

SCRUTINY BOARD (INFRASTRUCTURE, INVESTMENT & INCLUSIVE GROWTH)

WEDNESDAY, 12TH DECEMBER, 2018

PRESENT: Councillor P Truswell in the Chair

Councillors K Brooks, N Buckley, P Carlill,
K Dye, S Field, B Flynn, R Grahame,
C Harrison, K Maqsood, M Shazad,
J Taylor and P Wadsworth

34 Exempt Information - Possible Exclusion of the Press and the 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:-

That sections of report entitled, 'Otley Civic Centre, Cross Green, Otley, LS21 1HD', referred to in Minute No. 40 be 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 relates to the financial or business affairs of a particular person, and of the Council. These are as follows Appendix 1 to the Executive Board report, Appendix 1 of the delegated decision dated 27th September 2016, Appendix 1 of the delegated decision dated 16 December 2016, and the section which is entitled 'Courthouse Expansion plans.

This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information is subject to one to one discussions and further negotiation, it is not in the public interest to disclose this information at this point in time. Also it is considered that the release of such information would, or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time;

35 Late Items

Draft minutes to be approved at the meeting
to be held on Wednesday, 9th January, 2019

There were no late items. Supplementary information from Councillor C Campbell and Otley Town Council for Agenda Item 8 – Request for Scrutiny, Otley Civic Centre had been published and distributed prior to the meeting.

36 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests. In relation to Agenda Item 7 – Inquiry into Advancing Bus Service Provision – Tracking of Scrutiny Recommendations/Desired Outcomes, Councillor K Brooks informed the Board that she was a member of the West Yorkshire Transport Committee.

37 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted on behalf of Councillors J Taylor and P Wadsworth following Agenda Item 7 – Inquiry into Advancing Bus Service Provision – Tracking of Scrutiny Recommendations/Desired Outcomes.

Councillor B Flynn joined the meeting as substitute for Councillor P Wadsworth.

38 Minutes - 31 October 2018

RESOLVED – That the minutes of the meeting held on 31 October 2018 be confirmed as a correct record.

39 Inquiry into Advancing Bus Service Provision - Tracking of Scrutiny Recommendations/Desired outcomes

The report of the Head of Governance and Scrutiny Support, Director of City Development and West Yorkshire Combined Authority set out the progress made in responding to the recommendations arising from the Scrutiny inquiry into Advancing Bus Service Provision.

The following were in attendance for this item:

- Andrew Hall – Head of Transportation
- Paul Matthews – First, West Yorkshire
- Councillor Kim Groves – WYCA – Chair of Transport Committee
- Dave Pearson – West Yorkshire Combined Authority
- Andrew McGuinness - ABOWY
- Paul Turner - Transdev
- Councillor Richard Lewis

The Board was given a presentation on the West Yorkshire Combined Authority Bus Strategy. Key issues highlighted included the following:

- The strategy complemented the inclusive growth policies across West Yorkshire.

- Growing the number of bus passengers and steps to do this.
- Work with the Bus Operators to deliver the strategy – the Bus 18 initiative and progress made to date.
- How to use legislation within the Bus Services Act to improve services – partnership working and franchised networks.
- Next steps – developing the West Yorkshire Bus Alliance and action plan to affirm commitments; the role of Leeds City Council in the development of the highways network.

Further issues highlighted from the Bus Operators included the following:

- Reductions in the changes to bus services.
- Ticketing – more access to information and changes to how tickets are paid for – mobile phone and contactless payment ticketing.
- Investment in low emission vehicles.
- Agreement with the bus operators to accept each other's tickets.
- Disruption - more discussion with other local authorities and highways providers was needed.
- Success of the Bus 18 Scheme and particularly engagement with young people and the availability of half fare tickets for those in school uniform.
- Work with the Council – highways; economic development and aligning services to new developments.

In response to Members comments and questions, the following was discussed:

- The £3million transport levy reduction faced by WYCA
- Complaints made to Elected Members regarding reliability of services.
- Congestion being a problem, particularly in and on routes into the City Centre. There were proposals to make improvements to the corridor routes into the city.
- Connectivity – not all routes were commercially viable and relied on subsidies. This was a particular problem in accessibility to some employment zones.
- Use of Section 106 funds.
- Review of the bus network.
- Performance – this was looked at on a route by route basis to consider how improvements could be made. Performance was often affected by unpredictable events on the highways network.
- Improving real time information provided on apps and screens at bus stops.
- There had been some signs of growth in bus patronage over the past year.
- Problems with lack of public transport being a barrier to accessing employment and training and how to tackle this.
- Contingency arrangements for passengers in instances where the last bus on an evening has not arrived. It had been agreed with bus operators to cover taxi fares.

- Further issues that affected reliability included drivers running out of permitted living hours due to congestion and vehicle breakdowns.
- Franchising of services – This was only available if approval could be sought from the Secretary of State.

Members considered the tracking status of the scrutiny recommendations/desired outcomes as outlined in the report. Members took account of the information presented and discussion with regard to the position status of each of the desired outcomes.

RESOLVED – That the position statuses as outlined in the report be agreed as follows:

Recommendation 1 - 4
 Recommendation 2 - 4
 Recommendation 4 - 4
 Recommendation 5 - 4
 Recommendation 6 - 4
 Recommendation 7 - 4
 Recommendation 8 - 4
 Recommendation 9 - 4

40 Request for Scrutiny - Otley Civic Centre, Cross Green, Otley, LS21 1HD - Future ownership

Cllr. Flynn attended as a substitute for Cllr. Wadsworth for item 8.

Members were reminded that the item contained confidential information under Access to Information Procedure Rules 10.4(3). At the start of the meeting a resolution had been taken that the meeting would go into private session if Members needed to discuss information set out on the pink pages of the agenda pack.

The report of the Director of City Development provided Members of Scrutiny Board with detailed background information and recent history relating to Otley Civic Centre which informed the recommendations to Executive Board on 21st November 2018 that the property be sold.

In attendance at the meeting were:

- Martin Farrington – Director of City Development
- Edward Rowland - Principal Land & Property Officer
- Angela Barnicle - Chief Officer Asset Mgt & Regeneration
- Cllr Richard Lewis – Executive Board Member
- Cllr Sandy Lay – Councillor Otley and Yeadon
- Cllr Ryk Downes – Councillor Otley and Yeadon
- David Robson – Trustee, Otley Courthouse

Cllr. Maqsood vacated the meeting at 13:15.

The Director of City Development introduced the report informing Members of the following points:

- Otley Civic Centre was a listed building which covered approximately 15,500sq feet;
- The building had housed the Town Council until it was closed in 2010 due to concerns in relations to fire safety measures;
- In 2011 the building required £2.77m of investment, however, given inflation indices the building would now require approximately £3.8m;
- Work had been undertaken to seek expressions of interest from a variety of parties to take on the use of the building;
- Assistance from the Heritage Lottery had been considered, this had not progressed due to lack of a business case;
- Mandale Homes had expressed interest in development of the building for apartments including 9 or 10 affordable homes;
- It was recognised that there was a desire for more community use within Otley;
- The Courthouse already hosts events for the arts and has done for 14 years.
- The Courthouse wished to expand and has been offered a portion of land at North Parade.

Supplementary information had been received which included a submission from Cllr. Campbell who had not been able to attend and responses of consultation undertaken.

Ward Councillors Ryk Downes and Sandy Lay and David Robson, Trustee of Otley Courthouse provided the Scrutiny Board with the following information:

- 11 People had responded to the consultation exercise. However ward councillors were of the opinion that this was not representative of how the Town was feeling in respect of the Civic Centre;
- The Civic Centre housed a large meeting room with a capacity of 400 which would be lost to the community if the building was redeveloped prior to securing another large meeting place;
- The streets around Otley already have a number of cars parked on them and the proposal for flats in the Civic Centre has no designated parking spaces;
- The ward councillors were of the view that the selling of the Civic Centre was premature given that no assurance had been provided that the Courthouse would expand onto the land at North Parade;
- The community needed a focal point to hold larger meetings than were currently available at the Courthouse;
- Otley would not have the capacity to run two venues, therefore the Courthouse would have sustainability problems if this were to happen;
- Expansion hopes for the Courthouse had been ongoing for 5 to 6 years;
- A larger meeting hall at the Courthouse would allow for more events to be hosted;

- Meeting rooms at the Courthouse were booked in advance;
- Ward Councillors believe that if the Civic Centre were to be sold the proceeds should be used wholly for the benefit of Otley, potentially to assist in developing the Courthouse proposals. In response it was explained that current policy does not support this approach.

Cllr. Lewis explained to the Scrutiny Board that the building had not been used for about 10 years and had fallen into disrepair. He said that over the years he had attended a number of meetings to discuss the future of the building, unfortunately nobody had come forward with a sustainable proposal. He recognised that the choice of residential development was a sub-optimal solution. However it was the only solution that currently made sense.

The Ward Councillors said that they did not wish to stop the sale of the building only to delay it to ensure that Otley did not lose its community facilities of a large venue hall.

The Board discussed the following points;

- The timing of the sale of the Civic Centre and the expansion of the Courthouse;
- The relocation of the museum and development of Ashfield Works;
- Use of Capital receipts;
- Use of community groups to run community assets

The Board considered all evidence presented in the agenda and at the meeting.

At the conclusion of the discussions the recommendations were put to the vote.

RESOLVED – To:

- i) Note the interest in Otley Civic Centre and the options available to the Council relating to the future of the property.
- ii) Support the Executive Boards decision to approve the disposal of Otley Civic Centre on the terms recommended in the accompanying confidential appendix, with delegated approval of any variation to the final terms to the Director of City Development in consultation with the Executive Members for Regeneration, Transport and Planning.
- iii) Note the Otley Courthouse emerging expansion proposals, and support the proposal that part of the Council's North Parade Depot be reserved for the expansion of the Courthouse, and authorise the Director of City Development to enter into negotiations with the Courthouse to agree appropriate terms, which will include public access.

Cllr. Harrison left the meeting at 14:20 at the end of this item.

41 Work Schedule

The Principal Scrutiny Adviser introduced the report of the Head of Governance and Scrutiny Support outlining the work schedule of the Scrutiny Board.

Members were requested to consider the work programme for January and the potential to displace an item from January to February or April to reduce the number of items scheduled for consideration in January. The Board agreed to leave the current scheduling in place.

RESOLVED – To consider the matters outlined in the report and agree the overall work schedule (as presented at Appendix 1) as the basis for the Board's work for the remainder of 2018/19.

42 Date and Time of Next Meeting

The next formal meeting of the Board will be the 9th January 2019 at 10:30 with a pre-meeting at 10am.

The meeting concluded at 14:25.