

Minutes of a meeting of the Regulatory and Appeals Committee held on 29 September 2016 at the City Hall, Bradford

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|-------------|----------|
| Commenced | 10.25 am |
| Adjourned | 12.50 am |
| Recommended | 1.35 pm |
| Concluded | 2.10 pm |

Present – Councillors

| CONSERVATIVE | LABOUR | LIBERAL DEMOCRAT |
|---------------------------------------|---|-------------------------|
| <p>Barker Brown</p> | <p>Wainwright Warburton Watson</p> | <p>Griffiths</p> |

Observer: Councillor Ferriby (Minute 42)

Apologies: Councillors Abid Hussain and Lee

Councillor Warburton in the Chair

37. DISCLOSURES OF INTEREST

Councillor Warburton disclosed an interest in the item relating to the Former Wyke Library Site, Huddersfield Road, Bradford (Minute 42) as he had been involved with the scheme, in his capacity as a Ward Councillor, since its inception a number of years previously. He therefore withdrew from the meeting during the consideration of this item in accordance with the requirements of the Members Code of Conduct (Part 4A of the Constitution) and the Members and Officer Planning Code of Conduct (Part 4B of the Constitution).

In the interests of transparency, Councillor Brown disclosed that he had attended a display for members of the public in respect of the item relating to the Former Bronte School, Keighley Road, Oakworth, Keighley (Minute 45) but had not expressed a view thereon.

In the interests of transparency, Councillor Watson disclosed that the item relating to the Former Wyke Library Site, Huddersfield Road, Bradford (Minute 42) was within her Ward but she had not had any involvement with the application.

38. MINUTES



Resolved –

That the minutes of the meetings held on 16 and 26 May 2016 be signed as a correct record.

39. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

40. MEMBERSHIP OF SUB-COMMITTEES

No resolution was passed on this item.

NO ACTION

41. ELECTION OF CHAIR

Resolved –

That, in the absence of the Chair and the Deputy Chair, Councillor Wainwright be elected Chair for the item relating to the Former Wyke Library Site, Huddersfield Road, Bradford (Minute 42).

Councillor Wainwright in the Chair

42. FORMER WYKE LIBRARY SITE, HUDDERSFIELD ROAD, BRADFORD

The Assistant Director - Planning, Transportation and Highways submitted a report (**Document “V”**) in relation to an outline application for the demolition of the existing Police Call-In Station and the erection of a new Police Call-In Station, 3 bungalows and a 64 bedroom Extra Care Facility on the site of the former Wyke Library, Huddersfield Road, Bradford. The application included details of the proposed layout and access arrangements – 16/03851/MAO.

It was noted that, if the Committee was minded to approve it, the application would have to be referred to the Health and Safety Executive for it to decide if it wished to ask the Secretary of State to ‘call-in’ the application for determination. This was due to the site being within the consultation zone for two hazardous premises.

A Ward Councillor was in attendance at the meeting and made the following



comments:

- Apart from the footpath, the site had been unmaintained for a lengthy period; it had not been used since Wyke Middle School had closed and the library had relocated.
- It was considered that this project was worthy of support. It would provide much needed facilities for the local community and would mean that local people would not have to move away from their family and friends in order to access such care.
- The location was good in terms of access to public transport. It was also close to local amenities and shops and had access to recreational facilities and open space.
- The roads either side had pedestrian crossing facilities.
- Some concern had been expressed in respect of potential overlooking. There was a change in land levels across the site but the existing trees and shrubs along the boundary were to be retained.
- More on-street parking had taken place since the relocation of the library. The Police Contact Point was well used and the parking associated with this was normally short term.
- There would be 30 parking spaces provided for the Extra-Care Facility with separate parking provision for the Police Contact Point and the bungalows.

In response to a question from a Member of the Committee she said that there was usually one vehicle, occasionally two, on the site associated with the Police Contact Point and most visits were of a short duration.

A local resident attended the meeting and raised concerns as follows:

- He lived opposite the site. Fellow residents held similar views.
- The primary objection was the proposed extent and scale of development on the site. The main Extra Care building was proposed to be three storeys high. The proximity to existing houses and the numbers of units proposed meant that this scheme constituted overdevelopment of the site.
- The officer's report said that the majority of the existing trees would be retained and would screen the development; this was not considered to be the case on the Huddersfield Road side; some (to the northern boundary) had already been removed, others were proposed to be removed and a number were not very large.
- The dwellings on Huddersfield Road were either at the same level or below the level of the site and it was considered that they would be dominated by the development. The distance to the residential properties was also much less than to those on Woodside Road.
- There was a main road either side of the site and this would cause problems for residents, particularly of the Extra Care Facility, in terms of gaining access to local amenities.
- Parking was already a major issue in this area; residents did not have any off-street parking. Non-residents parked along both sides of the road, this included parents waiting to collect their children from a nearby school.
- It was believed that visitors to the Extra Care Facility may avoid parking within



the site in an effort to avoid issues in exiting onto Woodside Road.

- The traffic issues in the area were of major concern.
- If Members had not already done so it was hoped that they would visit the site.

In response to the points raised and questions from Members, the Strategic Director said that:

- There would be some loss of on-street parking to allow the new entrances to the site to be protected; the relevant Traffic Regulation Orders would be submitted to the appropriate Area Committee for ratification. Local residents would have the opportunity to make representations at that point, although it should be noted that there was no right to park on the highway and the restrictions would only affect secondary parking not that outside residents' homes.
- He was satisfied that the on-site parking provision would be adequate for the needs of the various uses and would not have a detrimental impact outside the site.
- It was accepted that the site was adjacent to two busy roads, this was particularly evident during the school morning peak period but there were no capacity issues in respect of the adjacent highway network. There was nothing in the accident statistics or the proposed layout to give a cause for concern in respect of highway safety.
- Only the layout and access were for consideration at this stage so the number of storeys of development was not for determination. The trees around the boundary would not hide the whole development but would screen the bulk of it.
- In terms of proximity to existing dwellings the distances achieved were acceptable in terms of the relevant planning policy and it was not considered that there would be an impact on the amenities of nearby properties.
- The Reserved Matters application would be submitted to the Committee for determination if more than 6 objections were received or if Members requested that this should happen.
- Members could specify that a dedicated space be provided for ambulances/emergency services if they considered this to be appropriate.

The agent spoke in support of the application:

- This was a brownfield site that had fallen into disrepair and had been subject to anti social behaviour.
- It was in a very sustainable location with good access to amenities and public transport.
- The distances to existing properties exceeded the Government guidelines and the majority of the buildings had been moved further away from existing dwellings.
- The applicant had worked closely with the Local Planning Authority to retain as many trees as possible.
- The car parking provision was in accordance with Highway's requirements and it was not believed that there would be an impact on Huddersfield Road.



Members commented that:

- The landscaping scheme should specify the planting of mature trees in the gaps along the boundary or where they had been removed.
- Parking provision should be reserved for emergency/medical services.

Further to which it was:

Resolved –

That the application be referred to the Health and Safety Executive for further consideration and, subject to it deciding not to request that the application be called in for consideration by the Secretary of State, that authority be delegated to the Assistant Director - Planning, Transportation and Highways to grant planning permission for the reasons and subject to the conditions set out in his technical report together with two further conditions as follows:

- (i) **Notwithstanding the details submitted, before the development hereby permitted is first brought into use details of a dedicated parking space for emergency services (including visiting nurses) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.**
- (ii) **Before the development hereby permitted commences on site, details of the proposed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the trees (size and species) to ensure adequate replacement of those that are removed to accommodate the development. The development shall then be carried out in accordance with the approved details.**

ACTION: Assistant Director - Planning, Transportation and Highways

Councillor Warburton resumed the Chair

43. ASHWELL FARM, 47-49 ASHWELL ROAD, HEATON, BRADFORD

A report was presented by the Assistant Director - Planning, Transportation and Highways (**Document “W”**) in relation to an application for the construction of 10 dwellings on land at Ashwell Farm, 47-49 Ashwell Road, Heaton, Bradford – 16/06365/MAF.

The Assistant Director made a correction to his report in respect of the description of the application which should have stated that the scheme comprised 10 units (not 27) and that the dwelling types were proposed to be of 2¹/₂ and 3 storeys.

He also clarified that the land ownership issues were not relevant to the



application and that if an application came forward for the remainder of the site then the whole of the development would be taken into account in calculating any necessary affordable housing provision.

A representative of the objectors spoke in opposition to the proposal:

- As a long term resident of Heaton he was speaking on behalf of a large number of objectors and also the Heaton Woods Trust.
- Some of the objections had been partially addressed in the officer's report and the proposed strict conditions in respect of drainage and contamination were welcomed.
- The developer had failed to act on the conditions in respect of a previous application and had allowed the planning permission to lapse. It was considered that there should be penalties if this happened again.
- It was considered that the Section 106 sum for education should be spent at local schools but half was proposed to be directed to Cullingworth which was 7 miles away.
- It had been believed that the requirement to pay for/provide affordable housing had been avoided by dividing the development/site into three phases, however this suggestion was now withdrawn (in light of the explanation given by the Assistant Director)
- All the houses had five bedrooms so would only be for large or extended families and would cost around £400,000. It was considered that they would therefore be socially exclusive and there was a strong possibility that they would be culturally exclusive; in effect a gated community within a socially and culturally diverse community. This would not accord with the ethos of the village or the wishes of local people.
- The application appeared to have been rushed through but a large number of people still opposed it.
- The design had been described as relatively basic and as fitting in with its surroundings; this was an old Yorkshire village with its own special character and the site was adjacent to a Conservation Area; this development would not fit in.

In response the Assistant Director explained that:

- An applicant did not have to provide an explanation for a permission being allowed to lapse. If planning permission was granted it was up to the applicant whether or not they chose to implement it. A developer could apply for planning permission as many times as he/she chose; applications were paid for by the applicant.
- The site did not front onto any existing streetscene and the only public aspect of the site would be from the Heaton Woods Trust site. It was separate to the rest of the village.
- The Conservation Officer had raised a number of issues and relevant conditions were proposed to be included if permission was granted to ensure that features and materials blended in.
- The application had not been 'rushed through' but had been dealt with in



exactly the same manner as any other application. A public consultation had been undertaken and had finished on 26 August 2016.

- The Section 106 infrastructure monies were directed towards the schools that needed/were able to expand. Individual schools could only be the recipient of a maximum number of such payments. The Education Department were consulted for their professional assessment as part of an overall school planning process.
- Conditions would be imposed in respect of drainage and dealing with any contamination.

A Member of the Committee expressed a wish for further information to be provided by the Education Department to explain clearly why particular schools were identified as recipients in each case; it was questioned why the monies were to be directed towards a school in Cullingworth in this instance.

The applicant's agent addressed the Committee:

- The officers had presented a thorough report.
- The principle of development had already been established. The position in respect of planning policy was effectively the same as when the previous planning permission had been granted.
- The development was appropriate and would contribute to meeting the district's housing needs.
- This scheme was, in effect, Phase One of the previous scheme for 27 dwellings. It had not been done this way to avoid affordable housing contributions; these would be addressed at a later date.
- The design was very similar to that previously approved and was considered to be appropriate to the context of the site using a mix of stone, render and natural slate.
- There would be no harm to existing residents, highway safety, the Conservation Area or existing trees.
- The requirements of the Section 106 legal obligation had been accepted.
- There had been no objections from the statutory consultees.
- The representations had been taken into consideration but it was believed that the concerns were unsubstantiated and the issues had just been repeated from the previous application.
- A Phase 2 site investigation report had already been undertaken.
- The suggestion that the existing allotments adjacent to the site would be subject to incursion/theft by occupiers of the new dwellings was unreasonable. It was considered that the proposed development would actually provide a further level of security for the allotments.

Members commented that there was now a gap between the development and the disputed boundary with the adjacent land and that the recommendation as proposed was acceptable.



Resolved –

- (1) That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.
- (2) That the grant of planning permission be subject also to the completion of a legal planning obligation under Section 106 of the Town and Country Planning Act 1990, or such other lawful mechanism for securing the heads of terms as may be agreed in consultation with the City Solicitor, in respect of:
 - (i) The payment of a commuted sum of £49,237 for the purpose of the improvement of educational infrastructure in the area; £21,485 for primary level to be used at Heaton Primary School and £27,752 for secondary level to be used at Parkside Secondary School,
 - (ii) The payment of a commuted sum of £14,048 for the purpose of enhancing recreational infrastructure in the area; to be used at Lister Park,

the legal planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration (after consultation with the City Solicitor) considers appropriate.

- (3) That the Strategic Director – Children's Services be requested to provide a clear written statement for each consultation response for all future planning applications for housing, explaining why a particular school/s has been chosen for expansion by virtue of the allocation of Section 106 education infrastructure contributions and that this information be included in the Assistant Director - Planning, Transportation and Highways' reports to the Committee.

***ACTION: Assistant Director - Planning, Transportation and Highways
City Solicitor***

44. LAND AT MIDDLEWAY, SILSDEN

A report was submitted by the Assistant Director - Planning, Transportation and Highways (**Document "X"**) in respect of an application seeking outline permission for a residential development of 13 dwellings on land at Middleway, Silsden, Bradford – 16/03577/MAO.

The report explained that layout was the only matter for consideration at this stage and that details of access, appearance, landscaping and scale would be considered at Reserved Matters stage.

The Assistant Director clarified that the site was not designated as open space or



Green Belt nor had it been in the past.

He responded to questions from Members:

- This was a separate parcel of land from the adjacent site that was currently being developed and it was not believed that it could be considered as one entity for the purposes of requiring the provision of affordable housing (the current application being below the threshold for such).
- The consultation advice from both the Drainage Officers and Yorkshire Water had stated that the development was acceptable.
- This site was not in a zone at risk of flooding and to his knowledge there had been no impact on this site from the Boxing Day 2015 flood event.

A Town Councillor outlined a number of issues as follows:

- There was still concern about flooding, the impact on Howden Road and the extra load on Silsden Beck.
- The existing residents of Middleway were unhappy about overlooking, particularly of the adjacent single storey dwellings, and the inclusion of external balconies on the new properties. It was not believed that a 1.5 metre high fence would prevent overlooking. No indication had been given of the sight line down from the proposed balcony level. A solution would be to have the patio areas at existing ground level.
- It was considered that Plots 4 and 5 should be moved closer to the access road and some of the other properties re-aligned.
- It was questioned how far the nearest bus stop was; it was considered unlikely that residents from this site would use buses.
- The proposed contribution for Metrocards should be put towards improving the footpaths to existing bus stops instead.

Objectors addressed the Committee:

- Building work on the adjacent site to the one under consideration had caused considerable problems for the existing residents of Middleway with gardens and garages being flooded and in heavy rain the street flooded.
- There were serious concerns about the infrastructure in Silsden particularly in respect of flooding issues.
- Problems could be caused further downstream and the overall problem needed to be addressed. It was noted that the flood expert was not present at the meeting.
- The mitigation measures on the adjacent site were not working. It was only a small site but problems had already been caused with Silsden Beck and this proposal would make the situation worse.
- If the road was moved up, the new houses put at an angle and the balconies removed from the plans this would alleviate some of the issues with the scheme.
- It was appreciated that regard had been paid to the Tree Preservation Order and that the scheme was of a low density.
- It was considered to be highly unlikely that the residents of this development



- would use buses.
- This was not believed to be the best design for the site, the lower section should be used for bungalows.

The Assistant Director made the following response:

- The site fed down to Howden Beck but the attenuation measures could improve the run-off from the existing site.
- In respect of overlooking; details of the layout would be determined at Reserved Matters stage. However, the indicative layout did meet the necessary requirements in terms of distance.
- No indication had been given of the level of the patios.
- A 1.8 metre boundary fence would normally be required.
- It was accepted that it was some distance to the nearest bus route which went along Kirkgate. He was uncertain which footpaths could be improved to facilitate access.
- If the positions of plots 4 and 5 were re-aligned then he considered that this could cause overlooking.
- The Flood Risk Assessment and the Drainage Appraisal had been considered by the Council's officers in their capacity as the Lead Flood Authority and were considered acceptable. They were very well aware of the issues in respect of Silsden Beck.
- He had no knowledge of the mitigation measures associated with the adjacent site.
- He was satisfied that the layout, as proposed, achieved more than the usually required separation distances.
- Details of heights and windows etc would be carefully considered when a Reserved Matters application was submitted.

Further to additional questions from Members he said that:

- In terms of groundwater emergence and existing land drains he had to rely on the consultation responses received. The submission of a Surface Water Maintenance and Management document would be required by condition. The relevant consultees had stated that they believed that the site could be developed as proposed without causing undue impact or making the existing situation worse.
- It was not known if there were any reports of flooding affecting the adjacent site.
- A complete new drainage system would be implemented which would include attenuation of water run-off. The details of the drainage scheme would have to be submitted to the Local Planning Authority and would be vetted by the Council's specialist officers.

A Member commented that groundwater emergence was not addressed in the technical report; this appeared to be a new issue and should be taken into account in the future.

The applicant's agent spoke in support of the application:



- The officer recommendation was supported.
- This site had been identified in the Council's SHLAA (Strategic Housing and Land Availability Assessment) as suitable for residential use.
- There was a significant need for new housing in the district. This assertion was supported by the Council's local plan which specified the provision of 1200 new homes in Silsden.
- The Flood Risk Assessment had not identified any issues affecting this site.
- The site was unallocated in the Replacement Unitary Development Plan and was not within the Green Belt.
- The principle of development in the area was established.
- The site would make a contribution to the Authority's five year housing land supply.
- The scheme met sustainability requirements and the density reflected local circumstances.
- The development would utilise natural stone and the layout respected the amenities of existing local residents.
- All healthy trees would be retained and there would be a net increase in the number of trees across the site.
- The pre-application process had been used to try and ensure that all issues were resolved. The submission of any additional information considered necessary could be secured by the use of relevant conditions.
- The scheme included Section 106 infrastructure contributions and the development would provide local employment.

In reply to questions from Members of the Committee, the agent and the applicant said that:

- Although not expert in relation to drainage matters they were aware of the issue of groundwater emergence being raised as part of flood risk reports. The Flood Risk Assessment in this case stated that there was no history of flooding of any kind on this site.
- It would not be a problem to liaise with local residents to ascertain if there was a problem although there were no records of any flooding issues. Liaison would normally take place with Yorkshire Water and the Council's Drainage Officers.
- The usual run-off rate was 5 litres per second. Attenuation tanks would be installed and these would be set to release the water at this rate. The scheme would be designed to 1 in 100 year storm plus 30% specification and would be designed in consultation with Yorkshire Water prior to submission to the Local Planning Authority.
- Yorkshire Water would undertake inspection of the installation of the attenuation tanks at every stage. Twelve months maintenance would be undertaken by the developer and, further to this and subject to there being no problems, Yorkshire Water would adopt them. There was a very thorough process to be followed in getting the tanks signed off.



Members commented as follows:

- Allocation of monies towards Metrocards was not considered to be useful. This money would be better spent on other infrastructure issues.
- The money should be directed towards the improvement of local footpaths close to the development and/or local recreational amenities in consultation with the Town Council and Ward Councillors.
- The further information given by the applicant and the liaison with local residents had provided some reassurance.

Further to which it was

Resolved –

- (1) That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report subject to the amendment of Condition 10 as follows:

The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on sustainable drainage principles and including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority *and these details shall be submitted in conjunction with the Reserved Matters application*. Furthermore, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure proper drainage of the site and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

- (2) That the grant of planning permission be subject also to the completion of a legal planning obligation under Section 106 of the Town and Country Planning Act 1990, or such other lawful mechanism for securing the heads of terms as may be agreed in consultation with the City Solicitor, in respect of:
- (i) The payment of a commuted sum of £13,795 to mitigate the effects of the development on biodiversity and to enhance the recreational infrastructure in the area; to be used at Silsden Park,



- (ii) The payment of a contribution of £11,261 to be spent on improvements to local footpaths that provide linkages to Silsden Town Centre, bus routes or local amenities. (Authority being delegated to the Assistant Director - Planning, Transportation and Highways to determine and specify the appropriate footpath improvements, in consultation with the Town Council and the Ward Councillors, and to incorporate these into the legal planning obligation). In the event that the Assistant Director is unable to identify suitable footpaths for improvement then these monies shall be added to the recreation contribution to be used at Silsden Park, as in (i) above,

the legal planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration (after consultation with the City Solicitor) considers appropriate.

- (3) That the application for Reserved Matters be submitted to this Committee for consideration.

ACTION: *Assistant Director - Planning, Transportation and Highways
City Solicitor*

45. FORMER BRONTE SCHOOL, KEIGHLEY ROAD, OAKWORTH, KEIGHLEY

The Assistant Director - Planning, Transportation and Highways presented a report (**Document “Y”**) in relation to a full application for the erection of 51 mixed tenure houses including associated infrastructure on land at the former Bronte School, Keighley Road, Oakworth – 16/02526/MAF.

He reported that no further comments had been received from the Trees Officer on the revised plans and replied to questions from Members as follows:

- Attempts would be made to moderate the levels across the site as much as possible; if the gradients of the highway fell within the requisite parameters then a contribution for winter maintenance measures would be requested from the developer. There was a maximum gradient that would be accepted.

The scheme architect explained that:

- the gradients were quite level at the entrance to the site.
- The steeper parts of the site were within the accepted tolerance for highways.
- Most of the trees on the site were covered by a Tree Preservation Order and as many as possible had been preserved; a few would be lost but this had been agreed with the Trees Officer.
- The design had taken account of the trees, the gradient and the character of the surrounding area.
- The scheme would provide a mixture of dwellings using a range of materials.



In response to a Member's question he said that water attenuation tanks would be provided. He was aware that there had been local flooding and was confident that all the issues could be addressed by the detailed drainage scheme. It was understood that a lot of drains in the area were broken and that was why water was backing up; this would be resolved.

Resolved –

- (1) That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.**
- (2) That the grant of planning permission be subject also to the following obligations:**
 - (i) The scheme is to provide affordable housing units as part of the 2015-2018 Approved Housing programme, to deliver affordable housing across six sites in the District, that has received funding from the Homes and Communities Agency. (Note: Across the programme there will be 139 houses for rent and 49 for sale with the sales properties at full market value and at a cross subsidy to the whole programme.)**
 - (ii) Payment of a contribution of £10,000 to mitigate the impact on sensitive habitats by bringing forward improvements on routes leading to, and at, the Special Protection Areas where erosion of adjacent habitat caused by widening footpaths is an issue.**

ACTION: Assistant Director - Planning, Transportation and Highways

46. PUBLIC SPACE PROTECTION ORDER FOR THE CITY CENTRE AND SURROUNDING AREA

Previous reference: Minute 90 (2015/16)

Members recalled that, at the meeting of the Committee held on 17 February 2016, consideration had been given to a proposal to implement a Public Space Protection Order (PSPO) for the Bradford City Centre and it had been resolved:

- '(1) That the Strategic Director, Environment and Sport be authorised to undertake the required (minimum 6 week) consultation exercise to implement a Public Space Protection Order for Bradford City Centre, in the area shown in Appendix A and subject to the terms set out in Paragraph 4.8 of the report.*
- (2) That, further to the completion of the necessary consultation process, the proposed Order be submitted to this Committee for approval.'*



The Assistant Director – Neighbourhoods and Customer Services therefore submitted a report (**Document “Z”**) which provided a summary of the responses from the consultation and presented the final proposed Order for the Committee’s approval.

He tabled the plans showing the extent of the Order, a copy of the consultation letter from West Yorkshire Police and proposed amended recommendations.

The following responses were given to Members’ questions:

- The implementation of the PSPO was just one of the approaches being used to address the issues in the City Centre.
- Enforcement would not be part of the role of the Council Wardens, the Council’s Anti-Social Behaviour Officers would deal with this.
- Joint training would be undertaken in respect of the issue of Fixed Penalty Notices (FPNs) and officer safety. Full kit would be provided for the relevant officers.
- It was believed that the biggest impact would be from the seizure of alcohol rather than the number of FPNs issued.
- A Licence would be needed if a street event involving alcohol was held within the area covered by the Order.

The Chair suggested that an update should be provided to the Committee after the twelve month review and requested that information be included on the number of offences committed against Council and Police staff.

Resolved –

- (1) **That the proposed Public Space Protection Order, as set out in Appendices C and D to Document “Z”, be formally adopted; the Order having been amended, as a result of the consultation process, to extend the boundary of the exclusion zone to include the following streets and places:**

**Trinity Green Campus
University accommodation (close to the existing proposed boundary)
Dixon’s Trinity Academy, Trinity Road
Laisterdyke Lane towards All Saints’ Road (Dirkhill area)
Grantham Road
Grantham Place
Spring Place
Dirkhill Road
Rand Street
Rand Place
Alexandra Street
To the junction of All Saints’ Road with Great Horton Road
Retford Place,
St Luke’s Hospital**



- (2) That it be noted that:
- (a) Under Section 63(5) of the Act an authorised person can dispose of any item that has been surrendered under Section 63(2) ie alcohol or a container for alcohol.
 - (b) An authorised person in the context of this Public Space Protection Order is defined as being either a Police Constable, Police Community Support Officer or Council Officer.
 - (c) An authorised person can decide when it is appropriate to either:
 - (i) Impose a Fixed Penalty Notice,
 - (ii) Waive the Fixed Penalty Notice in the event that a person who would have been issued with a Fixed Penalty Notice agrees to and attends an alcohol or substance misuse service, or
 - (iii) If anti-social awareness sessions are made available locally, reduce the level of the Fixed Penalty Notice if the person who would have been issued with a Fixed Penalty Notice agrees to and attends an anti-social awareness session.
- (3) That the Strategic Director, Environment and Sport be requested to investigate and, if feasible, make available local anti-social awareness sessions.
- (4) That the Strategic Director, Environment and Sport be authorised to take all the necessary action to implement the Public Space Protection Order, as amended, and to make it operational.
- (5) That the Bradford City Centre Anti-Social Behaviour Partnership review the Order in 12 months time, taking account of the comments and suggestions made by respondents during the consultation exercise and the evidence arising during the time the Order is in force.

ACTION: *Strategic Director, Environment and Sport
City Solicitor*

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regulatory and Appeals Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

