



SCRUTINY BOARD (HOUSING AND REGENERATION)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Tuesday, 26th November, 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

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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 - 29 OCTOBER 2013</p> <p>To confirm as a correct record the minutes of the meeting held on 29 October 2013</p>	1 - 4
7			<p>HOUSING MANAGEMENT REVIEW</p> <p>To consider a progress report on the implementation of the new housing management arrangements</p>	5 - 14
8			<p>ANNUAL TENANCY VISITS</p> <p>To consider a report on the programme of annual tenancy review visits</p>	15 - 26
9			<p>TENANT SCRUTINY</p> <p>To consider proposals for tenant scrutiny within the new housing management arrangements</p>	27 - 42

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>USING HRA RESOURCES TO SUPPORT HOUSING GROWTH - PROGRESS AND UPDATE</p> <p>To consider a report updating the Board on progress with the council's housing growth programme</p>	43 - 56
11			<p>RECOMMENDATION TRACKING - AFFORDABLE HOUSING BY PRIVATE DEVELOPERS</p> <p>To consider a progress report on the recommendations of the Scrutiny inquiry report on affordable housing by private developers</p>	57 - 76
12			<p>COMMUNITY INFRASTRUCTURE LEVY</p> <p>To consider a report on the work carried out by the Scrutiny Board (Sustainable Economy and Culture) in relation to the Community Infrastructure Levy</p>	77 - 80
13			<p>WORK SCHEDULE</p> <p>To consider the Board's work schedule for the remainder of the municipal year</p>	81 - 100
14			<p>DATE AND TIME OF NEXT MEETING</p> <p>Tuesday 7 January 2014 at 10.00am (Pre-meeting for all Board Members at 9.30am)</p>	

Agenda Item 6

SCRUTINY BOARD (HOUSING AND REGENERATION)

TUESDAY, 29TH OCTOBER, 2013

PRESENT: Councillor J Procter in the Chair

Councillors D Collins, J Cummins,
P Grahame, J Jarosz, S Lay, V Morgan,
D Nagle, M Rafique, C Towler and
G Wilkinson

35 Late Items

There were no late items.

36 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared to the meeting.

37 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Councillor B Atha and Councillor M Iqbal. Notification had been received that Councillor J Jarosz was to substitute for Councillor B Atha and Councillor M Rafique for Councillor M Iqbal.

38 Minutes - 24 September and 10 October 2013

RESOLVED – That the minutes of the meetings held on 24 September 2013 and 10 October 2013 be confirmed as a correct record.

39 The Local Growth Fund and Devolution Opportunities for Leeds City Region

The City Region Partnership submitted a report which outlined the Leeds City Region Local Enterprise Partnership's response to the government's announcement of the Local Growth Fund, and the potential opportunities this presented for the devolution of funding to the City Region.

The following were in attendance for this item:

- Councillor Peter Gruen, Executive Board Member, Neighbourhoods, Planning and Support Services
- Roger Marsh, Chair of the Leeds City Region Partnership
- Rob Norreys, Head of Regional Policy, Policy Performance and Improvement
- Nigel Guy, Head of Research & Intelligence, Leeds City Region Secretariat
- Tom Bridges, Chief Economic Development Officer, City Development.

Members noted that Councillor Rafique had been invited to attend the Board for this item in his role as Chair of the Scrutiny Board (Sustainable Economy and Culture).

The key areas of discussion were:

- Concern that the work of the Local Enterprise Partnership (LEP) was poorly understood and there had been a lack of engagement with Elected Members. Members were advised that a communication and engagement exercise was underway, including with businesses. Greater resources were now in place for the LEP to make a meaningful difference. Examples were given of work around the skills agenda.
- Issues around governance and transparency of the LEP. Clarification was sought about the recruitment process for the appointment of Chair of Leeds City Region Partnership. Members were advised that the role of Chair was independent. The post was publically advertised and 3 individuals were shortlisted for the role. The Chair, Roger Marsh, was appointed on a two year term, with the option of extending this to a third year.
- Concern about how some of the priority sites identified in the report (see section 6.4 to the report), had been selected, particularly the East Leeds Extension. Members advised that there were other sites in need of investment and it was suggested that a further report be brought forward on Leeds priorities for the Strategic Economic Plan.
- Acknowledgement of the need to improve communication links between Leeds City Region and Leeds City Council.
- Concern about the limited timescale for the establishment of a Strategic Economic Plan (end of March 2014), particularly taking into account the LEP's commitment to improving communication and engagement with organisations.
- Suggestion that the Scrutiny Board be provided with a further more detailed report on the role of the LEP.

RESOLVED –

- (a) That the contents of the report be noted.
- (b) That the Scrutiny Board be provided with a further report on the role of the Local Enterprise Partnership (LEP).

40 Financial Position Statement 2013/14 - City Development and Environment and Housing Directorates

The Directors of Environment and Housing and City Development submitted a joint report which provided Members with a financial position statement of the City Development and Environment and Housing Directorate's in relation to this Board's responsibilities at period 5 of the financial year 2013/14.

The following were in attendance for this item:

- Councillor Peter Gruen, Executive Board Member, Neighbourhoods, Planning and Support Services
- Stephen Boyle, Directorates Capital Finance Manager, Resources
- David McNutt, Senior Financial Manager, Resources
- Simon Criddle, Head of Finance (City Development), Resources
- Maggie Gjessing, Housing Investment Manager, City Development.

The main areas of discussion were:

- Confirmation that there had been a reduction in void levels from 2% to 0.9%, which if sustained would generate £1.1m additional income.
- Confirmation of increased activity in relation to right to buy sales. Members sought clarification about the length of time a tenant was required to live in a property before it could be sold on, and the amount available to the authority for reinvestment in housing. Officers agreed to report back to Members with confirmation.
- Clarification of the position regarding rent arrears.
- Concern that in relation to technical arrears, some tenants had apparently been receiving letters advising them that they were behind with their payments, which may be due to the cycle for processing payments. It was agreed to report this issue back to the Department for action.

RESOVLED – That the contents of the report be noted.

41 Formal Response and Recommendation Tracking - Private Rented Sector Housing

The Head of Scrutiny and Member Development submitted a report which outlined the formal response of Executive Board and a progress update following the Scrutiny Board's review of private rented sector housing.

Appended to the report was a copy of the recommendation tracking flowchart and recommendation tracking table.

The following were in attendance for this item:

- John Statham, Head of Housing Partnerships, Environment and Neighbourhoods
- Mark Ireland, Service Manager, Environment and Neighbourhoods.

The status of recommendations were agreed as follows:

- Recommendation 1 (i), (ii) and (iii) – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 2 (ii) – not achieved. Progress made acceptable. Continue monitoring

- Recommendation 3 (i) – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 4 – not achieved. Progress made acceptable. Continue monitoring
- Recommendation 5 – achieved
- Recommendation 6 – achieved
- Recommendation 7 – stop monitoring.

RESOLVED –

- (a) That the contents of the report be noted
- (b) That the Scrutiny Board approves the status of recommendations as set out above.

(Councillor D Nagle left the meeting at 11.50am during the consideration of this item.)

42 Work Schedule

The report of the Head of Scrutiny and Member Development presented the Board's latest work schedule for the forthcoming municipal year.

Appended to the report was the current version of the Board's work programme, together with the minutes of the Executive Board meeting held on 9 October 2013.

Members agreed to receive a report to a future Board meeting on the role of the Local Enterprise Partnership (LEP).

RESOLVED – That the work schedule, as amended, be approved.

(Councillor V Morgan left the meeting at 12 noon during the consideration of this item.)

43 Date and Time of Next Meeting

Tuesday, 26 November 2013 at 10.00 a.m. (Pre-meeting for all Board Members at 9.30 a.m.)

(The meeting concluded at 12.05pm.)

Report of Director of Environment and Housing

Report to Housing and Regeneration Scrutiny Board

Date: 26th November 2013

Subject: Housing Management Review

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

Summary of main issues

1. The Executive Board on 19th June 2013 took a decision to bring the council housing service back into the Council. A subsequent report set out the implementation arrangements and the governance structures that were to be put in place.
2. The former ALMO staff were transferred back to the Council on 1st October 2013 and the ALMO Boards have been disbanded. A shadow Housing Advisory Board has been established to oversee the transition and this is supported by an officer programme Board managing the detailed service re design work streams.
3. A functional structure has been agreed across three headings – Housing Management, Property and Contracts and Strategic Housing and interim Chief Officers have been tasked with the development of detailed staffing structures that ensure accountability and responsibility rests within each function. A JNC staffing structure will be in place by 31st December 2013.

Recommendation

4. The Housing and Regeneration Scrutiny Board is asked to note the progress to date on the Housing Management Review.

1.0 Purpose of this report

- 1.1 To outline the progress made on the Housing Management Review since the Executive Board decision to reintegrate the council housing service back into the Council.

2.0 Background Information

- 2.1 The meeting of Executive Board 19 June 2013 resolved to integrate housing management within the council's Environment and Housing directorate.
- 2.2 A subsequent Executive Board report on 17 July 2013 set out a range of implementation arrangements and detailing the governance structures that were to be put in place.
- 2.3 Both reports referenced the need to split the service into two clear areas – Housing Management and Property and Contracts – in order best to deliver the outcomes of the housing management review – namely:
- to ensure the most effective management arrangements are in place to deliver a high quality, efficient service that offers value for money to tenants;
 - a need for clarity around decision making, governance and accountability arrangements;
 - a need to offer a consistent and improved service for tenants;
 - to ensure strong governance and accountability in delivery of housing management service.
- 2.4 To avoid conflict with the on-going TUPE process, work throughout the summer has focused on developing functional structures, through a range of service re design workshops linked to a detailed work stream approach and agreeing the role of the three chief officers taking the service forward.

3.0 Main Issues

- 3.1 Work on developing the three functional areas identified has accelerated over the past few weeks, and a draft outline of the functions within the three chief officer areas has been developed and is attached at Appendix 1. More detailed work on the individual staffing structures is underway and, subject to Trade Union and staff consultation, it is anticipated that appointments to the JNC positions will take place before Christmas 2013.

3.2.0 Current Arrangements

- 3.2.1 Across the three ALMOs, ABCL and Environment and Housing there are currently a number of senior management roles. Within the scope of this review there are currently three Chief Executive officers, 2 Chief Officers and 11 Director/Heads of Service 52.5% or equivalent roles. There are also a number of other JNC posts that sit below 52.5% salary range (or equivalent) that became part of the new Housing Leeds service from 1 October 2013.

3.3.0 Proposed structure

3.3.1 A functional outline of how the new Housing Leeds service could be shaped was presented to the shadow Housing Advisory Board on 5 September 2013. It was agreed that further detailed work would be undertaken to develop detailed staffing structures under each functional area. The detail within the functional areas is outlined below:

3.3.2 Chief Officer – Strategic Housing

- Council Housing represents 18% of the housing stock in the city and it is important to remember that the worst housing stock across the city is now private landlord owned. With this in mind having a chief officer role responsible for the wider strategic housing issues across the city is vital. This is an important area for the whole of the city which will cover both council and private sector housing issues; housing needs, land requirement, provide a strategic overview of housing needs in the city, take the lead on policy issues, housing options and the interface with HCA. The role will be important in providing the lead on relationship building with private sector landlords and investment sectors as well as being accountable for all housing needs in the city; homelessness, travellers, and vulnerable tenants. Environmental sustainability, fuel poverty, climate change both domestic and private sector will also sit within this role to provide a more consistent approach and stronger link to the housing agenda.
- This role will also lead on PFI development, housing growth work and acquisitions for private development.

3.3.3 Chief Officer - Property & Contracts

- The housing management review identified a number of ambiguities and confusion in the role of the ALMOs and council in the current model, particularly around the lack of clarity in the procurement and management of contracts. These unclear responsibilities and accountabilities contributed to the problems we have faced in respect to some contractual arrangements, most notably around repairs and maintenance.
- This new role will ensure that the management of property, contracts, assets and repairs is separated from the day to day running of housing management to ensure clear lines of accountability. The role will set out and manage the Asset Management Investment Programme via delivery of contracts, lead on an investment plan and management of the 5-10 year plan, and contractor management, as well as being responsible for the management of all issues relating to maintenance, responsive repairs and the East North East DLO. This will allow much clearer accountability around contracts and repairs and hopefully avoid issues currently experienced where the design and delivery of contract functions have been split, making accountability unclear and leading to contract management difficulties.

3.3.4 Chief Officer - Housing Management

- Housing Management continues to be delivered in three delivery areas based upon the former ALMO areas but modified to align with ward and area committee boundaries.
- This role will be responsible for overall management and coordination of the 3 housing management delivery areas, Tenancy Management across the city and policy planning for lettings and allocations. It will allow a focus on optimising Tenant Involvement and Income Management, provide support on welfare change and interface with environmental estate management. By stripping out the property, contracts and asset management responsibilities, this will allow a strong focus on getting the day to day tenancy management right, creating a much better service for tenants and strengthening areas such as tenant and community involvement. This will allow a much more consistent service across the city and ensure that housing management can be aligned to the council's wider objectives.

3.4 All ALMOs have had posts that deal with Housing management and property/ contract management and the new staffing structure will reflect this, while ensuring clear lines of accountability for delivery in those areas which have been an issue in the past. It will also allow the new service to focus on delivering the best possible housing management service to tenants.

3.5 The new arrangements will also offer significant reduction in duplication and deliver significant savings which can be reinvested in front line housing services. This new way of working represents a reduction of one chief executive/chief officer position. Each of the chief officers will be supported by a number of Head of Service posts based on the functional areas detailed in Appendix 1.

3.6 Appointment to new posts

3.6.1 The Council's Pay Policy requires that all senior appointments are made through the Employment Committee. In certain circumstances this can be varied and advice from the Chief Executive and Executive Board members will be considered in relation to this.

3.7 Interim reporting arrangements:

3.7.1 To ensure smooth transition during the review and implementation phase the Director of Environment and Housing has asked the following officers to act into the three roles on a temporary basis while the recruitment process is taking place:

- Chief Officer Strategic Housing – Liz Cook
- Chief Officer Housing Management – Simon Costigan
- Chief Officer Property and Contracts – Steve Hunt
- In addition, Chris Simpson will continue to oversee arrangements in the former West North West Area until December 2013.

3.8 Next Steps

3.8.1 There are a number of areas where progress is expected to be made quickly:

- Support Services: HR, finance, and communications currently operate from a central resource under a professional lead and then based within services. Where this is the case it is expected staff will move to the corporate team as soon as is practicable. The needs of the housing service will be reviewed to establish what resource needs to be retained prior to any transfer. Wider support functions will need to be reviewed. In particular areas where there is expected to be significant duplication, including governance support and performance management.
- Environmental Services staff – This area has been subject to an on-going review process prior to the Housing Management Review. Now that all staff have transferred back to the Council, work will continue to harmonise resources within Housing Leeds and the Local Environment Teams.

3.8.2 In addition there are some areas which will be reviewed later once the new service is up and running:

- East North East DLO – there is an obvious link with the Council's Civic Enterprise Leeds service which will need to be reviewed at some time in the future. This will remain as part of the Property and Contracts division following transfer subject to potential review over a 12-24 month period.
- Links to Citizens and Communities directorate – again this is subject to potential review over a 12-24 month period, but will not form part of the initial service design.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Staff have been fully engaged in the development of the Housing Management Review. Staff briefings have been held and key messages have been issued through a range of media.

4.1.2 A Joint Consultative Committee is being established with the Trade Unions that will deal solely with the Housing Management Review.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Any deterioration in the delivery of the Housing Management service could have an impact of equality and diversity / cohesion and integration. Throughout the review great care has been taken to ensure that staff and tenants are fully aware of the process of change and the changes that are being made.

4.2.2 The crucial issue is that there is no dip in performance because of the review. To date performance and service levels are being maintained.

4.3 Council policies and City Priorities

4.3.1 All aspects of the review are being conducted within the Council's policies and procedures. The development of the new staffing structures is being dealt with in

accordance with the Council's restructuring procedures and the Council's recruitment and selection procedures. This is made easier by the fact that prior to the review the former ALMOs harmonised their policies and procedures with those of the Council.

4.4 Resources and value for money

- 4.4.1 One of the outcomes from the return to the Council of the Housing Service is a reduction in duplication of roles. Initial indications suggest that there could be significant savings from the proposals under development for the restructure of the management tiers. It is anticipated that further savings will be made from the reduction of duplication the remainder of the staffing structures. There are likely to be further non staffing savings of around £900k from the closure of the companies. These savings will take effect in 2014/15.
- 4.4.2 One consequence of the return to the Council of the service will be an increase in employer superannuation costs of around £900k in 2014/15. This is due to the ALMO companies being allowed a lower percentage of contribution.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Legal Services have been fully involved in the process for the closure of the ALMO Companies and this process is being dealt with in accordance with Company Law.
- 4.5.2 All contracts and liabilities held by the ALMOs are being transferred to the Council, although the major contracts such as repairs and maintenance are already in the Council's name.
- 4.5.3 The original Executive decision was subject to call in.

4.6 Risk Management

- 4.6.1 The detailed work on the review has been split into work streams with allocated lead officers to each work stream. Progress and risk management is monitored through the Housing Management Review Programme Board which is chaired by the Director of Environment and Housing. Regular progress reports go to the Housing Advisory Board which is chaired by the Executive Member for Neighbourhoods, Planning and Support Services.

5.0 Conclusions

- 5.1 The staff formerly employed by the ALMOs were transferred back into the Council on 1st October 2013. Since that time a significant amount of work has been undertaken to begin the re assimilation of the service within the Council.
- 5.2 The ALMO Boards have been disbanded and the housing service is now part of the Council's governance procedures. A programme of induction sessions have been undertaken for the staff returning to the Council. A programme Board has been established to oversee the redesign of services and functional structure has been agreed.
- 5.3 It is hoped that the JNC structure can be in place by Christmas with an outline structure for the rest of the service available at the same time. The full service is to

be operational by 1st April 2014 and in line with the Executive Board's recommendations any savings will be reinvested in front line services.

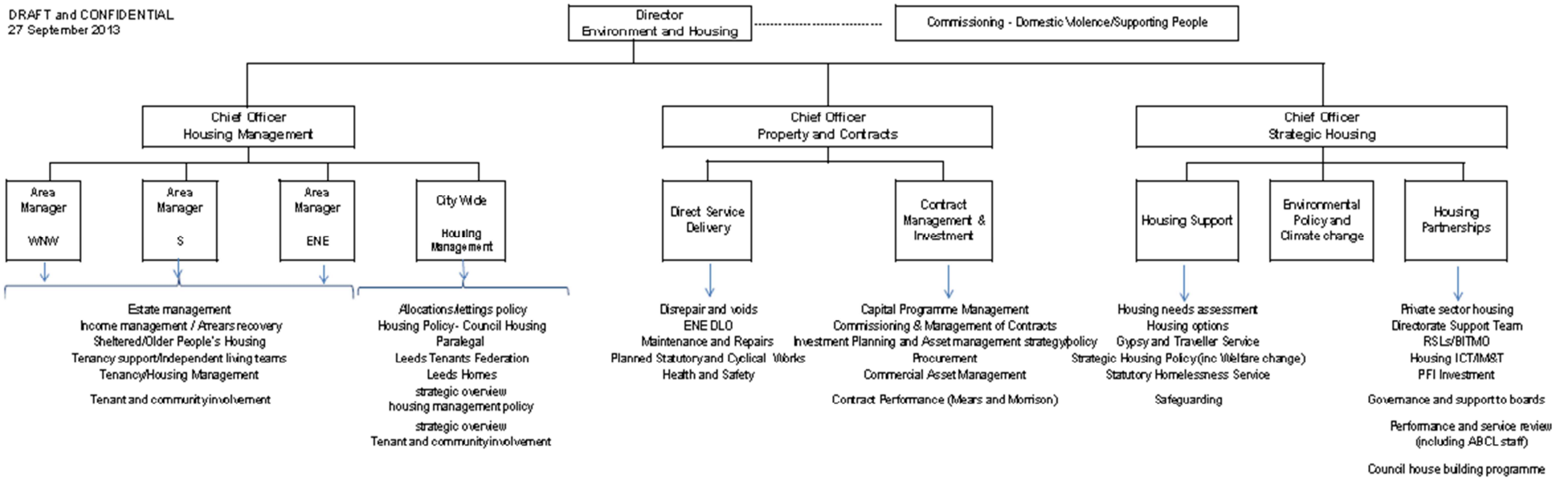
6.0 Recommendation

6.1 The Housing and Regeneration Scrutiny Board is asked to note the progress to date on the Housing Management Review.

7.0 Background papers¹

7.1 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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Report of Interim Chief Officer, Housing Management, Housing Leeds

Report to Scrutiny Board (Housing and Regeneration)

Date: 26th November 2013

Subject: Annual Tenancy Visits

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. The purpose of this report is to provide Scrutiny Board with the process for undertaking annual tenancy visits to Council tenancies.
2. The report will provide details of the previous processes undertaken in the previous ALMOs and how this process has been integrated to develop a consistent approach across the City.
3. The report will identify the key purpose of the annual tenancy visit (ATV) process and identify the key outcomes.

Recommendation

4. Scrutiny Board are asked to note the contents of the report and request any additional information.

1 Purpose of this report

1.1 The purpose of the report is to update Scrutiny Board on the current process for undertaking a programme of ATVs.

The report will identify the purpose of the ATVs and the required outcomes.

The report will identify progress to date in the current financial year.

2 Background information

2.1 All three ALMOs previously undertook ATVs although the approach was slightly different.

- West North West Homes undertook an annual rolling programme of 33.3%, based on risk and a vulnerability assessment. This resulted in an annual programme of 7,200 visits which were conducted through booked appointments. The no access rate was 3.2%.
- Aire Valley Homes undertook an annual rolling programme of 20% based on a risk profile and visited all customers who hadn't been in contact with the service during the previous 12 months. This resulted in an annual programme of 3,200 visits which were conducted through unannounced visits. The no access rate was 22%.
- East North East Homes undertook an annual programme on all tenancies. This resulted in an annual programme of 19,000 visits and was supported by their repair contractors due to the resource requirements.

2.2 The questionnaire that was used to undertake the above visits obtained the same base data but each organization had a range of bespoke questions that were specific to their individual organization.

3 Main issues

3.1 The main focus for delivering a programme of annual tenancy visits was to identify the project scope, the process for undertaking ATVs and the resource requirements for effective delivery.

3.2 The project scope identified that the main focus of the ATV was to identify tenancy fraud and ensure compliance with the tenancy agreement.

3.3 Additional consideration was given to identify gaps in our customer profiling data, tenancy support needs, debt advice due to Welfare Reform and best use of stock through offering to facilitate a transfer if required.

3.4 A single questionnaire has been developed and has been used in all ATV visits since 1.4.13. A copy of the questionnaire is attached as appendix 1.

3.5 A programme has been developed to undertake 100% ATVs between 1.4.13. and 31.3.14.

- 3.6 The delivery of an Annual visit has been identified as one of the key priorities by the Executive Board member for Housing, with performance being reported to the Housing Advisory Board on a regular basis.
- 3.7 Current performance is 44% for the year to date. A performance report is attached as appendix 2.
- 3.8 An interim review at month six is currently being undertaken to identify any areas that require further consideration.
- 3.9 At the end of the financial year a full evaluation will be undertaken to understand the outcomes from this process and will include a full financial review to consider the social return on investment.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 As part of the evaluation that is undertaken at the end of the financial year consideration will be given to any proposals that could help improve service delivery based on the outcome of the ATV process.
- 4.1.2 Should any such proposals be identified then appropriate consultation will be undertaken with residents, elected Members and officers.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The process of undertaking TVs will increase our customer knowledge through increased customer profile data.
- 4.2.2 Our on-going evaluation to consider outcomes will analyse the data by equality characteristics and make any recommendations for service improvements based on the findings of this data.

4.3 Council policies and City Priorities

- 4.3.1 The delivery of a programme of 'Annual Tenancy Visits' is one of the 6 key priorities for Housing Leeds.

4.4 Resources and value for money

- 4.4.1 Prior to the introduction of the ATVs an evaluation of resources was undertaken which identified that whilst the activity was undertaken by a range of staff across the business the totality of staff time would equate to 20FTEs.
- 4.4.2 At the end of the first year a full evaluation of staff resources will be undertaken and will include non-productive time due to no access visits. The outcomes from successful visits will be evaluated to report on the findings of the first year of operation and also to undertake a full VFM assessment.

4.5 Legal Implications, Access to Information and Call In

4.5.1 As this report is for information only there are no issues to be considered further at this stage.

4.6 Risk Management

4.6.1 Whilst there are no issues that need to be identified within the corporate risk register there are issues around applying safe operational working practices whilst undertaking ATVs.

4.6.2 All staff undertaking home visits have undertaken the relevant training around Health and Safety and Lone Working.

4.6.3 Through earlier negotiations it was agreed that our repairs contractors (Morrison) would undertake an initial ATV assessment when attending a property to undertake a repair, although this process has not been introduced as yet. Further delays to the introduction of these arrangements could affect the year end performance.

5 Conclusions

5.1 A citywide process for delivering ATVs has been developed and was implemented from 1.4.13.

5.2 To date performance is reported at 44% with a projection to meet target by the end of March 2014.

6 Recommendation

6.1 Members of Scrutiny Board are asked to note the contents of the report and request any additional information.

7 Background papers¹

7.1 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.

Annual Tenancy Verification Form



Lone Worker Check Completed? Yes No Date

Visit Accompanied? Yes No

Account Check Completed? Yes No Balance £

1. Property Details	
Full Address <i>(Including Postcode)</i>	

2. Tenant Details	Lead Tenant	Joint Tenant
Title		
First Name		
Surname		
Date Of Birth		

3. Contact Details	Lead Tenant	Joint Tenant
Home Telephone		
Work Telephone		
Mobile		
Email		

4. Tenant Verification	Lead Tenant	Joint Tenant
I.D Provided:	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Identification type: (E.g. Passport, Uk Photo-card Driving Licence, EU National I.D Card. See I.D guidance Page.4)		

5. Employment:	Lead Tenant	Joint Tenant
Prefer not to say	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Employed	<input type="checkbox"/>	<input type="checkbox"/>
Full Time	<input type="checkbox"/>	<input type="checkbox"/>
Part Time	<input type="checkbox"/>	<input type="checkbox"/>
Self Employed	<input type="checkbox"/>	<input type="checkbox"/>
Unemployed	<input type="checkbox"/>	<input type="checkbox"/>
Student	<input type="checkbox"/>	<input type="checkbox"/>
Retirement	<input type="checkbox"/>	<input type="checkbox"/>

6. Additional Household Members:

Name	Relationship	Date Of Birth

7. Next Of Kin / Emergency Contact Details:

Name	Address	Contact No:

8. Internal Property Overview

Condition of property	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>	Follow Up <input type="checkbox"/>
Comments:				

9. External Property Overview

Gardens/ Yard Condition	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>	Follow Up <input type="checkbox"/>
Comments:				

10. Tenant

	Confirmation Signature/s	Date
Signed Lead Tenant		
Signed Joint Tenant		

11. Officer

	Confirmation Signature/s	Date
Auditing Officer		
Officer Name (Printed)		

12. Post Visit Review:

	Safeguarding <input checked="" type="checkbox"/>	Tenancy <input checked="" type="checkbox"/>	Financial <input checked="" type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Follow Up Support?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. Orchard UDC / I.T Systems Update Completed?Yes No

14. Additional Visitor Notes

Lined area for taking notes.

STAFF GUIDANCE ON TENANT IDENTIFICATION

There are 3 options for providing identity documents:

- Option One : 2 proofs from Group (A) ID List
- Option Two : 1 proof from Group (A) and 1 proof from Group (B) ID List
- Option Three : 3 proofs from Group (B) ID List

Group (A) Photographic ID List

- Passport – any nationality
- UK Photocard, Driving Licence (Full or Provisional)
- EU National Identity Card
- HM Forces ID Card
- UK Firearms Licence

Group (B) Non Photographic ID List

- Birth Certificate / Adoption Certificate
- Marriage Certificate/Civil Partnership Certificate
- Mail Order Catalogue Statement * #
- Utility Bill *# (inc. mobile phone contract/bill, Gas/Electric, Digi TV, Internet)
- Credit Card Statement *#
- Insurance Certificate **
- UK Council Tax Statement **
- UK Connexions Card
- Letter from Support worker / Head Teacher *
- Bank/Building Society Statement *#
- UK NHS Card
- Benefit book/ statement / proof of benefits (Child Allowance/Pension)
- CRB Disclosure Certificate **
- Vehicle Registration Document
- TV Licence **
- UK Paper Driving Licence (non photocard)
- UK Court Claim Form ** (or other documentation issued by Court Services)
- Store Card Statement *#
- UK P45/P60 Statement **
- Exam Certificate e.g. GCSE, NVQ, O'level
- Addressed Payslip *
- UK National Insurance Card
- Financial Statement**
- Government document**

Group (C) Immigration Status ID List

- Leave to remain letter
- Passport
- EU Identity Card
- Workers Registration documentation
- Refugee documentation
- Sponsorship documentation

I.D Documentation Key:

- * Documentation should be less than 3 months old
- ** Documentation issued should be within the past 12 months
- # If the customer intends to use more than 1 document of this type, ensure that it is from a different organisation.

Tenancy Verification Audits: Getting To Know Our Tenants Better

Leeds City Council's housing officers and partner operatives are required to carry out tenancy verification audits of all Council properties at least once every year. This includes the property in which you live. We are checking to ensure that the legal tenant is still living in the property and that sub-letting or any other activity that contravenes the Tenancy Agreement is not taking place.

When we visit you can raise any concerns with us or request information about the services we provide. You may wish to become involved with a local Tenants and Resident Group or take part in the next Estate Walkabout in your area.

Why Are We Doing This?

- To check that the legal tenant is living at the property.
- To ensure tenants are complying with their tenancy agreement.
- To update information about tenants which may help with the future planning of services.
- To ensure we have accurate information about tenants, to better provide support when needed.
- To provide information on the services we provide.
- To ensure best and legal use of council homes.

When We Visit:

When we visit your home we will respectfully ask you a range of questions and carry out a brief inspection of the inside and outside of your home. We will ask you for at least 2 forms of identity so that we have proof that you are the legal tenant of the property. We prefer documents with photos and the following are preferred:

- **Passport**
- **UK Photocard, Driving Licence (Full or Provisional)**
- **EU National Identity Card**
- **HM Forces ID Card**
- **UK Firearms Licence**

In addition proof that you live at the property, for example:

- **Utility Bill (Inc. mobile phone contract/bill, Gas/Electric, Digi TV, Internet)**
- **Credit Card Statement**
- **Insurance Certificate**
- **UK Council Tax Statement**

Additional advice on acceptable forms of identification can be provided by the visiting officer.

Keeping Safe:

All of our staff and partner operatives carry ID cards to prove who they are. **Always** ask to see identification and never let anyone into your home who cannot prove who they are.

Our Promise To You:

If you have any information about sub-letting, properties not being lived in or other activity that contravenes the Tenancy Agreement. Please share this with our visiting staff or contact one of our local housing offices. You can speak to us in confidence, your personal details will be kept confidential and not disclosed. We will investigate.

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ATV's Completed by Wards 2013-14

Weekly Report: period from 01/04/2013 to 04/11/2013

Management Group	Ward	ATVs Completed					ATVs No Access				
		South & South East	Belle Isle TMO	East & North East	West & North West	Total	Aire Valley Homes Leeds	Belle Isle TMO	East North East Homes Leeds	West North West Homes Leeds	Total
South & South East	Ardsley & Robin Hood	260				260	178				178
	Beeston & Holbeck	754				754	710				710
	City & Hunslet	658				658	424				424
	CrossGates & Whinmoor	809				809	576				576
	Garforth & Swillington	561				561	108				108
	Harewood	150				150	27				27
	Kippax & Methley	609				609	196				196
	Middleton Park	620				620	606				606
	Morley North	378				378	271				271
	Morley South	473				473	347				347
	Rothwell	613				613	488				488
Temple Newsam	66				66	59				59	
Belle Isle TMO	Middleton Park		202			202		563			563
East & North East	Alwoodley			1,116		1,116			67		67
	Burmantofts & Richmond Hill			3,386		3,386			2,532		2,532
	Chapel Allerton			1,681		1,681			348		348
	Gipton & Harehills			2,364		2,364			598		598
	Harewood			199		199					0
	Killingbeck & Seacroft			3,457		3,457			2,027		2,027
	Moortown			451		451			93		93
	Roundhay			610		610			257		257
	Temple Newsam			1,302		1,302			107		107
	Weetwood			78		78					0
	Wetherby			816		816			15		15
West & North West	Adel & Wharfedale				279	279				89	89
	Armley				817	817				503	503
	Bramley & Stanningley				1,059	1,059				445	445
	Calverley & Farsley				459	459				74	74
	City & Hunslet				56	56				87	87
	Farnley & Wortley				1,169	1,169				618	618
	Guiseley & Rawdon				249	249				133	133
	Headingley				27	27				10	10
	Horsforth				153	153				95	95
	Hyde Park & Woodhouse				594	594				397	397
	Kirkstall				514	514				407	407
	Moortown				7	7				1	1
	Otley & Yeadon				417	417				142	142
	Pudsey				830	830				200	200
	Weetwood				246	246				174	174
	Total Completed ATVs[†]		5,951	202	15,460	6,876	28,489	3,990	563	6,044	3,375
Outstanding ATVs		8,952	1,735	3,677	14,328	28,692					
% ATVs Completed Overall		39.93%	10.43%	80.79%	32.43%	49.82%					

[†] This data includes all tenancies whether current or previous in which a ATV was completed. This estimate may prove higher than the current tenants due to tenancies since terminated.

NB: This data is reported on a weekly basis and coincides with when the updates occur to the parent system. There is an apparent error of around 2% under reporting with this data.

ATV Performance - October 2013 (YTD)	Housing Leeds (Excl. BITMO)	City-wide	South & South East	East & North East	West & North West	Belle Isle TMO
Cumulative (YTD) Visit Target (Projected)	32,226	33,356	8,693	11,163	12,369	1,130
Total ATV Visits Undertaken (Inc. No Accesses)	41,696	42,461	9,941	21,504	10,251	765
Successful ATV Visits Total (Actual No. Completed - Live and Terminated Tenancies)	28,287	28,489	5,951	15,460	6,876	202
Total Number of Unsuccessful Visits (No Access)	13,409	13,972	3,990	6,044	3,375	563
% Of Successful ATVs Completed Vs Cumulative (YTD) Visit Target	88%	85%	68%	138%	56%	18%
% Of Successfully Completed ATVs Vs Total No. Of ATV Visits Undertaken (Inc. No Access)	68%	67%	60%	72%	67%	26%
% Of Total ATV Visits Undertaken (Inc. No Accesses) Vs Cumulative (YTD) Visit Target	129%	127%	114%	193%	83%	68%
% Of No Access ATV's Vs. Total ATV Visits Undertaken (Inc. No Accesses)	32%	33%	40%	28%	33%	74%

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Report of Director of Environment and Housing

Report to Housing and Regeneration Scrutiny Board

Date: 26th November 2013

Subject: Tenant Scrutiny

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

Summary of main issues

1. The Executive Board on 19th June 2013 resolved to integrate housing management within the council's Environment and Housing Directorate. The Executive Board report of July 2013 set out the principles for the role of Tenant Scrutiny in the new service. Namely that it should be a single Tenant Scrutiny Board, working in partnership with the Housing and Regeneration Scrutiny Board supported from within Democratic Services. The new model also needs to meet the requirements of the Regulatory Framework for Social Housing 2012.
2. The role of the Tenant Scrutiny Board is to provide independent, customer focused scrutiny which will robustly challenge policy practice and performance to ensure that Leeds City Council provides a high quality housing service that retains tenants at the heart of the organisation.
3. A draft of a protocol between the Tenant Scrutiny Board and the Housing and Regeneration Scrutiny Board has been developed. The protocol will establish a close dialogue between the two Boards but will fall short of a formal link. This will enable the Boards to remain independent but come together as both Boards so require.
4. Draft Terms of Reference, Procedures and General Arrangements have been drafted and consulted upon with Leeds Tenants Federation. Further consultation is being planned with the current chairs of the three existing Tenant Scrutiny Panels.

Recommendation

5. The Housing and Regeneration Scrutiny Board is asked to note the progress to date in developing a single Tenant Scrutiny Board and make any relevant recommendations to incorporate into the final model.

1 Purpose of this report

- 1.1 The purpose of this report is to update the Housing and Regeneration Scrutiny Board on progress in developing the future of Tenant Scrutiny within the new Housing Leeds Service.

2 Background information

- 2.1 The meeting of Executive Board 19 June 2013 resolved to integrate housing management within the council's Environment and Housing Directorate.
- 2.2 A subsequent Executive Board report on 17 July 2013 set out a range of implementation arrangements and detailed the governance structures that were to be put in place.
- 2.3 The Executive Board report of July 2013 set out the principles for the role of Tenant Scrutiny in the new service:
- § As part of the development of the new service model, we will establish a single Tenant scrutiny body which will work in partnership with Housing and Regeneration Scrutiny Board. The new body will be supported from within Democratic Services to ensure independence and establish strong links with the Council scrutiny functions. We will work with Housing and Regeneration Scrutiny Board, existing tenant scrutiny panels, and other key stakeholder groups over the next few months to further shape the role of the new body, including its functions, scope, and who will be part of it/how people are selected to be on the new body. Terms of reference and protocols will be developed. Progress will be reported to a future Executive Board.
 - § We will work with Housing and Regeneration Scrutiny Board to develop strong links between the new tenant scrutiny arrangements and the work of the Scrutiny Board.
 - § Some of the ways Housing and Regeneration Scrutiny Board can utilise the role of tenant scrutiny include:
 - § Taking account of relevant information that tenant scrutiny may have gathered in relation to any issue it is considering;
 - § Asking Tenant Scrutiny Panel to help gather local views about a particular service they are reviewing.
 - § Tenant Scrutiny can:
 - § Refer matters of concern about local housing services to Housing and Regeneration scrutiny board for consideration;
 - § Provide an annual report of their activity to scrutiny;
 - § The work programmes of both will be shared to ensure duplication is avoided and activity is combined where appropriate

- 2.4 The current approach to the regulation of social landlords is based on the concept of co-regulation. The Tenant Services Authority made scrutiny part of its Tenant Involvement and Empowerment Standard in 2010. The role was further developed when the Homes and Communities Agency took over as the Social Housing Regulator in 2012.
- 2.5 The Regulatory Framework for Social Housing in England from April 2012 requires:
 "...providers to support tenants to both shape and scrutinise service delivery and hold Boards and Councillors to account."
 And:
 "Providers are expected to engage meaningfully with their tenants and offer them opportunities to shape the tailoring of services to reflect local priorities. Tenants should have the power to scrutinise their provider's performance, identify areas for improvement and influence future delivery. Providers will also need to support tenants in developing their skills and capacity so that engagement and scrutiny are effective."
- 2.6 In line with the principles of the Localism Act 2011, residents and their landlords are expected to resolve problems locally. The government sees tenant scrutiny panels as the main mechanism for identifying problems and finding solutions.
- 2.7 There is no single model for tenant scrutiny: the expectation is that each organisation will decide for itself how it will organise things.
- 2.8 It is within this Regulatory Framework and the wishes of the Council's Executive Board that officers will establish the new Tenant Scrutiny Board.

3 Main issues

- 3.1 The role of the Tenant Scrutiny Board is to provide independent, customer focused scrutiny which will robustly challenge policy, practice and performance to ensure that Leeds City Council provides a high quality housing service that retains tenants at the heart of the organisation.
- 3.2 It will do this by acting as a critical friend and through a series of reviews and inquires make an assessment of, and where appropriate, make recommendations on the following areas;
- § The quality of Housing Services
 - § Tenant Satisfaction
 - § Performance Management
- 3.3 A draft protocol has been developed that will govern the relationship between the Housing and Regeneration Scrutiny Board and the Tenant Scrutiny Board. The protocol will ensure that there is a close working dialogue between the two Boards but ensures that the relationship falls short of there being a formal link. This will

operate in much the same way as healthwatch. The draft protocol is attached at Appendix 1.

- 3.4 Specifically the Tenant Scrutiny Board will have a discussion with the Housing and Regeneration Scrutiny Board at the start of the municipal year over potential work programme topics. It will share its on going work programme. It will circulate any final inquiry report to the Chair of the Housing and Regeneration Scrutiny Board. It will provide an annual report of its work and achievements. It will give due consideration to requests for Scrutiny. It will inform the Housing and Regeneration Scrutiny Board of any findings of concern regarding Housing Services.
- 3.5 In addition to the draft Protocol between the Tenant Scrutiny Board and the Housing and Regeneration Scrutiny Board, draft terms of reference, draft procedures and draft general arrangements have been drafted for the Tenant Scrutiny Board and are attached at Appendices 2, 3 and 4.
- 3.6 In the redesign of the Housing Service, the Housing Advisory Board has recommended that there should not be a reduction of tenants involved in the running of the service. The ALMO model saw three Tenant Scrutiny Panels established, one within each ALMO. The move to a single Board could mean that fewer tenants will be involved in the scrutiny process. This could mean that a valuable trained resource could be lost. Therefore, it is the intention to devise a Tenant Scrutiny Model that, whilst only having one Board, will be able to make use of Tenants previously part of the old panels but not on the new Board.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The draft Protocol, terms of reference, procedures and general arrangements have been consulted upon with Leeds Tenants Federation (LTF). The Tenant Standards Panel at LTF was supportive of the new proposals and felt that the link to the Council's Housing and Regeneration Scrutiny Board would strengthen the role of tenant scrutiny.
- 4.1.2 The standards Panel requested that the tenant training and development role at LTF was used to support the training and development offered by Democratic Services.
- 4.1.3 The proposals are to be discussed with the existing chairs of the three Panels.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no issues for Equality and Diversity / Cohesion and Integration

4.3 Council policies and City Priorities

- 4.3.1 The development of the Tenant Scrutiny Board is in line with Council policies and will help support City Priorities by ensuring there is a high quality Council Housing offer in the city.

4.4 Resources and value for money

- 4.4.1 In the current model each Panel has its own officer support resources. As part of the service re design Housing Leeds will agree the distribution of existing support resources with Scrutiny and Member Development.
- 4.4.2 The move to a single Tenant Scrutiny Board will offer a better value for money solution.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The development of the single Tenant Scrutiny Board will be in line with The Regulatory Framework for Social Housing 2012 and the Localism Act 2011.

4.6 Risk Management

- 4.6.1 Risk management of the development of the new Board will be managed within the Housing Management Review Programme Board and the Housing Advisory Board.

5 Conclusions

- 5.1 The Executive Board has given a clear commitment to Tenant Scrutiny and required a single Board to be established as part of the Housing Management Review.
- 5.2 The new proposals will meet this requirement as well as meeting the Council's responsibilities under the Regulatory Framework for Social Housing 2012.
- 5.3 The new Board will be part of the Council's Scrutiny responsibility and will have a link via a protocol to the Housing and Regeneration Scrutiny Board. Support for the Board will be provided for through the re design of the Housing Service.
- 5.4 The final model will also allow existing tenants involved in scrutiny who are not part of the new Board to remain involved with the scrutiny role.

6 Recommendation

- 6.1 The Housing and Regeneration Scrutiny Board is asked to note the progress to date in developing a single Tenant Scrutiny Board and make any relevant recommendations to incorporate into the final model.

7 Background documents¹ 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.

PROTOCOL BETWEEN THE TENANT SCRUTINY BOARD AND SCRUTINY BOARD (HOUSING AND REGENERATION)

Introduction

This protocol concerns the relationship between the Tenant Scrutiny Board and Scrutiny Board (Housing and Regeneration).

Its purpose is to ensure that:-

- (i) Mechanisms are put in place for exchanging information and work programmes so that issues of mutual concern/interest are recognised at an early stage and dealt with in a spirit of co-operation and in a way that ensures the individual responsibilities of the Tenant Scrutiny Board and Scrutiny Board (Housing and Regeneration)
- (ii) There is a shared understanding of the process of referrals and exchange of information and that arrangements are in place for dealing with these.

The role of the Tenant Scrutiny Board

The role of the Tenant Scrutiny Board is to provide independent, customer focused scrutiny which will robustly challenge policy practice and performance to ensure that Leeds City Council provides a high quality housing service that retains tenants at the heart of the organisation.

It will do this by acting as a critical friend and through a series of reviews and inquires make an assessment of, and where appropriate, make recommendations on the following areas;

The quality of Housing Services
Tenant Satisfaction
Performance Management

The role of Scrutiny Board (Housing and Regeneration)

The role of Scrutiny Board (Housing and Regeneration) is to scrutinise the performance of the Housing and Regeneration Partnership Board which includes issues around housing policy and housing management, value for money and performance.

It will achieve this by

Providing critical friend challenge to executive policy and decision makers
Listening to the concerns of local people
Acting as an improvement committee by recommending actions for service, performance or policy change

Working values

Given the common aims of the Tenant and Scrutiny Board (Housing and Regeneration) are to improve service outcomes and to ensure the delivery of high quality, appropriate and efficient Housing services, it is vital that they:-

- (i) Work in a climate of mutual respect, courtesy and transparency in partnership;
- (ii) Have a shared understanding of their respective roles, responsibilities, priorities and different perspectives;
- (iii) Promote and foster an open relationship where issues of common interest and concern are shared and challenged in a constructive and mutually supportive way;
- (iv) Share work programmes and information or data they have obtained to avoid the unnecessary duplication of effort.

Whilst recognising the common aims and the need for closer working, it is important to remember that the Tenant Scrutiny Board and Scrutiny Board (Housing and Regeneration) are independent bodies and have autonomy over their work programmes, methods of working and any views or conclusions they may reach.

The Tenant Scrutiny Board will

Have a discussion with Scrutiny Board (Housing and Regeneration) at the start of the municipal year over potential work programme topics

Share with Scrutiny Board (Housing and Regeneration) it's on going work programme

Circulate any final inquiry report to the Chair of Scrutiny Board (Housing and Regeneration)

Provide Scrutiny Board (Housing and Regeneration) will an annual report of its work and achievements

Give due consideration to requests for Scrutiny

Inform Scrutiny Board (Housing and Regeneration) of any findings of concern regarding Housing Services

The Tenant Scrutiny Board may

Request that Scrutiny Board (Housing and Regeneration) undertake a scrutiny inquiry

Co-opt a member of the Scrutiny Board (Housing and Regeneration) for the duration of an Inquiry

The Scrutiny Board (Housing and Regeneration) will

Have a discussion with the Tenant Scrutiny Board at the start of the municipal year over potential work programme topics

Share with the Tenant Scrutiny Board its on-going work programme

Circulate any final inquiry report to the Chair of the Tenant Scrutiny Board

Give due consideration to requests for Scrutiny

Inform the Tenant Scrutiny Board of any findings of concern regarding Housing Services

The Scrutiny Board (Housing and Regeneration) may

Request the tenant Scrutiny Board undertake a particular piece of work in order to inform the Board of public opinion and experience of services where there are particular concerns and enable the public to influence decisions.

Request that the Tenant Scrutiny Board contributes evidence to an inquiry

Co-opt a member of the Tenant Scrutiny Board for the duration of an Inquiry

TENANT SCRUTINY BOARD – TERMS OF REFERENCE

The Tenant Scrutiny Board provides independent, customer focused scrutiny which will robustly challenge policy practice and performance to ensure that Leeds City Council provides a high quality housing service that retains tenants at the heart of the organisation.

The Tenant Scrutiny Board is authorised to discharge the following scrutiny functions:

1. Provide independent assurance on the quality of service delivery against agreed performance indicators.
2. Assist in supporting the process of establishing performance indicators.
3. Act as a “critical friend” on behalf of tenants and residents providing “challenge” to the Council in relation to its Housing service delivery and by reviewing policies and strategies.
4. Review tenant satisfaction.
5. Ensure tenants are consulted before major changes to Housing Services are implemented.

Form an integral part of the governance of Leeds City Council through effective links with the Housing Advisory Board and Scrutiny Board (Housing and Regeneration)

TENANT SCRUTINY BOARD - PROCEDURE RULES

1.0 FREQUENCY AND PLACE OF MEETINGS OF THE SCRUTINY BOARDS

- 1.1 The Tenant Scrutiny Committee will meet every ??????.(monthly. Quarterly?)
- 1.2 Extraordinary meetings may be called from time to time as and when appropriate.
- 1.3 A meeting may be called by
 - the Chair or
 - the Scrutiny Officer if he/she considers it necessary or appropriate.
- 1.4 The Tenant Scrutiny Board may sit at such place and at such time as it considers necessary and appropriate.
- 1.5 The Tenant Scrutiny Board may appoint a Working Group as it feels appropriate and necessary to assist in ensuring the effectiveness and efficiency of its work².

2.0 QUORUM / SUBSTITUTE MEMBERS

- 2.1 The quorum for a Scrutiny Board shall be ??? (Depending on Board membership numbers)
- 2.2 Substitute members will not be allowed

3.0 NOTICES OF MEETINGS

- 3.1 Notices for all meetings of a Tenant Scrutiny Board shall be issued from the office of the Scrutiny Officer.

4.0 ADMISSION TO MEETINGS

- 4.1 All meetings of the Tenant Scrutiny Board shall be open to the public unless identified as confidential. This shall be without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.
- 4.2 The Tenant Scrutiny Board may resolve to exclude the press and public from a meeting (whether the whole or part only of the proceedings) by passing a resolution.

5.0 MINUTES

- 5.1 All meetings of each Tenant Scrutiny Board shall be minuted.

² These must be appointed to carry out specific tasks such as visits to premises or other information gathering activities as part of an on-going Inquiry.

5.2 Oral evidence given to a Tenant Scrutiny Board may be recorded via tape recording as shall appear to the Tenant Scrutiny Board to be appropriate.

6.0 RIGHTS OF TENANT SCRUTINY BOARD MEMBERS TO DOCUMENTS

6.1 When a Tenant Scrutiny Board conducts a review, every member of the Board³ shall have a right of access to any documents which are relevant to the subject matter of the review and are not deemed confidential.

7.0 AGENDA ITEMS

7.1 A Scrutiny Board shall as a minimum consider the following business at an Ordinary Meeting:

- apologies for absence;
- minutes of the last meeting;
- the Board's work programme; and
- the business otherwise set out on the agenda for the meeting.

8.0 WORK PROGRAMMING

8.1 No Tenant Scrutiny Board may undertake a review into:

- any decision of a Plans Panel or the Licensing Committee or a Licensing sub-committee;
- any decision taken by an officer under delegated authority which falls within the terms of reference of a Plans Panel or the Licensing Committee or a Licensing Sub-Committee;
- any matter which falls outside of the Tenant Scrutiny Board's Terms of Reference
- any decision in respect of which there are:
 - ongoing judicial proceedings, Ombudsman or audit inquiry or complaint under the Council's formal complaints procedure;⁵ or
 - individual personnel issues.

9.0 REQUESTS FOR SCRUTINY

9.1 Reviews requested by a member of the Tenant Scrutiny Board

Any member of the Tenant Scrutiny Board may propose that a review be undertaken into a relevant matter. The Board will then consider whether to undertake the review. In doing so, it shall take into account the wishes of all members of that Board.

³ Information received as a member of a Tenant Scrutiny Board should be used only in this capacity.

9.2 Requests for reviews from other sources

The Tenant Scrutiny Board shall consider a request from any other source to conduct a review.

- 9.3 If the Scrutiny Board decides not to carry out a review into the matter, the Scrutiny Officer will inform the referring body about the decision of the Tenant Scrutiny Board, and the reasons for its decision

10.0 SELECTING SCRUTINY INQUIRIES

- 10.1 Before deciding to undertake a scrutiny Inquiry, the Tenant Scrutiny Board must
- consider how the proposed Inquiry falls within its terms of reference and
 - consider the current workload of the Tenant Scrutiny Board and the available resources required to carry out the work.
- 10.2 Where any Scrutiny Board decides that there shall be an Inquiry, the Scrutiny Board shall
- consult with the relevant Director and Executive Member.
 - agree the Terms of Reference of the Inquiry;
 - agree the period within which the Inquiry's Report is to be completed;
 - compile a preliminary list of witnesses from whom the Tenant Scrutiny Board require evidence; and
 - compile a preliminary list of documents which the Tenant Scrutiny Board requires to be produced.

11.0 REPORTS AND RECOMMENDATIONS

- 11.1 At the conclusion of a review the Tenant Scrutiny Board shall, where it considers it to be appropriate, produce a written report summarising the evidence that it has taken and set out its recommendations.
- 11.2 Where the Tenant Scrutiny Board is considering making specific recommendations it shall invite advice from the appropriate Director(s) prior to it finalising its recommendations. The detail of that advice shall be reported to the tenant Scrutiny Board and considered before the report is finalised.
- 11.3 The review report shall include:
- an explanation of the matter reviewed or scrutinised;
 - a list of the participants involved in the Inquiry (save where the Board considers that a name of a witness should be withheld for reasons of confidentiality) ;
 - a list of all documentation that has been considered by the Board; and
 - any conclusions and recommendations on the matter reviewed or scrutinised.
- 11.4 Where any member of the Tenant Scrutiny Board does not agree with the content of the Board's Report, they may produce a Minority Report setting out their findings and recommendations. The Minority Report will be an appendix to the Tenant Scrutiny Board's Report.

12.0 RESPONSES TO REPORTS AND RECOMMENDATIONS

12.1 The Housing Advisory Board, the Executive Board, Area Committees or officers shall consider any report and recommendations of the Tenant Scrutiny Board within two months of it being received. The Council or Executive is under a duty to respond to the Tenant Scrutiny Board, indicating what action (if any) it proposes to take and to publish its response.

13.0 WITNESSES – GENERAL PRINCIPLES

13.1 Where the Tenant Scrutiny Board wishes to take evidence from a witness, the Scrutiny Officer shall notify the witness of:-

- the date upon which their evidence is to be taken;
- the matters upon which evidence is sought;
- any documents that the Tenant Scrutiny Board wishes to have produced; and
- the date upon which the Board requires any written evidence from the witness.

13.2 Those assisting the Scrutiny Board by giving evidence shall be treated with respect and courtesy.

14.0 MEMBERS AND OFFICERS GIVING ACCOUNT/ INFORMATION

14.1 The Tenant Scrutiny Board may require any Executive Member, or Member in relation to a matter where the Member has exercised functions, the Chief Executive and/or any senior officer to attend before it to answer questions and provide information about:

- any particular decisions or series of decisions;
- the extent to which actions taken implement Council policy

14.2 It is the duty of those officers and Members to attend and to answer questions.

14.3 The Chair of the Tenant Scrutiny Board will inform the Scrutiny Officer if the Scrutiny Board requires any Member (including an Executive Member) or officer to attend a Scrutiny Board under this provision. The Scrutiny Officer shall inform the Member or officer of this, giving at least 7 working days' notice of the meeting at which he/she is required to attend.

14.4 The notice will state:

- the nature of the item on which he/she is required to attend to give account; and
- whether the Tenant Scrutiny Board requires him/her to produce any documents or reports.

14.5 Where the Scrutiny Board requires the person to produce a report, then the Scrutiny Officer will give the Member or officer concerned sufficient notice to prepare it.

14.6 The Chair of the Tenant Scrutiny Board will inform the Scrutiny Officer where a Scrutiny Board requires a Director to attend the Tenant Scrutiny Board in person.

14.7 Directors may be accompanied by any other officer the Director feels appropriate.

- 14.8 Where the Tenant Scrutiny Board does not require a Director to attend in person, he/she will be responsible for ensuring that an officer of sufficient knowledge and requisite seniority attends. Any such witness may be accompanied by such adviser(s) as he/she considers necessary.
- 14.9 Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, and then the Scrutiny Officer shall, in consultation with the Chair of the Tenant Scrutiny Board and the Member or officer, arrange an alternative date for attendance, or agree an appropriate substitute.

15.0 ATTENDANCE BY OTHERS

- 15.1 A Tenant Scrutiny Board may invite members of the public or other persons to attend meetings, address it, discuss issues of local concern and/or answer questions.

TENANT SCRUTINY BOARD – GENERAL ARRANGEMENTS

1.0 ROLE

1.1 The Council will have one Tenant Scrutiny Board.

1.2 Within its terms of reference the Tenant Scrutiny Board will

- Give an independent and objective view of landlord services
- Make reports or recommendations to the Housing Advisory Board, Executive and/or appropriate committees arising from the outcome of the scrutiny process
- question and gather evidence

2.0 PROCEEDINGS

2.1 The Tenant Scrutiny Board will conduct its proceedings in accordance with its Procedure Rules

3.0 TENANT SCRUTINY BOARD CHAIRS

3.1 The Chair of the Tenant Scrutiny Board will be appointed by the Tenant Scrutiny Board for a period of one municipal year.

4.0 GENERAL MEMBERSHIP

4.1 Appointments will be made by a selection process after open canvassing of interested tenants and leaseholders made against clear criteria and shall seek to achieve a balanced representation of the Council's customers, e.g. age, gender, ethnicity and area representation as well as against the skills necessary to be an effective Tenant Scrutiny Board.

Where appointed from?

How?

Restrictions i.e. not member of Housing Advisory Committee?

Length of office

Skills criteria

Character criteria, eg clear rent account, willing to undertake training

5.0 CO-OPTED MEMBERS

5.1 The Tenant Scrutiny Board shall be entitled to appoint up to two non-voting co-opted members for a term of office which relates to a particular Scrutiny Inquiry.

Report of Director of City Development and Director of Environment and Housing

Report to Scrutiny Board (Housing and Regeneration)

Date: 26th November 2013

Subject: Using HRA resources to support housing growth - progress and update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input 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. In July 2013 the Council's Executive Board approved an approach to the use of Housing Revenue Account resources to fund a programme of investment to add to the stock of council housing in Leeds over a four year period.
2. The report describes three delivery routes - new build housing either directly delivered or through purchase from developers, the acquisition of empty properties to bring them back into use as council housing and providing resources to housing associations to build new properties.
3. This report sets out the progress made to date against each of these investment strands.

Recommendation

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

1 Background

- 1.1 The Council's Executive Board in July 2013 approved a substantial programme of investment in new council housing using the flexibilities associated with the new self financing arrangements for the Housing Revenue Account (HRA).
- 1.2 A programme in excess of £40m has been developed and this represents the first substantial investment in the growth of council housing for decades.
- 1.3 The report, which is at appendix 1, sets out a comprehensive approach delivered in partnership with housing associations and through developers to give a broad spread of investment.

2 Main Issues

- 2.1 The Housing Growth Programme is expected to deliver *around* 400 units (based on an average construction cost) over the next four years, 174 are currently programmed as described below in paragraphs 2.4, 2.5 and 2.13. In addition to the HRA resource, the council has been successful in attracting grant funding for some elements of the programme from the Homes and Communities Agency - the Empty Homes Programme and the Care and Support Specialist Housing Fund which provides resources for extra care housing .
- 2.2 The additional council homes will be delivered via the three work streams set out below. The balance of the programme will be determined as the site options are evaluated and the programme will be underpinned by evidence of demand which will be drawn from an analysis of the waiting list supplemented by housing needs assessments. The programme will provide opportunities to meet a range of the Council's corporate objectives including supporting housing growth through assisting stalled private development sites, addressing derelict and nuisance sites by bringing them back into use. There will be a strong emphasis on design to support place making within neighbourhoods.
- 2.3 New build
- 2.4 Several schemes are currently being progressed which will deliver new build properties. They are:

Site	No of Properties	Type	Status
East Park Road (Richmond Hill and Burmantofts)	30	apartments	Submitted for Planning, anticipated start on site April 2014
The Garnets, (Beeston H & H)	20 apprx	houses	At design stage
Howarth Court (Otley & Yeadon)	45	extra care	Has Outline Planning Approval (former PFI project) and at design stage
Broadlea (Bramley & Stanningley)	30 apprx	apartments	Architects instructed
Former Squinting Cat public house (Swarcliffe) Total Costs	16 apprx	apartments for older residents	Architects instructed

2.5 Acquisitions

- 2.6 The sites described at 2.4 are all being directly delivered by the council as construction projects. The Executive Board report also sets out the option to consider off the shelf or off plan acquisitions from developers which can be an effective way of delivering quickly and cost effectively, particularly where there is the opportunity to negotiate the price on the basis of bulk purchases. The first of these, Thorn Walk at Gipton, has been identified which will produce 23 houses and further options will be explored.
- 2.7 A key part of the acquisitions element of the programme is the purchase of empty properties to bring them back into use as council housing. Properties will be identified which meet strategic requirements in terms of demand and complementary investment.
- 2.8 The programme has a particular focus on properties previously sold to tenants under the Right to Buy scheme given the significant housing management issues which are often caused by empty former Right To Buy dwellings. An estimated 20 properties are expected to be initially acquired with the support of grant funding from the HCA, though the overall programme is expected to achieve in excess of this.
- 2.9 The process of identifying properties and communicating with owners is underway. Once acquired, properties are refurbished and brought up to appropriate standards for management.
- 2.10 Use of Right to Buy Receipts
- 2.11 In April 2012 the Government introduced changes intended to "reinvigorate" the Right to Buy scheme and to enable the use of receipts from homes sold under the Right to Buy to fund replacement homes for affordable rent. Executive Board approved an initial approach through which receipts are offered to housing associations in the form of grant funding to deliver new affordable housing. The rules set down by central government are that the receipts can only fund 30% of construction costs and that the monies are spent within a three year timeframe. This approach requires that the housing association provides the remaining 70% of the costs and the council will be able to exercise nomination rights over the completed properties. Further, the government's rules stipulate that the receipts are spent within a given timeframe such that funding will be released quarterly as the RTB sales take place and with an associated timeframe for spend.
- 2.12 The first tranche of funding has become available and it is initially intended that this process could be used to deliver specialist housing for families with a disabled member. A letter inviting bids has recently been issued to housing associations; the deadline for submissions is 30th November 2013.
- 2.13 These initial resources will fund the development of around 10 specialist properties. The level of resources will be assessed on a regular basis with a view to offering further rounds of investment

3 Corporate Considerations

3.1 Consultation and Engagement

3.1.1 Site specific consultation is taking place with the relevant Ward Members at design stage and at pre-planning.

3.2 Equality and Diversity / Cohesion and Integration

3.2.2 There are no specific equality and diversity considerations associated with this report, an Equality Impact Assessment was undertaken in respect of the whole programme in July associated with the Executive Board report and project specific EIAs will follow.

3.3 Council policies and City Priorities

3.3.3 The project seeks to address priorities in the City Priority Plan by providing affordable housing. It supports the objective of inclusive growth set out within the Best Council Plan by providing housing as the city grows.

3.1 Resources and value for money

3.1.1 Resources for the programme are in place and the revenues in terms of rental income, Council Tax and New Homes Bonus quantified.

3.2 Legal Implications, Access to Information and Call In

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

3.2.2 This report is not eligible for call in.

3.3 Risk Management

3.3.1 Risk management takes place both across the programme and on a project by project basis.

4. 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.

Report of Directors of and Environment & Housing and City Development

Report to Executive Board

Date: 17th July 2013

Subject: 16692/000/000 Council Housing Growth Programme

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

Summary of main issues

Executive Board has previously approved a programme of investment to deliver a comprehensive programme of new build housing and bringing empty homes back into use which uses Housing Revenue Account funding, the New Homes Bonus and Right to Buy receipts. It has also recently approved the Brownfield Land Programme, and approved the Core Strategy Development Plan Document and associated draft Site Allocations Plan to establish housing requirements and support land supply. Elsewhere on this agenda, the Housing Investment Land Strategy identifies a number of council owned sites which can be used to support and accelerate the delivery of new homes for the benefit of the city.

The programme outlined in this report can be seen as a continuation of the Council's efforts by investing additional resources and land in social housing. It describes a substantial amount of resources which have been identified to deliver new homes, representing the most significant investment in new council housing for many years.

This report sets out a proposed programme for growing the supply of council housing. It follows a previous approval by Executive Board for a first phase of development and sets out the resources and delivery options for a second phase.

Recommendations

Executive Board is recommended to:

- i) approve the development of an investment programme as described in the report including the use of Right to Buy receipts.
- ii) approve the injection of £28.512m into the Capital Programme
- iii) authorise the authority to spend of £40.623m, a detailed programme will be reported at a subsequent meeting.
- iv) authorise further authority to spend of £2.015m subject to a successful bid to HCA.
- v) delegate the detailed development of the investment programme to the Directors of City Development (in respect of land use) and Environment & Neighbourhoods (in respect of programme and scheme details and cost).

1 Purpose of this report

- 1.1 This report provides Executive Board with an approach to investing in new council housing funded through the Housing Revenue Account. The proposed programme contributes to the overall level of resources available to support housing priorities as well increasing the council tax base and increasing the level of New Homes Bonus receivable.

2 Background information

- 2.1 Leeds' investment needs are determined by the City Priority Plan (CPP) and the Leeds Housing Investment Plan. The CPP priority is to maximise investment to increase housing choice and affordability.
- 2.2 Investment in housing growth supports one of the objectives of the Best Council Plan to promote sustainable and inclusive economic growth by providing housing as the city grows. It supports the objective of Sustainable and Inclusive Growth by increasing housing options and stimulating the construction industry.
- 2.3 The Core Strategy Development Plan Document estimates that 1,158 affordable homes a year are required in order to meet predicted need. The investment proposals in this report coupled with those in the Housing Investment Land Strategy, demonstrate the positive and proactive approach taken by the Council to meeting the city's requirements through land supply and direct investment in housing growth.
- 2.4 The approach outlined in this report supports the wider investment strategy for the council's housing stock. The HRA Business Plan outlines the priority to increase the supply of affordable housing, whilst continuing to maintain existing Council Housing to ensure that the Council Housing portfolio is sustainable in the long term.
- 2.5 The waiting list for social housing in Leeds currently stands at approximately 27,000 applications. Demand information will be supplemented by a comprehensive demand analysis via Housing Market Assessments to inform the types and locations of properties needed to meet demand. Work to determine demand will be

informed by continuing work with Adult Social Care to understand and meet the housing needs of older people and with Children's Services for example in determining the requirements of families with disabled members. This will in turn contribute to meeting wider objectives of reducing the demands on other Council budgets such as the cost of adaptations.

3 Main issues

3.1 Update on phase one

3.2 Executive Board gave approval in September 2012 to a comprehensive approach to housing investment using a range of resources including the Housing Revenue Account (HRA), New Homes Bonus and the use of Right to Buy receipts.

3.3 Approval was given in January 2013 to a detailed phase 1 programme to develop new council housing using HRA resources. The report set out a programme which will deliver around 100 new units. This investment will provide smaller properties to address the issue of underoccupancy both to meet the challenge presented by Welfare Change and encourage older tenants to free up family homes.

3.4 The January report identified a shortlist of sites for development and the detailed design work is now on going. The first sites are now progressing through design and feasibility work with a view to a start on site in early 2014. A strong emphasis is being placed on good quality design which makes a positive contribution to sustainability and place making.

3.5 Use of Right to Buy receipts

3.6 An approach to using Right to Buy receipts was proposed in the September report in which the receipts are used to grant fund housing associations to deliver new affordable housing. The rules set down by central government are that the receipts can only fund 30% of construction costs and that the monies are spent within a three year timeframe.

3.7 This approach requires that the housing association provides the remaining 70% of funding in return for nomination rights. A simple exercise is proposed wherein housing associations are invited to bid for grant funding (in much the same way as they do to the Homes and Communities Agency) and set out what they could deliver for a specified amount of grant. It is initially intended that this process could be used to deliver bespoke properties for applicants for social housing who have particular needs such as a disabled family member.

3.8 The level of receipts currently available is £0.486m which mean that the housing association(s) would be required to contribute £1.12m, equating to a construction programme of around £1.6m (approx. 12 properties)

3.9 As properties are sold through the Right to Buy, receipts will come into the council intermittently. The level of resources will be assessed every six months with a view to either inviting bids from housing associations for subsequent rounds of investment or determining an alternative investment approach which meets identified needs and can commit resources within the required timeframe.

- 3.10 Executive Board is asked to approve this approach.
- 3.11 Phase two
- 3.12 The second phase of development provides a further opportunity to add to the stock of council housing and meet a wider range of needs.
- 3.13 Funding
- 3.14 The resources shown below at 3.17 have been identified as available to be used to support a council housing development programme.
- 3.15 The funding for phase one was previously approved by Executive Board and this report includes a request for the authority to spend this amount. The resources required to match fund bids to the Homes and Communities Agency are in respect of the successful bid for Empty Homes funding and a bid to deliver Extra Care Housing the outcome of which will be known shortly, though the resources would remain available if the bid is unsuccessful.
- 3.16 It is assumed that the overall programme could deliver around 400 properties. Delivery will take place over a four year programme at a rate of around 100 units per annum.
- 3.17 The table summarises the level of resources available to support the new build programme. Currently £10.8m has been identified for new build in the approved Capital Programed and the intention is to use a further £3.246m of resources that are in the Capital Programme but have not been identified to specific schemes. The 2013/14 HRA outturn contributed a further £6.011m to the capital reserve and the intention is to use this as well. There is also a contribution of £0.486m of usable capital receipts and the HRA will undertake £20m of unsupported borrowing.

Resources available to support New Build				
	Approx No. of units	Currently in the Cap Prog	To be injected	Total
		£000	£000	£000
Phase 1 of New Build Programme	100	10,880		
Phase 2 of New Build Programme:	295			
Unallocated receipts for affordable housing		1,120		
HRA self financing future needs		2,126		
HRA Capital reserve			6,011	
HRA Right to Buy receipts			486	
HCA/DoH grant (awaiting outcome of bid)			2,015	

HRA additional unsupported borrowing			20,000	
Total:	395	14,126	28,512	42,638

3.18 Delivery options

3.19 The level of resources indicated above can support a significant programme of new supply. There are a number of options for delivery which will be assessed against a range of criteria: value for money, deliverability and the ability to attract match funding.

3.20 In determining the balance of the programme, a mixture of the following can be considered:

3.21 New Build – continuing the programme of developing new council housing built to good space and energy efficiency standards, delivered with the benefit of local employment and training opportunities. Whilst the first phase concentrates on adding smaller property types to the stock base, the second can deliver a broader mix of stock types, informed by housing needs information as set out previously. If successful, the bid to the HCA to build new Extra Care housing will form part of this programme. As part of the investment in new homes, a strong emphasis would be placed on the quality of design and the contribution of new properties to placemaking and sustainable communities.

3.22 Off the shelf acquisitions – the opportunity to purchase properties, either built properties or purchasing from plan can be an effective way of delivering quickly and cost effectively, particularly where there is the opportunity to negotiate the price on the basis of bulk purchases. This has previously taken place as part of the East Leeds regeneration programme and current options will be identified in terms of what is on site, how it might meet needs for social housing and whether standards are adequate and represent value for money.

3.23 Repurchase of Right To Buy properties – the policy for the Repurchase of Right to Buy properties has been reviewed and requests to buy back former Council properties will be assessed against a range of criteria including the size, type of property and value for money. Repurchase can be an effective way of adding to social housing supply where properties meet the Council's strategic objectives for growth in affordable housing.

3.24 Empty property acquisitions – acquiring empty properties can be cost effective and enable units to be quickly acquired and entered into management. The choice of locations will need to fit strategic requirements in terms of demand and complementary investment. The successful bid to the HCA for grant support I will support an initial programme of empty property acquisitions.

3.25 The mix and balance of delivery routes will be an iterative process and each option will be assessed against the criteria set out above.

3.26 Potential Locations

- 3.27 Investment decisions will be influenced by the pattern of demand for social housing and suitable land availability.
- 3.28 The Housing Initiatives Land Strategy, which is elsewhere on this agenda, pulls together Council owned sites (including the Brownfield Land Programme) suitable for residential development. The strategy fulfils a wider requirement to optimize the use of land across all delivery routes (housing associations, self build etc) and will identify the sites which could lend themselves to new council housing. The analysis will indicate whether there is sufficient Council owned land in appropriate locations for substantial new build or whether the purchase of sites might be advantageous in certain areas.
- 3.29 A report on the Derelict and Nuisance Properties Programme is also to be considered by Executive Board on this agenda and the extent to which this programme can use some of these whilst also addressing a problem site will be explored and co-ordinated. Some of the sites held within the programme are located within residential areas and could lend themselves to small infill developments, complimenting existing housing supply in those neighbourhoods.
- 3.30 Opportunities to work in partnership with developers and housing associations will be considered to maximise investment and value for money. Routes to develop mixed tenure solutions will be prioritized and opportunities to achieve cost savings through economies of scale with other developers, public or private, will form part of the evaluation.
- 3.31 Proposed Programme
- 3.32 The overall investment programme could deliver around 400 new homes. Phase one will deliver approximately 100 units over 3 years and is underway following Executive Board approvals in September 2012 and February 2013 and an additional circa 80 units will result from bids to the HCA if successful.
- 3.33 The approach for phase two is a four year investment programme delivering around 300 new units.
- 3.34 Members will recall that from 1st April 2012 the Housing Subsidy was dismantled and replaced with a devolved system of funding and responsibility subject to a one off allocation of debt. Whilst the Housing Revenue Account can undertake further borrowing, over and above the amount allocated in the debt settlement, the total amount of additional borrowing is subject to a debt cap determined by Government.
- 3.35 The capital financing costs associated with the proposed additional borrowing (£20m) will be funded through the additional rental stream generated through the new properties. These financial implications detailed in Appendix 1. This is an illustrative programme based on an assumed mix of units and estimated development / acquisition costs. Utilising the mix of capital resources, detailed in table 3.17, the impact on the HRA of the rental income streams (net of the financing costs associated with the borrowing undertaken) is that by Year 3 there is an excess of rental income of £187k per annum. By Year 10 this has increased

to £1.1m and over a 30 year period a £45m cumulative surplus is projected. For the purpose of modelling, the projection assumes that the tenure mix is 75% social rent and 25% affordable rent and that of the 300 phase two properties, 30% are one bedroom, 35% are two bedroom and 35 % are three bedroom.

- 3.36 As a result of the programme the income generated for the authority's General Fund, from Council Tax will be £368k per annum by Year 10 whilst the amount received through New Homes Bonus will be £3. 1m over a ten year period.
- 3.37 As referenced in 3.34 the amount of borrowing that can be undertaken through the Housing Revenue Account is constrained by the debt cap. If the Government were to relax the imposition of debt ceiling then the Council would be able to undertake more borrowing to build more council houses with the cost of borrowing being funded through the rental income stream associated with the new properties.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 As the programme is still being formulated, consultation with individual Ward Members or communities is not yet appropriate. As it moves into implementation phase and specific sites are identified, local consultation will take place and a consultation plan will be prepared

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Due regard has been given to equality through the analysis of the potential impacts of the programme and the completion of a screening form (provided as an appendix). The main outcomes of the screening were that the delivery of affordable housing through this programme could have positive implications for equality groups who are economically disadvantaged. The potential impact of the Programme for a range of equality groups and the number of separate elements it contains, suggest that there is a need for project specific screening and assessment to ensure that equality issues can be addressed for each element.

4.3 Council policies and City Priorities

- 4.3.1 The project seeks to address priorities in the City Priority Plan by providing affordable housing. It supports the objective of Good Economic Growth set out within the Best Council Plan by providing housing as the city grows.

4.4 Resources and value for money

- 4.4.2 The net rental streams from the new build programme provide additional resources to support the delivery of housing priorities and generate additional Council Tax and New Homes Bonus.
- 4.4.3 Resources to support programme management can be provided through the HRA funding. The precise level of resources required will be determined by the programme mix i.e. the balance of new build, purchase of existing new build

properties directly from developers, the repurchase of RTB properties or empty properties, will determine the exact nature of project management resources needed.

4.4.4 Modelling has been undertaken to provide an indicative estimate of capital expenditure and the profile of spend over time

Financial Impact	Total	2013/14	2014/15	2015/16	2016/17	2017/18
Expenditure	£m	£m	£m	£m	£m	£m
Fees	0.1	0.1				
Construction	42.5	0	11.5	11.6	11.6	7.8
Total Costs	42.6	0.1	11.5	11.6	11.6	7.8
HCA Grant	2.0		2.0			
RTB Receipts	0.5		0.5			
HRA Resources	40.1	0.1	9.0	11.6	11.6	7.8
Total Income	42.6	0.1	11.5	11.6	11.6	7.8
Net pa	0.0	0.0	0.0	0.0	0.0	0.0

4.5 Legal Implications, Access to Information and Call In

4.5.5 There are no specific legal implications associated with this report.

4.6 Risk Management

4.6.1 A risk log will be included in the project mandate which will be drawn up subject to Executive Board approval.

5 Conclusions

5.7 Housing investment is central to the prosperity of the city and new financial opportunities exist for the Council and its partners to drive housing growth and to shape the future of the city. Committing the resources and expertise of the housing sector is one of the ways the Council and its partners can meet its ambitions towards being the Best City and the Best Council in the UK.

5.1 The proposals in this report add to this by accelerating growth in the provision of council housing to meet identified needs.

6 Recommendations

Executive Board is recommended to :

- i) approve the development of an investment programme as described in the report including the use of Right to Buy receipts.

- ii) approve the injection of £28.512m into the Capital Programme
- iii) authorise the authority to spend of £40.623m, a detailed programme will be reported at a subsequent meeting.
- iv) authorise further authority to spend of £2.015m subject to a successful bid to HCA.
- v) delegate the detailed development of the investment programme to the Directors of City Development (in respect of land use) and Environment & Neighbourhoods (in respect of programme and scheme details and cost).

7 Background documents¹

7.1 none

Appendix 1 – Housing Investment Programme – illustration showing mix of property types

7.2 Appendix 2 - Equality Impact Assessment Screening Form

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.

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Report of the Head of Scrutiny and Member Development

Report to Scrutiny Board (Housing and Regeneration)

Date: 26th November 2013

Subject: Recommendation Tracking – Affordable Housing by Private Developers

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. The Scrutiny Board on 27 November 2012 considered a formal response to the recommendations in the inquiry report on affordable housing by private developers.
2. This report considers further progress that has been made in implementing the recommendations which were accepted for implementation by the Executive Board.
3. The Scrutiny recommendation tracking system allows the Scrutiny Board to monitor progress and identify completed recommendations; those progressing to plan; and those where there is either an obstacle or progress is not adequate. The Board will then be able to take further action as appropriate.

Recommendations

4. Members are asked to:
 - Agree those recommendations which no longer require monitoring;
 - Identify any recommendations where progress is unsatisfactory and determine the action the Board wishes to take as a result.

1 Purpose of this report

- 1.1 This report sets out the progress made by the Directorates to date in responding to those recommendations.

2 Background information

- 2.1 The Scrutiny Board (Regeneration) published its final report and recommendations in May 2012.
- 2.2 The Executive Board on 7th November 2012 agreed the formal response to the recommendations in the report and this was reported to the Scrutiny Board on 27th November 2012.
- 2.3 The Scrutiny recommendation tracking system allows the Board to monitor progress and identify completed recommendations; those progressing to plan; and those where there is either an obstacle or progress is not adequate. The Board will then be able to take further action as appropriate.

3 Main issues

- 3.1 A standard set of criteria has been produced to enable the Board to assess progress. These are presented in the form of a flow chart at Appendix 1. The questions in the flow chart should help to decide whether a recommendation has been completed, and if not whether further action is required.
- 3.2 To assist Members with this task, the Principal Scrutiny Adviser has given a draft status for each recommendation. The Board is asked to confirm whether these assessments are appropriate, and to change them where they are not. In some instances the Principal Scrutiny Adviser has given a status of 4 (not achieved – progress made acceptable. Continue monitoring) or 5 (not achieved – progress made not acceptable. Scrutiny Board to determine appropriate action and continue monitoring) and the Board will need to determine the agreed status in these instances. Details of progress against each recommendation are set out within the table at Appendix 2.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Where internal or external consultation processes have been undertaken with regard to responding to the Scrutiny Board's recommendations, details of any such consultation will be referenced against the relevant recommendation within the table at Appendix 2.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Where consideration has been given to the impact on equality areas, as defined in the Council's Equality and Diversity Scheme, this will be referenced against the relevant recommendation within the table at Appendix 2.

4.3 Council Policies and City Priorities

- 4.3.1 This section is not relevant to this report.

4.4 Resources and Value for Money

4.4.1 Details of any significant resource and financial implications linked to the Scrutiny recommendations will be referenced against the relevant recommendation within the table at Appendix 2.

4.5 Legal Implications, Access to Information and Call In

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

4.6 Risk Management

4.6.1 This section is not relevant to this report.

5 Conclusions

5.1 The Scrutiny recommendation tracking system allows the Board to monitor progress and identify completed recommendations. Progress in responding to those recommendations arising from the Scrutiny review of affordable housing by private developers within Leeds is detailed within the table at Appendix 2 for Members' consideration.

6 Recommendations

6.1 Members are asked to:

- Agree those recommendations which no longer require monitoring;
- Identify any recommendations where progress is unsatisfactory and determine the action the Board wishes to take as a result.

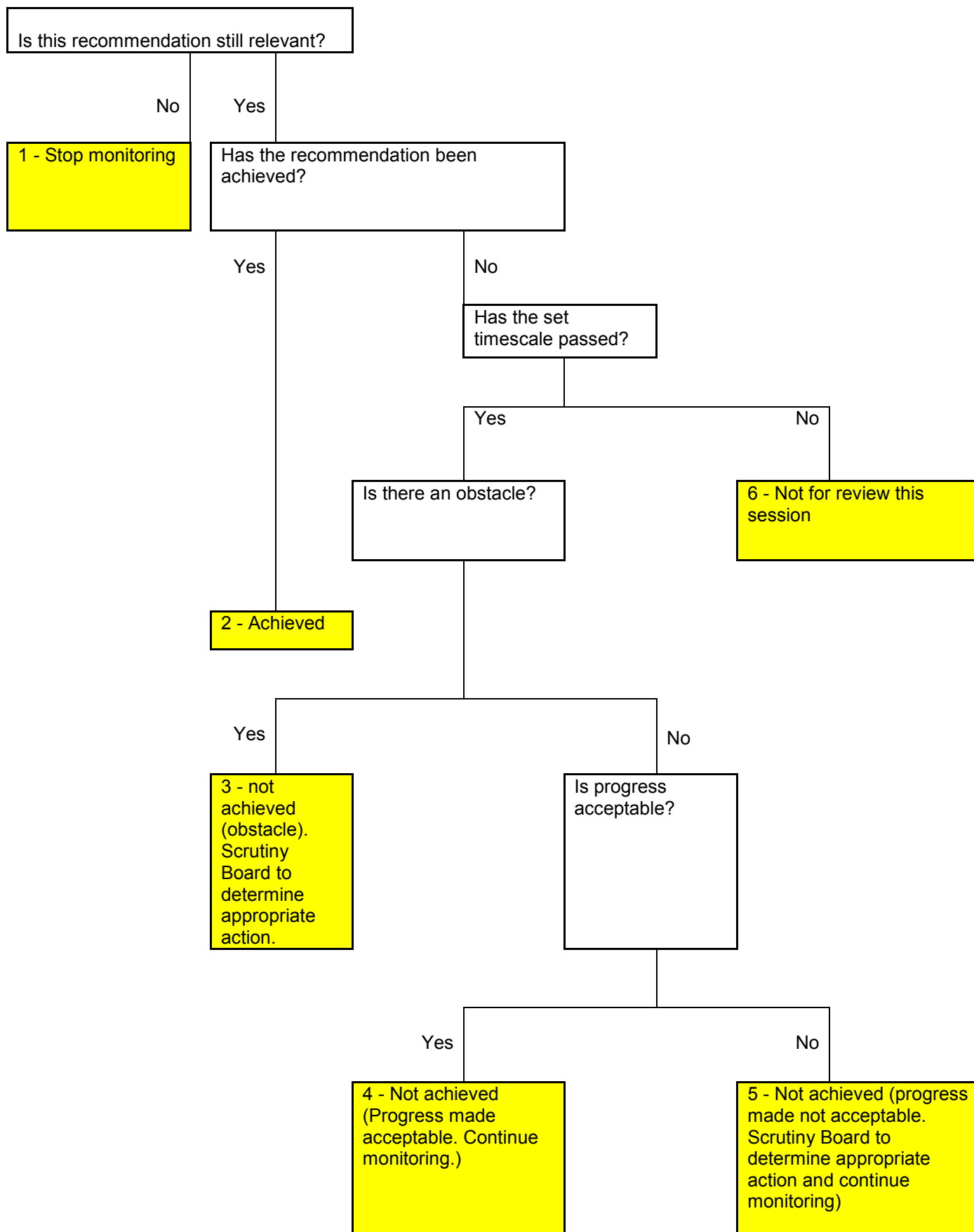
7. Background papers¹

7.1 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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Recommendation tracking flowchart and classifications:
Questions to be Considered by Scrutiny Boards



Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
1	<p>That as the Executive Board sets the policy in relation to the number of affordable homes required by the housing area we believe any variations from that policy should be referred back to the Executive Board for approval. However, this should only take place after the relevant Plans Panels has reviewed the financial viability assessment submitted by developers. The Executive Board is asked to approve this approach.</p>		
	<p>November 2013 update <i>Response as Nov 2012. Decisions on the appropriateness of individual S.106 Agreements are taken by the Plans Panel as they are integral to the process of determining planning applications and as to whether or not planning permission should be granted in the light of all material circumstances. S.106 Agreements cannot therefore be separated from the planning consent as suggested. In addition, affordable housing is usually only one of a number of obligations and these need to be judged in the round, rather than in isolation as the recommendation suggests.</i></p> <p><i>Plans Panel are constituted for the purpose of taking decisions on planning applications, including s106 agreements. Therefore Executive Board is requested to support the proposal for annual review but recognise the role of Plans Panel in determining individual planning applications and associated s.106 Agreements</i></p> <p><i>Monitoring of the effectiveness of affordable housing policy is best aligned with the Authority Monitoring Report (AMR) which monitors the number of affordable housing completions on an annual basis in March and provides a wider housing context of the housing market.</i></p> <p><u>Formal Response (received November 2012)</u> <i>To help keep Executive Board informed of the effectiveness of affordable housing policy annual reports will be provided to Executive Board. Executive Board's overview will be welcome on the effectiveness of the policy.</i></p> <p><i>Decisions on the appropriateness of individual S.106 Agreements are taken by the Plans Panel as they are integral to the process of determining planning applications and as to whether or not planning permission should be granted in the light of all material circumstances. S.106 Agreements cannot therefore be separated from the planning consent as suggested. In addition, affordable housing is usually only one of a number of obligations and these need to be judged in the round, rather than in isolation as the recommendation suggests.</i></p> <p><i>Plans Panels are constituted for the purpose of taking decisions on planning applications, including S.106 Agreements. Therefore Executive Board is requested to support the proposal for annual review but recognise the role of Plans Panel in determining individual planning applications and associated s.106 Agreements.</i></p>	<p>4 Not achieved (Progress made acceptable. Continue monitoring.)</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete															
2	<p>That the Executive Board withdraws the 2011 interim housing policy as a matter of urgency and reinstate the 2008 affordable housing targets in relation to green field sites.</p>																	
	<p><u>November 2013 update</u> <i>Response as November 2012. Affordable housing targets are based on viability evidence in the Economic Viability Assessment (EVA) (June 2010), and Community Infrastructure Levy -CIL (EVA) (Jan 2013).</i></p> <p><i>An exercise has been carried out to compare the total amount of housing permitted and the total number of affordable dwellings agreed in the three financial years of 2010/11, which came before adoption of the interim policy, and 2011 till 2013 which came largely after the adoption. In terms of schemes permitted, indications are that the policy so far has had some success in stimulating housing development overall and increasing numbers of affordable dwellings permitted. The exercise excluded housing proposals that would not generate affordable housing, such as small schemes of less than 15 units, student schemes and 100% affordable housing schemes.</i></p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="3"><i>Dwellings permitted</i></th> </tr> <tr> <th><i>Year</i></th> <th><i>Total Housing</i></th> <th><i>Affordable Housing</i></th> </tr> </thead> <tbody> <tr> <td><i>2010/11</i></td> <td><i>419</i></td> <td><i>118</i></td> </tr> <tr> <td><i>2011/12</i></td> <td><i>761</i></td> <td><i>148</i></td> </tr> <tr> <td><i>2012/13</i></td> <td><i>1589</i></td> <td><i>276</i></td> </tr> </tbody> </table> <p><i>The Core Strategy has recently (Oct 13) been the subject of Examination and it is necessary to await the Planning Inspector's recommendations on whether a Supplementary Planning Document (SPD) can be legitimately used to set out Leeds' affordable housing targets.</i></p> <p><u>Formal Response (received November 2012)</u> <i>The Directorate recognises the concern raised by Scrutiny about the delivery of affordable housing on greenfield sites and in the case of the applications which were the subject of Public Inquiries, that developers are required to prove why they cannot meet agreed obligations. However, rather than reinstate the original policy targets now it is suggested that we assess the effectiveness of the interim policy. The reasons for this are set out below:</i></p> <p><i>The National Planning Policy Framework (NPPF) establishes the approach for local authorities to assess the viability of policies for schemes that provide affordable housing. Para 173 states, "...to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable."</i></p>	<i>Dwellings permitted</i>			<i>Year</i>	<i>Total Housing</i>	<i>Affordable Housing</i>	<i>2010/11</i>	<i>419</i>	<i>118</i>	<i>2011/12</i>	<i>761</i>	<i>148</i>	<i>2012/13</i>	<i>1589</i>	<i>276</i>	<p>4 Not achieved (Progress made acceptable. Continue monitoring.)</p>	
<i>Dwellings permitted</i>																		
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<i>2012/13</i>	<i>1589</i>	<i>276</i>																

In relation to the housebuilder evidence quoted in the Scrutiny report, whilst it is accepted in theory that landowners would be the prime beneficiary of reductions in affordable housing requirements, land will only come forward for development if a landowner gets a reasonable price for his land. Therefore, in practice, a reduction in the affordable housing requirement is likely to stimulate the availability of land for the delivery of new homes.

The evidence which led to the introduction of the interim policy – the Economic Viability Assessment (EVA) by DTZ 2010 was prepared using a methodology which is consistent with NPPF guidance. Economic conditions do not appear to have improved. The EVA was based on hypothetical sites with no abnormal development costs; effectively, the EVA assumed that all sites were green field.

All the evidence, including any changes in market conditions, and monitoring of actual numbers will be reported to the Executive Board when it reconsiders the interim policy.

As lead-in times for housing development are long, sufficient time needs to be taken for the new policy to be monitored. Dwelling completions are only likely to be affected by the interim policy over the next 12-18 months, so it would be more useful for any evaluation to look at permissions as well as completions.

In terms of schemes permitted, indications are that the policy so far has had marginal success in stimulating housing development overall and increasing numbers of affordable dwellings secured. An exercise has been carried out to compare the total amount of housing permitted and the total number of affordable dwellings agreed in the two financial years of 2010/11, which came before adoption of the interim policy, and 2011/12, which came largely after the adoption. The exercise excluded housing proposals that would not generate affordable housing, such as small schemes of less than 15 units, student schemes and 100% affordable housing schemes.

<i>Dwellings permitted</i>		
<i>Year</i>	<i>Total Housing</i>	<i>Affordable Housing</i>
<i>2010/11</i>	<i>419</i>	<i>118</i>
<i>2011/12</i>	<i>761</i>	<i>148</i>

We will also examine the impact of the economic situation since the EVA 2010 was undertaken on housing policies.

Executive Board concluded in January 2012 that a report on the effectiveness of the interim policy should be taken back to Executive Board in the summer of 2012. However, as indicated above it will be some time before a meaningful number of schemes based on the new targets have received planning permission with a reasonable lead in time for development. A monitoring report will therefore be prepared for Executive Board in due course.

In addition it should be recognised that the work being undertaken by GVA on viability in association with the CIL proposals will need to factor in affordable housing requirements. This will provide the most up to date information on viability that we have and any change in the position on affordable housing should await this study and emerging views on CIL charging rates.

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
3 (i)	<p>That the Executive Board request the Directors of City Development and Environment and Neighbourhoods as appropriate to undertake further work and review the opportunities and potential for a visionary new housing management role for the Council or external provider to remove the barriers around investment in residential properties and affordable homes in the city.</p>		
	<p><u>November 2013 update</u> <i>Work to explore how investment, particularly institutional investment, into housing can be increased has been undertaken and includes the development of a project which could potentially access the HCA's Build to Rent funding (in conjunction with Leeds City Region) in addition to approaches from individual investment companies. The viability of such models is being carefully considered and factors such as market rent levels across the city's housing markets often play a key part in the extent to which the financing of such models works. In terms of the council providing housing management services for such schemes, each proposition can be looked at individually and a view taken on the extent to which the council might wish to undertake the revenue risk (i.e. the management of lettings, void periods and turnover) evaluated. Partnerships with other organisations such as housing associations may provide an alternative to the operation of potential schemes.</i></p> <p><u>Formal Response (received November 2012)</u> <i>The potential for institutional investment to support housing growth in Leeds through the expansion of the private rented sector needs further exploration and the proposed review is supported.</i></p> <p><i>There are several elements which need to be considered as part of the approach – the numbers of units required to make the investment attractive to the institutions, the type of delivery vehicle adopted and timescale, property types, tenure and location, demand and revenue risk in addition to the housing management arrangements. Management of an expanded private rented sector will need to reflect the requirements of this new housing product and meet the needs of the investors in terms of the revenue stream.</i></p>	<p style="text-align: center;">4 Not achieved (Progress made acceptable. Continue monitoring.)</p> <p style="text-align: center;">Or</p> <p style="text-align: center;">5 Not achieved (Progress made not acceptable. Scrutiny Board to determine appropriate action and continue monitoring.)</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
3 (ii)	<p>That the Executive Board request the Directors of City Development and Environment and Neighbourhoods as appropriate to include in that review whether there are any benefits to Leeds adding affordable rents in the tenure split of intermediate and social housing, to determine whether there would be any benefit from the variation of transfer values in the calculations for the provision of affordable homes.</p>		
	<p><u>November 2013 update</u> <i>Affordable Rent (defined as up to 80% market rent) is commonly used by Registered Providers (housing associations) and properties let at affordable rent are viewed by the Homes and Communities Agency as social housing. Planning policy currently differentiates between social and affordable rent and the latter is seen as an intermediate product with the policy. The benchmark prices or transfer values set within the policy enable RPs to acquire properties and service the borrowing associated with the acquisition, for affordable rents this is set at the higher intermediate product rate. As the Nov 12 update suggests, this could be usefully reviewed as part of the Supplementary Planning Document.</i></p> <p><i><u>Formal Response (received November 2012)</u></i> <i>Affordable rent is a delivery model that is already possible using current affordable housing policy and practice. The City Council would need to be satisfied that rents charged (up-to-80% of local market rents) would be genuinely affordable to households in need. The review will examine how best to use “affordable rent” as a form of affordable housing and set out the circumstances where it would be best employed.</i></p> <p><i>The methodology for establishing “transfer values” used in Leeds was established around 10 years ago through consultation with Registered Providers and housebuilders. Although annual updates have taken place there has not been a full review. As Scrutiny Board has recommended, a review would be worthwhile now. It would need to consider best practice in other local authorities, local evidence of housing need and earnings and the HCA’s rent/affordability models and policies. It would also consider the relationship between rents and transfer rates. This would need to evaluate whether any gains in the number of affordable dwellings delivered are not outweighed by reductions in their affordability to households in need. Consultation with registered providers and housebuilders would take place through preparation of the Supplementary Planning Document on affordable housing.</i></p>	<p>4 Not achieved (Progress made acceptable. Continue monitoring.)</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
3 (iii)	<p>That the Executive Board request the Directors of City Development and Environment and Neighbourhoods as appropriate to consider in consultation with Ward Members if a reduction in affordable housing could be achieved in one area to benefit another through a strategic regeneration approach. Where such agreements are reached a higher rate of CIL should be retained in the host area. For example if a site attracts 35% affordable housing; by negotiation with Ward Members 20% may be ‘passported’ to a priority regeneration area. In return the CIL retention to the donor area would be no less than 85%.</p>		
	<p><u>November 2013 update</u> <i>The Council is reflecting the NPPF relating to the use of commuted sums from housing as a lever for investment in the inner area. Paragraph 50 of 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)...”. In the context of current market conditions and lack of viability of some brownfield sites the council will need to give careful consideration to the potential for off-site affordable and/or commuted sums to act as a stimulus for addressing market failure. The Councils approach in allowing off-site contributions is not linked to CIL. The priorities for the use of CIL receipts needs to be considered in the round, including the balance between local and strategic spend.</i></p> <p><i><u>Formal Response (received November 2012)</u></i> <i>The NPPF cautions that agreements for off-site affordable housing provision need to “...contribute to the objective of creating mixed and balanced communities.”</i></p> <p><i>Any changes to the Council’s approach would need to have regard to this objective and be considered on a site by site basis. As recognised by the Scrutiny Working Group, however in certain circumstances off-site provision could provide a very beneficial outcome for the Council and can support wider regeneration objectives and the recommendation will be actively considered.</i></p> <p><i>The proposal to retain such a high proportion of CIL for the local community is premature until a full review of the CIL Charging Regime is completed. This will include consideration of the meaningful proportion of receipts that it is appropriate to retain locally.</i></p>	<p>2 (achieved) for 1st sentence.</p> <p>6 (not for review this session) for remainder</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
4	<p>That the Directors of City Development and Environment and Neighbourhoods, as appropriate, work closely with all relevant financial institutions to identify and report back to the appropriate Scrutiny Board on ways to deliver the affordable homes needed in the city.</p>		
	<p><u>November 2013 update</u> <i>A number of approaches have been made by institutional investors with propositions for the delivery of market and affordable housing. As indicated previously these are being examined in detail and the extent to which rent levels in the different housing markets across the city could support the cost of long term leases which are required by the institutions is being explored.</i></p> <p><i>Formal Response (received November 2012)</i> <i>Agreed, the potential role for institutional investors is being explored both locally and at City Region level.</i></p>	<p style="text-align: center;">4 Not achieved (Progress made acceptable. Continue monitoring.)</p> <p style="text-align: center;">Or</p> <p style="text-align: center;">5 Not achieved (Progress made not acceptable. Scrutiny Board to determine appropriate action and continue monitoring.)</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
5	<p>That the Directors of City Development and Environment and Neighbourhoods, as appropriate, work closely with all our partners including financial institutions develop an investor model for large scale institutional investment in the rented sector and report on progress to the relevant Scrutiny Board by the Autumn of 2012.</p>		
	<p><u>November 2013 update</u> <i>This work is on-going although no one model or investor has yet emerged as a viable or value for money proposition to deliver large scale investment through the institutions. The HCA's 'Build to Rent' programme which offers loan finance to support the delivery of market rented housing, may offer an opportunity although this is an early stage and it is understood that take up has been low in the region and in the north of England generally.</i></p> <p><i><u>Formal Response (received November 2012)</u></i> <i>Agreed, the potential role for institutional investors is being considered both locally and at City Region level. This is a complex exercise which needs to consider the numbers of units required to make the investment attractive to the institutions, the delivery vehicle and timescale, property type, tenure and location, demand and revenue risk as noted above. Also, in order for the institutions to be able to spread their expose to risk beyond a single housing market area, the potential for developing the model in conjunction with other authorities within the city region may need to be considered.</i></p>	<p style="text-align: center;">4 Not achieved (Progress made acceptable. Continue monitoring.)</p> <p style="text-align: center;">Or</p> <p style="text-align: center;">5 Not achieved (Progress made not acceptable. Scrutiny Board to determine appropriate action and continue monitoring.)</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
6	<p>That the Director of Environment and Neighbourhoods and the Director of City Development, as appropriate, work with the Homes and Community Agency to assist local authorities to meet their housing targets and work with financial institutions to purchase suitable repossessed properties at discounted prices as a way of meeting the housing needs of people in this city particularly those in the most deprived areas.</p>		
	<p><u>November 2013 update</u> <i>Through the Empty Homes Programme, the council is utilising HCA grant funding to acquire and refurbish properties to bring them into use as council houses. Some of these could be repossessed properties and this can be considered more generally in the context of the Council Housing Growth Programme where properties meet strategic requirements in terms of demand and stock management.</i></p> <p><u>Formal Response (received November 2012)</u> <i>Agreed, this could be a useful tool where repossessed properties are of an appropriate type to meet housing need and the purchase price is affordable to the local authority. However the authority will also need to take into account the management costs of dispersed properties and repair and maintenance costs for non standard property types. The financial implications of ensuring individual properties meet public sector decency energy efficiency standards will need to be borne in mind.</i></p>	<p>4 Not achieved (Progress made acceptable. Continue monitoring.)</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
7	<p>That the Scrutiny Board reaffirms that the percentage allocation to be made available to communities from the Community Infrastructure Levy (CIL) should be 80% and that the Executive Board be asked to consider this matter again.</p>		
	<p><u>November 2013 update</u> <i>The Leeds Community Infrastructure Levy Charging Schedule has now progressed to Draft stage with public consultation on the Draft from 29th October to the 10th December 2013. This relates to the rates to be charged rather than the spending mechanisms, although it does link via the associated Draft Regulation 123 List to the overall projects and types of infrastructure which the Council's proportion of the CIL may be spent on (and therefore which S106 Agreements cannot be required towards).</i></p> <p><i>In prioritising the spending of the CIL, the Council will need to balance neighbourhood funding with funding of strategic infrastructure. There will need to be close working with communities through neighbourhood planning, the Site Allocations Plan, and other mechanisms to help to determine local infrastructure priorities. The Regulations specify that there is a duty to directly pass over a 'meaningful proportion' of the funds raised through the levy to a parish or town council for the area where the development that gave rise to the payment takes place. Where there is no town or parish council the City Council has to spend it in the local area in consultation with the community. The Government has set that the meaningful proportion for neighbourhoods that have an adopted neighbourhood plan is 25% of the CIL revenue from that area. Areas without a neighbourhood plan will receive 15% of the revenue, and this will be capped at £100 per existing dwelling in that area. The meaningful proportion can be spent on "the provision, improvement, replacement, operation or maintenance of infrastructure, or, anything else that is concerned with addressing the demands that development places on an area."</i></p> <p><i>There have been no decisions on the process to allocate or prioritise spending of the CIL and this is a workstream which will commence in the new year. However, it is worth noting that in the City Centre and Inner Area a CIL of only £5 per sqm is proposed for residential development due to viability issues. This increases up to £90 psm in the North zone. It is therefore clear that there will be disparity in CIL receipts across the District even if the same amount of development occurred in each zone.</i></p> <p><i>Sustainable Economy and Culture Scrutiny Board on the 17th September 2013 considered the Executive Board report (9th October) which outlined the Draft Charging Schedule. The notes of the Scrutiny meeting included that: "We noted that decisions on spending priorities and local apportionment of the CIL is a separate workstream, for consideration at a later date. We recommend that the Executive Board requires that the Scrutiny Board is notified of the timetable and given the opportunity to be involved in this work at the appropriate time."</i></p>	<p>1 (Stop monitoring)</p>	

	<p><u>Formal Response (received November 2012)</u></p> <p><i>The Departments recognise Scrutiny Board’s concern that communities are sometimes adversely affected by development impacts. One of the mechanisms to help mitigate these effects is available now and will continue to be available in the form of S106s that deal with site impacts. CIL is a new mechanism which the Government intends, “...to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable”. This purpose could be compromised if 80% were to be allocated to locality projects especially as a large number of communities are located in commercially unviable and marginal locations where it would not be possible to generate a CIL levy. The government has indicated that a ‘meaningful’ proportion should go to local communities. The government published (10 October 2011) a consultation paper inviting views amongst other things on a minimum level for “meaningful” but also suggesting a cap. Whilst the Government has not yet published its response to the consultation nor indicated when it will do so, it can be expected that the matter will be subject to formal regulation in due course. It is suggested that the Council will need to review its position in the light of future government regulations and that this will be most appropriately addressed as part of the development of the Leeds CIL scheme.</i></p> <p><i>Whilst the government has still to publish regulations on this issue it should also be noted that work is progressing on the scale of the strategic funding gap. Executive Board will need to consider the appropriate rate at which to set CIL in the light of that gap and the viability evidence provided by the GVA study. The outcome will be subject to consultation and eventually examination. Further consideration of this issue would be more appropriate once the regulations are in place and the Council is further advanced with its CIL proposals.</i></p>		
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Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
8	That the Director of City Development submit, at an early stage in the process, a draft of the proposed Charging Tariff/Schedule for the CIL to the appropriate Scrutiny Board in accordance with the agreed CIL timetable so that it can be examined at inquiry.		
	<p><u>November 2013 update</u> <i>As noted above, as the CIL Charging Schedule will be a document within the Local Development Framework, Sustainable Economy and Culture Scrutiny Board on the 17th September 2013 considered the Executive Board report (9th October) which outlined the Draft Charging Schedule. The notes of the Scrutiny meeting included that: "We asked for reassurance that the Executive Member and officers were comfortable with the proposed reductions in some of the CIL rates from the preliminary schedule, and that these were sufficiently robust to respond to potential improvements in the economy. Within the limitations of the CIL process being a completely new approach, we were assured that it was felt that the proposed rates could be defended at the public examination stage." Executive Board approved the CIL Draft Charging Schedule for public consultation from the 29th October to 10th December 2013, and for subsequent submission for examination. This is anticipated to be in Spring 2014.</i></p> <p><u>Formal Response (received November 2012)</u> <i>Prior to examination of the CIL charging schedule by an independent inspector, Executive Board will have opportunity to consider and "sign-off" proposals both for the "Preliminary Charging Schedule" which will be subject to public consultation and the subsequent Draft Charging Schedule which will be subject to consultation and examination. Members will be fully consulted on these proposals.</i></p>	2 (achieved)	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
9 (i)	<p>That the Director of City Development and Director of Environment and Neighbourhoods press for a reduction in the Council’s housing target as a consequence of the revised population projection by the Office for National Statistics and report back to the appropriate Scrutiny Board on the outcome.</p>		
	<p><u>November 2013 update</u> <i>ONS recently published 2011 based Interim Household Projections which provide lower growth forecasts than the previous 2008 based Projections. Council officers presented this new evidence (as well as the 2013 update of the Regional Econometric Model forecasts for employment growth in Leeds) at the Core Strategy Examination in October 2013. The new evidence shows a range of trajectories of need for housing in Leeds. It illustrates that the Core Strategy housing requirement of 74,000 (gross) new dwellings 2012 – 2028 sits at the upper end of the range of trajectories. The Planning Inspector also heard evidence from resident groups that the housing needs are exaggerated and the Core Strategy requirement should be reduced to around 50,000 dwellings. He also heard evidence from house builders that the Core Strategy requirement failed to account for undersupply pre-2012 and should be increased to 90,000+. The Inspector’s conclusions and recommendations are awaited.</i></p> <p><u>Formal Response (received November 2012)</u> <i>In tandem with Scrutiny Board’s concern about the realism of population forecasts, Leeds has already set a reduced housing requirement which was lower than the 2008 ONS Population Forecasts. This was based on the Strategic Housing Market Assessment (SHMA) which identified a number of weaknesses in the ONS methodology. The recent ONS forecasts addressed these weaknesses. Leeds’ population forecasts which underpin its housing requirement are still lower than the recent ONS forecasts. ONS figures released in March 2012 using the revised methods suggest a 2026 population for Leeds of 885,000 people and we will have the benefit of census data later this year. It would perhaps be most useful therefore to consider this recommendation at this time.</i></p>	<p>4 Not achieved (Progress made acceptable. Continue monitoring.)</p>	

Affordable Housing by Private Developers

Report published May 2012

Last update November 2012

	Recommendation	Stage	Complete
9 (ii)	<p>That the Director of City Development and Director of Environment and Neighbourhoods request an increase in the windfall figure for Leeds as a result of the publication of the National Planning Policy Framework.</p>		
	<p>November 2013 update <i>The Core Strategy's windfall allowance of 500 dwellings per annum was discussed at the Core Strategy Examination October 2013. Officers put the case that the allowance derived from trend based evidence is conservatively pitched and is justified for the entire plan period to 2028. House builders claim that the NPPF and NPPG (draft web based guidance) only allows local authorities to set a windfall allowance for the first 5 years of their plans. The Inspector's conclusions and recommendations are awaited.</i></p> <p><i>Formal Response (received November 2012)</i> <i>Leeds made strenuous representations to national government for a change to national planning policy on the acceptability of windfall allowances and this contributed to the changes set out below. According to the NPPF, Leeds City Council must be able to justify any windfall allowance in its Core Strategy which is subject to public examination. The NPPF states:</i></p> <p><i>"Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens."</i></p> <p><i>Whilst Leeds has a strong historic track record of windfall delivery it may be argued that this, at least in part, is due to its policy of greenfield restraint. The NPPF will help Leeds to sustain the case for a realistic allowance to be set in the Core Strategy</i></p>	<p>4 Not achieved (Progress made acceptable. Continue monitoring.)</p>	

Report of the Head of Scrutiny and Member Development

Report to Housing and Regeneration Scrutiny Board

Date: 26 November 2013

Subject: Community Infrastructure Levy

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 update the Housing and Regeneration Scrutiny Board on the work carried out by the Sustainable Economy and Culture Scrutiny Board with regard to the Community Infrastructure Levy (CIL).

2.0 Main issues

2.1 The CIL is a tariff system that local authorities can choose to charge on new developments in their area by setting a Charging Schedule. The CIL is a charge levied on new buildings and extensions to buildings according to their floor area. In this way money is raised from developments to help the Council pay for infrastructure such as schools, public transport improvements, greenspace, highways, and other facilities to ensure sustainable growth. It can only be spent on infrastructure needs as a result of new growth and will be a mandatory charge. The CIL will replace the Leeds Section 106 ‘tariff’ approaches which are currently used for this purpose. S106s will continue to be used for affordable housing and anything required for the specific development site to make it acceptable in planning terms. The CIL should not be set at such a level that it risks the delivery of the development plan, and has to be based on viability evidence.

2.2 The Sustainable Economy and Culture Scrutiny Board considered the draft charging schedule for the Community Infrastructure Levy at its meeting in September. The Board’s comments on the draft schedule were submitted to the Executive Board in October when the Executive Board considered and agreed the final version of the draft charging schedule to be published for public consultation and formal examination. Following this process, the final CIL charging schedule will be presented to full Council for adoption.

- 2.3 A copy of the Scrutiny Board's comments is attached as Appendix 1. The Sustainable Economy and Culture Scrutiny Board also decided that it wished to be involved in the further work required to decide on spending priorities and local apportionment of the CIL. The Board noted that this is a separate workstream, for consideration at a later date.
- 2.4 Given the interest of the Housing and Regeneration Scrutiny Board in this issue, it is suggested that a member of this Board is nominated to join the Sustainable Economy and Culture Scrutiny Board when the CIL is discussed in future. It is currently anticipated that this work will not take place before the next municipal year.

3.0 Recommendations

3.1 The Board is recommended to

- a) note the work undertaken by the Sustainable Economy and Culture Scrutiny Board; and
- b) agree that a representative of the Housing and Regeneration Scrutiny Board is nominated to take part in future work in relation to the Community Infrastructure Levy that is undertaken by the Sustainable Economy and Culture Scrutiny Board.

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.

Scrutiny Board (Sustainable Economy and Culture)

17 September 2013

Community Infrastructure Levy – Draft Charging Schedule

Comments to Executive Board

The Scrutiny Board (Sustainable Economy and Culture) considered the draft charging schedule for the Community Infrastructure Levy (CIL) at its meeting on 17 September 2013.

The Scrutiny Board would ask the Executive Board to take account of the following observations in agreeing the content of the draft charging schedule that will be published for formal public consultation.

Instalments policy

The Board welcomed the fact that payment of the CIL would start to be payable as soon as a development commenced on site, rather than awaiting completion of a project.

Some concern was expressed at the spread of payments over a two year period for some developments, and the potential for the infrastructure associated with the development needing to be funded before CIL payments are completed. In response it was emphasised that this extended payment period would only be available for the very largest developments, which were unlikely to be completed quickly.

Retail rates

Some members of the Board felt that consideration could be given to setting a lower retail rate for town centres in some parts of the city (for example Armley, Bramley, Chapeltown) where the council wishes to positively encourage new retail development, especially in comparison to the city centre rate, although it was acknowledged that this would reduce the total amount of CIL received.

In response it was explained that the council did not have the evidence base that would be required to support such a distinction at the formal public examination stage. Members were also reminded that there were other mechanisms that are available to encourage development in these areas.

Revised rates

We asked for reassurance that the Executive Member and officers were comfortable with the proposed reductions in some of the CIL rates from the preliminary schedule, and that these were sufficiently robust to respond to potential improvements in the economy. Within the limitations of the CIL

process being a completely new approach, we were assured that it was felt that the proposed rates could be defended at the public examination stage.

We noted that once the CIL schedule is set, any revision to rates will be required to go through a similar process of evidence gathering, consultation and public examination. It was therefore anticipated that most authorities would wait at least three years before considering any changes.

Allocation of CIL resources

We noted that decisions on spending priorities and local apportionment of the CIL is a separate workstream, for consideration at a later date.

We recommend that the Executive Board requires that the Scrutiny Board is notified of the timetable and given the opportunity to be involved in this work at the appropriate time.

Report of Head of Scrutiny and Member Development

Report to Housing and Regeneration Scrutiny Board

Date: 26th November 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 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 29 October 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 29 October 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 Chair of the Leeds City Region Partnership, Roger Marsh has been invited to attend the Board for consideration of this item</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. Report to include details of the annual tenancy review and the tenancy scrutiny panel.</p> <p>Consider how the self-financing Housing Revenue Account is being used to stimulate investment in Council housing and particularly affordable housing</p> <p>Community Infrastructure Levy Update. Work undertaken by Scrutiny Board Sustainable Economy and Culture</p>
Budget & Policy Framework Plans		Consider a period 5 review report on Housing Revenue, General Fund Regeneration & 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 29 October 2013

Area of review	Schedule of meetings/visits during 2013/14		
	January 7th	January 28th	February
Inquiry to be determined			
Briefings	<p>Consider an update on the Council's Brownfield Land Regeneration Programme.</p> <p>Update on potential for developing a scheme that would provide cookers and fridges to those tenants in need.</p> <p>East Leeds Extension and East Leeds Orbital Road Update.</p>	<p>Update on the implementation and operation of the new housing management arrangements.</p> <p>Respond to the review by the Communities and Local Government's Select Committee on empty properties to be published late 2013.</p>	<p>The Scrutiny Board on 8TH 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.</p> <p>Site Visit (to be identified)</p>
Budget & Policy Framework Plans	Executive Board's initial budget proposals	Consider a position statement on the position of the Housing Revenue, General Fund, Regeneration and Capital Programme accounts	.
Recommendation Tracking	Housing Growth		
Performance Monitoring		Review of performance indicators	

Scrutiny Board (Housing and Regeneration) Work Schedule for 2013/2014 Municipal Year - Last updated 29 October 2013

Area of review	Schedule of meetings/visits during 2013/14		
	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			

EXECUTIVE BOARD

WEDNESDAY, 6TH NOVEMBER, 2013

PRESENT: Councillor J Blake in the Chair

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

SUBSTITUTE MEMBER Councillor J Procter

106 Chair of the Meeting

Under the terms of Executive and Decision Making Procedure Rule 3.1.5, in the absence of the Leader, Councillor Wakefield, who had submitted his apologies for absence from the meeting, Councillor Blake, as Deputy Leader, presided as Chair of the Board for the duration of the meeting

107 Substitute Member

Under the terms of Executive and Decision Making Procedure Rule 3.1.6, Councillor J Procter was invited to attend the meeting on behalf of Councillor A Carter, who had submitted his apologies for absence from the meeting.

108 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 “Park and Ride” referred to at Minute 121 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 relating to the financial or business affairs of any particular person (including the authority holding that information), which if disclosed to the public would, or would be likely to, prejudice the commercial interests of that person or of the Council. The appendix sets out the detail of the tender returns from the bus operators and recommends the preferred bidder; and as the award of the contract is yet to be announced, it is therefore deemed in the public interest not to disclose this information at this time for reasons of commercial confidentiality and proper contract procedures
- b) Appendix A to the report entitled “Sovereign Square” referred to in Minute 124 is exempt under Access to Information Rule 10.4 (3) of Schedule 12A(3) of the Local Government Act 1972 as it contains information relating to the financial or business affairs of any particular

Draft minutes to be approved at the meeting
to be held on Wednesday, 18th December, 2013

person (including the authority holding that information). The appendix sets out the details of the budget requirements for the delivery of the whole scheme and it is considered that the public interest in maintaining the exemption in relation to this confidential appendix outweighs the public interest in disclosing the information by reason of the fact that it contains information and financial details which, if disclosed would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

109 Late Items

A late item of business entitled, 'Parking Permit Charges" was admitted to the agenda. There was a need to consider the report as a late item of business in order that the matter could be taken into account during forthcoming 2014-15 budget round considerations; to enable the development of a forward strategy for the future management of Residents Parking schemes to commence; and to draw to an early conclusion the present consideration of this matter and provide feedback to the public (Minute No. 125 refers).

110 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

111 Minutes

RESOLVED – That the minutes of the previous meeting held 9th October 2013 be agreed as a correct record

CHILDREN'S SERVICES

112 Basic Need Programme : Permission to Consult on School Expansion Proposal; Decision to Delay Implementation of opening of Nightingale Primary Academy and Design and Cost Reports for Three Expansion Projects

The Director of Children's Services submitted a report seeking permission to consult on three primary school expansions intended to take effect from September 2015 and seeking approval for the capital proposals outlined for each school development in order to meet the authority's statutory duty to secure sufficient school places. Additionally, approval was sought for a revised opening date for the Nightingale Academy and the report presented Design and Cost Reports for three school expansion projects.

Each of the proposals were detailed in Appendices A to D attached to the report.

A comment made by a Member in respect of the need to establish a comprehensive city wide policy for school places provision was noted. In response, officers confirmed that work was ongoing to continue to develop the draft strategy previously presented to Executive Board on 17th July 2013 in partnership with City Development and Scrutiny Board in order to identify appropriate provision. Officers also provided further detail on the difficulties

experienced in developing the Rufford Park expansion proposals and the establishment of the new Nightingale Primary School

RESOLVED –

- a) That in respect of the proposals contained within **Appendix A**, approval be given for consultation to commence on proposals to expand Broadgate 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 2015;
- b) That in respect of the proposals contained within **Appendix B -**
 - Approval be given for the opening of the Nightingale Academy on 1 September 2014.
 - Authorisation be granted for the programme expenditure of £10,026.3k and Authority to Spend from capital scheme number 16505/FLS/000 to build the new Nightingale Primary Academy at Florence Street.
 - That the programme dates identified in the submitted report in relation to the implementation of this decision be noted. The final delivery date for this scheme is September 2015.
 - To note that the Director of Children’s Services is responsible for implementation.
- c) That in respect of the proposals contained within **Appendix C**
 - Authorisation be given for expenditure of £2.141m from capital scheme number 16585/SHL/000 to enable the construction of additional accommodation at Sharp Lane Primary School.
 - That the programme dates identified in this report in relation to the implementation of this decision be noted. The final delivery date for this scheme is December 2014.
 - To note that the Director of Children’s Services is responsible for implementation.
- d) That in respect of the proposals contained within **Appendix D**
 - That Option 1 be approved - to deliver an expansion of Rufford Park Primary School, where the PFI provider delivers the expansion scheme and risk is transferred to the Council, and ultimately to the Trust if the school converts.
 - That authorisation of expenditure of £1,430,000 from capital scheme number 16585/RUF/PH2 be granted for Phase 2 works to construct a new two storey extension at Rufford Park Primary School.
 - To note the programme dates identified in this report in relation to the implementation of this decision. The final delivery date for this scheme is September 2014.
 - To note that the Director of Children’s Services is responsible for implementation.

113 Outcome of Supplementary Consultation and review of Children's Services School Transport Policy

The Director of Children’s Services submitted a report presenting the outcomes from the recent supplementary public consultation on the current

Children's Services Home to School Transport Policy. Approval was sought for recommendations to be included in a new policy for implementation from 1st December 2013.

A copy of the proposed Policy was contained within Appendix 1 to the report.

In relation to proposals for post 16 SEN transport, the Board noted the intention to present a further report, assessing the implications of the Children and Families Bill once it had been enacted next year. The Board noted the individual comment made by a Member opposing the Policy.

RESOLVED –

That approval be given to the following changes to the current policy:

- a) To remove discretionary free travel on the basis of non-faith or belief;
- b) To remove discretionary free travel on the basis of parental preference on the grounds of the parents' religion or belief for their child to be educated in a single sex educational setting;
- c) To implement the policy for all new applicants from 1st December 2013, but provide transitional discretionary free travel for existing recipients until 31st August 2015. This would be in line with the Board's decision on 17th July 2013, in relation to the removal of discretionary free travel for students on the basis of faith and for those attending school/college (over sixteen).
- d) To note that the Director of Children's Services (the Director) will submit a further report to the Executive Board during 2014 in relation to updated proposals for post 16 SEN transport. This will take place as soon as formal proposals have been designed and agreed, and after the new Children and Families Bill has been enacted.
- e) To note that the Director will publish a new Children's Transport policy on 1st December 2013 (subject to due governance processes). This will be available on the Council's internet pages.

ENVIRONMENT

114 Affordable Warmth in Leeds

The Director of Environment and Housing submitted a report providing an update on the significant external funding opportunities available to increase domestic energy efficiency and improve access to affordable warmth. The report highlighted the leading role the Council had taken in developing and delivering ECO funding initiatives and the opportunities and challenges that this funding presents.

The Executive Member for Environment in presenting the report advocated Member involvement in identifying residents who could benefit from the initiative. The Executive Member for Health and Wellbeing expressed support for the initiative and highlighted how the initiative supported the City's Health and Wellbeing Strategy. In response to comments regarding the targeting of the initiative, the Executive Member for the Environment provided assurance of the wide remit of the scheme to ensure the scheme would provide benefits to the city as a whole. Comments in respect of the re-emphasis of any future Bulk Fuel purchasing initiatives were also noted.

RESOLVED

- a) To note the contents of the report and that the Board extends support to the ongoing work to secure ECO and other funding to improve access to affordable warmth.
- b) To delegate authority to the Director of Environment and Housing to submit a proposal to DECC for a share of the £20m funding available for area based Green Deal/ECO schemes

LEADER OF COUNCIL'S PORTFOLIO

115 Monthly Financial Health Report

The Deputy Chief Executive submitted a report presenting the Council's projected financial health position for 2013/2014 after six months of the financial year.

Comments made in respect of budget for the Sports and Active Recreation service were noted.

RESOLVED – That the projected financial position of the authority after six months of the financial year 2013/14 be noted

116 Capital Programme 2013-16: Quarter 2 Update

The Deputy Chief Executive submitted a report providing the Quarter 2 update for the Capital Programme 2013-16

RESOLVED –

- a) To note the increase in the General Fund and HRA Capital Programme 2013-16 of £41.4m since Quarter 1 largely due to confirmation of additional funding allocations such as Targeted Basic Need and Flood Alleviation;
- b) To note that the borrowing required to fund the Capital Programme in 2013/14 has reduced by £22m, therefore the Capital Programme is affordable within the approved debt budget for 2013/14, and that further work is underway to ensure that future debt costs are maintained within the overall Medium Term Financial Plan;
- c) To approve the injection into the capital programme of the following:
 - £14,589.8k funded by Targeted Basic Need grant to contribute to the delivery of school expansions schemes at five primary schools and two special schools in the city, as detailed in paragraph 3.2.3;
 - £542.3k in relation to Capital Receipts to be utilised by ward Councillors under the Capital Receipts Incentive Scheme (CRIS);
- d) To note that the above decision to inject funding will be implemented by the Chief Officer (Audit & Investment).

117 Treasury Management Strategy Update 2013/14

The Deputy Chief Executive submitted a report providing the Board with a review and update on the 2013/14 Treasury Management Strategy – previously approved by Executive Board on 15th February 2013.

RESOLVED – To note the contents of the update on the Treasury Management borrowing and investment strategy for 2013/14.

118 Citizens@Leeds: Developing a new approach to Poverty and Deprivation

Draft minutes to be approved at the meeting to be held on Wednesday, 18th December, 2013

The Assistant Chief Executive (Citizens and Communities) submitted a report providing an update on the actions being taken to develop an approach to tackle poverty and deprivation in the City and seeking approval to implement a range of initiatives intended to provide an integrated package of support for key groups. Additionally, approval was sought for an action plan to tackle high cost lending and to develop a new Community Hub approach for face to face service provision.

Discussion followed on the use of the term “Community Council” in the approach proposed for the local decision making model intended to replace the existing Area Committee structure. It was noted that further consideration of this was required, having regard to the provisions of the Local Government and Public Involvement Act 2007.

The four key propositions of the Citizens@Leeds initiative were outlined within the appendices to the report as being:

- To provide accessible and integrated services
- To help people out of financial hardship
- To help people into work and
- To be responsive to the needs of local communities.

Members acknowledged the need to support residents experiencing financial hardship and noted comments regarding the impact of welfare changes and current position in respect of rent arrears. In conclusion, the Board welcomed the approach outlined and in particular the work already undertaken to address the prevalence of high cost lenders in the city, and noted the intention to present a further report to the December Board meeting which would address the issues of helping people into work and being responsive to the needs of local communities.

RESOLVED

- a) To endorse the “accessible and integrated services” and “helping people out of financial hardship” propositions as detailed in Appendices 1 and 2 of the submitted report;
- b) To support the principle to establish community hubs as a new approach to local face-to-face service provision, in accordance with the draft design principles contained with Appendix 3 of the submitted report, and subject to detailed consultation with services, staff and trade unions;
- c) That, in support of recommendation b) above, the Assistant Chief Executive (Citizens and Communities) be authorised to take forward the development of three ‘pilot’ community hubs at the Compton Centre, St George’s Centre and Armley One Stop Centre working closely with services and partners affected;
- d) To approve the proposed initiatives aimed at providing wrap-around support to the four target groups identified in paragraph 3.6 of the submitted report, delegating authority to the Assistant Chief Executive (Citizens and Communities) to identify funding streams and commission 3rd sector services to support the initiatives;
- e) To authorise the Assistant Chief Executive (Citizen and Communities) to take appropriate action to stop high cost lenders promoting and

Draft minutes to be approved at the meeting
to be held on Wednesday, 18th December, 2013

advertising their services within and on council facilities and assets and seek support from partners to institute similar arrangements in their areas of influence;

- f) To authorise the Assistant Chief Executive (Citizens and Communities) to take forward those discussions and actions set out in paragraph 3.7.4 of the submitted report to seek support for restricting the advertising of high cost lenders on billboards and other public advertising media;
- g) To receive a progress report on the broader high cost lending campaign to a future Executive Board to coincide with the annual progress report of the Illegal Money Lending Team.
- h) To note that a further report will be presented to the December 2013 meeting detailing the proposals for the “helping people in work” and “responsive to the needs of local communities” propositions.

119 Armed Forces Update

The Assistant Chief Executive (Citizens and Communities) submitted a report on the implementation of the Armed Forces Community Covenant in Leeds – adopted to address the wider community and family based issues which are commonly faced by the local Armed Forces community residing in the city. The report provided an update on activity to embed the aims of the covenant into council and partners’ policies and practices, and also presented information on other activity that is taking place to support the Armed Forces community across Leeds. Proposals were also included to further develop and implement activity to deliver the ambitions of the community covenant and to meet the needs and expectations of the Armed Forces community within Leeds.

Comments regarding the delegation of functions to support the aims of the covenant were noted. The important role of members was emphasised and the need to have a lead member for Armed Forces issues. In considering this Members noted the intention to create an all-party member Champion Group and supported officer proposals that such a group should be led and chaired by an Elected Member who would take on the overall lead member role for Armed Forces issues. The introduction of this new member group to be considered by Member Management Committee. In response to a Member comment regarding measuring the success of the Covenant, it was noted that this would be a matter for the Partnership Group to progress

RESOLVED -

- a) To support the proposal that nuclear test veterans are specifically included within the Leeds Armed Forces Community Covenant, to recognise and support at a local level their unique service conditions. As such; the Leeds Armed Forces Community Covenant will be amended with immediate effect to reflect this decision.
- b) To agree that lead responsibility for the council’s and city’s response to the Armed Forces Community Covenant is formally delegated to the Assistant Chief Executive (Citizens and Communities) with immediate effect.
- c) To support the proposal to establish a cross party Armed Forces member champion group, with immediate effect, to support and

promote the Leeds Armed Forces Community Covenant and act as a member advisory group for the development of future Armed Forces Day events.

- d) To support the planned activity being co-ordinated by Museums and Galleries to mark the commemorations of the First World War.
- e) To support the proposals to develop the city's annual Armed Forces Day events through a wider partnership approach led by the Assistant Chief Executive (Citizens and Communities).

HEALTH AND WELLBEING

120 Leeds Drug and Alcohol Strategy and Action Plan 2013 - 2016

The Director of Public Health submitted a report describing how the Leeds Drug and Alcohol Strategy and Action Plan (2013 – 2016) will be used to tackle the impact of drug and alcohol misuse in Leeds. The report also sought approval for the implementation of the Plan ahead of a process of re-tendering drug and alcohol treatment services in 2014.

In presenting the report, the Executive Member for Health and Wellbeing highlighted the partnership working undertaken with the Children's Trust Board and Safer Leeds to produce the Plan and reported an update to the figures presented for the number of on and off-licensed premises for the sale of alcohol in Leeds.

RESOLVED -

- a) To note and approve the Leeds Drugs and Alcohol Strategy and Action Plan for implementation between 2013 and 2016 by the Leeds Drugs and Alcohol Management Board
- b) To delegate responsibility for the implementation of the Leeds Drugs and Alcohol Strategy and Action Plan to the Director of Public Health.
- c) To note that a further report is scheduled for the January 2014 Executive Board setting out plans to re-tender drug and alcohol services in Leeds.

DEVELOPMENT AND THE ECONOMY

121 Response to Council Deputation - Swillington Oulton Woodlesford HS2 Action Together (SOWHAT) Regarding High Speed Rail

The Board considered the report of the Director of City Development setting out the Departmental response to the Deputation presented to the September Full Council meeting by the Swillington, Oulton and Woodlesford HS2 Action Together (SOWHAT) campaign group concerning the Government's proposals for the HS2 Phase 2 route (Birmingham to Leeds) in the vicinity of their communities.

The report considered the request from SOWHAT for support for their campaign to relocate the HS2 route and for a better compensation package for those affected. Members acknowledged the need to balance and separate the strategic and positive impact that HS2 as a national infrastructure project would bring to the City against the perceived local impact.

The report highlighted that Central Government had responsibility for all matters concerning the development of the proposals, including compensation. The Board noted that work would continue to try to secure the best route for Leeds.

RESOLVED –

- a) To note the content of the report and the response to the Deputation;
- b) To recognise the significant and understandable concerns of the local communities situated on the initial proposed route of HS2 and the present limited scope of the Exceptional Hardship Scheme for compensation;
- c) To request that a further report detailing the proposed City Council response to HS2 Phase 2 be submitted for the Board's consideration; and
- d) To note:
 - The timescales for implementation as outlined in section 3.13
 - That the Head of Transport Policy will be responsible for implementation

122 Elland Road Park and Ride

The Director of City Development submitted a report updating the Board on the progress made since April 2013 on proposals for a bus based park and ride site on land adjacent to Elland Road Stadium and seeking approval for the construction and operation of the site.

The report provided detail on the scheme specification, the progress of the associated planning consents, bus service proposals and arrangements for match day car parking provision.

In responding to comments made regarding the viability of the scheme, the Executive Member for Development and the Economy noted that the scheme would take some time to become popular but provided reassurance in respect of the business case. The Board further noted comments in respect of the measures available to ensure the bus service travelled effective routes.

Following consideration of Appendix A to the 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) To approve the construction of the park and ride site, associated link road and bus priority at an estimated cost of £2,800,000;
- b) To approve the injection of an additional £490,000 into the city development capital programme for this scheme (The scheme is currently in the capital programme at £2,310,000), funded from section 106 receipts £175,000, a capital receipt £275,000, and LTP Transport Policy grant £40,000
- c) That authority be given to incur expenditure of £2,800,000 (comprising of works costs £2,330,000, staff fee costs £465,000, and legal / other costs £5,000), funded from the LTP Transport Policy Capital Programme £2,350,000, section 106 receipts £175,000, and a capital receipt £275,000

- d) To endorse Metro entering a 5 year contract for the bus service with the preferred bidder as detailed in Appendix A of the submitted report
- e) To approve the granting of a licence to the preferred bidder to operate from the site and charge a license fee as detailed in Appendix A
- f) And to note:
 - The stages required to implement the decision as outlined in section 3.18 of the submitted report
 - Proposed timescales for implementation as outlined in section 3.18 of the submitted report
 - That the Head of Transport Policy will be responsible for implementation

123 Chapeltown to City Centre Cycle Route - Capital Scheme Number: 16426 / 000 / 000

The Director of City Development submitted a report on the development of the Chapeltown to City Centre Cycle route, seeking authority to fund construction of the works and related fees. Additionally, authority was sought to advertise the proposed amendments to existing Waiting Restriction Traffic Regulation Orders and the provision of new Waiting/Loading Restriction Orders and if no valid objections are received, then to make, seal and implement the orders. The total estimated cost of the proposed scheme was detailed as £1,500,000.

In presenting the report, the Executive Member for Development and the Economy highlighted that this route would provide connectivity between existing and proposed routes with the city centre. A Member comment regarding the safety of the route through Sheepscar Interchange was discussed, noting that this scheme provided segregation for cyclists at this point to ensure their safety.

RESOLVED –

- a) To note the proposals contained in this report which are a key element of the Cycle City Ambition Grant.
- b) That authority be given to incur expenditure of £1,310,000 works costs, £140,000 staff costs and £10,000 legal costs, to be funded £1,010,000 from the LTP Transport Policy Capital Programme, and £450,000 from the Sustrans' Link to Communities fund. In addition to this, authority is given to incur expenditure of £40,000 staff fees funded from the LTP Transport Policy capital programme was approved on an initial design and cost report in October 2011.
- c) To note the report and approve (subject to TROs) the proposed highway works as outlined in Section 3.1 of the submitted report and indicated on the overview drawing included as Appendix 1 and General Arrangement drawings HDC/716426/GA/01c and HDC/716426/GA/02b contained in Appendix 2, at an estimated total cost of £1,500,000
- d) To approve the areas of footway to be converted to cycle track (as detailed in drawings TPP 32-02-009-SU1 and 2 included in Appendix 4), and fulfill the requirements of the Highways Act 1980, that allow this (as detailed in paragraph 4.6.3 of the submitted report);
- e) To instruct the City Solicitor to revoke relevant items currently in force in an existing movement restriction and waiting restriction Traffic Regulation Orders and to advertise draft Traffic Regulation Orders in

relation to extending the length covered by various waiting and loading restrictions as indicated on drawing referenced HDC-716426-TRO-01 (see appendix 3) and, if no valid objections are received then make, seal and implement the orders.

- f) To note:
- that should approval be forthcoming, works will be issued to term contractors once the call-in procedure has been cleared.
 - the proposed timescales for implementation as outlined in paragraph 3.2 of the report
 - that the Head of Transport Policy will be responsible for implementation

124 Bridgewater Place

The Director of City Development submitted a report seeking approval from the Executive Board to hold in abeyance the Council's current commission with consultants to design highway baffles across Water Lane on the grounds that Bridgewater Place's owners had confirmed in writing they would progress a comprehensive wind mitigation scheme, including the highway baffles, through design and planning permission.

RESOLVED –

- a) To note the latest developments and to agree that the Council holds in abeyance its commission with consultants to design baffles across Water Lane. This follows the receipt of written confirmation from the agents acting on behalf of the owners of Bridgewater Place, that they will progress through design and planning permission the three identified wind mitigation measures, comprising baffles across Water Lane, a canopy and vertical screens to the building.
- b) To note that:
- As this report is concerned with agreeing to hold in abeyance the design work on a scheme, the action will be complete when approval is granted by the Executive Board
 - The decision will take immediate effect
 - The Chief Officer of Highways and Transportation will be responsible for advising the owners of Bridgewater Place of the Council's decision.

125 Design and Cost Report for Sovereign Square Green Space

The Director of City Development submitted a report providing Members with an update on the current proposals for the Sovereign Street green space (Sovereign Square) and seeking authority to spend for the creation of the new public square. The estimated cost for the delivery of the green space proposals were detailed in Appendix A of the report.

Following consideration of Appendix A to the 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 authority be given to incur expenditure as set out in confidential Appendix A for the first 2 phases (1&1a) of Sovereign Square, to be funded from the capital programme. Further phases being delivered as

the development plots are completed utilising funds from section 106/CIL payments which will be specifically allocated for this purpose

b) To note:

- the works as outlined in section 3.1 of this document and as detailed in the drawing contained in Appendix B at the estimated cost set out in the confidential Appendix A.
- the proposed timescales for implementation as outlined at paragraph 3.2 of the submitted report
- that the Chief Asset Management and Regeneration Officer will be responsible for implementation.

126 Late Item - Parking Permit Charges

The Director of City Development submitted a report providing an update on the progress and consultation on initial proposals for the introduction of a charge for resident's parking permits and seeking a decision on the further progress of this matter.

The report detailed the outcome of consultation undertaken so far, the findings of a Scrutiny Board review and the outcome of a recent court case - R (on the application of David Attfield) v London Borough of Barnet and discussed the implication of this case on the proposals.

The report concluded that, following completion of the survey and consultation and in the light of the scrutiny review; the initial proposals had been reviewed and reconsidered; and whilst there clearly was a case for considering alternative measures to ensure the longer term and fundability of this service area, at the same time there were a range of issues arising from the consultation process which give reason to reconsider the initial proposal to develop charging proposals. In view of the findings, it was therefore recommended that the present proposals should not be progressed at the present time

In presenting the report, the Executive Member for Development and the Economy noted and welcomed the high public response rate to the consultation and reported that further work would be done to review the usefulness of existing schemes

RESOLVED –

- a) To note the contents of the report and the outcomes of the consultation and survey on initial proposals for making a charge for residents parking permits;
- b) To consider and note the comments of the Scrutiny Board (Sustainable Economy and Culture);
- c) Not to proceed further with the introduction of a charge for residents' parking permits at this time on the basis of the responses and issues raised through the consultation exercise, whilst noting the costs associated with providing this service and the Council's overall challenging budget position;
- d) To request officers further consider the views of residents, with a view to re-evaluating the criteria used to determine residents' parking schemes, ensuring a tailored approach to address the different needs

across the city, reviewing those schemes which are no longer deemed appropriate by the public and considering how further economies can be made in relation to this service.

NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES

127 Deputations to Council and South (Outer) Area Committee on behalf of Residents of Angel Row, Rothwell, and Middleton Lane and Middleton Avenue, Rothwell, opposing the potential housing on site 3081A and B, Hope Farm, Wakefield Road, Rothwell

The Director of Environment and Housing submitted a report setting out the Council's response to the Deputations made to Full Council and South (Outer) Area Committee opposing the potential housing on site 3081A and B, Hope Farm, Wakefield Road, Rothwell.

The verbatim of the Deputation presented to Full Council on 11th September 2013 was included as Appendix 1 to the report with the minutes of the South (Outer) Area Committee held 16th September 2013 included at Appendix 2.

The report addressed a number of local concerns raised through the deputations, and in presenting the report; the Executive Member for Neighbourhoods, Planning and Support Services highlighted that the issues raised were currently being considered as part of the Core Strategy Examination process and preparation of the Site Allocations plan.

RESOLVED – To note the contents of the report

128 2014/15 Council Housing Capital Programme

The Director of Environment and Housing submitted a report on the potential resources available to support the Council Housing Capital Programme in 2014/15. The report outlined the approach proposed to develop the Programme and provided a headline summary of the proposed Programme including the four priority areas used to identify the order of the Programme. Additionally, the report highlighted that the proposed Programme would continue to be developed and consulted upon during the coming months; with the final Capital Programme being reported to the Housing Advisory Board and then included within the Council Budget report to Executive Board in February 2014.

In presenting the report, the Executive Member for Neighbourhoods, Planning and Support Services addressed comments made regarding references to the status of the Programme contained in the recommendations to the report and agreed an amendment in order to refer to the Programme as "draft"

RESOLVED

- a) That the increase in HRA capital resources available in 2014/15 be noted;
- b) To agree the proposed approach for the prioritisation of resources in the draft 2014/15 Council Housing Capital Programme as outlined in the report;
- c) To note the Capital Programme for 2014/15;

Draft minutes to be approved at the meeting to be held on Wednesday, 18th December, 2013

- d) To agree the next steps to finalise the Capital Programme which will be submitted to Executive Board for approval as part of the Council's Annual Budget Report in February 2014.

DATE OF PUBLICATION: 8th NOVEMBER 2013

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 15TH NOVEMBER 2013

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 18th November 2013)