

# Minutes of a meeting of the Executive held on Tuesday, 10 January 2017 in the Council Chamber, City Hall Bradford

Commenced      10.40 am  
Concluded        1.00 pm

## Members of the Executive – Councillors

<b>LABOUR</b>
Hinchcliffe
V Slater
I Khan
Ross-Shaw
Ferriby
Jabar

Observers: Councillors Brown, Davies, M Pollard and Townend (Minute 74)

## Councillor Hinchcliffe in the Chair

### 67.      **DISCLOSURES OF INTEREST**

No disclosures of interest in matters under consideration were received.

### 68.      **INSPECTION OF REPORTS AND BACKGROUND PAPERS**

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

### 69.      **RECOMMENDATIONS TO THE EXECUTIVE**

The following recommendations to the Executive were noted:

1.      **PETITIONS REFERRED FROM THE COUNCIL MEETING ON TUESDAY 13 DECEMBER 2016:**
  - (i)     Petition against increased Car Parking Charges in the Ian Clough Hall and Grove Car Parks.



- (ii) Petition to Save Queensbury Pool.
- (iii) Petition to reverse the decision to delete the Development Officer Inclusion and Mobility Post.

**Note:**

- (1) In receiving the recommendations relating to Items (i) and (ii), it was noted that these matters were already due for consideration on this agenda.
- (2) In receiving recommendation (iii) it was noted that a report on this matter will be considered at the 7 February 2017 meeting of the Executive, as an exception to the Forward Plan.

**ACTION:** *Assistant Director Transportation, Design and Planning (2)*

**2. CORPORATE OVERVIEW AND SCRUTINY COMMITTEE –  
14 DECEMBER 2016**

**BRADFORD DISTRICT ARMED FORCES COVENANT UPDATE**

**Resolved –**

- (1) That this Committee requests that the Executive builds in support for the Armed Forces Covenant within all parts of the Council's procurement processes and partnerships.
- (2) That the Executive look at ways to disseminate information about the Covenant to front line charities and third sector organisations to encourage greater awareness of the aims of the Covenant and what it can do to help their clients.

**ACTION:** *City Solicitor (referral to Executive)*

**Note:** In receiving the above recommendations it was noted that these recommendations will be progressed with oversight from the Armed Forces Champion, Councillor Ross-Shaw.



3. **REGENERATION AND ECONOMY OVERVIEW AND SCRUTINY COMMITTEE -22 DECEMBER 2016 SCRUTINY OF FAIRTRADE ACROSS THE DISTRICT**

**Resolved –**

- (1) **That the Executive clarifies which Portfolio Holder has responsibility for Fairtrade and that it ensures that Council Policy on Fairtrade is implemented Council wide; in addition an officer be identified as a point of contact for Fairtrade.**
- (2) That the Chief Executive be requested to remind the Council Management Team that Fairtrade is Council Policy and therefore should be built into all relevant procurement contracts.
- (3) That the forthcoming Fairtrade Fortnight events in 2017 which will enhance profile of Fairtrade and offer the opportunity to improve links with businesses be noted.
- (4) That the information regarding Yorkshire Purchasing Organisation Fairtrade products and pricing be circulated to Members.

*Action: Assistant Director, Office of the Chief Executive*

**Note: In receiving the above recommendation, the Leader stated that it was not appropriate to have a sole Portfolio Holder responsible for Fairtrade, however there was already a Fairtrade Champion, Councillor Farley.**

70. **CALL- IN: BRADFORD DISTRICT LOCAL FLOOD RISK MANAGEMENT STRATEGY**

At its meeting on 6 December 2016, the Executive considered a report of the Strategic Director Regeneration (**Document “AP”**) which asked Members to adopt the Local Flood Risk Management Strategy (LFRMS). As Lead Local Flood Authority (LLFA), the City of Bradford Metropolitan District Council is required under Section 9 of the Flood and Water Management Act (FWMA) 2010, to develop, maintain, apply and monitor a strategy for local flood risk management – a “Local Flood Risk Management Strategy” (LFRMS). The strategy must detail the risk management authorities and the functions that they can exercise within the Bradford Lead Local Flood Authority area, assess local flood risk, the objectives for managing that risk and measures proposed to implement those objectives.



The decision of the Executive had been called-in for the following reason:

*“I wish to call in this decision to the Corporate Overview and Scrutiny Committee to ensure that the actions and activities that flow from the implementation of this strategy do not adversely impact on recommendations made by Members in the Flood Review”.*

The Call-in was considered by the Corporate Overview and Scrutiny Committee on Thursday 5 January 2017.

**Resolved –**

**Executive noted the decision from the Corporate Overview and Scrutiny Committee meeting held on Thursday 5 January 2017, regarding the Call-in on the Bradford District Local Flood Risk Management Strategy had been released for implementation.**

***ACTION: No Action***

**71. PETITION REFERRED FROM COUNCIL ON 13TH DECEMBER 2016 - SAVE QUEENSBURY SWIMMING POOL FROM CLOSURE**

A petition was presented to the meeting of Council on 13 December 2016 to save Queensbury Pool from closure. Council referred the matter to the Executive for further consideration. The Strategic Director Place submitted a report (**Document “AU”**) which set out a response to the petition, including options.

The lead petitioner was present at the meeting along with a pupil from one of the schools that regularly use the pool. The following points were made:

- That although the petition had been considered by Full Council, more signatures could have been obtained.
- That as the lead petitioner, she had only been advised of the meeting last Thursday and had not been given adequate time to prepare for this meeting.
- That if the closure went ahead many thousands of pupils would be affected.
- That the petition had received good press coverage, with interest from television and the T&A backing the campaign.
- That it was not feasible to travel to the proposed new pool, as it would entail a long journey either by minibus or via public transport.



- That the financial appraisal for the proposals did not stack up, as the Council would have to borrow money in order to build the new facility, and that the previous proposals had to be shelved due to the inadequacy of the financial model.
- That the Council had already wasted money on the previous proposals, and closing a local facility will have a detrimental impact on the community and the schools that use Queensbury Pool, and urged that the pool be kept open.

In response, the Assistant Director Sport and Leisure stated that he acknowledged the depth of feeling and the representations that had been received to date, however Queensbury Pool was an old pool, with huge backlog maintenance costs. That although all pupils will be offered alternative pools to swim at, he accepted that there will be transport issues that will need looking at. He added that in building a new facility at Sedburgh, the Council will need to borrow money, however this capital investment would be recouped as the new facility would require less maintenance and would be used by more people, generating more income and ultimately placing less pressure on the revenue budget.

The Leader thanked the lead petitioner and other representatives for making their points, stating that the Council was receiving less money from Central Government and this meant that a number of services would no longer be provided or had to be reconfigured so they offered better value for money.

The Environment, Sport and Culture Portfolio Holder stated that in supporting communities, the Council found itself in a difficult financial situation and having to make decisions that affected services, however the proposals offered the most viable solution, as Queensbury Pool had high running costs. She added that she was happy to work with schools to ensure that the transition was smooth and confirmed that Queensbury Pool will only close when the new facility opens, and that the Service would also liaise with schools on how best to transport children to the new facility, and it was therefore:

**Resolved –**

**That Option 1 be approved:**

**Confirm the intention that when the new pool at Sedbergh opens, Queensbury Pool will be offered for community management and if no solution can be found the pool will close.**

***ACTION: Strategic Director Place***

Overview and Scrutiny Committee: Regeneration and Economy



**72. GREAT PLACES TO GROW OLD - LONG TERM SUPPORT FOR OLDER PEOPLE - THE FUTURE OF THE COUNCIL'S RESIDENTIAL CARE HOME - HOLMEVIEW**

Great Places to Grow Old (GPGO) was an integrated programme to address the accommodation and support needs of older people, including older people with dementia. It included the development of housing, extra care housing, short term rehabilitation, respite care/crisis support, residential and nursing care.

The programme promoted independence and wellbeing for older people with the aim of reducing the overall reliance on intensive forms of care support by expanding services that help people stay at home, or return home after a crisis. This included the development of resources and support which can be tailored for individuals enabling people to remain in their own home and be independent for longer.

The Strategic Director Adult and Community Services submitted a report (**Document "AR"**) which set out the Council's decision on 18<sup>th</sup> February 2014 to include in the budget proposal for Adult and Community Services, a reduction in the provision of two in house residential homes over the next 2 years, one of which was closed in January 2015. This decision was included in the plans within the GPGO delivery programme which was approved by Executive in January 2013.

As a result of changes in the local market and acceleration of joint commissioning proposals with health partners, permission was sought and a decision was made in September 2015 to defer the consultation on the future of Holmeview.

The report reviewed a range of information regarding in-house services and independent provision and permission was sought from Executive to go out to consultation on the future of Holmeview.

The Strategic Director explained the rationale behind the proposals, stating that many people were wanting to stay in their own homes, with the expansion of Extra Care making this option more feasible. With the pressure on hospital beds, the focus was very much on short stay and supporting people in their homes and enabling them to have quality care. Thus this report set out what the market could support in residential care homes.

The Health and Wellbeing Portfolio Holder stated that a revised Appendix 1 had been circulated which contained up to date figures and that a Equality Impact Assessment had also been updated and circulated, following a period of consultation. She added that 2 years ago the proposal to close the home could not be supported as there was inadequate alternative care provision available, however the Council was now in a better position in the context of improved provision in the independent sector and hence the time was now right to go out to consultation on the future of Holmeview.

A number of relatives of the residents of the home were present at the meeting



and they made the following points in relation to the proposals:

- That Holmeview was an excellent facility that should remain open.
- That the report failed to address a number of issues, in particular there was already a proposal to increase Council Tax to meet the shortfall in adult social care costs.
- That reliance on the private sector to meet the shortfall in adult social care provision would not add value in the quality of the care provided to residents.
- That the proposed alternative provision was not adequate as it required improvement.
- That all residents and relatives wanted was a setting that provided a good level of care and was outstanding.
- That moving towards a model of home care was not viable for people who had dementia and required specialist dementia care.
- That the standards in the private sector were not the same as the Council's standards.
- That ensuite provision stipulated by the Care Quality Commission was unsuitable for someone with dementia and that the level of care offered to residents at Holmeview was second to none.
- That will the Council continue to pay top up fees when residents transfer?
- That the proposed alternative provision had only been judged adequate, and adequate was not good enough.
- That not all the current residents would be suitable to be transferred to the proposed new facility and therefore what would happen to those residents.
- That would staff at Holmeview be able to transfer to ensure continuity of care?

The Leader stressed that this was only the start of the consultation phase and that the rationale behind the proposals was the long term sustainability of Holmeview, and in no way was it a reflection on the quality of care provided at the home.



In response to some of the issues raised, the Strategic Director stressed that it was not the intention to force people to move to the Gateway home, and that all other available provision would be looked and that residents will be given the opportunity to choose a home appropriate to the their needs.

In addition the service will also look at the issue of staff transfer nearer the time of transition.

In relation to the Care Quality Commission standards, the Council could not control what the private sector does as the same regulations applied to all Care Homes.

The Strategic Director also cautioned against some of the press coverage around this issue and stressed that the health and social needs of residents would be fully assessed, and that it was the Services intention to work closely with families going forward to ensure the best outcomes were achieved.

In relation to top up fees it was pointed out that these would only be paid for the first year, however this was an on going issue with a number of homes.

The Portfolio Holder stated that she appreciated that this was a distressing time and process for all concerned, however no decision would be taken today; that views expressed by relatives would be taken on board and that the Council was keen to provide a good level of care, which was in accordance with statutory standards set by the CQC.

The Strategic Director confirmed that going forward, all residents and relatives would be consulted on the proposals which would take place over a 12 week period, where issues around assessment and support would be looked at.

**Resolved –**

**That a consultation be undertaken on the future of Holmeview Care Home.**

***ACTION: Strategic Director Adult and Community Services***

Overview and Scrutiny Committee: Health and Social Care





### 73. FOSTERING ALLOWANCES REVIEW

The Strategic Director Children's Services submitted a report (**Document "AS"**) which set out the proposals to;

Align the level of fostering allowances ensuring that payments for all fostering, special guardianship, Child Arrangement Orders (formerly Residence Orders) and adoption are all paid at the same rates as required by law.

The Assistant Director **Social** Care stated that the proposal to bring fostering allowances in line with statutory requirements would achieve affordable equity for children for whom Bradford has a financial responsibility, by ensuring that they are not disadvantaged as a result of the permanency option that best meets their needs. Furthermore the proposal would align rates to the national allowances rate, adding that despite the changes Bradford's fees and allowances were still higher than its West Yorkshire counterparts and that the reduction will be phased in over a 2 year period.

The Assistant Director alluded to the consultation process that had been undertaken with Foster Carers, with two consultation events being held towards the end of 2016. The overwhelming majority of the Foster Carers were unhappy with the proposed changes and expressed concerns at the adverse impact the changes would have.

A number of Foster Carers were present at the meeting to express their opposition to the proposals, and a representative made the following points:

That the Foster Carers had listened to what had been said today and were acutely aware of the impact of last year's reductions. That people had been informed very late about today's meeting and that the decision was unlikely to change despite the strong objections raised, as a similar process had been gone through last year. That they had spoken to a number of Associations and some Authorities pay no fees, just allowances. He stressed that as Foster Carers they felt that they were easy targets and did not have a voice, hence unionisation was a way forward. He expressed concern that money was now being taken from children and the issue needed revisiting.

A representative from the GMB union was also present and stated that Foster Carers were being penalised year on year and that Calderdale Council had agreed to increase its payments to Foster Carers. She added that inadequate notice had been given about today's meeting. That a number of inaccurate statements had been made during the consultation process and that teenagers would particularly lose out under the proposals. That there was a danger that a number of carers would transfer to independent fostering agencies and it was therefore important to listen to the concerns expressed by Foster Carers.

The Assistant Director Social Care acknowledged the comments and the



passionate views expressed, and he stressed that the work and value Foster Carers brought was appreciated. However the legal advice was clear about paying differential allowances, as there was the possibility of legal challenge. He alluded to the consultation exercise, that it had been well attended and there had been a genuine opportunity to have a meaningful dialogue. In relation to the fees and allowances paid by other West Yorkshire local authorities, they had been checked and they were correct at the time of going to press. He added that there was no limitations on Foster Carers contacting other local authorities, or independent agencies, however the intention would be to phase the proposals over a 2 year period.

The Health and Wellbeing Portfolio Holder acknowledged that this was a very difficult decision and that the work done by Foster Carers was fully appreciated, hence the proposals would be staggered over a 2 year period.

**Resolved –**

**That Option 2 – Reducing Fostering allowances to the Government minimum allowances over a two year period with effect from 01 April 2017 be approved.**

***ACTION: Strategic Director Children’s Services***

Overview and Scrutiny Area: Children’s Services

#### **74. OBJECTIONS RECEIVED TO THE AMENDMENTS TO THE OFF-STREET PARKING PLACES CONSOLIDATION ORDER 2015**

The Strategic Director Environment and Sport submitted a report (**Document “AT”**) which set out objections and other proposals suggested in response to the formal advertisement of amendments to the Off–Street Parking Places Consolidation Order 2015.

The Assistant Director Neighbourhoods and Customer Services stated that following the consultation process, 106 objections had been received on the various proposals, including a petition.

The Regeneration, Planning and Transport Portfolio Holder stated that he had visited Baildon, and welcomed the opportunity to talk to businesses and ward Councillors about the proposals and that he would continue this dialogue after the proposals had been implemented, to assess its impacts.



A Baildon Ward Councillor was present at the meeting and thanked the Portfolio Holder for visiting Baildon and looking at the issues, stating that if the charges were introduced, the impact on the businesses should be monitored.

Another Baildon Councillor stated that the net revenue raised from parking would be miniscule, however the impact on businesses would be significant. In addition the proposals would have the effect of shoppers going to areas where there was free parking, and she urged the Executive to reconsider its proposals.

A Haworth, Cross Roads and Stanbury Parish Councillor was present at the meeting and stated that the removal of the 30 minutes parking on Gas Street would have a particularly detrimental impact on businesses and local residents. He added that businesses were already struggling, and if they were to close, the Council would be worst off, as there would be a corresponding loss in business rates.

A Ward Councillor for the Worth Valley area stressed that parking in the area was already difficult and that the proposals would lead to increased on street parking, posing an increased accident risk.

In relation to the proposals for Shipley, a business owner expressed his concerns at the proposed parking charges and stressed that there had not been any prior parking issues he was aware of, and that the proposals could jeopardise businesses and other options should be explored.

In response to some of the points raised, the Assistant Director stressed that the proposals would create consistency across the district.

The Portfolio Holder stated that car parking charges in Bradford were still lower than many of its West Yorkshire counterparts and that much needed income would be generated from the proposals, as well as standardising charges across the district. In addition he would like to continue the conversation with Ward Councillors and the business affected on the impact of the proposals once they were implemented.

The Leader highlighted that she did not underestimate the issue and the points that had been raised, however a balance had to be struck between priorities and the difficult financial situation the Council found itself in.



**Resolved –**

**That the objections be overruled and the Off-street Parking Places Consolidation Order 2015 is amended to incorporate the changes highlighted in Appendix A to Document “AT”– ‘proposed tariffs’.**

***ACTION: Strategic Director Place***

Overview and Scrutiny Committee: Environment and Waste Management

**75. CALCULATION OF BRADFORD'S COUNCIL TAX BASE AND BUSINESS RATES BASE FOR 2017-18**

The Director of Corporate Services submitted a report (**Document “AQ”**) which calculated both the Council’s Council Tax and Business Rates bases for 2017-18, which in turn would determine the amount of income the Council will raise locally in 2017-18.

The report was divided into two sections. Section A set out how the Council Tax Base was calculated. It took into account the Council’s Council Tax Reduction Scheme, exemptions and discounts and an estimate of the growth in new residential builds. Section B estimated the amount of income that will be generated from Business Rates.

It was stated that although there was good news on the Council Tax collection front, this was less positive in relation to Business Rates, primarily due to successful appeals, which was a picture replicated up and down the country.

**Resolved –**

- (1) That the number of band D equivalent properties estimated by the Council as the Council Tax Base for 2017-18 for the whole of the Bradford Metropolitan District is 136,252 is set out in Appendix A to Document “AQ”.**
- (2) That the Council Tax Base for 2017-18 for each Local Council is set out in Appendix B to Document “AQ”.**
- (3) That the amount estimated by the Council as the Business Rates income for 2017-18 as included on the Council’s NDR1 return (Appendix C to Document “AQ”) - £117.6m**



- (4) Of the total Business Rates income;-  
50% is paid to Central Government - £58.8m  
49% is retained by the Council - £57.6  
1% is paid to the West Yorkshire Fire Authority - £1.2m
- (5) That authority be delegated to the Strategic Director for Corporate Services in consultation with the Leader of the Council to make any necessary amendments to the calculation of the Business Rates estimate arising from the completion of the 2017-18 NDR1 form received from the Government and to include the amended figures in the 2017-18 Budget papers for Council.

**ACTION:** *Strategic Director Corporate Services*

Overview and Scrutiny Committee: Corporate

## 76. EXCLUSION OF THE PUBLIC

Resolved –

That the public be excluded from the meeting during the discussion of the Appendices relating to the Sports Facilities Review and the White Rose Energy report on the grounds that it is likely, in view of the nature of the proceedings, that if they were present, exempt information within Paragraph 3 (Financial or Business Affairs) of Schedule 12A of the Local Government Act 1972 (as amended) would be disclosed and it is considered that, in all the circumstances, the public interest in allowing the public to remain is outweighed by the public interest in excluding public access to the relevant part of the proceeding for the following reasons:

It is in the public interest in maintaining the exemption because it is in the overriding interest of proper administration that Members are made fully aware of the financial implications of any decision without prejudicing the financial position of the authority.

## 77. SPORTS FACILITIES INVESTMENT PLAN

Following the report to the Executive on 15 January 2015, officers had progressed the development of plans for investment in the district's sports facilities

The Strategic Director Environment and Sport submitted a report (**Document "AV" with Not for Publication Appendix 1**) which provided Members with an update on progress made and set out alternative options for development and improvements in provision of swimming pools and leisure facilities.



The Assistant Director Sport and Leisure gave a brief summary setting out the proposals which were detailed in the report. The Strategic Director Corporate Services stated that the financial and resource appraisal demonstrated that the proposals offered value for money and were affordable, principally on the grounds that they would replace older facilities which would place less strain on the revenue budget over a 25 year period, whereas the existing facilities with its backlog maintenance would be unaffordable within the existing budget provision.

The Leader stated the Council had set out a more comprehensive ambition for its sports facilities provision, however this had now been tempered in the context of reduced Local Government funding.

The Environment, Sport and Sustainability Portfolio Holder stressed that in comparison to the existing provision, the proposals would provide up to date facilities which were fit for purpose and improve accessibility.

**Resolved –**

- (1) The work undertaken on behalf of the Council be noted.**
- (2) That the Council continues to develop the Sedbergh Sports Facility allowing the subsequent disposal of the Richard Dunn Sports Centre site.**
- (3) That the Council ceases to develop the City Centre sports facility and will not take forward the South West Pool at Clayton Heights planned for phase 2 of the sports facilities investment programme.**
- (4) That the Council brings forward the development of a new community Swimming Pool and Sports Facility in the North of Bradford City with immediate effect, allowing for Bingley Pool to be offered for community management and if a solution can not be found the pool will close.**
- (5) That the Council agrees that when the new pool at Sedbergh opens, Queensbury Pool will be offered for community management and if no solution can be found the pool will close.**
- (6) That the capital requirement for £28.1m and the revenue budget consequences of proceeding with the scheme are reflected in the recommendations to the Council Budget for future financial years.**
- (7) That the Council continues with the plan to forward fund the new facilities from the Capital Investment Plan prior to the closure and disposal of the Richard Dunn site.**



***ACTION: Strategic Director Place***

Overview and Scrutiny Committee: Regeneration and Economy

**78. WHITE ROSE ENERGY**

Leeds City Council had created a local authority led energy services company (LESCo) called White Rose Energy (WRE) to provide a “fairer” energy supply deal to households across the Yorkshire & Humber region.

White Rose Energy was being opened up as a partnership, to other local authorities across the Yorkshire & Humber region. Some authorities and housing associations had been involved in discussions to date, including Bradford Council.

Leeds City Council is aiming to have the first partners signed up by January 2017.

The Strategic Director Regeneration submitted a report (**Document “AW” with Not for Publication Appendix A and B**) which sought Executive approval for Bradford Council to enter into a formal partnership with White Rose Energy.

In explaining the arrangements, it was highlighted that the energy would be sourced from Robin Hood Energy, a fully Ofgen compliant supplier and White Rose Energy would operate as a franchise, offering a lower, fairer tariff with no tie in period or penalties incurred by its customers. In addition it offered a competitive tariff for those customers on pre payment meters.

The Leader welcomed the lower, fairer bills the new supplier would be able to offer.

The Environment, Sport and Sustainability Portfolio Holder stated that the proposals would give customers fairer access to affordable energy and potentially benefit a lot of people in the district.

**Resolved –**

**That Option 2 be approved:**

**That the option to proceed to becoming a partner of White Rose Energy be approved; and is in consultation with the Director of Finance subject to full due diligence which confirms the optimal benefits for working as a partner with WRE in delivering energy supply locally; that the Service Level Agreement is signed at the earliest opportunity.**

***ACTION: Strategic Director Place / Strategic Director Corporate Services***

Overview and Scrutiny Committee: Environment and Waste Management

**79. MINUTES OF THE WEST YORKSHIRE COMBINED AUTHORITY**



**Resolved –**

**That the minutes from the meeting of the West Yorkshire Combined Authority held on 29 September 2016 be received.**

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Executive**

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



**City of Bradford  
Metropolitan District Council**

