



JOINT PLANS PANEL

Meeting to be held in 6 & 7 - Civic Hall, Leeds on
Thursday, 29th November, 2018 at 1.30 pm

MEMBERSHIP

Councillors

Councillor Barry Anderson
Councillor Salma Arif
Councillor David Blackburn
Councillor Kayleigh Brooks
Councillor Colin Campbell
Councillor Peter Carlill
Councillor Andrew Carter CBE
Councillor Dan Cohen
Councillor Dawn Collins
Councillor Mark Dobson
Councillor Al Garthwaite
Councillor Matt Gibson
Councillor Jacob Goddard
Councillor Ronald Grahame
Councillor Caroline Gruen
Councillor Peter Gruen
Councillor Sharon Hamilton
Councillor Julie Heselwood
Councillor Andy Hutchison

Councillor David Jenkins
Councillor Asghar Khan
Councillor Graham Latty
Councillor Thomas Leadley
Councillor Richard Lewis
Councillor James McKenna
Councillor Elizabeth Nash
Councillor Denise Ragan
Councillor Kevin Ritchie
Councillor Simon Seary
Councillor Mohammed Shahzad
Councillor Jackie Shemilt
Councillor Alice Smart
Councillor Fiona Venner
Councillor Paul Wadsworth
Councillor Neil Walshaw
Councillor Angela Wenham
Councillor Gerald Wilkinson
Councillor Paul Wray

A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			ELECTION OF THE CHAIR To formally nominate the Chair for the meeting.	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS	
3			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC	
4			LATE ITEMS	
5			DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS	
6			APOLOGIES FOR ABSENCE	
7			MINUTES - 26TH JULY 2018 To approve the minutes of the meeting held on 26 th July 2018 as a correct record.	1 - 8
8			PLANNING SERVICES PERFORMANCE REPORT- QUARTERS 1 AND 2, 2018-19 To receive the report of the Chief Planning Officer to provide the Planning Services performance for quarters 1 and 2, 2018-19. (Report attached)	9 - 22
9			THE LETWIN REVIEW To receive the report of the Director of City Development which sets out the implications of the Letwin report for Leeds. (Report attached)	23 - 26

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10			SITE ALLOCATIONS PLAN UPDATE To receive the report of the chief Planning Officer to update Members of Joint Plans Panel on progress on the Site Allocations Plan (SAP). (Report attached)	27 - 32
11			DELIVERING EMPLOYMENT & SKILLS OPPORTUNITIES THROUGH THE COUNCIL'S PLANNING FUNCTION To receive the report of the Chief Officer Employment and Skills to provide information on the implementation of employment and skills obligations delivered as a result of the S106 planning agreements recommended by Plans Panels. (Report attached)	33 - 44
12			DATE AND TIME OF NEXT MEETING The date of the next meeting to be confirmed in municipal year 2019/20. <u>Third Party Recording</u> Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda. Use of Recordings by Third Parties – code of practice a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.	

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Joint Plans Panel

Thursday, 26th July, 2018

PRESENT: Councillor J McKenna in the Chair

Councillors K Brooks, C Campbell, P Carlill,
D Cohen, D Collins, M Gibson, R Grahame,
C Gruen, P Gruen, S Hamilton,
J Heselwood, D Jenkins, A Khan,
T Leadley, R Lewis, E Nash, D Ragan,
S Seary, M Shazad, J Shemilt,
P Wadsworth, N Walshaw, A Wenham,
G Wilkinson and P Wray

1 Election of the Chair

RESOLVED – To elect Councillor J McKenna as the Chair for the duration of the meeting.

2 Exempt Information - Possible Exclusion of the Press and Public

There were no appeals against refusal of inspection of documents.

3 Late Items

There were no late items.

4 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

5 Apologies for Absence

Apologies for absence had been received from Councillors: Barry Anderson, Salma Arif, David Blackburn, Andrew Carter, Al Garthwaite, Jacob Goddard, Graham Latty, and Kevin Ritchie.

Apologies had also been received from David Newbury, Group Manager Area Planning.

6 Minutes - 30th November 2017

RESOLVED – That the minutes of the meeting held on 30th November 2017 be approved as a correct record.

7 Matters arising

In relation to Minute 20 of the minutes of 30th November 2017 the following updates were provided:

Temple Works

Councillor Lewis reported that Temple Works had now been purchased by CEG.

Grenfell Tower Tragedy

The Hackett Report on the Grenfell Towers Tragedy had been issued and a summary report had been presented to CLT. However, there was no information in relation to toxicology as requested by Councillor R Grahame. The Chief Planning Officer explained that there was a number of issues set out in the report which required work. The report had suggested a Joint Competency Authority be set up which would comprise Building Control Services, Health and Safety Executive and West Yorkshire Fire and Rescue Service. This body would then act as consultee on future planning applications. The offer was made to circulate the summary if Members so wished.

It was suggested that the Head of Service, Building Control contact Councillor R Grahame to discuss any toxicology information. Councillor R Grahame had been concerned at the length of time taken to respond to his question since asking at the previous meeting.

Minute No. 24 – Vacant Building Credit

In relation to Vacant Building Credit the Chief Planning Officer said that checks were required as to what had come out of the National Planning Framework to see if the Government had made this a specific item of policy. Discussions had taken place with DCLG officials, part of the representation set out that in Leeds there would be unintended consequences where there are large buildings that could be used for development. Leeds would need to take account of what was set out in the policy framework. However, Leeds had an Affordable Housing Strategy which should be used as a starting point for a development plan policy.

Minute No.25 Update on Housing Mix

Leeds Living - It was noted that work was still on-going and once complete it would be published.

8 End of year performance report

The report of the Chief Planning Officer on 2017-18 annual planning performance was presented by Head of Development Management.

Members were informed of the following points:

- Planning applications had again risen for the sixth successive year going over the 5,000 mark
- Increase of 20% in planning fees
- Number of complaints had decreased and fewer cases were reaching the Local Government Ombudsman – there had also been an appointment of a new complaints officer.
- Number of appeals had increased by 13% and it was noted that Leeds had the highest number of S78 appeals of the Metropolitan Authorities and that the number of appeals allowed was above average
- 143 enforcement notices had been served which was higher than other core cities

- Amount of CIL income collected was £4,153,222 which was an increase from 2016-17. £9.2 million had been invoiced in the year
- 119 decisions had been made by the 3 Plans Panels, 4 were contrary to officer recommendation.
- Staffing resources had once again been stretched. However, the national 20% increase in planning application fees had assisted in the recruitment of 3 additional Principal Planners, a Career Grade Planner, a Senior Compliance Officer, a CIL Officer and a Complaints Officer.

Members discussed the following:

- Community lead self builds such as LILAC and the Roundhay Road development
- Fees for developers in an attempt to reduce the number of site visits attended by Members
- Costs in relation to appeals
- Section 106 the need for consistency and clearer guidelines

Members requested the following:

- Updates and information on CIL on a regular basis; and
- Information on how local communities had benefitted from developments in areas such as apprenticeships and jobs. It was suggested that this be brought as a presentation to the next JPP.

RESOLVED – To note the submitted report and receive a further performance report in six months.

(Councillors Leadley and Lewis vacated the meeting during consideration of this item).

9 Publishing comments on Public Access

The Chief Planning Officer presented a report setting out the new process that the planning service intends to implement in relation to online publishing of public comments made on planning applications as part of the notification process.

Members were advised that the implementation of General Data Protection Regulation which came into force on 25th May 2018, had significant implications for planning services as the service collects and uses personal data as part of its day to day operations in a variety of processes.

The Chief Planning Officer highlighted a recent case in Basildon Borough Council who were ordered by the Information Commissioner Office to pay a monetary penalty of £150,000 as it determined that the council had breached the Data Protection Act by publishing sensitive personal data contained within a planning comment in the public domain.

The Information Commissioner Office found that Basildon Borough Council had received a written statement in support of a householders planning application in the

green belt which had contained sensitive personal data in relation to a static traveller family who had lived on the site for many years.

In light of the Basildon case and the General Data Protection Regulations, planning services having reviewed current processes and policies and considers that as planning comments could be placed on the Council's online planning register, Public Access, without being vetted by the authority, the Council was at risk of a similar data breach.

Members were advised that the publication of planning documents online was a choice and not a legal requirement.

It was noted that the planning service were unable to vet the documents as would be required due to lack of resources. Therefore, the Chief Planning Officers suggested that future written statements should be sent to Planning Services and would only be viewed if requested. Should a request be made it would allow time to vet the statements that had been received.

Members discussed the issues raised. It was noted that Planning Services would provide assistance to Parish Councils in regards to comments received on applications.

RESOLVED – To note the report and provide comments as appropriate.

10 Planning protocol- joint work with the Chamber of Commerce

The report of the Chief Planning Officer on the Planning Charter was presented to the Panel by the Business and System Support Team Leader.

The report informed the Panel that in June 2017, Planning Services facilitated a meeting between Members of the Plans Panels and the Leeds Chamber of Commerce to discuss the planning process and explore ways to make planning work more efficiently in Leeds.

It was agreed at the meeting that a planning charter would be developed.

The report advised Members that a draft protocol had been produced in collaboration with the Chamber of Commerce and had been shared with the Joint Member Officers Working Group, the Chamber of Commerce and some of its sub groups.

The draft protocol had been appended to the submitted report for consultation and comment from the Joint Plans Panel.

Members discussed the draft protocol and provided the following comments:

- Good growth but not inclusive growth within the document
- Good framework
- It was a good opportunity to work alongside Developers and it was suggested that this became a more regular occurrence.
- The weight that was to be given to the document had no legal status

- A route map to better planning decisions
- More workshops to provide closer working relationships
- The protocol should go to all Panels as a pilot

RESOLVED – To note the report and provide comments on the protocol as appropriate.

11 Local Enforcement Plan

The report of the Chief Planning Officer on Leeds Planning Enforcement Plan was presented to the Panel by the Group Manager (Compliance and Specialist).

The report outlined the key considerations for the enforcement service in Leeds.

The Enforcement Plan was appended to the submitted report for Members consideration. The Plan sets out the main procedures and principles the service would adopt to regulate development and its priorities for investigations.

The Plan also provided guidance on what could be done and the timescales for doing so and also how to balance the demands of the service with the resources available.

The Panel discussed issues in relation to:

- Selective Licensing and HMO's
- Timescales in dealing with different categories of compliance
- Processes for dealing with enforcement cases

RESOLVED – To agree the Local Enforcement Plan as a working document for the Planning Compliance Service.

Councillor P Wadsworth vacated the meeting at 15:35 during this item.

12 Annual buildings at risk report

Prior to the start of Agenda Item No. 12 Buildings at Risk, the Panel were advised by the Chair that Councillor J Illingworth had sent an email to all Panel Members raising his concerns with Abbey Mills which was on the list of buildings at risk. Councillor Illingworth had requested to speak at the Panel.

It was noted that Joint Plans Panel was not a decision making Panel and it was unusual for anyone to speak at the Panel.

The Panel agreed to hear Councillor Illingworth's representations after Officers had presented the paper to the Panel.

The report of the Chief Planning Officer was presented by the Team Leader of Design and Conservation in the Sustainable Design Unit.

Members were advised of the definition of a building at risk was that of a building at risk from neglect and decay rather than alteration.

It was noted that the Risk Survey was now complete and found that 120 listed buildings were at risk in the city. However, 11 listed buildings had been removed from the register since the last report in 2017.

Members noted that 15 of the buildings at Risk were owned by the City Council.

Members were advised that the Council was taking active measures to deal with buildings at risk which should result in the repair and re-use of several listed buildings before the next report.

The Leeds Civic Trust were thanked for their work on the provision of information for the Buildings at Risk Register.

The 'Big Five' White Cloth Hall, Temple Mill, Stanks Hall Barn, Hunslet Mill and Thorp Hall priorities for 2018/19 were set out at Appendix B of the submitted report.

Updates were also provided at paragraphs 5.3.4 and 5.3.5 of the report in relation to York Road Library; Former High Royds Hospital; Former Chapel Allerton Hospital; St John's Church, Roundhay; and Former Cookridge Hospital.

Councillor Illingworth addressed the Panel raising his concerns and opinions in relation to Abbey Mills and Abbey Villa as follows:

- Abbey Mills was in danger of collapse
- Abbey Villa was threatened by the current proposals for Abbey Mills
- He was of the opinion that the purchase of these sites had been a misguided attempt at protecting our heritage. It was his view that the buildings were in a state of collapse due to the council's muddle and incompetence.
- Repairs had not been completed
- Inventories had not been taken when the buildings had been tenanted resulting in repairs that the Council paid for.
- He expressed the opinion that reports to Executive Board relating to Abbey Mills and Abbey Villas had contained errors
- A proposed access road leading to Abbey Mills would destroy a part of the Abbey Villa garden and wall

Councillor Illingworth set out some proposals as to how Abbey Mills and Abbey Villas may be used which include: library; community hub; artist's workshop; homework club; rehearsal space.

The Chair and the Panel thanked Councillor Illingworth for his attendance and presentation.

Members discussed the following points:-

- Roundhay Park Lodges – it was noted that these were currently shuttered up. However, Councillor A Wenham informed the Panel that discussions were on going to look at redevelopment.
- The state of repair of the Eleanor Lupton Building
- List of other vulnerable buildings to be made available to Members

Members requested an update on those buildings that had been removed from the Buildings at Risk Register.

It was suggested that a Member Working Group be established with a view to monitoring the Buildings at Risk Register.

The Chair suggested that small items on the list such as fountains, plaques or statues could be sent to the Community Committees to seek funding for repairs.

It was noted that the appropriate forms would need to be submitted to secure any necessary funding.

RESOLVED - To note the report, in particular that work is progressing towards reducing the number of Buildings at Risk in the City and report to Derelict and Nuisance Sites Steering Group on the findings of the pilot Buildings at Risk survey.

(Councillor D Cohen vacated the meeting at 4:00pm and Councillor G Wilkinson vacated the meeting at 4:15pm during the consideration of this item).

(Councillors D Collins and J Shemilt vacated the meeting at 4:25pm at the conclusion of this item).

13 Member training

The report of the Chief Planning Officer on Member Training 2018/19 described the planned learning and development opportunities for Members in relation to planning and development and asked Members for suggestions of further topics and areas for training to be provided.

It was noted that training for all new Members to Plans Panels had been completed, with all relevant Members undertaking the training.

Members were informed that a tour of past sites was now proposed as 14th September 2018. David Newbury to email Members with details.

The following areas for training were suggested:-

- Enforcement
- Leeds City Vision
- Student Houses
- Viability NPPF (Including Housing Delivery Test)
- Role of design in planning
- Working with developers

- Impact on school places for developments
- Our Spaces Strategy
- Building Control

Members requested that all training sessions be pitched at an appropriate level.

RESOLVED – To note the report.

14 Date and Time of Next Meeting

The next scheduled meeting of the Joint Plans Panel to be on Thursday 29th November 2018 at 1:30pm.



Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 29 November 2018

Subject: Planning Services performance report- quarters 1 and 2, 2018-19

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. In quarters 1 and 2 there has been a small decrease in the number of applications submitted to the authority compared with the position reported at the end of 2017-18; this goes against the trend of an increase in applications seen over the last five years.
2. Performance on determining applications within the statutory or agreed timescale has slipped a little since the position last reported at the end of 2017-18, but is still well above the thresholds for designating an authority as poorly performing. Nonetheless, the service is under some pressure to determine applications in time, given the current resources and workload.
3. The number of appeals submitted in the reporting period was significantly lower than the same period last year and the number of appeals dismissed by the Planning Inspectorate has increased significantly to 77.4 % compared with 64% of dismissed appeals for the same period last year.
4. Development Management has an ongoing commitment to service improvement, and a number activities have taken place in the first two quarters of 2018-19, providing opportunities for working more effectively with partners to deliver good inclusive growth in Leeds and by providing more accessible information so that stakeholders are equipped with the most up to date, accurate information to meet their needs.

Recommendations

5. Members are asked to note the report and comment as they feel appropriate and to receive a further performance report in six months' time.

1 Purpose of this report

- 1.1 At the last Joint Plans Panel meeting on 26 July 2018 members received and noted a year end performance report for planning services for 2017-18. It was resolved that the Joint Plans Panel would receive a report covering quarters 1 and 2 of 2018-19 at its next meeting. This report is presented for information and comment.

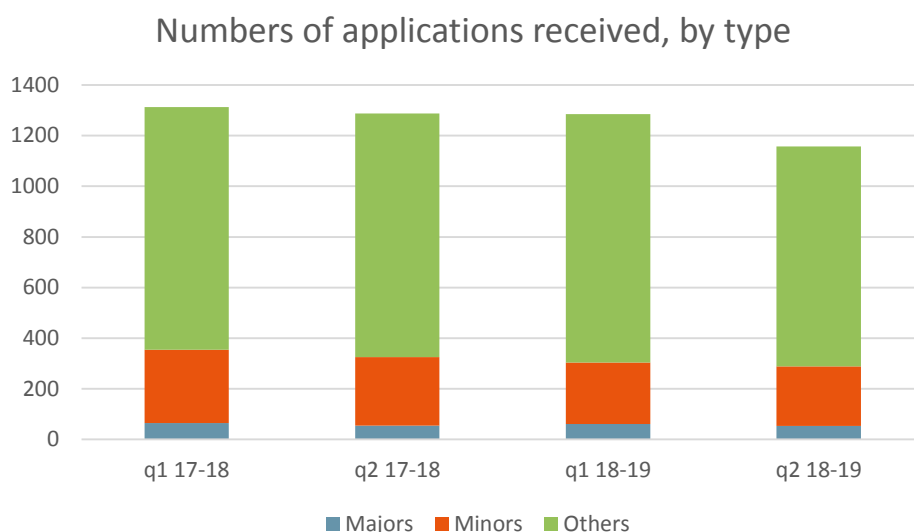
2 Background information

- 2.1 The number of planning applications received in quarters 1 and 2, 2018-19 has decreased for the first time in a number of years; however the number of complex majors is still high, with major applications accounting for higher than the national average as a proportion of total workload.
- 2.2 Applications determined in time have decreased in these two quarters, but performance is still above the thresholds set by the Government and the service currently is not at risk of being designated as a poorly performing planning authority. But it continues to be a challenge for the service to maintain performance within resource constraints.
- 2.3 The service uses several measures to determine the quality of decision making including lost appeals, number of complaints and upheld complaints. There has been a significant increase in the number of complaints received in the reporting period, but with an improved performance in terms of a lower number of those complaints being upheld. The number of complaints reaching the Local Government Ombudsman has also decreased in comparison with the same period last year. Appeals performance in terms of numbers dismissed has improved considerably on the position reported at the end of the financial year and stands at 77.4%.
- 2.4 The service has an ongoing commitment to service improvement and a number of activities have taken place in quarters 1 and 2 to improve processes and deliver expeditious decisions to support inclusive growth in Leeds.

3 Main issues

3.1 Planning performance and workload

- 3.1.1 In the reporting period there have been 2,442 applications submitted, a 6% reduction compared with the same period last year. This decrease is at odds with the general trend seen over the last few years of a steady increase in application numbers. The chart below shows the workload breakdown of applications received in this reporting period in comparison with the same period last year.



3.1.2 There were fewer decisions made in the reporting period compared with the same period last year, 2,462 compared with 2,586 in quarters 1 and 2, 2017-18. 98% of decisions are made by officers under the delegation scheme. The delegation rate has remained steadily around this mark for a number of years.

3.1.3 There have been 114 major applications submitted in quarters 1 and 2, representing 4.6% of the total workload of the service. The national average for major applications as a proportion of the total workload is around 3%; therefore Leeds continues to receive a greater number of major schemes than the national average.

3.1.4 The table below shows that performance on determination of applications has slipped from the position reported at the end of 2017-18. This is perhaps a reflection of planning officers' workloads. The latest national figures for the period April to June 2018 show that LPAs decided 87% of major applications within 13 weeks or within the agreed time.¹

	% Majors in time	% Minors in time	% Other in time
Q1 and 2 2018-19	80.6%	81.35%	83.1%
2017-18	89.9%	85.2%	87.5%
2016-17	93.1%	89.4%	93%
2015-16	96.6%	90.6%	93.5%
2014-15	93.6	87.2	92.7
2013-14	73.3	70.3	83.3
2012-13	61.3	77.4	88.9

3.1.5 It is crucial for the service to maintain its good performance as in 2016 the government extended the designation regime to applications in time for non-major development as well as major development. The threshold for designation for

¹ Ministry of Housing, Communities and Local Government, Planning Applications in England: April to June 2018

minor applications for 2018 has been set at 70% in time and 60% of major applications determined in time; these thresholds apply for the 2018 designation round (covering the period October 2015 to September 2017). Details of the threshold for designation in 2019 will be published in due course.

- 3.1.6 After six months a total of £2.3 million has been received in planning fees, £15k above the quarter end target, but significantly below the fees received for the same period last year, where £2.9 million was received.

3.2 Pre-application enquiries

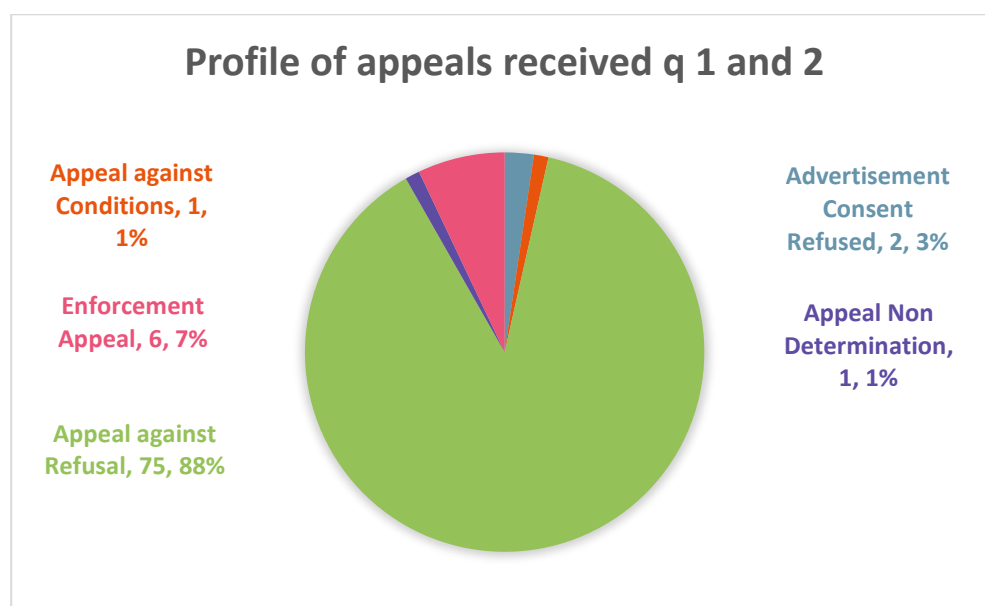
- 3.2.1 In the reporting period, the service received 386 pre application enquiries, a 13% increase on the same reporting period last year. Almost £200,000 has been generated from pre application enquiries, of this £155k was from major pre applications enquiries. There continues to be a resourcing issue in delivering the pre-application service, with some responses taking longer than the published timescales; this has largely been due to officer capacity to deal with heavy application caseloads.

3.3 Panel decision making and decisions not in accordance with the officer recommendation

- 3.3.1 In the first two quarters of 2018-19 there have been 47 decisions made by the three Plans Panels. There were no decisions contrary to the officer's recommendation.

3.4 Appeals

- 3.4.1 In the reporting period, the service has received 85 new appeals, this a significant reduction from the position reported for the same period last year where 130 new appeals were received, of these appeals 51% (44) were household appeals, all but one was appealing against refusal of permission. The profile and type of appeals are shown in the chart below.



- 3.4.2 In the reporting period the Planning Inspectorate made 95 appeal decisions and 77.4 % were dismissed. This is a significant improvement in appeals performance over this period, with the service reporting a position of 64% of dismissed appeals for the same period last year.
- 3.4.3 Appeals is a key area where the service needs to maintain its performance. As well as raising the threshold for applications determined in time as mentioned above, the Ministry of Housing, Communities and Local Government also extended the designation regime for the quality of decision making for major developments to 10% of all decisions made being overturned at appeal, and introduced a threshold of 10 % for all non-major development decisions being overturned at appeal. The new thresholds came into for the designation round in early 2018. The service is currently performing well above these thresholds.
- 3.4.4 There were three cost claims settled in the reporting period:
- 84 Kirkstall Road, £10,000
 - 54 Longroyd Grove, £1,100
 - 39 Austhorpe Road £6,600
- 3.4.5 There have been no costs awarded to the Council in the reporting period.

3.5 Compliance activity

- 3.5.1 The number of enforcement cases received in the first two quarters of 2018-19 has been high with 737 cases received. This is an increase on previous years. As such the workload through the service remains substantial with a significant number of complex cases being investigated. The number of cases on hand has been maintained at around 1000 which has been a long standing service objective. This is a key step in improving the overall handling of cases as it will ultimately assist in reducing officer caseloads.

	Q1	Q2	Total
No of cases received	389	348	737
No of cases resolved	354	327	681
Category 1: Site visit same day/within 1 day. Target 100%	75% (4)	100%(9)	92%
Category 2: Site visit within 2 working days. Target 95%	80% (20)	93%(15)	86%
Category 3: Site visit within 10 working days Target 90%	93% 341/364	89% 288/324	91%

3.5.2 Cases received and resolved and performance in undertaking initial site visits

3.5.3 Performance in undertaking initial site visits has generally been maintained. There has been a drop in Category 1 and 2 visits being made in time. Whilst this relates to a small number of cases (1 category 1 and 5 category 2 cases missed targets) it is a concern and is symptomatic of recent pressures in the service through absence. All of these missed visits were subsequently visited within 2 days of the target. During this reporting period the site visit target dates have been amended on the system to align with the enforcement plan and this should help to manage the volume of cases coming into the service in the longer term. The overall number of open cases on hand currently stands at 1019. This is slightly increased from the last reporting period but remains within the service target of approximately 1000. Of particular interest is the age profile of cases with an increasing proportion of current case load being under 13 weeks old which is a long standing objective.

3.5.4 Outcomes of case resolved

3.5.5 The number of complaints investigated that are found to either involve no breach of planning control or are minor infringements over the period sits at just over 40%. This has gradually reduced from a figure of 60% in 2010/11. This can possibly be accounted for by the increased rigour in examining cases as they come into the service. Where there is clearly no breach of planning control, cases have not been opened and complainants advised that the matter will not be pursued after initial investigation and the reason why. A further 11% percent of cases are closed following investigation as not expedient to pursue as the breaches identified are either minor or action to regularise has failed, and it is not considered justified to pursue formal action. The remaining 40% of cases which have been closed involve significant breaches which have been resolved to the satisfaction of the Council through negotiations, granting planning permission or formal enforcement action.

3.5.6 Ward Member meetings have continued during the year. Invitations are sent out with the key cases list which continues to be sent to both ward members and parish councils with updates on priority cases within each ward.

	Q1	Q2	AvTotal
No Breach*	40%	49%	44%
Resolved by negotiation	32%	26%	29%
Breach but de minimis/ not expedient	12%	10%	11%
Planning permission/ CLU granted/ appeal allowed	13%	11%	12%
Enforcement /other notices complied with	3%	4%	4%

**Includes matters that are "permitted development"; where no development or material change of use is involved; matters that were time exempt from enforcement action on investigation; or where approved plans and conditions have been found to have been complied with.*

3.5.7 **Enforcement and other notices**A total of 58 enforcement and other notices have been served during the year so far. This is a continuation of activity levels of previous years. Leeds continues to take more formal action than all the other core

cities by some distance reflecting the importance Members place in Leeds on the service. The following numbers of notices have been served:

	Q1	Q2	Total
Planning Contravention Notices / Section 330 notices	18	21	39
Breach of Condition Notice	0	1	1
Enforcement Notice	11	7	18
S215 Untidy Land Notice	0	0	0
Temporary Stop Notice	0	0	0
Stop Notice	0	0	0

- 3.5.10 The compliance service continues to draft and issue its own notices with input from legal officers only on the more complex cases. This is continually monitored and whilst it does carry some risk, the resource savings in doing this are significant. It does however place increased pressure on case officers in progressing cases within the service and requires additional on-going training.

3.6 Community Infrastructure Levy

- 3.6.1 Executive Board, in February 2015, made key decisions around spending of the future Community Infrastructure Levy (CIL) income, directing it into two main funding streams; a strategic fund and a neighbourhood fund, plus up to 5% for administrative costs. Executive Board agreed that the Strategic CIL Fund will be 70-80% of the total CIL received, and that priorities for its spending will be decided on an annual basis as part of the Council's budget setting process, in line with the Regulation 123 List, and taking into account the impact of specific and cumulative infrastructure needs arising from new developments. A report was taken to Strategic Investment Board in March 2018 and Executive Board in July 2018, providing detail of the impact of specific and cumulative infrastructure needs arising from new developments.
- 3.6.2 The balance of the Strategic Fund is currently £7,557,532.83, with another £5,385,650.55 expected from invoices raised to developers who have already triggered the CIL payment.
- 3.6.3 In relation to the Neighbourhood CIL Fund, Executive Board agreed that this would be 15% in an area without a Neighbourhood Plan, and 25% in an area with an adopted Neighbourhood Plan. In town and parish council areas, the CIL neighbourhood fund is passed directly to those local councils, as required by national CIL regulations. In non-parished areas the decisions about spending are delegated to the relevant Community Committee (as the lowest democratic representative) and the CIL neighbourhood fund is ring-fenced by the City Council for that purpose. Currently CIL funds are transferred twice a year, in October and April.

3.7 Service quality

3.7.1 Complaints

- 3.7.2 In June 2018, a dedicated Complaints Officer was appointed to deal with complaints received by Planning Services. Since April 2018 the service has received a total of 127 formal complaints under the Council's Compliments and Complaints procedure. These are broken down by quarter and Stage 1, Stage 2 and Ombudsman complaints in the table below, compared with the same period last two years.

Quarter	Total Complaints	Stage 1	Stage 2	Ombudsman Cases
Q1 Q2 18-19	127	98	29	7
Q1 Q2 17-18	64	36	16	11
Q1 & Q2 16-17	70	50	20	11

- 3.7.3 Overall the number of complaints received has increased by over 50%. This is perhaps due to increased formal logging of complaints since the Complaints Officer started, and also a reflection of the staffing situation, with a number of staff being absent, affecting performance and responsiveness as well as high workloads. A high proportion of complaints have related to alleged inadequate communication between officers and applicants. Work will be carried out shortly to analyse the complaints and to identify common themes so that measures to reduce the risk of complaints arising on the same subjects can be put in place.
- 3.7.4 In terms of numbers being upheld, in this reporting period 8% of stage 1 complaints were upheld, compared with 13% the same period last year and 3.4% of complaints at stage 2, compared with 11%, the same period last year.
- 3.7.5 Cases reaching the Local Government Ombudsman (LGO) have also reduced significantly compared to the same period last year, seven, compared with 11. Of these seven two were closed after initial enquiries, three no fault was found, one is in progress and in one case fault was found.
- 3.7.6 Therefore, although numbers of complaints has risen significantly, the numbers being upheld have reduced, as have the numbers reaching the Local Government Ombudsman.

4 Staffing and resourcing

- 4.1 The last six months has seen a period of some staff turnover with two principal planners leaving the service to join the Planning Inspectorate; there have also been number of staff absences due to sickness. However, the backfilling process of planners using the uplift in planning fees is almost concluded, with the appointment of three new planners and one planner appointed on a temporary basis for a year, who will all start with the service in autumn 2018.
- 4.2 Agency staff have been used to cover maternity leave and to provide a dedicated resource to specific projects including to work on Local Passenger Transport infrastructure Programme (LTIP) i.e. new Park and Ride applications and Environmental Impact screening requests for the new bus corridors into Leeds, and to backfill for permanent staff occupied by significant paid for pre-applications.

5 Service improvements

5.1 Tree Preservation Orders (TPO) GIS map

- 5.1.1 It has long been the aspiration of the service to deliver a better way of providing and presenting TPO information. Currently TPO information is available on the Council's website, but in format which is not particularly user friendly and customers often have to contact the service for the information. A GIS TPO map has been developed and will be hosted on the Leeds City Council website which spatially shows the location of a TPO and link to the TPO documentation. The map works on all mobile devices, complete with a location tracking application, allowing customers out on site to be able to locate the tree they are interested in. This is a huge step forward in providing the information customers need instantly; it is also an operational service efficiency as customers will now be able to self-serve.

5.2 Planning Protocol

- 5.2.1 Following on from the collaborative work established with the Chamber of Commerce in 2017, the service has continued to work with the Chamber to develop a Planning Charter (this came before Joint Plans Panel in July 2018). The protocol will be formally launched a meeting of the Chamber's Property Forum in December 2018; the Council will be represented by the Executive Member for Regeneration, Transport and Planning and the Chief Planning Officer.

5.3 Small and Medium Sized Enterprise (SME) Builders

- 5.3.1 A meeting was held in December 2017 with representatives from the SME building sector to discuss opportunities and barriers for working more collaboratively to deliver the new homes Leeds needs. From this meeting arose several actions for both the Council and SME sector to take forward. A follow up meeting was held in September 2018 to update on the progress being made. The main actions were around developing a bespoke pre application service which better reflects the needs of the SME sector, work on pre commencement and other conditions to try to reduce the number of conditions required, better up front information from the SME sector both at the pre application stage and at application stage to expedite the process and the provision of policy, funding, planning and other useful information to the SME sector in a more usable format to support them in making higher quality applications. This work is now going forward and the service has committed to meeting with the SME sector twice a year to maintain this positive relationship.

5.4 Planning pages on the Leeds City Council website

- 5.4.1 Following a very lengthy process, the new planning pages are available on the LCC website. The service has been working with the corporate web team to develop refreshed page layouts and content, to make the architecture, navigation and content easier to find and use. The pages have been based on the Government's .gov style, providing concise targeted information with external links

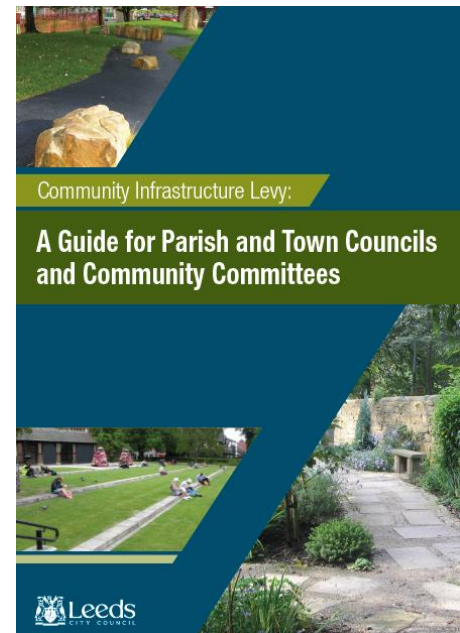
to pages such as the Planning Portal. The pages have been user tested and work will continue monitoring the use and effectiveness of the new pages. Planning policy pages are now being developed.

5.5 Community Infrastructure guide

5.5.1 Following requests for support and guidance on the spending of the CIL Neighbourhood Fund, a guidance document has been produced for Town and Parish Council and Community Committees. This has been now been circulated to the Community Committees who will disseminate to all members of the Council.

5.5.2 The Neighbourhood Fund can be spent on a wide range of infrastructure, as long as it meets the requirement to support the development of the area by: funding either the provision, improvement, replacement, operation or maintenance of the infrastructure, or addressing the demands and anything else concerned with what the development places on an area. It is not restricted to items on the City Council's Regulation 123 list.

5.5.3 The guidance provides useful information and examples of spending the CIL on a wide range of infrastructure and is hoped that it will help and guide Councillors and Ward Members to identify appropriate projects and initiatives.



6 Challenges ahead

6.1 Performance and resourcing

6.2 During this reporting period it has been clear that there has been a correlation between resourcing of the service and performance in some areas; speed of determination of applications across all categories has declined and the number of customer complaints had almost doubled in comparison with the same period the previous year. Whilst application numbers have decreased in quarters 1 and 2 in comparison with the same period last year, officer caseloads still remain high. The proportion of major applications compared to the overall caseload received is well above the national average, therefore the service continues to deal with a significant number of the largest and most complex applications, which are usually resource intensive. The newly appointed planning staff will go some way to alleviate the pressure felt by some case officers and hopefully lead to a better balance of work, allowing officers to better respond to applicants, in line with the revised NPPF which requires local planning authorities to work positively and imaginatively with applicants.

6.3 We are anticipating the Inspector's report from the Site Allocations Plan Inspection shortly, with a view to the Council adopting the plan, potentially around in June 2019. This will inevitably lead to residential planning

applications coming forward, and the service will need to position itself so that it is best placed to be able to deal with the potential volume of applications post adoption.

- 6.4 With this in mind, the service is undergoing some realignment to match resources to the workload in the area teams; this should lead again to a better balance and align the correct type of work to the correct level of planning officer, whilst still providing development opportunities for individual officers to deal with different types or more complex applications.
- 6.5 The additional staff resource arising from the uplift in planning fees will also potentially allow the service to implement on a wider scale the use of paid for Planning Performance Agreements. This is an agreement whereby a developer and Council commit to the provision of information and a series of actions to ensure major development proposals are taken through the planning process in a timely way, from initial pre-application discussion to implementation.

7 Corporate Considerations

7.1 Consultation and Engagement

- 7.1.1 As this report is presented for information there has not been the need for wide consultation.

7.2 Equality and Diversity / Cohesion and Integration

- 7.2.1 There are no specific equality considerations arising from this report.

7.3 Council policies and City Priorities

- 7.3.1 The effective and expedient determination of planning applications contributes to the prosperity of the City and plays a key part in the regeneration and growth agenda. The service makes a key contribution to the delivery of housing growth.

7.4 Resources and value for money

- 7.4.1 There are no specific implications arising from this report. However, measures are being taken to ensure that the service is delivered within the financial constraints.

7.5 Legal Implications, Access to Information and Call In

- 7.5.1 There are no specific legal implications and this report does not relate to a key or major decision.

7.6 Risk Management

- 7.6.1 There are a number of risks associated with the decision making process which are both financial and reputational. Measures, processes and future service improvements outlined in the report seek to minimise the risk of challenge.

8 Conclusions

- 8.1 Performance in terms of applications determined in time is down on the same period last year, but remains above the national average and above the thresholds for designation. The service however is under pressure with heavy workloads and complex and significant applications with finite resources. Whilst the 20% uplift in planning fees will go towards alleviating the situation in part, there is need to have regard to the adequate funding of the service if the Council is to deliver the good growth it aspires to.
- 8.2 Emphasis will continue to be placed on the efficient and expeditious determination of applications through the promotion of the pre-application service; however this service too is often under pressure to deliver within stated timescales due to the volume of work and again this work stream needs adequately resourcing to ensure there is continued customer confidence in the service.
- 8.3 Performance on appeals has improved significantly which is encouraging and the numbers of appeals being lodged is also down on the same period last year. The resources expended on appeals can be significant both in terms of officer time and in the case of public inquiries and where costs claims are made, financial. However, it is important that the service strikes a balance, maintaining design quality and safeguarding amenity, whilst at the same time making reasonable, planning based decisions.
- 8.4 The service anticipates a further challenging time ahead, however, the direction of travel and objectives are clear in terms of transforming how we work, maintaining and improving performance levels and continuing to improve services to customers within the resources available to deliver the service.

9 Recommendations

- 9.1 Members are asked to note the report and comment as they feel appropriate and to receive a further performance report in six months' time.

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Report of Director of City Development

Report to Joint Plans Panel

Date: 29th November 2018

Subject: The Letwin Review

Are specific electoral wards affected? If yes, name(s) of ward(s):	☐ Yes ☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes ☒ No
Is the decision eligible for call-in?	☐ Yes ☐ No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	☐ Yes ☒ No

Summary of main issues

1. The final report of the Independent Review of Build-Out-Rates, chaired by Rt Hon Sir Oliver Letwin MP, was published alongside the Budget on 29 October 2018.
2. Following the draft analysis in June 2018, the review went on to focus on large sites (defined as >1,500 dwellings) in the south of England. The report concludes on this element only.
3. The review found no evidence that speculative land banking is part of the business model for major house builders, nor that this is a driver of slow build out rates.
4. The review concluded that *"the homogeneity of the types and tenures of the homes on offer on these sites, and the limits on the rate at which the market will absorb such homogenous products ... are the fundamental drivers of the slow rate of build out"*. It suggests that greater differentiation in the types and tenures of housing delivered on large sites would increase the market absorption rates of new homes.
5. To achieve this, the Review recommends new planning rules for large sites that require developers to offer a variety of property types, and suggests local authorities have a more muscular role in home building with the creation of European-style development companies that use master planners to shape developments. The government will respond to the review in full in February 2019.

Recommendations

6. Members of Joint Plans Panel are recommended to note the contents of this report.

1. Purpose of this report

- 1.1 This report sets out the implications of the Letwin report for Leeds.

2. Background information

- 2.1 A review of build out rates was commissioned by the Chancellor of the Exchequer in autumn 2017. A group of independent experts chaired by Rt Hon Sir Oliver Letwin MP investigated the rate at which planning permissions are built out looking to “explain the significant gap between housing completions and the amount of land allocated or permissioned in areas of high housing demand and make recommendations for closing it”.
- 2.2 Members will be aware that this is a familiar situation in Leeds with the ratio of planning approvals to completions currently at 9:1 (based on the Housing Land Monitor Report, March 2018). It is illustrative that this appears to be a nationwide trend.
- 2.3 The Council has raised build out as an issue in its recent responses to Government (including, the Housing White Paper and Revised NPPF) as well as in its defence of a five year housing land supply. Volume house builders tell us that they will work to an average of around 30 dwellings per year per outlet, whereas the Council has consistently encouraged up to 50 dwellings per outlet (which is borne out through monitoring of build out rates on all sites over 50 dwellings in Leeds).
- 2.4 The Government is due to respond to the report in February 2019.

3. Main issues

Initial reaction / Implications for Leeds

- 3.1 Housing diversity includes housing of different type, size and style, design and tenure mix. It also includes housing sold or let to specific groups such as older peoples housing and student accommodation and plots sold for custom or self-build. These are all principles embedded into the Leeds Core Strategy and their implementation was discussed at Scrutiny Board “Housing Mix” 2016; where actions to increase the housing mix on individual sites have been implemented. The Letwin Report re-affirms the need for specific implementation and monitoring on this aspect of housing delivery.
- 3.2 Whilst the Report recognises that a range of site sizes is necessary to meet housing needs, it is disappointing that the additional planning powers and legislation being proposed in the Report relates solely to sites over 1,500 dwellings. Although the report does note that proposals for planning changes are only recommended to apply initially to large sites there is no impetus for whether and when this might be extended to sites below 1,500 dwellings. This clearly limits the scope of the recommendations on different parts of the country and different housing markets.
- 3.3 The Letwin Report recognises that *“if either the major house builders themselves, or others, were to offer much more housing of varying types, designs and tenures including a high proportion of affordable housing, and if more distinctive settings, landscapes and streetscapes were provided on the large sites, and if the resulting variety matched appropriately the differing desires and financial capacities of the*

people wanting to live in each particular area of high housing demand, then the overall absorption rates – and hence the overall build out rates – could be substantially accelerated". This links with the Government's launch of the "Building Better, Building Beautiful Commission" which will expand the debate on design quality and style and seeks to make the planning system work in support of better design and style, not against it.

- 3.4 The report will directly apply to the delivery of the East Leeds Extension. The Council is currently using all of its powers to ensure that the delivery of circa 4,500 homes is accelerated. The Council is delivering the major infrastructure, in the form of ELOR, to facilitate the delivery of the site, in addition to appointing AECOM to produce a Masterplan for the site, as well as technical due diligence work. This is in addition to the ELE SPD that was adopted by the Council in August 2018. Consideration now needs to be given as to what further forward planning work may need to take place as a result of the Letwin Report.
- 3.5 It is also suggested that officers, as part of the programme of planning briefs and masterplans for larger SAP sites, consider how the proposals in the report may relate to larger sites in Leeds and whether the site threshold will affect discussions with developers on these important implementation issues. Further consideration will need to be given as to how the powers suggested in the report (a) making government funding conditional upon S106 agreement that specifies a mix of housing types; (b) creating masterplans and design codes to promote a mix of uses and rapid build out rates, (c) statutory powers for councils to compulsory purchase large sites at ten times their existing use value and (d) parcelling up of sites to particular types of builders/providers offering housing of different types and different tenures.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The Letwin Review was published in draft in June 2018 and comments from experts and stakeholders were taken into account in the final report published in October. The Government will need to consult on changes to planning policy or legislation in pursuance of most of the key recommendations. Leeds City Council will then have the opportunity to comment on the proposals.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 A wider variety of housing types and improved housing delivery as recommended in the Letwin Review could help meet the housing needs of groups with protected characteristics and help promote community cohesion and integration.

4.3 Council policies and best council plan

- 4.3.1 The proposals of the Letwin Review for changes to Government policy would help the City Council to achieve delivery of housing in accordance with the Core Strategy and Best Council Plan.

4.4 Resources and value for money

- 4.4.1 No issues are raised by this report.

4.5 Legal implications, access to information, and call-in

4.5.1 No issues are raised by this report.

4.6 Risk management

4.6.1 No issues are raised by this report.

5. Conclusions

5.1 The central proposals of the Letwin Review to promote greater diversification of housing mix and improved design are welcomed as a means to improve delivery of housing. However, it is considered that the focus on large sites (above 1,500 units) should be extended to smaller sites too. The Council is already considering how the Letwin recommendations can be applied to sites in Leeds including the East Leeds Extension, and other large housing sites proposed in the Site Allocations Plan.

6. Recommendations

6.1 Members of Joint Plans Panel are recommended to note the contents of this report.

7. Background documents¹

7.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



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87634)

Report of the Chief Planning Officer

Report to Joint Plans Panel

Date: 29th November 2018

Subject: Site Allocations Plan Update

Are specific electoral Wards affected?	☒ Yes	☐ No
If relevant, name(s) of Ward(s): All		
Are there implications for equality and diversity and cohesion and integration?	☒ Yes	☐ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information?	☐ Yes	☒ No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. The Site Allocations Plan (SAP) was considered by two independent inspectors at a public examination in October 2017 and July/August 2018. The initial submission of the SAP was in May 2017, with a revised submission in March 2018.
2. As part of the revised submission, the Council proposed protection from development for 33 sites in the green belt which had previously been identified as being the possible locations for 6,450 future homes. This proposal had been put forward reflecting the Council's desire to protect the green belt as much as possible, in light of a downward trajectory of overall housing need targets for the city based on the latest Government guidance and up to date evidence.
3. The two independent government-appointed inspectors, Claire Sherratt DIP URP MRTPI and Louise Gibbons BA Hons MRTPI, have issued interim views on the SAP which support the council's approach regarding green belt protection. They also address a procedural matter about moving the plan forward.

Recommendation

4. Joint Plans Panel is invited to note the Inspectors initial views on the Site Allocations Plan.

1 Purpose of this Report

- 1.1 The purpose of this report is to update Members of Joint Plans Panel on progress on the Site Allocations Plan (SAP). The SAP Inspectors have released a post-hearing note and (following a letter from the Council seeking clarification) a further response, which together provide interim views on broad locations/green belt and offers guidance on the next steps. This is the first feedback received on the SAP and provides a positive way to move the process forward.

2 Background Information

- 2.1 The Leeds Core Strategy, which sets the strategic planning framework for Leeds, was adopted in November 2014 and this included a housing requirement of 70,000 (net) new homes between 2012 and 2028, of which 66,000 homes were to be identified as allocations through the Site Allocations Plan (SAP).
- 2.2 The initial submission of the SAP was in May 2017 and the process was paused between Stage 1 and Stage 2 to allow for amendments to the proposed release of land from the Green Belt. The initial direction from the Inspector was that the SAP should set out locations for future housing, as set down by the Core Strategy. The Council amended the housing element of the SAP so as to reflect lower overall housing targets on the basis of new evidence and the publication of revised Government consultation ('planning for the right homes in the right places') in September 2017.
- 2.3 The outcome of this amendment was to provide protection for 33 sites in the Green Belt, which had previously been identified as being the proposed allocated locations for 6,450 future homes. The Council identified these as "broad locations for future growth" (remaining in the Green Belt) so that it could both retain their Green Belt protection whilst identifying a pool of land for future development, which complied with the advice to meet land for 66,000 homes.
- 2.4 On 23 March 2018, the Council submitted a Revised Submission Draft Site Allocations Plan to the Secretary of State. It incorporated revisions to the Council's approach to strategic allocations for housing as outlined above. It included revised policies relating to housing allocations, broad locations, safeguarded land, phasing and associated explanatory text. The revised SAP was subject to consultation between 15 January and 26 February 2018 and all representations were considered and sent to the Inspector.
- 2.5 Stage 1 hearings covered allocations for employment, retail, greenspace and accommodation for Gypsies and Travellers and Travelling Showpersons and were held at the Civic Hall over 2 weeks during October 2017.
- 2.6 Stage 2 hearings covered all outstanding matters including housing and mixed-use allocations and were held at the Civic Hall over 4 weeks from 9th July until 3rd August 2018. The hearings involved 470 participants, 36 Council witnesses and up to 60 people "around the table" at any one time.
- 2.7 The inspectors provided clarity to participants about the manner in which they were examining the Plan through guidance notes on the Examination web-

site.

3 Main Issues

- 3.1 The SAP Inspectors have released a 'post-hearing note' and (following a letter from the Council seeking clarification) a 'further response', which together provide interim views on broad locations/green belt and offers guidance on the next steps. This is the first feedback received on the SAP and provides a positive way to move the process forward.
- 3.2 The initial views of the Inspectors are that the Council's approach to reducing Green Belt release, in light of the likely reduction in housing growth, was the correct one, and that:-
- given that national policy attaches great importance to the Green Belt and only envisages altering boundaries in exceptional circumstances, *significant* releases of land from the Green Belt would not be justified at this stage
 - it is clear that there is a lower trajectory of housing growth in Leeds because the Council's emerging work on housing need identifies a lower figure
 - to that end, *significant* releases of land from the Green Belt would not be justified at this stage
 - there remains uncertainty about what the need figure (and requirement) should be pending the examination of the Core Strategy Selective Review
 - it is pragmatic and sound to only provide housing supply, including any Green belt release required for years 1 to 11
 - the Plan should be subject to a review process, to bring it in line with the Core Strategy Selective Review, no later than 31st March 2023
- 3.3 In effect, and following on from their initial thoughts at the hearing sessions the Inspectors have also indicated that broad locations in the SAP would not be justified and have asked the Council to carry out further work to remove these from the plan (and retain the land as Green Belt) along with the removal of any references to phasing. At this stage all other allocations for housing would remain as proposed.
- 3.4 The Inspectors have stated that they remain keen to ensure no unnecessary delays at this juncture and have clarified the procedure moving forward. The initial part of the Inspector's post-hearing note raises and deals with a procedural matter; the impact of which requires the Council to re-present the amendments contained in the revised submission plan as main modifications to the initial submission plan (May 2017).
- 3.5 Following the completion of technical work by the City Council on agreed actions from the hearings sessions and the compilation of draft Main Modifications (comprising two components: a. modifications arising from the

hearing sessions and actions requested by the Inspector, and b. modifications as a result of the Inspector's post-hearing note, which require a re-presentation of the plan), the Council is awaiting further advice from the Inspector on any additional Main Modifications.

- 3.6 It should be emphasised that at this stage the Inspectors have provided no findings on specific sites, regarding soundness or the need for alternatives. Should they provide any further views on specific sites they will be asking the Council to find alternatives within the same HMCA, as was specified at the hearing sessions.

Next Steps

- 3.7 The main modifications are currently being considered by the Inspector and the City Council has emphasised the need for urgency in moving the process forward. These, alongside any modifications they recommend, will be subject to a six week period of public consultation, following approval by Executive Board in due course. At this stage, it is envisaged consultation is likely to take place in January/February, followed by receipt of the Inspector's report, once the Inspectors have considered representations on the Main Modifications.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Further main modifications recommended by the Inspector to make the Plan sound will be advertised for a 6 week period for further comment.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 In the preparation of the SAP, due regard has been given to Equality, Diversity, Cohesion and Integration issues. This has included the completion of EDCI Screening of the SAP and meeting the requirements of the Strategic Environmental Assessment Directive, which has meant that these Plans are subject to the preparation of a Sustainability Appraisal. The purpose of such Appraisals is to assess (and where appropriate strengthen) the document's policies, in relation to a series of social (and health), environmental and economic objectives. As part of this process, issues of Equality, Diversity, Cohesion and Integration, are embedded as part of the Appraisal's objectives. The SAP material follows on and reflects the approach set out in the Core Strategy, which has also had the same regard to these issues. Further consultation on a sustainability appraisal of identified sites was agreed with the Inspectors during the hearings.

4.3 Council Policies and City Priorities

- 4.3.1 The Site Allocations Plan plays a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to be 'the Best City in the UK'. Related to this overarching approach and in addressing a range of social, environmental and economic objectives, the Plan seeks to implement key City Council priorities. These include the Best Council Plan (2018/19 – 2020/21) (in particular priorities relating to Health and Wellbeing,

Inclusive Growth, Safe Strong Communities, Culture, Child Friendly City, Housing (of the right quality, type, tenure and affordability in the right places) and 21st century infrastructure) and Leeds Inclusive Growth Strategy 2018 – 2023 (concerning getting people to benefit from the economy to their full potential). Once adopted, the Plan will form part of the overall development plan for Leeds, alongside the Core Strategy, the Aire Valley Leeds Area Action Plan and the Natural Resources and Waste Plan and any made neighbourhood plans.

4.4 Resources and value for money

- 4.4.1 The preparation of the statutory Local Plan is a necessary but a very resource intensive process. This is due to the time and cost of document preparation (relating to public consultation and engagement), the preparation and monitoring of an extensive evidence base, legal advice and Independent Examination. These challenges are compounded currently by the financial constraints upon the public sector and resourcing levels, concurrent with new technical and planning policy pressures arising from more recent legislation (including the Community Infrastructure Levy and Localism Act). There are considerable demands for officers, members and the community in taking the Development Plan process forward.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The SAP follows the statutory Development Plan process (Local Plan) and has been prepared in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country (Local Planning) Regulations 2012 as well as the Council's Statement of Community Involvement.

4.6 Risk Management

- 4.6.1 Without current allocations Plans for Leeds MD in place, aspects of the existing UDP allocations will become out of date and will not reflect or deliver the Core Strategy Policies and proposals (including District wide requirements for Housing and General Employment Land) or the requirements of national planning guidance. Early delivery is therefore essential to enable the Council to demonstrate that sufficient land will be available when needed to meet the Core Strategy targets. The more the work progresses, the more material weight can be given to it. In addition, the Government is intervening in authorities without Plans in place.
- 4.6.2 The latest correspondence from the Inspector clarifies the process moving forward which reduces the risk to the Council of delay.

5 Conclusions

- 5.1 The Inspectors' interim views provide a welcome and practical clarification on the procedure moving forward and on the status of broad locations in the SAP. They are as follows:
- the Council's approach to avoiding release of Green Belt in light of lowering housing need, instead of meeting full Core Strategy targets, was the right one

- in continuing to protect Green Belt the Council doesn't now need to designate Broad Locations and these should be removed from the Plan

5.2 The Council is now waiting for the Inspectors to determine and recommend Main Modification to the Plan they require to make it sound and then, following to resolution of Executive Board in due course, they will be subject to further public consultation. Following the consultation exercise, the Inspectors will issue their final report on the Plan and recommend it, subject to the Main Modifications, as sound and capable of adoption

6 Recommendation

6.1 Joint Plans Panel is invited to note the Inspectors initial views on the Site Allocations Plan.



Report author: Tracey Greig
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Report of Chief Officer Employment and Skills

Report to the Joint Plans Panels meeting

Date: 29 November 2018

Subject: Delivering Employment & Skills opportunities through the Council's planning function

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☒ Yes	☐ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. This report provides an update on the activity to create local employment and skills opportunities through the use of Section 106 Planning Agreements. This activity contributes to our ambitions to enable all of our residents to benefit from a strong economy in a compassionate city. In particular, this activity contributes to the Best Council Plan outcome for everyone in Leeds to earn enough to support themselves and their families and the Best Council Plan priorities around providing employment support and supporting economic growth and access to economic opportunities. It also supports our ambitions to be a NEET-free city and a city where children and young people can grow up to lead economically active and rewarding lives.
2. From September 2012 to the end of October 2018, a total of 2,847 Leeds residents secured jobs and apprenticeships during the construction phase and with end users on key developments as a result of employment and skills obligations secured through S106 agreements. The number of opportunities to deliver positive outcomes for local residents is expected to grow as the increasing number of developments commence including the continued expansion at Thorpe Park, Kirkstall Forge and the South Bank.
3. Following independent external review, in June 2017 the Executive Board agreed a continued commitment to supporting local employment through the process of applying obligations but through a revised approach to targeting potential beneficiaries. This

approach aligns well with the Council's employment and skills interventions to support local residents seeking work.

Recommendation

Members of the Joint Plans Panel are asked to comment on the report and note the positive outcomes delivered to date.

1. Purpose of this report

- 1.1 The report seeks to provide information on the implementation of employment and skills obligations delivered as a result of the S106 planning agreements recommended by Plans Panels.
- 1.2 The report also points to early work to adopt the revised approach approved by Executive Board to target priority groups rather than localities to ensure that support is targeted to those furthest from the labour market to access new opportunities to more effectively contribute to the delivery of the Best Council Plan and the city's inclusive growth objectives.

2. Background information

- 2.1 In 2012, the Scrutiny Board (Sustainable Economy and Culture) concluded its inquiry into how the Council uses its procurement and planning functions as an enabler of locally driven, sustainable economic growth that benefits both local people and businesses. The inquiry recommendations built on existing good practice and strengthened the approach to put in place a more systematic approach to maximise the outputs and benefit local residents and businesses.
- 2.2 The use of planning obligations to secure employment and training opportunities is in line with Government policy and while the Councils approach is long standing, there are still challenges to ensure this is embedded and works in the context of changing investment and development cycles and the changing labour market.
- 2.3 To promote a consistent approach, the requirement to include employment and skills obligations in a S106 Planning Agreement is triggered only on those schemes with the potential to provide a significant impact in terms of entry level employment and training opportunities during construction or in end uses without placing an unnecessary burden on the developer. The following thresholds have guided this process to date:-
 - Retail developments of over 2,000m²
 - Residential developments of over 100 units
 - Construction sites over 10,000m².
- 2.4 Where employment and skills obligations are included in S106 agreements, the developer is required to make 'reasonable endeavours' to employ local people during the construction phase and end uses. The model agreement is attached at Appendix 1 for information.
- 2.5 To translate this high level agreement into action, the Employment and Skills service supports the developer and or occupiers to draw up an Employment and Skills Plan which aims to establish a range and number of employment and training opportunities that can be accessed by local people. This plan is used to align publicly funded resources, plan community engagement, skills and recruitment activity to support implementation and to monitor the developer's delivery against the plan.

3. Main issues

3.1 Delivery to date

- 3.1.1 Since September 2012 to the end of October 2018, the inclusion of employment and skills obligations in S106 Planning Agreements has enabled a total of 2,847 local residents to secure jobs or apprenticeships during the construction phase or with occupiers of developments.
- 3.1.2 Appendix 2 details the breakdown over the last 4 years of the number of people supported into employment by electoral ward. The outputs vary from year to year reflecting the changing number of large scale developments on site or completed during the monitored period. The increased number of people supported into work during 2016/17 and 2017/18 was largely a result of the significant number of new opportunities created through the Victoria Gate development.
- 3.1.3 Employment and Skills Plans negotiated with developers can include a range of other measures including school and college engagement activities, work experience opportunities and new supply chain opportunities for local businesses as demonstrated by the examples below. These will reflect the nature and scale of the development and the end use and will often be tailored to meet both local priorities and the business needs of the developer as well as reflecting their existing corporate social responsibility aims and programmes. Building and maintaining a positive relationship through a named key account manager approach is welcomed by developers and is critical to successful delivery.

Victoria Gate - Hammerson PLC

£165m retail and leisure development anchored by the John Lewis flagship store including other shops and restaurants and a casino completed in 2016. The employment and skills obligations were translated into an employment charter agreed by Hammerson and John Lewis. True Value, Hammerson's established Corporate Social Responsibility programme was supported by a dedicated Community Engagement Manager to work with local partners throughout the development. This enabled the inclusion of employment and skills obligations in construction contracts, introductions to new tenants to maximise end user roles and maintaining a legacy in the city on completion of the development.

- 500 new jobs were created with 246 secured by Leeds residents during the construction phase, 9 apprenticeships and 122 weeks of work experience.
- Information sessions were held in community hubs during June 2016 to promote the jobs available at Victoria Gate. Over 800 people attended drop-in sessions led by the Council with Hammerson. The Council commissioned a customer service skills training programme to support residents some distance from the labour market who were guaranteed an interview. Nearly 500 people gained employment at John Lewis and over 300 were Leeds residents.
- 206 jobs were created at the Victoria Gate casino -175 were secured by Leeds residents.
- 53% of the total supply chain value was placed with businesses in the region and 20% in the Leeds district.

Thorpe Park – Scarborough Group – to date.

A 10-15 year programme for a mixed use development comprising offices, The Springs retail park, a green park, multi-storey car park, 296 new homes and infrastructure works with opportunities at each phase of the development.

- 210 new jobs created during the site preparation, building of office accommodation and the construction of The Springs retail park with 50 jobs secured by Leeds residents.
- Information sessions have been arranged in local communities to provide details about opportunities at The Springs along with offers of support for residents interested in applying for jobs.
- The developer has engaged with local schools and has delivered 32 education engagement activities reaching over 10,000 young people, their parents and teachers.

Kirkstall Forge - CEG – to date.

A 10 year programme valued at £400m to regenerate a 57 acre brownfield site at Kirkstall Forge. The development will include offices and 1,000 new homes, a 2 form entry primary school along with retail and leisure facilities.

- Launched in March 2017, CEG has developed the Forging Futures, skills village, which offers young people aged 16 to 24 years a 4 week training programme, work experience and a CSCS card.
- 3 training cohorts to date with 32 young people achieving an accredited qualification. 21 have achieved a positive outcome including a job.
- Established an Apprenticeship Academy, a two year programme for Level 3 professional apprenticeships which 12 young people commenced in September.

3.2 Targeting beneficiaries

3.2.1 The More Jobs, Better Jobs research programme supported by a partnership between Joseph Rowntree Foundation, Leeds City Region Enterprise Partnership and the Council included work to identify and review best practice on connecting disadvantaged communities to training and jobs. A review commissioned by the partnership from the University of Sheffield and Sheffield Hallam University concluded that the practice in Leeds was good but the number of people successfully supported into employment varied significantly between targeted localities. The review concluded that targeting individuals furthest from the labour market with specific needs rather than spatial communities would offer a more effective poverty reduction intervention and contribution to inclusive growth.

3.2.2 In June 2017 The Executive Board endorsed the Council's continued commitment to supporting local employment through the process of obligations and agreed a revised approach to target priority groups for whom entry or return to the workplace would have the greatest individual impact and would result in significant economic benefits for our most disadvantaged communities. The agreed priority groups are:-

- Young people under the age of 25 as first time entrants to the labour market, particularly young people – from BAME communities, leaving care, with learning disabilities and difficulties.
- Disabled adults or those with long term ill health condition

3.2.3 It is too early to measure the impacts from the change in approach but it is envisaged that we may see an overall reduction in numbers of successful outcomes given the more intensive and specialist support that may be required to enable individuals to compete for new opportunities. The Employment and Skills service already engages with a wide range of providers and partners that are able to support the target cohort to access and sustain employment.

3.3 Issues impacting delivery

- 3.3.1 The number of Section 106 agreements that include employment and skills obligations varies from year to year. A total of 4 were signed in 2015/16, 16 in 2016/17, 32 in 2017/18 and 4 to date in 2018/19. While early engagement with the developer assists in scoping potential activity, until the main contractor and any potential end user has been identified there is limited detailed planning that can take place. At this point information on the workforce profile, supply chain and contracting arrangements along with recruitment practice and social value policies will inform the specifics of the plan.
- 3.3.2 Experience shows that employment opportunities generated during the construction phase can be limited by the fact that the construction industry is characterised by high impact activity over the short term delivered through a highly mobile workforce. Construction contractors often employ specialist teams where a high skill level is required for a short duration to complete individual aspects of a development. In addition, changes in the use of materials, technology and the increasing trend to off-site fabrication of structures reduces the construction period and workforce size required. These trends make sustainable jobs difficult to achieve on a site by site basis.
- 3.3.3 The largest number of opportunities have been generated with end users particularly where there is a high volume of entry level roles in retail, hospitality and customer service. End users of new retail and leisure outlets with a potential local customer base are often more invested in recruiting from the surrounding locality and engage with the community engagement outreach provision provided by the Employment and Skills service to support and enable local recruitment. However, the ongoing restructuring of this sector may not offer the high volumes of jobs previously delivered.
- 3.3.4 Many of the larger developers realise the benefits of the approach, both to support them in achieving the measures in the S106 agreement and also to meet their social value commitments. Feedback from developers has indicated that they value the key account management approach to enable them to navigate the local employment and skills infrastructure and link to key providers.
- 3.3.5 While many developers are familiar with discharging the requirements of a S106 Agreement, this can be an unfamiliar process for the main and subcontractors involved in the construction and additional support may be required to ensure effective participation. The use of “*reasonable endeavours*” to engage with the

Employment and Skills service makes collaborative working and good relationship management vital to the delivery of benefits for local residents.

- 3.3.6 It can be difficult to obtain the relevant information from employers to measure the effectiveness of these interventions. Some see this an additional bureaucratic burden while others are unwilling to share data as they perceive they will be in breach of GDPR requirements.
- 3.3.7 Effective systems and ways of working are critical to the effective implementation of employment and skills obligations. Automated notifications, guidance and toolkits and monitoring systems are in place, however, it is clear that periodic briefings or updates are required to ensure that relevant Planning Service staff remain aware of these requirements and processes.

3.4 Future opportunities

- 3.4.1 In addition to planned developments with an employment and skills plan, there are also large scale developments including the South Bank and the airport expansion which will offer opportunities for local residents at both the construction phase and with end users and will be priorities for the service.
- 3.4.2 Where possible, additional support will be provided to construction contractors to overcome barriers to recruiting locally, in particular apprenticeships. Many of the large developers are apprentice levy payers and engage with the Employment and Skills service to promote opportunities as well as attendance at the apprenticeship seminars and the annual Leeds Apprenticeship Recruitment fair.

4. Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 This report is for information and does not propose any changes to the existing policy and implementation framework.
- 4.1.2 The heads of terms of S106 employment and skills obligations are reported to and agreed by Plans Panels.
- 4.1.3 Outreach events delivered by the Employment and Skills service in communities to promote employment opportunities to the wider community or to target groups are planned and arranged in consultation with local ward members and notified to the Chairs of the Community Committees and the Employment, Skills and Welfare member champions.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality and Diversity, Cohesion and Integration screening was undertaken in June 2017 prior to the decision by Executive Board to prioritise key groups identified as being furthest from the labour market for targeted support to access the opportunities made available as a result of including employment and skills obligations in S106 Planning Agreements. Achievement for these target groups will

continue to be monitored and reviewed to ensure the best use of resources and that aims and objectives of the approach are achieved.

- 4.2.2 The Employment and Skills service will continue to work with a range of partners in the city that support the priority target groups and ensure that opportunities are maximised for residents who may require additional support but for whom the impact of obtaining paid employment has the greatest impact.

4.3 Council policies and City Priorities

- 4.3.1 The activity and benefits arising from the approach described in the report contribute to delivering our ambitions to enable all of our residents to benefit from a strong economy in a compassionate city. In particular, this activity contributes to the Best Council Plan outcome for everyone in Leeds to earn enough to support themselves and their families and the Best Council Plan priorities around providing employment support and supporting economic growth and access to economic opportunities. It also supports our ambitions to be a NEET-free city and a city where children and young people can grow up to lead economically active and rewarding lives.

4.4 Resources and value for money

- 4.4.1 The inclusion of employment and skills obligations within S106 agreements has been implemented within existing resources and has delivered additional benefits to local residents and local businesses that may not have otherwise happened. Support offered to developers and contractors to implement their obligations has included access to a range of existing publicly funded employability and skills programmes.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Activity to secure employment and skills obligations must comply with and not contravene the legislative framework and guidance issued by the Secretary of State on the use of Planning Obligations.
- 4.5.2 There are no specific legal implications arising from this report.

4.6 Risk Management

- 4.6.1 The impact of introducing employment and skills obligations on developers will continue to be considered over the short, medium and long term and in the context of prevailing economic conditions; the strength of targeted sectors within the economy; and the need to balance any gains with the need to encourage continued investment in Leeds. These issues will be monitored and kept under review.

5. Conclusions

- 5.1 To date 2,847 local residents have accessed jobs and apprenticeships since September 2012 when the more systematic approach to delivering employment and skill obligations was adopted by the Council and outcomes have been systematically monitored.

- 5.2 Employment opportunities secured by local residents as a result of the employment and skills obligations implemented under S106 Planning Agreements represent less than 10% of the total number of people supported into work by the Council in most years. In 2017/18, 499 people secured jobs through this route while the total number securing work was 5,857. However, the visibility and high profile of the many of the schemes and the associated successful outcomes can shine a light on exemplar employers and inspire those seeking to secure work.
- 5.3 The requirement for developers to work with the Employment and Skills service helps the service to identify a forward work programme in advance of any opportunities being advertised. This ensures that outreach activity and skills training can be made available to support priority target groups to access the opportunities. This includes employability support services available through the Council's Job Shop network and third sector providers on job search, CVs and applications, assessment and interview skills to make sure that applicants are job ready and skills training available through the Council's Adult Learning programme and skills provision through partners including Leeds City College and Leeds College of building.
- 5.4 While the number of developments opportunities to which this approach may be applied is expected to grow, the overall number of local beneficiaries may not be as high given the additional support required to deliver this intervention that will better contribute to the city's inclusive growth objectives.

6. Recommendations

- 6.1 Members of the Joint Plans Panel are asked to comment on the report and note the positive outcomes delivered to date.

7. Background documents¹

- 7.1 There are no background documents.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Model Agreement

Definitions

“**Employment Leeds**” means the Employment and Skills Service of the Council;

“**Local People**” means: -

1. persons whose principal place of residence is within the electoral ward or adjoining electoral wards in which the Land is situated; or
2. if no such persons can be found in the above category then it means persons whose principal place of residence is within the administrative area of the Council;

Clause 11.1 (in the model contract agreement – for the construction phase)

From the start of the tendering process for the construction of the Development and throughout the period when the Development is under construction to use (or procure that its building contractor uses) its reasonable endeavours to co-operate and work closely with Employment Leeds (the Employment and Skills Service of the Council) to develop an Employment and Training scheme to promote employment opportunities for Local People during the construction works.

Clause 11.2 To use its reasonable endeavours to

- employ local contractors and sub contractors and Local People in the said construction works;
- to consult with Employment Leeds with a view to identifying procedures to facilitate the appointment of contractors and sub contractors and Local People in the said construction works;
- prior to the commencement of the said construction works to use reasonable endeavours to agree with Employment Leeds a method statement to facilitate the appointment of sub-contractors and Local People in the said construction works;

Provided that nothing in this clause 11.2 shall require the Owner (or its building contractor as the case may be) to do or refrain from doing anything which would be contrary to prudent business practice or contrary to law.

Clause 11.3 (in the model contract agreement – for the occupier /end users)

To use reasonable endeavours to procure that the **Occupiers** of the relevant parts of the Development:

- work with Employment Leeds and agree a method statement identifying the number and types of employment and training opportunities that can be accessed by Local People within such part of the Development and the resources needed to deliver the same;
- provide to Employment Leeds on a 6 monthly basis details of the recruitment and retention of Local People as employees within such part of the Development and the training in place for apprentices and the existing workforce by reference to national industry standards;
- provide Employment Leeds and partners identified by Employment Leeds with details of any employment vacancies that are created within such part of the Development, to be provided by way of a monthly updated list of current vacancies;

Provided that nothing in this clause 11.3 shall require the Owner (or an Occupier as the case may be) to do or refrain from doing anything which would be contrary to prudent business practice or contrary to law.

Appendix 2

Number of Local Residents Supported into Employment through S106 Planning Applications

	People into Jobs and apprenticeships			
Wards	Apr 2015 - March 2016	Apr 2016 - March 2017	Apr 2017 - March 2018	Apr 2018 - Oct 2018
Adel and Wharfedale	1	13	8	1
Alwoodley	0	16	3	1
Aldsley and Robin Hood	0	4	2	4
Armley	12	31	27	6
Beeston and Holbeck	12	32	23	8
Bramley and Stanningley	7	20	14	7
Burmantofts and Richmond Hill	23	25	35	7
Calverley and Farsley	4	7	9	1
Chapel Allerton	9	20	28	1
Cross Gates and Whinmoor	9	20	22	5
Farnley and Wortley	3	15	15	2
Garforth and Swillington	4	10	9	4
Gipton and Harehills	15	33	19	6
Guiseley and Rawdon	2	17	6	4
Harewood	1	8	1	0
Headingley and Hyde Park	3	37	22	5
Horsforth	1	10	8	4
Hunslet and Riverside	22	44	64	8
Killingbeck and Seacroft	13	35	30	3
Kippax and Methley	4	4	7	5
Kirkstall	8	24	20	4
Little London and Woodhouse	12	26	23	4
Middleton Park	21	28	22	1
Moortown	2	19	5	0
Morley North	5	6	6	2
Morley South	8	11	10	4
Otley and Yeadon	3	12	11	4
Pudsey	1	5	11	2
Rothwell	5	13	7	3
Roundhay	3	12	11	5
Temple Newsam	8	21	12	5
Weetwood	2	17	5	3
Wetherby	0	1	4	2
Totals	223	596	499	121

