

Decisions of the Executive held on Tuesday 13 January 2015

Published in accordance with Paragraph 8 of Part 3E of the Constitution

CALL IN PERIOD ENDS TUESDAY 20 JANUARY 2015 AT 1700

Notes:

- (a) *Decisions may be called in by the Chair of the Corporate Overview & Scrutiny Committee, or by the Chair of the Corporate Overview & Scrutiny Committee when requested to do so by one member of the Committee or a member of an Overview and Scrutiny Committee.*
- (b) *The request to call in must be in writing and be signed by a Member, give a reason for the request and sent to the Chair of the Corporate Overview & Scrutiny Committee, who will deliver the request to Committee Secretariat, Room 111, City Hall by the date and time specified.*
- (c) *Decisions which are subject to call in cannot be acted upon until the call in period expires.*
- (d) *Decisions marked ** may not be called in under Paragraph 8.7 of Part 3E of the Constitution.*

TO:



DECISIONS:

<p style="text-align: center;">LEADER OF COUNCIL & STRATEGIC REGENERATION <i>(Councillor Green)</i></p>
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1. **CALCULATION OF BRADFORD'S COUNCIL TAX BASE AND BUSINESS RATES BASE FOR 2015-16**

Resolved -

- (1) That the amount estimated by the Council as the Council Tax Base for 2015-16 for the whole of the Bradford Metropolitan District is 130,280 as set out in Appendix A to Document "AL". This is an increase of 3,110 Band D equivalents from 2014-15, when the Council Tax Base was set at 127,170.
- (2) The Council Tax Base for 2015-16 for each Local Council is as set out in Appendix B to Document "AL".
- (3) The amount estimated by the Council as the Business Rates income for 2015-16 as included on the Council's NDR1 return (set out in Appendix C to Document "AL") - £139,832,766
- (4) Of the total Business Rate income;-
50% is paid to Central Government - £69,916,383
49% is retained by the Council - £68,518,055
1% is paid to the West Yorkshire Fire Authority - £1,398,328
- (5) That authority be delegated to the Director of Finance in consultation with the Leader of Council to make any necessary amendments to the calculation of the Business Rates estimate arising from the completion of the 2015-16 NDR form received from the Government and to include the amended figures in the 2015-16 Budget papers for Council.

ACTION: *Director of Finance*

(Corporate Overview and Scrutiny) (Martin Stubbs / Sarah Kirk – 01274 432065/4055)

C. PORTFOLIO ITEMS

<p style="text-align: center;">CHILDREN & YOUNG PEOPLE'S SERVICES PORTFOLIO <i>(Councillor Berry)</i></p>
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2. ARRANGEMENTS BY THE COUNCIL AND ITS PARTNERS TO TACKLE CHILD SEXUAL EXPLOITATION

Resolved -

That the following actions be taken to support the implementation of decisions made at Council on October 21st:

- (1) Request that each Area Committee receives a report regarding Child Sexual Exploitation (CSE) in the course of 2015.**
- (2) The establishment of the historic CSE team be approved.**
- (3) The revised Bradford Safeguarding Children Board (BSCB) 9 Point Strategic Response to CSE be approved.**
- (4) That the work to widen school initiatives to develop an appropriate package for use in primary schools be endorsed.**
- (5) That the programme of CSE training for Council staff in Licensing, Hackney Carriage, Environmental Health, City Solicitors and Housing and other relevant regulatory services within CBMDC be approved.**
- (6) Approve a similar, targeted CSE awareness raising and training programme for the Council's front line uniformed staff who work on the District's streets.**
- (7) Over the next twelve months a training package regarding CSE will be available which is accessible to and suitable for Elected Members.**
- (8) Request that during 2015 the Health and Well Being Board receive a report regarding arrangements for therapeutic support for survivors of CSE.**
- (9) During 2015 the Executive receive a further update on the progress of arrangements in the District to safeguard children from Child Sexual Exploitation.**
- (10) That the Children's Overview and Scrutiny Committee be thanked for their work regarding CSE and that they continue to monitor the issue as part of the Committee's Work Programme.**

ACTION: Strategic Director Children's Services

(Children's Services Overview and Scrutiny Committee)

(Michael Jameson – 01274 431266)

3. A REVIEW OF THE COUNCIL'S POLICY FOR THE PROVISION OF TRANSPORT FOR LOOKED AFTER CHILDREN

Resolved -

That the Council's Policy for the Provision of Transport for Looked After Children be approved.

ACTION: Strategic Director Children's Services

(Children's Services Overview and Scrutiny Committee) (Julie Jenkins - 01274 432904)

<p style="text-align: center;">HOUSING, PLANNING & TRANSPORT PORTFOLIO <i>(Councillor V Slater)</i></p>
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4. NEIGHBOURHOOD PLANNING – NEIGHBOURHOOD AREA APPLICATION

Resolved -

That the Neighbourhood Area Application submitted by Cullingworth Village Council be approved and the Assistant Director Planning, Transportation & Highways be authorised to arrange formal publication of the decision in line with the relevant Neighbourhood Planning regulations.

ACTION: Strategic Director Regeneration and Culture

(Regeneration and Economy Overview and Scrutiny) (Andrew Marshall - 01274 434050)

4. PETITION OBJECTING TO FRACKING

Resolved -

(1) With regard to petition point (a) to prevent fracking on Council owned land, Option 2 as set out in paragraph 4.2 to Document "AP" be approved, that is requests to frack on council land be referred to the Executive for consideration on a case by case basis, enabling the particular circumstances of each request to be considered.

(2) With regard to petition point (b) to discourage private developers from undertaking any fracking related drilling, it be approved that the council determines planning applications for exploration, appraisal or production of shale gas on a case by case basis in accordance with the Local Plan and National Policy, ensuring that any adverse impacts are addressed and mitigated.

(3) That Executive requests that the Strategic Director Regeneration and Culture seeks a joint approach to fracking for the Leeds City Region through the Planning Portfolios Board and the West Yorkshire Combined Authority.

ACTION: Strategic Director Regeneration and Culture

(Regeneration and Economy Overview and Scrutiny) (Carole Howarth - 01274 433770)

5. **WEST YORKSHIRE+ TRANSPORT FUND - HARROGATE ROAD / NEW LINE JUNCTION IMPROVEMENT**

Resolved -

- (1) That the proposal shown on drawing RC/M/MH/101463/30C to Document “AQ” be approved as the Council’s current preferred approach to delivery of the Harrogate Road / New Line junction improvement as agreed by the West Yorkshire Combined Authority’s Gateway 1 submission approval.**
- (2) That the Strategic Director Regeneration & Culture be authorised to manage the scheme programme as appropriate to meet any changing circumstances.**
- (3) That the Strategic Director Regeneration & Culture be authorised to advertise any necessary legal orders required to facilitate the delivery of the project and to make any necessary applications to seek planning permission.**
- (4) That further update reports are presented to Executive following approval of Gateway 2 and Gateway 3 by the West Yorkshire Combined Authority.**
- (5) That delegated authority be given to the Strategic Director Regeneration & Culture, in consultation with the Portfolio Holder to:**
 - (i) Progress and develop the scheme proposals through the West Yorkshire Combined Authority Gateway Process and undertake appropriate consultation on scheme proposals.**
 - (ii) Undertake negotiations with leaseholders of Council owned land affected by the scheme with a view to securing the surrender of any extant leases.**
 - (iii) Investigate the ownership of land required for the delivery of the Harrogate Road / New Line junction improvement as shown on drawing RC/M/MH/101463/30C to Document “AQ” where necessary, issue requisition notices requiring those believed to have an interest in relevant property to provide title information and details of the interest in land.**
 - (iv) Where appropriate to instigate negotiations for acquisition by private treaty.**
 - (v) In the event of any unsuccessful negotiations to obtain necessary interests in land by negotiation: Strategic Director Regeneration and Culture submit a further report to Executive to establish the scope of any necessary Compulsory Purchase Order and seeking approval to commence the preparation and promotion of any Compulsory Purchase Order required to facilitate the delivery of the proposals through acquisition of land necessary for the delivery of the scheme.**
 - (vi) As may be required secure the procurement of specialist external services having regard to the Councils Contract Standing Orders and EU procurement legislation in order to advise the Council on matters relating to the delivery of the proposals for Harrogate Road / New Line junction.**

ACTION: Strategic Director Regeneration and Culture

(Environment and Waste Management Overview and Scrutiny)

(Richard Gelder – 01274437603)

**ENVIRONMENT, SPORT & SUSTAINABILITY/PUBLIC SERVICE
TRANSFORMATION PORTFOLIO**

**6. MUNICIPAL WASTE MINIMISATION AND MANAGEMENT
STRATEGY (MWM&MS)**

Resolved -

- (1) The Executive adopt this strategy document to trigger the commencement in early 2015 of a new procurement for a waste treatment solution to ensure that a robust and affordable contract is secured prior to the expiry of the current interim contracts in 2017.**
- (2) That the waste treatment solution of Option 3 as set out in Document “AR” be selected as the preferred solution to be procured, to consist of a merchant off-site Thermal Treatment requiring Pre Treatment of the waste.**
- (3) That the Competitive Dialogue Procedure is the appropriate procurement route.**
- (4) That the contract term to be procured is 10 years with an option to extend by up to a further 5 years; and**
- (5) An affordability envelope for treatment cost is agreed with Finance prior to commencing procurement.**

ACTION: Strategic Director Environment and Sport

(Environment and Waste Management Overview and Scrutiny)

(Steve Hartley - 01274 434748)

7. SPORTS FACILITIES REVIEW

Resolved -

- (1) That the work undertaken on behalf of the Council be noted.**
- (2) That the Council commences a phased programme of investment in sports facilities as outlined at 6.3 to Document “AS” with Phase 1 being delivery of a new City Centre sports facility and construction of a new Community Swimming Pool in South Bradford (Allowing the subsequent disposal of the Richard Dunn Sports Centre and Bowling Pool sites).**
- (3) That the capital and revenue budget consequences of proceeding with the scheme are reflected in the recommendations to Budget Council for future financial years.**
- (4) That the Council forward funds from the Capital Investment Plan completion of Phase 1 of the programme prior to the closure and disposal of Richard Dunn Sports Centre and Bowling Pool sites.**

- (5) A full and robust study be undertaken by officers in order to determine the best future management option (as outlined at 3.13 to Document “AS”) for its sports and leisure facilities.

ACTION: *Strategic Director Environment and Sport*

(Regeneration and Economy Overview and Scrutiny) (John Coulton - 01274 438795)

<p style="text-align: center;">ADULT SERVICES & HEALTH PORTFOLIO <i>(Councillor Amir Hussain)</i></p>
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8. TACKLING HEALTH INEQUALITIES

Resolved -

- (1) The Executive emphasises the key strategic role the Council has in providing system leadership to reduce health inequalities across the district.
- (2) The Executive requires all council departments systematically to consider the potential impact of their work on health inequalities. For example, requiring the question to be asked of all new plans and policies: ‘How might this policy/plan/decision affect health inequalities within the district?’
- (3) The Executive supports the prioritisation of the six areas highlighted in this report and requests that coordinated action is taken in order to see improved outcomes in the next two years.

ACTION: *Director of Public Health*

(Health and Social Care Overview and Scrutiny) (Sarah Possingham 01274 431319)

9. RECOMMENDATIONS TO THE EXECUTIVE

***The receipt of the following recommendations to the Executive was noted:*

- (i) PETITION FROM COUNCIL – 9 DECEMBER 2014

Save Queensbury Pool

Resolved –

That the petition be referred to the Executive.

ACTION: *Assistant City Solicitor (referral to Committees)*

Note: In receiving the above recommendation the Leader requested that the recommendation be considered as part of the Sports Facilities Review agenda item (see item 7 above).

(ii) GOVERNANCE AND AUDIT COMMITTEE ON 12 DECEMBER 2014

RISK MANAGEMENT UPDATE AT 30 NOVEMBER 2014

Resolved-

- (1) That the continuing work being undertaken throughout the organisation to ensure that risk management is being applied in accordance with the Council's Risk Management Strategy be noted.
- (2) That the presentation on risk management be delivered to Executive.
- (3) That the Chair of this Committee, Executive and Corporate Overview and Scrutiny Committee engage in dialogue on the reporting mechanisms relating to risk management.

ACTION: Director of Finance

Note: In receiving the above recommendation the Leader requested that Members of the Executive receive a briefing on the matter outside of the formal Executive process.

ACTION: Director of Finance

(iii) HEALTH AND SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE – 7 AND 9 JANUARY 2015

DOMICILIARY CARE (DRAFT RESOLUTIONS)

Resolved -

- (1) That Executive be requested to consider:
 - (i) That the Council undertake a fully comprehensive exercise to establish the actual costs of domiciliary care in the Bradford District in collaboration with the independent private sector and the National Health Service (NHS).
 - (ii) That the Committee strongly believes that the Council should work towards, through its commissioning process, the reduction in the use of 15 minute care visits and zero hour employment contracts.
 - (iii) That consideration be given to the Council engaging with NHS partners to establish joint principles for the commissioning of services in the District.
 - (iv) That steps be undertaken to progress the adoption of North Yorkshire County Council's guidance on 15 minute care episodes for staff.
 - (v) That the transition from Bradford Enablement Support Team (BEST) to domiciliary care providers be reviewed to ensure that there is agreement in relation to the number of hours of care required.

- (vi) That consideration be given to the adoption of the recommendation of the Burstow Commission that any decision to pay below the UK Homecare Association calculated minimum cost for domiciliary care be signed off by the Bradford and Airedale Health and Wellbeing Board.
 - (vii) That the Council ensures that its commissioning practices and its dominant position in the domiciliary care market does not increase the risks to the human rights of older people and those with learning disabilities.
- (2) That an update report against all the recommendations be submitted in 6 months time.

Note: In receiving the above recommendation the Leader requested that a report be presented to a future meeting of the Executive.

ACTION: *Strategic Director, Adult and Community Services/ Overview and Scrutiny Lead*

FROM: Dermot Pearson
Assistant City Solicitor
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Yusuf Patel – 01274 434579