



SCRUTINY BOARD (HOUSING AND REGENERATION)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Tuesday, 24th September, 2013 at 10.00 am

(A pre-meeting will take place for ALL Members of the Board at 9.30 am)

MEMBERSHIP

Councillors

B Atha	Kirkstall;
D Collins	Horsforth;
J Cummins	Temple Newsam;
P Grahame	Cross Gates and Whinmoor;
M Iqbal	City and Hunslet;
S Lay	Otley and Yeadon;
V Morgan	Killingbeck and Seacroft;
D Nagle	Rothwell;
J Procter (Chair)	Wetherby;
C Towler	Hyde Park and Woodhouse;
G Wilkinson	Wetherby;

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

Agenda compiled by:
Guy Close
Governance Services
Civic Hall
LEEDS LS1 1UR
Tel: 39 50878

Principal Scrutiny Adviser:
Richard Mills
Tel: 24 74557

A G E N D A

Item No	Ward/Equal Opportunities	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, notice of an appeal must be received in writing by the Head of Governance Services Officer 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 the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p>No exempt items have been identified on the agenda.</p>	

Item No	Ward/Equal Opportunities	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 DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p>MINUTES - 8 AUGUST 2013</p> <p>To confirm as a correct record the minutes of the meeting held on 8 August 2013.</p>	1 - 6
7			<p>NOTES OF THE DIRECTORATE'S WORKING GROUP MEETINGS ON STUDENT ACCOMMODATION - 28 JUNE AND 9 JULY 2013</p> <p>To receive for information the notes of the Directorate's Working Group meetings on Student Accommodation held on 28 June and 9 July 2013.</p>	7 - 16

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			<p>COUNCIL APPROACH IN DEALING WITH OFF-SITE AFFORDABLE HOUSING CONTRIBUTIONS</p> <p>To consider a joint report from the Directors of City Development and Environment and Neighbourhoods on the Council's policies and approach to determining when an affordable homes contribution from a development is taken as a commuted sum in another part of the city and who is consulted on the proposal.</p>	17 - 22
9			<p>COUNCIL POLICY ON THE PROVISION OF COOKERS TO TENANTS</p> <p>To consider a report from the Director of Environment and Neighbourhoods reviewing the Council's policy of not providing gas or electric cookers to its tenants from a health and inequality perspective.</p>	23 - 28
10			<p>WORK SCHEDULE</p> <p>To consider a report from the Head of Scrutiny and Member Development on the Board's work schedule for 2013/14.</p>	29 - 54
11			<p>DATE AND TIME OF NEXT MEETING</p> <p>Tuesday, 29 October 2013 at 10.00am (Pre-meeting for all Board Members at 9.30am)</p>	

SCRUTINY BOARD (HOUSING AND REGENERATION)

THURSDAY, 8TH AUGUST, 2013

PRESENT: Councillor J Procter in the Chair

Councillors B Atha, D Collins, J Cummins,
P Grahame, V Morgan, D Nagle, C Towler
and G Wilkinson

12 Late Items

There were no late items of business to consider.

13 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

14 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted on behalf of Councillor M Iqbal and Councillor S Lay.

An apology was reported from Councillor P Grahame that she would be late attending the meeting due to a prior engagement.

15 Minutes - 25th June 2013

RESOLVED – That with a correction to the resolution in minute 10 work schedule by the deletion of the words ‘minute 7 above’ and substitution of the words minutes 7 and 8 above’ the minutes of the meeting held on 25th June 2013 be confirmed as a correct record.

16 External Publication of Employee Interests for High Risk Posts

A report of the Head of Scrutiny and Member Development provided a summary of the current position with regard to three recommendations made by the Scrutiny Board concerning officer declarations of interest.

The Scrutiny Board considered a report of the Director of Resources on the external publication of employee interests for high risk posts which included the Directorates formal response to the Scrutiny Board’s recommendations. The Directorates proposed response to those recommendations had been agreed by the Executive Board on 17th July 2013.

The Principal Scrutiny Adviser reported apologies from Mr Alan Gay, Director of Resources and Mr Phil Crabtree, Chief Planning Officer who were unable to attend for this item due to prior commitments.

The following representatives attended the meeting:

- Councillor Peter Gruen, Executive Board Member (Neighbourhoods, Planning and Support Services)
- David Almond, Head of Human Resources
- Martin Sellens, Head of Planning Services.

In consideration of this report, a number of issues were identified and discussed which included the:

- Chief Planning Officer's decision to implement the Board's recommendation that planning officers declare no interest on planning applications. It was reported that this had caused concern and some resistance by planning staff.
- Clarification that employees' declarations of interest were not only relevant to the consideration of individual planning applications but also to the site allocation process.
- Need for the process to be open, clear and transparent.
- Ruling by the Information Commissioner against Bolton Council which related to a specific issue concerning the making of information available in response to a Freedom of Information (FOI) request. Concern was expressed that the Commissioner's views had not been sought on the wider issues raised by this Board.
- View that had the Council instigated an approach suggested some years ago that all new Council employees be required to make declarations of interests the current concerns would not apply.
- Concern that despite the support given by the Council's internal auditor to the Board's recommendation that planning officers be required to confirm that no undue influence had been placed upon them in making their recommendation; this had not been accepted by the Executive Board. A discussion ensued as to how undue influence might be defined.
- Offer by the Executive Board Member (Neighbourhoods, Planning and Support Services) to discuss further with the Chair this Board's concerns regarding officer declarations of interest.
- Information by the Executive Board Member that the position would be monitored and reviewed in 6 months.
- Concern that the Director of Resources report refers to the external publication of employee interests for high risk posts when the initial concerns raised by the Scrutiny Board related to all Council employees not just high risk posts. It was suggested that this change in emphasis was against the Council's Constitution. The Principal Scrutiny Adviser stated that the recommendations made by the Scrutiny Board had been addressed by the Director of Resources report but he would review the Constitution and report back if it was necessary to do so.

RESOLVED – That the reports be noted.

(Councillor B Atha attended the meeting at 10.10am during consideration of this item)

Draft minutes to be approved at the meeting
to be held on Tuesday, 24th September, 2013

17 Enforcement Process - Unauthorised Encampment by Gypsies and Travellers

A report of the Head of Scrutiny and Member Development gave details of the Board's request at the last meeting to review the enforcement process which is applied to unauthorised encampments by Gypsies and Travellers.

The Scrutiny Board considered a report of the Head of Housing Support which summarised the legal powers available to and the legal obligations placed on the Council when responding to unauthorised encampments of Gypsies and Travellers on Council owned and non-Council owned land.

The following representatives attended the meeting:

- Councillor Peter Gruen, Executive Board Member (Neighbourhoods, Planning and Support Services)
- Liz Cook, Chief Housing Officer
- Rob McCartney, Head of Housing Support
- Karen Blackmore, Team Leader, General Litigation Team.

In consideration of this report, a number of issues were identified and discussed which included the:

- 2011 Scrutiny Inquiry Report into site provision in Leeds for Gypsies and Travellers.
- Guidance on Managing Unauthorised Camping issued by the then Office of the Deputy Prime Minister which sets out an obligation for local authorities to make 'welfare enquiries' into the circumstances of the people trespassing on Council land.
- Substantial reduction in the number of unauthorised encampments by Gypsies and Travellers in the city since April 2011 and a consequential reduction in legal and clean-up costs.
- Reduction in unauthorised encampments which have been achieved by maintaining the long standing practice of recovering possession, looking at further opportunities (such as injunctions) within the legal framework and complementing enforcement action with a strategy of toleration.
- 12 Leeds based Gypsies and Travellers and the decision in 2012 to commit to that group and tolerate them to stay on 2 parcels of public land in Bath Road, Holbeck and a former school site at Primrose Hill, Lincoln Green over an 8 month period. It was reported that none of these Gypsies and Travellers were currently trespassing in the city. Some of these families had been rehoused and others are staying with families on the Cottingley Springs site.
- Continued policy of not tolerating trespass by non-Leeds based Gypsies and Travellers in the city.
- Request for an update on the 12 additional pitches to be provided at Cottingley Springs. It was reported that a planning application was due to be submitted within the next week to proceed with the scheme and it

was hoped that the additional pitches would be completed by mid-summer 2014.

- Concern that ward members in Horsforth had not been notified of Gypsies and Travellers trespassing on land adjacent to the ring road on the boundary with Horsforth, but actually in the Kirkstall Ward. It was acknowledged that where trespassing was occurring on or near to ward boundaries all relevant ward members should be informed of the trespass and provided with information so they could advise their constituents of the action being taken.
- Concern at the provision of skips and toilets to unauthorised encampments on Council owned land. It was stated that provision of these facilities was a balance between meeting the Council's service and social responsibilities and reducing the environmental impact on local communities and subsequent clean-up costs.
- Clarification as to whether assistance was offered to private land owners where illegal encampments took place. It was reported that assistance could be given but considered on a case by case basis.
- Clarification regarding Cottingley Springs as to the tenancy agreements they had and residents views as to the proposals for Leeds based Gypsies and Travellers moving to this site in 2014. It was reported that residents at Cottingley Springs had almost the same tenancy agreements as Council house tenants with the ultimate sanction being eviction. The development and management of Cottingley Springs is undertaken like any other Council estate. It was stated that in general Cottingley Springs residents were supportive of the approach being taken.
- Concern that despite the extension of Cottingley Springs all pitches would be allocated for Leeds based Gypsies and Travellers and there would continue to be a need for temporary pitches for Gypsies and Travellers passing through Leeds and the challenges that would inevitably arise.
- Education provision for Gypsies and Travellers in Leeds, particularly for females.
- Securing injunctions covering parcels of land in Burley, Armley and Wortley, against named Travellers and the difficulties that arise with their enforcement. It was stated that there were efforts being made to press the boundaries for injunctions that applied to areas of land and not named Travellers but this would require changes to current legislation.

RESOLVED –

- (i) That the reports be noted.
- (ii) That a further update be provided to this Board in 2014 before the Cottingley Springs extension is completed.

(Councillor P Grahame attended the meeting at 10.25am during consideration of this item)

18 Work Schedule

A report was submitted by the Head of Scrutiny and Member Development which set out in Appendix 1 the Scrutiny Board's work programme for the current municipal year.

Attached as appendix 2 to the report was a copy of the minutes of the Executive Board meeting held on 17th July 2013.

RESOLVED – That the Board's current work schedule be noted and updated to reflect any issues discussed during today's meeting or identified by Members between meetings.

19 Date and Time of Next Meeting

Tuesday, 24th September 2013 at 10.00 am (Pre-meeting for all Board Members at 9.30 am)

(The meeting concluded at 11.47 am)

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WORKING GROUP ON STUDENT ACCOMMODATION

Meeting to be held on 28th June 2013 at 13.30
Civic Hall, Leeds LS1 1UR

1.	Introduction and apologies
2.	Summary of key issues
3.	Discussion on key issues and work required
4.	Next Steps: a) future meetings b) Possible evidence and witnesses c) Any other next steps
	Date and time of the next meeting: Tuesday 9th July 2013 at 3pm

WORKING GROUP ON STUDENT ACCOMMODATION

Notes of the meeting held on 28th June 2013 at 1.30pm
Civic Hall – Leeds

ATTENDANCE

Cllr Gruen	Executive Member – Labour
Cllr Walshaw	Labour – Headingley
Cllr Nash	Labour – City and Hunslet
John Statham	LCC Housing Services
Mike Brook	LCC Housing Services
Suzy Harrison	LCC Housing Services
Phil Crabtree	LCC City Development
Robin Coghlan	LCC City Development
Jason Singh	LCC WNW Environment and Neighbourhoods
Martin Blakey	Unipol
Neil Robinson	Leeds University
Frankie	Student Representative
Jane Maxwell	WNW Planning
Stuart Byrne	WNW Area Management

APOLOGIES

Liz Cook	LCC Statutory Housing
Sue Holmes	Leeds Met University
Huw Jones	Re'New

	ITEMS DISCUSSED	ACTION
1.	<p>Introductions & apologies</p> <p>Cllr Gruen welcomed all to the meeting and advised of the apologies received.</p>	
2.	<p>Summary of key issues</p> <p>Cllr Gruen gave an overview of the working group including planning, housing and communities. Need to engage with key stakeholders and seek their view of changes in the city centre, different clientele and their needs.</p>	
3.	<p>Discussion on key issues and work required</p> <p>Cllr Nash raised questions on planning application status and if they are likely to be approved. Phil Crabtree advised 3,200 consented bedspaces and 4000 outstanding applications remain. Cllr Gruen acknowledged this issue but advised of the need for the discussion to cover the needs of the overall Headingley area and wanted to views of those present to confirm that this working group was necessary and if so, to set realistic terms of reference for the group.</p> <p>Cllr Walshaw very much welcomed the formation of this working group and wanted it to address issues around property values and how to deal with the effect of the de- studentification and the likely impact on the area.</p> <p>Martin Blakey was sceptical of planning alone being able to address these issues. He identified a surplus in purpose build accommodation leading to a reduced requirement for HMO's and off street properties and suggested there are currently in excess of 6000 empty bed spaces. Further issues identified that the supply and demand was not linked to the building of these purpose built blocks and if not action is taken to address this, in future years we could be faced with even greater surplus of bedspaces.</p>	
4.	<p>Terms of reference (TOR)</p> <p>2 papers were submitted to the group:</p> <ol style="list-style-type: none"> 1) John Statham introduced a paper addressing housing market change in Leeds 6. This outlined the background and the proposed stage approach including workshops to address specific issues. It then detailed suggestions on consultation and engagement and a timetable for conclusion and final reporting. 2) Phil Crabtree gave proposed frame of reference regarding planning and development issues on student accommodation. <p>The group then had a general discussion on both papers and identified the need to combine them into one workable term of reference. It was agreed that the final set of agreed options / interventions should be reported to the housing and regeneration scrutiny board.</p>	JS/PC

	<p>Both Cllrs Walshaw and Nash welcomed the proposals contained within the terms of reference and anticipated that the resulting actions would lead to a more sustainable community and better engagement with all stakeholders, including the local residents and landlords.</p> <p>Further discussion amongst the group regarding which stakeholders should be invited to participate in the workshops or called to give evidence. Further discussions to take place to determine appropriate attendance and invites.</p> <p>It was highlighted that there would be a need to identify innovative ways of using funding eg. Use of S106 and CIL money. It was agreed that the next step would be for JS and PC to combine their TOR's and prepare an action plan for consideration at the next working group meeting.</p>	JS/PC
5.	<p>Next steps</p> <p>TOR and action plan to be prepared for July meeting. Other items to consider in July are:</p> <ul style="list-style-type: none"> - A review of the Re'new findings - Collation of the current planning policies/strategies - Collation of current housing policies - Identification of gaps or issues in the existing policies and strategies - Identification of key stakeholders to invite to future meetings or workshops 	JS/PC/CLLR GRUEN
6.	<p>A.O.B.</p> <p>No other items raised</p>	

Date of Next Meeting: Tuesday 9th July 2013 - 3pm Civic Hall, Leeds.

WORKING GROUP ON STUDENT ACCOMMODATION

Meeting held on 9 July 2013 at 15.00
Civic Hall, Leeds LS1 1UR

1.	Introduction and apologies
2.	Summary of key issues
3.	Discussion on key planning issues
4.	General group discussion
5.	Review of Planning Policy
6.	Summary
7.	Date and time of the next meeting: Friday 9 th August 2013 at 3pm

WORKING GROUP ON STUDENT ACCOMMODATION

Notes of the meeting held on 9th July 2013 at 3.00pm
Civic Hall – Leeds

ATTENDANCE

Cllr Gruen	Executive Member – Labour
Cllr Walshaw	Labour – Headingley
Cllr Nash	Labour – City and Hunslet
Cllr Nagle	Labour – Rothwell
Cllr Lay	Liberal Democrat – Otley and Yeadon
Cllr Proctor	Conservative - Wetherby
John Statham	LCC Housing Services
Mike Brook	LCC Housing Services
Suzy Harrison	LCC Housing Services
Phil Crabtree	LCC City Development
Robin Coghlan	LCC City Development
Jason Singh	LCC WNW Environment and Neighbourhoods
Victoria Loveseed	Unipol
Ian Robertson	University of Leeds
Stuart Byrne	WNW Area Management
Huw Jones	Re’new (associate)
Vicki Johnson	Leeds Met University

APOLOGIES

Jane Maxwell	Planning, Policy And Improvement
?	Student Union representative
Martin Blakey	Unipol

	ITEMS DISCUSSED	ACTION
1.	<p>Introductions & apologies</p> <p>Cllr Gruen welcomed all to the meeting and advised of apologies. Cllr Nagle was omitted from the attendees list in the previous meeting notes and apologies given.</p>	
2.	<p>Summary of key issues</p> <p>Phil Crabtree referred to Leeds Planning Policy for purpose built student accommodation, specifically H6-Part B. Referring to the Manchester approach, policy should be fixed at larger schemes supported by the university / HE institution for the supply of all or some of the bedspaces the new development will provide. PC highlighted the controls and management needs to address student accommodation in the future and the requirement to evidence the 'need' for additional bedspaces given that the circumstances in Leeds differs from those in Manchester. This was then open for discussion with the group.</p>	All
3.	<p>Discussion on key planning issues</p> <p>PC referred to 2 additional papers circulated to the group prior to the meeting.</p> <p>1. Martin Blakey's briefing notes - noted that demand for student accommodation is declining and that purpose built student accommodation is not deemed suitable to any other tenure identifying a need for tighter regulation with a need for direct report from educational institutions. Central principles are needed to judge future planning applications for larger purpose build development. Concern raised of increased voids in areas of student housing due to surplus student stock</p> <p>2. Huw Jones (study for Unipol) identified first year student demand is already catered for so additional student accommodation would need to come from elsewhere. 2nd / 3rd year students have different needs. The emphasis should be on the 'level of need' – does it make a contribution to the city?</p> <p>Cllr Gruen then recapped the meeting to date and identified the key issues for the group to discuss further as:</p> <ul style="list-style-type: none"> • What is the factual position on existing student numbers? • What are the specific requirements for new student accommodation build and how can new build be more flexible? • The need to develop a policy (possibly interim) on assessing new planning applications <p>It was noted that the development for a suitable planning policy was to be treated as a matter of urgency.</p>	PC
4.	<p>General group discussion</p> <p>Initial thoughts from Cllrs Nagle and Nash queried the need for additional</p>	

	<p>student accommodation and also noted that student accommodation varies widely from traditional housing provision. They also were interested to understand Unipol and the Universities' views on the potential existing over-supply and the likely impact of reduced student numbers.</p> <p>Cllr Gruen agreed that there is a need to understand the true facts and establish the correct base line.</p> <p>VL suggested that the existing research carried out by R'New does provide sufficient base line information, although this could be refreshed. She suggested there could be approx. 6,000 empty bedspaces currently, mostly in traditional off-street accommodation. However, details on void numbers in purpose built accommodation is difficult to obtain as the larger providers were not always forthcoming with this information.</p> <p>IR gave an update on behalf of Leeds University regarding specific student needs. He also acknowledged the good quality accommodation provided by the existing major providers. However, he identified that new developers were not necessarily as dedicated to providing good quality housing but were more profit motivated. He suggested that in his view it would be better to use any potential development land to build accommodation that would benefit the city as a whole rather than further student housing.</p> <p>Cllr Walshaw agreed with the above and also questioned the quality of the proposed student developments. He asked the question whether it was time for planning policy to say no to applications unless a need and quality can be assured.</p> <p>VJ advised that from a Leeds Met perspective she agreed with the above comments from LU and Unipol and concurred that they too have voids and reduced bedspaces.</p>	
<p>5.</p>	<p>Review of Planning Policy</p> <p>HJ identified that 3,500 units with planning permission remain unbuilt. This raises the question of competition and viability in the market and the need to undertake a study of the true need as new bedspaces will only be filled at the expense of existing student accommodation.</p> <p>Cllr Proctor agreed with this sentiment noting that applications for new builds appeared to be more about satisfying the needs of investors rather than provision of quality housing.</p> <p>Reference was made again to the relevant planning policy H6 part B (details were included in the handout provided to group members). The main points to note were:</p> <ul style="list-style-type: none"> • What is currently missing – there should be a requirement for any future application to detail a demonstrable need for the development (will be necessary to define 'need') • Can future developments be 'future proofed' to ensure longevity and flexible housing provision. • The need for minimum standards and suitability of accommodation provided. <p>A general discussion then took place regarding the need to regulate the quality of the proposed housing. MB advised of existing issues relating to over development of existing housing in the traditional PRS sector leading to inadequate room sizes and enforcement action is being taken to regulate this. It is important to ensure that there is a joined up approach</p>	

	<p>when considering future planning applications to ensure we prevent any such issues occurring in new build developments.</p> <p>PC gave a summary of the areas to be considered when developing or amending planning policy. These were summarised as:</p> <ul style="list-style-type: none"> • Recognition that need and demand cannot be fixed but each application will need to be assessed under its own merits. • Any new policy must be long lasting and able to be flexible / adaptable (may also be possible to provide supplementary notes to better advise developers). • There was a question as to whether management arrangements of these developments could be linked to their planning application. • Issues of quality relate to internal and external construction, including building materials. • We will need to consider what status is given to the policy and ensure it is fully consulted and tested. <p>Both Cllrs Proctor and Gruen identified a possible need to develop an interim planning policy to address the existing and expected planning applications of this nature?</p>	
<p>6.</p>	<p>Summary</p> <p>Cllr Gruen concluded the meeting and thanked the group for their constructive comments. The next steps to be carried out before future meetings were agreed as:</p> <ol style="list-style-type: none"> 1. To produce a new 'draft policy' for consultation 2. Produce a narrative of the current situation – where we are now issues etc. 3. Consider legal implications of introducing an interim planning policy prior to October. 	<p style="text-align: center;">PC HJ PC</p>

Date of Next Meeting: Friday 9th August 2013 - 3pm Civic Hall, Leeds.

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Report of Director of City Development and Director of Environment and Neighbourhoods

Report to Scrutiny Board (Housing and Regeneration)

Date: 24th September 2013

Subject: Council approach in dealing with off-site affordable housing contributions

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 type="checkbox"/> Yes	<input checked="" 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

At the Scrutiny Board meeting on 25 June 2013, the Board in dealing with the Quarter 4 Performance Report for 2012/13 resolved that a report be submitted to the Board on the Council's policies and approach to determining when an affordable homes contribution from a development is taken as a commuted sum in another part of the city and who is consulted on the proposal.

This report considers the approach set by national and local policy in relation to commuted sums in particular in relation to Protected Areas of Search (PAS) sites which were reported in March 2013 to the Executive Board.

Recommendations

Scrutiny Board is asked to note the content of this report.

1 Purpose of this report

- 1.1 The purpose of this report is to inform Scrutiny Board of the Council's position when an affordable homes contribution from a development is taken as a commuted sum in another part of the city and who is consulted on the proposal.

2. Background information

- 2.1 At the Scrutiny Board meeting on 25 June 2013, the Board resolved that a report be submitted to the Board on the Council's policies and the approach to commuted sums for affordable housing. This is in the context of the Protected Areas of Search (PAS) sites which were reported in March 2013 to the Executive Board. Also in the context of the report to executive Board in July 2013, 'Housing Investment Land – a Strategic Approach to Delivery', which sets out an approach in relation to the potential use of commuted sums for affordable housing in order to support the development of inner city brownfield sites for housing purposes.

3. Main issues

- 3.1 The Council has resolved to take forward a variety of measures to increase the delivery of housing in Leeds following unprecedented low levels of supply, largely due to the recession and access to finance. This approach aligns with the Best Council Business Plan and the recognised benefits arising from new housing. A variety of measures are set including:
- Setting a challenging Core Strategy target for housing delivery;
 - Releasing appropriate greenfield land to help increase housing delivery;
 - Demonstrating a five year supply;
 - Affordable Housing Programme;
 - A programme of new Council house building;
 - Facilitating self build;
 - Mobilising development on brownfield sites;
 - The Housing Investment Land Use Strategy (a strategic approach to using Council owned land and assets to support housing growth to include brownfield land);
- 3.2 These efforts complement and support a wider regeneration approach which helps direct new housing to the inner areas in particular brownfield sites where housing needs are greatest and where land is available.
- 3.3 The policy approach is set by the National Planning Policy Framework (NPPF)(March 2012) which is clear that affordable housing requirements should normally be met on site unless an off-site provision or a financial contribution of

broadly equivalent value can be robustly justified and the agreed approach contributes to the objectives of creating mixed and balanced communities. Within the Unitary Development Plan (UDP) 2006, and Supplementary Planning Guidance (SPG 3Feb 2003) in relation to affordable housing, there is a clear presumption in favour of on-site delivery. Off-site provision is not ruled out in exceptional circumstances provided that it results in at least an equal contribution to the mix and balance of communities compared to on-site provision.

3.4 In the Pre-submission draft Core Strategy there is also a presumption in favour of onsite delivery of affordable housing. The draft Core Strategy (para 5.2.6) also states that in seeking to meet housing need and to help support the viability of housing delivery, there may also be opportunities for sites to be brought forward, in advance of their particular phasing. Pairing a greenfield site in private ownership with brownfield city sites in regeneration areas to provide higher levels of affordable housing through an off-site contribution is an example of where early release may be considered as appropriate.

3.5 This report relates to Protected Areas of Search (PAS) sites which were reported in March 2013 to the Executive Board, in the context of reports on the city improving its supply and providing criteria for the selective release of PAS sites pending the adoption of the Site Allocations Development Plan Document (DPD). Part of that policy is that for sites in the Main Urban Area or Major Settlements as defined in the Pre-submission Core Strategy (i.e. main City of Leeds, Garforth, Guiseley/Yeadon/Rawdon, Morley, Otley, Rothwell and Wetherby) and where the land is not needed for alternative uses then early development for housing on PAS land above 10 hectares in size may be supported if;

- it is in an area where housing land development opportunity is demonstrably lacking; and
- the development proposed includes or facilitates significant planning benefits such as, but not limited to:

a) a clear and binding linkage to the redevelopment of a significant brownfield site in a regeneration area;

b) proposals to address a significant infrastructure deficit in the locality of the site.

In all cases development proposals on PAS sites should satisfactorily address all other planning policies, including those in the Core Strategy.

3.6 The NPPF para 50 states 'where affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities'. The planning process has two stages first in the determination of planning application by the Plans Panel, to include consultation with Ward Members and consideration of their views. Secondly the planning process agrees the 'heads of terms' prior to the determination of the planning application. The heads of terms are presented to Plans Panel, setting out the amounts for affordable housing seeking Member

comments, to include Ward Member consultation before the approach is agreed at Plans Panel.

- 3.7 Commuted sums can be used to secure additional affordable housing through a number of routes such as acquiring new sites, new units or empty properties to achieve the Council's ambition in meeting housing growth and need. When this happens it can be spent on schemes either locally or elsewhere to meet housing need and help deliver development on brownfield sites, though Plans Panel do not specify where that commuted sum will be spent. Should a commuted sum be acceptable then that the proposal would be put to the Executive Board for determination of where the monies are to be spent. This may involve commuted sums negotiated on a variety of sites across the City.
- 3.8 It is expected that in considering any proposal for an off-site contribution, the developer would submit an analysis of need in both the area of the site and the area where a contribution is being directed to in accordance with the Development Core Strategy policies. A reasoned justification will also be required which demonstrates how the proposal will meet the Council's objectives in terms of affordable housing delivery, development of housing on brownfield land, stimulating development on stalled sites and ensuring the proposals are consistent with the aim of creating mixed and balanced communities. The need for affordable housing in terms of an appropriate tenure mix in the location where the proposal is generated is also a key consideration in ensuring a balance in the provision of affordable housing is maintained, particularly for areas where house prices prevent residents from accessing the private sector housing market.
- 3.9 Where commuted sums have been negotiated and agreed by Plans Panel, the contribution can be effectively used to deliver affordable housing, including social and sub market housing, provided that they meet the definition contained within the NPPF. By working with developers and providers, the use of commuted sums can secure additional units of affordable housing on sites, accelerate the delivery of sites and can promote a mix of tenure in support of sustainable neighbourhoods. Where such proposals are developed, a report is taken to the Executive Board. This approach has previously been taken by the Council, the report to Executive Board 9th December 2009 approved the use of £1.5m commuted sums as a contribution towards the delivery of 25 new council houses. The extension of the Council Housing Growth Programme and the on-going delivery of the Affordable Housing Programme with housing associations may provide more opportunities to deliver new affordable homes in cost effective ways utilising commuted sums.
- 3.10 In terms of supporting the development of brownfield sites, particularly within regeneration areas, commuted sums can be a valuable catalyst to increasing the delivery of affordable housing, stimulating brownfield development in areas of greatest housing need and reducing the pressure for the release of greenfield sites.
- 3.11 The report to executive Board in July 2013, Housing Investment Land – a Strategic Approach to Delivery, sets out an approach in relation to the potential use of commuted sums for affordable housing in order to support the development of inner city brownfield sites for housing purposes. The report notes that in the context of current market conditions and the lack of viability of some brownfield sites the

Council could consider the potential for off-site affordable and/or commuted sums to act as a stimulus for addressing market failure. The Council is reflecting the NPPF in referring within the Core Strategy to the use of commuted sums from housing as a lever for investment in the inner area. As noted above, the NPPF notes that affordable housing should be met on-site unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Within this context the Core Strategy makes reference (paragraph 5.2.6) to “providing higher levels of Affordable Housing through off-site contributions or the use of City Council assets (within regeneration areas)”.

4. Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Pre-submission Draft Core Strategy has been through consultation to reach this stage and the Examination by an Inspector will start in October 2013.
- 4.1.2 The interim PAS policy guidance has not been out to consultation. It has been legally challenged by a developer and that will be considered by the High Court in due course.
- 4.1.3 Planning applications which propose an off-site contribution are subject to the normal publicity and notification requirements and people are able to comment on the proposals. Ward members will be consulted on these applications and asked for their views. The proposals and implications will be considered by members in due course at Plans Panels.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The Core Strategy documents have been subject to an Equality, Diversity, Cohesion and Integration Screening.
- 4.2.2 The impact of off-site affordable housing contributions on the make-up of local communities is an important consideration in assessing the acceptability of the approach and the impact of particular proposals. The provision of affordable housing in particular affects those on lower incomes and the young in areas of greatest need.

4.3 Council policies and City Priorities

- 4.3.1 The summary above sets out the policy approach at both national and local level.
- 4.3.2 The provision of affordable housing, stimulating development of stalled brownfield sites and increasing housing supply are all key Council priorities.

4.4 Resources and value for money

- 4.4.1 Providing a commuted sum from a high value area can lead to the delivery of greater levels of affordable housing in inner city areas in locations where the need

can be greater. The impact on need, supply and delivery should be considered on a case by case basis provided the principles of the NPPF are met and policies of the Draft Core Strategy this could be a cost effective way of providing new affordable housing and increase overall housing dealing with the potential increase to the level of New Homes Bonus.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This report does not contain any exempt or confidential information.

4.5.2 This report is not eligible for call in.

4.6 Risk Management

4.6.1 There is a need for clarity, certainty with an emphasis on delivery in pursuing this approach.

5. Conclusions

5.1 This paper discusses the approach to the use of Commuted Sums to support the delivery of affordable housing. It reflects current practice in that policy allows commuted sums to support the growth of affordable housing. The report also emphasises the potential effectiveness of using resources in this way, particularly in the context of current market conditions, to meet needs in areas where those needs are greatest such as the regeneration areas and help to alleviate pressure on the release of greenfield sites.

6. Recommendations

6.1 Scrutiny board is asked to note the content of this report.

7. Background documents

- Report to Executive Board – 13th March 2013 – Housing Delivery
- Report to Executive Board – 17th July 2013 – Housing Investment Land – a strategic approach to delivery
- National Planning Policy Framework (NPPF), March 2012
- Core Strategy – Publication Draft Pre-submission Changes, December 2012

Report of Director of Environment and Housing

Report to Scrutiny Board (Housing and Regeneration)

Date: 24th September 2013

Subject: Council Policy on the Provision of Cookers to Tenants

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 type="checkbox"/> Yes	<input checked="" 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 the Scrutiny Board meeting on 25 June 2013, the Board enquired as to the Council's position on the provision of gas cookers and fridges as it felt that provision would help health inequality.
2. Council tenancies are currently let on an unfurnished basis. Under the terms of the tenancy agreement, the Council does reserve the right to offer additional services which would be subject to a charge. Additional services could include equipment such as cookers and fridges as well as furnishings.
3. In April 2013, the Council launched a Local Welfare Support Scheme to provide support for families and vulnerable people faced with unforeseen difficulties and emergency situations. This includes the provision of cookers where the applicant fulfils the eligibility criteria.
4. The Council also supports the growth of furniture re-use schemes in Leeds to ensure opportunities to recycle and re-use furniture are maximised.

Recommendations

5. Scrutiny Board is asked to note the content of this report and request a further report on the potential for developing a scheme to provide cookers and fridges to tenants.

1 Purpose of this report

- 1.1 The purpose of this report is to inform Scrutiny Board of the Council's position in relation to the provision of gas and electric cookers to tenants.
- 1.2 The report also outlines the schemes available to vulnerable tenants for the provision of household equipment at no or little cost to the recipient.

2 Background information

- 2.1 At the June Scrutiny Board meeting, the Board enquired as to the Council's position on the provision of gas cookers and fridges as it felt that provision would help health inequality.
- 2.2 Leeds City Council tenancies are currently offered on an unfurnished basis. Under the terms of the tenancy agreement, the Council does reserve the right to offer additional services which would be subject to a charge. Additional services such as Heat Lease are provided in this way and could be extended to include equipment such as cookers and fridges as well as furnishings. Prior to introducing new services, the tenancy agreement provides that tenants will be consulted.
- 2.3 If the Council was to provide household appliances as an additional service, it would bear the responsibility to repair, maintain and service the appliance. As a result, the application of a service charge would be such to cover these costs.

3 Main issues

- 3.1 The Council does not currently provide cookers or fridges to tenants. Historically, there has not been recognisable demand for the provision of appliances and under the terms of the tenancy agreement the Council would have to apply a service charge to cover the cost of the appliance as well as its maintenance and servicing. Instead, the Council supplies household goods left in homes to furniture re-use stores and refers vulnerable tenants to these services. The Council also provides support through the Local Welfare Support Scheme.
- 3.2 Furniture Re-Use Schemes
- 3.3 The Council supports the growth of furniture re-use schemes in Leeds to ensure opportunities to recycle and re-use furniture are maximised. The Council, through the ALMOs, has been working with its repairs and maintenance contractors and third sector organisations to ensure that any furniture left in a vacated council property is recycled.
- 3.4 When a tenant vacates and a property becomes void, the ALMOs ensure that any items that are left are removed and re-used wherever possible. Household items including furniture and appliances are stored so third sector furniture re-use organisations can collect and distribute.
- 3.5 The furniture re-use organisations receive referrals from a wide range of public sector and voluntary sector agencies including the ALMOs. A number of

organisations collect and distribute white goods including cookers and fridges and deliver items directly to the tenant. There is often a small charge for the provision and delivery of white goods usually in the region of £10.

3.6 Local Welfare Support Scheme

3.7 From April 2013 Crisis Loans for general living expenses and Community Care Grants were abolished by the government and the budgets devolved to Local Authorities to administer.

3.8 In March 2013 the Executive Board approved a Local Welfare Support Scheme to provide support for families and vulnerable people faced with unforeseen difficulties and emergency situations.

3.9 The scheme seeks to assist vulnerable people in meeting their needs for subsistence or financial support where they are unable to meet their immediate short term needs or where they require assistance to maintain their independence within the community. The scheme identifies the following groups of people who are perceived to be vulnerable:

- Families or vulnerable people under exceptional pressure;
- Homeless people or rough sleepers;
- Vulnerable older people;
- People fleeing domestic violence;
- Young people leaving care or living independently;
- People moving out of institutional or residential care into the community;
- Ex- offenders leaving prison or detention centres; and
- People with disabilities.

3.10 The scheme focuses on providing goods instead of cash. Specifically, the goods provided under the scheme are:

- Basic household goods:
 - Cooker/microwave
 - Fridge
 - Washing Machine
 - Beds and Bedding
 - Seating
 - Clothing (where need related to disability)
 - Removal costs where supported by Homeless Support Team
 - Travel costs related to Domestic Violence cases or connected to welfare of children
 - Curtains where connected to a move
- Emergency provision:
 - Food
 - Baby provisions
 - Items resulting from loss due to a disaster

- 3.11 White goods are delivered and installed where required and there are schemes with the major supermarkets for the provision of store cards to deal with food, baby provisions and clothing.
- 3.12 The focus for the scheme will be on supporting families, people with disabilities, people with mental health issues and people leaving care, facing homelessness or needing help with resettlement from prison. This includes people identified by Housing Support workers, Mental Health workers and Family First workers as requiring help.
- 3.13 Applications for assistance that are supported by the following partners will be accepted as a priority:
- Housing Options: Homeless people who have obtained a tenancy;
 - Support Workers: People who are moving into independent living;
 - Families First: Families under exceptional pressure and where children are at risk; and
 - Leeds City Council Domestic Violence Team: People fleeing domestic violence.
- 3.14 The above applicants are likely in this case to have the majority of their basic household items met subject to need and personal resources. The provision of goods would be at no cost to the recipient.
- 3.15 Welfare and Benefits are closely monitoring the scheme and reporting on performance each month. In the first four months of the scheme 393 cookers, 14 microwaves and 322 fridges have been provided.
- 3.16 The scheme will look to further develop the relationships with key partners in the third, voluntary and public sector to create an integrated and sustainable local welfare provision across Leeds. This will include support and assistance in developing food banks and expanding furniture re-use. It will over time support the creation of a clear map of local welfare provision across Leeds and the information and advice needed to access these services.
- 3.17 Future provision of cookers and fridges
- 3.18 It is proposed that further analysis be done and presented at a future meeting to explore:
- The cost of providing, maintaining and servicing cookers and fridges to council tenants;
 - Eligibility criteria that might apply;
 - The level of service charge that would apply and whether housing benefit would cover such charge;
 - The benefits and risks of provision; and
 - Any best practice from other local authorities.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Under the terms of the tenancy agreement, the Council reserves the right to offer additional services (for example furnishings) which would be subject to a charge. Prior to introducing new services, the tenancy agreement provides that tenants will be consulted.

4.1.2 The Local Welfare Support Scheme was developed in consultation with advice agencies and frontline staff that historically identified and supported the majority of Community Care Grant applications. Elected members were also invited to comment on the proposals.

4.2 Equality and Diversity / Cohesion and Integration

4.2.3 All existing Council policies, procedures and schemes referred to in this document have been subject to an Equality, Diversity, Cohesion and Integration Screening and if appropriate an Equality Impact Assessment

4.2.4 The Local Welfare Support Scheme focuses on people in need irrespective of ethnicity, religion, sexuality or gender and prioritises people in need who also have a disability or mental health issue.

4.3 Council policies and City Priorities

4.3.1 There are no implications within this report for existing Council policies or City Priorities.

4.3.2 The re-use and recycling schemes contribute to the corporate objectives outlined in the Vision for Leeds 2011-30; specifically that Leeds' economy will be prosperous and sustainable with a commitment to finding new ways to reuse and recycle.

4.3.3 The Local Welfare Support Scheme provides support to families and vulnerable people and contributes to tackling child poverty, homelessness and debt.

4.4 Resources and value for money

4.4.1 If the Council was to provide household appliances as an additional service, it would bear the financial responsibility to repair, maintain and service the appliance. As a result, the application of a service charge would be necessary to cover these costs.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This report does not contain any exempt or confidential information.

4.5.2 This report is not eligible for call in.

4.6 Risk Management

- 4.6.1 If the Council was to provide household appliances at an additional service charge, this might result in the numbers of people accessing the furniture re-use organisations to reduce.

5 Conclusions

- 5.1 Council tenancies are currently let on an unfurnished basis. Under the terms of the tenancy agreement, the Council is permitted to offer additional services (such as cookers) which would be subject to a charge.
- 5.2 The Council's Local Welfare Support Scheme provides support for families and vulnerable people faced with unforeseen difficulties and emergency situations. This includes the provision of cookers and fridges where the applicant fulfils the eligibility criteria.
- 5.3 A number of re-use organisations operate across the city providing recycled white goods to tenants following referrals from public and voluntary sector agencies. These organisations deliver items directly to the tenant for a small charge usually in the region of £10.
- 5.4 It is proposed that further analysis be done and presented at a future meeting to explore:
- The cost of providing, maintaining and servicing cookers and fridges to council tenants;
 - Eligibility criteria that might apply;
 - The level of service charge that would apply and whether housing benefit would cover such charge;
 - The benefits and risks of provision; and
 - Any best practice from other local authorities.

6 Recommendations

- 6.1 Scrutiny Board is asked to note the content of this report and request a further report on the potential for developing a scheme to provide cookers and fridges to tenants.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



Report author: Richard Mills
Tel: 2474557

Report of Head of Scrutiny and Member Development

Report to Housing and Regeneration Scrutiny Board

Date: 24th September 2013

Subject: Work Schedule

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 type="checkbox"/> Yes <input checked="" 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

1.0 Purpose of this report

1.1 The purpose of this report is to receive and review the Scrutiny Board’s work schedule for the current municipal year.

2.0 Main issues

2.1 A draft work schedule is attached as appendix 1 which incorporates issues identified for inclusion at the last meeting. The work schedule has been provisionally completed pending on- going discussions with the Board. The work schedule will be subject to change throughout the municipal year.

2.2 A copy of the latest minutes of the Executive Board are attached as appendix 2.

3.0 Recommendations

3.1 Members are asked to:

- a) Note and comment on the issues the Board has identified for consideration in 2013/14.
- b) Note the latest minutes of the Executive Board meeting.

4.0 Background papers¹

4.1 None used.

¹The background documents listed in this section are available to download from the Council’s website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Scrutiny Board (Housing and Regeneration) Work Schedule for 2013/2014 Municipal Year - Last updated 27th August 2013

Area of review	Schedule of meetings/visits during 2013/14		
	June	July Postponed meeting	August
Inquiry to be determined	Consider proposals that a working group established by the Executive Board Member Neighbourhoods, Planning and Support Services review student accommodation in the city and co-opt members of the Scrutiny Board on to the working group.		
Briefings	Consider appointment of Co-opted Members to the Board		Review the enforcement process for the removal of gypsies and travellers on illegal sites in the city to ensure it continues to be fit for purpose.
Budget & Policy Framework Plans			
Recommendation Tracking			External Publication of Employee Interests for High Risk Posts including formal response to Scrutiny Board's recommendations.
Performance Monitoring	Quarter 4 performance report		

Scrutiny Board (Housing and Regeneration) Work Schedule for 2013/2014 Municipal Year - Last updated 27th August 2013

Area of review	Schedule of meetings/visits during 2013/14		
	September	October	November
Inquiry to be determined	Receive for information the notes of the Directorate's working group meetings on student accommodation		
Briefings	<p>Consider a joint report of the Directors of City Development and Environment and Neighbourhoods on the Council's policies and approach to determining when an affordable homes contribution from a development is taken as a commuted sum in another part of the city and who is consulted on the proposal.</p> <p>Consider a paper on the Council's policy of not providing gas or electric cookers to tenants</p>	<p>Report on devolution to Local Enterprise Partnerships (LEP) and the LEP bidding process. The incoming Chair of the Leeds City Region Partnership, Roger Marsh has been invited to attend the Board for consideration of this item</p> <p>Subject to the outcome of a meeting with all Scrutiny Chairs in September to consider input to a review of performance indicators</p> <p>Request by Executive Board to Review Gypsy and Traveller Accommodation Assessment (GTAA) data published in 2008 by Hallam University and any other fresh data in order to contribute towards the policy development process</p>	<p>Update on the implementation and operation of the new housing management arrangements.</p> <p>Consider how the self-financing Housing Revenue Account is being used to stimulate investment in Council housing and particularly affordable housing</p>
Budget & Policy Framework Plans		Consider a half year review report on Housing Revenue, General Fund Regeneration and Capital Programme.	
Recommendation Tracking		Update on Private Rented Sector Housing.	Affordable Housing by Private Developers.
Performance Monitoring	Quarter 1 performance not being submitted this month due to review.		

Scrutiny Board (Housing and Regeneration) Work Schedule for 2013/2014 Municipal Year - Last updated 27th August 2013

Area of review	Schedule of meetings/visits during 2013/14		
	December	January	February
Inquiry to be determined			
Briefings	Consider an update on the Council's Brownfield Land Programme	Update on the implementation and operation of the new housing management arrangements. Respond to the review by the Communities and Local Government's Select Committee on empty properties to be published late 2013.	The Scrutiny Board on 8 TH August considered a paper on Gypsies and Travellers and requested that a further update be provided to this Board in 2014 before the Cottingley Springs extension is completed.
Budget & Policy Framework Plans		Consider a position statement on the position of the Housing Revenue, General Fund, Regeneration and Capital Programme accounts	.
Recommendation Tracking	Housing Growth.		
Performance Monitoring	Quarter 2 performance report SB 09/12/13 @ 10 am		

Scrutiny Board (Housing and Regeneration) Work Schedule for 2013/2014 Municipal Year - Last updated 27th August 2013

		Schedule of meetings/visits during 2013/14		
Area of review	March	April	May	
Scrutiny Inquiry – Strategic Partnership Board	The Scrutiny Board Procedure Rules state that all Scrutiny Boards will act as a “critical friend” to the relevant Strategic Partnership Board and consider and report on the 3 areas specified in the constitution			
Briefings	Review the impact and policy implications for the city on the Government’s decision to allow home extensions of a specified size under permitted development for a three year period from May 2013	Update on the implementation and operation of the new housing management arrangements		
Budget & Policy Framework Plans				
Recommendation Tracking				
Performance Monitoring	Quarter 3 performance report SB 10/03/14 @ 10 am			

EXECUTIVE BOARD

WEDNESDAY, 4TH SEPTEMBER, 2013

PRESENT: Councillor K Wakefield in the Chair

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

Councillor B Anderson – Substitute Member

57 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix A to the report entitled, 'Design and Cost Report for West Yorkshire Local Broadband Project and Authority to Spend' referred to in Minute No. 68 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information about the commercial proposals put forward by the bidder for the broadband infrastructure contract. The public interest in maintaining this confidentiality outweighs that of disclosure.
- (b) Appendix 1 to the report entitled, 'Late Night Levy' referred to in Minute No. 70 is designated as exempt in accordance with paragraphs 10.4(3) and 10.4(7) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains specific detail relating to the deployment of police staff in the night time economy. 10.4 (3) relates to information relating to the financial or business affairs of any particular person (including the authority holding that information). 10.4 (7) relates to Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. It is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information at this time.
- (c) Appendix 3 to the report entitled, 'Design and Cost Report for Acquisition of Kernel House, Acorn Business Park, Leeds 14 for Council Accommodation' referred to in Minute No. 73 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information relates to the financial or business affairs of a particular person and the Council. This information is not publicly available from the statutory

Draft minutes to be approved at the meeting
to be held on Wednesday, 9th October, 2013

registers of information kept in respect of certain companies and charities. It is considered that since this information relates to a financial offer that the Council has submitted to purchase the property in a one to one negotiation it is not in the public interest to disclose this information at this point in time. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time. It is therefore considered that this element of the report should be treated as exempt.

58 Late Items

There were no late items as such, however, Board Members were provided with an updated version of the table detailed within paragraph 4.4.4 of Agenda Item 12 entitled, 'Design and Cost Report for West Yorkshire Local Broadband Project and Authority to Spend' for their consideration (Minute No. 68 referred).

59 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared to the meeting, however:-

In relation to the item entitled, 'The Future Management and Pricing Arrangements for Allotments', Councillor A Carter drew the Board's attention to his position as President of the Calverley Horticultural Society'. With regard to the same item, Councillor Golton drew the Board's attention to his position as Vice President of Leeds and District Gardeners' Federation and also to the fact that he is an allotment holder, whilst also, Councillor Mulherin drew the Board's attention to the fact that her father shares an allotment (Minute No. 63 refers).

In relation to the Part A of agenda item 28 entitled, 'Outcome of Statutory Notice on Proposals for the Expansion of Primary Provision in 2014', Councillor Mulherin drew the Board's attention to her position as Chair of Governors of Robin Hood Primary School (Minute No. 84 refers).

60 Minutes

RESOLVED – That the minutes of the meeting held on 17th July 2013 be approved as a correct record.

ADULT SOCIAL CARE

61 Better Lives for People in Leeds - Report on the Future of Residential Care for Older People and Responses to deputations to Leeds City Council by Supporters of Residents of Manorfield House and Primrose Hill Care Homes

Further to Minute No. 182, 15th February 2013, the Director of Adult Social Services submitted a report on the outcome of the consultation undertaken in respect of eight Council owned residential care homes for Older People and which sought approval of the recommendations arising from the findings of the consultation. In addition, the report also provided responses to the respective deputations presented to the 1st July 2013 Council meeting regarding Manorfield House and Primrose Hill Care Homes.

As part of the introduction to the report, the Executive Member for Adult Social Care acknowledged and thanked all of those who had taken part in the wide ranging consultation exercise and together with the Director of Adult Social Services, provided further information and assurances around the sensitive and considered approach which would be taken when dealing with those affected by the decisions made at today's meeting.

Following the introduction, the Board then discussed and received responses to the following key points:-

- It was noted that the submitted report had not responded specifically to the deputation presented to the West (Outer) Area Committee on the 10th July 2013 regarding the future of Musgrave Court;
- A Member highlighted the need to ensure that there were sufficient levels of specialist dementia care provision available in Leeds, and emphasised that suitable intermediate care provision needed to be provided to those affected by any changes, as and when they occurred;
- Emphasis was placed upon the need for Adult Social Services to work jointly with City Development via the Local Development Framework process, in order to ensure that there was sufficient care provision available in the long term;
- The importance of mixed economy of Adult Social Care provision in Leeds was highlighted, along with the need for individuals to be cared for within their own community wherever possible.

RESOLVED –

- (a) That the very extensive and wide ranging consultation undertaken be noted and that all contributors be thanked for their thoughtful and helpful comments which have informed the recommended outcomes.
- (b) That the commitment and process which will be followed to ensure all people affected by the adoption of the recommendations are provided with comprehensive care planning and support in identifying appropriate alternative provision, be noted.

- (c) That the implementation of the following proposals for the long term residential care homes be agreed, namely:
- (a) To close Amberton Court, Burley Willows, Fairview and Musgrave Court (see paragraph 8.2, Table 2 of the submitted report).
 - (b) To agree that Suffolk Court be re-designated over time to offer transitional care, with the objective of eventual conversion as a specialist clinical intermediate care centre (see paragraph 8.5, Table 3 of the submitted report).
 - (c) To agree that Manorfield House and Primrose Hill remain open (see paragraph 8.5, Table 3 of the submitted report) to provide residential care for existing residents but with no new admissions and will close:
 - when no longer required by existing residents;
 - if the health and wellbeing of the remaining residents cannot be maintained;
 - should alternative new residential care provision become available within the ward
 - in response to changes in registration requirements or legislation
 - (d) Approve the commencement of dialogue with interested community groups and stakeholders with regard to future use of Home Lea House.
- (d) That approval be given to the implementation process for the transfer of residents that will involve a dedicated social work team applying the Assessment and Closure Protocol and Care Guarantee to ensure a person centred approach to minimise the impact caused by adopting the recommendations.
- (e) That approval be given to decommissioned buildings, within areas of low supply, being declared as surplus to requirements and demolished in order that the sites, where suitable, can be considered for the provision of specialist housing for older people.
- (f) That suitable alternative sites within areas of low supply be considered for the provision of specialist housing and care for older people.
- (g) That as part of this process, officers be authorised to take appropriate steps to secure appropriate partners to exploit development opportunities for specialist housing and care provision.
- (h) That the proposed disposal options in respect of all the facilities, as set out in the submitted report, be agreed.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he voted against the matters included within this minute, whilst Councillor Golton required it to be recorded that he abstained from voting on the matters included within this minute)

62 Better Lives for People of Leeds - The Future of Day Services for Older People

Further to Minute No. 183, 15th February 2013, the Director of Adult Social Services submitted a report on the outcome of the consultation undertaken in respect of day centres for Older People and which sought approval of a number of recommendations arising from the findings of the consultation.

As part of the introduction to the report the Executive Member for Adult Social Care paid tribute to the work of the Neighbourhood Network schemes in this field, and gave a commitment that under proposals agreed in this phase, any affected groups of friends wishing to move together, would be able to do so, should they wish.

RESOLVED –

- (a) That the very extensive and wide ranging consultation undertaken be noted and that all contributors be thanked for their thoughtful and helpful comments which have informed the recommended outcomes.
- (b) That the recommendations to close Doreen Hamilton, Naburn Court and Queenswood Drive day centres be approved, and that alternative uses for the buildings by community groups be actively pursued, in particular:
 - Developing the role of the Doreen Hamilton building in the wider community or as a day care satellite to Osmondthorpe Children's Centre
 - It is proposed to develop the role of Naburn Court day centre so that it can play a wider role in the life of the local community
 - Working with community groups formerly based at the West Park Centre and local Neighbourhood Networks who have shown an interest in the Queenswood Drive building
- (c) That the recommendation to close Burley Willows Day Centre and declare the site surplus, with the stipulation that the site be marketed for the construction of extra care housing, be approved.

ENVIRONMENT

63 The Future Management and Pricing Arrangements for Allotments

The Director of Neighbourhoods and Housing submitted a report which summarised the findings from the consultation exercise undertaken in respect of service delivery in this area and which provided recommendations on the future management and pricing arrangements for allotments.

Members discussed the nature of the consultation exercise which had been undertaken on this issue. In addition, the Board also considered the

proportion of allotments which were currently self managed, and in response to a Member's comments, it was noted that further work would be undertaken to encourage more sites to become self managed in the future.

RESOLVED –

- (a) That a phased price increase commencing in autumn 2014 to recover £50,000 subsidy, with a £15,000 above inflation rise in 2015 and 2016, projecting a full subsidy recovery of £80,000 in 2016/17, be approved.
- (b) That approval be given to Allotment Associations being given notice to terminate the existing lease on 29th September 2013 to allow a renegotiation based upon the Allotment Associations keeping 32% of allotment rental by 2016/17 (which with the proposed price increases is the equivalent in monetary terms to the value currently retained).

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he voted against the matters included within this minute, whilst Councillor A Carter required it to be recorded that he abstained from voting on the matters included within this minute)

LEISURE AND SKILLS

64 Leeds Let's Get Active

Further to Minute No. 229, 24th April 2013, the Director of Public Health and the Director of City Development submitted a joint report providing further details regarding the Leeds Let's Get Active (LLGA) pilot project, including additional information on the development of the project, the methodology applied and the overall programme developed to date.

RESOLVED –

- (a) That the progress made with the implementation of the Leeds Let's Get Active programme be noted.
- (b) That the proposals detailed in paragraph 3.2 of the submitted report for daily free 1 hour access at leisure centres and 2 hour free access at John Charles Centre for Sport, Armley, Fearnville and Middleton Leisure centres, be agreed.
- (c) That the proposals for the free community offer and the Bodyline Access Scheme be endorsed.

65 Re-Making Leeds: Heritage Construction Skills Training

The Director of City Development submitted a report seeking approval to submit a Stage 2 bid to the Heritage Lottery Fund (HLF) under the Skills for the Future Initiative in order to progress the development and delivery of the Re-making Leeds project. Stage 2 of the process would incorporate a detailed training plan to be submitted by 31st December 2013, and the report sought agreement for the Council to act as administrator and accountable body for

the operation of the bid. Additionally, approval was also sought to incur the necessary expenditure of up to £810,300.

The Board welcomed the initiative, and responding to a Member's enquiry regarding the level of job opportunities which would be available to those participating in the training, officers undertook to provide the Member in question with further information.

RESOLVED –

- (a) That the submission of a Stage 2 bid to the Heritage Lottery Fund for the Skills for the Future initiative, based on the programme outlined in the submitted report be approved.
- (b) That approval be given to the Council acting as the accountable body for the bid, subject to Stage 2 being approved, and that authority be given to spend £810,300 on the activity outlined in the submitted report.

LEADER OF COUNCIL'S PORTFOLIO

66 Spending Review 2013 - Update

The Director of Resources submitted a report providing an update on the financial implications of the June 2013 Spending Review, as detailed in the Technical Consultation document provided by the Department for Communities and Local Government (DCLG) on 25th July 2013.

Members highlighted the financial implications for the Authority arising from the DCLG's Technical Consultation document. In response, the Chief Executive emphasised the need for partnership working with, for example, health partners and the Local Enterprise Partnership.

The Board then discussed Leeds' funding envelope when compared respectively with the funding provided to Scottish Local Authorities and also those located within the South East of England. In conclusion, it was requested that correspondence on behalf of the Board be submitted to Government, highlighting the concerns in respect of funding cuts which had been highlighted during the meeting.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That correspondence on behalf of the Executive Board be submitted to Government, highlighting the concerns in respect of funding cuts which had been highlighted during the meeting.

67 Financial Health Monitoring 2013/2014 - Month 4

The Director of Resources submitted a report presenting the Council's projected financial health position for 2013/2014 after four months of the financial year.

Further to a previous enquiry raised, it was agreed that a more detailed submission for the Public Health directorate would be included within the financial health monitoring data for next month.

RESOLVED – That the projected financial position of the authority after four months of the financial year be noted, and that a more detailed submission for the Public Health directorate be included within the financial health monitoring data for next month.

68 Design and Cost Report for West Yorkshire Local Broadband Project and Authority to Spend

The Director of Resources and the Director of City Development submitted a joint report informing of the progress that had been made on the West Yorkshire Local Broadband (WYLB) project. In addition the report also sought approval in respect of a proposed injection of external funding from BDUK and ERDF into the capital programme.

It was noted that Board Members had been provided with an updated version of the table detailed within paragraph 4.4.4 of the submitted report, for their consideration.

Members discussed the progress which had been made to date on the scheme, highlighting issues arising from the Government's Super Connected Cities (SCC) initiative, and the associated State Aid implications. In conclusion, Members noted the work being undertaken to progress the programme and requested that further update reports be submitted to the Board in due course for consideration.

Following consideration of Appendix A to the submitted report, designated as exempt under the provisions of 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 delivery of the West Yorkshire Local Broadband project by Leeds City Council on behalf of the partnership be approved.
- (b) That approval be given for £2,100,700 of external funding to be injected into Capital Scheme Reference 16662.
- (c) That Authority to Spend within the capital programme scheme reference 16662 be approved for the sum of £2,100,700, on the installation of broadband infrastructure in the administrative areas of the WYLB Authorities.
- (d) That the necessary authority be delegated to the Director of City Development in order to authorise entering into a contract with the preferred bidder for the supply of the works and services, as described within the submitted report and for the sum described within paragraph 3.4 of the submitted report.

- (e) That the necessary authority be delegated to the Director of City Development in order to authorise entering into funding agreements with BDUK and DCLG for £4,615,000 and £3,787,800 respectively.
- (f) That further update reports on this matter be submitted to the Board in due course for consideration.

(The matters referred to within this minute were not eligible for Call In as being subject to call in may adversely affect the critical project timetable which requires contract signature at the earliest possible date. In addition, it was not possible to submit an earlier report to the Board as the tender (and the information set out in exempt appendix A) was not submitted until 11th July 2013, which was too late to meet July Executive Board submission deadlines).

69 Establishment of a Social Inclusion Fund

The Director of City Development and the Assistant Chief Executive (Citizens and Communities) submitted a joint report which sought approval to establish a Social Inclusion Fund (SIF) using funds generated by the city granting a 'large' casino licence. In addition, the report also sought approval to the principles of the management and administration of the fund.

Members highlighted the need to ensure that the benefits gained from the allocation of funding were maximised, and also looked forward to the compilation of the criteria which would be used to allocate the funding.

RESOLVED –

- (a) The establishment of the Social Inclusion Fund, utilising moneys accrued by the council granting a large casino licence, be approved.
- (b) That approval be given for the money received as the 'up-front payment' being invested in initiatives that support the city's anti-poverty priorities over the three year period prior to the opening of the casino and that annual payments be used to fund projects that both mitigate potential harmful social effects of the large casino and more general social inclusion priorities across the city.
- (c) That approval be given for the Social Inclusion Fund to be retained as a revenue reserve.
- (d) That the Licensing Committee receive an annual report on the nature of projects being supported by the Social Inclusion Fund.
- (e) That the Assistant Chief Executive (Citizens and Communities) administers and oversees fund allocation and, following further engagement with Elected Members and city partners, presents a report to Executive Board setting out recommendations for specific activities that will be funded by the SIF and how the fund will link into other schemes and initiatives within the city.

70 Late Night Levy

The Assistant Chief Executive (Citizens and Communities) submitted a report presenting information, which included the recommendations of the Licensing Committee, to enable the Board to consider the design of a potential late night levy and the form of an associated consultation exercise with those affected.

It was agreed that this report be withdrawn from the agenda in order to enable further work to be undertaken on it and also to request that the relevant Scrutiny Board consider the issues within it, prior to the matter being further considered by Executive Board.

Following consideration of Appendix 1 to the submitted report, designated as exempt under the provisions of Access to Information Procedure Rule 10.4 (3) and 10.4(7), which was considered in private at the conclusion of the meeting, it was

RESOLVED – That the submitted report be withdrawn from the agenda in order to enable further work to be undertaken on it and also to request that the relevant Scrutiny Board consider the issues within it, prior to the matter being further considered by Executive Board.

HEALTH AND WELLBEING

71 Sexual Health Service Integration

The Director of Public Health submitted a report which sought to gain approval to tender for integrated sexual health services and a number of additional prevention contracts for Leeds.

RESOLVED –

- (a) That the proposal to tender for integrated sexual health services for Leeds be approved.
- (b) That the proposal to also tender for a number of additional sexual health contracts delivering direct preventative work targeting those most at risk of sexual ill health (men who have sex with men, young people, female sex workers and African communities), be approved.

DEVELOPMENT AND THE ECONOMY

72 Belle Isle and Middleton Neighbourhood Framework

The Director of City Development submitted a report which provided an overview of the work undertaken to prepare a Neighbourhood Framework for Belle Isle and Middleton and which also set out the primary proposals included within the document. Additionally, the report sought approval of the neighbourhood framework which set out the community's regeneration ambitions, would help to promote the development opportunities in the area to developers, be used to inform the emerging Site Allocations Plan, and become a material consideration when determining planning applications.

A copy of the draft Belle Isle and Middleton Neighbourhood Framework document had been provided to Board Members for their consideration as part of the agenda pack.

Responding to a Member's enquiry, the Board noted the origins of the document and that the local community and local stakeholders had been heavily involved in its development. Members also discussed the potential for Neighbourhood Framework documents being prepared for other communities.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the Belle Isle and Middleton Neighbourhood Framework be approved.
- (c) That approval be given for the Belle Isle and Middleton Neighbourhood Framework to be used to inform the emerging site allocation plan as part of the local plan making process.
- (d) That approval be given to the Belle Isle and Middleton Neighbourhood Framework to be used to inform, guide and be used as a material consideration when determining planning applications.

73 Design and Cost Report for Acquisition of Kernel House, Acorn Business Park, Leeds 14 for Council Accommodation

The Director of City Development and the Director of Children's Services submitted a joint report which sought approval to acquire office accommodation at Kernel House, Acorn Business Park, Leeds 14, to facilitate vacant possession, and the subsequent disposal of the Council owned site at Roundhay Road.

Following consideration of Appendix 3 to the submitted report, designated as exempt under the provisions of 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 contents of the submitted report be noted.
- (b) That an acquisition of the long leasehold interest for Kernel House on the terms identified in the exempt Appendix 3 be approved, which will provide the Council with the unencumbered freehold interest in the site, to facilitate the relocation of Children's Services staff from Roundhay Road, and thus secure vacant possession of the site in readiness for its future disposal at the earliest opportunity.
- (c) That the necessary authority be delegated to the Director of City Development to agree the final detailed terms for the acquisition.

- (d) That the injection of the sum identified in exempt Appendix 3 into the Capital Programme be approved, together with the authority to spend the monies as required.
- (e) That approval be given to the ring fencing of the balance of the net receipt for the Roundhay Road site in order to fund the acquisition of Kernel House.

74 Leeds (River Aire) Flood Alleviation Scheme

The Director of City Development submitted a report which provided an update on the progress of the proposals to provide flood defences for the City of Leeds and which also sought approval to the tender for the detailed design and construction of the mitigation works downstream of the city centre at Woodlesford.

RESOLVED –

- (a) That an injection of funding into the Capital Programme of £3,362,000 from the Regional Growth Fund, and £23,000,000 from the Defra Growth Fund be approved.
- (b) That authority be given to the expenditure from the Regional Growth Fund and Defra Growth Fund of £3,638,800 for the initial development and design of the Leeds Flood Alleviation Scheme and for the implementation of advance mitigation works in Woodlesford.

75 Leeds Business Improvement Districts

The Director of City Development submitted a report on Business Improvement Districts (BIDs), and the need for the Council to have a considered approach to developing an appropriate policy framework to support emerging BIDs, in order to encourage the private sector to bring forward BID proposals and also to ensure that BIDs were developed successfully in alignment with the Council's strategic objectives for supporting business, encouraging investment in the trading environment and providing the necessary support to foster economic growth and jobs.

Responding to a Member's enquiry, officers provided reassurances regarding the measures which would be taken to prevent small businesses located within BIDs being disadvantaged by the initiative and undertook to provide the Member in question with a briefing on this matter.

RESOLVED –

- (a) That the Board agree to being open to the private sector bringing forward proposals for BIDs that are in line with the Council's strategic policy objectives, namely to improve and promote the city centres and town and district centre as successful retail and leisure and tourism destinations.
- (b) That approval be given to adopt the position of in principle support for BIDs, subject to a full BID proposal coming forward from a proposer

which should be aligned to the Council's objectives, and there being clear evidence of an effective partnership and approach to delivery.

- (c) That support be given to initial BID inception work in the early stages by using the City Council's expertise to offer high level advice on BID development as necessary.
- (d) That support be given to the need to undertake further work to examine the case for a Tourism BID (TBID), as well as other potential mechanisms for securing private sector funding for work to improve and promote Leeds as a destination for visitor, and host city for major events.

76 Relocation of Nursery Facilities and the Development of Red Hall

The Director of City Development and the Director of Environment and Housing submitted a joint report providing an update on proposals for the development of a new horticultural nursery at Whinmoor Grange to replace existing operational facilities at Red Hall. The report highlighted the current role and benefits of the nursery, an outline business case for its relocation and future benefits of a new nursery. In addition, the report also sought approval to commission detailed design proposals to RIBA stage D for the Whinmoor Grange site, whilst also providing an update on work to establish the medium-term strategic disposal opportunity that would subsequently arise for the Council's land holdings at Red Hall, together with the progress which had been made on feasibility work to inform the scope of redevelopment.

Responding to a Member's enquiry, officers undertook to provide the Member in question with further information on a specific planning matter regarding the proposed development.

RESOLVED –

- (a) That the use of land at Whinmoor Grange to develop a replacement horticultural nursery be approved.
- (b) That commencement of the design and site layout of a circa 6 hectare horticultural nursery facility and ancillary facilities at Whinmoor Grange to RIBA stage D, funded from existing budget provision (Capital Scheme No. 16442), indicating how this would relate to adjoining parts of the site, be approved.
- (c) That a further report be submitted to Executive Board in the form of a Design and Cost report, outlining the processes involved in progressing the development of a horticultural nursery at Whinmoor along with further detail on funding.
- (d) That the progress on feasibility work undertaken to inform the development of the Red Hall site, be noted.

- (e) That the key development principles, as set out within the submitted report and accompanying concept plan, including the retention of two pitches on site, be noted and confirmed.
- (f) That approval be given to the process and timetable for the production of a draft Informal Planning Statement to guide future planning applications, disposal and development of the site for housing and related infrastructure, to include requirements for greenspace, scale and type of development, highways, pedestrian and cycle movement, as well as more detailed design guidance.

(Under the terms of Executive and Decision Making Procedure Rule 3.1.6, during the consideration of this item, Councillor Anderson was invited to attend the remainder of the meeting on behalf of Councillor A Carter, who left the meeting at this point).

NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES

77 Response to Deputation from Hands off our Homes about the Impact of the Social Sector Size Criteria

The Director of Environment and Housing submitted a report providing a response to the deputation from the 'Hands off our Homes' organisation presented to Council on 1st July 2013 in respect of the impact of the Social Sector Size Criteria (SSSC) or "bedroom tax" on council tenants. In addition, the report also set out the measures which the Council and its ALMOs/BITMO partners were taking to minimise the impact of the changes and also provided some early findings on such impacts.

As part of the introduction to the report the Executive Member for Neighbourhoods, Planning and Support Services encouraged those people who faced financial difficulty as a result of the changes to the welfare system to approach the Council, so that they could be offered assistance wherever possible.

RESOLVED –

- (a) That the concerns raised in the deputation from the 'Hand off our Homes' organisation be acknowledged.
- (b) That the following be noted:-
 - the extensive work that was put into preparing staff and affected customers for the changes;
 - the work currently being undertaken by the Council and its ALMOs and BITMO to minimise the impact on tenants; and
 - the early findings on the impacts of the welfare changes.

78 Response to Deputation - Morley Against Reckless Construction (MARC)

The Director of City Development submitted a report setting out a response to the deputation presented to Council on 1st July 2013 by the Morley Against Reckless Construction (MARC) organisation.

As part of the introduction the report, the Executive Member for Neighbourhoods, Planning and Support Services highlighted that every effort was being made to ensure that the Council was taking a co-ordinated and consistent approach on this issue.

RESOLVED – That the contents of the submitted report be noted.

79 Proposal to Establish a Trading Company, Civic Enterprise Leeds, which would be wholly Council owned

The Deputy Chief Executive and the City Solicitor submitted a joint report providing the background to the establishment of Civic Enterprise Leeds, including proposals to establish a trading company entitled, 'Civic Enterprise Leeds Ltd.', whilst also seeking consideration of the governance and board arrangements for the company.

The report proposed to delegate to the Deputy Chief Executive approval of commercial activity through the company, and it was emphasised that this would only be done subject to consultation with appropriate Members.

RESOLVED –

- (a) That the establishment of a company, to be named Civic Enterprise Leeds Ltd., which would be limited by shares and owned wholly by the Council, be approved.
- (b) That a further report be brought back to Executive Board in due course seeking approval of the governance and board membership arrangements for the company.
- (c) That approval of commercial activity through the company, including approving business cases as and when required for the exercise of trading powers, be delegated to the Deputy Chief Executive, subject to consultation with appropriate Members.

80 Sustainable Communities Investment Programme: Cross Green Group Repair Phase 2 and 3

Further to Minute No. 173, 15th February 2013, the Director of Environment and Housing submitted a report which sought approval to authorise the injection of £4,050,000 into the capital programme for Cross Green Group Repair Phase 2 and 3. This total included the approval to inject £300,000 into the capital programme for contributions from the owner occupiers and the £3,750,000 previously agreed by Executive Board.

The Board highlighted the need for investment and regeneration in this particular area, and the benefits which would be gained from it. In addition, officers responded to an enquiry regarding the Sustainable Communities Investment Programme and whether the funding from it could potentially be accessed for other areas.

RESOLVED –

- (a) That an injection of £300,000 in owner's contributions towards the overall cost of the group repair scheme in Cross Green as part of the Sustainable Communities Investment Programme, be authorised.
- (b) That scheme expenditure of £4,050,000 on Cross Green Phase 2 and 3 be authorised.
- (c) That the management of the project within the agreed budget be delegated to the Director of Environment and Housing, including ensuring that wherever possible, local labour, training and supply chains are used by the chosen contractor as part of the delivery of the schemes.

81 Planning Policy for Gypsies and Travellers

The Director of City Development submitted a report which sought approval of the Leeds Gypsy and Traveller Pitch Requirement Study in order to ensure that the Submission Core Strategy policy dealing with Gypsies, Travellers and Travelling Showpeople was supported by an up to date evidence base, which was compliant with national policy and aligned with the wider activities of the Council in planning positively for Leeds-based Gypsies and Travellers.

Members were provided with an update on the role of the Leeds City Region in respect of this issue.

Further to the Inquiry into Gypsy and Traveller Site Provision in Leeds undertaken by the Scrutiny Board (Environment and Neighbourhoods) in 2010, it was requested that the data considered at that time be re-examined by the relevant Scrutiny Board along with any fresh data, in order to contribute towards the policy development process.

RESOLVED –

- (a) That the Leeds Gypsy and Traveller Pitch Requirement Study be approved for the purposes of supporting Policy H7 of the Submission Core Strategy at Examination.
- (b) That the approach to making further changes to the plan, as set out within paragraphs 2.8 and 2.9 of the submitted report be approved.
- (c) That further to the Inquiry into Gypsy and Traveller Site Provision in Leeds undertaken by the Scrutiny Board (Environment and Neighbourhoods) in 2010, the data considered at that time be re-

Draft minutes to be approved at the meeting to be held on Wednesday, 9th October, 2013

examined by the relevant Scrutiny Board along with any fresh data, in order to contribute towards the policy development process.

(The matters referred to within this minute were designated as exempt from Call In as the matter was deemed to be urgent, and as the Core Strategy Inspector had set a deadline of 16th September 2013 for the submission of supplementary statements by the Council for the Core Strategy examination, and that any delay may damage the Council's or public's interest).

82 Proposed Amendment to Core Strategy Policy H6

The Director of City Development submitted a report outlining the reasoning for the amendment to Core Strategy Policy H6, relating to Purpose Built Student Accommodation (PBSA). It was noted that further details on PBSA within Leeds could be found within the 'Student Housing Demand and Supply: A review of evidence' document produced by Re'New, which was appended to the submitted report.

As part of the introduction to the report the Executive Member for Neighbourhoods, Planning and Support Services emphasised the need for the Council to establish a defined policy in this area, in order to enable the authority to defend its position on such matters.

RESOLVED –

- (a) That the revision to Policy H6 of the Core Strategy, as set out within Appendix 1 to the submitted report, be approved for the purposes of targeted public consultation, as set out within paragraphs 3.1.1 and 3.1.2, prior to the Core Strategy examination.

- (b) That it be agreed that the policy amendments may be a material consideration in the determination of planning applications until the Core Strategy is adopted.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the matters included within this minute)

(The matters referred to within this minute were designated as exempt from Call In as the matter was deemed to be urgent, and as the Core Strategy Inspector had set a deadline of 16th September 2013 for the submission of supplementary statements by the Council for the Core Strategy examination, and that any delay may damage the Council's or public's interests)

CHILDREN'S SERVICES

83 Change of host school for Primary resourced provision for deaf and hearing impaired children - permission to consult

The Director of Children's Services submitted a report which sought permission to consult upon the addition of provision reserved by the Local Authority for deaf and hearing impaired children at Moor Allerton Hall Primary School.

RESOLVED – That approval be given to the undertaking of a consultation exercise on the addition of provision at Moor Allerton Hall Primary School that is recognised by the Local Authority as reserved for pupils who are deaf and hearing impaired, with effect from September 2014.

84 Part A: Outcome of Statutory Notice on Proposals for the Expansion of of Primary Provision in 2014. Part B: Outcome of Consultation on Proposals for the Expansion of Pudsey Primrose Hill Primary School from September 2015 and Guiseley Infant and Nursery School and St Oswald's Church of England Junior School. Part C: Permission to consult on the expansion of Broomfield South SILC and West Oaks SEN Specialist School and College. Part D: Outcome of the Targeted Basic Need Bid for Additional Capital Funding.

The Director of Children's Services submitted a report detailing proposals brought forward to meet the Local Authority's duty to ensure sufficiency of school places. The report was divided into four parts - Part A described the outcome of statutory notices in relation to the expansion of primary provision across the city for September 2014, and sought a final decision on such proposals. Part B sought permission to publish a statutory notice in relation to the expansion of Pudsey Primrose Hill Primary School and summarised the consultation and next steps in respect of the Guiseley area. In addition, Part C sought permission to consult upon the expansion of Broomfield South SILC and the expansion of West Oaks SEN Specialist School and College. Whilst Part D described the outcome of the Targeted Basic Need bid.

As part of the introduction to the report, the Executive Member for Children's highlighted a correction to be made to the submitted report, specifically that the report should recommend that consultation be undertaken with regard to the potential expansion of West Oaks SEN Specialist School and College from 200 to 350, and not 130 to 280, as detailed within the submitted report.

RESOLVED –

Part A

- (a) That the expansion of Allerton Bywater Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014, be approved.

- (b) That the expansion of Asquith Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014, be approved.
- (c) That the expansion of Morley St Francis Catholic Primary School from a capacity of 154 pupils to 210 pupils with an increase in the admission number from 22 to 30 with effect from September 2014, be approved.
- (d) That the expansion of East Ardsley Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014, be approved.
- (e) That the expansion of Robin Hood Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014, be approved.
- (f) That approval be given to lower the age range of Hollybush Primary School from 5 to 11 to 3 to 11.

Part B

- (a) That the publication of a statutory notice to expand Pudsey Primrose Hill from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2015, be approved.
- (b) That the further work to be undertaken in the Guiseley area be noted.

Part C

- (a) That permission to consult on the expansion of Broomfield South SILC from a capacity of 200 to 250 pupils with effect from September 2015 using a site adjacent to the school, Broom Court (Broom Place, Leeds, LS10 3JP), be approved.
- (b) That permission to consult on the expansion of West Oaks SEN Specialist School and College from a capacity of 200 to 350 pupils by the creation of a satellite site for 150 children and young people aged 2 to 16 on the former Blenheim Centre (Crowther Place, Leeds, West Yorkshire)with effect from September 2015, be approved.

Part D

- (a) That the allocation of capital funding through the Targeted Basic Need bid, be noted.

85 Improving outcomes for Children with Behaviour, Emotional and Social Difficulties (BESD)

The Director of Children's Services submitted a report providing information on proposals to establish a Leeds Behaviour Alliance which intended to bring together the specialist (SILC), targeted (PRU), locality (AIP), and individual school behaviour offer, in order to support children to make progress in learning by preventing exclusion from learning, providing outstanding learning opportunities when short periods out of mainstream were necessary, and to maximise re-integration back into mainstream learning.

Members welcomed the clarification provided within the submitted report that children with SEN statements and complex or multiple needs who benefited from generic SILC provision, would not be placed in a provision alongside children with a behaviour need.

RESOLVED –

- (a) That the publication of a statutory notice for the change in the age range of the BESD Specialist Inclusive Learning Centre (Elmete Wood) from 5 to 16 to 11 to 16; the expansion of the capacity of the provision from 150 to 200 pupils using sites at Elmete Wood, Stonegate Road, the Burley Park Centre, the Hunslet Gate Centre, and the Tinshill Centre; and the expansion of its remit to allow it to offer provision to children without a statement of special educational needs, in the manner of a PRU, with effect from January 2014, be approved.
- (b) That the publication of a statutory notice for the expansion of the North East Specialist Inclusive Learning Centre (Oakwood Lane) primary BESD provision from a capacity of 30 pupils aged 4-11 to 40 pupils aged 4-11; and the expansion of its remit to allow it to offer provision to children without a statement of special educational needs, in the manner of a PRU, with effect from January 2014, be approved.

DATE OF PUBLICATION: 6TH SEPTEMBER 2013

LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS: 13TH SEPTEMBER 2013 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 16th September 2013)

Draft minutes to be approved at the meeting to be held on Wednesday, 9th October, 2013