Officers presented a report which sought permission to install 12 roof – mounted solar panels to the side of Casa Blanca, Church Causeway, Thorpe Arch, Wetherby, LS23 7AE

It was the opinion of officers that given the small scale of the development and the character of the application property, it was considered that the proposal offered minimal harm to the character or appearance of the conservation area

RESOLVED – That the application be approved in accordance with the conditions specified in the submitted report

77 Application 10/02650/CA - Former Boston Spa Youth Club, Deepdale Lane, Boston Spa LS23

Plans, photographs and drawings were displayed at the meeting.

Officers presented a report which set out details of a Conservation Area application for the demolition of the former youth centre on the site of the former Boston Spa Youth Club, Deepdale, Boston Spa, Wetherby.

It was the opinion of officers that the proposed demolition of the building was not considered to be harmful to the character or appearance of the conservation area

and the building itself was considered to be of low significance to the local area. The proposed landscaping of the site was deemed acceptable. The proposal was considered to meet the aims and guidance set down in N18A, the Boston Spa Conservation Area Appraisal, and PPS5. It was therefore recommended that consent be granted subject to the authority of the Secretary of State

RESOLVED – That the application be approved in principal and be referred to the Secretary of State as the building is owned by the City Council. In the event of the Secretary of State not wishing to intervene, final approval be delegated to the Chief Planning Officer, subject to the conditions specified in the submitted report along with any others which may be considered appropriate

78 Application 10/00225/OT - Consultation by Wakefield Council:- Outline Application for Mixed Use Development including 12000 seat community stadium at Newmarket Lane, Wakefield

With reference to minute no. 239 of the meeting held on 13th May 2010 when Wakefield District Council sought the views of Leeds City Council in respect of the above application.

In responding Members were of the view that:

“Whilst Leeds City Council does not wish to frustrate regeneration and provision of important community facilities in Wakefield District and there are no concerns on principle over the stadium itself, there are objections over the scale and impact of the wider development on the Green Belt and transport network in Leeds District”

The Chief Planning Officer submitted a report indicating that Wakefield District Council are once again seeking the views of Leeds City Council on a revised scheme for the same site.

It was reported that the proposal was substantially the same, the revised application now including a Multi Use Games Area (MUGA) and playing pitches (totalling around 6,500 sq m), and associated transport infrastructure including a Park & Ride facility

In the discussion that ensued it was the opinion of Members that little had changed in respect of the nature of the proposal since the applications original submission and that the additional information submitted did not serve to overcome or alleviate the strong objections to the grant of permission previously raised.

RESOLVED – That Leeds City Council wishes to make the following comments in respect of the proposal:

- (i) Whilst Leeds City Council does not wish to frustrate regeneration and provision of important community facilities in Wakefield District, and there are no concerns in principle over the stadium itself, in the event that Wakefield Council are minded to grant planning permission, then there are strong objections to the scale and impact of the wider development on the Green Belt and transport network in Leeds District.

- (ii) That the representations made (in (i) above) be sent to the Government Office and that a request is made for the Secretary of State to call-in the application for determination

79 Date and time of next meeting

To note that the next meeting will take place on Thursday 25th November 2010 at 1.30pm in the Civic Hall, Leeds.

PLANS PANEL (WEST)

THURSDAY, 9TH SEPTEMBER, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors J Akhtar, A Castle, B Chastney,
M Coulson, C Fox, J Hardy, J Harper,
T Leadley and J Matthews

34 **Chairs Opening Remarks**

The Chair welcomed all parties to the meeting and invited Panel Members and officers to briefly introduce themselves

35 **Late Items**

There were no late items of business

36 **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:

Councillor Akhtar - Application 09/05365/FU Unit 1a Leeds Bradford Industrial Estate – declared a personal interest as Branch Secretary for the Yorkshire Private Hire Association, part of the GMB union (minute 41 refers)

Councillor Akhtar – Application 10/02661/FU Stonegate Road - declared a personal interest as he stated he knew the owner of the site (minute 43 refers)

Councillor Castle – Application 09/04512/FU Sentinel Car Park – declared a personal interest as she had used this facility when flying from Leeds Bradford International Airport (minute 40 refers)

Councillor Coulson - Application 09/04512/FU Sentinel Car Park – declared a personal interest as a member of West Yorkshire Integrated Transport Authority as METRO had commented on the application; and as a member of the Leeds Bradford Corridor Working Group. (minute 40 refers)

Councillor Coulson – Application 09/05365/FU – Unit 1a Leeds Bradford Industrial Estate – declared a personal interest as a member of WYITA as METRO had commented on the proposals; and as a member of the Leeds Bradford Corridor Working Group (minute 41 refers)

Councillor Fox - Application 09/04512/FU Sentinel Car Park – declared a personal interest as a member of West Yorkshire Integrated Transport Authority as METRO had commented on the application; and as a member of Bramhope Parish Council, which he noted from the report had not objected to the proposals (minute 40 refers)

Councillor Fox - Application 09/05365/FU – Unit 1a Leeds Bradford Industrial Estate – declared a personal interest as a member of WYITA as METRO had commented on the proposals; and as the report outlined the local ward Councillor briefing held on 19 January 2010 and his comments were reported at para. 6:4. plus as a member of Bramhope Parish Council which he noted from the report had not objected to the proposals. (minute 41 refers)

Councillor Matthews - Application 09/04512/FU Sentinel Car Park – declared a personal interest as a member of West Yorkshire Integrated Transport Authority METRO had commented on the application (minute 40 refers)

Councillor Matthews - Application 09/05365/FU – Unit 1a Leeds Bradford Industrial Estate – declared a personal interest as a member of WYITA as METRO had commented on the proposals (minute 41 refers)

37 Apologies for Absence

Apologies for absence were received from Councillor Wood. The Chair welcomed Councillor C Fox as substitute

38 Minutes

Minute 25 Leeds Girls High School - The Panel recalled their detailed discussions and agreed the minute should be amended to more robustly express Members dissatisfaction over the loss of the playing pitches in Headingley and their replacement with pitches outside of the immediate locality. It was also noted the resolution to minute 25 should refer to playing pitches, not fields

RESOLVED – That the minutes of the previous meeting held 12th August 2010 be agreed as a correct subject to the amendments outlined above

39 Application to register Yeadon Banks, Yeadon, Leeds, as a Town or Village Green under the provisions of Section 13 of the Commons Registration Act 1965 - Judicial Review

The Panel considered the report of the Chief Officer (Legal, Licensing and Registration) on the progress of an application to register Yeadon Banks, Yeadon, as a Town or Village Green. The Panel had previously considered the matter on 22nd February 2007. Officers reported the outcome of a Judicial Review that took place in March 2010 and the landowners' subsequent application to appeal to the Supreme Court in November 2010

RESOLVED – To note the contents of the report and that a further report will be presented in due course on the outcome of the appeal to the Supreme Court

40 Application 09/04512/FU - Use of land as a secure off-site car park, Sentinel Car Park, Warren House Lane, Yeadon LS19

The Panel considered a report setting out proposed reasons to refuse a retrospective application seeking to regularise the use of land at Sentinel Car Park, Yeadon as a secure off-site car park for Leeds Bradford International Airport (LBIA). It was noted this application site was situated very close to the site of the next matter on the agenda but that each matter should be

considered separately and on their own merits. Members had visited the site prior to the meeting

Officers highlighted the key policy issues for Members to consider as:

- Employment land use – the site lay within a UDP Key Employment Site which afforded the site a higher level of protection from non-employment uses. Under Policy E7 such sites were normally retained for employment use. The car park use was not regarded as “employment use” as defined by the UDP although it is economic development.
- Transport policy – Policy T24A of the UDP maintains that permission for long stay car parking would not normally be granted outside the curtilage of employment premises. Officers acknowledged the current public transport access difficulties at LBIA and that private car transport remained the principle mode of transport to LBIA, however urged Members to consider whether there was a compelling reason to set aside the Policy presumption against the grant of a long term car park usage.
- LBIA Surface Access Policy - Officers further discussed the issue of LBIA related car parking and the current take-up of offsite car parking at Sentinel. A survey completed on 31 July 2010 by Sentinel indicated 1700 Airport related cars parked in off-airport locations, 1400 of which occupied the Sentinel site. The comments of LBIA challenging the suggestion of a shortfall in spaces were reported, as LBIA had stated additional car parking could be provided on-site and had submitted a plan showing 600 new possible spaces. Officers confirmed that under Permitted Development (PD) rights, LBIA could provide car parking, within the airport’s operational boundary, without the need for a planning application. LBIA would need to formally consult with the Council before exercising PD rights but, after taking into account any matters raised by the Council, following the consultation LBIA could then proceed to exercise its PD rights.

Officers referred to the proposed reasons to refuse the application and requested they be amended to include reference to the following additional Policies:

- SA2 of the UDP (Revised) (relating to sustainable transport)
- TA30A of the UDP (Revised) (acceptable uses)
- Government Guidance in PPS1 and PPG13

Members made the following comments:

- The view that public transport services to LBIA were inadequate which created a greater need for private car use and parking facilities
- Concern that no enforcement action had been taken given the car parking facility had operated from this site for a number of years. In response officers stated that both the Authority and LBIA had presumed the site did have permission, and car parking statistics for the Sentinel site had been included in the LBIA 2005 Transport Assessment. Further investigation of the Coney Park site had revealed a number of temporary uses and had resulted in this application for a

permanent facility. No Certificate of Lawful Use for the operations had been obtained by the operator and so the lawfulness of any operations at the site could not be assumed in determining the planning application

- The option available to LBIA to create additional car parking facilities on site without the need for express planning permission from the Authority although Members noted that as yet, LBIA had not sought to exploit its PD rights
- The merits of a temporary permission to allow time to assess the seasonal car parking requirements and the informal plan submitted by LBIA for on-site car parking balanced against the applicants request for permanent permission

(Councillor Akhtar joined the meeting at this point)

The Panel went on to further discuss:

- The recent informal submission by LBIA of a plan showing an additional 600 possible spaces by LBIA and the fact that it did not amount to the exercise by LBIA of its PD rights and therefore it had no bearing on Members' deliberations at this meeting
- The length of time the site had operated as a car park
- Whether any harm could be demonstrated by the use of the site
- The impact of the refusal of the application and subsequent closure of the site in terms of site users and where their vehicles could be parked
- any possible enforcement action to be taken by the Authority. Officers pointed out that in the event of a refusal of planning permission the Council was obliged to consider what enforcement action (if any) was appropriate.

Members voiced their sympathy with the applicant and considered the merits of overturning the officers' recommendation in order to allow the grant of the application. Members however indicated that they were minded not to support the application for a permanent planning permission although they were not prepared to refuse the application at this Panel meeting. Rather, they were minded to support the principle of a temporary planning permission (although it was acknowledged that any decision of this Panel could not bind a future Panel who would need to consider any application on its own merits). Possible timescales of 5 or 10 years for the use, landscaping and measures to off-set the carbon footprint were also discussed.

The Panel was aware that this approach would represent a material change to the application before them which would require an amendment to the application should the applicant wish to proceed on the basis of a temporary permission.

RESOLVED – That determination of the application be deferred to allow officers time to discuss the Panels comments and suggested approach with the applicant and a further report be presented in due course

41 Application 09/05365/FU - Change of use of general industrial unit to off Airport car parking, Unit 1A, Leeds Bradford Airport Industrial Estate, Harrogate Road, Yeadon LS19

The Chief Planning Officer submitted a report setting out proposed reasons to refuse an application seeking the change of use of a general industrial unit at Leeds Bradford International Airport Industrial Estate to off-airport car parking. Members had visited the site prior to the meeting. Aerial photographs and site plans were displayed at the meeting.

Officers referred to the proposed reasons to refuse the application and requested they be amended to include reference to following additional Policies:

- SA2 of the UDP (Revised) (relating to sustainable transport)
- TA30A of the UDP (Revised) (acceptable uses)
- Government Guidance in PPS1 and PPG13

The following key issues were highlighted for consideration:

- Employment use. Although the site did not have a specific UDP allocation for employment use, the area did fall within Policy E7 of the UDP (Revised) as an existing employment site and district wide consideration must be given to whether there was an adequate supply of employment land. It was noted that some empty units were identified on the industrial estate, however this was felt to be as a result of the current economy and the retention of the units would be required for the economic recovery in the long term
- Transport policy – Policy T24A of the UDP maintained that long term car park permission would not normally be granted outside the curtilage of employment premises. Officers acknowledged the current public transport access difficulties at LBIA and that private car transport remained the principle mode of transport to LBIA, however urged Members to consider whether there was a compelling reason to set aside the Policy presumption against the grant of a long term car park usage.
- LBIA Surface Access Policy - The comments of LBIA challenging the suggestion of a shortfall in spaces were reported, as LBIA had stated additional car parking could be provided on-site and had submitted a plan showing 600 new possible spaces. Officers confirmed that under Permitted Development (PD) rights, LBIA could provide car parking within the airport's operational boundary without the need for a planning application although the submission of the plan by LBIA not amount to a formal request by LBIA that it wished to exercise its PD rights
- Temporary Use – this was not the application that was before the Panel so granting of a temporary planning permission was not an option for Members at today's meeting
- Passengers – the Authority was concerned about the proposed access arrangements from the site to the airport terminal. The drop off/pick-up point on Whitehouse Lane was considered to be an unsatisfactory arrangement for passengers accessing the airport terminal

The Panel heard from Mr J Everett, agent for the applicant who stated the units had been marketed to attract tenants but the decreased occupancy of the units was part of a 10 year decline. The applicant was struggling to achieve viability on the estate and sought a short term solution. Mr Everett stated the applicant would be willing to consider a temporary 3 year permission in order to retain the Unit for long term manufacturing use. Mr Everett also responded to Members questions regarding the drop-off/pick-up point and the style of covered parking operation proposed.

The Panel then heard from Mr K Gibbs on behalf of Leeds Bradford International Airport who stated LBIA could introduce a similar block parking proposal within the curtilage of the airport using PD rights and supported the officer view that the best way to approach the provision of long term car parking was through the Airport Masterplan and the Access Strategy. He also supported the view that it was not possible for the Panel to consider a temporary use and pointed out that a temporary use was not in accordance with Circular guidance. Mr Gibbs also responded to queries regarding the perceived car parking space shortfall within the airport curtilage and access arrangements and referred to other examples of Airports providing car parking using their PD rights and the fact that it could be provided in months and not years at the Airport.

(Councillor Akhtar declared a personal interest at this point as Branch Secretary for the Yorkshire Private Hire Association, part of the GMB union)

The Panel went onto consider whether a temporary permission would be acceptable, given the safety concerns regarding the Whitehouse Lane drop-off/pick-up point and the difficulty of the walk from that point to the terminal building for passengers with luggage. The highways officer responded regarding road safety issues and the results of the 2009 Transport Assessment compared to the 2010 Transport Assessment.

Members expressed their dissatisfaction with the lay-by proposed on Whitehouse Lane in terms of safety; access for passengers to the terminal and particularly with regard to passengers with mobility issues
RESOLVED – That the application be refused for the reasons as set out in paragraphs 1, 2 & 3 of the submitted report with amendments to include reference to Policies SA2 and TA30A of the UDP and Government Guidance in PPS1 and PPG 13

(Councillor Fox withdrew from the meeting at this point)

42 Application 10/02643/FU - Two storey side extension and garage to rear, 1 Spen Gardens, West Park LS16

The Chief Planning Officer submitted a report on proposals to extend a residential property at 1 Spen Gardens, West Park. Members visited the site prior to the meeting. Plans and photographs of the site were displayed along with architect's drawings of the proposals.

Officers reported the content of 4 further letters of objection and one e-mail from local ward Councillor Bentley received since the despatch of the agenda for the meeting. Members noted the request by Councillor Bentley to restrict any future expansion of the house through the removal of permitted development rights and to restrict the future use of the house by students.

Officers reported that, following the site when a "to let" sign had been visible in the grounds, an approach had been made to the agent to clarify whether the house was still with a letting agent and seeking confirmation the applicant would accept a condition relating to student occupancy. The agent had requested the application be deferred until he had been able to discuss the matter with the applicant

The Panel heard representation from Mr A Richards, a local resident who set out his concerns regarding the impact of increased traffic on Spen Road that he anticipated due to the expansion of the house and the possibility the house could be used for student occupancy

Members considered matters relating to:

- the space within the site to accommodate car parking
- the scale of the extension and whether it was appropriate to the size of the house
- whether measures to ensure non student occupation of the house were enforceable
- concerns regarding the future use of the dwelling which could not be addressed in the absence of the applicant

RESOLVED – That determination of the application be deferred until the next Panel meeting

43 Application 10/02661/FU - Change of use of Cafe to a Bar (A4 Use) including external alterations at 4 Stonegate Road, Meanwood LS6

The Chief Planning Officer submitted a report on an application for the change of use of a café to bar (A4 use) at 4 Stonegate Road, Meanwood. Members had visited the site prior to the meeting and had noted the unit adjoined a dwelling located to the rear.

Officers reported the applicant had reduced the intended hours of operation since the application had first been made and the hours would be conditioned should permission be granted. Officers requested that Condition No 5 be deleted from the 6 suggested conditions.

Seven further letters of support had been submitted since the agenda for the meeting had been despatched. The Panel had concerns about noise generated by persons congregating and smoking and with regard to bins/waste management. Members were not convinced by the proposed use of signage to encourage patrons to be quiet

(Councillor Akhtar declared a personal interest at this point as he stated he knew the owner of the site)

The Panel considered whether they could restrict permission to the use by this applicant through an additional condition. The Chair noted the Panel's comments and following a break, invited Mr Gyngell, the applicant to address the meeting.

Mr Gyngell described the nature and likely capacity of the proposed operation, and discussed measures to address the Panels concerns including

- Measures to prevent patrons congregating to smoke either to the rear/side of the premises near to Bay Cottage or to the front
- noise attenuation measures proposed to insulate the party wall
- the internal layout ensuring the rooms nearest to the party wall were office and toilets, not a bar area

The Panel discussed the merits of a personal condition. Mr Gyngell responded with concern about such a guarantee and suggesting the noise inaudibility clause should future proof the premises should another licensee take over. Members considered the merits of creating a gated access to the side driveway in order to prevent patrons congregating, however noted the response of the Highways officer regarding access/egress and the required setbacks for gated access off such a busy road

(Councillor Coulson withdrew from the meeting at this point)

Members were minded to approve the application subject to additional conditions

RESOLVED – That the application be granted subject to the conditions within the report (with the deletion of No.5) plus additional conditions to cover submission of

- a management plan to cover external activities to be agreed in writing with the Local Planning Authority
- further details of the bin store to be submitted to show how the levels change will be managed
- assessment of noise attenuation measures

44 6 Applications - 10/02792/LA: 10/02791/LA: 10/02886/EXT; 10/02790/LA: 10/02789/LA and 10/02950/EXT - 4 applications to vary conditions relating to number of dwellings, delivery of affordable housing, greenspace requirements, education provisions, public transport provision & land contamination; and 2 applications to extend the time limit of applications for Residential Development on 2 Little London sites at 53 Carlton Gate, Meanwood Street, and at Oatland Lane, Sheepscar LS7

The Chief Planning Officer submitted a report on six applications relating to residential development proposals on two sites within Little London. The applications sought to revise previous permissions and related to the delivery of affordable housing, greenspace requirements, education provision, public transport provision and land contamination and sought a revised timetable for the implementation of the schemes.

Appended to the report was a schedule containing conditions to be attached to the permissions should they be granted.

Minutes approved at the meeting
held on Thursday, 7th October, 2010

Four schemes for the Little London area Public Finance Initiative redevelopment had been granted permission on 19 September 2008. Since then the scheme had been reduced with the Leicester Place and Cambridge Road schemes no longer going forward.

Applications 10/02792/LA; 10/02791/LA and 10/02886/EXT related to permission 08/02857 at Carlton Gate.

Applications 10/02790/LA; 10/02789/LA and 10/02950/EXT related to permission 08/02852/LA at Oatland Lane.

Aerial photographs and plans showing the revised schemes were displayed at the meeting. Plans showing the original submissions were also available for reference.

Officers highlighted the quantum of development had been significantly reduced including the deletion of the 8-10 storey apartment blocks. Delivery of 125 family type council homes was now proposed through a phased approach. Subsequently the existing conditions required amendment to take account of the reduced scheme and to ensure the conditions were still applicable to the development.

Officers requested a further amendment to Condition 8 (public transport improvements and highway, pedestrian and cycle measures) to ensure a Transport Assessment was undertaken on completion of Phase 1 to cover the revised Phase 2 works. Any highway works shown to be required by that Transport Assessment were to be provided at the appropriate time through the Phase 2 scheme. It was noted the Reserved Matters applications were expected to be submitted by the end of the calendar year with development to commence on site by the end of 2011.

RESOLVED – That the applications be granted subject to the specified conditions contained within Appendix 1 of the submitted report and an amendment to Condition No.8 to require a Transport Assessment is undertaken following completion of Phase 1 of the development to support Phase 2 of the development and that any works arising are funded through Phase 2 of the scheme.

45 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 7th October 2010 at 1.30 pm

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PLANS PANEL (WEST)

THURSDAY, 7TH OCTOBER, 2010

PRESENT: Councillor J Harper in the Chair

Councillors J Akhtar, A Castle, B Chastney,
M Coulson, J Hardy, T Leadley,
J Matthews, R Wood and D Congreve

46 Election of the Chair

The Head of Planning Services opened the meeting and reported the absence of Councillor Taggart, Chair of Plans Panel West due to a family bereavement. The Panel expressed their condolences to Councillor Taggart and his family.

Nominees were sought to Chair the meeting. Councillor J Harper was proposed by Councillor Coulson and this was agreed by the whole Panel
RESOLVED – Councillor Harper took the Chair for the duration of the meeting

47 Late Items

No formal late items of business were added to the agenda; however the Panel were in receipt of the following additional information

Leeds Girls High School (minute 51 refers)–

- a copy of the report presented to the August 2010 Panel meeting for reference
- an improved copy of page 27 of the report showing the architect's representation of the development

45 St Michael's Lane (minute 59 refers) –

- an amended copy of the report as one page from the Inspectors report had been omitted in error from the copy included within the agenda

48 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 51 refers):

- Councillor Akhtar declared a personal interest as a member of North West Inner Area Committee
- Councillor Castle declared a personal interest as both she and her daughter had been educated at the school and as a member of Leeds Civic Trust which had commented on the proposals
- Councillor Chastney declared a personal interest as a member of the Far Headingley Village Society which had been consulted on the application and as a member of the North West Inner Area Committee which had received a presentation on previous proposals in 2009
- Councillor Hardy declared a personal interest as he stated he had made a representation to The Grammar School at Leeds regarding use of the schools' Alwoodley based playing pitches by Headingley based

primary schools. He had asked the School to respond directly to LCC Planning Services but was not aware of any response so far.

- 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 which had received a presentation on previous proposals in 2009

Councillor Akhtar - LBIA Monitoring Report - declared a personal interest as he stated he regularly used the flight operator named in the report as being in breach of the conditions (minute 55 refers)

Councillor Chastney - Greenlea Mount – declared a personal interest as a local authority member of the Board of West North West Homes, the applicant. (minute 52 refers)

Councillor Harper - LBIA monitoring – declared a personal interest as a member of the West Leeds Gateway Board (minute 55 refers)

Councillor Harper - Kirkstall Road – declared a personal interest as a member of Kirkstall Valley Park, (minute 56 refers)

Councillor Matthews – 111 Otley Road – declared a personal interest as the applicant was known to him (minute 53 refers)

49 Apologies for Absence

Apologies for absence were received from Councillor Taggart. The Chair welcomed Councillor Congreve as his substitute

50 Minutes

RESOLVED – That the minutes of the meeting held 9th September 2010 be agreed as a correct record

51 Applications 08/04214/OT; 08/04216/FU; 08/04220/LI; 08/04219/FU and 08/04217/CA - Residential Development at Leeds Girls High School, Headingley

The Chief Planning Officer, Mr P Crabtree, addressed the meeting to explain the request to withdraw the item from the agenda.

It was reported that a member of the public had sought an injunction to prevent a decision being made at this meeting, and had subsequently sought a Judicial Review of the decision to be made. The High Court had rejected the injunction application the day prior to this Panel meeting.

Although the Panel was entitled to make a decision, officers were mindful of the new issues raised in the applications by the member of the public and the continued threat of a legal challenge. Advice sought on the approach the Authority should take concluded that the matter should be deferred to allow time for officers to prepare a report to be presented to the next Panel meeting

which would address the matters raised in the applications for the injunction and Judicial Review.

Members expressed concern at the prospect of further delays to the determination of the applications and the likelihood of an appeal against non determination being lodged by the applicant. The Panel requested that the documents pertaining to the High Court applications be sent to them as soon as possible. Members also reported receipt of additional correspondence from local residents as recently as the previous evening.

The Chief Planning Officer reported that the matter had been discussed with Morley House Trust, the applicant; and highlighted the fact that the late submission of information from interested parties had an impact on the decision making process.

RESOLVED – That determination of the application be deferred for one cycle to allow time for officers to prepare a report which will respond to the matters raised in the applications before the High Court and be presented to the next Panel meeting.

(Councillor Akhtar withdrew from the meeting)

52 Application 10/00708/LA - Greenlea Mount, Yeadon LS19

The Chief Planning Officer submitted a report on a retrospective application to regularise development of a car park completed in 2007 to serve 15 bungalows for elderly residents and their visitors. Members had visited the site prior to the meeting. Aerial photographs and a site plan were displayed at the meeting.

(Councillor Akhtar rejoined the meeting)

Officers reported the main issues raised by objectors to the application as being their concerns over the quality and design of the existing car parking, along with issues of highway/pedestrian safety and drainage. With regards to the proposed conditions, officers also requested that Condition No 5 should be amended to “The development hereby permitted shall not be used until a Management Plan for the car park has been submitted to, and approved in writing by, the Local Planning Authority. The Management Plan shall include:

- allocation of bays
- laying out of markings
- measures to ensure private car park”

Members discussed the impact of the redevelopment works on the residents, particularly in terms of access and were keen to ensure the works caused minimal disruption.

RESOLVED – That the application be granted subject to the specified conditions contained within the report with the amendment to Condition No 5 as above, plus an additional condition to ensure the submission of a construction management plan to minimise disturbance to residents

53 Application 10/03806/FU - 111 Otley Road, Leeds LS6

Minutes approved at the meeting
held on Thursday, 4th November, 2010

The Panel considered the report of the Chief Planning Officer setting out proposed reasons to delegate refusal of an application for the change of use of a vacant retail unit to restaurant which would allow an existing operator to expand the business from the adjoining unit.

Officers reported that since the agenda for the meeting had been despatched, the Authority had received two petitions containing 240 signatures, 2 further letters and a letter from Mr G Mulholland MP, all in support of the application. Officers also noted a correction to the report to properly identify "Weetwood" as the relevant ward.

Site plans, internal layout plans, photographs of the premises and the streetscene were displayed at the meeting

Officers highlighted the main issues for considerations as being the designation of the site within the UDP, the fact that only 4 out of the 14 units remained as retail and the desire to retain retail uses for the future, highway safety issues and car parking and the location of the site within Headingley Conservation Area.

The Panel heard from Mr R Raper, agent for the applicant who highlighted the support for the scheme from local residents, measures to encourage non car use by staff including cycle bay facilities, parking issues and the scale of the development.

The Panel had regard to the outcome of an appeal concerning a change of use of another retail unit in the same parade. Members discussed the view that one of the aims of the UDP was to protect existing and promote new developments as appropriate to a locality and, mindful of the support for this development from local residents; Members further discussed whether this scheme could be considered as an exception to the policy

Overall, the Panel were not minded to accept the officer recommendation to refuse the application, however did acknowledge that further consideration was needed in terms of control of the land use around the unit, control for the Authority and the Travel Plan. The Panel therefore

RESOLVED – not to accept the officer recommendation to refuse the application, but to defer determination of the application to allow time for further consideration of Travel Plan issues, car parking and environmental improvement and how those matters would be delivered

54 Application 10/01838/FU - Gordon Mills, Netherfield Road, Guiseley LS20

The Panel considered the report of the Chief Planning Officer setting out an application for permanent consent for the change of use of an industrial unit to an Indoor Kart Arena. Plans and photographs of the site were displayed at the meeting. It was noted that temporary consent was granted by Panel in 2008

RESOLVED – That the application be granted subject to the specified conditions contained within the report

55 Leeds Bradford International Airport - Monitoring Report of night time aircraft movements, noise levels and air quality

The Chief Planning Officer submitted a report on the monitoring of night time aircraft movements, noise and air quality in relation to Leeds Bradford International Airport covering the period from February to August 2010. Members had considered a similar report on 15th April 2010 and requested a monitoring report every 6 months (Minute 107 refers)

The report referred to the breaches of conditions relating to night time flying identified previously and set out the action taken to address these with the relevant flight operators and LBIA along with the responses received.

Officers highlighted the three occasions during February to August 2010 when breaches had occurred again, but explained one of those could be seen as an exceptional circumstance. Officers, having regard to the Panel's previous wish to ensure action should be taken if breaches were to occur, confirmed that the incidents were being investigated and careful consideration was being given to the most appropriate course of action to be taken.

(Councillor Akhtar declared a personal interest at this point as he stated he regularly used the flight operator named in the report as being in breach of the conditions)

RESOLVED –

- a) That the contents of the report in relation to night time aircraft movements, noise and air quality monitoring be noted.
- b) To note that formal action is proceeding with regard to breaches of planning control as outlined in paragraph 4:6 of the submitted report
- c) To note that a further report on that issue and on the night time movements, noise and air quality will be presented to the Panel in six months time

56 Application 10/01289/FU - Land adjacent to 419 & 421 Kirkstall Road, Burley LS4

Plans, internal layout plans and photographs of the site were displayed at the meeting. A photo montage showing the development in situ was also displayed for reference. Members noted the totem advertisement pole as shown in the slides would require separate Advertisement Consent.

RESOLVED – That the application be granted subject to the specified conditions contained within the report

(Councillor Wood withdrew from the meeting at this point)

57 Application 10/03129/FU - 20 Rockery Road, Horsforth LS18

The Chief Planning Officer submitted a report on proposals for a contemporary extension to an end terrace property within Horsforth Conservation Area. The Panel had previously refused an application on the same site on 15th April 2010 (minute 111 refers). Plans and photographs of the site were displayed at the meeting along with the architects drawing of the proposal.

(Councillor Wood rejoined the meeting)

Officers stated there were no issues of overlooking or over dominance to adjacent houses due to the distances involved, and requested Condition 10 requiring provision of landscaping details should be amended to include reference to submission of details of treatment to the boundary.

Members discussed access to the private right of way which ran to the rear of the terrace and highways issues in relation to access to the garage

RESOLVED – That the application be granted subject to the specified conditions contained within the report and subject to an amendment to condition 10 to read “Submission of full landscaping details and boundary treatment”

(Councillor Akhtar withdrew from the meeting)

58 Applications 10/03603/FU & 10/03604/CA - the former Lounge Cinema, North Lane, Headingley LS6

The Panel considered the report of the Chief Planning Officer on redevelopment proposals for the former Lounge Cinema, Headingley. Plans, artists’ impressions of the proposals and photographs of the site and streetscene were displayed at the meeting. Slides showing a scheme approved in November 2009 for a mixed use development were also displayed for reference.

Officers reported the following amendments to the report:

- Condition 2 to refer to measures to ensure the development is built as per the submitted plans
- Condition 5 of the Section 106 obligations to refer to 1 hours free car parking (not 2 hours)

Officers highlighted the planning issues for consideration as the retention of the North Lane façade, the change from office use to residential and the reduction in the scale of the redevelopment along with car parking and highways issues.

(Councillor Akhtar rejoined the meeting)

Discussion ensued on the following:

Car Parking - Desire for 2 hours free car parking which would be in line with other car parks covered by the draft Headingley Car Parking Strategy. Officers responded the Strategy was not yet adopted and the one hour free public provision was seen as a reasonable compromise. Comments made on behalf of Highways Services and the Transport Strategy Team were noted.

The Arc - An application had been submitted by the same applicant to relax the conditions stipulating the hours of use of The Arc balcony adjacent to this site and Members discussed the possible impact of that on the future residents of the Lounge development. Officers responded that LCC Environmental Protection Team had not objected to this application and

confirmed that music would be inaudible from The Arc balcony as set out in the conditions

Traffic Regulation Orders – TRO's would establish the one way system through the site but Members were concerned about the possible impact on existing shops nearby. Officers reported that this development was likely to commence before the Headingley Car Parking Strategy was taken forward

(Councillor Akhtar withdrew from the meeting for a short time before resuming his seat)

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for final approval subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months from the date of the resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- 1) Travel plan - £7000 for metro cards and car club contributions
- 2) Travel plan monitoring fee - £2500
- 3) Public Transport Contribution - £38,469
- 4) Green space - £27,706 for off-site Greenspace provision in the locality
- 5) Public car parking to be made available for retail shopper for 1 hour free parking

Or, if an agreement cannot be reached on the S106 matters, the application to be deferred and delegated to the Chief Planning Officer for refusal

59 Application 10/00779/EXT - 45 St Michaels Lane, Headingley Leeds LS6

Further to minute 109 of the meeting held 15th April 2010 when the Panel deferred determination of the application, the Chief Planning Officer submitted a report on an application for the extension of time for permission for the redevelopment of 45 St Michael's Lane and setting out consideration of the matters raised in April:

- Planning Policy Statement 3
- Student housing demand and developments in the locality
- The relevance of the outcome of the "Glassworks" appeal

Plans of the proposals and photographs of the site were displayed at the meeting. A copy of the Inspectors decision from February 2007 which allowed the appeal for Application 06/02738/FU was included in the report for reference.

Officers highlighted the mix of uses in the locality and the difficulties of developing this site, which they felt was not suitable for family homes. Overall, officers reported no basis on which to justify refusal of this application. Members expressed their regret over the outcome of the appeal. The Panel received confirmation that the applicant had agreed that the path through the site to Back Broomfield Crescent would be for emergency access only.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for final approval subject to the specified conditions contained within the report (and any others he might consider appropriate)

Minutes approved at the meeting
held on Thursday, 4th November, 2010

and completion of a legal agreement within 3 months from the date of resolution unless agreed otherwise in writing by the Chief Planning Officer to cover a financial contribution of £26,555.86 for Public Open Space provision off-site.

60 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 4th November 2010 at 1.30 pm

Plans Panel (City Centre)

Thursday, 16th September, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
A Carter, G Driver, M Hamilton, S Hamilton,
G Latty, J Monaghan, E Nash and
N Taggart

Councillor

28 Chair's opening remarks

The Chair welcomed Councillor Taggart, who had recently been appointed to the Panel and then welcomed everyone to the meeting and asked Members and Officers to introduce themselves

29 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 10/01601/FU – Victoria Gardens LS1 – Councillor Driver declared a personal interest through being a member of Leeds Groundwork Trust Board who were the applicants (minute 32 refers)

Application 10/01601/FU – Victoria Gardens LS1 – Councillor Monaghan declared a personal interest through being a member of Leeds Civic Trust which had objected to the proposals (minute 32 refers)

Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage

30 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 19th August 2010 be approved

31 Matters arising

Further to minute 26 of the Plans Panel City Centre meeting held on 19th August 2010 where Members were informed of structural damage to the property adjacent to the First White Cloth Hall on Kirkgate and the fear that the Listed Building might need to be demolished for public safety reasons, Members made the following comments:

- that the First White Cloth Hall was as important to the city as the Town Hall and the Corn Exchange
- the recent comments by Leeds Civic Trust that the Council should purchase the site; that a design statement had previously been drawn up and that the Council should consider purchasing the building and the whole row

- that a letter be sent from the Panel to the Executive Member for Development and Regeneration informing him of the Panel's views and that it supported the stance taken by Leeds Civic Trust
- that the Panel be informed of the status of the discussions which had been previously carried out on proposals for the refurbishment and regeneration of that area and whether the scheme had been progressed

The Head of Planning Services advised that the First White Cloth Hall had been saved for the immediate future and that a meeting had been arranged with the Chief Planning Officer, the Council's Conservation Officer, Councillor Nash, in her capacity as Heritage Champion and representatives of the site owner early next week to discuss the present situation and future proposals for the building

The Panel requested that the Chief Planning Officer write to the Executive Member for Development and Regeneration as set out above, with a copy to all Plans Panel City Centre Members and that a report on the current situation in respect of the First White Cloth Hall and the outcome of the meeting/how things will be progressed be submitted to the next meeting

32 Application 10/01601/FU - Alterations to public open space at Victoria Gardens The Headrow Leeds LS1

Further to minute 24 of the Plans Panel City Centre meeting held on 19th August 2010, where Panel deferred consideration of proposals for alterations to Victoria Gardens at the Headrow for further information on aspects of the scheme, Members considered a further report

Plans, photographs and graphics were displayed at the meeting

Officers presented the report which provided responses to comments raised by Members at the previous meeting

The Panel was informed that the proposals were for two large chess boards as the third chess board was not in use due to there not being a third set of chess pieces. Furthermore, the library did not have the storage space for an extra chess set. The proposals did however provide for smaller boards to be carved into the existing stone planters, so increasing the availability for chess games and other games which used this board layout. Whilst Members had raised the possibility of games such as hopscotch being laid out, it was felt more 'active' games were not appropriate in this setting

Regarding the underplanting of the trees with plants to provide more colour in the scheme, the provision of pot plants had been considered. However, it was felt that these could be damaged when events were taking place in Victoria Gardens and could therefore detract from the appearance of the scheme

In terms of the seating, the design of previous, large, Art Deco, wooden benches in the gardens had been considered and it was proposed to use this as a model for a smaller bench which would comprise a stainless steel sub-frame which would be timber clad. A design for a matching litter bin would also be drawn up

Bare-stemmed, clipped London Plane trees were still proposed for the scheme, although the trees positioned on the corner of the site and at the ends of the planters would have further pruning to provide a chamfered edged to continue the Art Deco motif

Members discussed the following matters:

- the siting of the benches and that these should be positioned around the site

- the size of the benches with concerns about the scaled down version of the existing large bench
- whether a slightly reduced amount of bulb planting could be considered, with the money saved being used to provide a third set of chess pieces
- that the Art Gallery could be approached with a view to storing a set of chess pieces
- the London Plane trees, with diverse views being expressed on this aspect of the proposals
- that the uplighters to the trees should be turned off through the night to avoid light pollution
- that measures were needed to prevent the planters being damaged by skateboarders
- the need for a signed maintenance agreement for the pruning of the trees and concerns based on previous experiences that the trees might not be maintained as regularly as required

Officers provided the following responses:

- that the benches would be sited around the gardens
- that smaller scale benches had been proposed in order to allow them to be manually lifted when the space was required for event purposes
- that the Chess Society had been consulted on the proposal and was satisfied with two large chess boards and the seven smaller boards around the site
- that a landscaping maintenance plan had been submitted and agreed

Members referred to the discussions which took place on the application at the meeting on 19th August 2010, with clarity being sought on what had been agreed in respect of the application

The Panel's legal adviser stated that the minute indicated that no decision had been reached on the application on 19th August 2010 which had been deferred to enable further information to be provided

RESOLVED - That the application be granted subject to the conditions set out in the submitted report and an additional condition to control the hours of operation of the uplighters

(During consideration of this matter, Councillor Driver left the meeting)

33 Application 10/02973/RM - 5 storey office building at Wellington Place (building 10) adjacent Grade II Listed Lifting Tower

Plans, photographs, sample materials, architects drawings and an image of the whole scheme depicted by cheese wedges were displayed at the meeting. A Members site visit had taken place earlier in the day

As there were two applications at the Wellington Place development to be determined by Panel, the Chair asked Officers to present the proposals together

Officers presented the reports which sought permission for Reserved Matters at building 10 and building 3 of the mixed-use development at Wellington Place which was granted outline approval by Panel in 2007

Members were informed that since the outline permission was granted, the applicant had reappraised the scale of the whole site and now wished to erect buildings which were lower than originally proposed

10 Wellington Place was angular in shape with splayed sides. Materials would comprise stone, metal, a green roof and expansive curtain wall glazing on one elevation which would reflect the Listed Lifting Tower. The slope of the roof would also enable glimpses of the green roof

3 Wellington Place was also angular in form, with two, complementary shades of stone forming the main material for the building

A central atrium space would be provided and on the 5th floor, a set back of the building allowed for a roof terrace

Some basement car parking would be provided underneath this building, with 40 car parking spaces, 84 cycle spaces and 11 motorbike spaces being provided

The landscaping treatment which had been agreed in the application for Tower Square would be continued for buildings 3 and 10, with this being high quality granite, lighting, seating, trees, plants and corten steel features. The soft planting would be naturally irrigated from the surface-water run off

The scheme would provide the opportunity to light the trees, structures and the linear routes which would provide a reference back to the railway tracks of the former goods yard

Officers reported that following further consultation, Leeds Civic Trust was supportive of both applications

Members were informed of a request from Environmental Health Officers for a condition requiring full details of the proposed sound insulation measures. Planning Officers were of the view that there were sufficient controls in place to protect amenity through conditions attached to the outline consent. A further condition on the Reserved Matters applications was therefore unnecessary

Members commented on the following matters:

- the inclusion of a comment from the Police Counter Terrorism Unit
- how the stone cladding would weather
- the reduced scale of the overall scheme and the impact of this on the roof line
- that the reduced scale of the proposals was more respectful of the Listed Lifting Tower
- concerns whether the mainly glazed elevation adjacent to the lifting tower would cause an unacceptable internal environment, particularly as the elevation was south facing
- that the temporary landscaping put in place by the applicant had been impressive and that this augured well for the scheme
- the quality of the proposals and that if approved, the city would benefit from a prestigious development
- whether the historic images shown on the site visit could be made available

Officers provided the following responses:

- that new national guidance had been brought out regarding security issues and that the police wished to consider sites where there would be significant public activity to ensure the design/materials would minimise potential damage in the event of an attack
- that in terms of weathering of the stone, much depended upon the type of stone to be used although good quality stone samples had been provided by the applicant. The distance from the back of the kerb to

the building was generous and it was felt that winter salt, which could be problematic, would not reach that far

- regarding the impact of reduced heights on the roof line, the site section presented included central low rise buildings which would be flat roofed as originally agreed. The surrounding buildings would continue to provide a distinctive sloping roof profile towards the centre of the site, although their overall building heights were to be reduced
- that the type of glass to be used would be treated to protect internal comfort conditions
- that the 1962 photograph of the site could be made available

RESOLVED - That the application be granted subject to compliance with the conditions attached to the outline consent

34 Application 10/02974/RM - 6/7 storey office building with basement car park and landscaping at Wellington Place (building 3)- corner of Wellington Street and Northern Street - Leeds LS1

With reference to the above discussions

RESOLVED - That the application be granted subject to the following additional condition:

Prior to the commencement of development, details to include plans and cross-sections of the new basement vehicular access and its method of linking to the underground road system, approved as part of outline permission 06/06824/OT, shall be submitted to and approved in writing by the Local Planning Authority.

These details shall include:

- i the line of the carriageway
- ii the security barrier mechanism
- iii all signing and lighting
- iv the lighting of the access route
- v a plan indicating all visibility splays
- vi a plan indicating all forward visibility dimensions
- vii details of any kerbs and protective barriers if required

The access point and linking road shall then be constructed in accordance with the approval details unless otherwise agreed in writing by the Local Planning Authority

Reason: in the interests of the provision of a safe vehicular environment which as the capacity to accommodate the necessary volume of vehicle movements

The site shall also be subject to compliance with the conditions attached to the outline consent

35 Date and time of next meetings

Thursday 14th October at 1.30pm in the Civic Hall

Friday 12th November at 1.30pm in the Civic Hall

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Plans Panel (City Centre)

Thursday, 14th October, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
M Coulson, G Driver, C Fox, R Grahame,
M Hamilton, J Monaghan and N Taggart

36 Chairs Opening Remarks

The Chair welcomed all present to the meeting and invited officers and Members of the Panel to briefly introduce themselves. Mr J Thorp, the Civic Architect for the City, attended the meeting and introduced colleagues from the Design Services Team.

37 Late Items

No formal late items of business were added to the agenda; however Members were in receipt of a copy of a late letter of representation from English Heritage relating to the St Peters Church applications. This had been submitted after the despatch of the agenda for the meeting. The Chair agreed that the representation would be taken into account during consideration of the applications (minute 43 refers)

38 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

Councillor B Selby – Applications 09/03230/FU; 09/03280/CA & 09/03397/LI St Peters Church – declared a personal interest as a member of English Heritage which had commented on the proposals (minute 43 refers)

Councillor Colin Campbell - Applications 09/03230/FU; 09/03280/CA & 09/03397/LI St Peters Church – declared a personal interest as a member of English Heritage which had commented on the proposals (minute 43 refers)

Councillor J Monaghan – Application 08/054440/FU Globe Road/ Water Lane and Applications 09/03230/FU; 09/03280/CA & 09/03397/LI St Peters Church – declared a personal interest in both items as a member of Leeds Civic Trust which had made comments on the proposals (minutes 42 and 43 refer respectively)

Councillor C Fox - Application 08/054440/FU Globe Road/ Water Lane – declared a personal interest as a local authority appointed member of West Yorkshire Integrated Transport Authority as METRO had commented on the proposals (minute 42 refers)

Councillor M Coulson - Application 08/054440/FU Globe Road/ Water Lane – declared a personal interest as a local authority appointed member of West

Yorkshire Integrated Transport Authority as METRO had commented on the proposals although he stated he had not attended any meetings where the proposals had been discussed. (minute 42 refers)

39 Apologies for Absence

Apologies for absence were received from Councillors S Hamilton, G Latty and Nash. The Chair welcomed Councillors Coulson, Fox and R Grahame respectively as substitute members for this meeting

40 Minutes

RESOLVED – That the minutes of the Plans Panel City Centre meeting held on 16th September 2010 be approved as a correct record

41 Matters Arising

White Cloth Hall (minute 31)

Mr J Thorp, Civic Architect for the City, provided an update on the current situation regarding the first White Cloth Hall, Kirkgate. Slides showing recent scale of the collapse and necessary demolition works were displayed along with a slide showing the painting of Kirkgate by L Grimshaw dated 1895 for context.

Mr Thorp explained the collapse had revealed the speculative aspects of the colonnade feature to White Cloth Hall, the Victorian cellars and views through to the Corn Exchange from Kirkgate. He reported that the site owner had agreed to remove the Victorian infill from the cellars in order for an archaeological dig to be undertaken to see if any remnants of the mediaeval Hospitium believed to have been on this site could be found. Furthermore the owner had confirmed a willingness to adopt a vehicle to progress the restoration of the White Cloth Hall in conjunction with guardians such as LCC or English Heritage and a working party had been established to progress restoration works and address comments of English Heritage. Mr Thorp reported that the Executive Member with responsibility for Development & Regeneration had visited the site and had been briefed. Councillor Nash as the Heritage Champion would be briefed shortly.

Members reiterated their previous request that a letter be sent to the Executive Member for Development & Regeneration setting out the Panel's earlier comments regarding the importance of the White Cloth Hall to the City and their discussions on the possibility of LCC purchasing the building and the whole row

Toronto Square

The Head of Planning Services presented information on the recent court ruling on the legal claim involving the "right to light" brought by M Heaney against Highgrove and their development of 2 floors of office accommodation to Toronto Square. The Court had ruled that one third of the new build required demolition. This ruling highlighted what rights were available under Common and Civil Law. It was noted that Highgrove had appealed the outcome, however if the judgement was upheld, Highgrove would need to

make a planning application for the demolition works which would require Panel approval.

Members discussed the implications for LCC as permission had been granted by Panel and works completed in 2009. Officers responded that LCC would strongly resist being implicated in any future action, as there was an acceptable distance of 22m between the new build and the affected property owned by M Heaney. However the case did serve as a warning to prospective developers to review any historical covenants attached to land they proposed to develop.

(Councillor Hamilton withdrew from the meeting for a short while prior to the consideration of the next item)

42 Application 08/054440/FU - Globe Road/Water Lane Holbeck LS11

Further to minute 14 of the Plans Panel City Centre meeting held 22nd July 2010, when Members deferred determination of the application, the Chief Planning Officer submitted a report setting out the response from the applicant to the issues raised by the Panel.

Plans, architects drawings and photographs of the site were displayed at the meeting along with slides showing the earlier scheme for reference. Samples of the brick and zinc materials proposed for the scheme were also available for Members to view. Officers highlighted the revisions to the scheme including

- the relocation of the reception area/main entrance
- removal of the “active” element from the streetscene
- relocation of the solar panels
- the views from street level of the plant room were now obscured by parapets although the plant room may still be visible from further away
- removal of the copper elements from the scheme. Zinc or brick had replaced some of the features previously indicated as copper.
- a uniform window design had been introduced to the south elevations to provided a strong vertical feel with recessed windows

Officers reported that 75% of the ground floor elevation would be glazed to provide activity and interest at ground level. The simplicity of the elevations and the use of glazing/brick/stone would reflect the historic buildings in the locality. This development was intended to be a subtle addition to the streetscene in order to respect the prominence of the Italianate Towers on Tower Works.

Slides of 3D computer graphics showing the relationship of the new build adjacent to existing buildings were displayed with a slide showing the views retained to the Giotto Tower.

Officers highlighted the sustainability measures proposed with the application which would ensure the scheme met the BREEAM excellent standard. Officers also addressed parking issues as the developers had originally

intended to develop this plot (5) and Plot 4B adjacent simultaneously with parking for this site underneath Plot 4B. Plot 5 was now to be developed as a stand alone site with no car parking. However officers stated their belief that this site could be sustained without dedicated car parking due to its proximity to the city centre and various public transport links.

Members acknowledged this was an awkward site to develop and commented that the revisions to the scheme addressed the issues they had previously raised. The Panel briefly discussed:

- Ground floor lighting to enhance the building to be conditioned
- The criteria by which the service units and plant had been relocated to minimise impact and having regard to the English Heritage comments to retain the views to the Italianate Tower

RESOLVED – That the application be approved in principle and final approval be deferred and delegated to the Chief Planning Officer subject to the specified conditions contained within the report and following the completion of a Section 106 Agreement to cover the following matters:

- Public transport contribution of £119,276.
- Holbeck Urban Village (HUV) public realm contribution of £322,050.
- Travel Plan with monitoring fee of £2,500.
- 24 hour public access along the north-south pedestrian route and access between 0700-2300 hours along the Hol Beck walkway.
- Off site highway works (the closure of redundant vehicular access points, introduction of a service/drop off lay-by and Traffic Regulation Order (TRO contribution).
 - Restriction of period of stay in the hotel to be no more than 3 months and for the hotel to remain as one planning unit to ensure the hotel does not revert to a residential use that would be liable to affordable housing obligations.
 - Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service that seeks to employ local people in both pre and post construction phases.
 - £600 monitoring fee for each of the public transport and HUV contributions and off site highway works.

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.

43 Applications 09/03230/FU/0903280/CA/0903397/LI - St Peter's Church and Church Buildings and Chantrell House Leeds Parish Church Kirkgate LS2

Further to minute 25 of the Panel meeting held on 19th August 2010 when Members received a position statement on the progress of the applications, the Chief Planning Officer submitted a further report on the proposed mixed use development at St Peter's Church and Church Buildings and Chantrell House.

Plans; architects drawings; elevations and photographs of the site were displayed at the meeting along with graphics showing 3D modelling of the

proposed development in situ. An historical photograph showing the former school building on the site was also displayed

The report set out the history of the applications and included an outline of the developers' response to the matters discussed by the Panel previously.

Officers highlighted the key matters to consider as

Views –

- Views through the site to St Peters Church had been retained through the redesign of the overall site layout

St Peters Hall –

- the dark brick banding now wrapped around the new build and included the gable end and copper cladding to the staircore
- this provided interest to the elevations and mirrored the brickwork pattern on the retained St Peters Hall
- the realigning of the new build now revealed and reinstated a window to the side elevation of the existing St Peters Hall
- The proposed new build would remove two “lean to” type extensions which would reveal more of the existing building. The old additions had masked some of the architectural features of St Peters Hall and had partially blocked the window to the side elevation.

St Peters House

- Incorporation of blank windows to the side/rear provided relief and interest to that elevation
- Officers updated the Panel on further discussions held with the developers on whether glazing could be introduced to this elevation
- There was a suggestion that, as the bathrooms were indicated on the internal plan in the middle of this elevation, obscure glazed windows could be introduced
- Officers also wished to consider further the merits of introducing small windows to the kitchen and/or living room areas to either side of the bathroom on this elevation. This would require further discussion and submission of details.

Chantrell House

- 5 storeys were now proposed although this new build had a smaller footprint than the original proposal and did not dogleg to the rear of the site
- This block included the affordable housing provision
- The design suggested a strong rhythm to the build with 2 gables to the Calls elevations, and 4 to each side elevation

Overall

- the reduction in the overall scale of the proposals has resulted in a total of 37 flats (down from 52 originally)
- the roof forms, gables and heights, tied in with the existing heights of buildings in the locality
- the massing of the development echoed the built form of the former historical warehousing use of the locality
- the materials proposed included copper and brick with stone sills/coping and slate for the roofs with the possibility of zinc for the roof on the new build element.

Officers reported receipt of two letters of representation received from Leeds Civic Trust and English Heritage. The letters were tabled at the meeting as their contents were received too late for inclusion within the report on the agenda.

Mr J Thorp, the Civic Architect for the City, addressed the comments objecting to the scheme made by English Heritage which he felt arose from the developers seeking to strike a balance between the comments made throughout the planning process by the Civic Trust, English Heritage and Members of Plans Panel City Centre. It was noted that English Heritage had previously supported the scheme. Mr Thorp suggested the English Heritage comments concentrated on architectural refinements which could be addressed through the remainder of the planning process through the submission of 1:20 plans, cross sections and profiling.

(Councillor D Blackburn withdrew from the meeting for a short while at this point)

Members discussed the following in detail:

- Clarified the date of the English Heritage letter
- How the development enhanced the views of the churchyard. Officers responded that St Peter's House now provided a splayed gable end which presented an "opening out" view of the churchyard and a better view of the church tower.

St Peters Hall –

- Members reiterated their previous concerns that details to the side elevation of St Peter's Hall would be lost. Officers responded the need for a certain quantum of development to provide for the upkeep of St Peters Church informed the design of the extension and overall development
- Members regarded the Hall as an asset to the street scene and sought assurance that the extension would relate to the Hall in sufficient detail.
- Some Members felt the details of the new build did not replicate the detail of the historic Hall. Officers responded that the "lean-to" buildings currently obscured the lower levels and half of the windows. Mr Thorp stated that the extension with the banding and gables would provide a link to; and engage with, the nineteenth century buildings on site but ultimately even with the extension, much more of the Hall was revealed

St Peter's House –

- concern that the side elevation would represent a blank façade without the window detail Officers responded that further investigation on any proposals for glazing for "return windows" for the sitting/living room area would be needed.
- It was felt the plinth was a more challenging feature, but more details of this were required

The Panel welcomed the revisions made to the scheme and made the following comments:

- expressed support for the proposals for Chantrell House
- remained concerned about the treatment of St Peter's Hall as Members felt they could not fully appreciate which features had been lost and which would be retained

- regarded the relationship of the buildings to St Peter's graveyard as being of utmost importance and that it would be beneficial to see how people currently used that space
- the visual display did not provide enough detail on which to make a decision today
- some Members wished to undertake a site visit to understand the proposals, particularly for St Peter's Hall

Members reiterated their view that St Peter's Hall and St Peter's House were important buildings within the streetscene and as such it was very important to better understand the impact of the proposed extensions on the existing buildings. Members noted that not all the detail had been submitted. The Panel further noted the officer recommendation to defer and delegate approval to the Chief Planning Officer, subject to a Section 106, which could take some months to complete and would facilitate time for the details to be submitted and for a site visit to be undertaken.

RESOLVED -

a) That the applications be approved in principle, and be deferred and delegated to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), the completion of preliminary archaeological investigation works on site, and following completing of a Section 106 Agreement to cover the following matters:

- on site affordable housing provision
 - an agreement to undertake a list of repair and maintenance works to St Peter's (Leeds Parish Church) within an agreed period,
 - agreement to publicly accessible areas,
 - a contribution of £4100.00 to a car club,
 - employment and training opportunities for local people,
- and the provision of two replacement trees within the site or the churchyard.

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.

b) that a further report be brought to the next Panel meeting presenting the details on the following matters over which Members expressed some concern

- The proposed detailing to the St Peter's House western elevation
- Impact on the existing western gable and the detailing of the extension to St Peters Hall

c) Members also requested a site visit be undertaken prior to the next Panel meeting to provide an explanation of the matters detailed in b) above

44 Any Other Business

a) Eastgate/Harewood Quarter

Members noted the request to provide the Area Planning Manager with dates in January 2011 when they would be available to attend a site visit to the development completed in Leicester by the same applicants

b) Unauthorised car parks

Members noted that a verbal update on unauthorised car parks within the city centre would be provided to the next Panel meeting

45 Date and time of next meeting

RESOLVED – To note the date and time of the next meeting as Friday 12th November 2010 at 1.30 pm

Joint Plans Panel

Thursday, 23rd September, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors B Anderson, D Blackburn,
C Campbell, A Castle, B Chastney,
D Congreve, M Coulson, G Driver,
R Grahame, M Hamilton, J Harper, G Latty,
T Leadley, J Matthews, J Monaghan,
K Parker, J Procter, B Selby, D Wilson and
R Wood

10 Election of the Chair

RESOLVED – Councillor Taggart, Chair of Plans Panel West, was nominated as Chair of this Joint Plans Panel meeting with the agreement of all present

11 Late Items

No formal Late Items of business were added to the agenda. The Chair did however report that some Members were in receipt of email correspondence from a member of the public in relation to agenda item 8, High Court Challenge

12 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:

Councillor T Leadley – Agenda Item 8 High Court Challenge, Wide Lane, Morley – declared a personal interest as he had been approached by the complainant at the time of the original grant of the application and his subsequent involvement in the court process and his involvement was documented within the report. (minute 15 refers)

Agenda item 9 Housing Appeals and the revocation of the RSS (minute 16 refers)

Councillors Chastney and G Latty declared personal interests as local authority members of the West North West Homes (ALMO) Panel

Councillor Grahame declared a personal interest as a local authority Director of East North East Homes (ALMO)

Councillor Driver declared a personal interest as a local authority member of Aire Valley Homes (ALMO)

Councillor Parker declared a personal interest as local authority member of Outer South East Area Homes (ALMO)

13 Apologies for Absence

Apologies for absence were received from Councillors A Carter, Finnigan; Gruen; Hardy; Nash and Taylor. The Chair welcomed Councillor Anderson who acted as substitute Member for Councillor A Carter

14 Minutes

The Panel noted that amendments were required to properly reflect the attendance of Councillors Leadley (present) and J Harper (apologies). Furthermore it was agreed that minute 7 Performance Management (Technoprint Case) should be amended to make reference to consultation with Morley ward Councillors rather than “ward councillors”

RESOLVED – That, subject to the amendments outlined above, the minutes of the previous Joint Plans Panel meeting held 1st July 2010 be agreed as a correct record

15 High Court challenge concerning grant of Planning Permission 07/06905/FU for the demolition of workshop and erection of block of 12 flats at 10 Wide Lane, Morley, Leeds LS27 9BL

Further to minute 7 of the meeting held 1st July 2010, the Chief Planning Officer and the Chief Officer for Legal, Licensing and Registration submitted a joint report considering the planning aspects of the “Technoprint” High Court Case. The report set out the background to the case; the reasons why the case was contested and the implications arising from the judgement.

The Area Planning Manager (South) gave a brief presentation setting out the context of the 2007 planning application which had been granted planning permission under delegated powers in February 2008. It was noted that as the High Court had quashed the permission the application would be presented to a future Plans Panel East meeting for a fresh determination and the merits of the application were not for discussion at this meeting

The Chief Planning Officer stated that some measures to address weaknesses identified within departmental procedures had been implemented prior to them being outlined during the High Court (HC) case. He highlighted other key issues to note as:

Grampian conditions – It was noted that, at the time of the grant of permission, the Council did on occasions impose conditions on permissions restricting the development on the land until a scheme was submitted or a Section 106 obligation completed at a later stage. That was an approach adopted by many authorities at the time and was not unlawful. However, the Planning Inspectorate issued guidance to its inspectors cautioning against the use of such conditions (set out in a Planning Inspectorate newsletter published in June 2008 after the grant of this permission). The Council had already moved away from the practice of imposing such conditions prior to the judgement in this case and now seeks to conclude S106 Agreements in advance with the relevant Heads of Terms identified prior to determination.

Decision making – An LPA could be challenged at any point during the planning process. It was acknowledged that meeting a determination deadline/target was not the sole reason for the timing of decision making. Officers and the Department needed to be clear about the decision making process to all parties.

The Head of Development and Regulatory, Legal Services commented on the findings of the Court. It was acknowledged that the case officer’s responses to

Mr Snee and Technoprint (the Claimants in the HC case) should have been clearer; but that ultimately the decision to grant permission was not reached in a manner which was procedurally unfair to them. The decision of the Court to quash the planning permission was based on very narrow grounds relating to the particular facts of the case. Namely that it had been unreasonable or irrational for the Council to grant permission subject to the impositions of the specified conditions relating to greenspace and contaminated land in the particular circumstances of the case and without justification. The Court did not say the conditions were invalid.

The Chief Planning Officer made further comment stating that the application would be submitted to Plans Panel East for determination, however at the time it was rightly dealt with under the powers of the Officer Delegation Scheme. Approximately 96% of all applications were dealt with in that manner and local authorities were encouraged to utilise delegated powers by the Government.

Councillor Leadley addressed the meeting setting out the background to his involvement in the case after the Claimants had contacted him directly in February 2008 and providing a timeline of matters culminating in the Court case itself. Councillor Leadley highlighted in particular:

- The difficulty experienced by the complainant when trying to ascertain whether the application would be determined by Panel or officers
- The 21 day deadline for requests to be made by Councillors for a Panel determination.
 1. He suggested that it was often difficult to make a judgement whether to seek Panel determination of an application because there was not enough detail accompanying a scheme
 2. In the case of the Wide Lane application there had not been a definitive answer as to whether Members or officers would determine the application early enough in the process
- The length of time it took for correspondence to reach the relevant case officer once it had been processed by the mailroom, and the impact of delays on the determination of any application
- The lack of consultation with Morley Councillors in this particular case. He felt consultation could have better informed the planning case officer and avoided some of the Courts findings.
- The length of time it took for officers to brief the Leader and Lead Members. It was noted that news of the case was reported in the local newspaper prior to any member of Council being made aware of the case and it's far reaching implications for the Council.

Members expressed their regret that the local ward Councillors had not requested the application be determined by Panel in the first instance and that the Leader of Council had not been briefed directly on the case at the time of the Judicial Review. The Panel did however accept that the Leader would not be briefed on every case. With regards to the Officer Delegation Scheme (ODS),

- Discussed what type of applications they perceived to fall within the remit of the ODS

- Some Members felt the ODS should only apply to minor matters and they did not regard the Wide Lane application as minor
- Suggested the ODS should be circulated to the Joint Plans Panel remind Members of the criteria for officer/Panel determinations
- Members noted the previous JPP had received a copy of the ODS, but felt the scheme should be reviewed

The Head of Development & Regulatory, Legal Services and the Chief Officer of Legal, Licensing and Registration, responded to the Panels' concerns and set out the process for revisions to the Officer Delegation Scheme. Members noted that the Corporate Governance and Audit Committee would review the governance aspects of the High Court case which will include issues of communications with Members about this case.

The Chief Planning Officer also responded as follows:

- the 21 day deadline was a statutory advertisement deadline for receipt of representations, after which time a decision could be legally made
- the Government actively encouraged LPA's to expedite matters especially for the applicants.
- The ODS would be despatched to all JPP members for their consideration
- The Scheme would then be considered by the Planning Joint Member/Officer Working Group in due course.
- a copy of the ODS would be sent to all Members of Council with guidance on the 21 day deadline.

Members were mindful of the length of time the amendment process would take and urged officers to progress the review of the ODS with the aim of proposing a revised Scheme that could be adopted by the full Council meeting scheduled for 19th January 2011, should that be the outcome of the Member/Officer Working Group.

RESOLVED –

- 1) To note the contents of the report, and in particular the changes to the following working practices within Planning Services:
 - a) That the extent and nature of the planning obligation (including where appropriate the payment of a commuted sum) is now agreed as part of the Heads of Terms of the legal agreement and the agreement itself sets out the terms of its provision. In the case of commuted sums this will include the identification of the locality where the money is to be spent.
 - b) That closer working between planning and legal officers on the most complex and sensitive planning cases has been introduced.
 - c) That case officers are to be reminded of the need to be open about matters of procedure and how it is intended to progress a planning application towards determination.
- 2) To request the Officer Delegation Scheme be
 - (a) sent to all Members of Council with guidance, particularly on the 21 day representations rule

(b) referred to the Planning Member/Officer Working Group for review and if any amendments are identified, the Scheme to be revised as soon as possible

16 Housing Appeals and the Revocation of Regional Spatial Strategy (RSS) - Update

The Chief Planning Officer submitted a report on the progress of a number of current housing appeals having regard to the abolition of the Regional Spatial Strategy (RSS) in July 2010 and therefore housing targets. The report set out the approach to the appeals adopted by the Executive Board on 16th August 2010 in response to the abolition of the RSS and was presented to Panel for information.

Having regard to the outcome of a number of appeals, the Executive Board endorsed an approach which withdrew outstanding appeal cases from the High Courts, and set an interim housing target for Leeds of 2260 per annum as a basis for assessing the 5 year land year supply.

Generally the Panel supported 2260 pa as a realistic target but discussion followed on whether the Planning Inspectorate would accept the interim stance at future appeals.

RESOLVED - To note the contents of the report and to have regard to the decision of the Executive Board regarding the interim housing target and the withdrawal of High Court cases

17 Update on implications of PPS3 changes regarding "garden developments" arising from appeal decisions

The Chief Planning Officer submitted a report on the outcome of planning appeals where the status of garden land as "Greenfield" had been taken into account. The report considered the recent changes to PPS3 and was presented to Joint Plans Panel at the request of Plans Panel East after discussions on 2 September 2010 regarding residential appeal decisions in the east area. A schedule of appeals was appended to the report.

Officers highlighted the Scholes appeal in particular, as it was felt the Inspector's decision was contrary to advice recently published by the Secretary of State. Officers proposed to continue to monitor garden land appeal outcomes in Leeds and other core cities, and to make representations to the Secretary of State in due course. A further report would be presented to the January 2011 Joint Panel meeting.

(Councillor Coulson withdrew from the meeting at this point)

Some Members commented that the Secretary of State had made his view quite clear; however that view had not been reflected in the policy statement or the Inspectors comments with regard to the Scholes appeal. As costs had been awarded against the Council in the Scholes case, Members felt the Authority should write to the Secretary of State now to flag up what they regarded as an inconsistent approach

RESOLVED –

- a) That the contents of the report and officers intention to continue to monitor the outcome of garden land appeals be noted.
- b) To note a further report will be presented to the next Joint Plans Panel meeting in January 2011
- c) To request the Chief Planning Officer write to the Secretary of State expressing the Panels' concern over the outcome of the Scholes appeal and highlighting the case as one instance where the Secretary's intentions had not been applied consistently by his Inspectorate when compared to other appeal outcomes.

18 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next Joint Plans Panel meeting as Thursday 27th January 2011 at 2.00 pm

Licensing Committee

Friday, 3rd September, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors R Downes, J Dunn,
Mrs R Feldman, R D Feldman, T Hanley,
G Hyde, V Morgan, B Selby, C Townsley,
D Wilson and G Wilkinson

21 **Declarations of Interest**

There were no declarations of interest

22 **Apologies for Absence**

Apologies for absence were received from Councillors Dobson, Grayshon and G Hussain

23 **Consultation : Rebalancing the Licensing Act**

The Assistant Chief Executive (Corporate Governance) submitted a report providing details of the Home Office Consultation entitled "Rebalancing the Licensing Act" which set out measures intended to change the emphasis of the Licensing Act 2003 (LA2003). The Government had released the document for consultation with responses due by 8th September 2010. The short time frame necessitated this special meeting of the Committee to consider the draft response for the Authority drawn up by officers.

The report included the consultation document containing 29 questions set by the Home Office and the proposed responses drawn up in conjunction with relevant LCC officers. Officers highlighted the following key changes if the measures were introduced:

- A move away from the notion of the Authority working in partnership with business and the introduction of more regulation by local authorities. Key to this was the removal of the "necessity" to evidence licensing decisions, although it was noted LCC could choose to keep "necessity" within its Licensing Policy
- Increased weight to be given to representations made by the police
- More encouragement for community involvement. Members noted LCC undertook this already through the Area Committees and associated partners
- Public Health to be included as a 5th licensing objective. Members discussed the additional resources the Primary Care Trusts would require but it was noted that local PCTs would not have a great role at the new application stage, rather they would have an increased role to play at the time of Reviews
- An overhaul of the appeals process whereby the Magistrates default position will be to remit an appeal back to the Authority for a re-hearing. Members suggested the second sub committee should not contain Members from the first in these cases

- Simplification of the Cumulative Impact Policy process and removal of requirement for evidence to support the decision to adopt a CIP. It was noted again that LCC could still require evidence through its Policy, as evidence was desirable in the event of any appeals.
- Late night levy – local licensing businesses could be required to pay towards street marshals, local police etc. LCC had expressed concern over how the levy would be administered
- A limit on opening hours in particular areas (zoning)
- An overhaul of the TEN process including a change to the notice period and other Responsible Authorities being able to make representations
- Fines to be increased on premises found to make continued sales of alcohol to under age persons
- Voluntary closure period to be increased from 48 hours to 7 days
- Reviews to be automatically instigated for any premise found to make a sale of alcohol to under age persons twice in a three month period
- A ban on below cost sales. Members noted the response of the Enforcement and Liaison Officer expressing concern over the monitoring and enforcement of this proposal and suggesting that a minimum pricing per unit would be more transparent. Members agreed with this stance and commented the cost of the product was not a matter for the Authority to consider

Members considered each of the 29 questions in turn and in most cases concurred with the proposed response. The following responses were highlighted for amendment

Q2 – concern regarding the cost of implementing the proposed changes. It was agreed a comment would be added to the response regarding fees.

Q3 – para 7 remove “of” and replace with “by”

(Councillor Wilson withdrew from the meeting at this point)

Q5 – para 1 remove “entirely” and include the Committees’ desire for the advertisement period to operate in a similar way to planning applications which would assist Parish/Town Councils if they were to be given Responsible Authority status

Q6 – para 3 amend to read “removing the vicinity test would not *significantly* increase licensing hearings..”

Q7} The proposed response by Leeds PCT tabled at the meeting was

Q8} noted and agreed

(Councillors Downes and Selby withdrew from the meeting at this point)

Q24 – The proposed response by Enforcement & Liaison Officer tabled at the meeting was noted and agreed

Q29 - an additional comment to be added regarding the need to clarify what opening hours were intended for a premise, whilst noting this would require a change to the Licensing Act.

RESOLVED –

- a) to note the contents of the report

- b) to authorise the officers to make amendments to the draft response in the terms detailed above
- c) to approve the contents of the draft consultation response, with the amendments and comments detailed above, as the Councils response
- d) to authorise officers to despatch the amended response to the Home Office by the given date of 8th September 2010

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Licensing Committee

Tuesday, 14th September, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors M Dobson, R Downes, J Dunn,
T Grayshon, G Hussain, V Morgan,
D Wilson and G Wilkinson

IN ATTENDANCE

Mr J Bradford – Pubwatch Co-ordinator, LCC Community Safety
Mr J Hancock – Chair, Leeds City Centre Pubwatch
Mr P Landau – Unite Leeds Hackney Carriage Association
Mr Q Cooper – Unite Leeds Hackney Carriage Association
Mr J Akhtar – Councillor and Private Hire representative

24 Chairs Opening Remarks

The Chair welcomed all present to the meeting and indicated the presentation on the Leeds Pubwatch scheme would be dealt with as the first item of business.

25 Late Items

Three Late Items of business were included within the agenda for the meeting as follows:

- Minutes of the Special Licensing Committee meeting held 3rd September 2010 (minute 29b) refers)
- Minutes of the Sexual Entertainment Venues Working Group held 3rd September 2010. (minute 31b) refers)
Both of the above meetings took place one working day prior to the despatch of the agenda. As such, the minutes were not available on the day of agenda despatch
- The minutes of the last Licensing and Regulatory Panel meeting held 22nd June 2010 were also tabled as a Late Item as the clerk had omitted these from the agenda. The work of the former Panel had been assumed by Licensing Committee on 20th July 2010 and this was the first proper meeting able to consider the minutes. (minute 30 Refers)

26 Declarations of Interest

There were no declarations of interest

27 Apologies for Absence

Apologies for absence were received from Councillors Mrs Feldman; R D Feldman; Hanley; G Hyde; Selby and Townsley

28 Leeds Pubwatch

The Committee considered the report of the Assistant Chief Executive (Corporate Governance) setting out details of the Leeds Pubwatch scheme and its role in supporting the prevention of crime and disorder licensing

objective under the Licensing Act 2003. Appended to the report was a copy of the National Pubwatch Good Practice Guide document for reference.

Mr J Bradford LCC Pubwatch Co-ordinator and Mr J Hancock licensee and Chair of Leeds City Centre Pubwatch attended the meeting and provided information on the following:

- The role of the Pubwatch Co-ordinator as the central point of contact for all Leeds licensees.
- The advice and guidance offered by the Co-ordinator and the liaison undertaken by him between the licensees and Responsible Authorities
- Approximately 20 local Pubwatch schemes were operating in Leeds
- The Leeds City Centre Pubwatch met bi-monthly and had forged close links with responsible authorities to address licensing issues

During discussions the following matters were considered:

Adherence to the Pubwatch condition – Members were aware that membership of a local Pubwatch scheme was often suggested by West Yorkshire Police and imposed at a Sub Committee hearing as a measure to address the crime prevention objective. It was reported that in such instances the Co-ordinator provided the licensee with an overview of the benefits of the Pubwatch scheme and monitored their participation at subsequent Pubwatch meetings. The Pubwatch Chair recorded attendance and if necessary the Co-ordinator would contact any licensee who appeared to have difficulty in attending

Extending the Pubwatch membership – Members noted a comment that all-night supermarkets and off-licences were often regarded as central to incidents of alcohol fuelled anti social behaviour etc. It was noted that some schemes elsewhere did incorporate such premises, and consideration was being given to extending the Pubwatch membership in Leeds to include them in the long term

Pubwatch and the police – Members noted the process by which a patron could be barred from a specific premises and then be placed on the local Pubwatch “banned list” and queried whether the police should also have the opportunity to place patrons on the list. Officers responded the scheme was purely for licensees, however it was agreed that licensees should feel able to discuss any problems they experienced with an individual patron, informally, with a police officer.

Pubwatch and local residents – It was noted the Co-ordinator did liaise with members of the public regarding premises near their homes, although the public were not members of the scheme.

The Committee expressed its continued support for the Pubwatch schemes and thanked Mr Bradford and Mr Hancock for their informative presentation. Members suggested relevant Pubwatch documentation should be sent to all Members of Council and/or presentations be given to Area Committees to ensure greater awareness amongst the public and partner organisations.

RESOLVED –

- a) To note the contents of the report and to thank Mr Bradford and Mr Hancock for their presentation
- b) To request officers approach West Yorkshire Police, the Community Safety Office and Chairs of LCC Area Committees with a view to timetabling a similar presentation to the Area Committees

29 Minutes

RESOLVED – That the minutes of the following meetings be agreed as a correct record:

- a) 20th July 2010
- b) Special meeting held 3rd September 2010

30 LATE ITEM - Minutes of the Licensing and Regulatory Panel

The minutes of the last Licensing and Regulatory Panel meeting held 22nd June 2010 were tabled as a Late Item. The work of the former Panel had been assumed by Licensing Committee on 20th July 2010 and this was the first proper meeting able to consider the minutes. The clerk had omitted these from the agenda in error

RESOLVED – That the minutes of the Licensing and Regulatory Panel held on 22nd June 2010 be agreed as a correct record

31 SEV Working Group Update

The minutes of two meetings of the Sexual Entertainment Venue Working Group (SEV WG) held on 16th July and 3rd September 2010 respectively were submitted for noting. The WG had been established by the former Licensing and Regulatory Panel on 22nd June 2010 (minute 8b) refers) and that function now fell within the remit of the Committee.

The Chair and members of the WG highlighted the useful discussions undertaken so far during the SEV policy development process

RESOLVED – To note the minutes of the following meetings

- a) 16th July 2010
- b) 3rd September 2010

32 Licensing Work Programme 2010/11

RESOLVED – To note the contents of the Licensing Work Programme

33 Date and Time of the Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 19th October 2010

34 Chairs Closing Remarks

Councillor Armitage reported she was aware of e-mail correspondence sent on behalf of Unite Leeds Hackney Carriage Association to Members of the Committee; full Council and local M.P's relating to the ongoing personnel issue within the Taxi and Private Hire Licensing Section. The Chair reiterated that no final decision had been reached on the matter and Members of the Committee would be made aware of the outcome once that decision was reached.

Councillor Armitage added that, as with any other service, if any service user had a concern regarding the conduct of an employee, then those concerns should be made formally in writing in order that they could be investigated and, where appropriate, action taken. However rumours, gossip and insinuations would not be considered

Members expressed their concern over the content and tone of the e-mail and requested a robust response be sent to Unite Leeds with a copy to the relevant M.P's.

Licensing Sub-Committee

Monday, 6th September, 2010

PRESENT: Councillor D Wilson in the Chair

Councillors G Hyde and C Townsley

77 Election of the Chair

RESOLVED – Councillor Wilson was elected Chair for the duration of the meeting

78 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 referred to in minute 82 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 pertains 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

79 Late Items

No formal late items of business were added to the agenda, however an additional document had been despatched prior to the meeting:
Item 7 174 Lower Briggate – a copy of a High Court judgement in respect of the applicant. The judgement was referred to in the submission by West Yorkshire Police and despatched by the Authority as a reference document.

80 Declarations of Interest

There were no declarations of interest

81 Closed Session

Members noted that no members of the public were present at the hearing and resolved only to enter into closed session for that part of the hearing where they would deliberate their decision

RESOLVED – To enter into closed session at the appropriate time

82 Application for the Transfer of a Premises Licence. Proposed Premise Licence Holder - Mr M Powell

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 transfer of a Premise Licence in respect of 174 Lower Briggate, Leeds LS1 trading as Boodwaar (formerly Religion) to Mr M Powell.

West Yorkshire Police (WYP) had submitted representations which necessitated a hearing. All parties were in receipt of an additional document setting out the decision of the High Court in respect of another licensing matter related to the applicant.

Mr B Patterson and PC C Arkle attended the hearing on behalf of WYP. Miss D Town attended as an observer. Mr Patterson provided an overview of the concerns held by WYP regarding the proposed Premise Licence Holder and the management team at the premises. WYP also provided details of the licensed history of another premise under Mr Powell's management within West Yorkshire.

Mr Powell, the applicant attended the hearing and was accompanied by Mr L Yates the Designated Premises Supervisor (DPS) and Miss L Gaskin the Promotions Manager of Boodwaar. Mr Powell addressed the matters raised by WYP and answered queries from the Sub Committee.

The Sub Committee carefully considered the documents before. Members listened carefully to the submissions from WYP setting out their reasons why the application should not be granted and considered the submission of Mr Powell in response.

The Sub Committee was satisfied that granting the application would undermine the licensing objective intended to promote the prevention of crime and disorder.

RESOLVED – That the application be refused

The Sub Committee came to the conclusion it was necessary to refuse the application due to the following matters:

- Mr Powell holds the Premises Licence for premises which suffered a serious incident of disorder on 8th May 2010 and because of the incident:
 - that premise was closed pursuant to Sections 161 and 162 of the Licensing Act 2003 on 9th and 10th May 2010 respectively by WYP
 - That the relevant Magistrates Court considered the Closure Order pursuant to Section 165 of the Act also on 10th May 2010 and ordered the premise remain closed until the matter was determined by the local licensing Authority Review Hearing
 - a High Court judgement was issued on 14th May 2010 containing conditions specific to Mr Powell
 - the Premise Licence was subsequently revoked at a local authority Review Hearing 3rd June 2010, having found Mr Powell

not suitably qualified or with trained staff capable of managing the premises

- Since acquiring Boodwaar in July 2010, two visits undertaken by WYP found licensing conditions relating to the prevention of crime and disorder not being adhered to at the premises
- The former proposed Designated Premises Supervisor – Miss Gaskin - remained on staff at Boodwaar. Members were concerned and not convinced that it was clear how she would promote the prevention of crime and disorder objective given the nature of her previous criminal conviction
- Given the busy City centre nature of the Boodwaar premises, the Sub Committee wanted a strong management team to uphold the crime prevention objective

The Sub Committee noted that Mr Powell remained the Premises Licence Holder until he was in receipt of the formal Decision Notice of the hearing

83 "Red Lion" - Application to Vary a Premises Licence for "Red Lion", The Green, Guiseley, Leeds LS20 9BB

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 held at the Red Lion public house, The Green, Guiseley.

It was noted the applicant sought to extend the hours of operation of licensable activities on Friday and Saturday evenings only by one hour, plus provide performances of plays as one further activity. Non standard timings relating to the Christmas and New Year period were also included within the application.

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.

Miss L Lobley, a local resident had also submitted a letter of representation; and although the Sub Committee had dealt with other matters first; was unable to attend the hearing. The Sub Committee noted she had verbally requested the hearing be adjourned but were not minded to do so and resolved to take her written representation into account and proceed in her absence. Mr B Kenny, LCC EPT attended the hearing to advise Members if necessary having regard to the concerns raised in Miss Lobley's letter.

Mr Kenny confirmed two complaints relating to the operation of Temporary Event Notices (TEN's) at the premises had been received and were under investigation, however the premises had operated prior to and since the TENS without complaint. Mr Kenny indicated that the measures he had proposed were partially in response to those issues arising from the TENS.

The Sub Committee then heard from Mr P Wadsworth on behalf of CDSL Ltd the applicant. He was accompanied by Miss L Jacques, the Designated Premises Supervisor (DPS) of the Red Lion. Mr Wadsworth explained the reasoning behind the application and addressed each of the comments made by the local resident in her letter in turn.

Mr Wadsworth noted the comments regarding the location of a picnic bench to the front of the premises which appeared to encourage patrons who smoked to congregate there rather than use the purpose built shelter and confirmed the picnic bench could be removed.

Mr Wadsworth reported that, since the application had been made, the Company had installed automatic door closing devices to ensure doors could not be wedged open and a sound limiting device for the PA system.

The Sub Committee carefully considered the written submissions included within the report and the verbal submissions made by the applicant at the hearing. The Sub Committee was satisfied that granting the application would promote the licensing objectives

RESOLVED – That the application be granted as requested

- Those measures proposed by LCC EPT and LCC H&S and previously agreed by the applicant will be included as conditions within the Premises Licence as these were felt to be necessary for the promotion of the public nuisance and public safety objectives

The Sub Committee took the opportunity to recommend the following courses of action to the applicant:

- The removal of the picnic bench situated at the front of the premises
- To discourage persons from using the area to the front of the premises to congregate

Licensing Sub-Committee

Monday, 20th September, 2010

PRESENT: Councillor J Dunn in the Chair

Councillors R D Feldman and G Hyde

84 Election of the Chair

RESOLVED – That Councillor J Dunn be elected Chair for the duration of the meeting

85 Late Items

No formal late items of business were added to the agenda for the meeting. The Sub Committee did however receive additional documentation prior to the meeting in respect of the following matters:

Item 6 Northbar – (minute 87 refers)

- Copy of email from the planning case officer with planning Decision Notice attached submitted by the licensing officer for reference.
- Copy of an email submitted by Councillor S Bentley as she could not attend the hearing

86 Declarations of Interest

There were no declarations of interest

87 "Northbar" - Application for the grant of a Premise Licence in respect of "Northbar", 4-6-8 Stonegate Road, Meanwood LS6 4HY

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a Premises Licence in respect of premises to be known as "Northbar" at 4-6-8 Stonegate Road, Meanwood.

Determination of this matter had been adjourned from a previous Sub Committee held on 23 August 2010 pending the outcome of a planning application to permit the use of the premises as a bar (minute 73 refers). Members were in receipt of an e-mail from the planning officer containing the Decision Notice dated 9th September 2010.

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 those 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. Local resident Mrs Franklin and local ward Councillor S Bentley had also submitted letters of representation but were not in attendance. The content of a further email

submitted by Councillor Bentley on 19th September 2010 setting out her current position with regards to the application was read out to the hearing. The Sub Committee resolved to consider their written submissions and proceed in their absence.

The Sub-Committee noted the contents of the Planning Decision Notice which appeared to suggest that use of the premises should cease at 23:00 hours. The Licensing Officer reported this had been confirmed with a senior planning officer just prior to the hearing.

Members discussed the outcome of the planning application with Mr Gyngell, the applicant, who stated he had been led to believe the permission would allow licensable activities to take place up to 23:00 hours. He had been assured that a "drinking up" was permitted after that hour, but not conditioned by the planning use. The Sub Committee expressed concern over the lack of clarity in the Planning Decision Notice and subsequent email from the planning officer.

Members resolved to adjourn the hearing for a short time to allow the applicant to seek written clarification from Planning Services over the permitted hours of use.

On recommencement, Mr Gyngell tabled a letter signed by the Area Planning Manager stating the Planning Decision Notice would be re-issued to properly reflect the decision of the Plans Panel. To that end, Condition No 4 as agreed by Plans Panel would read "Customers shall not be served drinks or food outside the hours of 09:00 to 23:00 hours Monday to Saturday and 10:00 to 22:00 hours Sundays".

With this clarification the Sub Committee resumed the usual procedure for the hearing. Mr B Kenny, LCC EPT, stated the full objection was originally submitted due to concerns over the likely impact of noise on the adjoining residential premise and the lack of planning permission. Since planning permission was now in place and it included conditions to restrict the hours of use and ensure noise insulation works were undertaken, the Department had amended the objection to a "qualified objection".

The Sub Committee then heard from Mr J Gyngell the applicant. Mr Gyngell confirmed he accepted the proposed conditions; as well as those imposed at the Plans Panel. Furthermore he had been in discussions with Councillor Bentley and Mrs Franklin, the resident of the adjoining Bay Cottage, and had provided them with his personal contact number so they could contact him directly should they experience any problems.

In response to queries from the Sub Committee, Mr Gyngell stated the use of the outside area would be monitored by staff and signs would be displayed to remind patrons to have regard for local residents, although he stated that due to the capacity of the venue (50), style of operation and target clientele; he did not anticipate a great number of people congregating outside the venue.

The Sub Committee carefully considered the written submissions included within the report and the verbal submissions made at the hearing. Members also had regard to the additional material supplied at the hearing. The Sub Committee was satisfied that granting the application as amended by the applicant would not undermine the licensing objectives

RESOLVED – That the application be granted in the following terms:

Provision of recorded music

Monday to Sunday 08:00 until 23:20 hours

Supply of alcohol (for consumption both on and off the premises)

Monday to Saturday 11:00 to 23:00 hours

Sunday 10:00 to 22:00 hours Sundays

- A further 20 minutes “drinking up” time was permitted
- Those measures proposed by WYP, LCC EPT and LCC H&S and previously agreed by the applicant will be included as conditions within the Premises Licence as these were felt to be necessary for the promotion of the licensing objectives

88 "Leeds Alcohol Delivery Service" - Application for the grant of a Premise Licence in respect of "Leeds Alcohol Delivery Service", Unit B020, Ready Steady Store, Kirkstall Road, Leeds LS4 2QD

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a new Premises Licence in respect of Leeds Alcohol Delivery Service, based at Unit B020, Kirkstall Road, Leeds.

Representations had been submitted by West Yorkshire Police (WYP) and LCC Department of Development. Councillor J Monaghan had also submitted a letter of representation but was not able to attend the hearing, as such the Sub Committee resolved to consider his written submissions and proceed in his absence.

The Sub Committee heard first from Mr B Patterson on behalf of WYP who confirmed he had now received the relevant documentation from the applicant accepting the measures proposed by WYP to address the crime prevention licensing objective. Mr Patterson added that he could now confirm that he was satisfied with the applicants' personal details which had not been available beforehand and went onto outline the measures proposed to manage the operation of the premises and the method by which alcohol would be sold and delivered to customers.

The Sub Committee then heard from Mr C Sanderson, LCC Department of Development who stated the premises did not have planning permission for the business proposed by the applicant. Planning permission for storage use had been granted in 2007 however this licensing application would introduce a storage/distribution use. Mr Sanderson explained the increased vehicular movements throughout the night would cause noise, and therefore public nuisance to local residents. He acknowledged that Kirkstall Road was busy,

with this side being a commercial area, however he reiterated the residential properties situated across the road would experience increased nuisance if the application was granted

The Sub Committee then heard from Mr R MacLeod, the applicant who addressed the representations. Mr MacLeod explained he had been unaware the premises did not have planning permission for this type of business, however he had specifically chosen this location as it lay within an area of commercial activity and was not surrounded by residents. Mr MacLeod stated the landlord was happy with the business proposed for the unit. With regards to public nuisance, he stated there would be minimal impact of noise to residents as the loading bay was located to the rear of the unit.

Mr MacLeod also provided details of his experience in the licensing trade, his approach to the business; expected clientele; likely mode of transport and staff levels.

The Sub Committee noted the written representations and carefully considered the submissions made at the hearing. Members noted the agreements reached between the applicant and WYP, and also noted that no representation had been submitted by LCC Environmental Protection Team.

Members considered the following matters when reaching their decision

- the location of the loading bay to the rear of the unit
- the unit being situated on an already busy road
- the number of vehicles proposed to be used by the business which Members felt would have little impact on the general noise in the area
- the conditions proposed by WYP to address the crime and disorder licensing objective which Members felt would also ensure responsible management of the premises and the business

The Sub Committee was therefore not convinced that granting the application would undermine the prevention of public nuisance licensing objective and lead to more noise and disturbance in the locality; particularly with the agreed measures in place, therefore

RESOLVED – To grant the application as applied for.

Supply of alcohol (off the premises only)

Sunday to Saturday 20:00 until 08:00 hours

Hours the premises are in operation (although NOT open to the public)

Sunday to Saturday 20:00 until 08:00 hours

- Those measures proposed by WYP and agreed by the applicant shall now be incorporated within the Premises Licence as conditions, along with those volunteered by the applicant in Box P of the application form

89 "New Restaurant" - Application for the grant of a Premises Licence for Cafe/Restaurant premises at 378 Harrogate Road, Leeds LS17 6PY

The Sub-Committee were in receipt of a report relating to an application for the grant of a new Premises Licence in respect of a new restaurant/café at 378 Harrogate Road, Moortown.

Representations had been submitted by West Yorkshire Police (WYP); LCC Health and Safety Team (LCC H&S) and LCC Environmental Protection Team (LCC EPT). The applicant had agreed to all the measures proposed by the Responsible Authorities and those measures would be incorporated with the Premises Licence as conditions should it be granted.

A representation had also been submitted on behalf of Michael Lewin Solicitors Limited, a firm which occupied 376 Harrogate Road. Mr H R Habib the applicant and Mr M Lewin, representative of the objector, attended the Civic Hall in order to address the hearing.

Prior to the hearing, both parties reached agreement on a measure proposed to address the concerns of the objector. Mr Habib confirmed that he agreed to accept the following condition; "There be a reasonable level of music by the applicant up to 17:00 hours Monday to Friday inclusive, but not at a level such that it can be heard by Michael Lewin Solicitors Limited at any time".

The Legal Adviser to the Sub Committee advised Members that agreement had been reached, and the formal hearing could be dispensed with, however Sub Committee would be required to consider the proposed measures, including that volunteered by the applicant, to satisfy themselves that the measures were necessary.

The Sub Committee noted the written representations and carefully considered the submission made by the Legal Adviser. Members noted the agreements reached between the applicant and the Responsible Authorities and the additional measure agreed just prior to the formal hearing between the applicant and the objector.

Members satisfied themselves that a formal hearing was not now required and further

RESOLVED – To grant the application as applied for.

- Those measures proposed by WYP, LCC EPT and LCC H&S and agreed by the applicant shall now be incorporated within the Premises Licence as conditions, along with those volunteered by the applicant in Box P of the application form
- The additional measure agreed between the applicant and the objector just prior to the hearing shall also be included as a condition with the Premises Licence to read "There be a reasonable level of music by the applicant up to 17:00 hours Monday to Friday inclusive, but not at a level such that it can be heard by Michael Lewin Solicitors Limited at any time".

- 90 "Wardrobe" - Application to vary a Premises Licence in respect of the "Wardrobe", 6 St Peters Building, St Peters Square, Leeds LS9 8AH**
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

Licensing Sub-Committee

Monday, 27th September, 2010

PRESENT: Councillor G Hussain in the Chair

Councillors T Grayshon and V Morgan

91 Election of the Chair

RESOLVED – That Councillor G Hussain be elected Chair for the duration of the meeting

92 Late Items

No formal late items of business were added to the agenda however it was noted that the report on agenda item 7 (Abids takeaway) had been re-issued after the despatch of the agenda to all parties as some of the appendices had been omitted in error

93 Declarations of Interest

There were no declarations of interest

94 "Abid's Take-away" - Application for the Grant of a Premises Licence for Abid's Takeaway, 14 Stainbeck Lane, Leeds LS7 3QY

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a Premises Licence in respect of premises trading as "Abid's takeaway", 14 Stainbeck Lane, Leeds LS7.

Representations had been submitted by West Yorkshire Police (WYP), LCC Department of Development and by LCC Environmental Protection Team (LCC EPT) all of whom were represented at the hearing. Representations had also been received from the following members of the public objecting to the application: Mr R & Mrs J Clarkson; Mrs P Hayes; Mrs A Wisniewska and Mr C & Mrs J Johnson along with one letter of support from Mr M Copeland. None of the members of the public attended the hearing and the Sub Committee resolved to take their written representations into account and to proceed in their absence

The Sub Committee heard from Mr C Sanderson LCC Department of Development who stated the premises was granted a change of use from retail to operate as Restaurant/Café/Hot Food Takeaway in June 2009. The hours of use were conditioned to ensure the unit closed at 23:30 hours Monday to Saturday and 23:00 hours on Sundays following receipt of representations from LCC EPT during the planning process due to concerns of late night noise and public nuisance arising from the later use of the premises. He added that there were a number of late night refreshment venues in the area with similar hours of use; and the Department was of the view the area was close to saturation point in terms of such uses.

PC L Dobson of WYP then addressed the hearing. She also stated the area was at saturation point in terms of late night refreshment venues and noted the locality was covered by the Chapel Allerton Cumulative Impact Policy which was being reviewed a part of the larger Licensing Policy for the Council. The existing CIP did not include late night refreshment venues however WYP provided statistics which supported their view that such venues were hotspots for incidents of crime and/or anti social behaviour and these statistics formed part of WYP response to the Policy review. PC Dobson maintained that patrons leaving bars and clubs in the area late at night/in the early hours would congregate outside takeaways giving rise to incidents of crime and/or disorder or anti social behaviour. The Sub Committee acknowledged the statistics however stated that their deliberations would rely upon the current CIP.

Mr B Kenny of LCC EPT, reiterated the concerns already expressed about the impact of noise generated by patrons visiting the premises and congregating outside late into the night, would have on the residents above and around the premises. Nuisance could also be caused by the noise generated by kitchen activities.

During discussions Members ascertained that the premises lay within a parade of units with flats above. Historically, most of the units had operated during daytime hours. Members were also made aware of the other late night venues and licensed premises in the immediate locality

The Sub Committee then heard from Mr G Hussain, the applicant. He was accompanied by Mr J Iqbal. Mr Hussain stated there were other late night refreshment venues in the area which served food until 01:00 hours, and all the bars in the area served food until 22:00 hours. He believed that generally, people would come in to buy their food, wait for their order and then go home in taxis. They would not congregate outside. He explained his takeaway was situated between a restaurant and a very busy bar and stated the bar permitted large numbers of patrons to drink outside.

The Sub Committee noted the conflicting information regarding the opening hours of nearby other premises. The hearing was adjourned to allow officers time to find information on the permitted hours for other licensed premises close to this unit. On recommencement, Members noted the information provided.

The Sub Committee carefully considered the written submissions included within the report and the verbal submissions made at the hearing. The Sub Committee considered the hot food takeaway business to be a very different type of venture to the other bars/restaurants already in this parade of shops. Members were mindful that the Department of Development granted permission for the use of the premises as a hot food takeaway as recently as 2009 and had restricted the hours of use. Members felt that nothing had changed since then, particularly with regards to the issue of public nuisance.

The Sub Committee felt that granting the application as applied for could undermine the public nuisance licensing objective, however felt there were steps which could be taken which were appropriate to the grant of the application in part

RESOLVED – That the application be granted in the following terms:

Provision of Late Night Refreshment

Monday to Saturday 23:00 until 23:30 hours

- Those measures offered by the applicant and outlined in Box P of the application form shall be included as conditions on the Premises Licence
- The Sub Committee also deemed the measures proposed by the Responsible Authorities to be necessary and proportionate to this application and those measures contained within the representations of WYP; LCC EPT and LCC Department of Development shall also be included as conditions on the premises licence.
- Where there is conflict between the offered and imposed conditions, the measures proposed by the Responsible Authorities shall take precedence.

95 "Yum Yum" - Application for the Grant of a Premises Licence for Yum Yum Thai Restaurant and Takeaway, 9 Bank Street, Wetherby LS22 6NQ

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a Premises Licence in respect of premises trading as "Yum Yum Thai Restaurant and Takeaway" at 9 Bank Street, Wetherby.

The applicant did not attend the hearing. Members considered whether to adjourn the matter to another hearing, however resolved to proceed in their absence and to take their written submission into account.

Representations had been submitted by West Yorkshire Police (WYP). PC L Dobson attended the hearing on behalf of WYP. Representations had also been received from the following members of the public objecting to the application: Mr P Grant; J Wardle; Mrs M P Crayford and Mrs J M Pearce. None of the members of the public attended the hearing and the Sub Committee resolved to take their written representations into account and to proceed in their absence.

The Sub Committee heard from PC Dobson who addressed those parts of the application which set out how the applicant proposed to manage both on and off sales of alcohol. PC Dobson stated the premise lay within an area of Wetherby covered by a Designated Public Places Order with a number of bars, clubs and restaurants. She described Wetherby as busy market town with a marked difference between daytime and night time visitors. A number of incidents of anti social behaviour were recorded there and WYP were concerned that patrons who purchased both takeaway food and alcohol from this premises would remain in the town centre to consume it. WYP sought to restrict the sale of alcohol to patrons who consumed food at the premises.

The Sub Committee carefully considered the written submissions included within the report and the verbal submissions made at the hearing. The Sub Committee were concerned that granting the application as applied for could impact on the DPPO for Wetherby and the public nuisance and crime prevention licensing objectives, particularly without clear management of the off/on sales issue. Members also identified a public safety issue relating to restricting public access to the kitchens and were also concerned that there should be a “cooling down” period prior to night time closing.

Members did however feel there were additional steps and measures which could be taken which would allow the application to be granted and address the concerns regarding the licensing objectives. The Sub Committee therefore **RESOLVED** – To grant the application for the hours and activities as requested

- Those measures offered by the applicant and outlined in Pro Forma Risk Assessment submitted with the application form shall be included as conditions on the Premises Licence
- Those measures suggested by LCC EPT and agreed by the applicant prior to the hearing were seen as necessary and shall be included on the Premises Licence as conditions
- The Sub Committee also deemed measures 1,2,3,4,6 and 7 proposed by WYP in their letter dated 1 September 2010 to be necessary and proportionate to this application and those measures shall also be included as conditions on the Premises Licence.
- Condition No. 5 is amended to ensure alcohol is only sold with a meal to be consumed on the premises but to allow patrons to take an unfinished bottle of wine purchased with a meal home with them - “Alcohol will only be sold with a meal which is to be consumed on the premises. Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using receptacles. Receptacles will be secured and not accessible to customers”
- Where there is conflict between the offered and imposed conditions, the measures proposed by the Responsible Authorities shall take precedence.

Members also imposed the following conditions on the Premises Licence, having regard to the representations made by the public:

- In the interests of preventing public nuisance - The DPS/PLH will adopt a “cooling down” period where music volume is reduced towards the closing time of the premises
- In the interests of the protection of public safety - Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns

Licensing Sub-Committee

Monday, 4th October, 2010

PRESENT: Councillor M Dobson in the Chair

Councillors Mrs R Feldman and B Selby

96 Election of the Chair

RESOLVED – Councillor M Dobson was elected Chair for the duration of the meeting

97 Late Items

No formal late items of business were added to the agenda for the meeting. However the following documents were made available prior to the hearing:
Item 6 – Vicky's General Store (minute 99 refers)

- A list of people in support of the application – submitted by the solicitor for the applicant on 1st October 2010 and despatched to the Sub Committee prior to the hearing
- A bundle of documents containing 13 statements withdrawing previous objections and 3 letters of support – submitted by the solicitor for the applicant on the morning of the hearing.
- A copy of an "Age Restricted Sales Policy Document" – tabled at the hearing by the solicitor for the applicant

98 Declarations of Interest

There were no declarations of interest

99 "Vicky's General Store" - Application for the Grant of a Premises

Licence for Vicky's General Store, 5 Garton Road, Burmantofts LS9 9NH
The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a Premises Licence in respect of "Vicky's General Store, 5 Garton Road, Burmantofts.

Representations had been submitted by a number of members of the public – 84 in objection and 74 in support. The following members of the public who had objected to the application attended the hearing: Mr G Chand, Miss S Chand and Mrs M Driffield along with local ward Councillor R Brett who attended as an observer. Miss S Covell also attended at the request of Ms S Chand, S Patterson, J Ibbetson and L Webster to make representation on their behalf.

Mr N Bedi, Miss S Bedi and Mrs M Kaur attended the hearing in support of the applicant. Not all of the members of the public attended the hearing and the Sub Committee resolved to take their written representations into account and to proceed in their absence

At the start of the hearing, the Sub Committee dealt with preliminary matters.
Withdrawal of objections

- Members noted receipt of a schedule of names of people stating their withdrawal of their previous objection submitted by the applicant on 1 October 2010
- Documents submitted by the applicant on the morning of the hearing included further signed statements from members of the public withdrawing their previous objections. This bundle also contained 2 letters from Mr N Myland and Mr I Myland regarding the circumstances of Mr N Myland's initial objection which caused Members concern.

The Sub Committee varied normal procedure to allow the content of the letters to be read to the meeting. Mr N Bedi was then called to explain the circumstances of his discussions with Mr I and Mr N Myland. Miss Roth then addressed the hearing with regard to the validity of the letters. Mr G Chand was then afforded the opportunity to respond. Miss S Chand and Mrs Driffield also responded regarding the letters of objection.

The Sub Committee adjourned the hearing at this point to consider the matter of the number of objections and withdrawals; the weight of the evidence and to allow the applicant time to seek telephone validation of the letters from Mr I and Mr N Myland.

On recommencement, Miss Roth reported that she had spoken to Mr N Myland and she had obtained verbal validation from him of the contents of his letter as being true. Miss Roth indicated that she did not seek to adjourn the hearing for Mr Myland to attend. On hearing this, the Sub Committee resolved to continue and stated they would proceed on the basis of the application before them, noting that the 12 withdrawn objections resulted in there being 72 members of the public objecting and 74 supporting the application.

The hearing resumed and the Sub Committee heard from Miss S Covell, co-opted member of the local area committee on behalf of 4 residents who had submitted an objection to the application. She stated the application had been discussed at the Richmond Hill Forum where she was approached by a number of concerned residents. Miss Covell reported on the anti-social behaviour already experienced in the Garton area close to the shop and said residents felt the freer availability of alcohol would exacerbate this. The shop was close to a park and there was concern that persons would consume alcohol there. She added that the area was not covered by any CCTV which could record incidents of asb or disorder. Members noted that West Yorkshire Police had not submitted a representation. Miss Covell responded the matter had been discussed with WYP who had indicated they would make a representation.

Mr G Chand addressed the meeting and reiterated locals' concerns regarding anti-social behaviour, crime in the locality and the increased possibility of people drinking on the street.

The Sub Committee then heard from Miss Roth, solicitor for the applicants – Mr & Mrs Syan who were in attendance. Miss Roth addressed the objections received from local residents and confirmed that no representations had been

received from the Responsible Authorities. She outlined the experience Mr & Mrs Syan had in the off-licence trade and their proposed management of this premises which they intended to close at 21:00 hours every night. Miss Roth tabled a copy of the applicants own "Age Restricted Sales Policy" and stated the applicants would accept the measures within it as conditions on the Premises Licence should it be granted.

After careful consideration; and being mindful that no representations had been submitted by the Responsible Authorities and that there were no reports of any incidents associated with the premises; the Sub Committee felt that it was possible to grant the licence without detriment to the licensing objectives.

RESOLVED – That the application be granted

Supply of alcohol (for consumption off the premises)

Sunday to Saturday 08:00 to 21:00 hours

- The Sub Committee decided those measures contained within the Age Restricted Sales Policy Document tabled at the meeting by the applicant were necessary and proportionate and they shall be placed on the Premises Licence as conditions

100 "Sainsbury's"- Application to vary a Premises Licence for Sainsbury's Supermarkets Limited, 70 - 74 Brudenell Road, Headingley Leeds LS6 1EG

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application to vary an existing Premises Licence in respect of premises trading as Sainsbury's Supermarket, 70-74 Brudenell Road, Headingley

Representations had been submitted by LCC Environmental Protection Team (LCC EPT) and local ward Councillor J Monaghan who also attended the hearing.

The Sub Committee head from Mr B Kenny on behalf of LCC EPT regarding the full objection submitted by the Department due to concerns of the likelihood of public nuisance being caused by patrons attending the premises at later hours. Mr Kenny described the residential nature of the area including the flats above the premises. He stated this was not a suitable location for the 24 hour sale of alcohol. During questions from the Sub Committee it was noted the premises currently operated 24 hours a day (without the sale of alcohol) and Mr Kenny confirmed that no complaints had been received.

Councillor J Monaghan then addressed the Sub Committee and expressed his concerns about the impact 24 hour sales of alcohol would have on the area in terms of alcohol related noise and disturbance generated by shoppers at the later hours, the likelihood this store would attract shoppers from other parts of the city and the possibility that people would stop off at the shop early in the morning on the way home from a night out in town. He described the locality as a student area and was concerned the application had been made during the summer holidays when the student population was not in

residence. He acknowledged that Sainsbury's would manage the inside of the store well but was concerned about the management of the external area.

He also referred to the existing Cumulative Impact Area for the area which was being reviewed as part of the review of the city's Licensing Policy and the inclusion of off-licensed premises could be one of the matters raised in the consultation. The Sub Committee acknowledged this but stated that their deliberations would rely upon the current CIP.

During discussions Councillor Monaghan provided information on his experience of another 24 hour supermarket in the locality and the problems associated with its operation and expressed his belief that similar problems could occur at the Sainsbury' premises if the application was granted.

The Sub Committee then heard from Mr R Botkai, solicitor for the applicant. Ms J Brown, who had been Designated Premises Supervisor for the store until very recently accompanied him. Mr Botkai explained the licence history of the premises and the reason behind the request for Late Night Refreshment and 24 hour sale of alcohol. He referred to that part of the Guidance which set out a presumption to grant licences for supermarkets to sell alcohol during their normal hours of trade, as long as this did not impact upon the licensing objectives. The store had operated 24 hours per day since June 2010 without complaint. Furthermore, Ms Brown had consulted the residents in the flats above the supermarket and they had not reported any problems to her. He commented that the objectors present had not consulted with local residents, and there was no evidence, specific to this store, to support the objectors supposition on what might happen if the application was granted.

The Sub Committee carefully considered the report containing her written representations and the application. Members also had regard to the verbal submissions at the hearing and took into account the fact that neither Councillor Monaghan or LCC EPT had received any complaints about the current operation of the premises.

Members were pleased the applicant had contacted the local residents prior to the hearing and noted there were no objections from them.

RESOLVED – That the application be granted as requested

- The Sub Committee took the opportunity to remind LCC EPT and Councillor Monaghan of the right to review the Premises Licence should they experience problems associated with this premises in the future.

Licensing Sub-Committee

Monday, 11th October, 2010

PRESENT: Councillor G Wilkinson in the Chair

Councillors V Morgan and D Wilson

101 Election of the Chair

RESOLVED – Councillor Wilkinson was elected Chair for the duration of the meeting

102 Late Items

No late items of business were added to the agenda.

103 Declarations of Interest

There were no declarations of interest

104 "Nabu" - Application for the Grant of a Premises Licence for Nabu, 20 - 22 Harrogate Road, Rawdon, Leeds LS19 6HJ

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a Premises Licence in respect of premises to be known as "Nabu" situated at 20-22 Harrogate Road, Rawdon.

Representations had been submitted by West Yorkshire Police (WYP), LCC Department of Development and by LCC Health & Safety Team (LCC H&S). The applicant had agreed to the measures proposed by those 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. Local residents Mr I Thompson and Mr P R Thompson, along with local ward Councillor G Latty 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 noted receipt of a signed agreement between the applicant and the Department of Development which restricted the hours of use to 08:00 to 18:00 hours every day and would reduce the hours requested in the licensing application.

The Sub Committee then heard from Mr R Bilsborough on behalf of LCC EPT who stated the objection had been submitted on the grounds of the prevention of public nuisance as it was felt the premises would impact negatively on the residential amenity of local residents through noise generated by patrons

coming and going. Additionally, the application had requested hours which were outside of the existing planning permission. Mr Bilsborough stated that Mr Zengin had indicated at a previous meeting that he was willing to operate 08:00 to 18:00 hours as stipulated on the planning permission for the use of the premises and that the sale of alcohol would be ancillary to food sales. Mr Bilsborough confirmed the department would be willing to withdraw its objection subject to those provisions.

The Sub Committee then heard from Mr B Zengin, the applicant. Mr Zengin confirmed he would operate the premises until 18:00 hours only, and that sale of alcohol would be an ancillary function to the food offer. He outlined the refurbishments undertaken to the premises with the intention of being a coffee shop/restaurant rather than a bar. Mr Zengin then addressed the concerns outlined in the residents letters of representation and stated that he had discussed his application with the other businesses in the same street. He noted that no objections had been submitted by them.

In response to queries from the Sub Committee, Mr Zengin confirmed that the forecourt area to the front of the unit was within his lease and had the capacity for four tables. He reiterated that alcohol would only be complimentary to a table meal and there would be no off-licence or takeaway food facility

The Sub Committee carefully considered the written submissions included within the report and the verbal submissions made at the hearing. The Sub Committee was satisfied that granting the application as amended by the applicant would not undermine the licensing objectives particularly given the agreements reached between the applicant and the Responsible Authorities and the fact that there would be no off-sales permitted in terms of food or alcohol sales

RESOLVED – That the application be granted in the following terms:

Supply of alcohol Monday to Saturday 08.00 am to 18:00 hours

(No application was made for Sundays)

The Sub Committee noted the premises would be open to the public Monday to Saturday 08:00 to 18:00 hours

- Those measures proposed by WYP, LCC Department of Development and LCC H&S and previously agreed by the applicant will be included as conditions within the Premises Licence as these were felt to be necessary for the promotion of the licensing objectives

105 "Re-Set" - Application for the Grant of a Premises Licence for "Re-Set", 90 Kirkgate, Leeds LS2 7DJ

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a Premises Licence in respect of premises trading as "Re-Set", 90 Kirkgate, Leeds LS2

Representations had been submitted by West Yorkshire Police (WYP), LCC Department of Development and by LCC Environmental Protection Team (LCC EPT), all of whom were represented at the hearing.

The Sub Committee noted that this premise was located within Area 1 (city centre) of the Cumulative Impact Policy and that the Policy did apply to this premises as the applicant proposed to provide late refreshment for customers to take away. The Sub Committee noted the plan accompanying the application showed very limited seating for patrons within the premises which supported their view that the business would be a take away. Members therefore took the view that it was for the applicant to satisfy them that he was able to operate this premises in that area, without contributing to the already established cumulative impact of other licensed premises.

The Sub Committee first heard submissions from Mr B Patterson and PC C Arkle on behalf of WYP who provided evidence that the current operation of the premises was already undermining the crime prevention objective. They were accompanied by Mr P Geary, a landlord of other premises in the locality, who gave details of incidents he associated with the premises including:

- youths congregating around the premises caused vandalism, disorder and anti-social behaviour.
- the premises were used for drugs
- Cannabis use occurred in the upstairs rooms of the premises and the smell of the cannabis was such that it permeated into the adjoining property, of which Mr Geary was the landlord
- graffiti and damage to the car park to the rear of the premises.
- needles found to the rear of the premises.

The Sub Committee then heard from Mr C Sanderson on behalf of LCC Department of Development who stated the premises were currently operating without the benefit of planning permission. Additionally he identified the premises as undermining the public nuisance objective due to the congregation of youths in and around the premises.

The Sub Committee then heard from Mr R Bilsborough on behalf of LCC EPT who stated his view that the current operation of the premises already undermined the public nuisance objective as customers congregating in and around the premises was a source of disturbance. Noise currently emanating from the premises affected residents nearby and he described the nearest residents as being 10 metres across the road. He also reported receipt of a complaint in August 2010 of noise from rowdy customers and loud music from the premises. Furthermore he was aware of alleged incidents of smoking taking place within the premises contrary to smoking legislation and this matter had been referred to the relevant Health & Safety team. Mr Bilsborough concluded that the grant of the Licence as applied for would exacerbate the problems already identified in the area. He added that if Members were minded to grant, he would urge them to impose a terminal hour of 00:00 midnight.

The Sub Committee then heard from the Mr M Altoni, the applicant who addressed the planning matters in the first instance and stated he was willing to submit a planning application in order to regularise the planning situation.

Mr Altoni then addressed the matters raised in the submissions and began by stating the car park to the rear was not under his management and that the misuse of the alleyway was not solely due to patrons of his business. He also denied the drug related allegations against his premises and stated that no drugs had ever been found at his premises. He highlighted his previous co-operation with WYP when he had provided CCTV recordings to assist with the identification of suspects involved in activity not related to his premises.

Mr Altoni did accept that loud music had been played at the premises, however following receipt of the complaint he had instructed his staff not to play loud music and he had visited neighbours across the road to assure them that there would be no repeat of this incident.

With regards to the rubbish within the alleyway, Mr Altoni explained the premises had been refurbished and he agreed that materials had been left in the shared alleyway his premises shared. He also stated the upstairs of the premises was no longer being used.

To conclude, Mr Altoni offered to amend the hours of operation he had requested in order to address the problems raised in the representations to
Monday & Tuesday to close at 23:00 hours
Wednesday & Thursday to close at 02.00 hours
Friday & Saturday to close at 03:00 hours

The Sub Committee carefully considered the written submissions included within the report and the verbal submissions made at the hearing. The Sub Committee was satisfied that the premises as currently operated already seriously undermined the licensing objectives particularly with regard to public nuisance and the prevention of crime & disorder, and even with the amended hours offered by the applicant, granting the application would continue to undermine the licensing objectives

Members were therefore not persuaded that the applicant could demonstrate a reason to set aside the CIP; given the existing problems linked to the premises and the management style currently in operation.

RESOLVED – That the application be refused

Licensing Sub-Committee

Monday, 18th October, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors M Dobson and G Hyde

106 Election of the Chair

RESOLVED – Councillor Armitage was elected Chair for the duration of the meeting

107 Late Items

No formal late items of business were added to the agenda. However the Sub Committee was in receipt of the following supplementary information

Agenda item 8 Pole Position Indoor Karting

- Copy of Environmental Sound Impact Assessment Report submitted by the solicitor for the applicant on 15 October 2010
- Copy of a letter from the applicants' solicitor to LCC Environmental Protection Team dated 20 September 2010 tabled at the hearing
- Copy of response letter from LCC Environmental Protection Team to the applicant dated 22 September 2010 tabled at the hearing

108 Declarations of Interest

There were no declarations of interest

109 Leeds International Film Festival - Film Certification

The Sub Committee considered the report of the Assistant Chief Executive (Corporate Governance) setting out an application received for the certification of films proposed to be shown during the Leeds International Film Festival 2010. The report included the British Board of Film Classification categories for reference.

Appended to the report was a schedule of the films requiring certification including a brief synopsis of the content of each film and a proposed classification. Mr C Fell, Festival Director was accompanied by Mr A King and Ms M Jurksaitis to respond to Members queries.

The Sub Committee considered the proposed classifications for the films listed to be appropriate and that it was necessary for the protection of children to apply these recommendations.

RESOLVED – That the films outlined in the schedule attached to the report and proposed to be shown at the Leeds International Film Festival 2010 be classified in accordance with the suggested classifications.

110 "Pole Position" - Application for the grant of a Premises Licence for Pole Position Indoor Karting, South Accommodation Road, Hunslet, Leeds LS10 1PS

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the written submissions before them relating to an application for the grant of a Premises Licence in respect of premises trading as "Pole Position Indoor Karting", South Accommodation Road, Leeds LS10. It was noted that the applicant intended to run this Premise Licence simultaneously to the existing Premise Licence held at the site (for entertainment related to karting activities).

Representations had been submitted by LCC Environmental Protection Team (LCC EPT). Mr B Kenny and Mr S Clothier attended the meeting on behalf of LCC EPT.

Mr A Woods and Mr C Rees-Gay represented the applicant, Mr J Albentosa, at the hearing accompanied by Mr B Fairclough a noise consultant

The Sub Committee heard from Mr B Kenny of LCC EPT who highlighted the applicants' intention to operate the site as a 24 hour venue with a capacity for 9000 persons and the impact this would have on local residents. Mr Kenny stated that submission of a sound attenuation scheme had initially been sought as part of the Departments' qualified objection to the proposals. Mr Kenny observed that the Acoustic Report submitted by the applicant proposed sound insulation works, rather than attenuation, which he stated would be insufficient for a significant venue such as the one proposed.

Mr Kenny added that he could not fully address the contents of the Acoustic Report as he had not had long to consider it but he did comment on the legislation referred to and the timings of the noise measurements undertaken. He stated that those measurements showed that noise was audible at the nearest noise sensitive premises even with the current level of noise at the venue, which would be lower than that at an event. Mr Kenny expressed concern as he felt the applicant had not adequately dealt with the proposals for external entertainment therefore the Department sought to revise its stance and he requested the Sub Committee refuse the application.

During permitted discussions between Mr Woods and Mr Kenny, Members ascertained that the applicant had been in correspondence with LCC EPT regarding measures proposed by LCC EPT to address the public nuisance licensing objective. Mr Woods suggested those matters had been agreed. Mr Kenny however was not aware of this. The Sub Committee adjourned the hearing to allow time for copies of the correspondence to be tabled and considered. It was noted the correspondence showed the applicant had indicated amendments to the measures proposed by LCC EPT which he would agree to, but that LCC EPT had not agreed to those amendments. On recommencement, the Sub Committee clarified for Mr Woods that no agreements had been reached between the parties.

The Sub Committee sought clarity from Mr Woods on the intended nature of operation of the site as Members commented that they would normally expect

an events led venue of this capacity to require an Event Management Plan for every event. Mr Woods confirmed the applicant wished to proceed with the application for a Premises Licence and explained approximately 20 music led events per year would be held at the site, aimed at a student audience, with a Risk Assessment undertaken for each event and submitted to West Yorkshire Police and LCC EPT for their approval prior to the event. Mr Woods concluded that, with the Risk Assessments and proposed amended measures in place, there could be no evidence that the licensing objectives would be breached. Mr Albentosa provided information on his managerial experience within the licensed trade and history of operating events. He also confirmed that each event potentially could have 9,000 participants.

The Sub Committee concluded this would be an events led venue with a substantial capacity. Mr Woods responded the applicant would agree to submit an Event Management Plan to be agreed by the Local Authority prior to each event.

The Sub Committee had regard to the written submissions included within the report and the verbal submissions made at the hearing however Members were dissatisfied with the nature and amount of information provided thus far and did not feel able to make a decision on the application at this hearing. Members considered the proposed use of the venue to be very different in nature to that described in the application form. They felt they would be better placed to deliberate on the application and representations following a site visit which would allow them to better understand the premises and how the premises would be operated during the proposed events.

RESOLVED – That determination of the application be adjourned to a hearing scheduled for 9th November 2010.

- The Sub Committee will meet at the premises at 10.30 am
- The Sub Committee will reconvene the hearing at approximately 11.30 am in the Civic Hall Leeds on completion of the site visit

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Corporate Governance and Audit Committee

Wednesday, 29th September, 2010

PRESENT: Councillor G Driver in the Chair
Councillors P Grahame, N Taggart,
C Campbell, G Kirkland, A Lowe, , S Smith,
J Elliott, P Harrand, W Hyde and B Selby
(as substitute for T Hanley)

Co-optee G Tollefson

Apologies Councillors J Lewis and T Hanley

41 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

42 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

43 Late Items

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

44 Declaration of Interests

Councillor Driver declared a personal interest in Agenda item 8 (Minute 48) and Agenda item 10 (Minute 50) as a Member of Aire Valley Homes ALMO.

Councillor Lowe declared a personal interest in Agenda item 8 (Minute 48) and Agenda item 10 (Minute 50) as a Member of West North West Homes ALMO.

45 Apologies for Absence

Apologies were received from Councillor T Hanley and Councillor J Lewis.

46 Minutes of the Previous Meeting.

RESOLVED - The minutes of the Corporate Governance and Audit Committee meeting held on 29th July 2010 be approved as a correct record.

47 Audited Statement of Accounts and the Value for Money Assessment 2009/10

The Chief Officer (Financial Management) presented a report of the Director of Resources which followed on from the Committee's approval of the Council's 2009/10 accounts, subject to external audit review, at the meeting held on 23rd June 2010. This report required the approval of the Council's final audited Statement of Accounts and consideration of any material amendments by the external auditors.

Also in attendance for this item were auditors from KPMG as follows: Mr M McDonagh, Ms A Ormston and Mr S Bradford. Mr M McDonagh presented the KPMG report to the Committee detailing the reasons behind the unqualified opinion given by KPMG on the accounts.

Members sought further assurance from the representatives from KPMG on the information contained within the accounts, specifically:

- the valuations given to the Council's fixed assets and the methods used to value assets;
- the difference in the value of assets between 2009 and 2010; and
- the processes used by KPMG to form their opinions on the accounts of the Council, specifically;
 - the method by which KPMG have reached their opinion on the Annual Governance Statement.

RESOLVED – The Committee resolved to:

- note the amendments made to the Accounts;
- approve the final 2009/10 Statement of Accounts; ask the Chair to acknowledge the approval on behalf of the Committee by signing the appropriate section within the statement of responsibilities on page 1 of the Accounts; and
- give approval to the Chair to sign the management representation letter on behalf of the Committee.

(Councillor Campbell and Councillor Kirkland entered the meeting at 10.17am during the discussion of this item.)

48 Final Annual Governance Statement 2010

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 Final Annual Governance Statement.

Members discussed what action should be taken to review the areas for improvement, in particular the improvements identified by the Chief Procurement Officer in relation to compliance with Contract Procedure Rules

RESOLVED – The Committee resolved to:

- approve the Final Annual Governance Statement;
- authorise the Chair of the Corporate Governance and Audit Committee to sign the statement on behalf of the Committee;
- recommend that the Leader of Council, Chief Executive and Assistant Chief Executive (Corporate Governance) sign the document; and
- seek further assurances with regard to the control arrangements in place to ensure compliance with Contract Procedure Rules across Directorates, particularly whether they are fit for purpose, how the arrangements are communicated and what the issues and risks are in terms of the arrangements being embedded; and
- seek a further report on the arrangements in place within Strategic Landlord/ALMO's to ensure that the improvements identified within the report are implemented.

49 Disbanding the Audit Commission; issues for Corporate Governance and Audit Committee

The Chief Officer (Audit and Risk) presented a report of the Deputy Chief Executive and Director of Resources. The report provided the Committee with an update on the emerging issues following the announcement on 13th August 2010 by the Secretary of State for Communities and Local Government, that the Audit Commission is to be disbanded.

Members particularly discussed how the void to be left by the Audit Commission would be filled specifically in terms of the consequences for Audit Commission staff, which companies would be in a position to undertake the external audit work done by the Audit Commission and how the new companies would be held accountable for the work they undertake.

Members also raised the issue of impartiality, if in the future auditors were to be appointed to undertake the work previously done by the Audit Commission.

RESOLVED - Members resolved to:

- note the initial implications of the decision to disband the Audit Commission and receive further details as appropriate from the Chief Officer (Audit and Risk);
- receive a further update on the impact of disbanding the Audit Commission has on the assurance framework is assessed and reported to the Committee; and
- receive the Future Issues information identified by the Audit Commission. This information to be circulated to all Members of the Committee.

(Councillor Taggart entered the meeting during the discussion of this item at 11.15am)

50 Council Assurance Framework for ALMOs/ BITMO

The Housing Policy and Monitoring Manager presented a report of the Head of Strategic Landlord the report advised the Corporate Governance and Audit Committee ALMO / BITMO framework.

Also in attendance was the Principal Audit Manager (Audit and Risk).

Members discussed the report and considered it to be a case study of good practice.

RESOLVED - Members resolved to receive an annual report from Strategic Landlord Group on the assurances given for ALMOs and BITMO in managing the housing service through the Assurance Framework.

51 Information Security Report

The Project Manager (Planning Policy and Improvement) presented a report updating the Committee on any security breaches that the Council has been subject to and the work done to reduce the impact and mitigate against such attempts.

Members sought further assurances with regard to the security arrangements for 'PDA' devices which have been issued to officers and Members

Members also challenged the reasons behind the Council's use of specific brands of software.

RESOLVED - The Committee resolved to:

- note the contents of the report; and
- receive a report detailing the security arrangements in place for PDA devices issued by the Council.

52 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2010/11.

The Committee resolved to note the draft work programme for the remainder of 2010/11.

GENERAL PURPOSES COMMITTEE

MONDAY, 6TH SEPTEMBER, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors S Bentley, A Blackburn,
J Blake, A Carter, J L Carter, S Golton,
P Gruen, T Leadley (as substitute for R
Finnigan), A Lowe, T Murray (as substitute
for N Taggart) and J Procter

Apologies Councillors
R Finnigan and N Taggart

10 Appeals against refusal of inspection of documents

There were no appeals against the refusal of inspection of documents.

11 Exempt Information - possible exclusion of the press and public

The Committee considered the designation of Appendix 2 and 3 to Agenda item 7 (minute 16 refers) as exempt under the Access to Information Procedure Rule 10.4 (5).

RESOLVED – That the exemption applied to Appendix 2 and 3 to Agenda Item 7 be maintained and as a consequence the public be excluded from the discussion of the item.

12 Late items

In accordance with his powers under Section 100 B (4) (b) of the Local Government Act 1972, the Chair admitted late supplementary information in relation to PRP schemes for Refuse Collectors (See Agenda Item 7, minute No.16).

13 Declaration of Interests

No declarations of interest were made either under this item or at any stage during the meeting.

14 Apologies for absence

Apologies for absence were received from Councillor Taggart and Councillor Finnigan.

15 Minutes of the Previous Meeting

Minutes approved as a correct record at the meeting
held on Friday, 5th November, 2010

RESOLVED - That the minutes of the General Purposes Committee meeting held on 28th June 2010 be approved as a correct record.

16 PRP Scheme for Refuse Collectors

The Director of Resources and Director of Environment and Neighbourhoods presented their report which introduced the criteria by which potential Performance Related Pay (PRP) schemes within the Council should be assessed. The report updated the Committee on progress with the implementation of a PRP scheme for the Refuse Collection service and sought authorisation for the Director of Resources to finalise the scheme before it's introduction. The report also informed the Committee of other work being done to look at implementing PRP schemes in other parts of the Council.

Following the introduction of the item. the Committee agreed that members of the public should be excluded so that Appendix 2 and 3 could be discussed in conjunction with the rest of the report. At this stage further confidential information updating the Committee on the latest developments was distributed.

Members discussed the report and its appendices in detail in particular they considered all the options available to the Council for remunerating refuse collectors and the implications associated with them.

Members considered the future recruitment of refuse collectors and the need for job descriptions to be clear that the work of refuse collecting is suitable for both women and men.

RESOLVED – Members of the General Purposes Committee resolved to:

- note that further work is being done to identify the potential introduction of PRP schemes in other areas of the Council's workforce;
- note the criteria set out at Appendix 1 to the report as the criteria by which PRP schemes considered for introduction within the Council are assessed;
- support the introduction of a PRP scheme within the Refuse Collection service provided that it meets the criteria set out at Appendix 1 to the report and subject to consideration of further financial information to be provided by the Director of Resources; and
- to convene a further emergency meeting following the provision of Director of Resource's further information to the group leaders.

17 Area Committees: Amendment to Composition

The Chief Regeneration Officer presented a report of The Director of Environment and Neighbourhoods which proposed to change the ward composition of two area committees. The report considered that by doing so anomalies in the demographic and socio economic profiles of the current committees in the North West of the city could be resolved. The changes proposed aimed to produce committees composed of wards with comparable profiles.

Members discussed the extent of work done to consult both the public and the members of the wards affected by the proposed changes and concluded that further work needed to be done with regards to this.

RESOLVED – Members of the General Purposes Committee resolved to withdraw the item.

18 Amendment to Council Procedure Rules - Question Time

The Principal Corporate Governance Officer (Corporate Governance) presented a report of the Assistant Chief Executive (Corporate Governance). The report proposed an 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.

RESOLVED - Members of the General Purposes Committee resolved to recommend to full Council to approve the amendment to Council Procedure Rule 11.6 as detailed in the Appendix to the report.

19 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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GENERAL PURPOSES COMMITTEE

THURSDAY, 23RD SEPTEMBER, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors S Bentley, A Blackburn,
J Blake, A Carter, R Finnigan, S Golton,
P Gruen, M Lobley (as substitute for J. L
Carter), T Murray, A Ogilvie (as substitute
for A.Lowe) and J Procter

Apologies Councillors J L Carter, A Lowe and
N Taggart

20 Short Notice

Meeting called at short notice under the provisions of paragraph 4.1 of the Access to Information Procedure Rules.

21 Appeals against refusal of inspection of documents

There were no appeals against the refusal of inspection of documents.

22 Exempt Information - possible exclusion of the press and public

The Committee considered the designation of Appendix 1 to Agenda item 5 (minute 24 refers) as exempt under the Access to Information Procedure Rules 10.4 (4) and (5).

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

Appendix 1 to Agenda item 5 because it contained information relating to negotiations in connection with industrial relations and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings . It was considered in these circumstances that the public interest in maintaining the exemption from publication outweighed the public interest in disclosing the information.

23 Declaration of Interests

No declarations of interest were made either under this item or at any stage during the meeting.

Minutes approved as a correct record at the meeting
to be held on Friday, 5th November, 2010

24 Apologies for absence

Apologies for absence were received from Councillors Taggart, Lowe and J L Carter.

25 Introduction of Performance Related Pay Schemes

Before the item was considered the Committee agreed that members of the public should be excluded as the Main issue in the report referred directly to the exempted Appendix 1.

The Director of Environment and Neighbourhoods presented his and the Director of Resources report, which followed on from the report received by General Purposes Committee on 6th September 2010. This report set out further analysis of the options appraisal previously presented, in order to inform a decision in relation to the implementation of a Performance Related Pay (PRP) Scheme for the Refuse Collection Service.

Members considered the options available with the respective financial and legal implications, and also the equal pay legislation more generally

Members also discussed the implementation of other PRP schemes across the Council .

RESOLVED - Members of the General Purposes Committee resolved to agree the introduction of a PRP scheme within the Refuse Collection Service and authorise the Director of Resources to finalise negotiations with the Trade Unions in order to enter into a collective agreement to bring it into effect.

(This item was considered urgent so as to ensure that the PRP scheme could be introduced as soon as possible to realise the savings as soon as possible in the current financial climate.)

GENERAL PURPOSES COMMITTEE

FRIDAY, 5TH NOVEMBER, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors S Bentley, A Blackburn,
G Driver (as substitute for J Blake),
S Golton, P Gruen, M Lobley (as substitute
for A Carter), A Lowe and J Procter

Apologies Councillors A Carter, J L Carter and J Blake

26 Appeals against refusal of inspection of documents

There were no appeals against the refusal of inspection of documents.

27 Exempt Information - possible exclusion of the press and public

There were no resolutions to exclude the public.

28 Late items

There were no late items added to the agenda.

29 Declaration of Interests

No declarations of interest were made either under this item or at any stage during the meeting.

30 Apologies for absence

Apologies for absence were received from Councillor A. Carter and Councillor L. Carter.

31 Minutes of the Previous Meetings

RESOLVED – That the minutes of the General Purposes Committee meetings held on 6th September 2010 and 23rd September 2010 be approved.

32 Amendments to the Constitution

The Trainee Solicitor (Legal Licensing and Registration) presented a report of the Assistant Chief Executive (Corporate Governance) the report proposed an amendment to Article 9 of the constitution and also to the Council Procedure Rules.

RESOLVED - Members of the General Purposes Committee resolved to recommend to full Council to approve:

Draft minutes to be approved at the meeting
to be held on Monday, 17th January, 2011

- amendments to Article 9 as set out in appendix 1 to the report; and
- amendments to the Council Procedure Rules as set out in appendix 2 of the report.

33 Petitions Scheme

The Principal Officer (Corporate Governance) presented a report of the Assistant Chief Executive (Corporate Governance). The report provided an overview of the authority's duty to adopt a petitions scheme and provide a facility for submitting electronic petitions. The report asked the Committee to recommend a petition scheme for approval by full Council, together with necessary constitutional amendments.

Members of the Committee discussed the report in detail, particularly focussing on the importance of members of the public being able to become involved in the process of local democracy by having the opportunity to raise local issues with the Council.

Members noted in particular the existing avenues already available within the Council's arrangements to receive deputations and that petitions should be received in the same way. They also noted that petitions are currently dealt in accordance with the corporate standards for dealing with correspondence.

RESOLVED – Members of the General Purposes Committee resolved:

- that with the exception of the e-petition element, the Council's constitutional and administrative arrangements already meet the requirements of the legislation in relation to petitions, and that a further scheme was not therefore required to be considered by full Council;
- to ask the Assistant Chief Executive (Corporate Governance) to consider whether further clarification of the Scrutiny Board Procedure Rules was required to reflect the duties in relation to petitions and to make such points of clarification as may be required; and
- to ask the Assistant Chief Executive (Corporate Governance) to implement an electronic petitions facility.

34 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 of the General Purposes Committee resolved to agree that the draft work programme for 2010/11 be noted.

Development Plan Panel

Tuesday, 7th September, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors B Anderson, C Fox, T Leadley,
J Lewis, R Lewis and E Nash

18 Chair's opening remarks

The Chair welcomed everyone to the meeting

19 Late items

There were no formal late items but the Chair made reference to an e-mail which had been sent to all Panel Members by Councillor Illingworth stating that the comments he had made as part of the consultation had not been included in the report, particularly in respect of a natural footpath desire line at Dunkirk Hill

Councillor Taggart asked Officers to address the issues raised by Councillor Illingworth when presenting the report on the West Leeds Gateway SPD

20 Declaration of interests

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

West Leeds Gateway Supplementary Planning Document (SPD) (minute 23 refers):

Councillor Taggart declared a personal interest as a member of West Leeds Gateway Steering Group through his involvement with the West Leeds Gateway Programme Board which had commented as part of the consultation process

Councillor Fox declared a personal interest as a member of Leeds Local Access Forum which had commented as part of the consultation process

Councillor Nash declared personal interests through being a member of English Heritage which had commented as part of the consultation process and also as a Friend of Leeds Museum as proposed improvements to the Industrial Museum at Armley Mills were referred to within the SPD

21 Apologies for Absence

Apologies for absence were received from Councillor Mulherin

22 Minutes

RESOLVED - That the minutes of the Development Plan Panel meeting held on 13th July 2010 be approved

23 West Leeds Gateway Supplementary Planning Document

Further to minute 39 of the Development Plan Panel meeting held on 9th March 2010 where Panel accepted the proposal to convert the West Leeds Gateway Area Action Plan (AAP) to a Supplementary Planning Document (SPD), Members considered a report of the Director of City Development setting out a summary of the responses received to the consultation carried out in June-July 2010; Officers' responses to the comments and the proposed amendments to the SPD arising from these comments. A copy of the SPD document was included with the papers sent to Members for the meeting

The Head of Forward Planning and Implementation stated that following the decision to take the West Leeds Gateway document forward as an SPD, a further 6 week period of public consultation had been undertaken and it was now felt that the document was ready to be adopted as formal planning guidance

Members were informed that a change to the process meant that the SPD did not now need to be submitted to the Secretary of State for independent examination and if Development Plan Panel was satisfied with the document the next stage would be to recommend to Executive Board that the SPD be formally adopted

Although the SPD could not allocate land for development purposes it would inform the site allocations plan and the UDP and would support the continued regeneration of West Leeds

The latest round of consultation resulted in 28 responses being received although Officers were unsurprised by the relatively low level of responses in view of the extensive consultation which had been carried out previously since 2005

In addition to the amendments to be made following the last round of consultation, the document would also be amended to remove references to the Regional Spatial Strategy (RSS) following its abolition

Officers highlighted the main areas of comment which were stated as:

- Greenspace
- Economics of development
- The National Grid and Armley Gytratory

Regarding Dunkirk Hill, Officers stated that no representation had been received from Councillor Illingworth on this matter. However the proposal raised by Councillor Illingworth regarding the footpath running over the top of Dunkirk Hill, along the rim of the railway cutting and linking up with the Canal towpath and Kirkstall Nature Reserve was worthy of support. Councillor Illingworth had requested this footpath be incorporated into the Definitive Footpath Map and added to West Leeds Gateway SPD

The Panel was informed that the SPD could not designate new footpaths and there appeared to be some dispute with a private landowner about the public's right to access a part of the route. This was something which would need to be addressed in work being undertaken to complete the Definitive Map for Leeds and Members were informed that Councillor Illingworth's e-mail had been forwarded to the Rights of Way team within the Council

Officers stated that the West Leeds Gateway SPD proposed a Planning Brief for the Armley Mills site and it would be possible to incorporate an aspiration to achieve this footpath link within that document

Members discussed the following matters:

- the need for railway stations in the area, particularly to serve a recently approved mixed-use development on Kirkstall Road

- the comment received regarding the lack of play areas for children and the need for Parks and Countryside section to pick this matter up, particularly in the PPG17 Audit
- that the document should have remained an Area Action Plan
- the Coal Authority's comments regarding mineral extraction; that whilst this would be covered in other documents, especially the Natural Resources and Waste DPD, the view that the comments made by the Coal Authority should be included. Officers stated that further clarity could be made in responding to the points raised as part of the consultation (included within the schedule of comments)
- the legal issues involved in public access to footpaths or realignment of footpaths; the Public Rights of Way improvement plan which was an aspiration; the need for a permissive plan but the difficulties in achieving this due to the length of the list of Rights of Way to be investigated and the lack of resources to achieve this

RESOLVED -

- i) To note the representations received on the West Leeds Gateway SPD, the recommended responses to these and the comments now made
- ii) That subject to the proposed amendments as set out in the submitted report; the removal of references to the RSS and an amendment to expand upon the issues raised by the Coal Authority in its latest response, that Executive Board be recommended to adopt the West Leeds Gateway Area Supplementary Planning Document

24 Date and time of next meeting

The Chair referred to the possibility of re-arranging meeting dates to enable Councillor Mulherin, who had been appointed to the Panel, to be able to attend the meetings

The Chair stated that he would check the possibility of altering the date of the next meeting from 12th October to 8th October and Members would be advised if that was to be the case

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Development Plan Panel

Tuesday, 12th October, 2010

PRESENT: Councillor R Lewis in the Chair

Councillors B Anderson, G Driver, C Fox,
J Lewis and S Smith

25 Election of Chair

In the absence of Councillor Taggart, Councillor Richard Lewis was nominated to chair the meeting with the agreement of all present

26 Late items

Whilst there were no formal late items, Members were in receipt of the following supplementary information:

Amendments to figure 4.2, 4.2 and additional text to paragraph 4.26 of the submitted report in order to improve the clarity of the document

A Sustainability Appraisal – Non-technical summary – Consultation Draft

Two maps indicating the mineral and waste management sites in the Leeds area

The Natural Resources and Waste DPD Map book

27 Declaration of interests

No interests were declared at the meeting

28 Apologies for Absence

Apologies for absence were received from Councillor Taggart, Councillor Leadley and Councillor Nash who was substituted for by Councillor Driver

29 Minutes

RESOLVED- That the minutes of the Development Plan Panel meeting held on 7th September 2010 be approved

30 Natural Resources and Waste Development Plan Document - Publication Draft

Further to minute 8 of the Development Plan Panel meeting held on 22nd June 2010 where Panel considered a report outlining the initial comments on the consultation exercise on the Natural Resources and Waste Development Plan Document, the Panel considered a report of the Director of City Development and the publication draft of this Development Plan Document (DPD)

The Head of Forward Planning and Implementation presented the report and stated that if Panel recommended to Executive Board that the DPD be approved for further consultation, this would take place and following reconsideration of the

Draft minutes to be approved at the meeting
to be held on Tuesday, 9th November, 2010

submissions and any necessary amendments to the document, it would be submitted to the Secretary of State for independent examination

Members were informed that the DPD was a positive way of dealing with a range of challenging issues which were interlinked. An integrated approach had been adopted and appropriate policies had been developed to minimise detrimental impact and mitigate areas of concern

The proposed policies in respect of minerals; waste; energy; water; air quality and land were outlined together with information being provided on the implementation and monitoring of the policies

Officers provided an overview of the policies within each policy topic, together with the following summary information:

Minerals Policies 1 – 14)

- Minerals 1 – Provision of aggregates – this policy related to the desire to maximise the opportunities to recycle aggregates
- Minerals 2 – Mineral Safeguarding Areas – Within areas identified as MSAs on Map 3, mineral resources would be protected from development which could sterilise them for future use
- Minerals 3 – Safeguarding existing mineral extraction sites – the focus of the policy is upon safeguarding identified existing sites
- Minerals 10 – Applications for mineral development – this set out the detailed criteria on which applications would be assessed
- Minerals 11 and 12 – Restoration of mineral sites and Aftercare of restored proposals - concerns were raised about this and what assurances could be given that restoration of a site would take place where the company responsible for this had gone into liquidation/administration. The Minerals, Waste and Contaminated Land Manager stated that there was no failsafe system if an operator goes into liquidation, apart from on open cast coal sites as a bond had to be provided. However, this situation had not occurred in Leeds; that the land always had some residual value; that the planning permission related to the land, not the owner and there was recourse in the system if it was rigorously applied

Waste (1 – 11)

- Waste 1 – Self sufficiency for future waste management in Leeds – this policy sought to encourage self sufficiency in planning for future capacity requirements
- Waste 6 – Strategic Waste Management sites – the purpose of this policy is to identify strategic sites for future waste management purposes
- Waste 9 – Waste management facilities – Potential issues and impacts – this policy set out the criteria upon which applications for waste management purposes would be assessed
- Waste 10 – Landfill issues – that although landfill was not now seen as the solution in terms of waste management, this policy did provide the possibility for additional landfill at existing or former quarry sites, where a proven need had been demonstrated; with the option of land raising being considered if quarry sites were not available. In response to a query as to whether land raising would be used where it fitted in with its surroundings, Members were informed that there needed to be a reason for wanting land raising in order to exempt it from landfill tax

and in terms of this policy, the rules around landfill tax was critical to the policy

Energy (1 – 4)

- Officers emphasised that in recent years the whole issue of energy had come to the fore in respect of planning and that a proactive approach which supported a range of energies and technologies was the basis of the proposed policies which also sought to encourage renewable energy technologies in the district
- Energy 1 – Large scale wind energy generation – this policy sought to balance the benefits of wind turbines (in terms of energy generation) with its impact on amenity. Members referred to previous discussions around an appropriate site for a large wind turbine and asked about the current position. Officers stated that the approach which would be taken would be to have a criteria policy, which would be used to assess any application which was submitted and that specific sites would not be identified. The Panel was also informed that technology in this area was constantly evolving and that there was now a move to vertical axes instead of horizontal axes which could mean wind turbines would be less of an obstruction
- Energy 2 – Micro-generation development – the purpose of this policy is to set out criteria to consider proposals for Micro generation development, where such schemes were not covered by the General Development Order (GDO)
- Energy 4 – Heat distribution infrastructure – that this policy sought to support this as part of major developments

Water (1 – 7)

- That the objectives of the proposed policies related to issues around flooding, water quality and efficiency and that from a planning perspective, issues of efficiency and quality should be included at an early stage and that the impact of development on these issues also had to be considered
- Water 2 – Protection of water quality – Concerns were raised at the wording of this policy and that it would be better expressed if the order of the two bullet points it contained were reversed

Air quality

- That the proposed policies sought to highlight the importance of air quality and low emissions and that further work was being undertaken on this, and that consideration was being given to the preparation of a Supplementary Planning Document on air quality. Concerns were raised that the issue of air quality was not being given the priority it deserved in the document; that the role of the Council in this, particularly in inner city areas was not as well expressed as it could have been and that there was some urgency about this issue. The Head of Forward Planning and Implementation stated that this level of detail would be included in the SPD

Land

- Land 1 – Contaminated land – that this policy flagged up the need for contaminated land to be dealt with

- Land 2 – Development and trees – the need for increased tree cover to be provided. Members discussed this policy; the requirement for trees which were planted as part of a planning permission to be maintained only for a period of five years and whether this could be strengthened to provide protection for a longer period, despite this not being consistent with planning policy. Similarly the size of replacement trees needed to be considered to ensure that mature trees/planting were not replaced by very young species which would take many years to provide a similar impact to that which had been removed. Members were informed that the policy would be strengthened as much as possible

RESOLVED –

- i) To note the report, the accompanying documents and the comments now made
- ii) That the following amendments be made to the Natural Resources and Waste DPD:
 - Water 2 – that the order of the two bullet points in this policy be reversed in order to read better
 - that the chapter on air quality be included towards the front of the document to reflect its importance
 - Land 2 – Development and trees – that consideration be given to strengthening this policy to reflect the comments by Members
- iii) To recommend to Executive Board that it approves the Natural Resources and Waste DPD (as amended) together with the sustainability appraisal report and other relevant supporting documents for the purposes of publication and public participation

31 Date and time of next meeting

Tuesday 9th November 2010 at 1.30pm in the Civic Hall, Leeds

NORTH WEST (INNER) AREA COMMITTEE

THURSDAY, 23RD SEPTEMBER, 2010

PRESENT: Councillor B Chastney in the Chair

Councillors B Atha, S Bentley, J Chapman,
P Ewens, M Hamilton, G Harper,
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
Derek Pearson, Environment and Neighbourhoods
Tim Taylor, Environment and Neighbourhoods
Jane Maxwell, Children's Services
Mike Brown, Children's Services
Stuart Robinson, Chief Executive's Department

MEMBERS OF THE PUBLIC:

John Dickinson, Weetwood Resident's Association/Leeds
HMO Lobby

Richard Norton, Headingley Development Trust

Amanda Jackson, University of Leeds

Paul Gold, Leeds University Union

Jonathan Vernon, Leeds University

Stephen Whiting, Leeds University

Rebecca Doyle, Leeds University

John Mc Guinness, Leeds University

Bill McKinnon, Friends of Woodhouse Moor

Sue Buckle, South Headingley Community

Association/Friends of Woodhouse Moor

Scott Blakeway, Unipol Student Homes

Jessica Kirk, Becketts Park Residents Association
and HMO Lobby

Lee Davidson, Turnways and Laurel Bank Residents
Association

Martin Oxley, Leeds Futsal Club

John Davison, Leeds Futsal Club

Amit Roy, Hyde Park Unity Day

Ollie, Hyde Park Unity Day

Tony Crooks, Local Resident

Stuart Hollingworth, Local Resident

Pippa Dent, Local Resident

Nicola Ford, Local Resident

Alex Tyson, Local Resident

Gay Bennett, Local Resident

Paul Hudson, Local Resident

Marian Charlton, Local Resident
David Salinger, Local Resident

15 Chair's Opening Remarks

The Chair welcomed everyone to the September meeting of the North West (Inner) Area Committee held at St Michael's Church Parish Hall, St Michael's Road, Headingley, Leeds 6.

16 Declarations of Interest

There were no personal interests were declared at the meeting.

However, Councillors B Chastney and J Matthews indicated that they were Members of Plans Panel (West) and would be considering matters arising from the Leeds Girls High School (Minutes 18, 19 g) and 24 refer) and Headingley Rugby Club (Minute 19 d) refers) at a later date in that capacity. They stated that they would remain in the meeting to listen to these issues, but not to take part in the debate. In order to avoid any perception of pre-determination, Councillors Chastney and Matthews agreed that they would not be bound by any discussion taken at the meeting when these issues came before Plans Panel (West) for determination, but would consider all representations and viewpoints presented at the planning meeting before reaching a conclusion based on the merits of the case.

17 Apologies for Absence

An apology for absence was received on behalf of Councillor J Akhtar.

18 Deputation

The Committee received a deputation by Sue Buckle on behalf of the local community requesting the Area Committee to do everything in its power to ensure that the level of provision of tennis courts in Headingley and Hyde Park and Woodhouse wards were brought up to the standard of the Lawn Tennis Association.

In her presentation, she made reference to the current tennis courts/facilities available within the two wards; details of LTA funding; accessibility issues and on 170 signatures received to date towards the development of a tennis club facility within Headingley. She also made reference to the health and social benefits of playing tennis and with regards to the extra tennis courts/facilities available at Leeds Girls High School.

Detailed discussion ensued on the contents of the deputation.

Specific reference was made to a recent report of the Chief Planning Officer submitted to Plans Panel (West) relating to Leeds Girls High School and the Area Committee noted that consideration of this report had been deferred until the next Plans Panel (West) meeting in October. General concern was raised over the content of the report which failed to address the PPG17 element and to recognise the special health and equality needs of the local ethnic minority population.

Minutes approved as a correct record at the meeting
held on Thursday, 28th October, 2010

Following a debate, Councillor J Illingworth put forward the following proposal, which was seconded by Councillor B Atha, for the Area Committee to consider:-

‘That a letter be sent from the Chair of the North West (Inner) Area Committee to the Chair of Plans Panel (West) deploring the lack of attention to equality and health issues in the Chief Planning Officer’s reports on the Leeds Girls High School planning applications, and urges the Plans Panel (West) not to determine these applications until (i) the PPG17 survey data had been published for the local area and the whole of Leeds, and (ii) the special health and equality needs of local ethnic minority populations had been addressed’

The proposal was agreed.

RESOLVED-

- a) That the deputation be received and noted.
- b) That this Committee supports the local community’s request that the level of provision of tennis courts in Headingley and Hyde Park and Woodhouse wards were brought up to the standard of the Lawn Tennis Association.
- c) That a letter be sent from the Chair of the North West (Inner) Area Committee to the Chair of Plans Panel (West) deploring the lack of attention to equality and health issues in the Chief Planning Officer’s reports on the Leeds Girls High School planning applications, and urges the Plans Panel (West) not to determine these applications until (i) the PPG17 survey data had been published for the local area and the whole of Leeds, and (ii) the special health and equality needs of local ethnic minority populations had been addressed.

19 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) Area Committees : Amendments to Composition – General Purposes Committee

John Dickinson, Weetwood Residents Association referred a report which had been considered at the General Purposes Committee on 8th September 2010 with regards to the proposal to move the Weetwood ward to the North West (Outer) Area Committee in order to improve the alignment of wards with comparable socio-economic profiles. He raised his concerns about this proposal and thanked Elected Members for their efforts in getting it withdrawn.

A detailed debate ensued on this issue and specific concerns were raised over the lack of consultation with Weetwood Ward Members, by either the Leader of Council, Executive Board Member or relevant officer on this proposal.

Following discussions, Councillor J Matthews put forward the following motion for the Area Committee to consider which was seconded by Councillor M Hamilton:-

‘That this Area Committee recommends to Council that it strongly opposes any changes to the North West (Inner) Area Committee’s current membership’

A vote on the motion was taken and carried.

b) New Laws on Shared Houses (HMOs)(Houses in Multiple Occupation)

John Dickinson, Weetwood Residents Association/Leeds HMO Lobby referred to the above issue and reported his concerns that following the last Area Committee meeting, Grant Shapps, Housing Minister had removed two key elements on proposals to change the new laws on Shared Houses (HMOs).

Detailed discussion ensued on this issue and the Area Committee praised the work undertaken to date by Ryan Platten, Community Planner in this area.

It was agreed for the Chair of the Area Committee to write again to Grant Shapps, Housing Minister raising the Committee’s concerns over the removal of these two key elements and to invite him to visit Headingley to see the problems at first hand. In addition, the Area Committee also requested the Acting West North West Area Manager to bring a paper, if appropriate, to the next meeting in October on the implications of these changes and to seek the views of Unipol Student Homes.

c) Hyde Park Unity Day

Ollie, Hyde Park Unity Day referred to the above issue and wished to place on record his thanks to the Area Committee for their well-being grant. The Committee noted and welcomed that this year’s event had been a success.

Amit Roy, Hyde Park Unity Day raised his concerns over the policing arrangements on the actual day of the event and on the lack of consultation on a proposal to charge for policing next year’s event.

Following a discussion, the Acting West North West Area Manager agreed to arrange a meeting between the Divisional Commander, an Elected Member from each ward of Inner North West and representatives from the Hyde Park Unity Day to discuss this issue further.

The Committee also raised their concerns about the lack of a police representative at tonight’s Area Committee meeting and the Acting West North West Area Manager agreed to follow up this issue.

d) Headingley Rugby Club – Planning Application regarding the South Stand

A representative from the Stand Alliance Group referred to the above issue and raised her concerns regarding the limited consultation with local residents regarding the size and scale of the proposals.

Councillor J Monaghan, in his capacity as Chair of the Planning Sub Group, updated the meeting on progress and it was noted that a formal meeting would take place between the developer, Community Planner and interested parties in the near future to discuss residents concerns.

e) Headingley and Hyde Park Design Statement

Richard Norton, Headingley Development Trust referred to the above issue and informed the meeting that the document was now widely available and would form part of the formal planning process. He conveyed his thanks to the Area Committee and interested parties for their efforts in this area.

f) Royal Park School

A local resident referred to the above issue and enquired if the building would be made water tight during the winter.

Jason Singh, Acting West North West Area Manager responded and outlined the current maintenance arrangements. Specific reference was also made to the legal fees and at the request of the Chair, the Acting West North West Area Manager agreed to contact John Ramsden, City Development for a position statement on this issue with a report back at the next meeting in October.

g) Leeds Girls High School – Leeds Futsal Club

Marin Oxley and John Davison, Leeds Futsal Club referred to the above issue and reported on the outcome of a recent meeting with a School Governor at Leeds Girls High School on a proposal for the building and sports facilities being used a Centre of Excellence for Leeds Futsal Club.

Arising from discussions, Members welcomed this proposal, in principle, and emphasised the importance of being involved in the future debate of the schools facilities. It was noted that the revised planning application on Leeds Girls High School would be considered in October 2010.

h) Airport Noise – Weetwood Residents

Councillor J Illingworth referred to the above issue and raised his concerns over the continuing problems in relation to airport noise for Weetwood residents.

The Acting West North West Area Manager responded and agreed to raise this issue at the North West (Outer) Area Committee with a report back on progress at a future meeting.

20 Minutes of the Previous Meeting

RESOLVED-

- a) That the minutes of the previous meeting held on 8th July 2010 be approved as a correct record.
- b) That the matters arising update from the 8th July 2010 meeting be noted.

21 Matters Arising from the Minutes

a) West Park Centre (Minute 8 b) refers)

Councillor S Bentley referred to the above issue and raised her concerns that the consultation process on the future of the West Park Centre had still not commenced.

Chris Dickinson, West North West Area Management responded and informed the meeting that following a request by the Leader of Council, the consultation process had been delayed to allow for more information to be obtained by Asset Management.

b) Licensing Act 2003 Policy and Cumulative Impact Policy (Minute 8c) refers)

Councillor J Monaghan referred to the above issue and welcomed the positive steps undertaken to date in relation to Cumulative Impact policies covering Headingley/Hyde Park areas.

The Area Committee were also supportive of the proposals to date and the Chair agreed to write to the Chief Legal Officer recommending that other areas within the North West Inner ward be also covered.

c) Key Messages from Area Committee Sub Groups and Forums (Minute 11 refers)

Councillor J Matthews referred to the issue of parking in Headingley and on the possibility of the Headingley Forum establishing a sub group to develop a Parking Strategy.

Discussion ensued on this issue and Members were of the opinion that such issues should be still considered by the Committee's Transport Sub Group.

In the interim period, the Acting West North West Area Manager agreed to follow up the Parking Strategy issue with a report back on progress at the next meeting in October 2010.

d) Local Authority Appointments to Outside Bodies (Minute 12 refers)

Councillor L Yeadon informed the meeting that she had recently replaced Councillor J Chapman on the Area Health and Social Care Partnership and as a result there was now a vacancy on the Area Employment, Enterprise and Training Partnership.

The Chair responded and invited Members to fill this vacancy through the Acting West North West Area Manager.

22 Wellbeing Fund Update Report

Referring to Minute 9 of the meeting held on 8th July 2010, the Director of Environment and Neighbourhoods submitted a report updating the Area Committee on the current Well-being Fund budget position.

The purpose of the report was to update the Area Committee on the current Well-being Fund budget position taking account of recent developments in relation to both the capital and revenue budgets. It included proposals to decommission funding for projects that were not likely to achieve spend by the year end and recommended that Members consider an urgent proposal for funding to support community activities in Little London.

Kate Sibson, West North West Area Management presented the report and responded to Members' queries and comments.

In presenting her report, specific reference was made to an additional request for £499.85 to be allocated from the Small Grants budget to Leeds University Union to deliver a waste and recycling education scheme.

Detailed discussion ensued on the contents of the report.

RESOLVED-

- a) That the contents of the report be noted.
- b) That approval be given to an allocation of £2,805 from the central capital Wellbeing budget to the Headingley capital budget to cover the cost of funding shortfalls as outlined in Section 2.1 of the report.
- c) That this Committee notes the projected year-end revenue overspend of £11,139 as outlined in Section 2.2 of the report and agrees to decommission the following projects and re-allocate the funding to the 20010/11 Area Committee budget:-
 - a. Small Grants budget £7,000
 - b. Neighbourhood Design Statement budget: £5,400
- d) That approval be given to the request for £2,500 of revenue funding to be allocated to support community activities Little London as outlined in Section 2.4 of the report.
- e) That approval be given to the request for a change of use for £7,500 revenue granted to the Woodhouse Ridge Action Group as outlined in Section 2 of the report.
- f) That approval be given to the request for £499.85 to be allocated from the Small Grants budget to Leeds University Union to deliver a waste and recycling education scheme.
- g) That this Committee notes the charges relating to Headingley Town and District Centre fees and Hyde Park CCTV monitoring as outlined in Section 2.4 of the report.

23 CCTV Report for Leeds City Council Community Safety CCTV Service in North West (Inner) Area Committee

The Director of Environment and Neighbourhoods submitted a report on CCTV monitoring within the Inner North West area.

Derek Pearson, Deputy Operations Manager, Leeds Community Safety, Environment and Neighbourhoods presented the report and responded to Members' queries and comments.

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

Minutes approved as a correct record at the meeting held on Thursday, 28th October, 2010

- the concerns of private hire vehicles applying for hire outside The Box and whether CCTV could be used to tackle the problem
(The Deputy Operations Manager responded and outlined the current protocol. He agreed to discuss this further with the Council's Legal section)
- to welcome the monthly CCTV reports sent to Elected Members which was viewed as a valuable source of information
- the concerns raised of taxis/private hire vehicles parking on double yellow lines at the junction of Kirkstall lights
- the need for portable hanging CCTV cameras to be erected to buildings at 'hotspots' in Leeds
- clarification of how the CCTV operations were monitored by other departments i.e. fly tipping; truancy; travellers etc
(The Acting West North West Area Manager responded and informed the meeting that a review had been recently undertaken in this area between Leeds Watch/ALMOs)
- the need for Members to identify 'hot spots' for additional CCTV cameras in their respective wards and to channel them through the appropriate agencies

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That this Committee notes that Elected Members can influence the installation of additional CCTV cameras in appropriate identified areas, subject to funds being available.
- c) That this Area Committee endorses the recommendation that appropriate reporting mechanisms be put in place to highlight areas of concern within the community to local Neighbourhood Policing Teams.

24 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:-

- the legality concerns relating to the planning permissions surrounding the A65 bus scheme
- the need for a report on the Footpath Strategy to be submitted to a future Area Committee meeting
- the concerns expressed that the actual discussions made at the Planning Sub Group were not reflected within the Key Messages report and for a request for the Area Committee to receive, in future, copies of all of the Sub Group minutes with their agenda papers

(Chris Dickinson, West North West Area Management responded and informed the meeting that it would be impractical for the Area Committee to receive copies of the Sub Group minutes in view of the amount of paper that would be generated. Following discussions, West North West Area Management agreed to provide Members of the Committee with copies of the Sub Group minutes/or appropriate links via e mail)

RESOLVED-

- a) That the contents of the report be noted.
- b) That Members of the Area Committee be requested to meet with the Chief Planning Officer to discuss Planning's response to the new Government proposed changes to HMO legislation.
- c) That this Committee notes that the Planning Sub-Group had a number of significant concerns regarding the planning application for the proposed development at Leeds Girls High School.
- d) That this Committee notes that the proposal to move Weetwood Ward to the Outer North West Area Committee would result in a loss of community planner resource for Weetwood which ward members see as being key to co-ordinating local planning issues which were common across the four existing wards.
- e) That a report on the Footpath Strategy be submitted to a future meeting of the Area Committee meeting for consideration.
- f) That the Acting West North West Area Manager be requested to seek clarification on the legality issues relating to the planning permissions surrounding the A65 bus scheme with a report back on progress at the next meeting in October 2010.

25 Children's Services Performance Report

The Interim Director of Children's Services submitted a report on children's performance data issues.

Jane Maxwell, Director of Children's Services Unit and Mike Brown, Interim Head of Service, Children's Social Care, Children's Services presented the report and responded to Members' queries and comments.

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

- to welcome the detail contained within the report, but to request that future reports to the Area Committee should focus more on children's issues/priorities within the North West Inner area
(The Director of Children's Services Unit responded and agreed to take these comments on board)
- to note the positive progress and improvements in performance which continue to be scrutinised closely and would be subject of further inspection from OFSTED
- the need for safeguarding children's welfare and the important role played by Elected Members in this regard via casework/home visits etc

- the need to recognise the important 'link' between Children's Services and Adult Social Care

RESOLVED - That the contents of the report and appendices be noted and welcomed.

26 Introduction to Health and Wellbeing Improvement Manager

The Health and Improvement Manager, Environment and Neighbourhoods submitted a report providing background information about health and wellbeing partnerships and how initial priorities had been developed.

Appended to the report was a copy of the West North West Partnership Plan for the information/comment of the meeting.

Tim Taylor, Health and Improvement Manager presented the report and responded to Members' queries and comments.

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

- the importance of engaging with the police and recognising the excellent work undertaken by PCSOs in delivering the get well messages within the wards e.g. the successful pilot around alcohol treatments within Inner North West
- reference to the Peer review and of the fact that every department within the Council has a responsibility in promoting good health
- the need for the Chief Planning Officer to understand the importance of health issues when addressing planning applications
- the need to circulate the contact details of the Health and Improvement Manager to everyone on the North West (Inner) Area Committee mailing list
(Stuart Robinson, Governance Services responded and agreed to comply with this request)

RESOLVED- That the contents of the report and appendices be noted and welcomed.

27 Community Engagement Programme Update

The Director of Environment and Neighbourhoods submitted a report providing a summary of the progress made in delivering a programme of community engagement in the inner north west area.

Chris Dickinson, West North West Area Manager presented the report and responded to Members' queries and comments.

Specific reference to Sheffield's Area Committee's area delivery plan where residents were writing their own targets and the need to look at introducing a similar practice in Leeds which reacted to relevant concerns.

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Committee notes the scope and content of the West North West Area Management Team's Community Engagement Programme.
- c) That this Committee welcomes the use of the Citizens Panel as part of a wider tool for community engagement.

28 Date and Time of Next Meeting

Thursday 28th October 2010 at 7.00pm at Woodsley Road Multicultural Community Centre, 64 Woodsley Road, Leeds LS3 1DU

(The meeting concluded at 9.30pm)

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NORTH WEST (INNER) AREA COMMITTEE

THURSDAY, 28TH OCTOBER, 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,
L Yeadon and J Akhtar

APOLOGIES: Councillor J Chapman

OFFICERS: Jason Singh, Acting West North West Area Manager
Chris Dickinson, West North West Area Management
Lynne Hamshaw, West North West Homes ALMO
Ryan Platten, Community Planner
Giles Jeffs, Environment and Neighbourhoods
Stacey Campbell, Environment and Neighbourhoods
Zahid Butt, Community Safety Co-ordinator
Sgt Peter Tiernan, West Yorkshire Police
Mike Earle, Democratic Services

MEMBERS OF THE PUBLIC

Tara Cleveland, Royal Park Community Consortium
Jake England-Johns, Royal Park Community Consortium
C Coleman, Royal Park Community Consortium
David Santa Maria, Royal Park Community Consortium
Lauren Frances Hill, Leeds University Union
Jo Johnson, Leeds Met Students Union
R Tyler, Leeds HMO Lobby
M Aslam, EWK
J Baron, Guardian, Leeds
P Bainbridge, Cardigan Centre
Sue Holmes, Leeds Met
M Souater, NHPNA
John Dickinson, Weetwood Residents' Association
Jessica Biddle, University Union, Central Headingley
Community Rep
Maddy Hale, University Union, Far Headingley Community
Rep
Jon Vernon, University Union, South Headingley Community
Rep
Paul Gold, LVV
Sue Buckle, South Headingley Community Association and
Friends of Woodhouse Moor
Steve Harris, Local Resident
M Latif, Woodsley Road Resident
M Saddiq, Woodsley Road Resident
Alex Tyson, Local Resident
David Salinger, Local Resident

29 Declarations of Interest

The following personal declarations of interest were made:-

- Councillors B Chastney and J Illingworth – Agenda Item 14 (Minute No. 40 refers) – Grounds Maintenance Update Report – in their capacities as Director of West North West Homes ALMO and member of the ALMO Inner North West Area Panel, respectively.

(See also later Minute No. 34).

- Councillors J Akhtar, B Chastney and J Matthews stated that they were all Members of the Plans Panel West, and made a general statement relating to pre-determination in respect of any planning issues which might be discussed at tonight's meeting, e.g. Leeds Girls High School site. They stated that they would remain in the meeting and listen to the discussions on any planning matters, but would not take part in any discussion or voting on those matters. In order to avoid any perception of pre-determination, they stated that they would not be bound by any discussion at, or decisions taken by, the Area Committee on any planning matters, but would consider all representations and viewpoints presented at any Plans Panel meeting before reaching a conclusion based on the merits of the case.

30 Apology for Absence

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

31 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 which fell within the remit of the Area Committee.

a) Houses in Multiple Occupation

Further to Minute No.19(b) of the meeting held on 23rd September 2010, Dr Richard Tyler updated the meeting on developments in respect of proposed changes to HMO legislation.

The application for Judicial Review recently submitted by Milton Keynes Council had been refused. However, an oral appeal hearing was now being sought, but no date had yet been fixed.

Two Early Day Motions had been submitted in the Commons, both containing 30+ signatures, seeking revocation of the Government's latest proposals. However, realistically, there was little chance of these

succeeding. An All-Party Parliamentary Group had also requested a meeting with Housing Minister, Grant Shapps, which might take place as early as today. In the meantime, a Ministerial Statement by Grant Shapps relating to Article 4 Directions had later been contradicted by civil servants.

Dr Tyler raised two concerns. Leeds City Council had supplied information in support of Milton Keynes application, but, presently, Milton Keynes was having to fund the action. Dr Tyler suggested that, via the Area Committee, Leeds City Council should be requested to consider contributing towards Milton Keynes costs.

In the event of Milton Keynes' action being unsuccessful, Leeds City Council also needed its own fall-back situation, in terms of setting in train its own Article 4 Direction.

The Chair indicated that Members were in discussion with relevant Council officers on this issue, and he would make contact with the relevant senior Planning Officers, in his capacity as Chair, to raise these two specific issues. Dr Tyler was thanked for keeping the Committee informed.

In the meantime, it was noted that the proposed report to the Area Committee on the possible impact in Leeds of the new HMO legislation had been postponed until the December Area Committee meeting, by which time it was hoped that further information would have been made available by the Government. Following the last meeting, a letter had been sent to Grant Shapps, outlining the Committee's concerns.

b) Royal Park School

Further to Minute No.19(f), 23rd September 2010, Tara Cleveland, Royal Park Community Consortium, updated the Committee on the current situation regarding the former school.

The Consortium had established a website – www.royalparkschool.org. The yard had been cleared in a community exercise, and although a Community Builders grant bid, to fund a feasibility study, had been unsuccessful, nevertheless two freelance Development Workers had been engaged part-time, and it was planned to still proceed with the feasibility study. In the meantime, there were holes in the roof, and thefts of equipment and fittings from inside the building continued. Was there any more that the Council was prepared to do in terms of weather-proofing the building or security patrols? Any support the Police could lend in terms of including the site in routine patrols would also be appreciated.

The Chair indicated that the Acting Area Manager had brought the Committee's concerns to the attention of the Council's Asset Management team, and would do so again.

Members expressed concern at the Council's perceived inaction, not only in this case, but in other similar cases, where empty buildings were seemingly simply left to deteriorate until, ultimately, demolition was the only solution. It was suggested that a Scrutiny Board Inquiry or Internal Audit inquiry was necessary to investigate the Council's policy and alleged poor track record, and to effect change. It was also suggested that the Council's internal security service, Red Hall Security Services, should be used to provide security at the Royal Park School site – if necessary with possible funding from the Area Committee.

The Chair agreed to write regarding the suggested Scrutiny Board or Internal Audit inquiry. It was also agreed that the Acting Area Manager should investigate the suggestion of possibly using Red Hall Security Services in respect of this site, and the costs, and report back to the next meeting.

c) Leeds Girls High School

Further to Minute No.19(g), 23rd September 2010, Sue Buckle, South Headingley Community Association and Friends of Woodhouse Moor, reported that this issue was back on the agenda for the Plans Panel West meeting on 4th November 2010, with an officers' recommendation that, subject to reserved matters, the development application be approved. She urged people to make representations and as many people as possible to attend the meeting, even if they were only a silent presence.

Several Members expressed dissatisfaction with the manner in which this application had allegedly been managed by planning officers, the content of the reports to the Plans Panel, and the alleged superficial considerations given, and weight attached, to issues which Local Members and the public regarded merited greater consideration in the overall scheme of the application. It was again suggested that this should be subject to a Scrutiny Board Inquiry. In the meantime, two Headingley Members stated that they had written to the Chief Executive on these issues.

- d) A local resident raised an issue regarding parking restrictions in Woodsley Road. He was requested to leave his details with the Area Management Officer, and he could then be invited to attend the next Transport Sub-Group meeting. Alternatively, he could, if he wished, raise the matter direct with one of his Ward Councillors.

32 Minutes - 23rd September 2010

RESOLVED – That the minutes of the meeting held on 23rd September 2010 be confirmed as a correct record.

33 Matters Arising from the Minutes

a) West Park Centre (Minute No. 21(a) refers)

Chris Dickinson, Area Management Officer, reported that, following the last meeting, the Leader of the Council had been made aware of the Area Committee's continuing concerns, but dates had not yet been set for the consultation exercise regarding this site.

Concerns were expressed regarding the possibility of this site turning into another Royal Park School scenario, unless the Council was careful.

It was reported that the West Park Residents' Association was already active in terms of preparing a business plan for the possible future use of this asset.

b) Royal Park School (Minute No.19 (f)refers)

It was reported that Headingley Ward Members had not received a response to two requests for a meeting with Councillor R Lewis, Executive Member (Development and Regeneration). The Chair offered to pursue this separately on their behalf, if so requested.

It was noted that John Ramsden, Asset Management, was planning to hold a briefing for Hyde Park and Woodhouse Ward Members shortly, after which a position statement would be submitted to the December Area Committee meeting.

A general discussion ensued regarding the desirability of all North West Inner Area Committee Members sharing information and being kept informed and up to date on current issues, such as this item and other matters of general interest or concern which affected more than one Ward, e.g., HMO matters.

c) Airport Noise – Weetwood Residents (Minute No.19(h) refers)

Further to Minute No. 19(h), 23rd September 2010, it was reported that previously expressed concerns regarding the nature of the public consultation exercise on the Airport's Noise Action Plan had been shared with the Airport's management. They had responded by outlining the scope of the consultation and the number of respondents – 97. Airport management had indicated that the consultation had been conducted within the necessary regulations, the results and the Noise Action Plan had now been forwarded to DEFRA for approval, and they had no plans to re-open the consultation.

Councillor Illingworth expressed his dissatisfaction at this response. In his opinion, the Area Committee should write to DEFRA, requesting that the consultation exercise be re-run.

The Chair stated that he accepted that the Plans Panel West, which received regular update reports on the operation of the Airport, needed to keep a watching brief on this issue.

It was reported that the Council could impose fines on the Airport if the noise restrictions were breached, but it was understood that no fines had been imposed to date.

d) Health and Wellbeing Partnership (Minute No. 26 refers)

Councillor Yeadon reported on a recent partnership meeting she had attended in her role as Area Committee Health and Wellbeing 'Champion'. It was clear that the implications of the Government's White Paper on NHS reform was a greater hands-on role for local authorities, and she suggested that the Area Committee consider establishing a Health Sub-Group, alongside the other existing theme based Sub-Groups.

The Chair agreed that this was worthy of further consideration, perhaps when the implications of the White Paper became clearer.

e) Children's Services (Minute No. 25 refers)

At the suggestion of a Member, it was agreed that the Acting Area Manager, in consultation with the Chair, should investigate how young people, perhaps via the Leeds Youth Council, could be encouraged to participate in the activities of the Area Committee.

f) Wellbeing Fund 2010/11 (Minute No. 22 refers)

Further to Minute No. 22, 23rd September 2010, reference was made to the Small Grant of £499.85 to the Leeds University Union to assist with a waste and recycling education scheme. A Member stated that the distribution of literature/bin stickers, possibly using students under the instruction of Streetscene Services, allied to the change in collection days, had led to bins being incorrectly stickered and absolute chaos in parts of some Wards.

The Acting Area Manager was requested to undertake some investigation and to report back on his findings.

34 Well-Being Fund 2010/11 - Update Report

The Director of Environment and Neighbourhoods submitted a report updating the Committee on the latest position regarding its revenue and capital Wellbeing Budgets 2010/11, and requesting the Committee to consider a

Small Grant application in respect of a proposed 'Year of the Volunteer' celebration event, scheduled to take place on 9th November 2010.

With regard to the Small Grant application, Members felt that they needed more information before they could agree the request, whilst a view was expressed from the floor of the meeting that the money would be better spent on something else, such as support for the Royal Park Community Consortium.

Councillor B Atha moved a proposition, seconded by Councillor J Akhtar, that a Small Grant of £500 (or, if necessary £1,000 – to match the other local Area Committees) be approved in respect of the proposed 'Year of the Volunteer' event.

However, after further discussion and consideration of this item, Councillor Atha, with the consent of Councillor Akhtar, withdrew his proposition in favour of the one recorded below.

RESOLVED –

- a) That the contents of the report be noted.
- b) That this Committee notes the new balance of the Well-being budget, capital and revenue in accordance with the report now submitted.
- c) That a decision regarding the request to provide £500 (or £1,000) from the Wellbeing Small Grant budget for a 'Year of the Volunteer' celebration event on 9th November 2010 be deferred for further details to be circulated separately to Members. In view of the timescale, the Acting Area Manager be requested to, if necessary, take a delegated decision, in consultation with the Chair, following further Member discussion, and to report back to the next meeting.

(NB: Councillor L Yeadon declared a personal interest in this item in her capacity as 'Year of the Volunteer' Member Champion.)

35 Community Planner Update

Ryan Platten, Inner North West Community Planning Officer (CPO), presented a report updating the Committee regarding the nature and scope of his work and responded to Members' queries and comments.

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

- The excellent work being carried out by the Inner North West Community Planning Officer – Ryan Platten was congratulated by the Committee.

- Joined-Up Working – Reference was made to Paragraph 3.4 of the report. The theme of joined-up working across Council services was a principle which needed to be improved and expanded upon in terms of all services, not just on planning matters.
- It was perceived that to date, a lot of the Community Planning Officer's time and efforts had been concentrated in Wards other than Kirkstall. Kirkstall had its own unique issues which would benefit from input from the CPO. The CPO re-iterated that he was an Area Committee resource, and was available to provide support and advice across all four Wards;
- One such issue was an improvement to the Kirkstall District Centre, which, for various reasons, had deteriorated and suffered from lack of investment over the years. It was agreed that this should be referred to the next meeting of the Area Committee's Planning Sub-Group.

RESOLVED –

- a) That the contents of the report be noted.
- b) That approval be given to the recommendation that the Community Planner resource be continued to be used to meet the objectives as outlined in Section 2.3 of the report, whilst also looking to respond to the new challenges as discussed in Sections 6.2 and 6.3.

36 Key Messages from Area Committee Sub Groups and Forums

The Director of Environment and Neighbourhoods submitted a report regarding key messages from recent meetings of the Area Committee's Sub-Groups or Community Forums.

- It was reported that the next meeting of the Transport Sub-Group would be in early December and, as with all the Sub-Groups, local residents were welcome to attend and put across their point of view.
- Hyde Park and Woodhouse Forum, 28th September 2010 – with reference to Paragraph 6.4 of the report, and the Forum request that a Hyde Park and Woodhouse Member be nominated to sit on the City Centre Plans Panel, a Member stated that, in fact, until recently, Councillor G Harper had been on the City Centre Plans Panel, but had subsequently been replaced, to the Member's belief, due to his non-attendance at meetings.

RESOLVED – That the contents of the report be noted.

37 Annual Community Safety Report 2010

Zahid Butt, Area Community Safety Co-ordinator, assisted by Sergeant Peter Tiernan, presented the Annual Report 2010 of the Divisional Community Safety Partnership, and both responded to Members' queries and comments.

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

- A plea for the resurrection of regular (quarterly) meetings between the Police and Ward Members which, ideally, should be organised at Area Committee level, rather than wedge-based.
- The fact that the PACT meetings (Police and Community Together) now took place in conjunction with pre-arranged Community Forum meetings, to avoid people having to attend two separate meetings. This was accepted as a good idea.
- Late night/early morning anti-social behaviour in Headingley Ward and other areas. In answer to a Members' query it was confirmed that in mid-week, PCSOs shifts ended at midnight. However, they were extended to 3.00 am at week-ends, thereby providing a visible uniformed presence.
- A plea for the Police to get more involved in late-night alcohol licensing applications in the hope that their views might carry more weight with the Licensing Committee.
- A potential gap in respect of the enforcement of noise nuisance legislation. This was no longer a Police responsibility, but a discretionary power of local authorities. Residents found this frustrating. The question was posed regarding whether the Council had adequate resources available to effectively tackle the nuisance. It was suggested that this be the subject of further discussion at Ward Member meetings.
- Zahid Butt was congratulated regarding a recent community cohesion event held in Hyde Park and Woodhouse Ward.

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

38 Health and Environmental Action Service - Update Report

The Director of Environment and Neighbourhoods submitted an update report regarding the operation of the HEAS across the City, containing statistical and enforcement information broken down on a Ward by Ward basis.

Stacey Campbell, Health and Environmental Action Service, presented the report and responded to Members' queries and comments. In brief summary, the main points of discussion were:-

- Graffiti – It was confirmed that responsibility for graffiti removal was through the Streetscene Service (Frieda Haley).
- A decrease in the number of nuisance vehicles being used as advertising hoardings, particularly in the Kirkstall Ward;
- Fly-posting and leaflet drops – Streetscene Services do clean up the aftermath of any publicity leaflet drop, say targeted at students in Headingley Ward, and the Environmental Action Team managers will liaise with Streetscene managers to exchange information with a view to considering enforcement action against any offenders. Streetsites, who managed the drum flyposting advertising scheme, cleaned up any flyposting litter in the vicinity of the drums, and did pass information onto the Environmental Action Teams;
- Environmental Action Teams investigated domestic noise complaints, and HEAS did provide an out of hours service, but this was not a 24 hour service:
- Drain clearance and Autumn leaf clearance – Stacey Campbell undertook to pass on Members' concerns to Streetscene Services.

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

39 Briefing Note on Proposed Delegation of Elements of the Streetscene Service

Following consideration of the matter at the Area Committee Chairs' Forum on 8th October 2010, the Director of Environment and Neighbourhoods submitted an information report regarding proposals for elements of the Streetscene Service (street cleaning, litter bins, graffiti removal and fly-tipping) to be delegated to Area Committees. This would provide Area Committees with the opportunity to shape, control and steer these services in their areas.

The proposals would involve each Area Committee negotiating a local Service Level Agreement with Streetscene Services and, to assist and guide this process, it was proposed that the District Local Environmental Quality Survey (DLEQS) system, devised by the Keep Britain Tidy Group, be utilised.

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

- In receiving the report, some Members expressed reservations regarding the proposal. Fundamentally, was this the right way to organise this service, on a piecemeal basis, with all the problems associated with trying to allocate resources on a needs-led basis across the wedge? Consistency of standards on a City-wide basis was regarded as the key factor, with officers held responsible for performance. Reservations were also expressed regarding the appropriateness, or otherwise, of using the DLEQS system to inform

Service Level Agreements. Some Member also regarded local control over refuse collection and waste recycling as essential elements, yet these had been specifically excluded from the proposals.

- Other Members, however, broadly welcomed the proposals, and the opportunity provided to prioritise different issues in different areas. The amount of delegated resources, and their deployment, was regarded as crucial to the success of such a scheme.

RESOLVED –

- a) That, at this stage, the report be received and noted.
- b) That further information be made available in due course to the Environment Sub-Group and the Area Committee in order that more detailed consideration can be given to the proposal.

40 Grounds Maintenance Contract - Update Report

The Chief Environmental Services Officer submitted a report updating the Committee regarding the implementation of the new Grounds Maintenance Contract with effect from 1st January 2012.

In attendance at the meeting, and responding to Members' queries and comments, was Giles Jeffs, Environment and Neighbourhoods. In brief summary, the main points of discussion were:-

- The opportunity presented by the letting of a new contract to engage a local social enterprise company, such as Groundwork Leeds, with all the spin-off benefits in terms of local employment, apprenticeships, etc. It was accepted that the Council needed to demonstrate value for money, but this need not be an obstacle to engaging a social enterprise company, especially when other matters were factored in.
- Reference was also made as to whether the Parks and Countryside Division would be likely to submit an in-house bid, or, indeed, whether or not they still had the staff and equipment to successfully bid. Private enterprise was not always necessarily the best or cheapest solution, and the view was expressed that the Parks and Countryside Division had previously performed the task at least as well, if not better, than the current contractor.

Giles Jeffs responded to the effect that the Parks and Countryside Division had prepared a contingency plan in the event that the present contractor had not agreed to a 10 month extension to their existing contract, and no doubt this contingency plan would be the immediate fall-back situation in the event of a contractor defaulting or proving to be so unsatisfactory that the contract was ended. He was not in a position to comment regarding whether or not the Parks and

Countryside Division would submit a tender, or, indeed, were geared up to put in such a bid.

- Reference was also made to whether or not certain parts of the City, e.g. Headingley, which had little green space, could opt out of the contract and make its own arrangements.

Giles Jeffs responded by referring to the opportunities for local Town and Parish Councils to bid to do the work in their particular areas, although it was more likely that they would opt for Option 2 – to be part of the formal monitoring process, rather than do the work themselves. In terms of any other possible alternatives, he would have to refer the query to the Programme Board.

RESOLVED –

- a) That subject to the above comments, the report be received and noted.
- b) That Giles Jeffs report the Area Committee's views and queries back to the Grounds Maintenance Programme Board, and a response be submitted to the next Area Committee meeting.

41 Date and Time of Next Meeting

Thursday, 16th December 2010, 7.00 pm, Lewis Jones Suite, Headingley Carnegie Stadium, St Michael's Lane, Headingley, LS6 3BR.

The meeting concluded at 8.57 pm.

NORTH WEST (OUTER) AREA COMMITTEE

MONDAY, 27TH SEPTEMBER, 2010

PRESENT: Councillor B Cleasby in the Chair

Councillors B Anderson, C Campbell,
R Downes, C Fox, G Kirkland, G Latty,
P Latty and C Townsley

21 Chair's Opening Remarks

The Chair welcomed everyone to the September meeting of the North West (Outer) Area Committee held at Greenacre Hall, New Road Side, Rawdon, Leeds 19.

22 Late Item

There were no late Items of business admitted to the agenda.

23 Declaration of Interests

There were no declarations of interest made at the meeting.

24 Apologies for Absence

Apologies for absence were received on behalf of Councillors A Barker and J L Carter.

25 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) Planned Residential Developments within the Outer North West Area
Clive Woods, Aireborough Civic Society reported his concerns about the number of planned residential developments within the Outer North West area which was contributing towards the problems of congestion on the A65/A660, especially at weekends. He also referred to an increasing number of Brownfield sites which were obtaining planning permission and circulated a list of examples for the information/comment of the meeting.

Robert Turner, a local resident also attended and made reference to a number of issues around health and transport within the Guiseley area . He also supported the above comments made by Clive Woods.

The Chair invited comments from Members of the Committee and in summary, specific reference was made to the following issues:-

- the fact that this issue had been debated previously at the Guiseley and Rawdon Forum and that a further meeting was planned with all

interested parties i.e. Planning/Highways representatives: MP for Pudsey etc to discuss the implications on the A65

- the current position in respect of employment sites in relation to Springhead Mills and Moons on Netherfield Road
- the need to acknowledge that there was some issues with the Local Development Framework and the Strategic Housing Land Availability Assessment (SHLAA) which affected the whole valley in Outer North West and to invite planning officers to the Area Committee to explain the protocol behind the above documents
- the need for the Area Committee to acknowledge that there were too many planning permissions (as opposed to planning applications) being granted in the Outer North West area
- the need to obtain the views of Bradford City Council on this issue
- the concerns expressed that the A65 was not now part of the national primary network without any prior consultation with Elected Members
- the need for a Core Strategy to be in place as officers state that the city had a surplus of employment sites
- the need for evidence to be gathered for the Area Committee which supported the view that the commuter corridor was now beyond capacity

The Acting West North West Area Manager responded to the comments made and put forward the following two options for the Area Committee to consider:-

1. Consult the Chief Planning Officer with the view of drawing up an action plan/report on the issue of planned residential development within the Outer North West area
2. Refer the issue to the Transport Sub Group for discussion and to obtain the views of local residents, including an input from the Aireborough Civic Society

Following these discussions, the Committee agreed to proceed with these options and to revisit this issue at a future Area Committee meeting.

(Councillor R Downes joined the meeting at 2.35pm during discussions of the above item)

26 Minutes of the Previous Meeting

RESOLVED- That, subject to the following amendments, the minutes of the previous meeting held on 21st June 2010 be approved as a correct record:-

Minute 18 'Local Authority Appointments to Outside Bodies'-

- Area Children's Partnership – the appointee should have read 'Councillor P Latty' and not Councillor G Latty
- Area Health and Social Care Partnership should have read 'Area Health and Wellbeing Partnership'

27 Matters Arising from the Minutes

a) Leeds Bradford International Airport (Minute 6 b) refers)

Councillor B Anderson referred to the above issue and enquired if a reply had been received from Leeds Bradford International Airport in response to Mr Wood's letter.

The Acting West North West Area Manager responded and informed the meeting that a letter, together with a copy of Mr Wood's correspondence, had been sent to Mr J Parkin at Leeds Bradford International Airport in August 2010, but to date no reply had been received.

The Acting West North West Area Manager agreed to follow up this issue with the airport. In the interim period, he informed the meeting that he would be speaking to officers within the Environmental Action Team with a view to pulling together a range of options for both the North West (Outer) and North West (Inner) Area Committees with a view to reporting back progress at a future meeting.

b) Leeds Bradford International Airport (Minute 8 refers)

Councillor G Latty referred to the above issue and raised his concerns about the airport's failure to erect a canopy which resulted in people getting wet from outside the drop off pick up zones/taxis ranks when accessing the airport's main entrance.

c) Well Being Budget Report (Minute 9 refers)

Jane Pattison, West North West Area Management informed the meeting that the Energy Efficiency Campaign project had now been withdrawn following the Council's decision to look at energy projects on a city-wide basis.

28 Well-being Budget Report

Referring to Minute 9 of the meeting held on 21st June 2010, the Director of Environment and Neighbourhoods submitted a report providing Members with a current position statement on the well-being budget, details of proposed projects and small grant applications received to date.

Jane Pattison, West North West Area Management presented the report and responded to Members' queries and comments.

Detailed discussion ensued on the contents of the report, with specific reference to the Westfield Community Sports Facility project.

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Committee notes the current position of the Well-being budget as detailed in Sections 2.0 and 3.0 of the report.
- c) That the following projects outlined in Section 4.0 of the report be dealt with as follows:-

<u>Name of Project</u>	<u>Name of Delivery Organisation</u>	<u>Decision</u>
Guiseley Senior Citizens Outing	Guiseley Senior Citizens Association	Agreed £2,500 revenue
Westfield Community Sports Facility	Saints Peter and Paul Primary School and Aireborough Extended Services	That consideration of this item be deferred. However, this Committee supports the project, in principle, but requests further detail around the school's business plan/management plan and how the facility will be utilised as a genuine community facility for consideration at the next meeting in November 2010
Tranmere Park Conservation Area Appraisal	Sustainable Development Unit, Leeds City Council	Agreed £11,000 revenue

- d) That this Committee notes the project already agreed by ward members as outlined in Section 4.2 of the report.
- e) That the small grants as detailed in Section 5.2 of the report be noted.

29 Area Manager's Report

The Director of Environment and Neighbourhoods submitted a report informing Members of the progress on a number of projects in Outer North Leeds West Leeds as determined by the Area Delivery Plan 2009 -11 and the Leeds Strategic Plan.

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:-

- to note and welcome the forthcoming launch of the new Horsforth youth centre on 2nd October 2010 with an invitation for Members of the Area Committee to attend
- to note and welcome the success of the 'Have your say' event organised in Horsforth St Margaret's Church Hall on 27th July 2010
- the need for the Area Committee to be provided with more detail in relation to the estimated figure for the Leeds Core Cycle Network as outlined in Section 3.18 of the report for consideration at the next meeting in November 2010

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the Acting West North West Area Manager be requested to provide the Area Committee with more detail in relation to the estimated figure for the Leeds Core Cycle Network as outlined in Section 3.18 of the report for consideration at the next meeting in November 2010.

30 Carbon Reduction Small Grant Scheme

The Director of Environment and Neighbourhoods submitted a report on a proposal for the establishment of an Area Committee Carbon Reduction Grant Scheme and to give an explanation of how such a scheme could be operated and managed in outer north west Leeds.

Jane Pattison, West North West Area Management presented the report and responded to Members' queries and comments.

A copy of the draft promotional leaflet was circulated at the meeting for information/comment.

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

- the general concerns expressed about ring fencing the funds to support this scheme
- clarification as to whether or not the Area Committee can fundraise towards this scheme
- reference to a successful 'plant a tree' scheme operated in the Dales
- clarification of the reasons why landowners, individuals and statutory organisations would not be able to apply
- the need to promote this scheme as a priority for businesses with a level of funding commitment and to revisit the outcome of discussions at the December Area Committee
- the need to look at relaxing the scheme's criteria and to obtain legal advice in this regard
- the need for a detailed discussion on the further development and progression of the scheme, together with the design of the promotional leaflet at the Area Committee's Environment and Streetscene Sub Group

RESOLVED-

- a) That the contents of the report be noted.
- b) That, subject to seeking legal advice, approval be given to the approach to be taken as now outlined.
- c) That authority be given for officers to approach local businesses and employers on their behalf to request additional funding towards the project.
- d) That the further development and progression of the Carbon Reduction Small Grant Scheme, together with the design of the promotional leaflet be referred to the Area Committee's Environment and Streetscene Sub Group for discussions, the outcome of which to be reported back to a future Area Committee meeting.

31 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 have taken place since the last Area Committee Meeting.

Jane Pattison, 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 current position in relation to the route rationalisation process
- the need for the Area Committee to support a fortnightly bin collection in Outer North West which would benefit those residents residing in that area
(Following discussions, the Area Committee agreed to this request and authorised Councillor B Anderson in his capacity as Chair of the Environment and Streetscene Sub Group to formally write to the Executive Member for Environment to confirm that a fortnightly bin collection in Outer North West would benefit those residents residing in that area)
- the need for the Area Committee to be supplied with more information in relation to i) which properties were not supplied with a green bin and ii) the figures from the trial recently discussed at a meeting of the Scrutiny Board (Environment and Neighbourhoods)
(The Acting West North West Area Manager responded and agreed to forward this information to the Area Committee prior to the next meeting in November 2010)
- the cross contamination issues arising from a fortnightly green bin collection and the lost opportunities around recycling

RESOLVED-

- a) That the contents of the report be noted.
- b) That on behalf of the Area Committee, Councillor B Anderson in his capacity as Chair of the Environment and Streetscene Sub Group be

requested to formally write to the Executive Member for Environment to confirm that a fortnightly bin collection in Outer North West would benefit those residents residing in that area.

32 Health and Wellbeing Update Report

The Health and Improvement Manager submitted a report providing background information about health and wellbeing partnerships and how initial priorities had been developed.

Appended to the report was a copy of the West North West Partnership Plan for the information/comment of the meeting.

Tim Taylor, Health and Improvement Manager presented the report and responded to Members' queries and comments.

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

- the need for LS29 to be included within the WNW postcodes as referred to in Appendix 1 of the report
(The Health and Improvement Manager responded and acknowledged this omission)
- the important aspect of re-directing services and keeping people within their own homes, wherever possible, which improved their wellbeing as opposed to being hospitalised
- the need to encourage people to get fitter and thereby allowing the authority to use it's resources more effectively

RESOLVED- That the contents of the report and appendices be noted and welcomed.

(Councillor C Townsley left the meeting at 3.40pm during discussions of the above item)

33 Children's Services Performance Report

The Interim Director of Children's Services submitted a report on children's performance data issues.

Jane Maxwell, Director of Children's Services Unit and Mike Brown, Interim Head of Service, Children's Social Care, Children's Services presented the report and responded to Members' queries and comments.

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

- clarification of the percentage of children coming into care resulting from referrals
- clarification of the percentage figures with regards to the number of children in care as at 31st March 2010 by originating ward address (Appendix 1 refers)
- clarification as to why children's post codes were not available

- clarification of the number of children in care in the Otley and Yeadon ward and whether or not this included residential placements
- clarification of the current protocol with regards to Councillors visits to children's homes as previously agreed by Scrutiny Board (Social Care)
- to welcome the fact that children in care were now giving presentations on their experiences of being in care
- the need for the Area Committee to become more proactive within schools by supporting the School Governor role and for a paper to be submitted to a future meeting on the tensions around clusters
(The Director of Children's Services Unit responded and agreed to prepare a report on this issue and to invite a number of Cluster Managers to attend the Area Committee)

RESOLVED-

- a) That the contents of the report and appendices be noted and welcomed.
- b) That the Director of Children's Services be requested to prepare a report on the tensions around clusters for future consideration by the Area Committee and to invite a number of Cluster Managers to attend the Area Committee.

(Councillor B Anderson left the meeting at 4.00pm during discussions of the above item)

34 Date and Time of Next Meeting

Monday 8th November 2010 at 2.00pm (venue to be confirmed)

(The meeting concluded at 4.25pm)

NORTH EAST (INNER) AREA COMMITTEE

MONDAY, 6TH SEPTEMBER, 2010

PRESENT: Councillor M Rafique in the Chair

Councillors S Hamilton, G Hussain,
V Kendall, B Lancaster, M Lobley and
E Taylor

18 Exempt Information - Possible Exclusion of the Press and Public

Reference was made to Appendix 3 of the report of the Director of Environment and Neighbourhoods relating to Community Centres (Agenda Item 10 refers). This Appendix contained details which were regarded as exempt information in accordance with Paragraph 10.4(3) of the Access to Information Procedure Rules (information relating to the financial or business affairs of any particular person, including the authority holding that information). Therefore, when Agenda Item 10 was reached, the Committee would have to decide whether or not to accept the officer's recommendation that this information was exempt and, if so, would have to pass a formal resolution to exclude the press and public during the consideration of that specific Appendix. The remainder of the report was a public document.

RESOLVED – That the situation be noted.

19 Late Items

Further to Agenda Item 11, Wellbeing Budget Update Report, reference was made to a supplementary report of the East North East Area Manager updating Members on the capital Wellbeing Budget situation, which had been circulated separately to Members.

20 Declaration of Interests

The following personal declarations of interest were made:-

- Councillor G Hussain – Area Delivery Plan 2008-11 – Update (Agenda Item 9, Minute No. 24 refers) – in relation to his friendship with a property owner in the area, reference to the property being included in the report.
- Councillor B Lancaster – Wellbeing Budget Update Report (Agenda Item 11, Minute No. 26 refers) – in relation to her association with Roundhay WRVS.
- Councillors V Kendall and M Lobley – Wellbeing Budget Update Report (Agenda Item 11, Minute No. 26 refers) – in their capacity as members of CARE (Community Action for Roundhay Elderly).

Minutes approved as a correct record
at the meeting held on Monday, 18th October, 2010

21 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 any matter within the remit of the Area Committee.

Friends of Allerton Grange

A spokesperson for Friends of Allerton Grange submitted a report and made representations relating to the future use of Allerton Grange Fields, adjacent to Allerton Grange High School, as a community facility, and sought the Committee's backing for this proposition, and a proposal that the playing fields should be nominated for Queen Elizabeth II status as part of the Fields in Trust initiative to mark the Queen's Diamond Jubilee in 2012.

The Committee congratulated the Friends of Allerton Grange on their excellent report and presentation, and agreed that the Area Management Team should assist the group to discuss the proposals further with appropriate Council officers, including representatives of Education Leeds, with a view to a further report being submitted to a future meeting.

RESOLVED – That a further report be submitted to a future meeting.

22 Minutes - 21st June 2010

RESOLVED – That the minutes of the meeting held on 21st June 2010 be confirmed as a correct record.

23 Matters Arising from the Minutes

a) Moor Allerton Elderly Care (Minute No. 3 Refers)

Further to Minute No. 3, 21st June 2010, it was reported that following discussions with MAECare, they had accepted that it was not necessary for the City Council to appoint an official representative to their management committee. The organisation currently received revenue Wellbeing funding from the NE Outer Area Committee.

b) Divisional Community Safety Report (Minute No. 10 Refers)

Members asked to be kept informed in respect of the 'no cold-calling zones' idea.

c) Community Engagement Strategy (Minute No. 9 refers)

Members requested to be provided with details of the priority neighbourhood area boundaries.

d) Leeds City Credit Union Branch Network (Minute No. 8 refers)

In response to a Member's query, reference was made to a letter from the Chief Executive of Leeds City Credit Union submitted to the last meeting explaining why a costed options appraisal had not been prepared.

e) Wellbeing Fund 2010/11 (Minute No. 12 refers)

In response to several Members' queries, it was reported that:-

- i) information would be circulated relating to venues to be used to deliver vocational activities;
- ii) Probation Service representatives would be invited to attend a future Ward Member meeting in each of the Wards;
- iii) the review of spending on community skips had not yet been undertaken, but would be reported back to a future meeting.

Councillor Lancaster reported that she had received positive feedback regarding the operation of the ZEST Meanwood family project.

f) Local Authority Appointments to Outside Bodies (Minute No.15 Refers)

Further to Minute No.15, 21st June 2010, it was

RESOLVED – That Councillor V Kendall be appointed to fill the current vacancy on the East North East ALMO Inner North East Area Panel.

24 **Area Delivery Plan 2008-2011 - Update Report**

The East North East Area Manager submitted a report updating the Committee on progress made against the promises set out in the Community Charter for 2010/11.

In brief summary, the main issues discussed were:-

- Priority Neighbourhoods – A full update report would be submitted to the next meeting.
- Moor Allerton Partnership (MAP) – The potential project to develop walking and cycling routes in Tynewald Wood did cross Area Committee boundaries. The area was not officially in the MAP area, but was complementary to its work.
- Community Payback Scheme – Ideas/input would be sought at Ward Member meeting level. The use of the service needed to be monitored to ensure that all Wards benefited equally from the scheme.

- Grit Bins – Awaiting response from Highways regarding when the bins would be installed. Irresponsible use of bins by the public for private purposes was discussed. Is there a need for padlocks, with a known local key-holder, or should the potential problem be publicised in an appeal to people's better nature?

RESOLVED –

- a) That the content of the report and appendices be noted.
- b) That this Committee notes the intention to provide an update report on Community Engagement to the October meeting.
- c) That this Committee notes the intention of the Neighbourhood Manager to lead partnership work in the Stonegates Estate to address concerns and issues raised by Members.
- d) That this Committee notes the progress made against the Charter promises and remedial action against the promises highlighted, and congratulates the Area Manager and his team for all their excellent work.

25 Community Centres Report

The Director of Environment and Neighbourhoods submitted a report updating the Committee on the 2009/10 and 2010/11 budget position in respect of the operation of Community Centres by Area Committees across the City, and highlighting specific details in relation to those centres which were the responsibility of the NE Inner Area Committee.

Further to Minute No.18, the Committee discussed whether or not Appendix 3 to the report should remain as exempt information.

RESOLVED (by 4 votes for to 3 against) – That the press and public be excluded from the meeting during the 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:-

Agenda Item 10 – Appendix 3 of Community Centres Report – Access to Information Procedure Rule 10.4(3) – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(NB: In accordance with Council Procedure Rule 16.5, Councillor Lobley wished it to be recorded that he voted against the above decision.)

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

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- More detailed information was required from Corporate Property Management regarding what their management fee covered in terms of the NE Inner area, what maintenance had been carried out, and at what cost, on community centres under the Committee's control, what the backlog of maintenance consisted of, and what were the plans to tackle this backlog. Queries were also raised regarding what was perceived as the high costs of providing caretaking services and whether this service could be provided more economically via other means. The report back should also include reference to this issue.
- It was noted that the Department was working on producing a City-wide policy on the issue of charges/concessions for office accommodation and storage space occupied by centre users, and it was accepted that such a policy needed to be open, honest and transparent, so that charges or non-charges for different users could be justified and, if necessary, challenged.
- Due to the economic situation facing local authorities, and the fact that, by and large, community centres operated at a loss, serious consideration would have to be given to what charges/rents should be levied and which organisations they should apply to. In reaching these decisions, various factors needed to be taken into account, such as what facilities were available in a Ward, e.g. community centres, use of school premises, the type of activity taking place (and the possible consequences of introducing a charge/rent) and what other options there might be, e.g. leasing out the community centre, such as 53 Louis Street , or even selling off a community centre.
- In response to a Member's query, the Area Manager stated that Members could be provided with a list of what type of facilities, and associated costs, were available in particular Wards (as had been done previously in Chapel Allerton Ward), but this kind of detailed information would take a while to collate. It certainly could not be provided in time for the October meeting.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That a further report be submitted to the Committee in due course, once a City-wide charging policy has been produced in relation office and activity space permanently occupied by centre users.

26 Well-Being Budget 2010/11

The East North East Area Manager submitted a report updating Members on the latest situation regarding the Committee's revenue and capital Wellbeing Budget for 2010/11, which included details of several applications before the

Committee today for determination. The report also contained a summary of all expenditure by the Committee since 2004/05.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That approval be given to the following amounts of Wellbeing (revenue) budget to be released to the organisations and projects listed below from the 2010/11 budget:-
 - ii) Sawanvihar – Older People’s Project – £1,646.30.
 - ii) Chapel Allerton Festival Committee – Chapel Allerton Festival 2010 - £2,500 – ratify Chief Officers delegated decision to approve funding, but the Festival Committee be reminded of the need to submit timely applications in future.
 - iii) Maplecroft Residents Association – Landscaping Maplecroft Entrance - £500 small grant.
- c) That this Committee agrees the recommendation of the Wellbeing Working Group to approve the following projects from the Capital budget allocations:-
 - i) Moortown Baptist Church – Kitchen Refurbishment - £5,000.
 - ii) Greek Orthodox Church – Disabled Toilet and Baby Changing - £5,000.
 - iii) Chapel Allerton Allotment and Gardens Association – Security Fencing - £5,425.
- d) That in consequence of the above decision, the amount identified for Alley and Ginnel Improvements be reduced, from £69.5k to £54k.
- e) That the current £12k over-commitment in the overall capital Wellbeing Budget be noted, and the situation be reviewed once the final spend on all outstanding schemes is known.
- f) That approval be given to the suggested amendment to the Small Grants process whereby applications are sent to all Area Committee members straight away, removing the additional step of sending them to the working group first.

27 Children's Services Performance Report

The Interim Director of Children’s Services submitted a report updating Members on the performance monitoring arrangements for Area Committees in respect of Children’s Services, and containing detailed information, on a

Minutes approved as a correct record
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Ward by Ward basis, relating to the numbers of looked after children, the number of referrals for investigation and how quickly these were dealt with.

Ken Morton and Helen Allan, Children's Services, attended the meeting and responded to Members' queries and comments. In brief summary, the main issues raised were:-

- Members welcomed the reporting arrangements set out in Paragraphs 2.1 and 2.2 of the report, and the detailed information now provided at Ward level. This was a vast improvement and could, perhaps, be developed even further to include details of levels/numbers of risk interventions, casework examples, etc, although in respect of the latter, this was probably best provided at Ward Member meetings. It was also suggested that the statistical information should be further developed, to help better understand where there may be correlations between different social factors affecting the wellbeing of families e.g. is there a direct correlation between poverty and vulnerable children?
- Efforts being made to recruit and retain social workers, including caseload analysis and the emergence of multi-disciplinary teams to support casework.
- A request was made for more detailed information in respect of indicator LSP-HW2b(i)a – and the numbers/action taken in respect of unaccompanied children asylum seekers.
- Information on NEETs (16-18 year olds Not in Education, Employment or Training) was improving, with all associated agencies co-operating to achieve improved information. It was suggested that liaison with Armed Forces recruitment offices would also assist in this respect.
- It was suggested that it would also be helpful to Members if any statistical information could be further broken down by ethnicity.

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

(NB: Councillor E Taylor left the meeting at 6.00 pm, during the consideration of this item.)

28 Dates, Times and Venues of Future Meetings

Monday, 18th October 2010, Leeds Media Centre.

Monday, 6th December 2010, Immaculate Heart, 294 Harrogate Road, LS17 6SF.

Monday, 31st January 2011, City Learning Centre, Allerton Grange High School.

Minutes approved as a correct record
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Monday, 14th March 2011, Technorth, LS7 3NB.

All at 4.00 pm.

The meeting concluded at 6.02 pm.

NORTH EAST (INNER) AREA COMMITTEE

MONDAY, 18TH OCTOBER, 2010

PRESENT: Councillor M Rafique in the Chair

Councillors J Dowson, S Hamilton,
M Harris, G Hussain, V Kendall,
B Lancaster, M Lobley and E Taylor

29 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair agreed to admit to the agenda, as a late item of urgent business, a report submitted by the Director of Environment and Neighbourhoods relating to the proposed delegation to Area Committees of elements of the Streetscene Service (Agenda Item 17, Minute No. 42 refers). The report had not been available at the time of agenda despatch due to the need for it first to be considered at the meeting of the Area Committee Chairs' Forum held on 8th October 2010.

30 Declarations of Interest

The following declarations of interest were made:-

- Councillor B Lancaster – Agenda Item 9 (Minute No. 35 refers) – Wellbeing Budget Update Report – personal interests in respect of the KICK Project and MENA in her capacity as a Trustee of KICK and a WRVS volunteer respectively.

31 Open Forum

Reference was made to the provision contained in the Area Committee Procedure Rules for an Open Forum session to be held at each ordinary meeting of an Area Committee to allow opportunity for members of the public to ask questions or to make representations on matters which fell within the remit of the Area Committee.

On this occasion, no such matters were raised.

32 Minutes - 6th September 2010

RESOLVED – That the minutes of the meeting held on 6th September 2010 be confirmed as a correct record.

33 Matters Arising from the Minutes

- a) No Cold Calling Zones (Minute No. 23(b) refers)

Draft minutes to be approved at the meeting
to be held on Monday, 6th December, 2010

Councillor Lancaster stated that she was not aware of this initiative being rolled out yet in respect of Moortown Ward.

The Area Management Officer undertook to investigate.

34 Future Use of Allerton Grange Playing Fields

Further to Minute No. 21, 6th September 2010, the Committee received an interim update report from the Chief Executive, Education Leeds.

In attendance at the meeting, and responding to Members' queries and comments, were Stuart Gosney, Head of Building Schools for the Future and Academies, and Lesley Savage, Senior Planning and Bids Manager, Education Leeds.

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

- Education Leeds' intention had always been to declare these playing fields surplus to educational requirements once the new Allerton Grange School had been completed and the playing fields had been re-instated by the contractors. Education Leeds had been aware of the interest shown by Friends of Allerton Grange in turning over the area for community green space purposes.
- Due to the rising birth rate, Education Leeds was having to seriously consider its current level of primary school provision across the City, and the Allerton Grange playing fields formed part of this review of land and assets. Currently, the land in question could not be declared surplus to education requirements for this reason.
- Various options were being explored in terms of providing extra primary school provision in this area of the City, and some of these were discussed. In terms of this site, one option was the possibility of a new school, another possibility might be the expansion of the current Moor Allerton Hall Primary School (which currently had no playing fields), and a third possible option might be the development of a through - school on the site, linking education from ages 4–19 years. Other alternatives were also being looked at for other sites in the area. At the moment, it was too early to predict the outcome of all the discussions and consultations which would be needed before final decisions could be taken.
- Even if this site was developed, it was regarded that the size of the area meant that part of it might still be surplus to educational requirements and would be transferred back to the Council's Asset Management Team to consider its future use.
- In Leeds, there was a need for an estimated extra 400 primary school places per annum for the foreseeable future, and there was demand/need for extra places in the Committee's area. However,

there was no guarantee that, if a new school was built on the site, all the places would go to local children – the normal admission arrangements would apply.

- Members made it clear that they were very supportive of the proposals of Friends of Allerton Grange, and were not in favour of the development of the playing fields for school purposes, which they regarded as an over-intensive use of the site, with possibly three schools in close proximity to each other on basically one site. They also regarded that two primary schools virtually adjacent to each other was not viable long-term.
- Members felt that alternative options were preferable and should be explored first. Discussion took place regarding possible alternatives, such as the expansion of other primary schools and the possible use of the former Yorkshire Bank site and the Braim Wood site. Members expressed their concern that Education Leeds might favour the development of Allerton Grange playing fields simply because this was the easiest site to identify, whereas they should be looking for the best solution, not the easiest.
- It was explained that discussions and considerations were ongoing, that consultation and evaluation was likely to take place during January and February 2011, with a report to the Executive Board in March 2011 and a likely final decision by July 2011.

The Chair summed up the discussions by stating that the views and wishes of local Members, as expressed at this meeting, were perfectly clear and should be taken into account as part of the process. It was essential that all interested parties – Local Members, residents, parents, school governing bodies and Friends of Allerton Grange – were fully consulted as part of the formal process and kept informed of developments. In the meantime, Education Leeds should liaise with Friends of Allerton Grange regarding the possibility of agreeing an interim arrangement for temporary community use of the playing fields pending a final outcome of the deliberations.

It was confirmed that the Area Committee would be formally consulted as part of the formal consultation process, and a further report would be submitted to the January meeting of the Area Committee.

RESOLVED – That the report be noted, and the officers of Education Leeds be thanked for their attendance and the manner in which they have responded to Members' queries and comments.

35 Wellbeing Budget 2010/11 - Update Report

The East North East Area Manager submitted a report updating the Committee regarding its revenue and capital Wellbeing Budgets 2010/11 and seeking consideration of two applications for funding before the Committee today for decision.

Draft minutes to be approved at the meeting
to be held on Monday, 6th December, 2010

RESOLVED –

- a) That the report be noted, including the summer programme update.
- b) That the additional £7,342 revenue funding for 2010/11 be transferred into the 'Things To Do' pot.
- c) That the capital Alleygating pot now be closed, and the outstanding balance of £2.5k be transferred to help off-set the current overall capital over-commitment.
- d) That the current over-commitment of the capital Wellbeing allocation by £9.6k, and the need to review this position and take any necessary corrective action once the final spend position is clear, be noted.
- e) That the following decisions be taken in respect of the applications before the Committee today:-

Revenue

- Beckhill Approach – alleygating - £8,245 – Approved.
- Meanwood Healthy Living Group – Mental Health Training- £1,320 – Refused – Area Management Officer to explore possible alternative form of scheme, in conjunction with the Health and Wellbeing Improvement Manager.

36 Priority Neighbourhoods - Update Report

The Director of Environment and Neighbourhoods submitted a report updating the Committee regarding activity/action plans in respect of the Chapeltown/ Scott Hall and Meanwood Priority Neighbourhoods.

Steve Lake, Neighbourhoods Manager, Environment and Neighbourhoods, presented the report and responded to Members' queries and comments.

- Positive Role Models for local primary school children – it was suggested that Steve Lake should consider seeking assistance from Leeds Ahead in pursuing this initiative.
- World of Work Days – St. Matthew's Primary School had already agreed to take part in the project, and Members were requested to contact Sharon Hughes with suggestions for suitable primary schools in their Wards which would benefit from participating in this initiative (Moor Allerton Hall Primary School was suggested by Councillor Lobley).

RESOLVED –

- a) That the report, and the progress made in each of the Priority Neighbourhoods, be noted.
- b) That the proposed framework for overseeing the development and implementation of the Neighbourhood Improvement Plans and Action Plans in each area, and the link to the community engagement strategy, also be noted.

37 Community Engagement Strategy - Update Report

Further to Minute NO. 24, 6th September 2010, the East North East Area Manager submitted a progress report regarding the development of the community engagement strategy approved by the Committee in June 2010 (Minute No. 9 refers).

- In response to a Member's query, there was agreement that the Stonegates area should be linked to the Six Estates and included in the Meanwood Priority Neighbourhood.
- It was also noted that the Friends of Gledhow Valley Woods operated across all 3 Wards, and needed to be included/kept informed accordingly.

RESOLVED –

- a) That the proposed engagement strategy for 2010/11, and the activities and format for Autumn 2010, be approved.
- b) That the Chairs' of the Chapeltown and Meanwood Community Leadership Teams be the subject of further discussion at Ward Member meetings, and reported back to the Area Committee in December.

38 Area Committee's Forward Plan 2010/11

RESOLVED – That the Committee's updated forward plan 2010/11 be received and noted.

39 Health and Wellbeing Partnership - Update Report

Liz Bailey, East North East Health and Wellbeing Improvement Manager, presented a report outlining the key health and wellbeing issues and priorities being addressed in the Committee's area and responded to Members' queries and comments.

- 10% Super Output Areas (SOAs) – Liz Bailey confirmed that there was some cross-over into LS17, Alwoodley Ward, and she worked closely with organisations such as Northcall, MAECare and Openhouse.

- Reference was made to Liz Bailey establishing contact with organisations such as ZEST and the U3A group operating out of Moor Allerton Sports and Social Club.
- Liz Bailey also confirmed that she was liaising with Education Leeds regarding ways of encouraging the take up of free school meals.
- Communication with local people/organisations was stressed, the partnership should not just be about professionals talking to each other.

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

40 Health and Environmental Action Team - Update Report

Phil Gamble, Health and Environmental Action Service, presented a report updating the Committee on the operation of the service across the City, with statistical and enforcement information broken down on a Ward by Ward basis.

- Reference was made to problems associated with the aftermath of domestic refuse collection days, with regard to missed collections, residents putting bins out on the wrong day, etc. The service was in a transitional period at present, and in the process of introducing new collection rounds following the resolution of the industrial action earlier in the year, so teething problems should gradually be reduced.
- Local Members requested to be kept informed of issues dealt with by the CESO operating in the Brackenwoods area. Members offered to assist by identifying 'hotspots' if contacted by Mr Gamble.
- Concern was expressed regarding the high recorded incidences of fly-tipping and waste in gardens in Chapel Allerton Ward and, again, local Members asked to be kept informed of particular difficulties or hotspots.
- Members agreed that the format of the report, with Ward by Ward breakdowns, was an improvement on previous, similar reports.

RESOLVED – That the report be received and noted.

41 Grounds Maintenance Contract - Update Report

The Chief Environmental Services Officer submitted a report updating the Committee regarding the implementation of the new Grounds Maintenance Contract with effect from 1st January 2012.

In attendance at the meeting, and responding to Members' queries and comments, were Giles Jeffs, Environment and Neighbourhoods, and Anne-

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to be held on Monday, 6th December, 2010

Marie Broadhead, East North East Homes ALMO. In brief summary, the main points of discussion were:-

- The attention paid to developing the mapping database over the course of the current contract, leading to less difficulties regarding ownership of particular pieces of land.
- Local Member consultation had taken place via reports to all Area Committees last Autumn and now with this latest report.
- The more robust monitoring arrangements proposed in respect of the new contract, with the Council, the ALMOs and some Local Councils all signed up in relation to their respective areas of land. Specific timescales for getting the work done were included in the contract, the work was subject to monitoring and review and ultimately there were provisions in the contract for financial penalties.
- Members expressed some surprise, given the length of the existing and proposed new contracts, that the Council had found itself in the position of having to negotiate a 10 month extension with the existing contractor prior to the commencement of the new contract.
- In terms of a back-up contingency plan in the event of the contractor defaulting or being found to be unsatisfactory, this was in the form of a Service Level Agreement with the Parks and Countryside Division.

Members were strongly of the opinion that a far more satisfactory arrangement would be to split the City-wide contract into two or more separate contracts, with more than one contractor doing the work. In the event of one contractor proving to be unsatisfactory, the other(s) could be asked to take over that work. Notwithstanding the stage that the process was currently at, the Committee requested that this view be referred back to the Grounds Maintenance Programme Board and, if necessary, to the Council's Executive Board, and that the Committee receive an official response to its suggestion.

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

42 Briefing Note on Proposed Delegation of Elements of the Streetscene Service to Area Committees

Following consideration of the matter at the Area Committee Chairs' Forum on 8th October 2010, the Director of Environment and Neighbourhoods submitted an information report regarding proposals for elements of the Streetscene Service (street cleaning, litter bins, graffiti removal and fly-tipping) to be delegated to Area Committees. This would provide Area Committees with the opportunity to shape, control and steer these services in their areas.

The proposals would involve each Area Committee negotiating a local Service Level Agreement with Streetscene Services and, to assist and guide this process, it was proposed that the District Local Environmental Quality Survey (DLEQS) system, devised by the Keep Britain Tidy Group, be utilised.

In receiving the report, the Committee was non-committal in respect of the proposals, and some reservations were expressed regarding whether Area Committees were perhaps being asked to shoulder the responsibility for the service, but without the authority or, more importantly, the resources to carry out the task.

It was explained that, at this stage, the report was submitted purely for Members' information and a further report would be submitted to the next meetings of all Area Committees, when the proposals had been developed in more detail.

RESOLVED – That the report be noted, and that further discussions take place at Ward Member meetings, with a further report back to Committee in due course.

43 Dates, Times and Venues of Future Meetings

Monday, 6th December 2010, Immaculate Heart, 294 Harrogate Road, LS17 6LE.

Monday, 31st January 2011, City Learning Centre, Allerton Grange High School.

Monday, 14th March 2011, TechNorth.

All at 4.00 pm.

The meeting concluded at 6.25 pm.

NORTH EAST (OUTER) AREA COMMITTEE

MONDAY, 20TH SEPTEMBER, 2010

PRESENT: Councillor G Wilkinson in the Chair
Councillors A Castle, P Harrand, A Lamb,
J Procter, R Procter and M Robinson

APOLOGIES: Councillors R D Feldman and
Mrs R Feldman

18 Declaration of Interests

No declarations of interest were made.

19 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, for members of the public to ask questions, or to make representations, on matters within the terms of reference of the Area Committee.

On this occasion, no such matters were raised.

20 Minutes - 5 July 2010

RESOLVED – That the minutes of the meeting held on 5th July 2010 be confirmed as a correct record.

21 Matters Arising from the Minutes

- a) NE Community Safety Partnership Annual Report 2009/10 (Min. No. 8 refers)

Further to Minute No. 8, 5th July 2010, and the statistical query raised last time under this item, Inspector Marcus Griffiths indicated that he had subsequently circulated to Members the correct figures in respect of that particular indicator.

22 Well Being Budget 2010/11

The East North East Area Manager submitted a report updating Members regarding the final Wellbeing Budget figures for 2010/11, and seeking decisions in respect of several applications for funding.

RESOLVED –

Minutes approved as a correct record at the meeting held on Monday, 25th October, 2010

- a) That the Committee's revenue and capital Wellbeing Budgets for 2010/11, and the projects in development, be noted.
- b) That the following decisions be taken in respect of the applications for funding before the Committee this evening for decision:-

Revenue

- i) Conservation Area for Scholes - £6,000 – Approved;
- ii) Conservation Area review – Shadwell - £6,000 – Approved;
- iii) Crime reduction operations – Farmwatch and Wetherby Pre-Christmas patrols - £8,500 (£6,000 Wetherby Ward, £2,500 Harewood Ward) – Approved;
- iv) Wetherby Community Bonfire - £1,000 – Approved;
- v) Wetherby Road Plantation - £1,000 – Approved;
- vi) Reaching Out Project – Wetherby Methodist Church – Refused (alternative funding to be explored);
- vii) Wetherby – Site-based Gardener - £21,115 – Deferred;
- viii) Slaid Hill, Alwoodley - £1,208.24 – Approved.

Capital

- Alwoodley Methodist Church – toilets - £5,606 – Approved;
- Collingham Scout and Guide HQ roof - £6,500 – Deferred;
- Barleyfields Community Centre, Wetherby – redecorating – Withdrawn (alternative funding identified);
- Deepdale, Boston Spa – Play Space and Boundary Fencing – Deferred;
- Wetherby Town Hall roof – Withdrawn.

23 Area Delivery Plan 2008-11 Update

The East North East Area Manager submitted a report updating the Committee regarding progress against actions contained in the 2008-11 Area Delivery Plan, and outlining a draft Neighbourhood Improvement Plan for Moor Allerton.

Referring to the previous agenda item, Members commented on the adverse effects of the changes by the ruling administration to the funding formula upon

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which the Wellbeing revenue funding was allocated – from 25%/75% deprivation factor to population, to a 50%/50% allocation. This had resulted in reallocation of resources from the Outer Area Committees to Inner Area Committees, with no overall cost saving to the Council, and would affect this Committee's abilities to meet its ADP aspirations.

RESOLVED – That the report be noted and the Moor Allerton draft Neighbourhood Improvement Plan be approved.

(N.B. Councillor R Procter joined the meeting at 6.26pm, during the consideration of this item).

24 Town and Parish Council Feedback

The Committee considered the notes of the Harewood and Wetherby Town and Parish Council Forum meeting held on 22nd July 2010.

Members requested the Area Manager to ensure that various actions arising, such as clarification on planning objections and information regarding other possible sources of financial assistance for Town and Parish Councils, were progressed as quickly as possible.

It was noted that the next Forum meeting would be on 21st October 2010, 7.30 pm at Wetherby Town Hall.

RESOLVED – That the report be noted.

25 Local Authority Appointments to Outside Bodies

Further to Minute No. 15, 5th July 2010, the Chief Democratic Services Officer submitted a report updating the Committee on the position with regard to the Aberford Almshouses Trust and Moor Allerton Elderly Care.

RESOLVED – That the Member Management Committee be recommended to formally remove the appointments to the Aberford Almshouses Trust and Moor Allerton Elderly Care from the list of appointments to outside bodies.

26 Children's Services Performance Report

The Interim Director of Children's Services submitted a report containing details of performance across a variety of performance indicators, such as the numbers of looked after children in the Committee's area, the number of referrals for investigation and how quickly they were dealt with and the NEET (young people Not in Education, Employment or Training) statistics for the area. Attention was drawn to the improvement in the timeliness of social care assessment at a time of increasing demand.

Jane Maxwell and Ros Cheetham, Children's Services, attended the meeting and responded to Members' queries and comments.

In brief summary, the main discussion points were:-

- The report presented was the first time that social care data had been made available at Ward level. This would now act as a baseline for future reporting.
- The quality improvement programme in social care and case file audits process across the City.
- Proposals to establish integrated Children's Services Wellbeing Teams across the City. Members' sought further information regarding how resources would be allocated to areas that were identified with lower levels of need. Members' were also interested in how the teams would be established and managed locally. Members' also expressed a view about having coterminous boundaries between agencies across the City, including working alongside existing Joint Neighbourhood Tasking meetings.

Wellbeing Teams would be part of the local authority, and services would be delivered across a cluster geography. Members' expressed concern regarding the proposed direction of travel towards cluster-governed Wellbeing Teams, as one of the local clusters was struggling with developing fit for purpose governance arrangements.

Members highlighted the fact that many pupils from other parts of Leeds attended schools in this Committee's area, and that this should be a prominent factor when considering how funds were allocated, rather than simply allocating them on a pupil's home postcode basis.

Members were firmly of the opinion that, regardless of what models might be adopted elsewhere in the City, this Area Committee should have a significant and pivotal role to play in the proposed new arrangements. To this end, Members requested the Area Manager, in conjunction with Jane Maxwell, to arrange a meeting for Members with appropriate senior officers to progress this issue.

RESOLVED – That, subject to the above comments and request for a further meeting, the report be received and noted.

(NB: Councillor R Procter left the meeting at 7.11 pm, during consideration of this item.)

27 Date and Time of Next Meeting

Monday, 25th October 2010, 5.30 pm, Civic Hall, Leeds.

The meeting concluded at 7.45 pm.

Minutes approved as a correct record at the meeting held on Monday, 25th October, 2010

NORTH EAST (OUTER) AREA COMMITTEE

MONDAY, 25TH OCTOBER, 2010

PRESENT: Councillor G Wilkinson in the Chair

Councillors A Castle, R D Feldman,
Mrs R Feldman, P Harrand, A Lamb and
M Robinson

28 Chair's Opening Remarks

The Chair welcomed everyone to the October meeting of North East (Outer) Area Committee held in the Civic Hall, Leeds.

29 Apologies for Absence

Apologies for absence were received on behalf of Councillors J Procter and R Procter.

30 Declaration of Interests

There were no declarations of interest made at the meeting.

31 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, for members of the public to ask questions, or to make representations, on matters within the terms of reference of the Area Committee.

On this occasion, no such matters were raised.

32 Minutes - 20th September 2010

RESOLVED – That the minutes of the meeting held on 20th September 2010 be confirmed as a correct record.

33 Matters Arising from the Minutes

a) Children's Services Performance Report (Minute No 26 refers)

The East North East Area Manager informed the meeting that he had now met with Jane Maxwell, Children's Services to discuss the arrangements regarding this Area Committee having a significant and pivotal role to play in the new arrangements. A meeting with Members and appropriate senior officers to progress this issue would be held in the near future.

b) NE Community Safety Partnership Annual Report 2009/10 (Minute No 21 a) refers

The Chair reported the receipt of an e mail from Inspector Marcus Griffiths who wished to place on record his thanks to the meeting for the support of ward Councillors in the fight against rural crime with their Farmwatch operation.

34 Wellbeing Fund 2010/11 - Update Report

The East North East Area Manager submitted a report updating Members regarding the Wellbeing Budget figures for 2010/11, and seeking decisions in respect of new applications for funding.

In brief summary, the main discussion points were:-

- the Committee's dissatisfaction and frustration regarding the administrative error as outlined in Section 7 of the report and of the need for the Director of Environment and Neighbourhoods to investigate this issue
- the need for the Committee to be reassured about its current financial position before making any future decisions about revenue funding
- the current access issues in relation to the proposed High Ash Drive Allotments revenue application

RESOLVED –

(a) That the Committee's revised revenue and capital Wellbeing Budgets for 2010/11, and the projects in development, be noted;

(b) That in respect of the administrative error in relation to the additional £50k allocated by Executive Board being included in the 2008/09 c/f figure and then mistakenly added in again to the ward balances reported to Area Committee in July 2009 and subsequently, this Committee conveys its dissatisfaction and frustration with regard to this error and requests the Director of Environment and Neighbourhoods to investigate and report back at the next meeting in December 2010;

(c) That the application in respect of the proposed High Ash Drive allotments for £5,000 (revenue) (Alwoodley Ward) be deferred for more information around access issues and re-considered at the next meeting in December 2010.

(Councillor A Castle joined the meeting at 5.40pm during discussions of the above item)

35 Briefing Note on Proposed Delegation of Streetscene Services to Area Committees

The Director of Environment and Neighbourhoods submitted a report on the potential to increase the delegation for a range of Streetscene services to Area Committees, which would in turn make them more accountable and responsive to the needs of localities and the aspirations of local people and local Elected Members.

Rory Barke, East North East Area Manager presented the report and responded to Member's queries and comments.

In brief summary, the main discussion points were:-

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- clarification of the DLEQS model and on how this would be assessed if labour was reduced due to ongoing budget restraints within the Council
- clarification of the options available to the Area Committee in the delivery of services
- concern expressed about the complexity of the delegation scheme and the need for a more simplified model
- clarification of the approximate £6.2m annual revenue budget figure and staffing projections and whether or not this would be monitored or overseen by the Area Committee
- the need for the Area Committee to see the complete structure of the Environment and Neighbourhoods department, in particular around the issue of un-filled posts
(The East North East Area Manager informed the meeting that the Committee would benefit by waiting for this detail until next April)
- the need to look at options around delegating more services to Parish Councils who also employed qualified staff
- clarification of the budget arrangements within the city and the need for the Area Committee to be supplied with specific details in relation to the current spend in Outer North East
(The East North East Area Manger agreed to follow up this request)
- the need to address at a later date the possibility of introducing an Environmental Sub Group with Area Committee representation

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Committee notes that a more detailed report would be presented to the Area Committee on this issue later in the municipal year.
- c) That in the interim period, Members be requested to forward any further comments through either the East North East Area Manager or the Chair.

36 Health and Wellbeing Partnership - Update Report

The East North East Health and Wellbeing Improvement Manager submitted a report outlining the key health and wellbeing issues being considered by the East North East Health and Wellbeing partnership and setting out how issues affecting Outer North East Leeds were being addressed.

The report also provided the meeting with details of the work that the Health and Wellbeing Improvement Manager was developing with key partners and how this was being translated locally, together with some examples of projects that are running in the Outer North East Area.

Elizabeth Bailey, East North East Health and Wellbeing Improvement Manager, Environment and Neighbourhoods, attended the meeting and responded to Members' queries and comments.

In brief summary, the main discussion points were:-

- clarification as to why vascular checks to adults ceases at 74 years for those who live in the most deprived 10% of SOA's
- clarification of the criteria for those eligible within the Outer North East Health and Wellbeing Programme
- clarification of how the programme would alleviate poverty
- clarification of the health walk training programme in Leisure Centres with specific reference to those living in high rise estates i.e. Moortown Lingfield/Cranmer Bank
- the need for the Area Committee to be supplied with the total cost figure of this initiative, to include a breakdown of the funding of the post of East North East Health and Wellbeing Improvement Manager
(The Health and Wellbeing Improvement Manager agreed to forward this information via the East North East Area Manager for circulation to the Committee)
- clarification of the statement in the report and the evidence available that supports the fact that older people were particularly vulnerable to poor nutritional status

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Committee notes the progress of the Health and Wellbeing Improvement Programme as part of the work undertaken by the Outer North East Health Champion.

37 Grounds Maintenance Contract - Update Report

The Chief Environment Services Officer submitted a report advising the meeting of the progress to date with the procurement of a new grounds maintenance contract.

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

Peter Mc Gouran, Principal Engineer, Highways Service Planning, City Development

Giles Jeffs, Contracts Officer, Environmental Services, Environment and Neighbourhoods

Anne- Marie Broadhead, East North East Homes, Leeds

In brief summary, the main discussion points were:-

- concern that if the contract was not with Glendale or ATM, then for the period of time between August and December 2011, the quality and performance may deteriorate
- clarification of how the department can guarantee that the new contractor will not have the same problems as Glendale in the first year of contract
- clarification of what Option 1 meant with specific reference to Parish & Town Councils

- reference to the fact that there was considerable unrest at a recent meeting of the Harewood and Wetherby Town Council & Parish Council Forum where Members were livid that they had not been given any time to consider the proposal properly
- clarification as to why it had to be the whole of a Parish or Town Council area and whether smaller groups could submit bids via options i.e. 'Cherry picking'
- concern that the report's recommendation did not specify the 'whole' of the Parish / Town Council area up to the boundary and the reasons why villages and smaller groups cannot be considered in Option 1
- the need for the Project Team / Board to give these areas a chance to bid for works in their own areas as there was a feeling that a real good opportunity was being missed in this particular area
- reference to grass clippings and clarification sought if there will be a pot of money ring fenced to pay for gully cleansing, if not part of new contract, especially if the locality comes to fruition
- to welcome that monitoring will be strengthened in time for the new contract
- clarification as to why it would be not possible to have at least 2 contractors to ensure greater control of the contract and to recommend to the Programme Board to let the whole of the contract to one city wide contractor in favour of a minimum of 2 contractors instead
- concern that it was a 'done deal' and that Members had missed the opportunity to let the Parish Councils do their own patch

RESOLVED –

- a) That the contents of the report be noted.
- b) That the East North East Area Manager be requested to draft a letter, on behalf of the Chair, detailing the Committee's responses to the Grounds Maintenance Contract for submission to the Chief Environmental Services Officer in his capacity as Chair of the Grounds Maintenance Programme Board.

38 Health and Environmental Action Service - Update Report

The Director of Environment and Neighbourhoods submitted a report providing information for Members on the demand for services provided by the Health and Environmental Action Service (HEAS) with particular focus on the enforcement activities undertaken by the Environmental Action Team (EAT) and the Highways and Environmental Enforcement (HEE) team.

Appended to the report was a copy of a document entitled 'Health and Environmental Action Service Activity report – East North East Management Area (Outer North East) April 2010-September 2010 for the information/comment of the meeting.

Graham Wilson, Head of Environmental Action and Parking, Environment and Neighbourhoods attended the meeting and responded to Member's queries and comments.

Draft minutes to be approved at the meeting
to be held on Monday, 6th December, 2010

In brief summary, the main discussion points were:-

- clarification of when the half post of Community Environment Support Officer allocated to Outer North East would be filled
- clarification of the 'vehicle' job type identified in table 4 of the appendices and whether or not it related to abandoned vehicles
- clarification of the department's role in relation to pest control in domestic premises
(The Head of Environmental Action and Parking confirmed that following a recent change in protocol, the department retained responsible for pest control inside domestic premises, but not within the grounds of the property)
- clarification of the reasons behind the 110 health and safety inspections in the Wetherby ward identified in table 12
(The Head of Environmental Action and Parking agreed to e mail the Chair with this information)
- clarification of the role and reporting procedures in relation to the East Environmental Action Team identified in table 1
- the concerns expressed regarding the continuing parking problems outside a school located on Station Road, Scholes
(Whilst being outside the scope of the report, the Head of Environmental Action and Parking agreed to look into this issue with a report back to Councillor M Robinson)
- the need for the Area Committee to be furnished with details of the total number of staff employed within the teams identified within the report
(The Head of Environmental Action and Parking agreed to forward this information via the East North East Area Manager for circulation to the Area Committee)
- clarification of the reasons behind the large number of empty properties across the city and 206 empty properties in the Wetherby ward identified in table 15
(The Head of Environmental Action and Parking agreed to e mail the Chair with this information)

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That this Committee specifically notes the work of the Environmental Action Team whose staff include the newly appointed Community Environment Officers and Community Support Officers.

39 Dates, Times and Venues of Future Meetings

To note the following arrangements:-

Monday 6th December 2010, 5.30pm, Civic Hall, Leeds.

Monday 7th February 2011, 5.30pm, Civic Hall, Leeds.

Monday 21st March 2011, 6.00pm, Tree Tops Community Centre, Alwoodley

(The meeting concluded at 7.05pm)

Draft minutes to be approved at the meeting
to be held on Monday, 6th December, 2010

EAST (INNER) AREA COMMITTEE

THURSDAY, 23RD SEPTEMBER, 2010

PRESENT: Councillor G Hyde in the Chair
Councillors A Hussain, B Selby, V Morgan,
R Grahame and K Maqsood

CO-OPTED MEMBERS S Covell, M Dean and P Rone

16 Declaration of Interests

There were no declarations of interest.

17 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Brett, Pryke and Taylor and Mr R Manners, Co-opted Member.

18 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. On this occasion, no matters were raised under this item by those members of the public who were in attendance.

19 Minutes

RESOLVED – That the minutes of the meeting held on 17 June 2010, be confirmed as a correct record.

20 Matters arising from the Minutes

Carole Clark, Area Management Officer gave the Committee an update following concerns that had been raised at the Open Forum at the previous meeting regarding the condition of the old library building on York Road.

It was reported that there had been discussions with the landowner/developer about bringing the building back into use and it had been requested that the building be made weather tight and secure. The Council could intervene and carry out this work, with charges to the building owner if it was not carried out.

Further to this, Sarah Covell reported that along with local residents she had recently met with the developer, planning officers and the conservation

officers. This had not provided a satisfactory outcome and Area Management agreed to pursue this matter further.

Further discussion was held regarding the recent vandalism at Harehills Cemetery.

21 Well Being Fund

The report of the East North East Area Manager provided an overview of spending to date and presented a number of new project proposals that requested funding. Members were also requested to establish and agree membership for a Wellbeing Working Group.

The Chair welcomed Members of the Getaway Girls Fusion Project. A brief overview of their project was given mainly that the project provided a wide range of support services to vulnerable young women and was based in Harehills and Members were able to ask any questions in relation the application.

RESOLVED: That the following be noted:

- a) That the spend to date and current balances for the 2010/11 financial year be noted
- b) That the awarding of small grants be noted.
- c) That the following decisions be taken in respect of the following project proposals:
 - Getaway Girls, Fusion Project - £9,800 revenue – **Approved**
 - Learning Partnerships, Inner East Extended Services Cluster Pantomimes - £1,800 – **Approved**
 - Harehills Healthy Living Group, Stop Smoking Campaign - £999 revenue – **Approved**
 - East End Park Removal of Road Closure Points - £12,600 capital – **Deferred**
 - Eastdean Drive Car Parking - £3,675 – **Approved**
- d) That a Wellbeing Working Group be established consisting of the following Members:
 - Councillor A Hussain
 - Councillor R Grahame
 - Councillor B Selby
 - One Member from the Liberal Democrat Group

22 Inner East Community Centres Update

The report of the Director of Environment and Neighbourhoods provided an update on ongoing work to develop those Community Centres vested within Environment and Neighbourhoods and highlighted issues facing these centres.

It also sought approval of the Committee to reconvene the Community Centres Working Group.

Members were informed that there would be a more detailed report on maintenance and asset management issues submitted to a future meeting and that proposals made by GIPSIL for the future of the South Gipton Community Centre had now been withdrawn.

Members discussed the potential implications of the withdrawal of GIPSILS proposals for South Gipton Community Centre and concern was also expressed regarding the condition and future of Harehills Place Community Centre.

RESOLVED -

- (a) That the report be noted.
- (b) That the Community Centre Working Group be reconvened, Membership as follows:
 - Councillor Hyde
 - Councillor Brett
 - Councillor Maqsood
 - Area Management Representative
 - Corporate Property Management Representative
 - Neighbourhood Services Team Representative
- (c) That further consideration regarding the future of the South Gipton Community Centre and Harehills Place be deferred to the Community Centres Working Group and Ward Members with a further report back to the Area Committee

23 Children's Services Performance Report

The report of the Interim Director of Children's Services provided the Area Committee with various Children's Services performance data which was disaggregated at an Area Committee or Ward level. It also provided information on performance data that would be received in January 2011 and provided an update on progress and activity with safeguarding arrangements across the City.

The Chair welcomed Ken Morton, Locality Enabler, Children's Services to the meeting. He reported that performance information which would be reported to the Area Committee in January 2011 would focus more on school and exam results once that most recent data had been reconciled. He also drew Members attention to statistical information detailed in the appendices of the report which focussed on looked after children, assessment information and those not in education, employment or training (NEETs).

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

- Employment opportunities for NEETs – opportunities within local developments, skills training and work experience. Methods of recording numbers of NEETs were also discussed.
- Safeguarding Issues – issues discussed included the deployment of resources and social care workloads.

RESOLVED – That the report be noted.

24 Date, Time and Venue of Next Meeting

Thursday, 21 October 2010 at 6.00 p.m. in the Civic Hall, Leeds.

The meeting concluded at 7.45 p.m.

EAST (OUTER) AREA COMMITTEE

TUESDAY, 7TH SEPTEMBER, 2010

PRESENT: Councillor K Parker in the Chair

Councillors S Armitage, M Dobson,
P Grahame, P Gruen, W Hyde, J Lewis,
M Lyons, A McKenna, T Murray,
D Schofield and K Wakefield

16 Chair's Opening Remarks

The Chair welcomed all in attendance to the September meeting of the East (Outer) Area Committee.

17 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 exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:

Appendix 3 referred to in Minute No. 27 under the terms of Access to Information Procedure Rule 10.4 (3) – information relating to the financial or business affairs of any particular person (including the authority holding that information) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as the market valuation of office space within its community centres is confidential between Leeds City Council and the client user.

18 Declarations of Interest

Councillor Armitage declared a personal interest in agenda item 10, Community Centres Report, in her capacity as Chair of Swarcliffe Good Neighbours Scheme, and as Chair of St Gregory's Centre. (Minute No. 27 refers)

Councillor Murray declared a personal interest in agenda item 9, Actions, Achievements and update report, on the basis of his wife's employment for Social Services. (Minute No. 26)

Councillor Gruen declared a personal interest in agenda item 10, Community Centres Report, in his capacity as Chair of Fieldhead Carr Community Centre Management Committee. (Minute No. 27 refers)

A further declaration of interest was made at a later point in the meeting.
(Minute No. 25 refers)

19 Apologies for Absence

There were no apologies for absence.

20 Minutes - 6th July 2010

RESOLVED – That the minutes of the meeting held on 6th July be confirmed as a correct record.

21 Matters Arising from the Minutes

Minute No. 6 – Matters Arising from the Minutes – ‘Thorpe Park Progress Report’

It was reported that a meeting had taken place involving Councillor Parker, Area Management, Parks and Countryside and the Chief Planning Officer, regarding the lack of progress in relation to Thorpe Park. As a result, it was agreed that the Chief Planning Officer be asked to contact the developer with a view to a further update being provided. It was also agreed that Councillor Richard Lewis, Executive Member (Development and Regeneration) be asked to progress this matter further.

22 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.

23 Licensing Act 2003 Policy

The Assistant Chief Executive (Corporate Governance) submitted a report which provided information on the impending review of the Licensing Act 2003 Statement of Licensing Policy and public consultation.

The Chair welcomed to the meeting, Susan Holden, Principal Projects Officer, to present the report and respond to Members’ questions and comments.

In brief summary, the main highlighted points were:

- The Area Committee was informed that minor amendments had been made to the main body of the Licensing Policy, which included the addition of the minor variation process and the provision for community halls to remove their Designated Premises Supervisor (person responsible for the authorisation of sale of alcohol) to their Committee.

- One Member queried the process for imposing restrictions on the volume of music being played at some pubs and clubs. It was advised that Ward Members could submit representations to be considered by the Council's Licensing Sub-Committee.
- It was reported that all Parish Councils had been consulted as part of the review of the policy.

RESOLVED – That the contents of the report be noted.

24 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 small grant position as at 18 August 2010.

Martin Hackett, Area Management Officer, presented the report and responded to Members' questions and comments.

In brief summary, the main highlighted points were:

- Members were advised that in relation to the allocation of well-being resources, the formula of 75% per capita and 25% level of deprivation had been changed to 50% per capita and 50% level of deprivation. As a result, the well being budget for the Outer East Area Committee for 2010/11 had been revised from £220,727 to £210,895. Members agreed to utilising £15k carryover spend from 2009/10 with the remaining £5k committed to support Leeds City Credit Union, Halton Moor branch.
- Councillor Parker reported that the recent cricket coaching for young people in Kippax, Methley and Whitkirk, had been a great success and all the events had been extremely well attended.
- Members suggested that local shops and businesses be contacted with a view to sponsoring Christmas Lights at Cross Gates and Halton.

RESOLVED –

(a) That the report and information appended to the report be noted; and
 (b) That the following decisions be made in relation to applications for well being funding

- Christmas lights in Cross Gates – £2,610 – Approved
- Christmas lights in Methley – £2,145 – Approved.

(Councillor A McKenna left the meeting at 3.32 pm during the consideration of this item.)

25 Children's Services Performance Report

Minutes approved as a correct record
 at the meeting held on Tuesday, 19th October, 2010

The Interim Director of Children's Services submitted a report which provided the Area Committee with various Children's Services performance data disaggregated at Area Committee or Ward level.

The following information was appended to the report:

- Appendix 1 – Number of children in care
- Appendix 2 – Percentage of referrals
- Appendix 3 – Percentage of initial assessments
- Appendix 4 – Core assessments
- Appendix 5 – Common Assessment Framework (CAF)
- Appendix 6 – NEET and Not Known data

The following officers attended the meeting and responded to Members' questions and comments:

- Amanda Jackson, Locality Enabler
- Saleem Tariq, Chief Officer, Children Young People's Social Care
- Gail Faulkner, Interim Head of Service Delivery (South), Children's Services.

In brief summary, the main points of discussion were:

- Members welcomed the report, particularly the inclusion of local data and information.
- There was concern about the percentage of initial assessments (66.67%) not carried out within timescales in Kippax and Methley.
- One Member suggested the inclusion of colour coded performance information and data, particularly in terms of its usefulness in highlighting key areas to be addressed.
- Members expressed concern about some of the NEET figures and the associated risk factors.
- There was a request for further information about the correlation between the NEET group and looked after children.

RESOLVED – That the report and information appended to the report be noted.

(Councillor Lyons joined the meeting at 3.54 pm and Councillor Dobson at 3.58 pm during the consideration of this item.)

(Councillor Murray declared a personal interest in this item in his capacity as Director of igen.)

26 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.

Minutes approved as a correct record
at the meeting held on Tuesday, 19th October, 2010

The following information was appended to the report:

- Minutes of Jobs, Employment and Training (JET) Partnership held on 15th June 2010
- Minutes of Children Leeds – East Leadership Team held on 27th May 2010
- Minutes of Health and Well Being Partnership held on 27th May 2010
- Minutes of North East Divisional Community Safety Partnership held on 13th May 2010
- Minutes of North Whinmoor Forum held on 19th July 2010
- Minutes of Swarcliffe Forum held on 21st July 2010.

Keith Lander, Deputy Area Manager, presented the report and responded to Members' questions and comments.

Members expressed concerns around the roles and responsibilities of Community Environment Support Officers, and the need for greater Ward Member involvement. Martin Hackett, Area Management Officer, agreed to raise these issues with Paul Spandler, Acting Service Manager, Environmental Services.

RESOLVED –

- (a) That the report and information appended to the report be noted; and
- (b) That a report addressing Members' concerns around the roles and responsibilities of Community Environment Support Officers, be submitted to a future meeting of the Area Committee.

27 Community Centres Report

The Director of Environment and Neighbourhoods submitted a report which provided information in relation to the management of community centres in the outer east area.

The following information was appended to the report:

- 2009/10 budget position for outer east area
- Breakdown of controllable budget delegated to each of the centres in the outer east area
- Exempt information containing market rental assessment
- Breakdown of expenditure for work undertaken in community centres in 2009/10 and first quarter of 2010/11.

Appendix 3 to the report was designated as exempt under Access to Information Procedure Rule 10.4 (3).

Keith Lander, Deputy Area Manager, presented the report.

RESOLVED – That the item be deferred to the October Area Committee with a request that a representative from Corporate Property Maintenance be in

Minutes approved as a correct record
at the meeting held on Tuesday, 19th October, 2010

attendance to respond to Members' concerns, particularly in relation to clarifying some of the figures that had been provided in the report.

28 Dates of Future Meetings

To note the following future meeting dates for the 2010/11 municipal year:

- 19th October, 2010 at 2.00 pm
- 7th December, 2010 at 3.00 pm
- 8th February, 2011 at 2.00 pm
- 22nd March, 2011 at 2.00 pm.

(All meetings to take place on a Tuesday at Leeds Civic Hall.)

(The meeting concluded at 4.50 pm.)

EAST (OUTER) AREA COMMITTEE

TUESDAY, 19TH OCTOBER, 2010

PRESENT: Councillor K Parker in the Chair

Councillors S Armitage, M Dobson,
P Grahame, W Hyde, J Lewis, M Lyons,
T Murray, D Schofield and K Wakefield

29 Chair's Opening Remarks

The Chair welcomed all in attendance to the October meeting of the East (Outer) Area Committee.

30 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 exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:

Appendix 3 referred to in Minute No. 44 under the terms of Access to Information Procedure Rule 10.4 (3) – information relating to the financial or business affairs of any particular person (including the authority holding that information) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as the market valuation of office space within its community centres is confidential between Leeds City Council and the client user.

31 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda a late item in relation to the proposed delegation of elements of the Streetscene Service, to be considered under agenda item 15. The item was late as the information had been considered at a meeting of the Area Chair's, which had taken place after the time of agenda despatch (Minute No. 43 refers).

32 Declarations of Interest

Councillor Armitage declared a personal interest in agenda item 8, Community Centres Report, in her capacity as Chair of Swarcliffe Good Neighbours Scheme. (Minute No. 44 refers)

A further declaration of interest was made at a later point in the meeting (Minute No. 37 refers.)

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

33 Apologies for Absence

Apologies for absence were submitted by Councillors Gruen and A McKenna.

34 Minutes - 7th September 2010

RESOLVED – That the minutes of the meeting held on 7th September 2010 be confirmed as a correct record.

35 Matters Arising from the Minutes

Minute No. 21 – Matters Arising from the Minutes – Thorpe Park Progress Report

The Chair reported that a meeting had taken place involving the Head of Planning Services. It had been suggested that a small sub-group could be established to progress areas of concern. Members were informed that a further progress report would be provided at the December Area Committee.

Minute No. 26 – Actions, Achievements and Update Report

The Deputy Area Manger reported that he had met with Paul Spandler, Acting Service Manager, Environmental Services, to discuss Members' concerns around the roles and responsibilities of Community Environment Support Officers. Members were advised that an update was included in the Actions and Achievements report.

36 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.

37 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 small grant position as at 29 September 2010.

Martin Hackett, Area Management Officer, presented the report and responded to Members' questions and comments.

The Area Committee was informed that Garforth Primary Proms had withdrawn their application for well-being funding. It had been suggested (in consultation with Ward Members) that Garforth Primary Proms and Garforth

Arts Festival well-being applications be deferred to the December Area Committee.

RESOLVED –

(a) That the report and information appended to the report be noted; and
(b) That the following decisions be made in relation to applications for well being funding

- Christmas lights in Cross Gates (area within Temple Newsam ward) – £806.28 – Approved
- Garforth Arts Festival – £6,000 (community engagement pot) – Deferred to December Area Committee
- Garforth Primary Proms (Primary Prom in the Park) – £2,000 (community engagement pot) – Deferred to December Area Committee.

(Councillor Murray declared a personal interest in this item in his capacity as trustee of Garforth School Partnership Trust.)

38 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 South East Leeds Health and Well Being Partnership held on 22nd July 2010
- Minutes of East North East Divisional Community Safety Partnership held on 9th September 2010
- Minutes of Garforth and Swillington Forum held on 6th September 2010
- Minutes of Kippax and Methley Forum held on 27th September 2010
- Minutes of Cross Gates Consultative Forum held on 27th July 2010
- Minutes of Halton Moor and East Osmondthorpe Forum held on 3rd August 2010
- Minutes of Halton Forum held on 5th August 2010.

Keith Lander, Deputy Area Manager, presented the report and responded to Members' questions and comments.

In brief summary, the main highlighted points were:

- Members thanked Lynne White and Ken Hill for their hard work and positive contribution as part of Older Persons' Week. There was also an acknowledgement of the major role played by the Neighbourhood Networks Scheme.
- In response to a query regarding the changing role of ALMO's, John Clark, Chief Officer at Aire Valley Homes, advised that no major

changes were planned at the present time. Reference was also made to the current economic climate and the need for ALMO's to establish greater integrated working with Area Committees and Neighbourhood Management.

RESOLVED – That the report and information appended to the report be noted.

39 Vision for Leeds 2011 to 2030 - progress with development and next steps

The Scrutiny Board received a report from Leeds Initiative which provided an update on work undertaken to date to develop a new Vision for Leeds 2011 to 2030.

Appended to the report for Members' information was a copy of the consultation document 'What if Leeds ...', consultation and communication plans for the Vision for Leeds 2011 to 2030, together with a consultation timetable.

The Chair welcomed to the meeting, Martin Dean, Head of Leeds Initiative, and Jenny Hill, Project Officer, to present the report.

In brief summary, the main highlighted points were:

- As part of the public consultation process, one Member suggested consulting with Halton Moor & Osmondthorpe Project for Elders (HOPE).
- Members emphasised the importance of locality and partnership working, especially work with local residents' groups to enhance ownership.
- It was suggested that Area Management be contacted to provide details of any further groups that had not formed part of the public consultation process.

RESOLVED – That the report and information appended to the report be noted.

40 Reporting Health & Environmental Action Service activities to the area committees

The Director of Environment and Neighbourhoods submitted a report which provided the Area Committee with information on the demand for services provided by the Health and Environmental Action Service (HEAS) with a particular focus on the enforcement activities undertaken by the Environmental Action Team (EAT) and Highways and Environmental Enforcement (HEE) team.

Appended to the report was a copy of the HEAS Activity Report (April – September 2010) for Members' information.

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

The Chair welcomed to the meeting, the following officers to present the report and respond to Members' questions and comments:

- Mark Dolman, Service Support Manager, Health and Environmental Action Service
- Paul Spandler, Acting Service Manager, South Environmental Action Team.

In brief summary, the key areas of discussion were:

- Issues around enforcement (with specific reference to gardens in need of tidying), particularly in relation to the number of cases referred to court and support from other agencies, ALMO's, other departments, etc.
- Concern about how resources were allocated – further work needed to identify local priorities, e.g. dog fouling, fly tipping, etc.
- Clarification that training was being provided by Dog Wardens to Community Environment Support Officers and Police Community Support Officers to tackle dog fouling.
- Acknowledgement of the positive work undertaken by Community Environment Support Officers.
- Members requested further information and data in relation to commercial waste, odour from landfill sites, etc.

RESOLVED – That the report and information appended to the report be noted.

41 Grounds Maintenance Update Report

The Chief Environment Services Officer submitted a report which updated the Area Committee on progress to date with the procurement of a new grounds maintenance contract commencing 1st January 2010.

The Chair welcomed to the meeting, Simon Costigan, Head of Housing Management, Aire Valley Homes Leeds, to present the report and respond to Members' questions and comments.

In brief summary, the main points of discussion were:

- Mapping of sites and ensuring a consistent approach to grass cutting.
- Clarification that there was flexibility to vary land in and out of the contract specification, e.g. meadow land for environmental reasons.
- The need for robust contract monitoring and the role of Parish Councils.

RESOLVED – That the report and information appended to the report be noted.

42 Dates and Times of Future Meetings

To note the following future meeting dates and times for the 2010/11 municipal year:

- 7th December, 2010 at 3.00 pm
- 8th February, 2011 at 2.00 pm
- 22nd March, 2011 at 2.00 pm.

(All meetings to take place on a Tuesday at Leeds Civic Hall.)

43 LATE ITEM - Briefing Note on Proposed Delegation of Elements of the Streetscene Service

The Director of Environment and Neighbourhoods submitted a report which outlined the range of streetscene services that could potentially be delegated to Area Committees.

Keith Lander, Deputy Area Manager presented the report.

The main points of discussion were:

- Concern about the current frequency of street sweeping and the potential benefits of local control.
- Concern about whether the budget was sufficient to support the delegation of streetscene services
- Confirmation at meeting of the Area Chairs that one officer per wedge had been allocated to support the delegation.

RESOLVED – That the contents of the report be noted.

44 Community Centres Report

The Director of Environment and Neighbourhoods submitted a report which provided information in relation to the management of community centres in the outer east area.

The following information was appended to the report:

- 2009/10 budget position for outer east area
- Breakdown of controllable budget delegated to each of the centres in the outer east area
- Exempt information containing market rental assessment
- Breakdown of expenditure for work undertaken in community centres in 2009/10 and first quarter of 2010/11.

Appendix 3 to the report was designated as exempt under Access to Information Procedure Rule 10.4 (3).

The Chair welcomed to the meeting, Malcolm Fisher, Directorate Property Manager, to present the report and respond to Members' questions and comments.

In brief summary, the key areas of discussion were:

- Clarification of financial breakdown provided in the report, particularly in relation to non-controllable expenditure. Further detailed information provided by finance staff was available upon request from Martin Hackett, Area Management.
- Concern about responsibility for maintenance of community centres – it was reported that a list had been devised by Corporate Property Maintenance (CPM) detailing items covered under the maintenance agreement, although the list had not yet been made available to Members and officers. It was agreed to arrange a meeting involving Malcolm Fisher and Councillors Armitage and Parker with a view to discussing some of the issues on site.

RESOLVED – That the report and information appended to the report be noted.

(The meeting concluded at 3.35 pm.)

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SOUTH (INNER) AREA COMMITTEE

WEDNESDAY, 22ND SEPTEMBER, 2010

PRESENT: Councillor A Gabriel in the Chair

Councillors J Blake, D Congreve, P Davey,
G Driver, M Iqbal, E Nash and A Ogilvie

17 Chair's Opening Remarks

The Chair welcomed all in attendance to the September meeting of the South (Inner) Area Committee.

18 Declarations of Interest

There were no declarations of interest.

19 Apologies for Absence

An apology for absence was submitted on behalf of Councillor Groves.

20 Minutes - 22 June 2010

RESOLVED – That the minutes of the meeting held on 22nd June 2010 be confirmed as a correct record.

21 Matters Arising from the Minutes

Minute No. 69 – Streetscene Services Change Programme – Update Report

It was reported that a breakdown of litter pickers by Ward had been provided to Members of Beeston and Holbeck, and City and Hunslet Wards, but not Middleton Park. Area Management agreed to raise this issue with Streetscene Services, and request that the information be provided.

Minute No. 70 – Deployment of Community Environment Officers and Support Officers within Inner South

The Deputy Area Manager reported that income from fixed penalty notices was re-distributed back to Environmental Services.

Minute No. 9 – Review of Mobile Youth Provision

Some Members expressed concern that they were still not receiving regular updates on youth services. Area Management agreed to raise this issue with Children's Services.

Minute No. 15 - Dog Control Orders

One Member expressed concern that signs were not being displayed to publicise Dog Control Orders. Area Management agreed to raise this issue with Environment and Neighbourhoods.

22 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.

One Member of the public requested an update on the future of South Leeds Sports Centre. It was advised that Tiger 11 was in the process of submitting detailed proposals to the Council's Executive Board with a view to running the Centre as a community enterprise. Members of the public emphasised the importance of being able to access local sports facilities and the benefits to the community.

Another member of the public queried the effect of budget cuts across inner south Leeds. One Member reported on the reduction in the Council's area based grant which affected the delivery of some local services. It was advised that the full extent of the budget cuts was dependent on the Comprehensive Spending Review in October.

23 Children's Services Performance Report

The Interim Director of Children's Services submitted a report which provided the Area Committee with various Children's Services performance data disaggregated at Area Committee or Ward level.

The following information was appended to the report:

- Appendix 1 – Number of children in care
- Appendix 2 – Percentage of referrals
- Appendix 3 – Percentage of initial assessments
- Appendix 4 – Core assessments
- Appendix 5 – Common Assessment Framework (CAF)
- Appendix 6 – NEET and Not Known data

The Chair welcomed to the meeting the following officers to present the report and respond to Members' questions and comments:

- Amanda Jackson, Locality Enabler
- Gail Faulkner, Interim Head of Service Delivery (South), Children's Services.

In brief summary, the main highlighted points were:

- Members welcomed the inclusion of local performance information in the report.
- One Member expressed concern about the number of core assessments not completed within 35 working days in City and Hunslet.
- There was concern about the number of referrals to children's social care in the inner south area. Members discussed the effectiveness of early intervention and prevention services in the area and the deployment of joined-up children's services resources against need.
- The Area Committee was informed that Nigel Richardson, the recently appointed Director of Children's Services, was starting work on 30th September.
- Members requested further information about CAF's, particularly around types of engagement with key services, e.g. police and housing.

RESOLVED – That the report and information appended to the report be noted.

(Councillor Nash left the meeting at 7.00 pm during the consideration of this item.)

24 South Leeds Divisional Community Safety Partnership Update Report

The Director of Environment and Neighbourhoods submitted a report which outlined community safety issues in the inner south area of Leeds and actions being taken to address them.

Crime figures for all inner south wards were appended to the report for Members' information.

The Chair welcomed to the meeting, Gerry Shevlin, Area Community Safety Co-ordinator, and Inspector Miller, West Yorkshire Police, to present the report and respond to Members' questions and comments.

In brief summary, the key areas of discussion were:

- Acknowledgement of the positive work undertaken in relation to operation champion and clarification that the total cost was dependent on the type of operation undertaken. Members were informed that the Outer South Area Committee had previously allocated £400 per operation champion.
- A verbal update on burglaries in the inner south area was provided by Inspector Miller. One Member requested a copy of the Burglary Action Plan.

RESOLVED – That the report and information appended to the report be noted.

Draft minutes to be approved at the meeting
to be held on Thursday, 11th November, 2010

25 Well-Being Fund

The Director of Environment and Neighbourhoods submitted a report which contained details of proposed projects and activities to deliver local actions relating to the agreed themes and outcomes of the Area Delivery Plan (ADP).

RESOLVED –

(a) That the report and information appended to the report be noted; and
(b) That the following decisions be made in relation to 2010/11 revenue well being applications:

- St Matthew's Community Centre Feasibility Study – £4,000 approved
- Middleton Regeneration Banners – £1,500 approved.

26 Actions and Achievements Report

The Area Committee considered a report from the South East Area Manager 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 South Leeds Employment, Enterprise and Training Partnership held on 18th June 2010
- Minutes of South Leeds Children's Services Leadership Team held on 12th May 2010
- A summary of recent activity of the Joint Extended Schools and Services Cluster, including South Leeds Academy
- Minutes of South East Leeds Health and Well Being Partnership meetings held on 27th May and 22nd July 2010
- Minutes of South Leeds Community Safety Partnership (Core Group) held on 23rd July 2010.

Keith Lander, Deputy Area Manager, presented the report and responded to Members' questions and comments.

In brief summary, the main highlighted points were:

- Members briefly discussed re-establishing the community centres sub-committee and the importance of having Ward Member representation from all inner south wards. Councillor Davey expressed an interest in serving on this sub-committee.
- It was reported that development of the Youth Hub had been delayed and other facilities were being explored.
- The South East Area Manager reported that work was being undertaken with Chair's of local partnerships to strengthen joined up working.

RESOLVED – That the report and information appended to the report be noted.

27 Dates, Times and Venues of Future Meetings

To note the following future meeting dates for the 2010/11 municipal year:

* Thursday, 11th November, 2010
(Belle Isle Family Centre, St John and Barnabas Church, Belle Isle Road, Leeds, LS10 3PG)

Wednesday, 12th January, 2011
(Civic Hall, Leeds, LS1 1UR)

Wednesday, 9th February, 2011
(Venue to be advised)

Thursday, 24th March, 2011
(Venue to be advised)

* This meeting was originally scheduled to take place on Thursday, 4th November 2010.

(All meetings to commence at 6.30 pm).

(The meeting concluded at 7.50 pm.)

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SOUTH (OUTER) AREA COMMITTEE

MONDAY, 6TH SEPTEMBER, 2010

PRESENT: Councillor R Finnigan in the Chair

Councillors J Dunn, J Elliott, S Golton, T Grayshon, T Leadley, L Mulherin, K Renshaw, S Varley and D Wilson

18 Declaration of Interests

Councillor T Leadley declared a personal interest in the following items:

- Agenda Item 10, Outer South Community Centres Report as Deputy Chairman and Secretary of Lewisham Park Youth Centre
- Agenda Item 11 – Outer South Area Committee Well Being Budget Report due to his respective positions as a Trustee of Morley Elderly Action and as a Member of Morley Town Council which partly funded Town Centre Management
- Agenda Item 12 – Area Manager’s Report as a Member of Morley Town Council which partly funded Town Centre Management.

Councillor T Grayshon declared a personal interest in the following items:

- Agenda Item 11 – Outer South Area Committee Well Being Budget Report due to his position as a Member of Morley Town Council which partly funded Town Centre Management
- Agenda Item 12 – Area Manager’s Report as a Member of Morley Town Council which partly funded Town Centre Management.

Councillor J Elliott declared a personal interest in the following items:

- Agenda Item 11 – Outer South Area Committee Well Being Budget Report due to her respective positions as a Member of Morley Elderly Action and as a Member of Morley Town Council which partly funded Town Centre Management
- Agenda Item 12 – Area Manager’s Report as a Member of Morley Town Council which partly funded Town Centre Management.

Councillor Varley declared a personal interest in the following ites:

- Agenda Item 11 – Outer South Area Committee Well Being Budget Report due to her respective positions as a Member of Morley Elderly Action and as a Member of Morley Town Council which partly funded Town Centre Management
- Agenda Item 12 – Area Manager’s Report as a Member of Morley Town Council which partly funded Town Centre Management.

Draft minutes to be approved at the meeting
to be held on Monday, 18th October, 2010

Councillor R Finnigan declared a personal interest in the following items:

- Agenda Item 11 – Outer South Area Committee Well Being Budget Report due to his position as a Member of Morley Town Council which partly funded Town Centre Management
- Agenda Item 12 – Area Manager’s Report as a Member of Morley Town Council which partly funded Town Centre Management.

19 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Gettings and Smith.

20 Minutes of the Meeting held on 21 June 2010

The minutes of the meeting held on 21 June 2010 were confirmed as a correct record.

21 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. On this occasion, no matters were raised under this item by those members of the public who were in attendance.

22 Children's Services Performance Report

The report of the Interim Director of Children’s Services provided Members with various performance data disaggregated at Area Committee or Ward level. The report also provided information on progress and activity that had taken place to improve safeguarding arrangements across the City during 2009-10.

The Chair welcomed Amanda Jackson, Locality Enabler and Gail Faulkner, Head of Service Delivery (South), to the meeting.

Members attention was brought to the following issues:

- Work with looked after children
- Those not in education, employment or training (NEETs)
- Work on safeguarding
- Identifying children who had left the care system
- Social Care issues
- Referral processes
- The Common Assessment Framework
- The role of intervention panels

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

- Numbers of looked after children across Outer South Leeds and particularly each ward – it was reported that it was difficult to provide totally accurate figures as those in care may come from other parts of the City or elsewhere.
- There had been an increase in the number of referrals during the past 12 months.
- Unaccompanied children who arrived from abroad – it was reported that these children would be immediately placed in care whilst their families were traced.
- Educational issues for looked after children. It was reported that looked after children had traditionally been low achievers.

It was reported that a further update report would be presented to the Committee in January/February 2011.

The Chair thanked Amanda Jackson and Gail Faulkner for their attendance.

RESOLVED – That the report be noted.

23 South Leeds Divisional Community Safety Partnership Update Report

The report of the Director of Environment and Neighbourhoods outlined the community safety issues in Outer South Leeds and the actions that had been taken to address them.

The Chair welcomed Gerry Shevlin, Community Safety Co-ordinator and Inspector Sue Jenkinson to the meeting.

The following key issues were highlighted:

- Crime figures and related activity across the area
- Provision of safewater security marking
- Burglary – levels had dropped lower in all 4 Outer South wards than the City average
- Drug offences had reduced across Outer South Leeds.
- Anti Social Behaviour
- CCTV Provision
- PaCT meetings
- Safer Schools Partnerships
- Area Committee funded activity

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

- Traffic issues – including speeding prevention and issues related to staff training
- Role of the Priority Neighbourhood Worker
- Dealing with anti social behaviour
- There was liaison with schools that didn't have police officers in attendance.

The Chair thanked Gerry Shevlin and Inspector Jenkinson for their attendance.

RESOLVED – That the report be noted and the proposal to enhance the role of the Community Safety Champion be approved.

24 Outer South Community Centres Report

The report of the Director of Environment and Neighbourhoods provided the following information:

- Actual spend against budgets for 2009/10
- Budget allocations for 2010/11
- Details of investment made via Corporate Property Management service (CPM) in 2009/10
- Rental support to leased centres for 2010/11
- Area specific information for each of the centres in the portfolio

In brief summary, the following issues were discussed:

- Youth facilities at the Blackgates site
- Capital receipts from the Blackgates site
- Maintenance budgets

RESOLVED – That the report be noted.

25 Outer South Area Committee Well being Budget Report

The report of the Director of Environment and Neighbourhoods provided Members with the following:

- The current position on the Well Being budget
- Details of 2010/11 Well Being budget allocations
- Details of revenue and capital funding for consideration and approval
- Details of revenue and capital projects agreed to date
- A summary of the revenue allocation for the 2010/11 Wellbeing Revenue Budget already approved and linked to the priorities and outcomes identified in the Area Delivery Plan

RESOLVED –

(a) That the report be noted

- (b) That the position of the Well Being Budget as set out at Paragraph 3.0 be noted.
- (c) That the ring fence revenue amounts for 2010/11 as outlined in Appendix 1 be noted.
- (d) That the Wellbeing capital projects already agreed as listed in Appendix 2 be noted.
- (e) That the following Wellbeing applications be agreed:
 - (i) SID Device (Speed Indicator Display) - £2,516.58 capital
 - (ii) Speeding Prevention (Rothwell, Robin Hood, Woodlesford and Oulton) - £5,000 revenue
 - (iii) Morley Crime Reduction Initiatives - £5,000 revenue
 - (iv) CCTV Manor Road Shops - £3,389 capital
 - (v) Football Changing Facilities –
- (f) That the small grants situation as outlined in paragraph 5.1 be noted.

26 Area Manager's Report

The report of the Director of Environment and Neighbourhoods detailed a range of activities that had taken place within the Outer South Leeds Area. It also provided Members with an update on actions and achievements of the Area Management Team that related to priorities and work of the Area Committee since the Area Committee meeting in June 2010.

The report detailed actions carried out under the themes of the Area Development Plan and Members were asked to make decisions on the following issues:

- Rental support for Kaleidoscope and development of a new doorway at the West Ardsley Centre
- Sub-group nominations
- Locations for dog patrols and signage.
- Well being funds for Rothwell Christmas Fayre.

In brief summary, the following issues were discussed:

- Conservation audits – a procedural objection had been received regarding the Morley Area Conservation Audit and a formal public meeting would follow.
- Subsidies for the Garden Maintenance Service. It was reported that Area Management staff were working with Morley Elderly Action to resolve this.
- Members concern regarding the proposed list of sites where dog warden patrols would be and how these had been decided upon. Members were asked to inform Area Management of other areas they would like to see patrolled.

RESOLVED –

Draft minutes to be approved at the meeting
to be held on Monday, 18th October, 2010

- (a) That the report be noted
- (b) That the move to rental support for Kaleidoscope at West Ardsley as well as the development of a new doorway be agreed.
- (c) That Member nominations to sub groups as presented in appendix 3 be agreed.
- (d) That locations for out of hours patrols to target dog fouling as outlined in appendix 9a be agreed. Further locations to be supplied by Ward Members.
- (e) That the use of the promotional poster as outlined in appendix 9b and the production of 16 metal signs to be included in an Out of Hours Dog Warden Patrol project be agreed.
- (f) That £1,122 revenue Well Being Funding for Rothwell Christmas Fayre as outlined in 9.2.5 be agreed.

27 Dates, Times and Venues of Future Meetings

Monday, 18 October 2010, Thorpe Primary School
Monday, 29 November 2010, Drighlington Meeting Hall
Monday, 31 January 2011, Morley Town Hall
Monday, 14 March 2011, Rothwell One Stop Centre

All meetings start at 4.00 p.m.

The meeting concluded at 6.05 p.m.

SOUTH (OUTER) AREA COMMITTEE

MONDAY, 18TH OCTOBER, 2010

PRESENT: Councillor R Finnigan in the Chair

Councillors J Dunn, J Elliott, B Gettings,
S Golton, T Grayshon, T Leadley,
L Mulherin, K Renshaw, S Smith, S Varley
and D Wilson

28 Late Items

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair agreed to admit to the agenda, as a late item of urgent business, a report submitted by the Director of Environment and Neighbourhoods relating to the proposed delegation to Area Committees of elements of the Streetscene Service (Agenda Item 17, Minute No. 37 refers). The report had not been available at the time of agenda despatch due to the need for it first to be considered at the meeting of the Area Committee Chairs' Forum held on 8th October 2010.

29 Declaration of Interests

Councillor T Leadley declared a personal interest in Agenda Item 11, Well Being Budget Report due to the application for funding at St Peter's Community Hall and his position as Chairman of Morley Town Council Planning Committee. Minute No. 35 refers.

Councillors J Elliott, R Finnigan, B Gettings, T Grayshon, T Leadley and S Varley declared a personal interest in Agenda Item 12, Area Managers Report, due to their Membership of Morley Town Council. Minute No. 36 refers.

30 Minutes - 6 September 2010

RESOLVED – That the minutes of the meeting held on 6 September 2010 be confirmed as a correct record subject to the following amendments.

- Should read Councillor R Finnigan in the Chair.
- Minute No 26, Area Managers Report – Reference to the need for further discussion between Area Management and Town Centre Management regarding authority to proceed with changes to Town Centre Management arrangements.
- Minute No 23, South Leeds Divisional Community Safety Partnership Update Report – To note the assurance received from Inspectors Jenkinson and Morgan that there would be continued commitment to PaCT meetings.

Draft minutes to be approved at the meeting
to be held on Monday, 29th November, 2010

31 Matters Arising from the Minutes

Minute 24, Outer South Community Centres Report

A question was asked regarding previous assurances regarding the future use of the Blackgates site for community purposes. It was agreed that Governance Services would check previous minutes to verify this.

32 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. On this occasion, no matters were raised under this item by those members of the public who were in attendance.

The Chair welcomed John Clark, Chief Executive of Aire Valley Homes to the meeting. He informed the Area Committee that he would be attending all the Area Committees in the Aire Valley Homes area and would be looking to establish close working links.

33 Vision for Leeds

The report of the Director of Leeds Initiative informed the Board that this was the 3rd Vision for Leeds and gave a progress update and outlined the next steps including the public consultation phase.

The Chair welcomed Martin Dean, Deputy Director Leeds Initiative to the meeting.

It was reported that there were 3 areas of major change to the Vision:

- Environment – Climate Change Strategy
- Economic situation – Change in what can be achieved and effects of the recession
- Population growth – Leeds population could reach one million by 2030 with a much higher proportion of elderly people and younger people.

Consultation had been held with key stakeholders and the following issues had been highlighted:

- For Leeds to be fair, welcoming and opening – reflecting equality and diversity across the City
- For Leeds to be prosperous and sustainable.
- That Leeds should be safe, healthy and successful in all communities across the City.

It was reported that achieving these could lead to Leeds being recognised as the best City in Britain by 2030 and the Committee was informed of the timetable for the remainder of the consultation period and in response to comments and questions, the following issues were discussed:

- Consultation with Town and Parish Councils
- Measurement of engagement – this was both qualitative and quantitative. Figures would be assessed by returns of questionnaires and responses and visits to the Vision for Leeds website. The University of Leeds would be doing a detailed analysis of the consultation and it would be ensured that a representative view of all communities across the City would be taken.
- The Vision would take account of all localities and needed to be relevant to all communities across Leeds.
- Population estimations had been taken from government statistics and a University of Leeds study. Large cities were likely to see an influx of younger people due to university provision and other opportunities available.
- Transport options – the proposed trolleybus scheme and other public transport options across the City.
- The survey was designed to leave questions open to get a wide ranging view of answers.
- Cultural opportunities across the City.

The Chair thanked Martin Dean for his attendance.

RESOLVED – That the report be noted.

34 Health and Environmental Action Services Activities

The report of the Director of Environment and Neighbourhoods provided Members with ward level information about the scope and activities of Health and Environmental Action Services with a particular focus on enforcement action and the work of the Environment Action Teams which was aligned to strategic outcomes.

The Chair welcomed Paul Spandler, Service Manager, South Environmental Action Team to the meeting.

Members attention was brought to the tables detailed in the report which provided information on the numbers of service requests and enforcement and penalty notices issued across various service areas. These related to issues such as dog fouling, fly tipping, litter, noise pollution, abandoned vehicles and pest control.

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

- The Dog Warden Service was, to a degree, intelligence led and reported problem areas would be targeted. It was recognised that there were restrictions to the service due to staffing levels and operating hours but Environmental Action Team Officers had now been trained to deal with enforcement issues in relation to dog fouling.
- Empty properties – it was reported that figures related to properties that were either derelict or in a state of disrepair and there was a list of referred tenants for properties that could be brought back into use. The Empty Properties Team tried where possible to identify owners of empty properties and compulsory purchase orders and enforced sale procedures could be used where necessary. It was requested that an officer from the Empty Properties Team should attend a future meeting of the Area Committee.
- To what extent were Health and Environmental Action Service proactive or reactive – it was reported that there was a service standard that at least 20% of services should be proactive – these being identified by officers and Elected Members. This standard was more than met across the service and close working links with other council departments contributed to this.
- Enforcement and licensing issues relating to takeaways and hot food premises, particular with regards to littering.
- Other issues discussed including delegation of services, locality working and licensing of scrap yards.
- Local litter issues.

The Chair thanked Paul Spandler for his attendance.

RESOLVED – That the report and discussion be noted.

35 Grounds Maintenance Update Report

The report of the Chief Environment Services Officer referred to the approval of a new grounds maintenance contract. The report advised Members of key issues that had emerged and that the start of the contract had been revised from 1 March 2011 to 1 January 2012.

The Chair welcomed Simon Costigan, Head of Housing Management, Aire Valley Homes to the meeting.

Simon Costigan addressed the meeting and gave the Committee a briefing on the procurement contract and the consultation leading to it. Members attention was brought to the following issues:

- Engagement with Parish and Town Councils
- Issues previously identified by Area Committees
- The Inquiry of the Scrutiny Board (Environment and Neighbourhoods)
- Contract Issues
- The Procurement Process

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

- Provision of mapping information which detailed who was responsible for grassed areas. It was reported that this would be difficult to do due to the size of the area covered and complexities of different clients and contractors but would be explored.
- Responsibility of clearing litter before grass was cut fell on the contractor. The new contract would be more robust with monitoring issues such as this and financial penalties could be imposed where contractors were not carrying out duties to the contractual requirements.
- Opportunities for involvement of other services such as Streetscene.
- Concern that the award of one overall contract for the City excluded smaller organisations from tendering. It was reported that a market testing exercise had shown that there was economy of scale with one contract and it would provide a more consistent approach to service delivery. Parish and Town Council's had not expressed an interest in submitting tenders for the contract but did want to be involved in monitoring the contract.
- Variations in the contract – it was reported that there was flexibility in the contract to allow for variations such as having areas where cuttings are collected and areas where cuttings are left.
- Variations to leave areas to become meadow land.
- Other uses for cuttings such as compacting for use as animal feed.

The Chair thanked Simon Costigan for his attendance.

RESOLVED – That the report and discussion be noted.

(Councillor Mulherin left the meeting at 5.20 p.m. during the discussion on this item)

36 Outer South Area Committee Well Being Budget Report

The report of the Director of Neighbourhoods provided the Area Committee with the following:

- An update on both the revenue and capital elements of the Area Committee's budget.
- Details of projects that require approval.
- A summary of all revenue and capital projects agreed to date.
- A summary of the revenue allocation for 2010/11 Well being Revenue Budget already approved and linked to the priorities and outcomes identified in the approved Area Delivery Plan (ADP).
- An update on the Small Grants budget.

Members attention was brought to the following applications for Wellbeing funds:

- Robin Hood Athletic Football Club
- St Peter's Community Hall
- Magpie Lane Play Space

With reference to the application at St Peter's Community Hall and concern regarding it being a listed building, it was reported that any approval would be subject to any necessary permissions and consents from Leeds City Council Planning and Conservation teams being in place.

RESOLVED –

- (a) That the report be noted
- (b) That the position of the Well Being Budget as set out at paragraph 3.0 be noted.
- (c) That the allocation of £5,000 to Robin Hood Athletic Football Club as detailed in paragraph 3.2.4 be approved.
- (d) That the Wellbeing revenue amounts for 2010/11 as outlined in Appendix 1 be noted.
- (e) That the Wellbeing capital projects already agreed as listed in Appendix 2 be noted.
- (f) That £6,332 capital for St Peter's Community Hall – Stonework Repairs to Gable End Wall be approved.
- (g) That £7,576 capital for Magpie Lane Play Space be approved.
- (h) That the small grants situation as described in paragraph 5.1 be noted.

(Councillor Leadley abstained from the voting on the decision for St Peter's Community Hall due to his earlier declaration of interest)

37 Area Managers Report

The report of the Director of Environment and Neighbourhoods provided Members with details of a range of activities that had taken place in the Outer South Leeds Area and provided an update of actions and achievements of the Area Management Team relating to priorities and work of the Area Committee since the last meeting in September 2010.

Members attention was brought to the following issues:

- Changes to Town Centre Management
- Town and District Regeneration Scheme
- Morley Literature Festival
- Signage for Dog Fouling Enforcement

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

- The Morley Literature had once again been a success with successful events also held in Drighlington and Churwell.
- Funding for Town Centre Management – this was due to be considered by Morley Town Council’s General Purposes Committee – it was further reported that there would be further consideration by the Area Committee for ongoing financial support.
- Morley War Memorial – installation of spotlight
- Ginnel mapping and ownership issues in relation to clearing overgrown vegetation and litter

Members passed their congratulations to Councillor Gettings for his role as the Chair of the Morley Literature Festival.

RESOLVED –

- (a) That the report be noted.
- (b) Subject to clarifying locations in Ardsley Robin Hood, Members agree the sites for signage to tackle dog fouling issues as detailed in Appendix 1.

38 Briefing Note on Proposed Delegation of Elements of the Streetscene Service

The report of the Director of Environment and Neighbourhoods referred to the meeting of the Area Committee Chair’s where it was agreed that a further report be prepared to look at the potential delegation of a range of Streetscene Services to the Area Committee.

It was reported that this delegation would give more control at a local level and Members supported the principle but raised concern that adequate budgets should follow along with appropriate delegated powers. It was reported that further details of the delegation needed to be worked out and a further report would be brought to the Area Committee in due course.

Members attention was brought to the agreed recommendations of the Area Chairs:

- That the scope of services to be delegated includes those set out at paragraph 1.3 and excludes refuse and recycling collection services.
- That further information on service and resource levels on an Area Committee basis is shared with Members once it is compiled.
- That the process of producing DLEQS monitoring data as a tool for assessing service performance be commenced.

RESOLVED – That the report be noted.

39 Dates, Times and Venues of Future Meetings

Monday, 29 November 2010 – Drighlington Meeting Hall

Draft minutes to be approved at the meeting
to be held on Monday, 29th November, 2010

Monday, 31 January 2011 – Morley Town Hall
Monday, 14 March 2011 – Civic Chamber, Rothwell One Stop Centre

All meetings commence at 4.00 p.m.

The meeting concluded at 5.55 p.m.

WEST (INNER) AREA COMMITTEE

WEDNESDAY, 8TH SEPTEMBER, 2010

PRESENT: Councillor J Harper in the Chair

Councillors T Hanley, A Lowe and N Taggart

Co-optees Hazel Boutle, Armley Forum
Eric Bowes, Armley Forum
Roland Cross, Bramley and Stanningley
Community Forum
Stephen McBarron, Bramley and
Stanningley Community Forum

20 **Chair's Opening Remarks**

The Chair welcomed everyone to the September meeting of the West (Inner) Area Committee held at the Strawberry Lane Community Centre, Strawberry Lane, Leeds 12. She particularly welcomed Roland Cross, Co-opted Member, Bramley and Stanningley Community Forum to his first meeting.

21 **Exempt Information - 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 3 to the report referred to in Minute 31 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 (including the authority holding that information). It was considered that the public interest in maintaining the exemption outweighs the public interest in disclosing this information as the market valuation of office space within its community centres was confidential between Leeds City Council and the client user.

22 **Declaration of Interests**

There were no declarations of interest made at the meeting.

23 **Apologies for Absence**

Apologies for absence were received on behalf of Councillor D Atkinson and J Mc Kenna.

24 Minutes - 22nd June 2010

RESOLVED-

- a) That the minutes of the previous meeting held on 22nd June 2010 be confirmed as a correct record.
- b) That in respect of Minute numbers 6, 8, and 9, the recommendations be ratified.

25 Matters Arising from the Minutes

- a) Chair's Opening Remarks (Minute 2 refers)
Clare Wiggins, Area Management Officer, informed the meeting that a letter of good wishes had been sent to Councillor D Atkinson.

- b) Children's Services – Area Committee Performance Report (Minute 7b refers)
Clare Wiggins, Area Management Officer, informed the meeting that she had written to two Head teachers of local schools inviting them to attend the October Area Committee meeting and was currently awaiting a reply.

Following discussions with Amanda Jackson, Children's Services, who was present at today's meeting, it was decided to defer the head teachers attendance until the December Area Committee meeting by which time the results of the attainment analysis should be known.

- c) Minutes – Community Forum Meetings (Minute 8 refers)
Clare Wiggins, Area Management Officer, informed the meeting that a letter had been sent to Stephen Longley and Morgan Pugh thanking them for their past services as Co-optees on the Area Committee.

- d) Wellbeing Fund 2010/11 (Minute 10 refers)
Clare Wiggins, Area Management Officer, informed the meeting that in relation to the CCTV – Broadlees Roundabout project, a more detailed report on this issue would be submitted to the October meeting.

She also informed the meeting that two small grant applications had now been paid to Armley Fun Day and Armley Common Rights Trust Hanging Baskets. Hazel Boutle confirmed that this payment had been received.

Jason Singh, Acting West North West Area Manager took the opportunity of bringing the Area Committee up to date on the recent Council's changes to the revenue and capital allocations, together with details of the Wellbeing monies. He agreed to e mail the specific details to the Area Committee for their retention/information.

It was confirmed that Executive Board had approved a change in the rationale for the allocation of Wellbeing funding from 25/75% (deprivation/population) to 50/50 with immediate effect. The Area Committee, however, should be mindful that the approval was not

unanimous and may therefore be subject to further challenge at full Council on 15th September 2010.

e) Appointments to Outside Bodies 2010/11 (Minute 16 refers)

Stuart Robinson informed the meeting that Bramley Sure Start had now been officially wound up as an organisation and would be removed from the appointments to outside bodies schedule.

Councillor T Hanley referred to the ALMO appointments and took the opportunity of raising his concerns with regards to a West North West ALMO Board meeting he had attended on 3rd September 2010 where discussions had taken place in relation to a 2.1 million overpayment which had occurred within the ALMO'S capital structure.

At the request of the Chair, Councillor A Lowe in her capacity as a Director of West North West Homes ALMO, updated the meeting on progress and it was noted that the Council's Asset Management team were currently in discussions with the Chief Executive of West North West Homes.

f) Dog Control Orders (Minute 18 refers)

Clare Wiggins, Area Management Officer, informed the meeting that Dog Control Wardens had attended the recent round of forums.

(Councillor T Hanley and Stephen McBarron joined the meeting at 5.10pm during discussions of the item relating to Children's Services – Area Committee Performance Report)

26 Minutes - Community Forum Meetings

A copy of the minutes of the Armley Community Forum meetings held on 15th June 2010 and 20th July 2010, together with the minutes of the Bramley and Stanningley Community Forum meeting held on 29th July 2010 were also attached for Members' information.

RESOLVED – That the minutes of the Armley Community Forum meetings held on 15th June 2010 and 20th July 2010, together with the minutes of the Bramley and Stanningley Community Forum meeting held on 29th July 2010 be received and noted.

27 Open Forum

The Chair gave notice that in accordance with the Area Committee Procedure Rules, there was provision for an Open Forum session of up to 10 minutes at each ordinary meeting of an Area Committee in order to allow members of the public an opportunity to ask questions or to make representations on any matter which fell within the remit of the Area Committee.

There were no issues raised on this occasion.

28 **Community Safety Issues, Inner West Leeds**

The West North West Leeds Area Manager submitted a report on Community Safety issues in Inner West Leeds.

Police Inspector Sue Disley presented the report and provided the meeting with an update on Community Safety issues and crime trends in Inner West Leeds since the last Area Committee meeting. In general, crime had reduced in the Inner West area over the last 4 week period compared with the same period in 2009. Last week there was a successful activation of the capture house equipment which resulted in 3 arrest for burglary in the Armley area.

The Police and Anti-social Behaviour Unit are pursuing four anti-social behaviour orders through the courts for nominal's causing problems in the dispersal area of Little Scotland area in Armley. A funding bid from the Proceeds of Crime Funding had been submitted for £2,500 to work in partnership with Christ Church Youth project to develop targeted diversionary activities.

A community engagement event had been arranged for Saturday 18th September 2010 at Armley Mosque 11.00 -1500 to raise awareness of services available to the local community. There are also on going operations.

Appended to the report was a copy of a document entitled 'Operation Champion – 29th to 30th July 2010 – Wythers Evaluation of Activities' for the information/comment of the meeting.

In addition to the presentation, Gill Hunter, Area Community Safety Co-ordinator, Environment and Neighbourhoods also gave an update on current issues.

Arising from discussions, it was noted that the Area Committee would be receiving more detailed figures in relation to Operation ADULATE at the next meeting in October 2010.

The on-going problem of eastern European people drinking on Armley Town Street was referred to and the Area Committee were keen to resolve this issue by the possible introduction of a viable project between the Council and West Yorkshire Police. In addition, the increase of eastern European families living with in Armley was causing some tensions due to culture and lifestyle differences. The police and partner agencies were working with existing residents and the Slovakian communities to resolve these.

The Acting West North West Area Manager responded and agreed to follow up this suggestion with a report back on progress at the next meeting in October 2010.

The Chair thanked Inspector Sue Disley and Gill Hunter for their attendance.

RESOLVED- That the contents of the report and the update provided by the West Yorkshire Police be noted and welcomed.

Minutes approved as a correct record
at the meeting held on Wednesday, 20th October, 2010

29 **Acting Area Manager's Report**

The Director of Environment and Neighbourhoods submitted a report informing Members of progress against the Leeds Strategic Plan on a number of projects in the West Inner Leeds area, as determined by the Area Delivery Plan 2009-11.

Jason Singh, Acting West North West Area Manager and Clare Wiggins, Area Management Officer presented the report and responded to Members' queries and comments.

In addition to the report and at the request of the Chair, Bill Graham, the new Business Facilities and Social Enterprise Manager attended the meeting and introduced himself to the Area Committee. It was noted that the Area Committee would receive a more detailed presentation on the Business Facilities and Social Enterprise Manager plan to make the social enterprises at the community centres increase sales, turnover and run more efficiently at the next meeting in October 2010.

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

- the concerns expressed about the cuts in Council funding and the job losses at the Leeds Citizens Advice Bureau
- clarification of the specific details in relation to the treatment of Japanese Knotweed on Armley Moor
(Clare Wiggins, Area Management Officer responded and agreed to look into this issue further with a report back on progress to the Area Committee prior to the 20th October 2010 deadline)
- to welcome the proposal to have a Community Centre Open Day in October half term week in partnership with Aramark and the LAMP Partnership
- a request for a breakdown of Wellbeing spend by ward for 2010/11
(Jason Singh, Acting West North West Area Manager responded and agreed to follow up this issue for consideration at the October meeting)
- a request to send Roland Cross details of Area Committee roles/co-optee roles
(Clare Wiggins, Area Management Officer responded and agreed to follow up this issue)

RESOLVED - That the contents of the report be noted.

30 **Community Engagement Programme Update**

The Director of Environment and Neighbourhoods submitted a report providing a summary of the progress made in delivering a programme of community engagement in the inner west area.

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

Specific reference was made to the Area Web pages referred to in Section 3.3 of the report and the omission of the Area Committee's Co-opted Members details on the website. The Acting West North West Area Manager responded and agreed to rectify this omission.

RESOLVED-

- a) That the contents of the report be noted.
- b) That this Committee notes the scope and content of the West North West Area Management Team's Community Engagement Programme.
- c) That this Committee welcomes the use of the Citizens Panel as part of a wider tool for community engagement.

31 Community Centres Report

The Director of Environment and Neighbourhoods submitted a report providing information in relation to the management of Community Centres in the inner west area.

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

- Budget v actual = income for each centre in Inner West (Appendix 1 refers)
- Breakdown of the controllable budgets delegated to each centre in the Committee's portfolio (Appendix 2 refers)
- Inner West Market Rental Assessment information – Exempt under 10.4 (3) (Appendix 3 refers)

Jason Singh, Acting West North West Area Manager presented the report and responded to Members' queries and comments.

It was noted that following the publication of the agenda, the Executive Summary had been revised by the report author. The Acting West North West Area Manager agreed to e mail the revised wording to the Area Committee for their information/retention.

Discussion ensued on the contents of the report and the appendices. The Area Committee noted that an action plan on Community Centres would be brought back to a future meeting for consideration.

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That the proposals relating to Community Centres within the West Inner portfolio be approved in accordance with the report now submitted.

32 West Leeds Enterprise Centre

The LEGI Programme Manager submitted a report providing information on the costs and achievements of the West Leeds Enterprise Centre project as part of the Sharing the Success programme.

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

- West Leeds Enterprise Centre Clients (Appendix 1 refers)
- West Leeds Enterprise Centre Client Case Studies (Appendix 2 refers)

Simon Brereton, Programme Manager LEGI, City Development presented the report and responded to Members' queries and comments.

Specific reference was made to the following issues;-

- clarification as to whether or not the project had been successful in West Leeds
- to welcome the fact that the project had given people who lived in a deprived area an opportunity of starting a new business
- clarification as to whether or not a cost benefit analysis had been undertaken in relation to the nineteen new businesses
- the need to focus more on BME communities with the aim of introducing one to one contact and supporting the challenges of those communities who work in isolation

RESOLVED- That the contents of the report and appendices be noted and welcomed.

33 Health and Wellbeing update report

The Health and Improvement Manager submitted a report providing background information about health and wellbeing partnerships and how initial priorities have been developed.

Appended to the report was a copy of the West North West Partnership Plan for the information/comment of the meeting.

Tim Taylor, Health and Improvement Manager presented the report and responded to Members' queries and comments.

The Committee noted and welcomed that Mr Taylor had completed a mapping exercise of statutory and voluntary health provision in Inner West.

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

- the need to focus on mental health issues within Inner West and acknowledge that it was a major problem in that area
- the need to work together on major cross-cutting health issues and introduce an MOT health check for all
- the need to reflect on the importance of employment/wealth issues within the report

RESOLVED- That the contents of the report and appendices be noted and welcomed.

34 Children's Services Performance Report

The Interim Director of Children's Services submitted a report providing the Area Committee with various Children's Services performance data disaggregated at Area Committee or Ward level.

Amanda Jackson, Locality Enabler and Mike Brown, Children's Services presented the report and responded to Members' queries and comments.

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

- to acknowledge that Children's Services were making progress in making Leeds a safe place for children
- clarification over the reasons for an increase in the seven day period for initial assessments
- the need for a Member of the Area Committee to meet with a Pregnancy Co-ordinator in Bramley
(Councillor N Taggart responded and agreed to fulfil this role on behalf of the Committee)

Amanda Jackson made specific reference to the results of the attainment analysis which should be known later in the year. As reported earlier, she confirmed that it would be wise to defer the attendance of two Head teachers until the December Area Committee.

RESOLVED-That the contents of the report and appendices be noted and welcomed.

35 Dates, Times and Venues of Future Area Committee Meetings

That the following arrangements be noted:-

Wednesday 20th October 2010, 17.00, Stanningley Rugby Club
Wednesday 15th December 2010, 16.00, Strawberry Lane Community Centre
Wednesday 16th February 2011, 17.00, Stanningley Rugby Club
Tuesday 5th April 2011, 17.30, Strawberry Lane Community Centre

(The meeting concluded at 7.05pm)

WEST (INNER) AREA COMMITTEE

WEDNESDAY, 20TH OCTOBER, 2010

PRESENT: Councillor J Harper in the Chair
Councillors D Atkinson, T Hanley, A Lowe and N Taggart

CO-OPTTEES: Hazel Boutle, Armley Community Forum
Eric Bowes, Armley Community Forum
Stephen McBarron, Bramley and Stanningley Community Forum

APOLOGIES: Roland Cross, Bramley and Stanningley Community Forum

36 Apologies for Absence

An apology for absence from the meeting was submitted on behalf of Roland Cross, Bramley and Stanningley Community Forum.

37 Late Items

In accordance with her powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair agreed to accept a late application for funding from the Wellbeing Budget in respect of some proposed fencing at Lincroft Crescent, Bramley (Agenda Item 9, Minute No. 42 refers) as the matter could not wait until the Committee's next scheduled meeting on 15th December 2010.

38 Declaration of Interests

No declarations of interest were made.

39 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.

40 Minutes - 8th September 2010

RESOLVED – That the minutes of the meeting held on 8th September 2010 be confirmed as a correct record.

41 Matters Arising from the Minutes

Draft minutes to be approved at the meeting
to be held on Wednesday, 15th December, 2010

- a) Wellbeing Fund 2010/11 – Broadleas Roundabout CCTV (Minute No. 25(d) refers)

Further to Minute No. 25(d), 8th September 2010, the Area Management Officer reported that the proposed installation of a CCTV camera at Broadleas Roundabout was the subject of a separate application on tonight's agenda and, subject to approval of the application, planning permission would then be sought to site the camera.

Under this item, Councillor Atkinson informed the Committee of her concerns regarding proposals by Education Leeds to introduce a charge of £2,000 per visit in respect of children using Lineham Farm, and the effect she feared this could have on usage of the facility. Not only was she unhappy with the proposal, but also the lack of consultation with Members. The proposal was currently suspended pending discussions with Education Leeds.

- b) Children's Services – Invitations to Headteachers to attend Area Committee (Minute No. 25(b) refers)

Further to Minute Numbers 7(b), 22nd June 2010 and 25(b), 8th September 2010, the Area Management Officer reported that she had yet to receive a response from the Heads of two local high schools to the Committee's invitation, at the suggestion of the Chief Executive of Education Leeds, to attend the December meeting of the Committee, but she would pursue the matter. A further report on Children's Services performance matters was due to be submitted to the December meeting.

- c) ALMO Overpayments (Minute No. 25(e) refers)

Further to Minute No. 25(e), 8th September 2010, and the discussion regarding the apparent £2.1m overpayment by the ALMO for work carried out on its behalf, Councillor Hanley updated the Committee regarding some difficulties in the aftermath of the demise of Connaught, in particular relating to the transfer of former Connaught employees to the new contractor. Members had intervened and the matter had now been resolved.

- d) Community Safety Issues – Drinking in Armley Town Street (Minute No. 28 refers)

The Area Community Safety Co-ordinator reported that, since the last meeting, attempts had been made to try to address the issue of people of Eastern European origin congregating and drinking in Armley Town Street. The offer of a meeting room where people could socialise had not been taken up, but an action plan was now in place involving the

police, local schools and residents, and the police were being proactive in addressing the matter.

e) Armley Moor (Minute No. 29 refers)

The Area Management Officer reported that, following the last meeting, she had pursued, via the City Projects Office and Green Leeds, the issue of the maintenance of Armley Moor. She understood that the existing contract specified that the grassed areas would be mown five times a year, the shrub beds were maintained twice a year and the Japanese knotweed was also due to be treated twice a year for the next five years.

(NB: Councillor A Lowe joined the meeting at 5.08 pm, during the consideration of Matters Arising.)

42 Wellbeing Fund 2010/11 - Update Report

The Director of Environment and Neighbourhoods submitted a report updating the Committee regarding its revenue and capital balances for 2010/11, together with details of Small Grants approved since April 2010 and two applications for funding before the Committee today for decision.

- Reference was made to Appendix 3 to the report, and the current discrepancy between the amounts of Wellbeing spending in each Ward. It was accepted that there might be specific reasons for the current situation, and that, over the longer-term, expenditure levels may well even out. However, in principle, an even division should be the aim and Members and officers needed to monitor the situation to ensure this outcome.
- Members requested that a breakdown of the costs associated with the establishment of the Community Centres Consortium be circulated separately to the Committee and Bill Graham, the Business Facilities and Social Enterprise Manager, was requested to arrange a separate briefing for Councillor Atkinson.
- A question was also raised regarding the exact siting of the proposed CCTV Camera at the Broadleas Roundabout, and Gill Hunter undertook to organise a site visit involving Local Members.

RESOLVED –

- a) That the Committee's revised Wellbeing budget 2010/11, and the Small Grants made since the last meeting, be noted.
- b) That the funding applications in respect of the Broadleas Roundabout CCTV camera - £1,964 (revenue) and the Lincroft Crescent fencing - £1,150 (capital) – be approved.

43 Area Manager's Report

The Acting Area Manager submitted a report updating the Committee on progress in respect of implementation of the Committee's Area Delivery Plan 2008-2011.

RESOLVED – That the report be received and noted.

44 Inner West Community Centres Consortium - Update Report

Bill Graham, Business Facilities and Social Enterprise Manager to the Consortium, submitted a report outlining the current operational aspects and difficulties associated with the Community Centres in the Committee's area, and responded to Members' queries and comments.

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

- Under-utilisation of the Centres' facilities and efforts being made to improve this situation.
- The financial position of the Centres and efforts being made to improve that situation also.
- The current management arrangements appertaining to the Centres, and whether these could be improved. Members requested that details relating to the composition of the management committees be circulated to them separately.
- The role of Members in terms of assisting to manage the Centres and the need for Members (a) to be kept aware of the dates/times, etc, of management committee meetings, and (b) to be kept briefed on current issues by Bill Graham.
- The financial systems currently operating in the Centres.
- The options to make Centres more widely known, and more welcoming in appearance.
- The possibility of establishing the community shop, currently operating at the New Wortley Community Centre, in a high street shop location, and the pros and cons.
- Members congratulated Bill Graham regarding both the content of the report and the manner in which he had assumed his responsibilities since his appointment.

RESOLVED – That the report be received and noted.

(NB: Councillor N Taggart joined the meeting at 6.00 pm, during the consideration of this item.)

Draft minutes to be approved at the meeting
to be held on Wednesday, 15th December, 2010

45 Health and Environmental Action Service - Update Report

Mark Dolman, Environment and Neighbourhoods, presented a report updating the Committee on the work of the Health and Environmental Action Service across the City for the period April-September 2010, with particular emphasis on the Committee's area.

- Members regarded that the format of the report, with statistical information on a Ward by Ward basis, was an improvement on the previous format.
- The service was, to a large degree, a reactive service, so the statistics differed between Wards and were also subject to seasonal variations.
- With reference to Table 10, the numbers of fixed penalty notices served, some surprise was expressed that the figures were so low compared to the numbers of service requests and incidents dealt with, as reflected in the previous tables. Mark Dolman undertook to circulate separately further details.

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

46 Grounds Maintenance Contract - Update Report

The Chief Environmental Services Officer submitted a report updating the Committee regarding the implementation of the new Grounds Maintenance Contract with effect from 1st January 2012.

In attendance at the meeting, and responding to Members' queries and comments, were Giles Jeffs, Environment and Neighbourhoods, and Mick Parker, West North West homes ALMO. In brief summary, the main points of discussion were:-

- A lack of consultation and communication with local residents. The matter had not been referred to the ALMO Inner West Area Panel, the Bramley Housing Forum and either the Bramley and Stanningley or the Armley Community Forums. The officers apologised for this oversight and undertook to rectify it.
- Given the length of the current contract, and the fact that its end date was definite, some surprise and disappointment was expressed at the fact that it had been necessary to extend the current contractor's services by a further 10 months.

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

47 Briefing Note Regarding the Proposed Delegation of Elements of the Streetscene Services

Following consideration of the matter at the Area Committee Chairs' Forum on 8th October 2010, the Director of Environment and Neighbourhoods submitted an information report regarding proposals for elements of the Streetscene Service (street cleaning, litter bins, graffiti removal and fly-tipping) to be delegated to Area Committees. This would provide Area Committees with the opportunity to shape, control and steer these services in their areas.

The proposals would involve each Area Committee negotiating a local Service Level Agreement with Streetscene Services and, to assist and guide this process, it was proposed that the District Local Environmental Quality Survey (DLEQS) system, devised by the Keep Britain Tidy Group, be utilised.

In receiving the report, the Committee expressed some reservations regarding the proposals being wedge-based, with the West Inner and West Outer areas being linked to the NW Inner area, which covered Headingley, Hyde Park and Woodhouse, Kirkstall and Weetwood Wards. Allocating resources, and deciding priorities on a needs-led basis across the wedge, was likely to prove problematic.

RESOLVED –

- a) That the report be received and noted.
- b) That an Environmental Working Group, comprising Councillors J Harper, Lowe and Taggart, be established to consider the proposals in greater detail and report back, in due course, to the Area Committee.

48 Dates, Times and Venues of Future Meetings

Wednesday, 15th December 2010, Strawberry Lane Community Centre, 4.00 pm.

Wednesday, 16th February 2011, Stanningley Rugby Club, 5.00 pm.

Wednesday, 6th April 2011, Strawberry Lane Community Centre, 5.30 pm.

The meeting concluded at 6.40 pm.

WEST (OUTER) AREA COMMITTEE

FRIDAY, 10TH SEPTEMBER, 2010

PRESENT: Councillor D Blackburn in the Chair

Councillors A Blackburn, M Coulson,
J Hardy, R Lewis and R Wood

CO-OPTEE: Rev Kingley Dowling

APOLOGIES: Councillors A Carter and J Jarosz and
Liz Navin -Jones

22 Late Items/Supplementary Information

Further to Minute No.10, 9th July 2010, information was distributed at the meeting relating to bus ticketing issues (see later Minute No. 27).

23 Declarations of Interest

No declarations of interest were made.

(NB: Councillor A Blackburn joined the meeting at 2.08 pm, during this item.)

24 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors A Carter and J Jarosz and Liz Navin-Jones, Co-Optee.

25 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.

26 Minutes - 9th July 2010

RESOLVED – That the minutes of the meeting held on 9th July 2010 be confirmed as a correct record.

27 Matters Arising from the Minutes

- a) Children's Services – Performance Monitoring at Area Committee Level (Minute No. 6 refers)

Minutes approved as a correct record
at the meeting held on Friday, 15th October, 2010

Amanda Jackson reported that she had today circulated the requested information on teenage pregnancy rates, via email.

- b) Appointment of Co-Optees and Thematic Champions 2010/11 (Minute No. 8 refers)

The Acting Area Manager indicated that a report on Area Committee delegated powers was due to be submitted to the next meeting. In view of this, it was agreed to defer further consideration regarding the appointment of Thematic Champions 2010/11,

- c) Bus Services – Numbers 9 and 90 (Minute No.10 refers)

Further to Minute No.10, 9th July 2010, information was circulated regarding ticketing issues in West Yorkshire.

The Chair indicated that his original complaint had related to the fact that, previously, the operating times of these two services had only been 4 minutes apart. However, since Centrebus had taken over the routes, he was pleased to report that a more sensible schedule had been introduced.

28 Community Forum Minutes

RESOLVED – That the minutes of the Pudsey and Swinnow Community Forum meeting held on 18th May 2010 be received and noted.

29 ALMO Outer West Area Panel Minutes

RESOLVED – That the minutes of the ALMO Outer West Area Panel meeting held on 19th June 2010 be received and noted.

30 Community Safety - Update Report

Inspector Richard Cawkwell and Gill Hunter, Divisional Community Safety Co-ordinator, presented a report updating Members regarding community safety issues within the Committee's area.

Reference was made to the Cottingley Springs engagement day which took place on 24th August, the difficulties of easily accessing fresh fruit, vegetables, milk, etc, for site residents, and the possibility of encouraging the residents to establish a food co-operative. Tim Taylor, the Health and Wellbeing Improvement Manager, undertook to forward this suggestion to an appropriate colleague.

RESOLVED – That the report be received and noted.

31 Children's Services - Performance Update Report

Minutes approved as a correct record
at the meeting held on Friday, 15th October, 2010

The Interim Director of Children's Services submitted a report updating Members on the performance monitoring arrangements for Area Committees in respect of Children's Services, and containing detailed information on a Ward by Ward basis relating to the numbers of looked after children, the number of referrals for investigation and how quickly these were dealt with.

Amanda Jackson and Mike Brown, Children's Services, attended the meeting and responded to Members' queries and comments. In brief summary, the main issues raised were:-

- Members requested to be supplied with contact details/telephone numbers in respect of both the Daytime Screening Team and the Out of Hours Duty Officer.
- Variances in figures across the City could be explained by various factors – in many ways it mirrored the indices of deprivation, and was related to income levels, transient populations, family breakdowns, challenging behaviour at home, truancy and exclusion levels, anti-social behaviour, substance abuse, domestic violence, physical and sexual abuse and mental health issues.
- Farnley and Wortley and Bramley were teenage pregnancy hotspots, and a Young Person's Sexual Development Officer had been appointed. Councillor A Blackburn was nominated as Member liaison to meet with this officer, all local Members to be kept informed of developments.

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

32 Health and Wellbeing - Update Report

Tim Taylor, Health and Wellbeing Improvement Manager, attended the meeting and presented a report updating the Committee on the establishment of multi-agency Health and Wellbeing Partnerships across the City, and how initial priorities had been developed.

The cost and content of school meals was raised as an issue and whether parents had to pay a full £2 per day, per child, which could be prohibitive, or whether the system was flexible enough to allow a 'mix and match' approach, at a lower cost, dependent on pupils' needs/preferences? The Area Manager undertook to put the Member concerned in contact with an officer from Education Leeds.

RESOLVED – That the report be received and noted.

33 Community Engagement Programme - Update

RESOLVED – That the report on the WNW Area Management Team’s community engagement programme, including the use of the Citizens’ Panel, be received and noted.

34 Community Centres Report

Item withdrawn – report back to next meeting.

35 Wellbeing Projects 2009-10 - Progress Report

The Director of Environment and Neighbourhoods submitted a report updating the Committee on progress in respect of projects approved in 2009/10.

- West Leeds Visitor Centre – Members raised concerns regarding alleged access problems relating to the Centre and requested a report back to the next meeting.
- Mobile Youth Bus – Members asked for a report back regarding why the mobile youth bus was still off the road, despite the Committee giving them a grant earlier this year.

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

36 Forward Plan for October

RESOLVED – That the report be noted.

37 Dates, Times and Venues of Future Area Committee Meetings

Friday, 15th October 2010, Farnley Hall
Friday, 17th December 2010, Pudsey Civic Centre
Friday, 28th January 2011, Tyresal Social Club*
Friday, 25th March 2011, Farnley Hall

All at 2.00 pm.

*Please note new venue.

The meeting concluded at 4.14 pm.

WEST (OUTER) AREA COMMITTEE

FRIDAY, 15TH OCTOBER, 2010

- PRESENT:** Councillor D Blackburn in the Chair
Councillors A Blackburn, A Carter, M Coulson,
J Jarosz and J Marjoram and R Wood
- CO-OPTEE:** Liz Navin-Jones, Business Representative
- APOLOGIES:** Councillors J Hardy and R Lewis
Clair Warren, West North West Homes ALMO

38 Ex-Councillors Frank Robinson and Amanda Carter

RESOLVED – That the Acting Area Manager convey the Committee's best wishes for a speedy recovery to Ex-Councillors Frank Robinson and Amanda Carter, following their recent illnesses.

39 Late Items

Reference was made to a late report circulated after the main agenda had been despatched. This was a report from the Director of Environment and Neighbourhoods relating to the proposed delegation of elements of the Streetscene Service to Area Committees. It had not been available at the time of agenda despatch due to the need for prior discussion at the Area Chairs' Forum meeting held on 8th October 2010. In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair agreed to accept the report as a late item of urgent business (Agenda Item 12, Minute No. 49 refers).

40 Declaration of Interests

The following declarations of personal interests were made:-

- Councillor A Carter – Agenda Item 10 (Minute No. 46 refers) - Wellbeing Budget 2010/11 – Application for funding from Calverley Horticultural Society – In his capacity as President of the Society.
- Councillor J Marjoram – Agenda Item 10 (Minute No. 46 refers) - Wellbeing Budget 2010/11 – Application for funding from Calverley Horticultural Society – In his capacity as a local allotment holder.

(See also later Minute Nos. 46 and 52.)

41 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors J Hardy and R Lewis and Claire Warren, Chief Executive of West North West Homes ALMO.

42 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.

43 Minutes - 10th September 2010

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

44 Matters Arising from the Minutes

a) Community Safety Report (Minute No. 30 refers)

The Area Management Officer reported that, following the discussion at the last meeting, Tim Taylor, the Health and Wellbeing Improvement Manager, was arranging for one of his colleagues to explore with residents of the Cottingley Springs site the possibility of establishing a food co-operative.

b) Children's Services – Performance Report (Minute No. 31 refers)

Further to the discussion at the last meeting regarding teenage pregnancy 'hotspots', Amanda Jackson, Children's Services, was arranging meetings for Councillor A Blackburn (and Councillor N Taggart, West Inner), with the newly appointed Young Person's Sexual Development Officer.

c) Community Centres – Update Report – (Minute No. 34 refers)

This would now be submitted to the December meeting.

d) West Leeds Visitor Centre (Minute No. 35 refers)

Councillor Coulson reported that the access problems for wheelchair users at the West Leeds Visitor Centre had still not been resolved. Discussions were ongoing regarding altering the entrance doors, and it was still unclear whether or not disabled toilet facilities would be available. In the meantime, it was probable that a new, fully equipped disabled toilet would be provided at Pudsey Leisure Centre, in the area previously occupied by the crèche. If this was regarded as an acceptable alternative for users of the West Leeds Visitor Centre, then it would need clear and careful signposting.

e) Mobile Youth Bus (Minute 35 refers)

The Area Management Officer reported that she understood that the vehicle had now been repaired and was due to shortly be back in service following driver training and a new risk assessment, which was a requirement of the insurance policy.

A Member raised concerns regarding the Youth Service allegedly withdrawing a weekly indoor football session at Pudsey Leisure Centre, organised jointly with the St Andrew's Youth Club, apparently due to financial cut-backs. Local Members had not been consulted or even informed of this decision, and the Member had written to the head of the Youth Service for an explanation.

The Acting Area Manager undertook to pursue this particular issue on behalf of Members. On a wider front, the Area Committee Chairs' Forum had last week agreed to request that a Youth Service update report be submitted to all Area Committees in the December cycle of meetings.

(NB: Councillor A Blackburn joined the meeting at 14:13, during the consideration of this item.)

45 Community Forum Minutes

RESOLVED – That the minutes of the meetings of the Pudsey and Swinnow Forum held on 14th September 2010 and the Tyersal Forum held on 29th September 2010 be received and noted.

46 Wellbeing Budget 2010/11 - Update Report

The Director of Environment and Neighbourhoods submitted a report updating the Committee regarding its revenue and capital balances for 2010/11, together with details of Small Grants made since the last meeting and three applications for funding before the Committee today for decision.

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

- The need to utilise or to commit the remaining capital balance during the current financial year.
- The reallocation of surplus CCTV expenditure following a reconciliation covering the past four years.
- The use of Members' local initiatives funds (MICE, etc), what this was used for and what the Wellbeing Fund should be utilised for.
- Repairs/replacement to Pudsey Town Centre railings – Members regarded this as a routine highways maintenance issue which should

be referred to the Highways Department and the costs met from the central budget.

- Concerns were expressed regarding the possibility that the proposed bus lay-by provision on the west side of Lidget Hill, Pudsey, might not now go ahead following a central review of the Town and District Centre schemes budget and any projects not yet committed. Members indicated, in the strongest possible terms, that they were not at all happy with the prospect of this essential improvement not being implemented. Nor did they regard it as fair that the Area Committee should, at this late stage, be expected to make match funding available to allow the scheme to proceed. The proposal was long-awaited and much anticipated by local people and must proceed. The Acting Area Manager undertook to relay the depth of Members' feelings back to the centre.
- Pudsey Park Bowling Green sign – Small Grant – Members expressed some surprise at a Small Grant request recently received from Pudsey Park Bowling Club, as they had benefited from £21,600 given to them as a result of the relocation of the Pudsey Cons Cricket Club. It was reported that the Small Grant (£150) had already been paid out.
- In response to a Member's query, it was reported that no Small Grant application had yet been received on behalf of Friends of Woodhall Lake.

RESOLVED –

- a) That the revised amount of revenue and capital funding now available to the Area Committee in 2010/11 be noted.
- b) That the Small Grants made since the last meeting, and the budget balance, also be noted.
- c) That the following decisions be taken in respect of the applications for funding before the Committee today :-

Capital

- i) Calverley Horticultural Society – Communal Greenhouse - £2,015 – Approved
- ii) Highfield Green footpath - £3,152 – Approved

Revenue

West Yorkshire Police – capture car - £6,567 – Approved

- d) That in respect of the identified surplus of £35,926.18 in respect of CCTV expenditure, £30,000 of this sum be re-allocated to the revenue budget 2010/11, and the remainder be set aside for contingencies.

- (NB: 1 Councillor A Blackburn declared a personal and prejudicial interest in respect of the application from West North West Homes ALMO for the Highfield Green footpath, in her capacity as a Director of the ALMO, and left the meeting during the consideration of and voting on this particular application.
- 2 Councillor J Marjoram declared a personal interest in the same application in his capacity as a member of the West North West ALMO Outer West Area Panel.)

47 Area Manager's Report

The Acting Area Manager submitted a report updating the Committee on progress in respect of implementation of the Committee's Area Delivery Plan 2008-2011.

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

- A Central Government in-year cut to the funding in respect of the Community Environment Support Officers (CESOs), which had placed pressure on the Council's central Departmental budgets. The Council was now being forced to request Area Committees to consider funding these posts for the remainder of the current financial year (£20,271.42 from 1st October to 31st March, or £16,892.85 from 1st November to 31st March), after which the situation would be reviewed.

The Committee felt that the one full-time and one part-time CESO employed in the Committee's area provided an invaluable service and, in principle, the Committee was not opposed to the idea of providing some top-up funding for 2010/11. However, the Committee regarded that, in return, there needed to be some acknowledgement and flexibility shown by the centre in terms of possible carry-over of this Committee's revenue and capital Wellbeing Budget balances at the end of the financial year. The Committee instructed the Acting Area Manager to enter into discussions, without commitment, on its behalf.

The Chair indicated that, subject to the outcome of the Acting Area Manager's discussions, it might be necessary to subsequently review the deployment of the CESO posts, to ensure that all Wards were receiving a service, dependent on their relevant needs.

- Wadlands Wetlands Project, Farsley (not Calverley) – Now progressing towards a formal planning application.

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

48 **Grounds Maintenance Contract - Update Report**

The Chief Environmental Services Officer submitted a report updating the Committee regarding the implementation of the new Grounds Maintenance Contract with effect from 1st January 2012.

In attendance at the meeting, and responding to Members' queries and comments, were Giles Jeffs, Environment and Neighbourhoods, Peter McGouran, Highways Services and Richard Britten, West North West Homes ALMO.

In brief summary, the points of discussion were:-

- The attention paid to developing the mapping database over the course of the current contract, leading to far less difficulties regarding ownership of areas of land.
- The more robust monitoring arrangements linked to the new contract, including a commitment from the ALMOs in respect of their areas of land.

RESOLVED – That the report be noted.

49 **Briefing Note Regarding the Proposed Delegation of Elements of the Streetscene Service**

Further to Minute No. 39, the Director of Environment and Neighbourhoods submitted an information report regarding proposals for parts of the Streetscene Service (street cleaning, litter bins, graffiti removal and fly-tipping) to be delegated to Area Committees. This would provide Area Committees with the opportunity to shape, control and steer these services in their areas.

The proposal would involve each Area Committee negotiating a local Service Level Agreement with Streetscene Services, and to assist and guide this process, it was proposed that the District Local Environmental Quality Survey (DLEQS) system, devised by the Keep Britain Tidy Group, be utilised.

Members expressed some reservations regarding the proposals, especially the suggested needs-led resource allocation element.

RESOLVED – That an Environmental Services Sub-Group be established to consider the proposals in greater detail, comprising the Chair, Councillor Jarosz and a Calverley and Farsley Member, to be advised.

- (NB: 1 Councillor A Carter left the meeting at 15:37, during the consideration of this item.
2. Liz Navin-Jones left the meeting at 15:41, at the conclusion of this item.)

50 Community Safety - Update Report

Inspector Richard Cawkwell and Gill Hunter, Divisional Community Safety Co-ordinator, presented a report updating Members regarding community safety issues within the Committee's area.

RESOLVED – That the report be noted.

(NB: Councillor J Marjoram left the meeting at 15:56 at the conclusion of this item.)

51 Health and Environmental Action Service - Update Report

The Director of Environment and Neighbourhoods submitted a report updating the Committee on the work of the Health and Environmental Action Service for the first six months of 2010/11, with particular emphasis on enforcement action.

RESOLVED – That the report be noted.

52 Sheltered Housing Service Review

Lynne Hamshaw, Neighbourhoods and Performance Manager, West North West Homes ALMO, presented a report on the extensive work carried out by the ALMO, in consultation with residents and local Members, in reviewing the sheltered housing service in the ALMO's area. This had resulted in the ALMO successfully bidding to operate the service in its area.

Lynne Hamshaw responded to Members' queries and comments. In summary, Members were very pleased with both the method and outcome of the review, which provided a positive way forward and which, most importantly of all, provided an enhanced service for residents.

(NB: Councillor A Blackburn declared a personal interest in this item in her capacity as a Director of West North West Homes ALMO.)

53 Dates, Times and Venues of Future Meetings

Friday, 17th December 2010, 2.00 pm, Pudsey Civic Centre.

Friday 28th January 2011, 2.00 pm, Tyersal Social Club.

Friday 25th March 2011, 2.00 pm, Farnley Hall

The meeting concluded at 4.30 pm.

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