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**SCRUTINY BOARD (INFRASTRUCTURE AND INVESTMENT)**

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Wednesday, 27th September, 2017 at 10.30 am

*(A pre-meeting will take place for ALL Members of the Board at 10.00 a.m.)*

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**MEMBERSHIP****Councillors**

N Buckley	-	Alwoodley;
C Campbell	-	Otley and Yeadon;
N Dawson	-	Morley South;
P Gruen	-	Cross Gates and Whinmoor;
A Ogilvie	-	Beeston and Holbeck;
D Ragan	-	Burmantofts and Richmond Hill;
E Taylor	-	Chapel Allerton;
C Towler	-	Hyde Park and Woodhouse;
P Truswell (Chair)	-	Middleton Park;
P Wadsworth	-	Guiseley and Rawdon;

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

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**Principal Scrutiny Adviser:**  
**Sandra Pentelow**  
**Tel: (0113) 37 88655**

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. To consider whether or not to accept the officers recommendation in respect of the above information.</li> <li>3. If so, to formally pass the following resolution:-</li> </ol> <p><b>RESOLVED</b> – 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><b>No exempt items have been identified.</b></p>	

3		<p><b>LATE ITEMS</b></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><b>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</b></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><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6		<p><b>MINUTES - 19 JULY 2017</b></p> <p>To approve as a correct record the minutes of the meeting held on 19 July 2017.</p>	1 - 6
7		<p><b>TRANSPORT FOR LEEDS - SUPERTRAM, NGT AND BEYOND - DRAFT SCRUTINY INQUIRY REPORT</b></p> <p>To consider the report of the Head of Governance and Scrutiny Support which presents the draft Scrutiny Inquiry Report, 'Transport for Leeds, Supertram, NGT and Beyond', for agreement.</p>	7 - 42
8		<p><b>HIGHWAY ASSET MANAGEMENT - THE APPROACH TO ROAD SURFACING</b></p> <p>To consider the report of the Chief Officer (Highways and Transportation) in response to the request for scrutiny from Cllr Matthew Robinson.</p>	43 - 60

9		<p><b>SCRUTINY INQUIRY - SUSTAINABLE DEVELOPMENT - SESSION 2</b></p> <p>To consider the report of the Head of Governance and Scrutiny Support and the Director of City Development which provides information with regard to the second session of the scrutiny inquiry.</p>	61 - 66
10		<p><b>WORK SCHEDULE</b></p> <p>To consider the Scrutiny Board's work schedule for the 2017/18 municipal year.</p>	67 - 92
11		<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Wednesday 25 October 2017 at 10:30 am</p> <p>(pre-meeting for Board Members at 10:00am)</p> <p><b>THIRD PARTY RECORDING</b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> <li>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</li> <li>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</li> </ul>	

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## SCRUTINY BOARD (INFRASTRUCTURE AND INVESTMENT)

**WEDNESDAY, 19TH JULY, 2017**

**PRESENT:** Councillor P Truswell in the Chair

Councillors N Buckley, C Campbell,  
N Dawson, P Gruen, D Ragan, E Taylor,  
C Towler and P Wadsworth

### **10 Late Items**

The following late information was submitted to the Board:

- Agenda item 7- Executive Board report in relation to Grenfell Tower (17th July).

The supplementary information has been provided to all members of the Scrutiny Board and published on the Council's website.

### **11 Chair's Opening Remarks**

The Board was informed that Grace Ellinor had recently been successful in securing a new post within the Housing Growth team. The Board thanked Grace for all of her support over recent months and wished her the best for the future.

### **12 Declaration of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests declared at the meeting.

### **13 Apologies for Absence**

Apologies for absence were submitted by Cllr A Ogilvie.

### **14 Minutes - 21 June 2017**

**RESOLVED-** That the minutes of the meeting held on 21<sup>st</sup> June 2017 be approved as a correct record.

### **15 Grenfell Towers**

The Head of Governance and Scrutiny Support submitted a report in relation to Grenfell Tower.

Draft minutes to be approved at the meeting  
to be held on Wednesday, 27th September, 2017

The following were in attendance:

- Martin Farrington, Director of City Development
- Tim Hill, Chief Planning Officer
- David Pickles, Head of Service Building Control

The key areas for discussion were:

- Introduction & overview of key issues contained within the recent Executive Board Report concerning Grenfell Tower in relation to the Council's Social Housing portfolio and emergency response.
- Detail in relation to the recent audit undertaken on high-rise buildings within the city to identify use of Aluminium Composite Material (ACM) panels used for cladding.
- The partnership work undertaken with the Fire Service
- Detail surrounding the five high rise buildings in Leeds which have failed fire cladding tests- Sky Plaza, Waterloo Court, Waterside Apartments, Park Plaza hotel and Concept Place.
- Reassurance was sought regarding the resource capacity of the Building Control team and their ability to provide an emergency response at pace if needed.
- Clarity was sought surrounding the role of external Approved Inspectors and the extent to which they are independent from property developers.
- The issue of de-regulation and the perceived need for Government to promptly review the Building Control and tighten regulations in order to ensure robust inspection, clarity and minimise future risk.
- The possibility of Local Authorities becoming the mandatory Building Control regulator for buildings of a significant scale and size in order to ensure both accountability and consistency in future approaches.
- Clarification was sought surrounding the recording process for Building regulation inspection reports both internally and externally. The board was advised that internal records are kept by the Local Authority for 15 years. The Local Authority is not accountable for the records of other independent inspectors.
- The need for Approved Inspectors to be regulated in order to ensure efficiency and best practice.
- Clarity was provided regarding the need to meet regulated safety standards in the production of the individual components that are utilised in the construction of high-rise buildings. The acknowledgement that there is a need for testing when multiple components are used in constructing an element of a building.
- Clarity was sought regarding the definition of 'high-rise' buildings.
- Clarity was sought surrounding current legislation in relation to the implementation of sprinkler systems.

## **RESOLVED-**



- a) The Scrutiny Board recommended that a submission is made to Government to address points around the strengthening of building regulations, who regulates the regulator and if Local Authorities should have the power to regulate all buildings over certain heights.
- b) Noted the information contained within the report to Executive Board on 17<sup>th</sup> July 2017.

## **16 Draft Terms of Reference - Scrutiny Inquiry into Sustainable Development**

The Head of Governance and Scrutiny Support submitted a report which sets out the draft terms of reference for the Scrutiny Board's inquiry into Sustainable Development.

The following were in attendance:

- Tim Hill, Chief Planning Officer
- David Feeney, Head of Strategic Planning

The key areas for discussion were:

- An introduction and overview of definitions surrounding Sustainable development and consideration towards current legislation and challenges facing the planning sector.
- The extent to which having no specific development is more advantageous than allowing poor development within the city.
- Reassurance was sought surrounding the accuracy of housing delivery target figures contained within the Core Strategy.
- The need to ensure that elements of sustainability are factored into discussions and decisions surrounding planning applications more strongly.
- The difficulty for planners to make arguments concerning social sustainability more tangible than those in relation to environmental and economic benefits.
- Clarity was sought regarding the opportunity to introduce Supplementary Planning Documents in relation to Air Quality in order to address air quality diminutions on large sites.

### **RESOLVED-**

- a) That the Terms of Reference for the Board's Inquiry into Sustainable Development be approved.
- b) That the Board notes that the Terms of Reference may include additional information during the inquiry should the Board identify any further scope or request further witnesses or evidence.

## **17 Directors Response - Scrutiny Inquiry 'Advancing Bus Service Provision'**

The Director of City Development and the Director of Transport Services (WYCA) submitted a report which details their response to the recommendations made by the Scrutiny Board (City Development) following the inquiry into Advancing Bus Service Provision.

The following were in attendance:

-Andrew Hall, Head of Transportation

The key areas for discussion were:

- Confirmation that all recommendations made by the Scrutiny Board are accepted.
- The relationship between local bus services and congestion in the city. Clarity was sought surrounding major areas congestion and the potential implementation of practical solutions.
- The need to ensure that the impact of the Bus Inquiry is measured against relevant success criteria.
- The need to ensure that Bus Operator's enhance their responsiveness and accountability in local communities.
- The exploration of powers stated in the recently passed Bus Act to introduce local opportunities, such as Franchising, in order to increase local control of Bus Services.
- Concern was raised surrounding the East Leeds Orbital Road (ELOR) in relation to the enlargement of bus lay-bys.

#### **RESOLVED-**

- a) Noted the response to the recommendations;
- b) Endorsed the approach outlined within the report; and
- c) Identified that progress, impact and outcomes be reported to the Scrutiny Board as part of the recommendation tracking process.
- d) The tracking of Scrutiny Recommendations will be scheduled into the work programme for February 2018. With an earlier report to be scheduled with specific regard to the strategic congestion alleviation plan for Leeds and progress on the ELOR.

## **18 Work Schedule**

The Head of Governance and Scrutiny Support submitted a report which detailed the Scrutiny Board's draft work programme for the current municipal year.

Sandra Pentelow, Principal Scrutiny Adviser was in attendance to respond to members questions.

The draft Scrutiny Board (Infrastructure & Investment) work schedule for 2017/18 was appended to the report.

The key areas of discussion were:

- The structure of the work programme for the remainder of the municipal year and the time framework for the inquiry.

**RESOLVED-** The Scrutiny Board noted the content of the report and agreed the work programme.

## **19 Date and Time of Next Meeting**

The next meeting of the Board will be on Wednesday 27<sup>th</sup> September at 10:30am, with a pre-meeting at 10am.

The meeting concluded at 12:20pm.

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## Report of Head of Governance and Scrutiny Support

### Report to Scrutiny Board (Infrastructure and Investment)

**Date: 27 September 2017**

**Subject: Scrutiny Inquiry – Transport for Leeds – Supertram, NGT and Beyond**

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 the 15th of June 2016, Scrutiny Board (City Development) considered a request for Scrutiny from Cllr Judith Blake, Leader of Leeds City Council. The Leader asked that the Board consider the role of the Council, the West Yorkshire Combined Authority(WYCA)/METRO and the city's public transport operators in relation to the decisions for both New Generation Transport (NGT) and Supertram. It was resolved that this will be undertaken as the Boards main scrutiny inquiry for 2016/17.
- 2 Terms of reference for this inquiry were agreed in September 2016 when the Board expressed that the purpose of the inquiry was to make an assessment of and, where appropriate, make recommendations on the following areas:
  - To identify strengths and weaknesses of the Supertram and NGT schemes, what lessons can be learnt, and how learning can applied to future transport schemes and projects.
  - The developing transport strategy, short, medium and long terms options, maximising beneficial impact, and how options could be financed, planned and delivered.
  - Meeting the needs and aspirations of communities and stakeholders through engagement and involvement in the shaping and delivery of transport schemes and projects.

- 3 The inquiry was conducted over six evidence gathering sessions which took place between 20 July 2016 and March 2017 when we received a range of evidence both written and verbal. A further working group to consider all evidence was undertaken in May 2017. Following the gathering of evidence the appended Scrutiny Inquiry Report has been drafted and is presented to the Scrutiny Board for consideration and agreement.
- 4 Scrutiny Board Procedure Rule 13.2 states that "where a Scrutiny Board is considering making specific recommendations it shall invite advice from the appropriate Director(s) prior to finalising its recommendations. The Director shall consult with the appropriate Executive Member before providing any such advice. The detail of that advice shall be reported to the Scrutiny Board and considered before the Board's recommendations are finalised and published on the Council's website". Although no direct recommendations have been made, lessons to be regarded are defined, therefore the Director of City Development and the Director of Transport Services (WYCA) were invited to provide advice on the draft report. This advice is reflected in the current draft report presented to the Scrutiny Board.
- 5 A further opportunity for the provision of advice from the officers of Leeds City Council and WYCA is available at the meeting on the 27 September 2017 and the Scrutiny Board is recommended to consider this before agreeing its report.
- 6 Once the Board publishes its final report, the appropriate Director(s) will be asked to formally respond to the Scrutiny Board's report within three months.

### **Recommendations**

- 7 The Scrutiny Board (Infrastructure and Investment) is recommended to consider and agree the appended report following its inquiry into Transport for Leeds – Supertram, NGT and Beyond.

### **Background documents**

- 8 None used<sup>1</sup>

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<sup>1</sup> 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.

# **Draft Scrutiny Inquiry Transport for Leeds - Supertram, NGT and Beyond 27 October 2017**

Complete Draft V5



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# Introduction and Scope

## Introduction

- 1 The vision for Leeds 2011 – 2030 states that Leeds will be fair, open and welcoming, with an economy that is prosperous and sustainable; where communities will be successful and people can access high-quality, affordable and reliable public transport.
- 2 Following a decision by the Planning Inspector not to award a transport and works act order (TWAo) to develop a rapid transit system for Leeds a request for scrutiny was submitted by the Leader of Council Cllr Judith Blake. Cllr Blake asked that the Scrutiny Board consider the role of Leeds City Council (LCC), the West Yorkshire Combined Authority (WYCA)/Metro and the city's public transport operators in relation to the decisions for both New Generation Transport (NGT) and Supertram.
- 3 At our meeting on 15 June 2016 we considered a report from the Director of City Development and WYCA which outlined initial background information on the development of the Supertram and NGT projects including an overview of the decisions made by the Council, and the approvals and guidance provided by the Department for Transport (DfT). At this meeting we considered the request for scrutiny and resolved to undertake an inquiry as the main inquiry for 2016/17.
- 4 We expressed a desire to have a clear understanding about the outcomes of both schemes and of what lessons could be learnt. We also stated the intention to identify short, medium and long term options for future transport provision and infrastructure in Leeds, in order to identify how learning would be

applied and to also appreciate which options could be most beneficial for Leeds residents and the wider Leeds economy.

## Scope of the Inquiry

- 5 Terms of reference for this inquiry were agreed at our Board meeting on 7 September 2016, when we concluded that the purpose of the inquiry would be to make an assessment of and, where appropriate, make recommendations on the following areas:
  - To identify strengths and weaknesses of the Supertram and NGT schemes, what lessons can be learnt, and how learning can be applied to future transport schemes and projects.
  - The developing transport strategy, short, medium and long term options, maximising beneficial impact, and how options could be financed, planned and delivered.
  - Meeting the needs and aspirations of communities and stakeholders through engagement and involvement in the shaping and delivery of transport schemes and projects.
- 6 We want to make it very clear that the purpose of the inquiry was not, at any point, to apportion blame or single out any individuals for the failure of the NGT project. The purpose of the inquiry was also not to repeat the comprehensive public inquiry undertaken by the Planning Inspector, or challenge his reported findings. We aimed to consider how the project progressed, whether people acted reasonably at the time and whether there was anything else that



# Introduction and Scope

could have reasonably been done better.

jobs within reach for people, and a wider workforce within reach for employers.<sup>1</sup>

- 7 The inquiry was conducted over six evidence gathering sessions which took place between 20 July 2016 and March 2017 when we received a range of evidence both written and verbal. A further working group to consider all evidence was undertaken in May 2017.
- 8 During our inquiry a number of strategies were in development, these being the West Yorkshire Transport Strategy 2016 – 2036, the West Yorkshire Bus Strategy 2016 – 2036 and more specifically a transport strategy for Leeds.
- 9 This inquiry was supported by a number of organisations. A full list of those who participated is detailed at the end of this report. The information provided was enlightening and valuable, and we would like to thank everyone for their input to this inquiry, particularly the external representatives who provided their time and expertise.

## Council Plan

- 10 The scope of this inquiry fulfils a number of best council objectives and priorities as defined in the Best Council Plan 2017/18. Effective transport provision across the city will contribute to the strategic objectives of connecting people and places, and helping to improve air quality
- 11 The plan sets out an ambition to deliver an improved transport infrastructure that will meet the needs of a growing city. 'Improving connectivity will bring new markets within reach for business, new

## Desired Outcomes, Added Value and Anticipated Service Impact

- 12 Our focus throughout the inquiry was to minimise risk to future schemes and projects by reflecting on the Supertram and NGT schemes.
- 13 Within this report we have highlighted a number of significant areas where challenges and weaknesses have been identified and lessons have been learned. We constantly sought reassurance throughout this inquiry that such learning would be applied in any future transport schemes or any relevant major projects. We consider that residents and visitors expect and deserve a modern, reliable, punctual and affordable transport system which is delivered in a coherent and managed way, support by those with the relevant knowledge, experience and expertise.
- 14 In conducting the Inquiry we reflected on the role and organisational responsibilities of WYCA, Leeds City Council, the Department for Transport and the Planning Inspectorate. The Scrutiny Board aimed to establish the levels of knowledge, expertise and governance in place to provide the necessary support and challenge for the delivery of a rapid transport system. The Board gathered intelligence and were informed through the collective

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<sup>1</sup> Best Council Plan 2017/18: Tackling poverty and reducing inequalities



# Introduction and Scope

knowledge and experience of all those who contributed to the inquiry.

- 15 We acknowledge the significant public interest in the circumstances surrounding the NGT project. In summarising our overall conclusions on this project and the failure to obtain the TWAO, we are mindful that a significant amount of representatives and organisations engaged in this project over the years have had their integrity and competence challenged and questioned. We have heard how many of those involved have acted in good faith based on the information available, agenda of the time and the guidance provided. However, it is our view that the process was unsound from inception to final conclusion, due to a series of unhelpful circumstances and weaknesses, some of which would have been difficult to identify at the time, but have been recognised with the benefit of hindsight and self-reflection. This report highlights a number of areas where lessons have been learned and where due regard can be taken for future schemes.
- 16 The circumstances that brought about the failure of NGT at public inquiry are complex and are not attributable to one organisation.
- 17 Whilst we ultimately conclude that the lack of a rapid transport system in Leeds is not positive, we acknowledge that the approved government funding of £173.5m will enable Leeds to move forward. We could continue to speculate if the City would have ever received this funding had the NGT scheme not been pursued.
- 18 In May 2017 the Scrutiny Board (City Development) published their inquiry report 'Advancing Bus Service Provision'. This inquiry aimed to establish if robust governance, plans, strategies, and high impact operational practices are in place to enhance customer experience, increase bus patronage and provide a network that considers the needs of communities and economic growth. The outcomes of the inquiry highlighted the need for improved bus services and the timely implementation of the West Yorkshire Bus Strategy and the Bus 18 programme. That inquiry fully supports and complements the inquiry into Supertram, NGT and Beyond as it supports the improvement of transport provision in Leeds and West Yorkshire.<sup>2</sup>
- 19 We hope that our overall findings clearly identify areas that require focus and action. It is our intention to monitor the delivery of the stated objectives, aspirations and promises made.
- 20 Ongoing monitoring of the progress of outcomes will be undertaken by the Scrutiny Board (Infrastructure & Investment) or successor board with the authority to discharge scrutiny functions for highways and transportation.

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<sup>2</sup> Advancing Bus Service Provision, Scrutiny Board (City Development) May 2017



# Introduction and Scope

## Equality and Diversity

21 The Equality Improvement Priorities 2016 – 2020 have been developed to ensure that the council meets its legal duties under the Equality Act 2010. The priorities will help the council to identify work and activities that help to reduce disadvantage, discrimination and inequalities of opportunity to achieve its ambition to be the best city in the UK.

22 Equality and diversity issues have been considered throughout this Scrutiny Inquiry. The evidence submitted and the topics debated in this inquiry have highlighted that there are several social groups dependent on public transport as their main mode of transportation.

23 A report commissioned by the Department for Transport<sup>3</sup> looked at the impacts of public transport in general and concluded that there are several social groups who benefit from local public transport interventions. Those who benefit the most are on low incomes, older people, younger people, disabled people and those living in remote and rural areas. The main common denominator with these groups 'being the tendency towards non-car ownership',

24 The lack of a suitable public transport can reinforce significant barriers such as social and economic exclusion. Improvement in the transport infrastructure in Leeds will promote better access to employment and education, and further empowers people to independently partake in social activities, access healthcare and other essential public services.

25 Where a Scrutiny Board has made recommendations and these are agreed, the individual, organisation or group responsible for implementation or delivery should give due regard to equality and diversity, and where appropriate an equality impact assessment should be carried out.

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<sup>3</sup> Valuing the social impacts of public transport, Department for Transport (University of Leeds & Mott MacDonald)



# Conclusions

## Background

- 26 We studied a considerable amount of background information in order to ensure that we fully understood the series of events that has led to the current transport situation in Leeds. With regard to Supertram, it formed a key element of the 1991 Leeds Transport Strategy. The scheme gained parliamentary approval in 1993, with full network approval given in March 2001. Funding approval for Supertram was conditional, however, it allowed for utility diversions, demolition work, advanced highways modification work and a strategic land acquisition programme to commence.
- 27 In August 2005, the DfT commissioned Atkins to examine the potential of a high quality bus alternative to Supertram. The report concluded that a 'Bus Rapid Transit' (BRT) option had the potential to offer a lower cost and value alternative to the Supertram proposals. We were informed that this conclusion was challenged by Metro as it was felt there was a lack of robust evidence that supported the conclusions.
- 28 In November 2005 following the granting of the Transport and Works Act Order, Supertram was cancelled by the DfT on grounds of affordability. We were advised that much of the increased costs related to the project were as a result of the PFI procurement route which had been previously steered by the DfT. The promoters expressed their disappointment at the decision to cancel supertram at that point but were unsuccessful in their requests for the DfT to reconsider this decision.
- 29 The promoters (Metro/WYCA and Leeds City Council) began to develop an alternative scheme in conjunction with the DfT, which became known as 'New Generation Transport' (NGT). The scheme consisted of three routes, to the north, south and east of Leeds, including a loop around the city centre. Electrically powered trolleybuses were proposed to operate on the system.
- 30 Following the submission of the major scheme business case in 2009, the Secretary of State announced in March 2010 that programme entry approval had been granted, but only for the north and south routes. The omission of the eastern route, which was intended to promote regeneration, was later to become an issue at the public inquiry. The approval included in principle £235 million of DfT funding towards the £254 million project.
- 31 On the 10 June 2010, the incoming Coalition Government announced that all major transport schemes were to be reconsidered as part of the wider Comprehensive Spending Review process. As a result, development activity on NGT was paused pending the outcome of the review.
- 32 We were informed that the promoters were required to submit a Best and Final Bid application to the DfT by the autumn of 2011. This included increased costs resulting from inflation during the project pause and thus culminated in a revised scheme cost of £244 million including an increased local contribution of £57.1 million.
- 33 In July 2012, the DfT announced that NGT had been re-awarded programme entry status with a maximum government contribution of £173.5





# Conclusions

million. The funding gap between the £173.5m and the increased estimated scheme cost of £250.6m was reported to Executive Board in October 2012. The Board gave approval to spend £1.2m to progress the scheme to enable the submission of a transport and works act order application.

scheme would be a cost-effective way of meeting that need or was the best way to meet those objectives. The Inspector's findings on cost effectiveness appeared to run counter to previous DfT approvals that had addressed value for money considerations.

- 34 We were informed that a Local Partnerships Gateway Review was held in January 2013 in order to consider the business case for the project and to provide an independent peer assessment of the scheme. The result was mostly positive; however, further work was identified regarding updating documentation, stakeholder engagement, scoping and communicating benefits, outline design and the procurement strategy.
- 35 Subsequently, the transport and works act order and associated applications for NGT were submitted to the Secretary of State for Transport on 19<sup>th</sup> September 2013. Following a public inquiry lasting 72 days in 2014, the DfT announced on the 12 May 2016 that the TWAO had not been granted. However, in an announcement from the DfT it was stated that Leeds would still receive £173.5 million to spend on public transport projects in the city.

- 37 The Secretary of State considered the Inspectors conclusions and balanced the reported likely adverse impacts of the scheme against the benefits, having regard to a number of areas of concern and uncertainty which the Inspector considered had not been adequately resolved on the basis of the evidence submitted to the inquiry. The Secretary of State agreed with the Inspector that the TWAO was not justified and that a compelling case in the public interest has not been made for giving the powers required to implement the scheme.

- 38 In considering these conclusions we wanted to understand if the promoters could have or should have foreseen this outcome and if there was a point when it should have been self-evident that the scheme may not have been appropriate. To identify this we focused on the events leading up to the correspondence dated the 12 May 2016<sup>4</sup> containing the Secretary of State decision not to award the TWAO.

## The Case for NGT

- 36 Documentary evidence presented informed us that, following the public inquiry for NGT, the Inspector concluded that there was a strong need to improve public transport in Leeds to attract a modal shift, including along the NGT scheme corridor much of which was congested during peak times. However, he was not convinced that the NGT

- 39 During this scrutiny inquiry Cllr Andrew Carter, Joint Leader of LCC until May 2010, cautioned that it was being undertaken with the benefit of hindsight. At the time when the government decided not to fund Supertram the question of starting again and looking at the scheme afresh was pursued. The

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<sup>4</sup> Department for Transport letter, Martin Woods 12 May 2016



# Conclusions

advice provided was that this would risk delaying the introduction of a major transport scheme for years. However, any judgement about the approach taken with regard to NGT, if it should have been more ambitious, or if the promoters should have *“risked tearing everything up and starting all over again”* is all with hindsight.

40 When discussing the initial case for NGT we were advised by Cllr Ryk Downes the former chair of WYITA (Metro) that following Supertram he visited parts of Europe to look at alternative transport systems. This included modern trolley buses, light transit systems and tram systems. He added that Metro came to the conclusion that there was scope to get a trolley bus project at half the price of Supertram which would deliver approximately two thirds of the benefits. He thought NGT was a project that had a lot of merit, that would be attractive to passengers and that people would get behind it. It would also have the additional benefit of being able to operate ‘off the wire’ if necessary. He added that in his view at the outset, all the initial work that had been done for NGT showed that it would deliver and be acceptable.

41 We were informed that there was a great deal of deliberation between 2005-2009 regarding the best scheme, which included the reconsideration of a tram system. All of the main radial routes into Leeds were examined and a range of options were considered for each corridor which included bus and rail enhancement, tram train and park and ride. It was concluded that the three former Supertram routes were the most appropriate for NGT. These were the three routes to Bodington, Stourton and St James’ Hospital.

42 It was explained to us that a number of UK cities, such as Sheffield, Nottingham and Newcastle, have brought forward tram systems and in many cases they have been successful in making use of redundant or under-utilised railway lines. Leeds does not have redundant or under-utilised railway lines that are readily available for key transport corridors, therefore solutions were planned mainly on the public highway which brought about issues of sharing space, and which mode of transport would take priority. Consequently the routes for Supertram and NGT were selected to deal with the greatest congestion issues and potential for regeneration. One of these routes being the A660, to Headingley and beyond, which is statistically the most congested route in Leeds. Inherent conflicts arose from that selection which are reflected later in this report.

43 Cllr Andrew Carter advised that there was some scepticism about the A660 route through Headingley, however initially it provided guaranteed passenger numbers because of the student population in the north-west of the city. However as time progressed the concentration of the student population changed with a significant number moving from the Headingley and Weetwood area into purpose built accommodation in the centre of Leeds. We were informed that the Headingley route was not discounted as passenger number predictions still identified that it was viable.

44 Cllr Downes stated that there had been a considerable amount of preliminary work done for Supertram by the promoter which they felt could then be utilised for NGT. He added that if work



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has started again from the beginning, there would have been a need to re-do all the preliminary work at a higher cost.

45 We were further advised that LCC and Metro undertook an evaluation of the future Transport Strategy for Leeds. This culminated with the 2009 report 'Investing in Public Transport – A Framework for Leeds'. This report recommended solutions to each of the main transport corridors dependent on their issues. The solutions included NGT on the busiest and most crowded bus corridors experiencing significant peak delay where there was scope to achieve significant reduction in public transport journey times. The consequence of this is detailed later in this report.

46 We were further advised that another significant barrier for Leeds was that it did not secure a rapid transport system when most other cities were establishing theirs. It was stated that Leeds has some of the worst congestion in the country which still needs addressing. Supertram had the potential to resolve that. However, it was expressed that it was easier for the Government to invest in places like Manchester who already had an existing system which could be expanded it at a cheaper cost.

47 The initial business case was submitted to the DfT in 2007. The representative from DfT advised us that they had subsequent discussions with the promoters about how the scheme was developing and the scope of the scheme through to the submission of the business case in 2009. He stated that 'we were in very close contact with them (the promoters) throughout that time. Probably to an increasing degree of frequency as the business case developed.'

48 WYCA advised us that DfT provided clear advice in response to the initial business case and following that they spent the best part of a year working to ensure that the corridors selected were absolutely right, developing the 2009 business case for submission. This business case was effectively a bid to receive money that was required to deliver the network.

49 At the latter stages of the Scrutiny Inquiry it was specifically acknowledged by WYCA and LCC that decisions taken on the choice of technology and line of route at the early planning stage of a project does fundamentally dictate the development and delivery of a scheme in the later stages. In the context of the ongoing Transport Strategy for Leeds, transport requirements will be explored which may include the development of a rapid transit system in the long term.

## The Removal of the East Route

50 One of the initial objectives of the NGT scheme was to support and facilitate targeted regeneration initiatives and economic growth in the more deprived areas of Leeds. However, in 2009 the DfT advised the removal of the East route, which would have served one of the most deprived areas of the city. At the conclusion of the public inquiry the Inspector then criticised the scheme for having no route that would provide significant regeneration benefits. He said that he "*found little evidence to show that the scheme would serve the areas of Leeds that were most deprived, or improve connectivity between the City Centre and areas of highest unemployment, or improve access to*





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*regeneration areas.*” This again seemed to contradict the decision made by the DfT, that it would not support the funding of the east route, which lead to its removal.

ultimately seriously detrimental to the success of the scheme. The changed perspective about the merits of regeneration at a Government level illustrates this clearly.

51 We highlighted this dichotomy to the representative from the DfT. In response we were informed that DfT advice was given in good faith at the time shortly before the initial business case submission in 2009. At that time they could not predict the nature of objections and what cases would be made by others. It was also stated that the advice was given for the scheme that the DfT thought would provide the best chance of receiving a funding approval based on likely value for money and the funding envelope that DfT were dealing with at the time.

52 Reflecting on these events the Director of City Development advised us that where the government is providing the funding, a business case will be developed which will obtain approval, and the promoters were advised in 2009 that a ‘regeneration-based’ case for the eastern leg of the city would not be supported. As time progressed there was greater recognition of regeneration benefits, in terms of business case appraisal. This was exemplified by the position that the Inspector took in 2014 when his view for securing regeneration benefits through the proposed transport scheme differed and did not concur with the view taken in 2009.

53 We were informed that the programme entry business case submitted in 2009 proceeded based on the DfT advice provided. We consider that the length of time taken to progress the scheme thorough the various stages of decision making was counter- productive and

## Project Pauses

54 Throughout the inquiry we were advised that significant challenges had arisen as a result of NGT project pauses and that throughout the whole process there had been a series of prolonged periods of time where the project was in the hands of Government and the DfT. We were informed that cumulative delays to progress of the project lengthened the development by 5 years, leading to loss of momentum and the necessity to repeat work including environmental surveys, modelling and consultation. We were also advised that the delays significantly increased the development costs. The time line example presented at the inquiry is detailed in appendix 1.

55 Following the award of programme entry in 2010, there was a change in Government. The new Coalition Government paused approximately 50-60 projects across the whole country. In a period of recession when the Government were reviewing the economic situation of the country more broadly, which included significant cuts in capital and public expenditure, we understood the rationale for this. This delay lasted until March 2012.

56 In considering whether the decision to progress the NGT project in 2012 was the right decision we also considered the level of local and national support for the scheme up to that point. We acknowledged that programme entry approvals were granted by firstly the



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Labour Government and subsequently by the Conservative/Liberal Democrat Coalition. The development of NGT was overseen by 8 Secretaries of State for Transport. Locally, both the Conservative and Liberal Democrat Coalition and the Labour administration approved its progress through the Executive Board in 2008, 2009, 2010, 2011 and 2012 (later also in 2013 and at Full Council in 2013). It was also initially supported by Team Leeds (the Leeds MPs), however we acknowledge that in some cases local MPs changed their position from supporter to objector later in the project's development.

57 We also considered the statement by Secretary of State for Transport, Justine Greening made on the 5<sup>th</sup> of July 2012. *"Leeds will have new state-of-the-art trolleybuses that will be faster, more reliable and greener than their predecessors. They will make public transport in Leeds more accessible and attractive than ever before and I know trolleybuses will be transformational for growth and jobs in West Yorkshire. Investment on this scale in precisely this kind of infrastructure is a recognition of how crucial Leeds and Yorkshire are to the long-term success of the British economy. It is also a great example of what this coalition government and West Yorkshire partners can achieve when we knuckle down together and stick at finding a real solution to today's challenges."*

58 We were informed that during the extended project period local funding rules were changed which resulted in a revised offer of £173.5m funding from Government toward the scheme cost of £250.6m meaning that a much greater local contribution was required. The intention was to fund the gap with NGT

revenue income, reinvesting profits to pay off borrowing. It was clarified to us that the government had removed funding for a number of schemes so when the revised offer was made the promoters were eager to move forward with the scheme. The Director of City Development explained that *"ultimately you are left in a position where you have to decide whether to progress the scheme when the city is due to be given £173.5 million, when it has already spent a lot of money developing it for 7 years. That is a big call to say to the Government let's not do it and risk the funding not being secured for Leeds."*

59 The risk to funding was reinforced in a letter from Minister of State Baroness Kramer in October 2013 to one of the Leeds MP's that stated "If Metro was to decide to withdraw the scheme and promote an alternative it would need to bid for new funding from the Local Growth Fund - the approved funding available for the NGT scheme would not automatically be available to them."<sup>5</sup>

60 Considering the range of evidence presented we had been concerned that there may have been pressure or a perceived need by the promoters to keep the NGT project alive without foundation or merit. Given the level of political support at that time and recognising the drive to secure funding for the City supported by the DfT, we understand why the decision to continue with NGT was made in 2012 as was not withdrawn.

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<sup>5</sup> Department of Transport, Letter from Baroness Kramer 31 October 2013.



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## Technology and Transport Options

61 It was suggested at the inquiry that the choice of technology was made without serious consideration of the alternatives. We questioned how much attention had been paid to alternative technologies during initiation and through the initial stages of the NGT project. We were advised that advancements in bus technology throughout the world were monitored and alternatives to NGT were considered as part of the business case in 2009 and again in 2012.

62 As part of the business case for NGT two alternative options were assessed as comparators in accordance with DfT guidance;

- Next Best Alternative – hybrid buses following the same route and priority characteristics as NGT
- Low Cost Alternative standard buses along the same corridors as NGT with more limited highway improvements.

We were advised that at that time the DfT agreed with the promoter's assessment that cheaper bus-based alternative did not deliver sufficient benefits and offered lower value for money.

63 We were also advised that in line with the DfT guidance the alternatives were not developed to the same level of detail as the preferred option and that the comparison detail was deemed to be sufficient to conclude that NGT would offer the best value for money of the options considered.

64 It was clarified that the technology and the route was established in 2009. Due to project pauses the public inquiry did not take place until 5 years later. It was felt that this lapse of time had further detrimental impact on the project particularly with regard to arguments about alternative technology. With regard to the Inspector's views, "*The Inspector considered that the applicants had not properly taken into account evidence that other forms of technology were progressing, while trolley vehicle technology had not been widely adopted in recent years*" It was also stated that "*The Secretary of State shares the Inspector's concerns that the various assessments of alternative options in terms of modes and technology have not convincingly demonstrated that the applicants' proposals represent the most appropriate means of meeting the objectives set for the scheme. While recognising that no detailed alternative set of proposals has been put forward, like the Inspector he considers that with the latest advances in bus propulsion technology many of the environmental and performance benefits claimed for the NGT scheme could be achieved by measures which involved less environmental harm and at lower cost*".<sup>6</sup>

65 Given the conclusion of the Inspector we sought clarification regarding the potential to amend, change or update the NGT business case and asked if at any point between 2009 and 2012 it would it have been possible to update or adapt the project to reflect changes in technology and position both locally and nationally. We were advised that there was a lack of flexibility to change or

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<sup>6</sup> Department for Transport letter, Martin Woods 12 May 2016



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adapt the scheme. We were also informed that surprisingly during this time technology had not progressed substantially, it was considered that electric bus technology was not yet proven technology for the numbers of passengers forecast and the length of route, or reliable over the lifetime they need to last, plus far too expensive.

- 66 As stated in paragraph 49 it has been acknowledged that decisions taken on the choice of technology and line of route at the early planning stage of a project have a fundamental impact on scheme delivery in the latter stages. We do however consider that there seems to be a significant difference in the assessment detail of alternative options needed to meet the requirements of the DfT and for the public inquiry. This would need to be prepared for and addressed by the promoter should a TWAO be sought for a future scheme.

## Assurance, Independent Scrutiny and Preparation for Public Inquiry

- 67 Following consideration of the impact of the project pauses we were advised that during this extended time the DfT had taken many months to interrogate and 'scrutinise' business case information in detail until programme entry approval was confirmed. The business case was included in the TWAO submission.
- 68 We noted that the Inspector raised concerns regarding the details and conclusions of the business case previously approved by the DfT. We were advised that the reviews

undertaken by DfT were not light-touch reviews and that some confidence had been gained by the promoters because of this. We were advised that for the 2012 approval the DfT held at least 16 technical meetings with the promoters.

- 69 In a report from WYCA and the Director of City Development it was stated that there appeared to be a disconnect between the Inspector and the DfT on the assessment of scheme benefits. This is despite the extensive technical rigour and scrutiny that had been applied by DfT and others through the course of the scheme's development.
- 70 We appreciated that the DfT supported and approved the NGT project at its various initial stages, and that a great deal of time, effort and expense was invested in this process, until programme entry was confirmed. We sought to clarify the remit and function of DfT and the Planning Inspector in order to understand if the promoters had been too reliant on initial DfT advice to provide sufficient focus on satisfying the requirements of the TWAO process. We also wanted to understand the dynamics and relationship between two areas of the DfT, the first dealing with local transport funding, growth and delivery, the second being the Transport and Works Act Orders unit; in particular if there is a process in place which supports the progression of a scheme from one area to the next.
- 71 The letter from Martin Woods, relaying the Secretary of State's decision, identified that *"In coming to his decision on this application the Secretary of State has, like the Inspector, considered whether in the light of all the evidence, the public benefits of the NGT scheme would outweigh the harm that it would*





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*be likely to cause so as to justify making the TWA Order and giving the planning direction, in doing so he has taken into account, among other things, the decision of the Department for Transport ("DfT") on 19 July 2012 to confirm Programme Entry funding approval for the NGT scheme." This goes on to say that the Secretary of State "notes, however, that the decision to allocate funding for the scheme was based specifically on an assessment of the value for money, affordability and deliverability of the scheme and did not involve consideration of its wider planning merits. The funding decision was, furthermore, conditional on any necessary statutory powers for the scheme being obtained and was made without prejudice to this decision whether to authorise the scheme for planning purpose."*<sup>7</sup>

72 We further note that this was clarified in the letter from the DfT regarding programme entry which stated that *"this decision is given solely in respect of the appraisal case for this scheme and is entirely without prejudice to any view that the Secretary of State, or other Ministers, may take on any future application for statutory powers or in accordance with any other functions."*<sup>8</sup>

73 We asked the lead official from the DfT, dealing with the NGT project from 2007 until 2012, to provide some clarity about what seemed to be two very separate processes, to help us establish if these had in some way become conflated by the promoter. We were advised that the two processes are entirely separate from each other. The TWAO process is a quasi-judicial decision that ministers

make akin to a planning decision. For that reason, the TWAO unit in the DfT receives the Inspector's report and will make recommendations to ministers entirely separate from the team which deals with the funding approval decision earlier in the process. *"It's a different decision, made by different people with different considerations."*

74 We were advised that the TWAO process requires an unbiased approach to balance the input of supporters, promoters and objectors to a scheme. For that reason, the Planning Inspector and the team that subsequently deals with the planning Inspector's report have to be even handed. They cannot have prior discussions with those that are outside the public inquiry process as that might be seen to prejudice the decision.

75 We sought to establish if the responsibility to meet the requirements of each stage of government approval is wholly that of the promoters, or is there a need for some discussion at Government level to establish if more robust guidance and support is required from DfT to help promoters prepare for public inquiry.

76 The DfT representative advised that the Inspector, as an independent person, will gather evidence and make recommendations. He added that it would be impossible for DfT to try and predict the nature of individual objections before the TWAO stage. It should not be a foregone conclusion that both decisions (DfT and Planning Inspector) would be the same, as these are independent of one another.

77 We asked if he was aware of any other examples where there have been major

<sup>7</sup> Department for Transport letter, Martin Woods 12 May 2016.

<sup>8</sup> Letter from Bob Collins regarding LEEDS NEW GENERATION TRANSPORT: PROGRAMME ENTRY, 23 March 2010.



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schemes that have gone through various stages of DfT approval but which have fallen at the public inquiry stage. We were advised that it is rare and that most TWAO's are successful. In his 10 plus years of dealing with major schemes it is very rare for a scheme with funding approval not to proceed past public inquiry, but it is inevitable that that it might happen.

78 We asked the DfT representative if there are any lessons that have been learnt in terms of helping promoters to make the best business case that will also provide the best chance of being successful through the TWAO process. In response he advised that the DfT can and should be honest and open with promoters about the uncertainties. However that would not necessarily comprehensively prepare a scheme for the statutory TWAO processes because there will be areas included in that which the DfT have not considered.

79 Following this debate, representatives from Leeds City Council and WYCA advised that they were clear that there were two distinct processes. It was their view the public inquiry would be concerned with the environment and its impact on local people. They stated that they were surprised about how much the inquiry focussed on the finer detail of the business case and it was their view that the TWAO process "jumped fence" into the previous DfT processes. We note however that the guidance on the procedures for obtaining orders under the Transport and Works Act 1992, produced by the Department for Transport June 2006 is clear in the general principals to be considered, which includes the financial and economic issues including the

applicant's prospects of funding the planning and construction, and therefore there was some inevitability that the Inspector could focus on areas previously considered by DfT particularly if brought to his attention by those in opposition to the scheme.

80 We sought to identify the quality of preparation and the level of comparative information acquired for TWAO submission and public inquiry. We were advised that the promoters consulted widely and sought guidance from parliamentary advisers BDB in order to develop the evidence for the public inquiry. The promoters had also spoke to the promoters of the Nottingham tram scheme, Cambridge guided bus scheme, Bristol Bus RTS, Manchester and Birmingham, to take on board their 'lessons learned' from going through the TWAO processes. This led to what was believed to be a thorough and comprehensive TWAO submission in September 2013. It was stated that the submission was thought to be the most comprehensive set of documents seen for a TWAO of this scale in the country.

81 It was stated to us that the public inquiry was much longer for NGT in comparison to others that had been conducted elsewhere in the country, lasting 3 times longer than the inspector had originally allowed for the inquiry. The Public Inquiry started in April 2014 and the original inquiry programme published by the Inspector showed it lasting 8 weeks (40 days), concluding on June 27th 2014. It lasted for 72 days finishing on 31st October 2014. It was felt that this demonstrated the length and the intensity of questioning which was far greater than what would usually be



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expected for that type of inquiry. It was acknowledged that the promoters were caught unaware as to the extent to which the Inspector would wish to interrogate the evidence.

82 During the scrutiny inquiry Cllr Andrew Carter advised us that in his opinion the retirement of the Director General of Metro in 2014, a matter of months before the opening of the public inquiry was considered to be a major mistake, as the one person above all who had the technical knowledge and knew the history of Supertram and NGT. He stated that this ultimately proved to put the officers of WYCA and of Leeds City Council in a highly invidious position.

83 Reflecting on the evidence and debate during our inquiry we were advised by LCC and WYCA that they would be entering into detailed dialogue with the DfT to identify how the approval and TWAO process can be improved in the event of future schemes.

84 In a report from WYCA and the Director of City Development it was stated the business case review process undertaken by DfT failed to highlight the weaknesses in the scheme identified by the Inspector. Having already explored where the responsibility lies to identify and address scheme viability and weakness, we sought to understand if this should have or could have been identified by the promoter and mitigated at an early stage in the scheme's development.

85 During the inquiry contributing external representatives asserted that it should have been clear at a very early stage that the scheme was not going to work, particularly in the A660 corridor. They

also asserted that there had been a reliance on unjustified assumptions and that weakness could have been identified with independent scrutiny and challenge. One representative perceived that the reliance on DfT to identify any weaknesses was a costly mistake and it was suggested that the viability and robustness of any major transport scheme should be externally challenged and verified so that promoters are not "marking their own homework".

86 We understand from the DfT letter dated 19 July 2012 that the promoters were requested to undertake a stage 1 gateway review. We sought clarity about the primary purpose of the stage 1 gateway review conducted in January 2013. We also sought to establish the independence of the review and if it's primary purpose was to examine scheme progress rather than to test the appropriateness of the scheme itself.

87 We have established that The Office of Government Commerce (OGC) gateway process is utilised in central government, the health sector, local government and defence. It is also applicable to a wide range of programmes and projects from organisational change; acquisitions; property/construction developments, and IT-enabled business change to large procurement projects.<sup>9</sup> The process examines programmes and projects at key decision points in their lifecycle; looking ahead to provide assurance that they can progress successfully to the next stage. Each of the five stages in the process *"delivers a 'peer review' in which independent practitioners from outside the programme/project use their experience*

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<sup>9</sup> Association for Project Management – April 2016



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*and expertise to examine the progress and likelihood of successful delivery of the programme or project.”<sup>10</sup> We therefore recognise the independence of the gateway review process.*

88 In establishing the purpose of the stage 1 review it was evident that this was to confirm the robustness of the business case and not to consider the schemes overall feasibility or potential to succeed. However, it has been verified that preceding the stage 1 review an independent stage 0 gateway review was undertaken in 2007 which provided an initial strategic assessment of the rapid transit proposals. Subsequent action was taken by the promoters following the reporting of recommendations by the review team at both stages.

89 External representatives suggested that an independent individual should be embedded into the system who should have the right and duty to present challenge and ask the difficult questions as part of the process. We do understand why the promoters would actively undertake and be confident in the widely utilised and endorsed gateway review process, however we also have concerns about infrequency of independent review during which time support for the scheme changed and the level of opposition to the scheme increased.

90 We were assured by Chris Longley, as member of the recently established transport expert advisory panel<sup>11</sup>, that he would raise the matter of independent scrutiny and how this could

potentially form part of the assurance process for future transport schemes.

## Consultation, Engagement and Opposition

91 The Transport and Works Act Guide to Procedures<sup>12</sup> provides specific advice with regard to consultation, pertinent to this inquiry which is as follows:

*“before embarking on the statutory pre-application procedures, all prospective applicants are advised to consult thoroughly on their proposals with relevant statutory authorities, with statutory utilities whose services may be affected, and with all other persons likely to be affected by the proposals. “*

92 The guide also goes on to say that *“The larger the project is, the more critical it is to engage properly with such authorities and affected persons. Experience has shown that it can be easy for applicants to under-estimate the amount of opposition engendered by TWA projects, especially those involving linear works through residential areas and/or town or city centres. Engaging in a constructive dialogue during the formative stages of a project, and being seen to be listening to objections, can often significantly reduce the size and strength of opposition. (Very often, objections are made to a TWA order, which are later withdrawn, simply because the objector has not had a clear understanding of what the project*

<sup>10</sup> OGC Gateway Review for Programmes & Projects - [http://webarchive.nationalarchives.gov.uk/20100609094113/http://www.ogc.gov.uk/what\\_is\\_ogc\\_gateway\\_review.asp](http://webarchive.nationalarchives.gov.uk/20100609094113/http://www.ogc.gov.uk/what_is_ogc_gateway_review.asp)

<sup>11</sup> See para 119

<sup>12</sup> A TWA Guide to Procedures, Guidance on the procedures for obtaining orders under the Transport and Works Act 1992, relating to transport systems, inland waterways and works interfering with rights of navigation, Department for Transport June 2006





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*entails; and this can often include statutory bodies and public utilities as well as private individuals.) Even where consultations fail to satisfy some objectors, as is always likely to be the case where private interests are adversely affected, the applicant will at least be better informed about the nature of the objections and therefore better placed to respond to them later (for example, at a public inquiry).*

93 *Failure to carry out adequate consultations or to take into account issues or concerns raised increases the risk of the TWA application not succeeding. At the very least, inadequate consultation is likely to result in a greater number of objections and hence a more drawn out process before the application is determined. Experience suggests that if meaningful discussions with concerned parties (including statutory undertakers) are left until after an application has been made, this can lead to requests to the Secretary of State to delay progressing the case until negotiations have been concluded; or result in a public inquiry being held where it might have been avoided; or lead to the inquiry taking an unnecessarily long time. It is therefore likely to be counter-productive to take forward a TWA application without first having undertaken an extensive consultative process."*

94 In this knowledge we consider the aspect of community engagement and consultation of particular significance, particularly as some critical objector concerns were not resolved in sufficient time preceding the public inquiry. We consider that the platform provided at the public inquiry for those who may have felt ignored or dissatisfied

contributed to the extended length of the inquiry. We were also advised that the promoters continued negotiations with objectors, particularly local businesses during the public inquiry which diverted resources away from the inquiry itself.

95 We were advised that during the project pause in the schemes development, which commenced in June 2010, there was minimal continuous communications activity. As a result the schemes profile in the city reduced. This lack of promoter-led communications led to communication from those objecting to the scheme taking precedence. We were informed that activity was reduced based on the advice of DfT<sup>13</sup> who strongly advised local authorities to 'consider carefully whether investing further time and resources in developing [such] schemes ahead of the Spending Review is justified'.

96 As part of the scrutiny inquiry process we sought input from external representatives who provided their opinions and expertise to the public inquiry. We asked them for their views relating to local community engagement and consultation and how this could be improved in the future. In response they advised us that the promoters relied on the positive results of a consultation exercise which had been conducted several years earlier on the general proposal for a rapid transit network. When residents and small businesses along the route learned about the actual proposal they were unconvinced that the benefits claimed for it would outweigh the negative impacts on the local communities and townscape, that the proposed scheme would not reflect their

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<sup>13</sup> Letter 10 June 2010.



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needs and aspirations and tended to work against them.

97 The experience of the Federation of Small Businesses was that there was a lack of positive engagement until the federation prompted it with the businesses located along the A660. They found that a very limited amount of information regarding the NGT was given to them and that in most of the consultation with businesses appeared to have been conducted with larger national firms that were not actually based along the route.

98 There was a view that effort was focussed on publicising the benefits of the scheme rather than on genuine consultation therefore local people and businesses were dismayed to learn that, although they were being invited to comment on detailed aspects of the proposal, the main features of the scheme were to be taken as given. Reflecting on this it was acknowledged by WYCA and LCC that (although the staffing available for consultation on NGT was higher than for other comparable transport schemes) greater specialised resource and expertise in engagement and consultation at an earlier stage would have been beneficial.

99 Another critical view was that the promoters did not adequately try to understand or to combat/satisfy objections. A lot of the objectors were extremely experienced in transport matters concerning different modes of transport and there was concern that the public inquiry started with people still actively presenting very reasoned objections that had not been adequately dealt with.

100 A particular difficulty was created during consultation in the later stages as the scheme was based upon a form of technology and a line of route that was established in 2009 and fixed into a DfT government approval process. The amount of flexibility that the promoters had to respond to some fundamental issues of opposition to the scheme was constrained by those parameters.

101 It was broadly acknowledged that genuine public consultation is not always easy or straight forward and can be hindered by communication difficulties. External representatives suggested to us that not all members of the general public will immediately interpret and understand the impact of the arguments put forward by policy analysts and technical experts in the early stages of a scheme. Therefore, the views and opinions of the public may not become clear until proposals are considered further, and the impacts are known, which could be later in the process. We consider that this underpins the importance of continuous and ongoing dialogue from an early stage. We were advised that with major transport schemes it is unlikely that unanimous support will ever be gained.

102 With the assistance of those providing an input to the inquiry we identified that there is a need for improved community engagement, which should be open, honest and transparent, which involves communities in setting the hierarchy of transport priorities particularly where these are competing. There is a need for engagement surveys with open-ended questions to allow all potential alternatives to be explored. There was also a recognition of the danger of



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consultation becoming conflated with community engagement and the need to gather the opinions of residents in addition to their support. We also recognised the clear importance for communities to be appropriately consulted with and engaged early in the initial stages of any future projects and for that engagement to be maintained. Effort to generate support and influence opinions of the public, business community, government or councillors in favour of the scheme can begin when there is security that the scheme is the most appropriate for the City and the communities on which it will have an impact.

## Lessons Leaned

103 With regard to lessons learned for future schemes it was acknowledged by WYCA and LCC that there is a need to ensure that there are sufficient resource to deal with the technical issues raised by objectors, and to ensure appropriate and ongoing engagement at senior levels to make certain that issues are resolved at the earliest stage in the project's development.

104 In addition it was also recognised that there is a need to ensure adequate resources both in skill set and quantity to deliver effective consultation and engagement and the need to invest in both marketing and communications expertise. Communication and engagement should also continue even in times of reduced scheme activity to maintain scheme profile. The need for an improved Social media response was discussed and how all forms of social media should be utilised to promote engagement in any future schemes.

105 In preparation for future public inquiries it was recognised that accurate and comprehensive records are kept of all consultation, and that the detail and scale of opposition should be assessed to ensure that the witnesses are fully prepared and supported to meet the challenge of public inquiry.

106 With regard to the NGT public inquiry we were informed that several key businesses and organisations were detailed in the public inquiry papers and wrote letters of support for NGT to the Secretary of State, however none appeared at the Public Inquiry. It was recognised that ongoing engagement should also be maintained with prominent supporters for future schemes to secure their support in speaking in favour of a scheme at any future public inquiry.

## **The A660 and First Group.**

107 We were advised that despite the mitigation measures developed by the promoters the scale of challenge at public inquiry had been underestimated. There was a particular swell of well organised opposition to the A660 route, which was and remains to this day one of the most congested arterial routes into the City, despite the demographic shift of students into the centre of Leeds. One of the criticisms presented by an external representative was that the inclusion of the A660 corridor was driven by a desire to control a system which might generate revenues to the promoter and therefore generate conflict with bus operators servicing that route. It was also stated that this route was selected due to the desire to make use



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of the design work done for Supertram. It was acknowledged however that congestion presented a rational reason for the promoters bringing forward with that route.

108 Challenge at public inquiry was supported by First Group whose revenues from the A660 services were likely to be impacted on by NGT. We were informed that the high profile legal presence from First Group resulted in intensive cross examination which raised doubt about the modelling and business case information previously provided by the promoters to the DfT. There was a question as to whether all witnesses were adequately prepared for the extent and nature of the intense, lengthy and sustained cross-examination.

109 We understood that the Inspector's view was *'that the applicants had not fully examined whether there were more suitable corridors for a rapid transit system to meet the scheme's objectives. Also stating that he was unconvinced that the A660 corridor was particularly suitable for articulated vehicles.'* He also concluded that *"since the scheme would abstract patronage from existing buses it would compromise the commercial sustainability and efficient use of the existing network of services. The Inspector also considered that, if implemented, the alternative proposals advanced at the inquiry by First West Yorkshire would introduce modern hybrid buses which, combined with improved bus stops, signal prioritisation and segregated bus lanes, could offer a noticeable improvement in the quality of public transport and greater flexibility than the proposed NGT scheme, at lower cost and less environmental harm.*

*He noted further that, as an interim solution, existing bus services could be improved with a quality partnership scheme.'*<sup>14</sup>

110 We sought to clarify if any other transport public inquiries had sustained opposition from bus operators, to this extent. We were advised that as many other tram schemes are built around existing underused rail way infrastructure, they did not present the same direct competition. Representatives from WYCA and LCC concluded that had the scheme just consisted of the south line there probably would not have been the same level of opposition from First Group because it would not have impacted on their business in the same way as the A660 route.

111 Reflecting on lessons learned for potential future schemes from this element of the public inquiry, we were advised that full consideration should be given to the potential impact on other transport operators and the potential conflict this may give rise to in the delivery of the scheme. In this regard consideration would also need to be made regarding the potential for successful delivery when selecting corridors, in addition to levels of congestion.

112 We asked both Cllr Carter and Cllr Downes if, in their view, the NGT scheme was capable of being modified to the extent that it would have got through the inquiry. We were advised that in considering the opposition raised relating to environmental impacts, overhead cables, impact on business, plus other considerations, that it was likely

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<sup>14</sup> Department for Transport letter, Martin Woods 12 May 2016.





# Conclusions

that nothing would have assuaged the Inspector's concerns.

113 The involvement of First Group and the submission of alternative proposals at the public inquiry generated strong views during the scrutiny inquiry. Cllr Andrew Carter expressed the view that it was *"a great pity that First Bus can't put the energy into providing bus services that they've put into scuppering Supertram and NGT"*. Both he and Cllr Downes reflected on the promise of buses improvement in 2005, stating their view that the major bus investment required could have been delivered over the past 12 years but has not. They expressed their concern that promises will still not be delivered and their dissatisfaction at the way that buses operate within Leeds and West Yorkshire.

114 With regard to our scrutiny inquiry into Advancing Bus Service Provision<sup>15</sup> we explored the powers due to be provided by the newly introduced Bus Services Act. This sets out three areas of improvement. Firstly, a simpler route to bus franchising for those authorities which are a mayoral devolved organisation. Secondly improved partnership working with the bus operators and thirdly the improved data transfer and 'open data' approaches to enable customers to gather the information that they need for bus travel.

115 Whilst the new act supports the development and creation of new and existing partnerships schemes this requires the full support of bus operators to be effective. The Scrutiny Board was unanimous in its belief that bus franchising decisions should be made

locally, to drive improvement in bus provision. There was also unanimity in the view that all Combined Authorities (mayoral or non-mayoral) should have the option, if they wish, to be a franchising authority. We were disappointed that franchising powers under the Bus Services Act will currently be limited for West Yorkshire without Secretary of State intervention.

116 Recognising the need to improve bus services in Leeds we stated our objective to monitor the performance of the established partnership arrangements to determine if the objectives and vision of the Bus Strategy, Bus 18 programme and Leeds Transport Strategy are being delivered. It was considered prudent to fully explore all the options and requirements under the Bus Services Act for the implementation of franchising arrangements in West Yorkshire. This view was reinforced during this scrutiny inquiry. (Transport for Leeds - Supertram, NGT and Beyond.)

## Transport Strategy and the Leeds Transport Conversation.

117 During the course of our inquiry WYCA was actively developing the West Yorkshire Transport Strategy and West Yorkshire Bus Strategy. This outlined the areas that require development in order to deliver a transport infrastructure that supports economic growth, and supports broader environmental and social goals.

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<sup>15</sup> Scrutiny Board (City Development) 17 May 2017



# Conclusions

118 At our meeting on the 15 February 2017 we considered the Transport Strategy for Leeds. This has been developed to align with the West Yorkshire Transport and Bus Strategies.<sup>16</sup>

The strategy outlines the planned investment of £270m for transport in Leeds,<sup>17</sup> comprising of short, medium and long-term projects. This includes the investment of £173.5m Government funding contribution for Leeds. Efforts to secure this contribution through the preparation of a strategic outline business case for transport were being undertaken during the course of our inquiry. This was subsequently approved on the 21<sup>st</sup> of April 2017 when it was made clear by the DfT that any plans to develop a future mass transit system, is outside the scope of the funding contribution, which is only for projects that can be substantially delivered by 2020/21.

119 We were advised that an independent panel of experts was being set up following the Leeds Transport Summit held on 10th June 2016. We sought clarity about the purpose and membership of the panel and were informed that the experts are national figures in the transport arena, and are well known and respected people that have a history of working in the transport field. The purpose of the panel is to support the shaping of the transport strategy moving forward. Chris Longley who made a valuable contribution to this inquiry is a member of that independent panel.

120 We sought to establish if the DfT would impose any conditions on how the

£173.5m could be invested. We were advised that this would be likely. We were also informed that any major individual scheme decision involving funding of £50m or over would most certainly require the approval of DfT. In addition any proposals for new rail stations would also need to be discussed with DfT. We were advised that on securing this funding it would potentially be utilised to support a series of proposals for schemes of less than £50m in value, when WYCA and Leeds City Council would use their assurance frameworks to ensure the money is spent appropriately. A decision would need to be made regarding whether existing highway powers, relationships with bus operators are utilised. It was stated that the ability to carry out joint investment on a regional basis has improved due to the city deal agreed in 2013 which established the West Yorkshire plus transport fund, administered by WYCA. We recognise that whilst there may be greater flexibilities with regard to funding, any major scheme may still require the approval of a TWAO. This reinforces the importance of taking due regard of the NGT Inspector's comments for future schemes that are likely to require a public inquiry.

121 It was widely recognised by most individuals contributing to the scrutiny inquiry that any further transport proposals should fully support improvements to the Leeds city region economy and the local Leeds economy. Regard of Leeds City Council local growth and infrastructure plans should also be a key consideration. The benefits that future transport improvements would bring to communities and individuals residing in

<sup>16</sup> Transport Conversation update and Leeds Public Transport Investment Programme, December 2016

<sup>17</sup> <http://democracy.leeds.gov.uk/documents/s152792/Transport%20Report%20Appendix%20A%20061216.pdf>



# Conclusions

those communities should be articulated so that people can understand the potential desired impact a scheme could bring.

122 We were advised that over the long term there will be a city wide transport 'conversation' that will help determine and shape the form of future transport provision, whether it will be a series of small schemes or a large scheme. During our inquiry the conversation approach was open to initial consultation in order to gather the views of the public on transport, issues in their local area and potential solutions. Conversations were also being held with Community Committees. Aecom, was employed to support the independent assessment of the 8,200 responses to the consultation questionnaires. We were informed that the outcomes from the initial consultation would be utilised to identify the priorities of the strategic outline case to secure the £173.5m funding.

123 Based on our previous finding regarding consultation and engagement for the NGT scheme we commented that the type of questions used in the questionnaire were considered to be quite closed. We were advised that the questionnaire was checked by experts at the University, however there was a very short window of opportunity to draft a questionnaire. We were reassured that the 'conversation' would continue with the city into 2017 to develop the strategy for investment further particularly with regard to the long term 20-25 year vision for the city.

124 We also sought external representative views about the current strategic approach including the ongoing

'conversation'. We were advised that the procedure put in place was considered to be generally right, with a wider conversation and the use of an expert panel to advise on the way forward. However, it is important that the expert panel is provided with sufficient meaningful information in order to give advice and comment.

125 We were informed the existence of communication difficulties during consultation and engagement must be recognised. In addition there is also a need to explore trade-offs between competing aspirations as different people and communities will place value of different types on transport provision.

126 We were advised that Leeds City Council and WYCA need to be open and transparent and "*learn to listen to the things they don't want to hear as well as the things that they do,*" hearing what people are saying individually and collectively. In addition, promoters should be mindful that the views of the public may arise at different stages of scheme development, as the public grow to understand the impact that any scheme would have on them and their communities. As previously stated, this highlights the need for continuous engagement and the potential requirement for additional consultation at key stages.

127 We were also advised by external representatives that the decision to pursue a particular scheme should only be made after serious consideration of the alternatives, and politicians should not commit themselves firmly to a particular scheme before it has been subject to a rigorous analysis.



# Conclusions

128 As we concluded the inquiry we were advised by LCC and WYCA representatives that many of the lessons learned and discussed during the Scrutiny Inquiry would be addressed as the transport strategy develops and moves forward, which we acknowledge.

129 Given our findings and conclusions regarding the extent of consultation and engagement undertaken for NGT we will be paying particular attention to the scope and continuation of the 'Leeds Conversation' to ensure that adequate consultation is undertaken with communities at opportunities when fundamental concerns can be expressed and schemes can be reviewed and changed.

130 Whilst finalising the inquiry into Advancing Bus Service Provision the Scrutiny Board stated its intention to maintain a watching brief over the bus element of the evolving Transport Strategy for Leeds. In light of the findings of this inquiry we feel it appropriate to expand this brief to maintain a watching brief on the investment and delivery of priorities specified in the whole Transport Strategy for Leeds paying particular regard to transport investment committed and the outcomes and impact being achieved.





# Evidence

## Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

## Reports and Publications Submitted/Considered

- Report of Director of City Development and WYCA, Inquiry into the Development of NGT , 20<sup>th</sup> July 2016
- Letter from Council Leaders to Secretary of State for Transport 16th September 2005
- Leeds Supertram decision letter, 03 September 2005
- Local Partnerships, Gateway Report 05 February 2013
- Department for Transport Rejection letter, Martin Woods 12 May 2016
- NGT Project Timeline, 20<sup>th</sup> July 2016
- Table of expenditure year by year, 20<sup>th</sup> July 2016
- Summary of key points from Inspector's Report, 20<sup>th</sup> July 2016
- NGT Project Board Members, 20<sup>th</sup> July 2016
- Report of the Director of City Development & WYCA, Inquiry into the Development of NGT, 7 September 2016
- Presentation – Supertram and NGT, 7<sup>th</sup> September 2016
- Atkins Report: Study of High Quality Buses in Leeds, Final Report 15 Nov 2005
- Response from Metro on the draft Atkins Report, 07 October 2005
- Transport in Leeds, Consultation Questionnaire, 7 September 2016
- Gateway Review- Actions Undertaken, 7 September 2016
- Background to the Economic Impacts Assessment, 7 September 2016
- SDG Report NGT Wider Economic Impacts, January 2014
- Extract from the Letter of 12<sup>th</sup> May 2016 from the DfT TWA Orders Unit with added commentary, 7 September 2016
- NGT, Sub – mode options investigations report, Metro, January 2014
- Email from Project Director to DfT detailing the Off- Wire Proposals, 9<sup>th</sup> March 2016
- Report of the Director of City Development & WYCA, Inquiry into the Development of NGT, 23 November 2016
- Membership of the Advisory Panel , 23 November 2016
- Mott Macdonald Statement of Experience and Expertise, 6 September 2015
- SDG Statement of Experience and Expertise
- BDB Statement of Experience and Expertise



# Evidence

- Aecom Statement of Experience and Expertise, 23 September 2016
- KPMG Statement of Experience and Expertise, 4 August 2016
- Submission to the Leeds City Council Scrutiny Board (City Development), Peter Bonsall, 23 November 2016
- Submission of the A660 Joint Council to Scrutiny Board (City Development) 8 November 2016
- Report of the Director of City Development & WYCA, Inquiry into the Development of NGT, 18 January 2017
- Submission of Peter Bonsall - City Development Scrutiny Panel investigation of the Supertram and NGT projects, December 2016
- Report of the Head of Governance Services and Scrutiny Support, Transport for Leeds, Supertram, NGT and Beyond, 15<sup>th</sup> February 2017.
- Letter from Mr Collins dated the 3 of February 2017
- Department for Transport correspondence 03/11/05, 19/06/06, 02/07/07, 23/03/10, 10/06/10, 14/12/11, 19/07/12
- A TWA Guide to Procedures, Guidance on the procedures for obtaining orders under the Transport and Works Act 1992, relating to transport systems, inland waterways and works interfering with rights of navigation, Department for Transport June 2006
- Transport Conversation update and Leeds Public Transport Investment Programme, Report of the Director of City Development to Executive Board Leeds, 14 December 2016
- Best Council Plan 2017/18: Tackling poverty and reducing inequalities
- Valuing the social impacts of public transport, Department for Transport (University of Leeds & Mott MacDonald)
- Report of the Head of Governance Services and Scrutiny Support, Transport for Leeds, Supertram, NGT and Beyond, 22 March 2017.
- Letter to Greg Mulholland MP, from Department for Transport, Minister for State Baroness Kramer, 31 October 2013
- Written personal submissions of:  
Mr. Stuart Archbold OBE  
Cllr Tom Leadley  
Mr. Malcolm Bell



# Evidence

## Witnesses Heard

Andrew Wheeler – NGT Project Manager, Leeds City Council  
Dave Haskins – Head of Feasibility and Assurance WYCA  
Cllr Keith Wakefield – Chair of Transport Committee WYCA  
Martin Farrington – Director of City Development  
Gary Bartlett – Chief Highways Officer, Leeds City Council  
Andrew Hall – Head of Transportation, Leeds City Council  
Cllr Richard Lewis – Executive Board Member, Regeneration, Transport and Planning.  
Cllr James Lewis – Previous Chair of Transport Committee WYCA  
Cllr Andrew Carter CBE – Previous Executive Board Member (City Development) and Leader/Deputy Leader of Council (2004 – May 2010)  
Cllr Ryk Downes – Previous Chair/Deputy Chair of Transport Committee WYITA (2006 - 2011)  
Bob Collins – Department for Transport  
Bill McKinnon – Vice Chairman A660 Joint Council – External Representative  
Chris Longley MBE – Area Policy Representative, Yorkshire Federation of Small Businesses – External Representative  
Peter Bonsall – Emeritus Professor of Transport Planning, University of Leeds – External Representative

## Dates of Scrutiny

20 July 2016  
7 September 2016  
23 November 2016  
18 Jan 2017  
15 February 2017  
22 March 2017  
17 May 2017 – Working Group



# Appendix 1

1993	<ul style="list-style-type: none"> <li>• Supertram gains parliamentary approval</li> </ul>
2001	<ul style="list-style-type: none"> <li>• DfT Approval given full network approval</li> </ul>
November 2005	<ul style="list-style-type: none"> <li>• The Secretary of State for Transport (Alistair Darling) cancelled the Supertram proposals.</li> <li>• The Government stated that 90% of the benefits of a tram could be delivered by a bus-based scheme at 50% of the cost.</li> <li>• The Promoters were therefore encouraged to develop a "top of the range rapid bus system" as a "showcase" for the rest of the country and were told that "the money would be there for the right proposals"</li> </ul>
2006 to 2007	<ul style="list-style-type: none"> <li>• DfT told the Promoters that there was no funding earmarked for NGT and that they would need to compete for funds through the Regional Funding Allocation process.</li> <li>• DfT also asked the Promoters to reconsider whether the NGT routes were the right routes in Leeds for a rapid transit system. This is despite all the technical work and evidence associated with Supertram.</li> <li>• The Promoters therefore had to undertake a significant piece of technical work to provide further evidence to the DfT that these were the right routes. The DfT then fully signed this off.</li> </ul>
April 2007	<ul style="list-style-type: none"> <li>• An 'Initial Business Case' for NGT was submitted to the DfT. This was not a formal part of the DfT's major scheme process, but the Promoters wanted early clarification from the DfT that the proposals were on the right track before committing significant expenditure to the project.</li> <li>• The feedback from the DfT was generally supportive of the proposals and the Promoters took account of the comments they made.</li> </ul>
June 2007	<ul style="list-style-type: none"> <li>• An initial funding allocation of £150 million was earmarked for NGT through the RFA process.</li> </ul>
Aug 2007-2009	<ul style="list-style-type: none"> <li>• Throughout this period there was significant engagement with the DfT on the development of the scheme.</li> <li>• DfT indicated that they didn't believe the East Route would offer value for money. They did not accept the argument that this route was necessary for social/regeneration reasons and due to its importance in serving St James' Hospital.</li> </ul>
July 2008	<ul style="list-style-type: none"> <li>• Executive Board approved of £2.316m towards scheme development</li> </ul>
January 2009	<ul style="list-style-type: none"> <li>• A further £98.8 million was allocated to NGT through the RFA process.</li> </ul>



# Appendix 1

January to October 2009	<ul style="list-style-type: none"> <li>The Promoters continued to liaise closely with the DfT on the development of the Major Scheme Business Case for NGT to ensure a 'no surprises' approach when they received the submission. This would then enable a quick decision on the submission from the DfT.</li> </ul>
October 2009	<ul style="list-style-type: none"> <li>The Major Scheme Business Case for NGT was submitted. DfT had indicated that they would aim to make a decision on this by the end of 2009.</li> </ul>
November 2009	<ul style="list-style-type: none"> <li>Gateway Review (Business Justification) undertaken by Local Partnerships. Key findings included:               <ul style="list-style-type: none"> <li>There is strong support across the full range of stakeholders with solid political backing from all parties.</li> <li>All the key building blocks for effective project delivery are in place and attention given to a number of small areas will increase the already good prospects of successful delivery.</li> </ul> </li> </ul>
March 2010	<ul style="list-style-type: none"> <li>5 months later NGT was eventually awarded Programme Entry Approval but only for the North and South Routes. No funding for the East Route to St James' Hospital or the full city center Loop.</li> <li>DfT agreed to fund £235m of the £254m total scheme cost.</li> <li>DfT also agreed to fund the proposed Holt Park Extension.</li> </ul>
June 2010	<ul style="list-style-type: none"> <li>The New Coalition Government suspended the Major Schemes process as part of the Comprehensive Spending Review (CSR). NGT was therefore put on hold.</li> </ul>
July 2010	<ul style="list-style-type: none"> <li>Transport Minister Norman Baker visited Leeds and met with senior politicians to discuss NGT. He outlined the need for the Promoters to further reduce scheme costs and for an increase in the local funding contribution.</li> </ul>
September 2010	<ul style="list-style-type: none"> <li>The NGT Promoters put forward a revised funding offer to increase the local contribution to 20% (£50m) and reduce the Government's contribution to around £200m.</li> </ul>
December 2010	<ul style="list-style-type: none"> <li>NGT was not prioritised through the Comprehensive Spending Review (CSR) and was placed into DfT's newly created 'Development Group' which contains 43 schemes competing for a share of a £600m funding pot. Decisions on which schemes could proceed would not be made until the end of 2011.</li> <li>The Promoters asked the DfT to treat NGT separately and provide an early decision, since the delay to the scheme now meant it would not need any Government funding during the CSR period.</li> </ul>
March 2011	<ul style="list-style-type: none"> <li>The Secretary of State for Transport visited Leeds and met with the NGT Promoters. He encouraged the Promoters to further increase their local funding offer.</li> </ul>



# Appendix 1

May 2011	<ul style="list-style-type: none"> <li>Executive Board approved the submission of a Best and Final Bid (BAFB) increasing the local contribution to £57.1m</li> </ul>
June 2011	<ul style="list-style-type: none"> <li>The Secretary of State confirmed that NGT would not be treated separately (6 months after the Promoters raised this request). Therefore a decision will not be made until the end of 2011.</li> </ul>
Sept 2011	<ul style="list-style-type: none"> <li>The NGT Best and Final Funding Bid was submitted. This put forward an increased local funding contribution of around 23% (57m). This has been approved by both the LCC Executive Board and the ITA Executive Board.</li> </ul>
December 2011	<ul style="list-style-type: none"> <li>NGT not approved by DfT in current round of major scheme approvals (which included Kirkstall Forge and Dapperly Bridge Rail Stations). DfT requested further detail.</li> </ul>
March 2012	<ul style="list-style-type: none"> <li>Following discussions with DfT including a detailed review of the modelling and appraisal work, a further bid was put forward for NGT.</li> </ul>
July 2012	<ul style="list-style-type: none"> <li>DfT granted NGT Programme Entry status, at a cost of £250m with a DfT contribution of £173.5m. This represented a shift in local contribution requirement from the 2010 approved bid from 10% to around 30%</li> </ul>
October 2012	<ul style="list-style-type: none"> <li>Executive Board approved £1.2m to progress the scheme towards the TWAO submission</li> </ul>
Jan 2013	<ul style="list-style-type: none"> <li>Gateway 1 Review held</li> </ul>
March 2013	<ul style="list-style-type: none"> <li>Executive Board approved expenditure of £19.2m to progress the scheme to the construction phase.</li> </ul>
July 2013	<ul style="list-style-type: none"> <li>Full Council approve the submission of the TWAO</li> </ul>
September 2013	<ul style="list-style-type: none"> <li>Transport and Works Act Order submitted</li> </ul>
November 2013	<ul style="list-style-type: none"> <li>Full Council confirm their approval of the submission of the TWAO</li> </ul>
January 2014	<ul style="list-style-type: none"> <li>Local Partnerships undertook a Gateway Review on the NGT project. The key finding was:             <ul style="list-style-type: none"> <li>Successful delivery appears probable however constant attention will be needed to ensure risks do not materialize into major issues threatening delivery.</li> </ul> </li> </ul>
April 2014	<ul style="list-style-type: none"> <li>NGT Public Inquiry commences. Based on other similar inquiries, an inquiry length of 8-10 weeks (30-40 sitting days) was anticipated.</li> </ul>



# Appendix 1

October 2014	<ul style="list-style-type: none"><li>• NGT Public Inquiry finishes having sat for 72 days. Additional length attributed to a combination of sustained objection by FWY , a core of local objections plus an Inspector who was keen to ensure that all viewpoints were aired.</li></ul>
July 2015	<ul style="list-style-type: none"><li>• Notification that the Inspector's report was submitted to DfT for consideration. DfT guidance indicates a 6 month timescale for making decisions on TWAO submissions. though notes that larger/more complex schemes may take longer.</li></ul>
May 2016	<ul style="list-style-type: none"><li>• NGT cancelled by Secretary of State Transport</li></ul>

Draft





**Report of Chief Officer (Highways & Transportation)**

**Report to Scrutiny Board (Infrastructure and Investment)**

**Date: 27 September 2017**

**Subject: Highway Asset Management - The Approach To Road Surfacing**

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. The Best Council Plan sets a priority to deliver quality highways assets, to maintain the percentage of roads in need of structural repair and reduce the percentage of highways structures in need of essential repair.
2. Highways Assets in Leeds are continually monitored for condition and maintenance needs. Maintenance and strengthening programmes are developed to maintain the assets in a safe and serviceable condition appropriate for their use together with a view to minimising whole life costs.
3. The purpose of this report is to provide Board Members with an overview of the process of selecting which roads are to be resurfaced and the relative value for money of the treatments being used.
4. This report also provides an update to Board on the progress with the transfer of the gully cleaning service from Communities and Environment Department to City Development Department.
5. Officers from Highways Asset Management and Highway Maintenance have been invited to attend to address any further questions from Board.

**Recommendations**

6. Scrutiny Board (Infrastructure and Investment) are requested to:
  - i) Note the content of this report
  - ii) Make recommendations as deemed appropriate.

## **1. Purpose of this report**

- 1.1. The purpose of this report is to provide Board Members with an overview of the process of selecting which roads are to be resurfaced and the relative value for money of the treatments being used.
- 1.2. This report also provides an update to Board on the progress with the handover of the gully cleaning service from Communities and Environment Department to City Development Department.

## **2. Background information**

- 2.1. Highways and Transportation have responsibility for maintaining the 2,878km of roads in Leeds and associated infrastructure. The current backlog of road maintenance is £124m and is rising annually by around 4% due to road deterioration and inflation. Funding for all highway maintenance since 2002 is shown in the graph in Appendix A. The total funding for 2017/18 is just over £22m of which £16.7m is capital funding from Leeds own capital (£11m) and government grant (£5.7m) for street renewal.
- 2.2. Around 66% of the available capital budget is spent on carriageway maintenance each year (£11.2m in 2017/18). The remaining £5.5m is used to repair footways and kerbs.

### **2.3. Highways Asset Management**

- 2.4. Funding for road maintenance falls short of being able to repair all of the roads that would benefit from maintenance work. The process of asset management and life-cycle planning is adopted to ensure that the funding available delivers the best long-term outcome for the road network as a whole. An explanation of this process is expanded upon in paragraph 3 below.
- 2.5. Government grant makes up around 34% of the budget available for road maintenance in Leeds each year. An element of this grant is awarded on a formula basis proportionate to road length but an increasing proportion is being allocated depending on each authority's adoption of asset management principles and efficiency measures. In 2016 Leeds was assessed in the top performing band for incentive funding and as such has received the maximum grant award available.

### **2.6. Gully cleaning**

- 2.7. Cyclic gully cleaning is undertaken to ensure surface water drains from the highway safely. A well-maintained drainage system ensures road safety and prevents premature deterioration of road surfaces. Not all gullies can cope with the heaviest downpours but cyclic maintenance will ensure they work to the best of their ability.
- 2.8. Routine gully maintenance involves the regular emptying of the catch-pit within the gully. Where the cleaning visit reveals a blockage of any kind the gully is referred for a maintenance visit to resolve the problem. These two operations were in different departments which did not result in the most efficient operation. This has now been resolved with Highways and Transportation taking overall responsibility for both gully cleaning and maintenance operations.

### **3. Main issues**

#### **Road Resurfacing**

- 3.1. The asset management approach to road resurfacing involves the following processes:
- Condition surveys and condition banding
  - Life-cycle planning and value for money
  - Treatment selection
  - Delivery and monitoring
- 3.2. Appendices B to E explain the processes in detail.

#### **Gully Cleaning Service**

- 3.3. A briefing paper on the approach to gully cleaning is included at Appendix F

### **4. Corporate considerations**

#### **4.1. Consultation and engagement**

- 4.1.1. Ward Members are engaged in the development of the annual programme for road maintenance of the local roads within their Ward.
- 4.1.2. The Executive Member for Regeneration, Transport and Planning is consulted on and in agreement with the adopted approach to road surfacing.
- 4.1.3. The annual programme of highway maintenance is a published report with delegated authority of the Chief Officer Highways and Transportation.

#### **4.2. Equality and diversity / cohesion and integration**

- 4.2.1. Equality and diversity, cohesion and integration is considered and reported fully as part of the development of the annual programme of highway maintenance.
- 4.2.2. Highway maintenance work removes those defects that are likely to be a hindrance to mobility and there is an opportunity to provide improved mobility features such as dropped kerbs where kerbing works are being undertaken.

#### **4.3. Council policies and the best council plan**

- 4.3.1. The Best Council Plan sets a priority to deliver quality highways assets and to maintain the percentage of roads in need of structural repair.
- 4.3.2. The published Highway Infrastructure Asset Management Strategy reinforces the use of life-cycle planning to achieve the best value outcomes for the council's road network.

#### **4.4. Resources and value for money**

- 4.4.1. The adoption of asset management practice incorporating life-cycle planning aims to maximise value for money.
- 4.4.2. Collaborative procurement of contractors to deliver road surfacing across WYCA has delivered efficiencies in contract preparation and competitive rates.
- 4.4.3. Combining the gully cleaning operations with the gully repair teams into one service will generate long term efficiencies.

#### **4.5. Legal implications, access to information and call-in**

- 4.5.1. The Chief Officer (Highways and Transportation) has been delegated the authority to approve the annual programme of highway maintenance as identified in the Constitution, Part 3, Section 3E.
- 4.5.2. This report is not subject to call-in on the grounds that the report is for discussion only at this stage.

#### **4.6. Risk management**

- 4.6.1. The adoption of both preventative treatments and resurfacing of roads reduces the likelihood of overall deterioration of the road network in Leeds.
- 4.6.2. The use of preventative maintenance treatments significantly increases the number of roads brought back into OK condition each year.
- 4.6.3. The life-cost of preventative treatments presents good value for money.
- 4.6.4. Combining the gully cleaning operations with the gully repair teams into one service will improve coordination of gully maintenance.

#### **5. Recommendations**

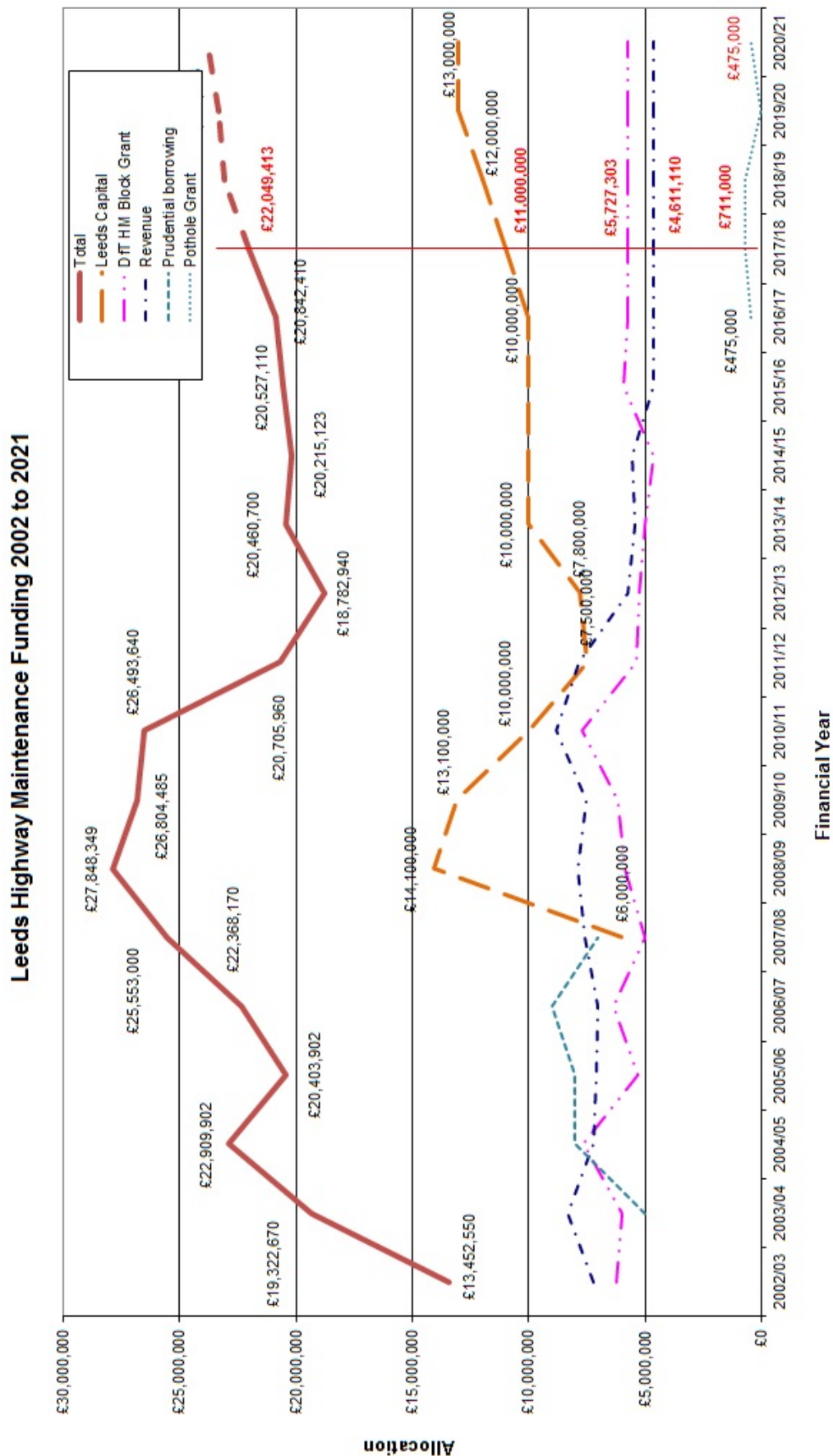
- 5.1. Scrutiny Board (Infrastructure and Investment) are requested to:
  - i). Note the content of this report
  - ii). Make recommendations as deemed appropriate.

#### **6. Background Papers<sup>1</sup>**

- 6.1. None.

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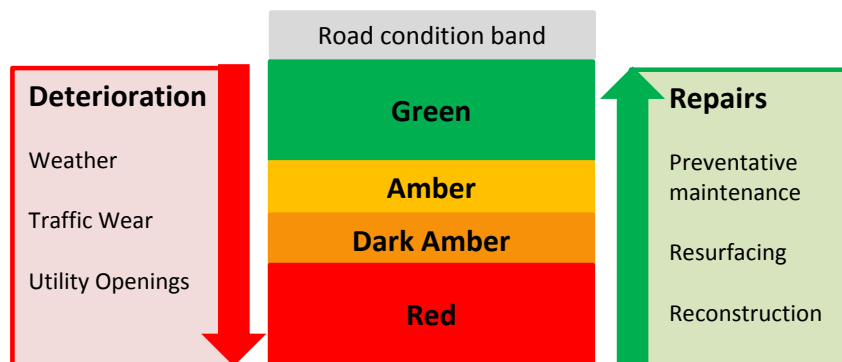
<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



## Condition surveys and condition banding

## Appendix B

- B1. Condition surveys and condition banding is the process by which the current state of the network is understood and forms the basis for the selection of roads for maintenance.
- B2. For assessment purposes the road network is divided by hierarchy into 3 categories;
- Classified Roads (A, B or C classification roads) totalling 634km
  - Distributor Roads (unclassified through routes and main distributors) totalling 172km
  - Local Roads (minor, estate and residential roads) totalling 2,072km
- B3. Classified roads are assessed for condition every two years using a machine based survey to meet government reporting standards. Those identified as being most in need of maintenance are assessed in more detail annually.
- B4. Distributor Roads and local roads are assessed by an inspector every four years. Those identified as being most in need of maintenance are assessed in more detail annually.
- B5. The outcome of the assessment results in road condition indicators. The overall condition banding used follows a traffic light system from green (OK condition) through amber to red (poor condition). As roads deteriorate they progress through the banding system from green to red as depicted below. The two areas of most interest for asset management purposes are those in the Red band and the Dark Amber band.

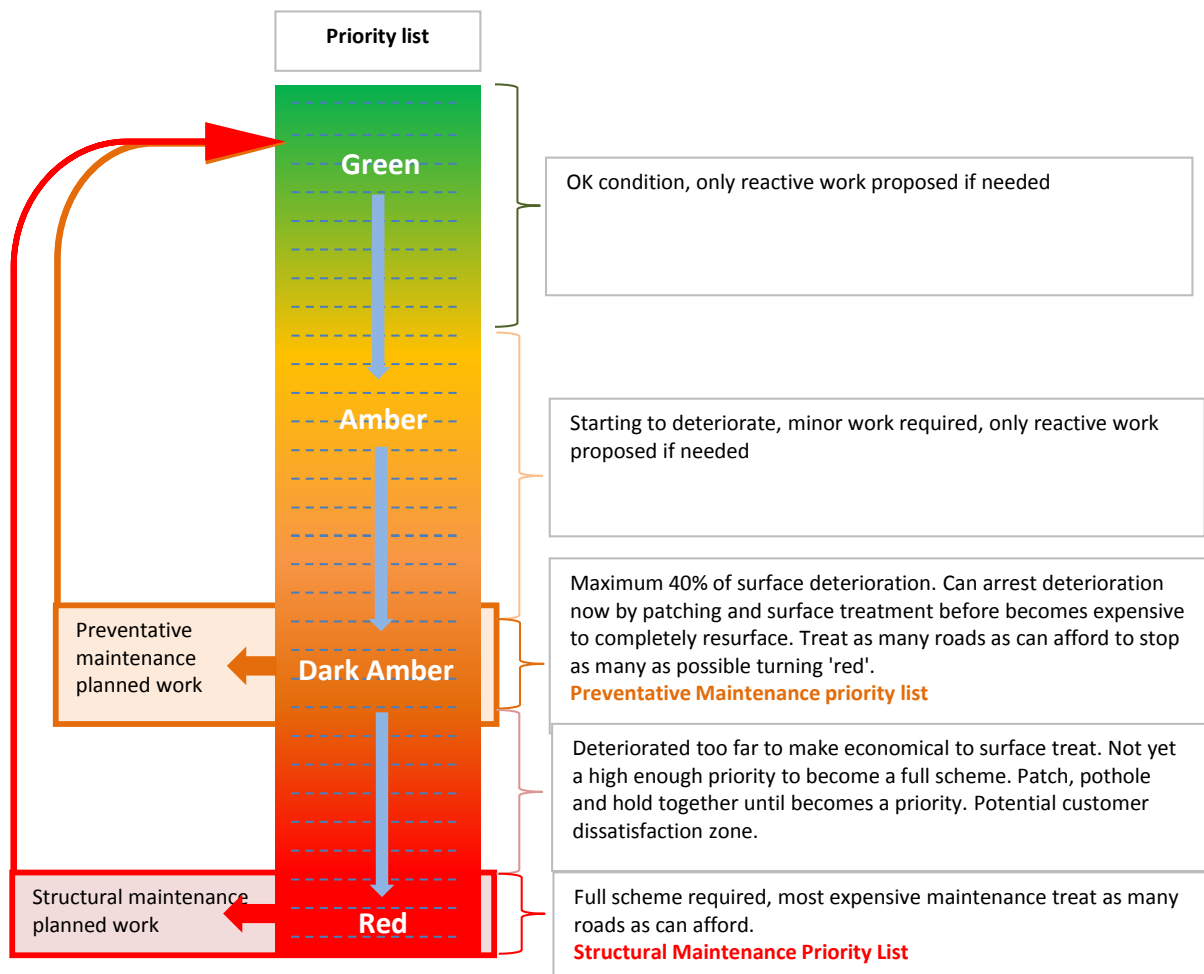


**Banding of road condition from Green (OK) to Red (poor)**

- B6. More detail on the use of the banding system is explained in the life-cycle planning Appendix C.

- C1. The concept of life-cycle planning is to gain the best long term benefit in carriageway condition for the least investment. The aim of the highway asset management service is to use the available funding to minimise the number of roads in the Red band.
- C2. To do this there are three options.
1. To resurface as many Red roads as possible each year and hope that the number treated is greater than the number deteriorating into the Red band.
  2. To surface treat as many Dark Amber roads as possible each year to minimise the number of roads deteriorating into the Red band. But leave the existing Red roads to get worse.
  3. To carry out a combination of the first two options.
- C3. Around 7.6km of Dark Amber roads can be treated for the same cost as 1km of resurfacing a Red road.
- C4. There are approximately 181km of Red condition roads in Leeds. Each year around a further 146km of Dark Amber's would deteriorate into Red condition. With a current maintenance spend of £11.2m per annum, on average, 61km of Red roads could be resurfaced or 301km of Dark Amber roads could receive a preventative maintenance treatment to prevent them from progressing to Red condition.
- C5. With a deterioration rate greater than the number of roads that could be resurfaced each year, option 1 would lead to a growing Red list.
- C6. If all funding was used to undertake preventative maintenance the Red list would not get any shorter and the worst red roads would have to be left.
- C7. Lifecycle planning calculations confirm that option 3 brings about the best outcome for the authority in terms of long term road condition and maintenance costs. The current recommended ratio of resurfacing to preventative maintenance to make the biggest impact on overall road condition is 41km of resurfacing to 66km of preventative maintenance treatment. This scenario is reviewed each year in advance of the preparation of the annual programme.
- C8. With many roads in a fragile state the weather plays a large part in the annual deterioration rate of roads. A severe winter or particularly wet summer accelerates the rate of deterioration which can play a dramatic part in the demands on pothole crews and the preparation for planned maintenance in the following financial year. As a general rule any newly laid treatment should withstand a severe winter but a wet summer may impact on the laying process which may lead to premature failure. More detail is provided in Appendix E, Delivery and Monitoring.
- C9. The diagram on the following page depicts the current maintenance strategy as described above.





**Current maintenance strategy of implementing a mix of preventative maintenance (surface treatment) and structural maintenance (resurfacing) to maximise the effect of investment in road condition.**

## Treatment selection

## Appendix D

- D1. Treatment selection is based on whole life cost principles as shown in the table on the following page. The table demonstrates the annual cost per square metre based on the expected life of each treatment.
- D2. The design and selection of materials for traditional resurfacing follows the current national best practice for the selection of bituminous and asphalt surface materials for road construction.
- D3. Selection and value for money from preventative maintenance treatments relies heavily on the service life of such treatments.
- D4. The highway authority advisory body, the Association of Directors of Environment, Economy, Planning and Transport (ADEPT) together with the Road Surface Treatments Association suggest that authorities should expect service lives for preventative maintenance treatments of between 10 and 15 years.
- D5. A review of treatments undertaken between 2003 and 2007 in Leeds demonstrates that with few exceptions the treatments undertaken in Leeds are meeting those guidelines. The chart on the page after next shows the detail of the study which is summarised in table D5 below.

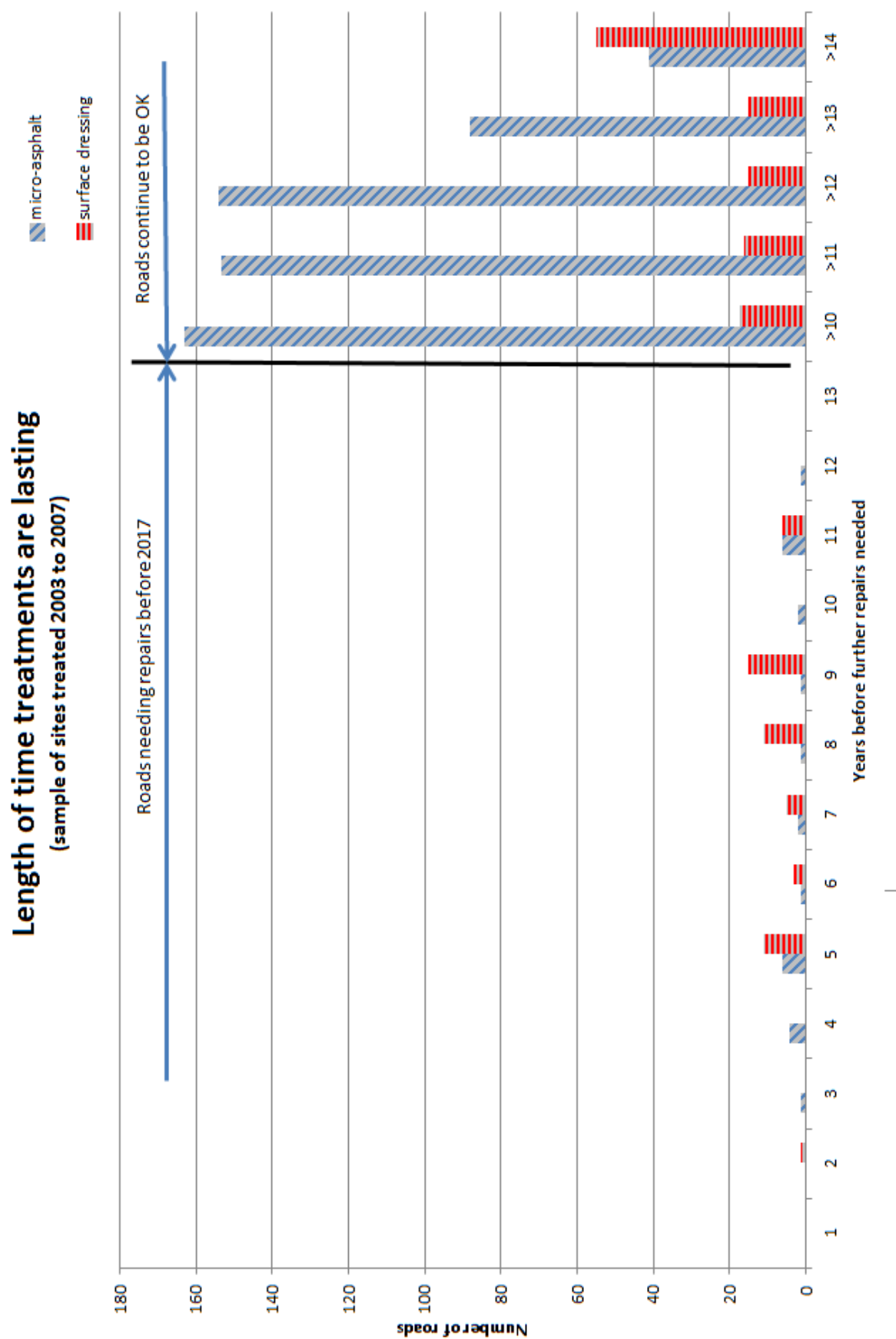
Surface treatment	ADEPT expected service life	Leeds actual service Life
Surface Dressing Principal Roads	10 years	25% of roads treated lasted on average 11.7 years 75% of roads treated are still fit for purpose (10-14 years+).
Surface Dressing other roads	15 years	33% of roads treated lasted on average 13.0 years. 67% of roads treated are still fit for purpose (10-14 years+).
Micro-asphalt	10 years	4% of roads treated lasted on average 11.5 years. 96% of roads treated are still fit for purpose (10-14 years+).

**Table D5 service lives expected and achieved**

- D6. There are a small number of premature failures, the shortest period at one Micro-asphalt site being just 3 years. Premature failure is the exception rather than the rule and the reasons for these are discussed in Delivery and Monitoring in Appendix E.

<b>Light to medium trafficked roads (up to 250 commercial vehicles/lane/day)</b>				
<b>Treatment</b>	<b>General conditions for use</b>	<b>Life expectancy of treatment (years)</b>	<b>Average treatment cost</b>	<b>Average cost per m<sup>2</sup> per year of life expectancy</b>
<b>Cost effective treatments:</b>				
Surface dressing	Structural failure of less than 20% of total area and overall ride quality is acceptable.	13	£3.13	£0.24
Resurfacing	Structural failure in excess of 20% or overall ride quality is poor.	20	£23.79	£1.19
<b>Alternative treatments that may be considered where surface dressing is prohibited and annual budgets will preclude resurfacing within the next 5 years.</b>				
Micro asphalt	Structural failure of less than 20% and overall ride quality is average.	11.5	£5.91	£0.51
Shallow depth recycling	Failure of surface layers only (structural failure not evident) where surface regularity is poor over large areas.	12	£8.91	£0.74

<b>Medium to high trafficked roads (over 250 commercial vehicles/lane/day)</b>				
<b>Treatment</b>	<b>General conditions for use:</b>	<b>Life expectancy of treatment (years)</b>	<b>Average treatment cost</b>	<b>Average cost per m<sup>2</sup> per year of life expectancy</b>
<b>Cost effective treatments:</b>				
Surface dressing	Structural failure of less than 20% of total area and overall ride quality is acceptable.	11.7	£4.89	£0.42
Resurfacing	Structural failure in excess of 20% or overall ride quality is poor.	20	£25.00	£1.25
<b>Alternative treatments that may be considered where surface dressing is prohibited and annual budgets will preclude resurfacing within the next 5 years.</b>				
Micro asphalt	Structural failure of less than 20% and overall ride quality is average.	11.5	£5.91	£0.51
Shallow depth recycling	Not appropriate	-	-	-



## **Delivery and Monitoring**

## **Appendix E**

- E1. Surface treatments are delivered by contractors engaged through a collaboration contract with the other five district authorities within the West Yorkshire Combined Authority. This contract arrangement has increased competition and the potential for efficiencies to ensure value for money for all of the West Yorkshire district authorities.
- E2. The two contracts for surface treatments include:
  - a. Surface Dressing
  - b. Micro-asphalt.
- E3. The contractor is required to undertake the specific design mix of the treatment to be used at any one location. The treatments are weather dependant and are therefore seasonal contracts undertaken in the summer months. Micro-asphalt is more tolerant of weather than surface dressing and can be undertaken over an extended seasonal period.

### **Guarantee**

- E4. The contractor is required to provide a 2 year guarantee for their product.
- E5. There can be much debate around guarantee periods and whether 2 years is adequate for these materials. Experience shows that in the majority of cases defects that will affect the long term performance of the product will be evident within the first two years of use. Defects that appear after that time are rarely due to poor material or workmanship. If the guarantee were to be extended it is likely that the contractor's rates will increase across all sites to cover the extended risk. In reality the level of failures within 3 to 5 years remains very low and the increased cost to the authority of that assurance is unlikely to represent value for money.

### **Reasons for premature failure**

- E6. As noted in Appendix C, only a small number of sites experience premature failure. The usual causes of failure and their mitigation are listed below:
- E7. Incorrect design of material; most material is similar in nature and designed and installed by competent certified contractors. This mode of failure is rarely experienced but can occur for example if a batch of chippings has not been properly cleaned. Some authorities source their own chippings for contractors to use. The WYCA contract requires the contractor to supply all materials with certified industry standard quality control.
- E8. Incorrect preparation of works; contractors are keen to ensure the material does not fail within the guarantee period or present loss of reputation. More often than not the contractor will report to the council any site that they are unable to prepare properly such as a loose or uneven surface or standing water and may even refuse to apply their material.
- E9. Inclement weather conditions; this can be the biggest cause of failure especially during erratic summer shower periods. The specification for works includes allowable operating temperatures and weather conditions that are adhered to by the contractors and enforced by the council.
- E10. Poor workmanship; the contractors employed by the council are members of the Road Surface Treatments Association and certified to the National Highway Sector Scheme 13 for the supply and application of surface treatments to road surfaces.

## **Monitoring and aftercare**

- E11. Highways and Transportation employs Contract Engineers and Monitoring Officers to manage all highway maintenance contract operations including the surface treatment programme.
- E12. The contractors are supervised during the laying operations. Completed work is visited periodically thereafter and every site is assessed prior to the termination of the guarantee period.
- E13. The design of the surface dressing process includes an element of excess chippings to assist with the embedment process in the early life of the treatment. Surface dressing is swept to remove loose chippings after 24 hours and again within one week.

## **Repairs**

- E14. As a general rule if repairs are required under the guarantee the contractor will return to repair any routine defective areas the season after the expiration of the guarantee period. Any urgent repairs will be completed by the contractor as soon as identified or by the council with costs being charged to the contractor.

## **End of life**

- E15. At the end of their useful life, surface treatments will present the following characteristics:
- E16. Surface dressing; either loss of chippings, excessive embedment or loss of binder adhesion, bringing an excess of bitumen or to the surface or uncovering the old road surface. The result can be a loss of waterproofing and/or reduction in skidding resistance which can be rectified with a further surface dressing treatment. A carriageway can be surface dressed around three times before considering replacement of the road surface.
- E17. Micro-asphalt; can either wear through evenly or lose adhesion and break away in localised areas. Even wear can be rectified by a further application. Localised loss of adhesion will result in an uneven surface with depressions equal to the thickness of the material layer of between 5 and 20mm. This is not considered to be a hazard but can be an uncomfortable ride quality. Rectification can be by patching or by removing the top layer completely followed by a further application.

**Introduction**

- F1. The responsibility for gully cleaning transferred from Communities and Environment Department to City Development Department on 5<sup>th</sup> July 2017. The service includes cleaning in excess of 145,000 gullies and over 42 kilometres of linear drainage (kerb drainage or channels with grill or slots). The responsibility for physical maintenance of gullies remains with City Development
- F2. The rationale for the transfer of the service is to align the cleaning and maintenance of road gullies in one service to create a more joined-up service with the ability to realise long term efficiencies.
- F3. The service operating budget for five tankers and associated operatives has transferred to City Development. The transfer does not include supervisory staff.

**Transfer service levels**

- F4. Gullies were aimed to be cleaned every 8 months irrespective of location or priority with a paper based recording system.
- F5. Electronic recording devices (Kaarbontech Gully Smart) were introduced in July 2016 to record gullies cleaned and the amount of silt in each gully catch pit. This has assisted in monitoring operational performance and will assist in the future development of risk based frequencies of cleaning.
- F6. As part of the transfer of the service and in order to fully assess the state of the gully asset it has been agreed to service every recorded gully at least once by July 2018. The detail of this assessment will allow the future design of an efficient system based on the needs of each gully in terms of future cleaning frequencies. The repeated cleaning of the higher frequency 'at risk' locations will continue during this period.

**Revised service level and risk assessment**

- F7. As the service moves away from a standard frequency for all gullies irrespective of their cleaning need to a more risk based approach, the following frequencies will be adopted.
- F8. Clean gullies every six months in the areas identified by Flood Risk Management as ones that are within a 30 year flood risk area. Monitoring of silt levels will be undertaken and in the event of gullies being more than 75% full their frequency will be enhanced to 3 monthly. Any with silting less than 25% will be reduced to 12 monthly.
- F9. Clean gullies that have been identified on the resilient network (principal roads and links to emergency services, and economic links between communities) every twelve months. Monitoring of silt levels will be undertaken and in the event of gullies being more than 75% full their frequency will be enhanced to 6 monthly. Any with silting less than 25% will be reduced to 24 monthly.
- F10. All remaining gullies will be cleaned once by July 2018. Similar monitoring to the other two categories will be undertaken and adjusted accordingly.

Continued...



F11. It is anticipated that this regime will result in:

Gully Cleansing Frequency	Number of Gullies	Frequency per Year	Gullies per year
Every 6 months	4830	2	9660
Every 12 months	15980	1	15980
Every 24 months	123600	0.5	61800
<b>Totals</b>	<b>144410</b>		<b>87440</b>

**Anticipated service levels after risk assessment**

### Member and other service requests

F12. Member and other service requests will continue to be dealt with in line with inherited procedures. Future developments are under discussion to streamline the existing process and deliver further improvements.

### Current Progress

F13. Progress to the end of June 2017(one year since the adoption of the gully management system) is shown in the table below

<b>Of the 144,410 Gullies</b>	
94,900	Attended.
of which:	
82,018	Cleaned and working as planned.
9,319	Inaccessible due to parked cars (at least two visits) or require traffic management.
3,563	Blocked and referred to maintenance team. of which 1,719 Repaired by maintenance teams. 1,844 Awaiting repair.
<b>Overall of those attended</b>	
86%	Cleaned and running at first visit.
10%	Unable to access or require traffic management.
4%	Found to be blocked. of which 2% Repaired 2% Awaiting repair

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Councillor Paul Truswell  
Chair, Scrutiny Board (City  
Development)  
Labour Group Office  
Civic Hall  
Leeds  
LS1 1UR

Councillor Matthew Robinson  
Conservative Group Office  
2nd Floor East  
Civic Hall  
Leeds LS1 1UR

Tel: 0113 395 1460  
Fax: 0113 3367008  
matthew.robinson@leeds.gov.uk

Date: 1 June 2016

Dear Cllr Truswell

Ahead of your first scrutiny board meeting of the new municipal year and your board's planning for their work schedule, I am writing to request the board holds scrutiny inquiries into the highways and resurfacing approach across the city and into the approach toward clearance and repair of drains and gullies across the city.

I raise highways as it seems that schemes are being brought forward, completed and then in need of repair again only a few years later. This is particularly the case with the micro-asphalt process, which has caused pot holes, cracks and damage to the highway to reappear and also later leaves chippings from the dilapidated roads to fill kerbs and drains. I would ask if it is worth considering looking again at how to repair and maintain our highways network, what processes we use for repair and if these are the most cost effective solutions?

Given the impact of Storm Eva on the city it is understandable that flood prevention and alleviation schemes are being examined across the city, as well as the need to repair assets and protect our infrastructure. It seems however that this fails to take into account the gullies and drains from our highway network. While gullies are cleared when reported the process for ensuring their continual clearance and a process for checking gullies and drains across the city is unclear. In addition it remains unclear to members and the public what happens once damaged gullies and drains are reported and if there is a list of jobs for repair. Given the impact of Storm Eva, it seems appropriate that we look at our own assets and what we are doing to alleviate flooding.

I would appreciate if your Scrutiny Board would consider looking into these matters in the year ahead.

Yours sincerely



**Councillor Matthew Robinson**  
**Harewood Ward**

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## Report of the Head of Governance and Scrutiny Support and Director of City Development

### Report to Scrutiny Board (Infrastructure and Investment)

**Date: 27 September 2017**

**Subject: Scrutiny Inquiry into Sustainable Development in Leeds**

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

## 1. Summary of Main Issues

- 1.1 Leeds City Council has an ambition to be the best council in the UK, compassionate fair, open and welcoming with an economy that is both prosperous and sustainable, so all our communities are successful. The Vision for Leeds 2011 – 2030 supports this ambition, stating that by 2030 all communities will be successful where local services, including shops and healthcare, are easy to access and meet people's needs. It also states that local cultural and sporting activities are available to all and there are high quality buildings, places and green spaces, which are clean, looked after, and respect the city's heritage, including buildings, parks and the history of our communities. The Best Council Plan 2017 – 2018 states that the Council wants everyone to live in good quality, affordable homes within clean and well cared for places.
- 1.2 At its meeting on the 21 of June 2017, Scrutiny Board (Infrastructure and Investment) considered their work programme for the 2017/18 municipal year. At this meeting the Board discussion the approach in Leeds to 'sustainable development' through the provision of structure that supports the physical and social needs of the people, now and in the future, who will ultimately, live, work and spend time in their community. The Scrutiny Board stressed the importance of designing and planning places that are supported sufficiently by transport, health and education infrastructure and services. The Board resolved that this would be the main scrutiny inquiry for 2017/18. Terms of reference for the inquiry were agreed on the 19 July 2017.

## **2. Recommendation**

The Scrutiny Board (Infrastructure and Investment) is recommended to:

- i. note the information contained within this report, make Recommendations as deemed appropriate.

### **3 Purpose of this report**

- 3.1 This report provides information to support the second session of the Scrutiny Inquiry into Sustainable Development in Leeds.

### **4. Main Issues**

- 4.1 At its meeting on the 21 of June 2017, Scrutiny Board (Infrastructure and Investment) considered their work programme for the 2017/18 municipal year. At this meeting the Board discussion the approach in Leeds to 'sustainable development' through the provision of structure that supports the physical and social needs of the people, now and in the future, who will ultimately, live, work and spend time in their community. The Scrutiny Board stressed the importance of designing and planning places that are supported sufficiently by transport, health and education infrastructure and services. The Board resolved that this would be the main scrutiny inquiry for 2017/18. Terms of reference were agreed on the 19 July 2017, when the first session of the inquiry was undertaken.
- 4.2 The purpose of the inquiry is to make an assessment of and, where appropriate, make recommendations about the delivery of sustainable development in Leeds, and the extent to which the local authority can influence sustainable development.
- 4.3 Sustainable Development is a wide ranging concept at a global and through to the local level and has emerged as a key strand of public policy, with the ambition of securing patterns of development, economic prosperity, social progress and the management of environmental resources, at the same time. Whilst a number of core elements can be identified, sustainable development has multiple definitions and interpretations and has introduced a plethora of new technical language.
- 4.4 Sustainable Development is therefore a cross cutting imperative, which aims to take a longer term and holistic view and is the responsibility of Governments, the business community and wider society, to operate within acceptable limits, to meet its objectives. Within this overall context, and within the UK, the Planning system has a key role to play in delivering the principles of sustainable development but it is by no means the only mechanism through which these aims might be achieved. Planning is also limited in its scope, is impacted by externalities (such as wider Government policies, global economic conditions and changing evidence) and does not have the financial resources available to put in place all of the necessary interventions and programmes to facilitate a more sustainable future. However, within the limitations of Government requirements and legislation, Planning does provide an opportunity to shape the character of places and to help influence and coordinate investment decisions.
- 4.5 In the UK local planning authorities have the responsibility for the preparation of the Local Plan (Development Plans with a 15 year time frame and the determination of planning applications via the Development Management process. In Leeds the Local Plan is comprised of a series of documents including the Core Strategy (adopted 2014), the Natural Resources and Waste local plan (adopted 2013), the Aire Valley Leeds Area Action (adoption anticipated November 2017) and the Site Allocations Plan (adoption anticipated 2018). Once 'made', Neighbourhood Plans will also form part of the development plan.



- 4.6 In providing a strategic planning framework for allocation Plans, the Leeds Core Strategy sets out a series of interrelated objectives, strategic and thematic policies, based around the principles of sustainable development. It should be emphasised also that with the context of national planning guidance, the Core Strategy is a spatial plan, which is seeking to make provision for the overall scale and distribution of regeneration and growth across the District, whilst seeking to manage environmental resources and meet social objectives (such as aspects of public health and deprivation). Key components of the Core Strategy include:
- Supporting the provision of community infrastructure that is tailored to meet the needs of the community including high quality health, education and training, cultural and recreation, and community facilities and spaces.
  - The provision of new educational facilities to meet increased demand either through extensions to existing establishments or through the building of new schools in areas of housing growth or adjacent to them.
  - That new development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.
- 4.7 The following areas were discussed at the meeting on the 19 July.
- The origins and definition of the term, “Sustainable Development”.
  - The definition of “Sustainable Development”, as set out in the National Planning Policy Framework (NPPF)
- 4.8 As emphasised at this meeting, in 1987 the Brundtland Commission introduced the first and an internationally accepted definition of sustainable development. This has been represented as a ‘3 legged stool’, whereby each leg (economic, environmental and social) are dependent on each other and need to be balanced, in order to achieve objectives over the longer term.
- 4.9 At the meeting, it was highlighted also that for the purposes of Planning, these broader principles have been translated in to an interpretation of sustainable development as part of the National Planning Policy Framework (NPPF, 2012). This specifies that:
- “The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices, We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them can be better, but they will certainly be worse if things stagnate.”* (Greg Clarke, Ministerial foreword).
- 4.10 Within this context, and as a basis for Planning policy and decision making, the NPPF also introduces a ‘presumption in favour of sustainable development’, a set of ‘core planning principles’ and states that paragraphs 18-219 need to be ‘taken as a whole’ in achieving sustainable development.

- 4.11 The purpose of the second session is to consider how the principles of Sustainable Development have been applied in Leeds through the development plan and development management decisions in order to achieve the broader investment and infrastructure objectives set out in the Best Council Plan 2015-2020 and the Vision for Leeds.
- 4.12 In addition the purpose is to advise the Scrutiny Board how Sustainable Development principles have been translated into practice and in translating these principles the key Policy, the issues that have emerged, which have skewed the delivery of Sustainable Development in its wider sense, and how have they been addressed.

The Board will specifically explore the extent of limitations on sustainable development due to:

- the definition of sustainability contained in the NPPF
- the methodology for assessing future housing numbers,
- the requirement to demonstrate a 5 Year Land Supply, the issue of viability, and the fact that the Council has little power to compel developers to build out existing planning permissions, particularly on brownfield land.
- The level of developer contributions through s106 and CIL monies in terms of providing appropriate infrastructure or measures to mitigate development. (this is scheduled to be considered in greater detail at the October 2017 meeting)

## **5 Corporate Considerations**

### **5.1 Consultation and Engagement**

The board may undertake consultation should it be deemed appropriate in order to conduct the inquiry or gather necessary evidence.

### **5.2 Equality and Diversity / Cohesion and Integration.**

- 5.2.1 Equality Improvement Priorities have been developed to ensure our legal duties are met under the Equality Act. The priorities will help the council to achieve its ambition to be the best City in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.
- 5.2.2 Equality and diversity will be a consideration throughout the Scrutiny Inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.
- 5.2.3 The Scrutiny Board may engage and involve interested groups and individuals (both internal and external to the council) to inform recommendations.
- 5.2.4 Where an impact has been identified this will be reflected in the final inquiry report, post inquiry. Where a Scrutiny Board recommendation is agreed the individual, organisation or group responsible for implementation or delivery should give due

regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

### **5.3 Council Policies and City Priorities**

This inquiry will support objectives as defined in The Vision for Leeds 2011 – 2030 and the Best Council Plan 2015-20

### **5.4 Resources and Value for Money**

There is no resource or value for money implications relating to this report. At the conclusion of the inquiry any identified impact will be reported in the final inquiry report.

### **5.5 Legal Implications, Access to Information and Call In**

None

### **5.6 Risk Management**

There are no risk implications relating to this report. At the conclusion of the inquiry any identified risk will be reported in the final inquiry report.

## **6 Recommendations**

The Scrutiny Board (Infrastructure and Investment) is recommended to:

- a) note the information contained within this report, make recommendations as deemed appropriate.

## **7 Background documents<sup>1</sup>**

None

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<sup>1</sup> 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 the Head of Governance and Scrutiny Support

### Report to Scrutiny Board (Infrastructure and Investment)

**Date: 27 September 2017**

**Subject: Work Schedule**

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

## 1 Purpose of this report

- 1.1 The purpose of this report is to consider the Scrutiny Board's work schedule for the forthcoming municipal year.

## 2 Main Issues

- 2.1 A draft work schedule is attached as appendix 1. The work programme has been provisionally completed pending on going discussions with the Board.
- 2.2 When considering the draft work programme effort should be undertaken to:
- Avoid duplication by having a full appreciation of any existing forums already having oversight of, or monitoring a particular issue
  - Ensure any Scrutiny undertaken has clarity and focus of purpose and will add value and can be delivered within an agreed time frame.
  - Avoid pure "information items" except where that information is being received as part of a policy/scrutiny review
  - Seek advice about available resources and relevant timings taking into consideration the workload across the Scrutiny Boards and the type of Scrutiny taking place
  - Build in sufficient flexibility to enable the consideration of urgent matters that may arise during the year
- 2.3 Also attached as appendix 2 is the minutes of Executive Board for 17 July 2017.

### **3. Recommendations**

#### **3.1 Members are asked to:**

- a) Consider the draft work schedule and make amendments as appropriate.
- b) Note the Executive Board minutes

#### **4. Background papers<sup>1</sup> - None used**

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<sup>1</sup> 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.

## Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year

Schedule of meetings/visits during 2017/18			
Area of review	June	July	August
Inquiries		<b><u>Directors Response</u></b> Advancing Bus Service Provision  <b><u>Inquiry - Scoping and first session</u></b> Sustainable Development	
Annual work programme setting - Board initiated pieces of Scrutiny work (if applicable)	Consider potential areas of review		
Budget	Budget update		
Pre Decision Scrutiny			
Policy Review		Response to Grenfell Towers	
Recommendation Tracking			
Performance Monitoring	Performance Report		
Working Groups			

\*Prepared by S Pentelow

## Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year

Schedule of meetings/visits during 2017/18			
Area of review	September	October	November
<b>Inquiries</b>	<u><b>Evidence Gathering –</b></u> Sustainable Development 2  <u><b>Agree Final Inquiry Report</b></u> Supertram, NGT and Beyond	<u><b>Evidence Gathering</b></u> Sustainable Development 3	<u><b>Evidence Gathering</b></u> Sustainable Development 4 - Final Session  <u><b>Directors Response</b></u> Supertram, NGT and Beyond
<b>Pre Decision Scrutiny</b>			
<b>Policy Review</b>	Highways Maintenance - request for Scrutiny		Leeds Public Transport investment update
<b>Recommendation Tracking</b>			
<b>Performance Monitoring</b>			Traffic Congestion (requested by SB to be scheduled with Transport update)
<b>Working Groups</b>			



## Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year

Schedule of meetings/visits during 2017/18			
Area of review	December	January	February - Single item
<b>Inquiries</b>	<b><u>Evidence Gathering</u></b> Sustainable Development 5 – If required		
<b>Budget and Policy Framework</b>	Initial Budget Proposals 2018/19 and Budget Update (Budget and Policy Framework)  Planning Services Resources		
<b>Pre Decision Scrutiny</b>			
<b>Policy Review</b>			
<b>Recommendation Tracking</b>		Digital Inclusion	Advancing Bus Service Provision Inquiry – Comprehensive progress review (inc. WYCA)
<b>Performance Monitoring</b>	Performance Report	KSI – Road Safety Review	
<b>Working Groups</b>			

## Draft Scrutiny Board (Infrastructure and Investment) Work Schedule for 2017/2018 Municipal Year

Schedule of meetings/visits during 2017/18			
Area of review	March	April	May
Inquiries	<u>Agree Final Inquiry Report</u> Sustainable Development		
Budget and Policy Framework	Local Flood Risk Management Strategy Annual scrutiny review		
Pre Decision Scrutiny			
Recommendation Tracking	Housing Mix		
Performance Monitoring			
Working Groups			

Potential unscheduled to be considered-

- Housing Growth Annual Report – EB report not yet scheduled
- Core Strategy Review (including Housing Target Update)– Potentially Dec onwards

Updated – Sept 2017 \*Prepared by S Pentelow

## EXECUTIVE BOARD

MONDAY, 17TH JULY, 2017

**PRESENT:** Councillor J Blake in the Chair

Councillors A Carter, R Charlwood,  
D Coupar, S Golton, J Lewis, R Lewis,  
L Mulherin, M Rafique and L Yeadon

### 25 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 from publication 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) Appendices 1 and 4 to the report entitled, 'Development of a District Heating Network', referred to in Minute No. 32 are designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that:
  - (i) Appendix 1 contains information relating to the financial or business affairs of any particular person (including the authority holding that information). Appendix 1 contains detailed pricing information underpinning the Council's heat sales business case, which if disclosed could damage the commercial interests of the Council. Disclosure of this information would seriously harm the Council's negotiating position when discussing heat sales with potential customers. Therefore it is considered that the public interest in maintaining the content of Appendix 1 as exempt from publication outweighs the public interest in disclosure of the information.
  - (ii) Appendix 4 contains information which is commercially sensitive and which details the value of Council owned property. Disclosure of which may prejudice future property development and disposals. As such, it is considered that the public interest in maintaining the content of Appendix 4 as exempt from publication outweighs the public interest in disclosure of the information.
- (b) Appendix 1 to the report entitled, 'Leeds 2023 European Capital of Culture Bid: Interim Report', referred to in Minute No. 35 is designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information contained in Appendix 1 relates to the financial or

business affairs of any particular person (including the authority holding that information). It is considered that the public interest in maintaining the content of Appendix 1 as exempt from publication outweighs the public interest in disclosing the information, as it provides details of the proposed budget to be included in the Council's application to a competitive bidding process, and as such the release of such information at this time would prejudice the Council's position.

**26 Late Items**

With the agreement of the Chair, a late item of business was admitted to the agenda entitled, 'Grenfell Tower Update'. This was to provide the Board with the latest position regarding the implications arising and actions being taken by the Council, as a result of the recent Grenfell Tower fire. The report advised that given the fast changing nature of the issues involved, in order to provide Board Members with the most up to date information possible, the report was not included within the agenda papers as published on 7<sup>th</sup> July 2017. However, it was deemed appropriate that the Board was provided with a formal report regarding such matters at the earliest opportunity. (Minute No. 44 refers).

**27 Declaration of Disclosable Pecuniary Interests**

There were no Disclosable Pecuniary Interests declared at the meeting.

**28 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 21<sup>st</sup> June 2017 be approved as a correct record.

**CHILDREN AND FAMILIES**

**29 Annual Reports of the Fostering and Adoption Services and Annual Updates of the Respective Statements of Purpose.**

Further to Minute No. 8, 22<sup>nd</sup> June 2016, the Director of Children and Families submitted a report which presented the respective Annual Reports of the Fostering and Adoption services. In addition, the report also sought approval of the revised Statements of Purpose for those services.

In considering the establishment of the regional adoption service, it was undertaken that annual reports would be submitted to the Board, in order to make the Executive aware of the progress being made by the agency.

Members discussed the resource implications arising from the provision of demand-led services, such as those needed to care for looked after children. In addition, the Board considered the actions being taken to look to address any related resource pressures, such as via the recruitment of foster carers, and in response to an enquiry, received further information and context on the proportion of placements that were 'in house' foster carer placements, as opposed to independent foster agency placements.

In conclusion, the Chair thanked all of those people across the city who undertook foster carer duties, and to those who also played a crucial role as fostering ambassadors.

**RESOLVED –**

- (a) That the respective Statements of Purpose for both the Fostering and Adoption Services for Leeds City Council, be approved;
- (b) That in noting and reviewing the annual fostering and adoption report, the Board continues to support the work of the adoption and fostering service in order to ensure that children receive the best possible support.

**30 Transport Assistance for Post-16 Students with SEND**

Further to Minute No. 114, 16<sup>th</sup> December 2015, the Director of Children and Families submitted a report advising of the outcome of the associated consultation process, and which sought approval to implement a new transport offer for young people with SEND (Special Educational Needs or Disabilities) in post-16 education.

In presenting the report, the Executive Member for Children and Families highlighted how the submitted proposals differed from those that had been originally set out, as a result of the feedback received from the associated consultation exercise.

Responding to a Member's enquiry, the Board received assurances regarding the communication which had taken place with affected individuals and families to date, together with the individual assessment for each young person that was intended to be undertaken, should the submitted policy be approved.

Members thanked the Scrutiny Board (Children and Families) for the valuable work which had been undertaken by Board in this area, which included the Scrutiny Board statement, as appended to the submitted report. The Chair of the Scrutiny Board provided a brief summary of the statement, together with the accompanying recommendations, which the Executive Board was supportive of.

**RESOLVED –**

- (a) That the proposed Children's Transport policy, 17th July 2017, as detailed at Appendix 1 to the submitted report, be approved. With it being noted that: Personal Travel Allowances will be offered to eligible young people with SEND in post-16 education as an alternative to providing transport. Young people with the very highest level of need, however, will continue to receive bespoke transport. Transport assistance would in future be made available on the following basis, depending on the level of transport need, as detailed in the policy and assessed by Children's Transport:  
**A:** Independent Travel Training and a free bus pass (or equivalent cost) for a young person who is able to travel independently or could

make the journey to their learning setting on public transport accompanied by an adult as necessary.

**B:** A Lower Personal Travel Allowance (PTA) equivalent to £1 per mile for 2 single journeys per day.

**C:** An upper PTA equivalent to £1.50 per mile for 2 single journeys per day.

**D:** Provision of Bespoke Transport.

- (b) That the new arrangements be introduced from September 2017, with it being noted that phasing arrangements, as detailed at paragraphs 3.42 – 3.45 of the submitted report, will mean that young people with SEND entering post-16 education for the first time from September 2018 onwards will be the first to receive transport assistance under the new policy.
- (c) That it be noted that the officer responsible for the implementation of such matters is the Head of Commissioning and Contracting.

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

### **31 Celebrating 5 Years of Child Friendly Leeds**

The Director of Children and Families submitted a report which provided details regarding the development and key achievements of the Child Friendly Leeds initiative, in order to mark the 5<sup>th</sup> anniversary since Leeds established itself as a child friendly city on 19<sup>th</sup> July 2012.

Board Members had been in receipt of further information, in the form of a booklet entitled, 'Making Leeds a Child Friendly City', which had been circulated prior to the meeting.

Members discussed the achievements which had been made since the establishment of the initiative, and discussed the challenges in this area that the Council still faced and the ongoing work which continued in order to address such challenges.

#### **RESOLVED –**

- (a) That the following be endorsed:
  - The contribution that Child Friendly Leeds makes to improving outcomes for children and young people, particularly the most vulnerable in our city;
  - The variety and breadth of activities which now comprise the Council's Child Friendly Leeds offer (as detailed at appendix 2 to the submitted report);
  - The feedback the Council is receiving on this in terms of the value it represents for those involved (as detailed at appendix 3 to the submitted report);

- The contribution Child Friendly Leeds has made to improving outcomes for children and young people in the city (as detailed at appendix 4 to the submitted report);
  - The impact, as further demonstrated by the January – March 2017 Child Friendly Leeds report card (as detailed at appendix 5 to the submitted report);
  - The key information which demonstrates that the ambition is enabling the Council to make a difference to the lives of children, young people and families in the city, including partner offers and enrichment projects (as respectively detailed at appendix 6 and appendix 7 to the submitted report).
- (b) That the following be supported:
- The various activities planned to celebrate the 5th birthday;
  - The Council's plans to further embed the ambitions for Leeds to be a child friendly city under the banner of 'Child Friendly Leeds II';
  - The social media campaign on Facebook and Twitter: by Executive Members posting and tweeting themselves, and also by liking and reposting posts and tweets made by other organisations and individuals.

## **ENVIRONMENT AND SUSTAINABILITY**

### **32 Development of a District Heating Network**

Further to Minute No. 141, 10<sup>th</sup> February 2016, the Director of Resources and Housing submitted a report detailing the progress which had been made in respect of developing a district heating network. In addition, the report detailed the outcome of the evaluation process undertaken in respect of the tenders received for the two procurements that would deliver the District Heating Network; outlined the funding arrangements and the business case that supported the project, and which sought approval to proceed with the project, subject to certain conditions being met.

Members acknowledged the ambitious nature of the scheme, and responding to a Member's enquiry, further information and assurance was provided in respect of the scheme's business plan and the actions which would be taken in order to mitigate any associated risk.

As part of the reassurance provided on such matters, although the recommendations within the submitted report were to delegate necessary authority to the Director of Resources and Housing to deliver the project, it was undertaken that prior to doing so under such delegated authority, consultation would be undertaken with the Leader of Council, the Executive Member for Environment and Sustainability and those Opposition Group Leaders on Executive Board.

Following consideration of Appendices 1 and 4 to the submitted report designated as exempt from publication under the provisions of Access to information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That the contents of the submitted report, including the appendices, be noted;
- (b) That the injection of £0.276m into the Capital programme in order to provide the balance of funding to deliver the district heating network programme, be approved;
- (c) That authority to spend for the following be approved:
  - (i) The construction of the Spine District Heating Network of £21.276m funded through £17.276m supported prudential borrowing and £4m of grant from the West Yorkshire Combined Authority (WYCA);
  - (ii) The connection of the council housing District Heating Network of £17.42m funded through £11.3m of HRA capital and £5.774m of European Regional Development Fund (ERDF);
  - With the above being subject to:-
    - the Director of Resources and Housing being satisfied with the outcome of the external due diligence on the business case and securing the required heat loads; and
    - the approval of the grant from the WYCA.
- (d) That the necessary authority be delegated to the Director of Resources and Housing to enter into a contract with Vital Energi Utilities Ltd. for a maximum sum of £2m for a limited scope of works and services for the housing District Heating Network, as described at paragraph 3.8 of the submitted report;
- (e) That the necessary authority be provided in order to enter into the leases of the Sites for the energy centres based next to the Recycling and Energy Recovery Facility (referenced as site A within the submitted report) and at Saxton Gardens, and including the disposal of Site A at an undervalue;
- (f) That the necessary authority be provided in order to set up an energy trading company on the terms that are agreed by the Director of Resources and Housing and in consultation with the Leader, the Executive Member for 'Environment and Sustainability' and the Section 151 Officer;
- (g) That the necessary authority be delegated to the Director of Resources and Housing in order to enter into all other documentation and take all other decisions required for the delivery of the project, and also to approve operational decisions relating to the district heating scheme;
- (h) That further to the above resolutions, prior to the Director of Resources and Housing confirming the delivery of the project in line with the agreed delegated authority, the Director will first consult with the Leader of Council, the Executive Member for Environment and



Sustainability and those Opposition Group Leaders on Executive Board.

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

## **ECONOMY AND CULTURE**

### **33 West Yorkshire Joint Services Trading Company**

The Director of Resources and Housing submitted a report setting out the background to the proposed establishment of a West Yorkshire Joint Services trading company. Appended to the submitted report was a business case to support the proposal which had been approved in principle by the West Yorkshire Joint Services Committee.

Responding to a Member's enquiry, the Board was provided with further information and assurance regarding the level of political oversight that Members would have on the operation of the trading company, in addition to any associated tax liabilities.

As part of such assurances, should the trading company be established, it was proposed that an annual update report on the performance of that company be submitted to Executive Board in order keep the Board informed on such matters.

#### **RESOLVED –**

- (a) That the legal position, as set out in Appendix 1 to the submitted report, be noted, in particular that the company will be a controlled company for the purposes of the Local Government and Housing Act 1989;
- (b) That it be noted that the Council will provide an indemnity to its appointed representative, under the terms of The Local Authorities (Indemnities for Members and Officers) Order 2004;
- (c) That the Business Case, as detailed at Appendix 2 to the submitted report, which is in support of the proposal to trade through the establishment of a trading company, be approved;
- (d) That approval be given to the formation of a Holding Company, to be limited by shares wholly owned by the founding members of the West Yorkshire Joint Services Committee, (i.e. Bradford, Calderdale, Kirklees, Leeds and Wakefield) which will protect the business of the West Yorkshire Joint Services Committee; and to 4 subsidiary companies for Materials Testing, Calibration Services, Archaeological Services and Business Hive, to be owned by the Holding Company;
- (e) That approval be given to the Council being involved as a shareholder in the West Yorkshire Joint Services Trading Company and its' subsidiaries, on the basis as set out within the submitted report;

- (f) That approval be given for the Council to participate as Directors of the Company on the basis, as set out within the submitted report;
- (g) That the proposed governance and funding arrangements for the company, as set out within the submitted report be noted and agreed;
- (h) That approval be given to participate through a shareholders agreement, on the terms as set out in draft in the submitted report, and that the City Solicitor be authorised to agree final terms and execute the agreement on behalf of the Council which should be on the same basis as the contribution rates payable to West Yorkshire Joint Services;
- (i) That the necessary authority be delegated to the City Solicitor in order to agree terms and enter into an agreement with the other 4 constituent authorities to indemnify Wakefield Council against any loss incurred as a result of making a working capital and investment loan to West Yorkshire Joint Services HoldCo up to a value of £1m, with the terms of such indemnity to be on the basis of each Council's contribution rate to West Yorkshire Joint Services;
- (j) That an annual update report on the performance of the trading company be submitted to Executive Board, in order keep the Board informed on such matters.

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

#### **34 Leeds Culture Strategy 2017-2030**

Further to Minute No. 137, 8<sup>th</sup> February 2017, the Director of City Development submitted a report providing an update on the development of a new Culture Strategy for Leeds 2017-2030. The report recommended the adoption of the strategy, and sought a commitment to a culture-led narrative and focus for the city.

Members highlighted the importance of the cultural strategy for Leeds and the need to ensure that it was intrinsically linked to city's economic strategy. In welcoming the proposals, Members highlighted the need to progress the strategy, and noted that the next steps would be the development of a Delivery Plan.

#### **RESOLVED –**

- (a) That the new definition, values, aims, objectives and five areas of focus for the Leeds Culture Strategy 2017-2030, be adopted;
- (b) That a new narrative for the city, placing culture at the heart of all future major policy decisions, be adopted;

- (c) That officers be requested to continue the work with stakeholders in order to develop a delivery plan to implement the strategy;
- (d) That directorates be requested to consider how their challenges and opportunities could be reframed in light of the new Culture Strategy for Leeds 2017-2030 and how their service areas could contribute towards the Delivery Plan;
- (e) That the Director of City Development be requested to return to Executive Board with an update on the Delivery Plan later in the year;
- (f) That it be noted that the Chief Officer Culture and Sport will be responsible for the implementation of such matters.

### **35 Leeds 2023 European Capital of Culture Bid Interim Report**

Further to Minute No. 137, 8<sup>th</sup> February 2017, the Director of City Development submitted a report providing an update on the work being undertaken towards the preparation of a Leeds bid for European Capital of Culture 2023 and which sought approval for the associated recommendations, as detailed.

Members welcomed the proposals detailed within the submitted report and noted that the deadline for initial bid submissions was 27<sup>th</sup> October 2017.

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

#### **RESOLVED –**

- (a) That the overall progress made over the past twelve months, be noted;
- (b) That the incorporation of Leeds Culture Trust be noted, and that the process going forward of developing appropriate governance structures, be approved;
- (c) That the budget proposals, as detailed within exempt appendix 1 to the submitted report, for the delivery of European Capital of Culture in 2023, be approved;
- (d) That officers be requested to return to Executive Board in October 2017 with the full and final detailed bid in advance of the deadline for the first stage submission of 27<sup>th</sup> October 2017;
- (e) That it be noted that should Leeds be shortlisted, then a second and final application will need to be submitted by mid-2018.

### **36 Grants to Arts and Cultural Organisations**

The Director of City Development submitted a report which presented background information on the current arts funding delivered by Leeds City

Draft minutes to be approved at the meeting  
to be held on Wednesday, 20<sup>th</sup> September, 2017

Council, with a proposal to update and revise the arts@leeds scheme moving forward.

In presenting the report, it was brought to the Board's attention that at section 2.9.6 of the submitted report, the financial investment bracket for tier 2 of the programme should read: '£4,000 - £50,000', and not '£4,000 - £30,000', as detailed.

**RESOLVED –**

- (a) That the establishment of a revised 4-year arts@leeds programme, as described in the submitted report, be approved, subject to the inclusion of the correction referenced during the meeting (section 2.9.6 of the submitted report refers), to reflect that the financial investment bracket for tier 2 of the programme should read: '£4,000 - £50,000', and not '£4,000 - £30,000', as detailed;
- (b) That subject to the Council's annual budget setting process, approval be given to maintain the current total level of investment in the arts@leeds and 'Leeds Inspired' schemes for the period 2018/19 to 2021/22, in support of the City Council's medium term financial plan;
- (c) That a further report be submitted later this financial year in order to propose the investment levels for individual arts organisations through the arts@leeds scheme;
- (d) That funding for the Leeds West Indian Carnival and the Black Music festival be transferred to the city's annual events programme, rather than being considered through the arts@leeds grant funding scheme;
- (e) That it be noted that the Chief Officer, Culture and Sport is responsible for the implementation of such matters.

**37 Leeds Inclusive Growth Strategy - Consultation Draft**

Further to Minute No. 102, 16<sup>th</sup> November 2016, the Director of City Development submitted a report presenting the recent work undertaken in order to review and replace the Leeds Inclusive Growth Strategy for 2017 – 2023, specifically outlining the work undertaken to date in preparation of the draft, the proposed summer consultation process and the approach towards proposed publication in the autumn.

In referencing the 'Inclusive Growth' section of the consultation draft of the strategy, a Member highlighted: the need to ensure that all parts of the city benefited from the initiative; the value of community assets in helping to promote growth in a locality; and the importance of town and district centres.

Members also emphasised the need to ensure that this strategy was developed in partnership with the Council's other key strategies and plans, and was linked to relevant national initiatives.

**RESOLVED –**

- (a) That the publication of the draft Leeds Inclusive Growth Strategy be approved for the purposes of consultation;
- (b) That the approach proposed by officers to engage with business and stakeholders, seeking specific commitments for the strategy, be supported;
- (c) That agreement be given for a final draft of the strategy to be published in the autumn of 2017;
- (d) That agreement be given for the Chief Officer Economy and Regeneration to continue to lead on the Leeds Inclusive Growth Strategy throughout the remaining consultation period and publication.

**EMPLOYMENT, SKILLS AND OPPORTUNITY**

**38 Equality Improvement Priorities Progress Report 2016 - 2017**

The Director of Communities and Environment submitted a report setting out the annual progress which had been made against the Council's Equality Improvement Priorities for the period 2016 – 2017.

Members welcomed the submitted annual report.

**RESOLVED –**

- (a) That the Equality Improvement priorities Annual Report 2016 – 2017, be approved;
- (b) That the new Equality Improvement Priorities for the City Development directorate and the Resources and Housing directorate, be approved;
- (c) That the refreshed Equality Improvement Priorities for the City Development directorate and the Public Health directorate, be approved;
- (d) That approval be given to sign off the completed City Development directorate Equality Improvement Priority.

**RESOURCES AND STRATEGY**

**39 Medium Term Financial Strategy 2018/19 to 2020/21**

The Chief Officer (Financial Services) submitted a report presenting details of the Council's proposed medium term financial strategy for the period 2018/19 – 2020/21.

**RESOLVED –**

- (a) That the 2018/19 – 2020/2021 Medium-Term Financial Strategy be approved;

- (b) That it be noted that further proposals will be brought forward in order to address the current identified shortfall;
- (c) That it be noted that the Chief Officer Financial Services will be responsible for the implementation of such matters.

**40 Financial Health Monitoring 2017/2018 - Quarter 1**

The Chief Officer (Financial Services) submitted a report which presented the financial health position of the Council as at the end of the first quarter of the 2017/18 financial year. In addition, the report also reviewed the position of the budget and highlighted any potential key risks and variations.

Responding to concerns raised regarding the projected Children and Families directorate overspend and how such matters could be discussed and addressed moving forward, those concerns were acknowledged, and it was undertaken that further information and proposals, which would look to address such budgetary pressures would be submitted to the Board as part of the 2018/19 budget setting process.

**RESOLVED –** That the projected financial position of the Authority as at quarter 1, be noted.

**41 The Leeds Community Infrastructure Levy - Investment of the Strategic Fund**

Further to Minute No. 156, 11<sup>th</sup> February 2015, the Director of Resources and Housing submitted a report which sought approval for the investment of the Community Infrastructure Levy (CIL) Strategic Fund monies which had been accumulated for the period up to November 2016.

In considering the submitted report, a Member highlighted the importance of ensuring that the process for determining which sites would benefit from CIL Strategic Fund investment was simple and transparent.

**RESOLVED –**

- (a) That approval be given for the investment of the CIL Strategic Fund, as set out in Table 1 of the submitted report (up to November 2016), to be used to contribute towards the learning places deficit for schools;
- (b) That it be noted that the Chief Officer (Financial Services) is responsible for the implementation of such matters.

**42 Annual Corporate Risk Management Report**

The Director of Resources and Housing submitted a report which provided an update on the Council's most significant corporate risks and which detailed the arrangements currently in place, together with the further activity planned during 2017/18 to manage such risks.

Responding to an enquiry, assurance was provided that current arrangements would continue for the briefing of Group Leaders in respect of risk management issues.

**RESOLVED** – That the annual risk management report be noted, together with the assurances provided on the Council's most significant corporate risks, in line with the authority's Risk Management Policy and the Executive Board's overarching responsibility for their management.

**43 Best Council Plan Annual Performance Report 2016/17**

Further to Minute No. 139, 8<sup>th</sup> February 2017, the Director of Resources and Housing submitted a report inviting the Board to receive the draft Best Council Plan annual performance report and to note the progress made against the 2016/17 Best Council Plan.

In considering the submitted report, it was suggested that the Best Council Plan could look to provide further detail on those areas where challenges continued to exist, in order to enable further monitoring of performance management in those areas.

**RESOLVED** – That the draft Best Council Plan annual performance report be received, and that the progress made against the 2016/17 Best Council Plan be noted. In addition, it also be noted that further design work will take place and that some of the information included may change between this draft and the final design version being published as full-year results are finalised.

**COMMUNITIES**

**44 Grenfell Tower Update**

The Director of Resource and Housing submitted a report which provided the Board with details of the activity being undertaken and the current position in Leeds regarding the response to the events of the Grenfell Tower fire. Whilst the report acknowledged that such matters were still fast moving at this stage, it provided an outline of some key issues for consideration, both in the immediate term and over the coming months.

For those reasons set out within the submitted report, and as detailed at Minute No. 26, the Chair agreed for this report to be considered as a late item of business at the meeting. Copies of the submitted report and appendix had been provided to Board Members prior to the meeting.

By way of introduction to the submitted report, the Executive Member for Communities provided the Board with a detailed update which included: the partnership approach being undertaken with West Yorkshire Fire and Rescue Service; the current position regarding associated safety checks and inspections; together with details of the ongoing engagement programme with tenants, private landlords, schools, hospitals and universities. The Board also received further information regarding the ongoing investment into fire safety measures, and responding to an enquiry, the Board also received further detail regarding the provision of sprinkler systems in high rise blocks, with clarification being provided around prioritisation of such provision.

It was also emphasised that further updates would be provided to the Board in due course, whilst Members also noted that a related cross-party piece of work was currently being undertaken by the Local Government Association.

In conclusion, on behalf of the Board, Members thanked all officers involved for their considerable efforts in the associated communication and engagement strategy, which was ongoing.

**RESOLVED –**

- (a) That the progress made on delivering the action plan (annex 1 to the submitted report) be noted, and that support be given to the ongoing prioritisation of the post-Grenfell work, noting the early implications and issues for consideration, as detailed within the submitted report;
- (b) That in relation to the role of Scrutiny Boards, the following Scrutiny Boards be requested to pick up scrutiny of the relevant actions / emerging issues:-
  - (i) Scrutiny Board (Strategy and Resources) – emergency planning;
  - (ii) Scrutiny Board (Infrastructure and investment) – private sector properties and building control;
  - (iii) Scrutiny Board (Environment, Housing and Communities) – Council housing stock safety, resident engagement and investment decisions;
- (c) That further updates and reports on issues with implications for the city be submitted to Executive Board, as and when required.

**45 A Strategic, Co-ordinated and Inclusive Approach to Migration in Leeds**

Further to Minute No. 63, 21<sup>st</sup> September 2016, the Director of Communities and Environment submitted a report which provided an overview of the arrangements in place with respect to migration activity across the city, and which sought approval of a further strengthened approach towards such arrangements.

The Executive Member for Communities extended her thanks to the Scrutiny Board (Citizens and Communities) for the work that the Board had undertaken in this area, and the significant contribution that the Scrutiny Board had made to the submitted proposals.

**RESOLVED –**

- (a) That the strengthened arrangements developed following the Citizen's and Communities Scrutiny Board inquiry into migration be approved, with the aim of ensuring a more strategic, co-ordinated and inclusive approach to migration, with the current and future work that is planned on such matters being endorsed;
- (b) That it be noted that the Director of Communities and Environment and the Executive Member for Communities are responsible for leading this work through the Council's 'Stronger Communities' Breakthrough Programme;



- (c) That an update report on the progress being made in this area, be submitted to the Executive Board in July 2018.

**46 Council House Growth Programme - Delivery of Extra Care Housing**

The Director of Resources and Housing, the Director of City Development and the Director of Adults and Health submitted a joint report which set out proposals for the delivery of extra care housing for older people across the city as part of the Council House Growth Programme and in support of the Better Lives Programme. In addition, the report also set out recommendations in order to enable the project to progress, including the use of Council owned sites which had been identified as suitable for delivery of extra care, the commitment of funding for the project from the Council House Growth Programme and the intended delivery strategy.

Members discussed the pace at which the programme was progressing, and highlighted the importance of using the initiative to encourage developers to bring their own land and schemes forward for the purposes of extra care provision. The Board also noted the cross-directorate working which continued in this area to progress the initiative.

In considering the sites detailed within the submitted report and the geographical spread of them, it was noted that the sites referenced were simply a shortlist which had been drawn up for extra care provision.

In conclusion, it was suggested that a cross-party working group could be established in order to assist with the progression of this scheme.

**RESOLVED –**

- (a) That the investment being made in the delivery of extra care housing as part of the Council House Growth Programme be noted;
- (b) That agreement be given that the sites included in section 3.13 of the submitted report should be dedicated to the delivery of the extra care housing programme, and that it be noted that any decisions on the disposal of Council land to enable this will be taken by the Director of City Development;
- (c) That the intended procurement strategy for the delivery of extra care housing, as set out at paragraphs 3.15-3.20 of the submitted report, be agreed;
- (d) That the needs assessment already undertaken to provide the evidence base for extra care delivery be noted;
- (e) That the potential revenue savings to the Council, which will result from the provision of additional extra care housing places across the city be noted, and that it also be noted that these will be accrued through the use of sites that would otherwise be disposed of to generate a capital receipt;

- (f) That the potential reduction in forecast capital receipts arising from the inclusion of the identified sites in the extra care programme be noted, together with the fact that this will be kept under review, but will be offset by future annual revenue savings and any additional land receipts arising from the delivery approach;
- (g) That a further report on progress regarding the delivery of the programme be submitted to the Executive Board in June 2018;
- (h) That it be noted that the responsible officer for the implementation of such matters is the Director of Resources and Housing.

#### **47 Community Led Local Development**

The Director of Communities and Environment submitted a report regarding the work which had been undertaken to secure Community Led Local Development (CLLD) funding for Leeds. The report also sought approval to enter into contracts with the Department for Communities and Local Government (DCLG) and the Department for Work and Pensions (DWP) in order to deliver the CLLD programme.

Members welcomed the content of the submitted report, highlighted the need to ensure that the Leeds City Region continued to benefit from the receipt of similar funding following Brexit, and noted the clear funding criteria and framework which had been used in this process.

#### **RESOLVED –**

- (a) That Council expenditure for the three CLLD Programmes of £1,093k, be authorised;
- (b) That the necessary authority be delegated to the Director of Communities and Environment in order to enter into contracts with DCLG and DWP for the CLLD Programmes in the Inner East, Inner South and Inner West areas.

### **REGENERATION, TRANSPORT AND PLANNING**

#### **48 Design and Cost Report, Proposed Refurbishment, West Yorkshire Playhouse**

Further to Minute No. 28, 15<sup>th</sup> July 2015, the Director of City Development submitted a report which sought approval to submit a Stage 2 application to Arts Council England for the purposes of grant support towards the cost of the proposed West Yorkshire Playhouse refurbishment works, whilst also seeking the relevant authority for an injection into the Capital Programme and associated authority to spend. In addition, the report also outlined proposals for the Council, supported by stakeholders, to progress associated public realm improvements.

Members noted the wider public realm works which were proposed to accompany the Playhouse refurbishment scheme, highlighted the importance

for the Playhouse building to have good quality architectural design, whilst also considered the financial aspects of the proposals.

**RESOLVED –**

- (a) That the submission of a Stage 2 application to Arts Council England for a grant of £6.330m towards the cost of refurbishing and reconfiguring the West Yorkshire Playhouse, be authorised;
- (b) That an injection of £13.040m into the Capital Programme (Capital Scheme No. 32019) be authorised, subject to the City Council's Stage 2 grant application to Arts Council England for £6.3m being successful;
- (c) That 'Authority to Spend' of £13.040m from Capital Scheme No. 32019 for the proposed refurbishment and reconfiguration works to the West Yorkshire Playhouse be approved, subject to the City Council's Stage 2 grant application to Arts Council England and the tender for the proposed works being within the project's cost plan allowance;
- (d) That the award of the contract for the proposed refurbishment and reconfiguration works at the West Yorkshire Playhouse be authorised, subject to the tender for the proposed works being within the project's cost plan allowance;
- (e) That the inclusion of the proposed public realm improvement works to Gateway Court in the contract for the proposed works to the West Yorkshire Playhouse be approved in principle, and that it be noted that a further report detailing the proposed public realm improvement works will be presented to Executive Board for approval in due course;
- (f) That approval be given to bringing forward for disposal for residential use the site on Quarry Hill previously held for use as a coach layover facility, and approval also be given to use the subsequent capital receipt in order to contribute towards the cost of the proposed public realm improvement works at Gateway Court;
- (g) That subject to consultation with the Executive Member for Regeneration, Transport and Planning, the Director of City Development be authorised to negotiate and approve the final terms of all legal agreements associated with the delivery of the project, in accordance with the Council's officer delegation scheme;
- (h) That the actions required to implement the above resolutions, together with the proposed timescales to progress the project (as detailed in paragraph 3.6 of the submitted report) be noted, and that it also be noted that the Chief Officer Culture and Sport will be responsible for the implementation of such matters.

**49 Ground lease of land at Beeston Village Community Centre to Health for All (Leeds) Ltd**

The Director of City Development submitted a report which sought approval to grant a 50 year lease at peppercorn consideration to Health for All (Leeds) Ltd. for land at Beeston Village Community Centre, St Anthony's Drive, Beeston, Leeds, LS11 8AB. In addition, the report also sought approval to grant permission for Health for All (Leeds) Ltd. to demolish the existing Beeston Village Community Centre building.

**RESOLVED –**

- (a) That approval be given to grant a 50 year ground lease to Health for All (Leeds) Ltd. for a peppercorn consideration for land at Beeston Village Community Centre, St Anthony's Drive, Beeston, Leeds, LS11 8AB, in order to enable a new community centre to be built using external funding;
- (b) That approval be given for Health for All (Leeds) Ltd. to demolish the existing Beeston Village Community Centre building;
- (c) That it be noted that the Head of Asset Management will be responsible for the implementation of such matters.

**HEALTH, WELLBEING AND ADULTS**

**50 Leeds Health and Care Plan: A Conversation with Citizens**

The Director of Public Health, the Director of Children and Families and the Director of Adults and Health submitted a joint report presenting the draft 'Leeds Health and Care Plan on a Page' together with the accompanying narrative, and which sought approval for the use of those documents as a basis for a proposed engagement and consultation exercise with citizens regarding the future health and care in Leeds.

Responding to a Member's enquiry, the Board received further information on the ways in which the success of associated outcomes would be measured, and how the plan would help enable the development of more efficient ways of working and the prioritisation of service provision.

**RESOLVED –**

- (a) That in considering the draft narrative for the Leeds Health and Care Plan (as appended to the submitted report), the contents be noted, together with the comments made by the Board during the meeting, which can be incorporated into future iterations and which can be used in the Council's conversation with citizens about the future of health and care in Leeds;
- (b) That the plans to progress a conversation with the public, based around the content of the submitted summary report, and delivered in conjunction with the 'Changing Leeds' discussion, be supported;

- (c) That it be noted that the Leeds Health and Wellbeing Board will continue to provide strategic leadership for the Leeds Health and Care Plan;
- (d) That the continued availability of staff and resources from Leeds City Council to support and inform the development and implementation of the Leeds Health and Care Plan, be noted.

**51 Leeds Academic Health Partnership**

Further to Minute No. 166, 20<sup>th</sup> April 2016, the Director of Adults and Health and the Director of City Development submitted a joint report presenting the progress made by the Leeds Academic Health Partnership (LAHP) to establish a programme of active projects to deliver the Partnership's priorities. In addition, the report also described the support required in order to ensure that LAHP's performance is sustained in the long term.

A Member highlighted the value of the 'One Leeds Workforce' initiative which was outlined within the report, emphasising how it linked well to the Council's 'inclusive growth' ambitions.

**RESOLVED –**

- (a) That the progress made by the Leeds Academic Health Partnership and its programme be noted, which looks to deliver better health outcomes, reduced health inequality and more jobs, whilst also stimulating investment in health and social care within the city's Health and Wellbeing Strategy;
- (b) That the extension of the period covered by the City Council's contribution towards the running costs of the LAHP and delivery of the LAHP's programme of work from one year to three years in order to give certainty and reflect the long term impact of its priority project, be supported;
- (c) That support be given to the principle of the Academy, which is a tool for better managing workforce challenges, and that officers be delegated, in consultation with the lead Member, the task of taking forward the Council's involvement whilst also keeping the Executive Board involved;
- (d) That it be noted that the Chief Officer, Health Partnerships Team will be responsible for overseeing the implementation of the programme by the LAHP.

**DATE OF PUBLICATION:** WEDNESDAY, 19<sup>TH</sup> JULY 2017

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5.00P.M., WEDNESDAY, 26<sup>TH</sup> JULY 2017

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