

## Department of Legal and Democratic Services

Members of Council

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Your Ref: AT/Council

Date: 14 March 2016

Dear Councillor

### MEETING OF COUNCIL – TUESDAY, 22 MARCH 2016

You are requested to attend the meeting of the Council to be held in the Council Chamber - City Hall, Bradford, City Hall, Bradford, on Tuesday, 22 March 2016 at 4.00 pm

The agenda for the meeting is set out overleaf.

Yours sincerely

Assistant City Solicitor

#### **Notes:**

- ◆ This agenda can be made available in Braille, large print or tape format.
- ◆ The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present at the meeting should be aware that they may be filmed or sound recorded.



The Council's Fire Bell and Evacuation Procedure requires people to leave the building in an orderly fashion by the nearest exit, should the fire alarm sound. No one will be allowed to stay or return until the building has been checked.

**Members are reminded that under the Members' Code of Conduct, they must register within 28 days any changes to their financial and other interests and notify the Monitoring Officer of any gift or hospitality received.**

## AGENDA

### A. PROCEDURAL ITEMS

#### 1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*Notes:*

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

#### 2. APOLOGIES FOR ABSENCE



**3. WRITTEN ANNOUNCEMENTS FROM THE LORD MAYOR  
(Standing Order 4)**

*(To be circulated before the meeting).*

**4. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Adrian Tumber - 01274 432435)

**B. BUSINESS ITEMS**

**5. PETITIONS (Standing Order 11)**

To consider up to five requests for the Council to receive petitions in accordance with Standing Orders.

**Ward**

- (i) Stop the suffering of horses and dogs at Esholt gypsy site  
**Baildon**

If any further requests are received, in writing, by mid-day three working days before the meeting (Thursday), details will be circulated.

(Palbinder Sandhu – 01274 432269)

**6. PUBLIC QUESTION TIME (Standing Order 13)**

The following questions have been received from members of the public:

1. The following question has been received from Simon Hiles:

“There have been hundreds of complaints reported to the appropriate council departments regarding the illegal breeding and trading of dogs



and horses on the Esholt site. This has been confirmed by witnesses, and the RSPCA, who have offered their evidence to the council offices.

The question is, in the light of the overwhelming evidence why has there still been no action taken against this tenant for a) keeping many more animals on the site than is allowed under council regulations, and b) the breeding and trading of animals for profit, on the site, in breach of council regulations?"

2. The following question has been received from Mark Swindells:

"Considering the cuts that the Council has had to make and the need for the Council to continue capital investment in "assets and infrastructure" in the district which will deliver benefit and returns for the council tax payer. Can the councillor please justify the expenditure of council funds on the former Ferniehurst School housing development when the Council is foregoing in excess of £800,000 in revenue from sale of the land and possible section 106 payments. Furthermore by the council's own admission this project will not get to the point that it has broken even within 20 (twenty) years. Especially when there are in excess of 4000 empty homes in the district. In anyone's book this is does not indicate that the priorities or the finances of the Council are being managed at all well, especially as this is not a large infrastructure project such as a much needed new road or school where this kind of long term outlook would be generally accepted when weighed against the benefits to the community as a whole?"

(Palbinder Sandhu – 01274 432269)

## **7. MEMBERSHIP OF COMMITTEES AND JOINT COMMITTEES (Standing Order 4)**

**Recommended -**

**That the appointment of Mr Gull Hussain, to the Children's Services Overview and Scrutiny Committee as a Parent Governor Representative be confirmed.**

To consider any further motions (i) to appoint members to a Committee or a Joint Committee; or (ii) to appoint Chairs or Deputy Chairs of Committees (excluding Area Committees).

## **8. REPORT BY THE LEADER OF COUNCIL**

A written report by the Leader of Council giving an update on key issues will be circulated before the start of the meeting. There shall be a period of up to 15 minutes during which any Member of Council may ask the Leader of the Council (or a Member of the Council nominated by the



Leader) a question on any matter arising out of the written report.

## **9. MEMBER QUESTION TIME (Standing Order 12)**

To deal with supplementary questions arising from the attached questions of which written notice has been given.

*Notes:*

- (i) Answers to written questions shall be circulated at the commencement of the meeting.*
- (ii) The Lord Mayor will have regard to the list of questions and the political composition of the Council in calling on Members to put their supplementary question to the Leader of Council and Portfolio Holders.*
- (iii) A period of up to 30 minutes shall be available for supplementary questions to Members of the Executive.*

## **QUESTIONS TO MEMBERS OF THE EXECUTIVE**

### **1. Councillor Farley**

Can the Leader comment on the work of Keighley United in bringing the people of Keighley together to condemn and tackle child sexual exploitation (CSE) and can he also update us on the efforts of the Council, working with others, to prevent and detect CSE, support victims and bring offenders to justice?

### **2. Councillor Whiteley**

Would the Portfolio Holder for Health and Social Care, confirm what arrangements are being made to maintain adequate provision of quality Day Care, Nursing Care and Residential Care, when the National Living Wage come into effect in April?

### **3. Councillor J Sunderland**

To ask the Portfolio Holder for Environment, Sport and Sustainability

For each of the proposed new swimming pools in the District please can you give the timetable for development included the anticipated date of opening?

### **4. Councillor Shaheen**

What are the potential implications for Bradford District of the Government's proposed funding formula for schools?

### **5. Councillor Khadim Hussain**



Can the Leader confirm that he will build on the successful economic summit held in Keighley and will continue to address the issue of the town's strategic transport links and connectivity?

**6. Councillor Pennington**

Would the Leader of the Council outline the criteria used in the granting of City Centre Growth Grants generally and can he confirm the return, in the terms of job creation and economic regeneration that the council should expect from the £200,000 spent on new signposts?

**7. Councillor Swallow**

Would the Portfolio Holder agree that Operation Steerside conducted by West Yorkshire Police has been a successful start to dealing with appalling driver behaviour and ensure that she puts all necessary pressure on West Yorkshire Police to continue this operation and embed it in business as usual, so that law abiding road users can start to see and feel the benefits of improved safety on our Districts roads? Furthermore, could she insist on a similar operation around our schools where children, parents and carers have to continually dice with danger just to access school?

**8. Councillor Farley**

What representations has the Council made to Airedale and Wharfedale Clinical Commissioning Group (CCG) in the light of their decision to cut contribution to social care funding, what is the outcome of those representations and what are the implications for vulnerable people in Keighley and across Airedale and Wharfedale?

**9. Councillor Rickard**

Given the intent to build 40000 homes across the District, can the Portfolio Holder for Housing, Planning & Transport, provide an update on how the council will do its bit, to close the local construction industry skills gap?

**10. Councillor Swallow**

The recruitment and retention of good and outstanding teachers is a national issue that has been identified by Sir Michael Wilshaw as one of the most significant challenges in improving educational standards. Could the Portfolio Holder give an update on the Council's plan to work with the District's schools to ensure that they are able to recruit, retain and develop high quality teachers?"

**11. Councillor Stelling**

To ask the Portfolio Holder for Environment, Sport and Sustainability



Can the portfolio-holder advise what plans are in place to protect residents whose bins are stored near the public highway from being regularly contaminated by people seeking to dispose of additional or unsuitable waste? I have been contacted by several residents who would like to know what is the process if their bins are contaminated by others. Has an allowance been made for residents who are on assisted collection and would not be able to empty their bins should collection be refused?

**12. Councillor Bacon**

How will the development of a new public sector hub at the former Keighley College site benefit the people of Keighley?

**13. Councillor Walls**

Could the Portfolio Holder for Housing, Planning & Transport confirm the cost of installing Double Yellow Lines on Beacon Hill Road, and clarify why this was done, as there are already Double White Lines in the road, which make it unlawful to park there 24 hours a day, punishable by automatic endorsement and fine?

**14. Councillor Shaheen**

The system for online school admission applications is not always working effectively – is there a timescale for its review?

**15. Councillor Swallow**

Could the Portfolio Holder please assist to ensure that the safety of users of Pasture Lane in Clayton is not affected by delays in dealing with the damaged section of wall and indicate when the necessary repairs will be carried out?

**16. Councillor Martin Smith**

Bearing in mind the consultation regarding an airport link road, would the Leader of the Council confirm that the Council's representatives on West Yorkshire Combined Authority, will make a strong case for improved heavy or light rail connectivity to the airport, for Bradford as well as Leeds?

**17. Councillor Farley**

Can the Portfolio Holder update us on the steps that the Council is taking to help people and businesses that were adversely affected by the December floods?

**18. Councillor Warburton**

What criteria is the Government using to determine whether or not a



school is coasting given the provisions of the Education and Adoptions Bill and does the Portfolio Holder believe that there is sufficient capacity to deliver the Government's ongoing insistence on the academisation of schools that are not good or outstanding?

19. **Councillor Reid**

To ask the Portfolio Holder for Education, Skills and Culture

Following the decision of the Children's Society to cease delivering children's centre services in Ravenscliffe and Bradford Moor, when did the Council advertise for a new provider and has there been sufficient interest shown to ensure that the centres continue to provide quality family support and advice in these areas?

20. **Councillor Mallinson**

Would the Leader of the Council provide an update regarding progression of the sale of Wesley Place and the Old Library at Silsden?

21. **Councillor Khadim Hussain**

Can the leader comment on the recent meeting between Council representatives and Sir Michael Wilshaw?

22. **Councillor Swallow**

On behalf of the residents of Fairweather Green, could I please thank the portfolio holder for her assistance in helping me to finally get the derelict properties at Four Lane Ends on Thornton Road, demolished?

23. **Councillor Davies**

Can the Portfolio Holder for Children's Services confirm that all schools providing Halal meat also provide a non-Halal meat alternative?

24. **Councillor Rickard**

Can the total costs to the public for the installation and later removal of the so called Silsden "Flood Barrier" be clarified?

25. **Councillor R Sunderland**

To ask the Portfolio Holder for Environment, Sport and Sustainability

The new bin policy seeks to increase and encourage household recycling. Can the Portfolio Holder advise if there will be a similar push





to increase and encourage recycling within the Council's trade waste customers?

**26. Councillor Mallinson**

Would the Leader of the Council provide an update regarding progression in the provision of a site for the new school in Silsden?

**27. Councillor Whiteley**

Would the Portfolio Holder for Health and Social Care inform members of how the Council intends to allocate the money raised by the 2% Social Care levy?

**28. Councillor J Sunderland**

To ask the Portfolio Holder for Education, Skills and Culture

How many reports of potential unregistered schools have been made in District in each of the last five years, how many were found to be unregistered schools and what action was taken as a result?

**29. Councillor Martin Smith**

Would the Portfolio Holder for Housing, Planning & Transport confirm when the Brownfield land register will be available, as some five or six months have passed since we enquired?

**30. Councillor Davies**

Could the Portfolio Holder for Environment, Sport and Sustainability advise colleagues of the current charges for hiring Ian Clough Hall and how do these compare with 5 years ago?

**31. Councillor Reid**

To ask the Portfolio Holder for Housing, Planning and Transport

While the West Yorkshire Combined Authority is employing consultants to look at new ways of developing a "metro-style" integrated transport system, has the proposal for a Quality Bus Contract, which all parties signed up to, now disappeared?

**32. Councillor Pennington**

Can the Portfolio Holder for Housing, Planning & Transport, provide details of any Planning Applications submitted for the Drummonds Mill site, along with the number and dates of any pre-application discussions with Planning Officers, which have taken place during the



last eight years?

**33. Councillor Martin Smith**

Could the Deputy Leader of the Council, confirm when, where and how elected members will have access to suitable information on West Yorkshire Combined Authority programmes and activities?

**34. Councillor Fear**

To ask the Portfolio Holder for Housing, Planning and Transport

I understand that following legal advice, the decision was made to serve notice on the land owner at Thackley Corner following an assessment by the highways structure unit which would provide an estimate of cost. What progress has been made in obtaining this assessment and is this the only barrier to notice being issued?

**35. Councillor Whiteley**

Would the Portfolio Holder for Health and Social Care advise colleagues of the planned date for completion of the installation of a District Wide Electronic Call Monitoring System?

**36. Councillor Pollard**

Could the Portfolio Holder for Housing, Planning and Transport please provide detailed justification for the Council to forego monies from a planned housing development in Baildon, totalling in excess of £800,000, in order to secure just 6 additional 'affordable' units over and above the desired 20% 'quota' and explain how the 'viability' criteria in the NPPF are being met in respect of this scheme?

**37. Councillor Pennington**

Would the Portfolio Holder for Environment, Sport and Sustainability confirm the number of unallocated Burial Plots at Bingley Cemetery?

**38. Councillor Martin Smith**

Can the Portfolio Holder for Housing, Planning & Transport inform members of when we can expect the council to update its Housing Policy and will this be conducted in house, or developed by external advisors?

**39. Councillor Davies**

Could the Leader of the Council confirm how much is owed in unpaid Council Tax, on an average day?



10. **RECOMMENDATIONS FROM THE EXECUTIVE AND COMMITTEES** 1 - 10  
(Standing Order 15)

10. **RECOMMENDATIONS FROM THE EXECUTIVE AND COMMITTEES**  
(Standing Order 15)

10A **CROSS AUTHORITY DELEGATION OF TAXI AND PRIVATE  
HIRE ENFORCEMENT POWERS**

At the meeting of the Regulatory and Appeals Committee on 10 March 2016 the report of the Strategic Director, Environment and Sport (**Regulatory and Appeals Committee Document “AV”**) proposed that the Committee make a recommendation to full Council to delegate the power to take enforcement action in respect of taxi and private hire functions to officers within the other West Yorkshire local authorities and the City of York Council, whilst retaining those functions within the City of Bradford Metropolitan District Council, and accepting similar delegated enforcement powers from those authorities.

The report explained that the aim was to have a uniformed approach to licensing to deliver a consistent level of compliance and enforcement regardless of which authority had licensed a vehicle or driver.

The Regulatory and Appeals Committee,

**Resolved –**

**(1) That it be recommended to Council that:**

- (a) The taxi and private hire enforcement powers set out in Appendix A to Document “AV” be delegated by the City of Bradford Metropolitan District Council to the following local authorities, namely, Leeds City Council, Wakefield Metropolitan District Council, Calderdale Metropolitan Borough Council, Kirklees Metropolitan Borough Council and City of York Council, in addition to these functions being retained by the City of Bradford Metropolitan District Council.**
- (b) Similar delegated enforcement powers be accepted from Leeds City Council, Wakefield Metropolitan District Council, Calderdale Metropolitan Borough Council, Kirklees Metropolitan Borough Council and the City of York Council.**
- (c) The Strategic Director, Environment and Sport be instructed to take the necessary action to implement recommendations (1)(a) and (b) above.**

- (2) That the Strategic Director, Environment and Sport submit a further report to the Regulatory and Appeals Committee on the effectiveness of the new arrangements in due course.**

(Carol Stos - 01274  
437506)

11. **NOTICES OF MOTION (Standing Order 17)**



To consider the attached motions of which notice has been given.

## **1. HOME EDUCATED CHILDREN**

To be moved by Councillor J Sunderland  
Seconded by Councillor Griffiths

This Council notes the comments of the Ofsted Chief Inspector about the "serious and growing threat to the safety and well-being of hundreds of children in several English Regions"

This Council takes seriously its responsibility to protect children from harm regardless of education setting.

This Council requests a review of the education of children who are not registered pupils at a school. The review should include but not be restricted to;

1. The local arrangements for establishing the identities of children who are not registered pupils at a school.
2. The arrangements the Council has to identify and prevent children at risk of becoming a child missing education.
3. How the Council discharges its duties with regard to Home Education.
4. An analysis of why the parents or carers of approximately 500 children choose elective home education in the District and where possible to ask the views of the children and young people themselves.
5. The analysis should include questions of attendance or otherwise with other children at places which could potentially be identified as unregistered schools.

The information should be presented to a meeting of the Children's Services Overview and Scrutiny Committee within the next six months for them to review concerns especially with regard to safeguarding and make recommendations for improvement.

## **2. ROYAL PHOTOGRAPHY SOCIETY COLLECTION**

To be moved by Councillor Cooke  
Seconded by Councillor Pennington

Council notes the decision of the Science Museum Group to remove



the Royal Photography Society collection from Bradford

Council believes this decision along with the withdrawal of the National Media Museum from Bradford's three film festivals causes significant damage to the cultural life of the City

Council asks the Chief Executive to:

1. Write to the Arts Minister raising our concern about the London-centric bias in arts and cultural funding in England in the context of this decision
2. Write to the District's MPs asking for their support in challenging the decision of the Science Museum Group
3. Raise the issue directly with the Science Museum Group and the V&A arguing that a new centre focused on art in photography should complement the STEM aspects of the medium and that this is best achieved by that new centre being based in Bradford

### **3. TOURISM**

To be moved by Councillor Miller

Seconded by Councillor Rickard

Council notes the importance of tourism to the District's economy and the proposed review of support for the visitor economy in the recent budget.

Council believes that:

1. Tourism and the visitor economy are central to the District's future economic growth.
2. Support infrastructure is essential to that visitor economy especially in key tourist locations such as Haworth, Saltaire, Ilkley & Craven.
3. The exclusive focus of the District's events budgets on the City Centre undermines these key tourist hubs.

Council resolves:

1. To ask the Chief Executive to extend the review of tourism so as to encompass the role of the visitor economy in the District's future



2. To allocate a significant proportion of the events budget to support key tourism hubs at Haworth, Saltaire, Ilkley & Craven.

#### **4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING**

To be moved by Councillor Ellis  
Seconded by Councillor B M Smith

The Council notes:

- The implications for Hackney Carriage & Private Hire enforcement, of the Deregulation Act 2015, as detailed in the report of the Strategic Director, Environment & Sport, presented to the meeting of the Regulatory & Appeals Committee, held on the 10 March 2016.
- The mutual benefits of the reciprocal agreement with the other West Yorkshire Authorities and York, to establish some common licensing standards / conditions and cross delegate enforcement functions.

The Council resolves:

- To request the Chief Executive to consult with the Transport Minister and appropriate Senior Civil Servants from the Department of Transport, along with colleagues from the Local Government Association, the West Yorkshire Combined Authority and other appropriate partners, in order to find agreement regarding the best means to progress the formulation and implementation of uniform, cross boundary minimum safety standards, to minimise risks such as Child Sexual Exploitation, Human Trafficking, illegal operators and all other risks associated with the possibility of operators selecting the authorities with the least challenging standards by which to be licensed.

#### **5. MENTAL HEALTH IN THE WORKPLACE**

To be moved by Councillor Berry  
Seconded by Councillor Green

This Council welcomes the growing recognition of the needs of people requiring the support of mental health services and of the fact that support for mental health has a positive impact on education, health, crime and employment.



We recognise the transformational progress made since Bradford signed up to the mental health challenge and the major role that Council services have played in achieving that change which includes:

- The elimination of Delayed Discharge
- Achieving a 12 month period with no Out of area Placements
- An effective 24 hour Crisis support

The Council recognises the potential costs to employers and the wider economy of poor mental health and the important role that employers can play in identifying and addressing mental health issues at an early stage. We believe that addressing mental health in the workplace should be a key priority for employers including all statutory agencies and voluntary sector partners in the District led by the Health and Well Being Board.

The Council resolves to work with partners to develop a new deal for mental health which will include:

- A stronger focus on support for employers and employees to enable prevention and early intervention and support in workplaces across the District.
- The sharing of good practice between organisations, recognising that too many people end up leaving employment for the lack of timely and effective support.

**12. Proposal to Implement the Video Broadcasting on the Internet (Webcasting) of Key Council Meetings** 11 - 14

The report of the Assistant Director, Information Services (**Document “U”**) recommends the implementation of technology in the Council Chamber and in Committee Room 1 to allow key Council meetings to be broadcast over the internet. There are many benefits to the webcasting of Council meetings but the overall aim is to improve public engagement in the Council’s democratic process.

**Recommended -**

**That a webcasting solution be implemented and a review of the process be undertaken following 12 months of operation.**

(David Cawthray – 01274

432800)

**13. PAY POLICY STATEMENT 2016/17** 15 - 30

The report of the Director of Human Resources (**Document “V”**) presents, for approval, the Pay Policy Statement. It is a requirement of the Localism Act 2011 for Local Authorities to produce and publish a Pay Policy Statement for each financial year.



**Recommended -**

**That the Pay Policy Statement for the financial year 2016/17, as set out in Appendix 1 to Document “V”, be approved.**

(Michelle Moverley – 01274

437883)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER





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### PUBLIC QUESTION TIME

1. The following question has been received from Simon Hiles:

“There have been hundreds of complaints reported to the appropriate council departments regarding the illegal breeding and trading of dogs and horses on the Esholt site. This has been confirmed by witnesses, and the RSPCA, who have offered their evidence to the council offices.

The question is, in the light of the overwhelming evidence why has there still been no action taken against this tenant for a) keeping many more animals on the site than is allowed under council regulations, and b) the breeding and trading of animals for profit, on the site, in breach of council regulations?”

#### Response

The RSPCA are the agency that assess welfare concerns, instigating prosecutions if they identify conditions that contravene the 2006 Animal Welfare Act. The RSPCA have made numerous visits to the site in the past 12 months, sometimes accompanied by an independent vet, and on other occasions, by an independent horse welfare charity. Whilst the standards of welfare may fall short of those expected by the individuals whom are complaining about them, they do not contravene the law.

In relation to the allegations of illegal dog breeding, it is the Environmental Health Service that are the responsible enforcement agency. Frequent and periodic site visits have been undertaken and numbers/types/descriptions of dogs recorded. There has been one occasion when a litter was observed, but this does not constitute a transgression of the law. The offence is to breed and sell dogs, or alternatively rear at least 5 litters in any 12 month period.

There is currently insufficient evidence for the Environmental Health Service to conclude that there is a contravention of the breeding legislation. However, the investigation is ongoing and further witnesses who believe that they hold critical evidence are about to be interviewed. If, at any point, the Service has sufficient evidence to support a realistic prospect of conviction, then legal proceedings would follow.

The question also raises the issue of the numbers of animals on the site exceeding Council regulations. Some long standing residents are subject to arrangements that specify maximum numbers of dogs and horses that can be kept on an individual pitches. Other residents have tenancy conditions that do not specify numbers, but require an individual agreement with the Environmental Health Service, in their capacity as landlord of the site. Those tenancy arrangements are subject to programmed monitoring and management of the site. On occasions the numbers of dogs may exceed the

tenancy provisions, and residents' behaviour is tackled when this occurs. However, any suggestion that eviction proceedings should be instigated on such occasions is not supported by the Council's legal advisors, who advise that this is a relatively minor breach, and one which the courts would be unlikely to view as sufficient to deprive any individual of their tenancy.

Our primary responsibility is to ensure that there is no illegal breeding at the site and, when necessary, to support our colleagues in the RSPCA to fulfil their responsibilities in assessing welfare concerns. Both the Council, and the RSPCA, take their responsibilities very seriously, but they are only able to act when there is irrefutable evidence of legislative contraventions.

2. The following question has been received from Mark Swindells:

"Considering the cuts that the Council has had to make and the need for the Council to continue capital investment in "assets and infrastructure" in the district which will deliver benefit and returns for the council tax payer. Can the councillor please justify the expenditure of council funds on the former Ferniehurst School housing development when the Council is foregoing in excess of £800,000 in revenue from sale of the land and possible section 106 payments. Furthermore by the council's own admission this project will not get to the point that it has broken even within 20 (twenty) years. Especially when there are in excess of 4000 empty homes in the district. In anyone's book this does not indicate that the priorities or the finances of the Council are being managed at all well, especially as this is not a large infrastructure project such as a much needed new road or school where this kind of long term outlook would be generally accepted when weighed against the benefits to the community as a whole?"

## **Response**

The Council's Core Strategy has identified that an additional 42,100 additional homes are required in the District by 2030, 20-25% of which need to be affordable.

This scheme is one of 7 housing schemes that together form the Council's affordable housing programme 2015/18. This programme will create 139 affordable homes for rent along with 74 homes for sale. The homes for rent will supplement the Council's own stock of 176 homes that have been developed since 2010.

The Council has not foregone the monies from the sale of the site as it will retain ownership of the affordable homes and will use the rental income from these, along with the capital receipts from the sold homes to fund the programme.

The programme has attracted £3.475m of grant from the Homes and Communities Agency (HCA) into the district. The Council will also benefit

from New Homes Bonus of approximately £1.4m and additional council tax revenues from the 213 additional homes.

Recent changes to the funding regime for affordable housing mean that the Homes and Communities Agency will no longer fund affordable housing for rent beyond this programme. This is therefore the last opportunity for the Council to access government funding to support its much needed affordable housing programme for the foreseeable future.

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### **Leader's Report Council 22 March 2016**

#### **Devolution**

It was disappointing but not a surprise that the Chancellor did not announce even an in principle devolution agreement for our Area. The indications we have been receiving over the last few weeks clearly indicate that whilst there is a deal to be done in line with the asks that have been submitted there appears to be on-going political difficulties for the Government in resolving some of their internal difficulties with regards to the geography.

I am confident that with good faith on both sides we can still come to an agreement within the next couple of months and should that be the case then members have my assurance that any proposals will come to Council for ratification and also be consulted upon with the wider district community.

I need to make clear my view that any devolution deal for our region is unlikely to be the finished article and that we have seen in other areas that previous agreements have merely been the first stage in securing greater devolution in subsequent years. I think that it is likely that any deal we do will merely be a starter for 10 and that we will need to continue to press for greater control over our infrastructure and economy to ensure that we can best use our local knowledge to secure ongoing improvements in our economic output, skills levels, and transport system for the benefit of the people that we represent, rather than having to await national government approval or relying on national competitions.

#### **Budget Implications**

I am sure that many Members will have scoured the budget for any good news for local government and like me failed to find any. The announcement of further significant public spending cuts towards the end of the parliamentary session is of real concern to all in local government as history shows that local authorities are one of the first places that this government comes to when it is seeking cuts. Given the parlous financial state that Bradford and other districts find themselves in any further cuts could be disastrous for local services.

Members may also have seen the announcement that the government intends to take small and medium size businesses out of the business rates regime. Whilst on the surface this is to be welcomed as it gives the opportunity for more business start ups in the district, we are still awaiting clarification as to whether local authorities will be compensated for the loss of income or whether this will simply be a further reduction in our spending power. The government announcement previously that councils will retain 100% of the business rate from their area is already likely to have a detrimental economic effect on Bradford Council and we will seek assurances about this latest announcement and report back to the Council as soon as we have clarity.

In policy terms the announcement of forced academisation of all schools is simple political dogma not based on any educational evidence and takes away the local choice for parents, governors and headteachers. This policy is also likely to have financial implications for the Council given that the rules currently make the Council responsible for many of the liabilities at the time of transfer.

### **Ofsted meeting**

As many members will have read in the media a senior delegation from Ofsted came and met with Council officers and members of the Executive a few weeks ago. The meeting was one in which there was an honest and robust exchange of views but I feel created more heat than light. Whilst Ofsted raised some legitimate concerns it is my view that they made some general statements but provided no evidence to support these in terms of the situation in Bradford. They seemed to be extrapolating from the position they found in other parts of the country rather than providing us with any direct evidence of their concerns in the Bradford district.

I would stress to Ofsted, and to any elected member or member of the public in the Bradford district, that if they have any suspicion or evidence that there are any unregulated educational establishments in the Bradford district, or they have any concern about the welfare of an individual child then this should be reported as a matter of urgency so that it can be investigated and the Council can take the appropriate action.

It is only by working together in the best interest of young people throughout the district that we can ensure the safety of all our children and it is beholden on all agencies and individuals to make any information available without delay to the appropriate authorities. I would stress that all and any concerns and allegations will be investigated without fear or favour and should any wrong doing be uncovered we will take the necessary action both to resolve the immediate situation but also to learn from the circumstances so that we can improve our intelligence network and procedures.

### **HS3**

The recent announcement by the government about the proposed route of the HS3 should be a grave concern to everyone in the Bradford district given that it fails to provide a stop in Bradford. It seems to me to be ludicrous that one of the biggest district economies in the North of England should not be on the HS3 route given the justification for the investment in HS3 is to link the major economies across the North of England.

I am aware that there is cross party support for Bradford to be included on the HS3 route and I am sure that all politicians in this chamber will use all their contacts and every opportunity to raise the case for Bradford to ensure that we are not by-passed by this major investment that will not only be of benefit to our districts business and residents but also will help with the development of the government stated aim to create a Northern Powerhouse by linking our economy with others in the North of England.

We will continue to lobby decision makers and work with local MPs to ensure that our case is put and the route reconsidered.

### **The Odeon**

Members will have heard and read the recent press coverage of the future of the Odeon development. All I can say is they must have been a very slow news week because nothing new was said by myself, the developer or anyone else weeks earlier and in many cases to the same media outlets.

To reiterate the Council's position and to reassure members of Council and members of the public with an interest in this project, the Council continues to support and work closely with Bradford Live to ensure that their development progresses as soon as possible.

However, we have always recognised that this cannot be an open ended commitment and there will come a time when if funding is not secured or there are other issues that make it look like the development will not progress then we and the developers will have to review the situation. Some time ago I indicated that I thought that the end of 2016 would be a reasonable time to review the situation with regards to the Bradford Live development and this was recognised by the developer. There have been no new or additional announcements since that position was adopted and I am sure we are all hopeful that Bradford Live will be able to progress the development.

### **The National Media Museum**

There has been justifiable concern raised about the plans to transfer some of the National Media Museum photographic archive to the Victoria and Albert Museum in London and we will be debating this in a motion later on in the meeting.

At the same time that the issue of the archives was raised it became conflated with a number of other changes that are being delivered at the National Museum and many of these were not new announcements but merely the culmination of plans that were announced at the time that the people of Bradford successfully protected the Museum from closure.

The refocusing of the Museum's core offer towards a greater emphasis on the STEM agenda was part of the package that was announced at the time of the decision to keep the Museum open as was the plan to consider whether or not to change the name of the Museum.

As part of the significant investment that the Science Museum Group are making in the National Media Museum the Council as it agreed some time ago will be supporting this investment to bring new galleries into the Museum as well as working with them to bring new exhibits from London to Bradford.

## **QUESTIONS TO THE LEADER ON THE REPORT OF THE LEADER OF COUNCIL**

### **Councillor Cooke**

It is one of those occasions when there are a lot of questions I was going to ask but I am not going to ask that many. If I can make one not a question really a statement which is to say as far as our Group is concerned we will absolutely support any activity or actions in order to try and make a case for a HS3 station in the Bradford district and obviously we will work on trying to make this. Which brings us to the common links one which is thank you for the update on devolution. As you know we have had an engagement in terms of the Conservative Group Leaders from across West Yorkshire meeting with some but not all of the Labour Leaders. Do you want to give us in the context of what you said a little bit of an update on where we are with the responses on that and I appreciate that nothing is going to happen until after 23 June but it would be good to just have an update on that?

### **Leader - Councillor Green**

Why what is happening on 23 June? The ongoing debate regarding devolution is that there have been meetings between the Leaders of five West Yorkshire Councils and the Leader of the five main Opposition Groups on the West Yorkshire Councils and I believe that we are close to agreeing if you like a draft letter sent across those two groups of people to the Chancellor. The discussions that we had the other week that I could not attend but I know that Councillor Cooke was there was looking at some of the issues around Governance and around the involvement of Elected Members from across whatever the final geography of devolved authority is in terms of some sort of regional assembly. We have always said that we believe that there needs to be a multi party cabinet so that there is representation across the piece and in West Yorkshire Combined Authority as it stands at the moment that is the case. I think those general principles are likely to be agreed this week. I think the devil will always be in the detail and we will continue those negotiations but the fundamental issue is that you ain't going to have a Northern Powerhouse that does not include Bradford and Leeds. You are not going to have a Northern Powerhouse that does not include West Yorkshire and Leeds City Region. So somebody down in Westminster and Whitehall has either got to put up or shut up and stop playing games.

### **Councillor Jeanette Sunderland**

I am aware there is a debate later but there seems to be a little bit of confusion between your response Councillor Green around the Media Museum and the Labour Motion. Can you just unpack a little bit more about the STEM and the decisions and the consultation that the Council went through to get to STEM because I think that is the most important change for the Museum that the City must welcome. (at this point the Leader sought further clarification on the question) It is just about the consultation that went through about the STEM subject science and there certainly is the big pressure that I felt that we were all behind that movement in the Museum and I just felt that there is a little bit of a dissonance perhaps between the answer that you have given and the Labour Motion. So I am seeking your commitment to STEM.



**Leader – Councillor Green**

I do not think there is any dissonance between our Motion and that. I think the two are on slightly different subjects given the fact that it is an amendment to a Motion. The commitment to our support for the direction of travel putting aside the issue of the archives that the Science Museum Group and the National Media Museum has overtaken has been there since this Council and the people of this district prevented closure of the Museum. At that time it was stated that they were going to move towards a greater STEM agenda linked to Media etc, our position is that we continue to work with them to deliver that.

**Councillor Pennington**

More a comment rather than a question. I just wanted to go through one or two items, like my Leader here I have got one or two concerns. There is one here about we mention on devolution internal difficulties. I do not know just where the internal difficulties are, whether they are north or south? I suspect they are more north. Just to move on to something as I consider to be very serious and that is the change in the arrangements for business rates. You say here that we will have a report back to Council as soon as possible. Can we have it as soon as possible because I get an awful feeling about this. It is alright having these smaller businesses having free rates and expecting bigger businesses to cover the difference. Bigger businesses cannot afford to cover the difference. Also I just want to make a comment on the Odeon. Thank you for this commitment here. Just to fill you in on this. I am spending a full day on Thursday in the building with Lee Craven and Bradford Life to see if we can come up with any solutions.

**Leader – Councillor Green**

I think you will find that the internal problems rest within your Party down in Westminster Councillor Pennington. Anything you can do to sort them out much appreciated because your leadership apparently cannot. In terms of the business rates this year my concern isn't that they are simply going to transfer business rates to larger companies, my concern is they are going to transfer the loss of business rates to local authorities. That is the real fear. As I say on a principle if you are a small business or a start up business not having to pay business rate is going to be a great benefit to allow you to succeed and to grow. However if you look at the economy of a place like Bradford which has got a huge number of smaller/medium size enterprises it is the lifeline of our business. We do not have the Toyotas etc of this world based here. What we need to do is to understand the effect that has on our business rate base, the income to the Council to provide services to individuals and businesses and if the Government plan is simply that you reduce the business rate take for local authorities given the other changes they have introduced then it is going to be a real challenge, not just for Bradford but for every local authority. What we have got is a Government almost one-liner announcement and again the detail is going to be what will either make or break this as a proposal. As soon as we have got that we will let all Councillors know exactly what is going on and it is the same with the academisation proposals.

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## **COUNCIL 22 March 2016**

### **MEMBER QUESTION TIME**

Questions submitted in accordance with Standing Order 12

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**1. Councillor Farley**

Can the Leader comment on the work of Keighley United in bringing the people of Keighley together to condemn and tackle child sexual exploitation (CSE) and can he also update us on the efforts of the Council, working with others, to prevent and detect CSE, support victims and bring offenders to justice?

**Answer**

United Keighley is a community-led campaign which has been initiated by compassionate residents and community leaders and aims to unite the whole town against grooming and Child Sexual Exploitation (CSE) and to “protect all our children”. See <http://www.unitedkeighley.org/> for more info. The campaign is supported by Keighley Area Co-ordinator's Office and Amria Khatun, Business Transformation Officer.

The campaign demonstrates the strength of feeling in the town across all communities about CSE and the determination of local people to do all they can to prevent, disrupt and detect CSE, support victims, prosecute offenders and keep children safe.

A group of local people and professionals from a wide variety of agencies have been meeting regularly for a number of months to share and plan work aimed at raising awareness about CSE and taking steps to address the issues caused by it in Keighley communities.

The Keighley-wide Week of Action against CSE takes place from 14–18 March and aims to raise awareness around CSE and to promote the services that are available to offer support and help to victims, parents and communities affected by this appalling crime. The final day of the week, Friday 18th March is National Child Sexual Exploitation Awareness Day. On this day there will be events in the centre of Bradford as well as in Keighley. It also aims to demonstrate that all of Keighley's communities are working together to tackle this issue.

Activities taking place during the week include: awareness-raising sessions in school assemblies and community settings, art installations, pledge signings and public awareness-raising in and around the Airedale Shopping Centre, a performance of the production ‘On the Line’ at Keighley College commissioned by Bradford Safeguarding Children's Board, a session for professionals and those working with young people highlighting the issues around the sexual exploitation of boys, special sermons and prayers in mosques and churches. A teal coloured ribbon is being used as the symbol for the week and as well as encouraging people to wear these, the Town Centre will also be decorated with ribbon.

The Barnardo's Turnaround Service is located in the CSE Hub and works with girls and boys to provide inputs and work directly with children, alongside partner services. Barnardo's has also been commissioned to expand its work to support more boys and young men, and to develop a new resource pack for work with families to raise

awareness of CSE. Therapeutic group work, through six week projects based in the local community, aim to empower victims of CSE and build their resilience. The Hand in Hand project provides preventative group work for young people and also train peer mentors.

There are a range of school-based preventative resources that are being used across all phases of education in Bradford. BSCB commissioned the tour of "Somebody's Sister, Somebody's Daughter". This has toured Bradford Secondary Schools and some community settings. In addition a play for primary school children in transition to secondary schools has recently been written and is being trialled in several Bradford Primary Schools.

The Children's Society is delivering a programme of school based work with both staff and students in schools that are identified through professional and community information as likely to benefit from a further targeted CSE intervention. This is currently taking place in five Bradford secondary schools. Following evaluation, consideration will be given to funding further such interventions in other Bradford schools.

A programme of awareness raising, regulatory and enforcement action on risk issues linked to CSE delivered by the Council Licensing Team and West Yorkshire Police has developed and supported by a nationally funded "Night Time Economy Worker " based with Barnardo's. Private hire operators and drivers have received training regarding CSE and other child safeguarding issues. West Yorkshire Police, the Council Licensing Team and the Night Time Economy worker work together to deliver a pro-active operation to disrupt CSE perpetrators and locations across the Bradford District. BSCB has developed an on-line CSE training programme which is suitable for all professionals and leaders. A programme of additional multi-agency training is being developed which is targeted at specific roles.

Work has been underway with the City Solicitor, Licensing, and Environmental Health colleagues to ensure that the full range of regulatory powers are utilised by the Council to ensure that CBMDC is a "hostile environment" for those considering abusing our children in this way. CSE training is being provided for staff in these services.

Focused work is underway to engage with communities and leaders to raise awareness of CSE. Local Safeguarding Children Boards (LSCB) and West Yorkshire Police have developed the "Know the Signs" campaign which provides clear messages about CSE in the form of posters for public spaces, schools and other settings, small information cards for children, parents, professionals and a range of internet-based awareness raising tools. A CSE Awareness Day is taking place on Friday 18th March when all partner agencies will be in Bradford and Keighley city centres to raise awareness of CSE.

Recently there have been high profile convictions and sentences for perpetrators of CSE in Bradford. The recent case concluded in Bradford Crown Court resulted in the sentencing of 12 men to a total of 143 years in prison. The police are managing to increase disruption work through the intelligence that comes through the CSE hub. The police were successful this year in being able to close down a premises that had been highlighted with significant concern. Bradford police were the first in Country to obtain legal order to shut down these premises. A police detective inspector, and six detectives and two police constables are located in the CSE Hub. These colleagues are responsible for criminal investigations of alleged CSE and work to build cases for prosecution.

Bradford Council and West Yorkshire Police have set up a joint historic CSE investigative team. This team manages allegations of historic sexual nature.

## **2. Councillor Whiteley**

Would the Portfolio Holder for Health and Social Care, confirm what arrangements are being made to maintain adequate provision of quality Day Care, Nursing Care and Residential Care, when the National Living Wage come into effect in April?

### **Answer**

The Government has shifted responsibility for meeting the social care funding crisis on to local authorities and local tax payers through its expectation that Councils will put a 2% Social Care precept on Council tax bills with the money raised solely to be used for adult social care.

The Council has agreed to raise the Social Care Precept in setting the level of Council Tax for 2016/17 although this will not provide sufficient funding to meet local pressures.

The debate at Full Council to agree the budget included details of the fact that the level of funding raised by the precept will partially meet the impact of the revised national minimum wage. Council Officers are at present writing to all providers of social care, that is day, domiciliary, residential and nursing care with a revised fee structure for 2016/17 to reflect the additional income raised through the precept.

In addition to the matter of the living wage Council officers are working with providers to address issues of access, quality, recruitment and retention of staff in order that there is sufficient capacity within the district to meet people's assessed eligible needs.

The Council's budget also made substantial provision once again to meet the costs of increasing demand for social care as a result of demographic pressures. Since 2010 the Council has invested over £30m extra to meet demand and other pressures on adult social care.

### **Supplementary Question**

With reference to UNISON's ethical care charter which this Council recently adopted I would like to ask the Portfolio Holder if he is satisfied that we are applying the aims of the charter equally between Council employees and those in the private sector who we have no direct control over and, if he isn't satisfied, what specific measures he intends to use to ensure that these aims are achieved for all care workers?

### **Councillor Berry**

That was two questions. That is good. I have met the UNISON convenor just the day before yesterday on this very issue. You can use your procurement and your frameworks of procurement to promote that sort of ethical approach and that is exactly the point. I think you are somewhat over-estimating the proportion of care that is provided by the Council sector. The vast majority of this is in the private sector. That is the approach we will be taking. Many organisations are saying that they will be able to do that. Many of the people have attended the market shaping events are expecting to be able to bid on the basis that they will meet those requirements. That is my expectation. That is the right thing to do.

### **3. Councillor J Sunderland**

To ask the Portfolio Holder for Environment, Sport and Sustainability

For each of the proposed new swimming pools in the District please can you give the timetable for development included the anticipated date of opening?

#### **Answer**

The Council has recently appointed a design team to develop plans for the proposed facilities in phase 1 (City Centre - Nelson Street, South Bradford - Sedbergh Playing Fields) of the Sports Facilities Investment Plan. They are in the process of developing detailed timelines for the Council that will inform the programme as it moves forward. We expect approximately a 9-12 month design period, followed by a 15 – 18 month construction period subsequent to that.

Preparation of the City Centre site has commenced recently, with the demolition of Britannia Mills underway.

No definitive timeline has been developed as yet for the progression of the phase 2 facilities (North Bradford - Squire Lane, Southwest Bradford - Asa Briggs Recreation Ground).

### **4. Councillor Shaheen**

What are the potential implications for Bradford District of the Government's proposed funding formula for schools?

#### **Answer**

The Department for Education published a 1<sup>st</sup> stage consultation on National Funding Formula (NFF) on 7 March. This consultation document is being considered by the Schools Forum on 16 March and a briefing note accompanies this meeting and has been published online.

This is the 1<sup>st</sup> of 2 stages of consultation. The 1<sup>st</sup> stage is a consultation only on principles and 'building blocks'. It is not possible yet to calculate the impact of a National Funding Formula (NFF); to confirm any change in the totality of funding for the Bradford District or in the distribution of funding between phases or types of schools and academies. The DfE indicates that the 2<sup>nd</sup> stage consultation, expected later in the summer term, will give sufficient data on which to see impact.

However, it is clear that if the changes are implemented in their proposed form then Bradford stands to lose out as a result of the reduction in the importance attached to additional needs funding and the lack of any measure reflecting high levels of in year pupil mobility and new arrivals. We are also concerned about the potential confusion arising from the fact that Bradford has high numbers of SEND children funded to attend mainstream schools which could give the false impression that those schools are "unfairly" funded per pupil when compared to other authorities.

The consultation document however, is very clear about the reduced role of local decision making and the Local Authority going forward, not just in managing school funding arrangements for primary and secondary schools and academies, but more widely in a reduction of its statutory functions, with further reduced levels of funding in response to this from April 2017.

**5. Councillor Khadim Hussain**

Can the Leader confirm that he will build on the successful economic summit held in Keighley and will continue to address the issue of the town's strategic transport links and connectivity?

**Answer**

The successful event on Jan 21<sup>st</sup> that attracted a cross section of Keighley businesses was followed by the issuing of a questionnaire to further check business perceptions and ambitions.

The responses and observations made at the event will be analysed in mid-March with a view to reporting back on next steps through a follow on event which will take place in late Spring/Early Summer.

The town centre transportation issues have been addressed through a report to Executive on 8<sup>th</sup> March exploring the options that would address the congestion with a view to delivery of short and medium term actions.

The Council will continue to look at wider issues of connectivity to the strategic road and rail networks and lobby to secure the resources and opportunities that Keighley needs to deliver economic growth and a connected economy.

**6. Councillor Pennington**

Would the Leader of the Council outline the criteria used in the granting of City Centre Growth Grants generally and can he confirm the return, in the terms of job creation and economic regeneration that the Council should expect from the £200,000 spent on new signposts?

**Answer**

The City Centre Growth Scheme currently provides grant incentives to businesses to relocate into or expand within the Growth Zone. Business Rate rebates are available across the zone for businesses that -

- Move into/or are based inside the city centre growth zone boundary.
- Create new (additional) full time equivalent jobs inside the zone.
- Demonstrate real market potential and a sound business model
- Contribute to the economic and commercial diversity of the city centre.
- Work with the Council and partners to maximise local impact
- Contribute to local distinctiveness

In addition, the Priority Streets Scheme offers a package of capital grant and rate rebate to businesses bringing vacant units within targeted streets within the retail core back into use. Due to the capital investment involved, decisions are also based on physical improvements to the Growth zone.

Guidance on grant criteria and the application process is provided by Invest in Bradford Business Advisors. Documents including the detailed criteria for the schemes are available on the Invest in Bradford Website.

The investment in City Centre Signage was also funded through the City Centre Growth Scheme as part of a programme of public realm improvements. These works were funded jointly by the Council and the Regional Growth Fund.

We have had frequent complaints in the past, including from Conservative Councillors about the quality of signage in the City centre and it has always been made clear that as part of the Growth Zone new visitor signage would be introduced following the opening of the Broadway.

Physical improvements to the public realm are a key element of the scheme, making the City Centre a more attractive place to invest, work, visit and live. Rationalising, updating and enhancing signage was an important part of these improvement works. We have a new look City Centre which we need to showcase and ensure that visitors can easily navigate around.

Although it is not possible at this stage to accurately quantify the economic return on the investment in the wayfinding system, the benefits are numerous. The aim is to enhance the visitor experience, increase visitors' satisfaction levels and ultimately for them to do more and therefore spend more during their visit. They are then more likely to stay longer, come back more often and recommend the destination to others.

The new signage lets visitors know they are welcome and that the City intends to look after them, giving them the guidance they seek to make the most of their visit. It provides visitors with a much clearer understanding of all that is available across the city centre and how to get there. It encourages exploration, spreads footfall and economic benefits.

The wayfinding system also helps to encourage walking as it assists visitors assess and realise whether something is easily reached on foot. This has benefits in terms of health but also in terms of traffic congestion,

The full benefits will be assessed over time through the monitoring of footfall data, feedback from businesses and visitor surveys.

### **Supplementary Question**

I just want to apologise for the wording on this one because I did not see it before the final draft before submission. I know it is difficult to be able to quantify what benefit you get from signposts but in this answer here somebody has managed to give me six paragraphs on it which is amazing but there we go. The question is on this City Centre Growth Zone. Have we any time limits or have we any safeguards on these businesses continuing to trade and if they fail have we any recompense to get some of the investment back?

### **Councillor Green**

As we spent a long time being attacked by the party over there for the lack of decent signing in Bradford City Centre I am delighted that they have moved their question. I am delighted that they have moved their question from what they were actually supporting two years ago to something else but there you go. I think it is a legitimate question. I will send you the full details but my understanding the way the City Centre Growth Zone Scheme works is that apart from things like the capital grants which are clearly paid up



front in terms of some of the business rates it is support that does not come 100% up front so if a business fails within that period we have not necessarily paid it. And clearly if there has been a grant that has been paid onerously or the business is not fulfilling its part of the bargain, they only get paid when they complete. What I will do is I will make sure that you get sent the full details including any information we have about where that situation has arisen.

**7. Councillor Swallow**

Would the Portfolio Holder agree that Operation Steerside conducted by West Yorkshire Police has been a successful start to dealing with appalling driver behaviour and ensure that she puts all necessary pressure on West Yorkshire Police to continue this operation and embed it in business as usual, so that law abiding road users can start to see and feel the benefits of improved safety on our Districts roads? Furthermore, could she insist on a similar operation around our schools where children, parents and carers have to continually dice with danger just to access school?

**Answer**

Discussions are ongoing at a high level with the West Yorkshire Police about the current nature of Roads Policing and other types of enforcement activity in the district such as ANPR cameras. WYP will play a more pivotal and integrated role in the districts road safety activities bringing on board their expertise and resource to support the districts road safety capital Programme and its education, training and publicity delivery. It is however interesting that Bradford is the only district in West Yorkshire that is on target this year for Killed and Serious Injuries.

**8. Councillor Farley**

What representations has the Council made to Airedale and Wharfedale CCG in the light of their decision to cut contribution to social care funding, what is the outcome of those representations and what are the implications for vulnerable people in Keighley and across Airedale and Wharfedale?

**Answer**

The Council has made direct representations to the Chief Operating Officer of the Clinical Commissioning Group which resulted in a reduction in the amount being withdrawn. Officers have prepared details of where the reductions are likely to impact and will be in discussions with the various NHS organisations as to how the cuts will be implemented seeking to minimise the impact where possible on residents in Airedale and Wharfedale.

**9. Councillor Rickard**

Given the intent to build 40000 homes across the District, can the Portfolio Holder for Housing, Planning & Transport, provide an update on how the council will do its bit, to close the local construction industry skills gap?

**Answer**

The Centre of Excellence for the Built Environment has been set up in response to the skills shortage within the Construction and Built Environment sectors. Both Local and National Construction employers such as Wates, Keepmoat, Laing O'Rourke and Arnold Laver have been instrumental in helping to bring the workplace closer to students' learning, working alongside a number of school and colleges in the Bradford District.

Using their knowledge and skills of the industry they are supporting the creation of career pathways within the built environment, developing a talent pipeline for future jobs within the industry,

In having businesses involved in both designing and supporting the delivery of the curriculum makes learning much more real for young people. They can see the practical application of what they are doing in the classroom and at the same time businesses can ensure that what is being taught is directly relevant to the skills they need now in their businesses to grow.

Successes so far include the development of an on-going House Refurbishment programme with Incommunities bringing the classroom learning into a work environment working alongside craftsmen to demonstrate their technical ability through practical application in the real world. In collaboration with over 30 businesses has enabled all 204 students currently on programme to optimise their learner experience outside of the classroom through site visits to housing developments, onto off-site manufacturing plants, through to master classes on health/safety. Apprenticeship opportunities have increased with 2nd year CEBE students successfully completing an employability programme run by employers enabling those students nearer to the labour market exposure to jobs. A range of work placement opportunities from bricklayer to quantity surveyor have also been made available by the associate employers involved.

### **Supplementary Question**

An update on the Centre of Excellence and a jolly good idea. This is really a drop in the ocean. There are 3,000 construction jobs predicted per year for the next ten years and traditionally only a third of those actually get filled. So we have got an enormous skills deficit? So I was expecting an answer that contains some more strategic initiatives as to how we are going to do this. So perhaps I can ask for these to be delivered now. If there are no more strategic initiatives perhaps we will get to the point where we will admit that the delivery of 40,000 homes by 2025 is just not feasible.

### **Councillor Val Slater**

Thank you Councillor Rickard. My answer to you is that this is one of those fundamental parts of the Leeds City Region, the LEP, and the skills strategy and as you asked this question to me at Scrutiny the other week as I pointed out as part of the integrated transport fund we have recognised that this is an issue where we are working there with partners on Highways England and with Network Rail who have the same issue that you have identified for specialist engineers etc and, surprisingly, archaeologists. That is something that we are all trying to work through together and just I know it is only a small pebble in the pond but last week I went with my work experience student Poppy to visit Youth Build up in Bowling and Barkerend and there we met two young men who were part of the apprenticeship programme learning construction skills and the reason they were able to do that, that was part of our Empty Homes Property where we bought four empty homes. We have now got a partnership with Youth Build who are training these two young men on the trades to bring them back into use and shortly they will be rented out to families. A small pebble but I think everyone counts.

### **10. Councillor Swallow**

The recruitment and retention of good and outstanding teachers is a national issue that has been identified by Sir Michael Wilshaw as one of the most significant challenges in improving educational standards. Could the Portfolio Holder give an update on the

Council's plan to work with the District's schools to ensure that they are able to recruit, retain and develop high quality teachers?

**Answer**

The Recruitment and Retention Strategy Manager has developed or put in place the following this year:

- Taken 300 final year trainee teachers on the recruitment bus tour of Bradford schools. Following each tour, the trainees undertake a workshop 'Journey to your first teaching'. They then have the opportunity to 'apply' to the new Bradford Talent Bank, whereby they are interviewed by Bradford headteachers and 'pre vetted'. Their details are securely saved on a database with the type of school, area of district they wish to work in and Key stage specialism. As schools place adverts for posts on Prospects, those candidates who 'match' the needs of the school are emailed and directed towards the advertised post and encouraged to make a visit. There will be around 100 NQTs on the Talent Bank. The talent bank will expand to include all career stages and phases throughout the next year with suggested plan of national and local advertising.
- NQT deal of locality based enrichment and development training in place for all nursery and primary NQTs throughout the district.
- Emerging middle leader and Enhanced middle leader training with 0-19 and Exceed TSAs (nursery/ primary/ special).
- Training for System Leader/ Executive Headteacher training through TSAs (All phases).
- Development programme for Maths leaders in secondary.
- Bespoke programme for developing future leaders within the Special sector.
- New Headteacher/ Head of school induction programme.
- Commissioned an IT package to collect retention data from every school in District (goes live after Easter 16). Next steps will be to analyse data and produce a strategic plan to address findings.

**11. Councillor Stelling**

To ask the Portfolio Holder for Environment, Sport and Sustainability

Can the Portfolio Holder advise what plans are in place to protect residents whose bins are stored near the public highway from being regularly contaminated by people seeking to dispose of additional or unsuitable waste? I have been contacted by several residents who would like to know what is the process if their bins are contaminated by others. Has an allowance been made for residents who are on assisted collection and would not be able to empty their bins should collection be refused?

**Answer**

The Council will monitor instances where bins that have to be left on a public highway or at a collection point for emptying are found to be overflowing or with excess waste at the side. Given where such bins are placed, the issue of people other than the householder using the bins, overfilling them or leaving side waste is acknowledged to be a potential problem. If there is a persistent problem at any such location identified either by complaints from residents or from information provided by refuse collection crews, we will be sensitive to the difficulties that this poses to local residents and investigate the circumstances to try to determine those who may be responsible for this antisocial activity, in particular to see if there is any evidence within the waste to point to the culprits. We will also make arrangements for our recycling advisors to visit all residents in that

particular area to ensure that residents are making full use and know about the recycling options available to them. If residents identify other options for us to explore we will of course consider them and help where we can.

We will also be particularly mindful of where residents are on assisted bin lifts and work with those individuals to ensure that they are not disadvantaged in any way by the antisocial behaviour of others.

## **12. Councillor Bacon**

How will the development of a new public sector hub at the former Keighley College site benefit the people of Keighley?

### **Answer**

The Hub would result in a concentration of staff from various organisations working on the edge of the retail heart of Keighley. It is proposed to provide a range of frontline services, which are currently dispersed across the Town, from one central location. This would be easily accessible to all, in close proximity to local transport and public car parking. The facility would be purpose built to best meet the needs of the users and ultimately deliver a much improved environment.

It would lead to a boost to the retail performance of the town as staff access town centre facilities at either end of the day and lunch times. This should benefit local business owners and workers within those outlets. Retail is changing owing to the impact of on-line sales. Additional jobs being close to retail centres promotes and anchors local shopping.

The North Street site would be re-used and bring back to life an important location in Keighley Town centre. The existing building has not been found desirable for an appropriate re-use by the private sector despite extensive marketing.

The release of sites, across the town, vacated as services relocate to the Hub, will provide opportunities for housing development and business expansion which will positively benefit the people of the town and the local economy.

## **13. Councillor Walls**

Could the Portfolio Holder for Housing, Planning & Transport confirm the cost of installing Double Yellow Lines on Beacon Hill Road, and clarify why this was done, as there are already Double White Lines in the road, which make it unlawful to park there 24 hours a day, punishable by automatic endorsement and fine?

### **Answer**

The double yellow lines on Beacon Road formed part of an area-wide Traffic Regulation Order covering 14 sites across the Bradford South constituency. The share of the legal cost for this particular site therefore equated to around £640; the lining work cost £176.

This scheme was promoted following discussions with the Police. Whilst it was acknowledged that the existing white lining system did present an opportunity for Police enforcement, it was considered that the wardens would be more readily available to carry out more regular action here. This necessitated a Traffic Regulation Order to enable de-criminalised enforcement.

The proposals were approved by the Bradford South Area Committee on 27 March 2014. Ward members were consulted on the proposal and no adverse comments were received.

**14. Councillor Shaheen**

The system for online school admission applications is not always working effectively – is there a timescale for its review?

**Answer**

The online admissions system is currently being reviewed with a view to updating to a newer version before September.

**15. Councillor Swallow**

Could the Portfolio Holder please assist to ensure that the safety of users of Pasture Lane in Clayton is not affected by delays in dealing with the damaged section of wall and indicate when the necessary repairs will be carried out?

**Answer**

Our Highway Structures Asset register suggest that the walls in the area we were told (near 200 Pasture Lane BD7 2SQ) are not the authority's responsibility to maintain.

I have however instructed our inspector to go to Pasture Lane and report on any walls of concern.

We will address any immediate safety issues. We will also deal with any structure we assess is in need of repairs.

Where responsibility lies with a third party, we shall make them aware of any risk and work with them to obviate the danger with minimum disruption to road users.

**16. Councillor Martin Smith**

Bearing in mind the consultation regarding an airport link road, would the Leader of the Council confirm that the Council's representatives on West Yorkshire Combined Authority, will make a strong case for improved heavy or light rail connectivity to the airport, for Bradford as well as Leeds?

**Answer**

The Council is represented by the Assistant Director for Planning, Transportation and Highways on the Leeds Bradford International Airport (LBIA) senior officer steering group and by the Council's Deputy Leader on the LBIA public transport working group. The recent Draft Master plan produced by LBIA emphasises the need for a fixed rail or tram-train link from both Leeds and Bradford which the Council supports. It would be challenging to construct such a link due to the topography surrounding the airport and the Council understands a number of options are being considered.

**Supplementary Question**

We hear that West Yorkshire Combined Authority are concerned that we have seven hills around Bradford so therefore it's going to be expensive to get to the Airport. However perhaps we might advise them that there are tram train rack and pinion services to

Llandudno, the Isle of Man and Mount Pilatus in Switzerland so it is not new technology. So can you please pursue that for the betterment of Bradford's connection to the airport?

**Councillor Green**

To my knowledge we have not got those links from Bradford City Centre but we can always work on them but yes is the answer to that. We are pushing extremely hard to make sure that we get either light rail or heavy rail as possible links to the airport from Leeds and Bradford city centre. That has always been our priority and will remain so.

**17. Councillor Farley**

Can the Portfolio Holder update us on the steps that the Council is taking to help people and businesses that were adversely affected by the December floods?

**Answer**

The Council is administering the Communities and Business Recovery Scheme on behalf of DCLG, which consists of a number of elements that provide financial support for residents and businesses that were flooded.

So far, 742 households have received a £500 Community Grant to help towards their short-term costs such as temporary accommodation, hire of de-humidifiers, cleaning equipment etc. In addition, these households have also been awarded a three month Council Tax discount. For those that moved out of their property, the discount will also be applied to their temporary accommodation. The Council Tax discount can be further extended for those unable to return to their own property.

Similarly, 51 businesses have received grants of up to £2500 each to help them recover from the impact of the floods; and 102 businesses have been given a three month Business Rate discount.

In addition, businesses and households that were flooded can apply for a Property Level Resilience Grant of up to £5000, to help towards the cost of installing measures which improve the property's resilience or resistance to damage from flooding.

To date over 50 applications from residential properties and 7 applications from Commercial properties have been received. Applicants are being supported through the process by officers from Housing and Economic Development, with technical expertise being provided by Building Control.

Resilience grants are being promoted via the council's website, via social, media, in the media and at community meetings. In addition, the Council have worked with the Flood Advisory Service to deliver road shows to promote the Property Resilience Fund. These were planned to take place in Keighley on the 15<sup>th</sup> March and Shipley on the 16<sup>th</sup> March. Officers from across the Council were attending to offer support and information and to guide applicants through the application process.

Customised training for council staff and local contractors with the Flood Professionals' network is being explored in order to raise knowledge levels for staff on resistance measures, and also to improve expertise in local contractors so they can install these measures

Neighbourhood wardens have been trained and are calling door to door to promote the scheme and also to assess additional needs of vulnerable residents.

The Chief Executive has written to all affected households to raise awareness of other help that might be available to help financially vulnerable residents with their recovery costs, and about the new national flood insurance scheme, called FloodRe, which will be launched in April. This new scheme is intended to make flood insurance more affordable for households at highest risk of flooding.

The Council liaised with the BDCF and a Flood Appeal was established that is now dispensing grants to individuals, families, community groups, sports clubs, charities and social enterprises affected by the flooding. Support is provided for clearance, emergency repairs, clothing, heating, furniture replacement and information, advice and counselling. A Community workshop is set for Sunday 20<sup>th</sup> March, The Kirkgate Centre, Shipley from 2:30pm.

Before the flooding in December the Council were working with Parish Councils on producing local resilience and flood plans, this work will continue.

Work continues in prioritising the repair of highways, footbridges and retaining walls from the damage. A funding request has been submitted to Government to assist with meeting the cost of these works.

Unfortunately the Boxing Day floods resulted in extensive damage to the Council's site at Esholt and the private site at Beckfoot at Bingley. The Esholt Site, 10 plots, in particular were affected and the Service supported tenants in arranging removal of caravans, rebuilding of walls, providing replacement topsoil and advice on contamination. It has been advised that it will not be possible to grow food on the affected land during this growing season, as a consequence no charges are to be made to tenants for the year 2016/17 on that site. The Beckfoot site is essentially self managed, but Officers are in communication and providing support as needed.

### **Supplementary Question**

Can I thank the Deputy Leader of Council for her comprehensive answer. For the sake of completeness I would like to ask the Deputy Leader if there is any substance in the allegation that you have cost the District Council money by not having a flood management strategy as recently reported in the media?

### **Councillor Val Slater**

Thank your Councillor Farley. That was an absolute nonsense story. I think maybe there might be an election pending do you think? The reality is I just received this letter from the Department of Transport letting us know we have got £2.5m to do the infrastructure that was damaged in the floods. Our colleagues in Leeds have got £4.5m and in Calderdale £19.7m. Now for Leeds and Calderdale that is in addition to what the Chancellor announced in his budget about money they will get for flood barriers etc. So as I said it is a nonsense story. We do actually have a flood strategy which will be on our website by the end of this month. Six weeks consultation and then it will be coming back to Council July maybe September but actually what happened with the flooding it was about action. It was not about having the right piece of paper and this flood strategy when we publish it will not meet Councillor Rickard's requirements because there is no real action plan in here and we are working on that on the proper action plan because that is what it is about. It is about action not having the right pieces of paper.

18. **Councillor Warburton**

What criteria is the Government using to determine whether or not a school is coasting given the provisions of the Education and Adoptions Bill and does the Portfolio Holder believe that there is sufficient capacity to deliver the Government's ongoing insistence on the academisation of schools that are not good or outstanding?

**Answer**

The regulations for 'coasting schools' will apply for the first time in 2016. At this point, a school will be coasting if it has fallen under the coasting criteria for all of the three years 2014, 2015 and 2016.

**Primary Schools.** For 2014 and 2015, a school will fall below the coasting level if fewer than 85 per cent of its pupils achieve Level 4 or above in reading, writing and mathematics combined and below the median percentage of pupils make expected progress in reading, writing and maths.

The government is proposing a school will fall below the coasting standard in 2016 where fewer than 85 per cent of pupils achieve the expected standard across reading, writing and mathematics combined and pupils do not make sufficient progress. A higher progress bar will be set for the coasting criteria in 2016. The government will announce the exact levels of progress for the coasting criteria once tests have been taken in 2016.

**Secondary Schools.** For 2014 and 2015 the regulations propose that a school will fall within the coasting criteria if fewer than 60 per cent of a school's pupils achieve 5 A\*- C grades including English and maths and the school has a below median score for the percentage of pupils making expected progress in English and in maths. Once 2016 results are available, the government intends to announce the coasting level in that year. A school will be defined as coasting, and become eligible for intervention if it falls below the standard in 2016, and has already failed to meet the coasting standards specified above in 2014 and 2015.

**Action for coasting schools.** Schools will be notified that they fall within the definition. Regional Schools Commissioners (RSCs) will look in more detail at the circumstances of any coasting school and any coasting school will be given the opportunity to demonstrate that they have the capacity to make sufficient improvement. The government plan is not automatically to seek academy solutions for all schools that fall within the definition of coasting. They indicate that they want to challenge and support these schools to improve sufficiently and it is only where the capacity or plan for sufficient improvement is not evident that intervention will follow.

There is clearly a question mark over whether there is sufficient capacity in the provision of sponsors and multi-academy trusts (MATs) to meet the Government's aspiration for all schools to become academies by 2020. The RSC, who leads on all academy decisions on behalf of the Department for Education (DfE), no longer supports single academy conversions. Therefore all schools that are currently judged as 'inadequate' or 'requiring improvement' are required to join a MAT that has been authorised to sponsor poorly performing schools, and schools currently judged 'good' or 'outstanding' are being encouraged to join MATs or to set up their own new MAT with a group of successful schools. It is clear that the RSC will require MATs and new MATs to prove that they have the capacity and commitment to support all members to improve. It seems likely that this 'test' will limit the availability of MATs and could slow the academisation policy.



### **Supplementary Question**

Since the budget announcements that all schools will become academies what impact will this have on Bradford Council resources and budgets in the future?

#### **Councillor Green**

The answer is if they keep the same rules it will have a disastrous potential impact on our finances depending on contracts, PFIs, utility agreements etc that have been made. Because I am not sure if all Members are aware but when a school goes for academy status if they are in deficit that deficit remains with the Council. If they are in surplus they take it but also we are liable if they have to novate any contracts or anything else. Now that is a big enough challenge where we have got a few schools going for academisation be that forced academisation or voluntary academisation. If these rules stick with forced academisation of every school in the Bradford district our concern is that there are going to be some serious financial implications which Governance and Audit (Committee) have already highlighted in their discussions and I will be meeting with the Chair of Governance and Audit (Committee) and the Director of Finance to try and start plotting what this could mean. What we will do is report back both through the Executive and Financial Reporting but also my guess, far be it for me to tell them what to do, but through the Children's Overview and Scrutiny Committee will also want to have a look at those implications. So it could be incredibly bad news, not just for some of the schools who want to stay with local authorities but being forced out, but also for the finances of this local authority and the services we provide.

#### **19. Councillor Reid**

To ask the Portfolio Holder for Education, Skills and Culture

Following the decision of the Children's Society to cease delivering children's centre services in Ravenscliffe and Bradford Moor, when did the Council advertise for a new provider and has there been sufficient interest shown to ensure that the centres continue to provide quality family support and advice in these areas?

#### **Answer**

Children's Society will continue to deliver children's centre services up to the end of July. A procurement exercise to secure high quality lead organisations to manage the final three children's centre clusters was launched in February. The deadline for bids is the 23 March, and following on from the shortlisting exercise and the meeting of the multi-disciplinary procurement panel we anticipate being able to announce successful bidders in May, in time to allow a smooth handover of services in Ravenscliffe and Bradford Moor.

#### **20. Councillor Mallinson**

Would the Leader of the Council provide an update regarding progression of the sale of Wesley Place and the Old Library at Silsden?

#### **Answer**

Officers are working towards taking the properties to auction in April and have been gathering premises information for the auction pack as well as carrying out remedial works to Wesley Place following vandalism.

In accordance with the provisions of the Disposal Policy the method and timing of the sale will be confirmed to ward members once preparatory work has been completed.

### **Supplementary Question**

It is rather strange that you read the first paragraph and that gives you the answer then paragraph B tells you that you have to give me the answer anyway. So that is the policy for you. Could the Leader or the Deputy Leader please assure Ward Members that if the sale does not go through in April that we are given the reasons why especially if it is the intervention of a tin pot Council?

### **Councillor Val Slater**

Yes Councillor Mallinson I can give you that assurance. This has dragged on for far too long. It has dragged on for three years. I do not want to get pulled into the little war that I know that has happened in Craven ward but I will certainly keep you informed.

### **21. Councillor Khadim Hussain**

Can the leader comment on the recent meeting between Council representatives and Sir Michael Wilshaw?

### **Answer**

Sir Michael Wilshaw has been visiting a few cities around the country regarding standards and safeguarding around different education settings. Bradford was the third of these visits. This was a private visit which was requested by Sir Michael Wilshaw and he invited MPs.

The meeting had two key items for the agenda; firstly around safeguarding and unregistered provision and secondly, education standards. This meeting was attended by the Leader of the Council, the Lead Member for Education, Skills and Culture and also the Lead Member for Health and Social Care, Commander Simon Atkins, the Chief Executive, myself and some other colleagues from Children's Services. Sir Michael Wilshaw chaired the meeting and colleagues from Ofsted were also in attendance Louise Casey, Director General, who is leading a review into improving the integration of Britain's minorities as part of a broader effort to tackle extremism also attended the meeting.

The meeting, as you would expect, was a robust discussion and challenge in terms of our approaches in those two areas. The approach being taken to raising standards in the District has already been endorsed by Ofsted through the inspection of the local authority and through follow up visits.

With regard to the safeguarding and unregistered part of the agenda we know we have many strengths and equally areas in which we need to improve. However there are also many issues which need addressing at a national policy level to ensure that the system is safe and secure across the country and a fragmented system does not develop. We are continuing to meet with Ofsted and all key agencies and welcome their challenge as part of our commitment to drive up education standards and strengthen safeguarding to ensure that children are safe in every setting irrespective of their faith or culture.

### **22. Councillor Swallow**

On behalf of the residents of Fairweather Green, could I please thank the portfolio holder for her assistance in helping me to finally get the derelict properties at Four Lane Ends on Thornton Road, demolished?

### **Answer**

We will make the Demolition and Works staff aware.

**23. Councillor Davies**

Can the Portfolio Holder for Children's' Services confirm that all schools providing Halal meat also provide a non-Halal meat alternative?

**Answer**

In schools where the Council's in house provider for school meals are the caterer a non halal meat alternative is always provided. Where schools contract with an alternative provider or provide the catering direct themselves the Council does not hold this information

**Supplementary Question**

How many schools use the in-house provider?

**Councillor Val Slater**

I do not have that information to hand but I can provide it for you Councillor Davies.

**24. Councillor Rickard**

Can the total costs to the public for the installation and later removal of the so called Silsden "Flood Barrier" be clarified?

**Answer**

The local planning authority had no involvement in the construction of the unauthorised barrier. In relation to the cost, further inquiries with Ward Councillors and the Town Council may be able to shed more light on this aspect of the construction costs.

However what the Planning Department can confirm is that the cost of removing the unauthorised structure and making good the land on which the barrier was constructed, was £2,845.25p

**Supplementary Question**

Thank you for the cost. Can you just confirm that £2,845 is going to be recouped from the perpetrators of this?

**Councillor Val Slater**

We will try and get it back Councillor Rickard. I have tried to get to the bottom of where the money came from in the first place, who exactly was involved in putting this, what I consider a monstrosity, in place without planning permission in a conservation area that was totally inappropriate. Because it did not have planning permission I was able therefore to take the decision to have it removed with the consequent expense and yes I would like it back in my budget if we can get it back from whoever so I will be trying my damndest.

**25. Councillor R Sunderland**

To ask the Portfolio Holder for Environment, Sport and Sustainability

The new bin policy seeks to increase and encourage household recycling. Can the Portfolio Holder advise if there will be a similar push to increase and encourage recycling within the Council's trade waste customers?

**Answer**

The new Domestic Waste and Recycling Policy (aka the bin policy) does not apply to trade waste customers. These customers on commercial contracts, are free to set the level of residual waste capacity that is needed for their respective business, the only limiting factor is cost, the greater the capacity the greater the cost, therefore adopting the same approach to householders is not possible.

The trade service operates within a very competitive market, with many service providers. Bradford Council trade waste customers are encouraged to minimise waste and to seek recycling alternatives whenever possible.

The service offers a competitively priced Paper & Cardboard recycling collection to business customers, additionally businesses in the district can take dry recyclable materials by agreement to the Council's Waste Transfer sites.

However the service is currently looking at how to expand the recycling offer to business customers, as part of a service improvement plan, which is scheduled to report back to the Environment and Waste Overview and Scrutiny Committee later in the year.

**26. Councillor Mallinson**

Would the Leader of the Council provide an update regarding progression in the provision of a site for the new school in Silsden?

**Answer**

Following the agreement by Executive to the merger of Aireview Infants School and Hothfield Junior School which are currently operating on a split site, officers have been engaged in negotiations about the acquisition of a new site for the new single entity primary school in Silsden. The negotiations are still underway but I am hopeful will be concluded soon.

**Supplementary Question**

Obviously this is a significant stage for Silsden for its future development. What I would like to share first of all is my disappointment as a Ward Councillor that I have not been kept in the loop as this has progressed and I know you are going to say there is commercial confidentiality but this is a significant stage in the future development of Silsden. So once again I would like to be kept further in the loop as to how this progresses and certainly from the point of view of the certain tin pot Silsden Town Council – I will get the name in this time – that they do not interfere with the proceedings for this because like I say it is a very important stage for Silsden.

**Councillor Hinchcliffe**

Trouble at mill. I will not comment on that. We are nearing as it says in the answer the completion of those negotiations. We have met before Councillor Mallinson on this particular issue. Obviously things have progressed since then. I met with officers yesterday and asked to make sure that all Ward Councillors were properly briefed so yourselves and the other two Ward Councillors should be receiving a briefing soon if you have not done so already.

**27. Councillor Whiteley**

Would the Portfolio Holder for Health and Social Care inform members of how the Council intends to allocate the money raised by the 2% Social Care levy?

**Answer**

The 2% Council Tax rise for Adult social care (£3.076m in 2016/17) will be used directly to fund the Adult Services budget. It will not be applied specifically to any one service, cost type, or type of supplier. Rather, it forms part of the total supply of money that comprises the Adult Services budget for 2016/17.

This additional £3.076m should be seen in the context of continuing demographic and financial pressures on Adult Services and on-going Government cuts to Council funding the scale of which means that services will still have to deliver targeted cost reductions in Adult Services. These are £4.3m in 16/17 on top of £8.5m in 2015-16, £6.8m in 2014-15 and £7.3m in 2013-14. These reductions affect a wide range of Adults services including older people's residential care, housing related support, direct payments to service users, supporting people, commissioning, operational services, the mental health contract, internal staffing levels, and higher charges to clients.

The 2% Social Care Levy is a contribution to the Adult Social Care Budget to meet the assessed needs of residents, and will be deployed as necessary across the range of services provided. In question 2 above it is indicated that providers of day, domiciliary, residential and nursing care would benefit from the levy by way of an increased fee offer.

**Supplementary Question**

I understand that this Council has advised residential care providers that it is using the United Kingdom Home Care Association costing model. This model is designed to indicate a fair price for social care services. Can the Portfolio Holder confirm that we are using the model in its entirety or are we using some headings and ignoring others?

**Councillor Berry**

We are using elements of that model. That's been perfectly clear all the way through and we should be in a position to get back to them fairly soon with passporting at least 2% but of course I would remind you that the 2% is nowhere near the index of inflation and the rising costs as everybody in that sector knows. I am sat there looking at the bill for my father's care has gone up by 7½% so anybody thinks 2% is going to solve everybody's problem is living in a somewhat parallel universe.

**28. Councillor J Sunderland**

To ask the Portfolio Holder for Education, Skills and Culture

How many reports of potential unregistered schools have been made in District in each of the last five years, how many were found to be unregistered schools and what action was taken as a result?

**Answer**

One report in 2014 and one in 2015, two in total. Neither was found to be an unregistered school. Both concerns related to residential properties and both were forwarded to Bradford Council's Planning and Building Control department after it was observed that a small number of children were entering the property on some evenings.

Case 1 - the police, planning and highways had no concerns about the property. The owner of the property was visited, and stated she was teaching very small numbers of children (less than 6). She was advised to apply for planning/building permission in order to continue to do so. She agreed she would. As a result of this, Planning/Building control expressed they had no concerns and no permissions were required, as the number of children attending was so small.

Case 2 – concerns were raised about children attending a property in a similar way to the previous case. It was reported that the residents had undergone a huge garage conversion. Checks were made with Planning and Buildings control, and the residents had planning permission in place for their garage conversion. No further complaints have been made by local residents.

**29. Councillor Martin Smith**

Would the Portfolio Holder for Housing, Planning & Transport confirm when the Brownfield land register will be available, as some five or six months have passed since we enquired?

**Answer**

The new legal duty to produce registers (as prescribed by the Secretary of State) is contained within the Housing and Planning Bill which is currently going through parliament. It is presently at Committee stage in the House of Lords, which is considering amendments.

The government has recently published the 'Implementation of planning changes: technical consultation' which is seeking views on the proposed approach to the implementation of measures contained in the Housing and Planning Bill, including Brownfield Registers and other planning measures. Comments are invited by 15 April. Responses to the consultation will inform the detail of the secondary legislation which will be prepared once the Housing and Planning Bill gains Royal Assent.

Through brownfield registers, the government is seeking a standard set of information which will be kept up-to date and made publicly available to help provide certainty for developers and communities and encourage investment in local areas.

The consultation seeks views on proposals for preparing brownfield registers and keeping them up to date including how to identify suitable sites ( suitable – deliverable/developable, 5 dwellings/0.25ha, and available), publicity and consultation, the proposed content of the registers and the intended requirements for publishing and updating the data.

Existing evidence within an up to date Strategic Housing Land Availability Assessment should be the starting point for identifying suitable sites for local brownfield registers. It is proposed that potential sites will need to be assessed against specific criteria that the government will set out in regulations (yet to be published) to ensure that they are suitable for housing.

The Council has an up to date SHLAA which will form a good basis for the work to put in place a register once the outcomes of the technical consultation and also the related secondary legislation and Regulations are put in place.

### **Supplementary Question**

It is clear that Councils were asked to prepare the schedules ahead of the Bill receiving the Royal Assent. This would have speeded up the process to using our brownfield sites first.

### **Councillor Val Slater**

There is a lot involved in preparing a bill to go through Parliament. I draw attention to the very fact that the House of Lords has been doing a scrutiny of house building and which Leeds City Region have committed comments to. There have been changes as you are well aware Councillor Smith. You have been around long enough to know that what starts off in a bill isn't necessarily what is there at the end. We do have some of the background information and we are looking at some of it within Bradford as part of what we have got to do under our core strategy and under the SHLAA. Similar work has been done throughout the Leeds City Region but until we know exactly what the requirements are that will come through the Bill we are not going to waste work that we might have to change later so preparatory work is being done that can be finalised very quickly. But we await the requirements that the Government will tell us they need and I do not think that is unreasonable.

### **30. Councillor Davies**

Could the Portfolio Holder for Environment, Sport and Sustainability advise colleagues of the current charges for hiring Ian Clough Hall and how do these compare with 5 years ago?

### **Answer**

There is more than one charge for the use of Ian Clough Hall depending on the hirer requirements and the type of organisation hiring the facility. As an example the concessionary rate for the main hall on a week day in 2016 will be £22.50. The charges have been increased each year by a Council agreed inflation rate. The charge for the main hall as a comparison in 2012 was £20.

### **31. Councillor Reid**

To ask the Portfolio Holder for Housing, Planning and Transport

While the West Yorkshire Combined Authority is employing consultants to look at new ways of developing a "metro-style" integrated transport system, has the proposal for a Quality Bus Contract, which all parties signed up to, now disappeared?

### **Answer**

At present the Department for Transport is producing a new Buses Bill which will:

- Provide an easier route to franchising providing powers which are clearer and simpler to use than the current Quality Contract Scheme process.
- Embed stronger arrangements to allow local government to work in partnership with bus operators and local stakeholders.

This new legislation will supersede the existing legislation for Quality Contracts.

WYCA are the Local Transport Authority for West Yorkshire and through detailed consultation with districts is developing a refreshed West Yorkshire Single Transport Plan (STP) to update the Local Transport Plan (LTP). A key element of the STP is the Bus

Strategy for West Yorkshire which will set out what we want to achieve from the bus system over the next 10 to 15 years based on 'the outcomes/outputs we want to achieve'. It is essential that the vision and strategy developed in the Bus Plan is approved and adopted before any decisions are taken regarding how the strategy is delivered, including continuing to develop the Quality Contract scheme. Therefore WYCA have suspended further development of the Quality Bus contracts proposal until:

- The Bus Plan strategy document within the STP has been adopted by WYCA;
- The specification of the Buses Bill is known; and
- There is clarity regarding whether there will be a Devolution Deal for this region which includes the ability to access the Buses Bill.

At present it is not anticipated that these pre-conditions will not be satisfied until early 2017.

### **Supplementary Question**

I appreciate the logic of putting quality bus contracts on ice even after years and years of discussion of them. I assume that part of the task of the consultants is to help the Combined Authority to decide which of the two mechanisms provided by the Buses Bill would be most helpful in achieving the Metro style integrated transport system. However not least in the light of the answer to question 28 is there much that these consultants can do before the Buses Bill gets towards the end of the legislative process?

### **Councillor Val Slater**

I think my answer to that question is similar to the one that I said to Councillor Smith. Things change as things go through Parliament. I think there was a workshop prior to this Council meeting about the Bus Bill. Some of you may have attended it and it will form part of the single transport fund sort of plan that the Combined Authority will be putting together and there will be further consultation on that in the summer. It is a difficult situation. The Transport Committee of the Combined Authority have been committed to the previous contract system but the scenario is changing and we have got to wait and see what comes of it. It is also very much tied in with whether or not we get devolution. If we get devolution we can move on this.

### **32. Councillor Pennington**

Can the Portfolio Holder for Housing, Planning & Transport, provide details of any Planning Applications submitted for the Drummonds Mill site, along with the number and dates of any pre-application discussions with Planning Officers, which have taken place during the last eight years?

### **Answer**

09/03157/FUL – Re-modelling of front facade - new ramp/access/canopy. New parking/landscaping. Internal fit-out to form new football academy and gym – Granted 04/09/2009

09/03158/LBC – Re-modelling of front facade - new ramp/access/canopy. New parking/landscaping Internal fit-out to form new football academy and gym – Granted 01/09/2009

09/04452/PMJ – Retail development with residential units above



09/05538/FUL – Change of use of ground floor to retail units and associated parking - amendments to approved application ref: 04/01650/FUL dated 25th May 2006 – Withdrawn 21/07/2010

09/05539/LBC – Amendments to ground floor units and associated parking from application ref: 04/01650/FUL dated 25th May 2006 to provide retail units – Withdrawn 02/08/2010

11/01034/MAF – Renewal of permission 04/01650/FUL: Conversion and redevelopment of redundant mill to create residential and business space, restaurants and health club and construction of new live-work units and dwellings – Deemed withdrawn 23/09/2013

11/03478/PMJ – Internal alterations to Listed Building with external signage, disabled access areas and car parks

11/04585/LBC – Renewal of permission (04/01650/FUL), conversion of redundant mill to create residential business and retail space – Granted 27/04/2012

11/04647/FUL – Change of use application for part of ground floor from manufacturing (B1) to Retail (A1) at vacant listed mill building – Withdrawn 18/05/2012

11/04648/LBC - Change of use application for part of the ground floor from manufacturing (B1) to retail (A1) at vacant listed mill building – Withdrawn 18/05/2012

12/02283/LBC – Demolition of gatehouse – Withdrawn 25/07/2012

### **Supplementary Question**

Just on Drummonds Mill here. Thank you for the answer. We have got a new Football Academy. We have got a gym. We have got retail units. We have got restaurants. We have got a health club. We have got residential and businesses and retail space. Why was I informed by officers there had not been any applications?

### **Councillor Val Slater**

No idea Councillor Pennington.

### **33. Councillor Martin Smith**

Could the Deputy Leader of the Council, confirm when, where and how elected members will have access to suitable information on West Yorkshire Combined Authority programmes and activities?

### **Answer**

Members, partners and the general public have access to West Yorkshire Combined Authority public papers electronically and through direct contact with WYCA itself, in writing or by telephone.

WYCA has a clear policy on openness and transparency as a local authority body and uses its website as the main route for this – [www.westyorks-ca.gov.uk](http://www.westyorks-ca.gov.uk)

Papers, reports and minutes for key committees are available via:

- [West Yorkshire Combined Authority](#)
- [WY & Y Investment Committee](#)
- [WY Transport Committee](#)

- [WY&Y Overview and Scrutiny Committee](#)
- [WYCA Governance and Audit Committee](#)
- [WYCA Leeds City Region Partnership Committee](#)

Over-and-above the Leader being co-opted onto WYCA and involved directly in WY&Y Investment Committee, working groups and the LEP, the Council has a number of members directly involved in the Transport Committee, WYCA's own Governance & Audit Committee and WYCA own O&S. Appointments and Nominations addressed through Full Council.

In addition, Cllr Cooke receives WYCA information as a Conservative Substitute member. Cllr Sunderland is on WYCA as a Liberal Democrat Member.

On Transport operations, developments and schemes, especially in regard to passenger services there is a dedicated [Bradford District Consultation Sub-Committee](#). Details on the sub-committees for Leeds, Wakefield, Calderdale and Kirklees are also published. Group leaders and members are updated through their regular briefings on matters of concern or significance, including investment, development and performance. Information at key stages of strategy development (e.g. Strategic Economic Plan, Single Transport Plan, Local Transport Plan Implementation Plan etc), scheme and investment planning, delivery and reporting involve front-line members in conjunction with CBMDC management and officers.

Reports have been taken on WYCA (and Leeds City Region Enterprise Partnership LEP) to CBMDC Executive, Governance & Audit Committee (with a focus on accountability, reporting and governance issues), Corporate Overview and Scrutiny (O&S) Committee, Regeneration and Economy O&S Committee (with a focus on economy and business) and Environment & Waste O&S Committee (with a focus on transport investment, schemes and operations)

A report is to be taken to the CBMDC Governance and Audit Committee 15 April 2016 and matters of involvement, reporting and governance will be presented and discussed in that arena, allowing member views and proposals to be addressed through that arena.

### **Supplementary Question**

Thank you for the clarity or partial clarity that your reply answer has given us especially for all Councillors who are not involved in the West Yorkshire Combined Authority. I am sure that in the new structure of the Council you might consider having a referral committee so that we can all know what is going on at the West Yorkshire Combined Authority and not just having to pick up on webpage information.

### **Councillor Green**

I am not quite sure what a referral committee is but what I would say is that the West Yorkshire Combined Authority provides information in exactly the same way as Bradford Council does to Elected Members who do not sit on those committees which is you go on the website and you read the agendas. I do think that there is an argument that we should advertise more widely when those meetings and when that information is up on site so that people can go to it should they so wish. It is still a work in progress to be blunt is Combined Authority but I think I will ask the Chief Executive in her spare time to look at ways that we can make sure that we circulate the fact that there is an agenda link for when those meetings are being held.

**34. Councillor Fear**

To ask the Portfolio Holder for Housing, Planning and Transport

I understand that following legal advice, the decision was made to serve notice on the land owner at Thackley Corner following an assessment by the highways structure unit which would provide an estimate of cost. What progress has been made in obtaining this assessment and is this the only barrier to notice being issued?

**Answer**

Legal advice to Highway Structures Unit regarding the collapsed private wall at Thackley corner is that we should prepare a fully costed preliminary design and drawings. These are required to demonstrate the practicalities and justify the costs involved in replacing the wall.

Thackley Corner is a difficult site with complex topographical, geological and statutory undertakers problems to resolve. We also need to devise a design solution that will allow the road to remain open for the duration of the works. Geological issues have already ruled out a bored pile structural solution.

Highway Structures Unit has completed a geotechnical site investigation and a topographical survey of the site. We have also located the statutory undertakers' apparatus. We are currently waiting for a Senior Engineer to become available to progress the design analysis.

Highway Structures Unit are currently very busy repairing flood damage but hope to make a suitable resource available early in the new financial year. We are not aware of any other barriers to the issuing of a legal notice.

**35. Councillor Whiteley**

Would the Portfolio Holder for Health and Social Care advise colleagues of the planned date for completion of the installation of a District Wide Electronic Call Monitoring System?

**Answer**

The Electronic Call Monitoring System will be deployed across the district in line with the mobilisation of domiciliary care contracts. It is anticipated the system will be fully operational towards the end of the 2016/17 financial year

**36. Councillor Mike Pollard**

Could the Portfolio Holder for Housing, Planning and Transport please provide detailed justification for the Council to forego monies from a planned housing development in Baildon, totalling in excess of £800,000, in order to secure just 6 additional 'affordable' units over and above the desired 20% 'quota' and explain how the 'viability' criteria in the NPPF are being met in respect of this scheme?

**Answer**

The Cliffe Road West scheme at Baildon forms Phase 1 of a Council scheme to develop affordable housing for rent and sale. Phase 1 of the scheme involves the development of 12 affordable homes to rent along with 23 homes for sale. The development of 12 affordable homes for rent along with extensive attenuation works to manage drainage and

water management for the whole site represent the contribution that the Council has made in lieu of a section 106 contribution and is, as the member states, well in excess of the desired 20% quota.

This scheme is one of 7 housing schemes that together form the Council's affordable housing programme 2015/18. The Council has not foregone the monies from the sale of the site as it will retain ownership of the affordable homes and will use the rental income from these, along with the capital receipts from the sold homes to fund the programme. The programme has also attracted £3.475m of grant from the Homes and Communities Agency (HCA) into the district.

### **Supplementary Question**

Thank you to the Portfolio Holder for her answer and indeed for her answer to the public question asked earlier which was on the same lines. As there was considerable doubt apparent in the original planning application for this particular site about the viability of this project could the Portfolio Holder outline the share of the HCA grant attaching specifically to the Ferniehurst scheme and the timescale for the project to demonstrate a competitive return in compliance with Section 173 of the National Planning Policy Framework?

### **Councillor Val Slater**

Okay I cannot answer the latter part of that but I will get the information to you. The money that we have got from the Homes and Community Agency was a package to cover, I think it was, about 16 sites. Within that package there has been some changes because when we have looked into it further some of them cannot be realised but with the agreement of the Homes and Community Agency we have done some juggling around. That site that you are referring to, there were four phases originally because I remember having a meeting with Estates and yourselves in the early days talking about the different phases of this project. So the second phase will be brought forward. The Leader answered many of the questions in the question from the member of public but what I would like to say we are actually doing what we have been required to do by the Government which is about putting public land in so that we can deliver affordable homes but really the focus is changing towards their obsession for starter homes and I had a letter from Brandon Lewis (MP) last week asking us to progress and quicken this process so we are doing what your Government is asking us to do.

### **37. Councillor Pennington**

Would the Portfolio Holder for Environment, Sport and Sustainability confirm the number of unallocated Burial Plots at Bingley Cemetery?

#### **Answer**

There are currently 302 adult burial plots, 20 cremated remains plots and 107 baby graves unallocated at Bingley Cemetery.

### **38. Councillor Martin Smith**

Can the Portfolio Holder for Housing, Planning & Transport inform members of when we can expect the council to update its Housing Policy and will this be conducted in house, or developed by external advisors?

#### **Answer**

- The Housing & Homelessness Strategy, “A Place to Call Home, 2014-2019 Housing & Homelessness Strategy” was approved by the full Council on 25 March 2014. There are discussions taking place through the Council’s New Deal both within the Council and with partners about the future direction of travel for housing and this may lead to an early review of the strategy, although no decision has yet been taken. The development of any new strategy will be carried out by officers of the Council and the Housing Partnership will be part of the review process and expected to endorse the draft strategy prior to the council approving it.
- The District Housing Allocations Policy was fundamentally reviewed in 2013 and a new policy was adopted by the Council’s Executive for 2014-2017, at its meeting on 14/01/2014. This is a 3 year policy ending in 2017 at which point a new policy will need to be adopted to meet legislative requirements. A review will be taking place this year to replace the current policy which ends in 2017. This policy was reviewed and produced by Council officers and any further reviews will be also be carried out by Council officers. Partners will be consulted as appropriate

**39. Councillor Davies**

Could the Leader of the Council confirm how much is owed in unpaid Council Tax, on an average day?

**Answer**

It is not possible to say how much Council Tax is unpaid on an average day. Council Tax is an annual debt, but that debt changes on a daily basis as adjustments are applied, payments made, or recovery action is taken.

Council Tax becomes “unpaid” at the point when the taxpayer loses the right to pay by instalments and this takes place 14 days after the issue of a reminder or final notice - this will differ dependant on the circumstance of the individual accounts.

Shortly after the debt becomes “unpaid”, the Council would ask the Magistrates Court to issue a Liability Order for non payment.

What I can say is that of the £184.9m billed this year, £20.5m was still outstanding at the end of February and efforts have and will continue to maximise collection in the reminder of this year and in subsequent years.

In the last three full financial years the Council has collected 94.2% (2014/15), 94.3% (2013/14) and 95.3% (2012/13) of the debt that was raised within that year.

As regards last year, Bradford collected 94.2% of the Council Tax raised for the year. As comparators, Wakefield collected 94.4% and Kirklees 95.2%, whilst Hull collected 93.6% and Manchester, 91.8%.

Since then, a further 2% of this amount has been collected.

**Supplementary Question**

I just wondered which wards are the worse affected for unpaid Council Tax.

**Councillor Green**

I would suggest that if you wanted to seriously know the answer to that question you would have included it in your written question and then we could have let you have it. But we will let you have it. I would refer you though that also whilst this feels like part of

an ongoing campaign that we seem to have been dealing with for the last year or so I would also refer you to the previous answer when someone asked us which wards collect the most business rates. So when you are doing your comparison and writing your election leaflet Councillor Davies please make sure that you make it very well aware to the people of Baildon that the good businesses of City Ward and Keighley Central raised a significant amount of money for this district which gets spent in Baildon. So do have fun.

**City of Bradford MDC**

[www.bradford.gov.uk](http://www.bradford.gov.uk)

## **Report of the Strategic Director, Environment and Sport to the meeting of Regulatory and Appeals Committee to be held on 10<sup>th</sup> March 2016 10am.**

# AV

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### **Subject:**

**Proposal to delegate power to take enforcement action in respect of taxi and private hire functions to officers within other West Yorkshire local authorities and the City of York Council, and for Bradford Council to receive similar delegated enforcement powers from those authorities.**

### **Summary statement:**

The purpose of this report is to seek the approval of Regulatory and Appeals Committee to recommend to full Council that it delegate the power to take enforcement action in respect of taxi and private hire functions to officers within other West Yorkshire local authorities and the City of York Council, whilst retaining these functions within the City of Bradford Metropolitan District Council, and for the City of Bradford Metropolitan District Council to receive similar delegated enforcement powers from those authorities.

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### **Portfolio:**

**Deputy Leader of the Council and Safer & Stronger Communities.**

### **Overview & Scrutiny Area:**

**Regulatory & Appeals**



City of Bradford  
Metropolitan District Council



## **1 SUMMARY**

The purpose of this report is to seek the approval of Regulatory and Appeals Committee to recommend to full Council that it delegate the power to take enforcement action in respect of taxi and private hire functions to officers within other West Yorkshire local authorities and the City of York Council, whilst retaining these functions within the City of Bradford Metropolitan District Council, and for the City of Bradford Metropolitan District Council to receive similar delegated enforcement powers from those authorities.

## **2 BACKGROUND**

- 2.1 The Deregulation Act 2015 came in to force on October 1st 2015. It permits private hire firms nationally to sub contract bookings outside of their own licensing district. Currently Bradford Council officers have no powers to conduct any enforcement activity on private hire vehicles not licensed by this authority. Previously it had been illegal for operators of private hire licences issued by Bradford Council to sub-contract work to an operator in another district. The implications of this change are potentially wide ranging. A customer could contact an operator in their district and order a private hire vehicle. The operator who took the booking may then pass the work to another company without first obtaining the consent of the customer. The new company need not necessarily be licensed in the same area. This means that vehicles used to fulfil contracts may be subject to different standards than vehicles in the licensed area. The Council may only take action against a vehicle or driver that it has licensed, meaning that there is no action the Council can take if a vehicle or driver licensed elsewhere is operating within the Bradford district
- 2.2 The Licencing Service has been working with the West Yorkshire Combined Authority towards establishing common licensing standards across districts. The aim is to have a uniformed approach to licencing that would deliver a consistent level of compliance/enforcement regardless of which authority had licensed a vehicle or driver.
- 2.3 The Licencing Service at a meeting of the Combined West Yorkshire authorities on 15th October 2015 discussed ways in which a common approach could be adopted going forward. This was in part aimed at minimising concerns around safeguarding and to put into place conditions that would increase passenger safety taking into consideration the changes in the Deregulation Act 2015.
- 2.4 It was agreed that all officers would consider whether there should be cross authority delegation of hackney carriage and Private Hire licensing enforcement functions. The intention would be to work towards all authorities having this in place as soon as possible but no later than 1st April 2016.

## **3. Risks that have been identified if no action is taken.**

- 3.1 The following issues arise-
  - Currently officers in this Authority have no powers to conduct any enforcement activity on Private Hire Vehicles not licensed by this Authority



- Significant difficulties could arise in verifying whether a pre booking was in place when investigating plying for hire concerns
- There is the potential for confusion for the public who may not recognise the vehicle which turns up and cannot readily verify the credentials of the driver.
- Investigations may become protracted and on a national basis
- Operators could pick the least challenging authorities in which to be licensed, to set up base there and simply transfer bookings from the Bradford district to that operating base.
- Licensed vehicles from other authorities may have minimal exterior identification potentially creating opportunities for criminals, unlicensed drivers to more easily slip under the radar on opportunist illegal journeys.
- Bradford Council would be reliant on other Authorities having an enforcement capacity.
- Timescales for prosecutions to be brought before the courts could be tight

The introduction of cross- border working poses significant challenges for effective enforcement. The ability to challenge drivers licensed in another area working within the Bradford district would be severely compromised.

3.2 These concerns are shared by many leading authorities. The Service is working with the West Yorkshire Combined Authority to try and establish some common licensing standards and enforcement compatibility across districts. The key issues being considered are:

- Safeguarding - child sexual exploitation - human trafficking – a common minimum training standard for the trade
- Driver application process – improved common minimum standards
- English comprehension - common minimum standards for new applicants, It would only apply to existing licence holders where there was an identified need with the focus being on training and development within an agreeable timeframe.
- Convictions Policy and Convictions Criteria – a standard criteria be adopted
- Decision making-scheme of delegation - All local authorities introduce a scheme of delegation to Officers for decision making
- Private Hire Operator Conditions – a common standard across the Combined Authority

- Private Hire Vehicle Conditions - All West Yorkshire licensed vehicles have similar recognisable door livery which deforms when removed
- Common Byelaws - Hackney Carriages – a common standard across the Combined Authority
- West Yorkshire Centralised Licensing Database – maintaining a centralised record of licence applications, suspensions, revocations to enable greater checking at the point of revocation
- Enforcement Capability - Officers to prepare information sharing protocol and implement
- Authorised Officer status - Licensing and Enforcement Officers able to carry out inspection and suspension powers on a vehicle licensed by any West Yorkshire Authority through the scheme of delegation of powers being co-ordinated across all West Yorkshire Authorities to enable more efficient enforcement action
- Share and adopt good practice wherever it is found

3.3 Cross delegation of hackney carriage and private hire enforcement functions across the West Yorkshire Authorities would improve the consistency of enforcement activities regionally and would assist in reducing concerns arising from the changes to the law allowing private hire firms to sub contract bookings outside of their licensing district.

#### **4. Proposed action**

4.1 The proposal is that the hackney carriage and private hire enforcement powers, as set out in Appendix A of this report, are delegated to the other West Yorkshire Authorities and the City of York Council (whilst retaining our own). It is also proposed that Bradford Council receives similar delegated enforcement powers from the other West Yorkshire authorities and the City of York Council.

4.2 Each authority would retain the ability to grant and renew licences; those functions will not be delegated. The enforcement functions would be delegated.

Officers in each West Yorkshire authority will agree to provide evidence where necessary to support prosecutions by the other West Yorkshire authorities where they have been involved in investigating the alleged offence. How this will work in practice including recompense for each authority will be set out in an agreement between all of the West Yorkshire authorities.

4.3 The Committee are asked to recommend to full Council that the Council delegate the Taxi and Private Hire enforcement functions under the legislation set out in Appendix A to the West Yorkshire local authorities and the City of York Council (as set out in Appendix A), in addition to retaining those functions within the City of Bradford Metropolitan District Council and to similarly receive the delegated Taxi and Private Hire enforcement functions (as set out in Appendix A) of those local authorities.

## **5. OTHER CONSIDERATIONS**

### **Consultation**

Although consultation is not a legal requirement, the Licensing Service did discuss this proposal with the hackney carriage/private hire trade associations at their meetings of the 6<sup>th</sup> and 7<sup>th</sup> January 2016. Operators were consulted at their Business Meeting on the 27<sup>th</sup> January 2016. The proposals were discussed again at the hackney carriage and private hire joint Driver Representative Meeting on the 3rd February 2016. The trade were asked to inform the service of any comments. The closing date for consultation responses was Monday 15<sup>th</sup> February 2016, and none were received. The overall general comments made during the meetings were in agreement with the proposals to share authorisation to officers across the West Yorkshire local authorities and the City of York Council.

## **6. FINANCIAL & RESOURCE APPRAISAL**

- 6.1 At this present time there are no significant resource issues. The Licensing Service anticipates some financial expenditure which cannot be evaluated at the moment. Any emerging needs would have to be met from the licensing fees which are set at the level required to fund the regulatory regime.

## **7. RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 7.1 These are set out at paragraph (3) Risks that have been identified if no action is taken.

## **8. LEGAL APPRAISAL**

- 8.1 The enforcement functions set out in Appendix A to this report are council functions. The Local Government Act 1972 Section 101(1) (b) permits delegations of council functions from one council to another. Section 101 (b) 101 (3) of the Local Government Act 1972 permits that other council to arrange for discharge of those functions by a committee, sub-committee or officer of that council, effectively as though the function had always been theirs.
- 8.2 Part 2 Article 13 “Joint Arrangements” of the Council’s Constitution, at 13.2 provides that the Council may establish joint arrangements with one or more local authorities and/or their executives in any of the participating authorities, or advise the Council.
- 8.3 Article 13.7 provides that the Council may delegate non-executive functions to another local authority or, in certain circumstances, the executive of another local authority.
- 8.4 Article 13.9 provides that the decision whether or not to accept such a delegation from another local authority shall be reserved to the Council. Accordingly Council will be requested to agree to accept such delegation from the authorities referred to in Appendix A.
- 8.5 Changes to licencing conditions of operators/drivers may need to be altered to reflect the above. Minor variations/ changes would be put forward by the Licensing Service for the consideration of the Regulation and Appeals Committee.

## **9. EQUALITY & DIVERSITY**

None

## **10. COMMUNITY SAFETY IMPLICATIONS**

The recommendation to Council, if accepted, will contribute to community safety by allowing for consistent and rigorous enforcement action.

## **11. HUMAN RIGHTS ACT**

None

## **12. NOT FOR PUBLICATION DOCUMENTS**

None

## **13. OPTIONS**

13.1 That Members recommend that full Council resolves to approve the proposal as set out in Paragraph (4) Proposed Actions of this report.

13.2 That Members do not recommend that full Council approves the proposal as set out in Paragraph (4) Proposed Actions of this report

## **14. RECOMMENDATIONS**

14.1 That Members recommend to full Council that the Taxi and Private Hire enforcement powers as set out in Appendix A of this report are delegated by City of Bradford Metropolitan District Council to the following local authorities, namely, Leeds City Council, Wakefield Metropolitan District Council, Calderdale Metropolitan Borough Council, Kirklees Metropolitan Borough Council and City of York Council, in addition to retaining those functions within the City of Bradford Metropolitan District Council.

14.2 That Members recommend to full Council that the Council should agree to accept similar delegated enforcement powers from Leeds City Council, Wakefield Metropolitan District Council, Calderdale Metropolitan Borough Council, Kirklees Metropolitan Borough Council and the City of York Council.

14.3 That Members recommend to full Council that it should instruct the Strategic Director, Environment and Sport to take the necessary action to implement recommendations 14.1 and 14.2 above.

14.4 That officers report back to Regulatory and Appeals Committee on the effectiveness of the arrangements recommended by this report.

## **15. APPENDIX**

### **Appendix (A)**

Functions to be delegated to the West Yorkshire Local Authorities and the City of York

## **16. BACKGROUND DOCUMENTS**

Best Practice Guidance - Department of Transport March 2010 Law Commission report 2014- 'Reforming the regulation of taxis and private hire vehicles'.

Deregulation Act 2015.

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## Appendix A

**Functions to be delegated to the West Yorkshire Local Authorities and the City of York Council**

Functions associated with -

**Local Government (Miscellaneous Provisions) Act 1976**

- Section 53(3) (a) Driver to produce his licence for inspection
- Section 58 Return of identification plate or disc on revocation
- Section 60 to suspend and revoke vehicle licenses
- Section 61 to suspend and revoke driver licences
- Section 68 Fitness of private hire vehicles
- Section 73 – Obstruction of Authorised Officer

**Town and Police Clauses Act 1847**

- Section 45 prosecution for plying for hire

**Road traffic Act 1988**

- Section 143 (no insurance)

The Authorities named below have delegated (or will delegate) the same functions to City of Bradford Metropolitan District Council.

Those authorities have also retained the ability to exercise these functions.

The Authorities -

Leeds City Council, Wakefield Metropolitan District Council, Calderdale Metropolitan Borough Council, Kirklees Metropolitan Borough Council and the City of York Council.

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## **Report of the Assistant Director Information Services to the meeting of Council to be held on 22nd March 2016**

**U**

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### **Subject:**

**Proposal to implement the video broadcasting on the internet (webcasting) of key Council meetings.**

### **Summary statement:**

**This report recommends the implementation of technology in the Council Chamber and in Committee Room 1 to allow key Council meetings to be broadcast over the internet. There are many benefits to the webcasting of Council meetings but the overall aim is to improve public engagement in the Council's democratic process.**

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Assistant Director Information  
Services

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### **Portfolio:**

**Leader of Council**

### **Overview & Scrutiny Area:**

**Corporate**



City of Bradford  
Metropolitan District Council



## **1. SUMMARY**

The purpose of this report is to seek approval to introduce the broadcasting of key Council meetings over the internet (webcasting).

## **2. REPORT**

### **Background**

A motion was passed at Council on 27 March 2012: "The Council agrees to consider webcasting full council meetings in order to enable more Bradford residents to engage with the Council's deliberations on behalf of the district. Council therefore requests that the Chief Executive (a) investigates the options for doing so, drawing on the experience of other local authorities including Kirklees (b) evaluates the costs and benefits (c) consults all Bradford councillors and (d) reports back to Council early in the new municipal year."

At the time a brief investigation into the costs of webcasting concluded that value for money would be difficult to achieve due to high equipment costs and that public usage would be limited. We have now re-evaluated the market and believe that a cost effective solution is available. The public environment has also changed with social media having a more significant impact and high quality video streamed to a wide range of devices being more prevalent.

### **Introduction**

Across the United Kingdom, over 70 local authorities have invested in webcasting technology. It gives people who may not be able to attend Council meetings the ability to view democratic proceedings on the internet, making public access easier and decision-making more transparent.

Webcasting requires a number of cameras to be installed in the chamber or meeting room. They are linked to the audio microphones and the webcasting system automatically points the appropriate camera at the speaker.

Webcasting allows meetings to be streamed live over the internet via the Council website with relevant contextual information (agendas, reports, presentations, speakers' names, etc.) also being displayed. Any meetings that are streamed live are also archived to allow the proceedings to be viewed after the event.

Webcasting can be procured as a managed service, meaning that an external supplier manages the equipment installation and the technical elements of broadcasting the meeting allowing Council officers to focus on running effective meetings.

### **Potential Benefits**

Webcasting of meetings encourages engagement and helps to address issues of exclusion. It is a cost effective way to reach a large audience on key issues. It is widely accessible via a range of electronic devices, such as desktop and laptop computers, tablets and smartphones.

Webcasting would potentially enable website visitors to:

- View meetings live, which may be helpful for people who have difficulty travelling to attend the meeting, who may find attendance at a formal meeting intimidating or who may otherwise prefer to watch from another location.
- Replay meetings after they have taken place, which may be helpful when the meeting time or location is inconvenient.
- Search for, and view, particular speakers or agenda items.
- Re-view points which may not be immediately clear to them as a result of the necessary procedures to a formal meeting appearing alien to the observer.
- Hear meetings (for people with visual impairments or basic skills needs).
- Gain additional contextual information from e.g. speakers' names, agenda documents, PowerPoint presentations etc. appearing with the webcast.

In addition:

- Members not able to participate and travel to City Hall would be able to view meetings live.
- Members would be able to draw on webcasts as a resource for the purposes of tracking debate on particular issues or for the purposes of drawing constituents' attention to relevant parts of a Council meeting.
- It could provide a learning resource (e.g. in relation to citizenship lessons in schools or induction training for both officers and Members).
- Local media could more readily access and report information regarding council meetings.

In turn webcasting could potentially:

- Strengthen the Council's democratic accountability to the local public both directly and via the local media
- Increase public understanding of the workings of local government both directly and via local media, schools etc.
- Improve public participation in the political process.
- Ensure greater equality of access to council information.

Webcasting is not limited to Council meetings and can also be used as another communications channel with the public and officers. This could include internal training material, senior management briefings and Leader of the Council messages.

### **3. OPTIONS**

Several options have been considered when investigating webcasting solutions. An in-house solution was considered; but the specialist skills and equipment required make it more suitable to be procured as a managed service.

We looked at the possibility of working with local organisations but none had the experience or offered the value required for an effective implementation.

During market research we found that the clear market leader in public sector webcasting is Public-I (<http://www.public-i.info/>) who manage the majority of the 70 Councils already delivering this service.

The proposal is to install equipment in the Council Chamber and Committee Room 1.

### **4. FINANCIAL & RESOURCE APPRAISAL**

The estimated cost of providing a webcasting managed service in the main Council Chamber and Committee Room 1 will be around £25,000 per year. This will be funded using the IT Services digital transformation budget as part of the programme of work to create a digitally enabled Council. It is recommended to enter into a one year agreement and then review the successes and benefits after 12 months.

### **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

Based on the discussions that have taken place with officers from other authorities where webcasting has been introduced, subject to the Council approval of webcasting, it will be necessary to develop a protocol as well as training on participation in a webcast environment.

The protocol will clearly define the webcasting policy including when items are exempt from webcasting.

### **6. LEGAL APPRAISAL**

N/A

### **7. OTHER IMPLICATIONS**

N/A

### **8. RECOMMENDATION**

That a webcasting solution be implemented and a review of the process be undertaken following 12 months of operation.

## **Report of the Director of Human Resources to the meeting of Council to be held on 22 March 2016**

**V**

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### **Subject:**

### **Pay Policy Statement 2016/17**

### **Summary statement:**

The Localism Act 2011 introduced a requirement for Local Authorities to produce and publish a Pay Policy Statement for each financial year. The Pay Policy Statement must be approved by full Council before publication.

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Portfolio:

Corporate

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Overview & Scrutiny Area:

Corporate



**City of Bradford  
Metropolitan District Council**



## **1. SUMMARY**

- 1.1 Sections 38 – 43 of the Localism Act 2011 require the Authority to produce a policy statement that covers a number of matters concerning the pay of the Authority's staff, principally its Chief Officers and the Authority's lowest paid employees.
- 1.2 The Pay Policy Statement for the year 1 April 2016 to 31 March 2017 has been produced taking into account the relevant requirements of the Localism Act 2011 and having regard to the statutory guidance issued by the Department for Communities and Local Government (DCLG) in February 2012 and the supplementary guidance issued in February 2013 both entitled 'Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011' ("the Guidance") together with the Local Government Transparency Code 2014 where applicable.
- 1.3 This report provides details of the proposed Pay Policy Statement for the financial year 2016/17.

## **2. BACKGROUND**

- 2.1 Section 38 of the Localism Act 2011 introduced a new requirement on local authorities to publish a Pay Policy Statement for each financial year.
- 2.2 The Pay Policy Statement must:
  - Be produced annually in time for the start of each financial year and be approved by a resolution of full Council (the power cannot be delegated). The 2016/17 Pay Policy Statement must be prepared and approved before 31 March 2016. Any amendments required to the Pay Policy Statement in year must also be considered by full Council.
  - Be published which must include publication on the Council's website, as a minimum, soon after approval or amendment.
  - Set out the Authority's policies on a range of issues particularly relating to its chief officers and lowest paid employees.
  - Be complied with.The Guidance also states that:
  - Full Council be offered the opportunity to vote on salary packages of £100k pa or more in respect of new appointments and severance packages of £100k or more.
- 2.3 The Pay Policy Statement must set out the Authority's policy relating to:-
  - The level and elements of remuneration for each Chief Officer, which includes salary, any charges, fees or allowances, benefits in kind, bonuses, the use of performance related pay, increases and additions to remuneration, remuneration on recruitment, the approach to the payment of Chief Officers ceasing to be employed by the Authority.
  - The remuneration of the lowest paid employees in the workforce.

- The relationship between the remuneration of Chief Officers and other employees.
  - The publication of and access to information relating to remuneration of Chief Officers.
- 2.4 The provisions of the Act do not apply to employees of schools maintained by the Authority and therefore they are not within the scope of the Pay Policy Statement.
- 2.5 Chief Officers are defined in the Pay Policy Statement as the posts of Chief Executive, Strategic Directors, Directors, Deputy Director, City Solicitor and Assistant Directors.
- 2.7 The Pay Policy Statement must be approved by a resolution of the full Council before it comes into force.
- 2.8 The proposed Pay Policy Statement for 2016/17 can be found at **Appendix 1**. The proposed Statement is based on the approved 2015/16 statement which has been updated and amended in relation to the following:
- The remuneration of lowest paid employee's has been amended to Spinal Column Point (SCP) 6 to reflect that SCP 5 has been deleted from the National Joint Council Local Government pay scales from 1<sup>st</sup> October 2015. Pay awards from April 2016 is still outstanding and is subject to agreement at national level.
  - As part of the Council's commitment to the regional Lower Paid Workers Charter a decision was taken at Executive on 23<sup>rd</sup> June 2015 to implement the current level of UK living wage of £7.85 per hour from 1<sup>st</sup> October 2015 paid as a supplement to all employees and casual workers currently paid on SCP10 or below resulting in all weekly hours up to 37 per week being paid at the equivalent of £7.85 per hour.
  - The value of the 'pay multiple' has remained the same between the highest paid salary and the median earnings figure of the whole of the Council's workforce. The implementation of the above mentioned living wage does not change the value of the pay multiple as it is the "median" salary figure is used i.e. the mid point of the employee salary data, not the average.
  - Under the current recruitment provisions, approval has been given for the following 3 posts to be covered under an interim arrangement by individuals on a "contract for service" basis until the normal recruitment process has been completed and appointments made; Assistant Director Integration and Transition from July 2015; Assistant Director Children's Specialist Services from September 2015 and Interim City Solicitor from February 2016. The Pay Policy Statement has been amended in Section (4) to reflect that these circumstances have occurred and may occur in future.

### 3. FULL COUNCIL CONSIDERATION

- 3.1 Full Council will consider this report and the draft Pay Policy Statement at **Appendix 1** on 22 March 2016

#### **4. OTHER CONSIDERATIONS**

- 4.1 The Council may, by resolution of the full Council, amend this Pay Policy Statement during the course of the year to which it relates.

#### **5. OPTIONS**

- 5.1 The production and publication of a Pay Policy Statement is a statutory requirement under the Localism Act 2011 for the financial year 2016/17 and each subsequent financial year.

#### **6. FINANCIAL & RESOURCE APPRAISAL**

- 6.1 There are no direct financial implications arising from this report.

#### **7. RISK MANAGEMENT**

- 7.1 No significant implications have been identified.

#### **8. LEGAL APPRAISAL**

- 8.1 The Authority is under a statutory duty to prepare and publish a Pay Policy Statement for the financial year 2016/17 and each subsequent financial year pursuant to the requirements set out in sections 38-43 of the Localism Act 2011. The Pay Policy Statement must be approved by a resolution of the Authority before it comes into force. The Pay Policy Statement for the financial year 2016/17 must be prepared and approved before 31 March 2016. The Authority must have regard to the Guidance referred to in this report in preparing and approving the Pay Policy Statement together with the provisions of the Local Government Transparency Code 2014 where applicable.

#### **9. OTHER IMPLICATIONS**

None.

##### **9.1 EQUALITY & DIVERSITY**

This Pay Policy Statement is a confirmation of existing policies, documents and relevant terms and conditions of employment therefore there are no diversity and equality implications arising.

An Equality Impact Assessment is not required as the Pay Policy Statement does not include proposals for new or changing policies, services or functions.

##### **9.2 SUSTAINABILITY IMPLICATIONS**

Not applicable.

##### **9.3 GREENHOUSE GAS EMISSIONS IMPACTS**

Not applicable.

##### **9.4 COMMUNITY SAFETY IMPLICATIONS**

Not applicable.



## **9.5 HUMAN RIGHTS ACT**

None arising from this report.

## **9.6 TRADE UNION**

There is no formal requirement to consult about this Pay Policy Statement however it will be shared with the recognised Trade Unions for information.

The Pay Policy Statement brings together the Authority's existing policies which have been subject to consultation where required.

## **9.7 WARD IMPLICATIONS**

Not applicable.

## **10. NOT FOR PUBLICATION DOCUMENTS**

None

## **11. RECOMMENDATIONS**

*Recommended -*

That the Pay Policy Statement for the financial year 2016/17, as set out at Appendix 1 to this report, be approved.

## **12. APPENDICES**

Appendix 1: Proposed Pay Policy Statement 2016/17

## **13. BACKGROUND DOCUMENTS**

- Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011, February 2012 [Openness & Accountability in Local Pay - Feb 2012](#)
- Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011 (Supplementary Guidance) February 2013 [Openness and Accountability in Local Pay - Feb 2013](#)
- [Local government transparency code 2014](#)

# **PAY POLICY STATEMENT**

## **FOR THE FINANCIAL YEAR**

### **2016/2017**



### Statement of Pay Policy for the year 1 April 2016 to 31 March 2017

#### 1. Introduction

Sections 38 – 43 of the Localism Act 2011 require the Authority to produce a policy statement that covers a number of matters concerning the pay of the Authority's staff, principally its Chief Officers and the Authority's lowest paid employees. This pay policy statement meets the requirements of the Localism Act 2011 and takes account of the guidance issued by the Secretary of State for Communities and Local Government in February 2012 and the supplementary guidance issued in February 2013 both entitled "Openness and accountability in local pay: Guidance under section 40 of the Localism Act" together with the Local Government Transparency Code 2014 where applicable.

This pay policy statement does not apply to employees of schools maintained by the Authority and is not required to do so.

In accordance with the provisions of the Localism Act 2011 this pay policy statement is required to be approved by a resolution of the Authority before it comes into force.

Once approved by the full Council, this policy statement will come into immediate effect, superseding the 2015/2016 pay policy statement, and will be reviewed annually.

#### 2. Definitions used in this Pay Policy Statement

All the posts below are collectively referred to as **Chief Officer**.

- **Head of the Paid Service**, which in this Authority is the post of Chief Executive
- **Statutory Chief Officers**, which in this Authority are:-
  - Strategic Director Children's Services
  - Strategic Director Adult & Community Services
  - Director of Finance who is the Authority's Chief Finance Officer under section 151 Local Government and Housing Act 1989
  - City Solicitor who is the Authority's Monitoring Officer under section 5 Local Government and Housing Act 1989
  - Director of Public Health
- **Non-statutory Chief Officers and Deputy Chief Officers**, which in this Authority are:-
  - All other Strategic Directors, Directors, Deputy Director and Assistant Directors.

The **Lowest Paid Employees** are defined as employees paid on Spinal Column Point 6 of the National Joint Council (NJC) for Local Government Services pay scales. This definition has been adopted as it is the lowest level of remuneration attached to a post in this Authority (see section 5 below).

#### 3. The Overall Approach to Pay and Remuneration

The Authority's overall approach to pay and remuneration for its employees is based on:

- Ensuring that the overall remuneration aligns with:-
  - The responsibilities and accountabilities of particular posts
  - Market norms for the local government and public sectors
  - Pay levels in the local area, including neighbouring public sector employers.

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The Authority seeks to maintain this overall approach by carefully monitoring pay data provided by the Joint National Councils (JNCs) for Chief Officers and Chief Executives of Local Authorities, Local Government Association/Employers and other pay surveys.

### 4. Policy on Remunerating Chief Officers

#### **Policy on Remunerating the Chief Executive**

The Chief Executive is employed pursuant to the terms and conditions of employment of the Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities as amended and supplemented by local agreements and decisions.

The Authority recognises that the role of Chief Executive is to lead the Authority's workforce, has the greatest level of accountability and so warrants the highest pay level in the Authority.

When setting the remuneration for the Chief Executive the Authority will compare the current salary of the post with comparable salaries for Chief Executives at councils of a similar size, type and location. Specialist advice will normally be sought on an appropriate starting salary.

The Chief Executive is employed on a defined salary (not a grade range) and this salary is increased in accordance with any nationally agreed pay awards as determined by the national Joint Negotiating Committee for Chief Executives of Local Authorities.

Salary of the Chief Executive is £178,476 p.a.

#### **Policy on Remunerating other Chief Officers**

Chief Officers are employed pursuant to the terms and conditions of employment of the Joint Negotiating Committee (JNC) for Chief Officers as amended and supplemented by local agreements and decisions.

Grades for Chief Officer posts are determined through the recognised 'Hay' job evaluation system. Job evaluation is a systematic way of determining the value of a job in relation to other jobs in the organisation. The 'Hay' system provides an analytical approach to evaluating the job value through allocating points to different factors (responsibilities and duties) of the job role, the total score of which equates to a grade range within the Authority's pay and grading structure for Chief Officers. These grade ranges are set out below.

A grade range consists of a number of incremental salary points through which employees may progress until the top of the grade is reached. Progression within each grade range will normally be by annual increment at 1 April each year until the top of the grade range is reached.

The grade ranges and salary levels are:

Strategic Director 1	£130,181 - £136,480 (SD1)
Strategic Director 2	£107,086 - £117,583 (SD2)
Director 1	£100,000 - £110,000 (Dir 1)
Assistant Director 1	£ 91,023 - £ 96,378 (AD1)
Assistant Director 2	£ 80,314 - £ 91,023 (AD2)
Assistant Director 3	£ 69,606 - £ 80,314 (AD3)

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The post of Deputy Director Education Employment and Skills is employed on a fixed salary of £99,000 (not a grade range) and this salary is increased in accordance with any nationally agreed pay awards as determined by the national Joint Negotiating Committee for Chief Officers of Local Authorities.

### Other Aspects of Chief Officer Remuneration

Other aspects of Chief Officer remuneration covered by this pay policy statement include the policies in respect of recruitment, pay increases, performance related pay, earn back (withholding an element of base salary related to performance), bonuses, ex gratia payments, honoraria (payment for increased duties and responsibilities), termination payments and re-employment when in receipt of a Local Government Pension Scheme (LGPS) pension or a redundancy/severance payment. These matters are addressed in the schedule that is attached to this pay policy statement at **Appendix A**.

### Public Health

Following the transfer of responsibility for public health to local authorities on 1 April 2013, those employees of the NHS assigned to the area transferring, including the Director of Public Health, transferred to the employment of the Authority on their current terms and conditions of employment including salary and membership of the NHS pension scheme. The Director of Public Health is a statutory appointment. The salary for the post remains within the Primary Care Trust Band 4 which is a fixed salary of £99,910 p.a.

In addition a number of the Public Health Consultants who report to the Director of Public Health transferred to the Authority on 1 April 2013 on their NHS pay rates which fall within the pay ranges assigned to NJC Chief Officers within the Council. Their salaries range between £70,631 p.a. and £83,829 p.a. As such officers transferred to the Authority on their current terms and conditions of employment, some or all of this pay policy statement may not apply to them.

### Tax Avoidance Measures

All chief officers are remunerated via monthly salary payments through PAYE. Appropriate tax and national insurance deductions are made in accordance with HMRC regulations and there are no arrangements in place for the purpose of minimising tax payments.

Where the Council is unable to recruit senior managers, or there is a need for interim support to provide cover for a substantive Chief Officer role, the Council will, where necessary, consider engaging individuals under a "contract for service". These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money benefits from competition. It should be noted that in respect of these engagements the Council is not required to make tax or national insurance deductions or make contributions for pension or national insurance for such individuals.

## 5. Policy on Remunerating the Lowest Paid Employees in the Workforce

Pay levels for specific posts are determined through a job evaluation system. Job Evaluation is a systematic way of determining the value of a job in relation to other jobs in the organisation. The job evaluation scheme provides an analytical approach to evaluating the job value through allocating points to different factors (responsibilities and duties) of

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the job role, the total score of which equates to a grade within the Authority's pay and grading structure. The Authority uses the National Joint Council Local Government Services Job Evaluation Scheme (the NJC Scheme) to evaluate all posts on Bands 1 to 8 (this covers spinal column point 5 to 28 of the NJC pay spine).

The pay levels are increased in accordance with any nationally agreed pay awards as determined by the National Joint Council (NJC) for Local Government Services.

### Remuneration of Lowest Paid Employees

- a. The lowest pay point in this Authority is spinal column point 6 which relates to an annual full time salary of £13,614 p.a. and can be expressed as an hourly rate of pay of £7.06. This pay point and salary is the lowest pay point routinely used by the Authority for its substantive roles determined by the Authority as part of its pay and grading structure for employees employed on Local Government Services Terms and Conditions as at 1 January 2015 and has been applied since that date. This is the definition of the "lowest paid employees" adopted by the Authority for the purposes of this Pay Policy Statement, and is only increased in accordance with any nationally agreed pay awards as determined by the NJC for Local Government Services. At the Executive on 23<sup>rd</sup> June 2015 decided to adopt the current level of UK living wage of £7.85 per hour from 1<sup>st</sup> October 2015 paid as a supplement to all employees and casual workers currently paid on spinal column point 10 or below (approximately 2,200) resulting in all weekly hours up to 37 hours per week being paid at the equivalent of £7.85 per hour.
- b. There is no bonus pay.
- c. Additional allowances or other payments are made in connection with an employee's pattern of hours e.g. shift work, but these are only paid in accordance with the terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of Authority decisions.
- d. There are no benefits in kind.
- e. Redundancy payments are paid in accordance with the Authority's Discretionary Compensation Policy. Discretionary Compensation Policy.
- f. Based on the application of the job evaluation process, the Council uses the nationally negotiated, National Joint Council (NJC) pay spine as the basis for its local grading structure for all posts graded up to and including Band 8 (this covers spinal column points 6 to 28 of the NJC pay spine.)

### 6. Policy on the Relationship between Chief Officer Remuneration and that of Other Staff

This section sets out the Authority's overall approach to ensuring pay levels are fairly and appropriately dispersed across the organisation, including the current pay multiple which applies within the Authority.

The Authority believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Authority's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with, and properly reflect, the relative demands and responsibilities of each post and the knowledge, skills and

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capabilities necessary to ensure that the post's duties are undertaken to the required standard, as well as taking account of relevant market considerations, if necessary. This includes ensuring that there is an appropriate relationship between the pay levels of its senior managers and of all other employees.

The Local Government Transparency Code 2014 (dated October 2014) requires the Authority to publish its 'pay multiple', i.e. the ratio between the highest paid salary and the median average salary of the whole of the Authority's workforce. Guidance issued under the Localism Act 2011 recommends that the 'pay multiple' is included in the Authority's pay policy statement.

The highest paid salary in this Authority is £178,476 p.a. which is paid to the Chief Executive. The average median salary in this Authority (not including employees in schools maintained by the Authority) is £19,742 p.a. The ratio between the two salaries, the 'pay multiple' is 9.0:1. This Authority does not have a policy on maintaining or reaching a specific 'pay multiple', however the Authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the Authority as expressed in this pay policy statement.

### **7. Approval of Salary Packages of £100,000 p.a. or more**

The Authority will ensure that full Council must approve any salary package of £100,000 p.a. or more before it is offered in respect of a new appointment. This does not apply to offers of appointment made to employees employed in schools maintained by the Authority. The salary package will be defined as base salary, routinely payable allowances and any benefits in kind that are due under the contract.

### **8. Severance Payments for Chief Officers**

If the Council is considering making a severance payment to a Chief Officer the decision as to whether such a payment should be made will be taken by Staffing Committee or a sub-committee of Staffing Committee both of which are sub-committees of full Council provided that if the proposed severance payment is £100,000 or more, (excluding accrued pension rights) then the decision as to whether the payment should be made will be taken by full Council.

### **9. Flexibility to Address Recruitment Issues for Vacant Posts**

In the vast majority of circumstances the provisions of this pay policy statement will enable the Authority to ensure that it can recruit effectively to any vacant post. There may be exceptional circumstances when there are recruitment difficulties for a particular post and where there is evidence that an element of the overall remuneration is not sufficient to secure an effective appointment. This pay policy statement recognises that this situation may arise in exceptional circumstances and therefore a departure from this policy can be implemented without having to seek full Council approval for a change of the pay policy statement. Such a departure from this pay policy statement will be expressly justified in each case and will be approved through an appropriate Authority decision making process.

### **10. Amendments to the Policy**

If a major change to this pay policy statement is considered to be appropriate during the year, then a revised draft pay policy statement will be presented to full Council for consideration.

### **11. Policy for Future Years**

This pay policy statement will be reviewed each year and will be presented to full Council each year for consideration in order to ensure that a policy is in place for the Authority prior to the start of each financial year.

### **12. Publication**

The Authority will publish this pay policy statement on its website ([www.bradford.gov.uk](http://www.bradford.gov.uk)) as soon as is reasonably practicable after it has been approved by Council. Any subsequent amendments to this pay policy statement made during the financial year to which it relates will also be similarly published. The Authority currently publishes information on Chief Officer Remuneration in its Annual Statement of Accounts in accordance with the requirements of the Accounts and Audit (England) Regulations 2011 [Statement of Accounts 2014 15.pdf](#) and the Local Government Transparency Code 2014 [Bradford Metropolitan District Council | Data Protection, Open Data and Freedom of Information | What is Open Data?](#)



## Pay Policy Statement

### Appendix A - Other Aspects of Chief Officer Remuneration

Aspect of Chief Officer Remuneration	Authority Policy
Recruitment	The post will be advertised and appointed to at the appropriate approved salary grade and pay range for the post in question (as set out in Section 4) unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the overall remuneration. In such circumstances a variation to the remuneration package may be appropriate under the Authority's pay policy statement and any variation will be approved through the appropriate decision making process. The Authority has a relocation scheme that provides assistance to all new employees including Chief Officers meeting the relocation criteria up to a maximum of £5,750.
Pay Increases	The Authority will apply any pay increases that are determined by relevant national negotiating bodies.
Performance Related Pay	The terms of the contract of employment do not provide for performance related pay.
Earn-Back (Withholding an element of base salary related to performance)	The terms of the contract of employment do not provide for an element of base salary to be withheld related to performance. Any areas of underperformance are addressed in accordance with relevant Authority procedure.
Bonuses	The terms of the contract of employment do not provide for the payment of bonuses.
Ex-Gratia Payments	The Authority does not make ex gratia payments.
Honoraria	Honoraria payments are additional payments paid to employees for increased duties and responsibilities. Honoraria will only be considered where employees take on additional duties and responsibilities beyond the remit of their substantive role and would be subject to approval through the appropriate decision making process.
Expenses	The Authority pays reasonable out-of-pocket expenses actually incurred.
Local Government Pension Scheme (LGPS)	<p>The Authority provides access to the Local Government Pension Scheme for Chief Officers in accordance with the statutory provisions of the scheme.</p> <p>The employer's contribution rate for all Authority employees who are members of the LGPS is currently 14.2% (1 April 2014) of salary and is set by actuarial valuation of the West Yorkshire Pension Fund every 3 years. How much employees pay themselves in pension scheme contributions depends on how much they earn. The contribution rates from 1 April 2015 are:</p> <p>Employees earning between £60,701 and £86,000 contribute 9.9%.  Employees earning between £86,001 and £101,200 contribute 10.5%.  Employees earning between £101,201 and £151,800 contribute 11.4%.  Employees earning more than £151,801 contribute 12.5%.</p>

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Aspect of Chief Officer Remuneration	Authority Policy
Termination Payments and payment of pension benefits on termination	<p>There are no separate provisions for termination payments for Chief Officers. Redundancy payments will be paid in accordance with the Authority's <a href="#">Discretionary Compensation Policy.doc</a></p> <p>The Authority has agreed written policies on how it will apply any discretionary powers it has under the LGPS regulations. The Authority's policies are provided at <a href="#">LGPS Pension Discretion Policy Statements</a>. There are no separate policies for Chief Officers.</p> <p>Other than payments referred to above the Authority's policy is not to make any other termination payments, other than where it has received specific legal advice to the effect that a payment may be necessary in appropriate cases to eliminate risk of successful legal claims or to settle legal proceedings against the Authority.</p>
Election Fees	<p>The Chief Executive receives fee payments pursuant to his/her appointment as Returning Officer at elections. The fees paid in respect of district elections vary according to the size of the electorate and number of postal voters and are calculated in accordance with the allowance set by the Authority. Fee payments for national and European elections are set by central government and are, in effect, not paid by the Authority, as the fees are reclaimed.</p> <p>The Chief Executive does not receive any additional payment for the role of Returning Officer for local government elections.</p> <p>Separate payments set by the Authority are made to the City Solicitor* as Deputy Returning Officer, in accordance with the same principles for the Returning Officer as described above.</p> <p>The amounts paid are published on the Authority's website in the Annual Statement of Accounts in accordance with the requirements of the Accounts and Audit (England) Regulations 2011.</p> <p><a href="#">Statement of Accounts 2014 15.pdf</a></p>
Re-employment of Chief Officers in receipt of a LGPS Pension or a redundancy/ severance payment	<p>The Authority is under a statutory duty to appoint on merit (section 7 Local Government and Housing Act 1989) and has to ensure that it complies with all appropriate employment and equalities legislation. The Authority will always seek to appoint the best available candidate who has the skills, knowledge, experience, abilities and qualities needed for the post. The Authority will therefore consider all applications from candidates to try to ensure the best available candidate is appointed. If a candidate is a former employee in receipt of a LGPS pension or a redundancy payment this will not rule a candidate out from being re-employed by the Authority. If a former employee leaves the Authority by reason of redundancy the individual cannot be reappointed to their old post as it will not exist. The Authority will apply the provisions of the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999 regarding the recovery of redundancy payments where appropriate. Pension Regulations also contain provisions to reduce pension payments in certain circumstances to those in receipt of a pension who return to work within the local government service.</p>
Car allowance payment	Chief Officers will be paid Car Allowances in accordance with HMRC rates.
Provision of Mobile Telephones/Communication device	Where appropriate a mobile communications device will be provided for business use and work related costs will be met by the Authority.

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Aspect of Chief Officer Remuneration	Authority Policy
Professional subscriptions	The Authority pays the annual subscription to one relevant professional body.
Provision of ICT equipment	As part of the Authority's approach to flexible working the Authority will make a contributory payment towards set up, rental costs and ongoing work related costs of ICT equipment to be used at home, upon production of appropriate invoices.

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