

## SCRUTINY BOARD (HOUSING AND REGENERATION)

TUESDAY, 26TH FEBRUARY, 2013

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

Councillors B Atha, J Cummins,  
P Grahame, M Iqbal, S Lay, V Morgan,  
D Nagle, C Towler and G Wilkinson

Mr G Hall - Co-opted Member

### 92 Chair's Opening Remarks

The Chair welcomed everyone to the February meeting of the Scrutiny Board (Housing and Regeneration).

### 93 Late Item

There were no formal late items of business to consider, however the Chair agreed to accept the following as supplementary information:-

- Executive Board – Minutes of a Meeting held on 15<sup>th</sup> February 2013 (Agenda Item 10)(Minute 100 refers)

The document was not available at the time of the agenda despatch, but made available to the public on the Council's website.

### 94 Declaration of Disclosable Pecuniary and Other Interests

There were no disclosable pecuniary and other interests declared at the meeting.

### 95 Apologies for Absence

An apology was received on behalf of Councillor D Collins.

### 96 Minutes of the Previous Meeting

**RESOLVED** – That the minutes of the meeting held on 29<sup>th</sup> January 2013 be confirmed as a correct record.

### 97 Conflicts of Interest with Planning Decision Making Process

Referring to minute 85(a) of the meeting held on 29<sup>th</sup> January 2013, the Head of Internal Audit stated that he had been asked by the Director of Resources to conduct an independent review of the controls in place to detect any potential conflicts of interest on the decisions made in respect of planning applications.

The report of the Head of Internal Audit followed this review and intended to give the Board a high level assurance that key controls were in place within the planning application process to mitigate the risk of planning decisions being subject to a conflict of interest and inappropriate external influence.

It was reported that, with the approval of the Chief Planning Officer, a recommendation that controls would be strengthened further by introducing a declaration of no interest to be signed by the Case Officer and Principal Planning Officer responsible for signing off each decision would be implemented. This would act as a consistent reminder and deterrent to any officers that may have had conflicting interests.

The following representatives were in attendance and responded to Members' queries and comments:-

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Mr Neil Hunter, Head of Internal Audit, Resources
- Mr Phil Crabtree, Chief Planning Officer, City Development
- Ms Sonya McDonald, Principal Audit Manager, Resources

Detailed discussion ensued on the contents of the report.

In summary, specific reference was made to a number of issues including:-

- The concerns expressed that the report failed to address the site allocation process  
*(The Chief Planning Officer responded that officers did not have delegated responsibility for the site allocation process and that responsibility for this rests with the Council)*
- The need for openness and transparency
- The need for 'one rule for all' and for Council officers to complete the same forms as those completed by Elected Members
- The view that in addition to the introduction of relevant planning officers completing a declaration of no interest on reports that they also consider including signing that there had been 'no undue influence'. The Head of Internal Audit supported this proposal. The Chief Planning Officer stated that undue influence was already covered in the planning process through the Local Ombudsman and Judicial Review
- To note that the Scrutiny Board (Resources and Council Services) were currently undertaking an inquiry on Employees' Declaration of Interests and the need to issue guidelines for identifying "high risk" posts
- To refer to the Scrutiny Board (Resources and Council Services) the suggestion that Council reports should include the names of all officers who had contributed to the content of a report
- The need to pursue outstanding annual declarations of interests detailed in the schedule which was tabled during the meeting and training for officers concerning declarations of interest

#### **RESOLVED-**

- a) That the contents of the report be noted.
- b) That this Board recommends to the Chief Executive that there should be 'one rule for all' regarding declarations of interest for all Council officers and Elected Members.

- c) To recommend that the Chief Planning Officer consider in addition to officers stating in reports that they had no interest to add that they also have had no undue influence placed upon them.
- d) To refer to the Scrutiny Board (Resources and Council Services)
  - the suggestion that Council reports should include the names of all officers who had contributed to the content of that report at both junior and senior levels in order to improve transparency and provide an audit trail if required
  - the need to pursue those officers who had failed to complete their annual declaration of interests detailed in the schedule which was tabled during the meeting
  - to identify whether there was adequate training and guidance provided to officers at all levels concerning declarations of interest

(Councillor M Iqbal arrived at 10.20am during discussions of the above item)

## **98 Council Approach to Brownfield Development**

Referring to Minute 67 of the meeting held 27<sup>th</sup> November 2012, the Director of City Development submitted a report updating the Board on the Council's revised strategy for bringing forward brownfield sites in the city.

A copy of the new Brownfield Land Programme which was approved by the Executive Board on 9<sup>th</sup> January 2013 was attached to the Director's report as Appendix 1 for the information/comment of the meeting. The appendix listed 29 Council-owned brownfield sites which will now be subject to a range of measures to stimulate and support development interest towards sale for new housing.

The following representatives were in attendance and responded to Members' queries and comments:

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Mr Adam Brannen, Programme Manager, City Development

Detailed discussion ensued on the contents of the report and appendices.

In summary, specific reference was made to a number of issues including:-

- Clarification of the work undertaken to date in relation to disposal and development of these sites and what impact this would have on the site allocation process (SHLAA).
- The detailed work undertaken to establish viability for sites in EASEL and the lack of progress in developing the majority of these over many years. A view was expressed by Members that it should be left to the market to decide rather than officers spending more time undertaking viability assessments on brownfield sites many of which were of little value and could be offered at nil consideration  
*(The Programme Manager responded that the process for offering sites to the market needs to include guidance on how the site can be*

*developed, its capacity and the Council's own appraisal of valuation as part of the procedures for seeking 'best consideration' in respect to the disposal of any Council asset)*

- Concern with reference to paragraph 3.12 of the Director's report that it was anticipated that because of the current fragile housing market and lending conditions that it could take 10 years to dispose of all 29 sites detailed in the new brownfield land programme  
*(The Executive Member responded that he considered a fresh approach was needed for the development of brownfield sites and was optimistic that this programme could be delivered more quickly. However, he acknowledged the difficulties and challenges this would present to the Council over the coming years)*

#### **RESOLVED-**

- a) That the contents of the report and appendices be noted.
- b) That regular updates on progress with regard to the disposal of brownfield sites in the city and the current brownfield land programme (29 sites) be provided to this Scrutiny Board or its successor body after the Council's Annual Council meeting in May 2013.

#### **99 2011 Census: Leeds - The Big Picture**

The Head of Scrutiny and Member Development submitted a report on the decision of the Executive Board on 15<sup>th</sup> February 2013 to refer the census document 'Leeds:the Big Picture' to all the Council's Scrutiny Boards.

The Chief Statutory Housing Officer submitted a briefing paper which evaluated the key strategic housing and policy issues as a consequence of the 2011 Census data. A report by re'new which had been commissioned by the Chief Statutory Housing Officer was also attached which focused on the housing policy implications arising from the census data. The report presented a summary of findings from the 2011 census for Leeds and compared findings to the 2001 census and to the average for England and Wales for 2011. It showed the changes in population characteristics, employment, housing, education and health recorded through the two censuses.

The following representatives were in attendance and responded to Members' queries and comments:-

- Councillor P Gruen, Executive Member, Neighbourhoods, Planning and Support Services
- Liz Cook, Chief Statutory Housing Officer, Environment and Neighbourhoods
- Mrs Megan Godsell, Housing Policy Manager, Environment and Neighbourhoods

In summary, specific reference was made to a number of issues including:-

- Clarification of the service level agreement with re'new in relation to providing this information and why it could not have been done in-house

*(The Chief Statutory Housing Officer responded that re'new was best placed to undertake this work because of the deadlines involved)*

- The fact that the increase in demand for all owner occupied housing and rented properties in the last 10 years is 14,128 yet the Government was requiring the Council to provide 70,000 new homes over the next 10 years.
- Clarification as to why there was a 4,854 difference between Appendix A 2011 housing tenure (all households) of 315,742 and Appendix B which showed all households at 2011 as being 320,596 *(The Housing Policy Manager responded and agreed to investigate this issue further with a report back to the Principal Scrutiny Adviser)*
- Concern at the reliability of the data that had been submitted and the need to qualify some of the results
- Clarification as to why the Irish population had declined in Leeds *(The Housing Policy Manager responded and agreed to investigate this issue further with a report back to the Principal Scrutiny Adviser)*

At the request of the Chair, the Executive Member, Neighbourhoods, Planning and Support Services informed the meeting that 97% to 98% of the authority's Council housing met the decency standard whilst only 47% of the private sector did. He stated that he wanted more private landlords to be licensed and to become accredited to the Landlords Association in order to improve the quality of private sector housing in terms of both physical conditions and management standards.

He stated that there would be a report presented shortly to the Executive Board on how the Council might respond to the necessary changes to housing policy as a consequence of the welfare reforms and the results of the 2011 Census.

**RESOLVED** -That the contents of the report and appendices be noted on the Housing policy implications arising from the Census data.

## **100 Work Schedule**

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work programme for the current municipal year.

Appended to the report was a copy of the following documents for the information/comment of the meeting:

- Scrutiny Board (Housing and Regeneration) Work Schedule for 2012/2013 Municipal Year (Appendix 1 refers)
- Forward Plan of Key Decisions – 10<sup>th</sup> September 2012 – 7<sup>th</sup> February 2013 (Appendix 2 refers)
- Executive Board – Minutes of a Meeting held on 15<sup>th</sup> February 2013 (Appendix 3 refers)

The Principal Scrutiny Adviser, Scrutiny Support presented the report and responded to Members' queries and comments.

**RESOLVED -**

- a) That the contents of the report and appendices be noted.
- b) That the Forward Plan and Executive Board minutes be noted.
- c) That the work schedule be approved as now outlined.

**101 Date and Time of Next Meeting**

Tuesday 26<sup>th</sup> March 2013 at 10.00am in the Civic Hall, Leeds.  
(Pre meeting for Board Members at 9.30am)

(The meeting concluded at 11.45am)