

FAO Councillor Paul Truswell
Chair, Scrutiny Board
(Infrastructure, Investment and
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Civic Hall
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(sent via email)

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13th November 2020

Dear Cllr Harland,

Request for Scrutiny – Accelerated Capital Receipts and Estate Rationalisation – East Lodge, Temple Newsam Estate

I am writing to request that your Board considers undertaking scrutiny of the Council's accelerated capital receipts and estate rationalisation programme, particularly in respect of the East Lodge on the Temple Newsam Estate.

As you will be aware, a report on the subject was considered and approved under Item 69 at the meeting of the Executive Board on 21st October 2020. It included recommendations to progress with the sale at auction of a number of council assets as part of the wider rationalisation of the council's estate to realise capital receipts to support the Council's financial position. Whilst I have a number of concerns about the inclusion of the East Lodge specifically, I believe it raises questions about the approach to this programme in general, and that scrutiny has a role to play in overseeing this.

In the case of the East Lodge, the apparent lack of any consultation and engagement with the Friends of Temple Newsam Park, for example, is troubling. It undermines the idea that this was a fully transparent process. The Friends are a local community liaison group and, as their name suggests, committed to the improvement and protection of Temple Newsam's many acres of parkland, gardens, wildlife, farmland, and historical buildings. At the recent Executive Board meeting, following The Friends' request, Cllr Alan Lamb raised the question why only ward members had been consulted on the proposed sale and, in order for that to take place, requested any decision to be delayed to a later date. His request was rejected. Although not included in the Executive Board report, Cllr Debra Coupar, in her capacity as a local ward councillor, stated:

“Actually it wasn't just ward members that were consulted, back in 2018 actually, it was the Friends of Temple Newsam who were consulted on the future of this building/dwelling and, not only the Friends, but actually the wider community were also consulted in residents' meetings. As Temple Newsam ward members, we always consult local residents on issues that may impact on them, or that they may wish to have influence on Councillor Lamb. One of the points about East Lodge at Temple Newsam is that actually it's used as a residential dwelling, the proposal that is before us today doesn't change that, so it's not going to disappear. It will still be retained as a residential dwelling and ultimately we will still keep ownership of it. As Temple Newsam ward councillors, we are always more than delighted to speak to the Friends of Temple Newsam, indeed some of your close contacts who used to be chair, they may be using this item as a political football at the moment which is not the best thing to do whilst we are trying to deal with a pandemic, and also whilst we are trying to deal with the financial challenges that we've never seen the like of before. So, as far as Temple Newsam ward councillors are concerned, we have consulted with our residents and

we have consulted with the Friends of Temple Newsam and we will continue to do that when we are the councillors here.”

Cllr Lamb responded:

“The reason I raise the issue is because the friends of Temple Newsam are the people who have asked me to raise why they haven’t been consulted on this. Perhaps Councillor Coupar can explain why they have those concerns, she feels they have been consulted, they feel they haven’t, so an explanation would be useful.”

Cllr Coupar replied to Cllr Lamb:

“I am more than happy, and indeed one of my ward colleagues was at the meeting where they were consulted, and I’m sure there are some minutes on that if you ask the friends of Temple Newsam.”

Regrettably, Cllr Coupar’s statement on the consultation process was incorrect. As evidenced in the recorded minutes of their council liaison meetings, The Friends have never been consulted on the proposed sale before the Executive Board’s decision to sell on 21st October.

In October 2018, without any official consultation before or afterwards, Cllr Coupar, as Executive Member for Communities, agreed the first proposal to sell the East Lodge (Delegated Decision D48026, see <https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=48026>). The Friends informally discovered about the initial proposal in November 2018 and, following an intervention through the Chair of the Environment, Housing & Communities Scrutiny Board, Cllr Barry Anderson, the sale seemed to have been stopped. The first occasion when the sale was officially discussed with them was at their next liaison meeting was on 17th January 2019. No consultation was then required as it was confirmed the Housing Department had decided to not sell the lodge and the council-agreed minutes state:

“Discussion followed about the proposed sale of East Lodge which has now been suspended as a result of the FOTNP intervention and a meeting set up for Tues 19th Feb 2019 with council officers and representatives of the committee”

At the informal meeting in February, The Friends were also informed by the Chief Officer for Parks & Countryside, Sean Flescher, that the property would be transferred to his department and funding would be found to restore the building and prepare it for a new tenancy.

At the next 11th April 2019 liaison meeting, it was officially confirmed to The Friends that:

“It has been agreed that ownership of East Lodge is to be transferred to the Park[s & Countryside Department] as a service tenant property. The [£]60k renovation will be needed to be raised and Geoff [North as Vice Chair] asked if a grant might be available. Maria though HLF [Heritage Lottery Fund] and Historic England are unlikely to agree a grant and the authority will need to raise the funds. Liz [Hayes as Chair] mentioned Jimbos Fund (in memory of Jimmy Heseldene) could be approached for partial funding if Lodge is set up as a community project.”

To date, in at least five separate liaison meetings, The Friends have repeatedly asked for progress updates and raised concerns about the lack of works.

Following the publication of this proposal for sale ahead of 21st October, no public consultation has been undertaken before proceeding to agree a sale at auction. The Temple Newsam ward members were consulted but, despite their serious interest and unanimous opposition, The Friends were not. This raises questions about whether the appropriate processes are being followed.

The impact of the proposal on wider efforts to preserve the historic Temple Newsam Estate also needs to be considered. A detail not mentioned in the report under consideration, the Executive Member for Resources, Cllr James Lewis, further confirmed at the Executive Board meeting that:

“It is the intention to sell a very long lease on this property so we will remain the landlord”.

It needs to be understood whether private ownership of the Grade II-listed lodge may interfere with active bids to the Heritage Lottery Fund being progressed by the authority and with The Friends’ support, especially if alterations to the property are made. It is disappointing that the sale is apparently being progressed without consideration of this key aspect. The question has to be raised that, should the West Lodge also become void, would it also be sold.

I understand the financial position faced by the Council and the need to realise capital receipts where appropriate. Accelerating this process, where possible, could certainly be the right decision in certain circumstances. However, in the case of East Lodge, I believe the process has moved too quickly, leaving behind a key community group and creating confusion about the future of a local heritage asset and building. A potential meeting between the council and The Friends has now been proposed for December but assurances must be provided on the validity of the consultation and decision process. The Council must ensure that it is consulting properly with local communities, particularly in sensitive cases involving the heritage of a local area.

In summary, I believe that scrutiny has a role to play here and would request that your Board considers the following points:

1. Does the Board regard the report that went to Executive Board as presenting a clear picture of what is planned for the future of the East Lodge? What is being sold (freehold or leasehold) and how does the Council envision this impacting on the future of the building, its place on the Temple Newsam Estate and the future of the estate itself?
2. Does the Board feel that the consultation and engagement process was adequate in respect of the accelerated capital receipts programme, for the East Lodge in particular and for the whole programme in general?
3. In terms of the timing of this and similar decisions, has the Council struck the right balance between the the need to realise capital receipts quickly and the wider obligations to explain and consult in a transparent manner?

As the Council continues to face significant financial challenges in the coming years it is likely that more and more decisions of this type will be required. I think it is right that scrutiny takes some time to examine the process to see if it is robust and if lessons can be learned, so that as far as possible the Council can work with communities and not simply impose decisions on them.

I hope the Board will consider this request for scrutiny and look forward to your response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sam Firth', with a long horizontal flourish extending to the right.

Councillor Sam Firth
Harewood Ward

Appendix A: Minute 69 Executive Board 21 October 2020

Minutes:

Further to Minute No. 46, 24th September 2020, the Director of City Development submitted a report regarding the approach to Estate Realisation and the generation of Capital Receipts. Specifically, the report provided more detail of the proposed next tranche of accelerated disposal properties which were targeting December 2020 auction dates.

Responding to a Member's concern, the Board discussed and was provided with further information on the proposal regarding East Lodge, Temple Newsam Estate, with specific reference to the consultation process which had been undertaken in respect of this.

A Member's comments regarding Leeds Sailing and Activities Centre were noted.

RESOLVED –

(a) That the accelerated disposal of those properties as set out in Table 3.1 of the submitted report, which have already been agreed as part of the Capital Receipt Programme, be supported;

(b) That the injection of those additional properties to be introduced into the Capital Receipt Programme, as set out in Table 3.2 of the submitted report, be agreed, with agreement also being given for those properties to be accelerated for disposal;

(c) That it be noted that further reports will be presented to Executive Board providing updates on progress, and seeking approval to sell where properties do not form part of the current approved Capital Receipts Programme;

(d) That it be noted that the disposal of properties and the identification of a strategic approach towards the Council's estate is the responsibility of the Director for City Development.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the decisions referred to within this minute. Also, it was noted that whilst Councillor Lamb was attending the Board meeting in a non-voting capacity, were he able to, he would have abstained from voting on the decisions referred to within this minute)