



**Democratic & Central Services**

Governance Services

4<sup>th</sup> Floor (West)

Civic Hall

Leeds LS1 1UR

Contact Name: Kevin Tomkinson

e-mail: [Kevin.tomkinson@leeds.gov.uk](mailto:Kevin.tomkinson@leeds.gov.uk)

Direct Line: (0113) 24 74357

Fax: (0113) 3951599

Your ref:

Our Ref: A61/kjt/quest

Date: 27 September 2012

To: All Members of Council

Dear Councillor

**COUNCIL MEETING – 12<sup>th</sup> SEPTEMBER 2012**

At the above meeting, the thirty minutes of Question Time expired with questions 13 to 27 unanswered. Council Procedure Rule 11.6 requires that each Member of Council is sent responses to such questions.

- Q13 Councillor Urry to the Executive Member (Environment) - Can the Executive Board Member for the Environment, please provide Members with an update on the Council's recycling performance?
- A The Council has made good progress in recent years, with performance for 2011/12 at 37.4% as compared to 22.3% in 2006/7.  
The Council has a clear vision to achieve a combined recycling and composting rate of greater than 55% of household waste by 2016 with a long term target to exceed 60%. The latest performance information is 48.0% for July 2012, the highest individual months performance ever achieved in Leeds, with a year to date performance of 44.3% against the 2012/13 target of 44%.
- Q14 Councillor Anderson to the Executive Member (Development and the Economy) - What lessons has the Executive Member and his officers learnt from the problems faced by the residents of and the visitors to Edinburgh in terms of the introduction of the Tram system so that NGT can be introduced in an acceptable way in the city?
- A Members of the Project Team have been in contact with the delivery team in Edinburgh (along with other recent UK tram systems) on several occasions to learn from their experiences in delivering a tram scheme into a very busy and congested city centre. One of the areas where we believe lessons can be drawn relate to the procurement and delivery of diverted utilities apparatus, where for tram systems all of the services below the proposed tram lines are diverted away from the affected area due to the difficulty of accessing these services in the future. In Edinburgh the diversions had been carried out prior to the finalisation of the design and as a result some diversions had to be re-diverted.

One advantage of a trolley bus system such as NGT is that due to the absence of rails it is not necessary to divert statutory undertakers apparatus from under the trolley bus route. Diversions will still be required for NGT for kerb line alterations but these will be more comparable to an equivalent highway scheme. The NGT project team have extensive experience of managing statutory undertakers diversions on highway schemes to time and budget including Inner Ring Road Stage 7 and the recently completed A65 Quality Bus Scheme.

The Project Team will continue the dialogue with delivery teams of other major transport schemes to ensure that lessons learnt can be captured for the benefit of NGT.

Q15 Councillor Golton to the Executive Member (Environment) - Could the Executive Board Member for Environment explain why the level of overtime required by Environment & Neighbourhoods has increased between 2009/10 and last year, when it has fallen in all other Departments?

A Between 2009/10 and 2011/12 expenditure on overtime in the Environment and Neighbourhoods Directorate increased by £1,005k. During the same period expenditure on Agency staff reduced by £988k.  
The Directorate is actively reducing its reliance upon agency staff since the use of overtime ensures that staff who are already familiar with the requirements of the job continue to provide the service. This not only ensures service continuity but also the continued delivery of the high standards expected by the customer.  
In previous years the market rates paid to agency workers has been below Leeds City Council pay rates. However since the Agency Workers regulations came into force into Force in December 2011, agency workers engaged for more than 12 weeks must receive the same financial remuneration as Council employees. This means that overtime becomes more favoured for addressing peaks in demand and covering holidays and sickness.  
In comparing the increase in overtime and the compensating reduction in agency, it must be noted that 2009/2010 will be skewed by the effect of three months of industrial action within the refuse collection service. This would have had the effect of reducing expenditure on overtime during this period.

Q16 Councillor Macniven to the Executive Member (Adult Social Care) - Could the Executive Member for Adult Social Care please comment on Government proposals in relation to the Dilnot Commission?

A The Dilnot Commission published its recommendations in July last year. The main one was to cap the costs individuals have to pay towards their social care at £35,000 and increase the asset threshold over which people are liable to pay from £23,350 to £100,000.

It took the Government a year to respond to Dilnot's proposals. In July this year the Health Secretary published a health white paper which said he couldn't commit to the reforms.

However, media reports last month (August) said David Cameron had made another u-turn, to revive the plans. Better late than never – although the indications are they won't be introduced until at least 2017 – conveniently after the next General Election.

It will be good news for many people if Dilnot's proposals are eventually implemented. In particular people who have to sell houses or use life savings to pay for their social care.

But what the Government has still failed to address, a problem admittedly not solved by the previous Government, is the growing gap between the funding allocated to Councils to provide social care.... and the rising demand for it from people who don't have houses to sell or life savings to use to fund their own care.

There have been several warnings on a national level about this. Not least from the Local Government Association, which released a report in June that found the current gap between the money available to provide social care and the predicted cost of maintaining services at the same level is £1.4bn in 2012/13, but that the figure is likely to increase to £16.5bn by 2019/20. The LGA has warned that this will see a higher and higher proportion of Council budgets spent on social care, and not other service areas.

We need the Government to take firm action to sort all aspects of social care funding out, not just the Dilnot part, as soon as possible.

Q17 Councillor G Hyde to the Executive Member (Leisure and Skills) - Does the Executive Member for Leisure share my excitement about the new Leeds Gymnastics Club which has recently opened in Seacroft?

A Regarding the Leeds Gymnastics Club, progress has been exceptionally good and the club are reporting a very positive early results with the range of opportunities for all abilities far surpassing those previously available.

Numbers are increasing continually and current figures stand at 165 Elite/Competitive and 700 Recreational members (recreational includes 103 adult members).

New pre school classes are opening this week and Freestyle classes start in October. This increased number of members is significantly higher than when operating at Leeds Met University when operating under more restricted access times. Given the Gym club now have their own dedicated facility one of the primary benefits of transferring the scheme to the Club was to enable increased participation due to more hours being available to the gymnasts. It's clear that this benefit is already taking effect as there were only approximately 150 elite/competitive members and approx 30 recreational adult members at the point of transfer in April 2012. The new club continues to explore ways of expanding its membership, working with ward members and Council sports development staff to build membership and give the new club the very best chance of success, building on the tremendous interest generated by the London 2012 Olympic games.

Q18 Councillor J Procter to the Executive Member (Chair, Scrutiny Board (Resources and Council Services)) - Can the Scrutiny Chair for Resources and Council Services inform Council of the progress of proposals to implement a senior officer declaration of interest scheme?

A A senior officer declaration scheme is being implemented this month and the responses will be published by 31 October.

Senior officers (Chief Officers and above) will be contacted during September and they will be asked to declare any business interests so that they can be published externally. As soon as this information is collected, it will be published. Trade Unions were notified of the plans to do this at the Corporate Negotiating Committee meeting on 24 August 2012.

In summary, work is underway to publish senior officers business interests externally in the immediate future. Work is also underway to amend the Employee Code of Conduct so that business interests of senior officers can be collected and published through the annual register of interest process.

Q19 Councillor Campbell to the Executive Member (Leisure and Skills) - Could the Executive Board member for Leisure and Skills advise Council on how many days the fountains in City Square and on the corner of Mandela Gardens have been operational this year?

A Neither of the fountains in City Square nor on the corner of Millennium Square have been operation this year. Unfortunately we have had mechanical problems with both of them.

A report on the future of all water features in the City has been prepared, in which we have outlined the current situation with them all and the need for investment if the Council wishes them to be retained as positive features.

In fact the one in Millennium Square has major problems with the structure, so it was decided that as part of Leeds in Bloom that it would be filled with flowers (these are in a series of cascades to represent the original water.)

Q20 Councillor Cummins to the Executive Member (Adult Social Care) - Please will the Executive Member for Adult Social Care update Council on the modernisation of day services for people with learning disabilities?

A The aim of the Fulfilling Lives transformation programme is to deliver a more personalised service for people with learning disabilities than has been available for many years. In the past, day activities have been delivered, firstly through the old Adult Training Centres and more latterly at vast, hangar-like centres such as Moor End, West Ardsley and Rothwell.

Today, as its name implies, the Fulfilling Lives service provides a wide range of opportunities where learning disabled people can take their places in the community and engage in activities as varied as sport, cookery, drama, walking, gardening, art, dance, pub meals, volunteering opportunities, karaoke, discos, darts ... I could go on.

The important thing is that people have a wide choice of activities they can take part in, in small groups of friends in small community bases, without being bussed about the city to big, impersonal centres. Wherever possible, we are combining work to create community bases with the addition of a Changing Places Toilet that provides people with dignity and safety as they go out and about in our city

I'd like to give members a quick run-down of recent developments:-

#### South East Area

- The Lavinia Baker room at Morley Library and the community base at Rothwell leisure centre are now fully operational, and we have plans for a Changing Places toilet at Rothwell.
- In Tingley, the base in the youth building at Blackgates School became operational on Monday 10 September.
- The scheme at Middleton leisure Centre, part of a wider one managed by sport & leisure is due to be ready in March next year.

#### West North West Area

- The bases at Aireborough and Pudsey Leisure Centres are now fully operational, with a Changing Places loo at Pudsey
- Customers have been successfully using the base at Calverlands since 28 May
- The base at Strawberry Lane Community Centre in Armley will be operational by 17 September
- £250,000 is being spent at the Bramley Fulfilling Lives building on a major refurbishment that will provide day activities and care for people with the most complex needs
- The old, delapidated Fulfilling Lives building at Horsforth is now closed and declared surplus to operational use.

## North East Area

- Attention is now being turned to this area with a number of options being explored in close consultation with customers, their families and ward members. I look forward to updating Council in due course when plans for the area are more advanced and a report is prepared for Executive Board approval to proceed.

And finally, I'm delighted to say that our latest Changing Places toilet, at the White Rose Centre becomes operational this month.

Q21 Councillor Anderson to the Executive Member (Environment) - What plans does the Executive Board Member have for developing community energy plans in Leeds?

A Community Energy Planning is a broad concept and while there are no proposals to develop community energy plans across the whole of Leeds, there are some parts of the city (particularly in the Aire Valley and City Centre), where local low carbon energy infrastructure proposals are considered to be more achievable. These two areas have been identified as the most promising areas of the city for low carbon energy infrastructure, especially district heating. The Council has facilitated a series of discussions with energy industry and other stakeholders which will inform a proposed bid for European assistance funding which could be used to help with:-

- Preparation of detailed energy strategies for these areas;
- Identifying opportunities for district heating networks and other low carbon energy technologies;
- Supporting the implementation of the Green Deal in Leeds City Region for both domestic and commercial stock energy efficiency improvements;
- Researching areas of the city where Smart Grid technology could be deployed.

Q22 Councillor S Bentley to the Leader of Council - Does the Leader of Council believe that the level of appraisals undertaken across the Council, particularly regarding non office based posts, has reached an appropriate level?

A The Council has made annual appraisals for its staff a high priority and has achieved significant improvements.

This year 97.2% of all staff across the Council had an appraisal: this amounts to over 14,000 appraisals completed.

In 2011 we hit 95% completions, and in 2010 the figure was 68%. This shows we had made a step change in recent times, and have maintained that performance for the last 2 years.

Q23 Councillor Robinson to the Executive Member (Neighbourhoods, Planning and Support Services) - With many residents in my ward, particularly in Aberford, experiencing extremely slow internet download speeds due to poor broadband coverage, will the Executive Member commit to working with broadband providers and Government to ensure all residents in Leeds have access to fast broadband?

A Yes, Officers from Economic Development are working with colleagues from the City Region, other West Yorkshire authorities, the Government and telecommunications companies to improve fast and superfast broadband connectivity across Leeds. A government fund, matched by local authorities, is available at West Yorkshire level to

improve the connectivity and through a procurement process we will aim to deliver 90% superfast coverage and a further 10% broadband coverage across the city.

Q24 Councillor Golton to the Leader of Council - Could the Leader of Council explain the background behind why the Council has failed to evidence appropriate levels of public consultation in its decision making this Council year?

A I am pleased to see that Cllr Golton takes this issue as seriously as we do and very much welcome the sentiments of his question because we all want more engagement with communities, groups and local residents in Leeds. That's exactly why this administration introduced this new indicator last year. It's also pleasing to note that the final figure for the whole of last year was 97%.

This administration is committed to engaging all communities in its decision-making processes and in its general activities – that's why we have set this target. Our monitoring of success is increasingly rigorous and all-encompassing, hence why we are challenging ourselves even more.

I acknowledge that the quarter one result of 63% is not good enough and those directorates that are failing to clearly identify in reports the consultation that has been undertaken are being rigorously challenged, but before criticising we do need to wait until March 2013 when we will get the full year results and when I expect that we will have surpassed the very positive achievement of the 97% we achieved last year.

It's also important to note that the 63% is not saying there has been a failure to consult. Rather, it is saying that report authors are either not being clear enough in reports why public consultation was unnecessary for a particular issue or decision or did not give enough detail about the consultation that had in reality taken place.

Q25 Councillor Wood to the Executive Member (Environment) - Does the Executive Board Member for Environmental Services agree that the offence of dog fouling should be dealt with on a zero tolerance basis, with Fixed Penalty Notices issued in all cases and enforcement staff deployed outside normal working hours to tackle the problem?

A Dog Fouling offences are dealt with on a zero tolerance basis and Fixed Penalty Notices (FPN) are issued in all cases where fouling is observed by an Officer authorised to issue a FPN or where a witness is willing to make a statement. If the FPN is not paid, the case is referred to court where the fine can go up to £1000 plus costs.

Between 1st January and 31st July 2012, 99 FPNs have been issued for dog related offences. 77 of these were for offences of dogs being off the lead in prescribed areas, e.g. next to the highway and 22 were for dog fouling offences. In the period 62% of these were paid, making 38 FPNs that have not been paid in the period (see below).

Of the 38 unpaid FPNs between January and July 2012, 19 are proceeding to court. 15 have been cancelled after an appeal or not taken to court due to a lack of evidence, e.g. a witness withdrew their statement. Three are not due for payment as they were issued in July. Only one FPN has been unpaid and is not accounted for.

We are working to increase the number of people on the ground who can both enforce against Dog Fouling offences and more effectively act as witnesses to offences. All of our Environmental Enforcement staff across Leeds (approximately 50) are authorised and trained to issue notices under Dog Control Orders including dog fouling and dogs on leads offences in addition to the specialist dog warden staff.

All Localities are in the process of rolling out training sessions regarding Enforcement/Dog Fouling and Dog Control Orders work to partners. Sessions have been held with the Neighbouring Policing Teams across the city to train PCSOs in order that they can provide evidence and information to Locality Teams for us to prosecute. It is the intention that Parks and Countryside and ALMO staff will also be trained, but also that we explore the possibilities for full delegation of enforcement powers to these staff where possible. Locality Teams are working at a strategic level with Parks and ALMOs to explore this further.

All Enforcement staff and Dog Wardens are contracted to flexible working. Flexible hours are from Monday to Friday 7am to 7pm. Any requests for early or late patrols can generally be accommodated within this arrangement. Weekends can be arranged with prior notice and staff would be paid at a cost in line with the Council's terms and conditions for payment at weekends.

In addition to this whenever evidence is provided by members of the public who can identify irresponsible dog owners we will take appropriate action. If a resident or member of staff has evidence or has observed an offence and is willing to make a witness statement to this effect, we can and will prosecute.

Q26 Councillor J Bentley to the Executive Member (Neighbourhoods, Planning and Support Services) - What action does the Executive Board member for Neighbourhoods, Planning and Support Services intend to take in order to improve the turn around time for voids in ALMO managed housing?

A The void level for Council Housing in Leeds currently stands at 1.24% or 719 properties at any one time. This is an extremely low level. Out of the 58,000 Council housing in Leeds, approximately 4,500 are re-let each year; demonstrating a high level of sustainability and stability in communities and financial sustainability within the context of the Housing Revenue Account Business Plan.

The speed of void turn-round is of concern to ensure we maximise the number of homes available for the people of Leeds. The Executive Board Member for Neighbourhoods, Planning and Support Services has set an aspiration to achieve all void turn-rounds in 30 days to promote a step change in performance and achievement. The 2012/13 target for the ALMO's is 47 days; the current performance is 49.47 days.

To improve performance, a joint ALMO city wide review and evaluation of the end to end process has commenced to capture best practice and consider all the elements and the inter-relationships. A new City wide standard will be introduced following consultation to ensure all council properties are delivered to the same lettable standard. There will be a focus on completing all necessary repairs (not urgent or safety) after allocation to achieve quicker times.

Q27 Councillor Marjoram to the Leader of Council - Will the Leader of Council instruct officers to enquire of Bradford MDC how much the 1km cycle track cost to install at Richard Dunn Sports Centre, and investigate the potential for bringing forward similar proposals for a track in Leeds, especially if it could be linked to a future major development?

A According to Bradford MBC the cost of constructing the closed circuit track at Richard Dunn is approximately £300k at today's values. This accords with British Cycling who estimate that the cost of a 1km 6m wide, tarmac closed circuit track would be in the region of £400k, depending on the site chosen and the overall specification adopted. Much is dependant on finding a suitable location in the city that doesn't conflict with existing uses. The Council has held and is continuing to hold discussions with British Cycling as well as English Triathlon to help develop their respective sports in the city, recognising the substantial funding that each National Governing Body of sport( more especially British Cycling) gets from Sport England to deliver

their “whole sport plans”. Officers will continue to explore suitable sites and work with the National Governing Bodies to identify an affordable solution that can be well managed with the support of local clubs.

Yours sincerely

**Kevin Tomkinson**  
**Principal Governance Officer**