



EXECUTIVE BOARD

Meeting to be held in Civic Hall, Leeds on
Wednesday, 11th April, 2012
at 1.00 pm

MEMBERSHIP

Councillors

K Wakefield (Chair)	A Carter	S Golton	R Finnigan
J Blake			
M Dobson			
P Gruen			
R Lewis			
A Ogilvie			
L Yeadon			

CONFIDENTIAL AND EXEMPT ITEMS

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

9.0 Confidential information – requirement to exclude public access

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

9.2 Confidential information means

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

10.0 Exempt information – discretion to exclude public access

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

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

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

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

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

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

A G E N D A

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

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>MINUTES</p> <p>To confirm as a correct record the minutes of the meeting held on 7th March 2012.</p> <p><u>CHILDREN'S SERVICES</u></p>	1 - 16
6			<p>RESPONSE TO THE FULL COUNCIL DEPUTATION BY THE LEEDS CHILDREN'S MAYOR FOR THE DAY, JOE SMITH: 'WHEN IT COMES TO KEEPING KIDZ ACTIVE - LEEDS LEADS'</p> <p>To consider the joint report of the Director of Children's Services and the Director of City Development providing a response to the 'Mayor for a Day' deputation to Council on 18th January 2012 entitled, 'When it Comes to Keeping Kidz Active – Leeds Leads'.</p>	17 - 28

Item No	Ward	Item Not Open		Page No
7			<p><u>RESOURCES AND CORPORATE FUNCTIONS</u></p> <p>COMMISSION ON THE FUTURE OF LOCAL GOVERNMENT - PROGRESS UPDATE</p> <p>To consider the report of the Assistant Chief Executive (Customer Access and Performance) providing an update on the work of the Commission on the Future of Local Government, which Leeds has initiated. The Commission is exploring the concept of Civic Enterprise as a way to respond to the extreme change and challenges facing local government. This paper provides an update on the progress the Commission has so far made and the issues emerging so that councillors can consider the best way for Leeds to increasingly use the concept of Civic Enterprise as a way to help deliver the ambitions for the city and for the council.</p>	29 - 38
8			<p>UNLOCKING GROWTH IN CITIES - "CITY DEALS"</p> <p>To consider the report of the Assistant Chief Executive (Customer Access and Performance) outlining the activity recently conducted to conclude a 'City Deal', following the publication of the 'Unlocking Growth in Cities' document, which was launched by the Deputy Prime Minister in Leeds in December 2011. The publication identifies Cities as the engines of growth and critical to economic recovery and proposes a 'fundamental shift in the relationship between national government and cities – starting with a genuine transfer of power'.</p> <p>In addition, the report provides information on the policy areas that are being covered by the 'Deal' and details the proposed timetable regarding the public announcement of the 'Deal's' content.</p>	39 - 48

Item No	Ward	Item Not Open		Page No
9			<p data-bbox="676 215 1334 248">ARMED FORCES COMMUNITY COVENANT</p> <p data-bbox="676 288 1398 539">To consider the report of the Assistant Chief Executive (Customer Access and Performance) which seeks approval to implement the Armed Forces Community Covenant in Leeds. This report is in response to the White Paper Motion on Military Covenants brought to Council on 16th November 2011 and the subsequent resolution.</p> <p data-bbox="676 613 1249 647"><u>DEVELOPMENT AND THE ECONOMY</u></p>	49 - 66
10			<p data-bbox="676 719 1406 786">PLANNING APPLICATIONS HIGHWAYS ISSUES (WHITE PAPER 16)</p> <p data-bbox="676 828 1390 1189">To consider the report of the Director of City Development providing an update on the three month trial period which has been undertaken in relation to Ward Member notification of planning applications on which Highways have been consulted. In addition, the report seeks an agreement to a further nine month trial period, in order to assess changes to the system and gather more evidence of the benefit or otherwise of the additional procedure.</p>	67 - 72
11			<p data-bbox="676 1261 1310 1294">PARK AND RIDE STRATEGY FOR LEEDS</p> <p data-bbox="676 1337 1374 1585">To consider the report of the Director of City Development on the continued relevance of park and ride for Leeds, in terms of policy justification, the need to maintain park and ride as an integral part of the City's transport strategy and providing details on the current opportunities for delivering park and ride in the city.</p>	73 - 92

Item No	Ward	Item Not Open		Page No
12	Burmantofts and Richmond Hill; City and Hunslet; Hyde Park and Woodhouse;		<p>A58M LEEDS INNER RING ROAD: ESSENTIAL MAINTENANCE SCHEME</p> <p>To consider the report of the Director of City Development providing an update on the progress made regarding the planned Major Maintenance Scheme on Leeds Inner Ring Road Structures. In addition, the report seeks authority to incur expenditure on the implementation of works to Lovell Park Bridge and to incur expenditure on contractors/consultants costs for the first stage (the design and development stage) of an Early Contractor Involvement (ECI) contract for the Woodhouse Tunnel.</p>	93 - 102
13			<p>NATURAL RESOURCES AND WASTE DEVELOPMENT PLAN DOCUMENT - "POST SUBMISSION CHANGES"</p> <p>To consider the report of the Director of City Development seeking approval to a 6 week public consultation into the Post Submission Schedule of Changes, following the Examination in Public of the Natural Resources and Waste Development Plan Document from 15th November to 8th December 2011.</p> <p>As stated within the report, Appendix 5 (the Sustainability Appraisal/Strategic Environmental Assessment) is to be provided to Board Members prior to the meeting.</p>	103 - 154
14			<p>ILLEGAL MONEY LENDING PROJECT - PROGRESS REPORT</p> <p>To consider the report of the Director of City Development providing an update on the activities of the Illegal Money Lending Team (Loan Shark Team) in Leeds.</p>	155 - 164

Item No	Ward	Item Not Open		Page No
15	City and Hunslet;	10.4(3) (Appendix 4 only)	<p data-bbox="676 215 1369 282">LOWER KIRKGATE TOWNSCAPE HERITAGE INITIATIVE</p> <p data-bbox="676 327 1406 685">To consider the joint report of the Director of Environment and Neighbourhoods and the Director of City Development seeking approval to submit a Stage 2 bid to the Heritage Lottery Fund (HLF) in order to confirm the Lower Kirkgate Townscape Heritage Initiative (THI). In addition, the report seeks agreement for the Council to act as grant administrator and accountable body for the operation of the THI, together with authority to spend up to £668,000 on the associated works.</p> <p data-bbox="676 730 1385 831">Appendix 4 to this report is designated as exempt under Access to Information Procedure Rule 10.4(3).</p> <p data-bbox="676 909 1129 943"><u>ENVIRONMENTAL SERVICES</u></p>	165 - 180
16			<p data-bbox="676 1010 1174 1077">REFUSE COLLECTION VEHICLE REPLACEMENTS</p> <p data-bbox="676 1122 1358 1335">To consider the report of the Director of Environment and Neighbourhoods which seeks approval to the proposal to purchase 13 Refuse Collection Vehicles as part of a natural replenishment of the fleet and give authority to spend for the sum of £1,850,000.</p> <p data-bbox="676 1413 1046 1447"><u>CHILDREN'S SERVICES</u></p>	181 - 188
17			<p data-bbox="676 1514 1326 1581">ANNUAL CONSULTATION ON ADMISSION ARRANGEMENTS FOR SEPTEMBER 2013</p> <p data-bbox="676 1626 1401 1760">To consider the report of the Director of Children's Services regarding the proposed school admission numbers, the Local Authority admissions policy, as well as the arrangements for September 2013.</p>	189 - 196

EXECUTIVE BOARD

WEDNESDAY, 7TH MARCH, 2012

PRESENT: Councillor K Wakefield in the Chair

Councillors J Blake, A Carter, M Dobson,
R Finnigan, S Golton, P Gruen, R Lewis,
A Ogilvie and L Yeadon

205 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That the public be excluded from the meeting during the 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) Appendix C to the report referred to in Minute No. 211 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the detailed heads of terms for the funding for Logic Leeds are included within the appendix. Therefore, this appendix is designated as exempt as it contains information which relates to Muse Developments Ltd. as a business, and its release would prejudice their commercial interests. As a result, withholding the information detailed within appendix C to the submitted report is considered to outweigh the public interest benefit of its release.
- (b) Both Appendix A and Plan 1 to the report referred to in Minute No. 214 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that risks are identified within the exempt appendix A to the submitted report, which relate to the financial or business affairs of the Council. Disclosure of those risks would be prejudicial to the interests of the Council. In addition, disclosure of the terms set out in appendix A would be prejudicial to the business interests of Hammerson, in so far as they are continuing to negotiate agreements with landowners and tenants. It is therefore considered that the public interest in treating this information as exempt outweighs the public interest in disclosing it.
- (c) Appendix B to the report referred to in Minute No. 217 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains commercially sensitive information on the Council's approach to procurement issues (including Project affordability position) and commercially sensitive information in relation to the Preferred Bidder. As such, the public benefit of withholding this information is considered greater than that of allowing public access to it.

Draft minutes to be approved at the meeting
to be held on Wednesday, 11th April, 2012

206 Late Items

There were no late items as such, however, it was noted that Executive Board Members had been provided with copies of the recently published Scrutiny Board (Children and Families) Inquiry Report entitled, 'External Placements 2012'. This had been circulated to Members prior to the meeting, by way of some background information to agenda item 20, Looked After Children Report (Minute No. 223 referred).

207 Declaration of Interests

Councillor Finnigan declared a personal interest in the agenda item entitled, 'Little London, Beeston Hill and Holbeck – Pre Financial Close Final Business Case and Section 27 Delegation Request', due to being a Director of Aire Valley Homes ALMO Board (Minute No. 217 referred).

Councillor Ogilvie declared a personal interest in the agenda item entitled, 'Aire Valley Leeds Enterprise Zone Local Draft Order 1: Solar Panels', due to being a member of the Aire Valley Regeneration Board (Minute No. 212 referred).

Councillor R Lewis declared a personal interest in the agenda item entitled, 'Aire Valley Leeds Enterprise Zone Local Draft Order 1: Solar Panels', due to being a member of the Aire Valley Regeneration Board (Minute No. 212 referred).

208 Minutes

RESOLVED – That the minutes of the meeting held on 10th February 2012 be approved as a correct record.

LEISURE

209 Apprenticeships in Parks and Countryside

The Director of City Development submitted a report highlighting proposals to develop an apprenticeship programme for the Parks and Countryside service. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Board unanimously supported the proposals detailed within the submitted report, and having particularly welcomed the opportunities which were to be provided to Looked After Children as part of the initiative, Members received assurances in respect of how such opportunities would be facilitated.

RESOLVED – That the planned development of an apprenticeship scheme in Parks and Countryside be supported.

ADULT HEALTH AND SOCIAL CARE

210 Telecare Equipment for the Leeds Telecare Service 2012/2013

Further to Minute No. 240, 19th May 2010, the Director of Adult Social Services submitted a report which sought authority to release capital expenditure of £1,000,000 on the provision of Telecare equipment for the

Leeds Telecare Service from April 2012 to March 2013, in accordance with the Council's Financial Procedure Rules. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Board unanimously supported the proposals detailed within the submitted report.

RESOLVED – That the further release of capital expenditure of £1,000,000 for the Leeds Telecare Service from April 2012 to March 2013 be authorised.

DEVELOPMENT AND THE ECONOMY

211 Enterprise Zone Update

Further to Minute No. 26, 22nd June 2011, the Director of City Development submitted a report providing an update on the Enterprise Zone in Aire Valley Leeds and presenting details for approval, on how the zone proposed to operate, whilst outlining the benefits which would be available to those companies locating to the zone. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members emphasised the importance of good infrastructure and transport links to and from the Enterprise Zone, received an update on the levels of interest by companies in locating to the zone and welcomed the proposed flood alleviation measures which were detailed within the report. In addition, the Chair highlighted the need for further work to be undertaken in respect of the possibility of upgrading the skills of residents within the locality, in order to ensure that opportunities were accessible to those residing in and around the zone, with further details being provided to the Board in due course.

Following consideration of Appendix C 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 establishment of the Enterprise Zone in the Aire Valley Leeds, with the benefits and support for companies and jobseekers identified within the submitted report, be approved.
- (b) That changes to the Business Rates discretionary relief scheme authorising the delegated officer to approve applications for the discount for businesses located within the enterprise zone, be approved.
- (c) That expenditure of £2,500,000 to support the delivery of the spine road to the Logic Leeds site, to be funded from business rates growth raised in the Enterprise Zone, be authorised. (This road will enable public transport links to East Leeds to be improved and enable local people easy access to the job opportunities created in the Enterprise Zone).

- (d) That the contract heads of terms, as detailed within exempt appendix C to the submitted report, as the basis upon which the funding will be provided to the developer of the Logic Leeds site, be approved, and that the necessary authority be delegated to the Director of City Development, in respect of the responsibility for finalising the terms of the funding agreement.
- (e) That further work be undertaken on the possibility of upgrading the skills of residents within the locality, in order to ensure that opportunities were accessible to those residing in and around the zone, with further details being provided to the Board in due course.

212 Aire Valley Leeds Enterprise Zone Draft Local Development Order 1: Solar Panels

Further to Minute No. 26, 22nd June 2011, the Director of City Development submitted a report presenting a draft of a Local Development Order (LDO) proposed to support the Aire Valley Enterprise Zone and Urban Eco Settlement concept by simplifying the planning process in the area. The proposed LDO specifically related to allowing the installation of solar panels on non-domestic buildings without the need to apply for planning permission. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

RESOLVED –

- (a) That the draft of the Aire Valley Leeds Enterprise Zone – Local Development Order 1: Solar Panels, as set out within appendix 1 to the submitted report, be approved, and that the Chief Planning Officer submit the draft LDO, together with the statement of reasons, to the Secretary of State.
- (b) That subject to the Secretary of State not making a direction under Section 61B(1) of the Town and Country Planning Act 1990 as amended, the Aire Valley Leeds Local Development Order (1): Solar Panels be adopted with effect from 1 April 2012.

(The matters referred to within this minute were not eligible for Call In, as any delay would seriously prejudice the Council's or the public interest. This is due to the fact that the Enterprise Zone will commence on 1st April 2012, therefore the timescales for preparing and consulting on LDOs have been very tight and a delay in referring the LDO to the Secretary of State would not allow it to be adopted in time for the start of the Enterprise Zone)

213 Camera Enforcement of Bus Lanes - Phase 2

The Director of City Development submitted a report seeking in principle approval to extend the camera enforcement of bus lanes initiative to the remaining bus lane sites across Leeds, in addition to allowing the introduction of cameras on new bus lane schemes. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members highlighted the need for the associated road signage to be correct and in line with all relevant regulations, discussed the extent to which there may be an element of discretion in respect of the enforcement, should there be mitigating circumstances and received clarification on the levels of taxi access to bus lanes.

A concern was raised regarding the timing of the proposed extension to the enforcement, given the current economic climate, and also that the initiative should not act as a deterrent to those visiting Leeds or negatively impact upon the city's economy.

RESOLVED –

- (a) That the successful introduction of the pilot bus lane enforcement scheme in the city centre, be noted.
- (b) That in principle approval be given to extend the camera enforcement of bus lanes to the remaining bus lane sites across Leeds, including the introduction of cameras on new bus lane schemes, based on individual site assessments and at nil cost to the Council.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he voted against the decisions referred to within this minute)

214 Eastgate Quarter - Amendment to Legal Documentation and Commercial Deal

Further to Minute No. 181, 9th March, 2011, the Director of City Development submitted a report seeking approval to revise the terms of the Eastgate Development Agreement with Hammerson, who have requested that the Development Agreement was reviewed and that the revised terms agreed, in order to facilitate the delivery of the project. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In introducing the report, the Executive Member for Development and the Economy referred to the correspondence which had been received from the Friends of Kirkgate Market and the Leeds Kirkgate Branch of the National Market Traders' Federation and acknowledged the points raised in respect of details within the report regarding consultation.

The Board reiterated its support for the Eastgate development project, and emphasised the extra retail offer, together with the significant employment and training opportunities which would be established as a result.

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

RESOLVED -

- (a) That the contents of the submitted report, together with the current position of the project, be noted.
- (b) That the Heads of Terms, as set out within the submitted report for the variation of the Development Agreement, be approved.
- (c) That the Director of City Development and the City Solicitor be authorised to conclude all the documents required to amend the existing Development Agreement in accordance with the submitted report, and that the Director of City Development and the City Solicitor be authorised to agree any further alterations that might be required, in consultation with the Executive Member for Development and the Economy and in accordance with the appropriate schemes of delegation.

(The matters referred to within this minute were not eligible for Call In, as under the Council's Constitution, a decision may be declared as being exempt from Call In if it is considered that any delay in implementing the decision would seriously prejudice the Council's or the public interest. Any delay in completing the legal documentation as soon as practically possible may have an impact on the critical path of approvals which are being sought both from Hammerson and John Lewis Boards in March)

215 Request from Scrutiny Board (Regeneration) for a Late Submission to Defra on its Consultation to Reform the Process of Registration of Land as Town and Village Greens and to Introduce Local Green Space Developments

- (A) A Request from Scrutiny Board (Regeneration) for a Late Submission to DEFRA on its Consultation to Reform the Process of Registration of Land as Town and Village Greens and to Introduce Local Green Space Developments

The Head of Scrutiny and Member Development submitted a report outlining a request from Scrutiny Board (Regeneration) that Executive Board make a late submission to DEFRA based upon that which had been previously submitted by the Open Space Society, in respect of the consultation exercise undertaken by DEFRA on proposals to reform the process by which land was registered as Town and Village Greens and to introduce Local Green Space designations. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Councillor J Procter, as Chair of Scrutiny Board (Regeneration), attended the meeting in order to introduce the report on behalf of the Scrutiny Board and to highlight the Board's key findings.

On behalf of the Board, the Chair thanked the Scrutiny Board for the valuable work which they had undertaken on this matter.

RESOLVED – That the contents of the submitted report and the request made by the Scrutiny Board to make a late submission to DEFRA, be noted.

(B) A Response to a Request from Scrutiny Board (Regeneration) for a Late Submission to DEFRA on its Consultation to Reform the Process of Registration of Land as Town and Village Greens and to Introduce Local Green Space Developments

The Director of City Development submitted a report informing of the Council's response to consultation undertaken by DEFRA regarding the reforms to the registration of town and village greens, whilst highlighting the issues identified for the Council in relation to the registration and future management of land designated as a town and village green. In addition, the report sought approval to decline the request of the Scrutiny Board (Regeneration) for the Council to make a late submission to DEFRA, based on the previous submission made by the Open Space Society. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In responding to a suggestion regarding the possible designation of extra land within Leeds for public parks, via the Local Development Framework, it was requested that further work was undertaken on this matter.

The Board acknowledged and considered a view expressed during the discussion that a more robust submission should be made to DEFRA on behalf of the Council.

RESOLVED –

- (a) That the Council's response to consultation undertaken by DEFRA regarding the reforms to the registration of town and village greens be noted.
- (b) That the issues for the Council in relation to the registration and future management of land designated as a town and village greens be noted.
- (c) That the request of Scrutiny Board (Regeneration) for the Council to make a late submission to DEFRA based on the submission made by the Open Space Society, following its consultation on proposals to reform the process of registration of land as Town and Village Greens and to introduce local Green Space Developments, be declined.
- (d) That further work be undertaken into the possible designation of extra land within Leeds for public parks, via the Local Development Framework.

ENVIRONMENTAL SERVICES

216 Leeds Climate Action Coalition Deputation to Council Regarding the Impact of the Feed in Tariff Review on Jobs, Fuel Poverty and Carbon Reduction in Leeds

The Director of Environment and Neighbourhoods submitted a report responding to the deputation presented to Council on 18th January 2012 by Leeds Climate Action Coalition regarding the impact of the Feed In Tariff review upon jobs, fuel poverty and carbon reduction in Leeds. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

RESOLVED –

- (a) That the necessary responsibility be delegated to the Director of Environment and Neighbourhoods in order to oversee the formal response to Phase 2 of the Department of Energy and Climate Change's consultation on Feed-In Tariffs.
- (b) That Executive Board continue to co-ordinate the Council's low carbon programmes through the Environment Programme Board.
- (c) That the necessary authority be delegated to the Director of Environment and Neighbourhoods in order to engage with the PV market to seek competitive proposals from potential PV installers and to appoint the installer that can deliver best value, which is cost neutral or better, for the Council.

NEIGHBOURHOODS, HOUSING AND REGENERATION

217 Little London, Beeston Hill and Holbeck - Pre Financial Close Final Business Case and Section 27 Delegation Request

Further to Minute No. 55, 27th July 2011, the Director of Environment and Neighbourhoods submitted a report outlining the progress made in respect of the Little London, Beeston Hill and Holbeck PFI housing project and highlighting the outcomes which were being sought to contribute towards the regeneration of three inner areas of the city. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In considering the report, Members welcomed the progress which had been achieved and acknowledged the efforts which had been made by all relevant parties to get the project to its current, advanced position. In addition, Members highlighted the significant number of training and employment opportunities which would be established for the localities and beyond, as a result of the project and emphasised the mixed tenure of housing provision that the project looked to establish in the three communities.

Responding to a Member's enquiries, officers provided the Board with details regarding the background to the combination of the Little London and the Beeston Hill and Holbeck PFI schemes.

Following consideration of Appendix B 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 respect of the project, and the intention to let the contract by the end of March 2012 in order to allow a start on site by July 2012, be noted.
- (b) That the actions required to be taken to secure all required approvals and to seek final authorisation to let the contract be noted, and in particular, the action taken by the Director of Environment and Neighbourhoods to seek revised section 27 Housing Act 1985 consents in support of the Project, be noted and endorsed.
- (c) That the financial implications and affordability position, as outlined within exempt Appendix B to the submitted report, be noted.

218 Reducing Reported Domestic Burglary in Leeds - Update

The Director of Environment and Neighbourhoods submitted a report presenting a position statement on the delivery of the city's multi-agency Burglary Reduction Programme, which commenced in September 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Board welcomed the successes which had been achieved by the programme to date in addressing the city's domestic burglary problem.

RESOLVED -

- (a) That the success of the programme to date, in addressing the city's domestic burglary problem, be noted.
- (b) That on-going support be provided to promote and help sustain the multi-agency approach which has been adopted across the city.
- (c) That an on-going commitment be provided to the targeting of activity in strategic areas of concern for 2012/2013.
- (d) That a further report be submitted in Autumn 2012 which provides an update on the progress made and which outlines the forward strategy for the Burglary Reduction Programme.

219 Report on Leeds Anti-Social Behaviour Team

The Director of Environment and Neighbourhoods submitted a report providing an update on the work and progress made by Leeds Anti-Social Behaviour Team (LASBT) since its implementation in April 2011 and highlighting how the collective response to Anti-Social Behaviour across Leeds had improved during 2011/2012. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In considering this item, a request was made that the relevant Scrutiny Board not only considered the development of the noise service, but that the Scrutiny Board also considered those aspects within the submitted report relating to Anti-Social Behaviour.

RESOLVED -

- (a) That the impact of the new Leeds Anti Social Behaviour Team since implementation be noted.
- (b) That the transfer of the domestic noise service to Safer Leeds be noted.
- (c) That a request be made to the relevant Scrutiny Board to examine in the new Municipal Year the development of the noise service, together with those aspects within the submitted report regarding Anti-Social Behaviour.

RESOURCES AND CORPORATE FUNCTIONS

220 Financial Health Monitoring 2011/2012 - Month 10

The Director of Resources submitted a report setting out the Council's projected financial health position after 10 months of the financial year. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Board welcomed the positive trend which had been achieved to date, however, the significant impact of the Health Service contribution upon the Council's current financial position was highlighted.

RESOLVED –

- (a) That the projected financial position of the authority after ten months of the financial year be noted.
- (b) That the next Financial Health Monitoring report be submitted to the May 2012 Executive Board meeting, which will be a draft outturn for the financial year, and that for the 2012/13 Municipal Year, monitoring reports continue to be submitted to each Executive Board meeting.

221 Reports regarding Developments in respect of Community Involvement in Local Authority Assets and Service Provision

(A) Assets of Community Value - Legislation and Implications

The Director of City Development submitted a report detailing the provisions to deal with Assets of Community Value in the Localism Act and setting out the resultant requirements and the potential implications for the Council. In addition, the report sought approval to publish the proposed 'List of Assets of Community Value' and also to delegate authority to the Director of City Development to authorise inclusion of community nominations in the list of assets of community value which satisfied the criteria, as set out within the Act and those

which would fall into the list of land nominated by unsuccessful community nominations. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In considering both the reports referred to in Minute Nos. 221(A) and 221(B) at the same time, Members emphasised the need to ensure that the process by which communities could acquire assets of community value and the community asset transfer procedure were not too bureaucratic, in order to maximise community accessibility to them. In addition, Members highlighted that there should be an equality of access to, and support with such processes across all communities throughout Leeds. Responding to the comments made, the Chief Executive provided reassurance that an enabling and 'can do' approach would be taken by the Council in assisting communities, which would be accompanied by independent advice from organisations such as Leeds Ahead. In addition, it was noted that any successful expressions of interest would need to be able to prove that they were financially viable.

Members highlighted the limited nature of the 6 month window of opportunity that community groups would have to submit their case to acquire assets and facilities of community value and emphasised the need for an element of flexibility on such timescales.

With regard to community asset transfers, Members discussed whether such assets should be transferred on a leasehold or freehold basis, and noted that further consideration could be given to this matter.

In conclusion, officers noted the comments which had been made and highlighted that in respect of the community asset transfer procedure the points made would be taken into consideration as part of the consultation process on the draft policy submitted to the Board. However, it was emphasised that the processes relating to the acquisition of assets of community value had been established by central Government.

RESOLVED -

- (a) That it be noted that the Localism Act 2011 dealing with Assets of Community Value is expected to come fully into force later this year, once all the Regulations have been made by the Secretary of State, which will have implications for the Council.
- (b) That approval be given to the publication of the proposed field list attached at Appendix 1 to the submitted report, for the published 'List of Assets of Community Value' and also the list of land nominated by unsuccessful community nominations.
- (c) That authority be delegated to the Director of City Development, in consultation with the Executive Member for Development and the Economy, to authorise the inclusion of community

nominations which satisfy the criteria set out within the Act, in the 'list of assets of community value' and those which would fall into the 'list of land nominated by unsuccessful community nominations'.

(B) Community Asset Transfer

The Director of City Development submitted a report setting out the background to community asset transfer, outlining the context in terms of Government policy, highlighting the benefits of community asset transfer, the Council's experience to date, together with any lessons learned. In addition, the report also presented a draft policy and assessment framework for consideration in respect of any future community asset transfers. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

The Board considered both the reports referred to in Minute Nos. 221(A) and 221(B) at the same time, therefore the details of the overarching discussion on both reports are detailed within Minute No. 221(A).

RESOLVED – That, subject to the comments which had been made during the discussion, the proposed draft policy and framework documents appended to the submitted report be agreed for use in assessing community asset transfers. The draft will be subject to a two month consultation period from 1st April 2012 to 31st May 2012, with a final version being submitted to Executive Board in July 2012.

(C) Community Right to Challenge

The Director of Resources submitted a report providing a summary of the requirements arising from the 'Community Right to Challenge' provisions of the Localism Act 2011, and providing an opportunity to debate and determine the way that the Council implements the associated legislation. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

RESOLVED - That the contents of the submitted report be noted and supported, and it be agreed that a further report be submitted to the Board, detailing the regulations, once they are published.

(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 Minute Nos. 221(A) and 221(B))

222 Local Authority Mortgage Scheme

The Director of Resources and the Director of Environment and Neighbourhoods submitted a joint report outlining the development of a new product, namely the Local Authority Mortgage Scheme, and its applicability to Leeds. In addition, the report sought approval to establish the scheme in order to support the housing market in Leeds. In determining this matter, the

Board took into consideration all matters contained within the accompanying report.

Members welcomed the proposals which had been made, emphasised the positive and wider impact that every transaction would have on the housing market and underlined that the scheme aimed to help re-balance the market in Leeds.

Responding to a concern raised regarding the 95% levels of mortgage which had been proposed to be offered as part of the scheme, Members were reassured that the initiative was not to encourage reckless lending, but to make loans available to those first time buyers who had been subject to a rigorous financial checking procedure.

In response to an enquiry raised, it was confirmed that it was intended for the scheme to be available across the whole of the Leeds area.

In conclusion, the Chair welcomed the support for the initiative which had been given and requested that a further report was submitted to the Board in due course, providing a review of the scheme and inviting consideration of whether the initiative should continue in the future.

RESOLVED -

- (a) That the establishment of a Local Authority Mortgage Scheme for Leeds, to be available within the Leeds Metropolitan District area, be approved.
- (b) That approval be given to £2,000,000 funded from revenue reserves, being placed with a lender as the maximum limit for the total indemnity to be offered under the scheme.
- (c) That approval be given to a maximum loan value under the scheme of £152,000.
- (d) That the approval of detailed matters relating to the scheme be delegated to the Director of Resources.
- (e) That a further report be submitted to the Board in due course, providing a review of the scheme and inviting consideration of whether the initiative should continue in the future.

CHILDREN'S SERVICES

223 Looked After Children (LAC) Report

The Director of Children's Services submitted a report providing an update on the number of looked after children in the city and advising of the key outcomes for children, for whom Members act as a corporate parent. In addition, the report detailed the key initiatives that were being taken forward to reduce the number of looked after children and to ensure that those children looked after by the City of Leeds were in receipt of high quality care.

Draft minutes to be approved at the meeting
to be held on Wednesday, 11th April, 2012

Copies of the recently published Scrutiny Board (Children and Families) Inquiry Report entitled, 'External Placements 2012' had been circulated to Board Members prior to the meeting, by way of some background information.

Members highlighted the need to ensure that more placements were undertaken by in-house carers and less by the Independent Fostering Agency and welcomed the related review which had been undertaken by the Scrutiny Board (Children and Families). In addition, Members emphasised the need to ensure that the communications process with such foster carers was clear and effective. In response to the comments made, the Executive Member for Children's Services paid tribute to and thanked the Scrutiny Board for all of the work it had undertaken in the past year, which had been very constructive and helpful. The suggestions made regarding the recruitment of in-house foster carers were acknowledged, however it was emphasised that the such recruitment was complex and did not solely relate to financial incentives.

In conclusion, the Executive Member for Children's Services reassured the Board that Children's Services would not be complacent in respect of its efforts to continue to improve the levels of service provided to young people.

RESOLVED -

- (a) That the progress made by Children's Services in stabilising numbers of looked after children be noted.
- (b) That the strategy and key actions being taken by Children's Services and partners to 'Turn the Curve' on the number of looked after children in Leeds be endorsed.

224 Basic Need 2012: Carr Manor and Roundhay: All Through Schools Revised Costs

Further to Minute No 107, 12th October 2011, the Director of Children's Services submitted a report outlining the reasons behind the increase in costs in relation to both the Carr Manor and Roundhay projects, identifying the additional funding, and seeking approval to the increased expenditure on both projects in order to deliver 90 pupil places in 2012.

Responding to Members' comments and concerns, assurances were received that a more co-ordinated approach would be taken between directorates when delivering such developments in the future. It was acknowledged that this matter was not subject to Call In, due to the need to ensure that the accommodation was in place for September 2012, however, it was requested that this matter was referred to the relevant Scrutiny Board, so that the related processes could be reviewed.

In conclusion, the Chair acknowledged the request for the matter to be referred to Scrutiny and in addition, also requested that a report was submitted to a future meeting of Executive Board in order to provide details of the lessons which had been learned as a result of this issue and any changes to procedure which had been implemented.

RESOLVED -

- (a) That £655,000 of secured grant funding be transferred from scheme 14185/000/000 and that additional expenditure of £655,000 in respect of the Carr Manor project be authorised in order to allow the scheme to progress to a formal order to the supplier and to allow 30 places to be delivered for 2012.
- (b) That £2,775,000 of secured grant funding be transferred from schemes 14185/000/000 and 16404/000/000 and that additional expenditure of £2,775,000 in respect of the Roundhay project be authorised, in order to allow the scheme to progress to a formal order to the supplier and to allow 60 places to be delivered for 2012.
- (c) That the processes relating to this specific case be referred to the relevant Scrutiny Board for review.
- (d) That a further report be submitted to a future meeting of Executive Board in order provide details of the lessons which have been learned as a result of this issue and any changes to procedure which have been implemented.

(The matters referred to within this minute were not eligible for Call In, due to the urgency with which the formal order must be placed if the accommodation is to be delivered for 2012)

225 Impact of Tuition Fee Rises for Leeds

Further to Minute No. 155, 5th January 2011, the Director of Children's Services and the City Development submitted a joint report advising of the potential impacts of tuition fee rises and the wider changes to higher education for Leeds.

The Executive Member for Children's Services noted that related correspondence had been received from Leeds Student Unions on this matter.

The Board emphasised the vital contribution that students made to the city and considered the universities' role within local communities. Regarding the impact of tuition fee rises would have upon Leeds, Members acknowledged that it was too early to draw any conclusions and it was therefore requested that a further report was submitted to the Board in due course, both on this matter and also in relation to the closer involvement that universities could have upon local communities.

RESOLVED -

- (a) Comment on the content of the attached report.
- (b) That a further piece of work be commissioned in order to assess the economic impact of tuition fee rises and the wider changes to higher education being implemented post 2012, to be undertaken in 12

Draft minutes to be approved at the meeting
to be held on Wednesday, 11th April, 2012

months time, with a report being submitted to Executive Board, which also provides further details regarding the involvement of the universities within local communities.

DATE OF PUBLICATION: 9TH MARCH 2012

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 16TH MARCH 2012 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00 p.m. on 19th March 2012)



Report author: Adam Hewitt

Tel: 0113 2476940

Report of the Director of Children's Services and Director of Development

Report to Executive Board

Date: 11th April 2012

Subject: Response to the Full Council Deputation by the Leeds Children's Mayor Joe Smith: 'When it comes to keeping Kidz active – Leeds Leads!!'

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. This report provides a response to the deputation presented to Full Council on 18th January 2011, entitled 'When It Comes To Keeping Kidz Active - Leeds Leads !!' The report was presented by Joe Smith, the winner of the Leeds Children's Mayor competition. The competition involved writing a 'manifesto' on an important issue for children and young people in Leeds, to help make the city more 'child friendly', with the winning entry being presented to Full Council in the form of a deputation.
2. The full deputation is attached at appendix 1. It highlights the importance of children and young people in Leeds staying healthy and the key role that public gyms can play in this. Specifically the report calls for 'Kidz Zones' in every public gym across the city. Kidz Zones would provide junior gym equipment that young people can use, with support, to help them stay fit.
3. Officers have given consideration to Joe's proposals and have looked carefully at the opportunities, viability and costs associated with implementing it. The deputation has highlighted how strongly young people feel about opportunities to stay healthy, and in the context of the Olympic year and our wider ambitions to make Leeds a Child Friendly City, the Council is very keen to develop and promote such opportunities.
4. Whilst the specific suggestion of Kidz Zones is not something that would be right for every gym in Leeds at the current time, further work will be done to review how 'child friendly' our public gyms are at present across the city and what opportunities there are to improve this. We will report back to Joe on this.

Recommendations

5. It is recommended to Executive Board that:

- (i) A letter is written to Joe Smith on behalf of the Board, thanking him for highlighting this important issue, congratulating him on winning the Leeds Children's Mayor competition and inviting him to meet with the key officers involved in managing leisure services.
- (ii) That, building on the many positive arrangements already in place, the Board affirm their commitment to making all Leeds public leisure facilities as 'child friendly' as possible, through a variety of means and in consultation with children and young people.
- (iii) That officers continue to review opportunities to introduce initiatives that get Leeds children and young people involved with Leeds leisure centres and that further contact is made with Joe before the end of 2012 updating him on progress and developments.

1.0 Purpose of this report

- 1.1 This report provides a response to the deputation presented to Full Council on 18th January 2011, entitled 'When It Comes To Keeping Kidz Active - Leeds Leads !!' The report was presented by Joe Smith, the winner of the Leeds Children's Mayor competition. The competition involved writing a 'manifesto' on an important issue for children and young people in Leeds, with the winning entry being presented to Full Council in the form of a deputation.

2.0 Background information

Background about the Leeds Children's Mayor Competition

- 2.1 The Leeds Children's Mayor Programme (formally known as "Mayor for a Day") is a local democracy awareness campaign that has taken place in Leeds since 2003. The programme is organised and delivered by a partnership of staff from both Democratic Services and Children's Services.
- 2.2 The aim of the programme is to actively engage young people in democratic systems as this is the key to establishing long term democratic involvement for our city. It is an opportunity for schools to encourage and support pupils to be aspirational and recognise that their actions can influence change.
- 2.3 The theme for this years manifestos was around the Leeds' aspiration to become a 'Child Friendly City'. Pupils submitted their campaign pack (which included the candidates photograph, consent form, their manifesto and a poster promoting their campaign) in order to be short-listed for the final voting stage. The entries were narrowed down to a final ten by a panel of City Councillors and Youth Councillors who used set criteria to complete a short-listing process.
- 2.4 The ten finalists had their campaign packs uploaded to the "Children's Mayor Portal" on Leeds Learning Network for a two week voting period. For the first time this year the campaigns were also uploaded to the cities "Breeze Leeds" to enable the wider public to vote. In total, 3316 votes were cast representing an increase of 28% on the previous year.
- 2.5 The final ten candidates were invited to the Civic Hall in November to have tea with the Lord Mayor, and receive a commemorative certificate. The winner was announced as Joe Smith from Strawberry Fields Primary School. Joe then participated in the Christmas Lights Switch On with celebrities from the music and entertainment world. Joe's manifesto is about keeping children active by creating gyms for children or enabling children to access adult gyms.

Wider Background Information

- 2.6 'Children and young people choosing healthy lifestyles' is one of the five outcomes highlighted in Leeds' Children and Young People's Plan for 2011-15. In this way it is a key part of our ambitions to make Leeds a child friendly city. The city already offers young people a wide variety of opportunities to take part in sport, exercise and other initiatives that promote healthy lifestyles and we are keen to build on this,

particularly in the Olympic year. Leeds schools play a key role in this and there is good support in place for schools to participate in school games and, at the current time in the Spirit Alive initiative that links closely with the Olympics.

- 2.7 Across our provision we are mindful of the need to provide children and young people with a wide range of different initiatives, recognising that there will be many different preferences about the best way to get exercise and live healthy lifestyles. Leeds leisure centres provide a variety of activities to help children and young people stay healthy and these have proven popular. In 2010/11, junior visits constituted 31.4% of the total number of visits to our leisure facilities. The table attached at appendix 2 provides a more detailed breakdown of this.
- 2.8 There are also many other activities made available through leisure services that promote healthy lifestyles and these include:
- Significant subsidy to enable young people to access leisure centres
 - Positive Futures for those in difficult circumstances, including the national Inspiring Individual Award and the Lennox Lewis Boxing Academy.
 - Subsidised elite training in swimming, diving and gymnastics; with some young people gaining international recognition and winning many medals.
 - Leeds Disability Youth Sports Panel and related projects in wheelchair racing and tennis coaching, adapted dinghies and bicycles.
 - West Yorkshire Youth games.
 - Leeds Sport Volunteer Fair helped encourage more volunteers to help with young people's sport in the city.
 - Community Sport events across Leeds, particularly the free community multi-sport summer camps supported by Inner east area committee and the West Leeds Coaching Scholarship.
 - The Refugee World Cup included talent scouting for the 16-24 age group.
- 2.8 Price is a key consideration in enabling young people to access Leeds public gyms, Junior membership cards for young people aged up to 19, now cost £15.40 per month, offering wide access (depending on age) to gyms, pools and appropriate fitness classes. This card has proven very popular, with numbers rising 433% from 203 in March 2008 to 1,084 in December 2011. Young people have all day access to leisure facilities which proves particularly popular during school holidays. This includes access across 14 sites to the gyms, swimming, fitness classes and a climbing wall. There were over 100,000 junior visits to the gyms alone in 2010/11. For those who do not wish to commit to membership, the Breeze card provides access to off-peak gym sessions for £2.20 and swims for £1.70.

3.0 Main issues

Kidz Zones in Leeds Public Gyms

- 3.1 Officers have reviewed the prevalence of and arrangements for Kidz Zone gyms in other local authorities. There are some examples of this being implemented in some gyms across the country, where this is the case it is usually where new gyms are built and where particular funding streams have been offered up specifically for young people, for example from the PCT. The conversion of existing gyms appears to happen less often, potentially because of the cost and/or income loss

implications (e.g. if this results in a reduced offer to adults). Based on previous experiences, our current approach in Leeds is to favour integrating children and young people's gym access into mainstream hours, which has already helped encourage a large increase in use. If we continue with this approach in our existing gyms then our key challenge is to make the gyms as children and young people friendly as possible, so that young people feel comfortable and welcome using the facilities alongside adults.

3.2 There are other issues to consider in working to make our gyms more child friendly:

- Health and safety – Inductions are essential and staff supervision of a gym (which carries a cost) helps avoid the use of equipment that is too demanding and improve the management of child protection risks. In the case of most of the 'Kidz Zone' style gyms identified elsewhere these are for use at bookable sessions only, to ensure that they are staffed.
- The appropriateness of equipment for the range of ages/sizes of children who may wish to use it - For example if we do introduce Kidz Zones (and within our existing arrangements) we may need different sets of equipment for under 11's to that for teenagers.
- Cost - At present we have 1,084 junior members at £15.40 a month (net income c£160,000 a year). Any moves towards increasing access by reducing the cost of membership would have an impact on this income. Alternatively the extra cost/targeted activity could be commissioned.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The Leeds Children's Mayor competition was itself a valuable opportunity to consult with children and young people and gather a range of views about how to improve the city. In taking forward our ambitions to make our leisure facilities as child friendly as possible it will be important to gather the views of children and young people and in particular we will ensure that Joe Smith is informed of progress in this area.

4.2 Equality and Diversity / Cohesion and Integration

1.1.1 There are no specific considerations under this heading.

4.3 Council Policies and City Priorities

4.3.1 Leeds has set out a clear ambition to become the best city for children and young people to grow up in. This is underpinned by the outcomes and priorities in the city's Children and Young People's Plan, including that children and young people choose healthy lifestyles. The winning manifesto from the Leeds Children's Mayor supports these ambitions and provides further impetus to focus on improving outcomes in this area.

4.4 Resources and Value for Money

- 4.4.1 As part of our child friendly city ambitions there is a real opportunity to further increase children and young people's access to Leeds leisure facilities. This has to be done in a way that recognises and balances with the financial benefits realised through existing gym arrangements. For example, adult gym stations produce an average annual income of £4,500 per station from membership and casual income. Where adult equipment would need to be removed to make space for specific children and young people's equipment (with low cost or no cost access) this would therefore have a potentially significant impact on income, though the extent to which would depend on the gym chosen and if we could economically use displaced equipment. Other considerations if Kidz Zones were introduced in public gyms would be a potential restriction on adult hours, which would also affect income, particularly since the 'use profile' has flattened over more of the day, compared to the old evening peak. Leeds public gyms each earn about £75 per hour of opening on average.
- 4.4.2 Where other local authorities have introduced the equivalent of 'Kidz Zone' gyms external or ear-marked funding has been behind nearly all of these initiatives. There may be opportunities to explore Kidz Zone areas that do not have a significant impact on revenue in more detail as we move forward, where the right centres can be identified i.e. those that do not require segregation\separate sessions or even lower prices for children and young people. In exploring this further it would be advisable to explore potential partnership (e.g. NHS), or sponsorship funding for the capital and equipment costs.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no specific considerations under this heading.

4.6 Risk Management

- 4.5.2 There are no specific considerations under this heading.

5.0 Conclusions

- 5.1 The Children's Mayor for Leeds competition provides a valuable opportunity for children and young people across the city to consider and highlight issues that are particularly important to them. Joe Smith's winning manifesto highlights the importance of providing safe, accessible places for children and young people to improve their health. In the context of our child friendly city ambitions and the Olympic year there is a chance to further develop the positive initiatives that Leeds public leisure centres already have in place for children and young people. In ensuring that this is done we will stay in contact with Joe to highlight how we have responded to his proposals.

6.0 Recommendations

- 6.1 It is recommended to Executive Board that:

- (i) A letter is written to Joe Smith on behalf of the Board, thanking him for highlighting this important issue, congratulating him on winning the Leeds Children's Mayor competition and inviting him to meet with the key officers involved in managing leisure services.
- (ii) That, building on the many positive arrangements already in place, the Board affirm their commitment to making all Leeds public leisure facilities as 'child friendly' as possible, through a variety of means and in consultation with children and young people.
- (iii) That officers continue to review opportunities to introduce initiatives that get Leeds children and young people involved with Leeds leisure centres and that further contact is made with Joe before the end of 2012 updating him on progress and developments.

7.0 Background documents ¹

6.1 There are no background papers for this report.

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Appendix 1:

Name: Joe Smith
School: Strawberry Fields Primary School
Slogan: When It Comes To Keeping Kidz Active - Leeds Leads !!

If I was children's mayor of Leeds I would like the opportunity to work with other children to improve their health, fitness and self confidence. I would do this by developing a Kidz Zone in each public gym in Leeds. It would be a place where kids could go to get fit and also have fun and spend time with their friends. They might even make some new ones!

Each Kidz Zone would be installed with exactly the same equipment as the adult's gym [treadmills, rowing machines.etc] but smaller and specially built for the children and would have interactive games built in to make keeping fit more fun.

Each Kidz Zone would have at least one personal trainer to supervise. The personal trainer's job would be to set up sessions, exercises, circuits and challenges for the kids to complete or have a go at. They would also talk about the benefits of having a healthy lifestyle.

Each Kidz Zone would also have a TV or music station/stereo so the kids could also watch TV or listen to music while doing their exercises.

I know there will be a cost to buy equipment and run Kidz Zone but in the long run, the benefits will be;

- Improved Fitness Levels for kids
- Less kids being overweight
- Improved self confidence for the kids that visit Kidz Zone
- Parents will know where their kids are
- Less money spent in hospital on unhealthy children
- Introducing kids to the positives of exercise
- Parents being able to exercise and keep fit at the same time.

I think it would be money well spent.

'When It Comes To Keeping Kidz Active – Leeds Leads !!'

Appendix 2:

What we currently do for young people in council gyms in Leeds

**Leeds City Council
Council Leisure Centres 2010/11
Participation by Juniors**

	Junior Total
Junior Swims	178,714
Under 5 Free Swims	53,922
Holiday Wet & Wild	25,261
School swims	227,619
Swim Training E group	15,767
Junior Swim Lessons	322,469
Family swims (half)	11,640
Junior Hall/Pool/Pitch hire	145,911
Gym-minis	32,270
Trampolining Course - Juniors	5,502
Striker Football Coaching	26,571
Childrens Parties	36,329
Schools Dry Use	48,553
Holiday clubs	35,968
Junior Tennis Courses	6,737
Junior Bodyline Courses	2,282
Junior Bodyline Gym visits	107,657
<i>Other activities</i>	<u>36,222</u>
All junior visits	<u>1,319,394</u>
Total visits	4,199,160
Proportion	31.4%

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DEPUTATION 1 – MAYOR FOR THE DAY

THE LORD MAYOR: Joe, good afternoon and welcome to today's Council meeting. Could you make your speech to Council, which should not be longer than five minutes, and could you begin by saying who you are and also introducing your colleague.

JOE SMITH: Hello, my name is Joe Smith from Strawberry Fields Primary School and my colleague is Ethan, he is one of my friends from school.

THE LORD MAYOR: Thank you, and are you going to tell us what you have come to say?

JOE SMITH: Yes. When it comes to keeping kids active, Leeds leads. If I was Children's Mayor of Leeds I would like the opportunity to work with other children to improve their health, fitness and self-confidence. I would do this by developing a Kidzone in each public gym in Leeds. It would be a place where kids could go to get fit and also have fun and spend time with their friends. They might even make some new ones.

Each Kidzone would be installed with exactly the same equipment as the adults' gym – treadmills, rowing machines, etc – but smaller and specially built for children, and would have interactive games built in to make keeping fit more fun. Each Kidzone would have at least one personal trainer to supervise. The personal trainer's job would be to set up sessions, exercises, circuits and challenges for kids to complete or have a go at. They would also talk about the benefits of having a healthy lifestyle. Each Kidzone would also have a TV, music station or stereo so kids could also watch TV or listen to music while doing their exercise.

I know there will be a cost to buy equipment and run Kidzone but in the long run the benefits will be improved fitness levels for kids, less kids being overweight, improved self-confidence for kids that visit Kidzone, parents will know where their kids are, less money spent in hospital on unhealthy children, introducing kids to the positives of exercise, parents being able to exercise and keep fit at the same time. I think it will be money well spent.

When it comes to keeping kids active, Leeds leads. *(Applause)*

THE LORD MAYOR: Councillor James Lewis.

COUNCILLOR J LEWIS: Thank you. I move that the matter be referred to Executive Board for consideration.

THE LORD MAYOR: Councillor Lobley.

COUNCILLOR LOBLEY: I am delighted to second, my Lord Mayor.

THE LORD MAYOR: *(A vote was taken)* CARRIED.

Joe, thank you for coming along, thank you for what you have had to say and what you have had to say will be taken to one of the Boards on the Council and then we will let you know what is going to happen. OK? Thanks ever so much indeed, you have been a star. *(Applause)*

Report of the Assistant Chief Executive (Customer Access and Performance)

Report to Executive Board

Date: 11 April 2012

Subject: Commission on the Future of Local Government – Progress Update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. The Commission is exploring the concept of Civic Enterprise as a way to respond to the extreme change and challenges facing local government. This paper provides an update on recent progress of the Commission and the issues emerging, giving councillors an opportunity to discuss how Leeds can increasingly use the concept of Civic Enterprise to help deliver the city and council ambitions.
2. The Commission presents a significant and timely opportunity for local government to play an active role in contributing to the definition of its future role. It is hoped that the Commission will ultimately influence ministers and other key stakeholders at a national level, as well as locally. The final meeting of the Commission is on 23 April 2012, and the report will be published in July 2012.
3. A range of work locally has a “civic enterprise” feel to it, such as neighbourhood networks, the approach to apprenticeships, potential community asset transfers, and some locality working approaches. This approach to embracing the strengths of everyone who can contribute, and the Council not necessarily playing the leading role, is the most likely route to improving outcomes in the medium to long term.

Recommendations

Executive Board is asked to:

- Note the work of the Commission and receive further updates as the Commission progresses.
- Engage with the process and provide evidence on one or more of the three themes of:

- The role of Elected Members
- Citizen engagement
- The economic potential of local government
- Consider what real and pressing local issues may benefit from a civic enterprise approach to enable improvement for our citizens.

1.0 Purpose of this report

- 1.1. This report is to update Executive Board with the recent work of the Commission on the Future of Local Government, which Leeds has initiated. The Commission is exploring the concept of Civic Enterprise as a way to respond to the extreme change and challenges facing local government. This paper provides an update on the progress the Commission has so far made and the issues emerging so that councillors can consider the best way for Leeds to increasingly use the concept of Civic Enterprise as a way to help deliver the ambitions for the city and for the council.

2.0 Background information

- 2.1. Local government and the environment in which it operates is currently undergoing a period of huge transformation. A range of international and domestic issues – political, economic and social – are the catalyst for a fundamental rethink of its role, purpose and activity.
- 2.2. The Commission is seeking to help structure this process with a particular focus on the current and future role that civic enterprise can play within new models of local government and governance. It aims to build on other relevant research to provide evidence for a credible platform for change to re-energise the local democratic leadership role, as a catalyst for making local relationships work for the benefit of local people.
- 2.3. This concept of civic enterprise is based on the premise that services built on real partnership between the public, private and third sectors will lead to an enhanced quality of life for local people. This means pooling the sectors' combined strengths to bring greater efficiency and dynamism to service delivery while ensuring fairness and accountability throughout and ensuring that each sector learns from the expertise and strengths of the other.
- 2.4. Factors shaping the work of the commission include:
 - There is currently an ongoing debate around the future of the UK. While the long term challenges in Wales, Scotland and England remain the same, the pathways chosen have been very different in the devolved administrations from the Whitehall model. This has resulted in a significant divergence in the political and policy context, particularly in terms of the power and role of local government in relation to the centre.
 - Recent prominence through LGA campaign activity and the inquiry by the Political and Constitutional Reform group about Prospects for codifying the relationship between central and local government.
 - Cuts in funding are forcing councils to reduce staff numbers and review service provision in terms of both 'which' and 'how' services are provided.

This includes considering how to manage and reduce demand by fostering a culture of increased self reliance and independence from state provision.

- A period of major government policy change is already underway. This includes the Localism Act, the promotion of academies, open public services, benefits changes and NHS reform.
- New structures for economic development are now in place and councils have already expanded their roles in terms of economic intervention. This includes temporary business rate relief, job creation programmes on Green Deal, core strategy and affordable housing policies and apprenticeships.
- Next year the amount of business rates collected by the government will for the first time in decades be greater than central government grants to local government. This may bring greater policy responsibilities for local councils and it would make sense if these included powers for the local authority to stimulate their local economy.
- The ability of local government to build on the excellent examples of collaboration and partnership working that are evident across the sector, to transfer learning and develop new models of delivery. The success of local government to adapt to its new environment will to a large extent depend on it's value base and the quality of its partnership work across the sectors.
- The current, largely untapped, potential of local government to be a major force in terms of its contribution to dealing with the major issues facing the UK, including the financial crisis, low carbon agenda, ageing population and the potential crisis of confidence in democracy.

2.5. The Commission, though initiated in Leeds, has its own identity and is not focusing solely on the Leeds context. The focus is national in order to create a blueprint on behalf of the sector that can be used in discussion with ministers and other stakeholders. However, the learning and insight this provides places Leeds in an excellent position to understand how to practically exploit opportunities to embed civic enterprise across the city and improve outcomes for local people as a consequence.

3.0 Main issues

3.1. The Commission consists of a number of experts (see Appendix 1) who began work in Autumn 2011 with the concept of civic enterprise and some local examples to illustrate the concept. It was agreed that civic enterprise provided a route for improving service delivery but there was a need to develop an evidence base and practical resource in order to underpin it.

3.2. A very general call for evidence was issued following the first meeting (in November) and this generated varied insights and examples. These were reviewed and the analysis, along with research into the wider context, informed the discussion that was held by the Commission at their meeting in January 2012.

3.3. This second meeting of the Commission generated a number of key discussion points/observations:

- There is a need to ensure that local government is perceived as an asset rather than a liability. Whilst decision makers centrally often see local government as the “Achilles heel” in terms of policy development and implementation, there is evidence that local people do have growing levels of trust in local government.
- There remains a need for local government to change. New aspects of leadership and some attitudinal shifts will be needed in order to make this a reality.
- Similarly, other sectors will need to engage in new ways, to create different kinds of relationships, between the state, the citizen, the private and third sectors. A good practical suggestion of losing the labels of "sectors" has also been made, that would help with this attitudinal shift.

3.4. Out of the Commission discussion emerged a number of specific areas where it was felt that the concept and content of civic enterprise should be further explored:

3.4.1. **Values and Culture**

Most of our solutions are in people, as citizens and across our collective workforce. We need to value and support people, including young people, more explicitly so that they fulfil their potential in meeting the challenges of today and the future.

Culture, values and ethos that ensure a civic enterprise approach can give us the ‘x-factor’ of bringing the best of all sectors together, power sharing for the benefit of the local area.

Public services should be commitment driven rather than target driven, looking at the best way to meet local needs regardless of who provides.

3.4.2 **Economic role**

Sustainability requires growth in particular areas, because economic growth cannot be at any cost, for example in new utilities, such as low carbon, digital, social infrastructure and health.

Local authorities can stimulate this growth by bringing businesses together that benefit a whole place. Local government can look ahead to see the opportunities for businesses already established in their areas and businesses that may have a role in the future. Local authorities can influence skills and the readiness of the local population with its education and other partners.

Local authorities, especially when collaborating across a wider geographic area, can be a catalyst for major new infrastructure developments that benefit local economies and local people.

With a high credit rating and low borrowing, local authorities can be a guarantor, because they are one of the few constants in an unstable world.

3.4.3 Citizen and community relationship

Listening to the voice of local people and finding ways to co-produce services with local people is a way to improve outcomes, ensure value for money and reduce waste.

There is evidence that the public are prepared to do more for themselves and in their communities, so developing a new relationship with the state. The public trust local government to understand their needs and plan services to meet them, thereby avoiding fragmentation and enabling coherence.

3.4.4 Governance and delivery

The role of elected members as the voice and champion of our diverse communities is critical. They provide accountability, ask the moral questions and ensure that the voice of the most vulnerable is heard. There is likely to be a shift to more participatory democracy, as an ongoing process of engagement, rather than simply representative democracy reflected in the more isolated act of voting.

New models of service delivery are emerging, some of which frame local government as the 'convenor', delivering services through others.

Furthermore, refreshed and mature relationships within city-wide partnerships, that build on the many examples of good practice, can add value and 'overcome traditional barriers' to be the thread that connect the pearls within a location.

At a more local level shared governance can be achieved through 'community hubs' that bring together councillors, GPs, headteachers, community leaders, local businesses and other providers who can understand needs and combine resources to improve outcomes.

- 3.5. The Commission will continue research into these areas from the evidence it already has, and has also made a further, more focused, call for evidence in order to inform this. The search for relevant material and good evidence will continue through to the end of the Commission. Documents are available on the website www.civicenterpriseuk.org.uk.
- 3.6. The last meeting of the Commission is scheduled for 23 April 2012 and it is intended that the final report will be launched in July. The report will be 20-30 pages long with approximately 10 major recommendations, supported by a well researched, practical library of resources to help others to understand not only what has already achieved elsewhere but how this was made possible so it can be replicated.
- 3.7. It is important that Members and Officers engage with the work of the Commission so we are able to showcase the excellent work already underway in this city and

increase the awareness and potential for civic enterprise to enable everyone to contribute improved outcomes for our local communities.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The Commission continues to be in the consultation and engagement phase, both nationally and locally. The second call for evidence has once again welcomed simple and concise submissions, ideally no more than two pages, around the following areas of interest:

a) Role of Elected Members:

There is a clear need for high quality leaders that can provide strong and connected leadership and voice/perspective of citizens at a community level. Models of democratically elected leadership have to be developed to ensure they are sufficiently participatory.

b) Citizen engagement:

Local government exists to meet the needs and realise the aspirations of local people and communities. Citizen perspectives enrich local decision making by providing experience, insight and expertise, and contributing solutions to complex challenges, it is therefore vital to understand their views.

c) The economic potential of local government:

The potential of local government to increase the economic prosperity of a locality should not be underestimated. The relationship between local government and business requires further attention and development. How can local government work collaboratively with business and others to harness its economic potential for the benefit of citizens? How can it maximise its contribution in a period of low economic growth?

4.1.2 Via this second call for evidence the Commission continues to very proactively engage with and consult a wide range of stakeholders at a national and local level. Examples include, but by no means are restricted to:

- Drawing on material available about public perception, through MORI
- Summary notes of meetings and the second call for evidence issued to all stakeholders using tailored e-mails and letters as appropriate
- Member seminars and briefings
- LGA round table discussion in Leeds linking the work of the Commission with their campaign on Independent Local Government
- Forging links with IPPR North and their Northern Economic Futures Commission
- Meetings with and joint business forum discussions with the national and local Chamber of Commerce as well as the CBI
- Setting up a joint 3rd sector and business round table discussion

- Coverage in publications such as LGC and SOLACE weekly notes to local authority Chief Executives.
- Continuing updates on the www.civicenterpriseuk.org website and managing related twitter activity on: @civic_uk
- Commission members raising awareness amongst their networks

4.1.3 A significant amount of local stakeholder engagement has been done, and Leeds submitted the most responses to the first call for evidence. This engagement will continue to generate good examples, and to encourage use of the concept locally.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 At this stage there are no specific issues other than trying to ensure that the call for evidence comes from all sectors, with particular emphasis being placed on hard to reach groups, and covers how equality and diversity issues are tackled. An equality impact assessment will be completed once there are specific proposals available.

4.3 Council Policies and City Priorities

4.3.1 The Commission offers the opportunity to find new ways to deliver the ambitions of the city and the council.

4.4 Resources and Value for Money

4.4.1 The Commission is being managed from within existing resources and against the financial backdrop will limit spend wherever possible. The Commission is being supported across its membership, particularly through Glasgow and Cardiff City Councils, DCLG and the LGC, as a way of sharing work and drawing on relevant material resources.

4.5 Legal Implications, Access to Information and Call In

4.5.1 At this stage there are no specific implications.

4.6 Risk Management

4.6.1 There are risks associated with delivering the Commission, such as lack of engagement both nationally and locally, lack of buy in from stakeholders and the complexity of the scope. The team are working to mitigate the impacts of these risks.

5.0 Conclusions

5.1 The work of the Commission could be tremendously beneficial to the local government sector and the city of Leeds and support the delivery of improved outcomes for our citizens. The Commission will stay focused on producing practical recommendations, but this is a significant and timely opportunity for local government to play an active role in contributing to the definition of its future role. The insight gained from leading on the Commission potentially puts Leeds in an enviable position of being able to take early advantage of the concept of civic enterprise to drive forward and accelerate delivery of our ambitions for the city.

6.0 Recommendations

6.1 Executive Board is asked to:

- Note the work of the Commission
- Engage with the process and receive further updates as the Commission progresses.
- Consider what real and pressing local issues may benefit from a civic enterprise approach to drive improvement for our citizens.

7.0 Background documents ¹

7.1 Executive Board paper – December 2011
Commission for the Future of Local Government.

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Membership of the Commission is as follows:

Member	Title and organisation
Cllr Keith Wakefield (Chair)	Leader, Leeds City Council
Tom Riordan	Chief Executive, Leeds City Council
Cllr Gordon Matheson	Leader, Glasgow City Council
Jon House	Chief Executive, Cardiff City Council
Will Hutton	Executive Vice Chair, The Work Foundation
Dame Jo Williams	Chair, Care Quality Commission
Lord Laming	Expert in Children's Social Care
Prof Sir Tim Brighouse	Ex-London Schools Commissioner
Prof David Begg	Chairman, Commission for Integrated Transport
Lord Victor Adebawale	Chief Executive, Turning Point
Tony Travers	Director, Greater London Group at the LSE
Emma Maier	Editor, Local Government Chronicle
Andrew Murphy	Retail Operations Director, John Lewis Partnership
Baroness Margaret Eaton	Ex-Chair, Local Government Association
Helen Bailey	Chief Executive, Local Partnerships
Sally-Anne Greenfield	Chief Executive, Leeds Community Foundation
Christine Adshead	Partner, PwC
Prof Michael Arthur	Vice-Chancellor, University of Leeds
Simon Parker	Director, New Local Government Network
Rashik Parmar	Chief Technology Officer, North East Europe, IBM
Phil Collins	Chair, Board of Trustees, Demos
Dr Mike Grady	Principal Adviser, Marmot Review Team
Patrick White (Observer)	Director of Policy, Department for Communities and Local Government

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Report of Assistant Chief Executive, (Customer Access and Performance)

Report to Executive Board

Date: 11th April 2012

Subject: Unlocking Growth In Cities – “City Deals”

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. The report outlines activity recently conducted to conclude a ‘City Deal’ for the Leeds City Region, following the publication of the ‘Unlocking Growth in Cities’ document, which was launched by the Deputy Prime Minister in Leeds in December 2011. The publication identifies Cities as the engines of growth and critical to economic recovery and proposes a ‘fundamental shift in the relationship between national government and cities – starting with a genuine transfer of power’.
2. The Coalition Government states that it wished to start these conversations with the 8 English Core Cities and that the ‘Deals’ must be a two way transaction - and where Cities want to take on significant powers and funding, they must demonstrate strong, visible and accountable leadership and effective decision making structures. It was suggested that the Cities would need to work effectively across their wider economic footprint and it was, therefore, agreed that these conversations would be taken forward at the City Region (Local Enterprise Partnership) level, albeit with more local pilot schemes where appropriate.
3. Negotiations about a ‘City Deal’ covering skills and worklessness; transport; an infrastructure investment fund; and trade and inward investment are progressing with Government and we expect an announcement to be made after the May Elections.
4. In advance, on 21st February it was announced that £5.666m had been awarded to Leeds, Bradford and Wakefield to locally and flexibly commission the Government’s Youth Contract aimed at supporting 16 and 17 NEETs at highest risk of

disadvantage; and during the Budget Speech (21st March 2012) it was also announced that a £15m Joint Bid from Leeds and Bradford for Superfast Broad band had also been approved.

5. In order to secure devolved transport budgets there will be a need to establish new governance arrangements to replace the current integrated transport authority. This revised governance arrangement will be in the form of a Combined Authority Model to provide clearer leadership on this agenda. The process of establishing a Combined Authority will require formal consideration by each local authority affected. The two tier nature of Local Government within some parts of the City Region geography will also bring a degree of complexity to this process.
6. The process of moving forward a Combined Authority Model for transport is likely to take between 12 and 15 months, which includes undertaking a Statutory Review to establish that, as a result of creating a Combined Authority, there would be an improvement in local economic and transport outcomes.

Recommendations

7. Executive Board are asked to note and comment on the likely content of the 'City Deal'; and particularly note the pre-announced elements of the 'Deal' surrounding Youth Contracts and Super Connected Cities.

1 Purpose of this report

- 1.1 The purpose of the report is to outline the activity recently conducted to conclude a 'City Deal', following the publication of the 'Unlocking Growth in Cities' document, which was launched by the Deputy Prime Minister in Leeds in December 2011. The publication identifies Cities as the engines of growth and critical to economic recovery and proposes a 'fundamental shift in the relationship between national government and cities – starting with a genuine transfer of power'.
- 1.2 It provides information on the policy areas that are being covered by the 'Deal' and proposed timetable for publically announcing the content of the 'Deal'.

2 Background information

- 2.1 The Leeds City Region Partnership previously engaged in conversations with the last Government on this broad agenda, which culminated in the signing of a Multi Area Agreement (MAA) in 2008 and being awarded Forerunner City Region Status in late 2009.
- 2.2 The Minister for Cities (Greg Clark) is working with the English Core Cities and their associated LEPs in order to strike a number of local 'Deals', which will enable greater freedoms and flexibilities for cities to promote economic growth. This process started in September 2011 and gained momentum in December 2011 following the launch of the 'Unlocking Growth in Cities' policy document.
- 2.3 The Leeds City Region Leaders Board and LEP Board agreed to work together on the development of a long list of 'asks' covering skills and worklessness; transport; an infrastructure investment fund; and trade and inward investment, which were submitted to the Cities Minister at the end of October 2011 and these have formed the basis of ongoing discussion and negotiation.
- 2.4 Leeds City Council has been working closely with a Cities Unit in the Cabinet Office and a number of meetings have been held during February and March, which aimed to conclude the negotiations, including a Ministerial level meeting on the 6th March 2012. We anticipate an announcement about the 'City Deal', to be made after the May Elections.

3 Main issues

- 3.1 The following section is a short summary the main proposals put to Government by Leeds City Region:

3.2 Skills and worklessness

Skills pathways for a vibrant economy

Our vision: a NEET-free Leeds City Region; thousands of new opportunities for the young unemployed; a skills system that works for businesses in growing industries.

Our offer: new 14-24 Apprenticeship Academy; new Apprenticeship Hubs; campaigns to encourage apprenticeships; a greater focus of mainstream skills provision on economic priorities.

Our asks: approval to set up Academy and Hubs (latter costs £8m); confirmation of LEP leadership role to articulate employers' skills needs; £15m from Employer Ownership of Skills fund.

3.3 **Transport:**

A transformed transport system across the north

Our vision: a transformed transport system for the city region and the North of England to accelerate the growth of jobs, output and productivity.

Our offer: to establish a Transport Fund of at least £1bn, and to commit to establishing a Combined Authority to manage the Fund.

Our asks: Government to grant freedoms to manage the Fund, and to match our commitment to a 10 year programme of investment.

3.4 **Investment:**

Transforming our infrastructure – a Leeds City Region Investment Fund

Our vision: transformation of LCR infrastructure to deliver the right environment for business growth.

Our offer: to pool funds of £200m over 10 years into a Leeds City Region Investment Fund; to establish a robust appraisal system for our investment priorities.

Our asks: Government to match our resources pound for pound and to give us the freedoms to move towards a single capital pot.

3.5 **Trade and inward investment:**

Closing the Leeds City Region balance of payments gap

Our vision: to eliminate the LCR trade deficit and create a much more internationally-focused business sector.

Our offer: to commit existing (and additional) LCR resources of up to £2m to deliver an agreed set of projects to increase exports and attract inward investment – projects to be delivered jointly with UK Trade and Industry (UKTI).

Our asks: commitment from UKTI to match our resources (of up to £2m) and to work with us to deliver the proposed LCR Trade and Investment Plan.

3.6 In order to secure devolved transport budgets there will be a need to establish new governance arrangements to replace the current integrated transport authority. This revised governance arrangement will be in the form of a Combined Authority Model to provide clearer leadership on this agenda. The

process of establishing a Combined Authority will require formal consideration by each local authority affected. The two tier nature of Local Government within some parts of the City Region geography will also bring a degree of complexity to this process.

3.7 The process of moving forward a Combined Authority Model for transport is likely to take between 12 and 15 months, which includes undertaking a Statutory Review to establish that, as a result of creating a Combined Authority, there would be an improvement in local economic and transport outcomes.

3.8 Pre announced elements of the 'Deal'

3.9 Youth Contract Funding for 16 and 17 year olds identified as Not in Education, Employment or Training (NEET).

3.10 In November, the Government announced £1billion of funding to deliver a new Youth Contract over 3 years from 2012-13 to support the participation of 16-24 year olds in education, training and work. The Youth Contract contains 3 main elements:-

- additional support for unemployed 18-24 year olds, including Work Experience places, wage incentives and additional support from Jobcentre Plus advisers led by the Department for Work and Pensions (DWP).
- subsidies for small businesses taking on an apprentice aged 16-24 led by the Department for Business, Innovation and Skills (BIS) and the National Apprenticeship Service (NAS).
- a new programme of additional support aimed at 16-17 year olds who are NEET to re-engage sustainably in education, training or employment with training. This is the element that is devolved to the local level through the City Deal.

3.11 In total, £150 million of funding was announced to support this latter element. DWP and the Department for Education (DfE) are currently seeking to commission activity to support 16 and 17 year olds identified as NEET through a national procurement framework managed by the Young People's Learning Agency (YPLA). Through the 'City Deal', a small number of cities have been presented with the opportunity to contract support outside of the national procurement process following guidance set by DWP and DfE. These are Leeds, Bradford and Wakefield within the Leeds City Region, Liverpool, Newcastle and Gateshead.

3.12 The key objectives of the programme are:-

- to support 16-17 year olds who are not in education, employment or training and at risk of long-term disengagement to move into education, training or employment with training and to sustain this outcome.

- to increase these young people’s experience and qualifications so that they have the opportunity to continue in education and successfully find work, reducing the proportion who become unemployed in adult life.
- to test methods of local delivery and payment by results, increasing the effectiveness of these models and developing best practice.

3.13 Provision is based on a payment-by-results model. Cities are required to target the same broad outcomes as national provision, as well as link with the ongoing DfE work on engagement, such as raising the participation age.

3.14 Positive outcomes are defined as:

- Participation in full-time education or training funded by the YPLA/EFA.
- Participation in an Apprenticeship or a job with accredited training equivalent to 280 guided learning hours per year (around one day per week).
- Participation in part-time education, including re-engagement provision, funded by the YPLA/EFA. Young people will be participating in at least 7 hours of directed learning per week.

3.15 Sustainable outcomes are defined as:

- Sustained participation for at least 5 months out of 6 months in full-time education or training leading to an accredited qualification.
- Sustained participation for at least 5 months out of 6 months in an Apprenticeship.
- Participation for at least 5 months out of 6 months in full-time employment with part-time training equivalent (around one day per week).

3.16 The total funding available over 3 years is £5.666m. The funding allocated is broadly based on the share of the target NEET group within the local authority district and breaks down as detailed in the table below.

Local Authority	No of 16-17 yrs NEET*	% of total	Resource £
Wakefield	563	25.35	1,436,446
Bradford	700	31.52	1,786,066
Leeds	958	43.13	2,443,940
Total of 3 districts	2,221	100.00	5,666,452

* Based on 2010 figures – 3 month average

3.17 The unit level funding is capped at £2,200, the same as the cost of nationally procured provision but there is freedom to lever in additional resource from other sources and align activity with other programmes to augment support. No additional resources are provided for set-up and administration costs.

- 3.18 The opportunity to commission at the local level enables districts to work with local partners to more effectively tailor provision to local needs and opportunities. The Council will be free to draw up plans to prioritise and target specific groups within the NEET cohort, identify referral mechanisms, identify appropriate support activity relevant to the target groups and the duration of the support.
- 3.19 Work has started in each of the districts to identify priority NEET groups and their support needs, along with existing and planned provision and gaps within provision to develop an integrated programme of provision within each district with a view to commissioning activity by July to commence in September 2012.
- 3.20 Based on previous experience of collaborative work on skills provision, there is broad support to commissioning activity within individual districts overseen by a strategic group to ensure successful delivery of the programme across the 3 districts. This would enable a tailored approach appropriate to specific priority NEET groups within individual districts, the different organisational structures and wrap around support and the provider markets but would enable the sharing of information and learning and management of performance across the 3 districts.

3.21 **Super Connected Cities – Broadband**

Leeds and Bradford have been successful with a bid to government for Super Connected Cities, which was recently announced in the budget. The joint bid for £15m of a £50m total project will provide:

- **100mb+ broadband speeds (ie. *ultra-fast* broadband)** – This will set the standard across the whole of the above Priority Zone (including both city centres),
- **Wireless Network(s)** – Initial priorities being to achieve full coverage in both City Centres, but also with priorities for coverage in the Leeds-Bradford Corridor; to the Enterprise Zone and in the Bradford to Shipley Corridor. Local authority / public sector assets such as street furniture will be made available to enable low cost roll-out of the wireless networks.
- **City Centre Information Portals** – to take advantage of full wireless connectivity, allowing *open access* to the wider internet and provide specific city centre centric information (e.g. tourism information).
- **Public service delivery pilots** – to test delivery for wider city region roll-out, and to investigate the potential financial and operational efficiencies for local authorities and the NHS.
- **Telehealth pilots** – delivered in partnership with local authorities, the new Airedale, Leeds and Bradford PCT, the NHS Trust, and the leading innovator in the ‘Telehealth Hub’ based in Leeds. It will develop the pioneering work already carried out in the area and help move the operation of these systems from pilots to the norm. The programme would support *ultra-fast* broadband through direct fibre connectivity to 10-20 nursing homes, hospices, and new

'extra care schemes' across Leeds and Bradford; linking in with the programme of Older Peoples' Homes provision in Leeds.

- **Schools as Community Hubs** – All schools within the Priority Zone to have 100mb access and wireless, to act as Digital Community Hubs and support e-education.
- **Libraries** – Within 9 months start rolling out wireless connectivity to the cities libraries to help with social inclusion.
- **Business Demand Stimulation** – A targeted business grant scheme for digital infrastructure, complemented by a package of business support measures including - awareness raising; assistance to understand potential business benefits; support to plan and manage the change process; technical assistance; and staff training.
- **Fast-track planning procedures** – a joint Planning Performance Agreement will be prepared.

3.22 **Geographic scope of proposals**

The proposals are focused around a contiguous core economic area incorporating Leeds and Bradford City Centres (including Bradford CC Growth Zone) and the corridor between; and both the Bradford-Shipley Canal Road Corridor and the Aire Valley Urban Eco Settlements; the latter which includes the LCR Enterprise Zone.

3.23 Within this contiguous Priority Zone there are:

- 88,600 households.
- 16,000 businesses (over 12% of all LCR businesses) including over:
 - 300 financial services businesses.
 - 800 creative and cultural businesses.
 - 1,100 manufacturing businesses.
- 214,000 employed people (18% of total LCR employees).

4 **Corporate Considerations**

4.1 **Consultation and Engagement**

4.1.1 The initial long list of 'asks' was taken to the Local Enterprise Partnership Board on the 20th October for comment and approved by the Leeds City Region Leaders Board on 27th October 2011, prior to being submitted to Government on 31st October 2011. Leaders Board Papers are in the public domain.

4.1.2 The subsequent negotiations with Whitehall have been confidential but City Region Leaders and LEP Board members have been regularly periodically updated.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Once the 'Deal' has been formally concluded Equality Impact Assessments will be undertaken on specific projects and areas of expenditure.

4.3 Council Policies and City Priorities

- 4.3.1 The 'City Deal' will bring powers and resources that will support the Vision for Leeds; Children and Young Peoples City Priority Plan; Sustainable Economy and Culture City Priority Plan; the Housing and Regeneration City Priority Plan; and the Leeds Growth Strategy.

4.4 Resources and value for money

- 4.4.1 The financial implications of these proposals are contained within the body of the report.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no legal implications which are directly as a result of this report.

4.6 Risk Management

- 4.6.1 The risk at the current time is largely reputational should the negotiations fail to deliver significant powers and resources. In addition failure to obtain significant concessions from government may constitute a risk to the economic recovery of the City and City Region.

5 Conclusions

- 5.1 The 'City Deal' negotiations are progressing with Government, although the final scope of the 'Deal' cannot be announced due to the politically restricted period and therefore will go into the public domain in May 2012.
- 5.2 The 'Deal' will bring significant powers to the City and the Leeds City Region and provide resources that will assist the delivery of activity aimed at boosting the local economy, improving transport and boosting the employment prospects for young people.

6 Recommendations

- 6.1 Executive Board are asked to note and comment on the likely content of the 'City Deal'; and particularly note the pre-announced elements of the 'Deal' surrounding Youth Contracts and Super Connected Cities.

7.0 Background documents¹

7.1 Leeds City Region Leaders Board, 27th October 2011, Agenda item 8.

7.2 Unlocking Growth in Cities, HM Government, December 2011.

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Report of the Assistant Chief Executive (Customer Access and Performance)

Report to Executive Board

Date: 11 April 2012

Subject: Armed Forces Community Covenant

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. To seek approval to implement the Armed Forces Community Covenant in Leeds. This local Community Covenant complements the national Armed Forces Covenant and is a statement of mutual support between the civilian and any members of any local Armed Forces community. The Covenant encourages local authorities to support current or retired Armed Forces personnel residing within their local authority boundary.
2. The Covenant places commitments on the council to support service personnel, ensuring they are not disadvantaged by virtue of what they do and using the principle of social justice as its starting point. It allows authorities to pledge their support but meet their obligations in their own way rather than imposition by central government and should not impose significant costs or burdens on local authorities.
3. It is, therefore, proposed to approve and pledge support for the Covenant as well as allocating the role of liaison officer to the Chief Officer (Customer Access) who will be responsible for monitoring the effectiveness of the Covenant, ensuring access to council services is provided and that no one in the Armed Forces community is particularly disadvantaged as a consequence of our processes or policies.
4. To seek approval to implement a new direct let category for former service personnel in assessed housing need, to enable a direct offer of Leeds City Council housing to be made to them where they are unable to secure rehousing through the council's Choice Based Lettings Scheme. The majority of available council properties are advertised through the 'Leeds Homes' choice based lettings scheme. A direct let enables a property to be allocated as a direct offer to the customer, without being advertised.

Recommendations

5. Approve and pledge support for an Armed Forces Community Covenant in Leeds as detailed at Appendix 3.
6. Approve the allocation of the role of Armed Forces liaison officer to the Chief Officer (Customer Access). Approve and pledge support for an Armed Forces Community Covenant in Leeds as detailed at Appendix 3.
7. Approve the implementation of the new direct let category in the council's lettings policy for former service personnel seeking housing in Leeds.

1 Purpose of this report

- 1.1 The purpose of the report is to seek approval to implement the Armed Forces Community Covenant in Leeds.
- 1.2 This local Community Covenant complements the national Armed Forces Covenant and is a statement of mutual support between the civilian and members of the local Armed Forces community.

2 Background information

- 2.1 In September 2010, a Task Force was elected to report on the national Military Covenant and identify, assess and recommend innovative ways in which the government and society as a whole could fulfil its obligation to rebuild the Military Covenant. One of the recommendations of the Task Force was for local authorities, private companies and individuals to pledge support to a Community Covenant.
- 2.2 A Community Covenant is a voluntary statement of mutual support between a civilian community and its members of local Armed Forces community. A more detailed explanation of the Community Covenant Scheme – how it works and what it means – is provided in **Appendix 1**.
- 2.3 The aim of the Community Covenant is to:
 - encourage local communities to support the Armed Forces community in their area;
 - nurture understanding and awareness amongst the public of issues affecting the Armed Forces community;
 - recognise and remember the sacrifices faced by the Armed Forces community;
 - encourage activities which help to integrate the Armed Forces Community into local life;
 - to encourage the Armed Forces community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement.

Area Committees and Area Leaders are well placed to play a key role in delivering these aims at a local level.

- 2.4 The Covenant places commitments on the council and its partners, to support service personnel, ensuring they are not disadvantaged by virtue of what they do and using the principle of social justice as its starting point.
- 2.5 It allows authorities to pledge their support but meet their obligations in their own way rather than imposition by central government and should not impose significant costs or burdens on local government.
- 2.6 On 16th November 2011 a white paper was presented to Members of Full Council requesting that Leeds city council commit to a Community Covenant to strengthen the partnership between the council and the Armed Forces.
- 2.7 It was Resolved that:
- “This Council recognises and remembers the sacrifices made by the Armed Services Community.
- Leeds City Council believes that the Armed Forces community, including serving personnel, veterans and their families, should not be disadvantaged, by virtue of what they do, when accessing public services.
- This Council therefore commits to a Community Covenant which will strengthen the partnership between Leeds City Council and the Armed Forces, encourage the integration of military and civilian communities, explore options for giving members of the Armed Forces higher priority for housing, and promote a wider understanding of issues affecting the Armed Forces community.”
- 2.8 Under the council’s lettings policy members of the Armed Forces leaving the services who apply for council housing are assessed according to their housing need. Although this generally results in an award of Band A as homeless or threatened with homelessness, customers are expected to bid for properties advertised through the Choice Based Lettings Scheme.
- 2.9 Not all leavers will be rehoused into an Arms Length Management Organisation (ALMO) or Belle Isle Tenant Management Organisation (BITMO) property by the time of their discharge. While a direct let will not guarantee a property will be available, the option to make a direct offer will increase the chances of being rehoused before discharge.
- 2.10 The government is currently consulting on new powers and duties to former Armed services personnel and expect housing authorities to review their lettings policies accordingly. Pending these changes, the creation of a ‘new corporate objective’ direct let category award to former Armed Services personnel will assist in rehousing leavers.
- 2.9 Full Council resolved that a report be produced and brought back to Executive Board after full consultation with local military representatives.

- 2.10 On 15th December 2011, a meeting was held between the council, a representative for the Armed Forces and a representative for the British Legion to discuss and agree next steps. At this meeting it was confirmed that a further paper would be prepared and presented to the Executive Board identifying what Leeds would propose to do in partnership with the Armed Forces / British Legion to support the Covenant.
- 2.11 At the meeting it was also requested that a bi-annual invite be issued to the senior representative of the Armed Forces to meet with senior officers to update officers on strategic developments within the Armed Forces that may impact on local government.
- 2.12 Work has been undertaken to provide clarity as to what services/benefits would be available to current or veteran service personnel over and above those given to all citizens of Leeds. This information can be found in **Appendix 2**.

3 Main issues

- 3.1 The Armed Forces community includes those in-service personnel including reservists, veterans and those who care for, depend on, or are close family members of these groups of people.
- 3.2 It is estimated that one person in six in the UK is currently serving or is a member of the ex-service community, being either a veteran of the Armed Forces or a carer, dependant or close family member of a veteran.
- 3.3 People as young as 17 / 18 years can be sent on active service, so veterans can often be much younger than most people would think. Nearly a quarter of people seeking help from organisations such as the Royal British Legion are below the age of 44.
- 3.4 We know that there have been around 331 new entrants (information correct as at 25/8/11) to the Armed Forces from Leeds in the last 5 years, the majority of which were aged between 17 – 24 years old at the time of enlisting. There are currently around 395 individuals in Leeds receiving either a War Disablement or War Widows Pension or Compensation from the Armed Forces Compensation Scheme (information correct as at 31/3/11) from the Ministry of Defence (all figures quoted provided by MOD).
- 3.5 There is however a programme of voluntary and compulsory redundancies in place over the coming year which could see a number of ex-personnel moving to or returning to the Leeds area.
- 3.6 The first tranche of redundancy will be those that have volunteered and will commence early 2012. They will have received 6 months notice and been entitled to a full Career Transition Partnership (CTP) resettlement programme from the Armed Forces. However the next tranche will contain those who have been subject to compulsory redundancy. They will have had 12 months notice and again will be given access to the CTP resettlement programme.

- 3.7 To put this into perspective, there were over 27,000 service leavers between April 2010 and March 2011. Of these only 20 declared Leeds as a destination, 30 had Leeds as a home address but did not state it as a destination.
- 3.8 Armed Forces personnel who approach Leeds City Council for assistance with rehousing have their needs assessed in line with the lettings policy. In cases where the individual has nowhere to move to on discharge and have a local connection to Leeds, they will generally be awarded a homeless or additional needs Band A priority, backdated to the date their 'cessation of the right to occupy' certificate was issued. Any medical housing issues would also be assessed and the relevant priority awarded.
- 3.9 The direct let would apply to members of the 'regular forces', as defined in section 374 of the Armed Forces Act 2006(b). This includes members of Her Majesty's military forces in the Royal Navy, the Royal Marines, the regular army or the Royal Air Force, but not (a) the Army Reserve; (b) the Territorial Army; and (c) forces raised under the law of a British overseas territory.
- 3.10 The direct let would only be awarded where the customer could demonstrate a local connection to Leeds, through residence, family association, employment or other special reason.
- 3.11 Not all customers leaving the Armed Forces manage to obtain rehousing through the choice based lettings scheme before their discharge date, nor are they always eligible for a homeless duty discharge direct let. However they may still require urgent rehousing. Other housing options are also offered, including advice about renting a private property.
- 3.12 The establishment of a Community Covenant in Leeds aims to ensure that the local Armed Forces or veteran community is not disadvantaged in any way in accessing council services offered in Leeds. The outcome is a pledge agreed by the city council and the local Armed Forces community, which commits to supporting the transition from service life into civilian life.
- 3.13 The Community Covenant does not seek to replace the existing good work already in place from public service providers, charities, etc but to build upon it. It also provides a mechanism to ensure the Armed Forces community is made aware of the support available to them.
- 3.14 To support this, it is proposed to allocate the role of liaison officer within the council to the Chief Officer (Customer Access) to monitor the effectiveness of the Covenant and ensure access to council services is given to serving and veteran personnel and that no one in the armed forces community is particularly disadvantaged as a consequence of our processes or policies.
- 3.15 Once the Community Covenant pledge is signed the people of Leeds would also be able to access a national grant scheme of £30 million. The grant is open to organisations, groups and individuals who can demonstrate that their proposal will strengthen the aims of the Covenant. Bids must first be agreed by the local partnership before final decisions are made by the Ministry of Defence. Bids can be for amounts from £100 to £250,000. This is a 4 year grant scheme and we are currently in year 2 of the scheme. We are currently working closely with Touchstone to develop a bid.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Consultation took place with representatives from the Armed Forces and the British Legion to ascertain the need for and benefits of a community covenant in Leeds.

4.1.2 The government is currently consulting on draft regulations on rehousing members leaving the Armed Forces, so when the council's lettings policy is next reviewed, full consultation will be undertaken on any further changes.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 By pledging support to the Covenant the council will be agreeing to ensure full access to council services to serving and veteran personnel and that no one in the armed forces community is disadvantaged as a consequence of our processes or policies.

4.2.2 Forging closer relationships between the Council and the Armed Forces will ensure service personnel returning to Leeds are more readily integrated into local communities.

4.3 Council policies and City Priorities

4.3.1 There is an expectation that there will be a change in national policy guidelines to ensure service personnel are treated equitably. The current Leeds policy is already very supportive but will require a review.

4.3.2 The Council proposes to provide former service personnel with enhanced opportunities under the council's lettings policy by introducing a new direct let category specifically for former service personnel seeking housing in Leeds.

4.3.3 The government has issued a consultation paper on the social housing allocations, to which the Council is currently responding. Government proposals will allow councils to build into their priority rankings former service personnel seeking housing. The Council proposes to review its policy during 2012/13 in line with the government's proposals to ensure that it is fit for purpose. In the meantime it is hoped that the new direct let category will offer a quicker solution to those former service personnel seeking housing in Leeds.

4.3.4 The Covenant supports delivery of our ambition to be Best City and Best City Council in the UK.

4.4 Resources and value for money

4.4.1 As a council we already implement a local scheme where we disregard in full certain war related benefits, over and above the national disregards of just £10 (for full details see **Appendix 2**). We are not looking to implement any further

changes/enhancements to the services we provide, just provide a council point of contact for issues who can signpost to the relevant service specialists.

- 4.4.2 The implication on the city of the future tranches of compulsory redundancies could see an increase in the number of ex-personnel requesting our support.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no specific legal implications.
- 4.5.2 The new corporate objective category was incorporated into the council's lettings policy from 4 June 2007. This is the first time the corporate objective direct let has been used. Its purpose is to allow a new direct let category to be created in response to any unforeseen corporate objective which arises outside of the lettings policy review process. The new category should relate to a corporate objective which is approved by Leeds City Council's Executive Board or delegated decision powers.

4.6 Risk Management

- 4.6.1 There are no risks to implementing an Armed Forces Community Covenant in Leeds as it allows the council to pledge support but meet our obligations in our own way.

5 Conclusions

- 5.1 The adoption of the Community Covenant places a commitment on the council to support service personnel, ensuring they are not disadvantaged by virtue of what they do. It allows Leeds to pledge its support but meet its obligations in its own way rather than imposition by central government and should not impose significant costs or burdens on Leeds City Council.
- 5.2 Leeds wishes to support the Covenant by allocating the role of Armed Forces liaison officer to the Chief Officer (Customer Access) as the co-ordination role for identifying and accessing relevant services within the council for serving or veteran personnel.
- 5.3 The Council considers amendments to our arrangements to enable former service personnel to secure housing in Leeds would be appropriate and would further demonstrate our support for this community.

6 Recommendations

- 6.1 Approve and pledge support for an Armed Forces Community Covenant in Leeds as detailed at Appendix 3.
- 6.2 Approve the allocation of the role of Armed Forces liaison officer to the Chief Officer (Customer Access).
- 6.3 Approve the implementation of the new direct let category for former service personnel seeking housing in Leeds.

7 Background documents¹

7.1 None.

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Appendix 1

BRIEF ON ARMED FORCES COMMUNITY COVENANT

A Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement, at local level, the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces. The aim of the Community Covenant is to encourage local communities to support the Service community in their area and promote understanding and awareness amongst the public of issues affecting the Armed Forces Community.

Many people have become involved in supporting the Service community through Service charities, or more recently by participating in Armed Forces Day. They have shown their support through fundraising, military celebrations and open days, attending homecoming parades and repatriation ceremonies and offering commercial discounts. Even simple demonstrations of support, such as displaying the Armed Forces Day window sticker in cars and businesses, have had a positive effect and boosted the morale of our Armed Forces community. The Community Covenant scheme aims to build on this local level of support.

The aims of the Armed Forces Community Covenant are to:

- encourage local communities to support the Armed Forces community in their areas
- nurture public understanding and awareness amongst the public of issues affecting the Armed Forces community
- recognise and remember the sacrifices faced by the Armed Forces Community
- encourage activities which help to integrate the Armed Forces Community into local life
- to encourage the Armed Forces Community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

Local Authorities and the Armed Forces Community are encouraged to work together to establish a Community Covenant in their area.

Community Covenants may look quite different from one location to another. This is a scheme where one size does not fit all, and the nature of the support offered will be determined by both need and capacity. It is expected that most Community Covenants will be led at Local Authority level. However Unitary Authorities and individual towns may also wish to have a Community Covenant and this is equally welcome.

Guidance on the Community Covenant scheme is available to download on the internet as is the Community Covenant Pledge template.

This pledge sets out what a Community Covenant seeks to achieve in a particular area and, where possible, will be signed by representatives from all parts of the Community. In most cases the lead signatories will be a senior representative from the Local Authority and one from the Services who will sign on behalf of the Armed Forces Community (although the pledge may also be signed by those representing veterans' or families groups, especially in areas without a large Serving presence).

It is supported by the **Community Covenant Grant Scheme** which has been established to financially support projects, at the local level, which strengthen the ties or the mutual understanding between members of the Armed Forces Community and the wider community in which they live. See the related link for further information.

There has been a Military Covenant in existence since the reign of Henry VIII, albeit not formally enshrined in law. However in 2007 the previous government set out to rebalance the relationship between the Nation, its Government and its Armed Force. The Armed Forces Covenant that was published in May 2011 was the outcome.

The underlying principle of the Covenant is:

“An individual should not be disadvantaged as a result of their service. In exceptional circumstances they should receive special treatment; those circumstances being physical or mental injury and bereavement.”

The main areas the Covenant covers are Healthcare, Housing, Education, Benefits and Tax.

The target group for the Covenant are the Armed Forces Community: serving personnel, ex service personnel and their families. The Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community and is intended to complement the Armed Forces Covenant.

The Government have allocated £30M over 4 years - we are now in year 2 (£5M, £5M, £10M, £10m) towards local practical projects that deliver rapid results in support of the Armed Forces Community.

Although by no means mandatory, a suggested pathway to a Community Covenant is:

- a. A motion is put before Council proposing the adoption of a Community Covenant.
- b. A Council Officer is appointed as an Armed Forces Champion who will be the lead on the development of the covenant, with the ability to coordinate between departments and outside partners and agencies.
- c. Council Officers conduct an assessment of what the Council already does to support the local Armed Forces Community.
- d. Sharing of best practice with neighbouring Local Authorities to maximise commonality of approach.

- e. Once the existing situation is established decide what areas, if any the Council wishes to improve its service to Armed Forces Community, thus creating an action plan.
- f. Supported by the action plan sign the Community Covenant.
- g. The Armed Forces Champion then implements the action plan and the progress is reviewed annually to match the need.

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Appendix 2

Exemptions / Special Dispensations in place

Service	Commentary	Action Required
Council Tax	<p>There are currently no specific discounts applied to households who have someone in services. Even Single Adult Occupier Discount (more commonly known as Single Person Discount) cannot apply while a member of a household is temporarily sited overseas on placement. This is because Council Tax charges are billed based on where someone's main residence is and even for someone in services their main residence remains their 'home' in the UK with the rest of their family. This situation has been tested in various tribunals and also in High Court and remains as above.</p> <p>A serving member of services or veteran can gain SPD in their own right though if there is no one else in their household, i.e they live alone.</p> <p>That said, there are 2 exemption classes which exist which do refer to service personnel but don't really affect the majority of our serving officers, and certainly don't impact on veterans. These exemption classes are defined in CTax regulations as follows...</p> <p>Exemption Class O: a dwelling of which the Secretary of State for Defence is the owner, held for the purposes of armed forces accommodation other than accommodation for visiting forces within the meaning of Part I of the Visiting Forces Act 1952</p> <p>Exemption Class P: (1) a dwelling in respect of which at least one person, who would be liable to pay council tax but for this article, satisfies the condition set out in para. 2:</p> <p style="padding-left: 40px;">(2) the condition referred to in para. (1) is that the person has a relevant association, within the meaning of Part I of the Visiting Forces Act 1952, with a body, contingent or detachment of the forces of a country, to which any provision in that Part applies on that day.</p> <p>To give you a bit more background on these 2 exempt classes:</p> <ol style="list-style-type: none"> 1. There is only one property now in Leeds with <u>exemption class O</u> applied because MOD has sold off all their other Leeds properties, and MOD is seeking to sell that last one once they can get the sitting tenants to move elsewhere. 2. Exemption Class P we have in the past applied to some properties on our north/north west boundary (around Otley / Wetherby areas) when we have had property occupied by visiting USAF staff stationed at Menwith Hill, (which is in Harrogate area) because they have taken up accommodation in our area and commute to Menwith from there. 	No
Adult Social Care	<p>We support the intention to deliver on the principle of "No disadvantage" to members of the Armed Forces Community and the initial commitments set out in the 2008 Service Command Paper (<i>The Nation's Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans</i>).</p> <p>There are no special arrangements, fast track or prioritisation of referrals for current or past armed forces personnel</p>	See joint LGA / ADASS & ADCS Response to Armed Forces Consultation.

<p>Housing & Council Tax Benefit</p>	<p>We do not treat war widows and war disablement pensions as income in the assessment of HB/CTB – it is totally disregarded. The DWP have a national scheme to disregard £10 and Leeds disregards the remainder of which we partial fund and we get partial funding from DWP – this arrangement has been in place for many years.</p> <p>Capital disregarded – National scheme</p> <ul style="list-style-type: none"> - lump sums received under the War Pensions are totally disregarded. - payments from the Armed Forces and Reserve Forces Compensation Scheme (AFRFCS) are also disregarded in full. 	<p>The estimated total expenditure for 11/12 is £396k we will get £297k back – This leaves a direct cost of £99k for Leeds.</p>
<p>Housing</p>	<p>Housing Services doesn't have joint working protocols with any Armed Forces barracks or stations and so each case is assessed when the person/family approaches for assistance.</p> <p>A person/family is threatened with homelessness if they are likely to lose their accommodation within a 28 day period.</p> <p>Most NCO families will live in service tenancies (accommodation linked to employment) and therefore will need to vacate this housing when the service member leaves the armed forces. Early notification of the housing need is therefore useful.</p> <p>Households with dependent children will have an automatic priority need reason for re-housing. Leaving an institution, including the armed forces, is a discretionary reason why someone might be deemed 'vulnerable' and therefore would have a priority need for re-housing. Being physically injured or the effects on a person's mental health of serving in a conflict situation are both reasons why a person might be deemed vulnerable.</p> <p>It is discretionary whether we apply a local connection test to the housing applications. As a general principle, we are flexible on this issue.</p>	

AN ARMED FORCES COMMUNITY COVENANT

BETWEEN

LEEDS CITY COUNCIL

AND

THE ARMED FORCES COMMUNITY IN LEEDS

We, the undersigned, agree to work and act together to honour the Armed Forces Community Covenant.

Signatories

Signed:

Name:

Position Held:

Signed on behalf of the Armed Forces Community

Signed:

Name:

Position Held:

Signed on behalf of Leeds City Council

SECTION 1: PARTICIPANTS

1.1 This Armed Forces Community Covenant is made between:

The serving and former members of the Armed Forces and their families working and residing in Leeds

And

Leeds City Council

SECTION 2: PRINCIPLES OF THE ARMED FORCES COMMUNITY COVENANT

2.1 The Armed Forces Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces, at the local level.

2.2 The purpose of this Community Covenant is to encourage support for the Armed Forces Community working and residing in Leeds and to recognise and remember the sacrifices made by members of this Armed Forces Community, particularly those who have given the most. This includes in-Service and ex-Service personnel their families and widow(er)s in Leeds.

2.3 For Leeds City Council, the Community Covenant presents an opportunity to bring their knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces Community. It also presents an opportunity to build upon existing good work on other initiatives such as the Welfare Pathway.

2.4 For the Armed Forces community, the Community Covenant encourages the integration of Service life into civilian life and encourages members of the Armed Forces community to help their local community.

SECTION 3: OBJECTIVES AND GENERAL INTENTIONS

Aims of the Community Covenant

3.1 The Armed Forces Community Covenant complements the principles of the Armed Forces Covenant which defines the enduring, general principles that should govern the relationship between the Nation, the Government and the Armed Forces community

3.2 It aims to encourage all parties within a community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available from the MOD, from statutory providers and from the Charitable and Voluntary Sector. These organisations already work together in partnership at local level.

3.3 The scheme is intended to be a two-way arrangement and the Armed Forces community are encouraged to do as much as they can to support their community and promote activity which integrates the Service community into civilian life.

SECTION 4: Measures

4.1 Approve and pledge support for an Armed Forces Community Covenant in Leeds.

4.2 Approve the establishment of an Armed Forces liaison officer within the council to work with Armed Forces representatives to ensure equal access to all council services for serving or veteran Armed Forces personnel, to ensure that no personnel or their families are disadvantaged.

4.3 Agree a bi-annual invite be issued to the senior representative for the Armed Forces to attend a council wide meeting to update officers on strategic developments within the Armed Forces that may impact on local government.

CONTACT PERSONNEL AND TELEPHONE NUMBERS

MOD DCDS (Pers&Trg) Covenant Team

Contact Name: Lisa Harper
Title: DCDS (Pers) Sec Covenant 1
Telephone: 020 7218 9110
Address: DCDS (Pers) Covenant Team
Zone D, 6th Floor
Ministry of Defence
Main Building
Whitehall
London
SW1A 2HB

In-Service representative

Contact Name:
Title:
Telephone:
Address:

Leeds City Council Representative

Contact Name:
Title:
Telephone:
Address:

Report of Director of City Development

Report to Executive Board

Date: 11 April 2012

Subject: PLANNING APPLICATIONS HIGHWAYS ISSUES (WHITE PAPER 16)

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. In response to a Council Resolution of 6th April which stated:

“This Council requests the Executive Board to instruct the Council’s Highways Department to ensure that consultation with ward members takes place with regard to Planning Applications’ highways matters before the Highways Department passes formal comment to Planning Officers. This will ensure that Ward Members’ and residents’ views on highways issues are properly reflected in Planning Department reports.”

It was agreed by Executive Board on 12 October 2011 that arrangements would be established to:

- Supplement the existing public consultation on planning applications with the additional notification (by e-mail) for all Ward Members of those planning applications which have been sent to Highways and Transportation for a consultation response, giving them additional opportunity to raise any highways concerns they may have with the highways officer directly.
- At the end of a three month trial period to bring a further report back to Executive Board for consideration.

2. This report covers the three month trial period of Member consultation and makes recommendations to continue with the trial arrangements for a further four month period.

Recommendations

Executive Board are recommended to:

- Note the issues raised during the three month Member consultation trial period and the responses to those issues and comment on the report.
- Agree a further four month trial consultation period to assess the issues raised, request Member feedback and assess the revised planning application validation procedure.

1 Purpose of this report

- 1.1 To update Executive Board on the three month trial period which has been undertaken in relation to ward member notification of planning applications on which Highways have been consulted.
- 1.2 To agree a further four month trial period to assess changes to the system and gather more evidence of the benefit or otherwise of the additional procedure.

2 Background information

- 2.1 At full Council on 6th April 2011 Members raised a concern that their views on highways matters were not being properly addressed in planning officer's reports on planning applications. To address this concern it was requested that an additional consultation with Ward Members took place with regard to Planning Applications' highways matters before the Highways Department passed formal comment to Planning Officers.
- 2.2 Very careful consideration was given to this request since it is essential for officers to be aware of the concerns of Members and residents when responding to planning applications. However, an additional stage of consultation on planning applications has the potential to result in confusion as Ward Members could be consulted twice on the same planning application. It could also lengthen the time taken for the highways officer to provide consultation responses to the planning authority which has the potential to slow the determination process and possibly lead to additional appeals for non-determination to the detriment of development and regeneration in the city.
- 2.3 It was therefore recommended that Ward Members be informed when highways officers are being consulted on planning applications within their Ward. This way, Members' views on highways issues could be considered by Highways Officers,

at an early stage, without over-burdening and potentially delaying the planning process. The proposal would entail an e-mail notification being sent automatically via the CAPS system to Ward Members to flag up that Highways and Transportation had been consulted on a planning application (at the same time). Highways officers would receive a 21 day formal consultation period. If Ward Members were concerned about the planning application in question they would have the opportunity to raise it directly with the Highways Officer as soon as possible within that time period. In this way Members would be more aware of the timeframes involved and would be able to operate within the existing consultation timescales. Highways Officers would wait for 10 days out of the 21 day period before responding to planning, giving members the time to raise any concerns directly, but leaving the Highways Officer sufficient time to respond within the set consultation period.

- 2.4 It was considered appropriate to introduce these proposals for a three month trial period. There were concerns that whilst it may help to alleviate Ward Member concerns relating to Highways matters, that it may still raise some confusion in relation to other consultees, eg landscape, design, education.
- 2.5 Members were also advised that they would also need to send any comments they wished to raise about an application to planning if they wanted it logging on public access as a formal comment on a planning application.

3 Main issues

- 3.1 The trial consultation process commenced on 1st November 2011. This report covers all matters raised and lessons learned from 1st November 2011 until February 2012 (covering a four month period instead of the three month period originally intended).
- 3.2 The trial involved all ward members being automatically advised by e-mail when Highways are consulted on a planning application in their Ward. The e-mail is originated automatically by the CAPS computer system and comes from Planning Services.
- 3.3 A group inbox HighwaysDevelopmentControl@leeds.gov.uk has been set up as the return address to send comments to if members wish to make highways officers aware of any issues or concerns they may have about the highway or transport aspects of any development proposal.
- 3.4 In the four month period from November to February Highways Officers have received five hundred and five (505) planning application consultations. Twenty one responses have been received from Ward Members of which seven have related to specific highway concerns. These issues have been addressed by the highways officer dealing with the planning application and a response sent to the Ward Member to inform them of the highways view on the application and whether or not the officer has been able to support the Member view. Of the other fourteen responses, two Members have offered support for the application, three objections have been raised to the application on non-highway matters (these have been forwarded to planning to put on public access to be taken into account

when the application has been determined) and the remaining nine responses have been commenting on general or administration matters.

3.5 In most cases the highways officer has been able to support the Member view on highway matters. On a couple of occasions where the highways officer has not been able to support the Member view an explanation has been sent to the Member and they have had the opportunity to request that the application is determined by a Plans Panel if they are not satisfied with the response.

3.6 During the course of the trial period Members have also asked for amendments to the notification procedure to improve the process. These improvements have been made where possible:

- Addresses have been added to the automatic notification e-mail.
- A change to the validation process is being trialled to enable plans to be available on day one of the consultation period rather than having to deal with a forty-eight hour delay. This process requires a two stage validation procedure and is therefore an aspect of the service which needs monitoring to see if it has unintended consequences on validation speed or accuracy.
- Members have asked for notification of applications in neighbouring wards where the traffic implications of the application may have detrimental consequences in their own ward. This request has been carefully examined by Planning and Highway Officers but it has unfortunately been impossible to comply with via CAPS which moves away from the automated notification process. To try and address this the Head of Planning Services has offered to introduce a procedure whereby the Planning Case Officer for every **Major** Planning Application will review the ward boundary and directly consult / notify ward members of these applications within their own wards and within neighbouring wards if the boundary is close by. Members views will be specifically sought on this process as part of the proposed Member feedback to be undertaken during the next four month monitoring period.

3.7 This consultation has in the main not lead to any significant issues arising e.g. officers were concerned that:

- The process would lengthen the time taken for the highways officer to provide consultation responses to the planning authority which has the potential to slow the determination process and possibly lead to additional appeals for non-determination. Response: There is a small delay on those applications where the highways officer holds onto comments until the ten day Member consultation period is up. However there is no current evidence that this has lead to out of time applications or additional appeals.
- There was potential to result in confusion as Ward Members could be consulted twice on the same planning application and won't know who to respond to. Response: There has been an element of confusion with Members replying to the notification e-mail (ie responding to planning) rather than sending comments to the HighwaysDevelopmentControl inbox. This is being picked up between planning

and highways and highways officers are still checking the CAPS system for Member views too.

- Members were advised that they would also need to send any comments they wished to raise about an application to planning if they wanted it logging on public access as a formal comment on a planning application. Response: In some instances highways are receiving general planning objections to planning applications rather than observations on highways matters. However, in these instances the comments are being forwarded to planning to insert onto CAPS.

3.8 In addition there have been some positive outcomes from the new process, including:

- Better engagement between Members and Highway Officers.
- Member concerns are being addressed upfront, before comments are placed on public access, which will reduce the number of differences of opinion being placed on public record and enable a constructive dialogue earlier in the planning application timescale.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 This report has not been the subject of any external consultation. It is proposed to consult Members about their views of the revised process during the four month extended trial period and make any further amendments to improve the process which it is reasonable to make.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 This report has no adverse impact on the Council's Equality and Diversity or Cohesion and Integration strategies. A screening report has been published on the Council's website.

4.3 Council policies and City Priorities

4.3.1 There are no implications for delivery of the Council's policies and city priorities arising directly from this report.

4.4 Resources and value for money

4.4.1 There are no financial or staff resources arising directly from this report.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications raised by this report.

4.6 Risk Management

- 4.6.1 The risks identified in the 12 October 2011 Executive Board Report have not in the main resulted in any delays to the planning system during the trial consultation period.
- 4.6.2 A further four month extension to the trial consultation period will enable the situation to be further monitored. The process for direct member consultation on major planning applications and the amendments to the planning application validation procedure which enable plans to be available when the consultation e-mails are sent out will also be assessed for any unintended risks relating to increased staff time and double handling of data potentially leading to errors.
- 4.6.3 The Member response rate during the initial trial consultation period has been relatively light. If this situation changed some of the concerns about delays to the system might be realised, this situation will continue to be monitored.

5 Conclusions

- 5.1 The trial notification period for Ward Member consultations on planning applications on which Highways Officers have been consulted has been generally informative and successful.
- 5.2 A further four month trial period is proposed to address some issues raised during the initial trial and also to enable a newly introduced validation system to be assessed.

6 Recommendations

- 6.1 Executive Board are recommended to:
- Note the issues raised during the three month Member consultation trial period and the responses to those issues and comment on the report.
 - Agree a further four month trial consultation period to assess the issues raised, request Member feedback and assess the revised planning application validation procedure.

7 Background documents¹

- 7.1 Council Resolution WP16 of 6 April 2011.
- 7.2 Executive Board Report of 27th July 2011.
- 7.3 Executive Board Report of 12th October 2011
- 7.4 EDCI Screening Report published on Leeds City Council's website on 29/9/2011

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Report of Director, City Development

Report to Executive Board

Date: 11 April 2012

Subject: Park and Ride Strategy for Leeds

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. At their 18 January meeting the Council passed a resolution requesting that a report on options for park and ride be presented to Executive Board.

2. Leeds is key to the economy of the Leeds City Region. An efficient transport system with sufficient capacity is vital to accommodate predicted growth and to make Leeds an attractive place to work, live and visit. It is proposed to help cater for the predicted growth in demand for travel to Leeds city centre by enhancements to the transport network, including additional rail capacity and provision of park and ride for longer distance trips.

3. Park and ride is supported by local policy and City Region strategy. Since the early development of plans for a rapid transit system, Leeds has adopted the concept of a ring of park and ride sites for intercepting city-bound traffic. Sites were identified within the Unitary Development Plan for this purpose, within which the key locations include those that are now included within the NGT scheme being considered by the Department for Transport.

4. Park and ride schemes have significant cost both for construction and operation. Experience around the UK is that each new Greenfield park and ride scheme can cost £5 million to £10 million to build, and the majority require an ongoing subsidy. A robust well developed business case is therefore critical.

5. The key sites in the park and ride strategy have been identified as Stourton, Bodington, Elland Road and within Aire Valley Leeds. Between them, these sites could deliver the required number of park and ride spaces for the strategy.
6. The sites at Stourton and Bodington form an integral part of the NGT package for serving the North West and South East sectors of the city. The option for the early achievement of the site at Elland Road, which would serve the key M62 south west approach to the City, has been identified. This site would support redevelopment aspirations for the South Bank and Holbeck Urban Village and further scheme development is proposed, including the seeking expressions of interest from operators in partnering with the Council and Metro to deliver a service.
7. A second park and ride scheme in the Aire Valley Leeds is a key part of the emerging Enterprise Zone (EZ) transport strategy for the area. This site would have a dual purpose in providing park and ride whilst also 'anchoring' future commercial bus services into the area. A preferred site has been identified adjacent to the East Leeds Link Road and it is proposed to develop further a programme and funding package as part of the development of the Enterprise Zone.
8. The development of these sites will assist in the further establishment of the case and options for other sites previously identified and guide the future development of the park and ride strategy.

Recommendations

9. Executive Board is requested to:-
 - i) Note the contents of this report and the issues which it raises; and
 - ii) Endorse the continued development of the park and ride strategy and proposals currently being progressed including further feasibility work for the Elland Road site towards the selection of a partner for the operation of the service.

1 Purpose of this report

1.1 The purpose of this report is to brief Executive Board on:-

- The continued relevance of park and ride for Leeds, in terms of policy justification;
- The need to maintain park and ride as an integral part of the City's transport strategy; and
- The current opportunities for delivering park and ride.

2 Background information

2.1 This report has been prepared in response to a resolution at the Full Council meeting on 18 January 2012 for a report be submitted to Executive Board on options for delivering park and ride to serve Leeds city centre.

2.2 Leeds has a key role to play in driving the Leeds City Region economy. An efficient and capable transport system is vital to accommodate predicted growth and to make Leeds an attractive place to work, live and visit.

2.3 The transport strategy to accommodate the growth seeks to develop a range of transport options and choices which are aligned towards the nature and distance of journeys. Measures to encourage walking and cycling therefore assist in widening mode choice for shorter trips, whilst bus and NGT offer extra options for middle distance trips originating within the city itself, and rail and park and ride provide for longer distance trips. A park and ride strategy therefore extends the range of options for drivers travelling into the City Centre.

2.4 Park and ride can take several forms and is well established in the UK. It is typically promoted to achieve one or more of the following aims:-

- To maintain or increase the number of trips to key centres, which are desirable for the economy;
- To avoid using valuable and scarce land in key centres for car parking and access roads; and
- To reduce congestion and pollution.

2.5 To support the ongoing development of the strategy and the identification of deliverable schemes, a review has been undertaken of various park and ride schemes around the UK. Appendix A contains a table listing some of the UK schemes. This shows that the majority require an annual subsidy, although there are notable examples which run successfully on a commercial basis. There are a large number of factors which need to be right to deliver a successful commercial park and ride scheme. York has one the most successful park and ride programmes in the UK and they have recently gained Major Scheme approval for two new park and ride sites and associated bus priority, costing on average about £10 million each and providing a total of 1,700 spaces. Many of the examples of

solely bus based schemes are drawn from county towns and cities where bus journey lengths are shorter and central area parking is tightly constrained, and there are fewer examples or models for schemes in large metropolitan cities.

- 2.6 There is currently only one formal bus park and ride site serving Leeds, which is the small 157 space site on King Lane that is served by regular service buses using the guideway into the city centre. It is not well used, with only around 60 cars parking there per day, because it is not in an optimal location and the service pattern and journey time is not competitive with driving to Leeds City Centre.
- 2.7 Rail park and ride is, however, significant in West Yorkshire, with around 3,000 spaces being provided at suburban rail stations. Many of these provide parking for people travelling to Leeds. Two of the larger facilities are at Garforth and New Pudsey stations, which have around 270 spaces each.
- 2.8 Many rail station car parks are full before the end of the morning peak and so rail park and ride is predominantly commuter use. The scope for expanding park and ride at existing stations is constrained by factors such as train capacity and local site conditions. However, there are opportunities, for example at New Pudsey, where the rail operator is seeking DfT funding to extend the existing car park. If successful, the extension would provide a useful increase in capacity. Opportunities for other localised increases in parking capacity are also being investigated and although these would not add significant extra capacity they may be targeted at reducing parking problems in surrounding streets with worthwhile local benefits.
- 2.9 Park and ride was originally identified in the 1991 Leeds' transport strategy which identified the role for sites at strategic locations around Leeds to intercept city-bound traffic. This included sites at Stourton and Tingley to the south, Bodington to the north west and Grimes Dyke to the east which were reserved for park and ride use in the 2001 Unitary Development Plan (UDP) and formed part of the earliest rapid transit plans for the city, now superseded by the New Generation Transport (NGT) scheme. which forms a key element of the present strategy.
- 2.10 Park and ride also has another potentially key role in facilitating the regeneration of the city centre, especially in the medium term. It is anticipated that existing temporary 'cleared site' low-cost long stay car parks would close as new capacity on the public transport system is provided and new fit for purpose sustainably located parking facilities come on stream as further development proceeds in the city. Park and ride provides an alternative cost-effective solution for the displaced motorists whilst maintaining or increasing transport capacity into the City Centre. The Council's interim provisions for commuter parking seek to strike a balance which retains sufficient cleared site parking in the short term and reflects that implementation of the full park and ride strategy is still several years away.
- 2.11 The NGT proposals include delivery of two of the most significant strategic park and ride sites for Leeds, at Stourton and Bodington. These sites have the capacity to eventually provide up to 3,000 spaces between them. A government decision on NGT is expected by the end of May 2012. Extensive dialogue has taken place with the DfT in preparation for the final submission of the revised business case documents.

- 2.12 In addition, the Leeds Rail Growth Package major scheme includes parking for a total of 450 cars at the proposed Kirkstall Forge and Apperley Bridge stations. Both these stations received approval from the DfT in late 2011. The City Region Transport Strategy has also identified an opportunity for a Parkway station to the east of Leeds, which includes the provision of around 500 parking spaces, which is subject to more detailed development work in the medium term. The proposal is not currently funded and will also be contingent on rail industry proposals.
- 2.13 Park and ride for Leeds has been the subject of several detailed studies, particularly since 2005. The most comprehensive study was undertaken by Halcrow in 2009 which considered an extended list of possibilities across Leeds. The sites identified as having the greatest potential for further development and appraisal are listed below:-
- North: A61 Harrogate Rd
 - North East: A64 Grimes Dyke
 - East: A63 Aire Valley
 - South: A653 Tingley
 - South West: M62/A62 Gildersome
 - West: A647 New Pudsey Station (rail)
- 2.14 The location of these sites is shown on a plan in Appendix B together with Elland Road, the NGT sites at Stourton and Bodington (which were assumed to go ahead in the study) and key sites proposed for rail park and ride.
- 2.15 Delays to delivery of park and ride schemes to date have been due to a complex set of factors including cancellation and delays to DfT-funded major schemes, lack of revenue for service support, lack of site ownership, green belt and other planning restrictions and site development costs.

3 Main issues

- 3.1 The upper range of currently predicted jobs growth for the City Centre, of 23,000 jobs by 2026 (Regional Econometric Model), would generate about an estimated 10,000 additional morning peak commuting trips into Leeds. Current estimates are that additional rail capacity could provide about half of this and park and ride about one-third, i.e. around an estimated 3,300 trips. To provide capacity for off-peak trips, which are necessary to support park and ride bus services commercially, around an estimated 4,100 park and ride parking spaces are required.
- 3.2 With the present delays to the NGT project, there have been suggestions that proposals could be brought forward for the earlier delivery of park and ride at the Stourton and Bodington sites. In addition, the recent focus on the role of managing the level of cleared site parking, together with progress on major present developments such as the Arena and Trinity Leeds and anticipated

developments such as Eastgate, has brought the city's park and ride aspirations into focus.

- 3.3 The following paragraphs give an overview of the issues surrounding the delivery of the identified park and ride sites described above and shown on the plan in Appendix B, and propose a preferred approach to progressing the strategy. The sites identified have been identified in the course of a number of extensive reviews of options for the city. The options are listed in terms of prospective timetables for their delivery.

Short term

3.4 South / South West – Elland Road

- 3.4.1 The study reviewing options in 2009 suggested that Tingley and Gildersome would be appropriate to serve these sectors of the City's approaches. These sites are not currently considered feasible commercially as they would both require sizeable ongoing revenue subsidy, possibly in excess of £1 million per annum which is due largely to their distance from the city centre whilst the availability and deliverability of suitable sites are also an issue. However, a single site at the LCC-owned car parks adjacent to Elland Road stadium does have the potential to intercept most of the same traffic, and it is an established Brownfield site already used for parking.
- 3.4.2 Furthermore, such a development at Elland Road could assist the redevelopment aspirations of the South Bank and Holbeck Urban Village, by providing a bus service which serves these areas. It would also serve to ease congestion on the M621 and other routes leading into the city centre.
- 3.4.3 Investigations have been made to identify if there is a 'quick win' park and ride scheme for Leeds to help deliver new capacity which could be opened in 2013 subject to funding and due processes. An assessment reviewed nearly 100 potential sites and the work is summarised in Appendix D. The work showed that Elland Road is currently the only feasible location.
- 3.4.4 Feasibility work has shown that a modest scheme at Elland Road could be delivered for around £2 million. Given the desire to not prejudice major development opportunities, a balance would need to be struck to achieve the right level of quality to satisfy planning requirements and attractiveness to users. Whilst the whole site has parking for nearly 3,000 cars, a park and ride service would be expected to operate with between 500 and 1,000 spaces which, with appropriate management, is considered compatible with the specific parking requirements for the stadium.
- 3.4.5 The Elland Road site has the potential to run commercially because it is relatively close to the city centre, which will allow the use of an optimal number of buses to provide a service. Although it is likely to require revenue support in the first year or two, initial indications suggest that with a 5 year contract it could be a viable commercial proposition.

- 3.4.6 Before the scheme can progress further it is necessary to explore procurement and commercial viability issues. This will need to be done by discussion with potential delivery partners (through the proposed issuing by Metro of an OJEU Prior Information Notice (PIN) notice). This process does not commit the authority to any further procurement activity but allows an understanding of the opportunities for partnering before proceeding to the later stages of project development.
- 3.5 East – Aire Valley
- 3.5.1 The planning of the Aire Valley Leeds area, now designated as an Enterprise Zone (EZ), has recognised the need for an effective public transport service to provide accessibility for the proposed developments. Specifically, an attractive bus service is required to connect the Aire Valley with the City Centre and this forms a key part of the emerging EZ transport strategy. Provision of a park and ride site could generate enough additional demand to make a service fully commercially viable and of a higher frequency than may otherwise be possible.
- 3.5.2 Several sites have been considered for park and ride including the LCC-owned former Wholesale Markets and the area in private ownership formerly proposed for a Motorway Service Area site at M1 Junction 45. The currently favoured location is a plot within the Temple Green development adjacent to the East Leeds Link / Bell Wood roundabout, with capacity for 600 to 1000 spaces.
- 3.5.3 Subject to further development and agreement it is anticipated the delivery of the site would be progressed as part of a package, in negotiation with the site developer. A bus service would need initial revenue funding but it is estimated that after 2 years the bus service could generate a surplus (less any site lease costs).
- 3.5.4 This is a significant opportunity to provide a well sited park and ride facility and it is proposed to pursue the scheme for the earliest implementation consistent with the development of the EZ. The ability to both meet park and ride needs and simultaneously serve development within the area is a major benefit to this option.

Medium Term

- 3.6 NGT - Stourton and Bodington
- 3.6.1 Subject to the DfT's decision in May, these sites are expected to open as NGT park and ride sites in 2018 or 2019 and provide capacity for a total of 2,300 cars initially with the potential to expand Stourton by a further 750 spaces. Stourton would in particular provide for northbound M1 traffic whilst Bodington would intercept traffic from the Otley area, which has no convenient access to a rail service.
- 3.6.2 The NGT programme is a comprehensive package including significant bus priority and segregation together with an attractive rapid transit service which should enable provision of park and ride without the need for any subsidy. Without NGT, these schemes would be major projects in their own right, but as stand alone schemes the business case would be on a different footing compared with the integrated service option that NGT provides.

3.7 North East – Grimes Dyke

- 3.7.1 Grimes Dyke is a Greenfield site which is currently unfunded. The case for this site is closely linked with the future development plans for the East Leeds Extension and the associated transport infrastructure and access package. Aligning with future development allows the development of mutually beneficial service patterns for both park and ride and local access. Therefore, this site is not currently recommended for early development.

Longer Term

3.8 North - A61 Alwoodley Gates (opposite Leeds Grammar School)

- 3.8.1 Being some way outside of the Outer Ring Road, this site will predominantly serve the A61 from Harrogate. It's main competitors would be the Harrogate Line and the existing express bus services which operate from Harrogate.
- 3.8.2 This site is identified in the UDP for park and ride. However, the Council is currently considering options for provision of long term burial space for the City and the LCC-owned land available in this location is one of the options under consideration.
- 3.8.3 Forecasts suggest that around 550 spaces could be justified. However the business case has not been firmly established for this site. Because of its distance from the centre of Leeds, even a demand of 550-600 cars per day would require significant revenue support for a dedicated park and ride service. There is some potential for it to be served by semi-fast regular buses but to date there has been no significant operator interest in reconfiguring their services to serve the site.
- 3.8.4 The estimated construction cost in 2009 was £6.1m for a 550 space car park plus land and bus priority so the out-turn cost would be likely to be in the region of £8 million to £9 million. Given the prospect of more commercially viable schemes elsewhere in Leeds, it is proposed that this site continues to be identified for future consideration, to be informed by the experience gained from developing the most promising short term options.

3.9 Proposed Strategy

- 3.9.1 To move park and ride provision forward for the city, the following strategy is proposed for consideration.
- 3.9.2 The outcome of the DfT's decision is awaited on NGT. Should the decision not be in favour of the promoters, then a review will be required to establish the best way to implement these sites. They will, however, need to be progressed as major projects in their own right because their value exceeds what is presently available within the Local Transport Plan. However, because of the work needed to develop the NGT scheme there is already a detailed understanding about the development and delivery issues of these sites.
- 3.9.3 Given its relatively modest cost and ability to be delivered quickly, it is proposed that further development of a scheme at Elland Road should be pursued with the potential for implementing a scheme in 2013 (subject to consultation and due

processes including planning). Delivery of a scheme will need to take on board concerns about such a proposal within the local communities and completion of a sustainable funding package.

- 3.9.4 In tandem with development of the Elland Road proposals, it is proposed to continue technical evaluations and negotiations with the landowner to achieve an appropriate funding and delivery package for a site in Aire Valley Leeds. This will allow a firmer timetable to be attached to the delivery of this scheme.
- 3.9.5 The site at Grimes Dyke should be investigated for delivery as part of the East Leeds Extension and therefore the scheme development cannot be substantially progressed at this point in time.
- 3.9.6 It is proposed that the site at Alwoodley be retained as park and ride status in land use planning, but at the present time the business case is considered to be insubstantial. Therefore, although it is believed that the site has potential, it would be premature to develop it further at this time. In this context, there would also be advantages in learning from the delivery of the strongest sites to reduce the risks in developing further sites, particularly in understanding service revenue risk, in regard to the Leeds market specifically. Any decision also has to be made in the context of the current review of options for long term burial space.
- 3.9.7 The estimated park and ride capacity of 4,100 spaces to service Leeds' continued development therefore has the potential to be met from the identified key sites.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The consultation for NGT in 2008 and 2009 specifically included the park and ride sites at Stourton and Bodington. The results showed strong support for park and ride amongst respondents.
- 4.1.2 There has been no further recent consultation on wider park and ride strategy other than that which identified the sites included within planning policies. With regard to the proposed site at Elland Road, at this stage of the decision making process it is not appropriate to undertake full consultation. However, a Ward Member briefing was held in January 2012. Ward members have concerns about traffic impacts on local roads and these have also been reflected in concerns raised by a local community group. A full consultation exercise will be undertaken in due course.
- 4.1.3 The Highways Agency have been engaged in previous discussions about park and ride options in the city and are fully involved in the NGT proposals. The Elland Road option has been discussed informally and they have no objection in principle, subject to agreeing any detailed proposition and traffic modelling.
- 4.1.4 The Aire Valley park and ride scheme would be consulted upon as part of the engagement with stakeholders for the development of the Enterprise Zone as the proposals are developed further.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An equality impact assessment screening has been completed. The screening suggests that, in general, the park and ride strategy has no adverse impact on protected characteristics. More detailed screenings and assessments will be required when schemes and their funding have been developed in more detail.

4.3 Council policies and City Priorities

4.3.1 A park and ride strategy aligns with the West Yorkshire Local Transport Plan and with the objectives of the Leeds City Region Transport Strategy with themes such as 'developing a strategic framework for demand management' and 'improving strategic connectivity to tackle congestion'.

4.3.2 The Leeds City Region Transport Strategy also includes interventions to provide new and expanded park and ride sites in the short term as well as new park and ride facilities located adjacent to the motorway and other priority corridors.

4.3.3 Park and ride has the potential to contribute to several City Priorities, notably making Leeds the best city for business.

4.3.4 More details of how park and ride specifically meets these policies and the Priority Plan is contained in Appendix C.

4.4 Resources and value for money

4.4.1 This report is not seeking approval for any capital or revenue expenditure at this time. However, given the high capital cost of delivering P&R schemes (typically £5 million to £10 million each), it will be important to identify in due course an appropriate funding strategy. This will in turn depend on the current consultation being held by the DfT on devolving major scheme funding to the local level and future developments regarding a proposition for a West Yorkshire Transport Fund.

4.4.2 At present the possible funding sources for the viable schemes identified above could be:-

- Elland Road – as a 'quick win' site this would be funded through a funding package being developed with Metro which would incorporate Local Transport Plan capital and developer contributions.
- Aire Valley – a funding package has not yet been established for this proposal. Various options are being investigated in terms of the site and the establishment of a viable service option, but these are not yet firm.
- Stourton and Bodington – positive announcement in May would see these funded by the DfT and the agreed local contribution. If the announcement is not favourable, the options and funding route would need to be reconsidered and this can be informed by work already undertaken in connection with NGT.

4.4.3 Any package of park and ride schemes carries the possibility that revenue support (subsidy) will be required in the early years of operation and potentially into the future if the patronage forecasts are not realised. More detailed work is required

to understand risk and uncertainty, which forms part of every scheme development process. More detailed work is also required in the development of bespoke funding packages and delivery models, in which the selection of operational partners is an essential element.

4.4.4 With regard to associated charges, Park and Ride must be offered as a competitive alternative to driving and parking in the city centre, but it must also be established on a sustainable financial basis. There will also be a need to ring-fence funds for site maintenance and future improvements. The cost of the bus fares and/or parking charges will emerge in due course and further reports will be submitted as appropriate.

4.4.5 The value for money of park and ride schemes will be assessed during the development work.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no specific legal implications arising from this report. Clearly each scheme will have a range of legal implications relating to funding agreements, land, traffic and parking orders, and contractual and procurement issues. These will be addressed in the reporting and approval requests as projects are progressed.

4.5.2 The report is eligible for Call-In.

4.6 Risk Management

4.6.1 Each individual park and ride scheme will have associated risks with its delivery and operation. These risks will be evaluated as and when it is proposed to progress each scheme.

4.6.2 The two key risks associated with the proposed park and ride strategy are inability to provide capital funding and the requirement for revenue support.

5 Conclusions

5.1 As the report explains, the prospects for park and ride have been extensively studied for Leeds. Whilst the case for rail and rapid transit based measures has become well established, for bus based systems it is clear that site location, availability and affordability criteria are key determinants to the prospects for development.

5.2 It is proposed to continue with the development of bus or rapid transit park and ride as part of the wider integrated transport strategy for the city and specifically to undertake more detailed development work for the following schemes, subject to the local development context, funding and due processes:-

5.2.1 Elland Road: is feasible and could potentially be delivered in the short term using local funding sources although local community concerns about the scheme will need to be considered. Further feasibility work is required to understand procurement issues and the scheme's commercial performance.

- 5.2.2 Aire Valley: a park and ride scheme is a key part of the Enterprise Zone (EZ) transport strategy. A preferred site has been identified adjacent to the East Leeds Link Road. The programme and funding is tied into the development of the EZ.
- 5.2.3 Stourton and Bodington: the outcome of the DfT's decision on NGT sites is awaited. However, if delivered as stand-alone schemes, they would probably need to be funded as major schemes.
- 5.3 It is suggested that the remaining identified sites at Grimes Dyke and on the A61 at Alwoodley Gates should remain available for medium to longer term implementation. The Council will need to consider the potential for park and ride at Alwoodley Gates during consideration of options for long term burial space.

6 Recommendations

6.1 Executive Board is requested to:-

- i) Note the contents of this report and the issues which it raises; and
- ii) Endorse the continued development of the park and ride strategy and proposals currently being progressed including further feasibility work for the Elland Road site moving towards the selection of a partner for the operation of a service.

7 Background documents¹

7.1 The following background documents relate to this report:

- 7.1.1 Council minutes, 18 January 2012 (Item 84)
- 7.1.2 Equality Impact Assessment screening, Park and Ride Strategy, March 2012
- 7.1.3 Elland Road Masterplan update, June 2011
- 7.1.4 Core Strategy, Leeds Local Development Framework, Development Plan Document, Publication Draft, February 2012 (from www.leeds.gov.uk)
- 7.1.5 Leeds New Generation Transport – Final Consultation Results, Report, October 2009, SDG for Metro/LCC (from www.ngtmetro.com)
- 7.1.6 'Access York' Best and Final Funding Bid to DfT, York City Council, 2011 (http://www.york.gov.uk/transport/Parking/Park_and_Ride/new/2011-09-09/)

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Appendix A The Performance of Park and Ride Schemes Around the UK

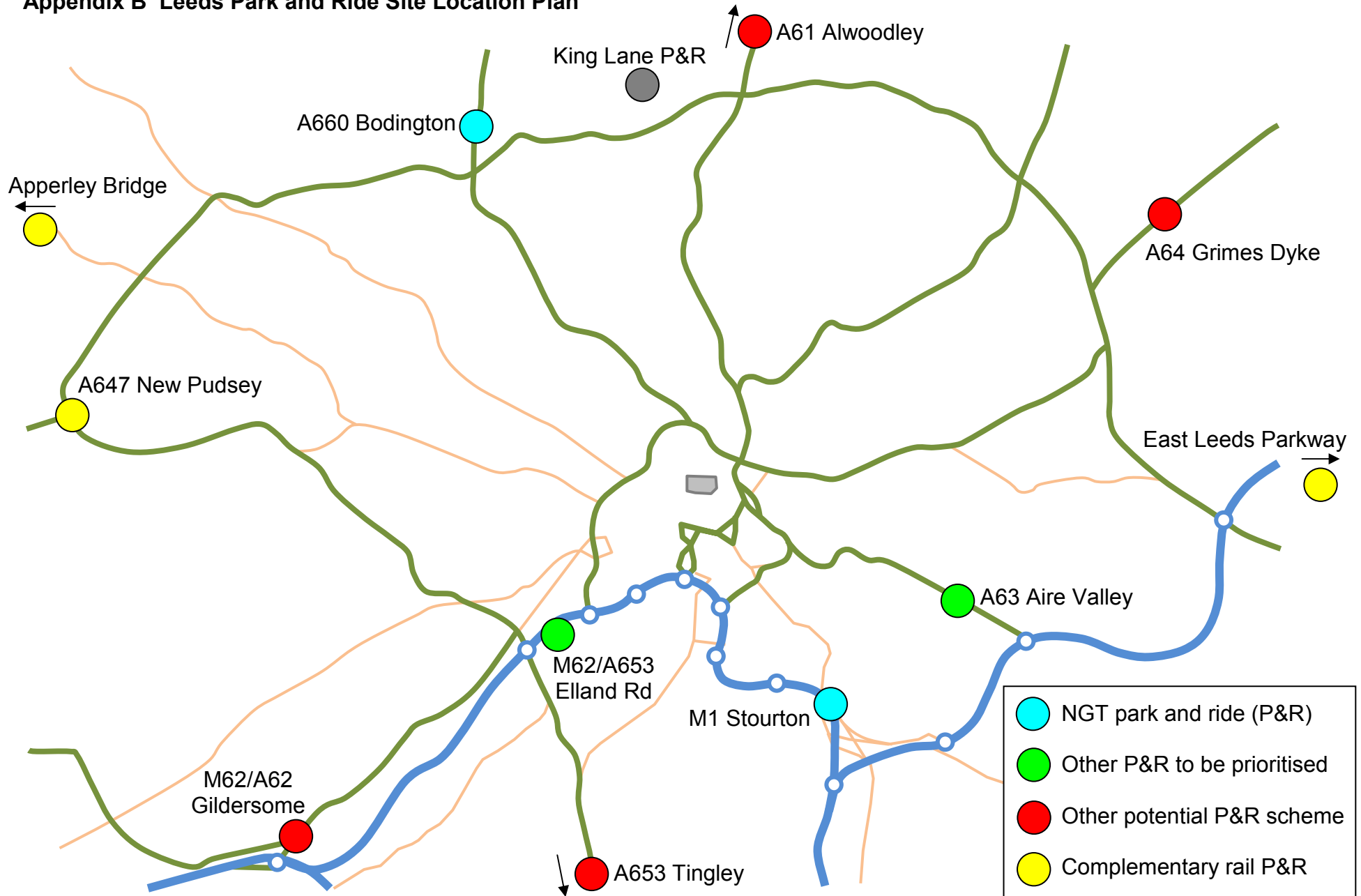
Table A1 Details of Selected UK P&R Operations at 2008

P&R Site	City Population	Est. Date	No. of Sites	Total P&R Spaces	Bus Service Type	Subsidy for Bus service	Peak Frequency (min)	Off-Peak Frequency (min)	Return Fare	Fare as % of 8 hours Parking	Patronage Growth (Avege Ann'l)
Aberdeen City	209,260	1994	2	1,550	Dedicated	Commercial	7.5 and 15	15	£2.00	26.7%	+5.3%
Aberdeenshire	236,260	2000	1	250	Conventional	Commercial	10-15	20	£3.50	46.7%	+12.6%
Coventry	300,848	1991	2	565	Dedicated	£227,900 /a £1.41 per user	12 and 15	12 and 15	£2.00	23.5%	
Derby	237,000	1994	2	1,600	Dedicated /Ordinary	Commercial	10 -15	15	£2.20	29.7%	Unknown
Durham	85,113	2005	3	1,168	Dedicated	£164,000 /a £0.37 per user	10	10	£1.70	20.8%	+21.1%
Edinburgh	445,026	2005	5	1,807	Dedicated /Ordinary	Commercial	4	15	£2.40	35.3%	
Exeter	122,400	1987	4	2,160	Dedicated (2 sites sub)	£390,000 /a £0.67 per user	10-12	10-12	£1.70	35.7%	+6.8%
Ipswich	117,069	1997	3	1,700	Dedicated	£632,000 /a £1.70 per user	10 and 12	10 and 12	£2.90	43.7%	
Norwich	367,065	1991	6	4,912	Dedicated	£140,000 /a £0.08 per user	7-10	10-20	£3.30	38.8%	
Perth	43,450	2002	3	576	Dedicated /Ordinary,	£150,000 /a £2.15 per user	10	15	£1.00	55.3%	
Winchester	107,222	1994	2	780	Dedicated		8	15	£2.70	50.0%	-4.3%
Worcester	95,927	2001	1	450	Dedicated	£170,000 /a £0.59 per user	10	10	£2.20	58.7%	+6.7%
York	191,800	1991	5	3,610	Dedicated	Commercial	10	15	£2.30	30.46	

Fare figures in blue represent where the charge is for parking a car, rather than per person.

Source: Nestrans Park and Ride Operations Study, Final Report, May 2008, Atkins (Table 3.2) (www.nestrans.org.uk)

Appendix B Leeds Park and Ride Site Location Plan



Appendix C Relevant Policies

The development and implementation of park and ride sites is proposed to serve Leeds City Centre. These are designed to meet future parking demands anticipated from major developments and supports the city centre transport and parking strategies.

Regional Policy

The proposals align with the objective of the Leeds City Region Transport Strategy which sets out the following relevant priority themes:

- Strengthening the contribution of the bus;
- Developing a strategic framework for demand management; and
- Improving strategic connectivity to tackle congestion.

The LCR Transport Strategy also includes interventions to:

- To provide new and expanded park and ride sites (short term);
- To expand the capacity of park and ride to encourage more traffic to transfer to other modes close to intended destinations (short/medium term);
- To development new park and ride facilities located adjacent to the motorway and other priority corridors (short term); and
- To enhance the availability of park and ride served by express bus and rail to offer alternatives to motorists (medium term).

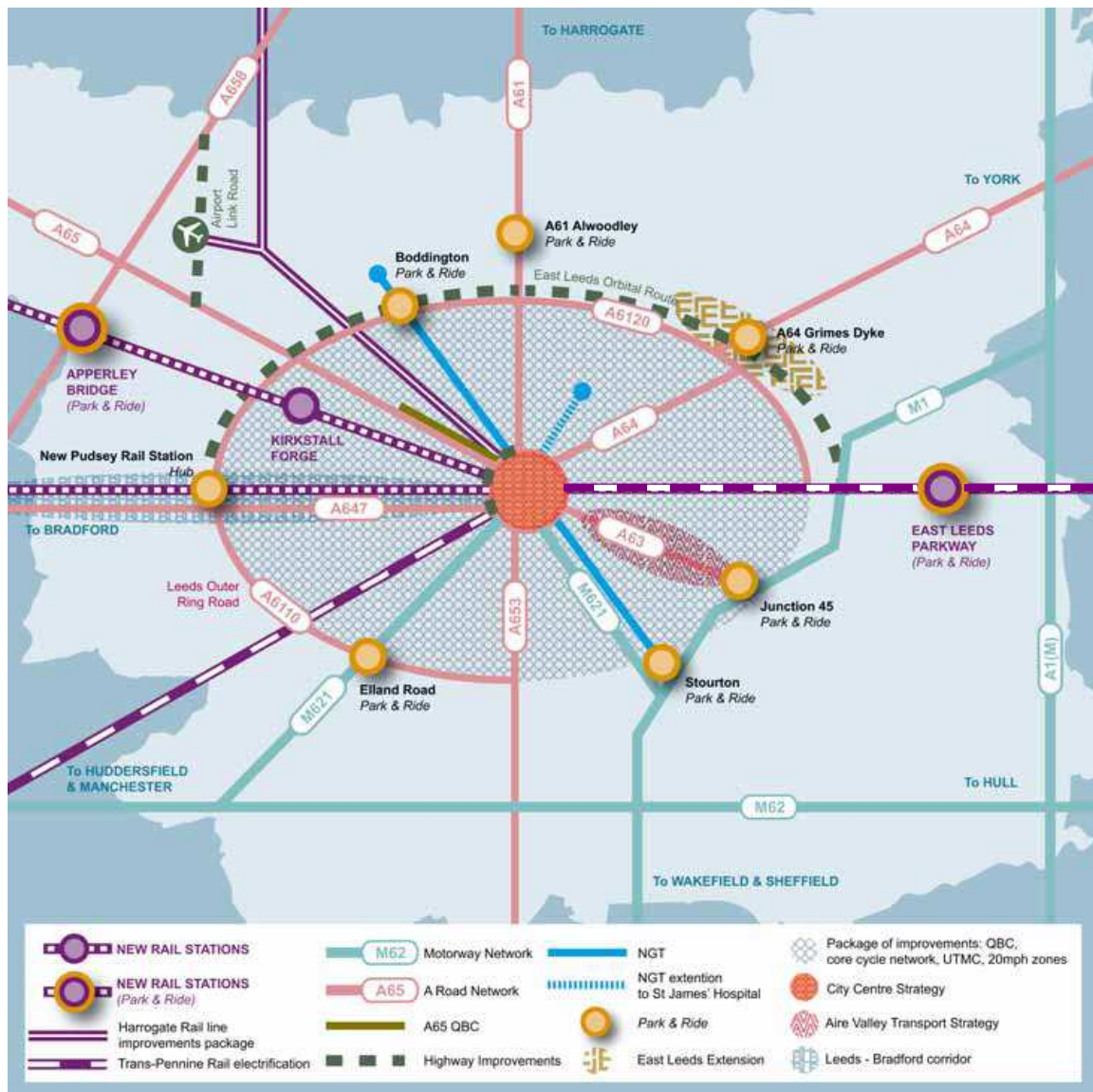
Local Policy – Core Strategy

Park and ride is promoted with the draft Core Strategy as a possible solution to the City's transport problems. Para 4.9.9 states:-

“There is little road capacity for increased car commuting into the centre of Leeds and limited spare capacity for rail commuting until extra capacity is provided on both the trains and at Leeds City Station. If the city is to grow as forecasts suggest is possible, ways needs to be found of getting more people into the City Centre without adding to traffic congestion or the capacity problems of the rail network. This may include making better use of the city's bus network, increasing rail capacity, providing park and ride sites, encouraging increased car occupancies and converting shorter distance car journeys to cycle and walking.”

Spatial Policy 11 of the draft Core Strategy includes investment in the provision of park and ride facilities. The network diagram in the draft Core Strategy is shown in Figure C1.

Figure C1 Key Elements of Leeds Transport Strategy (Map 9 of the draft Core Strategy)



Local Policy – Local Transport Plan

Proposals for park and ride also align with the West Yorkshire Local Transport Plan 3 which sets out proposals to:

- Define and develop a core, high-quality, financially sustainable network of transport services that will provide attractive alternatives to car travel (proposal 13). The core bus network would consist of Green Routes (key network of bus routes that carry most of the bus passengers and have the highest frequencies) and will include the development of express (limited stop), high frequency and park and ride services with associated branding and marketing strategies.
- Improve interchange and integration including the development of transport hubs (proposal 14). This covers the scope to develop bus 'Park-and-Ride' for trips to Leeds in particular.

- Investment to support strategic economic objectives through delivery of the City Region Transport Strategy (proposal 23). This provides support for the proposed Northern Hub and supporting measures including the development of strategic Park and Ride (e.g. linked to main rail lines or the motorway network).
- Investment in low carbon modes of travel (Implementation Priority). This means making a strong case to government and others for substantial investment in carbon-efficient methods of travel (including more capacity on trains and more park and ride facilities).

The emerging Local Implementation Plan and Transport Strategy for Leeds 2011-2026 sets out the proposal for a new, bus-based park and ride site, with up to a 1000 spaces for delivery within the next two years with a further site in the early stages of planning. This would complement the Park & Ride proposals associated with New Generation Transport (NGT). In the longer term it is envisaged that a series of sites will be brought forward at locations around the outer ring road so that longer distance travellers to the city centre, who are unable to make use of rail, have an alternative to the private car. This ring of park and ride sites will enable people to travel swiftly to the city centre by dedicated bus or NGT.

City Priority Plan 2011-2015

The Council's City Priority Plan includes a priority to improve journey times and the reliability of public transport to contribute towards making Leeds the best city for business. Park and ride can contribute to this through:-

- Reducing traffic congestion in and near the City Centre which could assist the reallocation of roadspace towards buses, walking and cycling;
- Providing a new public transport travel choice, including for those people who live within walking and cycling distance of the park and ride site.

The Plan also prioritises those measures which support the sustainable growth of the Leeds economy by enabling more development of brownfield land. Park and ride could contribute to this by relocating parking from the city centre to locations further afield and making the brownfield land available for development.

Appendix D Quick Win Park and Ride Site Selection

Introduction

This appendix sets out the most deliverable opportunities for one or more Quick Win P&R sites to serve Leeds City Centre as assessed during 2011.

Site Long List and Appraisal

A 'long list' of nearly 100 potential P&R sites was assembled as follows:-

- 44 sites from the 2009 Halcrow study (11 new heavy rail stations, 31 bus, 2 heavy rail and/or bus);
- 4 sites on the A64 and one on the East Leeds Link Road, from the 2010 AECOM report, all bus-based;
- 1 third party proposal for bus-based P&R;
- 14 existing heavy rail stations in and around Leeds; and
- 30 'new' Quick Win sites identified during this study, generally comprising existing car parks or cleared sites.

Table D1 contains a list of the sites considered. Sites were rejected as being unsuitable if they did not meet one of the following criteria:-

- affordability – this ruled out Greenfield sites and those requiring substantial operating subsidy (those with longer journey times and lower patronage);
- ability to be delivered relatively quickly, i.e. in about 2-3 years – this ruled out new railway stations and locations in other Districts;
- acceptability, especially in terms of whether the site could be a viable alternative for drivers who currently use low cost long stay car parks in the City centre, with potential to provide enough capacity to accommodate them;
- deliverability, particularly in relation to obtaining land.

Site Short List

The long list was reduced down to a short list of 7 sites which are shown below, in approximate order of merit against the above criteria:-

Most promising (LCC-owned):-

- Elland Road Stadium Car Parking (site ref: 28);
- Wholesale Markets Site, Cross Green (site ref: A11) [Note: this site has now been selected for the Leeds Waste Transfer Station so is not available for park and ride]

Potential (third party owned):-

- Leeds Valley Park (Site Ref: Q11);
- New Pudsey Station / Owlcotes Centre (site refs: 38 / Q21) – rail P&R;
- Corner of A6120 and A62 Gelderd Road (site ref: Q18);

Lowest Priority:-

- Tulip Retail Park (site ref: 20); and
- John Charles Centre for Sport (site ref: 19).

Table D1 Long List of Sites (excluding existing railway stations)

Ref	Name	Sector	Mode	Ref	Name	Sector	Mode
HALCROW STUDY (2009)				AECOM STUDY: A64. A63. A61(N) (2010)			
1	Arthington	N	Rail	A4	Harehill Lane Playing Fields	NE	Bus
2	Leeds Bradford Airport	N	Bus	A5	A64 Gpton Approach (Halton Dial)	NE	Bus
3	Horsforth Woodside	N	Rail/ Bus	A6	A64 Wykebeck Valley Road	NE	Bus
4	Bodington	N	NGT	A7	A64 Opposite Asda Killingbeck	NE	Bus
5	King Lane (expand existing)	N	Bus	A11	Wholesale Markets Ste, Cross Gn	E	Bus
6	A61 Harrogate Road	N	Bus	MISCELLANEOUS			
7	A58 Wetherby Road	NE	Bus	M1	Drighlington Developer Proposal	SW	Bus
8	A64 Grimes Dyke	NE	Bus	NEW SITES IDENTIFIED FOR THE QUICKWIN EXERCISE			
9	Moresdale Lane, York Road	NE	Bus	Q1	Northside Retail Park, Meanwood	N	Bus
10	Thorpe Park	NE	Rail	Q2	Marsh Lane E, Woodpecker	NE	Bus
11	A63 Halton	E	Bus	Q3	Thorpe Park new developments	NE	Bus
12	M1 J46 East	E	Bus	Q4	Bridgewater Road (IRR6)	E	Bus
13	M1 J46 West	E	Bus	Q5	Copperfields College, Cross Gn	E	Bus
14	East Leeds Parkway	E	Rail	Q6	Haigh Park Road	E	Bus
15	Thwaite Gate	E	Bus	Q7	Lord Halifax Land, Bell Wood	E	Bus
16	East Leeds Link (M1 J45)	E	Bus	Q8	M1 J44 N	E	Bus
17	Methley	E	Rail	Q9	Sainsbury's Colton (M1 J46)	E	Bus
18	Ferrybridge	E	Rail	Q10	Yam Street cleared site	E	Bus
19	South Leeds Stadium	SE	Bus	Q11	Leeds Valley Park (W of A61)	SE	Bus
20	Tulip Retail Park	SE	Bus	Q12	Morrisons, Penny Hill Centre	SE	Bus
21	Stourton	SE	NGT	Q13	Carcraft, Morley M62 J28	S	Bus
22	Wrenthorpe	SE	Rail	Q14	Birstall Shopping Park	SW	Bus
23	East Ardsley	SE	Rail	Q15	Ikea, Birstall	SW	Bus
24	Wooley Edge MSA (M1)	SE	Bus	Q16	Junction 1 Retail Park (M621)	SW	Bus
25	East of Dewsbury Road	S	Bus	Q17	Junction 27 Retail Park, Birstall	SW	Bus
26	White Rose Centre	S	Rail/ bus	Q18	N of Gelderd Road / Ring Road	SW	Bus
27	Tingley	S	Bus	Q19	Showcase Cinemas, Birstall	SW	Bus
28	Eliland Road (car parks)	SW	Bus	Q20	Bingo, Stonebridge Lane	W	Bus
29	Eliland Road (SW railway)	SW	Bus	Q21	M&S, Asda Pudsey	W	Rail/ Bus
30	Brighouse (M62 J25)	SW	Bus	Q22	Makro, Low Wortley	W	Bus
31	Gildersome	SW	Bus	Q23	Pudsey Civic Hall	W	Rail/ Bus
32	Hartshead Moor MSA M62	SW	Bus	Q24	A65 Kirkstall Road ex-First Depot	NW	Bus
33	Moorside, Bramley	W	Bus	Q25	loeland/ Netto, Kirkstall	NW	Bus
34	Stanningley Bypass	W	Bus	Q26	Kirkstall Forge	NW	Bus
35	Armley	W	Rail	Q27	Kirkstall Valley Park	NW	Bus
36	A58 Whitehall Road	W	Bus	Q28	Kirkstall Viaduct Retail Park???	NW	Bus
37	Rodley Lane	W	Bus	Q29	Morrisons, Kirkstall	NW	Bus
38	New Pudsey Station	W	Bus	Q30	Woodhouse Moor (Onder Moor)	NW	Bus
39	Apperley Bridge	NW	Rail				
40	Rodley/ Calverley Bridge	NW	Bus				
41	Horsforth West End	NW	Bus				
42	Kirkstall Sewage Works	NW	Bus				
43	Kirkstall Forge	NW	Rail				
44	Kirkstall Bridge	NW	Rail				

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Report author: Roy Coello

Tel: 0113 2476168

Report of Report of the Director of City Development

Report to Executive Board

Date: 11 April 2012

Subject: A58M Leeds Inner Ring Essential Maintenance Scheme

**Capital Scheme Numbers :- 16443/000/000 Lovell Park Bridge.
16444/000/000 Woodhouse Tunnel.**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City & Hunslet, Hyde Park & Woodhouse, Burmantofts & Richmond Hill	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. Approval has now been obtained from the Department for Transport (DfT) to the bid submitted by the Council in September 2011 for funding to support essential maintenance to 3 of the key structures on the Leeds Inner Ring Road. The funding from the DfT will be up to a maximum of £16.344 million.
2. Agreement has been reached between the Council, Leeds Teaching Hospital Trust and the University of Leeds in respect of the liability of costs for repair of the Woodhouse Tunnel under the terms of a longstanding lease.
3. This report provides an update on progress of the scheme and seeks approval from the Executive Board to progress the next stages towards completing all of the proposed work.

Recommendations

4. The Executive Board is recommended to:
 - Note the update provided in this report outlining progress on the planned Major Maintenance Scheme for Leeds Inner Ring Road Structures, including obtaining DfT approval to the scheme

- Authorise expenditure of £2.046 million to implement work to Lovell Park Bridge
- Authorise entering into an Early Contractor Involvement (ECI) contract for Woodhouse Tunnel and to incur external costs of £0.4 million on contractors/consultants costs for stage 1 of this contract
- Note that a further report will be submitted to the Executive Board early in 2013 seeking authority to progress to the second stage of the ECI contract, that being the construction works

1 Purpose of this report

- 1.1 The purpose of this report is to:
- 1.2 Provide an update to Members on progress of the planned Major Maintenance Scheme on Leeds Inner Ring Road Structures.
- 1.3 Seek authority to incur expenditure on the implementation of works to Lovell Park Bridge and to incur expenditure on contractors/consultants costs for the first stage (the design and development stage) of an Early Contractor Involvement (ECI) contract for the Woodhouse Tunnel.
- 1.4 To advise Members that a further report will be submitted early in 2013 seeking authority to progress to the second stage (the construction stage) of the ECI contract for the tunnel and to incur costs on the implementation of these works

2 Background information

- 2.1 On 7 September 2011 a report to Executive Board was approved which endorsed the submission of a 'Best and Final Bid' to the Secretary of State for Transport seeking funding support for a scheme to undertake essential maintenance work to 3 of the key highway structures on the Inner Ring Road. The 3 structures being New York Road Flyover, Lovell Park Bridge and Woodhouse Tunnel. The overall value of the combined package of works was approximately £24.96 million of which £18.51 million was sought from Department for Transport (DfT).
- 2.2 In December 2011 the Secretary of State confirmed that the scheme was one of the bids supported from the national pool of competing schemes and as such moved into the 'Programme Entry' status, this being the penultimate stage in the DfT's approval process prior to the final stage of 'Full Approval' to funding. However, in the case of this scheme, the DfT approval was subject to the condition that the final financial contribution was subject to the successful conclusion of an agreement for funding the repairs to the tunnel between the Council, Leeds Teaching Hospitals Trust and the University of Leeds.
- 2.3 In the previous report to Executive Board, Members attention was drawn to the unearthing of a longstanding lease between the Council and the University of Leeds relating to the tunnel. Over the course of time, the University has assigned part of the lease to what is now the Leeds Teaching Hospitals Trust. The key points of the lease are that for a period of 125 years (from 1969) the Trust and the University could occupy the area of land above the tunnel for a nominal rent but carried the liability for the cost of structural repairs to the tunnel. The existence of this lease was also drawn to the attention of the DfT within the bid, hence the comment on conditional approval.

3 Main issues

- 3.1 Woodhouse Tunnel
- 3.2 The 1969 lease places the liability for reimbursing the Council with costs incurred in repairing the structure of the tunnel with the Hospital Trust and the University.

The scheme submitted by the Council in the bid to the DfT included both repairs to the structure together with strengthening to bring it up to more current standards for vehicle impact loading. In order to satisfy the DfT that the Hospital Trust's and University's liability is properly reflected in the funding of the work the Council, Hospital Trust and University have reached agreement on what constitutes a reasonable proportion of the costs associated with the repairs as a proportion of the overall scheme costs. This has been complicated by the fact that the repair work is integral to the strengthening work so the true relative costs will never be known and can only be estimated by a technical assessment to proportion the costs.

- 3.3 Agreement has been reached between the 3 parties that based on current day prices and an estimated cost for the overall tunnel project of £18.31million, the cost of repairs is £2.278 million. As the Hospital Trust and the University are paying this money in advance (in March 2012) of the work being carried out in 2013/14-2014/15, discounting of the sum payable in accordance with normal Treasury discounting procedures is applied which makes the sum payable to the Council £2.166 million. The Hospital Trust and the University have agreed that this overall payment will be split between them 50/50 with the Hospital Trust's contribution is being covered by the Department of Health (DoH). The DoH's involvement has been the critical factor in this agreement being reached in advance of the work being carried out as there is only funding available to meet these costs in the financial year ending 31st March 2012.
- 3.4 The proposed scheme submitted in the bid to the DfT is expected to have a life of 15 years before further repair work to the tunnel is likely to be required, this being the normal life expectancy of concrete repairs carried out in this type of environment. In order to reflect that the Hospital Trust and the University are paying for their liability for repairs in advance, the agreement between the 3 parties is formalised through a Deed of Variation to the lease which removes the liability for the cost of repairs under the lease from the Hospital Trust and University for a period of 15 years in recognition of the advance payment of £2.166 million.
- 3.5 The Hospital Trust and University have been keen to explore the advance "buy out" of their liability under the lease extending for more than 15 years as this would give them greater certainty around long term financial and strategic planning, given that the lease still has a further 82 years to run. The Council has worked with them to consider this option further and it has been concluded through technical analysis that there is a reasonable basis on which to extend the liability buy out for a further 15 years i.e. 30 years in total. For the period beyond 30 years however, the confidence in which all of the factors affecting the condition of the tunnel becomes too unpredictable and therefore the risk associated with agreeing an advance buy out of the liability becomes too great. The 3 parties have agreed that the appropriate sum to buy out a further 15 year liability, at today's prices is £3.683 million. Discounted for payment in advance this equates to £1.851million.
- 3.6 In summary, the agreement reached between the 3 parties through a Deed of Variation to the lease, provides that for a total payment of £4.017 million made to the Council by the Hospital Trust and the University on a 50/50 split (with the

Hospitals Trust contribution actually being paid by the DoH), the Hospital Trust and University are relieved of their liability to reimburse the costs of repairs to the tunnel structure until 31st March 2042.

- 3.7 Following the agreement outlined above, the DfT has now confirmed in writing the removal of the exceptional condition placed on its previous approval and confirmed 'Programme Entry' status for the overall Inner Ring Road Scheme and a contribution of up to a maximum of £16.344 million of DfT funding towards the scheme. The 3 packages of work can now be progressed through the final technical, legal and procurement stages to obtain 'Full Approval' status from the DfT and the release of funding.
- 3.8 Programme and Works
- 3.9 Having now reached agreement with the Hospital Trust and University over the tunnel and having received DfT approval to the overall scheme, progress can now be made towards implementing the works.
- 3.10 Undertaking any substantial maintenance work on the Inner Ring Road structures will inevitably result in some disruption to traffic and if not planned and controlled effectively, will result in severe disruption across large parts of the city. As such, the restrictions on how and when work is carried out and the overall programming of potentially conflicting work on the highway network is critical to the successful delivery of the works and to the general running of the city. In addition to the normal constraints that would need to be considered when carrying out works of this nature, there is also the need to ensure the works can be delivered during the period of available DfT funding that being up to 2014/15 and also a need to ensure that the work to Lovell Park Bridge is complete and cleared prior to the opening of the nearby Leeds Arena. The detailed programming of each of the 3 packages of work will take account of potential conflicts with major events taking place in the city and the programme for key developments such as the Trinity Development and Leeds Arena. The early appointment of a contractor for the tunnel will assist in co-ordinating the works with events taking place at the Arena.
- 3.11 In order to meet the programme, the New York Road Flyover is the first package of works being delivered. This is planned to commence on site in May 2012 and to be completed by August 2012 which will enable the second package of work, Lovell Park Bridge, to commence late in June 2012 and to be completed in March 2013 prior to the opening of the Arena. The third and largest element of the scheme, the tunnel, will start in Spring 2013 but with work largely being restricted to weekends completion may not be until autumn 2014.
- 3.12 To facilitate this tight programme authority to spend on the New York Road Flyover works has already been granted by the Chief Officer (Highways & Transportation) as part of the approval of the Annual Bridgeworks Programme in accordance with the Council's Financial Procedure Rules relating to Category B Capital Schemes. Tenders have been received and are within the budget provision for this element of the works. Authority to spend on the Lovell Park Bridge works is sought as part of this report.

- 3.13 The tunnel works are not due to start until April 2013 and are of a scale (approximately £18.31m) that lends itself to an Early Contractor Involvement (ECI) form of procurement. The ECI model has proved successful on recent major engineering projects. Using ECI, Leeds Inner Ring Road Stage 7 was delivered substantially under budget and within programme and a similar contract is currently in use on the A65 Quality Bus Initiative scheme which is again looking very likely to be delivered under budget and to programme. ECI contracts engage a contractor at an earlier stage than traditional contracts which has the advantage of involving the contractor in the design and development of the scheme allowing greater opportunity to explore opportunities for value engineering, more opportunity to consider buildability and programming of the works, and ultimately greater certainty of final costs. The ECI contract will be in 2 stages. The first stage being to appoint a contractor to work with the design team to develop the detail design, programme and Target Cost. The second stage is the construction stage. This report seeks authority to enter an ECI contact and incur expenditure on the contractors initial costs for assisting in the design stage. The first stage of the contract will also need to include a design check carried out by a team independent of the primary design team, this being a statutory requirement for this category of project. A further report will be submitted to the Executive Board at the end of stage 1 to seek authority to progress to the construction stage.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 A widespread consultation exercise has been undertaken as part of the bid made to DfT. Given that the work involves repairs and maintenance of existing highway structures it is generating little feedback from members of the public. However, there has been overwhelming support expressed by the commercial sector in the city recognising the crucial role the Inner Ring Road plays in supporting the economy. The full bid including all supporting information has been available on the Council's website since September 2011.
- 4.1.2 More specific local area consultation will be carried out for each of the discrete elements of work.
- 4.1.3 Detailed consultation will take place with the Leeds Arena Operator to ensure that the works programme makes appropriate provision for events at the Arena.

4.2 Equality and Diversity/Cohesion and Integration

- 4.2.1 An equality, diversity, cohesion and integration screening has been completed and published to cover all Bridge Maintenance undertaken by the Bridges Section in conjunction with the annual capital programme report. In addition, a screening document has been produced and published specifically in relation to this scheme entitled 'A58 Leeds Inner Ring Road Highway Structures Essential Maintenance Scheme' (published as 'Proposed Works on Lovell Park Bridge'). These screenings indicate that a full EDCI Impact Assessment is not required. A further screening is planned for the tunnel element of the scheme as proposals for the works are developed later this year.

4.3 Council policies and City Priorities

- 4.3.1 An equality, diversity, cohesion and integration screening has been completed and published to cover all Bridge Maintenance undertaken by the Bridges Section in conjunction with the annual capital programme report. In addition, a screening document has been produced and published specifically in relation to this scheme entitled 'A58 Leeds Inner Ring Road Highway Structures Essential Maintenance Scheme' (published as 'Proposed Works on Lovell Park Bridge'). These screenings indicate that a full EDCI Impact Assessment is not required. A further screening is planned for the tunnel element of the scheme as proposals for the works are developed later this year.

4.4 Resources and value for money

- 4.4.1 On the 22nd February 2012 Full Council injected the A58 Leeds Inner Ring Road Essential Maintenance Scheme into the capital programme. The initial funding injected was based on the best and final bid submitted on the 8th September to DfT. Subsequent to this bid, agreement has been reached with the University and Hospital Trust as set out in 3.3 above which will allow us third party contributions of £2.166m into the programme but will also reduce the DfT grant by £2.166m to £16.344m. A letter from the DfT confirming this arrangement was received by LCC on the 29th February 2012.
- 4.4.2 The total current funding within the programme is £23.86m which is made up of £16.344m government grant from the DfT, £2.166m of contributions from third parties, Local Transport Plan (LTP) grant of £2.35m and a local contribution of £3m.
- 4.4.3 Further LTP contributions of £1.1m have still to be injected into the programme to complete the £24.96m funding package needed and this will be dealt with within the future report which will be brought to Executive Board early 2013.
- 4.4.4 The authority to spend requests within this report for the full Lovell Park Bridge element of the scheme 16443/000/000 at £2.046m and the initial £400k of external costs for the design stage for Woodhouse Tunnel scheme 16444/000/000 will be funded through a mixture of LTP funding and third party contributions.
- 4.4.5 Authority to incur expenditure of £800k on the New York Road Flyover category B scheme 16445/000/000 was approved by Chief Officer (Highways and Transportation) on March 6th.

4.4.6 Capital Funding and Cash Flow.

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2011 £000's	FORECAST					
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	1791.0		127.0	1645.0	19.0			
FURN & EQPT (5)	0.0							
DESIGN FEES (6)	655.0		346.5	308.5				
OTHER COSTS (7)	0.0							
TOTALS	2446.0	0.0	473.5	1953.5	19.0	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2011 £000's	FORECAST					
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's	
LTP 2011/12 allocation	473.5		473.5	0.0				
LTP 2012/13 allocation	0.0			0.0				
Private sector contributions	1972.5			1953.5	19.0			
Total Funding	2446.0	0.0	473.5	1953.5	19.0	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

There are no additional implications on the Directorate's revenue budget for 12/13.

16443/000/000 Lovell Park Bridge. £2,046,000
16444/000/000 Woodhouse Tunnel. £400,000

4.5 Legal Implications, Access to Information and Call In

4.5.1 Other than the normal statutory processes involved in procuring and carrying out works on the highway, there are no further legal implications directly related to this report.

4.6 Risk Management

4.6.1 Progress now needs to be made on the final design and procurement of the planned works if £16.344m of DfT funding is to be secured towards the cost of construction.

4.6.2 As is always the case with DfT funding for major schemes, the maximum contribution is capped, in this case at £16.344m. The Council therefore carries the risk of the scheme overspending. In this case officers are confident that a robust scheme estimate has been produced with appropriate risk allowance built in. The ECI contract for the major element of the scheme should also provide confidence in containing costs as has been shown on recent major schemes.

5 Conclusions

5.1 The Council has been successful in securing approval from the DfT of its bid for funding to support essential maintenance work to 3 key structures on the Inner Ring Road. This will provide up to £16.344m of DfT funding.

- 5.2 The Council has also been successful in securing an agreement over the terms of the lease for Woodhouse Tunnel with the Leeds Teaching Hospitals Trust and the University of Leeds.
- 5.3 To consolidate these agreements and secure the available funding it is essential that the final stages of design, procurement and construction are completed.
- 5.4 It is important to note that the positive progress that has been made in developing this scheme to its current position has been partly dependent upon the current availability of DoH funding to underwrite the Hospital Trust's financial liability for repairs to the tunnel. This has provided the basis of the agreement that lasts until 2042. However, beyond 2042 the continuing long term deterioration of the tunnel structure, along with other the deteriorating condition of other structures on the Inner Ring Road from the same era, will continue to present a substantial challenge for the Council and key stakeholders in the city. Whilst the planned scheme will remove the immediate pressure to address the poor condition of the tunnel, it is essential that a strategic focus is maintained on the function and long term viability of the Inner Ring Road in its current form.

6 Recommendations

- 6.1 The Executive Board is recommended to:
- 6.2 Note the update provided in this report outlining progress on the planned Major Maintenance Scheme on Leeds Inner Ring Road Structures, including obtaining Department for Transport approval.
- 6.3 Authorise expenditure of £2.046m to implement work to Lovell Park Bridge.
- 6.4 Authorise entering into an Early Contractor Involvement (ECI) contract for Woodhouse Tunnel and incur external costs of £400k on contractors/consultants costs for stage 1 of this contract.
- 6.5 Note that a further report will be submitted to the Executive Board early in 2013 seeking authority to progress the second stage, that being the construction works.

7 Background documents¹

- 7.1 Report to Executive Board – 7th September 2011
- 7.2 Best and Final Bid Document to DfT – 9th September 2011
- 7.3 Highways Structures Capital Maintenance & Strengthening Plan 2012/13 to 2014/14 – EDCI Screening December 2011
- 7.4 Lovell Park Bridge Option Report – EDCI Screening February 2011

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

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Report authors: David Feeney /
Helen Miller
Tel: 2474539/2478132

Report of the Director of City Development

Report to: Executive Board

Date: 11th April 2012

Subject: Natural Resources & Waste Development Plan Document – “Post Submission Changes”

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	All	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. The Natural Resources & Waste Development Plan Document (DPD) is one of a number of planning documents currently being prepared as part of the Local Development Framework (LDF). The preparation of this document has been driven by the requirements of national planning guidance (PPS10), the implications of European Waste Management Directives, the City Council’s commitments to managing environmental resources and tackling climate change and the need to identify sufficient sites for waste management activities (aligned to the Council’s own municipal waste strategy).
2. At the Full Council meeting on 6th April 2011, and subsequent to the recommendation by Executive Board Members on the 30th March 2011, Members agreed to the formal Submission of the Natural Resources and Waste DPD to the Secretary of State for independent Examination in Public. The DPD was submitted to the Secretary of State on 25th July 2011 and an independent Inspector, Mr Melvyn Middleton BA (ECON) MRTPI, was appointed to examine the DPD for soundness. The Examination in Public took place from 15th November to 8th December 2011 as a result of which a number of minor changes to the DPD were proposed. Officers of the Council have subsequently received correspondence

from the Inspector (attached) advising that further changes are required to the DPD in order to make it 'sound'.

3. It should be noted that the Development Plan Panel is due to consider this item at the meeting on 3rd April. Due to the need to urgently progress the DPD, it has been necessary to include the item on the April Executive Board cycle, concurrent with the scheduled Panel meeting. Any substantive issues arising from the Panel will be raised at the Board.

Recommendations

Executive Board is asked to agree the attached Post Submission Schedule of Changes for a 6 week period of public consultation, and to authorise the Director of City Development to take such steps as he considers necessary to progress the DPD in the light of any representations received and the Inspector's considerations of these, prior to the Inspector issuing his report.

1.0 Purpose of this Report

- 1.1 Following the Examination in Public of the Natural Resources and Waste Development Plan Document from 15th November to 8th December 2011, Executive Board is requested to agree a 6 week public consultation into the Post Submission Schedule of Changes.

2.0 Background Information

- 2.1 Within the context of national guidance (PPS10), European Directives and a range of City Council strategies (including municipal waste and climate change), the Natural Resources and Waste DPD has been in production since 2007. It should be noted also, that the Department of Communities & Local Government's Chief Planning Officer wrote to all LPAs to urge progress in the preparation and adoption of 'Waste DPDs, as the Government have announced that they intend to pass on fines under the European Directives to the offending Authorities, where such plans have not been prepared.
- 2.2 The Natural Resources and Waste DPD has been subject to previous consultations with the aim of achieving consensus on, or 'front-loading', the policies of the DPD. Consultation on an Issues & Alternative Options document took place in May – June 2008. This was subsequently followed by a further 6 week period of public consultation (18th January – 1st March 2010) on a 'Policy Position' document and an 8 week period of consultation on the Publication draft (15th December – 9th February), following consideration of the consultation material at the Development Plan Panel (12th October 2010) and Executive Board (3rd November 2010).
- 2.3 The Publication Draft and First Schedule of Changes were approved for formal Submission to the Secretary of State by Full Council on 6th April 2011 (subsequent to the recommendation by Executive Board on the 30th March 2011). The DPD was submitted to the Secretary of State on 25th July 2011 and an independent Inspector, Mr Melvyn Middleton BA (ECON) MRTPI, was appointed to examine the DPD for soundness. The Examination in Public took place from 15th November to 8th December 2011 as a result of which a number of minor changes to the DPD were proposed. Officers of the Council have subsequently received correspondence from the Inspector advising that further changes are required to the DPD in order to make it 'sound'.
- 2.4 These changes have been included in the attached Post Submission Schedule of Changes. They are the changes that arose during the Examination process as a result of the need to pass the 'Tests of Soundness' as set down in the LDF Regulations. The Council will not be able to adopt the DPD unless it has been found to be 'sound' by an independent Inspector.

3.0 Main Issues

- 3.1 The Natural Resources & Waste DPD contains a range of planning policies relating to Minerals & Aggregates, Water Resources, Air Quality, Sustainable Energy Use and Waste, as part of an overall integrated approach, which seeks to

minimise and manage the use of natural resources. As well as containing specific planning policies and site allocations, it is also envisaged that the document will have an influencing role in supporting the City Council's wider strategic objectives for the environment.

3.2 A number of key issues have emerged, which are addressed through the document. These include:

- planning for sufficient minerals & aggregates supply (whilst managing environmental assets and amenity),
- planning for a shift to non-road based freight,
- planning for municipal, commercial and industrial waste activity, including site specific allocations, (whilst seeking to reduce waste arisings overall)
- seeking to reduce flood risk, through mitigation and adaptation, in taking into account the effects of climate change.

3.3 Examination in Public into the DPD took place from 15th November to 8th December 2011. Key attendees included the Mineral Products Association, British Waterways and North Yorkshire County Council. The Inspector thoroughly explored the issues raised by objectors and also other issues that he had identified as needing further investigation. The Inspector wrote to the Council on 14th December to advise us that a number of changes were required to the DPD in order to make it 'sound' (letter attached as Appendix 1). This included a recommendation that the Mineral Safeguarding Area for sand and gravel should be extended to include parts of the urban area. The Council wrote back to the Inspector on 18th January explaining our concerns with some of the things that he was suggesting (this letter is attached as Appendix 2). Primarily we were concerned that a requirement to consider prior extraction on development sites might deter developers by creating uncertainty and additional costs or slow down delivery of other important objectives on employment and housing.

3.4 The Council also sought legal advice on the Inspector's recommendations. The response from Counsel was that it was not unreasonable for the Inspector to seek these changes to the plan. Counsel advised that the Council ran a serious risk of the DPD being found unsound if we did not do as the Inspector recommended. A final reply came back from the Inspector on the 8th February (attached as Appendix 3). The Inspector reaffirmed that changes were required however he did suggest some ways that the changes could be progressed in a way that took account of the Council's concerns. Since receiving the Inspector's correspondence the Chief Executive has raised our concerns at a senior level with Communities and Local Government and there has also been correspondence with the Secretary of State. The response on both counts was that whilst economic objectives are important, so are minerals and MSAs are the best way to ensure that minerals are not needlessly sterilized. It is reasonable to conclude that the Council has little or no option but to incorporate the changes advocated by the Inspector if it wishes to progress to an adopted plan.

- 3.5 The Natural Resources and Waste DPD is vitally important for the future of Leeds, it provides sufficient sites to enable us to manage all our waste for the next 15 years and thereby avoid penalties from the European Union and it sets out sufficient locations where minerals should be extracted from and thereby reduces pressure on other locations that we want to protect. It has a whole suite of policies designed to help us manage flood risk and contains the LDF's only policy on air quality. Additionally, the DPD has reached a very advanced stage now and has generally achieved a very high level of consensus and support. For these reasons a new MSA policy has been written which attempts to deal with the Inspectors recommendations in a sensible way, enabling the DPD to be found sound but not creating a burden for developers. We have done this by defining the sand and gravel MSA as only the area most likely to have viable deposits and not the whole resource, by writing a criteria policy with a 1 hectare threshold, recognising that the need for and benefits of development might outweigh those associated with sand and gravel and by not including buffer zones in the policy.
- 3.6 The complete list of Post Submission Schedule of Changes is attached to this report as Appendix 4. The majority are minor word changes however a very small number are more significant and these are summarised below:

Key Issues in the Post Submission Schedule of Changes

1. Inclusion of Leeds targets for waste arisings until 2026.
The Regional Spatial Strategy included waste arisings till 2021 so the DPD also included waste arising till 2021. The Inspector asked for targets to be shown till 2026 as the Plan period is until 2026. The proposed changes therefore include annual targets that have been extrapolated to 2026.
2. Inclusion of Leeds targets for aggregates until 2026.
The Inspector asked for the DPD to include targets for sand and gravel and for crushed rock till 2026, to show how the District proposed to meet the Leeds share of the Sub-regional apportionment for West Yorkshire.
3. The re-drawing of the Mineral Safeguarding Areas (MSAs) for sand and gravel to include urban areas along the Aire Valley but excluding the tributaries.
This is accompanied by the re-drafting of the Minerals 2 Mineral Safeguarding Area Policy to include a policy specific to coal and a policy specific to sand and gravel. The sand and gravel MSA policy only applies to sites over 1 hectare in size and the text explains that there are unlikely to be many instances where prior extraction would actually be viable.
4. A new criteria-based policy for assessing planning applications for alternative uses on safeguarded and allocated wharves and rail sidings.
5. Minor word changes to Policy Minerals 5 Limiting Sand and Gravel Extraction in the Wharfe Valley. The original wording stated:

'Proposals for the extraction of sand and gravel within the area to the east of Pool in the Wharfe Valley will be resisted.'

The proposed word change is:

'It is unlikely that proposals for the extraction of sand and gravel within the area to the east of Pool in the Wharfe Valley will be supported.'

This still delivers the same message but is more factually correct.

4.0 Corporate Considerations

As noted above, the Natural Resources & Waste DPD, forms part of the Local Development Framework and once adopted will form part of the Development Plan for Leeds.

4.1 Consultation and Engagement

4.1.1 The Natural Resources and Waste DPD has been subjected to a number of public consultation exercises as part of its preparation and as required by the LDF Regulations. The Independent Inspector who is examining the DPD has indicated that he is content with the public consultation that has been undertaken so far. The Post Submission Schedule of Changes are changes that have arisen during the Examination process and therefore also need to be subject to a 6 week period of public consultation. Responses to the consultation will be sent to the Inspector and considered by him.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An Equality Impact Assessment Screening was carried on the Natural Resources and Waste DPD and submitted with the DPD to the Secretary of State for Examination. The Post Submission Changes are changes to the main DPD and do not result in any specific implications for equality and diversity / cohesion and integration. The EIA Screening Report is one of the background documents to this report.

4.3 Council Policies and City Priorities

4.3.1 The Natural Resources and Waste DPD allocates the wholesale market site as a strategic waste site and therefore supports the delivery of the Council's Residual Waste PFI which is a key priority for the Council.

4.4 Resources and value for money

4.4.1 The DPD is being prepared within the context of the LDF Regulations, statutory requirements and within existing resources. There are no specific resource implications for the City Council arising from the consultation since it will largely be handled by the Planning Inspector and Programme Officer.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The Natural Resources and Waste DPD enables Leeds City Council to comply with the requirements of the European Waste Directive and thereby avoid penalties incurred for non-compliance. The DPD is being prepared within the context of the LDF Regulations and statutory requirements. The DPD is a Budgetary and Policy Framework document and as such this report is exempt from call-in by Scrutiny.

4.6 Risk Management

- 4.6.1 Without the changes in the Post Submission Schedule of Changes the Natural Resources and Waste DPD is not likely to be found sound and the Council would not be able to adopt it. This would create uncertainty over how and when the matters covered in the DPD would otherwise be addressed through the LDF. It would also expose the Council to potential EU penalties.

5. Conclusions

- 5.1 The preparation of the Natural Resources and Waste DPD has been through several phases of consultation and Examination by an independent Inspector. The Post Submission Schedule of Changes represent the changes that the Inspector has indicated are necessary in order to make the DPD sound. The 6 week consultation on the changes is a necessary requirement of the LDF Regulations. It will be for the Inspector to consider any new representations received as a result of re-consultation. He may decide to reopen the Hearing Sessions as a result or may simply have regard to these in his report. When that point is reached the conclusions and recommendations of the Inspector will be reported back to Executive Board.

6. Recommendations

- 6.1 Executive Board is asked to agree the attached Post Submission Schedule of Changes for a 6 week period of public consultation, and to authorise the Director of City Development to take such steps as he considers necessary to progress the DPD in the light of any representations received and the Inspector's considerations of these, prior to the Inspector issuing his report.

7. Background documents¹

- 7.1 A substantial number of documents are available representing various stages in preparation of the DPD and the background evidence base and Equalities Impact Assessment Screening. A Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) of the post submission changes has also been completed. These are all available on the Natural Resources and Waste DPD web pages or by contacting David Feeney on Leeds 2474539.

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Appendices

Appendix 1 Letter from Mr Middleton to Leeds City Council 14.12.11

Appendix 2 Letter from Leeds City Council to Mr Middleton 18.1.12

Appendix 3 letter from Mr Middleton to Leeds City Council 8.2.12

Appendix 4 Schedule of Post Submission Changes including maps

Appendix 5 Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)
– at the time of drafting the report this technical work was not completed
but will be circulated prior to the meeting.

Address for correspondence

C/O Programme Office
Leeds City Council
Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Date: 14 December 2011

David Feeney
Head of Forward Planning & Implementation
Leeds City Council
(by email)

Dear David

**Natural Resources and Waste Development Plan Document
Examination into the Soundness of the Leeds Resources and
Waste DPD**

At the conclusion of last Wednesday's Hearing, the Inspector agreed to reflect on a number of unresolved issues before deciding whether or not to invite you to take further action. Having done that he has now asked me to write to you, setting out the conclusions of his deliberations.

1 Proximal development

PPS1 encourages the efficient use of mineral resources and in non-unitary areas recommends the inclusion of Minerals Consultation Areas in minerals plans. This has a dual function of alerting the development industry, as well as the district planning authority, to the presence of recoverable minerals on adjacent land and the fact that the protection of the ability to optimise the extraction of this resource will be a significant material consideration when considering a planning application for development on such land. Additionally, Policy Minerals 2 says that "minerals resources will be protected from development which could sterilise them for future use". However, the inclusion of Minerals Consultation Areas in Unitary plans is not mandatory. The absence of such areas could nevertheless result in developers unwittingly bringing forward development proposals that could conflict with future mineral extraction.

In this context the Inspector considers the inclusion of 'stand-off' areas, backed by an appropriate policy, to be the preferred solution. However, although he considers the inclusion of such areas in unitary plans to be preferable, providing the Council introduces a system that alerts its development control officers to the presence of minerals on appropriate adjacent sites and proceeds with its proposed amendment to paragraph 3.23 (Post Submission Schedule of Changes No. 10), he does not consider the exclusion of proximal development from the plan to be unsound. Unless you propose to amend the plan to include 'stand-off' areas, I would be grateful if you would confirm in writing that before the plan is adopted an appropriate notation

identifying 'stand-off' areas around all safeguarded minerals sites (including transport sites) will be included on the Council's CAPS system.

2 Safeguarding sand and gravel resources within the urban area.

At the Hearing it was agreed that in addition to coal, only sand and gravel deposits were likely to offer possibilities for extraction within the urban area, thereby justifying their safeguarding for future exploitation. Appendix 1 to the Council's response for the 'Rounding off Session' explains the criteria you used to define Mineral Safeguarding Areas (MSA's), pointing out that the three purposes of MSA's are to

- Prevent "proven resources" being needlessly sterilised.
- Encourage prior extraction when practicable, where non mineral surface development is proposed.
- Alert non-mineral developers to the presence of valuable mineral resources, directing them to relevant policies.

Unfortunately the evidence base is not detailed and relies on the information contained on the British Geological Survey Maps (BGSMs). In particular there is no detailed assessment of where mineral extraction is likely to be practicable or economic. As well as outlining the extent of sand and gravel deposits in the rural area, the BGSMs indicate the presence of sand and gravel within the urban area. For consistency these areas ought to be identified on the Mineral Safeguarding Area Map and accompanied by an appropriate criteria based policy similar to that which refers to the recovery of coal present on major development sites.

Whilst the Inspector accepts that it will not be practicable to remove sand and gravel from many sites within the urban area where it is found, in the absence of firm evidence that demonstrates that it is not practicable to remove sand and gravel from any location within the urbanised part of the Aire Valley where it is found, then the omission is not justified and the plan is unsound in this respect because it does not comply with national guidance. His site inspections, which were far from comprehensive, nevertheless suggest that there could be sites in the Lower Aire Valley of sufficient size to facilitate the economic removal of sand and gravel, if the quality of the resource is proven.

Additionally, although the Inspector accepts all of your points about after use and flooding, these are not justifications for excluding the urban deposits of sand and gravel from the safeguarding area but could be a part of a criteria based policy that identifies the circumstances where sand and gravel would or would not be expected to be extracted from under urban development sites. Evidence from his site visits suggest that not all sites, if commercially exploited for sand and gravel, would result in the creation of a void below the water table that required back-filling.

The Inspector therefore invites you to either amend the sand and gravel Minerals Safeguarding Area Map to include all of the unworked deposits in the Aire Valley and to include an appropriate policy(s) to encourage the practicable recovery of this mineral resource or provide robust evidence that demonstrates that there are no potential sites within this area where such an outcome would be practicable. The criteria in Policy Minerals 8 could be used but you could add additional or use different criteria if you considered them to be more appropriate.

3 The protection of wharves and rail sidings.

The principle of Policy Minerals 14 is supported by national policy and the evidence suggests that there is interest in the development of canal and rail freight terminals that could handle minerals and other bulky products. However, there is little evidence, other than in the case of the remaining canal wharf that is in use (adjacent to site 18) and this is away from the main Leeds urban area, to suggest that bulky freight could be economically transported by canal to or from the urban core of Leeds. In this context, the suggested amendment at paragraph 3.30 to review the policy is appropriate and the Inspector agrees that in the circumstances, a period of at least 5 years is necessary to establish whether or not the plan's aspirations in this respect are economically viable.

Whilst there may be a much larger network of wharves in London than in Leeds, many of the wharves in London are currently used and the Thames as a navigable waterway is far superior to the Aire and Calder canal. The plan proposes to safeguard or allocate 5 wharves and 4 rail sidings, only two of which are currently in use. There are also other potential Transport sites that are not safeguarded by the plan. The evidence before this examination is not sufficiently compelling to justify the long term safeguarding of all of these sites irrespective of other considerations.

Nevertheless, the plan says nothing about how applications for other forms of development on these sites, some of which may be equally valuable to the future development and well being of the city, as a canal wharf or rail siding, will be judged. The evidence base does not support a total presumption against other forms of permanent development on these sites. The Policy is therefore not justified and the plan in this respect is unsound. The Inspector therefore invites you to either amend Policy Minerals 14 or to introduce a new policy, to provide a set of criteria which decision makers can apply to proposals that conflict with the desire to preserve the Transport Modes sites for uses that involve canal or rail freight. The amendments to the London Plan viability criteria suggested by British Waterways could be used but you may consider it more appropriate to define others that are more appropriate to the particular circumstances pertaining in Leeds.

The Inspector does not have a copy of your suggested amendment to Site 18 but has asked me to clarify whether or not all of the revised site is currently in a use associated with canal wharfage or whether the area originally safeguarded is not used and therefore available for a new user?

4 Protection of the Wharfe Valley east of Pool.

Paragraph 24 of Planning Policy Statement 7: *Sustainable Development in Rural Areas* says that whilst the government accepts that there are areas outside of nationally designated areas that are particularly highly valued locally, it considers carefully drafted, criteria based policies in LDDs, utilising tools such as landscape character assessment, should provide sufficient protection for these areas without the need to unduly restrict acceptable sustainable development. Even policy N37 of the Leeds Unitary Development Plan points out that development within Special Landscape Areas will be acceptable providing it would not seriously harm the character and appearance of the landscape.

In the Inspector's opinion Minerals Policy 5 as written is too prescriptive and not in accordance with national policy or indeed UDP Policy N37. He therefore invites the

Leeds Natural Resources and Waste DPD – Public Examination

Council to either remove the policy and supporting text from the plan, leaving any proposals for mineral development to be judged against UDP Policy N37 and its successor or suggest an appropriate minerals specific policy that is not prescriptive.

5 Hazardous waste.

Page 17 and Table 2.1 of the Waste Topic Paper point out that there will be an increase in Hazardous Waste during the plan period, that the city is a net importer of this waste stream and that as well as protecting existing effluent and clinical waste treatment facilities at Knostrop, provision may need to be made for the disposal of solid hazardous waste within Leeds by the plan. The plan points to the capacity for solid hazardous waste at Swillington and Howley Park landfill sites but it also says that disposal to landfill is the last option, to be used only when other alternatives are not feasible and that over the long term the amount of waste sent to landfill will be reduced to the minimum. Its not entirely clear what the long term strategy is for the treatment of solid hazardous waste in Leeds but the Waste Strategy for England 2007 says that as well as seeking to reduce the amount of hazardous waste there is a need for additional treatment facilities and infrastructure for hazardous waste to assist in meeting changes brought about by the Landfill Directive. If Leeds is to continue to rely on disposal in former quarries, irrespective of government policy, then the plan should justify this course of action. Otherwise the long term solutions should be discussed in the plan.

Are the hazardous waste facilities at Knostrop actually protected by the plan?

6 Consultation

The schedule of changes introduces a number of fundamental alterations to the plan. For example specific targets for minerals production and waste disposal facilities in Leeds have been introduced and the period covered by the plan for both minerals and waste has been extended to 2026. At paragraph 5.23 PINS Procedure Guidance for Local Development Frameworks says:-

"If the change would alter the thrust of a policy, extend the range of development that a policy would apply to, delete a policy or introduce a new policy, two very important considerations need to be borne in mind. First, the change must not undermine, or possibly undermine, the sustainability credentials of the plan. Second, is the change a matter that has been subject to adequate community engagement? If there is a problem with either of these matters the change may, in some instances, be acceptable provided the LPA has taken appropriate steps to demonstrate that the sustainability credentials of the plan are intact or that further adequate community engagement has occurred".

In the Inspector's opinion, minerals producers, waste operators and others not present at the Hearings could disagree with your forecasts and apportionments and challenge the plan on the grounds that an absence of specific consultation on the changes prejudiced their interests.

Although the Cumbria judgement refers to the re-introduction of a site, the judgement is applicable to any situation where a part of the plan is altered on "Soundness Grounds". The Inspector has to consider whether or not the plan meets the legal requirements set out in the regulations and in particular whether those concerning the Statement of Community Involvement have been met. In his opinion and to avoid any

Leeds Natural Resources and Waste DPD –
Public Examination

potential comeback, all the proposed changes will need to be advertised for a period of 6 weeks before he can certify that the plan meets the requirements in this respect. Any representations received on the proposed soundness changes would be taken into account by the Inspector before concluding the Examination and finalising his report. Additionally, you will need to demonstrate that the sustainability credentials of the plan are not affected by any of the proposed changes.

Yours sincerely



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18th January 2012

Dear Mr Middleton

Natural Resources & Waste Development Plan Document, Examination into the Soundness of the Leeds NRWDPD

Further to your letter of 14th December, regarding a number of matters in respect of the above DPD (Proximal Development, Safeguarding Sand & Gravel resources within the urban area, the protection of wharves & rail sidings, protection of the Wharfe Valley east of Pool, Hazardous waste and consultation), the City Council has prepared the attached response.

In preparing this response, the City Council has given careful consideration of the issues you have raised and how these relate to the overall approach and intent of the NRWDPD (and its relationship to delivering the ambitions of the Community Strategy – Vision for Leeds), government policy and the planning challenges in a city the size and complexity of Leeds. Central to these challenges, is the need to manage many competing demands, including stimulating economic investment, delivering priorities for regeneration and to deliver requirements for housing growth, whilst seeking to maintain (and where necessary enhance) environmental quality.

In a number of respects the City Council has reflected your views in suggesting a way forward, in other areas however (minerals safeguarding and mineral extraction in the Wharfe valley east of Pool), there are fundamental concerns that the suggested approach would undermine wider objectives and is likely to be undeliverable in practice.

The Council respectfully requests that you give further consideration to the representations contained within this letter, in respect of the issues of soundness raised. If having done so, you remain minded to consider the DPD unsound, then, in accordance with S20(7C) of the Planning and Compulsory Purchase Act 2004, please could you indicate in respect of each of your concerns the modifications that would be appropriate to overcome the lack of soundness. In so doing, can you provide the Council with an opportunity to make further representations on the precise wording to be included.

Thank you for your assistance.

Yours sincerely

A handwritten signature in black ink that reads "David Feeney". The signature is written in a cursive style with a large initial 'D' and 'F'.

David Feeney
Head of Forward Planning & Implementation

Natural Resources & Waste DPD

Response to Inspector's Letter of 14 December 2011

1. Proximal Development

LCC will add a buffer around all the NRWDPD minerals and transport sites on the internal CAPS system, as a basis to alert City Development staff & inform the Development Management process.

2. Safeguarding sand & gravel resources within the urban area

As explained at the examination and in our submissions the Council has significant reservations about the appropriateness and practicalities of such safeguarding. Based on BGS maps this would affect an extensive swathe of brownfield land through the heart of the main built up area of the district (as shown on the attached map). This includes a significant part of the City Centre and employment land in the Aire Valley. Both are recognised to be critical to the employment prospects not just of Leeds but to the economic success of the City Region more generally. This is acknowledged in RSS, which of course still sets the context for the NRWDPD. These areas and the main urban area more generally are the focus for growth in the emerging Core Strategy consistent with government guidance.

If safeguarding were to be applied then Policy Minerals 2 would apply and a new policy for the sand and gravel MSA would need to be written similar to the Policy Minerals 8 (for coal). The implication would then be that an applicant whose site fell within the safeguarding area would need to demonstrate that the site did not contain viable deposits or would otherwise be expected to extract the sand and gravel prior to development. The Council is of the view that very few if any proposals will emerge on which extraction is viable. Yet the blanket safeguarding will create uncertainty and will place the burden and cost of proof on the developer.

Furthermore, even where on-site extraction is not viable the developer will be expected to take account, in some way, of the potential extraction of sand and gravel on adjoining land, however uncertain and remote the prospects, in order not to sterilise that possibility. This seems to us to create a level of uncertainty that is likely to be a serious deterrent to would be developers and funders. This could have significant implications for job growth and the economy with the likely real gains from safeguarding being wholly outweighed by these potential disbenefits. The extent of this effect is increased by the need to take safeguarding into account in relation to proximal development.

For information, a plan based on BGS maps is provided showing the extent of deposits through the urban area. We have calculated that this covers an area of 1,462.15 hectares. Adding a notional 50m around this area to account for proximal development adds a further 300 hectares.

The thrust of current planning guidance, ministerial statements & the emerging National Planning Policy Framework is for planning to help stimulate economic growth. Planning Guidance needs to be considered in the round, a point emphasized in the draft NPPF. Minerals Planning Guidance is only one of many strands of such national policy. Indeed MPS1 recognises this point. It says that minerals policies "complement, but do not replace or overrule other national planning policies".

The draft NPPF as well as seeking to support economic development places great emphasis on seeking to balance competing considerations. Safeguarding should not be seen in isolation but is only one issue among many. MPS1 also recognises this. It acknowledges that there can be conflict between extraction and impacts and states that an integrated approach is needed. It goes on to suggest avoidance where, presumably unacceptable, environmental impacts arise (para1). In addition para 9 advocates safeguarding "as far as possible" (para 9). The clear implication being that there will be circumstances in which safeguarding is not

appropriate. It is recognised that the 2006 Practice Guide para 32 advises that safeguarding areas should be identified in DPDs. That same document (para 13) also recognises that not all locations will be economically viable and environmentally acceptable. It is also noted that the BSG Good Practice Advice published in 2011 (by the minerals industry) draws particular attention to the draft NPPF and advises that “it is important to recognise that this good practice should be read in the context of a changing framework for planning”.

Paragraph 13 of the NPPF states ‘ the Government is committed to ensure that the planning system does everything it can to support sustainable economic growth’. The Council is therefore concerned that the approach advocated by the Inspector does not reflect these broad priorities and at a local level, would place additional burdens and uncertainty on the development process. The Council notes that in the recently published Select Committee Report on the draft NPPF reference is made to the “abattoir effect” (Section 2 para11). This reflects concern that the planning system should deliver certainty for developers so that they can be confident that their investment will not be devalued in future by some form of “bad neighbour” development. The Council is concerned that safeguarding would create just the position that the Select Committee report is concerned with.

Neither is the Council convinced that its concerns could be overcome by an exceptions policy. The BGS Good Practice Advice refers to concern for opportunities beneath brownfield sites and large regeneration projects particularly on the fringes of urban areas. The exceptions policy given as an example makes no reference to any distinction between the urban fringe and elsewhere and moreover advises that size thresholds should not be applied. Its exemptions list goes down to householder level applications.

In seeking to achieve longer term economic growth and to help stimulate investment in the immediate term, the Council, with a range of partners has a number of key strategic initiatives in place. This includes the establishment of an Enterprise Zone (identified as a City Region priority via the Local Enterprise Partnership) within the Aire Valley as well as emerging proposals for the Riverside area of the city centre. The Council is therefore concerned that at a time when the Council is seeking to support government priorities for growth, additional impositions, potential delays and uncertainties for businesses and the community, would be imposed on the development process (i.e. in identifying the urban locations of safeguarded resources & the boundaries that would also need to be identified for ‘standoff areas’).

Many of the sites coming forward throughout the urban area are relatively small in scale and highly unlikely to give rise to viable extraction of sand and gravel. Yet safeguarding would require developers to go through an additional process to verify this. Furthermore, having passed this hurdle, development would be required to take into account the potential for a neighbouring site to be subject to extraction, without any real basis for establishing whether this is ever likely to happen. What impact this would have is difficult to judge but there must be a real prospect that this very uncertainty would deter investors and funders. Placing this additional burden on development and the uncertainty that policy coverage would create seems completely at odds with the thrust of government policy. In the Council’s view safeguarding is not warranted in these circumstances.

Should the opportunity arise, the sand and gravel resource can still be extracted prior to development. Experience in the city would suggest that where resources are located and are viable to remove, this would occur through the normal development management process because the developer would see value in doing so. Proposals would be dealt with in the context of Policy Minerals 10. Revised wording in the supporting text is being suggested as a Proposed Change to emphasise this point. The Council suggests adding the following wording to the end of paragraph 3.8 “**Valuable resources may exist outside of an MSA (refer to the Minerals Resource Map in figure 2.2) and developers are encouraged to explore the potential for extraction prior to (and well in advance of) site development**”.

This is a similar approach to the one taken in the Wakefield Core Strategy, adopted April 2009, which has identified mineral safeguarding areas for sand and gravel in the rural area

only, not in the urban area even though the resource exists there. It also encourages prior extraction but does not require it. Such an approach would be much more acceptable to Leeds and strikes a balance between different planning objectives for minerals and for economic growth.

An important element of the test for soundness, is that the Plan is 'Effective', namely that it is deliverable, flexible and able to be monitored. Paragraph 4.46 of PPS12 states that a strategy (or a DPD) is unlikely to be effective if it cannot deal with changing circumstances. Given the concerns raised by the Council above, the Council would urge the Inspector to consider the Council's proposal to include the suggested additional wording above. The Council considers that such an approach would provide the flexibility required within the local and national policy context.

The Council would welcome the Inspector's consideration of our proposed wording and if it is still not deemed to be sufficient then we would ask if the Inspector could suggest how we might be able to write the policy in a way that deals with those issues that the Council is concerned about (i.e. the detrimental effect on other housing and employment objectives for the city).

3. The protection of wharves & rail sidings

The Council considers that it would be helpful if the Inspector could clarify these comments. The first paragraph clearly accepts the overall approach, regarding the importance of retaining wharves and rail infrastructure and for the policy to be reviewed after a period of 5 years. This approach however appears to conflict with the comments made in para. 3 of section 3, regarding the need for the plan to specify how applications for alternative forms of development (i.e. for development which is not canal wharf or rail siding dependent) which may come forward in the meantime should be determined. When these circumstances currently arise across the city, applications are considered on their merits against a range of considerations including the policy provisions of the Development Plan, national guidance and other evidence that may be provided by prospective applicants. This is true of many types of development which are judged in this way without criteria to cover every possible eventuality. Debate at the Examination supports the notion that the introduction of criteria would be seen by landowners as encouragement to pursue other interests. The Council is therefore concerned that introducing criteria to consider applications for alternative uses undermines the very essence of the policy and could potentially make the plan unsound in not providing a robust policy framework to support the retention of wharves and rail sidings consistent with national guidance (including the draft NPPF). For these reasons the Council remains of the view that the introduction of a criteria policy is inappropriate. However, if such an approach is deemed necessary the Council would suggest the following:

“Applications for uses that do not make use of the safeguarded wharf or rail siding will be considered in terms of their benefits weighed against the loss of the non-road freight opportunity and using the following criteria:

- i) **the use would not sterilise the longer term potential of the site for wharf or rail siding use,**
- ii) **the applicant is able to demonstrate that there are no suitable alternative sites for the proposed use,**
- iii) **a sufficient supply of sites will remain in the district, readily available and of at least the same functional capability, so as not to prejudice the objective of encouraging a shift from non-road freight.”**

The Inspectors further consideration of these matters would therefore be welcomed.

4. Protection of the Wharfe Valley, east of Pool

Through the Hearing process and the additional papers provided by the Council, we have demonstrated that sufficient provision has been made across the district and for the plan period, for sand & gravel. The protection proposed for the area east of Pool need not last forever but it is appropriate for the duration of the Plan. The Council has committed also to

the ongoing monitoring of the plan (and ongoing research & development re. the potential for marine aggregates) and for intervention and review at the appropriate time. The letter of 14th December, does not question the Council on the soundness of this approach. The Council is therefore concerned that amendments to Policy Minerals 5 would lead to uncertainty. Significantly, this approach is likely to direct the mineral industry away from preferred and less sensitive locations within the Aire Valley, to the detriment of the spatial integrity of the plan and its ability to direct development to more appropriate locations at a local level. The NRWDPD provides an evidence based approach and a strategy for mineral extraction in the most appropriate locations.

Meeting minerals planning obligations whilst reflecting local priorities is entirely in keeping with the government's devolved planning agenda. In addition, the Council is concerned also that given the sensitivity on this issue, re-consultation on revised wording, will give rise to further representations being made, and cause further uncertainty and delay, through the need for re-examinations.

The Council does not consider that its approach is inconsistent with national policy and the current UDP. Policy needs to be considered in the round and consistent with national and local policy. Some forms of development will be acceptable in the Wharfe Valley. The policy is simply making clear that there are forms of development, i.e. sand and gravel extraction, that are inappropriate, given that provision is already made elsewhere.

5. Hazardous Waste

The Council notes that this matter has not previously been raised through the Inspector's questions, the hearings or via any representations. The Council has evidenced that the plan makes provision for a wide variety of waste sites, in a number of locations and is supported by a criteria based policy (Waste 9), to deal with waste applications on their merits. This policy approach does not therefore preclude applications for hazardous waste coming forward. In order to clarify this further, additional wording could be added to the supporting text as necessary.

The Council can confirm that the hazardous waste facilities at Knostrop have been safeguarded, these are Sites 87, 88 and 89 in the Mapbook. The Council suggests adding the following wording to the end of paragraph 4.17 **"Whilst some solid hazardous waste is exported out of the district, overall Leeds is a net importer of hazardous waste. Liquid hazardous waste arising in the district and beyond is treated at the White Rose Environmental Clinical Waste Incinerator and WRG Effluent Treatment Plant. These are important facilities for the treatment of hazardous waste and are safeguarded in this DPD. New solid hazardous waste cells could potentially be provided at Swillington and Howley Park which are also safeguarded. There is scope for further hazardous waste treatment, such as soil-washing or bio-remediation and this could be accommodated on any of the strategic waste sites or industrial estates that are identified as suitable for waste treatment facilities"**.

6. Consultation

The Council accepts that the plan changes advocated in the Inspector's letter 14th December, if implemented, will require a further 6 week consultation. The Council is concerned that such plan changes, especially with regards to minerals safeguarding of sand and gravel within the urban area, criteria for the relaxation of safeguarding of wharves & rail sidings and the weakening of the protection of the Wharf Valley to the east of Pool would attract substantial objections. This would be at odds with the spirit of the front-loading process recommended in PPS12.

The Council recognises that the potential for changes to generate opposition is not of itself a good basis for rejecting such change. However, the Council believes there are sound planning reasons why these changes are not all appropriate and these reasons are set out in this response.

In this response the Council has given a reasoned justification for its position and suggested further amendments to help move the process forward. The Inspector's further consideration of these matters as set out in this response would therefore be welcomed.

Address for correspondence

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Date: 08 February 2012

David Feeney
Head of Forward Planning & Implementation
Leeds City Council
(by email)

Dear Mr Feeney

**Examination into the Soundness of the Leeds Resources and Waste
DPD**

The Inspector has asked me to thank you for your considered response to his letter of 14 December, explaining in depth the City Council's concerns about the outstanding issues. Having given considerable thought to the matters that you raised he has asked me to reply as follows:-

Re-consultation

It is not clear from your response whether your observations in section 6 imply an acceptance that a further round of consultation is necessary, regardless of the conclusions of the discussions on the outstanding matters or simply refer to the fact that you consider a re-consultation would only be necessary if changes similar to those suggested in my letter of 14th December are agreed. For the avoidance of doubt he has therefore asked me to point out that in any event he considers that to comply with the consultation requirements contained in Section 19.3 of the 2004 Act and Regulation 27 of the 2004 Regulations, as interpreted in paragraph 5.23 of Examining Development Plan Documents: Procedure Guidance 2009, the proposed changes to the plan will have to be the subject of further consultation. If it is not then he will be unable to find the plan legally sound. This is because a number of your suggested changes that go to soundness could be of concern to third parties and without an opportunity to respond to a consultation, their interests could be seen to be prejudiced.

To take just one example, you have introduced mineral production targets broken down from the Aggregates Working Party's forecasts to 2016 but extrapolated to 2026. Had you not done so, then their absence would have made the plan unsound in the context of a lack of effective delivery targets, which is contrary to national guidance. Whilst the suggested targets may be perfectly reasonable and sensible and no one who had sight of them at

the Hearing session, when they were discussed, wished to object further to this aspect of the plan, that is not the point. Anyone could come forward and say that they disagreed with your apportionment and the forecasting assumptions that led to the introduced targets, for whatever reason, and claim (quite rightly) that they had not had an opportunity to make comments on them. In consequence they could successfully challenge the legality of the plan. In the Court's eyes, it is not whether what they are putting forward by way of objection is justified or reasonable, it's the fact that they were denied the opportunity to make the representation. Following the two recent court cases on Local Development Document (LDD) consultation, Inspectors are now advised to think very carefully before not asking for re-consultation if there are any soundness changes at all. At the present time you have suggested 21.

If the re-consultation brings forth further objections then the Inspector would have to consider them. However, unless they affect the soundness of the amended plan, they are not going to result in further changes. The Inspector has also asked me to tell you that if a further Hearing session was necessary, he would not be expecting you to defend changes that you were not fully committed to.

Sand and gravel

Whilst the Inspector has accepted your sand and gravel targets and is proposing to endorse them as the most appropriate in the circumstances, he has reservations as to their deliverability and the long term appropriateness of extrapolating past outputs. It is in this context that you should consider his reservations about policy for safeguarding aggregate resources within the urban area and extraction in the Wharfe valley.

The sand and gravel targets are based on the assumption that unproven reserves will be proven and extracted during the plan period. It is by no means certain that reserves to the extent anticipated will be proven and extracted. The current landbank is about a year rather than seven, as recommended in Minerals Policy Statement (MPS) 1. There is only one allocation (Midgely Farm) which could notionally produce 1.6 million tonnes or nearly 11 years of supply. However, Midgely Farm was allocated in the Unitary Development Plan (UDP) but has not been taken up during the past decade and in the absence of evidence from the industry to suggest that it is about to be, it cannot be confidently relied upon as the panacea to the recent serious under-performance in sand and gravel output from Leeds and West Yorkshire. At the same time the one current producer in Leeds, at Methley Quarry, offered no evidence on the viability of potential reserves in this area and declined an invitation to attend the Hearing to discuss its objection to the plan. There is therefore no certainty that contributions to the target will come from the Methley Area. This situation does not inspire confidence in your forecasts or represent the adequate and sustainable supply of minerals required by national policy. The evidence suggests that the position in the other West Yorkshire Authorities is no better.

The 2007 Yorkshire and Humber Sand and Gravel Study suggested that at that time the region had a shortfall of permitted reserves of 32 million tonnes for the period 2006-21 and by implication that additional resources needed to be identified for the period beyond 2015. The majority of this shortfall is required to meet the needs of Leeds and West Yorkshire. Consequently, on sustainability grounds, the Yorkshire and Humber Sand and Gravel Study recommended a dramatic increase in West Yorkshire production. Whilst the subsequent British Geological Survey (BGS) study concluded that the potential for an increased sub-regional apportionment for West Yorkshire is limited, it did not say that opportunities to increase West Yorkshire's contribution should not be exploited.

The national desire to reduce production of aggregate in the National Parks, some of which is used in Leeds for concrete making, is a further consideration that points to the desirability of maximising the production of concrete quality sand and gravel from within West Yorkshire. Historically, the shortage of good quality, easily exploitable reserves in areas without planning constraints within West Yorkshire has been made up by the exploitation of resources in North and South Yorkshire. The evidence before the examination suggests that at the same time as it is becoming difficult to identify economically viable sand and gravel resources within West Yorkshire, the historically exploited resources in North and South Yorkshire, to meet West Yorkshire's needs, are becoming exhausted. The BGS study confirms that the possibilities for new sand and gravel developments in southern North Yorkshire to supply the Leeds-Bradford area are quite limited and that materials coarse enough for concreting are becoming scarce in this area.

Taken together, these considerations suggest a need for caution when considering policies that would lead to constraints on the exploitation of sand and gravel resources within West Yorkshire.

Safeguarding sand and gravel resources within the urban area.

MPS1 requires mineral resources to be safeguarded as far as possible, in order that proven deposits are not needlessly sterilised by non-mineral development. It encourages the prior extraction of minerals where practicable. Its Practice Guide (PG) also says that the safeguarding exercise should safeguard proven deposits of minerals which are or may become of economic importance. Additionally this document requires minerals LDD's to set out clear and appropriate Development Control policies, which should include the safeguarding of minerals resources with potential for future extraction.

Whilst recognising that not all safeguarded land will be worked for minerals, BGS specifically says that the safeguarding of minerals should not be constrained by other planning designations such as urban areas, without sound justification. There is no such justification in the plan or its supporting documents. The BGS also specifically refers to the need to

highlight the existence of river terrace sand and gravel resources where it exists beneath potential regeneration projects and brownfield sites. A number of areas within the Aire valley fall into this category.

Defining Mineral Safeguarding Areas (MSA) alongside environmental and cultural designations also ensures that the impact of any proposed development/redevelopment on mineral resources will be able to be taken into account alongside other considerations when development decisions are being made. MPS1 says that in unitary planning areas MSAs should alert prospective applicants for non-minerals development to the existence of valuable resources, although there is no presumption that resources in MSAs will ever be worked.

Given the locational constraints on mineral working and the difficulty in finding suitable new sites in order to maintain the supply of materials to support economic growth, it is imperative that scarce minerals are protected for the long term. Sand and gravel resources, because they tend to be associated with river valleys, where there are existing settlements and continual development pressures, are particularly vulnerable. Sand and gravel resources are not plentiful in West Yorkshire and in order to maximise indigenous supply and minimise unsustainable movements of sand and gravel, over the long term it is essential that all economic resources are exploited.

The plan already has an extensive coal safeguarding area that does not appear to have given rise to the concerns you have expressed in relation to sand and gravel. As sand and gravel is a much scarcer resource than coal in a West Yorkshire context, there is more justification for safeguarding sand and gravel than coal. The Inspector has considered the planning guidance in the round and would point out that safeguarding in urban areas is not meant to compete with other policies and guidance and that if an integrated approach is adopted, the fears that you express should not arise. He is therefore of the view that in the above circumstances there is a justification for a policy mechanism to alert developers to the presence of sand and gravel under urban sites and a framework to determine whether or not they should be extracted prior to development taking place.

The Inspector accepts that defining an urban safeguarding area, based on the BGS maps, would affect an extensive swath of brownfield land through the heart of the main built up area. He also notes your emphasis on the importance of this area for employment generation. In such circumstances he agrees that it would be preferable if the safeguarded area did not apply to locations where prior extraction is unlikely for economic or other reasons, although as minerals become scarcer what is uneconomic today may be economic tomorrow! Nevertheless, the MPS says that economically unviable and environmentally unacceptable sites should ideally not be in safeguarded areas. Unfortunately there is no evidence base before the Examination that would enable these differentials to be easily established so unless you are able to point to more detailed examinations of the resource or wish to

undertake a more in-depth analysis, the BGS maps may be the best data source available?

He agrees that the application of Policy Minerals 2 to sites within the urban area may send out the wrong message to some developers. It probably already would with regard to coal. He also notes that the BGS exceptions policy does not make a distinction between urban areas and elsewhere. However, that is not to say that it is never appropriate to do so. A new or sub policy that applied to safeguarded minerals on previously developed land and removed the need to demonstrate that there will be no sterilisation, could be introduced. Additionally, the BGS exceptions policy does not say that size thresholds should not be used, only that they should be avoided in most cases. However, the BGS is talking about all minerals and notes that coal has been extracted successfully from relatively small sites in advance of development. If there is evidence of a threshold below which sand and gravel would not be extracted on economic grounds, even with the use of portable equipment, then it should be used. Otherwise your reference to major applications in Policy Minerals 8, would suffice.

The Inspector does not accept that in a previously developed situation it is essential for developers to have regard to the potential for future extraction on adjacent land. This is presumably not your intention with regard to coal? Each case should be considered on its merits and the existence of development on adjacent land would be a factor considered under Policy Minerals 10 when the appropriateness of extraction on a particular site was being considered. Arguments about sterilising redevelopment and thwarting regeneration do not stand up to scrutiny. If considered early enough in the development process, prior extraction need not delay essential development and in some instances the commercial value of the extracted mineral can help to support marginal regeneration projects. Unfortunately, the evidence suggests that where the need to consider prior extraction is not facilitated through policy, then in the normal course of events and by the time developers realise that there are valuable mineral resources to be extracted, the development process is too far advanced for it to happen without delaying the development. The Inspector wishes to avoid this.

The wording of policies is really a matter for yourselves but if it assists, the Inspector would suggest that the second part of Policy Minerals 2 is split into two parts. The first part could refer to applications for development on land that is not previously developed within a MSA and the whole of the current paragraph should apply. The additional paragraph could refer to applications for development on previously developed land within a MSA only needing to demonstrate that extraction of the mineral will take place prior to or during development if appropriate as detailed in Minerals 8 below. Minerals 8 could be amended to refer to sand and gravel as well as coal with an additional demonstration that: there is coal and/or sand and gravel but its recovery would give rise to unacceptable environmental harm. (something along these lines probably ought to have been included in any event). Environment should be treated in its wider sense and include matters such as flooding and highway safety etc.

The Inspector notes your points about Wakefield and Greater Manchester. The Wakefield LDD was a Core Strategy where unlike Leeds the issue of MSAs within the urban areas was not raised. The absence of an MSA under the developed parts of Greater Manchester has been raised by third parties and is to be the subject of discussion at a Hearing session.

Wharfe valley

Having visited the area, the Inspector fully supports your desire to prevent sand and gravel extraction within the Wharfe valley to the east of Pool, whilst ever there are viable resources within the areas that you have identified and available resources from less environmentally sensitive areas within the region. He intends to stress this in his report. His concerns arise from the uncertainties surrounding the delivery of the strategy that you have put forward and discussed above and the overall shortage of resources within the region as a whole in the medium and long terms. In this context the BGS study suggests that the Wharfe valley has some of the largest and highest quality unworked sand and gravel deposits in the region. In his opinion there will need to be a comprehensive review of resources serving West Yorkshire long before 2026, if major supply problems are not to arise. Extraction within the Wharfe valley both within Leeds and North Yorkshire should be objectively compared with other available resources. However, if in the meantime there is little progress re extraction elsewhere in Leeds and appeals arise in the Wharfe valley without a criteria based policy you would be fighting the proposal on the hoof and against national policy that says that you should maintain a landbank of at least 7 years for sand and gravel.

In the above circumstances the resisting of proposals for the extraction of sand and gravel within the area to the east of Pool in the Wharfe Valley without qualification is not justified. Local Planning Authorities are meant to look at development proposals put before them impartially and objectively. To say in a DPD that from the outset you will strive against proposals with the intention of preventing them in all circumstances does not imply that you would look at proposals objectively and on their merits, given the circumstances pertaining at the time. In his "Soundness considerations" presented to the Round Up Hearing session, the Inspector suggested a less prescriptive version of Policy Minerals 5, in the event that you preferred not to have a criteria based policy. "Proposals" at the beginning of Policy Minerals 5 could be prefaced by "It is unlikely that" and "Resisted" at the end could be changed to "not supported" and the reason why they are not being supported i.e. "The plan makes more than adequate notional supply for the provision of sand and gravel from within Leeds for the plan period. Unless it can be clearly demonstrated that the extraction of the reserves from the allocated site and area of search are not viable then there is no justification for considering extraction from within the Wharfe valley to the east of Pool." inserted into the supporting text.

The protection of wharves & rail sidings

My letter of 14 December was not meant to imply that the Inspector does not fully support the intentions of Policy Minerals 14. He does. However, it is not fair and reasonable to simply introduce a policy that has the intention of preventing land from being used for uses other than a freight interchange, in circumstances where there is as yet not a proven demand for such facilities to the extent being proposed. Land owners should have a reasonable expectation of knowing what they would have to do, no matter how arduous, to obtain planning permission for other uses. Applications will be inevitable at some point and decision makers should be able to judge all of the proposals on the same basis in the interests of fairness. Therefore in the Inspector's opinion there should be some criteria against which all proposals to use these sites other than for freight interchanges should be judged. The ones that you have suggested would be acceptable. You may in addition like to consider "the applicant is able to conclusively demonstrate that the site is no longer appropriate for use as a freight interchange, including marketing evidence". This would cover most of the points raised by British Waterways in their letter of 5 December 2011.

On the matter of encouraging landowners to pursue other interests, the Inspector's observations suggest that the opposition to this Policy from land owners, for the most part stems from encouragements within the City Planning Department to the effect that these sites are appropriate for residential development. Providing the Council as a whole makes it clear that these sites are not appropriate for residential development, then much of the opposition to the policy is likely to dissipate. In a number of instances this could easily be achieved by reference to the current flooding guidance.

The Inspector has asked me to clarify whether in the context of your suggested amendment to Site 18, all of the revised site is currently in a use associated with canal wharfage or whether the area originally safeguarded is not used and therefore available for a new user?

Hazardous waste

Your suggested additional wording at the end of paragraph 4.17 goes a long way towards explaining your strategy for hazardous waste. Your response suggests that landfill is indeed the last resort for the disposal of this waste stream and that every effort should be made to reduce the amount of hazardous waste. It would be appropriate to say this in the revised text and to accommodate the proposed changes in a separate section on Hazardous Waste, rather than as an amendment to paragraph 4.17. To cover this, the Inspector would suggest amending the second part of the amendment as follows:-

"These are important facilities for the treatment of hazardous waste and are safeguarded in this DPD. The Waste Strategy for England 2007 says that as well as seeking to reduce the amount of hazardous waste there is a need for

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additional treatment facilities and infrastructure for hazardous waste to assist in meeting changes brought about by the Landfill Directive. There is scope for further hazardous waste treatment in Leeds, such as soil-washing or bio-remediation and this could be accommodated on any of the strategic waste sites or industrial estates that are identified as suitable for waste treatment facilities. The Council will encourage the provision of hazardous waste treatment facilities in preference to disposal at landfill sites. As a last resort solid new hazardous waste cells could potentially be provided at Swillington and Howley Park landfill sites, which are also safeguarded".

I trust that the above answers your questions and enables you to suggest further changes to the plan as appropriate. Should you require further clarification, please get in touch and I will ask the Inspector to comment further.

Yours sincerely



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Post Submission Schedule of Changes 31.1.12

1. Para 2.11 Add the bring sites so the sentence reads **‘Only municipal waste is collected by Leeds City Council, which includes that collected through 11 household waste sorting sites and 430 bring communal recycling points distributed around Leeds.’**

2. Para 2.27 After this paragraph create a new paragraph 2.28 to expand on the strategic objectives regarding movement of freight on the canal and rail systems. The new paragraph to state: **‘ This DPD encourages the use of the canal and rail systems for moving freight so as to reduce the amount of heavy goods vehicles on the roads and thereby reduce congestion and greenhouse gas emissions. The protection for wharves and rail sidings maximises the potential to bring marine-won sand and gravel into the sub-region and thereby reduce the reliance on land-won extraction.’**

The remainder of chapter 2 will need to be re-numbered accordingly.

3. Para 3.1. Delete reference to MPS1 and add definition of sustainable minerals development as follows:

‘The objectives of sustainable development for minerals planning are:

- i. to conserve minerals as far as possible, whilst ensuring an adequate supply to meet the needs of society for minerals;**
- ii. to minimise production of waste and to encourage efficient use of materials, including appropriate use of high quality materials, and recycling of wastes;**
- iii. to encourage sensitive working practices during minerals extraction and to preserve or enhance the overall quality of the environment once extraction has ceased;**
- iv. to protect areas of designated landscape or nature conservation from development, other than in exceptional circumstances where it has been demonstrated that development is in the public interest.’**

4. Para 3.2 Add the following text to create a new para 3.2:

‘3.2 Minerals can be worked only where they are found. Their extraction is a temporary activity. Mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored. ‘

The remainder of Chapter 3 will need to be re-numbered accordingly.

5. Add a new para 3.4 to state:

‘ Policies in this DPD will be monitored in accordance with the monitoring framework in Section 7. Where targets are repeatedly not being met, this may lead to a review of the DPD and consideration of the sub-regional apportionment through the Yorkshire and Humber Regional Aggregates Working Party. Policy Minerals 14 will be subject to a five yearly review to allow sufficient time for businesses to respond to the opportunities created by this DPD. Towards the end of the Plan Period it is anticipated that marine-won aggregate will contribute towards supply’.

The remainder of Chapter 3 will need to be re-numbered accordingly.

6. Para 3.8. Change reference to Map A3 to **‘Proposals Map’**.

Add wording to encourage and raise awareness of the potential for prior extraction of minerals before sites are developed. Add the following wording to the end of the

paragraph:

'Valuable resources may exist outside of an MSA (refer to the Minerals Resource Map in figure 2.2) and developers are encouraged to explore the potential for extraction prior to (and well in advance of) site development.'

7. Policy MINERALS 1, change to the wording of proposed change PC7. Change the words 'sand and gravel' to **'aggregate'**.

This is because the Policy applies to both sand and gravel and crushed rock. Additionally, the targets should be added into the Policy and therefore the final Policy wording should read as follows:

'MINERALS 1: PROVISION OF AGGREGATES

In conjunction with other West Yorkshire Metropolitan District Councils, the Council will encourage the recycling of materials and endeavour to maintain a landbank of permitted reserves of aggregate in accordance with the Sub-Regional Apportionment.

Leeds will aim to meet the following targets for aggregate provision:

Sand and gravel = 146,000 tonnes per annum

Crushed rock = 440,000 tonnes per annum'.

8. Paras 3.8 and 3.9 and Policy MINERALS 2. This change should be considered in relation to the additional Sand and Gravel MSA map included as Change 26.

Replace para 3.8 and 3.9 and MINERALS 2 with the following wording and delete paras. 3.21 and 3.22 and combine MINERALS 8 and 9 and re-name as MINERALS 3.

'MINERAL SAFEGUARDING AREAS

3.8 The mineral resources of economic importance in the Leeds District are coal, sand and gravel, clay and building stone. Where it is viable to do so, the council will seek to ensure that these resources are protected from developments that may prejudice their future extraction. There is insufficient information to know where the very extensive deposits of sandstone and limestone are of a quality which would enable them to be viably worked. Reserves of clay are sufficient to support need well beyond the plan period. Therefore this DPD defines protected areas for coal and for sand and gravel only. These Mineral Safeguarding Areas (MSAs) are shown on the Proposals Map that accompanies this DPD. The purposes of MSAs are to alert potential developers to the possible presence of economic minerals and to prevent the avoidable sterilisation of minerals which may be needed within the plan period and beyond.

3.9 The Sand and Gravel Mineral Safeguarding Area identifies the surviving alluvial deposits within the district in which the sand and gravel resource may be found in amounts that could be viable to remove. Based on information in the British Geological Survey Technical Report WA/92/1, Leeds : A Geological Background for Planning and Development, the MSA excludes areas already worked, tributary areas which are very unlikely to contain significant amounts of sand and gravel, areas already worked primarily for surface coal and areas where the resource is overlain by a substantial depth of made ground, for example by deposited waste materials.

- 3.10** The sand and gravel resource is extensively overlain by existing development within the urban area and in site specific circumstances there may be occasions where it can be economically removed prior to, or as part of, the redevelopment of that land. The removal of sand and gravel from existing developed sites under 1 hectare in size and / or where reconstruction to original levels is necessary, is however considered by the council to be most unlikely to be viable. Extracting sand and gravel from sites less than 1.0 ha in area will incur high unit costs in relation to the deployment of suitable extractive equipment, the temporary storage of unsuitable material to be backfilled (which may have to be off site), the procurement of compressible material for infilling the workings, the testing of such materials for contamination, the placement and dynamic compaction of such material, supervision, load bearing tests and warranty costs in addition to environmental costs such as wheel and road cleaning. Additionally, the need to support adjoining land will mean that approx 20% of the land is unworkable. In most circumstances buildings cannot be erected which bridge worked and unworked boundaries. On small sites this would prevent much of the land being built upon. These factors - combined with the low value of the dug material, mean that the extraction of sand and gravel from small sites in urban Leeds under 1.0 ha where rebuilding is to take place will be uneconomic. This DPD makes adequate provision for the Leeds share of the West Yorkshire sub-regional apportionment for sand and gravel through an Area of Search and an Allocation, any mineral resulting from prior removal at development sites is over and above the provision to meet the sub regional apportionment.
- 3.11** Coal is a valuable resource and has been extracted from a very diverse range of sites in Leeds. Therefore the full extent of the surface coal field in Leeds has been identified as the Coal Mineral Safeguarding Area. The MSA designation does not imply that planning permission for extraction will be granted within a particular area. The surface coal resource is extensively overlain by existing development and in site specific circumstances there may be occasions where it can be economically removed prior to, or as part of, the redevelopment of that land. Removal of coal from development sites can help prepare the site for development by removing problems of combustion and instability. In the case of surface coal present beneath undeveloped land national planning guidance makes a presumption against opencast coal mining, therefore this DPD does not allocate land for surface coal extraction.
- 3.12** The presence of a mineral safeguarding area does not mean that other development within an MSA is unacceptable. However the potential presence of an economic mineral is a material consideration. In rural areas development is controlled by green belt policy. In the urban area the MSA does not preclude development from taking place but encourages developers to consider prior extraction of important minerals at the earliest possible stage in the development process. Planning applications will need to include sufficient information to demonstrate that applicants have considered prior extraction. Where an applicant is able to provide evidence that prior extraction of minerals is not viable the council does not expect the minerals to be extracted. Relevant factors may be the poor

quality of the mineral, an insufficient quantity, physical constraints or where there are insurmountable risks associated with potential flooding. Proposals for prior extraction will be subject to environmental assessment and the criteria in MINERALS 10.

3.13 The policy requirement to consider prior extraction applies to all development sites over 1 hectare within the Sand and Gravel MSA and to all non-householder development within the Coal MSA. Examples of exceptions include applications for change of use, extensions, Conservation Area, Listed Building and Advertisement applications and any other proposals which do not include excavation of the ground. Temporary development is not generally considered to sterilize the resource.

MINERALS 2: MINERAL SAFEGUARDING AREAS (MSA) - SAND AND GRAVEL

Within the Sand and Gravel Minerals Safeguarding Areas shown on the Proposals Map, applications for development over 1 hectare in size must demonstrate that removal of the sand and gravel will take place prior to or during development unless:

1. it can be shown it is not economically viable to do so, or
2. it is not environmentally acceptable to do so, or
3. the need for the development outweighs the need to extract the sand and gravel, or
4. the sand and gravel will not be sterilized by the development.

MINERALS 3 : MINERAL SAFEGUARDING AREAS – SURFACE COAL

DEVELOPMENT SITES

Within the Surface Coal Mineral Safeguarding Area shown on the Proposals Map applications for non-householder development must demonstrate that the opportunity to recover any coal present at the site has been considered. Coal present should be removed prior to or during development unless:

1. it can be shown it is not economically viable to do so, or
2. it is not environmentally acceptable to do so, or
3. the need for the development outweighs the need to extract the coal, or
4. the coal will not be sterilized by the development.

NON-DEVELOPMENT SITES

There will be a presumption against working of surface coal deposits beneath undeveloped land which is not going to be developed for other uses, unless applicants are able to demonstrate the environmental acceptability of their proposal, that the highest operational standards will be met and that restoration will enhance landscape quality and biodiversity. Weight will be attached to schemes which provide local and/or community benefits, avoid the sterilisation of mineral resources or facilitate other development which is in accordance with the development plan.'

9. Para. 3.16 Delete the first sentence referring to the landbank for crushed rock in the region and substitute with the sub-regional figure so the sentence reads:
The landbank for crushed rock in the West Yorkshire sub-region has sufficient capacity to satisfy estimates of demand for a period of 28.3 years.

10. Policy MINERALS 5. Add the words 'It is unlikely that' to the beginning of the policy and exchange 'resisted' for 'supported' so that the Policy reads:
'It is unlikely that proposals for the extraction of sand and gravel within the area to the east of Pool in the Wharfe Valley will be supported.'

11. Para 3.18 Add to the end of the last paragraph **'Quarries that produce building stone also help to maintain provision of aggregate (crushed rock and sand).'**

12. Para 3.23 Add sentence to the end of the text as follows:
'Applicants for development of sites adjacent to safeguarded sites, allocations, preferred areas or the area of search will be expected to ensure that they have adequately considered the effect of mineral processes or wharf / rail related freight on the proposed land use.'

13. Para 3.29 Delete the sentence **'Use of the canal is hampered by the need for costly dredging'**.

14. Add new para. 3.30 as follows:

'There are limited opportunities for rail and wharf facilities in Leeds and it is important that the sites identified in this plan have every opportunity to develop and flourish for these uses. Nevertheless the Council recognises that land should not be sterilised indefinitely if there is no reasonable prospect of the sites being used for such purposes. It is therefore necessary to strike a balance between the policy objectives and making effective and efficient use of land. To this end the Council will therefore undertake a review of the policy as part of its Annual Monitoring Report in the first such Report prepared after a period of 5yrs from the date of adoption. Given that there are only limited opportunities available it should not be assumed that lack of interest in the preceding 5 years will automatically result in the removal of the safeguarding policy from any or all of the sites in question. The Report will need to consider a range of issues and how circumstances have changed since adoption. This will include the issue of viability and in this respect the redevelopment of safeguarded or proposed wharves/ rail sidings for other land uses will only be considered where it can be demonstrated that the wharf / rail siding is no longer viable or capable of being made viable for freight handling, or in the case of safeguarded wharves/ rail sidings where an adequate replacement wharf/ rail siding has been provided.

The following factors will be taken into account when considering viability:

- **site size, shape, navigational access, road access, rail access (where possible), planning history, environmental impact and surrounding land use context, including existing uses, extant planning permissions and development plan allocations;**
- **geographical location, in terms of proximity and connections to existing and potential market areas and other freight-handling sites;**

- the existing and potential contribution the site can make towards reducing road based freight movements;
- demand for the use of the site for waterborne/ rail-based freight having regard to marketing and other evidence.

15. Create a new Para 3.31 as follows:

“ 3.31 Applications for alternative uses on a safeguarded or allocated wharf or rail siding will be considered in terms of their benefits weighed against the loss of the non-road freight opportunity using the following criteria based policy.

MINERALS 15 : CRITERIA FOR ASSESSING ALTERNATIVE DEVELOPMENT ON PROTECTED WHARVES AND RAIL SIDINGS

Canal wharves and rail sidings are protected from other development unless the applicant can demonstrate compliance with the following criteria:

1. The development would not sterilise the longer term potential of the site for wharf or rail siding use, or
2. The applicant is able to demonstrate that there are no suitable alternative sites for the proposed development, and
3. A sufficient supply of sites will remain in the district, readily available and of at least the same functional capability, so as not to prejudice the objective of encouraging a shift from road freight, and
4. The applicant is able to conclusively demonstrate, including marketing evidence, that the site is no longer appropriate for use as a freight interchange.”

16. Alterations to para 4.4. Delete the first two sentences of the paragraph and replace with the following sentence: **‘Future waste arisings have been provided till 2026 in Table 4.1. These are based on projections till 2021 that have been extrapolated to 2026.’**

Alterations to Table 4.1 of the DPD. Change the title of the table to state:

‘Table 4.1 Future Waste Management Needs In Leeds till 2026 (tonnes per annum)’.

Change the heading of the arisings column to read **‘Arisings at 2026’**.

17. Para 4.12 Where there is reference to the Core Strategy, need to add an explanation of the current status, suggest changing to: **‘The emerging Core Strategy (approaching Publication at the time of writing) requires all development....’**

18. Para 4.32 Policy WASTE 6 Add the following wording to the end of the Policy: **‘Any application for a Strategic Waste Management facility should be accompanied by a Travel Plan and a Transport Assessment which considers the impact on the Strategic Road Network’.**

19. Add the following wording to the end of paragraph 4.17 **“Whilst some solid hazardous waste is exported out of the district, overall Leeds is a net importer of hazardous waste. Liquid hazardous waste arising in the district and beyond is treated at the White Rose Environmental Clinical Waste Incinerator and WRG Effluent Treatment Plant. These are important facilities for the treatment of**

hazardous waste and are safeguarded in this DPD. The Waste Strategy for England 2007 says that as well as seeking to reduce the amount of hazardous waste there is a need for additional treatment facilities and infrastructure for hazardous waste to assist in meeting changes brought about by the Landfill Directive. There is scope for further hazardous waste treatment in Leeds, such as soil-washing or bio-remediation and this could be accommodated on any of the strategic waste sites or industrial estates that are identified as suitable for waste treatment facilities. The Council will encourage the provision of hazardous waste treatment facilities in preference to disposal at landfill sites. As a last resort solid new hazardous waste cells could potentially be provided at Swillington and Howley Park landfill sites, which are also safeguarded".

20. Para. 6.26 add the following to the end of the paragraph:

'Where hard surfaces are to be constructed on land between a wall forming the principal (front) elevation of the dwelling and the highway, alternatives to impermeable surfacing must be considered first and it will be necessary to demonstrate why these are not feasible before planning approval will be considered for impermeable surfacing'.

21. Chapter 7 Table 7.1

The monitoring framework has been revised and updated. The revised framework is included as Appendix 1.

22. Chapter 8 In the glossary add the definition for Energy Recovery as follows
'Energy recovery: The production of energy in the form of electricity, heat and/or gas through the biological or thermal treatment of waste in a controlled environment'.

23. Create new section entitled **'List of Saved UDP Policies to be Replaced by this DPD.'**

Add new text to state:

'The following saved policies from the Leeds Unitary Development Plan (Revised) 2006 are replaced by policies in this Natural Resources and Waste Development Plan Document:

N45, N46, N46A, N46B, GM4, GM4A, EM9, N47, WM1, WM2, WM3, WM4, WM5, WM6, WM7, WM8, WM9, WM10, WM11, WM13, WM14, WM15, WM16, WM17, WM18, N54, N38A, N38B, N39A.

Map Changes

24. For all map references within the DPD, remove reference to the mapbook and change this to **'Proposals Map'**.

25. Specific alterations to site boundaries as follows:

Map 200 Strategic Waste Site at Skelton Grange, revised boundary to reflect operational land now identified.

Map 139 Aggregate recycling site at Warren House Lane, Yeadon, revised boundary to reflect recent planning approval.

Map 14 Canal Wharfage at Stourton, revised boundary to reduce the extent of the site area proposed for safeguarding.

Map 18, Fleet Lane wharf, revised boundary to correct an earlier error.

26. Additional Sand and Gravel MSA in the urban area.

Minerals and Waste Topic Papers

The Council proposes to incorporate the additional papers that have been prepared on Crushed Rock Targets and Sand and Gravel Targets into the Minerals Topic Paper and also to incorporate the additional report on Waste Targets into the Waste Topic Paper.

Leeds City Council

Natural Resources and Waste DPD

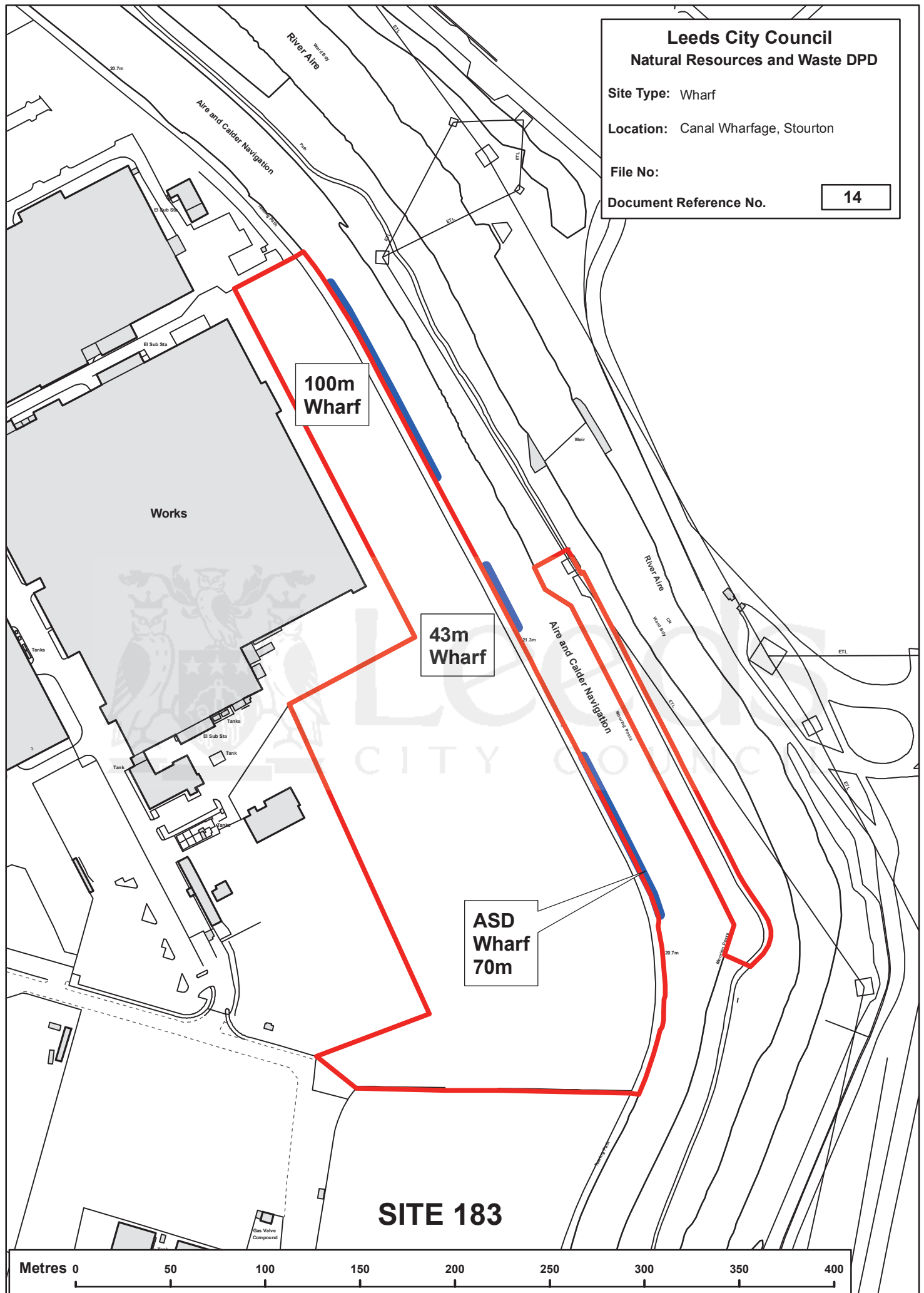
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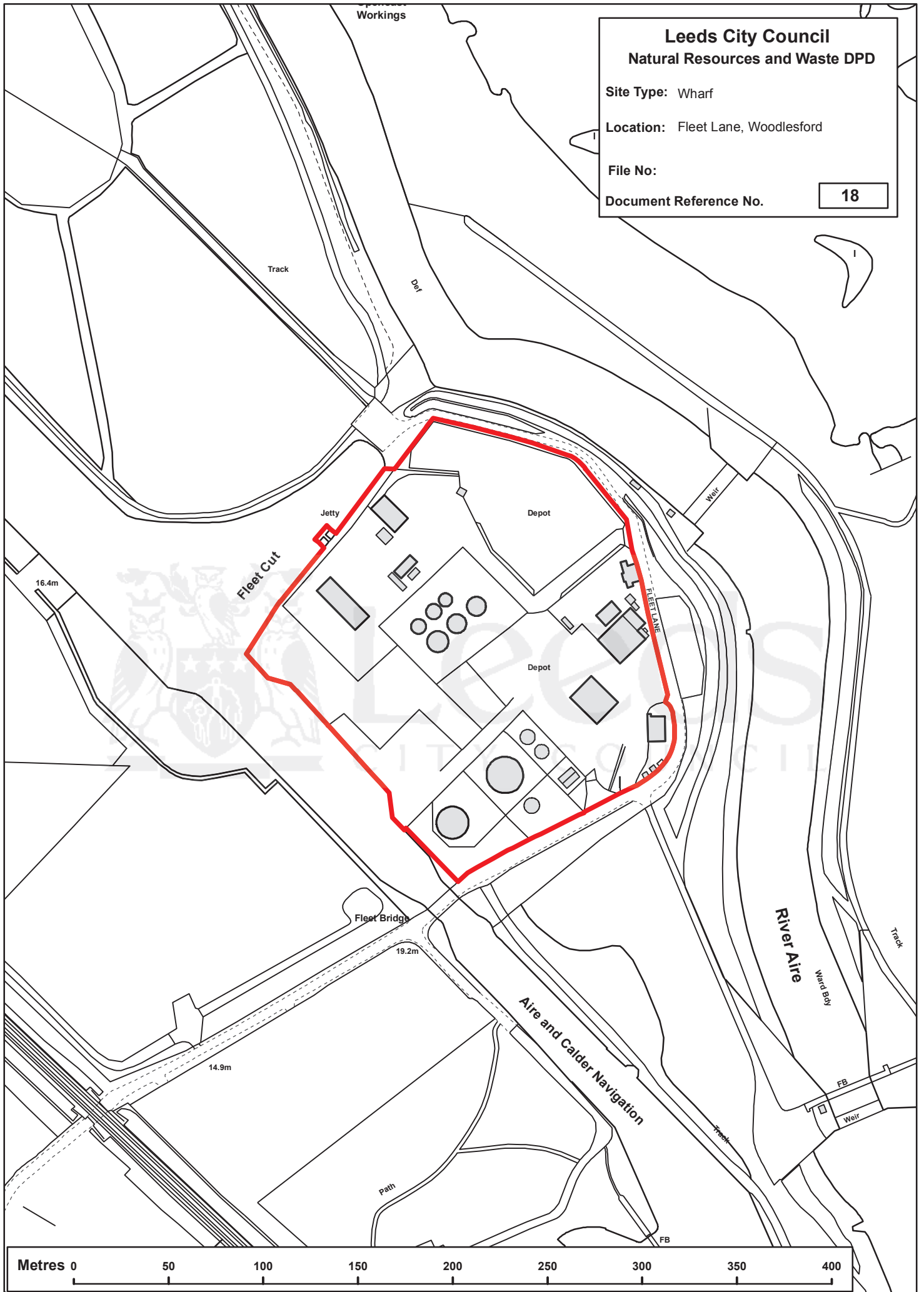
Location: Canal Wharfage, Stourton

File No:

Document Reference No.

14





Leeds City Council
Natural Resources and Waste DPD

Site Type: Wharf

Location: Fleet Lane, Woodlesford

File No:

Document Reference No. 18



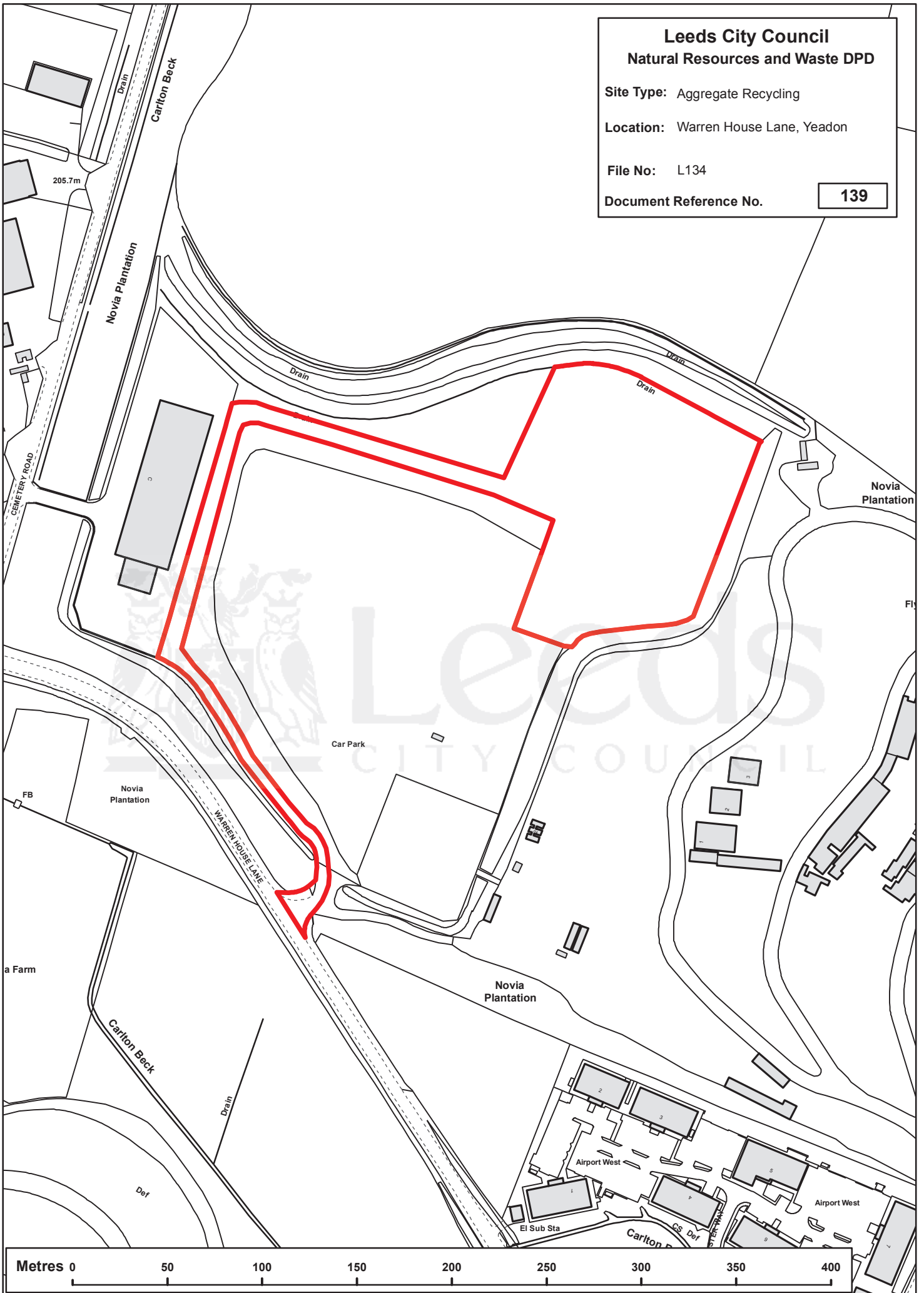
Leeds City Council
Natural Resources and Waste DPD

Site Type: Aggregate Recycling

Location: Warren House Lane, Yeadon

File No: L134

Document Reference No. 139



Leeds City Council

Natural Resources and Waste DPD

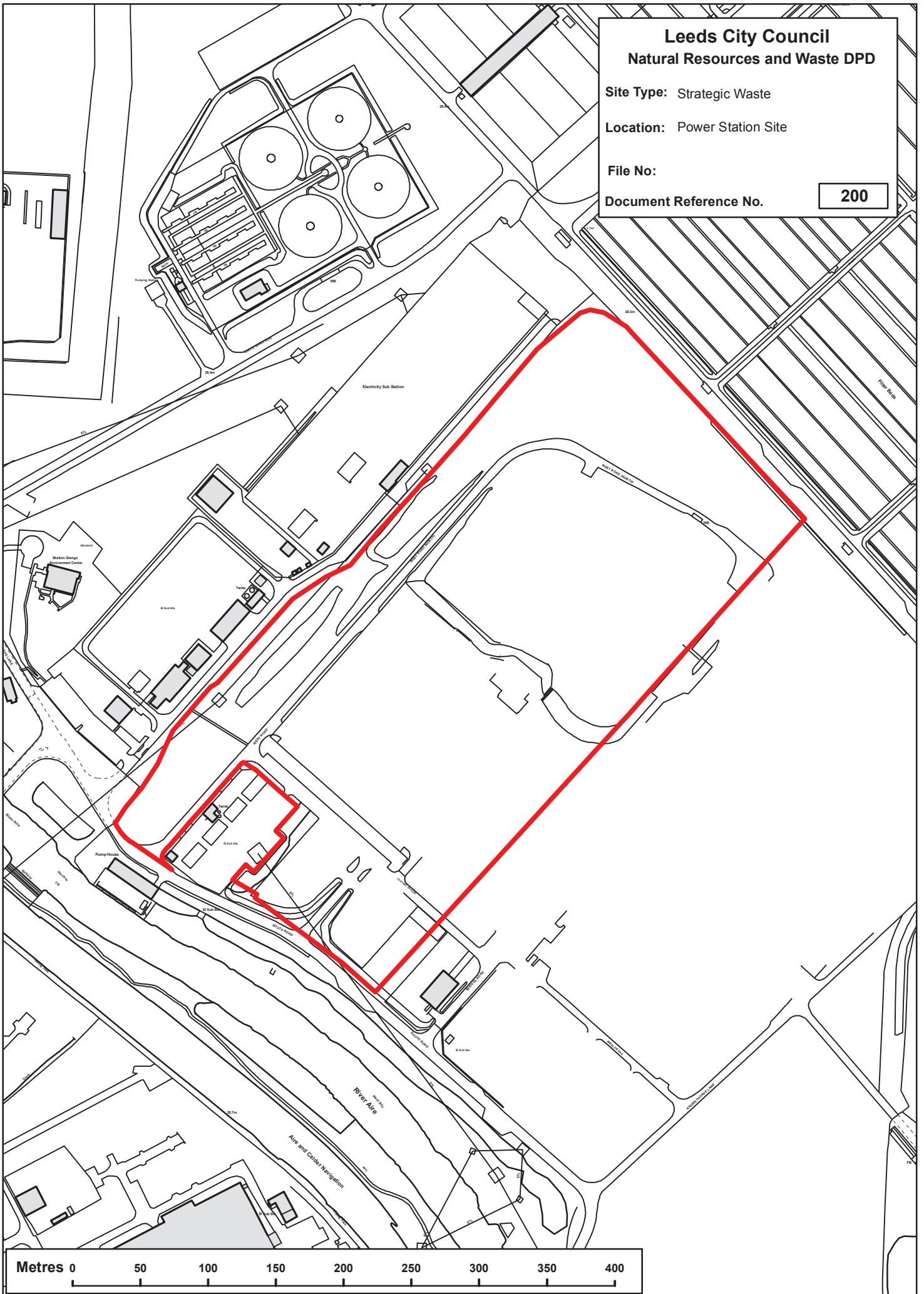
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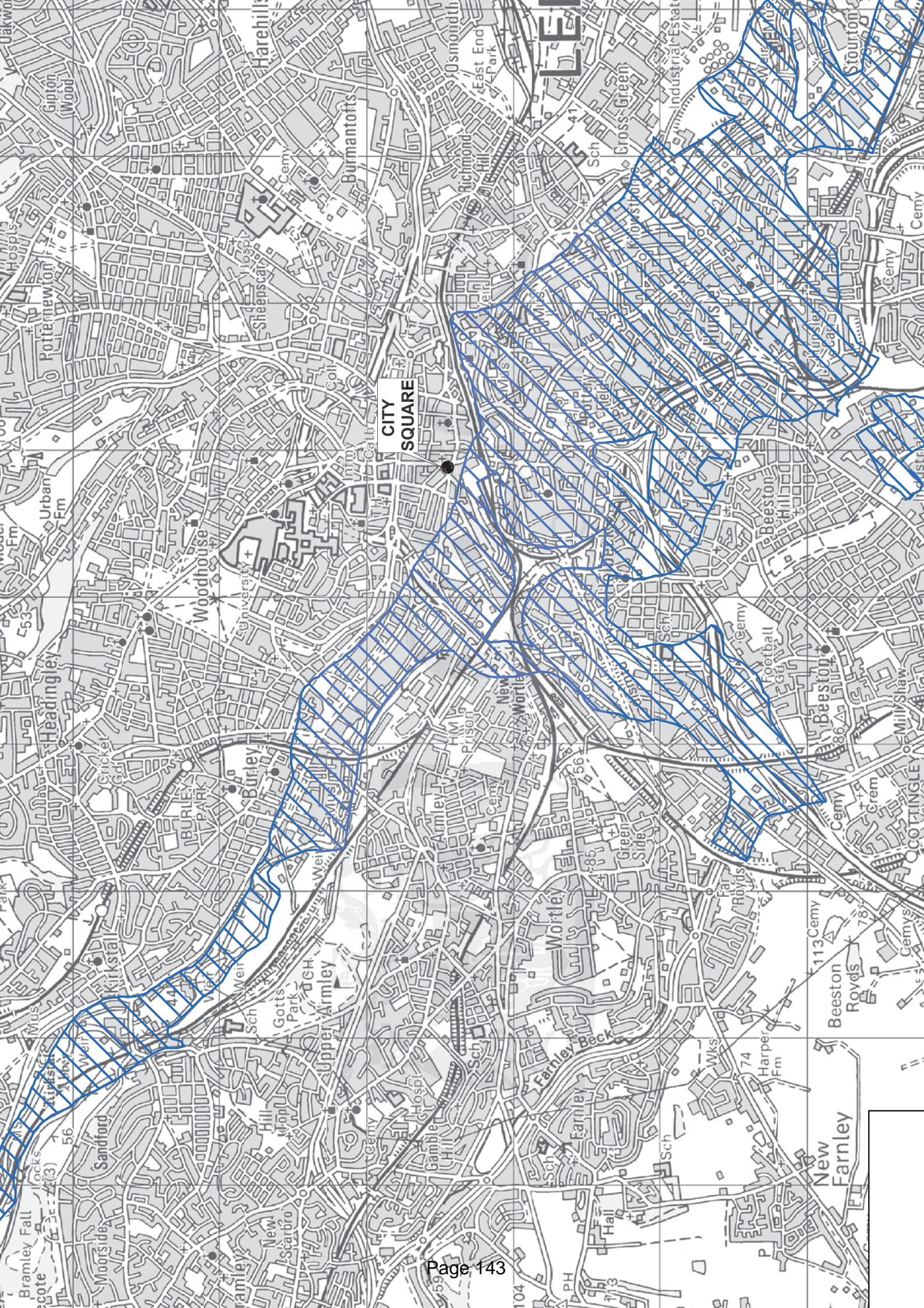
Location: Power Station Site

File No:

Document Reference No.

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Proposed NRWDPD Monitoring Framework

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Minerals 1	Provision of Aggregates	The prudent use of natural resources is at the heart of the way things are done in Leeds	Amount of aggregate produced in line with the plan period provision in the NRW DPD	Minerals Industry	Annual collection in AMR	Average annual production of sand and gravel of at least 146,000 tonnes per annum until 2026.	Provision undershoots 25% over five years of the plan period	Review apportionment alongside the other West Yorkshire Authorities.
		Ensure sufficient contribution to supply for local and regional minerals demand is provided but look to use secondary/recycled materials first	Regional Aggregates Working Party	(annual collection and contribution towards overall target)	Average annual production of crushed rock of at least 440,000 tonnes per annum until 2026.	Provision undershoots 25% over five years of the plan period	Feedback to the YHRAWP to review the sub-regional apportionment.	
Minerals 4	Mineral Extraction through Area of Search and Allocation for sand and gravel. Preferred Areas for Crushed Rock	The prudent use of natural resources is at the heart of the way things are done in Leeds	Key resources in MSAs safeguarded or extracted prior to development. Monitored by responses received from the Coal Authority through the Coal Referral Areas. Through the planning application process for sand and gravel.	Leeds City Council	Annual review of approved applications in MSAs.	Amount of resource (estimated tonnage) protected.	Unacceptable level of resource sterilized by development.	Review apportionment alongside the other West Yorkshire Authorities.
		Ensure sufficient contribution to supply for local and regional minerals demand is provided but look to use secondary/recycled materials first	Developed by Minerals Industry Coal Authority	Leeds City Council	Annual review of approved applications in MSAs.	Amount of resource (estimated tonnage) protected.	Unacceptable level of resource sterilized by development.	Review development control processes. Review Coal Referral process.
Minerals 2	Mineral Safeguarding Areas	Avoid sterilising future mineral resources	Key resources in MSAs safeguarded or extracted prior to development. Monitored by responses received from the Coal Authority through the Coal Referral Areas. Through the planning application process for sand and gravel.	Leeds City Council	Annual review of approved applications in MSAs.	Amount of resource (estimated tonnage) protected.	Unacceptable level of resource sterilized by development.	Review development control processes. Review Coal Referral process.
Minerals 3	Safeguarding Existing Mineral Extraction Sites	Ensure sufficient contribution to supply for local and regional minerals demand is provided but look to use secondary/recycled materials first	Monitoring through the Extraction Site Monitoring Programme run by the Minerals and Contaminated Land Team.	Leeds City Council	Annual review of approved extraction sites to check for compliance with planning conditions.	No loss of minerals facilities to an alternative use unless suitable provision made elsewhere in the district	Loss of mineral extraction site (other than through exhaustion of the supply).	Review safeguarded sites to determine if have sufficiency of supply to meet forecasted need over remainder of Plan period.
		Avoid sterilising future mineral resources	Amount of aggregate produced in line with the plan period provision in the NRW DPD	Developed by Minerals Industry	Annual review of approved extraction sites to check for compliance with planning conditions.	No loss of minerals facilities to an alternative use unless suitable provision made elsewhere in the district	Loss of mineral extraction site (other than through exhaustion of the supply).	Review safeguarded sites to determine if have sufficiency of supply to meet forecasted need over remainder of Plan period.

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Minerals 6	Preferred Areas – Stone and Clay Extraction	Ensure sufficient contribution to supply for local and regional minerals demand is provided but look to use secondary/recycled materials first	Sufficient stone and clay extraction takes place from the Preferred Areas as allowed by the Planning Permission	Leeds City Council Mineral operators Minerals Industry Leeds City Council	Review tonnage produced from extraction sites. This data is required to be submitted annually to Leeds City Council	Estimates for production for the plan period as follows: Highmoor, Bramham – 960,000 tonnes, Hook Moor, Micklefield – 8.8 million tonnes, Kings Road, Bramhope – 2.16 million tonnes, Moor Top, Guiseley – 500,000 tonnes, Britannia Quarry, Morley – 960,000 tonnes, Howley Park, Morley – 2.4 million tonnes of clay. Sandstone several million tonnes. Majority of stone and clay comes from the Preferred Areas	The majority of stone and clay extraction is located outside of the Preferred Area	If the majority of stone and clay extraction is taking place out of the Preferred Areas, need to review to determine if sites continue to represent the best sites and provide sufficiency of supply to forecasted arisings.
Minerals 8	Surface Coal and Previously Developed Land	Ensure sufficient contribution to supply for local and regional minerals demand is provided but look to use secondary/recycled materials first Efficient use of previously developed land, especially contaminated land The prudent use of natural resources is at the heart of the way things are done in Leeds	The proportion of applications, subject to referral to the Coal Authority, resulting in a permission requiring the removal of coal prior to development.	Leeds City Council Coal Producers Coal Authority	A process is in place for referring applications to the Coal Authority within the Coal Referral Area. This can be compared with the number of those applications that actually result in coal removal	Coal extracted prior to development	No applications approved in the monitoring year requiring removal of coal prior to development	Discussions with the Coal Authority to identify why the policy is not working. Review of the application process to identify lessons learnt. Better training of DC colleagues to raise awareness of the Policy.
Minerals	Restoration of	A high level of	Leeds City Council	Minerals		Restoration and aftercare meets	Minerals Team	Enforcement action or prosecution

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
11	Mineral Extraction Sites	environmental protection	currently has a process in place for monitoring compliance with restoration and aftercare conditions.	Industry Leeds City Council Minerals and Contaminated Land Team		an acceptable standard	identifies the failure of an operator to carry out the approved works	for non-compliance with planning conditions
Minerals 12	Aftercare of Restored Proposals							
Minerals 13	Safeguarding Minerals Processing Sites	Efficient use of previously developed land, especially contaminated land The prudent use of natural resources is at the heart of the way things are done in Leeds Ensure sufficient contribution to supply for local and regional minerals demand is provided but look to use secondary/recycled materials first	Mineral processing sites are safeguarded from development of non minerals related use unless it can be shown that it is not needed within the district for that purpose and that there is an adequate distribution of sites.	Leeds City Council Development Industry Minerals Industry		Leeds capacity for minerals processing is retained	Approval of an application without any demonstration that capacity is being maintained	Review of development control processes and better training of DC officers

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Minerals 14	Transport Modes	<p>The prudent use of natural resources is at the heart of the way things are done in Leeds</p> <p>Ensure sufficient contribution to supply for local and regional minerals demand is provided but look to use secondary/recycled materials first</p> <p>The canal and rail systems are used for moving freight so as to reduce the amount of heavy goods vehicles on the roads and thereby reduce congestion and greenhouse gas emissions.</p> <p>Make better use of the water and rail transportation networks</p> <p>Promote sustainable movement of freight including minerals</p>	<p>Modal change from road to rail and waterborne freight</p> <p>Leeds City Council Transport Policy</p> <p>Monitoring section collects data on HGV movements in and out of Leeds using Automatic Traffic Count technology. The Council has 20 AMPR cameras in the district and also makes use of police AMPR cameras to monitor HGVs on the road</p> <p>Using the list of consultee respondents the Council will gather data on water and rail freight movements</p>	<p>British Waterways</p> <p>Network Rail</p> <p>Commercial Boat Operators Association</p>	<p>Leeds City Council to undertake a five yearly review</p>	<p>The target is for a switch from road-based freight movements to waterborne and rail freight</p>	<p>After adequate marketing there is no take up of freight activity by rail/ water over a five year period</p>	<p>Review the need for the site retention.</p> <p>Seek evidence of appropriate marketing activity</p>
Waste 1	Self Sufficiency for Future Waste	Provide sufficient management	Existing and new capacity meets annual	Waste Industry		To provide for the projected	Failure to meet targets over a five	Review how to improve capacity on sites

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
	Management in Leeds	facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill	requirement figures The gap between capacity of existing facilities and forecasted arisings is met	Leeds City Council Environment Agency DEFRA		arisings by waste stream to 2026 as follows: Tonnes per annum: MSW 383,976 C&I 1,212,000 CD&E 1,556,000 Hazardous 103,026 Continued progress towards meeting the gap between capacity of facilities and forecasted arisings	Review if any new national waste management targets are set for after 2020.	
Waste 2	Safeguarding Existing Waste Management Capacity	Maximise the reuse of waste Maximise recycling and composting waste where possible Recover energy from waste Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill	Facilities for waste processing are safeguarded from development of non waste related uses. Continued uptake of waste management other than landfilling The gap between capacity of existing facilities and forecasted arisings is met	Leeds City Council Development Industry Waste Industry Environment Agency		No loss of waste facilities to an alternative use unless provision made or no need for particular facility proved Ongoing progress towards increasing non-landfill waste management No loss of waste facilities to an alternative use unless provision made or no need for particular facility proved Continued progress (measured in five year intervals) towards meeting the gap between capacity of facilities and forecasted arisings	Landfill, as a % share of total waste, increases over a 2 year period Loss of a waste management site (as identified on C1, C2, C3, C4, or C5)	Better education and awareness raising of businesses. Working with W.R.A.P to promote recycling Review of sites If a site on C1, C2, C3, C4, and C5 is developed for non waste uses, a review of forecasted arisings, set against current capacity should be undertaken to determine if new sites need to be found.
Waste 3	City Wide Network of Waste Management Sites and Facilities	Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill	The gap between capacity of existing facilities and forecasted arisings is met	Leeds City Council Development Industry Waste Industry		Majority of new facilities for waste management, other than strategic facilities, are located within the defined industrial areas.	Undertake a review of approvals every five years: If at that point the majority of approved new waste management facilities are not located within existing industrial areas as defined in	Review to determine if more appropriate locations have arisen during Plan Period Review to determine if loss of sites in areas identified in Waste 5 has detrimentally impacted ability for waste facility operations in those locations.
Waste 5	Waste Uses within Existing Industrial Areas	Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill	The gap between capacity of existing facilities and forecasted arisings is met	Leeds City Council Development Industry Waste Industry		Majority of new facilities for waste management, other than strategic facilities, are located within the defined industrial areas.	Undertake a review of approvals every five years: If at that point the majority of approved new waste management facilities are not located within existing industrial areas as defined in	Review to determine if more appropriate locations have arisen during Plan Period Review to determine if loss of sites in areas identified in Waste 5 has detrimentally impacted ability for waste facility operations in those locations.

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Waste 6:	Strategic Waste Management Sites	Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill Maximise the reuse of waste Maximise recycling and composting waste where possible Recover energy from waste	Waste treatment facilities are delivered that effectively shift waste from landfill The gap between capacity of existing facilities and forecasted arisings is met	Environment Agency Leeds City Council Development Industry Waste Industry Environment Agency		Planning permission granted for new strategic waste facilities providing substantial capacity for waste management on the allocated sites	Waste 5 – with subsequent follow up reviews in each five year period Planning permission refused for a strategic waste management facility on the allocated sites (representing non-delivery of capacity)	Review to determine if sites identified in Waste 6 are appropriate for Strategic Waste Facilities and if there remains sufficiency of sites to support provision of strategic facilities
Waste 7	Waste Allocation for C D and E waste	Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill	The Cinder Oven Bridge Site is developed for Construction, Demolition and Excavation purposes	Leeds City Council Development Industry Waste Industry Environment Agency	Use of the Environment Agency Waste Data Interrogator	The Cinder Oven Bridge Site is developed for Construction, Demolition and Excavation Waste purposes providing substantial capacity for waste management	The Cinder Oven Bridge Site has a planning permission for development of a use other than Construction Demolition and Excavation	Review of the policy to determine if sufficient sites exist for Construction, Demolition or Excavation arisings to the end of the Plan period
Waste 8	Waste Proposals at Other Locations	Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill Maximise the reuse of waste Maximise	Approved waste proposals are situated on the sites identified in policies Waste 2, Waste 5, Waste 6 and Waste 7	Leeds City Council Development Industry Waste Industry Environment Agency	Use of the Environment Agency Waste Data Interrogator	Majority of waste facilities approved are on identified sites in Waste 2, Waste 5, Waste 6 and Waste 7	If the majority of approvals for waste facilities (measured at five year increments of the Plan) are not located on those sites identified in policies Waste 2, Waste 5, Waste 6 and Waste 7	Review of sites in Waste 2, Waste 5, Waste 6 and Waste 7 to determine if they have sufficient capacity to meet the forecasted arisings remaining over the period of the Plan, at the time of the review.

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Waste 9	Waste Management Facilities – Potential Issues and Impacts	recycling and composting waste where possible Recover energy from waste Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill	Continued uptake of waste management other than landfilling The gap between capacity of existing facilities and forecasted arisings is met	Waste Industry Leeds City Council		Ongoing progress (measured in five year intervals) towards increasing non-landfill waste management Continued progress (measured in five year intervals) towards meeting the gap between capacity of facilities and forecasted arisings	No specific trigger points	
Waste 10	Planned Reduction in Landfill	Provide sufficient management facilities in appropriate and accessible locations in order to minimise the amount of waste going to landfill Maximise the reuse of waste Maximise recycling and composting waste where possible Recover energy from waste	No additional landfill capacity permitted except in the case of inert excavated waste	Leeds City Council Development Industry Waste Industry Environment Agency		Additional treatment capacity for up to 500,000 tonnes per annum diverted from landfill over the plan period. Additional recycling capacity of at least 450,000 tonnes per annum for C&I. To continue to support the reuse and recycling of CD&E on safeguarded sites and through the delivery of an additional site at Cinder Oven Bridge.	Five yearly review of progress on facilities provided and in the pipeline	Discussions with major waste operators to identify barriers / blockages to progress
Waste 11	Waste Disposal: Landfill and Landraising Sites	A high level of protection for the environment	Satisfactory restoration Note: landfill gas monitoring is dealt with under ENERGY 3	Leeds City Council Development Industry Waste Industry	Site Monitoring Programme administered by the Council's Minerals, Waste and Contaminated Land Team	Satisfactory restoration	Unsatisfactory restoration	Enforcement and/or prosecutions for non-compliance with planning conditions

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Energy 1	Large Scale Wind Energy Generation	Identify opportunities for renewable energy generation and heat distribution	Ongoing annual progress towards meeting the overall requirement, as set out in Table 5.1	Leeds City Council Development Industry Energy Industry	Leeds City Council Environmental Policy section monitors this	Leeds produces 20 MW of installed, grid-connected renewable energy from wind power by 2026	Measured in five year periods: Review of progress towards meeting the plan requirement – if not on track to meeting requirement	Review applications that have been refused to determine if policy is being implemented correctly.
Energy 2	Microgeneration Development	Identify opportunities for renewable energy generation and heat distribution	Ongoing annual progress towards meeting the overall requirement, as set out in Table 5.1	Leeds City Council Development Industry Energy Industry	Leeds City Council Environmental Policy section monitors this	Leeds produces 10 MW of grid connected renewable energy from micro-generation by 2026	Measured in five year periods: Review of progress towards meeting the plan requirement – if not on track to meeting requirement	Review applications that have been refused to determine if policy is being implemented correctly.
Energy 3 Energy 4	Heat and Power Energy Recovery Heat Distribution Infrastructure	Identify opportunities for renewable energy generation and heat distribution	Ongoing annual progress towards meeting the overall requirement, as set out in Table 5.1	Leeds City Council Development Industry Energy Industry	Leeds City Council Environmental Policy section monitors this	Leeds produces 35 MW of grid connected renewable energy from energy from waste by 2026	Measured in five year periods: Review of progress towards meeting the plan requirement – if not on track to meeting requirement	Review applications that have been refused to determine if policy is being implemented correctly.
Air 1	The Management of Air Quality through Development	A high level of protection for the environment	Continued improvement of the District's Air Quality	Leeds City Council Development Industry University of Leeds	Air Quality is monitored by the Council through it's air quality monitoring stations. Action to improve air quality is monitored and reported to DEFRA through the Air Quality	Reduction in nitrogen dioxide and particulates measured Overall improvement in the District's Air Quality	A new AQMA is designated	Review of policy and planning permissions subject to the policy to determine if being implemented correctly

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Water 1	Water Efficiency	Support better management of the water cycle and application of efficient uses of water	Reduction in consumption of water per capita over the plan period	Leeds City Council Development Industry Yorkshire Water	Action Plan Yorkshire Water carry out monitoring of water consumption	Use of water reduces over the plan period	Five yearly review	Review of the implementation of water efficiency policy with Yorkshire Water Review of the Code for Sustainable Homes Policy in the Core Strategy
Water 2	Protection of Water Quality	Ensure the protection of the quality of watercourses and other sources of water	The water quality of sensitive water bodies is protected and applications are refused on grounds of water pollution Measured by looking at number of sustained objections to applications by EA on basis of water quality	Leeds City Council Development Industry Environment Agency		All approvals have considered water quality and ensured that sensitive bodies are protected No sustained objections by the EA on basis of water quality each year	Annual Review of planning permissions where water quality has been affected Sustained increase in total applications (over a two year period) where water quality issues have not been addressed as identified by the EA	Review issues which overrode water quality
Water 3	Functional Flood Plain	Ensure flood risk is managed, taking into account the effects of climate change	Applications for new development or a change of use are refused if they are located in the functional flood plain Measured by looking at number of sustained objections to approved applications by EA on basis of flood risk	Leeds City Council Development Industry Environment Agency	SFRA updates will be used to compare differences in functional floodplain	No sustained objections by the EA on basis of flood risk	Sustained increase in total applications (over a two year period) where flood risk issues have not been addressed SFRA updates indicate the need to review flood risk policies	Review issues which overrode flood risk through the Planning and Flood Risk Forum.
Water 4	Development in Flood Risk Areas	Ensure flood risk is managed, taking into account the effects of climate change	Applications are refused where flood risk has not been considered and the criteria has not been met Measured by looking at number of sustained objections to approved applications by EA on	Leeds City Council Development Industry Environment Agency		All approvals meet the criteria and minimise flood risk -- No sustained objections by the EA on basis of flood risk	Annual Review of planning permissions where flood risk has been affected Sustained increase in total applications (over a two year period) where flood risk issues have not been addressed	Review issues which overrode flood risk through the Planning and Flood Risk Forum

Policy ID	Policy	Objectives Link	Key Performance Indicator	Implementation Partners	Monitoring Comment	Targets	Trigger Point for correction/mitigation measures	Proposed Actions if not meeting targets
Water 5	Zones of Rapid Inundation	Ensure flood risk is managed, taking into account the effects of climate change	basis of flood risk Applications are refused where rapid inundation has not been considered and the criteria has not been met Measured by looking at number of sustained objections to approved applications by EA on basis of flood risk		SFRA updates will be used to compare differences in Zones of Rapid Inundation	All approvals meet the criteria and minimise flood risk No sustained objections by the EA on basis of flood risk	Annual Review of planning permissions where flood risk has been affected Sustained increase in total applications (over a two year period) where flood risk issues have not been addressed	Review issues which overrode flood risk through the Planning and Flood Risk Forum
Water 6	Flood Risk Assessments	Ensure flood risk is managed, taking into account the effects of climate change	Approved applications for new developments have considered flood risk and where there is a risk of flooding have submitted a flood risk assessment. Measured by looking at number of sustained objections to approved applications by EA on basis of flood risk	Leeds City Council Development Industry Environment Agency		All approvals have considered flood risk and submitted a flood risk assessment where necessary No sustained objections by the EA on basis of flood risk	Annual Review of planning permissions where flood risk has been affected --Sustained increase in total applications (over a two year period) where flood risk issues have not been addressed	Review issues which overrode flood risk through the Planning and Flood Risk Forum
Land 1:	Contaminated Land	Efficient use of previously developed land, especially contaminated land	No formal enforcement has been necessary to secure the remediation of a site prior to development	Leeds City Council Developers		Development does not take place on contaminated land until the contamination is remediated	Development takes place on contaminated land necessitating enforcement action	Enforcement action and /or prosecution for non-compliance with conditions Review of development control procedures

Report of the Director of City Development

Report to Executive Board

Date: 11 April 2012

Subject: Illegal Money Lending Team, Progress Report

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The national Illegal Money Lending Team is run by Birmingham City Council Trading Standards department. It has been operating in the Leeds area since 2007, working alongside the Council and partners as part of the Councils overall financial inclusion objectives.
2. In March last year the Executive Board agreed to extend the authority to Birmingham City Council to continue operating within the Leeds boundary until March 2015. The Executive Board also agreed to receive annual progress reports and this is the first such report.
3. This report provides information on developments and details of an action plan which has been developed by the Illegal Money Lending Team in conjunction with the Council and partners.

Recommendations

Executive Board is asked to;

4. note the report and continue to receive annual reports on the activities of the Illegal Money Lending Team within the Leeds city area
5. agree to support the action plan attached at Appendix 1.

1 Purpose of this report

- 1.1 To update Members on activities of the Illegal Money Lending Team (Loan Shark Team) in Leeds.

2 Background information

- 2.1 The Birmingham Illegal Money Lending Team was established in 2004 as a pilot project, one of two in Great Britain; the other pilot area being Glasgow. The project was extended to Leeds in 2007, prior to the national rollout. The remit of the team is to investigate illegal money lending activity and establish if a problem exists and, if so, bring to justice those persons carrying on this activity.
- 2.2 In March 2011 the Executive Board agreed a report to extend existing delegations to Birmingham City Council, so that arrangements with the Illegal Money Lending Project (which is operating in partnership with West Yorkshire Trading Standards) could continue from March 2011 to 31 March 2015. This extended a previous delegation agreed by the Executive Board in September 2008.
- 2.3 The current partnership arrangement between West Yorkshire Joint Services and Birmingham City Council Trading Standards is to provide, at no cost to the five West Yorkshire districts, a nationally funded specialist 'loan sharks' enforcement team. The specialist Birmingham team operates a 24 hour dedicated, confidential hotline for consumers to report loan sharks. It investigates complaints about illegal money lending and takes enforcement action where there is sufficient evidence. It also provides a network of Financial Inclusion Project Officers who work within the regions to support local financial inclusion initiatives.

3 Main issues

3.1 Key National Statistics

Nationally, across the seven Illegal Money Lending Teams in operation:

- Over 2,000 illegal money lenders have been identified.
- Over 525 illegal money lenders have been arrested.
- Over £38.8 million worth of illegal debts have been written off (money victims would have paid back to illegal money lenders if the team had not acted).
- More than 200 prosecutions have been secured, leading to custodial sentences in excess of 128 years (plus an indefinite sentence).
- The Project has helped over 18,000 victims of loan sharks including some of the most hard to reach individuals in communities.
- Over £1.5 million in cash has been seized.
- More than £27 million worth of assets are being investigated (under Proceeds of Crime legislation) with the intention of removing these from illegal money lenders.
- More than 750 victims have been referred to alternative affordable sources of financial support.

3.2 Work in Leeds

- 3.2.1 The Loan Shark Team work closely with the Financial Inclusion Partnership in Leeds and links have been established with a wide number of organisations working in communities at risk of loan shark activity. One of the main problems faced by the team is a reluctance of residents to report loan shark activity. The provision of publicity material and delivery of presentations to front line staff, volunteers, young parents, tenants and residents is an important part of the awareness work to try to overcome this reluctance.
- 3.2.2 In addition to partners such as the credit union and debt advice agencies, Council service areas are fully aware of the need to report any potential loan shark activity. Services include the One Stop Centres, Corporate Debt Team, Library Services, Welfare Rights and Benefits sections. The Loan Shark Team regularly attend and report to the Financial Inclusion Steering Group, which involves all Council service areas and partners who are engaged with financial inclusion work.
- 3.2.3 In Summer 2011 the Loan Shark Team decided to develop a new plan with partners in Leeds to include as many key partners as possible. This was due to the relative scarcity of information to the hotline from the city and the lack of a major prosecution.
- 3.2.4 The team worked closely with representatives of the three main social landlords in the city; East North East, West North West and Aire Valley Homes as well as a Police Inspector from a local area with high deprivation and crime. A high profile campaign was developed, including targeted training and publicity, in order to raise awareness of the loan shark team and the support available. This would aim to gain momentum and increase information about illegal money lending reported to the hotline.
- 3.2.4 Frontline housing staff and police were vital partners in capturing local and comprehensive information, so ongoing training for housing staff and initial briefings for Neighbourhood Policing Teams were set up. Local knowledge of partners was used to come up with other key agencies to be involved in the plan. These included Leeds City Credit Union, Advice Leeds (partnership of Leeds Advice Providers), Leeds City Council's Financial Inclusion Team and other local organisations who deal with vulnerable people in the City.
- 3.2.5 An action plan with timescales was developed and is attached as Appendix 1 to this report. Local champions were identified who could open doors and advocate for Stop Loan Sharks on behalf of the team.
- 3.2.6 In October 2011 illegal money lending was the focus in Seacroft as the team worked in partnership with Leeds Pubwatch, West Yorkshire Police and East North East Homes to promote the project to 800 households and over 20 licensed premises. The link up with Leeds Pubwatch has enabled dialogue with landlords at Pubwatch meetings and distribution of beer mats in deprived areas of the city.

3.2.7 The action plan will be refreshed on a monthly basis and the profile of the project will continue to be raised in the city. Stronger ties will be developed with partners, including the embedding of training at West Yorkshire Police headquarters and an upcoming link into all WYP intelligence through their newly centralized intelligence unit.

3.3 Investigations in Leeds

3.3.1 In 2007 two illegal lenders operating in the Seacroft area were successfully prosecuted for their illegal lending activities. They received a suspended sentence. The reason for this sentence was because they were operating as traditional doorstep lenders but were undertaking the lending without a consumer credit licence. This is illegal but they were not regarded as being typical of the potentially more violent elements normally associated with loan sharks.

3.3.2 Currently, investigations are being concluded into alleged illegal lending activities, primarily in the North East of the city, and a man has been arrested and is currently bailed pending further investigations until April 2012. No further information can be given at this stage because of the possibility of pending legal proceedings. There are also other ongoing investigations being undertaken within the city but no further information is available at the present time.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.3 Discussions have been undertaken with numerous partners including Neighbourhood Policing Teams, Social Landlords, health and social care professionals, advice agencies and community groups. The Action Plan attached in Appendix 1 provides further details of the engagement with a broad group of Council staff and partners.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An equality impact assessment is not relevant as this is an annual progress report for noting and not for decision or a policy document.

4.3 Council policies and City Priorities

4.3.1 The work of the Illegal Money Lending Team forms part of the Council's strategic policy to tackle financial exclusion in the city. It therefore contributes to a number of the City Priorities as part of the identified financial inclusion actions. This impacts on the Sustainable Economy and Culture Plan, the Health and Wellbeing Plan and the Children and Young Persons Plan (through the Child Poverty Strategy).

4.4 Resources and value for money

4.4.1 There is no cost to Leeds City Council as the Birmingham team is funded by Government.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no legal implications for the Council regarding the recommendations in this report, the information contained in the report is open to the public and although the report recommendation is to note progress it could be called in if deemed appropriate.

4.6 Risk Management

- 4.6.1 There are no identified risks associated with the issues under consideration.

5 Conclusions

- 5.1 The national Illegal Money Lending Team has been operating since 2004 and in Leeds since 2007. It has had considerable success across the country in prosecuting offenders and details are provided in this report.

The operation in Leeds has resulted in some limited success but no major cases have yet been prosecuted to conclusion. Therefore, the team has stepped up activity in Leeds and engaged with partners to develop a comprehensive action plan which is detailed in Appendix 1.

6 Recommendations

- 6.1 Executive Board is asked to:

- note the report and continue to receive annual reports on the activities of the Illegal Money Lending Team within the Leeds city area.
- agree to support the action plan attached at Appendix 1.

7 Background documents¹

- 7.1 The Consumer Credit Act 1974 (as amended by the Consumer Credit Act 2006)
Local Government Act 1972
Local Government Act 2000
Report to Executive Board entitled, 'Illegal Money Lending Project' dated 2nd September 2008
Report to Executive Board entitled, 'The Illegal Money Lending Project - Tackling Loan Sharks' dated 30th March 2011
Protocol for Illegal Money Lending Team Investigations

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

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APPENDIX 1 – LEEDS ACTION PLAN

Action	Objectives	Timescale	Responsible
Identify vehicles for magnetic strips promoting Stop Loan Sharks	Raise awareness with key members of the community Encourage community to report intelligence	September 2011 - ongoing	10 Magnetic Strips attached to East North East Vans in Seacroft Area – October 2011. More on order for other vehicles used by housing providers.
Work on plan to get information about Stop Loan Sharks Hotline to landlords of pubs in key areas and provide beer mats	Target vulnerable groups Raise awareness in alternative social setting	Autumn 2011 - ongoing	Rolling programme of Pubwatch meetings to be addressed alongside Leeds Council Pubwatch co-ordinator. Landlords briefed and beer mats distributed in Seacroft, North East Leeds and West Leeds areas. 5,000 beer mats distributed to pubs in Seacroft as part of Operation Champion. 20 premises visited by Pubwatch co-ordinator and Police on 5 October. Other landlords visited by loan shark team member and local Police Inspector for informal chat. Beer mats distributed to 20 premises in Beeston area in week before Christmas
Briefing Note to local Councillors and MPs.	Raise awareness amongst elected members of the problem and the project – includes info on impact on individuals and communities	April 2012	To go out through Leeds City Council distribution.
Tenants magazine article in all ALMO magazines	Raise awareness of campaign directly to tenants at the same time	September 2011 – follow up articles to be published in 2012	Articles published in all three ALMO's newsletter. Follow ups due in Spring 2012
Housing Staff Training	Aim to train/brief as many Housing staff as possible from a range of specialisms to include staff	Ongoing	Five enhanced training sessions provided for East North East Staff Five training sessions provided to West North West Staff

	who work out in target areas		
Surestart Children's Centres info and training for staff	Raise awareness amongst staff within this target group	Ongoing	Moortown and Alwoodley Childrens centres have had info and training
Mental Health Teams – acute wards and outreach workers briefing/training	Raise awareness of project amongst vulnerable groups through key staff	November 2011- Ongoing	Met with Managers of Mental Health teams. Sessions arranged for crisis teams and information to be available on wards and in rehab accommodation. Information to be provided to Leeds Adult Safeguarding Board.
Adult Social Services briefing and training	As above	Ongoing	Contact passed on – to be actioned
Operation Champion – Get involved and promote Stop Loan Sharks as a theme via multi agency approach in as many areas as possible	Target crime within hotspots Raise awareness in target areas	Ongoing – to fit in with Community Safety Partnership	Operation Champion delivered 5 October in Seacroft – 800 households leafleted. Joint doorknocking with Police and East North East staff. Operation Champion to be delivered in Halton Moor and Gipton in April 2012 to reinforce message.
Customer Service Centres, ALMO joint contact centre staff and Council benefits staff briefings	Ensure staff working on frontline are briefed on project and know what to watch out for	Ongoing	Briefing for One Stop Centre managers to be delivered January 2012
North East Leeds Police and Partners newsletter article	Article to go to large number of properties and raise awareness of the project	October 2011 – Ongoing press strategy	Loan shark team in touch with press officers at ENE homes and West Yorkshire Police to provide content through loan shark team press officer when appropriate.
Neighbourhood Policing Teams (NPTs) briefing	Make sure as many neighbourhood teams as possible are briefed on the project	Ongoing	Briefing provided to Rothwell NPT – leaflets to be distributed in Belle Isle and Middleton. Articles in Rothwell Record and Yorkshire Evening Post. Briefing provided to Outer North West Leeds NPT. Seacroft NPT teams briefed at Killingbeck Police station.

			<p>Outer North West Leeds NPT briefed. Other teams to be briefed on an ongoing basis – negotiations to embed Stop Loan Sharks training within West Yorkshire Police core training ongoing.</p> <p>Link with intelligence unit at West Yorkshire Police developed.</p>
Jobcentre Plus	Discussions with external relationship manager planned through Leeds City Council to ensure staff and claimants are aware. Also a link into Work Programme providers.	Ongoing	Contacts provided, to be actioned
Advice Leeds	Training for advisers to be arranged through Advice Leeds – to brief as many advisers working in Leeds advice centres as possible	Ongoing	Lunchtime briefing session for Advice Leeds partners provided. Session for Leeds CAB volunteers delivered.
Leeds City Credit Union	Ensure all staff are briefed and publicity available in branches, in communications and website is up to date	Ongoing	Presentation to full team meeting of LCCU to ensure all staff know what to look for
GIPSIL	Info provided by ENE staff about this organisation working with young, vulnerable people	December 2011	Session delivered on 20 December for GIPSIL staff
Stonham	ENE staff make referrals to Stonham when there are debts and other issues	March 2012	Contact Stonham to arrange to brief staff and distribute publicity.
Health Fairs – Money and Health		Ongoing	Ensure publicity is available at these and attend where possible to speak to local organisations

			Partnership session organised by West Yorkshire Police and partners to provide info to Migrant Communities, Feb 2012
Housing Solutions/ Homelessness team - sessions to be set up to ensure staff working in this area know about project and how to refer – strong evidence in other areas of individuals and families fleeing properties due to loan sharks and presenting as homeless		March 2012	Contacts to be identified and action undertaken
Community Loan Shark Advocates – sessions to be delivered in target areas		Ongoing	Session set up in collaboration with Migration Partnership at Adult Social Care and Chapeltown CAB to target established and new arrival communities in Leeds. Four sessions set for March 2012

Report of the Directors City Development and Environment and Neighbourhoods

Report to Executive Board

Date: 11th April 2012

Subject: Lower Kirkgate Townscape Heritage Initiative

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City & Hunslet	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: 10.4.3 Appendix number: 4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary of main issues

1. In 2010, the Heritage Lottery Fund (HLF) awarded the Council a Stage 1 approval to support the regeneration of Lower Kirkgate (see Appendix 1) through a Townscape Heritage Initiative (THI). The THI consists of a 5 year programme of capital investment in commercial properties backed by grant aid and private sector match funding. The next step in the process is for a Stage 2 bid to be submitted. This is now ready for submission and the report seeks approval to submit it to the HLF. The bid is for £1.505m. The report also seeks to allocate £668k earmarked from the capital programme to match fund the planned HLF investment. If the bid is successful some elements of the initiative would begin in October 2012 and run for a period of 5 years. Each grant would require a separate approval.

2. The City Council has recently announced a programme to tackle derelict sites and buildings, the grade II* First White Cloth Hall is significant among these, being arguably Leeds' most important building at risk. A successful Lower Kirkgate THI will provide the means to restore the First White Cloth Hall and help to kick start the ongoing regeneration of a run down part of the city centre whilst attracting in the region of £4m in private investment.

Recommendation

3. Executive Board is recommended to agree to the submission of a Stage 2 bid to the Heritage Lottery Fund for the Lower Kirkgate THI; agree that the City Council acts as accountable body for the THI; and to give authority to spend £668k on the works outlined in this report.

1 Purpose of this report

- 1.1 The report seeks Executive Board approval to submit a Stage 2 bid to the Heritage Lottery Fund (HLF) to confirm the Lower Kirkgate Townscape Heritage Initiative. In addition, agreement is sought for the Council to act as grant administrator and accountable body for the operation of the THI, together with authority to spend up to £668k on the works outlined in this report.

2 Background information

- 2.1 Leeds already has two THI schemes (Armley and Chapeltown) and if Lower Kirkgate is approved it will be the only city in England with three THI schemes. The Stage 1 now needs to be confirmed by a successful Stage 2 bid which has to be submitted by 26th April 2012. Following discussions with the HLF, the Stage 2 bid will also include repairs to the First White Cloth Hall, increasing the grant level to £1.505m. The following section outlines the rationale for choosing Lower Kirkgate, the purpose and benefits of the THI together with the role of the Council.
- 2.2 Kirkgate is Leeds' first street and there is evidence of an Anglo-Saxon settlement in the area. The buildings that can be seen today illustrate the city's 19th century development, making the site one of major historic value. The fabric of the street has deteriorated over many years with many properties vacant or underused, in contrast with its surroundings. The lack of investment is in part due to the additional cost associated with the refurbishment of heritage rich buildings and by the blighting effect of the First White Cloth Hall.
- 2.3 The Lower Kirkgate THI will address both by bridging the funding gap between the cost of repairing historic buildings and the potential return on the investment. The scheme proposes to undertake a full restoration of the grade II* listed First White Cloth Hall building during the first two years of the THI programme.
- 2.4 In addition to the physical changes the THI will also benefit Lower Kirkgate, the city centre and neighbouring communities through:-
- changing perceptions of the area which will be seen as an attractive area to walk through and shop, thus increasing footfall and confidence in existing local businesses;
 - increasing economic activity, job creation and retention. It will make available vacant units and increase available floorspace to accommodate new businesses with the potential to provide an independent retail offer largely unavailable elsewhere in the city centre;
 - providing jobs in the construction industry and training in heritage construction.
 - stimulating interest in the City's heritage and tourism potential;

- securing in the region of £4m of private sector investment into Lower Kirkgate and the creation of between 28-80 jobs depending on the configuration units.

2.5 The City Council’s role has been to facilitate the regeneration project. With the successful THI, the Council will act as accountable body and grant administrator, appraising development proposals put forward by building owners. The Council would enter into a contractual relationship with each building owner to facilitate retrospective grant payments if the proposal passes the appraisal and once the quality of work and the value of the construction activity had been checked. Each building owner would be liable for any cost over-runs.

3 Main issues

3.1 The THI has two main components the capital works facilitated through grant aid to match private sector investment and complementary activities including training and awareness raising. The capital investment will be prioritised as follows in order to secure the re-use of vacant commercial space together with the repair and restoration of historical building fabric:

HIGH - Critical	98-100 Kirkgate (First White Cloth Hall)
MEDIUM - Target	83, 84, 85, 86, 87, 88/89, 90, 91, 92, 93, 94, 95, 96, 97 and 103/104 Kirkgate
LOW - Reserve	1-2, 3, 5, 7, 9 to 11 Call Lane and 1, 3-5, 7B and 11 Crown Street

3.2 The most critically important project within the THI is the repair and restoration of the 1710 First White Cloth Hall (see Appendix 2 Photo1) which is arguably Leeds’ most important building as it is here that the city’s mercantile culture began. The property is owned by a property company, City Fusion, which has been unable to bring about a scheme which would work on a purely commercial basis, given the level of restoration that is likely to be required.

3.3 What remains of the structure has been made weathertight and secure, but it is in a fragile state and requires significant investment in the next few years to ensure its long term survival.

3.4 The FWCH appraisal, whilst not yet fixing the final scheme design and costs, has identified a preferred scheme which is a full restoration of the FWCH with a rebuilt west wing in keeping with what remains of the east and south wings (see Appendix 2 Photo2), with a view to creating retail/leisure a use that would yield the highest rental. To maximise the use of available internal floorspace, servicing would be external to the main building and a glazed roof may be installed over the courtyard to increase available tradable space. This option may ultimately prove cost prohibitive and all parties have acknowledged that in the value engineering phases some compromises may have to be made to stay within the budget. These cost risks may threaten delivery and the appropriate mitigation is discussed within the confidential appendix.

- 3.5 A narrow ginnel has been proposed west of the FWCH to encourage pedestrian footfall through the site exploiting desire lines between Kirkgate Market, the Corn Exchange, Call Lane and the Vicar Lane bus station. It would also afford glimpses of the Corn Exchange roofscape from Lower Kirkgate. However, whilst in townscape terms this solution would be attractive, a better commercial solution might be to use this as part of the new build development at 101/103 Kirkgate and use the FWCH as the main route through the site. This will be tested as the scheme is firmed up.
- 3.6 The remainder of the Kirkgate frontage (83-104 Kirkgate) has been given target property status. It is made up of many individual properties, although the majority are vested in a single property company, City Fusion, which also owns the FWCH. The ambition is to refurbish these properties, many of which are vacant or underused, with a particular emphasis on repairing and restoring the Kirkgate frontage. The rear of the Kirkgate frontage is in a similar state of disrepair, but here the scope of works will be largely restricted to tackling structural problems pending the redevelopment of the car park and the remodelling of the back walls. Including the First White Cloth Hall a fully active Lower Kirkgate could accommodate an additional 28-80 jobs depending on the configuration and use of the upper floors.
- 3.7 Call Lane and Crown Street are regarded as reserve and therefore have a lower priority in the scheme due to the lower heritage need and a better general state of repair. Public realm improvements to Kirkgate and the ginnels through the site would also be enhanced by the THI by complementing the planned highway maintenance programme in that area.

Training and Awareness Raising

- 3.8 Training and education is central to the achievement of the THI scheme's aims and objectives. As a consequence a training plan is being prepared in partnership with Construction Yorkshire and Employment Leeds that seeks the following outcomes as part of the overall THI project:-
- to provide unemployed graduates with experience in heritage management;
 - to improve the skills and knowledge of individuals employed in the local construction sector including contractors/subcontractors;
 - to provide training for young people not in education, employment or training, and the unemployed generally who are interested in developing a career in heritage construction in addition to work experience;
 - to encourage property owners and individuals to consider the use of sustainable products and services and to introduce energy efficient methods;
 - to increase knowledge and awareness of the heritage of the Kirkgate area and to promote opportunities for the understanding and the enjoyment heritage in Kirkgate and the surrounding area

Management and Timescales

- 3.9 The Stage 2 Bid must be submitted by 26th April, otherwise the Stage 1 approval will lapse. If successful, it is proposed to launch the THI to coincide with the Leeds Loves Shopping festival in October 2012. The critical milestones are outlined below:

Submit Bid	26 April 2012
HLF decision on Stage 2	26 July 2012
Scheme Delivery Starts	October 2012
First White Cloth Hall (enabling works commence)	October 2013
Scheme Ends	October 2017

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Ward Members, City Centre Plans Panel, Inner South Area Committee [21st March 2012], Richmond Hill Forum and a range of heritage organisations including English Heritage, Leeds Civic Trust and the West Yorkshire Archaeological Advisory Service (WYAAS) have also been consulted on the proposals. In the discussions and subsequent correspondence with the organisations that responded to the consultation the response has been generally supportive and no objection has been raised to the establishment of the THI.

4.1.2 In May 2011 a public consultation was undertaken to find out what the public thought about the Lower Kirkgate and Kirkgate area and what improvements they would like to see. Over 260 people responded highlighting considerable support for the THI's building repair programme and for training that focuses principally on young people.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The grant application process will mirror that of the existing THI schemes where the Council's monitoring standards are used to retrospectively evaluate the performance of applications from different groups. However, the proposed THI was subject to an equality screening and this concluded that the training will potentially give rise to equality impacts in terms of the selection of candidates for training. Therefore, if the proposals are agreed, a full EIA on the training proposals will consider impacts on potential recipients.

4.3 Council Policies and City Priorities

4.3.1 In addition to complimenting the Growth Strategy, development within the THI will be shaped by the planning policy encapsulated within the recently approved Lower Kirkgate Planning Statement (see Plan 2). The Planning Statement identifies basic objectives for the sensitive regeneration and restoration of Lower Kirkgate in accordance with local, regional and national planning, heritage and regeneration policies. The Statement also proposes the following vision for Lower Kirkgate:-

- working collaboratively with key local stakeholders, businesses and communities;
- reinforce, preserve and enhance the strong identity, character and distinctiveness of the area, its buildings and how they are used;
- invest in good sustainable design;
- re-connect and restore confidence in Lower Kirkgate as a place at the heart of City Centre activity;
- act as a catalyst to close the gap between neighbouring areas within and around the City Centre.

4.4 Resources and Value for Money

4.4.1 The City Council funding required to match fund the bid was identified as part of the capital programme review in the autumn/winter of 2010/11. If the bid is successful the £668k of Council match funding will lever in £1.505m from the HLF with up to a further £4.3m from the private sector. Without the THI it is highly unlikely that this additional inward investment to Leeds would materialise.

4.4.2 Capital Funding and Cash Flow

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2011 £000's	FORECAST				
			2012/13 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	80.0					80.0	
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	220.0		39.0	39.0	40.0	61.0	41.0
OTHER COSTS (7)	1873.0		61.0	304.0	440.0	309.0	759.0
TOTALS	2173.0	0.0	100.0	343.0	480.0	450.0	800.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2011 £000's	FORECAST				
			2012/13 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016 on £000's
LCC Supported Borrowing	668.0		30.7	105.4	147.6	138.3	245.9
Heritage Lottery Fund	1505.0		69.3	237.6	332.4	311.7	554.1
Total Funding	2173.0	0.0	100.0	343.0	480.0	450.0	800.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Parent Scheme Number: 16275 / 000 / 000

Title: Lower Kirkgate Townscape Heritage Initiative

Revenue Effects

4.4.3 There are no direct revenue effects envisaged by the project. The funding within the capital funding and cashflow table incorporates staff costs and overheads for one

PO graded officer to manage the day to day running of the scheme at a cost of £199,960 over 5 years with 62% of this cost funded by the Heritage Lottery Fund.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The City Council has legal authority to bid for and implement the provisions of the Lower Kirkgate THI under its well-being powers within the Local Government Act 2000 (the '2000 Act'). Section 2 of the 2000 Act allows local authorities to do anything they consider likely to promote the economic, social and environmental well-being of their area unless explicitly prohibited elsewhere in law.
- 4.5.2 THI schemes are compatible with the State Aid provisions under Article 87(3) d) of the EC Treaty. On 27th May 2003 the then European Commission (NN 11/2002) considered the impact of THI's and found that in cases where the retention or appropriate repair of historic assets entails additional costs part or all of which are to be funded through grants, they are seen to preserve heritage without affecting trading conditions and competition and are therefore compatible with the State Aid provisions.
- 4.5.3 The information in Appendix 4 of this report has been identified as exempt because it contains information which relates to City Fusion Ltd as a business and its release may prejudice their commercial interests and withholding the information is considered to outweigh the public interest benefit or its release.
- 4.5.4 Further risks, in addition to those outlined in section 4.6, are identified in the confidential Appendix 4 attached to this report which relate to the financial or business affairs of the Council. Disclosure of those risks would be prejudicial to the interests of the Council. It is considered that the public interest in treating this information as confidential outweighs the public interest in disclosing it and that these elements of the report should be treated as exempt under Rule 10.4.3 of the Access to Information Procedure Rules. The report is subject to call in.

4.6 Risk Management

- 4.6.1 A separate risk log has been prepared and has been updated throughout the bidding process. The main risks are as follows:-
- one company (City Fusion) owns the First White Cloth Hall and about 75% of the remaining properties, which puts more risk in the scheme. To mitigate against this risk the City Council has asked the owner to prepare a masterplan to demonstrate how City Fusion will refurbish their properties within the scope of the THI programme and relevant planning policy. In addition the owners have prepared a detailed cost plan, survey and development appraisal specifically for the First White Cloth Hall in order to provide some additional certainty over costs and construction risk. Costs and surveys have also been prepared for the non-First White Cloth Hall buildings within the THI. Much of this work is more than

would be expected of a THI at this stage of development but it has been sought in order to minimise risk at this and at subsequent stages in the development process. These documents have been reviewed by the City Council and its advisors including English Heritage and the West Yorkshire Archaeological Advisory Service. In conclusion it is felt that the plans as proposed are sufficiently robust and provide a suitable basis for submitting the stage 2 bid. It should also be noted that no public funding will be released without the appropriate cost checks, architects certificates and legal, financial and planning agreements being secured. Despite the risks associated with having one main owner the benefit, if the scheme is successful, is that the impact is likely to be comprehensive, avoiding the pepper-potting that can occur where ownerships are fragmented. The ownership position also means that the Council will need to ensure that the interests of the smaller landowners are represented fully and this has been done through regular correspondence and face to face briefings;

- in addition to the capital constraints facing the Council the private sector is also facing challenging times as the economy emerges from recession. However, given the focus on distinctive and independent retailers in contrast with much of the City Centre offer together with the availability of THI support it is thought, following discussions with owners and traders, will be sufficient to stimulate private investment in Lower Kirkgate.
- all THI projects carry the risk that should the critical properties fail to be delivered then HLF could clawback all or some of the funding. This action can be mitigated by demonstrating that all reasonable steps have been taken to secure development and participation by owners and occupiers.

5 Conclusions

- 5.1 Securing the successful rejuvenation of an area which has suffered market failure is complex. However, the funding opportunities available are unlikely to be repeated in the near future. During that time the fabric of Leeds' first street is likely to have deteriorated further even with the use of the Council's planning and building regulations powers. Restoration of the First White Cloth Hall would secure Leeds' most important building at risk. The opportunity to help create a critical mass of independent retailing and to revitalise vacant floorspace for the benefit of the local economy would send a positive message about the resolve of the Council and its partners to support economic prosperity despite the challenges posed.

6 Recommendation

- 6.1 Executive Board members are recommended to:-
- a. agree to the submission of a Stage 2 bid to the Heritage Lottery Fund for the Lower Kirkgate THI;
 - b. that the City Council acts as accountable body for the THI; and,

c. to give authority to spend £668k on the works outlined in this report.

7 Background documents¹

7.1 The following background documents are available for reference:

- Kirkgate Character Area Appraisal (Draft)
- Kirkgate Conservation Management Plan (Draft)
- Lower Kirkgate Planning Statement (adopted 2011)

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Appendix 1: Ariel Photograph of Lower Kirkgate



Appendix 2: First White Cloth Hall (existing and as proposed)



Photo 1: First White Cloth



Photo 2: First White Cloth Hall as proposed (courtesy of Ian Tod Studio)

Appendix 3: Lower Kirkgate Frontages



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Report author: Chris Tomlinson
Tel: 77293

Report of : The Director of Environment and Neighbourhoods

Report to : Executive Board

Date: 11th April 2012

Subject: Refuse Collection Vehicle Replacements

Capital Scheme Number: 16506 / ENV/ REF

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. Of the current Refuse Collection Fleet, 25 vehicles are now aged over 5 years which is considered to be the normal vehicle life expectancy for this service. It is planned to replace 13 of these vehicles in 2012/13.

2. The approved capital programme for 2012/13 includes a sum of £4.6m for vehicle replacements. This report seeks authority to spend of approximately £1.85m with the final prices being confirmed following a tender process.

3. An opportunity exists to replace up to 8 of these 13 vehicles with gas powered vehicles which will not only contribute to the Council's Cleaner Greener strategic outcome through reduced carbon emissions and lower noise levels, but will also save approximately £3.5k per vehicle saving in annual revenue costs assuming current fuel prices compared to a straight replacement of diesel powered vehicles..

Recommendations

4. That Executive Board approves the purchase of 13 new Refuse Collection vehicles and gives Authority to Spend of £1.85m.

1 Purpose of this report

1.1 The purpose of this report is to:

- a) Seek approval to the proposal to purchase 13 Refuse Collection Vehicles as part of a natural replenishment of the fleet and give Authority to Spend of £1.85m.

2 Background information

- 2.1 The Refuse Collection Service uses around 70 collection vehicles (including spare pool cover) each day to provide collections of Residual, Recycled and Garden Waste across the City.
- 2.2 The service operates 6 days per week (Mon-Sat) meaning that the vehicles are in constant use. Within this service, vehicles have a normal life expectancy of 5 to 6 years. During 2010/11, taking account of the age of the fleet, an exercise was done to determine whether it would be cost effective to retain some vehicles for a longer period than originally anticipated. It was concluded that some vehicles could be retained for up to 7 years. Based on the latest profile of vehicle replacements and taking account of reduced borrowing costs and forecast maintenance costs, savings of over £2m will be achieved over the four year period to 2013/14.
- 2.3 Further to the realisation of savings resulting from this deferral of the programmed vehicle replacements, as anticipated, a number of vehicles within the refuse collection fleet are coming to the end of their useful life and it is therefore appropriate that they are replaced. Provision was made in the capital programme in February 2012 for a re-commencement of the vehicle replacement programme during the 2012/13 financial year.
- 2.4 The current age profile of the front line fleet is shown in the table below. As can be seen there are currently 25 vehicles in service (including the spare pool provision) which are at or beyond their expected normal vehicle life during 2012.

Number of Vehicles	Age	Comments
2	6-7	Fleet 4410 & 4111 specialist vehicles. (4411 already approved for replacement)
23	5-6	Includes the spare pool provision. This report deals with replacement of 13 of these vehicles, which will be 6 to 7 years old when replacements are in place.

8	4-5	
25	3-4	
11	2-3	
1	0-2	

3 Main issues

- 3.1 All vehicles purchased for services within the City Council are procured by the Fleet Services team of the Resources directorate. The cost of the vehicle will initially be met from the Council's vehicle replacement capital scheme, which is funded from borrowing.
- 3.2 The cost of the vehicle is then charged to the service revenue account by means of an annual charge over the anticipated life of the asset; the current annual financing cost to the service is approximately £26k per annum, based on a 5 year vehicle life.
- 3.3 Fleet Services now recommend that the vehicle replacement programme is recommenced starting with 13 of the 23 vehicles which will be 6 to 7 years old when the replacements become operational.

3.4 Option 1 Replacement of the Fleet with new diesel vehicles

- 3.5 The Council has the option of replacing these with standard collection vehicles on a like for like basis, i.e. diesel or look to increase the number of gas powered vehicles within the service.
- 3.6 The estimated capital cost of a standard refuse collection vehicle is £130k, although actual prices will be confirmed upon the receipt of appropriate tenders. The equivalent annual financing costs would be in the region of £27.3k.
- 3.7 Replacing 13 vehicles will cost around £1.69m with an annual financing cost of £355k. The current budget for the vehicles to be replaced averages £26k. Therefore, just replacing on a like for like basis would create an immediate additional revenue budget pressure of around £17k per annum.

3.8 Option 2 Replacement of part of the Fleet with new Gas Vehicles (Bio-Methane / Gas)

- 3.9 Since 2009, the council has trialled one gas powered vehicle and one which is dual fuelled. The dual fuelled vehicle has proven difficult to operate on gas, whereas the pure gas vehicle has operated as intended. The City Council installed a Gas station at the Refuse Collection Depot (Cross Green) in March 2011 which was funded by a combination of Government Grant, Local Transport Plan funding and the Council's own Energy Fund. One of the terms of the LTP funding was a commitment to operate additional gas vehicles as part of the Council's normal vehicle replacement programme

- 3.10 The Gas station has an estimated operational capacity of up to 10 refuse vehicles. There are currently two vehicles in service with the capability of using gas (1 pure gas vehicle and 1 dual powered vehicle). Therefore, of the 13 vehicles planned to be replaced, a maximum of 8 vehicles can be gas powered. The remaining 5 will have to be diesel.
- 3.11 A gas powered vehicle is expected to cost £150k. The difference in estimated capital costs of purchasing 8 gas powered vehicles would be around £160k compared to standard diesel collection vehicles. This would give an additional annual financing charge to the service revenue account of around £33k compared to the diesel vehicle lease costs identified in 3.7.

3.12 Comparison of Options

- 3.13 As well as the differences in capital expenditure / financing costs, the fuel costs of the diesel and gas vehicles need to be considered. Gas powered vehicles can be powered by either Bio-Methane or natural gas.
- 3.14 Current prices payable by the Council for diesel are £1.17 pence per litre (ex VAT). Estimates of natural gas prices are 84p/kg.
- 3.15 The Council currently pays 94p/kg plus delivery charges for its Bio-Methane gas. The delivery charges currently calculate at 24p/kg. However, these costs could be reduced by a combination of a higher volumes of gas delivered and a more regular delivery, if more gas vehicles were used in the service. This would reduce the costs of the bio-methane option.
- 3.16 A refuse collection vehicle averages 3.31 miles per gallon and uses around 16,000 litres of diesel per annum. The current gas vehicle in service use around 15,000kg of gas.
- 3.17 The table below compares the total revenue and capital costs of the 13 replacement vehicles based on the assumptions in 3.6, 3.12, 3.15 and 3.16.

	Capital Cost	Annual financing	Estimated Fuel Cost	Total Revenue Cost	Variation from base
Existing <u>Revenue</u> Budget * 13 standard vehicles (£000)		338	263	601	
Replacement Standard Vehicles *13 (£000)	1,690	355	263	618	17
Gas Powered (Bio-Methane) *8 + 5 Standard Vehicle. (£000)	1,850	388	242	631	30
Gas Powered (Natural Gas) * 8 + 5 Standard	1,850	388	202	590	(11)

Vehicles (£000)					
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- 3.18 The cheapest alternative when taking all costs and the capacity of the gas station into account is the purchase of 8 gas vehicles to be powered by natural gas and 5 standard diesel vehicles.
- 3.19 The overall financial implications of the replacement strategy are dependent upon the sensitivity of fuel prices. The Government have indicated that they intend to maintain the difference in duty relating to gas and diesel. Therefore, the key variable becomes the market price of the two fuels.
- 3.20 The price of diesel would have to fall by around 12ppl or the price of natural gas rise by 11p/kg for the costs to be equalised based on the mix of the recommended replacement vehicles. Any widening of the current gap in prices between diesel and gas would make the gas vehicles more cost effective, as well as being environmentally beneficial.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The replacement of the fleet vehicles has been discussed with Fleet Services.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality, Diversity, Cohesion and Integration screening for the proposed capital scheme has been carried out and this concludes that an Equality Impact Assessment (EIA) is not required.

4.3 Council policies and City Priorities

- 4.3.1 The replacement of the fleet Vehicle will be purchased in accordance with the Council's procurement policies.
- 4.3.2 The replacement of the fleet incorporating new gas powered vehicles will help contribute to the Cleaner Greener strategic outcome through reduced CO2 emissions and lower noise levels.
- 4.3.3 The procurement of Gas powered vehicles is also consistent with the aims of the Waste Strategy. Should the Council ultimately seek to procure an Anaerobic Digester (AD) plant to treat future food waste collected from households in Leeds, the fuel from such a plant could be used to power Refuse vehicles.

4.4 Resources and value for money

4.4.1 Capital Funding and Cash Flow.

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2011 £000's	FORECAST				
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's
Vehicles (4)	0.0						
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2011 £000's	FORECAST				
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's
Vehicles (4)	1850.0			1850.0			
TOTALS	1850.0	0.0	0.0	1850.0	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2011 £000's	FORECAST				
			2011/12 £000's	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015 on £000's
LCC Supported Borrowing (37)	4604.9			4604.9			
Total Funding	4604.9	0.0	0.0	4604.9	0.0	0.0	0.0
Balance =	2754.9	0.0	0.0	2754.9	0.0	0.0	0.0

Parent Scheme Number : 16506/000/000

Title : Vehicle Replacement Programme 2012/13.

Revenue Effects

There are no additional revenue effects of this report as the additional financing costs will be offset by a reduction in fuel costs.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no specific implications in this report; however it is subject to call in.

4.6 Risk Management

4.6.1 There is a risk with an ageing fleet that vehicle downtime will increase due to normal wear and tear. Such failures place additional pressures on a key front line service. The vehicles being replaced are already beyond normal life expectancy.

5 Conclusions

5.1 Thirteen Refuse Collection Vehicles require replacement as they are considered to be beyond their normal vehicle life.

5.2 The option to replace up to 8 of these vehicles with a Gas powered alternative should be taken up. This would ensure that the Gas Station at Knowsthorpe Gate is fully utilised.

5.3 Replacing 8 vehicles with a gas powered alternative will cost an estimated £160k more in capital expenditure. This is around £33k per annum in financing costs.

5.4 However, when taking into account potential savings in fuel costs the additional financing costs can be accommodated within the existing revenue budget and should

the price differential between gas and diesel widen, then the business case becomes stronger.

- 5.5** Gas powered vehicles offer significant environmental benefits when compared to diesel vehicles.

6 Recommendations.

- 6.1 Executive Board is requested to

- a) Give Authority to Spend of £1.85m from capital scheme number 16506/ENV/REF.

7 Background documents ¹

- 7.1 Procurement of a permanent Bio-Methane Gas Filling Station – October 2010
LTP2 Grant Approval Highways 15/8/2010
Infrastructure Grant Application (IGP) – Ministerial approval 28/7/2010.
LCC Capital Programme – Executive Board February 2012

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author

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Report of Director of Children’s Services

Report to Executive Board

Date: 11th April 2012

Subject: Annual Consultation on Admission Arrangements for September 2013

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

1. This report seeks approval to the proposed school admission numbers, the Local Authority admissions policy as well as the co-ordinated arrangements for September 2013
2. The 1998 School Standards and Framework Act section 84 and the School Admission Code require the local authority to consult neighbouring local authorities and all maintained schools in Leeds on admission arrangements. This includes consultation on proposed admission numbers and the admissions policy as well as the admissions arrangements.
3. A new Schools Admission Code came into force on 1 February 2012. The new code has implications for the admission round for entry to school in September 2013 and the necessary amendments have been made to the Leeds Admission Policy.
4. The consultation covered a change in the admission number at 2 primary schools. It also referred to a proposal to offer a sibling priority to children entering an infant school where the older sibling would be attending the linked junior school.
5. There is a proposal to increase the number of preferences parents are able to express from 3 up to 5. This is proposed in response to changes made to similar increases in neighbouring authorities to ensure that Leeds parents are not disadvantaged. Of the small number of responses more respondents were in favour than against the proposal.

Recommendations

6. Executive Board is asked to approve the Primary and Secondary Co-ordinated Schemes along with the following changes to school admission numbers:

School	Current Admission Limit	Proposed Admission Limit
Primary		
Bramley St Peters	45	60
Little London	30	60

1 Purpose of this report

- 1.1 To seek approval of the proposed school admission numbers, the Local Authority admissions policy as well as the coordinated arrangements for September 2013

2 Background information

- 2.1 Children's Services is responsible for allocating children to primary, infant, junior and secondary schools and defending admission appeals for Community and Voluntary Controlled schools. There is also a responsibility for co-ordinating admissions between the Voluntary Aided schools, Foundation schools, Academies and other local authorities
- 2.2 The 1998 School Standards and Framework Act, section 84, and the School Admissions Code require the local authority to consult neighbouring local authorities and all maintained schools in Leeds on admission arrangements. This includes consultation on proposed admission numbers and the admissions policy as well as the coordinated admission arrangements.
- 2.3 A new School Admissions Code came into force on 1 February 2012. The new code has implications for the admission round for entry to school in September 2013 and the necessary amendments have been made to the Leeds Admission Policy.

3 Main issues

- 3.1 A consultation document was sent out on 20 December 2011 with a closing date of 28 February 2012 to all schools in Leeds, all neighbouring local authorities, the Church of England and Catholic Diocesan Boards, all councillors and all school governors. It was also placed on the Council website. An e-mail was subsequently issued to all consultees to amend the consultation and include a proposal to allow Leeds parents to preference 5 schools rather than 3. This was in response to changes made by neighbouring authorities to admission arrangements and to ensure that Leeds parents were not disadvantaged.
- 3.2 Consultation must be for a minimum of eight weeks and must take place between 1 November and 1 March of the year before those arrangements are to apply. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about the proposed admission arrangements.
- 3.3 The School Admissions Code 2012 was released in draft form in December 2011 and it was made clear to Admitting Authorities that some key changes would apply for entry in September 2013 and this should be reflected in the local consultation process. One mandatory change was that the priority given to Looked After Children will be extended to include those adopted, those with a special guardianship order or those with a residency order immediately following having been looked after from entry in September 2013. Admission Authorities who wish to increase their Published Admission Number, and have sufficient accommodation to do so, are no longer required to consult on such an increase.

The local authority will continue to consult with governing bodies of Community and Voluntary Controlled Schools about their admission number each year. Admission Authorities who wish to decrease their admission number must fully consult.

3.4 The consultation sought views on:

3.4.1 Proposed changes in Admission numbers

3.4.2 Due to the increasing birth rate in Leeds there is a need to expand a number of primary schools in 2013. Some changes will be the subject of statutory proposals that continue to be brought forward in a rolling programme of increases.

School	Current Admission Limit	Proposed Admission Limit
Primary		
Bramley St Peters	45	60
Little London	30	60

Secondary

No proposed changes to community school admission numbers

3.4.3 The local authority has been notified by Corpus Christi Primary school that following a decrease from 50 to 45 for September 2012 entry, it wishes to further decrease the intake to 40 for September 2013. As this is a decrease in admission number the school is consulting on this change.

3.4.4 Coordinated scheme – annual cycle

A coordinated scheme has been in place for primary and secondary schools for some time. Each year this is updated to reflect new dates and any changes to legislation. Following recent changes in one of our neighbouring authorities, and in line with others, we have proposed that the number of preferences a parent can express be increased from 3 to 5. This will prevent Leeds parents being placed at a disadvantage where they are close to the Leeds boundary.

3.4.5 Coordinated Scheme – in year

From **September 2010** all in year transfers had to be fully coordinated in line with the published scheme. The new Code removes the requirement to coordinate in year transfers from September 2013 and therefore the current coordinated scheme will remain in force throughout 2012/13 but there is no scheme for September 2013.

3.4.6 Sixth Form admissions

None of the Community Secondary schools set out to admit external pupils in year 12 but most will consider ad-hoc requests for places. There are, therefore, no year 12 admissions numbers for community schools.

3.4.7 Waiting lists

Admission authorities are required to hold a waiting list in the normal year of entry until at least 31st December. Last year Children's Services introduced waiting lists for all year groups that are held throughout the academic year and closed on the

last day of the summer term. The local authority intend to continue with this arrangement.

3.4.8 Sibling link between infant and junior schools

Changes in the new Admissions Code have removed some previous restrictions relating to the sibling link applying to infant and junior schools in the same way as in primary school. At present a higher priority is given to a child attending an infant school when applying for the linked junior school. However where the older child had moved onto the junior school, the sibling link did not apply to the younger child applying to join the infant school. The local authority is now able to change this and proposes to give a sibling priority to children applying to an infant school where their older sibling will be attending the linked junior school.

3.5 Responses

There were 22 responses received compared to 105 last year and 11 the year before that. They are made up of 13 from schools, 4 from local members, 4 from governors and 1 from a Children's Services officer. 17 of the responses were specifically about the issue of increasing the number of parental preferences from 3 up to 5. The other 5 were of a more general nature.

3.6 Of the 17 responses relating to the question of the number parental preferences 10 were in favour and 7 were against increasing to 5. Those in favour didn't want Leeds parents to be disadvantaged when compared with neighbouring authorities and generally approved of greater choice. Those against didn't believe that it would help parents get an offer for their preferred school and it could cause additional work for the authority and schools.

3.7 The 5 other comments covered the following issues:

- the fact that the authority advises parents of the nearest school but this does not include faith schools with their own admissions policy
- the clarity that needs to be given to VA schools, Foundation Schools and Academies being their Own Admitting Authorities
- The importance of timely offers being made to pupils who transfer between schools mid year
- concern that schools that are not full could have an unreasonable number of children with attendance and behaviour issues placed with them
- one wished to make no comment

3.8 All admission authorities must determine admission arrangements by 15 April each year, notify the appropriate bodies and publish a copy of the arrangements on the website for the whole offer year in which offers for places are made. Following determination of arrangements any objections must be made to the Schools Adjudicator by 30 June.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.2 This report is brought forward following extensive consultation as defined in the School Admissions Code the outcome of which is detailed above.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The challenge for all admission authorities is to go further than ensuring legal compliance with the Code but to actively promote equity. The Leeds Admission Policy is regularly reviewed to ensure that families have equality of opportunity when applying for school places.

4.2.2 The Schools Adjudicator has a key role in ensuring a fair admissions system by enforcing statutory requirements including the provisions of the Code.

4.2.3 An equality, diversity, cohesion and integration screening has been undertaken and sent to the Equality Team.

4.3 Council policies and City Priorities

4.3.1 In terms of the Children and Young People's Plan the admission arrangements will contribute towards the outcomes for the three obsessions. Looked After Children are given the highest priority in the Admission policies of all schools and Academies in Leeds. The higher priorities for siblings, so families can be together, and proximity to school both seek to remove any barriers to achieving good attendance.

4.4 Resources and value for money

4.4.1 There are no immediate resource implications arising from this report and the planning of expansion of school places to meet Basic Need will be the subject of separate reports

4.5 Legal Implications, Access to Information and Call In

4.5.1 The Code which applies to all schools in Leeds is statutory and must be followed. The local admissions policy in Leeds complies with the Schools Admission Code. In line with the Code the local authority must determine their admission arrangements no later than 15 April. Following determination it must publish the arrangements on the website.

4.5.2 This report is subject to Call In.

4.6 Risk Management

4.6.1 None identified.

5 Conclusions

5.1 The consultation on the proposed admission arrangements has found general support for the proposals. Only very minor changes had been proposed this year and the admission policy has been brought into line with the recent legislative changes.

6 Recommendations

- 6.1 Executive Board is asked to approve the Primary and Secondary Co-ordinated Schemes along with the following changes to school admission numbers:

School	Current Admission Limit	Proposed Admission Limit
Primary		
Bramley St Peters	45	60
Little London	30	60

7 Background documentsⁱ

- 7.1 1998 School Standards and Framework Act section 84
- 7.2 School Admissions Code 1 February 2012
- 7.3 Children's Services consultation on admission arrangements for September 2013

ⁱ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

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