

Report of the Chief Executive, Director of Resources and Housing, Director of City Development, Director of Communities and Environment

Report to Scrutiny Board (Infrastructure and Investment)

Date: 25th July 2018

Subject: RESPONSE TO SCRUTINY INQUIRY REPORT ON SUSTAINABLE DEVELOPMENT

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. An inquiry into sustainable development was undertaken by the Scrutiny Board (Infrastructure and Investment) between July 2017 and January 2018. The scope of the inquiry and its findings were set out in the final report which was published in March 2018 (appended).
2. The inquiry produced a series of recommendations covering Leeds' approach to sustainable development in relation to:-
 - Land use planning, the National Planning Policy Framework and the extent to which local priorities for infrastructure and other issues can be aligned with local sustainable development requirements (the role of Strategic Investment Board and the Community Infrastructure Levy being a particular focus) (recommendations 6, 8, 9, 10, 11, 12 refer);
 - The link between sustainable development and local inclusive growth and health priorities (recommendations 4 and 7 refer);
 - The integration of sustainable development principles in Council decision making generally (recommendations 1, 2, 3 and 5 refer).

Recommendations

3. The Scrutiny Board (Infrastructure and Investment) is requested to note the response to the recommendations based on their findings and to note the observations made below.

1 Purpose of this report

1.1 This report sets out the formal response of the Chief Executive, Director of Resources and Housing, Director of City Development and Director of Communities and Environment to the recommendations of Scrutiny Board (Infrastructure and Investment) inquiry into sustainable development.

2. Background information

2.2 The scrutiny inquiry into sustainable development was held between July 2017 and January 2018 and drew on evidence from witnesses from University of Leeds, Leeds Chamber of Commerce, Town and Country Planning Association, City Council members, officers and a range of other organisations.

3. Main issues

3.3 The responses to the specific recommendations and desired outcomes of the Scrutiny Board report are summarised below. The following provides some background context to the responses.

3.4 The starting point for any consideration of the successful integration of sustainable development into Council decision making and operation is to recognise that identifying and responding to sustainability issues should be part of everyday planning and delivery of services.

3.5 However, sustainable development is not business as usual. The various definitions of sustainable development tend to agree that it has the following key characteristics that distinguish it from conventional development:-


- Sustainable development is concerned with the achievement of social, economic and environmental objectives at the same time, rather than a process of trading advantages in one sphere against losses in another. It is about integrating objectives rather than balancing them;
- Sustainable development recognises the impacts that decisions taken locally will have globally;
- Sustainable development recognises the impacts that decisions taken now will have on generations in the future;
- Sustainable development places a high emphasis on participation by the public in decisions that affect them.

3.6 In Leeds this is expressed through the priorities in the Vision for Leeds which *“is about trying to do things better and differently. It is about achieving social, environmental and economic objectives at the same time, and not at the expense of each other. We need to link these objectives together and recognise that the decisions we take in Leeds affect the rest of the world and our children. The Vision for Leeds emphasises the need for people to be involved in the decisions*

that affect them. We aim to challenge and change the way we do things now and in the future” (Vision for Leeds 2004 to 2020).

3.7 Sustainable development should not be treated as a separate, additional objective. Rather the aim should be to ensure that all objectives together are working towards sustainable outcomes. In other words where a local authority has fully incorporated sustainable development objectives into its strategic objectives (which the table below illustrates Leeds has effectively done), then the process of promoting sustainable development and delivering high quality services will be one and the same.

National Sustainable Development Principles	UN Sustainable Development Goals	Vision for Leeds	Leeds City Council Values	Best Council Plan: Best City Priorities
Ensuring a strong healthy & just society	<ul style="list-style-type: none"> • No poverty • Zero hunger • Good health and well-being 	Leeds will be fair, open and welcoming	Being open, honest and trusted	Inclusive growth
Living within environmental limits	<ul style="list-style-type: none"> • Quality education • Gender equality • Clean water and sanitation 	Leeds' economy will be prosperous and sustainable	Treating people fairly	Health & wellbeing
Achieving a sustainable economy	<ul style="list-style-type: none"> • Affordable and clean energy • Decent work and economic growth 	All Leeds' communities will be successful	Spending money wisely	21st century infrastructure
Promoting good governance	<ul style="list-style-type: none"> • Industry, innovation and infrastructure • Reduced inequalities • Sustainable cities and communities 	Best City for children	Working as a team for Leeds	Housing
Using sound science responsibly	<ul style="list-style-type: none"> • Responsible consumption and production • Climate action • Life below water • Life on land • Peace, justice and strong institutions 	Best City for business	Working with communities	Child-friendly city
		Best City for communities		Culture
		Best city for health and well-being		Safe, strong communities
		Best city to live		

National Sustainable Development Principles	UN Sustainable Development Goals	Vision for Leeds	Leeds City Council Values	Best Council Plan: Best City Priorities
	<ul style="list-style-type: none"> Partnerships for the goals 			
				

- 3.8 However it is acknowledged that future iterations of the Best Council Plan framework need to continue to ensure greater alignment with sustainable development principles. In particular there is scope for greater clarity on 'Environmental Limits' for Leeds, based on data, targets and thresholds for significant environmental limits in the city (e.g. Air Quality, Flood risk, CO2 emissions, Waste management).
- 3.9 Delivering sustainable development is not an additional, separate function of the local authority. Achieving sustainable development requires action at national, regional and local scale by a variety of actors and stakeholders and cannot be achieved by the City Council in isolation. A role of Leeds City Council is to provide the policy environment within which sustainable outcomes are more likely and the negative consequences of unsustainable development are reduced and managed appropriately.
- 3.10 Current best practice in this field suggests that assessing the policy environment provided by the City Council should seek to embed sustainable development principles in key activities and be manifested in the Council's Governance, Policy, Operations and Procurements. In this respect it is possible to draw on the Council's successful experience of embedding Equality and Diversity / Cohesion and Integration principles into the Council's decision making framework through a combination of Councillor and Officer professional development, supported by appropriate guidance for decision makers and report writers on the Council intranet.
- 3.11 It is proposed that in the current climate, it would not be cost effective to review every aspect of Governance; every Policy; every Operation; every Procurement contract. Whilst all Directors collectively agree the recommended objectives made in the inquiry report, the proposed approach is to deliver the desired outcomes by prioritising the aspects previously defined as follows, in order to secure greatest traction for resource expended:-
- Governance: Executive Board decisions;
 - Policy: Council Plan, Core Strategy, Inclusive Growth, Health & Wellbeing strategy and then other policies and strategies referenced in the Council Plan as they come up for renewal. An initial synthesis of the existing policies and strategies referenced in the Council plan would help to establish areas of congruity with and divergence from the current Council Plan Best City Priorities, with the additional consideration of local environmental limits as set out in 3.8;
 - Operation: Council buildings & fleet;
 - Procurement: Contracts above a sensible £ threshold.

3.12 An efficient methodology would need to be established in order to achieve this, drawing on the successful experience of embedding Equality and Diversity / Cohesion and integration principles into these processes (Governance, Policy, Operation, Procurement) within the authority.

4. Responses to Scrutiny Board desired outcomes and recommendations

4.1 In terms of the Board's desired outcomes and recommendations the responses are as follows:

Desired Outcome To enhance and promote Leeds as a Green City
Recommendation 1: That the Chief Executive initiates a review to identify those policies, activities, challenges and achievements that; a) contribute to, or militate against, sustainable development, and b) identifies the further actions, co-ordination and collaboration required to justify, promote and further enhance Leeds's status as a Green City. See also recommendations 2&5
Response In order to make best progress within existing resources, rather than a comprehensive review, it is considered that a more appropriate response would be to prioritise attention on the most significant Council activities in terms of Governance, Policy, Operations and Procurements as outlined above (3.11 and 3.12). A list of priority activities should be agreed in liaison with Scrutiny Board.
Desired Outcome To clearly identify and communicate a set of Sustainable Development aspirations and expectations that can be accessed, understood and supported by all stakeholders.
Recommendation 2: That the Chief Executive defines a clear set of prominent and overarching principles or framework for sustainable development in Leeds. Progress to be reported to the Scrutiny Board in January 2019.
Response The existing Vision for Leeds 2011 to 2030 and Best Council Plan 2018/9 to 2020/1 provide a framework which is broadly consistent with sustainable development, however this needs to be made more explicit in future versions. Ensuring that its principles are fully aligned with the National Sustainable Development Strategy, by outlining Leeds' most relevant 'environmental limits' (e.g. air quality, flooding, carbon emissions, waste management etc.) would assist in this regard. A refreshed framework that in particular more clearly articulates local environmental limits should then be applied to the Council Plan, Core Strategy, Inclusive Growth, Health & Wellbeing strategy and then other policies and strategies referenced in the Council Plan as they come up for renewal. It is proposed that some revised principles / priorities (in particular that strengthen the Council Plan's reference to local environmental limits) should be prepared for further review by the Scrutiny Board.

<p>Desired Outcome To make clear and prominent the commitment of Leeds City Council to Sustainable Development.</p>
<p>Recommendation 3: That the Director of Resources and Housing makes prominent the Council’s aspiration for sustainable development in the next iteration of the Best Council Plan, in advance of wider consultation.</p>
<p>Response See Recommendation 2</p>
<p>Recommendation 4: That the Director of City Development makes prominent the aspiration for sustainable development in the Leeds Inclusive Growth Strategy.</p>
<p>Response The aspiration for sustainable development is complementary to the aims of the Leeds Inclusive Growth Strategy and runs throughout the document. It is specifically mentioned three times, in the Big Idea 5 - supporting places and communities to respond to economic change, Big Idea 6 - doubling the size of the city centre, and the introduction. The introduction was rewritten and now includes the following passage: “ We have identified twelve big ideas to shape our city by boosting our long term productivity, competitiveness and social inclusion. Integral to this are the principles of sustainable development embracing the social, economic and environmental impacts of their implementation.”</p>
<p>Desired Outcome To ensure that Sustainable Development is considered in decision making and that there is consistency across Council policies and strategies</p>
<p>Recommendation 5: That the Chief Executive initiates a review of all Council wide policies and strategies to ensure that there is alignment and consistency for sustainable development in Leeds, in achieving economic, environment and social objectives at the same time.</p>
<p>Response As in the response to Recommendations 1 and 2, a review of all Council wide policies and strategies would be an extremely resource intensive activities. A more productive response would be to develop an appropriate governance response that seeks to align Council decision making with the local framework for sustainable development as set out in a (refreshed) Best Council Plan, drawing on the successful experience of embedding Equality and Diversity / Cohesion and integration principles (see 3.12).</p>
<p>Desired Outcome To ensure that sustainable development is a strategic consideration and that a system for considering the detrimental impact of growth and the protection of communities and environments for the next generation is in place.</p>

Recommendation 6: That the Chief Executive, Director of Resources and Housing and the Director of City Development,

- a) reviews the governance arrangements and role of the SIB in the strategic co-ordination and delivery of sustainable development and infrastructure in Leeds.**
- b) considers the mechanisms for identifying the overarching needs of communities resulting from economic growth, for identifying the deficits created, and what can and should be delivered by all responsible organisations to remediate, and for identifying the tensions and risks arising and how they can be mitigated.**

Response

It is recommended that the Terms of Reference for SIB should be reviewed to ensure that there is clearer reference to the need to address sustainable development principles in delivery of the capital programme and that this is reflected in mechanisms such as the as the SIB infrastructure gap report.

Desired Outcome

To ensure that health provision and infrastructure is sustainable to meet current and future demand as a result of housing and population growth.

Recommendation 7: That the Chief Executive, the Director of Adults and Health and the Director of City Development works in collaboration with the CCG Medical Director (responsible for commissioning general practice) and the NHS England North Region Lead to identify:

- a) how within the planning system Health Services can better collaborate in a similar way to Highways and Children's Services with regard to planning strategies and programmes and individual planning applications.**
- b) provides an update report to the Scrutiny Board in January 2019 on the progress made to improve the co-ordination of health infrastructure and services in order to meet current and future needs of communities as the population and housing numbers increase.**

Response

- a) This could will be through monitoring the health infrastructure requirements set out in the Core Strategy, and for example reviewing Community Infrastructure Levy charges so that these cover both appropriate health facilities and placemaking interventions to promote long term health and wellbeing. Further, for individual sites identified in the Site Applications Plan, health infrastructure requirements will be identified through the formulation of Planning Briefs or Supplementary Planning Documents, in consultation with Health Services colleagues. This will include requirements not only for services but also placemaking - green and blue infrastructure and the connectivity and design of open spaces. Heath Services are also then to be consulted on the receipt of planning applications for major sites to advise on specific site requirements as they may arise. Key Principles of Planning and Design, formulated with colleagues in Health Services, will also be published and will be used to work with partners on key sites including new housing developments, to improve their health and wellbeing impact. These will be Active Neighbourhoods - promotion of cycling and walking

reducing car usage; Better Air Quality and Green Space - providing outdoor recreation infrastructure; and Cohesive Communities - encouraging co-location of services to encourage interaction and combat isolation.

b) A number of actions are already in place to ensure better collaboration across partners in terms of planning for and delivering health provision and infrastructure. In summary these are:

- Health and social care commissioners and providers across the city have for a number of years worked together on infrastructure matters by way of the Health and Care Strategic Estates Group (SEG) which meets on a monthly basis. In recognition of the challenge that housing and population growth poses to the city's health infrastructure and service provision membership of SEG has recently been extended to include colleagues from both Planning (housing growth) and Communities (general population growth and need);
- SEG reports on a quarterly basis to the Partnership Executive Group, membership of which is made up of Chief Executives and Directors from across Leeds' health and care system, including NHS England and the Third Sector;
- Health Partnerships (Adults & Health) has, as part of the delivery of the Leeds Health & Care Plan, appointed an Estates Programme Manager who will work across the health and care system to ensure joined up strategies, as well as plan for and deliver estate solutions to meet current and future demand; and
- The Council's One Public Estate programme, led by Asset Management (City Development), has a key focus on working with health partners to support responses to current and future demand. It also acts to create new linkages with both the wider public sector and internal council services.

The report will also include an update on the collaborative work between planning, design and health colleagues in the Planning and Design for Health and Wellbeing group.

Desired Outcome

To empower Elected Members with knowledge regarding sustainability challenges in their areas, and to support decision making regarding the potential investment of the local fund.

Recommendation 8: That the Director of Communities and Environment, the Director of Resources and Housing (as chair of the SIB) and the Director of City Development,

a) considers the mechanisms for informing and consulting with Elected Members on sustainable development and infrastructure priorities in their areas so that they can be more effective in supporting their communities, providing advice and information to residents, and in making investment/funding related decisions.

b) ensures mechanisms are in place to consistently brief Elected Members regarding S106 obligations and schemes in their individual Wards.

Response

Whilst this is not an area of particular focus for SIB, it is recommended that S106 procedures are reviewed to ensure that they address the need to consistently brief elected Members regarding s106 obligations and schemes in their individual wards and to ensure greater consistency with the SIB infrastructure gap report (see Recommendation 6)

The Community Committees offer an effective framework to support members as they make decisions which impact on the wards they represent, and for services to consult on the impact of wider changes to services. The Community Committee Chairs forum provides a gateway to the committees, and this can be utilised to secure the support of the chairs for areas of work which need to be developed.

Desired Outcome

To enable the Scrutiny Board to support the response of the Local Authority following this inquiry.

Recommendation 9: Should the Government proceed with a review of CIL, that the Director of City Development obtains the views of the Scrutiny Board (Infrastructure and Investment) to support the consultation response of the Local Authority

Response

The Review of CIL is still pending and the City Council will be given the opportunity to comment as and when it comes forward.

Desired Outcome

To enable the Scrutiny Board to support and inform the decision making process of the Executive Board, with regard to the Regulation 123 list, following this inquiry.

Recommendation 10: That the Director of City Development obtains the views of the Scrutiny Board regarding any proposed revisions to the Regulation 123 list in advance of approval by Leeds City Council's Executive Board.

Response

See recommendation 9

Desired Outcome

To ensure that Community Committees and Town and Parish Councils receive and understand relevant and informative guidance that will provide clarity regarding the investment and spending of their allocated local CIL fund.

Recommendation 11: That the Director of City Development and the Director for Communities and Environment reviews and refreshes The Leeds City Council CIL Neighbourhood Fund – 'Spending Guidance for Community Committees' to

<p>encompass guidance for Town and Parish Councils, and ensure that the guidance is circulated and understood by all Elected Members and Parish Councillors.</p>
<p>Response See recommendation 9</p> <p>Executive Board in October 2015 agreed the spending guidance for Community Committees.</p> <p>It is early in the implementation of the CIL Neighbourhood fund by Community Committees, but robust arrangements are in place to support members as they take decisions.</p> <p>Revised guidance will be implemented in a similar manner.</p> <p>CIL Neighbourhood fund will be a topic for discussion with the Parish Council's individually and collectively as a renewed Parish Council Charter is developed.</p>
<p>Desired Outcome To ensure that Town and Parish Councils and Community Committees fully understand the sustainable infrastructure needs in their areas and how they can work strategically with the Local Authority and other stakeholders to respond to those needs.</p>
<p>Recommendation 12: That the Director of Director of Resources and Housing explores, a) the mechanisms to inform Town and Parish Councils and Community Committees of the sustainable infrastructure needs in their localities, and b) how the investment of neighbourhood funds and specific S106 contributions can be co-ordinated through local governance arrangements to respond, in partnership with the Local Authority and other stakeholders accessing other funding sources, to the sustainable infrastructure needs in their areas.</p>
<p>Response The Community Committees and its chair's forum are suitable mechanisms for the briefing of those committees on sustainable development issues.</p> <p>The revised Parish Council Charter will provide the opportunity to share sustainability issues with members of these Councils.</p>

5. Corporate Considerations

5.1 Consultation and Engagement

- 5.2 This report recommends that a clearer alignment with sustainable development principles is developed for future versions of the Best Council Plan which would itself be subject to further consultation and engagement.

5.3 **Equality and Diversity / Cohesion and Integration**

5.4 This report raises no issues for equality and diversity / cohesion and integration and the recommended responses suggest drawing on good practice on how the authority has embedded these considerations into existing governance processes.

5.5 **Council policies and Best Council Plan**

5.6 This report proposes that for the authority to fully incorporate sustainable development objectives into its strategic objectives (i.e. the Best Council Plan), then the process of promoting sustainable development and delivering high quality services will be one and the same.

5.7 **Resources and value for money**

5.8 This report proposes a prioritised response to the Scrutiny Board's recommendations in order to achieve optimum value for resources expended.

5.9 **Legal Implications, Access to Information and Call In**

5.10 There are no specific legal implications arising from this report.

5.11 **Risk Management**

5.12 There are no specific legal implications arising from this report.

6. **Conclusions**

6.1 The Chief Executive, Director of Resources and Housing, Director of City Development and Director of Communities and Environment welcome the recommendations of the scrutiny board into sustainable development. The proposed responses include the need to work with the scrutiny board in developing and prioritising this work in the future.

7. **Recommendations**

7.1 The Scrutiny Board (Infrastructure and Investment) is requested to note the response to the recommendations based on their findings and to note the observations made above.

8. **Background documents¹**

8.1 There are no background documents.

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