



SCRUTINY BOARD (CITY DEVELOPMENT)

Meeting to be held in Civic Hall, Leeds on
Tuesday, 12th January, 2010 at 10.00 am

A pre-meeting will take place for ALL Members of the Board
in a Committee Room at 9.30 am

MEMBERSHIP Councillors

S Armitage	-	Cross Gates and Whinmoor;
C Beverley	-	Morley South;
R Downes	-	Otley and Yeadon;
T Grayshon	-	Morley South;
R Harington	-	Gipton and Harehills;
M Lobley	-	Roundhay;
T Murray	-	Garforth and Swillington;
A Ogilvie	-	Beeston and Holbeck;
R Pryke (Chair)	-	Burmantofts and Richmond Hill;
D Schofield	-	Temple Newsam;
S Smith	-	Rothwell;
N Taggart	-	Bramley and Stanningley;
G Wilkinson	-	Wetherby;

Please note: Certain or all items on this agenda may be recorded on tape

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information 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 press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstance shall be specified in the minutes.)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To receive and approve the minutes of the previous meeting held on 8th December 2009.</p>	1 - 10
7			<p>SESSION 1 INQUIRY TO REVIEW THE METHOD BY WHICH PLANNING APPLICATIONS ARE PUBLICISED AND COMMUNITY INVOLVEMENT TAKES PLACE</p> <p>To consider a report by the Head of Scrutiny and Member Development in relation to a Session 1 inquiry to review the method by which planning applications are publicised and community involvement takes place.</p>	11 - 40
8			<p>CITY CENTRE TRANSPORT REVIEW UPDATE</p> <p>To consider a report of the Director of City Development on progress in relation to a review of City Centre Transport.</p>	41 - 50
9			<p>CITY DEVELOPMENT DIRECTORATE: 2009/10 BUDGET - UPDATE REPORT</p> <p>To consider a report of the Director of City Development on the Budget Position Statement for 2009/2010.</p>	51 - 54

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>LEEDS 2012 OLYMPIC PROJECT</p> <p>To consider a report of the Director of City Development on the Leeds 2012 Olympic Project.</p>	55 - 62
11			<p>WORK PROGRAMME</p> <p>To consider a report of the Head of Scrutiny and Member Development regarding the Board's work programme, together with a copy of the Forward Plan of Key Decisions pertaining to this Board's Terms of Reference and the latest Executive Board minutes.</p>	63 - 88
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>Tuesday 9th February 2010 at 10.00am in the Civic Hall, Leeds (Pre- meeting for Board Members at 9.30am)</p>	

Agenda Item 6

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 8TH DECEMBER, 2009

PRESENT: Councillor R Pryke in the Chair

Councillors C Beverley, R Downes,
T Grayshon, R Harington, M Lobley,
T Murray, D Schofield, S Smith, N Taggart
and G Wilkinson

67 Chair's Opening Remarks

The Chair welcomed everyone to the December meeting of the Scrutiny Board (City Development).

68 Declaration of Interests

a) The following personal interests were declared:-

- Councillor R Downes in his capacity as Chair of the West Yorkshire Integrated Transport Authority (Agenda Items 7 and 9) (Minutes 71 and 74 refers)
- Councillor M Lobley in his capacity as Chairman of Renew Leeds Ltd (Agenda Item 9) (Minute 74 refers)
- Councillor T Murray in his capacity as the Chief Executive Officer for Learning Partnerships and also as a Member of Leeds Credit Union (Agenda Item 9) (Minute 74 refers)

69 Apologies for Absence

Apologies for absence were received on behalf of Councillor S Armitage and A Ogilvie.

70 Minutes of the Previous Meeting

A copy of the minutes of the previous meeting held on 10th November 2009 were submitted for approval.

Councillor M Lobley referred to the following minutes:-

- Planning Enforcement Service – Update Report (Minute 62 refers)
He queried the wording of resolution (c) in relation to an approach being made to Area Committees by planning officers to seek funding for additional resources for planning enforcement to address current work/case loads.

The Chair responded and confirmed that it was the consensus of the Board for such an approach being made.

- The Current Position with Section 106 Planning Agreements (Minute 62 refers)
He referred to the discussions on spending Section 106 monies within Members' Wards and wanted to amend the third bullet point on page 4 of the minutes for the purpose of clarification.

RESOLVED – That the minutes of the previous meeting held on 10th November 2009 be confirmed as a correct record, subject to the following amendment to Minute 62 as follows:-

That the following bullet point be revised and expanded:-

- 'that ward members were required to approve all Section 106 schemes and the opportunities available to spread benefits across ward boundaries. Specific reference was made, in particular, to the City and Hunslet ward
(*The Chief Planning Officer responded and confirmed that a meeting on this specific issue would be held with interested parties in the near future*)'

to read as follows:-

- 'that ward members were required to be consulted on all Section 106 schemes involving expenditure on greenspace
- that Section 106 monies obtained from planning applications would normally only be spent in the Ward in which the applications were located. However, occasionally, the proposals could be of a scale and/or location where their impact could affect one or more wards. In such cases, the Section 106 contributions could be spent outside the immediate ward in which the application was located e.g. large City Centre schemes in City & Hunslet
(*The Chief Planning Officer responded and confirmed that a meeting on this specific issue would be held with interested parties in the near future*)'

- 71 Request for Scrutiny - People Killed and Seriously Injured in Leeds**
Referring to Minute 65 (e) of the meeting held on 10th November 2009, the Head of Scrutiny and Member Development submitted a report on a request for scrutiny received from Councillor S Bentley on the number of people killed or seriously injured in Leeds and the need to increase the number of 20 mph speed restrictions
Appended to the report was a copy of a document entitled ' Road Casualty Trends' – Report of the Director of City Development' for the information/comment of the meeting.

Andrew Hall, Transport Strategy Manager, City Development was in attendance and responded to Members' queries and comments.

The Board's Principal Scrutiny Adviser informed the meeting that Councillor S Bentley had withdrawn her request for scrutiny in view of the fact that the

Leader of the Council had asked the department to initiate action in this regard. However, the Chair stated that the Board would welcome a further request for scrutiny should this matter not be progressed to a satisfactory conclusion

The Chair invited the attendee to provide brief background information and to highlight key issues in relation to the request for scrutiny report and Board Members sought clarification on the points raised.

In summary, specific reference was made to the following issues:-

- concern as to the number of casualties, killed so far or seriously injured in 2009
- the fact that a number of local authorities had introduced 20 mph areas which are not enforceable and have no physical measures to reduce speed but have been effective in reducing accidents.
- that 20mph zones were enforceable but required expensive speed management measures.
- clarification of how elected Members can deal with complaints regarding 20 mph zones close to a school where drivers continue to speed and how the authority enforces and monitors the speed restrictions in such areas
- that information be provided to Members which showed that shared space results in traffic travelling more slowly
- the need for the department to be more flexible in those areas where minor accidents are most common, and to apply more speed restrictions and 30 mph repeaters around the airport tunnel at Leeds/Bradford airport
- clarification of the KSI statistics for the Yorkshire and Humberside region and why Doncaster's figures were low in comparison to other authorities
- the value of comparative information from the city region and core cities.
- the need for accident figures to be broken down between pedestrians and those behind the wheel who are killed and seriously injured

RESOLVED –

- a) That the content of the report and appendices be noted.
- b) That if necessary a further report on this issue be submitted to the Board.

(Councillor T Murray joined the meeting at 10.10am during discussions of the above item)

72 Review of the Conservation Team

The Director of City Development submitted a report on the work and priorities of the Conservation Team.

The following officers were in attendance and responded to Member's queries and comments:-

Richard Taylor, Team Leader Conservation, City Development
Steve Speak, Chief Officer, Strategy and Policy, City Development

In summary, specific reference was made to the following issues:-

- reference to the buildings at risk register and clarification of the department's role in relation to protecting those buildings which were at risk
(The Team Leader, Conservation, responded and confirmed that his department worked very closely with colleagues in the Asset Management Team in this regard)
- temporary additional resources funded by the Area Committees to undertake conservation area review work which would cease if funding was not renewed from 1st April 2010. Members asked whether all Area Committees had funded this additional resource in their area and if they had applied for the continuation of these funding arrangements
(The Team Leader, Conservation, responded and informed the meeting that majority of Area Committees had taken part and that the department would be approaching the Area Committees shortly in the new year, pointing out the benefits of funding)
- clarification of the role of Area Committees in relation to dealing with specific requests for conservation area status
(The Team Leader, Conservation, responded and informed the meeting that Area Committees now had a duty to look at conservation areas in their Wards and to identify priorities as part of the review)
- clarification of the location in relation to the historic battlefield identified in the list of 'Protected Heritage of Leeds' table
(The Team Leader, Conservation, responded and informed the Board that it was identified as Adwalton Moor which was located in the South West of Leeds)
- the need to preserve Victorian buildings and sheds on farm land where rhubarb was grown
(The Team Leader, Conservation, responded and confirmed that the listing of such buildings would be an English Heritage function)
- the need to list more industrial buildings as part of our industrial heritage and whether the department had a definitive list of buildings which they would like to see listed
(The Team Leader, Conservation, responded and informed the meeting that there was no definitive list available. However, they had helped English Heritage in the past with regard to the surveys of buildings, including mill conversions, etc. He also referred to the ill-fated Heritage Protection Bill, where there was provision for local listing, and it was hoped that this Bill would be resurrected at some point in the future.)
- clarification of how elected Members can obtain details of which buildings in their Wards are listed
(The Team Leader, Conservation, responded and confirmed that such information was available via the English heritage website at heritagegateway.org.uk)

- clarification of a village design statement located in Roundhay and whether it was at the stage of supplementary planning guidance *(The Chief Officer, Strategy and Policy, responded and outlined the technical process. The Board specifically noted that the planning department was able to complete the work, providing such documents had gone through the appropriate supplementary planning guidance process)*
- clarification of whether there were any prosecutions pending in respect of offences for listed buildings *(The Team Leader, Conservation, responded and informed the Board that, to his knowledge, there were no cases pending)*
- clarification if anyone did spot checks on preserving back to back buildings or whether the department relied on the public to intervene in this area *(The Team Leader, Conservation, responded and informed the Board that this area was ad hoc, with some cases picked up as part of the review of the conservation area. He stated that this was the remit of the Area Committees to identify such properties.*

RESOLVED-

- a) That the contents of the report be received and noted.
- b) That the Board commends the work being undertaken by the Conservation Team.

(Councillor T Grayshon joined the meeting at 10.40am during discussions of the above item).

73 Climate Change Planning for Renewables

Referring to Minute 35 of the meeting held on 1st September 2009, the Director of City Development submitted a report on progress on climate change with specific reference to the issue around planning for renewables.

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

Steve Speak, Chief Officer, Strategy and Policy, City Development
Tom Knowland, Head of Sustainable Development, City Development
Martin Sellens, Head of Planning Services, City Development.

In summary, specific reference was made to the following issues:-

- clarification of the current development control processes for building integrated renewables and the concerns expressed about the timing of this issue and the possibility of missing the Regional Spatial Strategy (RSS) target in 2021 *(The Head of Sustainable Development responded and outlined the Regional Spatial Strategy policy, with reference to major developments. Specific reference was also made to wind energy provisions which was the subject of further discussions with the Executive Member, Councillor J Monaghan on the actual criteria)*

- clarification of the code levels and the cost implications and whether the cost of this technology was reducing for new build.
(The Head of Sustainable Development responded and covered the points raised with specific reference to the Government's approach to standards for sustainable design and construction which covered such issues as water consumption and drainage in a building,, etc)
- clarification as to whether builders were using new materials or materials which require less energy in view of the code implications
(The Head of Sustainable Development responded and confirmed that in most cases, builders were complying with the code requirements. The Head of Planning Services informed the Board that, whilst there was an increase of the number of timber framed properties being built, it was not easy yet to discern a major change in the use of external materials and that from an appearance point of view much was dependant on context)
- clarification of the additional cost to a developer of complying with the new standard in a multi-million scheme and the long term revenue implications of renewable energy
(The Head of Sustainable Development responded and informed the Board that it was very difficult to obtain the precise figures on this type of technology. The Board noted that research had shown that it would be more viable on the larger developments in terms of scale, location, etc, as opposed to a single type building)
- clarification as to whether it was worth introducing wind energy generation in view of the fact that eight out of ten applications were turned down by Leeds City Council, unlike Germany where they were on the increase
(The Chief Officer, Strategy and Policy responded and outlined the current policy and also encouraged Board Members to supply details of any suitable sites for wind generators which would be considered on their merits. The Head of Planning Services commented on the outcome of two previous applications for wind turbines considered at Plans Panel meetings with specific reference to Hook Moor and on a Yorkshire Water site located in the Aire Valley)
- clarification of the current landfill gas capacity and how much it would contribute to the Council's targets
(The Head of Sustainable Development responded and informed the meeting that landfill gas capacity would fall and would not contribute to the long-term targets)

RESOLVED –

- a) That the content of the report be noted.
- b) That this Board notes that a further report on evaluating the options for installing L2C energy and the appropriate delivery structure would be submitted to the meeting on 9th March 2010.

74 Quarter 2 Performance Report 2009-10

The Head of Policy and Performance submitted a report presenting an overview of performance against the priority outcomes relevant to the City Services Scrutiny Board, including an analysis of performance indicator

Draft minutes to be approved at the meeting
to be held on Tuesday, 12th January, 2010

results at the end of Quarter 2 so that the Board may understand and challenge current performance.

Appended to the report were copies of the following documents:-

- a) A summary sheet showing the overall progress rating against the improvement priorities relevant to the City Development Scrutiny Board (Appendix 1 refers)
- b) Amber and red related action trackers which include a contextual update as well as key performance indicator results (Appendix 2 refers)
- c) Performance Indicator report containing two quarter results for all performance indicators which can be reported in year from the National Indicator set and any local indicator which were relevant (Appendix 3 refers)

The following officers were in attendance and responded to Member's queries and comments:-

Paul Maney, Head of Strategic Planning, Policy and Performance, City Development

Fiona McAnespie, Senior Performance and Improvement Manager, City Development

In summary, specific reference was made to the following issues:-

- Performance Indicator LSP – EE1A – clarification as to why the Council was over-performing in relation to supporting the establishment of new business in deprived communities
(The Head of Strategic Planning, Policy and Performance responded and made specific reference to the implications of the current recession and further explained that this indicator tracks the total number of businesses and was provided by an independent economic modelling tool based on the Experian business database)
- Performance Indicator LSP – EE1A – the need for a new local indicator to be provided on how many people stay in a job and on the survival rate of businesses
(The Head of Strategic Planning, Policy and Performance responded and suggested that this could be an issue to consider at the Performance Working Group)
- Improvement Priority – TR-16 – Improving the quality, capacity, use and accessibility of public transport services in Leeds – the concerns expressed were that not all the relevant factors were listed in the action trackers i.e. no specific reference to the recent failure to get additional rail carriages and the pending higher bus fares due in 2010 by First Bus
(The Head of Strategic Planning, Policy and Performance responded and commented that there were some difficulties obtaining all the relevant information particularly from external organisations, but

confirmed that he would be delighted to receive further relevant information which could then be included to give a more complete picture of performance.)

- the difficulties of increasing the number of bus passengers and getting people out of their cars when buses in the city were run by a private company where profit is the main criteria for running services
(Councillor R Downes, in his capacity as Chair of West Yorkshire Integrated Transport Authority, updated the meeting on the current issues within Metro, with specific reference to proposed 6% cuts to services this year; introduction of Quality Bus contracts and a recent trial undertaken in South Yorkshire. The Head of Strategic Planning, Policy and Performance responded and acknowledged the above comments)
- clarification as to how the car share scheme could be included in the Performance Indicator figures with a view expressed that travelling by bus was not cost-effective
(The Board's Principal Scrutiny Adviser responded and informed the meeting that this issue was under the remit of the City and Regional Scrutiny Board. The Head of Strategic Planning, Policy and Performance agreed that it would be possible to consider how this information could be used in relation wider improvement priority and suggested it could be raised at the Performance Working Group)
- Performance Indicator LSP-TPIE – Increase the number of new customers on low incomes accessing credit union services – change of targets
(The Head of Strategic Planning, Policy and Performance responded and confirmed that the figures had been reviewed and were now felt to be more realistic targets)

RESOLVED –

- a) That the content of the report and appendices be noted.
- b) That the Head of Strategic Planning, Policy and Performance be requested to investigate those issues raised by Board Members with a view to including them in future performance reports.

75 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report on recommendation tracking.

The Board noted that the report also provided Members with a summary of the further progress made in implementing recommendations 3 and 4 of the Board's statement on the A660 corridor improvement.

The Board's Principal Scrutiny Adviser informed the meeting that recommendations 3 and 4 had now been signed off as achieved by the Director of City Development and therefore no further monitoring was required.

RESOLVED –

- a) That the content of the report and appendices be noted.

Draft minutes to be approved at the meeting
to be held on Tuesday, 12th January, 2010

- b) That this Board agreed that recommendations 3 and 4 had now been signed off as achieved by the Director of City Development and therefore no further monitoring was required.

76 Work Programme

The Head of Scrutiny and Member Development submitted a report providing Members with a copy of the Board's current Work Programme. The Forward Plan of Key Decisions for the period 1st December 2009 to 31st March 2010 and the Executive Board Minutes of 4th November 2009 and 24th November 2009 were also attached to the report.

During discussions, the Chair proposed that the following issues should be considered at the meeting to be held on 12th January 2010:-

- a report on the current budget position, with specific reference to predicted overspend by the Director of City Development
- to invite a representative from the Civic trust to discuss the city centre loop in more detail
- a report on the Blue Badge Enforcement regime
- a report on the Olympic games in Leeds

RESOLVED –

- a) That the content of the report and appendices be noted.
- b) That the Executive Board minutes of 4th November 2009 and 24th November 2009 and the Forward Plan of Key Decisions for the period 1st December 2009 to 31st March 2010 be noted.
- c) That the Board's Principal Scrutiny Adviser be requested to update the work programme to incorporate those updates requested at today's meeting.
- d) That the Board's Principal Scrutiny Adviser be requested to include the above items on the agenda for the 12th January 2010 meeting.

77 Date and Time of Next Meeting

Tuesday, 12th January 2010 at 10.00am (Pre-meeting for Board Members at 9.30am).

(The meeting concluded at 11.55 am)

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 12th January 2010

Subject: Session 1 Inquiry to Review the Method by which Planning Applications are Publicised and Community Involvement takes place

Electoral Wards Affected: All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

1.1 This is the first session of the Board's Inquiry to review the method by which planning applications are publicised and community involvement takes place.

2.0 Terms of Reference

2.1 A copy of the Board's terms of reference for this inquiry which was approved on 13th October 2009 is attached for reference purposes.

3.0 Report of City Development

3.1 The purpose of this session is to hear evidence about:

- the legal requirements under the Town and Country Planning (General Development Procedure) Order 1995 (GPDO) describing the statutory requirements for consultation and notification within the overall planning process, with reference to the appeals system where costs can be awarded if inappropriate actions are taken and the Code of Practice for Publicity and Consultation on all Planning Applications based on the Statement of Community Involvement (SCI) and other relevant legislation.
- Outline of the planning process and what types of comments can be considered in the decision making process on an application from both consultees and the public who may wish to make representations.
- the current methods for publicising planning applications and the consultation processes used in Leeds, including emerging electronic delivery methods.

- CLG proposed changes in response to the Killian Pretty review.

3.2 A report from the Director of City Development is attached for consideration by the Board.

4.0 Witnesses

4.1 The Board is asked to identify the witnesses and organisations, if any, it wishes to hear from at the next session of this inquiry.

4.2 The Board has received a request from Councillor George Hall representing Barwick-in-Elmet & Scholes Parish Council to be a witness to this inquiry.

5.0 Recommendations

5.1 The Board is requested to:

- (i) Consider the report of the Director of City Development and ask questions of the officers present.
- (ii) Identify the witnesses and organisations the Board would like to hear from at the next Session of this inquiry..
- (iii) Determine what, if any, further information the Board requires.
- (iv) Start to identify specific issues and recommendations the Board wishes to include in its final report.

Background Papers

None used



Report of the Chief Planning Officer

Meeting: Scrutiny Board (City Development)

Date: 12th January 2010

Subject: Inquiry to Review the Method by which Planning Applications are Publicised and Community Involvement takes place

Electoral Wards Affected:
All
<input type="checkbox"/> Ward Members consulted (referred to in report)

Specific Implications For:
Equality and Diversity <input type="checkbox"/>
Community Cohesion <input type="checkbox"/>
Narrowing the Gap <input type="checkbox"/>

1.0 Purpose Of This Report

- 1.1 The Scrutiny Board (City Development) at its meeting in June 2009 agreed to carry out an inquiry to review the method by which planning applications are publicised and community involvement takes place.
- 1.2 As part of the Scrutiny process three sessions have been scheduled for formal evidence gathering between January and March 2010.
- 1.3 As requested by the Board, this report will cover background information about
 - The statutory requirements for consultation and notification within the planning system including appeals,
 - Types of comments that can be considered
 - Statement of Community Involvement
 - Current methods used for publicizing applications in Leeds.
 - Proposed changes to consultation and notification methods highlighted in the Killian Pretty review, a government review conducted in 2008 which looked at the planning system identifying ways it could be improved further by reducing bureaucracy and making the system more responsive and customer focused.

2.0 Background

- 2.1 This Scrutiny review is timely as it provides an opportunity to look at the ways in which planning applications are publicized and consulted on in the context of a period of considerable change.
- 2.2 The review will facilitate an assessment of value for money for consultation and notification practices and to highlight and assess the changes, which have already been made by Planning Services in the way consultation is carried out in recent times.

2.3 The government is committed to an ambitious planning reform agenda and aims to speed up the process and increase the predictability of planning decisions, including the way citizens are notified and consulted on applications. All political parties are also wishing to shift power, influence and responsibility away from existing centers of power into the hands of communities and individual citizens¹. The new duty to promote democracy will increase requirements for Council's to promote, deliver and facilitate a wider range of engagement activity and the new extensions to the duty to involve local people in key decisions came into effect in April 2009. Additionally, the Council has a corporate consultation policy and arrangements to facilitate more effective community consultation in neighborhoods through the Corporate Consultation Portal and there are the emerging Equality Forums and Hubs to further support engagement activity of citizens, who are traditionally "hard to reach". We are aiming to engage with the Hubs to improve our processes.

3.0 The Planning Process

3.1 The planning system in England and Wales is plan-led. This involves preparing plans that set out what can be built and where. The plan-led system was updated by the Planning and Compulsory Purchase Act in 2004. All decisions on applications for planning permission should be made in accordance with the Development Plan unless material planning considerations indicate otherwise.

3.2 All applications are publicised so the public are aware of them and some are subject to consultation. The decisions made on applications are not made on the grounds of popularity or unpopularity, or if there are objections or support for a proposal. The decision on whether to grant permission is within the context of published planning policies in the Development Plan and other material planning considerations. Material considerations covers a wide variety of matters including impact on neighbours and the local area.

3.3 Publicity is given to all planning applications and the requirements are set out in Government statutes. The statutory consultation and notification timescales fit in within the overall planning process which is itself subject to tight time constraints:

- Determination within 8 weeks for household and minor applications
- Determination within 13 weeks for Major applications
- Major proposals dealt with under Planning Performance Agreements, where there can be more extensive opportunities for community engagement due to the impact of the scheme. A Planning Performance Agreement is entered into when the applications will take longer than 13 weeks because of their size and complexity. These are agreements between an Authority and applicant which provide a timetable and list of agreed actions for an application's handling in both pre-application and application stages (including engagement with local Councillors and community organisations).

3.4 In publicising applications, it is necessary for the Council to strike a balance between consideration of cost, speed of decision making and providing a reasonable opportunity for public comment.

3.5 Statutory requirements for consultation and notification are set out in the Town and Country Planning (General Development Procedure) Order 1995 (GDPO) and in the following sections these requirements are described more fully.

¹ CLG Communities in Control Real People, Real Power, July 2008

4.0 Requirements under the Town and Country Planning (General Development Procedure) Order 1995 (GDPO)

4.1 It is perhaps helpful to draw the distinction between consultation and notification as sometimes the terms are used interchangeably.

4.2 Consultation

4.3 Under Article 10 of the Town and Country Planning (General Development Procedure) Order 1995, local planning authorities are required to consult various bodies about specified categories of planning application to seek their views. The comments received are then taken into account when the authority reaches its decision on the application.

4.4 Consultation broadly falls into three categories:

- I. Statutory or mandatory consultation, which must be carried out before permission, is granted. Article 10 of the GDPO is attached as appendix 1 and describes the statutory consultees and where there is the need for consultation, eg the Environment Agency regarding flood risk.
- II. Non-Statutory consultations. In addition, local planning authorities are advised by Government to consult a range of other bodies. Most of these are set out in Appendix B to DOE Circular 9/95, although further bodies are referred to in other circulars and Planning Policy Guidance Notes. Some bodies fall into both groups, eg Metro.
- III. Internal consultations, that is, within the Council. These are non-statutory consultations, but services are asked to comment on particular issues to provide expert advice, eg Highways and Conservation.

4.4 The approach taken to non statutory and internal consultations will vary in relation to the size and impact of the proposal.

4.5 Consultees have a minimum period of 21 days in which to respond (this is set out by central government). All comments received from consultees are taken into account in the assessment of the proposal. The comments are weighed against other relevant issues including local, regional and national policy and guidance set out in the Development Plan and other material considerations and are part of the balancing exercise that takes place and which also includes points raised through public comment.

4.6 Town and Parish Councils

4.7 Town and Parish Councils are notified of planning applications at an early stage in the process. The Town and Parish Council is not being asked to make a decision on the application, but to provide comments and views from its own perspective as a local elected representative body. There is no obligation for the Town and Parish council to comment on all the applications they have received. Town and Parish Councils are encouraged to focus on applications which genuinely affect their community and have 21 days within which to make any comments.

4.8 In Leeds a Parish and Town Council Charter has been developed, building on the principles set out in the Statement of Community Involvement (described below). The Charter describes the operational relationships between Planning Services and Parish and Town Councils to maximise the sharing of information, recognising the constraints imposed by statutory requirements and the need for Planning Services

to carry out its business efficiently. The Charter also describes the agreed process for early involvement of the Parish and Town Council at the pre-application stage.

5.0 Notification

- 5.1 The purpose of notifying the public is to provide them with prior notification of development, which may affect them, so that the decision makers can take their views into account.
- 5.2 Notification is a statutory requirement as set put in Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 (GDPO) (Article 8 is included as appendix 2). There are different requirements for publicity depending on the type of application.
- 5.3 The GDPO states that in cases where the application involves the submission of an environmental statement, is a departure from the Development Plan, affects a public right of way or affect the character or appearance of a listed building or Conservation, the applications shall be publicised by site display in at least one place on or near the land to which the application relates for not less than 21 days, and by local advertisement..
- 5.4 In the case of a major development, the application is publicised by site display in at least one place on or near the land to which the application relates for not less than 21 days, or by serving the notice on any adjoining owner or occupier, and by local advertisement.
- 5.5 Other types of applications, not covered above, are publicised by site display in at least one place on or near the land to which the application relates for not less than 21 days, or by serving the notice on any adjoining owner or occupier
- 5.6 Exceptionally, for major or very controversial applications, the authority may decide to hold a public meeting to explain the nature of the proposal and to facilitate public response. On exceptionally large schemes, eg Kirkstall Forge, a regular forum (Chaired by a local councillor and involving community groups) may be established for the lifetime of the development.

6.0 Commenting on an application

- 6.1 During the statutory period for commenting on a planning application, any member of the public can make comments in support of, or in objection to the proposals.
- 6.2 Details of how people can make the comments are described on site notices, notification letters, planning pages of the Leeds City Council website and on the weekly lists. All submitted comments are in the public domain.
- 6.3 Any objection or supporting comments need to focus on the 'planning merits' of the case. In Leeds, residents are informed of what types of issues can be considered as material to an application via a leaflet sent out with their notification letter. These could include the relevant planning policies applicable to the property and area concerned, as well as consideration of such matters as
- impact of the scheme upon the local environment,
 - highways issues,
 - nature conservation,
 - flood risk
 - crime (and fear of)
 - economic impact

- planning history
- related decisions
- cumulative impact
- amenity (e.g. noise, disturbance, overshadowing, overlooking)

6.4 However, even if objections are made on planning grounds, it may not necessarily mean that the application is refused. Similarly, the absence of any objections does not necessarily mean the application will be approved. The application process follows a two stage process; firstly, the Planning Officer dealing with the application will read all the comments received and other information and prepare a draft report and come to a draft recommendation. The second stage is where the draft report and recommendation is considered by a more senior officer who comes to a decision, as defined in the Council's scheme of delegation. In the current year, 97.1% of applications have been dealt with by Officers under the Council's delegation agreement.

6.5 There are other issues, which may be of concern to members of the public, but are not material planning considerations. Examples include;

- Issues covered by other laws e.g. Licensing, Building Control, Health and Safety Regulations.
- Private property rights (e.g. boundary or access disputes).
- The developer's morals, motivation or activities elsewhere.
- Perceived impact on property values.
- Competition between businesses.

6.6 Public Speaking

6.7 Those applications not dealt with under the Council's delegation agreement go to the Plans Panel for determination. There are a number of reasons why applications might go to a Plans Panel for determination including where a referral has been requested by a Ward Member or Area Committee member about an application in their area, applications which are a departure from the Development Plan and major developments which would have significant impacts on local communities.

6.8 After the statutory period for commenting is over, generally there is no further opportunity for involvement by the public, unless there are amended plans (materially altering the form of the application) or the application goes to a Plans Panel for determination and a local authority has a public speaking protocol. It is a matter for each separate local authority whether they have public speaking opportunities.

6.9 In Leeds, under the public speaking protocol anyone who has previously made representation is able to register their wish to speak and will be able to address the Panel directly outlining either their objection or support of the application.

6.10 However, it should be remembered that a Plans Panel meetings is a meeting conducted in public, rather than a public meeting and although the public are given an opportunity to speak at the outset of the meeting, they will not be allowed to join in the Panel's debate. There are guidelines on what can be said and what cannot.

6.11 In Leeds, each side is allowed a maximum of three minutes to present their case, after which the Panel Members may ask questions for clarity.

7.0 Community involvement post decision

7.1 Once the decision has been made on an application, all those who have made representations on the application are advised of the outcome.

7.2 Appeals

7.3 Only the applicant has the right to appeal against a refusal, where the application has not been determined within the statutory time period, and against the imposition of conditions in an approval. There is no third party right of appeal, however there is often the opportunity for those who have already made comments to be involved during the life of the appeal.

7.4 The process for appeals is set by government regulations and there are separate methods to make an appeal: written representations, informal hearings and public inquiries.

7.5 Written Representations

7.6 The Local Planning Authority (LPA) and appellant provide written statements, which are also sent to the Inspector. Third parties interested in the appeal may also make their comments in writing to the Inspector and the appellant also has a chance to comment on them.

7.7 The appellant and LPA read each other's arguments and make any comments, after which the Inspector will make a formal visit to the property and then makes a decision.

7.8 A fast track process operates for householder appeals which came into force in April 2009. Applicants have 12 weeks from decision to lodge an appeal. Under this process no new representations can be made but the Inspector does take into account representations already made when the application was being determined by the local planning authority and the officers report. This appeal service relates to proposals for extensions to houses and the erection of outbuildings and can be used to appeal against a planning condition imposed on an approved householder planning permission.

7.9 For other planning appeals appellants have 6 months to lodge an appeal from the decision date or the statutory time limit for making a decision if an appeal is against non determination.

7.10 Informal Hearing

7.11 The Planning Inspectorate may suggest that the appeal is heard in a public relaxed format known as an Informal Hearing. In this method, the appeal is conducted in the manner of a round table discussion between the parties, under the control of the Inspector. Third parties may also contribute. Again a site inspection is made and a decision will follow.

7.12 The Planning Inspectorate now determines the most suitable method of appeal. The appeal is most likely to proceed by way of the written representations procedure or a Hearing unless it involves unusual proposals/circumstances, points of law or evidence which needs to be cross examined or heard under oath.

7.13 Public Inquiry

7.14 The most formal option is to have an appeal heard in front of an Inspector at a Public Inquiry. This is a more time consuming and costly option and usually involves the use of professional advisors, (Barristers or Solicitors and expert witnesses) although this is not mandatory. The Inspector hears the case for both sides by evidence presented to him verbally and in written form as 'proofs of evidence'. The witnesses can be cross examined. The Inspector will also hear from any third

parties that wish to express their views and takes closing submissions from the local planning authority and the appellant.

7.15 Once all the evidence is heard the Inspector will close the Inquiry and make a formal site inspection. The Inspector will then make their decision. The Inquiry process is the most adversarial and daunting for witnesses and can take several days or weeks depending on the size and complexity of the proposal.

8.0 The Statement of Community Involvement

8.1 It is important that the decision making process on planning applications is transparent, fair, accountable and reputable. As consultation and notification is a very visible part of the service, strict protocols surround the process as laid out in the Statement of Community Involvement (SCI).

8.2 The SCI was established as part of the Planning and Compulsory Purchase Act 2004 and is written in consultation with local people. It explains how a local planning authority will engage with the public throughout the planning process, including in the determination of planning applications.

8.3 The SCI describes how Planning Services publicizes planning applications and the methods employed, depending upon the type of application. The principles on which the SCI are based are early contact, access to information, appropriate methods, reducing barriers to participation, collaboration, feedback and learning and improving.

9.0 Current methods for publicising applications in Leeds

9.1 Leeds Planning Services often exceeds the legal minimum as site notices and notification letters are both used and often more than one site notice is posted. The aim is to exceed the statutory minimum in an attempt to engage Members and the community. There are three main options for publicity in Leeds:

- Notifying neighbours by letter
- Site Notice
- Newspaper advertisements in five newspapers: Pudsey Times, Morley Advertiser, Leeds Weekly News, Wharfe Valley Times, Wetherby and Boston Spa News

9.2 The statutory requirements as described in the GDPO are applied to Leeds in the following ways:

Nature of development	GDPO Publicity required	Leeds Practice
Development where application: <ul style="list-style-type: none"> • is accompanied by an environmental statement • Is a departure from the Development Plan • Affects a public right of way 	Advertisement in newspaper Site notice	Advertisement in newspaper and site notices- maybe more than one, depending on the site
Major development	Advertisement in newspaper and either a site notice or neighbour notification	Advertisement in newspaper and site notices- maybe more than one, depending on the site
Minor development	Site notice or neighbour notification	Site notice and neighbour notification letters
Development affecting the setting of a listed building	Advertisement in newspaper and site notice	Advertisement in newspaper and site

		notices- maybe more than one, depending on the site notice and newspaper advertisement in the Leeds Weekly news
Development affecting the character or appearance of a conservation area	Advertisement in newspaper and site notice	Advertisement in newspaper and site notices- maybe more than one, depending on the site. Discretion can be used for applications which affect the character of a conservation area and the setting of a listed building.
Application for listed building consent and conservation area consent	Advertisement in newspaper and site notice	Advertisement in newspaper for all applications whether internal or external alterations.

9.3 Neighbour notification letters

9.4 The GDPO states that letters notifying owners or the occupier of new developments should be sent to adjoining properties. This definition of where to send letters has not been adopted. Instead, properties that are considered to be directly affected by the proposal will be notified and this is determined on a case-by-case basis.

9.5 In 2008-09 33,040 neighbour notification letters were sent out relating to 5,368 applications. These were mostly household applications but also included some minor applications. This equates to an average of 6 letters per application.

9.6 Based on 2008-09 figures, the cost of providing this part of the service (postage and staff time) is about £58,600.

9.7 Site Notices

9.8 The GDPO states that site notices should be placed on or near to the proposed development. Where there are no near neighbours or for large-scale developments a site notice is displayed.

9.9 In Leeds in 2008-09, 1,673 applications had a site notice posted. The total number of notices was 2,615. The number of site notices is higher due to some applications having a site notice and letters ie statutory notice, Conservation Area, Listed Building, Right of Way etc or in addition to letters a site notice which may also be required.

9.10 Currently site notices are posted by a full time member of the administrative staff , who posts the notices and delivers the plans to libraries. The post is Scale 1/2 and with mileage expenses and other sundries the cost of providing this element of the service is approximately £20,000.

9.11 The notice itself has been designed with equality issues in mind; it is printed on yellow paper with black text, so as to improve the readability for those who may be visually impaired.

- 9.12 The notification letters state where the application may be viewed - on the Council's website, Development Enquiry Centre and, if appropriate, the local library. Included with the letter is a leaflet which explains how to make a comment and by when the comments must be received by the service.
- 9.13 The statutory minimum period for commenting on planning applications is 21 days. Leeds exceeds the minimum period for receiving comments, as the service routinely takes any relevant comments on an application up to the date of decision.
- 9.14 Newspaper advertisements**
- 9.15 The GDPO states that local planning authorities have to advertise in the press for major applications, but also all applications for listed building consent (except those where alterations are internal only) and all planning applications for development that affects the character or appearance of a conservation area or the setting of a listed building.
- 9.16 Planning Services used Leeds Weekly News. Newspaper advertising is costly. In Leeds 2008-09 £59,000 was spent on advertising applications. At the time of writing, December 2009, £37,863 has been spent in this financial year, against a budget of £37,000. Approximately one day per week at an average pay scale of Scale 4 is spent organizing the advertisements for the newspapers. Based on the 2008-09 expenditure, it costs a total of approximately £62,400 per year to provide this part of the service.
- 9.17 A number of other websites and publications display applications on a voluntary basis such as the Yorkshire Evening Post and the Yorkshire Evening Post's community websites.
- 9.18 In addition to the measures described above, Leeds Planning Services also employs other tools in order to facilitate community and individual engagement with the planning process.
- 9.19 The total cost for providing these standard methods of publicity is almost £141,000 a year.
- 9.20 Members of the public are also informed about all planning applications by a combination of: -
- Weekly lists of applications on the Councils Internet site
 - Weekly lists of applications and the actual applications are available in hard copy at 24 local public libraries. Leeds Planning services again exceeds the minimum requirements for publicising applications by providing copies to libraries. The libraries selected are those which are open for a significant number of hours per week. It is not practical to distribute plans to all libraries as many of the smaller libraries have limited opening hours which restricts public access.
 - Public Access- database of current and past applications from 1st April 1974. Full details of plans, decision notice, officer report etc are available for applications received on or after 2nd January 2009.
 - Weekly lists and the actual planning applications available for inspection at the Development Enquiry Centre
 - Weekly lists to Ward Members
 - Town and Parish Council Charter- Weekly lists to Parish and Town Councils and on major and sensitive proposals at pre-application stage Planning Services will advise developers to consult with the community and will specifically request liaison with the relevant Town or Parish Council. The Town and Parish Council

is encouraged to be as involved as possible at this stage where real influence over the content and layout of a scheme and the bringing forward of possible Section 106 benefits can be achieved.

- Public Exhibitions, meeting and presentations
- Weekly Lists on the www.leeds.gov.uk website

9.21 Community Planners

9.22 Leeds is fairly unique in having Community Planners who work in two Area Committee areas - North East area Committee and the Inner North West Area Committee. These posts are funded by the Area Committees and their roles are to advise the Area Committee, Ward Members, Parish and Town Councils and other groups on the implications of planning proposals, applications and appeals submitted within the area and/or affecting the locality.

9.23 The Community Planners have a much more proactive role working with the local community, acting as the interface between Planning Services and the community.

9.24 Funding opportunities are being sought to extend the network of Community Planners into other parts of the city.

9.25 Pre-application consultation

9.26 The largest and most sensitive planning applications are often subject to pre-application and post application consultation. This is usually as part of a Planning Performance Agreement. Leeds has an adopted pre-application protocol and a protocol for pre-application discussions with local communities and Ward Members, which states the responsibilities of developers in relation to community engagement.

9.27 The of the purposes of pre-application consultation with local communities is to help communities shape proposals, which meet strategic and local needs, flag up issues at an early stage that developers need to address and to increase the predictability of the outcome.

9.28 The Planning Case Officer has a major role in pointing developers to key contacts- Ward Councillors , Town and Parish Councils and Community organisations who should be involved in the process.

9.29 The Council cannot refuse to accept an application if the applicant has not consulted sufficiently or not made reasonable attempts to consult before application submission. Insufficient community involvement, however, is likely to be reported to the Plans Panel who will take this into account in deciding the proposal and can request that further engagement with the local community takes place before a decision is made.

9.30 Developers are requested to submit a “Statement of Community Consultation” as part of an application which sets out what has been done, including:

- What consultation has taken place and with whom
- When the consultation was held
- Identification of methods and consultation techniques used
- A summary of consultation responses and how these have been taken into account in the submission.

9.31 There have been some excellent examples of pre-application community involvement including the Kirkstall Forge site, Leeds Arena, Beeston Hill and

Holbeck and Little London PFI scheme where there have been public meetings, exhibitions, direct communications with residents, and Ward Member involvement.

9.32 Re-notification of applications

Amendments maybe made to a planning application during the course of the planning process. Where the amendment is considered to be material, re-notification will take place, this involves a degree of judgement by the Case Officer. The practice is to renotify organisations , Members and the public who have commented on an application where the changes are judged to be material. The timescale for further responses is often reduced to comply with timescales for decision making as described in 3.3 above. However, all late comments up to the time of decision are taken into account.

9.33 Electronic delivery

- 9.34 Increasingly Planning Authorities are moving towards electronic delivery methods., this is the case also in Leeds with the Public Access system. The benefits are numerous- availability 24-7, being able to access information remotely, and the availability of very up to date information.
- 9.35 The Public Access system provides details of applications back to 1974 and more recent applications have plan drawings, officer reports and other information available online.
- 9.36 Searching for applications is a straight forward process, however a new service is now available where details of applications in a pre-specified area are proactively emailed out each week to people who register for the alerting system. The email will contain details of applications made that week and by clicking on the application number, the customer will be taken directly into the details of the application and be able to look at online plans, application forms and so on.
- 9.37 A project is underway to encourage community and interest groups to sign up for the planning alert system so they will get the details of the applications that matter to them in a timely and effortless way. Groups can be more informed than ever before as their list will be more focussed on the things they have said they are interested in.
- 9.38 So far over 80 groups have signed up and are receiving weekly alerts. However this number masks the true number of people who will be alerted as some groups signed up to the service operate as an umbrella organisation, such as the HMO Lobby. The work of contacting groups is on going to try to encourage them to join the service so they can be as informed as possible.
- 9.39 This “database” of community, amenity groups and associations will also be helpful at the pre-application stage, allowing the Case Officer to signpost the developer in the direction of the community groups with whom they can consult. The community groups themselves have indicated their wish to be contacted by developers at the pre-application stage to engage in discussions about proposed developments in their locality, so they have the potential to help shape developments. This will hopefully go some way to avoid over consulting with some groups, or always consulting with the “usual suspects”. The benefits for developers are numerous, but importantly by engaging with communities there is the potential for positively working through any issues at an early stage, which may have turned into an objection at the application stage.
- 9.40 Citizens without internet access at home will also be able to go to any of Leeds Public Libraries and go onto Public Access through their computer network. Library

staff have received training on Public Access so they will be able to help and support customers who need assistance to find the information they need.

9.41 Consultation is another area where increasingly ICT is being used to free up resources and make the whole process more efficient and represents excellent value for money. There are challenges however, as the use of electronic consultation is not mandatory and there maybe additional costs involved to consultees.

9.42 Hard to Reach Groups

9.43 Whilst electronic delivery of services is cost effective, is available 24-7 and often has better functionality than more traditional methods, the service is mindful of the need to not marginalize or socially exclude those people who are unable to access information online. 21% of the population has never accessed the Internet and research has shown that the non-users are predominately those who are already socially disadvantaged². Nationally in 2009, 70% of households had an internet connection, with all age groups accessing the internet on a regular basis³, so the digital divide is reducing, in terms of those who use the internet and have access to it, but it also appears to be deepening as those not included are becoming increasingly left behind⁴.

9.44 Therefore consideration is also being given to other communication channels which can be used so as to not exclude people from the planning process. Other means will be used such as continued use of site notices, notification letters, through community organizations and interest groups and engaging with the Council's Equality Hubs. Also, a greater emphasis on pre-application engagement with communities will aim to reach those who are the hardest to reach.

9.45 Equality Impact assessments are undertaken where there are changes in policy or service provision to ensure that hard to reach groups are not disadvantaged and to ensure quality processes are in place.

10.0 Proposed changes in response to Killian Pretty Review

10.1 The Department for Communities and Local Government commissioned a review in 2008, known as the Killian Pretty Review, which looked at the planning system. The review identified ways it could be improved further by reducing bureaucracy and making the system more responsive and customer focused, but in way that was consistent with the principles and objectives of the planning system.

10.2 A number of proposed changes were made but in the context of this Scrutiny report, recommendations 9 to 12 made proposals to help improve the effectiveness of engagement.

10.3 Recommendation 9 sets out a number of measures to improve the involvement of consultees so that it is clearer which organizations need to be consulted, when they must be consulted, why and what response is required. This will eradicate unnecessary contact, reduce the demands placed on local planning authorities resources, reduce the delays due to consultation and free up resources of consultees to focus on the quality of response on the applications where comments would add real value. These measures would make the planing process far more

² CLG Understanding Digital Exclusion Research Report. October 2008

³ ONS Statistical Bulletin Internet Access Households and Individuals August 2009

⁴ CLG Understanding Digital Exclusion Research Report. October 2008

efficient. CLG has issued a Consultation document on this on 21st December 2009 asking for comments back by 19th March 2010.

10.4 Recommendation 10 sets out measures to improve the engagement of Members, helping Members to focus their resources on the more significant developments. This will be achieved through appropriate training, clarity of the role of Members and better Officer management of their relationship with Members.

10.5 Recommendation 11 specifically sets out to improve the engagement of the local community:

- Applicants for major developments should discuss with the council at an early point in pre-application discussions how best to engage with the local community;
- Applicants should report the outcomes from the engagement, so that the community and the authority can easily understand what has been undertaken and how it has influenced the scheme;
- Government should ensure that the additional resources for community engagement in planning identified in the recent Empowerment White Paper are used, in part, to help improve community engagement in the planning application process; and
- Local authorities should be given greater autonomy and flexibility to determine the best approaches to use in order to notify the public about planning applications, thus allowing them to decide whether to use local newspapers.

10.6 Leeds Planning Services has been working to these best practices for some time:

- The pre-application protocol has been in existence since 2008 and states that developers should engage with local communities at the earliest stage
- The protocol for pre-application discussions with Ward Members and Communities was adopted in November 2008 and as previously described requests developers to agree a programme of consultation with local communities

10.7 Both these protocols are included as appendix 3.

10.8 CLG published their response to the Killian Pretty Review in March 2009 and carried out consultation in Autumn 2009 on local authority practices in relation to notifying the public about planning applications and the use of local newspapers.

10.9 Leeds Planning Services responded to the consultation and supported the move away from newspaper advertising as a statutory requirement.

10.11 It is estimated that nationally £15 million is spent on newspaper advertising in the context of declining circulation of local newspapers. From January to June 2009, regional dailies dropped by 8% overall and regional weeklies dropped between 5-10%⁵.

10.12 CLG published the results of the consultation on 21 December 2009 and have decided not to take forward the amendment, which means the statutory requirement to publish certain applications in newspapers remains. CLG state that some members of the public and community groups rely on the newspaper

⁵ Publicity for Planning Applications Consultation. A response from the Planning Officers Society October 2009
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advertisements to learn about applications in their area and that the Government is not convinced that good alternative arrangements can be readily rolled out⁶.

11.0 Conclusions and Recommendations

11.1 Leeds Planning Services has made considerable changes over recent times to the consultations and notification process, with the aim of widening participation, enabling easier access to information and making community involvement more effective:

- Pre-application consultation: The adopted protocol for pre-application discussions is key to the importance placed on the early dialogue between developers, local Members, Planning Services and local communities in ensuring that a mutual understanding is gained by all parties. Applicants will be actively encouraged to engage with communities and report back on the outcome of the engagement and how that engagement has influenced the scheme.
- Online applications: The use of technology will mean that there will be an increased availability of information when people want to access it. However, care will be taken to ensure that those without ready access to technology are not disadvantaged, and that a mix of opportunities is provided through other means of publicity including site notices, letters and community contact.
- Town and Parish Council Charter- Planning Services is seeking to improve the level of information provided so that local people feel involved. The established links with the Town and Parish Councils is critical in this and the Charter clearly defines the operational links and relationship and will be reviewed in mid 2010
- Response to the Killian Pretty Review: The service has already embraced the recommendations made in the Review and is working towards adopting the best practice, taking a development management approach to applications.
- Community Planners: An unique proactive role providing the “go between” between the LPA and local community. The service would like to expand the number of Community Planners, subject to funding.
- Redefined role of Planning Officers: Aligning the geographical areas of work to the area Committees, so they can act more proactively in fostering liaison with developers, Members and the local community

Members are recommended

- i. to note the contents of this report
- ii. receive a further report in February 2010 as session 2 of the Scrutiny review

Background Documents

CLG Publicity for planning applications- summary of responses December 2009

CLG Taking Forward the Government’s response to the Killian pretty Review July 2009

CLG Government Response to the Killian Pretty Review, March 2009

CLG Communities in Control Real People, Real Power, July 2008

CLG Understanding Digital Exclusion Research Report. October 2008

⁶ CLG Publicity for planning applications- summary of responses December 2009

CLG The Killian Pretty Review: Planning applications; a faster more responsive system Final Report. November 2008,

CLG Statutory and Non-Statutory Consultation Report: main document, 2001

HMSO Town and Country Planning (General Development Procedure) Order 1995 (GDPO)

HMSO Planning and Compulsory Purchase Act 2004

Leeds City Council Statement of Community Involvement February 2007

Leeds City Council Planning Services Protocol for Pre-application discussions with local communities and Ward Members, 2008

ONS Statistical Bulletin Internet Access Households and Individuals 28 August 2009

Planning Officers Society Publicity for Planning Applications Consultation. A response from the Planning Officers' Society , October 2009

Statutory Instrument 1995 No. 419

The Town and Country Planning (General Development Procedure) Order 1995

Article 8

Publicity for applications for planning permission

8. - (1) An application for planning permission shall be publicised by the local planning authority to which the application is made in the manner prescribed by this article.

(2) In the case of an application for planning permission for development which -

(a) is the subject of an E.A. Schedule 1 or E.A. Schedule 2 application accompanied by an environmental statement;

(b) does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated; or

(c) would affect a right of way to which Part III of the Wildlife and Countryside Act 1981^[9] (public rights of way) applies,

the application shall be publicised in the manner specified in paragraph (3).

(3) An application falling within paragraph (2) ("a paragraph (2) application") shall be publicised by giving requisite notice -

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days, and

(b) by local advertisement.

(4) In the case of an application for planning permission which is not a paragraph (2) application, if the development proposed is major development the application shall be publicised by giving requisite notice -

(a)

(i) by site display in at least one place on or near the land to which the application relates for not less than 21 days, or

(ii) by serving the notice on any adjoining owner or occupier,

and

(b) by local advertisement.

(5) In a case to which neither paragraph (2) nor paragraph (4) applies, the application shall be publicised by giving requisite notice -

(a) by site display in at least one place on or near the land to which the application relates for not less than 21 days, or

(b) by serving the notice on any adjoining owner or occupier.

(6) Where the notice is, without any fault or intention of the local planning authority, removed, obscured or defaced before the period of 21 days referred to in paragraph (3)(a), (4)(a)(i) or (5)(a) has elapsed, the authority shall be treated as having complied with the requirements of the relevant paragraph if they have taken reasonable steps for protection of the notice and, if need be, its replacement.

(7) In this article -

"adjoining owner or occupier" means any owner or occupier of any land adjoining the land to which the application relates;

"E.A. Schedule 1 application" and "E.A. Schedule 2 application" have the same meanings as "Schedule 1 application" and "Schedule 2 application" respectively in regulation 2 of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988^[10] (interpretation);

"major development" means development involving any one or more of the following -

(a) the winning and working of minerals or the use of land for mineral-working deposits;

(b) waste development;

(c) the provision of dwellinghouses where -

(i) the number of dwellinghouses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c)(i);

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(e) development carried out on a site having an area of 1 hectare or more;

"requisite notice" means notice in the appropriate form set out in Schedule 3 to this Order or in a form substantially to the like effect;

"waste development" means any operational development designed to be used wholly or mainly for the purpose of, or a material change of use to, treating, storing, processing or disposing of refuse or waste materials.

Statutory Instrument 1995 No. 419

The Town and Country Planning (General Development Procedure) Order 1995

Article 10

Consultations before the grant of permission

10. - (1) Before granting planning permission for development which, in their opinion, falls within a category set out in the table below, a local planning authority shall consult the authority or person mentioned in relation to that category, except where -

(i) the local planning authority are the authority so mentioned;

(ii) the local planning authority are required to consult the authority so mentioned under articles 11 or 12; or

(iii) the authority or person so mentioned has advised the local planning authority that they do not wish to be consulted.

Para	Description of Development	Consultee
a)	Development likely to affect land in Greater London or in a metropolitan county	The local planning authority concerned
b)	Development likely to affect land in a non-metropolitan county, other than land in a National Park	The district planning authority concerned ^[11]
c)	Development likely to affect land in a National Park	The county planning authority concerned
d)	<p>Development within an area which has been notified to the local planning authority by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances and which involves the provision of -</p> <p style="padding-left: 40px;">(i) residential accommodation;</p> <p style="padding-left: 40px;">(ii) more than 250 square metres of retail floor space;</p> <p style="padding-left: 40px;">(iii) more than 500 square metres of office floor space; or</p> <p style="padding-left: 40px;">(iv) more than 750 square metres of floor space to be used for an industrial process,</p> <p>or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area</p>	The Health and Safety Executive
e)	<p>Development likely to result in a material increase in the volume or a material change in the character of traffic –</p> <p style="padding-left: 40px;">(i) entering or leaving a trunk road; or</p>	In England, the Secretary of State for Transport and, in

	(ii) (ii) using a level crossing over a railway	Wales, the Secretary of State for Wales The operator of the network which includes or consists of the railway in question, and in England, the Secretary of State for Transport and, in Wales, the Secretary of State for Wales
f)	Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway	The local highway authority concerned
g)	Development likely to prejudice the improvement or construction of a classified road or proposed highway	The local highway authority concerned
h)	Development involving – (i) the formation, laying out or alteration of any means of access to a highway (other than a trunk road); or (ii) the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force	The local highway authority concerned The local highway authority concerned, and in the case of a road subject to a concession, the concessionaire
i)	Development which consists of or includes the laying out or construction of a new street	The local highway authority
j)	Development which involves the provision of a building or pipe-line in an area of coal working notified by the Coal Authority to the local planning authority	The Coal Authority
k)	Development involving or including mining operations	The National Rivers Authority
l)	Development within three kilometres of Windsor Castle, Windsor Great Park, or Windsor Home Park, or within 800 metres of any other royal palace or park, which might affect the amenities (including security) of that palace or park	The Secretary of State for National Heritage
m)	Development of land in Greater London involving the demolition, in whole or part, or the material alteration of a listed building	The Historic Buildings and Monuments Commission for England
n)	Development likely to affect the site of a scheduled monument	In England, the Historic Buildings and Monuments Commission for England, and, in Wales, the Secretary of State for Wales
o)	Development likely to affect any garden or park of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953 ^[12] (register of gardens) and which is classified as Grade I or Grade II*.	The Historic Buildings and Monuments Commission for England
p)	Development involving the carrying out of works or operations in the bed of or on the banks of a river or stream	The National Rivers Authority
q)	Development for the purpose of refining or storing mineral oils and their derivatives	The National Rivers Authority
r)	Development involving the use of land for the deposit of refuse or waste	The National Rivers Authority
s)	Development relating to the retention, treatment or disposal of sewage, trade-waste, slurry or sludge (other than the laying of sewers, the construction of pumphouses in a line of sewers, the construction of septic tanks and cesspools serving single	The National Rivers Authority

	dwellinghouses or single caravans or single buildings in which not more than ten people will normally reside, work or congregate, and works ancillary thereto)	
t)	Development relating to the use of land as a cemetery	The National Rivers Authority
u)	Development - (i) in or likely to affect a site of special scientific interest of which notification has been given, or has effect as if given, to the local planning authority by the Nature Conservancy Council for England or the Countryside Council for Wales, in accordance with section 28 of the Wildlife and Countryside Act 1981[13] (areas of special scientific interest); or (ii) within an area which has been notified to the local planning authority by the Nature Conservancy Council for England or the Countryside Council for Wales, and which is within two kilometres of a site of special scientific interest of which notification has been given or has effect as if given as aforesaid	The Council which gave, or is to be regarded as having given, the notice
v)	Development involving any land on which there is a theatre	The Theatres Trust
w)	Development which is not for agricultural purposes and is not in accordance with the provisions of a development plan and involves - (i) the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes; or (ii) the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more	In England, the Minister of Agriculture, Fisheries and Food and, in Wales, the Secretary of State for Wales
x)	Development within 250 metres of land which - (i) is or has, at any time in the 30 years before the relevant application, been used for the deposit of refuse or waste; and (ii) has been notified to the local planning authority by the waste regulation authority for the purposes of this provision	The waste regulation authority concerned
y)	Development for the purposes of fish farming	The National Rivers Authority

(2) In the above table -

(a) in paragraph (d)(iv), "industrial process" means a process for or incidental to any of the following purposes -

(i) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);

(ii) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing,

packing, canning, adapting for sale, breaking up or demolition of any article; or

(iii) the getting, dressing or treatment of minerals in the course of any trade or business other than agriculture, and other than a process carried out on land used as a mine or adjacent to and occupied together with a mine (and in this sub-paragraph, "mine" means any site on which mining operations are carried out);

(b) in paragraph (e)(ii), "network" and "operator" have the same meaning as in Part I of the Railways Act 1993^[14] (the provision of railway services);

(c) in paragraphs (f) and (g), "classified road" means a highway or proposed highway which -

(i) is a classified road or a principal road by virtue of section 12(1) of the Highways Act 1980^[15] (general provision as to principal and classified roads); or

(ii) is classified for the purposes of any enactment by the Secretary of State by virtue of section 12(3) of that Act;

(d) in paragraph (h), "concessionaire", "road subject to a concession" and "toll order" have the same meaning as in Part I of the New Roads and Street Works Act 1991^[16] (new roads in England and Wales);

(e) in paragraph (i), "street" has the same meaning as in section 48(1) of the New Roads and Street Works Act 1991 (streets, street works and undertakers), and "new street" includes a continuation of an existing street;

(f) in paragraph (m), "listed building" has the same meaning as in section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990^[17] (listing of buildings of special architectural or historic interest);

(g) in paragraph (n), "scheduled monument" has the same meaning as in section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979^[18] (schedule of monuments);

(h) in paragraph (s), "slurry" means animal faeces and urine (whether or not water has been added for handling), and "caravan" has the same meaning as for the purposes of Part I of the Caravan Sites and Control of Development Act 1960^[19] (caravan sites);

(i) in paragraph (u), "site of special scientific interest" means land to which section 28(1) of the Wildlife and Countryside Act 1981^[20] (areas of special scientific interest) applies;

(j) in paragraph (v), "theatre" has the same meaning as in section 5 of the Theatres Trust Act 1976^[21] (interpretation); and

(k) in paragraph (x), "waste regulation authority" has the same meaning as in section 30(1) of the Environmental Protection Act 1990^[22] (authorities for purposes of Part II).

(3) The Secretary of State may give directions to a local planning authority requiring that authority to consult any person or body named in the directions, in any case or class of case specified in the directions.

(4) Where, by or under this article, a local planning authority are required to consult any person or body ("the consultee") before granting planning permission -

(a) they shall, unless an applicant has served a copy of an application for planning permission on the consultee, give notice of the application to the consultee; and

(b) they shall not determine the application until at least 14 days after the date on which notice is given under paragraph (a) or, if earlier, 14 days after the date of service of a copy of the application on the consultee by the applicant.

(5) The local planning authority shall, in determining the application, take into account any representations received from a consultee.

Appendix 3 (pdf copies of the protocols)

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BACKGROUND

The Statement of Community Involvement (SCI) seeks to promote community involvement when dealing with planning applications, recognising the importance of good communication and promoting community cohesion. Councils are required to set out how and by what means the community will be involved in planning applications.

Of particular significance is pre-application and post application measures for major development and other sensitive developments affecting local communities.



Phil Crabtree
Chief Planning Officer

AIMS OF THE PROTOCOL

This Protocol advocates good practice in terms of community and Member participation.



The aim is to make this an integral part of the process of determining the largest and most sensitive planning applications such that community consultation takes place early and is an effective part of the process. Community and Member consultation is important to achieve high quality sustainable developments. Following early consultation and participation, continued dialogue and wider consultation are recognised a key to effective delivery of developments. The responsibility lies with the developer to arrange and carry out any pre-application consultation, on influence on projects.



For further details contact:
The Leonardo Building,
2 Rossington Street,
Leeds LS2 8HD

email : de@leeds.gov.uk
tel : 0113 2224409



Protocol for Pre-application discussions
with local communities and Ward Members

Planning Services

www.leeds.gov.uk/planning

RESPONSIBILITIES UNDER THE PROTOCOL

- For effective implementation of the 'Statement of Community Involvement' the responsibilities of the Council and the Developer roles are set out below. The approach to Member involvement should be clarified with Planning Officers at the outset and Members should be consulted as early as possible. Officers will 'signpost' the Developer to relevant Members to include Ward Members and known groups who should be involved in the process particularly for large and sensitive proposals. This might include Area Committees, Town and Parish Councils and local community organisations as these provide a valuable resource for local consultation.



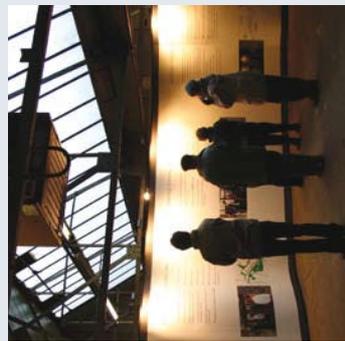
CITY COUNCIL RESPONSIBILITIES:-

- Agree at the outset whether the application will need to be the subject of community consultation, smaller applications will remain the subject of statutory consultations.
- Agree at the outset in a meeting between Officers and Developers what the requirements are for a 'Statement of Community Consultation'. The requirements for this are set out below under 'Developer Responsibilities', and to agree a structured approach as set out in 'Proforma 1' for pre application consultation.
- Promote good practise for 'Ward Member and community consultation', such that it becomes an inherent part of the planning application process at an early stage. Examples of good community consultation include the Kirkstall Forge site, a large scale mixed use development to include 1300 residential units and Eden Mount the former Kirkstall Community Centre proposal for 17 apartments.
- Ensure that developers are given guidance as to the form and duration of Ward Member and community consultation, encourage joint working and alert Ward Councillors to the proposals.
- Provide guidance to developers on the appropriate form of consultation. For example public meetings, leaflets, public exhibitions and the establishment of community consultation forums for larger developments, to yield the greatest results, and provide details of suitable venues in the locality.
- Develop and keep up to date a database which includes relevant equality strands to include the young, black and ethnic minority (BME) and disability groups. Consultation with a wider representative group is important to ensure that as many people as possible are involved in the process and applicants are advised on appropriate 'hard to reach' groups.
- Ward Members/ Parish Councillors to feed through their comments in the normal way via letter or email to officers.
- Where appropriate Ward Members will be provided with information throughout the life of the application from pre-application stage in the form of updates, notification of amended plans, information and position statements etc.



DEVELOPER RESPONSIBILITIES

- In conjunction with Planning officers, undertake to consult with Ward Members, Town and Parish Councillors and the community at an early stage of proposal development in order that it can be meaningful and to ensure that all parties benefit from the process.
 - Engage in a meaningful pre and post application dialogue and allow sufficient time to carry out consultation.
 - Agree a 'Statement of Community Consultation' with the Local Planning Authority which sets out proposals for consultation. In the statement of Community Consultation set out:
1. **Proposals for consultation.** Being clear as to **why** and **what** you are consulting on.
 2. **When** consultation will be held in particular with Ward Councillors and wider consultation to include the Community, Stakeholders and Parish Councils. An appropriate programme of consultation should be agreed.
 3. Consider and **identify** with the LPA appropriate consultation techniques. Such **techniques** could include exhibitions, questionnaires, stakeholder workshops, Planning for real events, community planning events and drop ins. It is important that the techniques recognise the needs of different communities.
 4. Following consultation the 'Statement of Community Consultation' should include a **summary of consultation** responses and how these have been taken into consideration in amending your proposals. This statement should be submitted with your application.



- For larger schemes set out the post application consultation process which will be carried out in the 'Statement of Community Consultation'.
- Identify adequate time, skills and resources for communication with Ward Councillors and Public Consultation.

BENEFITS OF PRE-APPLICATION ADVICE

The following benefits can arise when advice is sought before making an application:-

- A thorough understanding of how the policies of Leeds City Council, external organisations (e.g. the Environment Agency and Metro) and Central Government guidance will be applied to your development.
- Early identification of any need for specialised input concerning matters such as listed buildings, highway matters, trees, landscape, noise issues, contaminated land, ecology, drainage and archaeology.
- Advice on public consultation process.
- Early identification of any likely Section 106 contributions.
- Assistance in the preparation of proposals for formal submission giving the opportunity to amend proposals if required.
- Reduced time spent by your professional team of advisors working on your proposal.
- Early indication if a proposal is likely to be acceptable.
- An application that is submitted in accordance with the pre-application advice provided by officers should be considered more quickly and is more likely to benefit from a positive decision.

KEY CONTACTS

If you should wish to use our pre-application service you should initially make your request in writing to the relevant Area Planning Team or ring on the following numbers:-

- South Area Planning Team – Tel 0113 2478056
- West Area Planning Team – Tel 0113 2478213
- Central Area Planning Team – Tel 0113 2478170
- North West Area Planning Team – Tel 0113 2478020
- North East Area Team – Tel 0113 2478026
- East Area Planning Team – Tel 0113 3950325

NOTES

The fee paid for pre-application advice is solely for the recovery of costs associated with the pre-application process. It is not refundable. In the event of an application, the charge for pre-application advice will not be refunded from the application fee.

The fee for pre-application advice is non-refundable unless a meeting is cancelled by Leeds City Council.

If a meeting for charged pre-application advice is cancelled at short notice by the applicant an administration fee may be incurred.

Requests for charged pre-application advice will be assessed weekly. Applicants will be advised in writing within 10 working days of a suitable time and date for a meeting. You will be asked to submit the appropriate fee to the council within 5 working days prior to any meeting. Failure to pay the necessary fee within the required time scale will result in the cancellation of any arrangements.

Any advice relating to the planning history of the site, planning constraints or statutory designations does not constitute a formal response of the council under the provisions of the Land Charges Act 1975.

The council reserves the right to decline a request for pre-application advice where it is not considered either appropriate or necessary.

Any advice given by the council officers for pre-application advice does not indicate any formal decision by the council as a Local Planning Authority. Any views or opinions are given in good faith, without prejudice to the formal consideration of any planning application, and should not be seen as binding on the council.

Any pre-application advice that has been provided will be carefully considered when reaching a decision or recommendation on an application, subject to the proviso that circumstances and information may change or come to light that could alter that position.

Any pre-application advice that has been provided will be included in any subsequent report to Panel.



Planning pre-application advice charter

Advice for developers on pre-application charges and benefits

Planning Services

www.leeds.gov.uk/planning

ABOUT THE CHARTER

Leeds City Council welcomes and encourages discussion before a developer submits an application for a major development.

The provision of advice on development schemes is often time consuming and costly. The number of requests for pre-application meetings is increasing significantly.

We have therefore introduced this charter to set out clearly the procedures for this area of work. We believe it will have many benefits for developers, for the council and for the community.



Phil Crabtree
Chief Planning Officer



WHAT YOU WILL RECEIVE FROM THE SERVICE



We will:

- Provide written confirmation within ten working days of receiving your request to tell you whether the service is right for you.
- Provide details of what further information you may be required to supply prior to an initial pre-application meeting and the fee.
- Contact you within ten working days of receiving the fee and advise of any further information that we may require and arrange a date for a meeting.
- Arrange a meeting with you and advise the planning officers needed to advise on your proposal, including any necessary site visits.
- Provide detailed written confirmation within ten working days of the meeting of the advice and views provided by us. This will include what you will need to supply in order to submit a valid application. It, because of the scale of the issues and complexity of a proposal, we consider we cannot meet this timescale we will agree a specific timescale at the meeting.
- If further discussion or negotiations on the proposal are requested following the issue of written advice, you will be advised if a further fee is likely to be required.
- Advise on whether a section 106 agreement is likely and the likely requirements and the process we use to agree it.
- Give you advice on groups or organisations you may need to consult with.

FEES

- The initial fee (correct as June 2008) for providing this service is £2000 plus VAT. Please note that the current statutory planning fees do not cover the cost of pre-application advice. There may be further fees for further follow up meetings or discussions. These will be agreed with you in advance.
- For master plans, large major and development proposals that might be considered under the protocol for strategic and key regeneration projects (see separate leaflet). The fees will be based on an estimated percentage time to be spent on a project by a Principal Planning Officer.



INFORMATION REQUIRED FOR THE PRE-APPLICATION MEETING

The council will need sufficient information to be provided to enable us to give you high quality advice. The following list is not exhaustive but it does provide a useful guide to what you will need to do to ensure that the advice and guidance you receive is as useful as possible.

If you request a meeting with planning officers then the following documents must be received (where applicable) not less than ten working days before the pre-application meeting otherwise the meeting may be rescheduled in order for us to provide a comprehensive response.

- Site location plan at a scale of not less than 1:250.
- A description of the existing use/s, proposed development and schedule of proposed uses.
- Photographs and drawings describing the site, buildings, topography and landscape features.
- Outline of proposal at a scale not less than 1:200.
- Drawings showing the height/scale of the development.
- Drawings showing the context of the proposal with its surroundings for example drawings of the proposal set in the existing street scene.
- For larger sites other information may be required.

In some cases (involving particularly complex schemes) it may be appropriate to begin with a general discussion and site visit. This should be confirmed with the appropriate planning case officer.



PROPOSALS SUITABLE FOR CHARGED PRE-APPLICATION ADVICE

At this time the charging scheme will apply to major applications only. These are defined as developments consisting of:-

- **Residential:** Where the number of units is ten or more. Where the number of dwellings to be constructed is not given in the application, a site above 0.5 hectares would normally fall within the definition.
- **Non-residential:** For all other uses where the floor space to be built more than 1,000 sq.m., or where the site area is greater than one hectare.

The scheme will also include other applications associated with major applications such as any permission required for alteration to listed buildings.



Originator: A W Hall

Tel: 0113 247
5296

Report of the Director of City Development

Scrutiny Board (City Development)

Date: 12 January 2010

Subject: CITY CENTRE TRANSPORT REVIEW UPDATE

Electoral Wards Affected:

City and Hunslet
Beeston and Holbeck
Hyde Park and Woodhouse
Richmond Hill
Burmantofts

Specific Implications For:

Ethnic minorities

Women

Disabled people

Narrowing the Gap

Executive Summary

This report provides an overview of work in progress to review and prepare a future transport strategy for Leeds city centre, including the examination of future options for the road network and use of road space. The workstreams are explained in the wider context of the Transport For Leeds strategy development programme and as such substantive findings have not yet been reached.

1.0 Purpose Of This Report

1.1 This report provides an overview of study work to identify future transport strategy options for the city centre.

2.0 Background Information

2.1 This report originates from a request from the Board for an understanding of work planned to consider and review the highways strategy for the city centre. Members have previously been aware of the draft Local Development Framework draft Area Action Plan (AAP) which identified the possible need to extend the City Centre Loop or otherwise provide for improved traffic circulation in areas outwith the present route and of the 2008 city centre visioning exercise that identified issues such as connectivity from the railway station.

2.2 Since the January 2008 City Centre Vision Conference the Council working with Metro has secured funding from the Government's Transport Innovation Fund to support the researching of congestion and the development of a future transport strategy, known as the Transport For Leeds (TfL) project. This work has reached approximately the halfway point with all the major background analytical work

nearing completion. Most recently, in November 2009, a new City Region transport strategy has been published which has longer term implications for the transport services with Leeds city centre.

- 2.3 A new multi-modal transport model for Leeds is expected to be delivered at the beginning of March 2010 which will facilitate more detailed further analysis of transport options. As such the work so far has not reached the point where firm conclusions can be drawn.

3.0 Main Issues

- 3.1 Arising from the draft Area Action Plan published in 2007, the 2008 City Centre Vision Conference and analysis arising out of the initial stages of TfL, a range of transport possibilities for the city centre have been identified and have formed the central basis for strategy investigations and analysis. It is stressed that at the time of writing the analysis remains directed to developing an evidence base upon which sound policy advice and choices can be made in the future.

- 3.2 The key areas of interest are:

- Expansion of the city urban realm by:
 - Extensions of the pedestrian core area.
 - Reduced traffic on some key streets within the core area.
 - Adding City Square to the core pedestrian area.
 - Increasing the areas of green space with connections to and from these areas
- The implications for the present Public Transport Box and City Centre Loop Road of any changes to the urban realm.
- Connectivity from City Station into City Square and Boar Lane for pedestrian visitors to the city.
- Facilities for bus and taxi interchange, especially in the vicinity of City Station, including:
 - Options for increasing bus interchange capacity and stopping facilities at the station so as to expand the coverage of service destinations
 - Examination of ways in which provision for taxis and their customers might be improved
 - Improving the efficiency of the PTB and bus stopping arrangements to speed up the throughput and capacity of bus services
- Making provision for all bus services to be fully accessible to passengers.
- Interchange and stopping facilities for bus services.
- Accommodating longer term expansions to the proposed NGT trolleybus network and the future possibility of street running by Tram-trains.

- Enhancing the connectivity of the cycle network within the city centre and their integration with the proposed Cycle Point (planned for Spring 2010)
- Traffic movements in an enlarged city centre area and around the fringe area, more specifically:
 - Holbeck Urban Village.
 - Hunslet Road and environs.

3.3 In terms of the highway network it is worth recapping on the key traffic routes within and around the city centre, which are also shown on Figure 1.

- i) Leeds Inner Road (LIRR) provides a continuous route from the M621 junction 2 around the city centre from the West initially using the Ingram Distributor Road and to the East using the recently completed Inner Ring Road Stage 7 scheme which rejoins the M621 at junction 4. Built over a period of 40 years, around half the route is grade separated (i.e. no surface junctions) and is largely a two lane dual carriageway except at the busiest locations such as Wellington Bridge. There are major at-grade junctions at Armley Gyratory, Burmantofts Street and East Street/Crown Point
- ii) The M621 motorway effectively completes a full inner ring road route around the south side of the city, but is part of the national strategic road network under the control of the Highways Agency. This road is a mixture of two and three lane dual carriageway with hard shoulders throughout, although these are generally below modern standards.
- iii) The City Centre Loop Road (CCLR) was established between 1992 and 1999 using mostly existing highways to provide an inner circulatory route in a clockwise direction. Traffic lane numbers vary throughout the route and frequent junctions provide access to all the business and retailing areas of the city centre. For the most part bus services are segregated from this route.
- iv) The Public Transport Box (PTB) was created alongside the CCLR to provide direct access to bus stops within the heart of the city centre adjacent to the core pedestrian area. This route is two way and replaced a number of one way streets which formerly led to the separation of inbound and outbound bus services in a way which was confusing to passengers. Taxis and other vehicles have permitted access for delivery purposes.

3.4 So far as achieving transformational change within the city centre over a longer term period, changes to the existing highway as the principal public space and thoroughfare will remain an important opportunity for the city. It is also, of course, recognised that individual major developments will continue to present special opportunities for extending the scope and quality offer of public realm that can be complementary to careful street design and traffic management.

3.5 City Square has been a particular focus of work to-date because of the pivotal role this space provides as a focal point for visitors to the city. Taking the square as the centre of the city and working outwards, the major thoroughfares of Boar Lane, Park

Row and the Headrow, all now restricted to public transport, taxis and access traffic as party of the PTB, remain busy, although all have relatively long standing traffic management plans and treatment of their urban realm. Further out, the northern edge of the city centre is effectively bounded by the Inner Ring Road and the university campuses and so the city centre has expanded to the South of the rail station and across the river into the Holbeck Urban Village area and towards Hunslet.

- 3.6 City Square has the capacity to be developed further into a major Square comparable to those found in the larger European cities. Its urban realm is already an iconic part of the city scene but arguably is not being maximised due to the 24,000 vehicles per day that pass through it. Its position adjacent to a major rail station and the need for good interchange with bus and in due course the NGT trolleybus means that the location will also need to be a focus for public transport. However, if it could be achieved, the removal of the majority of general traffic and the expansion of the present high quality urban realm along with more comprehensive bus/rail interchange options would transform the experience of arriving in the city.
- 3.7 The transport modelling and analysis so far has revealed the following:
- Reducing or removing general traffic in City Square will impact on up to 2,600 vehicles per hour in the peak period; around 25% of this flow is through traffic with no destination in the city centre.
 - The majority of traffic that would be diverted by measures in the city centre would divert onto the routes around the South West and West of the city centre (i.e. Ingram Distributor, Armley Gyratory and through Holbeck Urban Village).
 - There are lesser impacts on the Inner Ring Road to the East of the city centre that can be accommodated within the new Inner Ring Road Stage 7 scheme but which could become more of a pressure point in the future.
 - Any significant improvements or changes within the city centre would need the CCLR to be relocated:
 - Changes affecting the Southern sector, such as the pedestrianisation of City Square or Boar Lane, would need to consider alternative routes through Hunslet and Holbeck.
 - Changes to the North, such as the pedestrianisation of the central Headrow, would lead to buses sharing the Loop and traffic being displaced onto the LIRR.
 - Within Holbeck itself, the draft City Centre AAP identified the potential desirability of creating extensions to the CCLR to manage traffic flows in this area and potentially within Hunslet as that area is developed.
 - The work so far shows that the most significant impacts in these areas would arise from changes elsewhere within the core of the city centre.
 - There is a range of traffic impacts that Holbeck could experience which, depending upon the interventions considered, could be negligible rising towards 400 plus vehicles passing through the area per peak hour.

- Diverting the CLLR to the South could also increase flows in the Whitehall Road area where significant development is planned, but this could conceivably be improved by encouraging traffic to use the Ingram Distributor perhaps by providing improved linkages to this route elsewhere.

- 3.8 Figure 2 provides an indication of the areas where increased stress on the network might be expected to arise from the type of measures discussed above.
- 3.9 The single most important investment measure whatever strategy is adopted in the future is the improvement of Armley Gyratory where future scenarios could increase traffic levels by circa 15%. An appropriate scheme would both enhance the general traffic capacity at this location to offset reductions elsewhere as well as providing for improvements to the priority given to public transport and enabling easier movements for cyclists and pedestrians.
- 3.10 The Northern section of the Inner Ring Road from the West Street junction to Burmantofts Street is likely to be a constraint on some strategy scenarios, especially where expanding pedestrianisation in the vicinity of the Headrow might be desirable. Because it is built entirely within cuttings and tunnels the provision of any extra physical capacity for traffic displaced from other routes would be problematical. In addition, because of its condition and form of construction, a continuing and increasing level of heavy repair and renewal work is anticipated to be needed over coming years.
- 3.11 The new Leeds Transport Model (LTM) will enable key pieces of work to be updated which have of necessity been analysed so far using the existing modelling suite which although effective for highway traffic cannot directly model the interaction with public transport. This updating process will plug into the current state of option development in the TFL project and in terms of the city centre workstreams and will take place over the spring and summer period of 2010.
- 3.12 Members of the cross party Transport Strategy Group are due to meet on the 1 March 2010 to review progress made with the Transport for Leeds project so far and to agree a timetable for working on the next stages of the project.

4 Legal And Resource Implications

- 4.1 This report raises no specific legal and resource implications. These matters will be considered further as the identified strategy is finalised and details of individual projects are worked up.

5 Conclusions

- 5.1 This report has described work that remains at an early stage of development and is being progressed as part of the wider Transport for Leeds strategy development, which is now approaching the end of the initial model building and analytical stage. Initial work has been undertaken to evaluate potential options using the Council's existing transport model, which is due to be replaced in the spring of 2010. A number of potential options for the city centre loop road have been examined commensurate with supporting the future development of urban realm space in the city centre, especially City Square and with future possibilities for improving bus service interchange including at the rail station, accessibility and routing.

- 5.3 The principal findings so far are that the road network to the South West of the centre is a critical factor to any successful change in the use of road space in the centre. Any significant changes to the use of City Square will require additional capacity / routing in the Holbeck area and improved connectivity to, and utilisation of the Ingram Distributor route and improvements to the Armley Gyratory junction.
- 5.4 Further work is required before any definitive strategy advice can be provided on these matters.

6 Recommendations

- 6.1 Members are requested to:
- i) note and comment on the contents of this report; and
 - ii) seek a further report to update progress when it is possible to provide more substantive results from the work programme.

7 Background information

- 7.1 There are no background documents relating to this report.

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Report of the Director of City Development

Scrutiny Board (City Development)

Date: 12th January 2010

Subject: **CITY DEVELOPMENT DIRECTORATE: 2009/10 BUDGET – UPDATE REPORT**

Electoral Wards Affected: All

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

This report sets out the financial position for City Development Directorate.

2.0 Overall Summary

The month 7 position for City Development Directorate is a projected overspend of £1.8m against a month 6 projection of £1.7m. There have not been any significant changes to the position since month 6. The small increase in the projected overspend is largely due to an increase in the projected shortfall in income from the Markets. Agreed savings and other actions are now being reflected in the actual and projected position.

The projection also includes further savings of £0.7m on staffing and running costs which have already been agreed by City Development Directorate.

3.0 Explanation of the Projected Overspend

Reduced external income is still by far the most significant budget pressure faced by the Directorate. Projected shortfalls in key income sources across the Directorate now amount to over £4m, despite having removed £3m of income from the 2009/10 base budget. The projected overspend can be summarised as follows:

Income Shortfalls:

Planning and Building Fees	£2.0m	
Recreation		£1.1m
Libraries, Arts and Heritage	£0.3m	

Commercial Property and Markets	£0.4m
Architectural Design Services	<u>£0.4m</u>
	£4.2m
Capital fee recoveries	£1.0m Cr
Planning Delivery Grant	£0.6m Cr
Other income variations	<u>£0.4m Cr</u>
Total Income variations	£2.2m
Expenditure Variations:	
Staffing	£0.3m
Operational budgets	£0.7m Cr
Overall Total	£1.8m

Income Variations

The month 7 budget projection assumes a shortfall of £4.2m in key income sources, the most significant problem continuing to be planning and building fee income with a shortfall of over £2m. The shortfall against the monthly phased budget has continued to increase during 2009/10 and the Service does not see any prospect for this position to change in the short term. Other income shortfalls include £0.4m on commercial property and markets rental income and £1.1m on income in Sport and Parks and Countryside. An optimism figure of £200k on external income has been assumed for the final quarter on the basis that external income should start to pick up as the economic outlook starts to improve.

Reduced workloads for Architectural Design Services means that there is a projected shortfall in income of £0.4m after allowing for reduced staffing costs. The service has produced a budget action plan to deal with this situation and is currently working on a revised staffing structure, with an aim to produce a balanced budget position in 2010/11.

The DCLG have notified the Authority that the likely Housing & Planning Delivery Grant for 2009/10 is £1.4m, an additional allocation of £625k above the base budget. This is to be used to part fund the shortfall in fee income.

Staffing

The Directorate continues to progress plans to reduce staff numbers where appropriate. Over 50 Early Leaver Initiative (ELI) cases were approved during 2008/09 and an additional 23 business cases have been agreed to date in 2009/10 with further expressions of interest being actively considered. Restructures are also being progressed in a number of services which are experiencing reduced income and workloads. However, in many service areas staff turnover is very low resulting in services not meeting assumed vacancy factor assumptions in the budget and overall an overspend in staffing of £0.3m is projected.

Achieving the staffing savings target continues to be a priority for the Directorate. The ELI is being promoted and recruitment will continue to be closely managed in the Directorate with only front line service posts being released when vacancies occur.

Operational Budgets

The Highways maintenance budget shows a saving of £1m reflecting the proposal to capitalise £1m of Highways revenue spend. This will help offset a number of expenditure pressures. Operational budgets have also been reviewed across the Directorate and savings identified in each service area. These are reflected in the projected outturn.

Further Savings Actions

Since completing the month 7 statement City Development Directorate has identified further savings of £300k, mostly in running costs. This would reduce the projected overspend to £1.5m.

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Report of the Director of City Development

City Development Scrutiny Board

Date: Tuesday 12th January 2010

Subject: Leeds 2012 Olympic Project

Electoral Wards Affected:

City-wide

Specific Implications For:

Ethnic minorities

Women

Disabled people

Narrowing the Gap

1.0 Purpose Of This Report

1.1 The report outlines the developments put into place in Leeds to ensure that the city is in a position to maximise the opportunities of the Olympic and Paralympic Games being held in London in 2012. The report also outlines structures put into place to develop regional plans to support the Games.

1.2 The report outlines the progress of the Leeds 2012 Olympic Project Board and work within the five themed areas of work.

2.0 Background Information

2.1 Following the announcement of the awarding of the Olympic Games and the Paralympic Games (for the purpose of this report the term 'Games' and 'Olympic Games' will be used to include both the Olympic Games and the Paralympic Games) to London in July 2005, Leeds established, through the Leeds Initiative, a 2012 Task Group to explore the ways in which the city could both contribute to and benefit from the Games being held in London.

2.2 The Task Group gained funding support from Leeds City Council and Leeds Initiative for the temporary appointment of a programme manager to scope out the opportunities for Leeds from the London 2012 Games and to identify the potential resources that could be provided to support the delivery of these opportunities. LCC Executive Board approved a report in September 2007 that outlined the potential benefits and opportunities, proposed a structure and identified the budget required to take the project forward.

2.3 A permanent post was approved, based in City Development, to coordinate the work with Council departments and other partners. The report also recommended that a Project Board of Council officers and external partners should be established to provide a strategic lead

for this area of work. The five 'opportunities' agreed in the report were Sport, Culture, Communities, Business and Tourism. (See Appendix 1 Leeds 2012 structure)

2.4 At a regional level, Leeds is part of the 2012 organisation called Yorkshire Gold, chaired by Martin Havenhand, former chief executive of Yorkshire Forward. This committee includes representatives from Yorkshire Forward, Sport England Yorkshire, Government Office, Welcome to Yorkshire, Local Government Yorkshire and Humber and the Learning and Skills Council, along with the other four key cities. Yorkshire Gold also provides a regional link into the national London 2012 structures through representatives that are part of the National and Regions structure established by the London Organising Committee for the Olympic Games (LOCOG).

2.5 A regional strategy, 'Yorkshire Gold', has been produced and recently refreshed, covering the period 2007 to 2017. This maps out five 'Golden Opportunities' and identifies the regional lead agencies to take them forward. The Learning and Skills Council has also joined the other regional agencies on Yorkshire Gold and has been tasked with delivering the skills, education and employability agenda. Leeds actively contributes towards the delivery of these five opportunities through participation at various regional meetings. Copies of Yorkshire Gold will be made available for members at the Scrutiny Board meeting. It can also be accessed via the city's Olympic website - www.leedsgold.co.uk

Yorkshire Gold: 5 Golden Opportunities	Lead agency
Becoming a World Leading Sporting Region	Sport England Yorkshire
Active and Engaged Communities	Local Government Yorkshire & Humber
A Carnival of Culture	Arts Council Yorkshire
Enhanced Profile and Tourism Potential	Welcome to Yorkshire
Winners in Business	Yorkshire Forward

3.0 Progress of the Leeds 2012 Olympic Project.

3.1 The Leeds 2012 Project Board, chaired by the Director of City Development, has met on a regular basis since October 2008. The 2012 report approved by the council's Executive Board approved the current project structure of city-wide thematic groups reporting to a strategic project board made up of council officers, representatives of each thematic group and key external partners. The emphasis was not to establish a large team to manage and deliver a wide range of projects and initiatives but to provide coordination and support through a project manager for the thematic groups, which would take the lead in their different areas. (See Appendix 2 Project Board Terms of Reference and membership).

3.2 The Board has overseen a number of key developments that relate to all areas of 2012 Olympic work. These include:

- the development of a brand, Leeds Gold, to be used by the council and partners, to provide a way of associating all the different activities under a common logo;
- a communications plan; and
- the Leeds Gold website – www.leedsgold.co.uk.

The Board has also agreed a number of performance indicators that can be used to measure progress and the overall success of the project.

3.3 Following meetings with groups and relevant agencies, the views were that themed steering groups comprising key partners should be established to coordinate and develop opportunities in the areas of sport and culture where Leeds needed to be proactive. To progress the opportunities in 'business' 'communities' and 'tourism' it was felt that existing

city or sub-regional structures already in place could include as agenda items, when appropriate, issues associated with the London 2012 Games.

3.4 The following provides a summary of progress within the five main themes.

3.5 Sport.

The steering group is chaired by Malcolm Brown, Director of Sport at Leeds Metropolitan University, and includes representatives from a wide range of agencies. Their work has focused on three main areas:

- sporting legacy from the Games;
- financial support for talented athletes;
- and the Leeds' offer to attract international training camps.

3.5.1 Sporting Legacy. The following purpose has been agreed: "To use the inspiration of the London Olympics to increase the number of people playing, enjoying and succeeding in sport in West Yorkshire". A Leeds 2012 Olympic Legacy Framework has been developed with an action plan to achieve this through the following areas.

- Coaching
- Inspire
- Volunteering
- Activity
- Disability Sport
- Talent Support

The other four West Yorkshire local authorities have also adopted the purpose and six key areas of delivery.

3.5.2 Talented athlete support. The group has developed a proposal that will allow the local business community, individuals or agencies to donate money that will be used to help support Leeds-based athletes with the potential to represent Great Britain at the Olympic or Paralympic Games. The scheme has been deferred due to the current economic climate but it is hoped to be able to launch it early in the next financial year.

3.5.3 Attracting International Training Camps (ITCs) to Leeds and Yorkshire.

The hosting of ITCs in the run-up to the London 2012 Games is one of the most tangible aspects of 2012-related work that cities outside London see as generating benefits for them. The benefits will include:

- helping to bring the Olympic and Paralympic Games 'alive' for residents;
- economic benefits, as the estimated spend per head per day is projected to be at least £100 per person; and
- international teams providing opportunities to develop business links, to engage with different sections of our communities and to help foster a spirit of internationalism and cultural awareness.

3.5.4 The work to attract ITCs to the region is being led by Leeds and Sheffield. Both cities have received £130k support funding from Yorkshire Forward for this work. A Memorandum of Understanding has been signed between the cities to support this collaborative working.

3.5.5 Formal agreements are now signed with Serbia (all sports in conjunction with Sheffield) and the Netherlands for swimming. Serbian athletes have already trained in Leeds in September 2008 and will return again with their swim squad in March and with their Youth Olympic squad in July 2010. Discussions with US Diving for some of their divers to train in Leeds are also well advanced, although Sheffield would be their main base.

3.5.6 There have been ongoing discussions with a number of other countries regarding their training plans. These include China, India, Canada, Brazil, South Africa, Ethiopia and Russia. It is likely that the Chinese marathon team for the 2010 London Marathon will train at Leeds Metropolitan University for a week in April and that the Brazilian gymnastics team will train in Leeds in October 2010 before the world Championships in the Netherlands.

General discussions with other sports in both of these countries continues. There will be a key visit from the Chinese decision makers to Leeds in March or April 2010.

3.5.7 Progress has also been made with India, led by Leeds Metropolitan University, and a large number of their 2010 Commonwealth Games athletes may train in Leeds in 2010. We are also waiting for confirmation from South Africa that their swim team will be based in Leeds.

3.6 Culture

The Leeds 2012 Cultural Task Group is chaired by Catherine Blanshard, Chief Officer Libraries, Arts and Heritage Officer at Leeds City Council and includes representatives from a wide range of agencies. The group has met regularly and is focusing on the Cultural Olympiad and how the city can contribute. This agenda has helped bring the visual and performing arts groups together in the city for the first time to undertake joint planning and projects.

3.6.1 The Task Group submitted a bid to the regional Cultural Olympiad group as part of the Artists Taking the Lead programme for funding support. This was entitled 'Canvas' and the theme is a cross art-form group involving visual, performing arts and heritage disciplines that will prioritise artistic leadership. Leeds Canvas has been recently announced as the winning bid and will receive £500k of funding. The Quay Brothers will be artistic directors of the project.

3.6.2 The Leeds Museums Service are also part of a regional Museums, Libraries and Archives group that will host Stories of the World, one of the other national Cultural Olympiad projects. Led by Renaissance Yorkshire, the Stories of World exhibitions in Yorkshire will be known under the banner of Precious Cargo and young people will lead in its creation.

3.6.3 Northern Ballet Theatre, with Education Leeds, Marketing Leeds and a number of other partners, has also secured regional funding for a project entitled 'Don't Just Sit There', which aims to tackle issues arising from sedentary lifestyles.

3.7 Business

Companies in Leeds have been successful in gaining 21 contracts from the Olympic Delivery Authority (ODA). As a region, Yorkshire is behind most others in terms of the number of contracts secured. Work will continue with Leeds Chamber of Commerce and Yorkshire Gold Business Club to help promote the opportunities to gain part of the £1.7 billion worth of contracts, many of them for supplies and services related to the delivery of the Games. Contractual restrictions imposed by the ODA make promoting local business success very difficult.

3.7.1 The agreement with the Serbian Olympic Committee has enabled a number of business initiatives to be launched. These include a number of 'Doing Business in...' events that have been held in Leeds and Serbia. Leeds also hosted a civic and business delegation from Nis, the third city in Serbia that resulted in them signing up as a member of the Central European Business Network, a partnership between Leeds City Council, DLA Piper, PDA International and MAS.

3.8 Communities

There are currently over 120,000 volunteers who have registered on the London 2012 website for the 70,000 volunteering places that will be required during the Games. Of these, 5,753 have given a Yorkshire address with 2,540 from West Yorkshire. Work will continue to ensure these volunteers are linked into local volunteering opportunities, using Leeds 2010 Year of the Volunteer to help raise awareness and profile.

3.8.1 Leeds will also build on the opportunities offered by international teams training in the city to engage with different communities. This worked very well when some of the Ethiopian athletics team trained in Leeds and were able to join in local celebrations of Ethiopian culture.

3.8.2 Interest in the Olympics is continuing to develop in Leeds schools. The number of Leeds' schools registered on the 2012 'Get Set' educational website is currently 87 out of a total of 728 schools registered within Yorkshire. There were over 80 schools who took part in their

own 'Olympics' events during the Summer term 2009 as part of the Education Leeds Spirit Alive schools Olympics initiative.

3.9 Tourism

Increased tourism is regarded as one of the areas of potential economic gain for Leeds and the region generally. These gains could be achieved through attracting 'displaced' tourists who might normally go to London but want to avoid the Olympics or through attracting tourists to the area because their country or a particular sport team from their country are based here in the lead-up to London 2012. The area could also market itself as a value destination from which to travel to London daily and see the Games. A number of regional and city initiatives are being considered to help achieve these benefits.

3.10 Other initiatives

The Inspire Programme, an initiative that allows the 2012 brand to be associated with events and projects inspired by 2012, is a tool to help associate local projects with the Olympic Games. One Leeds submission has been approved with another four under consideration.

3.10.1 Leeds will also be bidding to host the Torch Relay and planning around other key events such as the Open Weekend celebrations to ensure Leeds can maximise the opportunities the Games provide.

4. Conclusions

4.1 With just under three years (927 days) to the opening of the London Olympic Games on July 27th 2012, there remain a number of challenges for the city, not least, maintaining and building momentum within the council and with key partners. The emphasis of the work so far in the themed areas has been to look beyond the Games and focus on the legacy for the city from the events in London.

4.2 Developing and delivering an effective programme within these areas will be challenging, recognising the budget issues faced by the city council and other partners. It is important that we set realistic expectations for a city programme during the Games in 2012.

5.0 Recommendation

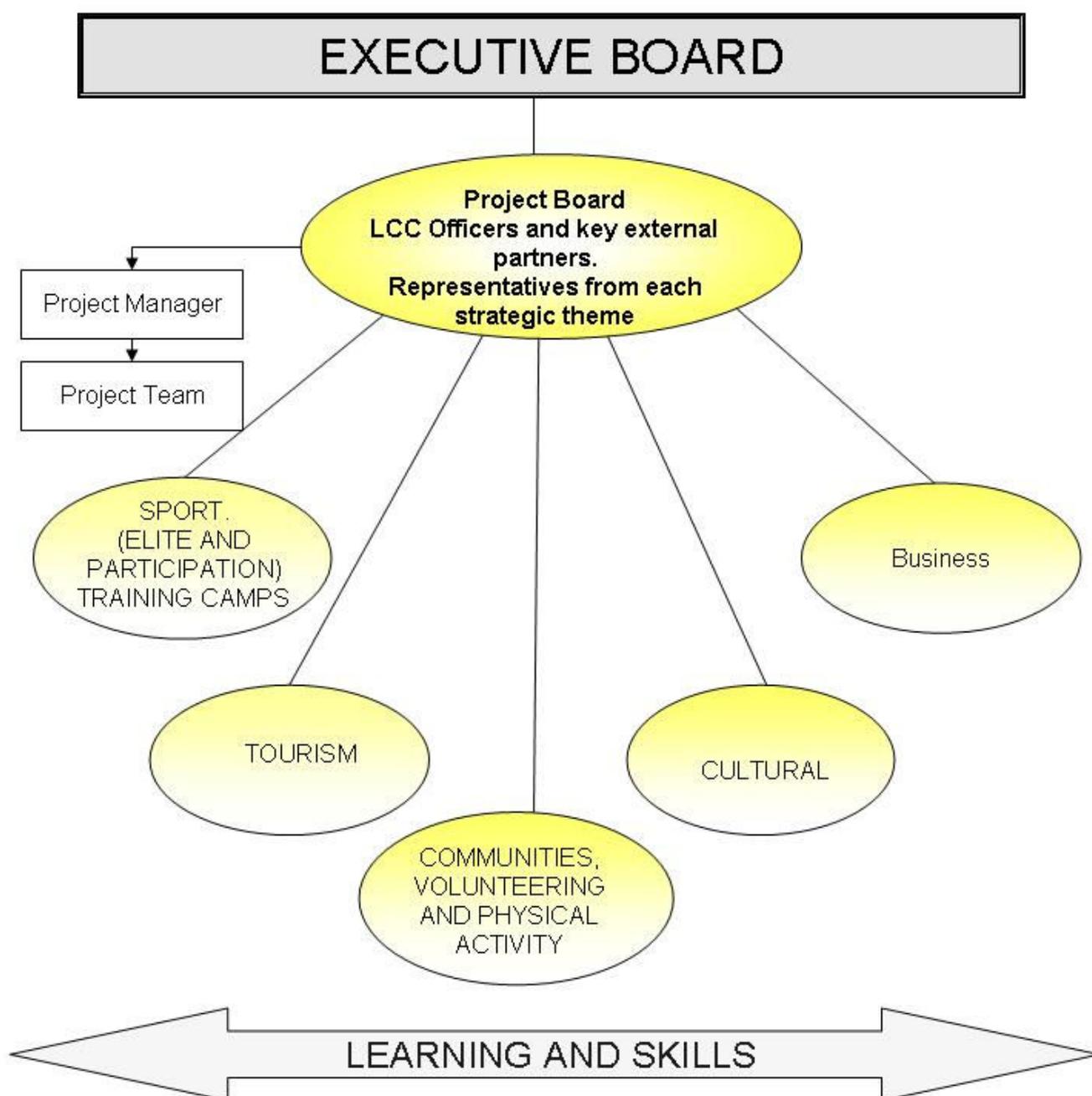
5.1 Members of Scrutiny Board are asked to note the contents of the report.

Background Paper

A regional strategy, 'Yorkshire Gold'

Leeds 2012 Olympic and Paralympic Games Project

Draft Project Management Structure (Based on the 5 themes within 'Yorkshire Gold')



Terms of reference, Leeds 2012 Olympics Project Board

Purpose.

The Leeds Olympic and Paralympic 2012 Project Board has been established by Leeds City Council to provide leadership and strategic direction in activities undertaken by the city council and partners relating to the London 2012 Olympic Games and Paralympic Games. The overall purpose of the Board is to ensure:

“that Leeds will contribute to, and capitalise upon, all of the opportunities that the hosting of the London 2012 Olympic Games and Paralympic Games provide, helping to meet the aims of the Vision for Leeds to go up a league and narrow the gap..”

Terms of reference.

1. To influence programmes and projects that are clearly essential to delivering the city’s response to the London 2012 Olympic Games and Paralympic Games.
2. To champion and maximise the potential benefits and opportunities for Leeds from the staging of London 2012 Olympic Games and Paralympic Games.
3. To ensure the city council and partner agencies work collaboratively together to ensure a co-ordinated approach to the opportunities provided by the London 2012 Olympic Games and Paralympic Games.
4. To ensure that programmes and projects maximise the opportunity for a “legacy benefit” to the city following the London 2012 Olympic Games and Paralympic Games
5. To influence, challenge and encourage other organisations and agencies to plan and deliver their own contributions to help achieve the overall purpose of the Board.

Membership.

Jean Dent, Director, City Development, Leeds City Council. Chair of the Board.

Strategic theme representatives.

Catherine Blanshard, Chief Officer Libraries, Arts and Heritage Leeds City Council and Chair of the Leeds 2012 Culture group.

Malcolm Brown, Director of Sport, Leeds Met University and Chair of the Leeds 2012 Sport group.

Barbara Woroncow, Yorkshire Tourist Board and representative from the West Yorkshire Tourism Partnership.

Gary McCall, Director, Banana kick and representative from the Leeds Chamber Council

City partner representatives.

Stephen Scott, Pro-Vice-Chancellor, University of Leeds.

Tina Conkar, Business Development Manager and Research Manager

Nigel McClea, Partner, Pinsent Masons.

Deborah Green, Chief Executive, Marketing Leeds

Martin Dean, Deputy Director, Leeds Initiative

Richard Mond, Chief Recreation Officer, Leeds City Council.

Danielle Cooper, young people representative from West Leeds High School.

Chris Edward, Chief Executive, Education Leeds.

Paul Napier, Editor, Yorkshire Evening Post.

Frequency of meeting.

It is proposed the group should meet 3 – 4 times each year.



Originator: R L Mills

Tel: 2474557

Report of the Head of Scrutiny and Member Development

Scrutiny Board (City Development)

Date: 12th January 2010

Subject: Work Programme, Forward Plan of Key Decisions and Latest Executive Board Minutes

Electoral Wards Affected: All

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 Appendix 1 to this report provides Members with a copy of the Board's current Work Programme.
- 1.2 Appendix 2 is the current Forward Plan of Key Decisions for the period 1st January to 30th April 2010.
- 1.3 Appendix 3 provides Members of the Board with the latest Executive Board minutes.

2.0 Recommendations

- 2.1 The Board is requested to:
 - (i) Determine from these documents whether there are any additional items the Board would wish to add to its work programme.
 - (ii) Receive and make any changes to the attached work programme following decisions made at today's meeting.

Background Papers

None used

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Scrutiny Board (City Development) - Last Revised 17th December 2009

Appendix 1

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 12th January 2010		Reports required by 23rd December 2009	
Scrutiny of the Budget	To receive budget proposals under the budget and policy framework rules		
Session 1 Inquiry to Review the Method by which Planning Applications are Publicised and Community Involvement takes place	To consider a report of the Director of City Development	The terms of reference for this Inquiry was agreed by the Board at its meeting on 13th October 2009	RP/DP
Consultation document on the Agenda for an Improved Economic Performance	To consider a consultation document on the Agenda for improved Economic Performance	Was to be considered by Scrutiny Board in the Autumn 2009 before final submission to Executive Board at the end of the year but the timetable has been moved to the New Year	RP/DP
Review of the City Centre Loop	To consider an initial report by the Director of City Development	Advised in December 2008 that modelling work would commence in January 2009 and would not be completed until the summer.	DP/RP
Leeds 2012 Olympics	To consider a report on the Leeds 2012 Olympics	The Board agreed this at their Board meeting on 8th December 2009	B

Scrutiny Board (City Development) - Last Revised 17th December 2009

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 9th February 2010 Reports required by 20th January 2010			
Session 2 Inquiry to Review the Method by which Planning Applications are Publicised and Community Involvement takes place	To consider further evidence		RP/DP
Legible Leeds Project	To consider a progress report	The Board on 13th October 2009 considered a report on this issue and requested a further update in February/March 2010	
Meeting date: 9th March 2010 Reports required by 17th February 2010			
Session 3 Inquiry to Review the Method by which Planning Applications are Publicised and Community Involvement takes place	To consider the Board's final report and recommendations		RP/DP
Recommendation Tracking	To monitor progress on meeting the recommendations agreed in 2009/2010		MSR
Quarterly Accountability Reports	To receive quarter 3 performance reports		PM

Scrutiny Board (City Development) - Last Revised 17th December 2009

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Playbuilder Initiative	To consider a further update from the Director of Children's Services with on this initiative	An initial report was considered by the Board on 1st September 2009	DP
Performance Indicator NI 157 - Majors	To consider a report of the Director of City Development on this National Indicator in detail	Scrutiny Board on 1st September 2009 in considering the performance reports of the department in Q1 requested to consider this target on major planning applications including some case studies.	RP/B
Climate Change	To evaluate the options for installing LZC energy as part of the corporate estate with a focus on small, medium and large scale projects To consider the appropriate delivery structure to ensure that LZc energy, particularly large grid connected or on-site in major regeneration areas, was delivered	The Board agreed to consider 3 key issues on 1st September 2009	
Meeting date: 6th April 2010		Reports required by 17th March 2010	
Annual Report			

Key: CCFA / RFS – Councillor call for action / request for scrutiny
 RP – Review of existing policy
 DP – Development of new policy
 MSR – Monitoring scrutiny recommendations
 PM – Performance management
 B – Briefings (Including potential areas for scrutiny) SC – Statutory consultation
 CI – Call in

Scrutiny Board (City Development) - Last Revised 17th December 2009

Issues Identified but not yet included in Work Programme

1. Leisure Centres and Vision for Sport /sport centre closures- report going to Executive Board July 2009. Scrutiny Board would like to consider to have input to the 5 year vision and perhaps do some further scrutiny
2. Report requested updating members on work to improve signage in the station area and city centre and the Civic Trust proposals.
3. Agreed that arrangements be made for Members of the Scrutiny Board to visit the building site of the new well being PFI leisure centre site at Morley as soon as the new build has progressed to make the visit worthwhile.
4. Report requested on Review of Libraries - new technology, opening hours, greater use of mobile libraries, building maintenance.
5. Update report requested from Marketing Leeds and the role it plays in marketing Leeds nationally and internationally
6. Concerns expressed by Members as to the lack of publicity and promotion of "gems" in the city some privately owned (Wetherby racecourse, Harewood House) and the many events like concerts, Chapeltown Carnival, St George's Day
7. Report on the outcome of the trial of a designated barbecue area on Woodhouse Moor probably September 2010
8. The Board in December 2008 asked that further scrutiny be undertaken of the work being carried out to the City Varieties during 2009.
9. Possible issue raised by the Board in June 2008 for consideration later in the year - Review of the Environmental Policy and EMAS.

APPENDIX 2



FORWARD PLAN OF KEY DECISIONS

1 January 2010 – 30 April 2010

LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

For the period 1 January 2010 to 30 April 2010

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Morley Conservation Area To amalgamate and extend the Morley Town Centre and Morley Dartmouth Park Conservation Area into the Morley Conservation Area and adopt the Morley Conservation Area Appraisal and Management Plan as non-statutory planning guidance	Chief Planning Officer	1/1/10	Ongoing consultation since May 2008 with the local community, Ward Members, Morley Town Council and other bodies	Report and Morley Conservation Area Appraisal and Management Plan	Chief Planning Officer richard.taylor@leeds.gov.uk
Parks and Countryside Nursery Seeds, Compost and Pot Tender To approve Suppliers	Chief Recreation Officer	1/1/10	N/A	Tender Submissions	Chief Recreation Officer paul.ackroyd@leeds.gov.uk

<p>The supply of Half Hourly metered electricity to >100 kWh sites Award of Contract</p>	<p>Chief Asset Management Officer</p>	<p>1/1/10</p>	<p>Client Departments</p>	<p>Contract Award Report</p>	<p>Chief Asset Management Officer peter.lynes@leeds.gov.uk</p>
<p>The framework arrangement for the supply of vehicles and equipment without driver for a three year period February 2010 to January 2013 with the option to extend for 12 months To approve the framework arrangement for the supply of vehicles and equipment without driver for a three year period February 2010 to January 2013 with the option to extend for 12 months</p>	<p>Chief Commercial Services Officer</p>	<p>1/1/10</p>	<p>Procurement Department</p>	<p>Tender Submissions</p>	<p>Chief Commercial Services Officer carl.snowden@leeds.gov.uk</p>
<p>Highway Maintenance To approve the Local Transport Plan: Highway Maintenance Programme 2010/2011</p>	<p>Chief Officer (Highways and Transportation)</p>	<p>1/1/10</p>	<p>No consultation will be undertaken but Councillors will be informed of work to be done in their ward on this programme</p>	<p>Report to Chief Officer (Highways and Transportation)</p>	<p>Chief Officer (Highways and Transportation) andrew.bellamy@leeds.gov.uk</p>

Proposed development of new Middleton Enterprise Centre Executive Board approval to incur expenditure on a new Enterprise Centre in Middleton	Executive Board (Portfolio: Development and Regeneration)	6/1/10	Ward members, stakeholder groups and local residents	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development neill.fishman@leeds.gov.uk
Leeds Arena, Proposed Appointment of Technical Monitoring Advisor To appoint a technical monitoring advisor on the proposed arena development for the duration of the design and build stage of the project.	Director of City Development	21/1/10	Arena Project Board	Report to Director of City Development	Director of City Development martin.farrington@leeds.gov.uk
Sustainable Buildings Strategy Approval requested	Executive Board (Portfolio: Development and Regeneration)	12/2/10	September Strategic Investment Board	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development john.ramsden@leeds.gov.uk
Community Asset Strategy Approval requested	Executive Board (Portfolio: Development and Regeneration)	12/2/10	Asset Management Board 24 th July	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development john.ramsden@leeds.gov.uk
Asset Management Plan and Capital Strategy Approval of the Capital Strategy and Asset Management Plan	Executive Board (Portfolio: Development and Regeneration)	12/2/10		The report to be issued to the decision maker with the agenda for the meeting	Director of City Development john.ramsden@leeds.gov.uk

<p>A653 Dewsbury Road Bus Priority Measures, Ring Road, Beeston Park Bus Lane</p> <p>Permission to construct the scheme, subject to satisfactory funding arrangements being in place on return of tenders. The works are required to provide a quality bus corridor identified in the LTP and are an intrinsic part of the Yorkshire Bus Initiative.</p>	<p>Executive Board (Portfolio: Development and Regeneration)</p>	<p>12/2/10</p>	<p>Initial Member consultation has taken place.</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>Director of City Development jean.dent@leeds.gov.uk</p>
<p>Grants to Major Arts Organisations</p> <p>Approve levels of funding</p>	<p>Chief Officer Libraries, Arts and Heritage</p>	<p>4/3/10</p>	<p>Applications subject to scrutiny by appropriate officers</p>	<p>Grant applications of Major Arts Organisations</p>	<p>Chief Officer Libraries, Arts and Heritage catherine.blanshard@leeds.gov.uk</p>

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EXECUTIVE BOARD

WEDNESDAY, 9TH DECEMBER, 2009

PRESENT: Councillor A Carter in the Chair

Councillors R Brett, J L Carter, R Finnigan,
S Golton, R Harker, P Harrand,
J Monaghan, J Procter and K Wakefield

Councillor R Lewis – Non-Voting Advisory Member

126 Retirement of Deputy Chief Executive - Dave Page

On behalf of the Board, the Chair paid tribute to and thanked the Deputy Chief Executive, Dave Page for his services to the Council, as this would be the final Board meeting in which he would be in attendance prior to his retirement.

127 Technoprint Court Case

The Board was advised that following the recently announced verdict, the High Court had ruled in the Council's favour with respect to the Court Case regarding the company Technoprint. The Chair thanked all of those officers involved for their efforts throughout the case.

128 Exempt Information - Possible Exclusion of the Press and Public

The substantive reports and assessment documents referred to in Minute Nos. 135 and 136 had been designated as exempt until 3rd December and 9th December 2009 respectively. This designation had arisen from embargoes on the documents which had substantially been the source of the contents of those items and all information had been published on the lifting of those embargoes.

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt 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:-

- (a) Appendix 1 to the report referred to in Minute No. 133 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains information which if disclosed to the public would, or would be likely to prejudice the commercial interests of the Council.
- (b) Appendix 1 to the report referred to in Minute No. 150 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains information relating to the financial or business affairs of a particular person and of the Council, and is not

publicly available from the statutory registers of information kept in respect of certain companies and charities.

It is considered that since the information was obtained through one to one negotiations for the disposal of the property/land then it is not in the public interest to disclose the 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 could obtain 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 the transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing the information at this point in time.

129 Late Items

The Chair admitted the following late item to the agenda:-

Key Decision Taken Under Special Urgency Provisions (Minute No. 157 refers)

Following a Key Decision being taken under the Special Urgency provisions, a report providing details of the decision and recommending that it be forwarded to Council as the quarterly report of the Leader on such decisions was submitted to Executive Board in accordance with Access to Information Procedure Rules. Due to the urgent nature of the Key Decision, it was considered appropriate for this report to be submitted to the next scheduled meeting of the Board.

130 Declaration of Interests

Councillor Wakefield declared personal interests in the items referred to in Minute Nos. 152, 153, 155 and 156, due to his position as a school and college governor.

Councillor Brett declared a personal interest in the item referred to in Minute No. 136 due to being a Board Member of Leeds Ahead.

Councillor J Procter declared a personal interest in the item referred to in Minute No. 133, due to his position as Chair of the Leeds Grand Theatre and Opera House Board of Management, and a personal and prejudicial interest in the item referred to in Minute No. 144 due to having a commercial interest in a biomass company.

Councillor Harrand declared a personal interest in the item referred to in Minute No. 133, due to his position on the Leeds Grand Theatre and Opera House Board of Management.

Councillor Finnigan declared personal interests in the items referred to in Minute Nos. 153 and 154, due to his position as a school governor.

Councillor R Lewis declared personal interests in the items referred to in Minute Nos. 153 and 154, due to his position as a school governor.

Councillor A Carter declared personal interests in the items referred to in Minute Nos. 153 and 154, due to his position as a school governor.

131 Minutes

RESOLVED –

- (a) That subject to the figure £1,000,500 being deleted from minute 112(b) and being replaced with the sum of £1,500,000, the minutes of the meeting held on 4th November 2009 be approved as a correct record.
- (b) That the minutes of the meeting held on 24th November 2009 be approved as a correct record.

LEISURE

132 Design and Cost Report for the Redevelopment of Middleton Park Through a Heritage Lottery Fund Parks for People Grant

The Director of City Development submitted a report providing an update on the development of the Stage 2 Parks for People Heritage Lottery Fund bid for Middleton Park, detailing proposals to progress the scheme and which sought approval for the submission of the bid on or before the 31st December 2009.

RESOLVED –

- (a) That the injection of £1,797,929 into the 2010/11 Capital Programme be approved.
- (b) That the submission of the Stage 2 bid on or before the 31st December 2009 be approved.
- (c) That the use of the Parks Renaissance funding scheme number 12523 to address the £68,500 shortfall in the scheme be approved.
- (d) That the current position in relation to the surrender of the lease and the sale of 218 and 220 Middleton Town Street, which is providing part of the Council's match funding for the project, be noted.
- (e) That the Heads of Terms for the contribution agreement between Leeds City Council and Wades Charity be agreed, and that delegated authority to the Council's Chief Recreation Officer to complete the agreement be approved.

133 City Varieties Music Hall Refurbishment: Project Update

Further to minute 222, 4th March 2009, the Director of City Development submitted a report providing an update on the refurbishment of the City

Varieties Music Hall with reference to a revised timetable for completion. The report also sought authority to spend additional funding on the project.

Following consideration of Appendix 1 to the report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting it was

RESOLVED – That the contents of the report, including the update on the scheme be noted, and that the recommendation contained within exempt Appendix 1 be approved.

ADULT HEALTH AND SOCIAL CARE

134 KPMG Health Inequalities Report

The Director of Adult Social Services submitted a report presenting the recommendations arising from a review of health inequalities undertaken by KPMG, detailing the responses to the recommendations and outlining proposed further actions to raise awareness of health inequalities across the City.

RESOLVED –

- (a) That the findings of the KPMG audit on health inequalities be welcomed, and that the action plan appended to the submitted report which has been prepared in response to the recommendations be endorsed.
- (b) That the implications for Council policy and governance, as set out in section 5 of the submitted report, be noted.
- (c) That the Director of Adult Social Services be requested to prepare further reports as appropriate on the development of partnership working with NHS Leeds.

135 Annual Performance Assessment for Adult Social Services

The Director of Adult Social Services submitted a report providing the outcome of the Care Quality Commission Annual Performance Assessment of Adult Social Services for 2008/09.

The Board extended its thanks to all staff within Adult Social Care who had helped to ensure that Adult Social Care provision in the city had been judged to be 'Performing Well'.

Due to the outcome of the Annual Performance Assessment being embargoed until 3rd December 2009, a substantive report providing full details of the outcome was circulated to Members for consideration once the embargo had been lifted.

RESOLVED –

- (a) That the contents of the submitted report, the final assessment letter and the performance review report from the Care Quality Commission for adult social care services in 2008/09 be noted.
- (b) That the areas for improvement, as set out in the annual performance rating report, be referred to the Scrutiny Board (Adult Social Care) for the Scrutiny Board's oversight of performance.

CENTRAL AND CORPORATE

136 Comprehensive Area Assessment 2009

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report presenting the outcomes from the 2009 Comprehensive Area Assessment for Leeds.

Members noted that a further report specifically in relation to Children's Services would be submitted to the next meeting of the Board.

Due to the outcomes of the Comprehensive Area Assessment being embargoed until 9th December 2009, the Area Assessment report, Organisational Assessment report and the Ofsted letter with respect to the Children's Services Annual Rating were tabled at the meeting for Members' consideration once the embargo had been lifted.

RESOLVED – That the covering report and the published reports which provide details of the outcomes from the Comprehensive Area Assessment 2009 be received.

137 Corporate Performance Report 2009/10 Quarter 2

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report presenting an overview of performance against the Council's priority outcomes for the first 6 months of the 2009/10.

RESOLVED – That the overall performance position at Quarter 2 with respect to the strategic priorities, and the action planned to further improve or address performance concerns, be noted.

138 Design and Cost Report: Business Transformation in Leeds City Council and the Introduction of Employee and Manager Self Service

The Director of Resources submitted a report regarding the development and deployment of SAP's Manager and Employee Self Service module as part of the Council's wider transformation agenda.

RESOLVED – That authority be given to spend £1,465,500 over the next 2 year period (plus an additional £117,500 in year 5), to be funded from the Business Transformation allocation and the ICT Development and equipment funds, in order to enable the implementation of the Manager and Employee Self Service initiative to contribute towards the delivery of Business Transformation within Leeds City Council.

139 Progress Report on the PPP/PFI Programme In Leeds

A report was submitted by the Deputy Chief Executive providing an update on the Council's current portfolio of PPP/PFI projects and programmes, highlighting the planned key activities earmarked for the investment programme, identifying the employment opportunities which have been created and detailing information on the recent review of governance arrangements for such projects.

RESOLVED –

- (a) That the current status of the PPP/PFI projects and programme be noted.
- (b) That the winding up of the Coordination Board and the transfer of responsibilities to Directors, with effect from the date of approval of the amendments to Director delegations by the Leader, as outlined at section 6 of the submitted report, be approved.
- (c) That the proposed revised Terms of Reference for the Strategic Investment Board (SIB) be noted.
- (d) That the Deputy Chief Executive, and subsequently the Director of Resources and Deputy Chief Executive be authorised to implement any necessary Project Board changes, in terms of structure, Chair and composition, as detailed within paragraph 7.1.1 of the submitted report.
- (e) That the proposal detailed at paragraph 7.2 of the submitted report in relation to Final Business Case approvals be noted.

140 Consultation Response - Transitional Arrangements for Regulation of Lap Dancing Clubs

The Assistant Chief Executive (Corporate Governance) submitted a report on the reclassification of lap dancing establishments, and on the proposed response to the public consultation exercise undertaken on the transitional arrangements for the regulation of such establishments.

RESOLVED – That the proposed responses to the consultation be noted and endorsed as the Council's response.

DEVELOPMENT AND REGENERATION

141 A65 Quality Bus Initiative

The Director of City Development submitted a report providing an update on the progress made in relation to the A65 Quality Bus Initiative and outlining the necessary approvals required to continue the development of the Initiative.

RESOLVED –

- (a) That the contents of the submitted report be noted, and prior to the Full Approval being granted by the Department for Transport, the following be approved:
- i) the additional fee expenditure of £126,000.
 - ii) the remaining ECI Contract costs of £175,000.
 - iii) the mobilisation and start up costs of £180,000.
 - iv) further advance payments to statutory undertakers at a cost of £455,000.
- (b) That following Full Approval being granted by the Department for Transport, approval be given to:
- i) rescind all previous approvals.
 - ii) the implementation of the A65 Quality Bus Initiative scheme at a total cost of £21,580,000.
 - iii) incur expenditure of £14,880,000 works, £2,000,000 land, £2,300,000 statutory undertakers and £2,400,000 fees, all of which is included within the approved capital programme.

142 Leeds Local Development Framework - Annual Monitoring Report 2009

The Director of City Development submitted a report presenting the proposed Local Development Framework Annual Monitoring Report 2009 for submission to the Secretary of State for Communities and Local Government.

The Board noted that an amendment to the Annual Monitoring Report 2009 document had been proposed, namely the replacement of paragraph 7.1.5 with the following:

‘Overall waste arisings continue to decrease. Moreover, management methods of recycling and composting are increasing their share of total management. This is also encouraging as it means less waste is being diverted to landfill’.

RESOLVED – That, subject to the incorporation of the above amendment, the Leeds Local Development Framework Annual Monitoring Report 2009 be approved for submission to the Secretary of State, pursuant to Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004.

143 Business Support Scheme for the Council's Small Business Tenants and Investment in Kirkgate Markets

The Director of City Development submitted a report regarding the proposed establishment of a Business Support Scheme to support the Council’s commercial tenants in the markets, estate shops, miscellaneous small shops

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and small industrial units, whilst also outlining the financial implications of establishing such a scheme.

RESOLVED –

- (a) That the establishment of a Business Support Scheme for the Council's small independent business tenants be agreed.
- (b) That £250,000 revenue be earmarked to establish the scheme, with £50,000 released from Contingency Fund in 2009/10.
- (c) That further decision making on the details of the scheme and the terms and conditions for giving support be delegated to the Director City Development in consultation with the Executive Member for Development and Regeneration.
- (d) That officers be requested to monitor the scheme and its effectiveness, and to report back to Executive Board in six months time.
- (e) That £125,000 be injected in 2010/11 and £125,000 be injected in 2011/12, when the Capital Programme is reviewed in February 2010, in order to improve facilities at Kirkgate Market.
- (f) That the proposed Lower Kirkgate Townscape Heritage Initiative (THI) bid to the Heritage Lottery Fund be the subject of a separate report.

ENVIRONMENTAL SERVICES

144 Climate Change Action Plan (and Eurocities Declaration on Climate Change)

The Director of City Development submitted a report regarding the proposed adoption and publication of the Leeds Climate Change Action Plan, in addition to the approval and signing of the Leeds Climate Change Charter and the Eurocities Declaration on Climate Change.

RESOLVED –

- (a) That the Leeds Climate Change Action Plan be adopted and made public.
- (b) That the Leeds Climate Change Charter and the Eurocities Declaration on Climate Change be signed on behalf of the Council.
- (c) That the current target to reduce corporate CO₂ emissions by 33.4% by 2020/21 be amended, and a stretch target to reduce corporate CO₂ emissions by at least 40% by 2020/21 be adopted, as referred to in paragraph 4.6 of the submitted report.

(Having earlier declared a personal and prejudicial interest in relation to this item, Councillor J Procter left the room during the consideration of this matter)

145 Recycling Improvement Plan

The Director of Environment and Neighbourhoods submitted a report providing an update on recycling performance, outlining the progress made with respect to the provision of kerbside recycling and which proposed the initiation of a Recycling Improvement Plan.

RESOLVED –

- (a) That the initiation of the Recycling Improvement Plan be approved.
- (b) That the aims, guiding principles and programmed approach to giving equality of access, but not necessarily uniform methods of recycling, across the city, be endorsed.
- (c) That the additional costs of extending the garden waste collection service and how these costs can be met in the future by driving through the agreed efficiency improvements in the Waste Collection Service be noted.

NEIGHBOURHOODS AND HOUSING

146 Deputation Response - Residents Concerned at Levels of Local Authority Provision for the Travelling Community

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council on 15th July 2009 submitted by local residents concerned at levels of local authority provision for the travelling community.

A revised version of the verbatim record of the deputation, which was appended to the submitted report, had been circulated for Members' information prior to the meeting.

RESOLVED – That the response to the deputation, as contained within the submitted report, be noted.

147 Regional Housing Board Programme 2008-11 - Update on schemes within the overall programme

The Director of Environment and Neighbourhoods submitted a report outlining the changes to the funding position and proposing a revised resource programme for the Regional Housing Board 2008/11 which was within the reduced funding available.

RESOLVED –

- (a) That due to the reduced funding position and the resource allocations, the revised investment programme be agreed.
- (b) That an additional £307,367 energy efficiency grant funding be injected into the 2009/10 capital programme.
- (c) That additional private sector contributions of £151,100 be injected into the programme and that expenditure be authorised as detailed at

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Appendix B to the submitted report, which is earmarked for Cross Green Phase 3 A&D scheme.

- (d) That authority to spend on the schemes as detailed in Appendix B to the submitted report be rescinded.
- (e) That all remaining individual authority to spend requests be brought forward to Executive Board or the appropriate Director as per the Financial Procedure Rules.

148 Leeds Housing Strategy 2009 - 2012/Leeds Private Rented Housing Strategy

The Director of Environment and Neighbourhoods submitted a report presenting for approval the updated Leeds Housing Strategy 2009 - 2012 and the updated Leeds Private Rented Housing Strategy.

RESOLVED – That the updated Leeds Housing Strategy 2009 – 2012 and the updated Private Rented Housing Strategy be approved.

149 Little London and Beeston Hill and Holbeck PFI Project - Demolition of Empty Properties Prior to the Start of the PFI Contract

Further to minute 214, 4th March 2009, the Director of Environment and Neighbourhoods submitted a report proposing the demolition of a number of tower blocks and maisonette properties which have been emptied in readiness for the Little London and Beeston Hill and Holbeck PFI project, in advance of the start of the PFI contract.

RESOLVED –

- (a) That the demolition of the identified empty properties in Little London and Holbeck be approved.
- (b) That the injection of £1,700,000 into the Capital Programme, from the use of Unsupported Borrowing be approved.
- (c) That scheme expenditure of £1,700,000 be authorised.

150 Council House Building - 25 Properties for the Over 55s

The Director of Environment and Neighbourhoods submitted a report outlining a proposal to release monies, dispose of land at nil consideration and appoint builders for the provision of 25 two bed properties for the over 55s.

The report detailed the following options available to progress the development of the sites involved, with option 3 being recommended as the preferred option:

Option 1 - Sell the land at Waterloo on the open market for £500,000 which would deliver 20 open market units and 9 affordable units. The land at Silver Royd and Evelyn Place could be sold on the open market for £210,000 which would deliver 17 units and no affordable units as the size of the sites would be below the threshold for affordable housing. This option would result in a

capital receipt of £710,000 and 9 units of affordable housing. However this would rely on an open market sale which would not be likely due to present market conditions, and so would instead, leave all three sites undeveloped for the foreseeable future and no new council properties.

Option 2 - As the Waterloo Site was already in the remit of the Strategic Affordable Housing Partnership Board this could be sold to a Registered Social Landlord (RSL) for a capital receipt of £ £145,000. Subject to receiving a grant from the Homes and Community Agency (HCA) this could result in 29 affordable units being delivered by an RSL. The sites at Silver Royd and Evelyn Place being sold on the open market for £210,000 and no affordable housing on those two sites. This option would result in a capital receipt of £355,000 and 29 units of affordable housing would be delivered via an RSL on the Waterloo Road site. This would be dependant on a grant being secured from the HCA and would leave the other two sites undeveloped for the foreseeable future and would result in no new council properties.

Option 3 - Sell the land at Waterloo Road for nil consideration to Keepmoat PLC and issue a licence to allow Keepmoat PLC to build on the Councils behalf, at Evelyn Place and Silver Royd. Use £1,516,424, Section 106 monies to purchase 25 completed units across the 3 sites. This option would result in no capital receipt for the Council but retained ownership of land at Silver Royd and Evelyn Place and 25 new council properties to be owned by the Council and managed by West North West Homes. This option would also ensure that all three sites were developed, bringing additional work and confidence to these areas. Across the three sites this would equate to 55% new council housing.

Following consideration of Appendix 1 to the report designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting it was

RESOLVED –

- (a) That the appointment of Keepmoat PLC to build the new properties on behalf of the Council be authorised.
- (b) That £1,516,424 of Section 106 funding be injected into the Capital Programme.
- (c) That expenditure of £1,516,424 be authorised to acquire 25 x 2 bed properties for the over 55s funded through Section 106 resources.
- (d) That land at Waterloo Road, as detailed within the submitted report, be disposed of at nil consideration.

CHILDREN'S SERVICES

151 Proposed Variations to the BSF Capital Programme

The Deputy Chief Executive and the Director of Children's Services submitted a joint report outlining proposed budgetary variations to the BSF Capital

Programme and providing information on the outcome of the Compensation Event Claims arising from the Phase 1 Design and Build contract.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That £683,000 be injected into the Education Capital Programme to reflect the additional funding notified by the Partnerships for Schools.
- (c) That £800,000 be injected into the Education Capital Programme to reflect the current asset valuation of Wortley High School.
- (d) That the proposed changes to the profile of spend against the proposed Programme Contingency, including the incorporation of the two sums injected at (b) and (c) be agreed, and that authority to spend against this budget in line with the profile detailed within the submitted report and Appendix 1 be approved.
- (e) That an injection of £300,000 into the Education Capital Programme to reflect the current asset valuation of Pudsey Grangefield School be approved.

152 Transfer of Responsibilities from the LSC to the Local Authority

The Director of Children's Services and the Chief Executive of Education Leeds submitted a joint report providing an update on the progress made with respect to the transfer of responsibilities from the Learning and Skills Council to the Local Authority and in relation to the future arrangements for the planning and funding of 14-19(25) provision at local authority and sub-regional level.

RESOLVED –

- (a) That the progress made with respect to the transfer of responsibilities from the Learning and Skills Council to the Local Authority be noted, and that the approach to the preparation for the transfer of such responsibilities be approved.
- (b) That support for Elected Member representation on the reconstituted 14-19 Strategic Partnership, as indicated at paragraph 3.1.3 of the submitted report be confirmed.
- (c) That the Memorandum of Understanding, as detailed at appendix 3 to the submitted report, be approved.

153 Proposal for Statutory Consultation for the Expansion of Primary Provision for September 2011

The Chief Executive of Education Leeds submitted a report outlining proposals to undertake a statutory formal consultation exercise with respect to the proposed permanent expansion of those primary schools detailed within the report.

The Board was advised that the proposed capacity in relation to West End Primary should have read 315, rather than the 420 as detailed within appendix 1 to the report.

RESOLVED –

- (a) That subject to the above amendment, the statutory formal consultation on the prescribed alterations to permanently expand the primary schools identified within Appendix 1 to the submitted report, be approved.
- (b) That a report detailing the outcome of the consultations be submitted to Executive Board in Spring 2010.
- (c) That the proposals for further primary school expansions from 2012 onwards, which will be the subject of further reports to the Board, be noted.

154 Proposal to Relocate the West SILC from the Farnley Park Site under Building Schools for the Future

The Chief Executive of Education Leeds submitted a report outlining proposals to undertake formal consultation on the relocation of the West Specialist Inclusive Learning Centre (SILC) (Victoria Park) modular building at Farnley Park Maths and Computing college to Bruntcliffe High School.

RESOLVED –

- (a) That a formal consultation process be undertaken on the relocation of the provision currently made in the West SILC (Victoria Park) modular building at Farnley Park Maths and Computing College, as planned under the Building Schools for the Future initiative.
- (b) That a further report be submitted to the Board in March 2010 reporting on the outcome of the consultation commencing in January 2010.

155 Outcomes for Looked After Children in Leeds

To consider the report of the Director of Children's Services summarising the progress made against the Every Child Matters outcomes with respect to Looked After Children in Leeds, and which identifies the strategies for improving such outcomes.

RESOLVED – That the main findings detailed within the submitted report, and its conclusions, be noted.

156 Children's Trust Arrangements - Area and Locality Governance Arrangements

The Director of Children's Services submitted a report outlining proposals with respect to formal arrangements for the area and locality aspects of the children's trust arrangements in Leeds. In addition, the report set out the context for such proposed developments and provided supporting background information and analysis.

RESOLVED –

- (a) That the need to establish formal procedures for the area and local working of children's trust arrangements in Leeds be noted.
- (b) That the proposed approach to the development of area and locality Children Leeds Partnerships, as set out in Section 5 of the submitted report and appendices, be approved.
- (c) That the children's trust arrangements in Leeds be updated in accordance with the proposals detailed within the submitted report.

157 Key Decision Taken Under Special Urgency Provisions - Buslingthorpe Conservation Area

The Assistant Chief Executive (Corporate Governance) submitted a report informing of a Key Decision taken under the 'Special Urgency' provisions contained within the Constitution with respect to Buslingthorpe Conservation Area. The report recommended that it was forwarded to Council as the quarterly report on such decisions in accordance with paragraph 16.3 of the Access to Information Procedure Rules.

The report relating to this matter had been circulated to Members for their consideration prior to the meeting.

RESOLVED –

- (a) That the report be approved as the report of the Leader for submission to Council as the quarterly report in accordance with Access to Information Procedure Rule 16.3.
- (b) That this decision be exempt from Call In due to being concerned with matters which are reserved to Council.

DATE FOR PUBLICATION: 11TH DECEMBER 2009
LAST DATE FOR CALL-IN: 18TH DECEMBER 2009

(Scrutiny Support will notify Directors of any items called in by 12:00 noon on 21st December 2009)