



SCRUTINY BOARD (RESOURCES AND COUNCIL SERVICES)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Monday, 30th September, 2013 at 10.00 am

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

MEMBERSHIP

Councillors

- S Bentley - Weetwood;
J L Carter - Adel and Wharfedale;
N Dawson - Morley South;
P Grahame (Chair) - Cross Gates and Whinmoor;
J Hardy - Farnley and Wortley;
A Khan - Burmantofts and Richmond Hill;
A Lowe - Armley;
C Macniven - Roundhay;
R Wood - Calverley and Farsley;

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 Chief Democratic 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 this 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 notifications of substitutes.</p>	
6			<p>MINUTES - 29 JULY 2013</p> <p>To confirm as a correct record, the minutes of the meeting held on 29 July 2013.</p>	1 - 4
7			<p>EXECUTIVE BOARD MINUTES - 4 SEPTEMBER 2013</p> <p>To receive for information the minutes of the Executive Board held on 4 September 2013.</p>	5 - 24
8			<p>HIGH COST LENDERS</p> <p>To consider a report from the Head of Scrutiny and Member Development presenting information on the Councils campaign to tackle high cost lenders in the city.</p>	25 - 40
9			<p>COMMUNITY CENTRE CHARGES</p> <p>To consider a report from the Head of Scrutiny and Member Development presenting an update on Community Centre Charges.</p>	41 - 42

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>COMMUNITY RIGHT TO CHALLENGE</p> <p>To consider a report from the Chief Officer Public Private Partnerships and Procurement Units presenting an update on Community Right to Challenge.</p>	43 - 46
11			<p>WORK SCHEDULE</p> <p>To consider the Board's work schedule for the forthcoming municipal year.</p>	47 - 52
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>Monday, 14 October 2013 at 10.00am (Pre-meeting for all Board Members at 9.30am)</p>	

Agenda Item 6

SCRUTINY BOARD (RESOURCES AND COUNCIL SERVICES)

MONDAY, 29TH JULY, 2013

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, J L Carter,
N Dawson, J Hardy, A Khan, A Lowe,
C Macniven and R Wood

13 Late Items

There were no late items.

14 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared to the meeting.

15 Apologies for Absence and Notification of Substitutes

There were no apologies for absence.

16 Minutes - 24th June 2013

RESOLVED – That the minutes of the meeting held on 24th June 2013 be confirmed as a correct record.

17 Executive Board Minutes - 19th June 2013

RESOLVED – That the minutes of the Executive Board held on 19th June 2013 be noted.

18 Recommendation Tracking - Scrutiny Inquiry on Welfare Reform

The Chief Officer (Statutory Housing) and the Chief Officer (Welfare and benefits) provided a joint report setting out the progress made in relation to the recommendations arising from the Scrutiny Board Inquiry on Welfare Reform Benefit Changes.

The following officers were in attendance and responded to Board Members questions and comments:

- Steve Carey – Chief Revenues and Benefits Officer
- Lorraine Wright – Service Manager – Relationship Management
- Dave Levitt – Recovery Manager – Revenues and Benefits.

The Leader of Council, Councillor Keith Wakefield also attended the meeting to discuss High Cost Lenders.

In summary, the main areas of discussion were:

Draft minutes to be approved at the meeting
to be held on Monday, 30th September, 2013

- The successful progress on implementing the Board's recommendations.
- The revised rent arrears recovery procedures.
- Current statistics in relation to those who had made some form of payment arrangement and those facing summons.
- The current position regarding the reclassification of properties.
- The pressures on the Discretionary Housing Payments (DHP) budget and the ability to use underspends from the Local Welfare Scheme to support the DHP budget.
- Opportunities to work across sectors including utility firms to help with customers with debt management and advice.
- The impact of High Cost Lenders and the Council's action plan to tackle this issue.

RESOLVED –

- (i) To note progress on the implementation of the recommendations made by this Scrutiny Board following its Inquiry into Welfare Reform Benefit Changes.
- (ii) To recommend that any underspends in the Local Welfare Scheme budget be used to offset any overspends in the Discretionary Housing Payments Budget.
- (iii) That this Scrutiny Board undertakes further work in relation to High Cost Lenders.

19 Civic Enterprise Leeds

The Chief Officer (Civic Enterprise) submitted a report which provided a summary of the principles around the establishment of a stand-alone unit called Civic Enterprise Leeds.

The following officer was in attendance and responded to Board Members' questions and comments:

- Julie Meakin – Chief Officer (Civic Enterprise).

In brief summary, the main areas of discussion were:

- The principles behind the establishment of Civic Enterprise Leeds, the concept of an enabling corporate centre and the budget pressures faced by the Council.
- The opportunities to develop services with a range of markets.
- Support for services who want to commercialise what they do.
- The value for money of services currently provided.
- The possible impact on SMEs and other businesses operating in similar market places.

The Board requested that the Chief Officer (Civic Enterprise) discuss the principles of the Unit with appropriate business colleagues in the City.

RESOLVED – To note the establishment of Civic Enterprise Leeds and to request a progress report in July 2014.

20 Transforming Procurement and Contract Procedure Rules

The Chief Officer PPPU and Procurement submitted a report which provided draft Contract Procedure Rules for Member comment.

The following officer was in attendance and responded to Board Members questions and comments:

- Philippa Toner - Senior Executive Manager - Public Private Partnership Unit and Procurement.

The report submitted asked a number of specific questions of Members in relation to decision making within the Contract Procedure Rules. Following discussion the Board made the following recommendations;

- In relation to Framework agreements that the Key decision was taken at the time that the decision to procure was taken and also at each subsequent call off.
- That any decision to extend a contract be treated as a Key, Significant Operational or Administrative decision in accordance with Article 13 thresholds.
- That all waiver of Contract Procedure Rules are treated, as a minimum, as a Significant Operational Decision.
- In addition, the Board welcomed the proposal that the main decision to be taken was whether or not to undertake procurement and also the development of a procurement calendar. Members reiterated the need to ensure that calendars programmed sufficient time for Call In and the possibility of reference back.

RESOLVED –

- (i) To make the above recommendations in relation to decision making.
- (ii) To request an update on the operation of the Contract Procedure Rules in July 2014.

21 Work Schedule

The report of the Head of Scrutiny and Member Development presented the draft work schedule for the forthcoming municipal year.

RESOLVED – That the Board's work schedule be updated to reflect the work areas identified during today's meeting.

22 Date and Time of Next Meeting

Monday, 30th September at 10.00 a.m. (Pre-meeting for all Board Members at 9.30 a.m.)

(The meeting concluded at 12 Noon).

EXECUTIVE BOARD

WEDNESDAY, 4TH SEPTEMBER, 2013

PRESENT: Councillor K Wakefield in the Chair

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

Councillor B Anderson – Substitute Member

57 Exempt Information - Possible Exclusion of the Press and Public

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

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

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

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

58 Late Items

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

59 Declaration of Disclosable Pecuniary Interests

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

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

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

60 Minutes

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

ADULT SOCIAL CARE

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

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

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

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

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

RESOLVED –

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

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

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

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

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

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

RESOLVED –

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

ENVIRONMENT

63 The Future Management and Pricing Arrangements for Allotments

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

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

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

RESOLVED –

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

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

LEISURE AND SKILLS

64 Leeds Let's Get Active

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

RESOLVED –

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

65 Re-Making Leeds: Heritage Construction Skills Training

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

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

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

RESOLVED –

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

LEADER OF COUNCIL'S PORTFOLIO

66 Spending Review 2013 - Update

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

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

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

RESOLVED –

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

67 Financial Health Monitoring 2013/2014 - Month 4

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

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

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

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

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

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

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

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

RESOLVED –

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

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

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

69 Establishment of a Social Inclusion Fund

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

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

RESOLVED –

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

70 Late Night Levy

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

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

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

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

HEALTH AND WELLBEING

71 Sexual Health Service Integration

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

RESOLVED –

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

DEVELOPMENT AND THE ECONOMY

72 Belle Isle and Middleton Neighbourhood Framework

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

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

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

RESOLVED –

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

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

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

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

RESOLVED –

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

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

74 Leeds (River Aire) Flood Alleviation Scheme

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

RESOLVED –

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

75 Leeds Business Improvement Districts

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

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

RESOLVED –

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

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

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

76 Relocation of Nursery Facilities and the Development of Red Hall

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

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

RESOLVED –

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

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

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

NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES

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

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

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

RESOLVED –

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

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

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

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

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

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

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

RESOLVED –

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

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

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

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

RESOLVED –

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

81 Planning Policy for Gypsies and Travellers

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

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

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

RESOLVED –

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

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

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

82 Proposed Amendment to Core Strategy Policy H6

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

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

RESOLVED –

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

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

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

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

CHILDREN'S SERVICES

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

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

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

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

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

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

RESOLVED –

Part A

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

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

Part B

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

Part C

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

Part D

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

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

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

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

RESOLVED –

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

DATE OF PUBLICATION: 6TH SEPTEMBER 2013

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

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

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

Report of Head of Scrutiny and Member Development

Report to Scrutiny Board (Resources and Council Services)

Date: 30th September 2013

Subject: High Cost Lenders

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

Summary of main issues

1. At its meeting on 29th July 2013, this Scrutiny Board discussed with the Leader of Council, Councillor Keith Wakefield, the impact of ‘high cost lenders’ and the Council’s action plan to tackle this issue. The Board subsequently resolved to undertake further work in this area and to invite a number of interested parties to today’s meeting to share their views. To this end the following people will be in attendance;
 - Steve Carey – Chief Revenues and Benefits Officer
 - Dave Roberts - Financial Inclusion Strategy Manager
 - Chris Smyth – Chief Executive, Leeds City Credit Union
 - Bob Ward – Spokesperson for a deputation to Council on this issue considered last year
 - Marilyn Banister – Money Advice Supervisor, Leeds Citizens Advice Bureau.
2. Representatives from a money lending company were invited but to date have not responded.
3. Attached is a report provided by Dave Roberts, detailing the Councils campaign to tackle high cost lenders in the city.

Recommendations

4. Members are asked to;

- (i) Receive the attached report and discuss its contents with the invited witnesses making any appropriate comments
- (ii) Consider whether further Scrutiny is required.

Background documents¹

None used

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.

HIGH COST LENDING

1.0 Introduction

Since early in 2003 Leeds has been developing a strategy to tackle financial exclusion in the city and put in place mechanisms to assist people and provide an alternative to high interest doorstep lenders and loan sharks.

Whilst this area of work has been an important priority for many years it has been escalated in importance in recent times due to the current economic climate and the changes to welfare and benefits policies and arrangements.

2.0 High Cost and Payday Lending

There has been a recent boom in payday and other high cost lending, leaving many of the most vulnerable citizens in the city facing problems with debt and related issues. Representative interest rates of more than 4,000 APR are not uncommon with many of these lenders.

A joint campaign to address high cost lending in the city is being developed by Leeds City Council with voluntary, private and public sector partners. The campaign has cross party support and action will take place across the city and one ambition is to make Leeds a payday loan free city.

The campaign is urging local residents to avoid the temptation to take out loans with high cost and payday lenders, many of which enjoy a high profile thanks to their expensive TV advertising campaigns and lucrative sponsorship deals. Marketing of well-known brands has convinced many to think of payday loans as normal and an easy way out of their problems, but these lenders can leave many people with unsustainable debts. The campaign is reminding people that there are alternatives such as Credit Unions which can help those who are most affected. People will also be made aware of the impartial and free money and debt advice available in the city. More details about the campaign are provided later in this report and in appendix 2, High Cost Lenders Action Plan.

3.0 Retail store closures – risers and fallers

According to a recent analysis by Price Waterhouse Coopers and the Local Data Company, statistics show retail store closures have climbed tenfold in one year. However, pound shops, pawnbrokers, charity shops, cheque cashing, payday loan shops and betting shops are bucking the trend and showing considerable growth. The table below shows the 'risers and fallers' by business type across the UK's top 500 town centres during 2012:

Risers	Net Change (%)	Fallers	Net Change (%)
Cheque Cashing/Payday Loans	+20.0	Card & Poster Shops	-23.4
Pound shops	+13.0	Computer Games	-45.0
Pawnbrokers	+13.2	Women's Clothes Shops	-7.2
Charity shops	+2.7	Recruitment Agencies	-15.1
Betting Shops	+3.3	General Clothing	-8.7
Supermarkets	+3.6	Health Foods & Products	-24.7
Coffee Shops	+3.4	Banks & Financial Institutions	-2.9

Table - Top risers and fallers by business type in 2012 (Source: Local Data Company)

Work was undertaken in 2012 to try to determine the numbers of money shops in Leeds city centre and in district centres. This is not straightforward because there is no clear planning or industrial classification to distinguish these types of shops. **However, from available sources of information a list was compiled in September 2012 and is attached at Appendix 1.**

The high cost lending market (Home Credit, Pawn Brokers, Money Shops, Payday Lenders, rent-to-buy) was estimated by the OFT to be £7.5 billion in loans to consumers in 2008¹. The equivalent figure for payday loans at that time was £900 million but it is reported that this figure will have more than doubled by 2011. It is further estimated that 5 million people in the UK access high cost credit of which 2 million use payday lenders.

If this national picture is equated to the Leeds population it means that up to 60,000 people in Leeds may use high interest lenders including approximately 22,500 people who may take out Payday loans. In addition to the social cost, this market represents a potentially huge impact on the Leeds economy. Based on national data, the high cost market in Leeds could be in the region of £90m. If everyone using high cost credit in Leeds had access to affordable sources this could reduce the cost of borrowing by up to £60m in a year to Leeds families. Even a 10% penetration into this market would represent a significant annual gain for Leeds communities and the economy.

The StepChange debt charity, which provides a national debt counselling service, has said that more than twice as many people who sought help with debts in 2012 had payday loans compared with 2011. It helped 36,413 people last year who had payday loan debts, some 20,000 more than the previous year. They also reported that 42% of their clients under age 25 had payday loans. This is a fourfold increase in just 2 years.

4.0 OFT review

Earlier this year the Office of Fair Trading (OFT) undertook a review of the businesses of the top 50 payday lenders (which together account for around 90% of the payday market by turnover). The review found a number of examples of non-compliance with the industry code of practice including:

- Failing to show the APR interest of their loans;
- %age APR or calculated examples not prominent enough on their sites;
- Omitting or downplayed information about the costs and risks to the borrower;
- Not conducting adequate affordability assessments;
- Actively promoting rolling over loans for an extended term when borrowers would be better served by a repayment plan;
- A number of firms were using aggressive debt collection practices.

As a result, the sector will face advertising curbs and be under closer supervision. The government wants to limit the number of adverts shown per hour on TV and ensure that terms and conditions are displayed more prominently.

The OFT also required the companies to take immediate steps to address areas of non-compliance or risk losing their consumer credit licence. After the end of the 12 week deadline set by the OFT, 19 of the companies indicated that they were to withdraw from the payday lending market (1 company failed to respond). In addition the OFT has referred the whole of the industry to the Competition Commission, which has wider powers to deal with some of the issues identified for the protection of consumers.

5.0 Financial Conduct Authority (FCA)

The new financial services regulator – FCA - will take over the Financial Services Authority's consumer financial watchdog powers and have powers to cap the cost of high cost loans, but not until 2014. The FCA will be granted this key weapon, along with other ways to keep rogue lenders in check. There will however be a 'legal loan sharks' window of opportunity before regulators can limit charges in 2014.

¹ OFT, Review of High Cost Credit, June 2010

The FCA will also have powers to create rules which will:

- Limit the length of a payday loan
- Impose a limit on the number of times a payday loan is rolled over
- Make a payday loan agreement unenforceable
- Force money or property to be returned to consumers and redress to be given to consumers by a firm

While the regulator will have these powers, it has to assess whether they need to be used. In a recent report (March 2013) from the Department for Business Innovation and Skills (BIS), the Government Minister indicated that whilst "the Government recognises that a cap might be appropriate at some point in the future" "The Government does not believe that a total cost of credit cap is the best way to address the concerns in the pay day lending market at this time."

6.0 High Cost Lending Campaign in Leeds

In June 2013, Executive Board approved a campaign to tackle high cost lenders in the city. The key elements of the campaign are:

- Co-ordinate activity across public, private and the third sector to deal with high cost lending
- City Wide High Profile campaign
- Local Neighbourhood promotion and education campaign
- Build Capacity for alternative affordable credit
- Reduce dependency on and use of HCLs
- Provide direct support for those caught up in HCL and reminding people that there are alternatives

A number of city wide initiatives have been providing support to citizens for many years involving a broad network of partner organisations. Some key services include:

Leeds City Credit Union

A key partner in the battle to tackle high cost lenders is Leeds City Credit Union (LCCU). LCCU is working closely with the Council and other partners to develop support for residents who do not have access to affordable banking services. As part of the Local Welfare Support Scheme adopted by the Council, the Executive Board approved a recommendation that an element of the scheme funding should be used to support, among other things, promotion and development of Leeds City Credit Union services and increased provision of advice and support.

Headrow Money Line

The Community Development Finance Institution (CDFI) operating as Headrow Money Line, is a sister organisation to LCCU and started lending in November 2012. In the initial months of trading, Headrow Money Line (HML) is taking a deliberately cautious approach to lending in order to embed systems and to protect against risk. HML is providing affordable credit to many of the residents who have been turned down currently for credit union loans. In so doing it will enable these residents to have access to the broader network of support either provided directly through HML or through partner agencies.

HML offers a source of credit which is significantly lower in cost and therefore much more affordable than payday loan companies, doorstep and similar lenders. CDFIs operating around the country charge interest in the region of 40% to 70% APR. HML is currently operating at the higher end of this range in order to ensure security of the business and give time to assess the impact of bad debt provision. Although this seems high, it is significantly lower than the typical rate charged by doorstep lenders (300% and above) or of some "payday" lenders (4000% plus).

Leeds Advice Partners

A partnership of advice agencies provide debt and welfare rights advice, along with the Councils own Welfare Rights Unit. This service is becoming increasingly important given the many changes to the benefits system highlighted in this report. The City Council is currently undertaking a review of advice provision with the intension of ensuring a more comprehensive coverage of support in all the areas of the city where there is a need and delivering advice in a more integrated way. The new service is planned to be introduced during 2014.

7.0 Other activity in Leeds

Sporting Clubs

Full Council received a deputation of Leeds residents on 14 November 2012, regarding payday loan companies and their effect on residents in Leeds. The deputation has been involved in a campaign calling on football authorities to cease advertising by payday loan companies anywhere in football.

Officers have been exploring with the deputation the possibility of working with Leeds professional sporting clubs on a positive campaign to warn of the dangers of doing business with high cost lenders and also to work with the clubs on other potential financial inclusion initiatives. Meetings have now taken place with Yorkshire County Cricket Club, Leeds Rugby as well as Leeds United FC.

High Cost Lending Conference

A national conference will be taking place in Leeds on 25 October at the Civic Hall. Over 30 different cities will be represented at the conference to learn from the campaign taking place in Leeds.

Payday lender site blocking

A list of 190 payday lenders has been compiled and forwarded to LCC IT Services. The list has also been sent to all other West Yorkshire authorities and York who agreed to block the lenders' websites from all internal Council and public access terminals from 2 September 2013.

Internet redirect pages have been prepared explaining why the payday lender sites have been blocked and alternatives are given.

The pages which have been set up can be accessed on the council's web site at:

www.leeds.gov.uk/bettercredit

www.leeds.gov.uk/hclcampaign

A press statement was issued at the time of the action to block payday lender sites and this received a significant amount of publicity in early September. In addition to the local media and radio, some national press covered the story and the Guardian undertook a live webchat which headlined with the Leeds story. The council Leader, Cllr Wakefield was widely quoted and undertook a number of live interviews.

Appendix 1 - Legal Credit Activity in Leeds (September 2012)

Details of Credit Businesses Based in Leeds

Businesses involved in Consumer Credit activity (loans, brokerage, debt collection, debt management) are required to hold a Consumer Credit Licence, issued by the Office of Fair Trading. As the local regulator of consumer credit West Yorkshire Trading Standards Service (WYTSS) is sent details of any new or amended application for a Consumer Credit licence for their comments, e.g. that a person is fit/unfit to hold such because of convictions, etc.

A list of all businesses in West Yorkshire with a Consumer Credit Licence was formerly maintained by WYTSS but there is now a national register kept on line (link below) and the West Yorkshire service has to rely on this national register for local information.

<http://www2.crw.gov.uk/pr/Default.aspx>

Legal High Cost Credit Providers in Leeds

The following high cost home collected credit lenders are based in Leeds:

Adamson Finance - 135 Otley Old Road, Leeds, West Yorkshire, LS16 6HH

CLC Finance - Unit 4, Meadow Court, Millshaw, Leeds, West Yorkshire, LS11 8LZ

Fowlers Permanent C& S LTD - 53 Stanningley Road, Leeds, West Yorkshire, LS12 3ND

Leeds & District Clothing & Supply Co Limited - 164 Harehills Lane, Harehills, Leeds, West Yorkshire, LS8 5JP

Naughton Finance Ltd - Mayflower House, 14 Pontefract Road, Leeds, LS10 1SG

Martin Oddy & Co - 4 Griffin House, Station Road, Morley, LS27 8JW

Park Finance Co Ltd - 9 Ring Road, Seacroft, Leeds, West Yorkshire, LS14 1AT

Pioneer Finance - 2 Holly Tree Lane, Colton, Leeds, West Yorkshire, LS15 9JF

However in addition to these businesses there are a number of other businesses that operate 'rounds' in Leeds, including Provident and West Riding Family Finance (Bradford); D & J McGuinness, J R Naylor and Provida Loan (Wakefield); and Shopacheck (Birstall) plus some businesses from Rotherham, Chester, Solihull and Worcestershire.

All businesses involved in small cash loans are required to place their details on the Lenders Compared website – www.lenderscompared.org.uk – which lists all the businesses who will offer such credit by postcode and includes rates, payment periods and other key terms and conditions. It is interesting to note that some businesses operate at a very local level. There are for example some businesses that will offer loans in Seacroft but not Morley or the city centre.

The Lenders Compared web-site lists loans (a) which offer a number of repayments and (b) loans between £50 and £800. As such it does NOT include the high cost short-term payday loan businesses such as Wonga or Quickquid; or high cost loan businesses offering medium sized loans (£1,000 - £5,000) such as Ocean Finance. Most of these businesses operate regionally or nationally and advertise via newspapers, television and increasingly via the internet (especially using formats specifically tailored for mobile phones).

Lenders Compared does also NOT pick up businesses which offer high cost loans based on a security (usually a car - often referred to as log-book loans) who use a range of archaic financing tools that mean they are not legally defined as either "small amount" or "multiple

payment” credit service. There are a number of such businesses that operate in but are not based in Leeds.

Below is a list of shops operating in Leeds by postcode which has been compiled by the Economic Policy Team. The list may not be fully comprehensive as there is not one simple data source for this information, some shops may be part of national groups which are registered outside of Leeds and due to the provisos indicated above. However, this is probably the most up to date list available at the current time.

Credit shops operating in Leeds (2012)

POSTCODE		
LS1	Money Shop	2 Call Lane, Leeds LS1 6DN
	Money Shop	25-27 The Headrow, Leeds LS1 6PU
	Pawnbrokers/payday loans	8 New Market Street, Leeds LS1 6DG
	Finance 321	57 Great George Street, Leeds LS1 3AJ
	Ramsdens 4 Cash	11-12 Kirkgate, Leeds LS1 8BY
	Herbert Brown Pawnbrokers	19 Kirkgate, Leeds LS1 6BY
	Cash Shop	26 New Market Street, Leeds LS1 6DG
	Cash for Gold	35 Vicar Lane, Leeds LS1 6DS
	Ramsdens 4 Cash	49 New Briggate, Leeds LS1 8JD
	Brown and Gold Cash for Gold	Park Cross Street
LS2	Money Shop	38 Eastgate. Leeds LS2 7JL
	Money Shop – Ramsdens	49 New Briggate, Leeds LS2 8JD
	Cash Converters	21 Eastgate, Leeds LS2 7LY
	Everyday Loans	Unit 2 Merrion Centre, Leeds LS2 8NG
	Herbert Brown Pawnbrokers	12 Eastgate, Leeds LS2
	The Money Shop	2 Call Lane, Leeds LS2
	Herbert Brown Pawnbrokers	40-42 Merrion Centre, Leeds LS2 8NG
	BrightHouse	Merrion Centre, Leeds LS2
LS7	Automoney	122 Potternewton Lane, Leeds LS7 2EG
LS8	Cash Converters	254 Roundhay Road, Leeds LS8 5RL
	Money Shop	243 Roundhay Road, Leeds LS8 4HS
	One Stop Money Shop	83 Roseville Road, LS8 5DT
	Cash Converters	164 Harehills Lane, Leeds LS8 5JP
LS9	Cash Converters	76 Lincoln Green Road, Burmantofts, LS9 7SU
	Automoney/Log book loans	577 York Road, Leeds LS9 6NH
	Ramsdens 4 Cash	314 Harehills Lane, Leeds LS9 7BG
LS10	NFL Cash Direct	Pontefract Road, Stourton, Leeds LS10 1SP
	Naughton Finance Limited	Mayflower House, 14 Pontefract Rd, Leeds LS10 1SG
LS11	Cash Converters	211 Dewsbury Road, Beeston, Leeds LS11 5FZ
	Cash Express	247 Beeston Road, Leeds LS11 7LR
	Shopachek	Oakhurst Avenue, Dewsbury Road, Leeds LS11 7HL
	Cash Xpress	2 Parkfield Mount, Leeds LS11 7PA
	CLC Finance	Unit 4, Meadow Court, Millshaw, leeds LS11 8LZ
LS12	Cash Converters Log book loans	6-8 Town Street, Armley, Leeds LS12 3AB
	Money Shop	26 Town Street, Leeds LS12 3AB
	One Stop Money Shop	12 Town Street, Leeds LS12 1UX
	Cash Generator	41-43 Town Street, Leeds LS12
	Fowlers Permanent C&S Ltd	53 Stanningley Road, Leeds LS12 3ND
LS13	Cash Converters	30 Bramley Shopping Centre, Leeds LS13 2ET
	Albemarle and Bond Pawnbrokers	25 Bramley Centre, Leeds LS13 2ET
	Cheque Centre	21 Bramley Centre, Leeds LS13 2ET
	BrightHouse	27-29 Bramley Shopping Centre, Leeds LS13
LS14	Cash Converters	853 York Road, Leeds LS14 6AX

	Park Finance Co Limited	9 Ring Road, Seacroft, Leeds LS14 1AT
LS15	Money Shop	14 Station Road, Crossgates, Leeds LS15 7JX
	Cheque Centre	25 Crossgates Shopping Centre, Leeds LS15 8ET
	Herbert Brown	39 Crossgates Shopping Centre, Leeds LS15
	Pawnbrokers and cheque cashing	36 Austhorpe Road, Leeds LS15 8DX
	Cash Generator	7 Crossgates Shopping Centre, Leeds LS15 8ET
	Ready Steady Dough	Park Approach, Leeds LS15 8GB
	Cash Express	241 Selby Road, Leeds LS15 7JR
	Cash for Gold	243 Selby Road, Leeds LS15
	Pioneer Finance	2 Holly Tree Lane, Colton, Leeds LS15 9JF
	Bighthouse	Cross Gates Shopping Centre, Leeds LS15
LS16	Adamson Finance	135 Otley Road, Leeds LS16 6HH
LS18	Carloantoday	164 Town Street, Horsforth, Leeds LS18 4AQ
	ScrapGold	85b Town Street, Horsforth, Leeds LS18
LS20	Shopacheck	5-8 Richmond Terrace, Leeds LS20 8BP
LS22	One Stop Money Shop	21 Market Place, Wetherby, Leeds LS22 6LQ
	Brown and Gold – Cash for Gold	10 North Street, Wetherby, LS22 6NN
LS27	Ramsdens 4 Cash	62 Queen Street, Morley, Leeds LS27 9BP
	Martin Oddy and Co	4 Griffin House, Station Road, Morley, LS27 8JW

Appendix 2 – High cost lenders action plan

Priority area	Actions	Involvement/Partners	Action Progress
Develop understanding of the scale of the issue in Leeds	1. Financial profiling at SOA level	FI Team, Regional Policy Team	Discussions with Salford University on feasibility of mapping Leeds research data against nationally available data.
	2. Mapping of provision of HCL through mapping of local financial services	Area Management	Baseline data set out in Executive Board Report, September 2012, to be supplemented by local knowledge.
	3. Utilise data analysed during the Advice Sector Review to map current resources and activity to tackle debt issues across Leeds	FI Team, Environment and Housing Commissioning Team	
Coordinate activity across public, private and 3 rd Sector to deal with HCL	4. Presentation to Financial Inclusion Steering Group on HCL campaign	FI Team	Presented to Steering Group on 3 July 2013
	5. Coordinate activity across ALMO's to ensure that best practice is delivered uniformly across city.	LCC Housing Management Service Area Management	ENE and AV both employ a dedicated CU staff member to work closely with tenants.
	6. Encourage all social housing providers to engage with best practice examples	LCC Housing Management Service Area Management	
	7. Area Management Locality working to coordinate partners at a community level	Area Management	
Develop Communication Plan in two parts. 1. City Wide High Profile campaign	8. Develop an overarching communication plan for producing a comprehensive promotion and marketing plan warning of the problems of HCL's and promoting alternatives ie. LCCU.	FI Team Corp. Comms.	Communications Plan developed and currently seeking marketing agency to deliver the plan via a tender exercise. Interviews to take place on 3 September.
	9. Engage major sports organisations in campaign against HCLs and promoting alternatives particularly LCCU;	FI Team	Met with Leeds Rugby, LUFC and YCCC. Leeds Rugby and YCCC keen to be involved. Further letter sent out to LUFC following their management changes.

10. Engage with major public and private sector employers and the banking sector to support the campaign	FI Team LCCU Area Management	Discussions held with Chamber of Commerce. LCC Chief Exec article circulated in Chamber of Commerce bulletin.
11. Engage with Leeds's Universities and NUS to support the campaign	FI Team	Met with University of Leeds, Student Advice. Letter to 2 Leeds universities seeking action on payday lending
12. Engage with local media to seek their involvement in the campaign	FI Team Corp. Comms.	Contact made with YP reporter
13. High profile public meeting/media event to launch campaign	FI Team	Conference to take place on 25 October
14. Investigate the use of "void space" on advertising hoardings, both public and private sector	FI Team Corp. Comms.	Meetings have taken place with relevant officers and possibilities being explored
15. Investigate prominent banner adverts on public buildings	FI Team Corp. Comms. Area Management	See 13
16. Ban websites carrying adverts for HCLs;	FI Team Corp. Comms.	List of 190 payday lenders compiled and forwarded to LCC IT. Also sent to all other WY authorities and York who have agreed to block websites. Date agreed – 2 September. Internet redirect pages prepared and press release ready for issue.
17. Discourage contractors promoting HCLs;	Corp. Procurement	
18. Develop campaign website to support HCL campaign with advice and information about partner services	FI Team Corp. IT Services	Met with IT services and temporary web pages have now been set up until new campaign branding in place.
19. Develop a social media campaign through Facebook, Twitter etc	FI Team Corp. Comms.	
20. Develop promotional and educational material to support local campaigning activity against HCL and promoting LCCU	Corp. Comms. Area Management	
21. Provide comparisons between HCLs and more	FI Team	Case studies prepared with LCCU

	affordable options;	LCCU	
	22. Provide guidance on dealing with money issues that avoid using HCLs;	Advice Agencies LCCU Area Management	
	23. Create programme of events to keep issue fresh, raise awareness of issues and to raise awareness of frontline role;	FI Team Area Management	
	24. Provide briefing and training to frontline staff;	All Directorates Public Health Area Management	
	25. Develop HCL toolkit for frontline staff;	Advice Leeds All Directorates Area Management	
	26. Link with illegal lending team campaigns where appropriate;	Illegal Money Lending Team Area Management	IMLT are members of the FI Steering Group and work regularly with partners across the city
	27. Investigate advertising on side of council vehicles	LCC Transport Corp. Comms. Area Management	
	28. Work with Secondary Schools to develop media for education on HCL's possibly utilising such as "Shontal" theatre group	Children's Services Area Management	
	29. Investigate possibility to produce video production of the "Shontal" play for use by community groups and schools	FI Team Corp. Comms.	
Build Capacity for alternative affordable credit	30. Develop a programme of initiatives to support the delivery of expanded credit facilities through LCCU and Headrow Money Line (CDFI)	FI Team Corp. Comms. Area Management	See 8 above. A package of support initiatives agreed and funding provided to LCCU to implement.
	31. Engage with the banking sector to seek their support for working closely with LCCU to enhance provision	FI Team LCCU	Meeting set up with some banking partners and LCCU preparing for a larger meeting in the Autumn
Reduce dependency on	32. Set costs reduction targets for ALMO tenants;	ALMOs LCC Housing	

and use of HCLs		Services	
	33. Promote alternative options including CDFI, LCCU Payday Loans and LCCU Budgeting Accounts;	Corp. Comms. Area Management	See 8 above
	34. Use control zones in worst affected areas to discourage doorstep lenders visiting homes in the area;	ALMOs Area Management	
	35. Support social enterprise models for furniture re-use;	FI Team Citizens and Communities Directorate	
	36. Investigate possibility of developing a “Brighthouse” social model for white goods and furniture	FI Team Citizens and Communities Directorate	
	37. Link in with fuel poverty activity, including Wrap-up-Leeds, Warm Front and Community Energy Together (switching scheme)	Fuel Poverty Officer Area Management	Regular dialogue takes place with the Fuel Poverty Officer
	38. Work with employers to educate and support staff about Payday Loans and alternative arrangements	FI Team Area Management	
	39. Work with Public health to tackle lifestyle issues	LCC Public Health Area Management	
	40. Discourage HCL as a way of paying council/utility bills	LCC Revenue Division	
Provide direct support for those caught up in HCL	41. Work with Food Banks and other anti-poverty initiatives	FI Team Citizens and Communities Directorate Area Management	
	42. Increase money, debt and benefits advice	FI Team Env. And Housing Commissioning Team	
	43. Include debt review in rent/Ctax arrears cases;	LCC Revenue Division, Corporate Debt Team	

		ALMO's	
	44. Ensure a unified approach to debt collection by utilising the Corporate Debt Team and coordination through the Corporate Debt Liaison Group	FI Team LCC Revenue Division, Corporate Debt Team	Next meeting of the Corporate Debt Liaison Group taking place on 4 October
Measure the impact of the approach	45. Agree indicative KPIs	FI Team	
	46. Review and refresh approach as required	FI Team	

Report of Head of Scrutiny and Member Development

Report to Scrutiny Board (Resources and Council Services)

Date: 30th September 2013

Subject: Community Centre Charges

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. Board Members will recall that in April of this year a report was received and considered which provided information on current charging arrangements for the use of the Council Community Centre portfolio that is delegated to Area Committees and overseen on their behalf by Environment and Neighbourhoods directorate. This information was requested by Scrutiny Board at its meeting on 18 March 2013.

2. The report highlighted the complexity of the current arrangements and the wide range of factors that influence the levels of charges/subsidies awarded. This affects the extent to which it is possible to maintain transparency and consistency and demonstrate value for money and which can cause confusion and frustration to existing and prospective users as well as administrative difficulties for officers.

3. In brief summary, the main areas of discussion in April were:
 - The complicated and bureaucratic arrangements in place for the use of community centres.
 - The apparent lack of transparency in how charging subsidies were provided to some organisations.
 - The numerous charging rates and their complicated application.
 - The involvement of numerous Directorates in the process and the consequential lack of accountability and plethora of bureaucratic recharges.
 - The need for continued involvement of Area Committees in the process.

4. The Board resolved the following:
 - (i) To agree the guiding principles outlined in the report in terms of providing a basis for future policy and procedures and as a means of bringing consistency and transparency to the charging arrangements.
 - (ii) To request that officers come back to a future meeting of Scrutiny to report on progress made to address the identified failings in the current process.
5. Councillor Peter Gruen, the responsible Executive Board Member, has been invited to today's meeting to provide Board Members with a verbal update

Recommendations

6. Members are asked to note the update provided and offer any appropriate comment.

Background documents¹

None used

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

Report of Chief Officer Public Private Partnerships and Procurement Units

Report to Scrutiny Board (Resources and Council Services)

Date: 30 September 2013

Subject: Community Right to Challenge

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 Scrutiny Board (Resources and Council Services) considered a proposed approach to community right to challenge expressions of interest at its meeting on 23 July 2012.
- 2 Executive Board approved the council's approach to community right to challenge expressions of interest at its meeting on 17 October 2012.
- 3 The opportunity to further strengthen engagement with third sector organisations is key to the council's approach to the community right to challenge. The council welcomes dialogue with organisations where they feel services can be improved or re-designed to best meet the needs of service users.
- 4 Leeds City Council has received no formal expressions of interest since the community right to challenge came into force in June 2012.

Recommendations

- 5 Members are asked to note the contents of this report.

1 Purpose of this report

- 1.1 To report back to Scrutiny Board (Resources and Council Services) on how the community right to challenge processes have been put into place locally.

2 Background information

Community right to challenge provisions

- 2.1 The community right to challenge allows voluntary or community bodies, charities, parish councils and two or more local authority employees to express an interest in running a local authority service. Any authority receiving a challenge must consider it, and if accepted, must run a procurement exercise. The community right to challenge came into force on 27 June 2012.

Reports

- 2.2 On 23 July 2012 a report on the community right to challenge went to Scrutiny Board (Resources and Council Services) outlining the proposed process for decisions on any expressions of interest received by the council. The Board endorsed the proposed approach but recommended that Executive Board take the decision on whether or not to accept an individual expression of interest.
- 2.3 On 17 October 2012 a report on the community right to challenge went to Executive Board. Executive Board resolved that it will make a decision on an expression of interest where the expression has been referred to it by an Executive Board Member who is responsible for the service. In other circumstances, the director of the relevant service area would be the decision maker.

Procedures in place

- 2.4 Information on the community right to challenge is published on the council's website. The information includes contact details, a link to guidance and an expression of interest application form.
- 2.5 Potential interest in the community right to challenge is logged by the Public Private Partnerships and Procurement Units (PPPU & PU) and an update is reported quarterly to Corporate Commissioning Group (CCG).

3 Main issues

- 3.1 Links with third sector representatives regarding the community right to challenge is maintained. A low level of interest in the process is acknowledged and it is noted by the third sector as not generally being the first option for providing the best outcome for Leeds.
- 3.2 Leeds City Council has not received any formal expressions of interest since the community right to challenge came into force. Nationally, recent reports have indicated a similarly low impact of the community right to challenge.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 In compiling this report, and as part of ongoing liaison between PPPU & PU and the third sector, consultation has been undertaken with third sector representatives. No issues have been raised regarding the local implementation.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An Equality, Diversity, Cohesion and Integration (EDCI) screening was undertaken and published alongside the 17 October 2012 Executive Board report. The identified actions have been completed and in compiling this report we have reviewed the EDCI and confirm that there is no change required to it.

4.3 Council policies and City Priorities

4.3.1 The local processes for community right to challenge support a range of council policies and ambitions for working with the third sector including the Compact for Leeds, recommendations of the Transform Leeds Commission, directorate commissioning strategies, the council's procurement strategy, promotion of civic enterprise, the Leeds Growth Strategy and emerging state of the city report.

4.4 Resources and value for money

4.4.1 There are no resource implications at this time.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal, access to information or call in implications.

4.6 Risk Management

4.6.1 Risk assessments have been undertaken at CCG and in Area Support and are considered quarterly at CCG. The risk assessment shows that all identified risks are low and that controls are in place to manage these risks.

5 Conclusions

5.1 The processes have been put into place to inform potential applicants, to manage any expressions of interest and to ensure that engagement with the third sector in relation to service improvement or re-design is a key focus.

5.2 Leeds City Council has received no formal expressions of interest.

6 Recommendations

6.1 Members are asked to note the contents of this report.

7 Background documents¹

7.1 None

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

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Report of Head of Scrutiny and Member Development

Report to Scrutiny Board (Resources and Council Services)

Date: 30th September 2013

Subject: Work Schedule

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

Summary of main issues

1. Executive Board on 4 September considered a report relating to the design of a potential late night levy on premises licensed to sell alcohol late at night. Executive Board made the following resolution;

“That the submitted report be withdrawn from the agenda in order to enable further work to be undertaken on it and also to request that the relevant Scrutiny Board consider the issues within it, prior to the matter being further considered by Executive Board.”
2. This matter falls within the terms of reference for this Scrutiny Board and as such the Chair wishes to establish a working group of the Board to undertake the work requested by Executive Board. Members are therefore asked to consider their participation in this working group.
3. The Board’s draft work schedule is attached as appendix 1. The work schedule reflects discussions at the Board’s meeting in June. It will be subject to change throughout the municipal year.

Recommendations

4. Members are asked to;

- (i) agree the establishment of a working group to consider the referral from Executive Board in relation to a late night levy
- (ii) Note the work schedule and make amendments as appropriate.

Background documents¹

None used

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.

Scrutiny Board (Resources and Council Services) Work Schedule for 2013/2014 Municipal Year

	Schedule of meetings/visits during 201213		
Area of review	June	July	August
People Plan			Working Group 12/8/13
<i>To be determined</i>			
<i>To be determined</i>			
<i>To be determined</i>			
Briefings		Civic Enterprise Contract Procedure Rules	
Budget & Policy Framework Plans			
Recommendation Tracking		Welfare Reform	
Performance Monitoring	Quarter 4 performance report		
Budget	Out turn Report		

Scrutiny Board (Resources and Council Services) Work Schedule for 2013/2014 Municipal Year

Area of review	Schedule of meetings/visits during 2012/13		
	September	October	November
People Plan		Workforce Planning, Safeguarding, specialist and Targeted Services (Nigel Richardson)	Working Group 11 th November
Community centres/lettings	To receive and update on review progress		
High Cost Lenders	To discuss High Cost Lenders	To discuss High Cost Lenders	
<i>To be determined</i>			
Briefings	Progress on Community Right to Challenge		
Budget & Policy Framework Plans			
Recommendation Tracking			
Performance Monitoring			Potential date to discuss Business Continuity Arrangements following Corporate Governance and Audit Committee
Budget			

Scrutiny Board (Resources and Council Services) Work Schedule for 2013/2014 Municipal Year

Area of review	Schedule of meetings/visits during 2012/13		
	December	January	February
People Plan		Overtime and working practices within Waste Management Services, Environmental Action and Parks and Countryside (Neil Evans)	Working Group 10 th February
<i>To be determined</i>			
<i>To be determined</i>			
Member Development		To review Member Development Activities in Leeds (This to replace the formal external Charter Plus accreditation)	
Briefings			
Budget & Policy Framework Plans	t	To receive Executive Board's initial budget proposals	
Recommendation Tracking			
Performance Monitoring			
Budget	Budget	Budget	

Scrutiny Board (Resources and Council Services) Work Schedule for 2013/2014 Municipal Year

Area of review	Schedule of meetings/visits during 2012/13		
	March	April	May
People Plan	Potential date to discuss People Plan with Directorates if so determined by Scrutiny Working Group		
<i>To be determined</i>			
<i>To be determined</i>			
<i>To be determined</i>			
Briefings			
Budget & Policy Framework Plans			
Recommendation Tracking			
Performance Monitoring			
Budget			