

## SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 5TH APRIL, 2011

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

Councillors J Akhtar, B Atha, J Elliott, P Grahame, G Harper, J Jarosz, M Lobley, R Pryke, M Rafique, M Robinson and S Smith

**CO-OPTED MEMBER** B Woroncow

### 148 Declaration of Interests

There were no declarations of interest.

### 149 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted on behalf of Councillor D Atkinson. Councillor P Grahame was in attendance as substitute.

### 150 Call-In of Decision - Briefing Paper

The report of the Head of Scrutiny and Member Development informed Members of the Call In arrangements in accordance with the Council's Constitution and the options of action available to the Board. It was reported that only the two following options were applicable to the Board:

- Release the decision for implementation
- Recommend that the decision be reconsidered

**RESOLVED** – That the report be noted.

### 151 Call In - Long Term Burial Supply for North East Leeds; Whinmoor Grange Cemetery Design and Cost Report and Draft Whinmoor Grange Informal Planning Statement.

The report of the Head of Scrutiny and Member Development presented the background papers to a decision which had been called-in in accordance with the Council's Constitution.

The following papers were included with the agenda:

- Copy of completed call-in request form
- Report of the Acting Director of City Development
- Relevant extract of Executive Board minutes of 9 March 2011.

The Chair welcomed the following to the meeting for this item:

- Councillor Rachel Procter, Call-in Signatory
- Mr Evans – Thorner Resident
- Councillor G Hall, Barwick in Elmet and Scholes Parish Council
- Mr S Wood, Clerk to Thorner Parish Council
- Mr Godson, Resident of Morwick Avenue
- Martin Farrington, Acting Director, City Development
- Christine Addison, Acting Chief Asset Management Officer
- Jane Cash, Senior Project Manager
- Councillor Adam Ogilvie, Executive Member

Councillor R Procter addressed the meeting and raised the following concerns as part of the reason for calling in the decision:

- Lack of consultation with Ward Members, Parish Councillors and other local representatives.
- Some consultation was held with Ward Members, but not until after the report to Executive Board had been written.
- Concern regarding increased traffic at the Thorner/A64 junction.
- Issues with land drainage in the area.
- Close proximity of the cemetery to local sports pitches.

Mr Evans raised the following concerns:

- Lack of consultation with local residents and the Parish Council.
- The area concerned was not suitable for a cemetery, the adjacent sports ground was frequently waterlogged as was land at Whinmoor Grange Farm.
- Alternative sites had not been considered.
- There would be an increase in accidents at the Thorner/A64 junction.

Councillor G Hall raised the following issues:

- Concern that the Parish Council was only made aware of this 3 days before the Executive Board meeting and that they had not been consulted. It was felt that Leeds City Council had not honoured its obligations as outlined in the Town and Parish Council Charter. Mr Wood of Thorner Parish Council also raised concerns that consultation was not carried out in line with the Charter and requested that the decision be deferred until proper consultation was undertaken.
- Highways issues – including increased volumes of traffic and accident statistics.
- Concern raised by residents of Morwick Terrace

Mr Godson, a resident of Morwick Terrace addressed the meeting. He informed the Board of the following concerns:

- Lack of consultation with residents

- The fields planned to be used remained in a poor condition through out the year.
- Due to the slope of the land and problems with drainage, the houses at Morwick Terrace had problems with flooding.
- It was felt that the proposals would devalue the properties
- Close proximity of the proposed cemetery to gardens.
- Impacts on wildlife.
- Landscaping of the site and screening views from local properties

In response to the comments and concerns raised, Martin Farrington addressed the meeting. He gave a full background and history to the cemetery proposals at Whinmoor Grange including the planning permission that was granted in 2002, and previous reports to Executive Board in 2006 and 2008. There was a need to increase provision in the North East of the City as it was estimated there was only a 20 month supply left elsewhere. It was further reported that at this stage, the decision of the Executive Board was to approve the consultation process to be undertaken.

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

- The consultation process was being drafted. This would include input from Planning, Highways, Land Drainage, Sport England, faith groups and others.
- Concern that expenditure for the construction of the site had been approved without the appropriate consultation.
- Potential sites for alternative provision.
- In response to questions regarding planning provision, it was confirmed that planning permission was still live for the proposed area.
- Test holes had been dug at the site in October 2010 and had not shown a problem with water retention – it was possible that further testing could be carried out. The Environment Agency had been consulted with regards to surface water and no problems had been identified.
- Expenditure on the scheme would not be progressed without further consultation.

Councillor R Procter was invited to summarise the call-in and reiterated the issues already raised.

## **152 Outcome of Call-In**

Members were asked to make a recommendation arising from the consideration of the called-in decision and reminded of the options available.

A proposal was made to the Board that the decision be referred back to the Executive Board because of the lack of consultation. There were also concerns regarding highways, drainage and landscape issues and the fact

that the Executive Board had already agreed the release of £309,579 on the construction of a 5 acre cemetery at Whinmoor Grange (Scheme No 1358)

Following a vote of Board Members, it was:

**RESOLVED** – That the decision be referred back to Executive Board to be reconsidered.