

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 22ND JANUARY, 2008

PRESENT: Councillor R Pryke in the Chair

Councillors G Driver, M Lobley,
J Monaghan, R Procter and B Selby

70 Declaration of Interests

Councillor Lobley declared a personal interest in Item 9 – Inquiry to Review Consultation Processes - Session 1 (Minute No. 75) as Chair of the North East (Inner) Area Committee, which had been consulted on the future use of Miles Hill School.

Councillor Monaghan also declared a personal interest in Item 9 – Inquiry to Review Consultation Processes - Session 1 (Minute No. 75) as Chair of the North West (Inner) Area Committee, which had been consulted on the future use of Royal Park Primary School and a personal interest in Item 11 – Performance on Planning Appeals (BV204) (Minute No. 77) as a Member of Plans Panel (City Centre).

71 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Ewens, Taggart, Harper, Dunn and Shelbrooke.

72 Minutes of Last Meeting

RESOLVED – That the minutes of the meeting held on 18th December 2007 be confirmed as a correct record and that, in particular Minute nos. 66 to 69 be noted, as the meeting was inquorate at that stage.

73 Executive Board Minutes

RESOLVED – That the minutes of the Executive Board meeting held on 19th December 2007 be received and noted.

74 Overview and Scrutiny Minutes

RESOLVED – That the minutes of the Overview and Scrutiny Committee meeting held 11th December 2007 be received and noted.

75 Inquiry to Review Consultation Processes - Session 1

The Head of Scrutiny and Member Development submitted a report outlining the findings of the Working Group which had been established by the Board to consider the consultation processes that had been undertaken specifically with regard to the former Miles Hill and Royal Park schools (case study 1) and

to identify any lessons that may have been learned under Session 1 of the Board's inquiry to Review Consultation Processes.

Paul Brook, Chief Asset Management Officer, City Development, Brian Lawless, Group Manager Projects, City Development, George Turnbull, Team Leader, Education Leeds, Rory Barke, North East Area Manager, Environment and Neighbourhoods, and Jason Singh, Area Co-ordinator, North West Area Management, Environment and Neighbourhoods, were in attendance to respond to questions from the Board.

Members were advised that the North West (Inner) Area Committee had agreed to extend the process of consultation with local organisations on the future use of **Royal Park Primary School** as a community resource.

With regard to the general disposal of schools, the Chief Asset Management Officer acknowledged that consultation with local communities needed to commence at a much earlier stage in the process. This would enable a more strategic approach to be applied when considering the disposal of assets. He referred to Document E of the papers and the aspirational chart that should be applied to any disposal of assets, with consultation being carried out earlier in this process.

In brief summary the main issues discussed were:

- The **process and timing** for declaring buildings surplus to requirements.
- The **costs involved** with keeping vacant properties **secure** and free from **vandalism**.
- The lack of **protocols** for dealing with surplus buildings, which should include **set timescales** and **liaison** with Ward Members.
- The fact that the City Development Department and Education Leeds do not have the **expertise and skills** to undertake consultation and that Environment and Neighbourhoods were best placed to undertake this work.
- The need for sufficient **resources** to be made available to undertake the level of consultation required. The two years of discussion over the future use of **Headingley Primary**, and issues concerning the former **Merlyn Rees and Asket Hill schools** were given as examples where improvements could be made and which emphasised the effort and costs incurred by all departments involved in these projects.
- The need to improve **collaboration** between departments, partners and external agencies.
- Not raising the **expectations** of the local community and the critical balance of raising capital receipts from the sale of Council assets to fund the school replacement PFI programme and the inevitable delays which arise in order to carry out consultation on the buildings' future use.
- The difference between **consultation and communication**.
- The need to improve **communication** between officers and departments.
- The disbanding of **District Partnerships** but the increased importance of partnership working for Area Committees, which were soon to have extended responsibilities.

- The need, from the public's point of view, for the consultation process to be **transparent, consistent** and within a **fixed time frame**.
- Provision of a statement of intent when going out for consultation which was **realistic rather than aspirational**.
- The need for a consultation **floor limit** and a **target** with regard to the number of **questionnaires** required to be returned by local residents.
- The need for Education Leeds in particular, to become much more proactive at an earlier stage in the process in looking strategically at Council assets and before any building is declared surplus to requirements.
- Avoiding **crisis management**.

RESOLVED – That the Principal Scrutiny Adviser take account of Members' comments as above and include them in the Board's final report and recommendations.

76 Highway Services

The Head of Scrutiny and Member Development submitted a report presenting the newly appointed Chief Highways Officer, Mr Gary Bartlett. Mr Bartlett had been invited to attend today's meeting and introduce himself to the Board.

Members were reminded that responsibility for highways services had been transferred to the City Development Department following the Council's restructure in April 2007.

The Chair welcomed Mr Bartlett to his first Scrutiny Board meeting. Mr Bartlett advised Members that he had joined Leeds City Council from Buckinghamshire County Council at the end of November and was based at Highways Services, Ring Road Middleton.

In summary, the following issues were raised with the Chief Highways Officer:

- The recent **flooding**.
- Urban **pinch points**.
- **Linton Bridge** repairs and road tarmacing – the need to co-ordinate works.
- **Students** and their cars causing increased congestion.
- **Residents only parking schemes**.
- **Quality of workmanship** by contractors and contract management.
- Quality of **in-house workmanship**, in particular the discarding of equipment when works were completed.
- The **costs** of contracts.
- Tarmacing of **grass verges** for car parking on narrow roads.
- **Congestion charging**.
- **20mph zones**.
- The perceived **remoteness of Highways Services** and the need to communicate better with customers.
- The need to improve **project management**.

RESOLVED – That the report and Members' comments be noted.

77 **Performance on Planning Appeals (BV204)**

The Chief Planning Officer submitted a report outlining and analysing performance on planning appeals against the BV204 performance indicator, an indicator of the quality and effectiveness of local planning authority decision making, which was causing concern. The report set out actions to be taken to improve performance.

Sue Wraith, Head of Planning Services, City Development presented the report and responded to queries and comments from the Board. She was accompanied by Robert Wade, Legal and Democratic Services, Chief Executive's Department.

The Board were advised that at the end of November, performance was at 47.3%. At the end of December this **figure had improved** to 46.6% and it currently stood at 46.4%. The figure was relevant as it could affect the Council's **Comprehensive Performance Assessment rating**. Officers confirmed that, although the **indicator would be dropped** next year in the new national performance management regime, performance would continue to be measured and the information made available to Members.

In brief summary, the main issues raised from the report were:

- The number of appeals allowed in the **Green Belt**.
- **Bracken Park Lodge** which had gone to appeal and been allowed – officers advised that a number of points had been learnt from this case and would be included in the householder design guide.
- The quality of decision making by the **planning inspectorate**.
- **Training and quality of report writing** – the need to provide accurate information to Plans Panels.
- **Report writing** – the introduction of robust procedures, including quality checking.
- The introduction of a **standardised template for officers' reports** and a forensic approach to report writing.
- **Comparisons with other planning authorities** - this was not as bad as it seemed, as the actual number of applications going to appeal in Leeds was comparatively small.
- **Costs Awards** – Members were advised that only one case had been lost where costs had been awarded against the Council.
- **Ward Members, local knowledge and membership of Plans Panels** – Members were advised that this was an issue being looked at by the working group.
- Availability of the **report to the Inspectorate** (appeals statement), particularly to those that had local knowledge – the Board were advised that the report was a public document and widely available.

RESOLVED – That the following actions be supported by the Scrutiny Board:

- (a) That the Plans Panels Member/officer working party be asked to consider improvements to the processes for dealing with Panel decisions made against officer recommendation.
- (b) That a letter be sent to the Planning Inspectorate raising issues around the quality of some appeal decisions and the disproportionate number of appeals allowed by a particular Inspector.
- (c) That training be undertaken by officers and Members, in particular to include character and appearance assessment and addressing this issue in the presentation of evidence.
- (d) That templates for officer reports and appeals be formatted and a standard approach be applied, and that in all cases a rebuttal of the appellant's evidence is provided.

(Note: Councillor Monaghan left the meeting at 11.30am during the consideration of the above item.)

78 Review of the Conservation Team

The Chief Strategy and Policy Officer submitted a report briefing the Board on the work and priorities of the Conservation Team.

The Chair welcomed to the meeting Richard Taylor, Team Leader Conservation to present the report and respond to Members' queries and comments. Apologies were received from Tom Knowland, Head of Sustainable Development.

In brief summary, the main issues discussed were:

- **Area Committees' role** in conservation.
- **Tree protection orders** – The officer advised that, although outside the remit of the Conservation Team's responsibilities, he was pleased to announce that a third tree officer had been appointed.
- Raising the profile of **Leeds as a historic city** – Members were advised that Councillor Ann Castle was the **Historic Environment Champion**.
- **Protection of Non-listed buildings of heritage value** – Members were advised of the White Paper that would result in the **Heritage Protection Act** probably in 2010. One effect of this Act would be to allow local authorities for the first time to restrict the demolition of buildings on a locally-compiled list of buildings of heritage value.
- **Buildings at risk** – York Road Library/Baths, Mount St Mary's, Stank Hall Barn and Seacroft Grange were referred to.

RESOLVED – That the report be noted.

(Note: Councillor R Procter left the meeting at 12.05pm at the conclusion of this item.)

79 Leeds Strategic Plan and Council Business Plan: Outcomes and Priorities

Draft minutes to be approved at the meeting
to be held on Tuesday, 19th February, 2008

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report outlining the progress to date in the development of the Leeds Strategic Plan and Council Business Plan. The report updated the Board on the findings of the stakeholder consultation undertaken between September and November 2007 on the Leeds Strategic Plan 2008-11 and the Board was requested to receive and comment upon changes made, based on feedback received. The report also requested feedback on the Council's draft business outcomes and improvement priorities to support the delivery of the Leeds Strategic Plan.

Paul Maney, Head of Performance Management, City Development and Heather Pinches, Performance Manager, Chief Executive's Department, presented the report and responded to Members' queries and comments.

Members were advised that the report had been updated following the recent meeting of the Overview and Scrutiny Committee and that this final revised report would be circulated to the Board.

In brief summary, the main issues discussed were:-

- With regard to the **Business Plan**, Members suggested that communities needed to be **co-owners** of the plan, rather than just being engaged with it.
- With regard to the Leeds Strategic Plan, the importance of including reference to the **Family** was reiterated.
- Members also reiterated the need to include reference to reducing not only offending but also **re-offending**. Members were advised that police colleagues had requested the wording that was included in the revised Plan.
- The fact that Scrutiny Boards had not been specifically requested to **prioritise** improvement priorities, whereas other groups consulted had - officers agreed to respond to this query once they had consulted with colleagues.

With regard to the **draft business outcomes and improvement priorities**, it was agreed that the Principal Scrutiny Adviser would contact all Members of the Board, inviting comments on this aspect of the report to be forwarded to the Performance Manager within the next 7 working days.

RESOLVED –

- (a) That the report be received and noted.
- (b) That the above comments be noted.
- (c) That the Principal Scrutiny Adviser contact all Members of the Board, inviting that their comments on the draft business outcomes and improvement priorities be forwarded to the Performance Manager within the next 7 working days.

80 Work Programme

The Head of Scrutiny and Member Development submitted the Board's current Work Programme together with a relevant extract of the Council's Forward Plan of Key Decisions for the period 1st January to 30th April 2008.

RESOLVED – That the current Board's Work Programme be received and noted.

81 Date and Time of Next Meeting

Noted that the next meeting of the Board would be held on Tuesday 19th February 2008 at 10.00am with a pre-meeting for Board Members at 9.30am.

The meeting concluded at 12.30pm.